



# **LATROBE CITY COUNCIL**

**AGENDA FOR THE  
ORDINARY COUNCIL**

**TO BE HELD IN NAMBUR WARIGA MEETING ROOM  
CORPORATE HEADQUARTERS, MORWELL  
AT 5.30PM ON  
18 MARCH 2013**

**CM402**



## *Latrobe Community* **Vision**

*"In 2026 the Latrobe Valley is a liveable and sustainable region with collaborative and inclusive community leadership."*

## *Council* **Mission**

Latrobe City continues to implement the values, corporate directions and partnerships necessary to bring reality to the Latrobe's 2026 community vision for a liveable and sustainable region with collaborative and inclusive community leadership.

## *Council* **Values**

Latrobe City Council's values describe how it is committed to achieving the Latrobe 2026 community vision through:

- Providing responsive, sustainable and community focused services;
- Planning strategically and acting responsibly;
- Accountability, transparency and honesty;
- Listening to and working with the community; and
- Respect, fairness and equity.

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18 MARCH 2013 (CM402)**

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**ORDINARY COUNCIL MEETING AGENDA  
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*Our Father in Heaven, hallowed be your Name, your kingdom come, your will be done on earth as in Heaven. Give us today our daily bread. Forgive us our sins as we forgive those who sin against us. Save us from the time of trial and deliver us from evil. For the kingdom, the power, and the glory are yours now and forever.*

AMEN

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

*We respectfully acknowledge that we are meeting here today on the traditional land of the Braiakaulung people of the Gunnai/Kūrnai Clan and pay our respect to their past and present elders.*

**3. APOLOGIES AND LEAVE OF ABSENCE****4. DECLARATION OF CONFLICT OF INTEREST**

**Direct and indirect interests - Section 77A(1) Local Government Act 1989**

*A relevant person has a conflict of interest in respect of a matter if the relevant person has a direct interest or indirect interest in the matter.*

**5. ADOPTION OF MINUTES****RECOMMENDATION**

**That the minutes of the Special Council Meeting held 20 February 2013 and minutes of the Ordinary Council Meeting meeting held on 4 March 2013 be confirmed.**

**6. PUBLIC QUESTION TIME**

**Suspension of Standing Orders for Members of the Public to Address Council**

**ORDINARY COUNCIL MEETING AGENDA  
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**7. ITEMS HELD OVER FOR REPORT AND/OR CONSIDERATION**

<b>Council Meeting Date</b>	<b>Item</b>	<b>Status</b>	<b>Responsible Officer</b>
19/09/11	Traralgon Activity Centre Plan Key Directions Report	That having considered all submissions received in respect to the Stage 2 Key Directions Report September 2011, Council resolves the following: 1. To defer the endorsement of the Stage 2 Key Directions Report September 2011 until: (a) Council has been presented with the Traralgon Growth Area Review (b) Council has received information on the results of the Latrobe Valley Bus Review 2. That Council writes to the State Government asking them what their commitment to Latrobe City in respect to providing an efficient public transport system and that the response be tabled at a Council Meeting. 3. That Council proceeds with the Parking Precinct Plan and investigate integrated public parking solutions. 4. That the Communication Strategy be amended to take into consideration that the November/December timelines are inappropriate to concerned stakeholders and that the revised Communication Strategy be presented to Council for approval. 5. That in recognition of community concern regarding car parking in Traralgon the Chief Executive Officer establish a Traralgon Parking Precinct Plan Working Party comprising key stakeholders and to be chaired by the Dunbar Ward Councillor. Activities of the Traralgon Parking Precinct Plan Working Party to be informed by the Communication Strategy for the Traralgon Activity Centre Plan Stage 2 Final Reports (Attachment 3).	General Manager Governance
5/12/11	Investigation into Mechanisms Restricting the sale of Hubert Osborne Park Traralgon	That a draft policy be prepared relating to Hubert Osborne Park and be presented to Council for consideration	General Manager Governance
19/12/11	Traralgon Greyhound Racing Club – Proposed Development and Request for Alterations to Lease	That a further report be presented to Council following negotiations with the Latrobe Valley Racing Club, Robert Lont and the Traralgon Greyhound Club seeking Council approval to the new lease arrangements at Glenview Park.	General Manager Recreational, Culture & Community Infrastructure

**ORDINARY COUNCIL MEETING AGENDA  
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<b>Council Meeting Date</b>	<b>Item</b>	<b>Status</b>	<b>Responsible Officer</b>
17/09/12	Planning Permit Application 2011/294 - Use and Development of a Single Dwelling and Associated Outbuilding, Deys Road Tyers	<ol style="list-style-type: none"> <li>1. That Council note this report.</li> <li>2. That once an assessment of the amended plans has been undertaken by the CFA, a further report be presented to Council for consideration.</li> </ol>	General Manager Governance
17/09/12	Draft Public Open Space Strategy	<ol style="list-style-type: none"> <li>1. That Council releases the draft <i>Public Open Space Strategy Volume 1: Strategy and Recommendations August 2012</i> and draft <i>Public Open Space Strategy Volume 2: Appendices and Supporting Information July 2012</i> for community consultation for a period of 6 weeks from 30 October 2012 to 14 December 2012.</li> <li>2. That a further report be presented to Council on the results of the community consultation process.</li> </ol>	General Manager Recreation, Culture & Community Infrastructure

**ORDINARY COUNCIL MEETING AGENDA  
18 MARCH 2013 (CM402)**

Council Meeting Date	Item	Status	Responsible Officer
3/12/12	Public Highway Declaration – Verey Lane, Morwell	<ol style="list-style-type: none"> <li>1. That Council write to Jammatt Pty Ltd and Nestlan Pty Ltd requesting that they remove all obstructions from the road reserve contained in Certificate of Title Volume 9732 Folio 422, being part of Verey Lane, Morwell, pursuant to Schedule 11, Clause 5 of the <i>Local Government Act</i> 1989.</li> <li>2. That Council approach Jammatt Pty Ltd and Nestlan Pty Ltd regarding the possible transfer of the road reserve contained in Certificate of Title Volume 9732 Folio 422, being the road created on LP 33695, being part of Verey Lane, Morwell.</li> <li>3. That Council obtain an independent valuation of the road reserve contained in Certificate of Title Volume 9732 Folio 422, being the road created on LP 33695, owned by Jammatt Pty Ltd and Nestlan Pty Ltd as a basis for negotiations.</li> <li>4. That Council seek agreement from the owners of the properties at 24-28 Buckley Street, Morwell, to contribute towards the costs of acquiring the road reserve contained in Certificate of Title Volume 9732 Folio 422, being the road created on LP 33695, from Jammatt Pty Ltd and Nestlan Pty Ltd.</li> <li>5. That Council write to Simon Parsons &amp; Co. requesting that the temporary access to 24-28 Buckley Street, Morwell, be extended past 31 December 2012.</li> <li>6. That a further report be presented to Council detailing the outcomes of discussions with Jammatt Pty Ltd and Nestlan Pty Ltd and the owners of the properties at 24-28 Buckley Street, Morwell.</li> </ol>	General Manager Governance



