



# LATROBE CITY COUNCIL

## MINUTES FOR THE ORDINARY COUNCIL MEETING

HELD IN NAMBUR WARIGA MEETING ROOM  
CORPORATE HEADQUARTERS, MORWELL  
AT 6.00PM (POSTPONED FROM 4 MARCH 2019) ON  
18 MARCH 2019

CM529

**PRESENT:**

<b>Councillors:</b>	Cr Graeme Middlemiss, Mayor	Central Ward
	Cr Darren Howe, Deputy Mayor	East Ward
	Cr Dale Harriman	East Ward
	Cr Kellie O'Callaghan	East Ward
	Cr Dan Clancey	East Ward
	Cr Alan McFarlane	Central Ward
	Cr Darrell White OAM	South Ward
	Cr Brad Law	West Ward
	Cr Sharon Gibson	West Ward
<b>Officers:</b>	Steven Piasente	Chief Executive Officer
	Sara Rhodes-Ward	General Manager Community Services
	Gail Gatt	General Manager City Development
	Greg Drumm	General Manager Corporate Services
	Larry Sengstock	Acting General Manager Infrastructure & Recreation
	Amy Phillips	Coordinator Governance
	Tyler Chisholm	Governance Officer

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**1. OPENING PRAYER**

The Mayor read the opening prayer.

**2. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND**

The Mayor read the acknowledgement of the traditional owners of the land.

**2.1 POSTPONEMENT OF COUNCIL MEETING**

The Mayor advised that this meeting was postponed from the 04 March 2019 to the 18 March 2019 as the equipment to support the Council meeting (as well as other resources) were being used to support the recent bushfire efforts in the municipality.

**3. APOLOGIES AND LEAVE OF ABSENCE**

Nil.

**4. DECLARATION OF INTERESTS**

Councillor O'Callaghan advised the meeting of an interest, not being a Conflict of Interest under Section 79B of the *Local Government Act 1989* in respect to Item 15.3 Delegate Authority to the Chief Executive Officer to Award a Footpath Contract.

**5. ADOPTION OF MINUTES**

**MOTION**

**Moved:** Cr Gibson

**Seconded:** Cr Howe

**That Council confirm the minutes of the Ordinary Council Meeting held on 4 March 2019.**

**CARRIED UNANIMOUSLY**

**6. ACKNOWLEDGEMENTS**

**6.1 ACKNOWLEDGMENT: EVENTS IN CHRISTCHURCH, NEW ZEALAND, MOSQUE OPEN DAY**

Cr O'Callaghan acknowledged and reflected on the tragic events that unfolded in Christchurch, New Zealand, and the hospitality and support shown at the community open day held at the Light of Hidayah mosque on the weekend.

**6.2 ACKNOWLEDGEMENT: BUSHFIRES**

Cr Gibson acknowledged the efforts of all those involved in the recent Bushfire emergency.

### **6.3 ACKNOWLEDGEMENT: TRARALGON AMATEUR BASKETBALL TOURNAMENT**

Cr Harriman acknowledged the successful Traralgon Amateur Basketball Tournament held on the weekend.

### **6.4 ACKNOWLEDGEMENT: BUSHFIRES**

Cr White OAM acknowledged the ongoing efforts of all those involved in the recent Bushfire emergency.

## **7. PUBLIC PARTICIPATION TIME**

### **Public Questions on Notice**

In accordance with the *Council Meeting Policy*, members of the public were able to lodge a question on notice before 12.00 Noon in order for the question to be answered at the meeting.

The questions and responses are listed below.

#### **1. From: Rodney Leplastrier & Debra Shkreli**

**Topic:** Hazelwood Pondage Closure

**Question:** How can Council once again decide that we the site holders have to evacuate our sites by March 31st when Local member Russell Northe has proceedings in place to get the State Government to step in to save Hazelwood Pondage?

**Response:** At the 3 December Council meeting, Council resolved to close the site on 14 January and that site holders have until 31 March 19 to remove all site belongings from the Hazelwood Pondage Caravan Park.

Council made that decision after having taken into account a range of factors including.

- The ongoing uncertainty surrounding the future of the Hazelwood Pondage waterway.
- The ongoing operational constraints at the Caravan Park at that time related to the firefighting services.
- The lease terms for the site and the requirements to return the caravan park site back to its original state.

This decision is now being implemented.

On the same night, through a separate motion, Council made a decision to send a letter to the Premier Dan Andrews requesting a meeting regarding the future of the Hazelwood Pondage Waterway.

Council is determined to continue to peruse the ongoing and future recreational use of the Hazelwood Pondage waterway with the State Government to ensure the best possible outcome for the community, but understand that this is likely take some time to determine.

Since this time, Local Member of Parliament Russel Northe has also started a petition in support of the retention of the Hazelwood Pondage waterway for recreation boating purposes.

Council has recently received advice from the state government that the long-term land uses that the Pondage site may support are also being considered as part of the land use opportunities within the Latrobe Valley Regional Rehabilitation Strategy being prepared by the department.

**2. From: Merv Geddes**

**Topic:** Planning Permit Application 2017/242 – Private Asbestos Disposal Cell

**Question:** What is the status of the notice of a decision to refuse to grant a permit?

**Response:** As a result of the Council Resolution at the of the Ordinary Council Meeting in October 2018 not to support planning permit application 2017/242 for the use and development of the land for private asbestos disposal cell, a Notice of Decision to Refuse to Grant a Permit was issued on 3 October 2018.

This decision was not appealed and as a result the matter is finalised.

**3. From: Merv Geddes**

**Topic:** Asbestos Taskforce

**Question:** When will the asbestos taskforce be convened to decide on community policy?

**Response:** The establishment of the Asbestos Taskforce committed to by the re-elected Labor Government and the related timelines will be followed up as part of the advocacy campaign to be conducted by Latrobe City Council in 2019

**4. From: Merv Geddes**

**Topic:** Future Morwell Revitalisation Plan

**Question:** What is the breakdown of costs and expenditure and the economic development package received?

**Response:** Future Morwell Urban Design Revitalisation Plan:  
\$300,000 Received.

\$295,000 Expended

Project completed.

Future Morwell CBD Revitalisation

\$350,000 Received.

Project has since been incorporated into a larger funding package having received \$2.75 million in additional State and Federal Government funding and is now underway with some works completed prior to Christmas 2018 and further works being undertaken this year.

Future Morwell Event

\$60,000 Received

\$60,000 Expended – Morwell Rose Garden Festival.

Future Morwell Entrance Project

\$350,000 Received.

Project still underway. Expected expenditure to be aligned to amount received.

Branding, Signage and Marketing

\$100,000 Received

Project still underway.

Some components of the economic package were received by other agencies – queries regarding expenditure of those components should be directed to the State Government agency responsible.

**5. From: Merv Geddes**

**Topic:** Future Morwell Revitalisation Plan

**Question:** What is the current make-up of the steering committee and how were they elected?

**Response:** Future Morwell Steering Group Membership Includes:

- Councillor Representative
- Representative Latrobe City Business Tourism Association
- Representative Advance Morwell
- Representative Morwell and Districts Community Recovery Committee
- Representatives Morwell Traders

Members of the Future Morwell Steering Group were not elected but appointed by State Government.

**Public Speakers**

Members of the public who registered before 12.00 Noon were invited to speak to an item on the agenda.

The following persons spoke on an item on the agenda:

14.1 Proposed Amendment to the Franklin Place Development Plan

- Mr Dale Stott (6 Star Developments Pty Ltd)



**8. ITEMS HELD OVER FOR REPORT AND/OR CONSIDERATION/QUESTIONS ON NOTICE**

Date of Council Meeting	Item	Date of Future Council Meeting Report
<b>Chief Executive Office</b>		
13 November 2017	Memorandum of Understanding with the State of Victoria to develop a City Deal	<p><b>19 January 2018</b> A report will be scheduled in 2018</p> <p><b>06 April 2018</b> A further report is scheduled later in 2018.</p> <p><b>20 August 2018</b> No change</p> <p><b>24 October 2018</b> An update report to Council is expected in early 2019.</p> <p><b>17 January 2019</b> Report expected April 2019</p> <p><b>23 January 2019</b> Report scheduled to go to Council on the 1 April 2019</p>
11 September 2017	2017/14 Morwell / Hazelwood Mine  Confidential under Section 89(2) (e) of the Local Government Act 1989, as it deals with contractual matters.	<p><b>19 October 2017</b> A further report will be scheduled in 2018</p> <p><b>6 April 2018</b> Councillor workshop held 12/02/2018. External consultants to be engaged to provide advice on market opportunities for brown coal. This process has been initiated. A further report will be presented to Council once that advice is received.</p> <p><b>4 June 2018</b> A report was presented to Council Meeting.</p>

Date of Council Meeting	Item	Date of Future Council Meeting Report
		<p><b>21 June 2018</b> A report, market opportunities for brown coal due at Councillor Briefing 17 September 2018 and a further report to Council Meeting 1 October 2018.</p> <p><b>20 August 2018</b> No change</p> <p><b>24 October 2018</b> Report is due to be finalised by the end of 2018. The report to Council is expected in early 2019.</p> <p><b>17 January 2019</b> Report expected April 2019</p> <p><b>23 January 2019</b> Report scheduled to go to Council on the 1 April 2019</p>
<b>City Development</b>		
05 February 2018	Signage on Overhead Bridges on Freeway	<p><b>08 February 2018</b> A report is anticipated at 05 March 2018 Council Meeting.</p> <p><b>08 March 2018</b> A report to Council will be prepared for a future Council meeting once a response is received from Vic Roads.</p> <p><b>06 June 2018</b> A further report is due September 2018.</p> <p><b>21 August 2018</b> Anticipated report for the September 2018 is re-scheduled for November 2018.</p>

Date of Council Meeting	Item	Date of Future Council Meeting Report
		<p><b>24 October 2018</b></p> <p>Report to Council potentially delayed until February 2019.</p> <p><b>23 January 2019</b></p> <p>Report scheduled to go to Council on the 1 April 2019</p>
3 April 2018	Future Use of the Visitor Information Centre Building	<p><b>04 April 2018</b></p> <p>The resolution is noted. A report outlining options for the future use of the existing Visitor Information Centre building in Traralgon will be presented to Council closer to the transition of the service to the foyer of the new performing arts centre (Latrobe Creative Precinct).</p> <p><b>20 July 2018</b></p> <p>No further updates - Update to be provided as the opening of the LCP approaches.</p>
23 October 2017	<p>Development Proposal - Expression of Interest</p> <p>Confidential under Section 89(2) (d) (e) of the Local Government Act 1989, as it deals with contractual matters; AND proposed developments.</p>	<p><b>19 January 2018</b></p> <p>A report will be scheduled as required.</p> <p><b>08 February 2018</b></p> <p>A report is anticipated at 05 March 2018 Council Meeting.</p> <p><b>09 March 2018</b></p> <p>Presentation to occur at a Councillor Briefing on 26 March 2018.</p> <p><b>24 July 2018</b></p> <p>Briefing report has been prepared for 30 July 2018.</p> <p><b>17 January 2019</b></p> <p>As per Council Decision 23/10/2017, a further report is required</p>

Date of Council Meeting	Item	Date of Future Council Meeting Report
		<p><b>13 February 2019</b> Report is pending scheduling</p>
23 October 2017	<p>Gippsland Logistics Precinct Potential Business Opportunity</p> <p><i>Confidential under Section 89(2) (e) of the Local Government Act 1989, as it deals with proposed developments.</i></p>	<p><b>05 December 2017</b> A report will be presented to Council in 2018.</p> <p><b>20 July 2018</b> A report will be presented to Council later in 2018.</p> <p><b>24 October 2018</b> Council Report to be presented on 5 November 2018.</p> <p><b>05 November 2018</b> A further report to be presented to Council.</p>
3 September 2018	Amendment C105 to the Latrobe Planning Scheme – Consideration of submissions and request appointment of Planning panel	<p><b>3 September 2018</b> A report will be presented to Council later in 2018.</p> <p><b>24 October 2018</b> Report to be tabled February 2019.</p> <p><b>23 January 2019</b> Report to go to Council Briefing on the 18 February 2019</p> <p><b>13 February 2019</b> Report rescheduled to go to Council Briefing on the 18 March 2019</p>
<b>Community Services</b>		
04 December 2017	Potential changes to Aged & Disability Services and their	<p><b>17 January 2018</b> A future report is required in March 2018.</p>

Date of Council Meeting	Item	Date of Future Council Meeting Report
	<p>impact on Council</p> <p>Confidential under Section 89(2) (h)</p> <p>Any other matter which council or special committee considers would prejudice the council or any person.</p>	<p><b>20 June 2018</b></p> <p>Final report from consultant due December 2018.</p> <p><b>10 December 2018</b></p> <p>A further report on the future of Aged Services will be presented in February 2019</p> <p><b>16 January 2019</b></p> <p>Second Briefing Paper to be presented to Councillors in February 2019</p>
<b>Corporate Services</b>		
25 May 2015	<p>MAV Workcare Self Insurance</p> <p>Confidential under Section 89(2) (e) of the Local Government Act 1989, as it deals with contractual matters.</p>	<p><b>14 March 2017</b></p> <p>A report to Council is scheduled for the end of the current financial year.</p> <p><b>18 July 2017</b></p> <p>A report will be presented to Council in 2020/2021 Financial Year.</p>
11 September 2017	Proposed Road Renaming - Ashley Avenue, Morwell	<p><b>20 September 2017</b></p> <p>Pending further discussions before a report is rescheduled for decision.</p> <p><b>9 August 2018</b></p> <p>A report for Council to consider the submissions received is being prepared for the September Meeting.</p> <p><b>17 September 2018</b></p> <p>A further report will be determined after Councillor speaks with property owner.</p> <p><b>17 January 2019</b></p> <p>Report expected to council in April 2019</p>

Date of Council Meeting	Item	Date of Future Council Meeting Report
		<p><b>13 February 2019</b></p> <p>Report pending scheduling</p>
6 August 2018	Provision of Resources and Support to Councillors Policy Review	<p><b>6 August 2018</b></p> <p>A report will be presented to a Council Meeting later in 2018.</p> <p><b>17 September 2018</b></p> <p>A further report is scheduled for 22 October 2018 Councillor Briefing.</p> <p><b>18 October 2018</b></p> <p>A report is being prepared for the 3 December 2018 Council Meeting.</p> <p><b>19 November 2018</b></p> <p>Report was scheduled to be considered at the December 2018 Council meeting. Councillors advised that additional time is required for consideration. As such, matter will not be relisted for Council determination until 2019.</p> <p><b>23 January 2019</b></p> <p>Report scheduled to go to Council on the 4 March 2019</p>

Date of Council Meeting	Item	Date of Future Council Meeting Report
3 September 2018	Proposal to place barriers (gates) on Hagens Track at Hernes Oak and Newborough	<p><b>3 September 2018</b></p> <p>A further report is scheduled for 2018 if we receive submissions or a negative response from VicRoads.</p> <p><b>20 October 2018</b></p> <p>A report will be presented to Council to consider submissions at the 3 December 2018 meeting.</p> <p><b>14 November 2018</b></p> <p>A report will be prepared for Council to consider submissions at the February 2019 meeting.</p> <p><b>23 January 2019</b></p> <p>Report scheduled to go to Council on the 4 February 2019</p> <p><b>13 February 2019</b></p> <p>Officers continue to update actions requested from the Ordinary Council Meeting on 04 February 2019</p>
05 November 2018	Representation and Participation of Traditional Owners on Council Committees	<p><b>05 November 2018</b></p> <p>A progress report on implementation will be submitted to Council in the first quarter of 2019.</p>
3 December 2018	Accumulated Cash Surplus – Surplus Allocation 2018/19	<p><b>3 December 2018</b></p> <p>A future report to be provided to Council on options for any future Latrobe City Council intern program beyond July 2019.</p>
<b>Infrastructure &amp; Recreation</b>		
03 April 2018	2018/05 - MacPherson Road, Moe	<p><b>6 April 2018</b></p> <p>A briefing report will be prepared for 23 July Briefing 1 Session with a final report for decision</p>

Date of Council Meeting	Item	Date of Future Council Meeting Report
		<p>presented to Council at the 6 August Council Meeting.</p> <p><b>13 June 2018</b></p> <p>Report being reviewed after division check in.</p> <p><b>05 July 2018</b></p> <p>A new report is being prepared for the 6 August Council meeting.</p> <p><b>30 July 2018</b></p> <p>A report will be presented at a Council Meeting in June 2019.</p>
3 September 2018	2018/11 Explore alternate options available to replace the supply and use of single use water bottles	<p><b>3 September 2018</b></p> <p>A report will be presented to a Council Meeting later in 2018.</p> <p><b>8 October 2018</b></p> <p>Revised Target Date: 04 Mar 2019</p> <p><b>23 January 2019</b></p> <p>Report scheduled to go to Council on the 1 April 2019</p>

Any proposed timings of reports listed above advised up to 17 January 2019 have been included in the table. Items are removed only once a report has been tabled at Council and advised accordingly.

Any further updates after this time will be provided in the next Council Meeting Agenda.



# **NOTICES OF MOTION**

**9. NOTICES OF MOTION**

**9.1 2019/03: OPTIONS FOR ENGLOBO LAND**

**Cr Dale Harriman**

I, Cr Harriman, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday, 4 March 2019:

**MOTION**

**Moved:** Cr Harriman

**Seconded:** Cr McFarlane

**That Council requests a report to be provided to the next Council meeting, providing the following:**

- 1. Analysis and options for an interest rate concession applying to deferral of rates on englobo land and other relevant categories;**
- 2. Other rating options for englobo land and any resulting financial impacts; and**
- 3. The actions required for rezoning of englobo land and the implications to Council.**

**CARRIED UNANIMOUSLY**

(Signed)  
Cr Harriman  
26 February 2019

**Attachments**  
Nil

**9.2 2019/04: REQUEST FOR A REPORT ON GOVERNMENT AND COUNCIL FUNDING**

**Cr Sharon Gibson**

I, Cr Gibson, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday, 4 March 2019:

**MOTION**

**Moved:** Cr Gibson

**Seconded:** Cr Harriman

**That Council requests the Chief Executive Officer to compile a report for Council detailing a list of all State and Federal Government funding, as well as all Council new capital works funding attributed to Traralgon, Morwell, Moe and Churchill over the last ten years.**

**For** Crs White, O'Callaghan, Middlemiss, Harriman, Gibson and Howe

**Against:** Crs McFarlane, Clancey and Law

**CARRIED**

Signed  
Cr Gibson  
26 February 2019

**Attachments**  
Nil

# **ITEMS REFERRED BY THE COUNCIL TO THIS MEETING FOR CONSIDERATION**

**10. ITEMS REFERRED BY THE COUNCIL TO THIS MEETING FOR  
CONSIDERATION**

Nil reports

# **CORRESPONDENCE**

**11. CORRESPONDENCE**

Nil reports

# **PRESENTATION OF PETITIONS**



**12. PRESENTATION OF PETITIONS**

Nil reports

# **CHIEF EXECUTIVE OFFICE**

**13. CHIEF EXECUTIVE OFFICE**

Nil reports

# **CITY DEVELOPMENT**

## **14. CITY DEVELOPMENT**

**Agenda Item: 14.1**

**Agenda Item: Proposed Amendment to the Franklin Place  
Development Plan**

**Sponsor: General Manager, City Development**

**Council Plan Objective: Improve the liveability and connectedness of Latrobe  
City.**

**Status: For Decision**

### **MOTION**

**Moved:** Cr Gibson  
**Seconded:** Cr McFarlane

**That Council:**

- 1. Endorses the amendment to the Franklin Place Development Plan (September 2018); and**
- 2. Notifies submitters, in writing, of Council's decision.**

**For** Crs Gibson, McFarlane, Clancey and Law  
**Against:** Crs White, O'Callaghan, Middlemiss, Harriman and Howe

**LOST**

Cr Sharon Gibson left the meeting, the time being 06:46 PM

### **MOTION**

**Moved:** Cr Harriman  
**Seconded:** Cr O'Callaghan

**That Council:**

**Endorses the amendment to the Franklin Place Development Plan (September 2018) subject to the following changes being made;**

- 1. That the proposed lot density is reduced to 11 lots per hectare; and**
- 2. Notifies submitters, in writing, of Council's decision.**

**For** Crs White, O'Callaghan, Middlemiss, Harriman, Howe, Clancey and Law  
**Against:** Cr McFarlane

**CARRIED**

**Executive Summary:**

- On 1 July 2013 Council endorsed the Franklin Place Development Plan (the Plan) which applies to 24 hectares of land bound by Park Lane, Traralgon to the east and Marshalls Road, Traralgon to the north. The endorsed Development Plan proposed 334 new housing lots which included a lifestyle village containing 166 units at the northern portion of the site. The development of this area is well progressed with titles recently being released for Stage 7 of the Franklin Place Estate (the Estate).
- In May 2018 the applicant (NBA Group) made an application to Latrobe City Council seeking an amendment to the Plan. The amendment proposes to remove the lifestyle village and replace it with 73 standard residential house lots (reducing the overall density from 14.9 to 11.4 dwellings per hectare).
- The amended Plan was placed on public exhibition from 23 November 2018 to 21 December 2018 and during this period six community submissions and three referral agency responses were received. All of the community submissions received request changes and/or raise concerns with the amended Plan.
- The key areas of concern raised through submissions relate to the removal of the lifestyle village, the change in the nature of the development and the loss of neighbourhood character within the Estate.
- Following the conclusion of the exhibition period, minor technical changes have been made to the Plan in response to feedback from referral agencies.
- As the inclusion of the lifestyle village was included at the request of the developer, not as a result of a requirement of any council plan or policy; the removal of the lifestyle village is considered appropriate.
- The amended Plan provides a conceptual layout for how the subject land could be developed. It is noted that a further step is required (assessment and issuing a planning permit) before the land can be subdivided.

**Background:**

On 23 November 2012 the Applicant (NBA Group) lodged the Franklin Place Development Plan (the Plan) which applies to 24 hectares of land bound by Park Lane, Traralgon to the east and Marshalls Road, Traralgon to the north (refer to Site Plan at Attachment 1). The Plan proposed 334 new housing lots which included a lifestyle village containing 166 units at the northern portion of the site.

The Plan was placed on public exhibition from 28 March 2013 to 6 May 2013 and an 'open house' information session was held on 23 April 2013 in which six community members attended.

During the exhibition period 16 community submissions were received, consisting of nine supportive submissions and seven submissions raising concerns. The key concerns raised in the submissions related to the location of medium density

housing, increases in traffic movements and the need for urban design guidelines to address the lifestyle village and medium density housing.

At the Ordinary Council Meeting held on 1 July 2013, Council considered the submissions received and resolved the following:

*That Council endorse the Franklin Place Development Plan March 2013 subject to the following paragraph being included on pages 12 and 14.*

*Prior to the issue of statement of compliance for stage 1 of the subdivision, urban design guidelines must be prepared for the lifestyle village and medium density sites to the satisfaction of the responsible authority. The urban design guidelines must address (but not limited to) the following matters:*

- o active frontages to public open space*
- o road cross sections*
- o design and layout of the buildings and lots to ensure overshadowing, overlooking and amenity are appropriately addressed.*

A copy of the endorsed Plan is provided at Attachment 2.

The Franklin Place Estate is now well progressed with titles recently released for Stage 7 of the Estate, leaving only the lifestyle village to be developed.

In May 2018, an application seeking to amend the Plan in order to remove the lifestyle village and replace it with 73 standard residential house lots was lodged with Latrobe City Council for assessment. The amended Plan is provided at Attachment 3 and the amended summary report prepared by the applicant is provided at Attachment 4.

The applicant has advised that the developer for the Estate has actively sought out interest in the property for the purpose of a lifestyle village and there have been no parties interested. Advice from the applicant is also that there is still a high level of interest for additional blocks within this area and it is for these reasons that the amendment to the Plan is being sought.

As the inclusion of the lifestyle village was included at the request of the developer, not as a result of a requirement of any council plan or policy; the removal of the lifestyle village is considered appropriate.

The table below provides an overview of the changes to the Plan as a result of the proposed amendment:

	<b>Endorsed Plan</b>	<b>Draft Amended Plan</b>	<b>Comments</b>
<b>Average Standard Residential Lot Size</b>	653 square metres	630 square metres	A breakdown of the proposed lots that are to replace the lifestyle village are provided below: <ul style="list-style-type: none"> <li>• <b>300 – 399 sqm – 10 lots</b></li> </ul>

	<b>Endorsed Plan</b>	<b>Draft Amended Plan</b>	<b>Comments</b>
			<ul style="list-style-type: none"> <li>• 400 – 499 sqm – 4 lots</li> <li>• 500 – 599 sqm – 6 lots</li> <li>• 600 – 699 sqm – 16 lots</li> <li>• 700 – 799 sqm – 13 lots</li> <li>• 800 – 899 sqm – 23 lots</li> <li>• 900 – 1,000 sqm - 1 lot</li> </ul> <p>The draft proposed plan of subdivision is provided at Attachment 5.</p> <p>It is noted that a further step is required (assessment and issuing a planning permit) before the land can be subdivided.</p>
<b>Density</b>	14.9 dwellings per hectare	11.4 dwellings per hectare	<p>The Traralgon Growth Areas Review and State Planning Policy encourage a residential density of 15 dwellings per hectare and Council has an adopted preference of 11 lots per hectare.</p> <p>This reduction is considered appropriate as it is closer to Council's preferred density. It is also noted that the reason the density in the endorsed Plan is at 14.9 was largely due to the lifestyle village as it provided a high dwelling yield for a small area.</p>
<b>Lot Yield</b>	334 lots	241 lots	<p>The reduction in the overall lot yield is due to the removal of the 166 units within the lifestyle village.</p>

**Issues:**

*Strategy Implications*

The project meets the following Council Plan objective:



Objective 3: Improve the liveability and connectedness of Latrobe City by implementing a town planning regime which facilitates appropriate urban growth, industry diversification, liveability and connectivity of Latrobe City.

*Financial Implications*

Additional resources or financial cost could be incurred should the Plan require determination at the Victorian Civil and Administrative Tribunal (VCAT) under Section 149 of the *Planning and Environment Act 1987*.

The anticipated time required for a council officer to prepare a VCAT submission and collate all relevant documentation is 7 business days with an additional three days required to attend and present at the appeal, totalling 10 business days.

This equates to a financial cost in the order of up to \$15,000.

*Risk Analysis*

<b>Identified risk</b>	<b>Risk likelihood*</b>	<b>Controls to manage risk</b>
Perception of Council not supporting the development	3 - Possible	To manage and limit the potential risk the amended Plan has been considered against the relevant sections of both State and Local Planning Policy.

\* For example, likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

*Legal and Compliance*

It is considered that there are no legal implications or compliance matters relating to the proposal which is undertaken in accordance with the *Planning & Environment Act 1987* and relevant strategic policies.

*Environmental Implications*

It is considered that environmental impacts of the proposal have been mitigated; a flora and fauna assessment was submitted with the original Plan and was referred to relevant agencies for consideration and no concerns were raised.

*Consultation*

The amended Plan was placed on public exhibition from 23 November 2018 to 21 December 2018.

The following notification took place:

- Direct letter notification to 228 adjoining landowners/ occupiers (notification area is provided at Attachment 6);
- Advertisement in the Latrobe Valley Express Council Noticeboard;

- Information available to be viewed at the Traralgon, Morwell, Moe and Churchill Service Centres; and
- Information available on Latrobe City Council's website, with the option to make an online submission.

It was considered that an 'open house' information session was not required due to one being held during the six week exhibition period for the original Plan in 2013.

During the consultation period:

- Five phone/ email enquiries were received;
- 31 community members visited the project page on council's website; and
- Six community submissions and three referral agency responses were received. Of the community submissions received, three submitters are from within the Estate and two are within close proximity.

A copy of the submissions received is provided at Attachment 7 and a Summary of Submissions is provided at Attachment 8.

The key themes raised in the submissions are summarised below:

<b>Theme</b>	<b>Submitter Concerns</b>	<b>Planning Comment</b>
<u>Removal of lifestyle village</u>  <b>Raised in submissions:</b> 2,3 and 6	Supported the plan of a Lifestyle Village being within the Estate.	As the inclusion of the lifestyle village was included at the request of the developer not as a result of a requirement of any council plan or policy; the removal of the lifestyle village is considered appropriate.
<u>Change in the nature of the development (lot sizes)</u>  <b>Raised in submissions:</b> 4 and 5	The proposed residential lots are too small and are not in keeping with the remainder of the Estate.	The average lot size of the standard residential lots in the original Development Plan was 653 square metres.  The average lot size for standard residential lots in the overall amended Development Plan is 630 square metres. However, the area subject to the amendment has an

Theme	Submitter Concerns	Planning Comment
		<p>average lot size of 655 square metres.</p> <p>This is considered appropriate as the lot sizes are in keeping with the General Residential zoning of the precinct and similar to the standard lot sizes within the southern area of the Estate. It is also noted that the lifestyle village is a higher density development than what is being proposed within the amended Plan.</p> <p>Within the previous stages of the estate there are 37 lower density lots that are in excess of 1,000 square metres. No lower density lots are being proposed within the future subdivision area.</p>
<p><u>Loss of neighbourhood character</u></p> <p><b>Raised in submissions:</b> 4 and 5</p>	<p>The lots proposed are too small and are not in keeping with the Estate and will affect the neighbourhood character of the area.</p>	<p>See response to 'lot sizes' above.</p> <p>The applicant has advised that the developer of the Estate remains the same and will continue to deliver the existing qualities of the estate through the proposed future subdivision. Any restrictions that were applied to the previous stages of the estate will be carried through, including</p>

Theme	Submitter Concerns	Planning Comment
		<p>design guidelines to a similar nature to those prepared for the previous stages.</p> <p>The current design guidelines address; dwelling design, vehicle access, windows, building materials, fencing, pedestrian access, outbuildings and landscaping.</p>

In early February 2019 officers sent a response to each of the community submissions. No submissions have been withdrawn as a result.

Following the exhibition period minor technical changes have been made to the amended Plan in response to the submissions received from the Country Fire Authority and the West Gippsland Catchment Management Authority.

