



LATROBE CITY COUNCIL

**AGENDA FOR THE
UNSCHEDULED COUNCIL MEETING
TO BE HELD IN THE MEETING ROOMS
AT GIPPSLAND PERFORMING ARTS CENTRE
TRARALGON
AT 6.00PM ON
19 DECEMBER 2023
UCM600**

Please note:

Opinions expressed or statements made by participants are the opinions or statements of those individuals and do not imply any form of endorsement by Council.

By attending a Council Meeting via audio-visual link those present will be recorded or their image captured. When participating in the meeting, consent is automatically given for those participating to be recorded and have images captured.

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1. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND

I would like to acknowledge that we are meeting here today on the traditional land of the Brayakaulung people of the Gunaikurnai nation and I pay respect to their elders past and present.

If there are other Elders present I would also like to acknowledge them.

2. APOLOGIES AND LEAVE OF ABSENCE

3. DECLARATION OF INTERESTS

4. PUBLIC PARTICIPATION TIME

Public Speakers

An opportunity for members of the public to speak to an item on the agenda will be made available by necessary means. To participate, members of the public must have registered before 12noon on the day of the Council meeting.

NOTICES OF MOTION

5. NOTICES OF MOTION

5.1 2023/18 NOTICE OF RESCISSION - PROPOSED AMENDMENT C144 (TRARALGON WEST DEVELOPMENT PLAN OVERLAY) - AUTHORISATION

Cr Sharon Gibson

I, Cr Sharon Gibson, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Tuesday, 19 December 2023:

That Council rescind the following resolution that was adopted at the Council Meeting held on Monday, 4 December 2023, in respect of Agenda Item 7.1 Proposed Amendment C144 (Traralgon West Development Plan Overlay) - Authorisation:

- 1. Endorse the draft Traralgon West Issues, Opportunities and Options Report provided at Attachment 1 for public exhibition as part of Amendment C144;**
- 2. Request authorisation from the Minister for Planning to prepare and exhibit Amendment C144 to the Latrobe Planning Scheme, in accordance with section 8A of the Planning and Environment Act 1987;**
- 3. Prepare Amendment C144 to the Latrobe Planning Scheme to insert a Development Plan Overlay to the Traralgon West Precinct, subject to Ministerial Authorisation; and**
- 4. Place Amendment C144 on exhibition in accordance with the requirements of section 19 of the Planning and Environment Act 1987, subject to Ministerial Authorisation.**
- 5. Receive a further report in relation to the how concerns raised by the Traralgon Golf Club could be addressed as part of the future strategic planning work to be undertaken for the Traralgon West Precinct.**

Signed

Cr Sharon Gibson

05 December 2023

COUNCILLOR STATEMENT

My reasoning behind the rescission is that we have adopted a report that is factually incorrect, and it does not address the concerns raised by the community.

One error in the report is in relation to the available the land supply in Traralgon. The land supply in my opinion is overstated.

The community concerns have not been adequately addressed by the decision. To achieve the ends of addressing the Traralgon Golf Club and Landholders concerns, it cannot be achieved by this motion. If the Traralgon Golf Club are removed from C144, it still leaves them in the Morwell-Traralgon Structure Plan.

The rescission motion seeks to reverse the Council decision in order to present a motion that addresses the above concerns.

OFFICER BACKGROUND

LAND SUPPLY

As part of the Planning Policy Framework, Clause 11.02-1S – Supply of Urban Land, refers to the following strategy regarding residential land supply:

Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.

Council officers have advocated to the Department of Planning and Transport that, in the instance of Latrobe City Council, land supply should be considered on a town-by-town basis due to the discrepancies in growth rates between the towns. Traralgon historically has had a larger growth rate than other localities in Latrobe City.

It is important to note that there are different methodologies used to calculate land supply, different data sets used, approval data fluctuations and therefore land supply can only be estimated.

As part of the report considered at the Council meeting held on Monday, 04 December 2023, it was advised that Traralgon has an estimated supply of 12–15 years and this took into consideration the land recently zoned for residential development north of Baldwin Road, Traralgon (Planning Scheme Amendment C138). This estimate was based on the following:

- State Government - Urban Development Program Greenfield Statistics
- Residential Land Supply Assessment prepared for Planning Scheme Amendment C138

Urban Development Program

The Urban Development Program (UDP) provides greenfield residential land supply statistics for Latrobe City Council and, in particular, focuses on Churchill, Moe / Newborough, Morwell and Traralgon. Attachment 1 provides a snapshot of the information on the UDP website and information specially related to Latrobe City is also available at the following link:

<https://www.planning.vic.gov.au/guides-and-resources/data-and-insights/urban-development-program/urban-development-program-2022/greenfield-land-supply-in-regional-victoria-2022/latrobe>

The UDP estimates for the four main towns there is between 26 to 42 years land supply of zoned land. There are no specific years of land supply provided for Traralgon. However, on the UDP website, the data and methodology used to undertake the calculations is available.