**ORDINARY COUNCIL MEETING AGENDA  
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Council Meeting Date	Item	Status	Responsible Officer
3/12/12	Geotechnical Investigation and Detailed Design Remediation Treatments of Landslips	<ol style="list-style-type: none"> <li>1. That Council resolve that the geotechnical investigations and detailed design for the remediation treatment of landslips meets the requirements of Section 186 of the <i>Local Government Act 1989</i> and that the contract must be entered into because of an emergency.</li> <li>2. That Council resolves to enter into a schedule of rates contract with GHD Pty Ltd for the geotechnical investigations and detailed design for the remediation treatment of landslips due to it being an emergency.</li> <li>3. That a report be presented to a future Council meeting at the completion of the geotechnical investigations and detailed design for the remediation treatment of landslips outlining the actual costs incurred.</li> <li>4. That Council authorise the Chief Executive Officer to advise those residents impacted by landslips of Council's process and timelines for remediating landslips throughout the municipality.</li> </ol>	General Manager Recreation, Culture & Community Infrastructure
18/02/13	Petition – Request to build a roundabout at the intersection of Market Street and Albert Street, Moe	That Council defer this matter to enable further information to be sought.	General Manager Recreation, Culture & Community Infrastructure

## ORDINARY COUNCIL MEETING AGENDA 18 MARCH 2013 (CM402)

Council Meeting Date	Item	Status	Responsible Officer
18/02/13	Petition to implement the Moe Rail Precinct Revitalisation Project master plan and actively seek funding from both state and federal governments to ensure completion of the project.	<ol style="list-style-type: none"> <li>1. That Council lays the petition “requesting the Moe Rail Precinct Revitalisation Project Master Plan to be implemented immediately and that Council actively seeks funding from both state and federal governments to ensure the completion of the project in a timely manner”, on the table until the Special Council Meeting to be held on Monday, 25 March 2013.</li> <li>2. That the head petitioner be advised of Council’s decision in relation to the petition “requesting the Moe Rail Precinct Revitalisation Project Master Plan to be implemented immediately and that Council actively seeks funding from both state and federal governments to ensure the completion of the project in a timely manner”.</li> </ol>	General Manager Recreation, Culture & Community Infrastructure
18/02/13	Affordable Housing Project – Our future our place	<ol style="list-style-type: none"> <li>1. That Council proceeds to publically call for Expressions of Interest as a mechanism to assess the viability and interest in developing an affordable housing project on land known as the Kingsford Reserve in Moe.</li> <li>2. That a further report be presented to Council for consideration on the outcome of the Expression of Interest process for the development of an affordable housing project on land known as the Kingsford Reserve in Moe.</li> </ol>	General Manager Recreation, Culture & Community Infrastructure

# NOTICES OF MOTION

**8. NOTICES OF MOTION**

Nil reports

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

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

**9.1 PROPOSED SALE OF LAND - FRANKLIN STREET, TRARALGON**

**General Manager**

**Governance**

**For Decision**

**PURPOSE**

The purpose of this report is for Council to further consider the proposed sale of the former Traralgon Early Learning Centre (TELC) site at 196 Franklin Street, Traralgon.

**DECLARATION OF INTEREST**

No officer declared an interest under the Local Government Act 1989 in the preparation of this report.

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2012-2016.

**Latrobe 2026: The Community Vision for Latrobe Valley**

Strategic Objectives

Governance

In 2026, Latrobe Valley has a reputation for conscientious leadership and governance, strengthened by an informed and engaged community committed to enriching local decision making.

**Latrobe City Council Plan 2012 - 2016**

**Shaping Our Future**

An active connected and caring community  
*Supporting all*

Strategic Direction

- Delegate appropriately and make sound decisions having regard to legislative requirements, policies, professional advice, sound and thorough research and the views of the community.
- Provide timely, effective and accessible information about Latrobe City Councils activities.
- Ensure that Latrobe City Council continues to meet the highest standards of financial probity and is financially sustainable.

## ORDINARY COUNCIL MEETING AGENDA 18 MARCH 2013 (CM402)

### Service Provision

Property and Statutory – Administer property management, advice and services of Latrobe City Council.

### Legislation

#### Local Government Act 1989

Section 189 of the *Local Government Act* 1989 gives Council the power to sell land however, before doing so, it must:

- (a) ensure that public notice of the intention to do so is given at least 4 weeks prior to selling or exchanging the land; and
- (b) obtain from a person who holds the qualifications or experience specified under section 13DA(2) of the *Valuation of Land Act* 1960 a valuation of the land which is made not more than 6 months prior to the sale or exchange.

This power is subject to Section 223 of the *Local Government Act* 1989 which requires Council “publish a public notice stating that submissions in respect of the matter specified in the public notice will be considered in accordance with this section”.

Council must then consider any written submissions that have been received and any person who has made a submission and requested they may be heard are entitled to appear before a meeting of Council.

#### *Policy – Sale of Council Owned Property Policy 11 POL-4*

The principal aim of this policy is to define the circumstances and factors that will be assessed by Council in respect to the sale of Council owned property. The purpose of this policy is to serve as an accountability mechanism to the community.

It is Councils position that the sale of Council owned property will be via public auction unless circumstances exist that justify an alternative method of sale.

All sales of Council owned property shall be consistent with the Local Government Best Practice Guidelines for the Sale and Exchange of Land prepared by the Department of Planning and Community Development.

### **BACKGROUND**

Council, at its ordinary meeting held on 5 March 2012, resolved the following regarding the sale of the former Traralgon Early Learning Centre:

1. *That Council having considered the written submissions received concerning the sale of the former Traralgon Early Learning Centre Site and part Reserve at 196 Franklin Street, Traralgon, and in accordance with the Sale of Council Owned Property Policy, forms the opinion that the former Traralgon Early Learning Centre site and part Reserve is surplus to both community and Council requirements.*

## ORDINARY COUNCIL MEETING AGENDA 18 MARCH 2013 (CM402)

2. *That pursuant to Section 189 of the Local Government Act 1989, Council resolves to sell by public auction the former Traralgon Early Learning Centre site and part Reserve at 196 Franklin Street, Traralgon, being part of the land contained in Certificates of Title: Volume 1947 Folio 267 and Volume 10334 Folio 968, described as parts of Lot 2 & 3 TP 910490S (formerly part of Crown Allotments four and five) and Lot 3 on Plan of Subdivision PS 408856P.*
3. *That Council obtain a current valuation in accordance with Section 189 of the Local Government Act 1989 of the former Traralgon Early Learning Centre site and part Reserve at 196 Franklin Street, Traralgon.*
4. *That Council authorises the Chief Executive Officer to appoint a selling agent and set the Auction Reserve Sale Price for the public auction of the form Traralgon Early Learning Centre site and part Reserve at 196 Franklin Street, Traralgon.*
5. *That Council authorises the Chief Executive Officer to enter into a Contract of Sale and, when prepared, sign and seal a Transfer of Land document allowing the transfer of the former Traralgon Early Learning Centre site and part Reserve at 196 Franklin Street, Traralgon, being part of the land contained in Certificates of Title: Volume 1947 Folio 267 and Volume 10334 Folio 968, described as parts of Lot 2 & 3 TP 910490S (formerly known as part of Crown Allotments four and five) and Lot 3 on Plan of Subdivision PS 408856P.*
6. *That Mrs Jeffery be advised of Councils decision in relation to the sale of the former Traralgon Early Learning Centre site and part Reserve at 196 Franklin Street, Traralgon.*

Following consideration of various rescission motions Council ultimately adopted the resolution of 5 March 2012 to sell the land by public auction.

This resolution was subsequently progressed by Council officers and expressions of interest were sought from real estate agents in Traralgon to act on behalf of Council in the sale of the former TELC site.

A public auction was conducted on 27 July 2012 however no bids were received and the property was subsequently passed in. It was then removed from the market pending a further report to Council.