**Declaration of Interests:**

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

**Supporting Documents:**

Endorsed Franklin Place Development Plan 2013 – Detailed Background Reports & Plans

Draft Amended Franklin Place Development Plan 2018 - Detailed Background Reports & Plans

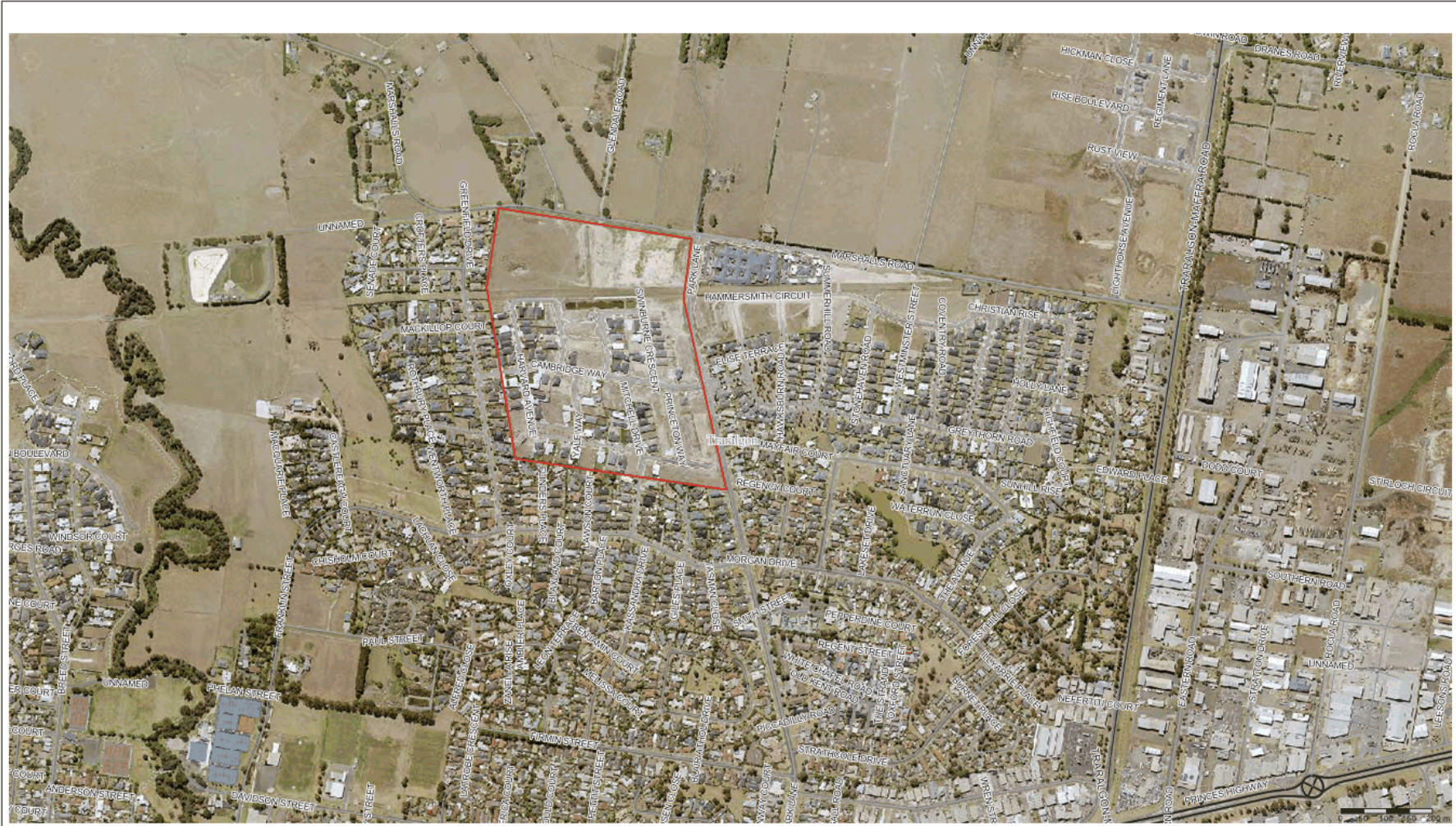
**Attachments**

1. Site Plan
2. Endorsed Franklin Place Development Plan Map
3. Draft Amended Franklin Place Development Plan Map
4. Draft Amended Franklin Place Development Plan Summary Report - NBA Group
5. Draft Proposed Plan of Subdivision
6. Direct Letter Notification Area
7. Submissions & Referral Responses (Published Separately) (Confidential)
8. Summary of Submissions Table

## **14.1**

### **Proposed Amendment to the Franklin Place Development Plan**

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<b>2</b>	<b>Endorsed Franklin Place Development Plan Map.....</b>	<b>38</b>
<b>3</b>	<b>Draft Amended Franklin Place Development Plan Map.....</b>	<b>39</b>
<b>4</b>	<b>Draft Amended Franklin Place Development Plan Summary Report - NBA Group .....</b>	<b>40</b>
<b>5</b>	<b>Draft Proposed Plan of Subdivision.....</b>	<b>70</b>
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<b>8</b>	<b>Summary of Submissions Table .....</b>	<b>72</b>



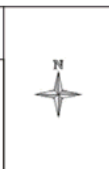
**Note**  
The information shown on this map is derived from a variety of sources including, but not limited to, Vicmap Data, other State and Local Government Agencies data and Latrobe City Data.

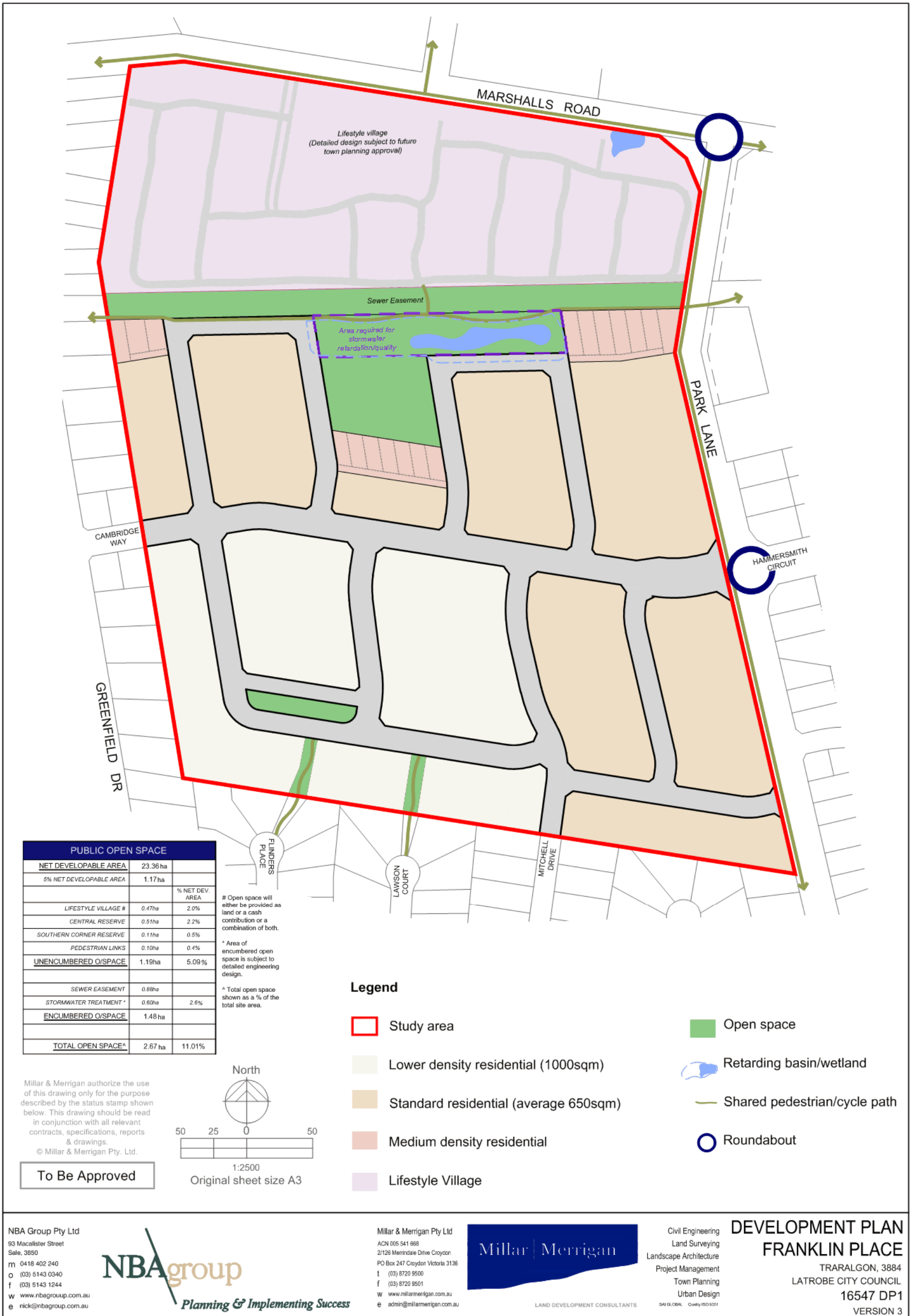
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Site Plan

31/01/2019

Scale 1:8294





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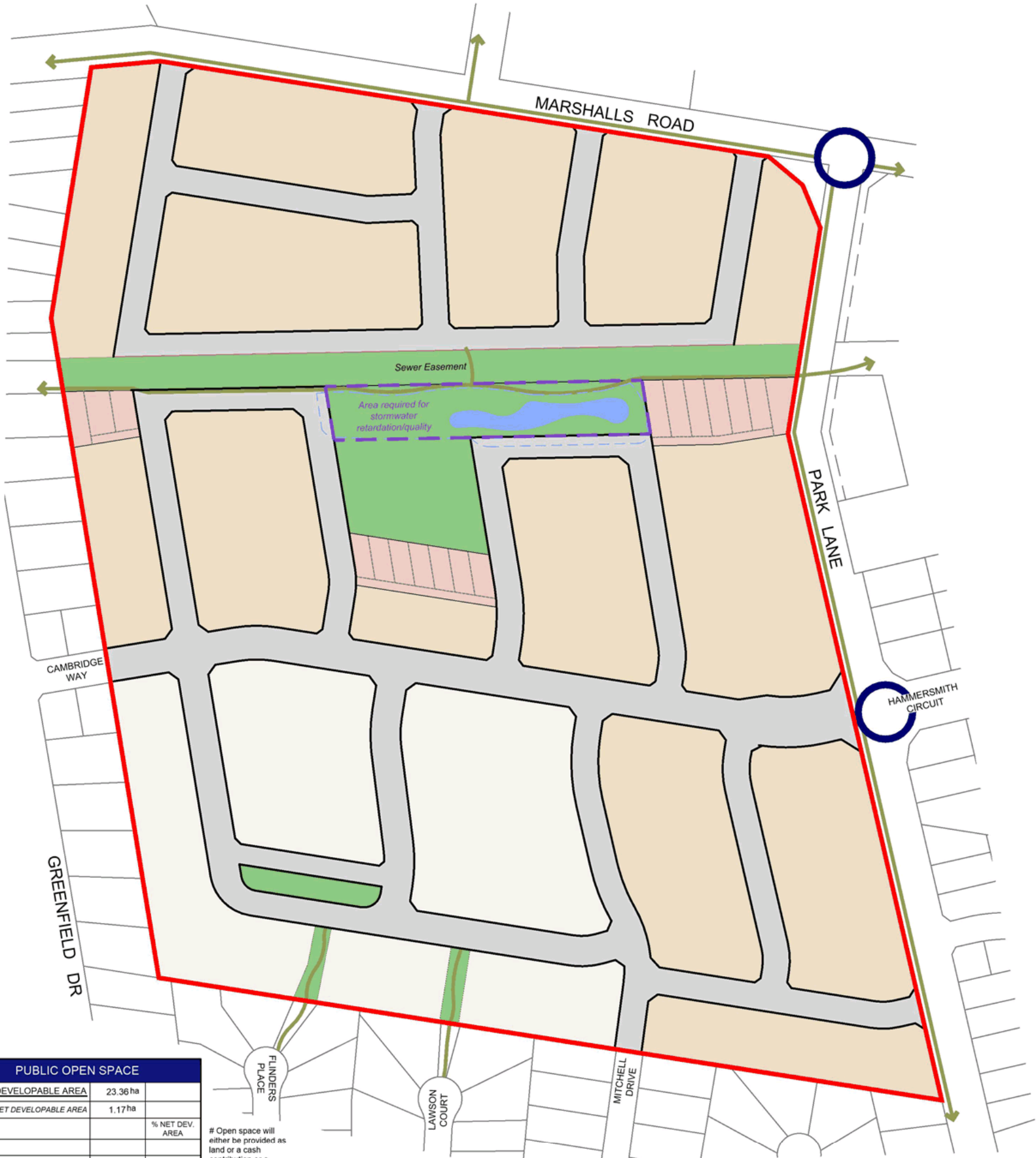


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**DEVELOPMENT PLAN**  
**FRANKLIN PLACE**  
 TRARALGON, 3884  
 LATROBE CITY COUNCIL  
 16547 DP1  
 VERSION 3



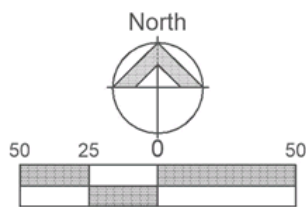
PUBLIC OPEN SPACE		
NET DEVELOPABLE AREA	23.36 ha	
5% NET DEVELOPABLE AREA	1.17 ha	
		% NET DEV. AREA
CENTRAL RESERVE	0.51 ha	2.2%
SOUTHERN CORNER RESERVE	0.11 ha	0.5%
PEDESTRIAN LINKS	0.10 ha	0.4%
UNENCUMBERED O/SPACE	0.72 ha	3.1 %
SEWER EASEMENT	0.88 ha	
STORMWATER TREATMENT*	0.60 ha	2.574 %
ENCUMBERED O/SPACE	1.48 ha	
TOTAL OPEN SPACE <sup>A</sup>	2.2 ha	9.42%

# Open space will either be provided as land or a cash contribution or a combination of both.  
 \* Area of encumbered open space is subject to detailed engineering design.  
<sup>A</sup> Total open space shown as a % of the total site area.

**Legend**

- Study area
- Lower density residential (1000sqm)
- Standard residential (average 650sqm)
- Medium density residential
- Open space
- Retarding basin/wetland
- Shared pedestrian/cycle path
- Roundabout

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To Be Approved

# DEVELOPMENT PLAN

DEVELOPMENT PLAN  
 FRANKLIN PLACE  
 Traralgon, 3844  
 Latrobe City Council  
 16547 DP1      Version 7  
 Date : August 2018



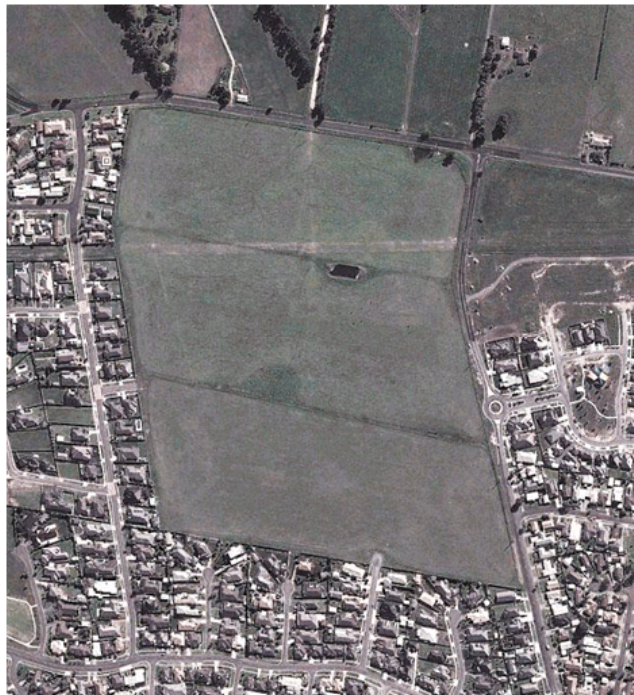
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# Franklin Place Development Plan



Lot 1 TP552002  
Park Lane, Traralgon 3844

Applicant: 6 Star Developments Pty Ltd  
September 2018



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## 1 Introduction

The Franklin Place Development Plan (FPDP) comprises this document and the accompanying plans. It has been prepared for land at Park Lane, Traralgon and sets out the form and conditions for future urban use and development.

The Development Plan has been prepared in accordance with the requirements of the Development Plan Overlay (DPO) provisions at Clause 43.04 of the Latrobe Planning Scheme and more particularly Schedule 5 of the Development Plan Overlay – Residential Growth Areas.

A planning permit for the subdivision, use and development of land must be generally in accordance with the Development Plan. It is noted that detailed plans (in particular the Master Plan and plans that follow from this) have been prepared in order to guide the preparation of accompanying background reports, authority consultation and ultimately the Development Plan itself, these plans should be read as being indicative only.

### 1.1 Supporting Documentation

Accompanying this submission is the following supporting documentation:

- |                   |                                                                                                                              |
|-------------------|------------------------------------------------------------------------------------------------------------------------------|
| <b>Appendix 1</b> | <b>Certificate of Title</b><br>Volume 9352 Folio 257                                                                         |
| <b>Appendix 2</b> | <b>Development Plan</b><br>NBA Group in consultation with Millar Merrigan<br>Reference: 16547 DP1 Version 7                  |
| <b>Appendix 3</b> | <b>Master Plan</b><br>NBA Group in consultation with Millar Merrigan<br>Reference: 16547 MP1 Version 6                       |
| <b>Appendix 4</b> | <b>Staging Plan</b><br>NBA Group in consultation with Millar Merrigan<br>Reference: 16547 P3 Version 3                       |
| <b>Appendix 5</b> | <b>Landscape Concept Plan</b><br>NBA Group in consultation with Millar Merrigan<br>Reference: 16547 L01 Version 3 – 2 sheets |
| <b>Appendix 6</b> | <b>Infrastructure Services Report</b><br>As prepared by Millar Merrigan March 2013                                           |
| <b>Appendix 7</b> | <b>Flora &amp; Fauna Assessment</b><br>As prepared by Biosis Pty Ltd 21 November 2012                                        |



- Appendix 8    Transport Impact Assessment**  
As prepared by GTA Consultants Pty Ltd Issue 1 20 November 2012 &  
Addendum letter 15 March 2013
- Appendix 9    Aboriginal Heritage Due Diligence Study**  
As prepared by Andrew Long and Associates Pty Ltd 28 September 2012
- Appendix 10    Preliminary Surface Water Management Report**  
As prepared by Water Technology March 2013
- Appendix 11    Context Plan**  
NBA Group in consultation with Millar Merrigan  
Reference: 16547 DP2 Version 1
- Appendix 12    Mobility Plan**  
NBA Group in consultation with Millar Merrigan  
Reference: 16547 DP3 Version 2
- Appendix 13    Cross Section**  
NBA Group in consultation with Millar Merrigan  
Reference: 16547 MP4 Version 2



## 2 Development Plan Area

The Franklin Place Development Plan (FPDP) applies to Lot 1 TP552002D which comprises a total area of 24.25 hectares.

This section of the report provides a description of the site's surrounding context and physical features.

### 2.1 Site Context

The subject area is located on the northern periphery of the Traralgon Township some 160km south-east of Melbourne.

The land is a greenfield site bound by Marshalls Road to the north, Park Lane to the east and existing residential development to the south and west. Refer to Figure 1 – Regional Context Plan, Figure 2 – Local Context Plan and Figure 3 – Aerial Photograph. A Context Plan has also been prepared to demonstrate the relationship between the site and the draft Traralgon North Development Plan, see Appendix 11.

Land on the northern side of Marshalls Road is residential, however is yet to be developed. The Traralgon North Development Plan (TNDP) is currently on exhibition and the features offered in this layout have been considered in the design of the FPDP where appropriate.

**Figure 1: Regional Context Plan**





## 2.2 Site Analysis

The subject land is irregular in shape and is contained within a single land holding of 24.25ha. The site comprises of cleared farming land, with no buildings or improvements present. A copy of the relevant Certificate of Title is available at Appendix 1.

Substantial road frontages are available to Park Lane to the east (approximately 530m) and Marshalls Road to the north (approximately 400m). A link is also available to the site from Mitchell Drive to the south and Cambridge Way to the west. GTA Traffic Consultants have prepared a Transport Impact Assessment for the proposed Development Plan (Appendix 2) and provide the following commentary on the existing road network (see Appendix 8 for Transport Report):

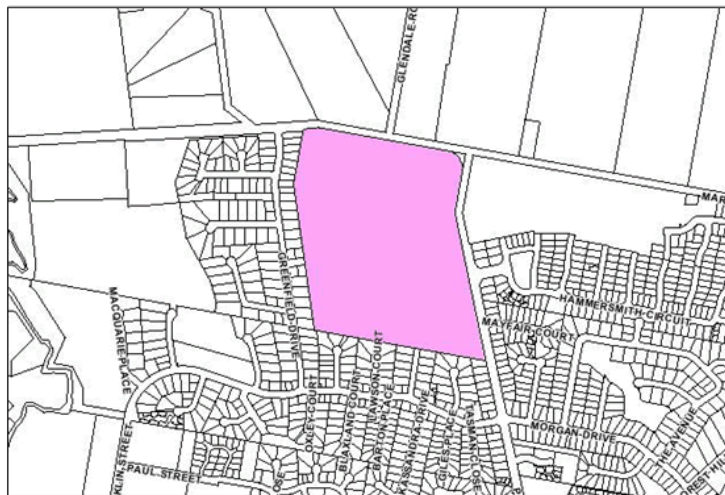
### Marshalls Road

*Marshalls Road functions as an access street. It is a two way road aligned in an east-west direction and configured with a two lane, 6.2 metre wide carriageway set within a 20 metre wide road reserve (approximately) Marshalls Road carries approximately 900 vehicles per day near Traralgon Maffra Road.*

### Park Lane

*Park Lane functions as a collector street. It is a two way road aligned in a north-south direction and generally configured with a two lane, 12.0 metre wide carriageway set within a 25 metre wide road reserve (approximately) south of Hammersmith Circuit and a 20 metre wide road reserve (approximately) north of Hammersmith Circuit. Park Lane carries approximately 2,500 vehicles per day north of Franklin Street.*

**Figure 2: Local Context Plan**





Topographically speaking the land is generally flat, falling slightly to the north towards Marshalls Road. There are two small dams within the site, one situated just north of the middle of the site, and the other adjacent to Marshalls Road.

The land comprises of pasture grass with no canopy trees present. The vegetation on site has been highly modified by past land practices and is of low ecological value. A Flora & Fauna Assessment has been prepared for the proposed development by Biosis Research (Appendix 7) and notes the following:

#### Flora

*The study area is dominated by introduced grass species including Yorkshire Fog *Holcus lanatus*, Sweet Vernal-grass *Anthoxanthum odoratum*, Prairie Grass *Bromus catharticus* and Marsh Fox-tail *Alopecurus geniculatus* with introduced forbs throughout the area including Onion Grass *Romulea rosea*, Capeweed *Arctotheca calendula* and Ribwort *Plantago lanceolata*. Few native species are present scattered throughout the area such as Yellow Wood-sorrel *Oxalis corniculata*, Common Spike-sedge *Eleocharis acuta* and Small Loosestrife *Lythrum hyssopifolia* (Appendix 1).*

*Two artificial wetlands (farm dams) are present within the study area (Figure 2) however these waterbodies support little to no vegetation.*

*Two isolated trees Blackwood *Acacia melanoxylon* and Black Wattle *Acacia mearnsii* are present within the Marshalls Road road reserve (Figure 2); however, following review of the preliminary development plan (NBA Group & Millar Merrigan) it appears they will not be impacted by the proposed development.*

*The study area does not support the presence of any patches of native vegetation (Ecological Vegetation Class).*

*No flora species of national or state significance were recorded during the site inspection and none are likely to occur due to a lack of suitable habitat.*

#### Fauna

*Fauna habitats identified within the study area include exotic pasture, artificial wetlands and two isolated trees within the roadside reserve of Marshalls Road. Fauna habitats within the study area are highly modified and therefore provide limited resources for terrestrial threatened fauna species that have been previously recorded within the surrounding area (Biosis Research 2011).*

*The majority of the study area supports exotic pasture habitat. These areas are dominated by introduced grasses and are of little value for most native fauna species. Common species adapted to pastoral landscapes are likely to occur within this habitat, including Australian Magpie *Gymnorhina tibicen*, Willie Wagtail *Rhipidura leucophrys* and Little Raven *Corvus mellori*. Raptor species such as Nankeen Kestrel *Falco cenchroides* and Brown Falcon *Falco berigora* will also forage over these areas.*



*The artificial wetlands within the study area consist of two farm dams and several small ephemeral wet depressions. These areas are degraded by stock and lack deep pools, native aquatic vegetation and surface rock. The low quality reduces their suitability as habitat for many species. Common frog species such as Common Froglet *Crinia signifera* are likely to inhabit these areas and were recorded during the current assessment. These dams and depressions also provide habitat for common waterfowl such as Pacific Black Duck *Anas superciliosa* and Chestnut Teal *Anas castanea* but do not support critical habitat for threatened terrestrial species.*

*The two wattles present within the Marshalls Road roadside reserve may be utilised by highly mobile fauna. When in flower, these trees provide foraging resources for honeyeaters including Red Wattlebird *Anthochaera carunculata*. Species such as Eastern Rosella *Platycercus eximius* will also forage and roost within these trees.*

*No terrestrial fauna species of national or state significance were recorded during the site inspection and none are likely to occur due to a lack of suitable habitat.*

The land is traversed by a 20m wide easement which travels in an east-west direction. As discussed in the Infrastructure Services Report (Appendix 6) the easement contains the Regional Outfall Sewer Main (ROS), which has been a significant consideration in the preparation of the FPDP. The location of the ROS has been determined by survey and has informed the design.

**Figure 3: Aerial Photograph**







**2.3 Site Photographs**

Photograph 1 – Looking north-west towards the site from Park Lane



Photograph 2 – Looking south-west towards the site from Marshalls Road



Photograph 3 – Looking north across the site from Mitchell Drive



Photograph 4 & 5 – Links from the southern end of the site to Flinders Place & Lawson Court





Photograph 6 – Looking north-west from the site to Cambridge Way



Photograph 7 – Looking west from the site up the ROS easement



Photograph 8 – Looking south down Mitchell Drive





---

### 3 Development Plan Overlay Requirements

Schedule 5 of the Development Plan Overlay requires the following:

*A development plan must be prepared to the satisfaction of the Responsible Authority.*

The plan must show the following:

#### 3.1 Land Use and Subdivision

- ***The proposed boundaries of the development area, and provide the strategic justification for those boundaries.***

The Development Plan (see Appendix 2) identifies the boundary of the proposed development area. The site of the proposed FPDP is the only land holding on the southern side of Marshalls Road in the area that is affected by the DPO. It is a single land holding and was excluded from the area covered by the Traralgon North Development Plan (TNDP), which is currently on exhibition.

It is noted that a parcel to the north east of the site is not included within the DP area. This allotment (lot 1 on LP74280) is in the ownership of Council and we understand that it is required for the upgrade of the intersection at Marshalls Road and Park Lane.

- ***The overall subdivision of the area, including where possible, the proposed size and density of allotments which provide opportunities for a diverse range of housing types.***

The Master Plan (see Appendix 3) indicates an indicative overall subdivision for the development area. A lengthy design process has been undertaken and has been informed by various background reports. The design has been split into two parts with residential subdivision north of the ROS easement and residential development to the south.

The residential development to the south can be described as a curvilinear layout that offers flowing circulation and excellent integration with the adjoining land uses and street network. The Master Plan provides for approximately 108 standard residential lots with an average size of 630m<sup>2</sup>, 37 low density lots within an average of 1036m<sup>2</sup> and 3 medium density sites.

The residential development to the north can also be described as a curvilinear layout that offers excellent integration with Marshalls Road. It provides for approximately 73 standard residential lots with an average size of 655m<sup>2</sup>.



The plan provides for an appropriate mix of allotments to cater for the diverse needs of the population. The lots provided may appeal to both the aging population, and growing families, with low maintenance and lifestyle opportunities available.

The medium density lots have been strategically located adjacent to the ROS easement and proposed open space reserve to ensure that an active frontage to the open space area is achieved.

Prior to the issue of Statement of Compliance for Stage 1 of the subdivision, urban design guidelines must be prepared for any lots abutting a reserve and medium density sites to the satisfaction of the Responsible Authority. The urban design guidelines must address (but not limited to) the following matters:

- Active frontages to public open space
- Road cross sections
- Design and layout of the buildings and lots to ensure overshadowing, overlooking and amenity are appropriately addressed.

The low density allotments would be suitable for re-development in the future, however a sunset clause is proposed prohibiting development of these lots for a period of 20 years. Such a clause could be included as a covenant on title, details of which would be determined at the subdivision stage.

The FPDP graphically identifies the varying intended land uses as discussed above. It clearly provides scope for a diverse range of housing types, suited to the needs of the changing population. Percentages of the development area are as follows:

Standard lots (average 630sqm)	11.01ha	47.25%
Low density lots (average 1036qm)	3.85ha	16.52%
Medium Density Housing Sites (average 2333sqm)	0.70ha	3 %
Roads	3.96ha	23.78%
NET DEVELOPABLE AREA	21.10ha	
Reserves	1.32ha	5.7%
Encumbered land (ROS)	0.88ha	
TOTAL SITE AREA	23.3ha	

While the Latrobe Planning Scheme aims to achieve an average density of at least 15 dwellings per hectare (net developable area), Latrobe City Council have adopted a desired density of 11 dwellings per hectare. The *GAA Precinct Structure Planning Guidelines* define 'net housing density' as:

*The number of houses divided by the net developable area.*

The net developable area is defined as:

*Land within the precinct available for development. This excludes encumbered land, arterial roads, railway corridor, government schools and community facilities and public open space. It includes lots, local roads and connector streets.*



Whilst a small percentage of the proposed land use is allocated to lower density development, this is offset by a large number of standard residential lots as well as development occurring at the medium density areas.

The below table indicates the following approximate number of lots/dwellings:

Lot type	Amount
Standard lots (average 630sqm)	181
Low density lots (average 1036sqm)	37
Medium density (average at 2333sqm)	23 (based on 300sqm)
<b>Total</b>	<b>241</b>

The net developable land area is 21.10 hectares and as such the overall number of dwellings per hectare based on the above assumptions is 11.42. The figures have assumed densities for the medium density lots however it is possible that a higher density on these sites may be achieved. It must be noted that the TNDP offers an overall density of approximately 11 dwellings per hectare (net developable area) which is appropriate and in line with Council's adopted desired density.

The low density lots provide for diversity and will be targeted at the premium end of the market. The FPDP offers balance between preferred land development densities and market demand.

- ***The overall pattern of development of the area, including any proposed re-zoning of land and proposed land uses.***

The FPDP responds to the overall development pattern of the area, including the layout indicated within the TNDP. The indicated land uses are consistent with and will not conflict with adjacent land uses.

The entire land is zoned Residential 1 and as such there are no rezoning's required. The land is to be developed for residential purposes.

The TNDP proposes a town centre on the north side of Marshalls Road opposite the subject site. It is not considered necessary to provide any additional commercial uses on the site.

- ***Street networks that support building frontages with two way surveillance.***

The Development Plan (see Appendix 2) offers a street network that encourages future buildings to overlook public spaces. Roads are proposed along public open spaces, including the ROS easement, to enable high levels of surveillance whilst creating an attractive outlook.



The indicative lot layout has been designed to support high levels of surveillance with each lot fronting an existing or proposed road. Lots backing onto roads and public spaces have been avoided to ensure positive design outcomes.