The following data was used:

- The UDP estimates from June 2022 there is 1,581 lot supply of greenfield land in Traralgon,
- The UDP has greenfield lot release data from 2015–2021 (2022 data is available but not for the full year) and the average lots released per year is 125 lots in Traralgon.

Based on the calculation of 1,581 (total lots available), divided by 125 lots (average greenfield lot release), there is an estimated 12.6 years of land supply for Traralgon.

Council Officers have undertaken further analysis of the average greenfield lot release for three years (2019-2021). The average lot release was slightly less at 122 greenfield lots released. This increases the land supply to 13 years.

It is important to note that the UDP does not include the South-East Traralgon area in the lot supply for Traralgon and, due to the age of the data, it does not consider the recently rezoned land at Baldwin Road north.

Amendment C138 Residential Land Supply Assessment

A residential land supply assessment was prepared for the Amendment C138 and rezoning north of Baldwin Road, Traralgon. This assessment states that:

Based on the supply analysis and the forecast demand scenarios, Traralgon has between 10.1 and 12.5 years of existing vacant zoned residential land supply, including existing vacant lots and lots within the area defined in TGAR as First Phase residential (this excludes the South East Traralgon PSP).

If the Subject Site is rezoned to support in the order 450 lots, the supply of residential zoned land – either available to the market or with the potential to be provided to the market in the near-term – would increase to 12.2 years to 15.1 years (again excluding the South East Traralgon PSP area).

As the land north of Baldwin Road, Traralgon, has now been zoned, Council Officers used the 12–15 year estimate provided in this report. It should be noted that, again, this excludes South East Traralgon.

COMMUNITY CONCERNS

The purpose of the Issue, Opportunities and Options Report was to understand what the issues and opportunities were for the Traralgon West Precinct. The purpose of the report was not to solve these issues, but to make recommendations on a way forward for the precinct on how the issues could be addressed and how the precinct could benefit from the opportunities.

The following information was provided in the report considered at the Council meeting held on Monday, 04 December 2023 in relation to consultation undertaken on the Issues, Opportunities and Options report and future engagement that would be undertaken as part of proposed Amendment C144.

As part of the report, consultation with key agencies, authorities and landowners was undertaken. On Thursday, 18 May 2023, letters were sent to landholders inviting them to make submissions by Friday, 9 June 2023 on what they considered to be the issues, opportunities and options to progress the Traralgon West area. A total of 13 written submissions were received, officers also had four 1:1 meetings and responded to ten telephone calls.

Discussions were also had in May and June with key servicing agencies and authorities to ensure issues and opportunities for development considered these requirements.

This engagement is summarised in sections five and six of the report.

Further engagement will be undertaken with landowners, agencies, authorities and stakeholders as part of the proposed C144 Planning Scheme Amendment process.

Proposed Amendment C144 is subject to the prescribed process in accordance with the public notice and consultation requirements of section 19 of the Planning and Environment Act 1987.

An engagement plan will be developed to ensure appropriate engagement activities are undertaken for the Amendment. This will include:

- *Exhibition of the Amendment for a minimum of one calendar month;*
- *Documents made available on Latrobe City Council's website;*
- *Have Your Say page created;*
- *Letters / emails notifying affected owners and occupiers, agencies, public authorities and Ministers believed to be materially affected by the Amendment or prescribed under the Act;*
- *Notices in the Latrobe Valley Express;*

- *Notice in the Government Gazette; and*
- *1:1 meetings with landowners.*

ADDRESSING COMMUNITY CONCERNS

The following recommendations for the Traralgon West Precinct from the Issue, Opportunity and Options Report were provided in the report considered at the Council meeting held on Monday, 04 December 2023:

- *The report recommends the following:*
 - *Stage 1 (required now) – Planning Scheme Amendment to introduce the Development Plan Overlay to the land. This will restrict subdivision and development opportunity on the land until such time a Development Plan is prepared and approved. This will stop the continued fragmentation of the land;*
 - *Stage 2 (2024 to June 2026) – Prepare a Development Plan (including all relevant background reports) and a Development Contribution Plan to inform the future rezoning of the land. The estimated cost to Council could be \$500,000 to complete all the necessary technical reports.*
 - *Stage 3 (July 2026+) – Prepare a Planning Scheme Amendment to rezone the land to an appropriate residential zone and introduce a tool to implement the Development Contribution Plan. This rezoning would then allow the future subdivision and development of the land at a greater residential density.*

The Council Officers recommendation for the Council meeting held on Monday, 04 December 2023 related to Stage 1 noted above. Further funding would need to be allocated in order to progress future stages. A mid financial year budget bid to commence Stage 2 is proposed by Officers. It is Council Officers' opinion that the Stages 1–3 will be used to address issues and concerns from the community and create the opportunities identified in the Issues, Opportunities and Options Report. The Officers recommendation included in the 4 December Council report sought to progress stage 1, such that all other stages can then be subsequently completed.

OFFICER COMMENT

In accordance with Section 22.5 of the Governance Rules, a response is provided on the four items detailed in the rules.

22.5.1 whether the Notice of Motion, if passed, will have budget implications and, if so, what

No budget implications as the Council resolution has not been actioned.

All work conducted as part of the Issues, Opportunities and Options report has been paid.

22.5.2 *whether the Notice of Motion, if passed, will impact on internal resources and, if so, how*

No internal resource implications as the Council resolution has not been actioned.

22.5.3 *how the Notice of Motion relates to the Council Plan and any relevant Council policies*

The recission motion will have implications on delivering the following strategy in the Council Plan:

Connected

Facilitate appropriate urban growth, industry diversification, liveability and connectivity throughout Latrobe City.

22.5.4 *how the Notice of Motion relates to work that has already been undertaken by Officers or Committees.*

This relates to the:

- Traralgon Growth Areas Review 2013 and subsequent Planning Scheme Amendment C87;
- Morwell to Traralgon Employment Corridor 2020 and subsequent Planning Scheme Amendment C115;
- Traralgon West Issues, Opportunities and Options Report 2023.

If the notice of recission is passed, it will have implications on projects which have been implemented into the Latrobe Planning Scheme.

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 2020*.

Attachments

1. Information from the Urban Development Program Website

5.1

2023/18 Notice of Rescission - Proposed Amendment C144 (Traralgon West Development Plan Overlay) - Authorisation

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Information from the Urban Development Program Website

Method used by the study

As part of the data collection, a process of verification was conducted through consultation with council. This included identifying the constraints to development and providing insights into the potential retail lot yield.

Urban development pipeline

This development pipeline is split into 2 categories, englobo greenfield supply and retail lot supply.

Stages in the urban development pipeline

The urban development pipeline is made up of the 4 stages that unzoned land goes through to become a lot to build a house on.

1. Unzoned englobo land

This is englobo land that has been identified for future residential development by council through the Planning Policy Framework or other strategic planning framework.

In some locations the land is Urban Growth Zone and will go through a precinct structure planning process. In other locations it is zoned as a non-urban use such as a Farm Zone.

The urban development program provides an estimate of the potential retail lot yield within a precinct.

2. Zoned englobo land

This is englobo land that is zoned and available for subdivision into retail lots.

The urban development program provides an estimate of the potential retail lot yield. The final lot yield that will be delivered is subject to council planning approval processes.

3. Proposed lots

This is land that has been included as 'proposed' within the Vicmap Property dataset. Some changes to these lots may occur before they receive a title.

This data is sourced from VicMap.

4. Lots with a title

This is land that has been registered, provided with a title and ready for dwellings to be built.

This data is sourced from VicMap.

How the retail lot yield is calculated

For unzoned and zoned englobo land a retail lot yield is calculated using existing structure plans or the density of recent nearby development.

Yields are estimates and the years of supply greenfield land partly depends on the size of lots being released with a title. If recent lots are smaller than in the past, the estimated capacity of englobo land is increased.

The rate at which greenfield land can be developed into houses can also partly depend on the characteristics of englobo lots. Large englobo lots, such as those over 10 hectares, can be easier to assemble and service. Smaller lots can provide opportunities for small to medium sized developments.

Major infill is not included in the greenfield years of supply calculation.

Zones included within the UDP

The residential zones considered in the UDP are:

- Neighbourhood Residential Zone
- General Residential Zone
- Residential Growth Zone
- Urban Growth Zone

Unzoned includes a range of zones earmarked for future development.