Council further considered this matter at the ordinary meeting held on 20 August 2012 and resolved the following:

1. *That the former Traralgon Early Learning Centre site at 196 Franklin Street, Traralgon, be placed on the market for sale with a further report to be presented to Council should an offer to purchase the property be received.*
2. *That a further report be presented to Council by 31 March 2013 if no offers to purchase the former Traralgon Early Learning Centre site at 196 Franklin Street, Traralgon, are received.*



**ISSUES**

The former Traralgon Early Learning Centre site has remained on the market for six months and, during this period, there have been no offers made to purchase the property.

Councils appointed estate agent has advised that there have been approximately twelve enquiries and five inspections undertaken during the six month period and they are currently dealing with one prospective purchaser who has shown interest in the property.

The estate agent has also advised the adjoining Manny's Market site that has been on the market for a similar period of time is believed to be under contract to a private buyer and the property market in Traralgon has recently shown signs of positive growth due to the completion of a number of major commercial/retail developments and ongoing interest in residential properties.

Based upon these indicators, Councils appointed estate agent is confident of a successful sale and has suggested that a new valuation of the property should be undertaken to establish a revised asking price and a new marketing campaign be undertaken once this has been done.

The sale of the former Traralgon Early Learning Centre and part of the adjoining reserve were identified in the 2009/2010 budgetary process to partially finance the purchase of the new centre in Mapleson Drive. The purchase of the new centre was completed in early 2010 resulting in a deficit offset of \$1.2 million against unexpected funds carried forward for works to be completed in 2010/2011.

Council will be required to continue to carry this \$1.2 million deficit until the sale of the former Traralgon Early Learning Centre is finalised.

**FINANCIAL, RISK AND RESOURCES IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management Plan 2011-2014.

As stated above, one of the key considerations in relation to the sale of the former Traralgon Early Learning Centre is the budget shortfall that exists should the sale of the property not be realised.

Council has previously resolved that the net proceeds from the sale of the former Traralgon Early Learning Centre are to be allocated towards the cost of purchasing and developing the new child care centre in Mapleson Drive.

If the property was retained it would be necessary to identify an alternate source of funds that can cover the shortfall of \$1.2 million within the existing capital works budget and this could have a detrimental impact on other projects.

There is no allocation for maintenance of the building with the only works that are undertaken being of a reactive nature, such as repairs to broken glass or vandalism, and grounds maintenance as required.

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Leading up to the auction conducted in July 2012 the former Traralgon Early Learning Centre was subject to an extensive marketing campaign by Council's appointed estate agent, including advertisements in the Latrobe Valley Express, Gippsland Times, Warragul Gazette and Pakenham Gazette together with various real estate websites.

The last community consultation regarding the proposed sale of the former Traralgon Early Learning Centre was undertaken in January 2012.

**OPTIONS**

The following options are available to Council:

1. Leave the former Traralgon Early Learning Centre on the market for a longer period with a further report to be presented to Council should an offer to purchase the property be received.
2. Remove the former Traralgon Early Learning Centre from sale.

It should be noted that the latter option would require further investigation as to the implications of addressing the budget shortfall of \$1.2 million that will remain if the property is not sold.

**CONCLUSION**

The former Traralgon Early Learning Centre at 196 Franklin Street, Traralgon, is no longer required for the provision of child care services and is surplus to both Council and community requirements.

Retaining the property in Council ownership would result in a budget shortfall of \$1.2 million that would need to be accounted for and it would also require a substantial commitment to facilitate its redevelopment to make the building suitable for alternative use.

Leaving the property on the market for a further period it will provide the opportunity to take advantage of the recent improvement in the property market in Traralgon and potentially capitalise on the interest that has been shown in the property to date.

**Attachments**  
Nil

**RECOMMENDATION**

- 1. That Council resolves to leave the former Traralgon Early Learning Centre at 196 Franklin Street, Traralgon, on the market until 30 September 2013.**
- 2. That a further report be presented to Council should an offer to purchase the former Traralgon Early Learning Centre at 196 Franklin Street, Traralgon, be received.**
- 3. That a further report be presented to Council by 31 October 2013 if no offers to purchase the former Traralgon Early Learning Centre at 196 Franklin Street, Traralgon, are received by 30 September 2013.**

**9.2 PROPOSED ROAD DISCONTINUANCE OR ROAD BARRIER -  
DEAKIN LANE, TRARALGON**

**General Manager**

**Governance**

**For Decision**

**PURPOSE**

The purpose of this report is to further consider the proposed placement of permanent barriers over Deakin Lane, Traralgon.

**DECLARATION OF INTEREST**

No officer declared an interest under the Local Government Act 1989 in the preparation of this report.

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2012-2016.

**Latrobe 2026: The Community Vision for Latrobe Valley**

*Strategic Objectives – Governance*

*In 2026, Latrobe Valley has a reputation for conscientious leadership and governance, strengthened by an informed and engaged community, committed to enriching local decision making.*

**Latrobe City Council Plan 2012 - 2016**

**Shaping Our Future**

An active connected and caring community

*Supporting all*

*Strategic Direction – Governance*

- *Support effective community engagement to increase community participation in Council decision making.*
- *Delegate appropriately and make sound decisions having regard to legislative requirements, policies, professional advice, sound and thorough research and the views of the community.*
- *Provide timely, effective and accessible information about Latrobe City Council's activities.*

## ORDINARY COUNCIL MEETING AGENDA 18 MARCH 2013 (CM402)

### *Legislation*

Local Government Act 1989

Section 206 and Schedule 10 Clause 3 of the *Local Government Act 1989* 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*-

- (i) discontinue a road, or part of a road, by a notice published in the Government Gazette; and
- (ii) 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 207 and Schedule 11 Clause 9 of the Local Government Act 1989 gives Council the power to place obstructions or barriers on a road permanently:

- (1) A Council may block or restrict the passage or access of vehicles on a road by placing and maintaining any permanent barrier or other obstruction on the road.
- (2) A Council must not exercise this power unless it has considered a report from the Roads Corporation concerning the exercise of this power.
- (3) The exercise of this power is subject to any direction of the Minister.
- (4) This clause does not apply to a freeway or arterial road within the meaning of the Road Management Act 2004, unless the Council has the consent of the Roads Corporation.

Both of these powers are subject to Section 223 of the Local Government Act 1989 which requires Council “publish a public notice stating that submissions in respect of the matter specified in the public notice will be considered in accordance with this section.”

Council must then consider any written submissions that have been received and any person who has made a submission and requested they be heard are entitled to appear before a meeting of Council.

*Policy – Council does not have an adopted policy relating to the discontinuance of roads.*

### **BACKGROUND**

Council has received a request from the owners of 2 Deakin Street, Traralgon, for the discontinuance of Deakin Lane as shown on the attached plan and photographs, attachment 1.

Deakin Lane was originally created in 1957 on LP 41285 as *land appropriated or set apart for easements of way and drainage*. This lane is now described on Certificate of Title Volume 10246 Folio 309 as “*Road R1 on Plan of Subdivision 041285*”. The registered owners of the Road are also the owners of 2 Deakin Street, Traralgon (the applicant).

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A copy of the Application Letter, Plan of Subdivision and Certificate of Title are attached (refer Attachments 2, 3 & 4).

Deakin Lane is fully constructed being four metres wide on the east/west alignment with a total length of 48 metres terminating at the southern boundary of 5-7 Church Street.

The laneway is listed on the Register of Public Roads in *Appendix 4 – Roads Not Maintained by Latrobe City Council* and there are Council drainage assets contained within the road reserve.

The owners of 2 Deakin Street have advised that they have experienced ongoing incidents of antisocial behaviour which has prompted them to make application to Council to have the laneway discontinued.

As the applicants are the registered proprietors of the road reserve, they consider it would be appropriate for Council to discontinue the road and for the land to be transferred back to them for a nominal consideration where it would be retained as a private access laneway.