The proposed residential development has been designed to integrate well with the ROS easement. Roads are proposed along either side of the easement and dwellings/lots front the roads where they will overlook the easement. This was considered appropriate by Gippsland Water. Medium density sites are strategically located adjacent to the ROS easement and open space reserve whereby future development can be site specifically designed to ensure active frontages.

Roads are proposed along each side of the proposed public park, with the lifestyle lots designed to overlook the open space area.

Prior to the issue of Statement of Compliance for Stage 1 of the subdivision, urban design guidelines must be prepared for site abutting reserves and medium density sites to the satisfaction of the Responsible Authority. The urban design guidelines must address (but not limited to) the following matters:

- Active frontages to public open space
  - Road cross sections
  - Design and layout of the buildings and lots to ensure overshadowing, overlooking and amenity are appropriately addressed.
- ***An accessible and integrated network of walking and cycling routes for safe and convenient travel to adjoining communities (including existing and future areas included in the DPO), local destinations or points of local interest, activity centres, community hubs, open spaces and public transport.***

The layout caters for an integrated pedestrian and cyclist network that offers external connections where considered appropriate as shown on the Mobility Plan at Appendix 12.

The internal street network offers a mix of road hierarchies, which are intended to cater for pedestrians and vehicles. Road reserves are narrowed adjacent to open spaces where the intention is that the path network be contained within the reserve, creating a pleasant and safe environment for users.

The path network offers pedestrian links to Flinders Place, Lawson Court and Mitchell Drive to the south, and Cambridge Way and Park Lane to the east and west.

The path network also provides a linear path to the ROS easement and a link between the north and south residential developments which connects to the Strand, TNDP and the Traralgon-Maffra Rail Trail.

- ***The provision of any commercial facilities and the extent to which these can be collocated with community and public transport facilities to provide centres with a mix***



***of land uses and develop vibrant, active, clustered and more walkable neighbourhood destinations.***

No major commercial facilities are proposed as part of the FPDP as these are to be located to the north within the land covered by the TNDP. The shared pedestrian/cycling path network will ensure convenient access to these facilities.

A new bus route (#45) runs along Marshalls Road and the TNDP proposes an extended route with bus stop just north of the Marshalls Road/Park Lane intersection. This is located adjacent to the ROS easement where it links to pedestrian/bicycle networks to aid in the creation of walkable neighbourhoods. See the Mobility Plan at Appendix 12.

### 3.2 Waterways

- ***A buffer zone of 30 metres each side of waterways designated under the Water Act 1989 or a buffer based on a flood study which identifies the 100 year flood extent must be set aside for ecological purposes.***

A Preliminary Surface Water Management Report has been prepared for the site by Water Technology (Appendix 10) and confirms there are no declared waterways traversing or in close proximity to the site, as such no buffers are required.

### 3.3 Infrastructure Services

- ***An integrated stormwater management plan that incorporates water sensitive urban design techniques which provides for the protection of natural systems, integration of stormwater treatment into the landscape, improved water quality, and reduction and mitigation of run-off and peak flows, including consideration of downstream impacts.***

Water Technology has been engaged by the NBA Group to provide a preliminary Surface Water Management Report (SWMR) (Appendix 10).

The site drains from south to north under existing conditions and flow from the proposed development will pass through the future residential land to the north of Marshalls Road and into the Latrobe River (see Figure 4).

In relation to site storage, the SWMR notes the following:

*Analysis of existing and developed flows for the proposed development show that site flows increase by approximately 150% under developed conditions. This result is consistent with Water Technology's experience with developments of this nature. It also found that approximately 300m<sup>3</sup> – 500m<sup>3</sup> of storage per developed hectare was required to attenuate developed flows back to existing conditions. It should be noted that this calculation does not take into account the existing flows from upstream catchments that may be directed towards the site. If these flows are directed into the storages then the size of the storages may*



increase. Alternatively these flows may be directed around the storages, or given consideration of catchment timing may not influence the total volume. To accurately determine this affect a catchment level hydrological model (such as RORB) should be built at the subdivisional stage.

**Figure 4: Existing undeveloped drainage conditions**



The SWMR comments on the retardation requirements as follows:

*Note the location of the basins has been revised from the previous greater area study. The total area available for retention is about 6.6 ha, which can be considered adequate in the preliminary assessment stage.*

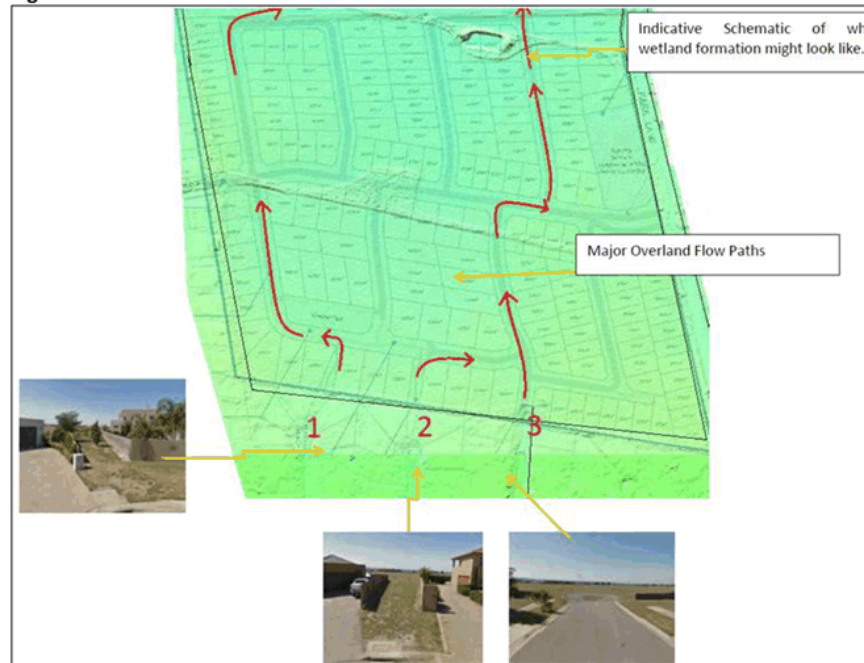
The SWMR comments on overland flows as follows:

*A detailed assessment of the flow paths will be required at the subdivisional stage, however for the purposes of this review and based on a preliminary look at contours in the area, it is assumed that flow paths 1 and 2 are under  $1\text{m}^3/\text{s}$ . For flows of this size the road reserves as depicted above are more than adequate to provide overland flow in a safe manner. Given the catchment upstream of flow path 3 it is possible that this flow is greater than  $1\text{m}^3/\text{s}$  and as such a detailed assessment of the flow and possible hazards associated with this flow should be undertaken.*





Figure 5: Overland Flow Paths



The SWMR comments on water quality as follows:

*... Latrobe River and Traralgon Creek are the respective receiving water bodies for all sub catchments within the development. Both waterways are considered to have high environmental, amenity, cultural, stormwater and economic values to the local community. Data available for the respective waterways indicates nutrients and sediments are current water quality issues.*

*The Franklin Place development will need to be designed to protect the values of waterways it discharges into. The achievement of Best Practice Stormwater management will enable the development to achieve these objectives.*

The SWMR suggests 3 treatment options, and the proposed Master Plan has been designed to enable implementation of Option 2, which is as follows:

*A less land hungry option is to implement a distributed system within the greater development. This would involve selection of bioretention systems, or raingardens, within key locations around the site. If raingardens are selected in appropriate areas the land take on this option would be up to half that of the wetland option. It is suggested however for practical and reduced maintenance requirements that*



*raingarden locations consider the impacts of sediment loads on the long term viability and maintenance requirements of the system. This option would require detailed discussions with Council.*

The SWMR has reviewed the implication of the proposed Master Plan and states that: *Importantly the review has not found that any significant restriction to the development of the Franklin Place site with respect to surface water management. A number of points of investigation, and a full SWMS should be undertaken at the subdivisional stage.*

The report offers the following conclusions and recommendations:

- *The stormwater management plan for the approved overall development plan in accordance with 56.07-4 of the Latrobe City town planning scheme will be required at the subdivisional stage. As noted in the preliminary Council comments, this SWMS will need to take into account flow discharges from the site for the 1% ARI event and its impact upon the larger Traralgon North Development Plan.*
- *Appropriate water quantity storages in the order of 6000-7000 m<sup>3</sup> will be required for the development to meet development guidelines within the site. Significant area has been reserved for the purpose.*
- *A detailed study of upstream flows entering the site to ensure appropriate overland flow paths are accounted for. The development plan as it stands seems to allow adequate area for this, but the actual flows should be quantified*
- *Opportunities for integrated water management should be investigated*

*In summary this review has found that appropriate provision for surface water management is provided for in the Development Plan. As such this plan should proceed to subdivisional stage and commission the appropriate detailed investigations at this point.*

A meeting was held with Gippsland Water on 20 November 2012, where the potential of the ROS easement was discussed as well as crossing the easement for services, in particular drainage. Gippsland water advised that permanent structures such as rain gardens etc would not be permissible within the easement. It was noted that drainage will need to cross the easement to provide outfall to the north and a number of options for doing this were discussed at the meeting.

Following survey of the ROS and parallel rising mains crossing the site it was possible to determine how the drainage outfall could cross the easement. Gippsland Water commented that:

1. *The ROS easement will converted to reserve as part of the subdivision process.*
2. *The sheet flow of 1 in 100 year storm across the ROS reserve seems to be practical. This is no different to the current situation, if it is at predeveloped levels..*



The minor rainfall events (1 in 5 year storm) still need to cross the easement under the ROS and rising mains and will be subject to detailed design at the subdivision stage.

Existing dams on site have been incorporated into the drainage strategy where possible to reduce earthworks requirements. Both dams are intended to be co-located with proposed retarding basins and water treatment areas and are intended to be augmented in line with detailed design.

- ***The pattern and location of the major arterial road network of the area including the location and details of any required:***
  - *road widening*
  - *intersections*
  - *access points*
  - *pedestrian crossings or safe refuges*
  - *cycle lanes*
  - *bus lanes and stops*

The Development Plan (Appendix 2) indicates a proposed road network for the subject land. It offers a logical and safe circulation network for both vehicles and pedestrians/cyclists. The primary access point for the subdivision area is proposed as a boulevard with central median. The road, verge and median widths together with how it connects with the roundabout will be detailed at subdivision stage and designed to meet the requirements of the Responsible Authority.

GTA Consultants have prepared a Transport Impact Assessment which provides a detailed traffic engineering assessment of the proposed layout, including the internal access arrangements as well as the likely impacts on the surrounding road network of the proposed development. Cross Sections for proposed road types have been prepared and are attached at Appendix 13.

The traffic assessment concluded in part that:

- *The development of the site in accordance with the proposed Development Plan could generate up to 1,900 vehicles movements per day and 190 vehicle movements per hour in the peak periods.*
- *There is sufficient capacity within the existing road network to accommodate the additional traffic movements.*
- *The indicative street network has been designed in accordance with Clause 56 of the Latrobe Planning Scheme.*

The connections from the residential development are to the north, east, west and south, and include:

- Access points to the north onto Marshalls Road.
- Access point to the east which forms the western approach to the existing roundabout on Park Lane.



- Access point to the east to Park Lane, south of Mayfair Court
- Continuation of existing Cambridge Way to the west.
- Continuation of existing Mitchell Drive to the south.

These require no significant infrastructure upgrades and the existing designs are considered to have sufficient capacity to cater for the proposed development.

A draft development plan (TNDP) has been prepared for the area of land immediately to the north of Marshalls Road covered by the DPO5. GTA Consultants have provided advice to Council in the form of a transport report which included flagging the need for Marshalls Road to be upgraded to a connector street in accordance with future traffic volumes.

*Marshalls Road will need to be re-constructed in accordance with the requirements of a 'Connector Street – Level 2' in Clause 56.06-8 of the Latrobe Planning Scheme to accommodate the expected future traffic volumes.*

It is however noted that the northern side of Marshalls Road will accommodate the road widening, and the road upgrade will have no detrimental impact on the layout for the FPDP.

The preliminary analysis of the area north of Marshalls Road indicated that the road network could support the future traffic volumes subject to the upgrading of Marshalls Road as part of the development of this area.

Pedestrian/cyclist networks and public transport are discussed below and shown on the Mobility Plan at Appendix 12.

- ***The pattern and location of any internal road system based on a safe and practical hierarchy of roads including safe pedestrian and bicycle connections and crossing points in accordance with Latrobe City Bicycle Plan 2007-2010, (as amended).***

The proposed road layout is indicated on the Development Plan (Appendix 2) and has been designed in a practical fashion to ensure traffic and pedestrian/cyclist safety. The road network in the residential area utilises a combination of Access Streets and Access Places as indicated in figure 6 and shown in the Cross Section at Appendix 13.

An Access Street is defined under Clause 56.06-8 as being '*a street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated*'.

An Access Place is defined under Clause 56.06-8 as being '*a minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority*'.

The transport assessment notes that:



*The nominated road hierarchy, has been designed to be consistent with the road hierarchy outlined within the Planning Scheme.*

*Based on the hierarchy the proposed road network will be capable of accommodating the traffic volumes expected to be generated by the subject site.*

**Figure 6: Road hierarchy plan**



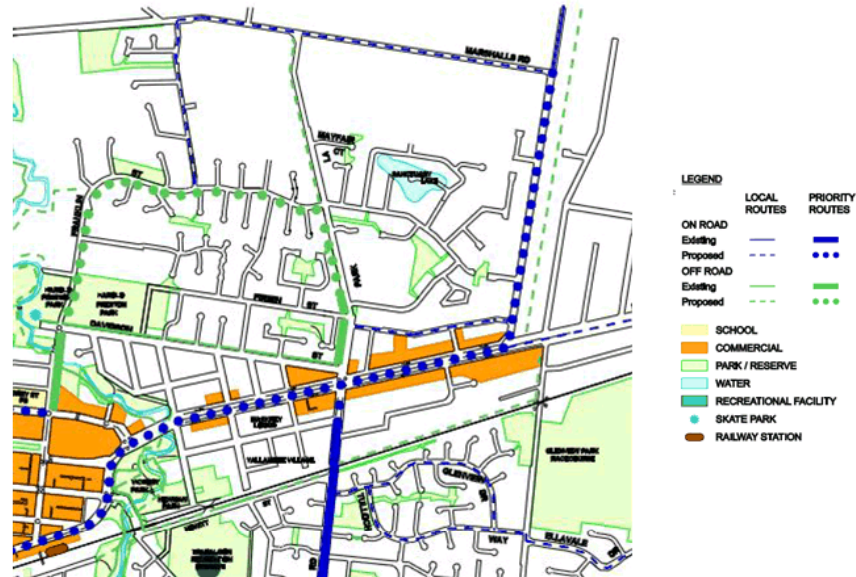
The layout sees provision of widened road reserves (18m) in the lower density area to create more open streetscapes that will offer a unique parkland feel to this part of the development. Sections of narrowed pavement will also be utilised, particularly adjacent to the open space area whereby they will aid in creating the parkland feel and act as traffic calming devices.

Both street types utilised throughout the development facilitate shared pedestrian and bicycle movements and each will be designed in accordance with the applicable standards at subdivision stage. In addition, designated shared pathways are proposed to link the residential areas on site to surrounding developments.

The FPDP provides excellent shared pedestrian/bicycle links to the surrounding road and open space network. Links are proposed to Park Lane, Cambridge Way, Mitchell Drive, Lawson Court and Flinders Place to allow for connection to future on and off road bicycle routes planned under the Latrobe Bicycle Plan, see Figure 7 below. Furthermore a link is proposed along the ROS easement to aid in creation of a linear trail throughout the wider area.



Figure 7: Latrobe Bicycle Plan – Traralgon Bicycle Network (plan cropped)



- *In consultation with relevant agencies and authorities, provision of public transport stops where appropriate within easy walking distance to residential dwellings and key destinations. Stops should also be located near active areas where possible.*

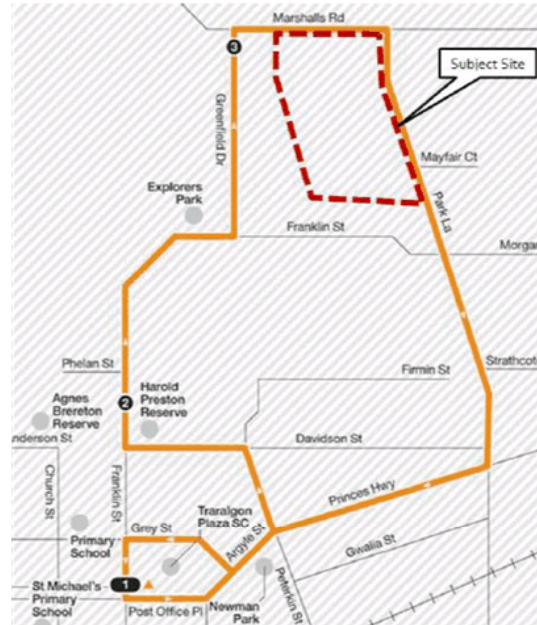
Figure 8 indicates the current bus network, which runs at 60 minute intervals and offer access to major features such as Traralgon Plaza, education facilities and recreation facilities. The closest stop is on Greenfield Drive approximately 160m from the north-west corner of the subject land. The TNDP proposes an extended route through the development linking back to Traralgon Maffra Road, with a new bus stop just north of the Marshalls Road/Park Lane intersection. All lots within the subject development area are within suitable walking distance to an existing or proposed bus route as shown on the Mobility Plan at Appendix 12.

The GTA Report comments on public transport infrastructure:

*Bus route 45 is currently the only public transport service which operates adjacent to the site. This service operates along Marshalls Road and Park Lane. No Bus services are proposed to operate within the internal road network and therefore streets within the site are not required to be designed to accommodate potential future bus services.*



Figure 8: Existing public transport network



3.4 Open Space

- *The location and size of the proposed open spaces that cater for a range of user groups and provide a variety of functions that perform both an active and passive role for recreation, as appropriate.*

The Development Plan (Appendix 2) shows the location and size of proposed open space areas. Five types of reserves are offered in response to site constraints and opportunities.

A reserve is located in the south-western corner within the lower density residential area to aid in creation of a parkland feel to this premium aspect of the development. The land is unencumbered with no constraints and can be developed with landscape features as required to meet the future open space needs of residents. This park will be treated in an appropriate landscape fashion to ensure it becomes a highly desired aspect of the premium residential area and makes a positive contribution to amenity levels.

Photograph 9: Example of a small park making a positive contribution to a residential area



Two reserves are proposed at the southern end of the development to allow pedestrian/cyclist links with Flinders Place and Lawson Court as space has been left to continue these connections and integrate the existing developed residential areas with the FPDP area.

A large central reserve of 1.11ha is located adjacent to the ROS to cater for both useable open space and stormwater retention/treatment. This area is capable of accommodating landscape features and canopy trees and provides an extension to the ROS easement. Medium density allotments are designed to overlook this reserve, which is central to the standard allotments throughout the overall development.

The ROS easement is also proposed as open space due to the constraints posed. Whilst generally considered as undevelopable, the FPDP is strongly lobbying for landscape works to be permitted in this area to create a pleasant outlook for residents and enable good pedestrian/bicycle networks. It is intended that the ROS easement be enhanced with low impact landscape features (as appropriate and to the satisfaction of Gippsland Water) to enhance the space and enable it to form a meaningful contribution to the open space areas. In a meeting of 20 November 2012 between Millar Merrigan and Gippsland Water (attended by Anthony Faltum, Paul Young, Lindsay Nation, Michael Johnston and Geoff Harris of GW) it was agreed that low impact landscaping works including ground covers and gravel paths may be permissible within the ROS easement, however no canopy trees or WSUD works are to be contained within the easement. Gippsland Water indicated that lots/dwellings overlooking the ROS as proposed in the Master Plan were appropriate, however crossings should be minimised. The Master Plan shows one pedestrian crossing that links the north and south residential areas, and this would be subject to detailed design and can be constructed to Gippsland Water's requirements. As discussed in the meeting the easement is to be created as a Gippsland Water Reserve with 24 hour access required, however an agreement can be put in place for Council to maintain the area, as is the case with neighbouring developments that abut the ROS easement.

In total the open space areas offer approximately 2.67 hectares or 11.01% of the total site area. It is noted that some areas of open space are encumbered through proposed stormwater treatment works, however these areas are subject to detailed engineering design. Open space can be provided as either land, a cash contribution, or a combination of both. The DP provides for 5.09% unencumbered open space.



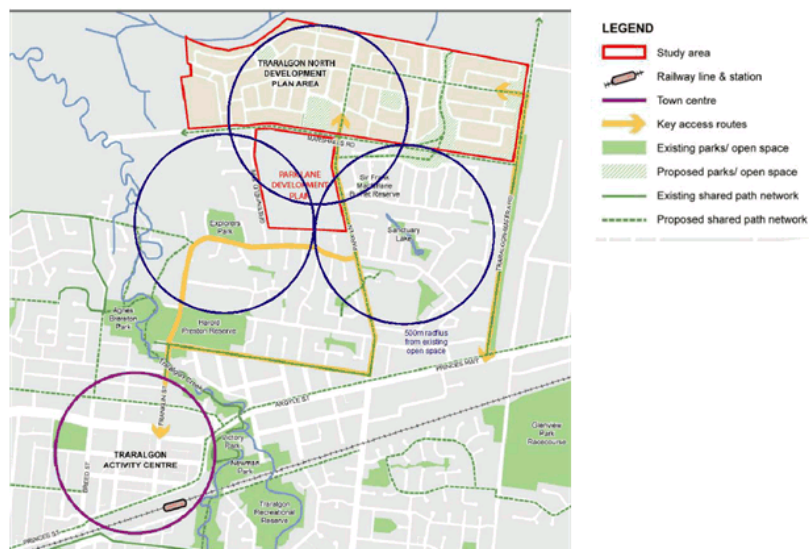
- **Public open spaces designed to provide:**
  - **Public spaces of a minimum of 0.5 hectares within a 500 metre walking distance of all residents in accordance with Latrobe City Public Open Space Plan 2007, (as amended).**
  - **The inclusion of pedestrian and cycle paths and play equipment, that encourage active recreational opportunities.**

All lots within the FPDP are located within 500m of usable public open space. The main reserve is located centrally and is more than twice the required area of 0.5 hectares.

There are also major open space areas proposed as part of the abutting TNDP and there are many existing open space areas within close proximity that encourage a range of active recreational opportunities.

All lots are within walking distance to public open spaces and a shared path network will provide maximum levels of accessibility.

**Figure 9: Open Space Network (sourced from TNDP)**



- **Opportunities for visual surveillance to promote safety of users, through encouraging active frontages, using buildings to frame public spaces and locating open spaces within or adjacent to activity centres where possible.**



Good urban design principles have been employed to create a development with excellent levels of visual surveillance. As discussed above, the layout offers excellent reserve interface with roads provided along open space perimeters. It is intended that all future dwellings be orientated to overlook open spaces to maximise surveillance and create a sense of safety throughout the development.

- ***A landscape concept plan for all open space areas, indicating the location of plantings, pathways, shade, shelter and seating at activity areas as well as at intervals along pathways.***

The Landscape Concept Plan (Appendix 5) shows an indicative treatment and plant schedule for public open space areas. Pedestrian links, seating and shading features are indicated however landscape details will be developed at the subdivision stage.

Key features of the design intent include provision of large canopy trees along the main road to create a boulevard entrance and striking avenue. Varying other tree types are indicated throughout the development to reinforce street hierarchies and create differing feels between each of the residential densities.

The large central reserve offers ample space for recreation together with stormwater retardation/quality features. Large canopy trees will be clumped together to create a leafy and attractive park with seating spots and the potential for a gazebo/shade structure.

The park central to the lower density area will be a unique feature overlooked by adjacent dwellings. Open space will be maximised and pedestrian/bicycle movements prioritised through use of narrowed pavements to reduce traffic speed and create a spacious and high amenity like feel to this area of the development. There is also scope for seating a gazebo/shade structure in this reserve.

The shared path along the ROS easement is intended to meander amongst vegetation. As discussed with Gippsland Water, low impact landscaping could be incorporated into the ROS easement in accordance with their requirements. Such detail can be provided at the subdivision stage.

### **3.5 Community Hubs and Meeting Places**

- ***In consultation with relevant agencies and authorities, the provision of appropriate community facilities, including schools, pre-schools, maternal child health centres, senior citizen centres and general community centres within a walkable range of 400-800 metres across large subdivisions.***

The subject Development Plan offers potential for approximately 168 residential lots as shown on the Master Plan which does not warrant provision of additional major education or community facilities given the location of the site on the edge of the



Traralgon township. In the local area there are a range of existing facilities including a number of primary schools, child care centres and a range of other community facilities.

A community hub is also proposed within the TNDP north of Marshalls Road. The TNDP notes that *the future facilities and services to be provided at the community hub should be determined through a master planning process, and be based on an assessment of the demographic profile, population projections and supply, distribution and capacity of community infrastructure.*

Based on existing facilities and those which can be accommodated within the TNDP there is no additional need to provide community facilities on the subject site.

- ***Provision for access and social interaction, particularly where this encourages physical activity. For example:***
  - *Consider the need for public amenities, including toilets and bicycle parking at key destinations in accordance with the Latrobe City Public Toilet Strategy 2006 (as amended) and Latrobe City Bicycle Plan 2007-2010 (as amended).*
  - *The pattern and location of pedestrian and bicycle paths should provide safe and practical access to and from community hubs and meeting places.*
  - *Spaces should be designed to accommodate community events and cultural programs including local arts activities and other festivals.*

The proposed shared path network encourages social interaction and physical activity and is consistent with the Latrobe City Bicycle Plan. It offers links to the proposed open space facilities in the TNDP area to the north and to the existing open space areas to the north-east of the Traralgon Township.

As noted within Latrobe City Council's *Public Toilet Plan 2010-2014*, there would be no need to provide public toilets within the development site. The facilities proposed within the open space are not significant enough (by definition within the Plan) to require public toilets.

### 3.6 Flora and Fauna

- ***In consultation with the Department of Sustainability and Environment, a flora and fauna survey, prepared by a suitably qualified expert, which includes but is not limited to species surveys for Growling Grass Frog (*Litoria raniformis*) and Dwarf Galaxias (*Galaxiella pusilla*), and measures required to protect the identified species.***

Biosis Research have prepared a Flora and Fauna Assessment for the subject site. The assessment states:

- *No terrestrial fauna species of national or state significance were recorded during the site inspection and none are likely to occur due to lack of suitable habitat.*
- *No flora species of national or state significance were recorded during the site inspection and none are likely occur due to lack of suitable habitat.*



The recommendations of the report are:

*This addendum report addresses the recommendations of the initial due diligence assessment (Biosis Research 2011) for the revised (reduced) study area only.*

*A planning permit is required to remove scattered native vegetation within the study area under Clause 52.17 of the Latrobe Planning Scheme. Overall, the revised study area is of low ecological value, surrounded by residential housing and agricultural land and no further survey is recommended.*

- **An assessment of any native vegetation to be removed having regard to Victoria's Native Vegetation Management: A Framework for Action, including how it is proposed to protect and manage any appropriate native vegetation.**

No native vegetation is proposed to be removed to provide for the development of the land.

As discussed in the Flora & Fauna Assessment:

*Two isolated trees, Blackwood Acacia melanoxylon and Black Wattle Acacia mearnsii are present within the Marshalls Road road reserve, however following review of the preliminary development plan, it appears they will not be impacted by the proposed development.*

- **Regard must be had to the West Gippsland Native Vegetation Plan 2003.**

As discussed in the Flora and Fauna Assessment:

*The proposed development does not entail the removal of patches of native vegetation as determined by the Framework and as such an assessment against Victoria's net Gain policy is not required and there are no additional permit requirements for the project under the relevant West Gippsland Native Vegetation Plan (2003).*

- **Any management plan should take into account that the Strzelecki Bioregion is one of Victoria's most fragmented Bioregions and address this as a consideration.**

The Development Plan Overlay – Schedule 5 covers a range of areas within the municipality of Latrobe City. It is noted that the subject land is not contained within the Strzelecki Bioregion, rather it is within the Gippsland Plain Bioregion.

### 3.7 Cultural Heritage

- **A cultural heritage assessment including how cultural heritage values will be managed.**



As outlined in the attached Aboriginal Heritage Due Dilligence Study (Appendix 9), the site is not in an area of cultural heritage sensitivity:

*The activity area is not an area of cultural heritage sensitivity in accordance with either the Regulations or the AAV 1:100,000 Map - Areas of Cultural Heritage Sensitivity in Victoria 8221 – Traralgon.*

The due diligence study confirms that Cultural Heritage Management Plan is not required for the subject site:

*It is my expert opinion that a CHMP, as defined in the Aboriginal Heritage Act 2006, need not be lodged as part of an application for planning approval for the proposed residential development of the activity area. Furthermore, it is also my professional view the progress of such an application cannot be suspended in accordance with Section 52 of the Act.*

*This opinion is based on the understanding that the activity area is not an area of cultural heritage sensitivity.*

### 3.8 Staging and Implementation

- ***The development plan should be prepared with an appropriate level of community participation as determined by the Responsible Authority.***

There has been a substantial amount of consultation, particularly with Gippsland Water surrounding the ROS easement, and the final Development Plan (Appendix 2) has considered all aspects of applicable policy and responded to site conditions appropriately.

- ***An implementation plan must be submitted as part of the development plan, indicating the proposed staging of the development.***

An indicative staging plan has been prepared and is attached at Appendix 4. The first stage will see the land separated into two parcels to enable the north and the south residential subdivisions to proceed individually. The remaining stages relate to the residential subdivision and are arranged in a logical fashion, both in response to market demand and ease of infrastructure provision.

Proposed public open space areas are also included within the stages to enable their timely creation and development.

Staging has primarily been informed by the layout of required sewerage infrastructure to ensure that servicing can be undertaken viably. It also responds to existing surrounding road networks.