Greenfield land supply Latrobe 2022

Greenfield land is land zoned for an urban residential use, such as land zoned General Residential Zone.

In Churchill, Moe, Morwell and Traralgon there is capacity for 9,500 residential lots (26 to 42 years supply) on zoned land.

Over the last decade, population in Latrobe has grown by 3,300 people to reach a population of 77,000. Around 330 dwellings per year have been built over the last 10 years to accommodate that population growth in smaller greenfield developments and infill sites. Traralgon has accounted for most of the population and dwelling increase.

Greenfield supply

At end of June 2022 there were an estimated 9,502 retail lots in zoned englobo greenfield land. There were no major residential infill sites identified.

Estimated retail lot supply June 2022

Area and type	Unzoned	Zoned	Proposed	Total supply
Churchill	0	1,494	97	1,591
Moe/Newborough	0	4,724	263	4,987
Morwell	0	1,220	123	1,343
Traralgon	0	1,223	358	1,581
Greenfield total	0	8,661	841	9,502
All areas – Major infill	0	0	0	0
Total	0	8,661	841	9,502

Major infill is not included calculation of greenfield years of supply.

Retail lots released with a title

Years of supply is estimated from long and short term average lot greenfield release. Retail lots are considered released when a title has been registered and ready to construct a dwelling on.

Between 2018 and 2021 retail lot production has been averaging around 210 lots p.a. Since 2018 the level of retail lot production has been varied. In the first half of 2022, 186 lots have been released in Churchill, Moe, Morwell and Traralgon.

Greenfield retail lots 2015 to July 2022

Year	Churchill	Moe/Newborough	Morwell	Traralgon
2015	24	51	24	142
2016	21	26	24	208
2017	0	14	0	118
2018	0	54	0	42
2019	12	20	0	2
2020	0	158	0	241
2021	32	91	48	127
2022 H1	22	43	22	99

Size of greenfield retail lots

Changes in lot sizes can vary estimates of future supply. If recent lots are smaller than in the past, the estimated capacity of englobo land is increased.

Since 2015 the majority of lots have been over 500 m² with most years, including 2021 and the first half of 2022, having more than 60% of lots over 650 m².

Year	Less than 300m ²	300- 499m ²	500- 649m ²	650- 799m ²	800m ² or more
Approved					
2015	6	24	58	91	62
2016	32	19	60	99	69
2017	0	8	81	38	5
2018	0	8	46	32	10
2019	0	0	8	11	15
2020	140	24	87	95	53
2021	2	16	98	135	47
2022 H1	1	12	54	55	64

Size of englobo lots

The size of englobo lots can also vary the rate at which greenfield land is developed. Large englobo lots, such as those over 10 hectares, can be easier to transform into larger developments. Smaller lots can provide opportunities for small to medium sized developments.

In Churchill, Moe, Morwell and Traralgon 27 zoned englobo lots have an area of 10 hectares or more which is estimated to produce 5,750 retail lots.

Estimated retail lot yield by englobo lot size

Size of englobo lot	Estimated retail lots
Less than 1ha	40
1-3ha	907
3-5ha	1021
5-10ha	957
10ha or more	5736

URGENT BUSINESS

6. URGENT BUSINESS

Business may be admitted to the meeting as urgent business in accordance with clause 17 of the Governance Rules, by resolution of the Council and only then if it:

- 17.1 Relates to or arises out of a matter which has arisen since distribution of the agenda; and
- 17.2 Cannot reasonably or conveniently be deferred until the next Council meeting.

**MEETING CLOSED TO
THE PUBLIC TO
CONSIDER
CONFIDENTIAL
INFORMATION**

7. MEETING CLOSED TO THE PUBLIC TO CONSIDER CONFIDENTIAL INFORMATION

Section 66 of the *Local Government Act 2020* enables Council to close the meeting to the public to consider *confidential information* as defined in that Act.

Proposed Resolution:

That Council pursuant to section 66(1) and 66(2)(a) of the *Local Government Act 2020* (the Act) close the Council Meeting to the public to consider the following items containing confidential information as defined in section 3(1) of the Act:

- 7.1 Gippsland Logistics Precinct: Revenue Generation Investment**
This item is confidential as it contains land use planning information, being information that if prematurely released is likely to encourage speculation in land values (section 3(1)(c)). This ground applies because Council is receiving funding from the State Government to enable lots to be made available for sale or lease and the monetary considerations contained in the report could affect land value speculation.