In examining this request, it has been found that Deakin Lane provides access to off-street parking at the rear of the office complex at 3 Church Street. This off-street car park was a requirement of Planning Permit 93/745/PO issued by the former City of Traralgon on the 7 September 1993 and an amended plan that was endorsed on the 10 May 1994.

Council previously considered this matter at the Ordinary Council Meeting held on Monday 17 December 2012 and resolved the following:

1. *That Council gives public notice of its intention to consider the placement of permanent barriers over Deakin Lane, Traralgon, pursuant to Section 207 and Schedule 11 Clause 9 of the Local Government Act 1989.*
2. *That Council considers any submissions received in relation to the proposed placement of permanent barriers over Deakin Lane, Traralgon, at the Ordinary Council Meeting to be held on Monday 18 February 2013.*

At the Ordinary Council Meeting held on Monday 18 February 2013 the applicant requested that consideration of this matter be deferred for another month pending the provision of additional information. Council subsequently resolved:

*That Council defer this item for one month.*

### **ISSUES**

The initial expression of interest from the applicants requested that Council discontinue and transfer ownership of the land back to the applicant (attachment 2). As there are multiple properties that have carriageway and use rights over this lane, officers determined that it would not be feasible to formally discontinue the road. Officers therefore proposed to the applicants and obtained their support to recommend to Council that it considers undertaking the statutory process to allow the installation of lockable gates on the road reservation.

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These permanent barriers would allow all adjoining property owners' access to Deakin Lane during normal business hours whilst still providing the security that the applicant is seeking outside of business hours. The use of locked gates proved very effective to resolve a similar problem at Tarwin Lane between 14 and 16 Tarwin Street Morwell.

Since receiving the initial application and the revised proposal to obtain consent to erect lockable gates, officers have had numerous discussions with the applicant's representative and Council has also received additional correspondence:

- Letter dated 14 December 2012 concerning the proposed development at 5-7 Church Street and how it effects the immediate area, in particular the reduction in size to the loading zone in Deakin Street.
- Email dated 20 December 2012 advising of an intention to erect a boundary fence at the rear of the 2 Deakin Street (applicant's property) and 3 Church street; and
- Letter dated 18 January 2012 inviting Council to a meeting to discuss the applicant's position in regard to the Deakin Lane.

Based upon these documents and the discussions with the applicant's representative, officers believe it is now their stated intention to prevent adjoining property owners and the general public having continued use of the lane by erecting a boundary fence at the rear of their property and gates across the front of the lane.

Deakin Lane was created as an easement of way to service four lots that were created on Plan of Subdivision LP 41285. Three of these lots face Deakin Street (the applicant's property) with the fourth lot fronting Princes Street, being part of the decommissioned Caltex Petrol Station, all of which have rights to use the easement of way for access.

Deakin Lane also provides access to the off street car park rear of 3 Church Street and a large door at the rear of 72 Princes Street. In acknowledging that Deakin Lane is being used to access adjoining properties, officers have formed the opinion that Deakin Lane has acquired the status of a public highway at common law.

Deakin Lane is considered to be a public highway as it satisfies the common law doctrine of *Dedication and Acceptance*. It is land set aside as an easement of way (Dedication) on the 1957 plan of subdivision LP 41285, shown as Road R1 on Certificate of Title Volume 10246 Folio 309, and the laneway has been used by the public, adjoining property owners and occupiers for a substantial period of time (Acceptance).

This position is supported by legal advice previously obtained from Council's solicitors in relation to two similar matters. Relevant sections of this advice are summarised below:

**Right of Access**

At common law, an owner or occupier of land adjoining a public highway (road) has a right to access the road from their land.

**A Public Highway is vested in Council**

A road is a public highway at common law because there has been:

- Dedication of the Road to the public when it was constructed; and
- Subsequent acceptance of the Road, by the public, through public use of the Road.

As Deakin Lane is marked as a "road" on title, this is a clear indication that the road is a public highway at common law. In addition, Clause 1 of Schedule 5 in the *Road Management Act 2004* (RMA) also has the effect of vesting in Council particular roads (including Deakin Lane).

The effect of this public highway classification is that the road remains open for the public to use, regardless of who owns the land underneath and the road is vested in Council.

**Council has responsibility for use and control over Road**

The general public's right to use a road (including a public highway) is confirmed by section 8 of the RMA. The RMA also places Council in control of roads because:

- by operation of section 37 of the RMA and division 2 of Part 9 of the *Local Government Act 1989* (LGA) as well as Schedules 10 and 11 of the LGA; and
- The Road is on Council's register of public roads.

In light of the above, only Council is entitled to control access to a road by virtue of the powers conferred in both the RMA and LGA. Therefore, despite holding title to the land over which a road is constructed, the registered owner/s does not enjoy exclusive possession with respect to the road (as opposed to an ordinary parcel of land). It follows that Council maintains control and responsibility for a road, regardless of whether Council or another party holds title to the land over which the road is located.

Planning Permit 93/745 issued by the former City of Traralgon the 8 September 1993 and later amended on the 10 May 1994 for an office complex at 3 Church Street contained two conditions that relate specifically to Deakin Lane:

Condition 2. "the owner prior to the commencement of the use hereby permitted shall transfer to council, at his cost, a rear portion of the land abutting the rear laneway having a minimum width of 1.73 metres and length of 15.2 for the purpose of providing public vehicular access to the rear of the site."



**ORDINARY COUNCIL MEETING AGENDA  
18 MARCH 2013 (CM402)**

Officer comment: This strip of land abuts the existing lane and was required to increase the width of the lane to approximately six metres at the rear of both 2 Deakin Street and 3 Church Street.

This road widening was to provide improved access to a proposed mid block off street car park that was identified to be constructed at the rear of premises fronting Church Street from Deakin Lane north through to Hotham Street. The assembly of land for the proposed mid block off street car has not progressed.

The transfer of the strip of land at the rear of 3 Church Street did not occur as required and officers have recently obtained a commitment from the current owner to arrange for the transfer of this piece of land.

Condition 3. "a plan detailing the construction and drainage of the parking area and driveway shall be submitted to the satisfaction of the responsible authority prior to the construction of the car parking area, and prior to occupancy of the premises.

Such driveway and car parking area shall be constructed with bituminous surface or reinforced concrete or block work to the satisfaction of the responsible authority.

Minimum depth of pavement materials to be 150mm depth, and bituminous surface to be 30mm depth."

Officer Comment: The section of land between the rear of 3 Church Street and 2 Deakin Street including the section of laneway and part of 2 Deakin Street was completely constructed with a concrete surface and line marked for car parking. It is assumed that this construction occurred as part of the office complex at full cost to the developer.

In September 1999, the owner of 3 Church Street wrote to Council concerning the unmade east/west section of Deakin Lane from Deakin Street through to the section of constructed laneway and car park the rear of 3 Church Street and 2 Deakin Street, refer attachment 5 – photo of laneway. The photo was taken the 24 July 1999 and shows that the east/west section of the laneway was unconstructed and the surface was rough with a number of large potholes containing water.

The Deakin Street road file details that two meetings were held concerning the state of the lane in October 1999 and another in November 2000. The later meeting was between Council and representatives from Tripodi Fruit Supply and the Latrobe Regional Development Group. This meeting discussed the possibility of fully constructing the entire east/west area with reinforced concrete from building line to building line. Each party was requested to consider contributing \$6,000 towards the cost of this project.

The Latrobe Regional Development Group have stated that they fully funded the construction cost. At present it is unknown whether Council or any other party contributed towards the cost of this construction.