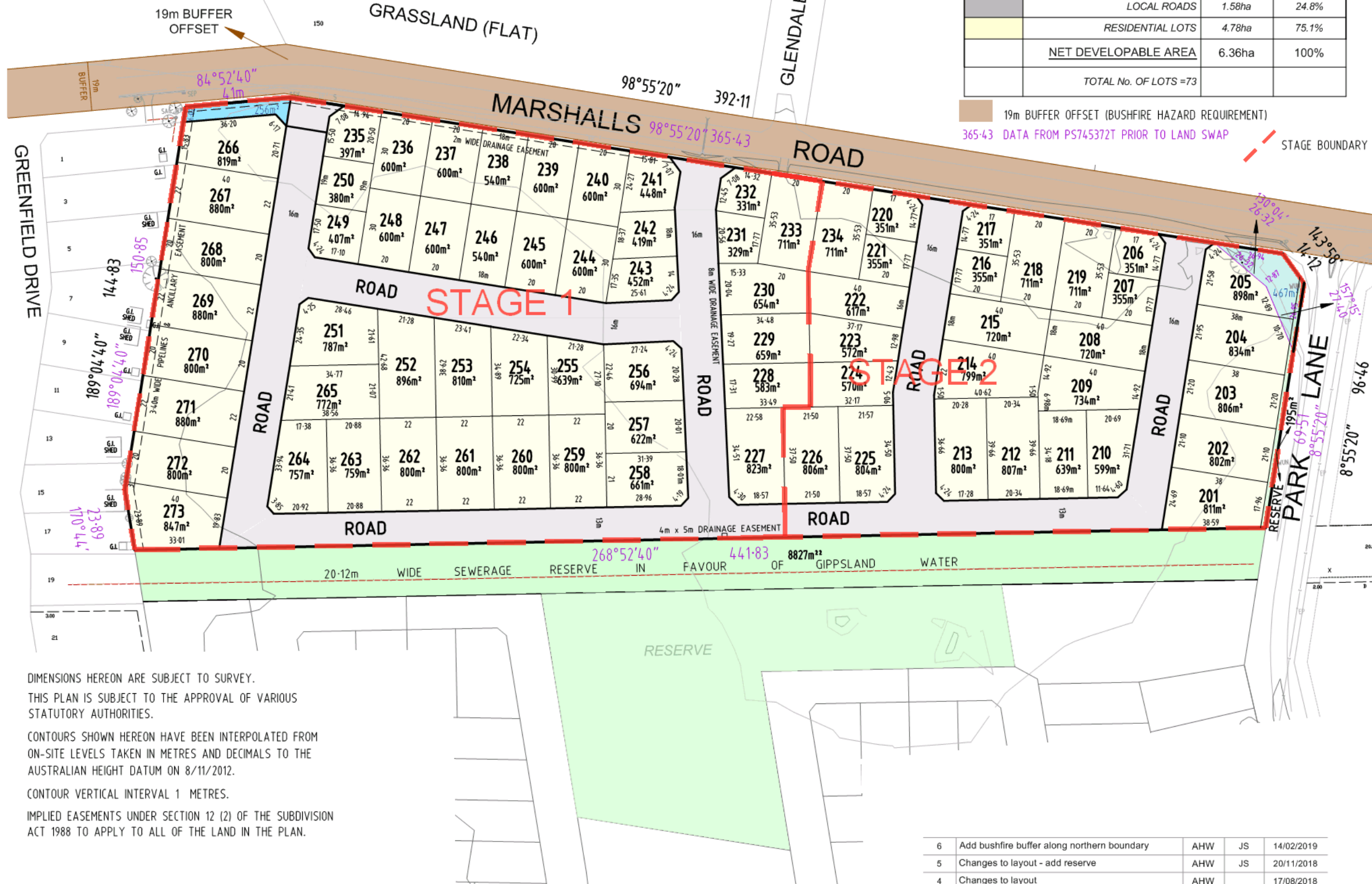


- ***The approved Development Plan may be amended to the satisfaction of the responsible authority***

The proposed development plan provides an intended development layout whilst maintaining some flexibility to avoid the requirement for the Development Plan to be amended for minor variations.

**NBA Group Pty Ltd**

**OVERALL AREA 6.36ha**  
**73 Lots @ 659m<sup>2</sup> average**



LAND BUDGET			
	SITE AREA	6.36ha	
	LAND USES	AREA	% SITE
	RESERVE	0.02ha	
	LOCAL ROADS	1.58ha	24.8%
	RESIDENTIAL LOTS	4.78ha	75.1%
	<b>NET DEVELOPABLE AREA</b>	<b>6.36ha</b>	<b>100%</b>
	TOTAL No. OF LOTS = 73		

19m BUFFER OFFSET (BUSHFIRE HAZARD REQUIREMENT)  
 365-43 DATA FROM PS745372T PRIOR TO LAND SWAP  
 STAGE BOUNDARY

DIMENSIONS HEREON ARE SUBJECT TO SURVEY.  
 THIS PLAN IS SUBJECT TO THE APPROVAL OF VARIOUS STATUTORY AUTHORITIES.  
 CONTOURS SHOWN HEREON HAVE BEEN INTERPOLATED FROM ON-SITE LEVELS TAKEN IN METRES AND DECIMALS TO THE AUSTRALIAN HEIGHT DATUM ON 8/11/2012.  
 CONTOUR VERTICAL INTERVAL 1 METRES.  
 IMPLIED EASEMENTS UNDER SECTION 12 (2) OF THE SUBDIVISION ACT 1988 TO APPLY TO ALL OF THE LAND IN THE PLAN.

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No.	Revision Description	Drawn	App'd	Date
6	Add bushfire buffer along northern boundary	AHW	JS	14/02/2019
5	Changes to layout - add reserve	AHW	JS	20/11/2018
4	Changes to layout	AHW		17/08/2018
3	Changes to layout per client instruction	AHW		12.07.2018
2	Changes to layout	AHW		29.06.2018
1	Prepared for discussion purposes	AHW		29.03.2018

**PROPOSED SUBDIVISION PLAN**

LOT F ON PS745372F  
 PARK LANE, TRARALGON, 3844  
 Latrobe City Council  
 22560P2 Version 6



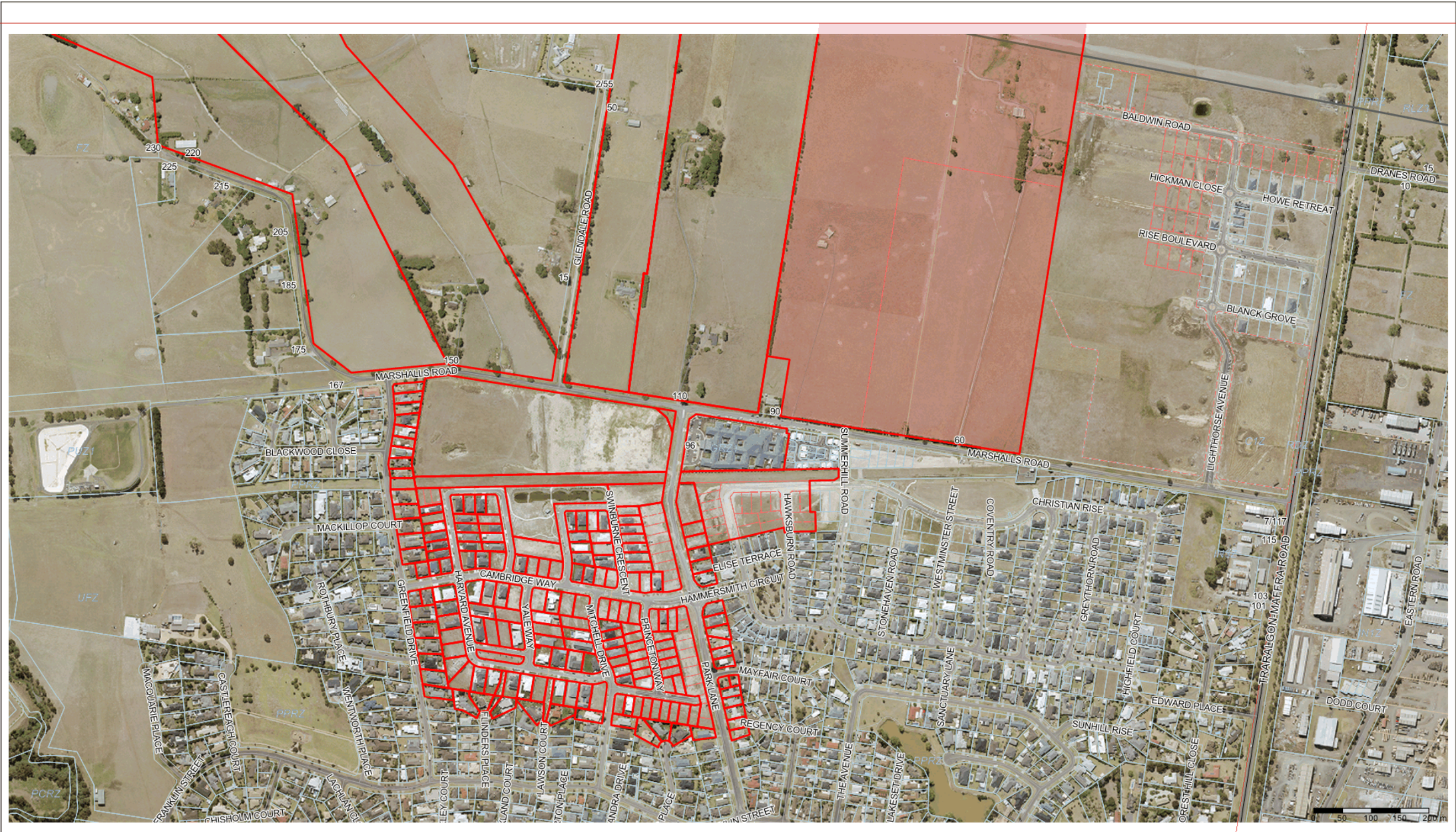
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Date :Feb. 2019



**Note**  
The information shown on this map is derived from a variety of sources including, but not limited to, Vicmap Data, other State and Local Government Agencies data and Latrobe City Data.

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Notification Area

14/11/2018

Scale 1:6548





### Summary of Submissions – Amendment to the Franklin Place Development Plan

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No
1.	Trent Love	Requests changes	<ul style="list-style-type: none"> <li>Wish to have an addition of a playground to the estate or an upgrade to the franklin place playground</li> </ul>	<p>Latrobe City Council's <i>Play Strategy 2016</i> does not highlight a demand for a playground within the Franklin Place Estate due to there already being a number of playgrounds within close proximity to the Estate, including:</p> <ul style="list-style-type: none"> <li>The Strand Reserve, Hawksburn Road;</li> <li>Explorers Park, Franklin Street;</li> <li>Medew Reserve, Strathcole Drive; and</li> <li>The Rise, Regiment Lane.</li> </ul> <p>For this reason, the open space on Cambridge Way within the Franklin Place Estate is available for 'passive' recreational activities and there are no plans to include a playground within this area.</p>	No
2.	Submitter 2*	Objection	<ul style="list-style-type: none"> <li>Do not support the proposed amendment.</li> <li>The lifestyle village was one of the key factors that encouraged me to purchase the block of land and build within the Estate.</li> </ul>	<p>The inclusion of the lifestyle village within the Franklin Place Development Plan was not as a result of a requirement of any council plan or policy; it was included at the request of the developer.</p> <p>The applicant has informed council that the developer for the Estate has marketed the property to multiple parties and has actively</p>	No

\* Submitter has requested that their name be withheld

### Summary of Submissions – Amendment to the Franklin Place Development Plan

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No
				<p>sought out interest in the property for the purpose of a lifestyle village and there has been no interest shown.</p> <p>The southern portion of the estate is nearing completion and the developer has advised that there is still a high level of interest in additional blocks within this area.</p> <p>It is for these reasons that the developer is seeking to amend the Franklin Place Development Plan.</p>	
3.	Submitter 3*	Objection	<ul style="list-style-type: none"> <li>• Represent the joint venture developing the Parklife residential estate, situated directly opposite the Franklin Place Estate.</li> <li>• The proposed lifestyle village that would one day be made available within close proximity to the residents of Parklife was readily disclosed during the marketing of the Parklife estate.</li> <li>• See this proposed amendment as a major step backwards by the developer and council by removing any chance of delivering a format of accommodation which we understand is significantly undersupplied.</li> <li>• Parklife purchasers may claim they were misled through the acquisition of their land.</li> </ul>	<p>The inclusion of the lifestyle village within the Franklin Place Development Plan was not as a result of a requirement of any council plan or policy; it was included at the request of the developer.</p> <p>The applicant has informed council that the developer for the Estate has marketed the property to multiple parties and has actively sought out interest in the property for the purpose of a lifestyle village and there has been no interest shown.</p> <p>The southern portion of the estate is nearing completion and the developer has advised that there is</p>	<b>No</b>

\* Submitter has requested that their name be withheld

### Summary of Submissions – Amendment to the Franklin Place Development Plan

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No
				<p>still a high level of interest in additional blocks within this area.</p> <p>It is for these reasons that the developer is seeking to amend the Franklin Place Development Plan.</p>	
4.	Ryan Scott	Objection	<ul style="list-style-type: none"> <li>Concerned with the 14 blocks that are smaller than 500m<sup>2</sup> – these are undersized and will have a negative impact to the house price and general desirability of the area.</li> <li>Would like to see the average size of the blocks increased to 800m<sup>2</sup> as well as a fence constructed along the north side of the ROS easement.</li> <li>Would like to see no units, town houses or DHS within this new development.</li> </ul>	<p>The applicant has advised that the developer of the Franklin Place Estate remains the same and will continue to deliver the existing qualities of the estate throughout the remaining stages. Any restrictions that were applied to the previous stages of the estate will be carried through, including design guidelines to a similar nature to those prepared for the previous stages. This includes requirements around dwelling design, building materials, fencing, outbuildings, landscaping etc.</p> <p>The average lot size in the original subdivision for standard residential lots was 653 square metres. The average lot size for standard residential lots in the proposed subdivision area is 655 square metres.</p>	<b>No</b>

\* Submitter has requested that their name be withheld

### Summary of Submissions – Amendment to the Franklin Place Development Plan

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No
				<p>The endorsed Franklin Place Development Plan has three medium density sites that are located within the estate and within these areas smaller housing blocks are encouraged (i.e average of 300 square metres). It is also noted that the lifestyle village is a higher density development than what is being proposed within the amended Plan.</p> <p>The Latrobe Planning Scheme encourages a diverse range of lot sizes to accommodate different housing needs. The lot sizes provided in the amended Franklin Place Development Plan supports this.</p> <p>The layout of the amended Development Plan has been designed to activate the ROS easement and to encourage high levels of public surveillance as well as providing connectivity and integration to the southern area of the estate. For this reason Latrobe City Council would not be supportive of a fence being</p>	

\* Submitter has requested that their name be withheld

### Summary of Submissions – Amendment to the Franklin Place Development Plan

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No
				proposed along the north side of the easement.	
5.	Ben & Elise Witts	Objection	<ul style="list-style-type: none"> <li>• Requests that there be no lots smaller than 600m<sup>2</sup> and there are no housing commission allocations or flats/ units.</li> <li>• Do not believe that blocks less than 600m<sup>2</sup> are able to be considered as 'standard' housing block sizes, especially those 300-500m<sup>2</sup>.</li> <li>• A considerable amount of time, money and effort has been put in by the current residents to make the area one of the most family friendly and aesthetic areas in Traralgon.</li> </ul>	<p>The applicant has advised that the developer of the Franklin Place Estate remains the same and will continue to deliver the existing qualities of the estate throughout the remaining stages. Any restrictions that were applied to the previous stages of the estate will be carried through, including design guidelines to a similar nature to those prepared for the previous stages. This includes requirements around dwelling design, building materials, fencing, outbuildings, landscaping etc.</p> <p>The average lot size in the original subdivision for standard residential lots was 653 square metres. The average lot size for standard residential lots in the proposed subdivision area is 655 square metres.</p> <p>The endorsed Franklin Place Development Plan has three approved medium density sites that</p>	<b>No</b>

\* Submitter has requested that their name be withheld

### Summary of Submissions – Amendment to the Franklin Place Development Plan

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No
				<p>are located within the estate and within these areas smaller housing blocks are encouraged (i.e average of 300 square metres). It is also noted that the lifestyle village is a higher density development than what is being proposed within the amended Plan.</p> <p>The Latrobe Planning Scheme encourages a diverse range of lot sizes to accommodate different housing needs. The lot sizes provided in the amended Franklin Place Development Plan supports this.</p>	
6.	Submitter 6*	Objection	<ul style="list-style-type: none"> <li>• Council allowing extra house lots to be available that weren't originally planned will have a negative impact on our land for development.</li> <li>• Based on current land sales in Traralgon this amendment could potentially provide 3-4 years of housing supply, removing the immediate demand for land to be made available in the Traralgon North precinct.</li> <li>• The amendment negatively impacts us as we are currently being charged residential rates on our land, despite there being a low demand for lots in the area and we will continue to suffer the exorbitant rates for an extended period of time if this</li> </ul>	<p>The inclusion of the lifestyle village within the Franklin Place Development Plan was not as a result of a requirement of any council plan or policy; it was included at the request of the developer. The applicant has advised that the developer for the Estate has marketed the property to multiple parties and has actively sought out interest in the property for the purpose of a lifestyle village and there has been no interest shown.</p>	<b>No</b>

\* Submitter has requested that their name be withheld

### Summary of Submissions – Amendment to the Franklin Place Development Plan

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No
			<p>amendment takes place.</p> <ul style="list-style-type: none"> <li>Wishes to formally propose an amendment to the Traralgon North Development Plan to have our property rezoned to rural for an interim period until such time that demand for land increases. If this request is met, our objection to the amendment to the Development Plan would no longer apply.</li> </ul>	<p>The southern portion of the estate is nearing completion and the developer has advised that there is still a high level of interest in additional blocks within this area.</p> <p>It is for these reasons that the developer is seeking to remove the lifestyle village and replace it with residential housing lots.</p> <p>The Franklin Place Development Plan precinct is zoned General Residential Zone, the same zoning that applies to the Traralgon North Development Plan precinct. Similar to the Franklin Place precinct, development of the Traralgon North precinct can commence (subject to planning permit approval) in accordance with the approved Development Plan that applies to the land.</p> <p>The request to have your property rezoned to a rural zone is outside of the scope of the amendment to the Franklin Place Development Plan project and will be considered separately.</p>	

\* Submitter has requested that their name be withheld

## Summary of Submissions – Amendment to the Franklin Place Development Plan

### Referral Responses

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No
1.	Ausnet Services	Support	<ul style="list-style-type: none"> <li>Ausnet has no objection or issue with the development in this location.</li> </ul>	Noted.	No
2.	West Gippsland Catchment Management Authority	Support with changes	<ul style="list-style-type: none"> <li>Requires an amended Stormwater Management Plan to reflect the proposed changes and demonstrate that stormwater generated from the amended subdivision will be retarded and treated so that best practice targets can be met.</li> </ul>	The Applicant has since updated the Stormwater Management Plan to the satisfaction of the West Gippsland Catchment Management Authority.	Yes
3.	Country Fire Authority	Support with changes	<ul style="list-style-type: none"> <li>The northern part of the proposed Development Plan is within the Bushfire Prone Area and needs to address the requirements of Clause 13.02 (Bushfire) of the Latrobe Planning Scheme.</li> </ul>	The Applicant has since updated the Development Plan to the satisfaction of the Country Fire Authority.	Yes

\* Submitter has requested that their name be withheld



# INFRASTRUCTURE AND RECREATION

## 15. INFRASTRUCTURE AND RECREATION

Agenda Item: 15.1

Agenda Item: Application to Round 2 of the Fixing Country Roads Program

Sponsor: General Manager, Infrastructure and Recreation

Council Plan Objective: Improve the liveability and connectedness of Latrobe City.

Status: For Decision

### **MOTION**

Moved: Cr O'Callaghan

Seconded: Cr Howe

That Council:

1. Endorses applications to the Fixing Country Roads Program Round 2 for up to a maximum of \$1,150,000 in total for the following projects:
  - 1.1 – Sealing of Black Tank Road and Railway Avenue, Glengarry  
Estimated cost of \$350,000
  - 1.2 – Sealing of Buckleys Road, Hazelwood North  
Estimated cost of \$400,000
  - 1.3 – Shoulder Widening of Flynns Creek Road, Flynn  
Estimated cost of \$300,000
  - 1.4 – Sealing of McPherson Road, Moe  
Estimated cost of \$100,000
2. Endorses the funding of Council's contribution of up to \$575,000 to be derived from a reduction of the scope of the 2019/20 Road Renewal Program.

**CARRIED UNANIMOUSLY**

### **Executive Summary:**

This report seeks Council's endorsement to apply for funding to Round 2 of Regional Roads Victoria's "Fixing Country Roads Program" (FCRP). The projects were identified based on Council Officers knowledge of outstanding identified potential works projects that were aligned with the grant funding guidelines, or brought to Council Officers attention through Council resolution (Black Tank Road/Railway Avenue, Glengarry and McPherson Street, Moe).

- Council resolved at the 3 December 2018 Council meeting that Black Tank Road be referred to the FCRP for potential funding. Due to its proximity to Railway Avenue that is in exactly the same situation, both Black Tank Road and Railway Avenue are included as a proposed project, for a cost of \$350,000.
- McPherson Road, Moe is in a similar situation to Black Tank Road, and a Council Resolution states that Council Officers will continue to look for a solution to the issue. Although a low likelihood of being successful due to the residential only nature of the road, it has therefore also been included as a proposed project for a cost of \$100,000.
- It is noted that both McPherson Road and Black Tank Road/Railway Avenue were proposed to be undertaken via the Special Charge Scheme process with Council to pay 75% of the total cost. If these projects are funded, Council's contribution would be reduced to 50% of the total cost (and the resident's Special Charge Scheme apportionment of 25% of the total cost paid entirely by FCRP).
- Council Officers also identified two additional a proposed projects:
  - Shoulder widening of Flynns Creek Road, Flynn – Total cost of \$300,000
  - Sealing of Buckleys Road, Hazelwood North – Total cost of \$400,000
- Council must contribute at least 50% of the funding. In order to make this available it is intended that the 2019/20 Road Renewal program (approximately \$3.5 million) be reduced in scope by deferring road renewal projects that would have only a minimal impact on the residents' amenity and Council's maintenance costs.
- Council endorsement is requested to make applications up to a total Council contribution of \$575,000, recognising that the funding would impact the 2019/20 Road Renewal budget. A revised road renewal program would be presented to Council following the advice on the success of the application.

**Background:**

Regional Roads Victoria (RRV) are overseeing the \$100 million *Fixing Country Roads Program* (FCRP) grant program aimed at assisting rural and regional councils in providing local roads. Round 2 of the funding is now open for applications.

Council Officers submitted several projects for Round 1 and \$500,000 was obtained for Flynn Creek Road shoulder widening in 2018/19.

Council Officers through the course of normal work have identified projects for consideration of upgrades or repair and these were considered against the program guidelines. A discussion was held with RRV officers and the list reduced to the most likely candidates (Flynns Creek Road and Buckleys Road) plus the roads Council had resolved to promote for funding.

In brief, the FCRP was created to assist councils improve the current state of their local roads to enhance the connectivity, reliability and efficiency of regional communities through projects such as:

- Pavement quality improvements including, pavement rehabilitations and sealing of gravel roads;
- Reconstructing damaged roads, with priority given to strategic transport links or connections to essential community services;
- Capacity upgrades to promote better traffic flow and journey efficiency and reliability including intersection improvements;
- Local road intersection improvements; or
- Safety upgrades on local roads.

Council Officers have identified the projects in Table 1 as the proposed submissions to the FCRP.

Table 1 - Candidate projects for Round 2 of the Fixing Country Road Program

Site and Concept Cost	Project Description
Buckleys Road, Hazelwood North \$400,000	A Buckleys Road development may directly employ a large number of staff. The developer is not required to upgrade the unsealed 800m long road. It is proposed to improve drainage, resheet the pavement and apply a hot mix asphalt wearing course to support future development.
Black Tank Rd & Railway Ave, Glengarry \$350,000	The gravel roads are causing considerable concern amongst the residents due to dust and perceived safety issues. Council resolved to make an application to this funding program for this project.
Flynn Creek Road \$300,000	This project is to continue the Round 1 project constructing and sealing the shoulders to improve safety when oncoming cars meet. The \$300,000 is the estimate to seal the shoulders a further 1.5km.
McPherson Road, Moe \$100,000	The gravel road is causing considerable concern amongst some of the residents due to dust issues. Council has resolved to continue to seek a solution to the issue.

The total estimated cost of the candidate projects is \$1.15 million. The Round 2 process obliges Council to contribute 50% of the total cost - \$575,000.

The proposed projects are to upgrade the “Service Provision” (i.e. take it from unsealed to sealed), and therefore ideally would be funded from the discretionary component of the 2019/20 budget, deferring other upgrade or new projects.

Unfortunately due to the timing of the grant application and the resulting lack of surety around the actual funding required, and which discretionary project should be deferred to a future budget process, it is proposed that the 2019/20 Road Renewal program (approximately \$3.5 million) be reduced in scope to make available up to of Council funding. A report would be brought to Council on the revisions to the 2019/20 Road Renewal program.

Deferring a road from the renewal program will result in residents of that road living for a period of time with a road that is rougher than the nominated service level, and a slightly increased maintenance cost. Given the opportunity to obtain funding to upgrade roads and hence, improve the overall Service Provision, Council Officers are supportive of deferring renewal works.

Reducing the scope of the draft 2019/20 Road Renewal Program would be carefully done to ensure that the deferral does not unduly reduce the level of service to the residents abutting the road or unduly increase the maintenance costs.

The likelihood of receiving approval for all submissions is extremely low as they are in competition with projects throughout the state.

In conclusion therefore, Council endorsement is sought for the noted proposed projects noting that if successful, matching funding would be found through reducing the Road Renewal Program up to \$575,000.

**Issues:**

*Strategy Implications*

The proposed resolution is consistent with Objective 5 “Provide a connected, engaged and safe community environment, which is improving the well-being of all Latrobe City citizens”.

*Communication*

Communication as of the date of this report has been limited to Regional Roads Victoria staff. A Councillor Briefing was provided 18 February 2019.

*Financial Implications*

The grant conditions require that Council must provide 50% of the project cost. As the projects identified were not included in Council’s draft 2019/20 budget there is no matching funding.

Identifying discretionary expenditure as matching funding is not practical due to the timing of the process and therefore if successful for any other project it is proposed

that projects from the draft 2019/20 Road Renewal Program could be deferred, making available up to \$575,000 of Council source funding.

The likelihood of receiving approval for all submissions is extremely low.

#### *Risk Analysis*

There are no risk implications with the proposed resolution.

#### *Legal and Compliance*

All works will be undertaken in accordance with the required legislation.

#### *Community Implications*

The proposed projects support improved road Service Provision and therefore it is positive for the community. Those residents on deferred road renewal projects would have a lower function level of service (potential rough roads and kerbs for example) for approximately 1 year.

#### *Environmental Implications*

There are no environmental implications associated with the proposed resolution.

#### *Consultation*

No consultation is required or proposed in relation to the application. Appropriate consultation with affected residents and motorists will be undertaken should the works be implemented.

#### *Other*

No other issues are noted.

#### **Declaration of Interests:**

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

#### **Supporting Documents:**

Nil

#### **Attachments**

1. Details of Potential Application Projects

## **15.1**

### **Application to Round 2 of the Fixing Country Roads Program**

<b>1</b>	<b>Details of Potential Application Projects .....</b>	<b>87</b>
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1) Black Tank Road and Railway Avenue, Glengarry

The gravel roads are causing considerable concern amongst the residents due to dust and perceived safety issues.

Council has resolved to submit an application to the Fixing Country Roads program.





2) Buckleys Road, Hazelwood North

There is currently a site on Buckley Road being developed which may directly employ a large number of staff. It is an unsealed road 800m long. The developer is not required to upgrade the road. The application will be made for funds to improve drainage, resheet the pavement and apply a hot mix asphalt wearing course to further promote this area of Hazelwood North for future development.



### 3) Flynn Creek Road

The roads have a narrow seal of approximately 4m width that obliges oncoming motorists to place two wheels off the seal to pass each other. Due to the high speed environment it is recommended to construct and seal the shoulders. The total length of narrow road is 9.4km.



4) McPherson Road, Moe

The gravel road causes concern amongst the residents due to dust issues.

Council has resolved to continue to seek a solution to the issue.



**Agenda Item: 15.2**

**Agenda Item: Latrobe Leisure Special Fees Policy**

**Sponsor: General Manager, Infrastructure and Recreation**

**Council Plan Objective: Provide a connected, engaged and safe community environment, which is improving the well-being of all Latrobe City citizens.**

**Status: For Decision**

### **MOTION**

**Moved: Cr White**

**Seconded: Cr Clancey**

**That Council:**

- 1. Endorses the Latrobe Leisure Special Fees Policy, which includes:
  - a. Increasing Latrobe Leisure's rate of concession to 25% for both casual entry and memberships.**
  - b. Providing a 40% discount for 'Off-Peak Memberships as a means to encourage access to Council's leisure facilities at a reduced cost whilst also activating the centres during low patronage times.**
  - c. Providing a 20% discount for incorporated not-for-profit organisations and community groups that meet specific criteria outlined in the Policy.****
- 2. Supports the delivery of activation initiatives to increase participation rates in Council's leisure facilities.**
- 3. Supports the opportunity to expand marketing and engagement initiatives to increase facility utilisation.**

**CARRIED UNANIMOUSLY**

### **Executive Summary:**

- The purpose of this report is to identify ways to increase physical activity opportunities for the broader community by reducing social and economic barriers to participation and through the provision of leisure facilities, services and programs that are accessible and meet the needs of the community.
- A benchmarking review of the fees and charges was undertaken in 2018, which compared Latrobe Leisure's fees and charges against twelve other Local Government Areas' (LGA) leisure facilities across Victoria.

- The review found that Latrobe Leisure’s full-priced fees and charges in general were marginally below the industry average, and that the municipality faces significant disadvantage according to the Socio Economic Indexes of Advantage (SEIFA) data.
- The review also found that Latrobe Leisure’s rate of concession was less than the industry average, meaning that concession-eligible residents in Latrobe City pay closer to the full-fee (and receive a smaller percentage of discount), than those residents in other areas of the state when accessing leisure facilities.
- Council can take steps to reduce socio-economic barriers to participation by:
  - Developing a Latrobe Leisure Special Fees Policy that meets the needs and priorities of a diverse community.
  - Encouraging greater activation of Council’s leisure facilities during ‘off-peak’ times
  - Providing cheaper access and increased support for community providers to deliver inclusive recreation and leisure opportunities.
- The Draft Latrobe Leisure Special Fees Policy (Attachment 1) recommends that Council increase its rate of concession to 25% for both casual entry and memberships, in alignment with the industry average.
- Council can increase facility attendance and activation during ‘off-peak’ times by:
  - Introducing ‘Off-Peak Membership’ options
  - Partnering with internal and external stakeholders to deliver a range of programs and opportunities during ‘off-peak’ hours.
- Council could potentially reduce participation barriers by providing cheaper facility access for local providers who deliver inclusive recreation and leisure opportunities for the community.

**Declaration of Interests:**

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

**Background:**

Latrobe Leisure generates income from applied fees and charges to help offset the operating costs of delivering services and maintaining indoor facilities located in Churchill, Morwell, Moe/Newborough, and Traralgon, and outdoor pools at Moe, Traralgon and Yallourn North.

Council officers undertook a leisure fees and charges benchmarking exercise in 2018, which compared Latrobe Leisure's fees against twelve other LGA leisure facilities across Victoria.

The review considered the following factors:

- The dollar value of the fees and charges, and
- The SEIFA Index of relative disadvantage for each LGA

The SEIFA data was used to assess each community's access to material and social resources, and considered the following measures; average income, average education/qualifications, unemployment rate and low-skilled occupations.