The applicant has advised that the additional information that will be provided is likely to have a major impact on the final outcome of this matter however it is yet to be received as it is still being reviewed by the applicants' legal representative.

## ORDINARY COUNCIL MEETING AGENDA 18 MARCH 2013 (CM402)

Given that it has been established that Deakin Lane is both road and public highway it will be necessary for the additional information that is provided by the applicant to be reviewed to determine whether it does indeed change the current assessment of this matter.

### **FINANCIAL, RISK AND RESOURCES IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management Plan 2011-2014.

In the event Council was to complete the statutory process and consent to the applicant request to erect gates and a suitable formal agreement being entered into with the applicant to cover installation, maintenance and access to the gates, there is unlikely to be any associated risks with the proposed placement of permanent barriers over Deakin Lane.

Should Council not agree to the applicant requests and Deakin Lane remains an open public highway, there is the potential that Council may need to take enforcement action should the applicant decide to block public use of the laneway.

With respect to financial implications, if Council resolves to restrict access by allowing the placement of gates across Deakin Lane all costs associated with the construction of the gates would be borne by the applicants.

### **INTERNAL/EXTERNAL CONSULTATION**

#### *Engagement Method Used:*

- Public notices placed in the Latrobe Valley Express on Thursday 20 December 2012 together with Monday 7 and Thursday 10 January 2013.
- Letters sent to all adjoining property owners and occupiers together with VicRoads and Gippsland Water
- Notice displayed at the Traralgon Service Centre.
- Details placed on the Latrobe City Council website.

#### *Details of Community Consultation / Results of Engagement:*

In response to the public notices and correspondence one submission (attachment 6) was received from Beveridge Williams & Co Pty Ltd on behalf of Petroleum Property Holdings Pty Ltd Traralgon, owner of 1 Church Street and Parody Glade Pty Ltd owner of 3 Church Street Traralgon.

This submission "strongly objects" to the proposal to place gates across Deakin Lane for the following reasons:

- Petroleum Property Holdings Pty Ltd (1 Church Street) has existing rights over the lane.
- Petroleum Property Holdings Pty Ltd require permanent unimpeded access along Deakin Lane as it has plans for future redevelopment on the site.

## ORDINARY COUNCIL MEETING AGENDA 18 MARCH 2013 (CM402)

- Parody Glade Pty Ltd (3 Church Street) requires continued access to the off-street car park at the rear of its office development. The provision of off-street car parking was a requirement of the planning permit issued for the office development constructed in 1994.

In addition to raising the above points in support of this objection, Beveridge Williams & Co have stated that the owners of Lots 1, 2 & 3 Deakin Street have indicated that “they wish a new fence be constructed along the eastern boundary of the property which would prevent access from the 1-3 Church Street site to Deakin Lane. Because Deakin Lane has been regarded as a public highway by Council, the owners of these lots cannot demand that a fence be constructed along this boundary.”

Beveridge Williams also state that “both our clients are very strong in their objection to the proposal to place gates across Deakin Lane or for any other action to be taken that denies them permanent access to Deakin Lane.”

### **OPTIONS**

Council may now:

1. Resolve to allow permanent barriers (lockable gates) to be erected on Deakin Lane, Traralgon.
2. Resolve to keep Deakin Lane open to public traffic which will require no further action.
3. Resolve to defer consideration of the proposed placement of barriers (lockable gates) on Deakin Lane, Traralgon, for a further period to allow an assessment of the additional information provided by the applicant.

### **CONCLUSION**

Council has previously resolved to defer consideration of the proposed placement of permanent barriers (lockable gates) over Deakin Lane, Traralgon, to enable the applicant to provide additional information that is relevant to the status of the laneway.

To allow for an informed decision to be made on this matter it will be necessary for any additional information that is provided by the applicant to be assessed in the context of the established position detailed in this report. It would therefore be reasonable for consideration of this matter to be deferred for a further period to allow such an assessment to be undertaken.

#### **Attachments**

1. Locality Plan, aerial image and photos of Deakin Lane, Traralgon
2. Application Letter
3. Plan of Subdivision LP 041285
4. Deakin Lane Certificate of Title Volume 10246 Folio 309
5. Photo of unconstructed east/west section of Deakin Lane dated 24 July 1999.
6. Submission

**RECOMMENDATION**

- 1. That Council defers consideration of the proposed placement of permanent barriers over Deakin Lane, Traralgon, to the Ordinary Council meeting to be held on Monday 22 April 2013 pending assessment of additional information to be provided by the applicant.**
- 2. That Beveridge Williams, acting on behalf of Petroleum Property Holdings Pty Ltd and Parody Glade Pty Ltd, and the applicant be advised accordingly.**

## 9.2

### PROPOSED ROAD DISCONTINUANCE OR ROAD BARRIER - DEAKIN LANE, TRARALGON

1	Locality Plan, aerial image and photos of Deakin Lane, Traralgon .....	33
2	Application Letter .....	37
3	Plan of Subdivision LP 041285 .....	39
4	Deakin Lane Certificate of Title Volume 10246 Folio 309 .....	41
5	Photo of unconstructed east/west section of Deakin Lane dated 24 July 1999.....	43
6	Submission .....	45

Locality Plan, Aerial Image & Photos of Deakin Lane, Traralgon.

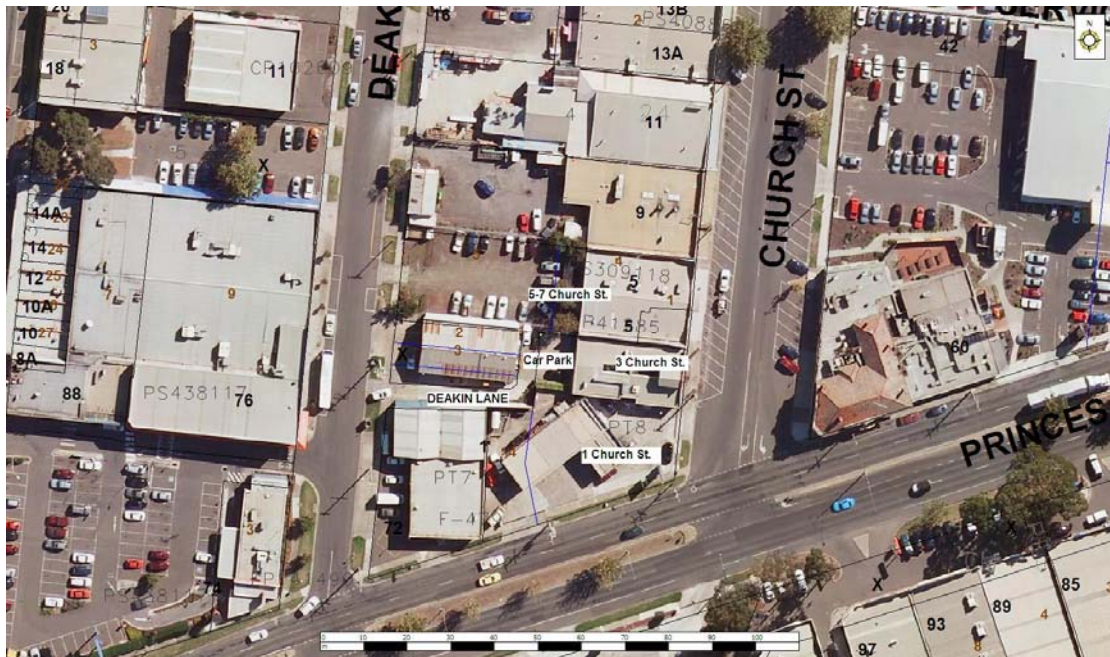
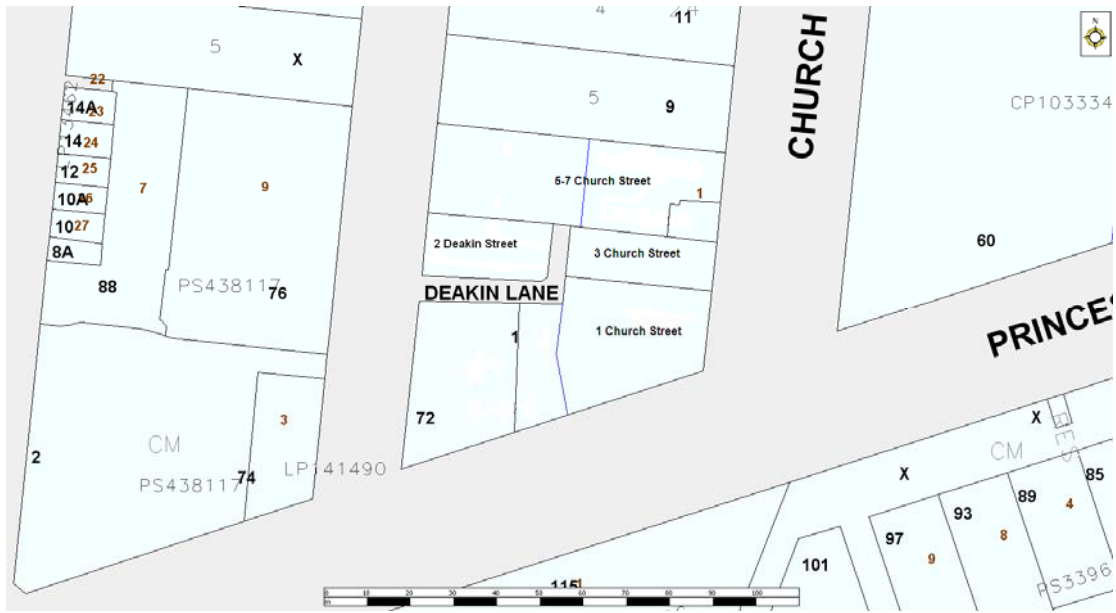


Photo taken from Deakin Street opposite Lane Entrance.



Close up of Lane Entrance



Off Street Car Park, rear 3 Church Street.







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■ Gino 0418 598 525 ■ Damian 0418 318 787  
ABN 56 791 373 920

30<sup>th</sup> May 2012

Mr Peter Schulz

Re: Laneway Closure  
2 Deakin Street  
Traralgon VIC 3488

Dear Mr Schulz,

I apologise, as it has taken some time to write to you, since we spoke. This letter is in regard to an old laneway which is attached to our title, at 2 Deakin Street, Traralgon 3844.

The laneway begins at the front of our property and finishes at the rear. We believe that we purchased the property as the title states ownership. We also understand that being a "Discontinued" laneway with no street name or title the Latrobe Council are "liable" for anything unfortunate that could happen.

We propose that Latrobe City Council transfer full ownership to us, as our entitlement and therefore rid them of liability. We believe that it is in all party's best interest. The laneway will be left as an access laneway, servicing our needs.

Please if you could take this into consideration we would be appreciative.

Thank you.  
Yours Faithfully

Gino Tripodi  
On behalf of  
Stefano Tripodi  
Concetta Tripodi  
Damiano Tripodi

*"As fresh as today, just as crisp as tomorrow"*

Delivered by LANDATA® Land Victoria timestamp 22/01/2013 15:46 Page 1 of 1

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LP 41285

EDITION 1  
PLAN MAY BE LODGED 5/9/57

PLAN OF SUBDIVISION OF  
PART OF CROWN ALLOTMENTS 7 & 8, SECTION 24  
TOWNSHIP OF TRARALGON  
PARISH OF TRARALGON  
COUNTY OF BULN BULN

Measurements are in Feet & Inches

Conversion Factor  
FEET X 0.3048 = METRES

- ✓ 4583 F 536
- ✓ 6343 F 795
- ✓ 7551 F 028

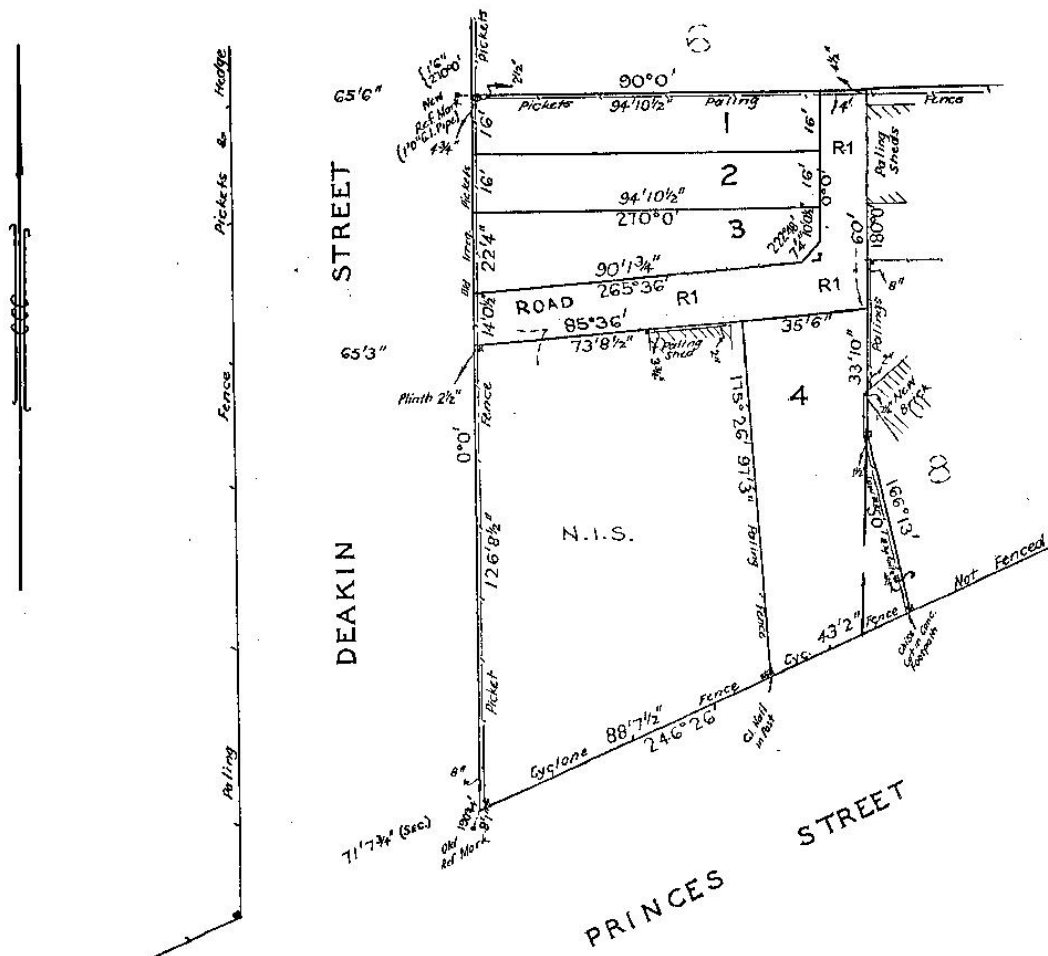
COLOUR CONVERSION

BROWN = R1

APPROPRIATIONS

THE LAND COLOURED BROWN IS APPROPRIATED OR SET APART FOR EASEMENTS OF WAY AND DRAINAGE.