The overall findings from the exercise are outlined in 'Attachment 2', however a summary of the key findings are outlined below:

- Latrobe City has a SEIFA Index of 931, which ranks:
  - 120 out of 544 LGA's in Australia (top 15% most disadvantaged in the country)
  - 76 out of 79 LGA's in Victoria (top 5% most disadvantaged in the state)
  - Latrobe Leisure's full-price fees and charges were marginally below the industry average for casual entry and memberships
  - 82% of Latrobe Leisure's full-fee items were below the industry average price-point
  - 32% of Latrobe Leisure's full-fee items were the lowest price identified through the benchmarking
- To mitigate disadvantage, the Australian Government issues concession cards to support those people facing financial barriers to Medicare services, prescription items, and general society participation (i.e. transport and access to infrastructure, programs and events).
- The benchmarking exercise revealed that the rate of concession (i.e. discount) offered by Latrobe Leisure did not match the industry average.

Latrobe Leisure currently offers an average concessionary discount of:

- 18% for casual entries (which is 4% below the industry average of 22%); and
- 9.8% on memberships (11.2% below the industry average of 21%)

These findings indicate that concession-eligible residents in Latrobe City pay closer to the full-fee (and receive a smaller percentage of discount), than those residents in

other areas of the state when accessing leisure facilities. This could present a barrier to participation for residents experiencing financial disadvantage.

- Whilst fees and charges are not considered (in isolation) to be the only determining factor associated with increasing active living opportunities, Council can take steps to alleviate the above socio-economic factors by:
  - Developing a Special Fees Policy that meets the needs and priorities of a diverse community.
  - Encouraging greater activation of Council's leisure facilities during 'off-peak' times
  - Providing cheaper access and increased support for community providers to deliver inclusive recreation and leisure opportunities.
- Research suggests that physically active communities develop stronger social bonds, are safer places, and residents are generally healthier and happier than places where physical activity isn't a priority.
- Increasing a community's overall level of physical activity has beneficial effects on social cohesion, educational outcomes for young people, and the positive impacts on physical and mental wellbeing.
- A growing body of evidence also suggests that physical activity programs combined with other targeted interventions can make a contribution in reducing crime within targeted groups and communities.

**Development of Special Fees Policy that meets the needs of the community:**

- The development of the Draft Latrobe Leisure Special Fees Policy is specifically designed to achieve the following outcomes:
  - Define the parameters set out by Latrobe City Council around the application of special fees for services offered to concession-eligible customers and corporate groups by Latrobe City Council's leisure services.
  - Review and update Council's current concessionary pricing for leisure services, in alignment with the industry average.
  - Adopt a targeted approach that is based upon the community's ability to pay to ensure that price is not a barrier to participation.
  - Provide a framework for supporting not-for-profit community groups and organisations delivering community-minded programs and activities within the municipality that align with the focus areas outlined in the Latrobe City Council Municipal Public Health and Wellbeing Plan (2017-2021).
- Reducing the cost of participation for concession-eligible people is one potential means to increase physical activity and address health inequities within the community.

- The Draft Latrobe Leisure Special Fees Policy recommends that Council consider increasing the rate of concession to 25%, to align more closely with the industry benchmark.
- As per 'Attachment 3', the annual financial impact associated with increasing the rate of concession to 25% for casual entry, memberships and visit passes will be \$51,759. To achieve full cost recovery, Latrobe Leisure would require an additional 103 concession memberships over a 12 month period.
- Council could look to mitigate the above financial impact by increasing all non-concession casual entry fees that are currently below the industry benchmark. These include:
  - Adult swim (to be increased by \$0.10)
  - Child swim (no change - as the current fee already aligns with the industry benchmark)
  - Family swim (to be increased by \$0.60)
  - Adult swim, sauna, spa (to be increased by \$0.70)
  - Adult group fitness (to be increased by \$2.20)
  - Adult gym (to be increased by \$1.80)
- These proposed increases would be in addition to the standard annual CPI increases to Latrobe Leisure's fees and charges schedule.
- Increasing the above fees to align with the industry benchmark would generate approximately \$16,500 of increased income, which could then be used to help offset the proposed \$51,759 reduction in concession membership income.
- This concept would support a targeted approach based upon the community's ability to pay to ensure that price is not a barrier to participation.

**Encourage greater activation of Council's leisure facilities during 'off-peak' times:**

- A review of overall attendance trend-data suggests that Council's leisure facilities are significantly under-utilised at various times throughout the week - typically 11.00 am to 3.00 pm weekdays, and all-day on weekends.

Facility	2018 Attendance Data (overall)	2018 Attendances (between 11am-3pm)	Off-peak % attendances
Churchill	71,226	2,572	3.6%
Morwell	136,651	7,050	5.2%



Moe/Newborough	135,902	4,246	3.1%
<b>Total</b>	<b>343,779</b>	<b>13,868</b>	<b>4.0%</b>

- The table above outlines that across 2018, Latrobe Leisure’s indoor centres received 13,868 visits between the hours of 11am and 3pm. This represents approximately 4% of total indoor attendances for the calendar year, despite those hours representing 31% of the facility’s total weekly hours of operation. This highlights that all facilities are significantly under-utilised during these hours; a trend that is consistent with the majority of leisure facilities across the industry.
- It is also important to consider that whilst the demand placed upon Council’s leisure centres during these times is greatly reduced; the cost to operate the centres during this time remains constant (i.e. the facilities still need to be staffed, and the pools still need to be maintained within legislative requirements regardless of whether there’s no patrons, or 100 patrons, in the pool at any one time).
- There are two potential strategies to generate increased attendance and facility activation during these times.
  - Strategy 1; Introduce ‘Off-Peak Memberships’
  - Strategy 2; Partner with internal and external stakeholders to deliver a range of programs and opportunities during ‘off-peak’ hours.

**Strategy 1; Introduce Off-Peak Memberships:**

- These types of entry fees and memberships are common across the leisure industry, and present a great way to encourage access to Council’s leisure facilities at a reduced cost whilst also activating the centres during low patronage times.

The primary benefits associated with an ‘off-peak’ model include;

- Improved facility activation, with a more constant flow of patrons utilising Council infrastructure throughout the entire day
- Provides a low cost alternative for people facing socio-economic barriers to mainstream leisure participation.
- Provides a low cost alternative for people who have a flexible schedule
- Reduces anxiety-fuelled barriers to participation for those people who are less likely to use facilities during peak demand times (including people with diverse abilities, ethnic minorities, and people aged 60 years or older).

- Latrobe Leisure typically operates its indoor facilities for 91 hours per week, and the 'Off-peak' membership would permit access for 36 hours across the week – which represents access to 39% of the total hours of operation.
- Based off benchmarking and the number of accessible 'off-peak' hours available, it is proposed that the 'Off-Peak' fee would be set at a 40% discount off the full-price membership fees, and permit discounted access during the following times;
  - Monday to Friday: 11.00 am to 3.00 pm, and
  - Weekends: All day
- o As per 'Attachment 3', the annual financial impact associated with the introduction of an 'Off-peak membership' option would be approximately \$11,029.20.
- o It is anticipated that the reduced 'Off-peak membership' option would generate increased memberships and facility utilisation, particularly from those who were previously cost prohibited from using the facilities.
- o There would not be a concession option available for the 'Off-peak memberships'. This membership type would be available to the whole community, regardless of concession eligibility, and not be subject to any further discount for concession-card holders.

**Strategy 2; Partner with external stakeholders to deliver a range of programs and opportunities during 'off-peak' hours:**

- o In addition to promoting more affordable and inclusive access via 'off-peak' memberships, there is also an option to partner with a range of internal and external stakeholders to deliver a range of active living opportunities during 'off-peak' hours.
- o It's important to acknowledge that community groups and organisations make a substantial contribution to delivering leisure opportunities, and Council is dependent on collaboration with these stakeholders in order to deliver or facilitate leisure participation outcomes. Working in partnership with these stakeholders is critical to ensure that Council's leisure programs and services meet the needs of our community, and encourage greater community participation, not only at Latrobe Leisure facilities, but also utilising community assets such as recreation reserves and public open space.
- o Developing stronger partnerships with internal and external stakeholders will remain a key priority for Latrobe Leisure, as the service looks to identify ways to provide enhanced active living opportunities for the community, whilst also administering increased facility activation during off-peak hours.

- Over the last financial year, Latrobe Leisure has made a concerted effort to engage internally and externally to facilitate and deliver a number of affordable (or free) community events to increase physical activity and social connection.
- Facilitating more partnership-driven 'low cost/no cost' activities at Latrobe Leisure centres during off-peak times will assist in delivering greater facility utilisation and activation during downtime periods.
- The following types of activities could be explored further to increase facility activation and community participation subject to budget opportunities:
  - All Access Events – which provide free entry and activities to the community. In the past 12 months, Latrobe Leisure has hosted two All Access Events at Latrobe Leisure Morwell in April 2018 (which attracted over 800 attendees) and Latrobe Leisure Churchill in January 2019 (350 attendees). These events cost approximately \$6,000 to facilitate, and are a great way to encourage greater community activation at Council's Leisure facilities. Moving forward, Latrobe Leisure would seek to facilitate one free access event at each indoor-facility annually.
  - Actively Ageing in Open Spaces – provides free fitness classes for approximately 2,600 elderly residents annually, at Moe, Morwell and Traralgon Senior Citizen centres. The estimated cost to facilitate this program annually is \$6,000.
  - Mums and Bubs Program – provides fitness opportunities for new parents and toddlers, generating a forecasted 500 attendances annually. The estimated cost to facilitate this program annually is \$5,360.
  - GippSport activities (i.e. Gippy Girls Can; Stand Up Paddle boarding, and TriActive triathlon program) – partnership-driven initiatives designed to increased physical activity in the community. These are externally funded through VicHealth, and present no additional cost to Council other than staffing costs to operate the facilities. Latrobe Leisure continues to work closely with GippSport through the delivery of the Latrobe Make Your Move & Street games initiatives.
  - Miscellaneous 'in-house' promotions that can continue to be explored further:
    - \$1 Otto Promotion for children; attended by approximately 30 children per promotion, with an opportunity cost of approximately \$3,600 annually in reduced income.
    - Friday Night Free Swims; an initiative that has been well received by East Gippsland residents at the Bairnsdale Aquatic and Recreation Centre. This initiative would have an opportunity cost of

approximately \$4,300 in reduced annual income across the indoor facilities.

- Movie evenings/afternoons on weekends; have been well received as part of the All Access events, and there is potential that these could be delivered as a stand-alone initiative to provide greater facility activation in Latrobe Leisure facilities.
- As an indicative guide, the total annual cost associated with delivering the above program suit (or similar) is estimated to be approximately \$37,260 if all activities were implemented. It is proposed that prior to any activation of these initiatives a budget would be detailed and funding would be secured through savings in other areas or via additional allocations (eg surplus bids).

**Provide cheaper access and increased support for community providers to deliver inclusive recreation and leisure opportunities:**

- A key component of the Draft Latrobe Leisure Special Fees Policy is to review the existing fees charged for user groups, and investigate ways to reduce the financial barriers associated with not-for-profit groups requesting access to Latrobe Leisure facilities to deliver inclusive leisure opportunities for the community.
- Feedback from existing stakeholders has indicated that the current schedule of fees and charges as set by Council can prove to be a financial barrier to running event, and deterring community groups and regional sporting assemblies from facilitating low cost/no cost activities designed to increase community participation and social connection.
- As a result, Latrobe Leisure has been investigating options to make leisure facilities more financially accessible to not-for-profit organisations or groups attempting to deliver free community activities. In supporting these community endeavours, the Draft Special Fees Policy has identified the following criteria to trigger a special fee rate for facility bookings;
  - Criteria 1: The organisation or group must be either; An incorporated not-for-profit organisation or community group delivering an activity targeting Latrobe City residents, or; Latrobe City Council department.
  - Criteria 2: The activity or program must be;
    - Free of charge for the community
    - Inclusive and accessible, and;
    - Align with a focus area from the Living Well Latrobe Health and Wellbeing Plan (2017-2021), including;
      - Social and community connectedness
      - Active Living

- Health and Wellbeing
  - Safe at Home
  - Safe in the Community
  - Lifelong Learning and Opportunities
- Eligible organisations and/or community groups would receive a 20% reduction on the facility hire fee. This concept aims to reduce financial barriers experienced by partner agencies and stakeholders, community groups and associations looking to facilitate health and wellbeing activities or programs, designed to achieving the following outcomes:
    - Getting the community moving by growing existing active living initiatives, or create new opportunities
    - Creating affordable (low cost/no cost) physical activity opportunities at Latrobe Leisure facilities for the community
    - Growing participation in physical activity for traditionally disadvantaged demographics (i.e. women, Aboriginal and Torres Strait Islander community, LGBTI, multicultural community, people with a disability and seniors).
    - Building environments that promote physical activity, social connection, and reduce feelings of isolation and loneliness.

### **Increased Marketing and Engagement**

- Increasing the suite of community engagement and activation initiatives being delivered will require additional marketing and advertising resources to promote the programs and events to the community.
- Additional marketing and advertising will also be used to inform the community about changes to the fee structure (as outlined in the Leisure Special Fees Policy), and promote the variety of ways that the community can access Council's leisure facilities. This additional advertising will include;
  - Increased radio advertising to include 15-regular breakfast/drive advertisements per month totalling \$5,400 annually.
  - Increased paid social media advertising to promote community engagement and activation initiatives totalling \$2,400 annually.
  - Increased miscellaneous print media advertising totalling \$2,200 annually.

**Options:**

- Option 1: That Council endorses the Latrobe Leisure Special Fees Policy, which includes:
  - Increasing Latrobe Leisure's rate of concession to 25% for both casual entry and memberships
  - Providing a 40% discount for 'Off-Peak Memberships as a means to encourage access to Council's leisure facilities at a reduced cost whilst also activating the centres during low patronage times.
  - Providing a 20% discount for incorporated not-for-profit organisations and community groups that meet specific criteria outlined in the Policy.
- Option 2: That Council supports the delivery of increased activation initiatives to increase participation rates in Council's leisure facilities subject to funding availability and identified and agreed outcomes.
- Option 3: That Council commits to raising all full-priced (i.e. non-concession) casual entry fees that are currently positioned below the industry benchmark. These proposed increases would be in addition to the standard annual CPI increases for 2018/19, and would generate approximately \$16,500 of additional income to help offset reduction in concession membership income. These include:
  - Adult swim (to be increased by \$0.10)
  - Child swim (no change – as the current fee already aligns with the industry benchmark)
  - Family swim (to be increased by \$0.60)
  - Adult swim, sauna, spa (to be increased by \$0.70)
  - Adult group fitness (to be increased by \$2.20)
  - Adult gym (to be increased by \$1.80)
- Option 4: That Council supports the opportunities to expand marketing and engagement initiatives to increase facility utilisation.

**Reasons for Proposed Resolution:**

The proposed resolution will provide the strategic framework to increase community accessibility to Latrobe Leisure facilities, by reducing a number of traditional social and economic barriers to participation.

**Issues:**

*Strategy Implications*

Attendance at Latrobe City Council's leisure facilities aligns with the fifth objective of the Council Plan, which states; 'Provide a connected, engaged and safe community environment, which is improving the well-being of all Latrobe City citizens'.

To achieve this, Council must ensure that the provision of leisure facilities, services and programs are accessible and meet the needs of our diverse community.

*Communication*

All Latrobe Leisure pricing brochures and publications will be updated prior to the 2019/20 financial year to reflect changes to the fees and charges schedule.

Council officers will also utilise social media and facility posters to advise the community of any changes to the 2019/20 fees and charges schedule.

*Financial Implications*

Type	Option 1	Option 2	Option 3	Option 4
	Endorse Latrobe Leisure Special Fees Policy  <i>(combined off-peak reduction + 25% concession deduction)</i>	Deliver activation initiatives to increase facility utilisation.	Raise non-concession fees in alignment with industry benchmark	Provide increased advertising budget allocation.
Financial Impact	\$62,788	To be agreed	(\$16,500)	To be agreed

- These figures do not include increased income from new members that sign up as a result of significantly reducing the financial barriers to participation.
- These figures also do not consider declined income/participation as a result of increasing non-concession casual entry fees (i.e. Option 3).

*Legal and Compliance*

There are no legal or compliance concerns in relation to any options or decisions outlined in this report.

### *Community Implications*

- The Draft Latrobe Leisure Special Fees Policy aims to increase physical activity opportunities for the community by reducing social and economic barriers to participation.
- Increased physical activity has enormous benefits for people and communities. These benefits include:
  - Bringing people together and providing opportunities for social interaction
  - Contributes to social capital
  - Enhanced learning and childhood development
  - Improved physical health (reduced obesity and prevention of cardiovascular disease, diabetes and some cancers).
  - Improved mental health (regular exercise can have a profoundly positive impact on depression, anxiety, ADHD, and more. It also relieves stress, improves memory, helps you sleep better, and boosts your overall mood).
  - Eases pressure on the health system
  - Reduces crime and creates positive alternatives to youth offending and antisocial behaviour.
  - Contributes to higher levels of self-esteem and self-worth
  - Provides work/life balance
  - Promotes family cohesion through shared experiences

### *Environmental Implications*

There are no environmental implications in relation to any options or decisions outlined in this report.

### *Consultation*

- Council officers undertook a comprehensive community engagement exercise in late 2017; seeking to identify the service's areas for improvement. The exercise attracted 998 respondents; made up from 82% current facility users, and 18% non-users.
- Latrobe Leisure received a customer satisfaction rating of 84%. This satisfaction rating was derived from a series of responses relating to the following areas; facilities/infrastructure, customer service/staff, programs and classes, and memberships.



- One of the primary deterrents or contributing factors as to why ‘non-users’ don’t currently use Council’s leisure facilities, is because the current fees and charges are considered to be a direct barrier to access and participation.
- Latrobe Leisure will be facilitating a follow-up community engagement survey in the first quarter of 2019, with the results obtained in late 2017 providing a pertinent benchmark to measure future improvement across a range of service delivery areas.

**Supporting Documents:**

**Attachments**

1. Draft Latrobe Leisure Special Fees Policy
2. Benchmarking Summary
3. Financial Implications

## **15.2**

### **Latrobe Leisure Special Fees Policy**

<b>1</b>	<b>Draft Latrobe Leisure Special Fees Policy .....</b>	<b>106</b>
<b>2</b>	<b>Benchmarking Summary .....</b>	<b>112</b>
<b>3</b>	<b>Financial Implications .....</b>	<b>116</b>



# Leisure Special Fees Policy

Version 1

Approval Date: TBD

Review Date: TBD



## Leisure Special Fees Policy

### DOCUMENT CONTROL

Responsible GM	Larry Sengstock	
Division	Infrastructure and Recreation	
Last Updated (who & when)	Shay Ferguson	29/01/2019
DOCUMENT HISTORY		
Authority	Date	Description of change
	Click here to enter text.	Click here to enter text.
References		
Next Review Date	Click here to enter text.	
Published on website	Click here to enter text.	
Document Reference No		

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## Leisure Special Fees Policy

### 1. Background

Latrobe City Council is committed to providing leisure facilities, programs and services that are accessible and meet the needs of the community. To support the provision of equitable and affordable access to leisure services, Council offers special fees to eligible customers to encourage physical activity and social connection within the community.

### 2. Objectives

The objectives of the Leisure Special Fees Policy are to:

- Define the parameters set out by Latrobe City Council around the application of special fees for services offered to concession-eligible customers and corporate groups by Latrobe City Council's leisure services.
- Review and update Council's current concessionary pricing for leisure services, in alignment with the industry average.
- Provide a framework for supporting not-for-profit community groups and organisations delivering community-minded programs and activities within the municipality that align with the focus areas outlined in the Latrobe City Council Municipal Public Health and Wellbeing Plan (2017-2021).

### 3. Scope

This Policy applies to:

- Concession card holders
- Senior card holders
- Corporate groups
- Incorporated Not-for-Profit groups

Applicants who do not fall under the above categories will pay the full fee as set out in the Latrobe City Council Annual Fees and Charges schedule.

### 4. Policy Principles

#### 4.1 Concession Fees

- The application of special fees is critical in ensuring equitable and affordable access to leisure facilities
- Concession card holder fees are calculated at 25% off the full price fee for casual entries, and memberships at Latrobe Leisure centres.

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## Leisure Special Fees Policy

- Direct debit members whose concession card expires within the term of their membership period must provide evidence of their new concession card prior to or on the date that their existing card expires.

### 4.2 General Policy Applications

- Patrons must present their current card upon entry or membership sign-up to receive the concession fee.
- An original concession card must be presented (photocopies will not be accepted)

### 4.3 Pensioner Concession Card

- Only the primary card holder is entitled to a concession fee.
- Accepted Pensioner/Concession Card is the Pension Concession Primary Card Holder – Australia only.

### 4.4 Companion Card

- Only the primary card holder is entitled to a concession fee.
- Companion Cards are issued to people with significant, permanent disabilities, so that they can participate in activities for which they require the assistance of a companion.
- The cardholder is offered a concession fee and the carer receives free of charge entry for the sole purpose of assisting the disabled cardholder.

### 4.5 Healthcare Card

- Only the primary card holder is entitled to a concession fee.
- Accepted Healthcare Cards are the 'Commonwealth Seniors Health Card' and the 'Veteran Affairs Health Card'.

### 4.6 Seniors Card

- Only the primary card holder is entitled to a concession fee.
- A Seniors Card is available to Australians aged 60 years and over.
- Accepted 'Seniors Card – All States and Territories of Australia'.

### 4.7 Student Card

- Only the primary card holder is entitled to a concession fee.
- Accepted Student Card is a Full Time Student Card – Australia only.
- Student Cards are only valid up until the expiration date listed on the card.

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## Leisure Special Fees Policy

### 4.8 Corporate Fees

- Corporate members are eligible to receive a corporate fee (10% discount off the full fee) when a minimum of 5 members from the same organisation join up within a 24 hour period.
- Corporate members do not have to pay the joining fee.
- Once the minimum number required to join have signed up, other staff members from the same organisation may then join at any time thereafter providing the organisation is meeting the minimum requirement of 5 members at any one time.
- Evidence (company letterhead including corporate logo signed by either the Human Resources department, Manager or CEO) verifying that the person wishing to join up is employed by the organisation seeking the corporate discount.
- The company letter must be provided at the time of purchasing the membership.
- Corporate member discount applies to Gold membership only.

### 4.9 Off Peak Membership Rates

- Off Peak Memberships present a great way to encourage access to Council's leisure facilities at a reduced cost, whilst also activating the centres during low patronage times.
- The Off Peak Membership rate would be set at a 40% discount off the standard membership fees, and permit discounted access during the following times;
  - Monday to Friday: 11am to 3pm, and;
  - Weekends: All day

### 4.10 Not-for-Profit Community Groups

- Latrobe City Council will consider the application of a Facility Hire Special Fee rate based on the criteria outlined below. Any organization or community group that can demonstrate compliance with the below criteria would then be eligible to receive a 20% reduction on the facility hire fee.
  - Criteria 1 –
    - The organization or group must be either;
      - An incorporated not-for-profit organization or community group delivering an activity targeting Latrobe City residents, or;
      - Latrobe City Council department

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## Leisure Special Fees Policy

- Criteria 2 –  
The activity or program must be;
  - Free of charge for the community.
  - Inclusive and accessible.
  - Align with a focus area from the Living Well Latrobe Health and Wellbeing Plan (2017-2021):
    - Social and community connectedness
    - Active Living
    - Health and Wellbeing
    - Safe at Home
    - Safe in the Community
    - Lifelong Learning and Opportunities

### 5. Evaluation and Review

This policy will be reviewed on request of Council, in the event of significant change in the Executive team, significant changes to legislation applicable to the subject matter of the policy or, in any other case, during each Council term (generally four years).

### 6. Definitions

**Concession card holder** – A pensioner, health care, person with disability, student or senior person is entitled to hold a concession card under the Social Security Act 1991.

**Corporate Fee** – Offered to groups of 5 or more staff from the same organisation.

**Community Group** – An incorporated not-for-profit community group based in the Latrobe City municipality.

### 7. Related Documents

Latrobe City Council Plan 2017-2021;

Latrobe City Municipal Public Health and Wellbeing Plan 2017-2021, Living Well

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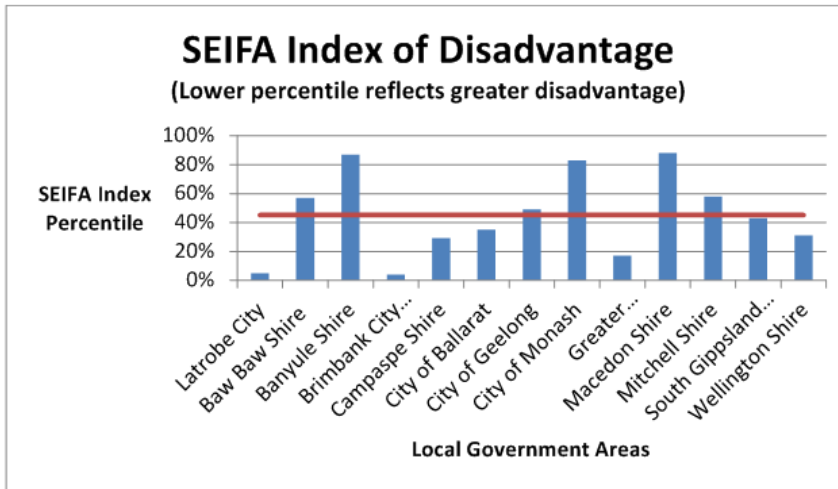


TABLE 1 – Latrobe City Council has a SEIFA Index of 931, which ranks in the top 5% most disadvantaged LGA's in Victoria.

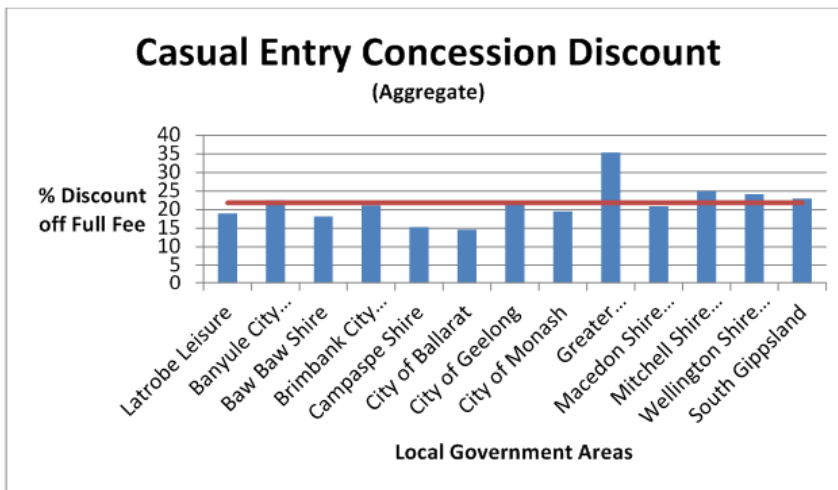


TABLE 2 – Latrobe Leisure has an 18% concession discount on casual entries. The industry average is 22%.

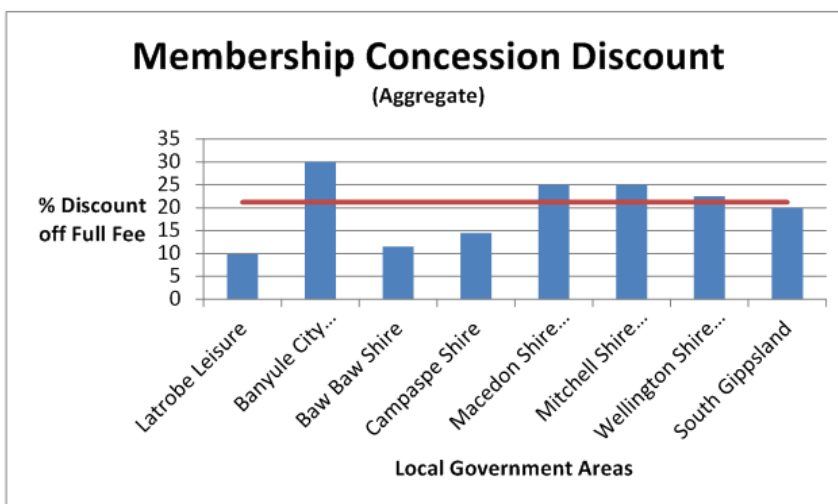


TABLE 3 – Latrobe Leisure has a 9.8% concession discount on memberships. The industry average is 21%.

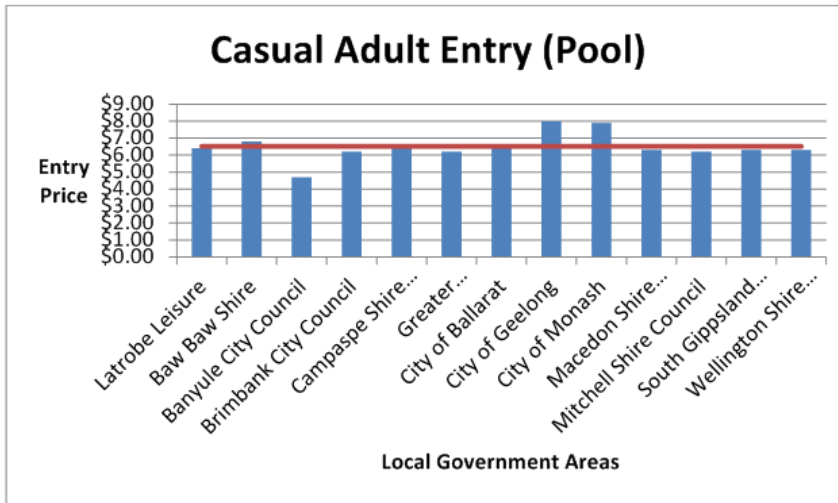


TABLE 4 – Latrobe Leisure’s casual adult pool entry is \$6.40. The industry average is \$6.50.

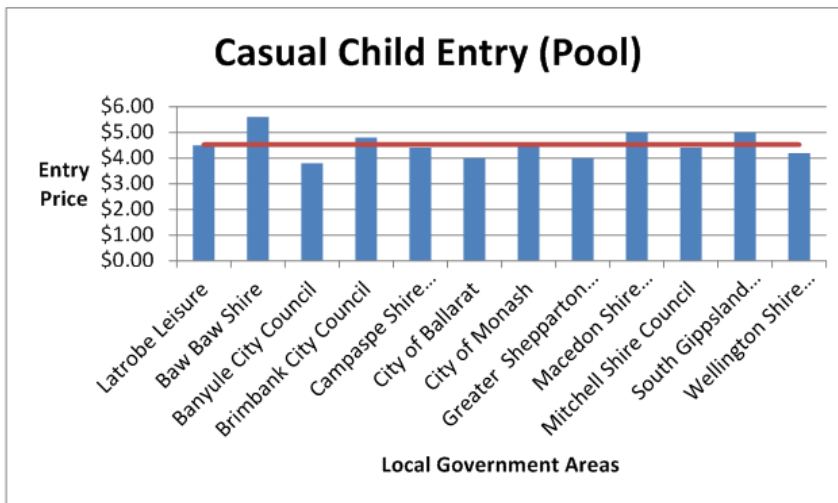


TABLE 5 – Latrobe Leisure’s casual child pool entry is \$4.80. The industry average is \$5.20.