~~PARISH TOWNSHIP BOUNDARY~~



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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10243 FOLIO 238

Security no : 124044527951G  
Produced 22/01/2013 04:02 pm

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 041285.  
PARENT TITLE Volume 08156 Folio 271  
Created by instrument T741805V 26/06/1995

REGISTERED PROPRIETOR

Estate Fee Simple  
TENANTS IN COMMON

As to 1 of a total of 4 equal undivided shares  
Sole Proprietor

STEFANO TRIPODI of 10 MOORE ST. TRARALGON 3844

As to 1 of a total of 4 equal undivided shares  
Sole Proprietor

CONCETTA TRIPODI of 10 MOORE ST. TRARALGON 3844

As to 1 of a total of 4 equal undivided shares  
Sole Proprietor

DAMIANO TRIPODI of 10 MOORE ST. TRARALGON 3844

As to 1 of a total of 4 equal undivided shares  
Sole Proprietor

GINO TRIPODI of 10 MOORE ST. TRARALGON 3844

U146141P 26/03/1996

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE U146142L 26/03/1996

AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

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24 Subdivision Act 1988 and any other encumbrances shown or entered on the  
plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP041285 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: DEAKIN STREET TRARALGON VIC 3844

DOCUMENT END

**Delivered from the Landata ® System by SAI Global Property Division Pty Ltd  
Delivered at 22/01/2013, for Order Number 11244891. Your reference: Deakin Lane.**

**PHOTO AT THE ENTRANCE OF THE UNCONSTRUCTED EAST/WEST  
SECTION OF DEAKIN LANE.  
PHOTO DATED 24 JULY 1999.**



**Beveridge Williams**

Reference: 1200716

Office: Traralgon

16 January 2013

Mr Peter Schulz  
Property and Statute Officer  
City of Latrobe  
PO Box 264  
**MORWELL VIC 3840**

Dear Peter,

RE: **YOUR REFERENCE: R511973/00**  
**PROPOSED PLACEMENT OF PERMANENT BARRIERS**  
**DEAKIN LANE, TRARALGON**

We refer to your letter dated the 18<sup>th</sup> of December 2012 to Mr Leo DiFabrizio of the Latrobe Regional Development Group and advise as follows.

We act for the following registered proprietors in this matter:

- Parody Glade Pty Ltd who are the registered proprietors of the land described in certificate of title volume 7263 folio 425 being lot 1 on TP 532747M being located at 1-3 Church Street, Traralgon.
- Petroleum Property Holdings Pty Ltd who are the registered proprietors of the land described in certificate of title volume 8156 folio 270 being lot 4 on plan of subdivision LP 41285.

Copies of these titles are enclosed for your information.

As you are aware Deakin Lane was created in LP 41285 with lots 1, 2, 3 and 4 of that subdivision having way and drainage rights over the lane.

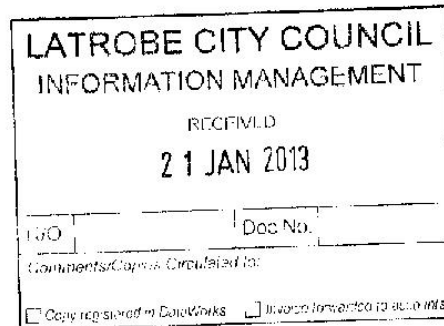
The land comprising Deakin Lane is described in certificate of title volume 10246 folio 309 being road R1 on plan of subdivision LP 41285.

We understand the proposal as stated in your letter dated the 18<sup>th</sup> December 2012 is for council to consider the place of permanent barriers across Deakin Lane.

We wish to advise that both our clients **strongly object** to this proposal.

Lot 4 on LP 41285, owned by Petroleum Property Holdings Pty Ltd has existing way and drainage rights over Deakin Lane because it is part of the original subdivision, LP 41285.

www.beveridgewilliams.com.au



**Beveridge Williams  
& Co Pty Ltd**

ACN 006 197 235  
ABN 38 006 197 235

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PO Box 2205  
Caulfield Junction Vic 3161  
ph: 03 9528 4444

**Bairnsdale**

Shop 7 Riviera Plaza  
80-88 Main St  
Bairnsdale Vic 3875  
Po Box 1799  
Bairnsdale Vic 3875  
ph: 03 5152 4708

**Ballarat**

96 Main Road  
Ballarat Vic 3350  
PO Box 1465  
Bakery Hill Vic 3354  
ph: 03 5327 2000

**Geelong**

52 Brougham St  
Geelong Vic 3220  
ph: 03 5222 6563

**Leongatha**

52A Bair St  
PO Box 161  
Leongatha Vic 3953  
ph: 03 5662 2630

**Sale**

45 Macallister St  
Sale Vic 3850  
ph: 03 5144 3877

**Traralgon**

18 Hotham St  
PO Box 684  
Traralgon Vic 3844  
ph: 03 5176 0374

**Wonthaggi**

134 Graham St  
PO Box 129  
Wonthaggi Vic 3995  
ph: 03 5672 1505



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Petroleum Property Holdings Pty Ltd require permanent unimpeded access to continue to be provided along Deakin Lane because they have plans to develop their property (lot 4) in the future and will require the rear access that Deakin Lane provides.

The building at 1-3 Church Street Traralgon was constructed in 1994. The City of Traralgon required car parking for this facility to be provided at the rear of the building. The only access to this car parking area is via Deakin Lane, which council must have deemed to be a public highway, otherwise they would not have been in a position to require the car parking to be at the rear of the building.

We understand the registered proprietors of lots 1, 2 and 3 on LP 42185 have indicated that they wish a new fence be constructed along the eastern boundary of the property which would prevent access from the 1-3 Church Street site to Deakin Lane. Because Deakin Lane has been regarded as a public highway by Council, the owners of these lots cannot demand that a fence be constructed along this boundary.

Both our clients are very strong in their objection to the proposal to place gates across Deakin Lane or for any other action to be taken that denies them permanent access to Deakin Lane.

If possible we would like an opportunity to address council regarding this matter at the council meeting to be held on Monday 18<sup>th</sup> of February 2013.

If you have any queries please do not hesitate to contact us.

Yours faithfully

**BEVERIDGE WILLIAMS & CO**



**PETER G DELL**  
DEVELOPMENT MANAGER – GIPPSLAND

Vic Property

Page 1 of 3

Doc id: 8156/270 Matter: 2223PGD Search generated on 04/07/2012 at 09:37

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## REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 08156 FOLIO 270

Security no : 124042363569V  
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## LAND DESCRIPTION

Lot 4 on Plan of Subdivision 041285.