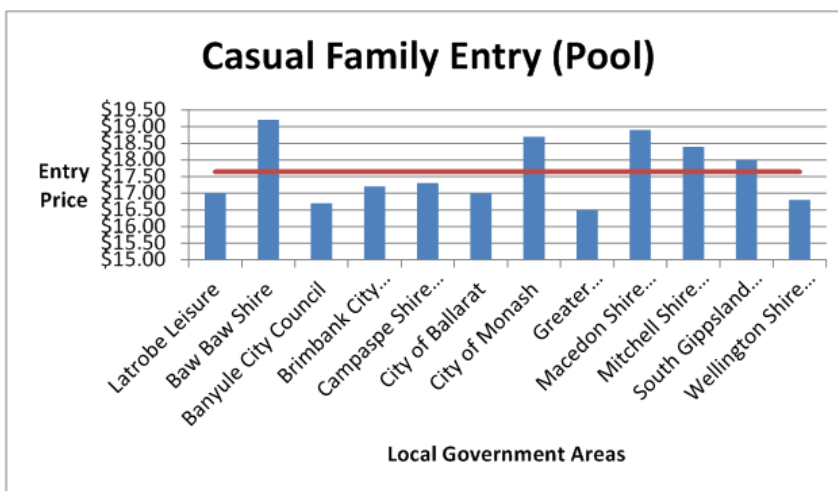


TABLE 6 – Latrobe Leisure’s casual family pool entry is \$17.00. The industry average is \$17.65.

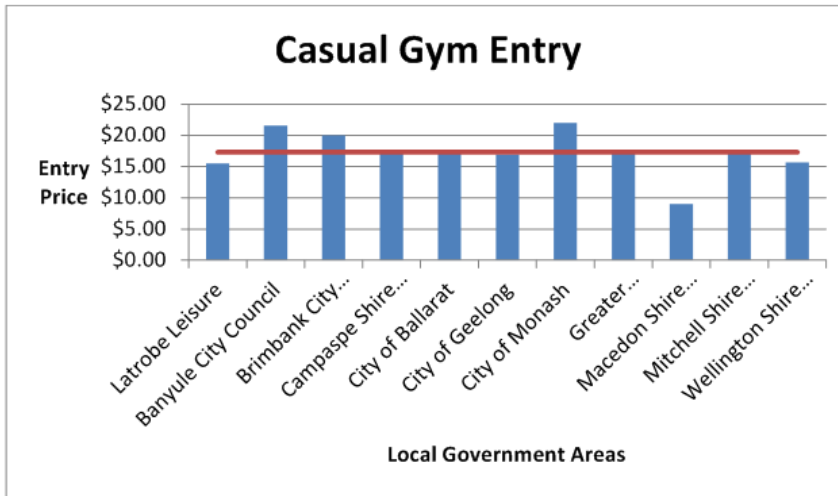


TABLE 7 – Latrobe Leisure’s casual gym entry fee is \$15.50. The industry average is \$17.30.

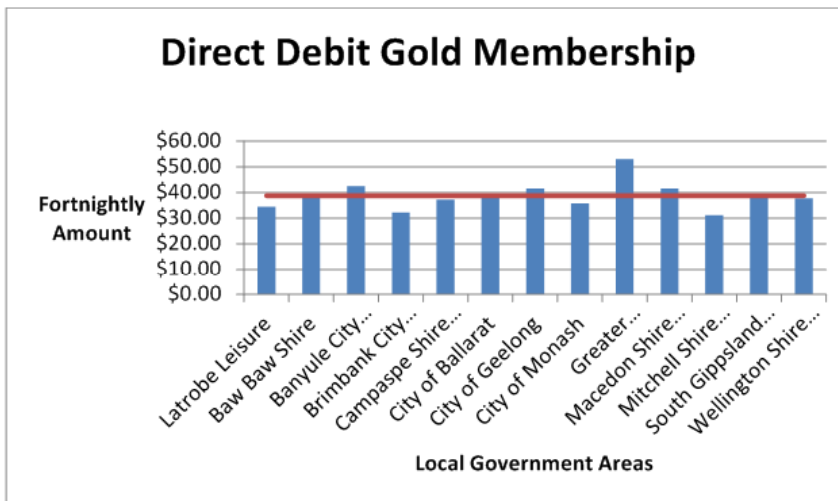


TABLE 8 – Latrobe Leisure’s direct debit Gold Membership is \$34.50 per fortnight. The industry average is \$38.75.

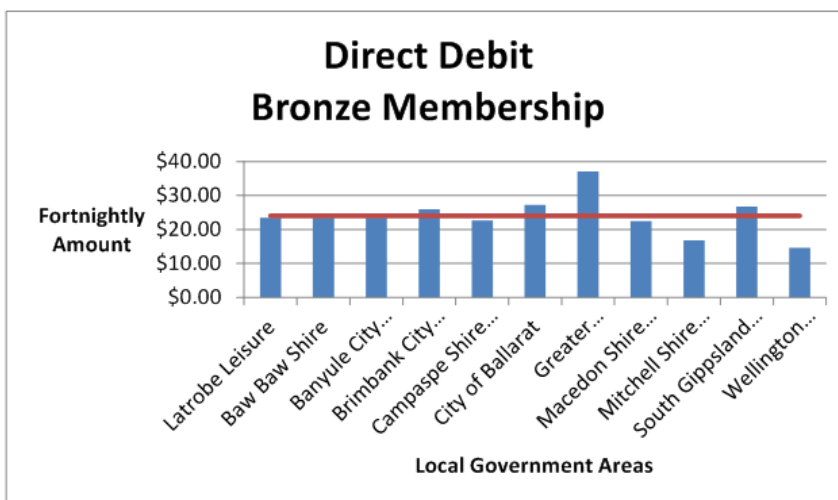


TABLE 9 – Latrobe Leisure’s direct debit Bronze Membership is \$23.50 per fortnight. The industry average is \$24.00.

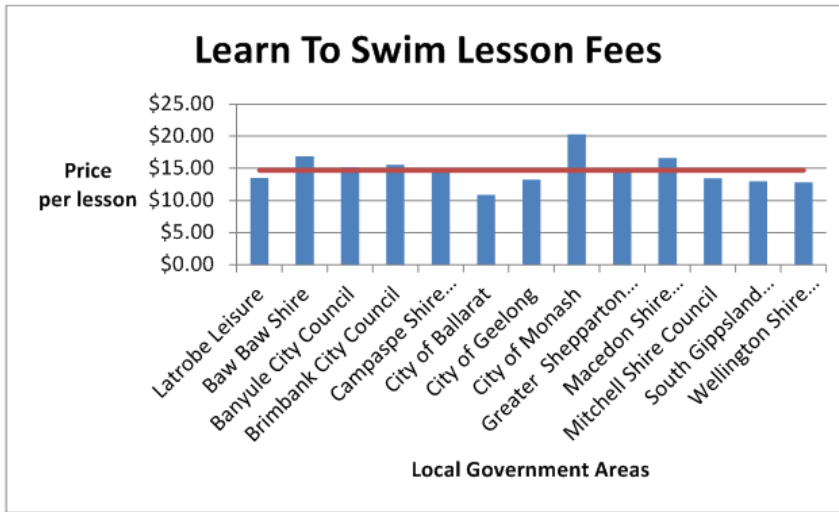


TABLE 10 – Latrobe Leisure’s Learn to Swim fee (per lesson) is \$13.50. The industry average is \$14.70.

- The figures outlined below reflect the financial impact associated with increasing the rate of concession:
  - Using 25% as a pertinent benchmark for *memberships*, the following table outlines the annual financial impact.

Membership Type	Full Fee 2018/19	Current Concession Fee	Proposed Concession Fee (25%)	#	Net Cost to Council
Bronze concession	\$47.90	\$43.20	\$35.90	342	(\$29,959.20)
Silver concession	\$58.70	\$53.00	\$44.00	128	(\$13,824)
Gold concession	\$70.40	\$63.20	\$52.80	30	(\$3,585.60)
					<b>(\$47,368.80)</b>

- The full cost recovery associated with increasing the concession discount to 25% would require an additional 103 concession memberships for 12 months.
- Using 25% as a benchmark for *casual entry* and *visit passes*, the following table outlines the annual financial impact.

Casual Entry Type	Full Fee 2018/19	Current Concession Fee	Proposed Concession Fee (25%)	#	Net cost to Council
Adult swim	\$6.50	\$4.90	\$4.90	12,408	\$0
Adult swim & sauna	\$9.30	\$7.50	\$7.00	164	(\$82)
Adult swim, spa, sauna	\$10.70	\$8.60	\$8.00	1,661	(\$996.60)
Adult gym	\$15.80	\$12.60	\$11.90	1,295	(\$906.50)
Adult group fitness	\$12.90	\$10.20	\$9.70	55	(\$27.50)
Adult stadium competition	\$6.40	\$5.10	\$4.80	3,387	(\$1,016.10)
Adult training	\$4.40	\$3.70	\$3.30	1,236	(\$494.40)
Adult athletics/cycling	\$4.60	\$4.10	\$3.50	103	(\$61.80)
Aquatic 10 pass	\$58.80	\$44.10	\$44.10	509	(\$0)
Swim, Spa, Sauna 10 pass	\$96.90	\$76.80	\$72.70	39	(\$159.90)
Athletics/cycling 10 pass	\$41.30	\$36.70	\$31.00	1	(\$5.70)
Gym 10 pass	\$142.30	\$113.80	\$106.70	8	(\$56.80)
Group Fitness 10 pass	\$115.70	\$91.80	\$86.80	108	(\$540)
Stadium 10 pass	\$57.80	\$45.90	\$44.30	27	(\$43.20)
					<b>(\$4,390.50)</b>

- The annual financial impact associated with increasing the rate of concession to 25% for casual entry, memberships and visit passes will be \$51,759.

- For the purpose of this analysis, the table below outlines the annual financial impact associated with the introduction of an off-peak membership option.

<b>Membership Type</b>	<b>Full Fee 2018/19</b>	<b>Proposed Off-Peak Membership Fee (40%)</b>	<b>#</b>	<b>Anticipated Annual Net Cost</b>
Bronze	\$47.90	\$28.70	30	(\$6,912)
Silver	\$58.70	\$35.20	11	(\$3,102)
Gold	\$70.40	\$42.20	3	(\$1,015.20)
				<b>(\$11,029.20)</b>

- It is anticipated that the reduced entry fee would generate increased memberships and facility utilisation.
- 31 new off-peak members would fully recover the cost associated with introducing 'Off-Peak Memberships' with a 40% discount.

**Agenda Item: 15.3**

**Agenda Item: Delegate Authority to the Chief Executive Officer to Award a Footpath Contract**

**Sponsor: General Manager, Infrastructure and Recreation**

**Council Plan Objective: Ensure Council operates openly, transparently and responsibly.**

**Status: For Decision**

**MOTION**

**Moved:** Cr McFarlane

**Seconded:** Cr Howe

**That Council:**

- 1. Subject to the recommended tenders being within the funding agreement of the Latrobe Regional Hospital (LRH), and compliance with Council's Procurement Policy, delegates to the Chief Executive Officer (CEO) the authority to award the following contract that exceeds the CEO's financial delegation of \$500,000 (incl. GST):**
  - a. Construction of a footpath on the road reserve surrounding the Latrobe Regional Hospital up to \$750,000 including GST, wholly funded by LRH;**
- 2. Authorises the CEO to sign and seal associated documents to effect the awarding of that contract;**
- 3. Receives a report at an Ordinary Council Meeting detailing the contract awarded by the CEO, and the successful contractor.**

**CARRIED UNANIMOUSLY**

**Executive Summary:**

Council has delegated the Chief Executive Officer (CEO) authority to award contract works up to \$500,000 (inclusive of GST).

This financial year has seen a significant increase in capital works including a public footpath funded by the Latrobe Regional Hospital (LRH) on the roads surrounding LRH for the well-being of their staff, visitors, and patients. The estimated cost of the remaining works is up to \$750,000. The LRH want the works to be undertaken as soon as possible to avoid any potential delay to the delivery of the footpath.

Because the overall project cost exceeds the CEO's financial delegation of \$500,000, in order to expedite the contract process and commence construction of the footpath in a timely manner, it is recommended that the Council delegate to the CEO the authority to award a contract for these works.

The award of any contract under this arrangement is subject to the recommended tenders being within Council's budget and the funding agreement with LRH, and the contract complying with Council's Procurement Policy.

**Background:**

Construction of a footpath along Airfield Road, Valley Drive, Village Avenue and the Princes Highway is being undertaken by Latrobe City Council, with funds from Latrobe Regional Hospital (LRH). The footpath will be on the road reserve and become a council asset.

The total contribution is \$1.1 million (including GST) and some work has been completed. The estimated cost of the work remaining is in the order of up to \$750,000.



Figure 1 – Indicative footpath location

The Latrobe Regional Hospital is funding the footpath as part of their employee well-being support program and to improve access to the aged and infirm care facility on Valley Drive. They would like the footpath completed as soon as possible to realise the health benefits and provide a safe path during winter.



Contracts are typically advertised for three weeks, followed by a period to evaluate tenders, clarify any tender issues, carry out necessary referee checks, and then prepare the tender evaluation report and associated Council report.

Without the authority delegated to the CEO to award contracts, subject to the recommended tenders being within the appropriate funding agreement, there is typically a delay of a month in order to present the report at the next available Council meeting.

Delegating the CEO the authority to award this contract will assist in commencing the identified project in a timely fashion, consistent with the desires of the LRH (funding agency) and although likely to be Autumn, to take advantage of any remaining drier weather.

**Issues:**

*Strategy Implications*

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2017-2021:

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives – Built Environment: *In 2026 Latrobe Valley benefits from a well-planned built environment that is complementary to its surroundings, and which provides for a connected and inclusive community*

Latrobe City Council Plan 2017-2021

Objective 3: *Improve the liveability and connectedness of Latrobe City*

*Communication*

In accordance with Council's Procurement Policy, Latrobe City Council's website will be updated to provide summary information relating to contracts entered into with an estimated expenditure which exceed the compulsory tender threshold.

*Financial Implications*

LRH is fully funding this project to develop a footpath that allows their employees to exercise around their place of work in a safe manner, but the path will be a public path and a Council asset. The estimated cost of the remaining work is up to \$750,000 and within the budget (\$500,000 received) and commitment from LRH for a further \$500,000.

*Risk Analysis*

Providing delegation to the CEO will reduce the risk of delay in awarding contracts to commence the funded project in a timely manner in keeping with the request by LRH for the project to be constructed as soon as possible.

*Legal and Compliance*

All processes will comply with legal and compliance guidelines

*Community Implications*

The proposed recommendation will have a positive impact on the community as it will provide a public access footpath along Airfield Road, Valley Drive and Village Avenue.

*Environmental Implications*

There are not considered to be any environmental implications associated with this report.

*Consultation*

In preparing this report, internal consultation has been held with the Procurement team. The development of the scope of work has also had input from the community as well as the key stakeholders and user groups.

*Other*

Nil

**Declaration of Interests:**

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

**Supporting Documents:**

Nil

**Attachments**  
Nil

**Agenda Item: 15.4**

**Agenda Item: Natural Environment and Sustainability Strategy 2014-2019 Final Report**

**Sponsor: General Manager, Infrastructure and Recreation**

**Council Plan Objective: Improve the liveability and connectedness of Latrobe City.**

**Status: For Information**

**MOTION**

**Moved:** Cr White

**Seconded:** Cr Law

**That Council notes this report as the final snapshot report Natural Environment Sustainability Strategy 2014 – 2019.**

**CARRIED UNANIMOUSLY**

**Executive Summary:**

The purpose of this report is to provide a snapshot to Council on the work performed under the Natural Environment Sustainability Strategy 2014 - 2019 (NESS). The strategy has guided Latrobe City's approach to natural environment & sustainability over five years, from 2014 to 2019.

The Strategy has four main themes:

1. Meeting statutory requirements
2. Building capacity to respond to change
3. Improving resource use efficiency
4. Protecting natural assets

Under these themes, the Strategy identifies 14 action areas. Many of these action areas have had significant progress made and is detailed in Attachment 1.

This is the final report on Latrobe City's progress against the NESS since its adoption in 2014.

The development of a new Environment and Sustainability Strategy that addresses both natural (current NESS focus) and built (new focus) environments is pivotal under both MAV and State Government guidance and is currently being undertaken.

**Declaration of Interests:**

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

**Background:**

Latrobe City Council's Natural Environment Sustainability Strategy 2014-2019 was developed by officers and took its direction from the "2013-2017 Council Plan" and the "Latrobe 2026: The Community Vision for Latrobe Valley". This aimed to address the objective:

*'In 2026, Latrobe Valley enjoys a beautiful natural environment that is managed and protected with respect to ensure a lasting legacy for future generations'*

This objective, together with the core principles of sustainability, liveability, leadership and organisational excellence, provide the overarching framework under which the NESS has been developed.

Council at its meeting on the 10 June, 2014 resolved:

1. *That Council having considered all submissions received adopt the Natural Environment Sustainability Strategy 2014 – 2019.*
2. *That Council officers send a letter of thanks to those persons and organisations who made submissions in response to the draft Natural Environment Sustainability.*

The purpose of the Natural Environment Sustainability Strategy (NESS) 2014-2019 was to:

- Provide direction for Council to identify and prioritise environmental activities across the municipality;
- Deliver the community and Council's vision and objectives to manage and protect our natural environment;
- Provide clear, practical and achievable objectives; and
- To communicate with stakeholder agencies and the community.

The majority of action areas have achieved progress within the working life of the document. These areas include:

- Compliance activities;
- Sustainable future (use of Council's town planning and regulatory tools);
- Emissions reduction and climate change adaptation;
- Environmental Recovery (natural disaster recovery);
- Energy efficiency;

- Waste minimisation;
- Waterway health;
- Air quality; and
- Biodiversity protection.

Under the four main themes, the following has been achieved (see Attachment 1 for more detail):

1. Meeting statutory requirements:
  - a. 530 km of Rural Roadsides sprayed for woody weeds
  - b. 16/16 Harvesting Plans were compliant = 529.7 hectares harvested
  - c. Permitted clearing of native vegetation regulations saw 46 Statutory applications assessed
2. Building capacity to respond to change:
  - a. CO<sup>2</sup> Production & Offset Planting for Council fuel use: 2017-2018 produced 1,630 tonnes CO<sup>2</sup> – we were required to plant 6,440 trees – we planted 10,540 trees
  - b. Support and roll-out of the Gippy BulkBuy Solar Cell purchasing program in Latrobe City
3. Improving resource use efficiency:
  - a. The subscription for Council's Utility Monitoring platform, Planet Footprint, has been significantly bolstered allowing Officers to Monitor utilities in greater detail; automatically verify billing data; and look at anomalies. This will allow for money saving programs to be delivered.
  - b. The second and final installation of PV cells on the Morwell HQ roof has been completed.
4. Protecting natural assets:
  - a. Council led revegetation programs have directly led to the increase in local populations of the endangered Matted Flax-lily at two sites.
  - b. Council Officers were successful in obtaining \$80,000 from the Federal 20 Million Tree Landcare program to create a Native Vegetation Protected Site at College Park in Newborough.
  - c. Eight Bushland Reserves within Latrobe City are now actively managed via Committee or Council Officers.
  - d. Successful application of the DELWP Conservation Works Exemption for Burgan removal within Latrobe City biodiversity reserves.

During this Strategy’s lifespan, some action areas have not had significantly progressed as the NESS was not in alignment with other Council Strategic documents and involve other agencies, which includes:

- Sustainability information and education
- Water efficiency
- Sustainable procurement
- Soil conservation

Because of these significant shortcomings, the new Environment and Sustainability Strategy must be developed in line with MAV and State regulations and reference the adopted Council Plan, Planning Scheme and the Municipal Health and Wellbeing Plan.

Reasons for Proposed Resolution:

The NESS states:

- *“Progress of this Strategy will be reviewed and presented to Council in an annual snapshot report to highlight the major achievements and activities against the strategy objectives”.*

This Report is the final annual snapshot report to this Strategy.

**Issues:**

*Strategy Implications*

This Strategy is due for a review and needs to be redesigned so that it meets State Government requirements and aligns with the Council Plan 2017-2021.

*Financial Implications*

This report has no direct financial implications to Council’s budget.

*Risk Analysis*

Identified risk	Risk likelihood*	Controls to manage risk
nil	nil	nil

\* For example, likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

*Consultation*

No community consultation was required under the terms of the NESS.

**Supporting Documents:**

Nil

**Attachments**

1. Natural Environment Sustainability Strategy Report September 2018

## 15.4

### Natural Environment and Sustainability Strategy 2014-2019 Final Report

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## Natural Environment Sustainability Strategy Report September 2018

### 1. Meeting statutory requirements

This theme is focussed on continuing to fulfil our regulatory responsibilities under the Planning and Environment Act (1987) and meeting the environmental requirements of state and federal legislation. It contains two action areas with five objectives.

Action area	1.1	Compliance activities
Objective	1.1.1	Continue to fulfil Council's regulatory responsibility in ensuring compliance with permitted clearing and the Code of Practice for Timber Production under the Latrobe Planning Scheme.
Highlights		<p>Compliance with the permitted clearing of native vegetation regulations has seen forty-six applications and pre-applications processed, and nine enforcement proceedings involved with.</p> <p>Compliance with the <i>Code of Practice for Timber Production</i> has seen 529.7 hectares of plantation scheduled for harvesting, under 16 Timber Harvesting Plans lodged with LCC in 2017/2018. Twelve audits were carried out, with five (not available) followed up by LCC officer field inspections.</p> <p>Average audit compliance is currently 98.59%.</p>
Action area	1.1	Compliance activities
Objective	1.1.2	Maintain Council's enforcement capacity and capability regarding our natural environment sustainability regulatory responsibilities.
Highlights		<p>Three LCC environment sustainability officers were authorised under the <i>Planning &amp; Environment Act 1987</i> and <i>Environment Protection Act 1970</i>, in order to support LCCs Planning Enforcement Officer and Local Laws Officers in the enforcement of natural environment sustainability regulatory issues.</p> <p>Since the start of 2018, two of these have now left Latrobe City Council, with Sean-Paul Smith currently the only Authorised Officer remaining.</p>
Action area	1.1	Compliance activities
Objective	1.1.3	Work cooperatively to control and reduce the spread of weeds on Council rural roadsides and other Council-managed land.
Highlights		Compliance with requirements under the <i>Catchment and Land Protection Act 1994</i> has seen woody weeds treated in the full width of the road reserve of 530 km of rural road in 2017/2018, equating to over a third of all LCC rural roads, and contributing to 2120 km of treatment

	since the adoption of the Strategy.
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Action area	1.2	Sustainable future
Objective	1.2.1	Utilise Council's role as the responsible planning authority to encourage environmentally sustainable design principles in public and private developments including open space.
Highlights		<p>LCCs design standard was updated to require energy efficient LED luminaires in all Category P streetlights installed in new developments.</p> <p>LCCs internal standards mean that new Council installations are also utilising energy efficient lighting technologies. The most recent example is the Latrobe Regional Gallery, which has been refurbished with nearly 100% LED internal lighting.</p> <p>Water Sensitive Urban Design is being incorporated into new developments, and is being made a feature of new public open space.</p>
Action area	1.2	Sustainable future
Objective	1.2.2	Work cooperatively with relevant community, industry and agency groups to develop shared understanding and agreed action on natural environment sustainability regulatory issues.
Highlights		<p>LCC has worked collaboratively with volunteers to roll our surveillance cameras in bushland reserves, for the purposes of monitoring vandalism and illegal dumping of rubbish. In 2016-2017, two Bushland Reserves utilised this.</p> <p>In 2017-2018 an additional two reserves, have been provided with surveillance cameras. Working with Local Laws, Vic Police and Governance to understand and appropriately installation and use of cameras within the reserve areas.</p> <p>Collaborative meetings have been held with industry to discuss what operating procedures and standards are required when coming across Warm Temperate Rainforest in plantation forestry areas.</p>

## 2. Building capacity to respond to change

This theme is focussed on helping our organisation and our community to make better environmental decisions and respond more effectively to environmental challenges. It contains four action areas with 12 objectives.

Action area	2.1	Emissions reduction and climate change adaptation
Objective	2.1.1	Participate in regional climate change forums and networks to share information and develop better strategies for emissions reduction and climate change adaptation.
Highlights	LCC officers have continued to be involved in and support the Gippsland Climate Change Network, DELWP Gippsland's Government Climate Change Forums, and Sustainability Victoria climate change and emissions reduction forums. As well as regional DELWP GippsPlan meetings.	
Action area	2.1	Emissions reduction and climate change adaptation
Objective	2.1.2	Pursue emissions reduction and climate change adaptation actions that provide a net social, economic or environmental benefit.
Highlights	<p>Three 30KW rooftop solar systems have been installed during 2016 and 2017 at Morwell HQ, Moe PLACE, and Latrobe Leisure Morwell, to provide solar power to each of the facilities and reduce the demand on mains power.</p> <p>During 2018 an additional 30 KW system has been installed at Morwell HQ in conjunction with the existing solar system.</p>	
Action area	2.1	Emissions reduction and climate change adaptation
Objective	2.1.3	Continue to offset Council's annual vehicle emissions through revegetation programs and pursue an overall reduction in vehicle emissions.
Highlights	<p>Council's vehicle emissions have continued to be offset through annual revegetation programs.</p> <p>During 2015-2016 the whole of Council fuel usage equated to 1,717 tonnes of CO<sup>2</sup> emissions. To Offset this amount we had a required target of 6,780 Trees to equate to the amount of carbon dispelled. During the period Council have planted 10,128 trees.</p> <p>Within 2016-2017 the whole of Council fuel usage equated to 1,850 tonnes of CO<sup>2</sup> emissions. As a result of quicker than usually availability of information from Council Procurement Team, there have been no offset of this year's data as the offset plantings will address the current years emissions.</p> <p>For 2017-2018 the whole of Council fuel usage equated to 1,630</p>	

	tonnes of CO <sup>2</sup> emissions. To Offset this amount we had a required a target of 9,000 trees to equate to the amount of carbon dispelled. During the period <u>to date</u> Council have planted 7,450 trees.
	Changes to LCC vehicle policies and procedures, encouraging smaller vehicles and fewer vehicles, have led to a small but noticeable decrease in emissions through decreased fuel usage.

<b>Action area</b>	<b>2.2</b>	<b>Environmental recovery</b>
Objective	2.2.1	Utilise Council's ongoing natural environment sustainability programs to complement other disaster recovery efforts where appropriate.
Highlights	This action area is activated on an as needs basis. There have been no significant disaster affected areas in 2017/2018.	
<b>Action area</b>	<b>2.2</b>	<b>Environmental recovery</b>
Objective	2.2.2	Support relevant authorities and community groups to undertake environmental recovery works in disaster affected areas.
Highlights	This action area is activated on an as needs basis. There have been no significant disaster affected areas in 2017/2018.	

<b>Action area</b>	<b>2.3</b>	<b>Sustainability information and education</b>
Objective	2.3.1	Engage with schools, businesses and households to improve energy efficiency and reduce environmental impacts.
Highlights	A large number of pre-schools, schools, and businesses have been engaged by the LCC Sustainability Education Officer to assist them in reducing their waste to landfill, in particular through vermicomposting, and creating new pathways for recycling. A small number of school groups have also participated in tree planting education excursions.	
<b>Action area</b>	<b>2.3</b>	<b>Sustainability information and education</b>
Objective	2.3.2	Maintain data and publish a 'State of Environment' report to measure progress and indicate priorities and developing issues.
Highlights	A 'State of Environment' report has not been published since the adoption of this strategy; the last report was published in 2016.	
<b>Action area</b>	<b>2.3</b>	<b>Sustainability information and education</b>
Objective	2.3.3	Encourage, support and promote local community sustainability initiatives.
Highlights	Further work is required in this area.	
<b>Action area</b>	<b>2.3</b>	<b>Sustainability information and education</b>
Objective	2.3.4	Demonstrate leadership in environmental sustainability through regular information to the community about

		Council's sustainability actions and achievements.
Highlights		Information provision to the community on LCCs sustainability actions and achievements has been minimal, with recent exceptions including a media release around Council's new rooftop solar, and media in the lead up to the 2018 National Tree Day activities.
<b>Action area</b>	<b>2.4</b>	<b>Continuous improvement</b>
Objective	2.4.1	Regularly measure and report on Latrobe City's progress against the Natural Environment Sustainability Strategy.
Highlights		This is the second report on Latrobe City's progress against the Natural Environment Sustainability Strategy since its adoption in 2014.  This NESS will expire at the end of 2018-2019. Officers are working on an implementation plan and a revised strategy for adoption.
<b>Action area</b>	<b>2.4</b>	<b>Continuous improvement</b>
Objective	2.4.2	Improve internal communications to better inform staff of current trends and developments in natural environment sustainability, to encourage informed debate and co-operation across Council.
Highlights		Internal communications regarding electricity consumption have been improved, by encouraging and providing direct access to electricity peak demand information for the managers of LCCs large energy using facilities.  A greater emphasis on the importance of offset planting and the procedures around removal or retention of Native Vegetation for both external and internal projects has been rolled out in accordance with changes to 52.17 of the Planning & Environment Act (1987).
<b>Action area</b>	<b>2.4</b>	<b>Continuous improvement</b>
Objective	2.4.3	Participate in regional networks and forums and work cooperatively to ensure alignment with regional and state environmental sustainability strategies, policies and programs.
Highlights		LCC officers have actively participated in forums and provided feedback on regional and state environmental strategies and policies, in 2017/2018 these have included; proposed amendments to the Victoria Planning Provisions – review of the native vegetation clearing regulations; Environment Protection Victoria review community consultation; review of the Flora and Fauna Guarantee Act; and review of the Gippsland regional waste and resource recovery implementation plan.  As a result of the changes to the Victoria Planning Provisions, significant changes to Clause 52.17 of the Latrobe Planning Scheme

	<p>which bolstered the need for environmental planning to apply the principles of the avoiding, minimising and offsetting which is underpins in the change to the Planning Schemes. This has led to the team being far more involved in an integrated approach to planning applications, which has involved a number of internal and external clients.</p>
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### 3. Improving resource use efficiency

This theme focusses on working towards overall reductions in water use, energy use, waste production and unsustainable purchases. It contains four action areas with 13 objectives

<b>Action area</b>	<b>3.1</b>	<b>Water efficiency</b>
Objective	3.1.1	Monitor and review Latrobe City Council's water use and make the information available to the community.
Highlights	<p>Data for LCC corporate water consumption has continued to be collected; however it has not been reviewed shared or used.</p> <p>Council has just raised a purchase order for the addition of a Planet Footprint's Utility Control Module are reducing the time spent validating and improving consumption data, ensuring new utility connections and disconnections are maintained in our environmental reporting system and allowing the benchmarking of similar facilities to identify opportunities to improve energy efficiency and reduce utility consumption.</p>	
<b>Action area</b>	<b>3.1</b>	<b>Water efficiency</b>
Objective	3.1.2	Work towards an overall reduction in Latrobe City corporate water usage and improve water re-use and water conservation.
Highlights	Sporting fields are some of LCCs largest users of potable water. Water capture and re-use for irrigation has been implemented at a number Latrobe City Sports and Entertainment sites.	
<b>Action area</b>	<b>3.1</b>	<b>Water efficiency</b>
Objective	3.1.3	Support and promote water re-use and water conservation within the community, industries, developers and other agencies to maximise the amount of water available for river health and human use.
Highlights	Further works are required in this area. This is not scheduled.	
<b>Action area</b>	<b>3.2</b>	<b>Energy efficiency</b>
Objective	3.2.1	Monitor and review Latrobe City Council's energy consumption and make the information available to the community.
Highlights	<p>Data for LCC corporate energy consumption has continued to be collected; it has been shared within the organisation as required for specific project needs, such as determining the viability of energy reduction proposals, and predicting the consumption of proposed facilities.</p> <p>This will be addressed with upgrades to the Planet Footprint monitoring package.</p>	
<b>Action area</b>	<b>3.2</b>	<b>Energy efficiency</b>
Objective	3.2.2	Work towards an overall reduction in Latrobe City corporate

		energy consumption to improve energy efficiency.
Highlights		LED lighting for energy savings has become an accepted practice in the organisation.  Further there has been significant investment in a number of major projects including the creative arts precinct and recreational precinct redevelopments. Each of these buildings have their own maintenance costs and operating cost. Through the installation of sustainability features during the build phase, the costs maintenance and operation can be significantly reduced.
<b>Action area</b>	<b>3.2</b>	<b>Energy efficiency</b>
Objective	3.2.3	Support and promote energy efficiency within the community, industries, developers and other agencies to minimise the amount of energy needed and maximise the efficiency of what is used.
Highlights		During the 2017/2018 Council has supported Gippy Bulk Buy program which was run in Morwell, Boolarra, Traralgon, Churchill and Moe through June and July with the aim of providing affordable solar energy options to the community.

<b>Action area</b>	<b>3.3</b>	<b>Sustainable procurement</b>
Objective	3.3.1	Increase the proportion of environmentally sustainable products and services purchased by Latrobe City.
Highlights		There are opportunities to utilise current procurement management systems to better monitor this action. Further discussion will be held with the procurement team.
<b>Action area</b>	<b>3.3</b>	<b>Sustainable procurement</b>
Objective	3.3.2	Encourage a reduction in Latrobe City's corporate consumption by identifying and investigating changes in quantity and cost of consumables purchased.
Highlights		Further work is required in this area; however, an ongoing example of reduction in consumption is the number of passenger vehicles in the Council fleet, which has been reduced from 131 vehicles in 2014-2015, to 107 vehicles in 2016-2017 and 103 vehicles in 2017/2018.

<b>Action area</b>	<b>3.4</b>	<b>Waste minimisation</b>
Objective	3.4.1	Implement and review the Latrobe City Council Waste Management Strategy 2010-2017.
Highlights		The Latrobe City Council Waste Management Strategy continues to be implemented, and the review is currently underway.
<b>Action area</b>	<b>3.4</b>	<b>Waste minimisation</b>
Objective	3.4.2	Implement and review the Latrobe City Council Waste Education Plan 2010-2015.
Highlights		Foil back program initiated to enable the recycling of waste aluminium



	foil produced by local businesses is currently underway.	
	Introduction of internal (not DocShop contracted) 'battery buckets' to Latrobe City service centres and offices; to complement Mobile Muster collection bins; and increase public awareness. These buckets have been well received and utilised by members of the community and staff.	
	Since implementation, over 200 kg of batteries have been diverted to landfill at minimal cost to Council.	
<b>Action area</b>	<b>3.4</b>	<b>Waste minimisation</b>
Objective	3.4.3	Ensure the socially, environmentally and economically responsible disposal of municipal waste.
Highlights	LCC continues to run a three bin system for township areas, and transfer station facilities for all other areas of the municipality. This waste is collected and disposed of through the LCC owned and operated landfill, a contracted green waste processing facility, and a contracted materials recovery facility (recycling) modern landfill.	
<b>Action area</b>	<b>3.4</b>	<b>Waste minimisation</b>
Objective	3.4.4	Maintain and enhance community engagement over waste management services provided by Council.
Highlights	The community remains engaged via services provided through the LCC Sustainability Education Officer, through new waste initiatives, and through the Hyland Highway Landfill Consultative Committee.	
<b>Action area</b>	<b>3.4</b>	<b>Waste minimisation</b>
Objective	3.4.5	Work cooperatively with other agencies to increase the amount of material recycled, and promote positive waste disposal behaviour, in the Latrobe City community.
Highlights	Continued participation by officers in the State Government Gippsland Waste and Resource Recovery Group.	

#### 4. Protecting natural assets

This theme focusses on working cooperatively to better manage, and increase protection for, the waterways, air, soil and biodiversity valued by Latrobe City. It contains four action areas with 17 objectives.

<b>Action area</b>	<b>4.1</b>	<b>Waterway health</b>
Objective	4.1.1	Advocate for and support our partners to improve water quality in Latrobe City.
Highlights	Further work is required in this area.	
<b>Action area</b>	<b>4.1</b>	<b>Waterway health</b>
Objective	4.1.2	Continue to minimise the amount of litter and other pollutants entering the stormwater system through infrastructure and education.
Highlights	The transition away from piping stormwater directly into creeks, and instead filtering it through wetlands, provides a significant reduction in the amount of litter and pollutants entering waterways from new developments. Further work is still required where traditional storm water systems exists.	
<b>Action area</b>	<b>4.1</b>	<b>Waterway health</b>
Objective	4.1.3	Continue to support Neighbourhood Environment Improvement Plans for Traralgon Creek and Morwell River, and encourage other cooperative action between industry, agencies and community.
Highlights	Neighbourhood Environment Improvement Plans were reviewed in 2013 and have not been continued since the adoption of this Strategy.	
<b>Action area</b>	<b>4.1</b>	<b>Waterway health</b>
Objective	4.1.4	Work in cooperation with the West Gippsland Catchment Management Authority to develop a Waterway Management Plan for Waterhole Creek.
Highlights	The Waterway Management Plan was finalised in 2014, and continues to be implemented.	
<b>Action area</b>	<b>4.1</b>	<b>Waterway health</b>
Objective	4.1.5	Work cooperatively with relevant agencies to protect natural waterways within Latrobe City from threatening activities.
Highlights	LCC revegetation programs have focussed primarily on the enhancement of waterways, with cooperation from the West Gippsland Catchment Management Authority and Landcare at both Federal and local levels.	
<b>Action area</b>	<b>4.1</b>	<b>Waterway health</b>
Objective	4.1.6	Work in cooperation with the West Gippsland Catchment Management Authority to develop a memorandum of understanding for the management of the urban section of Traralgon Creek.

Highlights	A memorandum of understanding was agreed in 2014, however this document requires renewal if it is to continue to be implemented.
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<b>Action area</b>	<b>4.2</b>	<b>Air quality</b>
Objective	4.2.1	Advocate for and support our partners to improve air quality in Latrobe City.
Highlights	Additional temporary air monitoring assets, installed following the Morwell Mine Fire in 2013, have been retained in the Latrobe Valley and have continued to be monitored.	
<b>Action area</b>	<b>4.2</b>	<b>Air quality</b>
Objective	4.2.2	Support the continued monitoring of air quality and publication of information by the Latrobe Valley Air Monitoring Network Inc.
Highlights	The Latrobe Valley Air Monitoring Network continues to operate, and publish data on their website. The closure of Hazelwood Power Station has the potential to reduce the financial viability of this industry led network and will eventually result in it be wrapped up.	
<b>Action area</b>	<b>4.2</b>	<b>Air quality</b>
Objective	4.2.3	Encourage the reduction of pollution from Latrobe City Council activities as well as local domestic, transport and business sources.
Highlights	Some of the initiatives undertaken to achieve this objective include the reduction in the size of the LCC passenger vehicle fleet, and the installation of additional rooftop solar, has helped to limit the level of carbon pollution being produced by day to day Latrobe City Council activities.  Further, some of the larger old work vehicles have been decommissioned from the depot work fleet and either replaced or contracted to improve the fuel economy of the fleet.	
<b>Action area</b>	<b>4.2</b>	<b>Air quality</b>
Objective	4.2.4	Where particular local air quality issues are identified, explore the use of Local Laws to address them.
Highlights	Further work is required in this area.	

<b>Action area</b>	<b>4.3</b>	<b>Soil conservation</b>
Objective	4.3.1	In cooperation with relevant agencies, promote awareness of appropriate land management to landholders in high erosion risk-areas.
Highlights	Further work is required in this area; however, work on the proposed Rural Land Use Strategy could provide support following exhibition.	
<b>Action area</b>	<b>4.3</b>	<b>Soil conservation</b>

Objective	4.3.2	Support actions to improve soil health where they contribute to whole-of-catchment sustainability.
Highlights	Further work is required in this area.	
<b>Action area</b>	<b>4.4</b>	<b>Biodiversity protection</b>
Objective	4.4.1	Work cooperatively to protect existing biodiversity within Latrobe City from threatening processes, with a priority focus on remnant vegetation and protected species.
Highlights	The endangered species Matted Flax-lily, known to occur in Eric Lubke Yarra Gum Conservation Reserve, Morwell, was re-mapped in 2017 & 2018 and shows signs of the population increasing. An additional population is now protected on Council owned property in Traralgon, the Arcadia Grassland Reserve was created in 2016 as part of a housing subdivision and is into its third (of ten) year of a Management Plan.	
<b>Action area</b>	<b>4.4</b>	<b>Biodiversity protection</b>
Objective	4.4.2	Work cooperatively to plan, implement and maintain biodiversity restoration projects, with a priority focus on strategic landscape linkages and waterways.
Highlights	LCC revegetation projects continue, in 2017 the focus will be on Narracan Creek in Newborough and Gaskin Park in Churchill - partnering with Latrobe Catchment Landcare Groups, Moe Yallourn Rail Trail Committee of Management to deliver the program.  In 2018 the focus of the re-vegetation has been split between College Park (Newborough), Narracan Creek (Moe).  This program was greatly supplemented by the successful awarding of an additional \$80k from the National Landcare 20 Million Trees Program. The focus sites will be the 2018 sites (see above) in addition to Gaskin Park (Churchill), Mathison Park (Churchill) and the Traralgon-Morwell Shared Path.	
<b>Action area</b>	<b>4.4</b>	<b>Biodiversity protection</b>
Objective	4.4.3	Support individuals and groups undertaking biodiversity management actions that are of benefit to the Latrobe City's natural environment and community.
Highlights	The Biodiversity on Rural Land grants program provided support to projects on four properties in 2017/2018. Advertising for the 2018/2019 grants program is currently underway.	
<b>Action area</b>	<b>4.4</b>	<b>Biodiversity protection</b>
Objective	4.4.4	Demonstrate leadership in natural environment sustainability through appropriate management of biodiversity on Council managed land, particularly bushland reserves.
Highlights	Seven bushland reserves, located within the boundaries of the four	

	major towns, continue to be actively managed for biodiversity, with five of them supported by active volunteer groups. Other bushland reserves outside the main towns continue to be managed on an as needs basis.	
<b>Action area</b>	<b>4.4</b>	<b>Biodiversity protection</b>
Objective	4.4.5	Develop a Biolinks paper highlighting areas of potential connectivity of habitat which can be used to prioritise revegetation and biodiversity restoration work.
Highlights	<p>A biolinks paper, highlighting areas of potential connectivity of habitat which can be used to prioritise revegetation and biodiversity restoration work, has been commenced with a background and scoping page being started with the assistance of Strategic Planning and will tie in with the Planning Amendment C105.</p> <p>Work on the proposed Rural Land Use Strategy is providing strong support for a specific biolink between the Strzelecki Ranges and the Southern Fall of the Great Dividing Range, where the valley is narrowest, near Moe.</p>	

# **COMMUNITY SERVICES**

**16. COMMUNITY SERVICES**

Nil reports

# **CORPORATE SERVICES**



## **17. CORPORATE SERVICES**

**Agenda Item: 17.1**

**Agenda Item: Proposed Road Discontinuance - Verey Lane, Morwell**

**Sponsor: General Manager, Corporate Services**

**Council Plan Objective: Ensure Council operates openly, transparently and responsibly.**

**Status: For Decision**

### **MOTION**

**Moved: Cr McFarlane**

**Seconded: Cr White**

**That Council:**

- 1. Reaffirms the resolution made at the Ordinary Council meeting held on Monday, 5 November, 2018 that the part of Verey Lane, Morwell, created as Road R1 on LP 33695 and now described as Lot 1 on TP872823R, contained in Certificate of Title Volume 9732 Folio 422, is not reasonably required for public traffic and that the road reserve be discontinued and transferred to the Country Fire Authority.**
- 2. Authorises the Chief Executive Officer to continue with the statutory process to discontinue that part of Verey lane, Morwell, created as Road R1 on LP 33695 and now described as Lot 1 on TP872823R, contained in Certificate of Title Volume 9732 Folio 422, despite the Country Fire Authority no longer having agreement from the owner of 28 Buckley Street to the proposed alternative access to the rear of 24-28 Buckley Street.**

**CARRIED UNANIMOUSLY**

### **Executive Summary:**

- The Country Fire Authority (CFA) requested that Council discontinue Verey Lane, Morwell, as part of the development of the new Morwell fire station in Princes Drive.
- Council, at its meeting held on Monday, 5 November 2018, resolved to discontinue Verey Lane, Morwell, and transfer the land to the CFA without consideration in accordance with section 191 of the *Local Government Act 1989*.

- At the time of making this resolution the CFA had obtained agreement from each of the owners of 24-28 Buckley Street to the provision of an alternate source of access to the rear of these properties through the creation of a carriageway easement from Buckley Street.
- The CFA has recently advised that the owner of 28 Buckley Street has withdrawn his agreement to the proposed alternate access due to concerns that the owners and occupiers of 24 and 26 Buckley Street will be utilising the land at the rear of his property to gain rear access.
- The concerns of the owner of 28 Buckley Street do not directly relate to the discontinuance of Verey Lane and are considered to be a civil matter given that each property owner has a right of access via an existing easement of way and drainage over the rear of 24-28 Buckley Street in favour of the other properties.
- As Council had previously indicated that that the discontinuance of Verey Lane was dependent on agreement being reached with all property owners, officers seek authorisation to proceed with the statutory process by a notice published in the Victoria Government Gazette despite the CFA no longer having agreement from the owner of 28 Buckley Street.

### **Background:**

As part of the proposed development of a new fire station in Princes Drive, Morwell, it was identified that Verey Lane would need to be discontinued as it runs through the middle of the site. As the laneway provides access to the rear of 24-28 Buckley Street the Country Fire Authority (CFA), following lengthy discussions with the property owners, offered to incorporate a 7.5 metre wide easement along the eastern boundary of 28 Buckley Street.

Having given public notice Council, at its meeting held on 3 September 2018, considered five submissions objecting to the proposed discontinuance on the basis that agreement had not been reached on the alternate access and it was resolved:

*“That Council defers consideration of the proposed discontinuance of Verey Lane, Morwell until such time as an agreement has been reached between the owners of 24 to 28 Buckley Street, Morwell, and the Country Fire Authority regarding the alternate access that is to be provided.”*

Following further negotiations, the CFA advised that agreement had been reached with the three property owners and, on this basis, a further report was considered by Council at its meeting held on 5 November 2018 where it was resolved that Council:

1. *Forms the opinion that the part of Verey Lane, Morwell, created as Road R1 on LP33695 and now described as Lot 1 on TP872835R, contained in Certificate of Title Volume 9732 Folio 422, is not reasonably required for public traffic and resolves to discontinue the road reserve and transfer the land to the Country Fire Authority.*

2. *Authorises the Chief Executive Officer to prepare a notice for inclusion in the Victoria Government Gazette formally discontinuing the road reserve.*
3. *Authorises the Chief Executive Officer to sign and seal any documents required to transfer the land contained in Certificate of Title Volume 9732 Folio 422 to the Country Fire Authority without consideration in accordance with section 191 of the Local Government Act 1989.*
4. *Notifies the owners/occupiers of 24 to 28 Buckley Street, Morwell, and the Country Fire Authority of its decision.*

The CFA has subsequently advised that the owner of 28 Buckley Street has withdrawn his agreement to the proposed access arrangement due to concerns with the owners and occupiers of 24 and 26 Buckley Street gaining access across the rear of his property.

The properties at 24 to 28 Buckley Street were originally created in 1982 on LP138926 with an easement of way and drainage established across the rear of each property as there was no access from Buckley Street. It is unclear why the owner of 28 Buckley Street is now expressing concerns with this arrangement.

As this easement of way provides each owner with a legal right of access over the respective lots this is deemed to be a civil matter. It is noted that the owner of 28 Buckley Street did not object to the proposed road discontinuance or the planning application submitted by the CFA for the site.

While the site has been cleared and temporary access to the rear of the Buckley Street properties has been provided from Princes Drive the CFA are reluctant to progress the development of the new fire station until the discontinuance of Verrey Lane has been completed.

The CFA has offered to construct the new easement along the boundary of 28 Buckley Street to a suitable standard and maintain it in the future at their expense. There will also be fencing and security lighting installed which will result in the access being far better than that available via Verrey Lane together with additional benefit of creating parking at the rear of the properties.

A Notice of Decision to Grant a Planning Permit for Planning Permit Application 2018/128 has been issued based upon the plan that incorporates the discontinued road reserve and alternate access from Buckley Street. While the CFA have considered providing the access from Princes Drive this would result in a less effective option that would not satisfy the owners of 24 and 26 Buckley Street and the need to submit a revised planning application, thereby further delaying the development of the fire station.

**Issues:**

### *Strategy Implications*

Objective 6 of the 2017/2021 Council Plan: Ensure Council operates openly, transparently and responsibly.

### *Communication*

Council officers have remained in regular contact with the CFA during the ongoing negotiations with the owner of 28 Buckley Street.

The owner of 24 Buckley Street has also been in contact with the owner of 28 Buckley Street in an attempt to obtain agreement however this has been unsuccessful.

### *Financial Implications*

The costs associated with finalising the statutory process to discontinue the road reserve are minimal being the cost of the notice for inclusion in the Victoria Government Gazette. This cost will be accommodated within an existing budget.

Any costs associated with the removal of the carriageway easement at the rear of 173-177 Princes Drive and the transfer of the discontinued road reserve would be met by the CFA.

As the CFA meets the definition of a public body (a body established for a public purpose by an Act of the Parliament of Victoria) it is proposed that the discontinued road reserve will be transferred without consideration as allowed by Section 191 of the *Local Government Act 1989*.

### *Risk Analysis*

As alternative access to the rear of the properties at 24-28 Buckley Street is to be provided there are not considered to be any risks associated with the discontinuance of Verey Lane as it is otherwise not required for public traffic.

The owner of 28 Buckley Street was provided with an appropriate opportunity make a formal submission through the statutory process undertaken by Council and there would therefore be no grounds on which to challenge the discontinuance of Verey Lane.

As the planning permit application for the proposed fire station was based on use of the land that comprises Verey Lane and the provision of alternate access from Buckley Street, not proceeding with the proposed discontinuance would cause significant issues and further delays for the development.

### *Legal and Compliance*

Section 206 and Schedule 10, Clause 3 of the *Local Government Act 1989* (the Act) gives Council the power to discontinue roads:

A Council may, in addition to any power given to it by sections 43 and 44 of the Planning and Environment Act 1987-

- (a) discontinue a road, or part of a road, by a notice published in the Victoria Government Gazette; and
- (b) sell the land from that road (if it is not Crown Land), transfer the land to the Crown or itself or retain the land.

Section 191 of the Act gives Council the power to transfer, exchange or lease land without consideration to the CFA as a public body established under the *Country Fire Authority Act 1958*.

#### *Community Implications*

Verey Lane is only used for access to the properties at 24-28 Buckley Street and the proposed access through the creation of a 7.5 metre wide carriageway easement along the eastern boundary of 28 Buckley Street means that the discontinuance and transfer of the road reserve will not have significant wider community implications.

Given its location in middle of the area that is designated for the new Morwell fire station there are likely to be far greater implications on the development of the site if the road reserve is not discontinued.

#### *Environmental Implications*

There are no environmental implications as a result of this action.

#### *Consultation*

Council has given public notice of its intention to discontinue part of Verey Lane and considered the five submissions that were received objecting to the proposal at its meeting held on 3 September 2018.

It should be noted that the owner of 28 Buckley Street did not make a submission as part of this process and those property owners and occupiers that did object are now supportive of the proposed access arrangement.

#### *Other*

Nil

#### **Declaration of Interests:**

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

#### **Supporting Documents:**

Nil

**Attachments**  
Nil

**Agenda Item: 17.2**

**Agenda Item: Authorisation of Council Officers under the Planning & Environment Act 1987**

**Sponsor: General Manager, Corporate Services**

**Council Plan Objective: Ensure Council operates openly, transparently and responsibly.**

**Status: For Decision**

**MOTION**

**Moved:** Cr O'Callaghan

**Seconded:** Cr McFarlane

**That Council in exercising the powers conferred by Section 224 of the *Local Government Act 1989* and Section 147(4) of the *Planning and Environment Act 1987 (Act)*:**

- 1. Appoints and authorises Angela Gleeson, Senior Strategic Planner as an Authorised Officer for the purposes of the Act and associated regulations; and**
- 2. Delegates and authorises the Chief Executive Officer to sign and seal the Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) as presented which comes into force immediately the common seal of Council is affixed.**

**CARRIED UNANIMOUSLY**

**Executive Summary:**

By authorising officers, Council is authorising a suitably skilled/qualified officer to undertake the duties required of a particular statutory position. Once a person is authorised by Council, that person has the powers of that statutory position; as distinct from being delegated the powers of the Council.

Authorisations are different from delegations as delegations involve the Council giving its powers to members of staff who then act on behalf of Council. Persons authorised by Council to hold a statutory position are acting as holders of statutory powers; they are not acting as delegates on behalf of the Council. Their powers and responsibilities are different to the powers and responsibilities of the Council.

By authorising Senior Strategic Planner, Angela Gleeson for the purposes of administration and enforcement of the *Planning and Environment Act 1987 (Act)*, this will enable the newly appointed officer to operate and perform her duties with respect to the statutory planning powers and functions of the Council.

**Declaration of Interests:**

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.

**Background:**

Council has the power to appoint any person other than a Councillor to be an authorised officer for the purposes of the administration and enforcement on any Act, regulation or local laws which operate with respect to the powers and functions of the Council. A Council must maintain a register that shows the names of all people appointed by it to be authorised officers. Each authorised officer is to be issued with an identity card that contains a photograph and signature of the authorised officer and is signed by the Chief Executive Officer.

In accordance with Section 224 of the *Local Government Act 1989*, an authorised officer has the following powers:

- To demand the name and address of a person who has committed, or who is reasonably suspected by the officer to have committed, an offence under any Act, regulation or local law in respect of which he or she is appointed. In doing so, the officer must inform the person in sufficient detail of the reason for which the demand is made to enable the person to understand the nature of the offence or suspected offence; and
- To enter any land or building in the municipal district at any reasonable time to carry out their duties as an authorised officer.

Section 147(4) of the *Planning and Environment Act 1987* provides for the following:

1. *Any reference in this Act to an Authorised officer of a responsible authority of the Department is a reference to an officer or employee of the authority or employee of the Department whom the authority or the Secretary to the Department (as the case requires) authorises in writing generally or in a particular case to carry out the duty or function or to exercise the power in connection with which the expression is used.*

**Reasons for Proposed Resolution:**

Section 188(2)(c) of the *Planning and Environment Act 1987*, stipulates that Council has *the power of a responsible authority to authorise any officer to carry out a duty or function or to exercise a power.*

**Issues:**

*Strategy Implications*

Council Plan objective, 'to ensure Council operates openly, transparently and responsibly'.

*Communication*

Not Applicable.

### *Financial Implications*

There are no financial or resource implications, as this position is within the adopted budget. However, if Council decides not to authorise the nominated officer, it will impede their ability to fully execute their duties.

### *Risk Analysis*

If an officer is not authorised by Council under section 224, the officer will be unable to adequately perform their duties, as described in their position description. Further implications to this are as follows:

- Delays in processing decisions on planning applications.
- Development and subdivision projects within the Latrobe City Council having timely delays.
- Risk that developers will become frustrated with delays and appeal to VCAT.
- Planning officers that do not have the appropriate authorisation and delegation are unable to determine planning applications.
- A court or tribunal can declare any planning permit issued by the unauthorised officer invalid.

### *Legal & Compliance*

The *Planning and Environment Act 1987* requires direct authorisation from Council to council officers in order to perform certain statutory duties.

By authorising the nominated officer under the *Planning and Environment Act 1987* and under section 224 of the *Local Government Act 1989*, Council will ensure that the nominated officer will be able to perform and fulfil their role as described in their position description.

### *Community Implications*

No Community impact.

### *Environmental Implications*

No environmental impact.

### *Consultation*

There is no engagement required as part of this process.

### **Supporting Documents:**

S11A. Instrument of Appointment and Authorisation – Angela Gleeson

### **Attachments**

1. S11A. Instrument of Appointment & Authorisation - Angela Gleeson





## **17.2**

### **Authorisation of Council Officers under the Planning & Environment Act 1987**

- 1 S11A. Instrument of Appointment & Authorisation -  
Angela Gleeson..... 154

Maddocks Delegations and Authorisations

*S11A. Instrument of Appointment and Authorisation (Planning and  
Environment Act 1987)*



**Latrobe City Council**

**Instrument of Appointment and Authorisation**  
***(Planning and Environment Act 1987 only)***

**March 2019**

**Instrument of Appointment and Authorisation  
(Planning and Environment Act 1987)**

In this instrument "officer" means -

**Angela Gleeson**

**By this instrument of appointment and authorisation Latrobe City Council -**

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.
3. Any planning application which has received one or more objection(s).  
  
Any planning application recommended for refusal (including planning applications where Council has no discretion for approval).  
  
Any application of strategic significance (at the discretion of the CEO).  
  
Any matter relating to the signing and sealing of Section 173 Agreements.

**It is declared that** this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked;
- (c) that any authority or appointment to the officer referred to in this Instrument is automatically revoked upon that officer ceasing employment with the Council.

This instrument is authorised by a resolution of the Council on 4 March 2019.

The Common Seal of **LATROBE CITY COUNCIL**  
was affixed in accordance with Local Law No. 1  
this     day of             2019 in the presence of:

Steven Piasente – Chief Executive Officer

**Agenda Item: 17.3**

**Agenda Item:                    Tabling of 'Assembly of Councillors' Records**

**Sponsor:                         General Manager, Corporate Services**

**Council Plan Objective: Ensure Council operates openly, transparently and responsibly.**

**Status:                         For Information**

**MOTION**

**Moved:            Cr O'Callaghan**

**Seconded:       Cr Howe**

**That Council receives and notes the Assembly of Councillors records tabled for the period 21 January 2019 to 07 February 2019.**

**CARRIED UNANIMOUSLY**

**Executive Summary:**

The following Assembly of Councillor records have been submitted for tabling since the last ordinary Council meeting:

Date	Assembly Details	In Attendance	Confidential	Declarations of Interest
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Date	Assembly Details	In Attendance	Confidential	Declarations of Interest
21 January 2019	Councillor Briefing	<p>Councillors Cr McFarlane Cr Middlemiss Cr White OAM Cr Howe Cr Clancey Cr Law Cr Gibson</p> <p>Officers Steve Piasente Kate Kerlake Gail Gatt Greg Drumm Larry Sengstock Amy Phillips Bruce Connolly</p>	<p>Yes – (d) Contractual Matters (e) Proposed Developments (b) Personal Hardship of Any Resident or Ratepayer (h) discussion of a matter which the council or special committee consider would prejudice the Council or any person</p>	Cr Sharon Gibson x 2
23 January 2019	Traralgon Sports Stadium Redevelopment Project Reference Group	<p>Councillors Cr Harriman Cr Howe Cr Clancey</p> <p>Officers Bianca James Brian Feltham Larry Sengstock</p>	<p>Yes – (h) any other matter which the Council or Special Committee considers would prejudice Council or any other person (e) Proposed Developments</p>	No
31 January 2019	Latrobe City Economic Development Advisory Committee	<p>Councillors Cr Middlemiss Cr Howe</p> <p>Officers Steven Piasente Bruce Connolly Abby Hill</p>	<p>Yes - (e) Proposed Developments</p>	No

Date	Assembly Details	In Attendance	Confidential	Declarations of Interest
31 January 2019	Gippsland Regional Aquatic Centre Project Reference Group	Councillors Cr Harriman Cr Howe  Officers Larry Sengstock Luke McGrath Tania Eleftheriou	No	No
05 February 2019	Motorsport and Event Complex Advisory Committee	Councillors Cr Middlemiss Cr Howe Cr Gibson  Officers Bruce Connolly Eliza Bayley	Yes – (e) Proposed Developments	No
05 February 2019	Ted Summerton Reserve Project Reference Group Meeting	Councillors Cr Law  Officers Josh Wilson Lauren Dinsdale Geoff Derham	Yes – (e) Proposed Developments	No
07 February 2019	Latrobe City Sports & Entertainment Stadium – Project Reference Group meeting	Councillors Cr Middlemiss  Officers Larry Sengstock Geoff Derham Lauren Dinsdale	Yes – (e) proposed developments	No
07 February 2019	Latrobe Creative Precinct - Value Management Item Discussion	Councillors Cr Clancey Cr Law  Officers Larry Sengstock Trevor Dando Andrea Stanlake	Yes – (d) contractual matters	No
07 February 2019	Moe Southside Community Precinct Advisory Committee	Councillors Cr Law Cr Gibson  Officers Simon Clark	No	No

Date	Assembly Details	In Attendance	Confidential	Declarations of Interest
12 February 2019	Churchill and District Community Hub Advisory Committee	Councillors Cr White OAM  Officers Edith Heiberg	No	No
18 February 2019	Councillor Briefing	Councillors Cr McFarlane Cr Middlemiss Cr White OAM Cr Harriman Cr Howe Cr Clancey Cr Law Cr Gibson  Officers Steven Piasente Sara Rhodes-Ward Greg Drum Gail Gatt Larry Sengstock Amy Phillips Tyler Chisholm	Yes –  (h) Prejudice the Council or any person  (f) Legal Advice  (e) Proposed Developments  (d) Contractual Matters	No
19 February 2019	Latrobe Creative Precinct Project Reference Group	Councillors Cr McFarlane Cr Clancey Cr Law  Officers Gail Gatt Larry Sengstock Trevor Dando  Andrea Stanlake	Yes –  (d) contractual matters	No

**Declaration of Interests:**

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 1989*.



**Reasons for Proposed Resolution:**

The attached *Assembly of Councillors* records have been submitted for tabling.

Section 80(A)2 of the *Local Government Act 1989* states '*The Chief Executive Officer must ensure that the written record of an assembly of Councillors is, as soon as is practicable - (a) reported at an ordinary meeting of the Council; and (b) incorporated in the minutes of that Council meeting*'.

**Attachments**

1. Councillor Briefing
2. Traralgon Sports Stadium Redevelopment Project Reference Group
3. Latrobe City Economic Development Advisory Committee
4. Gippsland Regional Aquatic Centre, Project Reference Group
5. Motorsport and Event Complex Advisory Committee
6. Project Reference Group - Ted Summerton Reserve
7. Latrobe City Sports and Entertainment Stadium Project Reference Group Meeting
8. Latrobe Creative Precinct - Value Management Item Discussion
9. Moe Southside Community Precinct Advisory Committee
10. Churchill and District Community Hub Advisory Committee
11. Councillor Briefing
12. Latrobe Creative Precinct Project Reference Group

## 17.3

### Tabling of 'Assembly of Councillors' Records

1	Councillor Briefing .....	162
2	Traralgon Sports Stadium Redevelopment Project Reference Group.....	164
3	Latrobe City Economic Development Advisory Committee .....	166
4	Gippsland Regional Aquatic Centre, Project Reference Group.....	168
5	Motorsport and Event Complex Advisory Committee .....	169
6	Project Reference Group - Ted Summerton Reserve .....	170
7	Latrobe City Sports and Entertainment Stadium Project Reference Group Meeting .....	171
8	Latrobe Creative Precinct - Value Management Item Discussion .....	172
9	Moe Southside Community Precinct Advisory Committee.....	173
10	Churchill and District Community Hub Advisory Committee .....	174
11	Councillor Briefing .....	175
12	Latrobe Creative Precinct Project Reference Group .....	179



## Assembly of Councillors Record

<b>Assembly details:</b>	Councillor Briefing
<b>Date:</b>	21 January 2019
<b>Time:</b>	5.55pm-10.00pm
<b>Assembly Location:</b>	Latrobe City Council Headquarters - 141 Commercial Road Morwell

### In Attendance

<b>Councillors:</b>  <b>Arrival / Departure Time:</b>	<input checked="" type="checkbox"/> Cr McFarlane	<input checked="" type="checkbox"/> Cr Middlemiss	<input checked="" type="checkbox"/> Cr White OAM
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input checked="" type="checkbox"/> Cr Howe
	<input checked="" type="checkbox"/> Cr Clancey	<input checked="" type="checkbox"/> Cr Law	<input checked="" type="checkbox"/> Cr Gibson
<b>Officer/s:</b>	Steve Piasente, Kate Kerslake, Gail Gatt, Greg Drumm, Larry Sengstock, Amy Phillips, Bruce Connolly (5.55pm-7.25pm)		
<b>Matters discussed:</b>	<p>Tonights Presentations - Section 89(2) (d) Contractual Matters</p> <p>Future Presentations</p> <p>Upcoming Significant Items</p> <p>Mayors Update</p> <p>Chief Executive Officer - General Update</p> <p>Chief Executive - Transition Briefing</p> <p>Organisational Report</p> <p>Major Projects Reference Group Update</p> <p>Development Proposal - Section 89(2) (d) Contractual Matters</p> <p>2018/19 Mid Year Budget Review</p> <p>Application For Funding For Proposed 40km/h Zones in Major Township Activity Areas</p> <p>Express of Interest - Lease or Purchase of Council Building Moe - Section 89(2) (d) Contractual Matters</p> <p>Surplus Government Land First Right of Refusal Notification - Section 89(2) Proposed Developments</p> <p>Review of the Audit and Risk Committee Charter</p> <p>Audit and Risk Committee - Term of Member Expiring - Section(2) (d) Contractual Matters</p> <p>Food Insecurity in Latrobe</p>		



	<p>Overview of the History and Response to Correspondence Received - Section 89(2) (b) Personal Hardship of Any Resident or Ratepayer</p> <p>Planning Scheme Amendment C113 - Latrobe GOVHUB - Overview of Consultation Undertaken and Next Steps</p> <p>South East Traralgon Precinct Structure Plan - Project Update</p> <p>Managing Medium Density Development Within Existing Residential Areas Proposed for 'Limited Change'</p> <p>Outstanding Issues - Section 89(2) (h) discussion of a matter which the council or special committee consider would prejudice the Council or any person</p> <p>Strategic Issues for Future Briefings</p>
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**Are any of the matters discussed, considered confidential under the *Local Government Act 1989*?**

**Yes**                       **No**

Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.

**Conflict Of Interest Disclosures:**

<b>Councillor / Officer making disclosure</b>	<b>Left Meeting: Yes / No</b>
Cr Sharon Gibson (x 2)	Yes

**Record Completed by:** Amy Phillips, Coordinator Governance

*(Please use the **Quick Add Profile No - 563** when registering this form on ECM)*





### Assembly of Councillors Record

<b>Assembly details:</b>	Traralgon Sports Stadium Redevelopment Project Reference Group
<b>Date:</b>	23/01/2019
<b>Time:</b>	5.30 PM - 6.30 PM
<b>Assembly Location:</b>	Latrobe Room - Traralgon Service Centre 34-38 Kay Street, Traralgon

#### In Attendance

<b>Councillors:</b>	<input type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
<b>Arrival / Departure Time:</b>	<input checked="" type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input checked="" type="checkbox"/> Cr Howe
	<input checked="" type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
<b>Officer/s:</b>	Bianca James, Brian Feltham & Larry Sengstock		
<b>Matters discussed:</b>	<p>1. Review of updated plans - Confidential under Section 89(2)(e) Proposed Developments; &amp; (h) any other matter which the Council or Special Committee considers would prejudice Council or any other person</p> <p style="margin-left: 40px;">a) Multipurpose room</p> <p style="margin-left: 40px;">b) Ground floor level</p> <p>2. Sports Pavilion Update - Confidential under Section 89(2)(e) Proposed Developments; &amp; (h) any other matter which the Council or Special Committee considers would prejudice Council or any other person</p> <p>3. Flooring &amp; seating update- Confidential under Section 89(2)(e) Proposed Developments; &amp; (h) any other matter which the Council or Special Committee considers would prejudice Council or any other person</p> <p>4. PRG member resignation -Confidential under Section 89(2)(h) any other matter which the Council or Special Committee considers would prejudice Council or any other person</p> <p>5. Status of construction- Confidential under Section 89(2)(e) Proposed Developments; &amp; (h) any other matter which the Council or Special Committee considers would prejudice Council or any other person</p>		
<b>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</b>			



**Yes**                       **No**

Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.

**Conflict Of Interest Disclosures:**

Councillor / Officer making disclosure	Left Meeting: Yes / No

**Record Completed by:** Bianca James

*(Please use the **Quick Add Profile No - 563** when registering this form on ECM)*





### Assembly of Councillors Record

<b>Assembly details:</b>	Latrobe City Economic Development Advisory Committee
<b>Date:</b>	31.01.2019
<b>Time:</b>	10.00 am - 2.10 pm
<b>Assembly Location:</b>	Gippsland Tech School, Morwell

#### In Attendance

<b>Councillors:</b>	<input type="checkbox"/> Cr McFarlane	<input checked="" type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input checked="" type="checkbox"/> Cr Howe
	<input type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
<b>Arrival / Departure Time:</b>			
<b>Officer/s:</b>	Steven Piasente, CEO Bruce Connolly, Manager Economic Development Abby Hill, Acting Economic Development Officer		
<b>Matters discussed:</b>	<ul style="list-style-type: none"> <li>- Welcome &amp; Introduction, Apologies, Declaration of Interest &amp; Confirmation of Minutes</li> <li>- Latrobe City Update:</li> <li>Economic Development Activities: SEA Electric Proposal, Defence Industry Prospectus and Partnership with Australian Defence Alliance, Avalon Airshow Attendance, Motorsport Complex, ARRB Interest in Establishing Off-Road Testing Facilities</li> <li>- Committee Project Opportunities</li> <li>- Economic and Population Indicators Report</li> <li>- Industry Sector Updates from Each Attendee (CONFIDENTIAL - PROPOSED DEVELOPMENTS)</li> <li>- Gippsland Tech School Tour/Overview of Facilities</li> <li>- Digital Disruption/Impact on Industry</li> <li>- Items for Future Discussion/Future Focus of Committee</li> </ul>		
<p><b>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</b></p> <p><input checked="" type="checkbox"/> <b>Yes</b>                      <input type="checkbox"/> <b>No</b></p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the</p>			



guidance notes.

**Conflict Of Interest Disclosures:**

Councillor / Officer making disclosure	Left Meeting: Yes / No
N/A	N/A
N/A	N/A

**Record Completed by:** Abby Hill

*(Please use the **Quick Add Profile No - 563** when registering this form on ECM)*





### Assembly of Councillors Record

<b>Assembly details:</b>	GRAC PRG
<b>Date:</b>	31 January 2019
<b>Time:</b>	5.30pm
<b>Assembly Location:</b>	MacFarlane Burnett Room, Traralgon

#### In Attendance

<b>Councillors:</b>	<input type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
<b>Arrival / Departure Time:</b>	<input checked="" type="checkbox"/> Cr Harriman 5.10pm - 6.40pm	<input type="checkbox"/> Cr O'Callaghan	<input checked="" type="checkbox"/> Cr Howe 5.36pm - 6.30pm
	<input type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
<b>Officer/s:</b>	Larry Sengstock, Luke McGrath, Tania Eleftheriou		
<b>Matters discussed:</b>	Project Manager update		
<p><b>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</b></p> <p><input type="checkbox"/> Yes      <input checked="" type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

#### Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

**Record Completed by:** Tania Eleftheriou, Project Officer Major Recreation Projects  
(Please use the **Quick Add Profile No - 563** when registering this form on ECM)



### Assembly of Councillors Record

<b>Assembly details:</b>	Morotrsport and Event Complex Advisory Committee
<b>Date:</b>	5 February 2019
<b>Time:</b>	2:30pm - 4:00pm
<b>Assembly Location:</b>	Latrobe City Council Headquarters, Meeting Room 4

#### In Attendance

<b>Councillors:</b>	<input type="checkbox"/> Cr McFarlane	<input checked="" type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
<b>Arrival / Departure Time:</b>	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input checked="" type="checkbox"/> Cr Howe
	<input type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input checked="" type="checkbox"/> Cr Gibson
	<b>Officer/s:</b> Bruce Connolly - Manager Economic Development Eliza Bayley - Economic Development Office		
<b>Matters discussed:</b>	1. Introduction of CAMS CEO Eugene Arocca 2. Motorsport Complex project update 3. Presentation – ACOM Initiatives 4. Future Project Activites - securing land, business case, project advocacy (CONFIDENTIAL - PROPOSED DEVELOPMENTS)		
<b>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

#### Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
NA	NA
NA	NA

**Record Completed by:** Eliza Bayley

(Please use the **Quick Add Profile No - 563** when registering this form on ECM)



### Assembly of Councillors Record

<b>Assembly details:</b>	Ted Summerton Reserve Project Reference Group Meeting
<b>Date:</b>	Tuesday 5 February 2019
<b>Time:</b>	5.30 pm - 6.30 pm
<b>Assembly Location:</b>	Meeting Room 5, Moe Service Centre, George Street, MOE 3825

#### In Attendance

<b>Councillors:</b>	<input type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
	<input type="checkbox"/> Cr Clancey	<input checked="" type="checkbox"/> Cr Law 5.30 pm - 6.30 pm	<input type="checkbox"/> Cr Gibson
<b>Arrival / Departure Time:</b>			
<b>Officer/s:</b>	Josh Wilson, Lauren Dinsdale, Geoff Derham		
<b>Matters discussed:</b>	1. Discussion on detailed design details of the Ted Summerton Reserve Cricket facility redevelopment for consideration and feedback - Confidential under section 89(2)(e) proposed developments.		
<b>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</b>			
<input checked="" type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>			
Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

#### Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

**Record Completed by:** Lauren Dinsdale

(Please use the **Quick Add Profile No - 563** when registering this form on ECM)



### Assembly of Councillors Record

<b>Assembly details:</b>	Latrobe City Sports & Entertainment Stadium - PRG meeting
<b>Date:</b>	Thursday 7 February 2019
<b>Time:</b>	5.30pm - 6.30pm
<b>Assembly Location:</b>	Main Pavilion, Latrobe City Sports and Entertainment Stadium Fairway Drive, Morwell 3840

#### In Attendance

<b>Councillors:</b>  <b>Arrival / Departure Time:</b>	<input type="checkbox"/> Cr McFarlane	<input checked="" type="checkbox"/> Cr Middlemiss 5.30pm - 6.30pm	<input type="checkbox"/> Cr White OAM
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
	<input type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
<b>Officer/s:</b>	Larry Sengstock, Geoff Derham, Lauren Dinsdale		
<b>Matters discussed:</b>	1. Discussion on potential funding for future development, construction program and details of design of the LCSES soccer facility redevelopment for consideration and feedback - Confidential under section 89(2)(e) proposed developments.		
<b>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</b> <input checked="" type="checkbox"/> <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b> Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

#### Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

**Record Completed by:** Lauren Dinsdale

(Please use the **Quick Add Profile No - 563** when registering this form on ECM)



### Assembly of Councillors Record

<b>Assembly details:</b>	Latrobe Creative Precinct - Value Management Item Discussion
<b>Date:</b>	Thursday 7 February 2019
<b>Time:</b>	4.30 pm
<b>Assembly Location:</b>	Meeting Room 4, Latrobe City Council Headquarters

#### In Attendance

<b>Councillors:</b>  <b>Arrival / Departure Time:</b>	<input type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
	<input checked="" type="checkbox"/> Cr Clancey 4.28 pm	<input checked="" type="checkbox"/> Cr Law 4.29 pm	<input type="checkbox"/> Cr Gibson
<b>Officer/s:</b>	Larry Sengstock, Trevor Dando, Andrea Stanlake		
<b>Matters discussed:</b>	List of Vale Management items to reduce the budget for the Latrobe Creative Precinct  Confidential reason: (d): contractual matters		
<p><b>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</b></p> <p><input checked="" type="checkbox"/> <b>Yes</b>                      <input type="checkbox"/> <b>No</b></p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

#### Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
Nil	

**Record Completed by:** Andrea Stanlake

(Please use the **Quick Add Profile No - 563** when registering this form on ECM)



### Assembly of Councillors Record

<b>Assembly details:</b>	Moe Southside Community Precinct Advisory Committee
<b>Date:</b>	7 February 2019
<b>Time:</b>	4:30pm
<b>Assembly Location:</b>	Ted Summerton Reserve Pavilion

#### In Attendance

<b>Councillors:</b>  <b>Arrival / Departure Time:</b>	<input type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
	<input type="checkbox"/> Cr Clancey	<input checked="" type="checkbox"/> Cr Law	<input checked="" type="checkbox"/> Cr Gibson
<b>Officer/s:</b>	Simon Clark		
<b>Matters discussed:</b>	Installation of new fire plug at practice netball court area. Football Netball Club fence proposal. Maintenance works on fire running track fire plugs.		
<b>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

#### Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
	No

**Record Completed by:** Simon Clark

(Please use the **Quick Add Profile No - 563** when registering this form on ECM)



### Assembly of Councillors Record

<b>Assembly details:</b>	Churchill and District Community Hub Advisory Committee
<b>Date:</b>	Tuesday 12 February, 2019
<b>Time:</b>	5.10 pm to 5.38 pm
<b>Assembly Location:</b>	Hub Meeting Room, 9-11 Philip Parade, Churchill

#### In Attendance

<b>Councillors:</b>  <b>Arrival / Departure Time:</b>	<input type="checkbox"/> Cr McFarlane	<input type="checkbox"/> Cr Middlemiss	<input checked="" type="checkbox"/> Cr White OAM
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
	<input type="checkbox"/> Cr Clancey	<input type="checkbox"/> Cr Law	<input type="checkbox"/> Cr Gibson
<b>Officer/s:</b>	Edith Heiberg (Executive Officer) Manager Communications & Customer Relations		
<b>Matters discussed:</b>	Churchill Hub Customer Feedback Survey Drawings of air lock Meeting focus for remainder of year Proposed visit from Fed Uni Director of Campus Meeting room suitability for meetings		
<p><b>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</b></p> <p><input type="checkbox"/> Yes      <input checked="" type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

#### Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

**Record Completed by:** Carole Ayres

(Please use the **Quick Add Profile No - 563** when registering this form on ECM)



## Assembly of Councillors Record

<b>Assembly details:</b>	Councillor Briefing
<b>Date:</b>	18/02/2019
<b>Time:</b>	5:30pm - 10:43pm
<b>Assembly Location:</b>	Nambur Wariga Meeting Room, Council Headquarters

### In Attendance

<b>Councillors:</b>	<input checked="" type="checkbox"/> Cr McFarlane	<input checked="" type="checkbox"/> Cr Middlemiss	<input checked="" type="checkbox"/> Cr White OAM
<b>Arrival / Departure Time:</b>	<input checked="" type="checkbox"/> Cr Harriman	<input checked="" type="checkbox"/> Cr O'Callaghan	<input checked="" type="checkbox"/> Cr Howe
	<input checked="" type="checkbox"/> Cr Clancey	<input checked="" type="checkbox"/> Cr Law	<input checked="" type="checkbox"/> Cr Gibson until 6.40pm
<b>Officer/s:</b>	Steven Piasente, Sara Rhodes-Ward (from 6.10pm), Greg Drum (from 6.10pm), Gail Gatt (from 6.10pm), Larry Sengstock (from 6.10pm), Amy Phillips (from 7.35pm), Tyler Chisholm (from 7.35pm)		
<b>Matters discussed:</b>	<p>CEO/Councillor Discussion - Confidential 89(2)(h) Prejudice the Council or any person)</p> <p>Tonights Presentation - Confidential 89(2)(d) Contractual Matters</p> <p>Future Presentations</p> <p>Upcoming Significant Items</p> <p>Mayors Update</p> <p>Transition Briefing - Confidential 89(2)(e) Proposed Developments</p> <p>Latrobe Leisure Special Fees Policy</p> <p>Review of the Provision of Resources and Support to Councillors Policy</p> <p>Draft Amended Franklin Place Development Plan - Consideration of Submissions</p> <p>Capital Works Status - 2018/19 Second Quarter</p> <p>Safe &amp; Strong Latrobe Project</p> <p>Traralgon Public Realm Master Plan - Stage 1</p> <p>2018/19 Quarterly Performance Report - Qtr 2</p> <p>Second Quarter Organisation Report 2018/19</p> <p>Fixing Country Roads Fund Round 2</p> <p>Flamin Donut &amp; Not Maccas - Magistrates Court proceedings - Confidential 89(2) (f) Legal Advice</p>		





	Outstanding Issues - Confidential 89(2) (h) Prejudice the Council or any person Strategic Issues for Future Briefings
--	--------------------------------------------------------------------------------------------------------------------------

**Are any of the matters discussed, considered confidential under the *Local Government Act 1989*?**

Yes                       No

Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.

**Conflict Of Interest Disclosures:**

Councillor / Officer making disclosure	Left Meeting: Yes / No
Nil	

**Record Completed by:** Amy Phillips, Coordinator Governance

*(Please use the **Quick Add Profile No - 563** when registering this form on ECM)*





## **Guidance Notes for Completing Assembly of Councillor Records**

### **Assembly of Councillors Local Government Act 1989 requirements:**

#### **Section 3 Definition**

*"An Assembly of Councillors (however titled) means a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be—*

- (a) the subject of a decision of the Council; or*
- (b) subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee—*

*but does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation;"*

#### **Section 80A – Written Record**

*"(1) At an assembly of Councillors, the Chief Executive Officer must ensure that a written record is kept of:*

- (a) the names of all Councillors and members of Council staff attending;*
- (b) the matters considered;*
- (c) any conflict of interest disclosures made by a Councillor attending under subsection (3);*

*(2) whether a Councillor who has disclosed a conflict of interest as required by subsection (3) leaves the assembly."*

*The Chief Executive Officer must ensure that the written record of an assembly of Councillors is, as soon as practicable –*

- (a) reported at an ordinary meeting of the Council; and*
- (b) incorporated in the minutes of that Council meeting"*

#### **Section 80A – Conflict of Interest**

*"(3) If a Councillor attending an assembly of Councillors knows, or would reasonably be expected to know, that a matter being considered by the assembly is a matter that, were the matter to be considered and decided by Council, the Councillor would have to disclose a conflict of interest under section 79, the Councillor must, at the time set out in subsection (4), disclose to the assembly that he or she has a conflict of interest and leave the assembly whilst the matter is being considered by the assembly.*

*(4) A Councillor must disclose the conflict of interest either—*

- (c) immediately before the matter in relation to which the Councillor has a conflict of interest is considered; or*
- (d) if the Councillor realises that he or she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware that he or she has a conflict of interest."*

### **Additional Notes and Examples**

Examples of an Assembly of Councillors include:

- Councillor Briefings; onsite inspections; meetings with residents, developers, other clients of Council; meetings with local organisations, Government Departments, Statutory Authorities

Provided:

- The meeting was planned;
- At least five Councillors and one Council Officer is present (excluding Advisory Committees)
- The matter/s considered are intended or likely to be subject of a future decision by the Council or an officer decision under delegated authority; and
- That the meeting was not a meeting of any other organisation.

Advisory Committee meetings require at least one Councillor to be in attendance in order to be classed as an Assembly of Councillors.

Public events **are not** classified as an Assembly of Councillors.

Audit and Risk Committee **is not** classified as an Assembly of Councillors.



For all items, only the title of the matter being discussed is required to be listed, not the details or minutes of any discussion. This includes confidential matters.

#### Conflicts of Interest

All Councillors and Council Officers are required:

- To declare any Conflict of Interest prior to the discussion of any matter, or as soon as they become aware of a conflict; and
- Leave the meeting while the item is being discussed, and have this noted on the Assembly of Councillor record. To leave the meeting, a Councillor or Officer should move to a location outside the room where he or she cannot see or hear the meeting. Arrangements should be made to notify the Councillor when the relevant matter is concluded.

#### Recording of Confidential Matters

Assembly of Councillor records are presented in the public section of Council Meetings wherever possible.

Confidential Matters discussed should be listed with a note, including the confidential reason as per the *Local Government Act 1989* as below:

Example only

<b>Matters discussed:</b>	1. Matter discussed 2. Matter discussed - confidential under Section 89(2)(e) proposed developments (Please choose the reason that applies) 3. Matter discussed
---------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------

The Assembly of Councillors record will then be provided as a confidential attachment to the open Council report.

Confidential reasons:

- (a) Personnel matters;
- (b) The personal hardship of any resident or ratepayer;
- (c) Industrial matters;
- (d) Contractual matters;
- (e) Proposed developments;
- (f) Legal advice;
- (g) Matters affecting the security of Council property
- (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any other person;

#### Leaving a Meeting

It is only necessary to record when a Councillor or Officer leaves the room due to a Conflict of Interest. It is not necessary to list any other arrivals or departures.

Officer completing Assembly of Councillors record

Please insert your name, and title in the Record Completed By field

**Any queries on whether a meeting forms an Assembly of Councillors, how to list a confidential item or any other question should be directed to the Governance Officer on 5128 5717 or [egovernance@latrobe.vic.gov.au](mailto:egovernance@latrobe.vic.gov.au)**



### Assembly of Councillors Record

<b>Assembly details:</b>	Latrobe Creative Precinct Project Reference Group
<b>Date:</b>	Tuesday 19 February 2019
<b>Time:</b>	3.30 pm
<b>Assembly Location:</b>	Latrobe Room, Traralgon Service Centre, 34-38 Kay Street Traralgon

**In Attendance**

<b>Councillors:</b>  <b>Arrival / Departure Time:</b>	<input checked="" type="checkbox"/> Cr McFarlane 3.23 pm - 5.02 pm	<input type="checkbox"/> Cr Middlemiss	<input type="checkbox"/> Cr White OAM
	<input type="checkbox"/> Cr Harriman	<input type="checkbox"/> Cr O'Callaghan	<input type="checkbox"/> Cr Howe
	<input checked="" type="checkbox"/> Cr Clancey 3.27 pm - 4.57 pm	<input checked="" type="checkbox"/> Cr Law 3.23 pm - 5.02 pm	<input type="checkbox"/> Cr Gibson
<b>Officer/s:</b>	Gail Gatt, Larry Sengstock. Trevor Dando. Andrea Stanlake		
<b>Matters discussed:</b>	Design Update Contractor Update (confidential) Budget Update PRG Member reports		
<p><b>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</b></p> <p><input checked="" type="checkbox"/> <b>Yes</b>                      <input type="checkbox"/> <b>No</b></p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

**Conflict Of Interest Disclosures:**

<b>Councillor / Officer making disclosure</b>	<b>Left Meeting: Yes / No</b>
NIL	

**Record Completed by:** Andrea Stanlake

*(Please use the **Quick Add Profile No - 563** when registering this form on ECM)*





## **Guidance Notes for Completing Assembly of Councillor Records**

### **Assembly of Councillors Local Government Act 1989 requirements:**

#### **Section 3 Definition**

*"An Assembly of Councillors (however titled) means a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be—*

- (a) the subject of a decision of the Council; or*
- (b) subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee—*

*but does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation;"*

#### **Section 80A – Written Record**

*"(1) At an assembly of Councillors, the Chief Executive Officer must ensure that a written record is kept of:*

- (a) the names of all Councillors and members of Council staff attending;*
- (b) the matters considered;*
- (c) any conflict of interest disclosures made by a Councillor attending under subsection (3);*

*(2) whether a Councillor who has disclosed a conflict of interest as required by subsection (3) leaves the assembly."*

*The Chief Executive Officer must ensure that the written record of an assembly of Councillors is, as soon as practicable –*

- (a) reported at an ordinary meeting of the Council; and*
- (b) incorporated in the minutes of that Council meeting"*

#### **Section 80A – Conflict of Interest**

*"(3) If a Councillor attending an assembly of Councillors knows, or would reasonably be expected to know, that a matter being considered by the assembly is a matter that, were the matter to be considered and decided by Council, the Councillor would have to disclose a conflict of interest under section 79, the Councillor must, at the time set out in subsection (4), disclose to the assembly that he or she has a conflict of interest and leave the assembly whilst the matter is being considered by the assembly.*

*(4) A Councillor must disclose the conflict of interest either—*

- (c) immediately before the matter in relation to which the Councillor has a conflict of interest is considered; or*
- (d) if the Councillor realises that he or she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware that he or she has a conflict of interest."*

### **Additional Notes and Examples**

Examples of an Assembly of Councillors include:

- Councillor Briefings; onsite inspections; meetings with residents, developers, other clients of Council; meetings with local organisations, Government Departments, Statutory Authorities

Provided:

- The meeting was planned;
- At least five Councillors and one Council Officer is present (excluding Advisory Committees)
- The matter/s considered are intended or likely to be subject of a future decision by the Council or an officer decision under delegated authority; and
- That the meeting was not a meeting of any other organisation.

Advisory Committee meetings require at least one Councillor to be in attendance in order to be classed as an Assembly of Councillors.

Public events **are not** classified as an Assembly of Councillors.

Audit and Risk Committee **is not** classified as an Assembly of Councillors.



For all items, only the title of the matter being discussed is required to be listed, not the details or minutes of any discussion. This includes confidential matters.

Conflicts of Interest

All Councillors and Council Officers are required:

- To declare any Conflict of Interest prior to the discussion of any matter, or as soon as they become aware of a conflict; and
- Leave the meeting while the item is being discussed, and have this noted on the Assembly of Councillor record. To leave the meeting, a Councillor or Officer should move to a location outside the room where he or she cannot see or hear the meeting. Arrangements should be made to notify the Councillor when the relevant matter is concluded.

Recording of Confidential Matters

Assembly of Councillor records are presented in the public section of Council Meetings wherever possible.

Confidential Matters discussed should be listed with a note, including the confidential reason as per the *Local Government Act 1989* as below:

Example only

<b>Matters discussed:</b>	1. Matter discussed 2. Matter discussed - confidential under Section 89(2)(e) proposed developments (Please choose the reason that applies) 3. Matter discussed
---------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------

The Assembly of Councillors record will then be provided as a confidential attachment to the open Council report.

Confidential reasons:

- (a) Personnel matters;
- (b) The personal hardship of any resident or ratepayer;
- (c) Industrial matters;
- (d) Contractual matters;
- (e) Proposed developments;
- (f) Legal advice;
- (g) Matters affecting the security of Council property
- (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any other person;

Leaving a Meeting

It is only necessary to record when a Councillor or Officer leaves the room due to a Conflict of Interest. It is not necessary to list any other arrivals or departures.

Officer completing Assembly of Councillors record

Please insert your name, and title in the Record Completed By field

**Any queries on whether a meeting forms an Assembly of Councillors, how to list a confidential item or any other question should be directed to the Governance Officer on 5128 5717 or [egovernance@latrobe.vic.gov.au](mailto:egovernance@latrobe.vic.gov.au)**



# **URGENT BUSINESS**

**18. URGENT BUSINESS**

*Business may be admitted to the meeting as urgent business in accordance with clause 19 of the Meeting Procedure Local Law by resolution of the Council, if it relates to a matter which has arisen since distribution of the agenda and cannot safely or conveniently be deferred until the next Ordinary meeting.*



# **MEETING CLOSED TO THE PUBLIC**

## **19. MEETING CLOSED TO THE PUBLIC**

Section 89(2) of the *Local Government Act 1989* enables the Council to close the meeting to the public if the meeting is discussing any of the following:

- (a) Personnel matters;
- (b) The personal hardship of any resident or ratepayer;
- (c) Industrial matters;
- (d) Contractual matters;
- (e) Proposed developments;
- (f) Legal advice;
- (g) Matters affecting the security of Council property;
- (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) A resolution to close the meeting to members of the public.

### **MOTION**

**Moved:** Cr White

**Seconded:** Cr McFarlane

**That Council closes this Ordinary Meeting of Council to the public to consider the following items which are of a confidential nature, pursuant to section 89(2) of the *Local Government Act 1989* for the reasons indicated**

**19.1 LCC-534 Provision of Arboriculture Maintenance Services  
Agenda item 19.1 *LCC-534 Provision of Arboriculture Maintenance Services* is designated as confidential as it relates to contractual matters (s89 2d)**

**19.2 Gippsland Regional Aquatic Centre - Outcome of Value Management Process  
Agenda item 19.2 *Gippsland Regional Aquatic Centre - Outcome of Value Management Process* is designated as confidential as it relates to contractual matters (s89 2d):**

**CARRIED UNANIMOUSLY**

**The Meeting closed to the public at 7:06pm.**

**The meeting re-opened to the public at 7:20pm.**

**There being no further business the meeting was declared closed at 7:20pm.**

I certify that these minutes have been confirmed.

**Mayor:** \_\_\_\_\_

**Date:** \_\_\_\_\_