## PARENT TITLES :

Volume 04583 Folio 536      Volume 06349 Folio 795      Volume 07551 Folio 028  
Created by instrument A318161 10/04/1957

## REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

PETROLEUM PROPERTY HOLDINGS PTY LTD of 388 RAYMOND ST SALE 3850  
V361058H 08/04/1998

## ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE V361060E 08/04/1998

NATIONAL AUSTRALIA BANK LTD

LEASE C554022 01/08/1966

Expiry Date 29/03/1973

CALTEX OIL (AUSTRALIA) PTY LTD

LEASE E915459 25/07/1973

Expiry Date 29/03/1978

CALTEX OIL (AUSTRALIA) PTY LTD

LEASE H292020 02/11/1978

Expiry Date 29/03/1983

CALTEX OIL (AUSTRALIA) PTY LTD

CAVEAT AG109227R 29/09/2008

Caveator

PETER JOHN MINSTER

Capacity PURCHASER/FEE SIMPLE

Lodged by

MCDONOUGH &amp; CO

Notices to

MCDONOUGH &amp; CO of 68 SEYMOUR STREET TRARALGON VIC 3844

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24 Subdivision Act 1988 and any other encumbrances shown or entered on the  
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## DIAGRAM LOCATION

SEE LP041285 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

<https://secure-acs.urbispro.com.au/cgi-bin/landata/docimage?dtype=title&>

4/07/2012



Vic Property

Page 1 of 2

Doc id: 7263425 Mailer: 2222PGD Search generated on 04/07/2012 at 09:39

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

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VOLUME 07263 FOLIO 425Security no : 124042363599N  
Produced 04/07/2012 09:40 amLAND DESCRIPTION  
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Lot 1 on Title Plan 532747M (formerly known as part of Crown Allotment 8  
Section 24 Township of Traralgon Parish of Traralgon).  
PARENT TITLE Volume 07263 Folio 424  
Created by instrument 2203845 24/03/1949

REGISTERED PROPRIETOR  
-----

Estate Fee Simple

Sole Proprietor

PARODY GLADE PTY LTD of 10 GREY ST TRARALGON 3844  
S934246N 14/02/1994

ENCUMBRANCES, CAVEATS AND NOTICES  
-----

MORTGAGE S934247K 14/02/1994  
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SEE TP532747M FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS  
-----

NIL

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<b>TITLE PLAN</b>	<b>EDITION 1</b>	<b>TP 532747M</b>						
<p><b>Location of Land</b></p> <p>Parish: TRARALGON                  Township: TRARALGON                  Section: 24                  Crown Allotment: 8(PT)                  Crown Portion:</p> <p><b>Last Plan Reference</b></p> <p>Derived From: VOL 7263 FOL 425                  Depth Limitation: NIL</p>	<p style="text-align: center;"><b>Notations</b></p> <p style="text-align: center;">ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p>							
<p style="text-align: center;"><b>Description of Land / Easement Information</b></p>		<p>THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY LAND VICTORIA FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT</p> <p>COMPILED: 29/05/2000                  VERIFIED: SOC</p>						
<table border="1" style="width: 100%;"> <tr> <th colspan="2" style="text-align: center;">TABLE OF PARCEL IDENTIFIERS</th> </tr> <tr> <td colspan="2" style="font-size: small;">WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962</td> </tr> <tr> <td colspan="2" style="font-size: small;">PARCEL 1 = CA 8 (PT)</td> </tr> </table>			TABLE OF PARCEL IDENTIFIERS		WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962		PARCEL 1 = CA 8 (PT)	
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WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962								
PARCEL 1 = CA 8 (PT)								
LENGTHS ARE IN FEET & INCHES	Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 1 sheets						

## Vic Property

Doc id: 10246/309 Matter: 1200716 Search generated on 16/01/2013 at 15:21

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VOLUME 10246 FOLIO 309

Security no : 124044466544D  
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## LAND DESCRIPTION

Road R1 on Plan of Subdivision 041285.  
PARENT TITLE Volume 08156 Folio 271  
Created by instrument T741807P 26/06/1995

## REGISTERED PROPRIETOR

Estate Fee Simple

TENANTS IN COMMON

As to 1 of a total of 4 equal undivided shares

Sole Proprietor

STEFANO TRIPODI of 10 MOORE STREET TRARALGON 3844  
As to 1 of a total of 4 equal undivided shares  
Sole Proprietor

CONCETTA TRIPODI of 10 MOORE STREET TRARALGON 3844  
As to 1 of a total of 4 equal undivided shares  
Sole Proprietor

GINO TRIPODI of 10 MOORE STREET TRARALGON 3844  
As to 1 of a total of 4 equal undivided shares  
Sole Proprietor

DAMIANO TRIPODI of 10 MOORE STREET TRARALGON 3844  
U146141P 26/03/1996

## ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE U146142L 26/03/1996

AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section  
24 Subdivision Act 1988 and any other encumbrances shown or entered on the  
plan or imaged folio set out under DIAGRAM LOCATION below.

## DIAGRAM LOCATION

SEE LP041285 FOR FURTHER DETAILS AND BOUNDARIES

## ACTIVITY IN THE LAST 125 DAYS

NIL

DOCUMENT END

Delivered from the LANDATA® SYSTEM by GlobalX Information Services. The information supplied by Association of Consulting Surveyors (Vict  
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**9.3 PLANNING PERMIT APPLICATION 2012/038 - FIVE LOT  
SUBDIVISION AT 85 COONOC ROAD TRARALGON**

**General Manager**

**Governance**

**For Decision**

**PURPOSE**

The purpose of this report is to determine Planning Permit Application 2012/038 for a five lot subdivision at 85 Coonoc Road in Traralgon.

**DECLARATION OF INTERESTS**

No officer declared an interest under the Local Government Act 1989 in the preparation of this report.

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2012-2016.

***Latrobe 2026: The Community Vision for Latrobe Valley***

***Strategic Objective – 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.

***Shaping Our Future***

An active connected and caring community  
*Supporting all*

***Latrobe City Council Plan 2012 - 2016***

***Strategic Direction – Built Environment***

- Promote and support high quality urban design within the built environment; and
- Ensure proposed developments enhance the liveability of Latrobe City, and provide for a more sustainable community.

***Legislation***

The discussions and recommendations of this report are consistent with the provisions of the *Planning and Environment Act 1987* (the Act) and the Latrobe Planning Scheme (the Scheme), which apply to this application.

## **BACKGROUND**

### **SUMMARY**

Land:	85 Coonoc Road Traralgon, known as Lot 7 on Plan of Subdivision 86033
Proponent:	W.H. & A.H. Becker c/- Beveridge Williams & Co Pty Ltd
Zoning:	Low Density Residential Zone (LDRZ)
Overlay:	N/a

A Planning Permit is required for subdivision of land in a Low Density Residential Zone in accordance with Clause 32.03-3 of the Scheme.

A site context plan is included as Attachment 1 of this report.

This application was previously considered at the Ordinary Council Meeting held on 4 March 2013 and Council resolved:

- 1. That this item be deferred for 2 weeks so that information provided by the applicants can be addressed by Councillors.*
- 2. That Councillors be provided with preliminary information on the costings and feasibilities of running a piped drain from the precinct to Riddles Creek.*

At the time of writing an investigation in response to item 2 above is being undertaken by Council Officers. Once complete the required preliminary information will be circulated to all Councillors in accordance with the resolution.

### **PROPOSAL**

The proposal seeks to subdivide the land into five lots. A copy of the proposed plan of subdivision is contained in Attachment 2 of this report.

Proposed Lots 1, 3, 4 and 5 would range in area between approximately 4000 square metres and 5864 square metres, each comprising vacant pasture and some existing planted vegetation.

Access to Lot 1 would be provided from Coonoc Road via a new bitumen sealed driveway crossover, located adjacent to an existing gap in planted vegetation along the eastern boundary of this lot.

Access to Lots 3, 4 and 5 would be provided from Coonoc Road via a new common property driveway. As submitted by the applicant, the common property would have a width of 8 metres to allow for a 4.5 metres sealed pavement and provision of landscaping on either side. It appears that vegetation would need to be removed for the construction of the common property driveway, although the extent or significance of vegetation required for removal has not been clearly identified on the plans submitted with the application.

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Proposed Lot 2 would contain the existing 6-bedroom dwelling and associated buildings and works. This allotment is proposed to be irregular in shape, with a frontage to Coonoc Road measuring 54.41 metres and a total area of approximately 5072 square metres. Vehicular access would be provided from Coonoc Road via the existing sealed driveway crossover.

As the subject land is located well outside Gippsland Water's sewer reticulation district, the proposal seeks to treat and retain wastewater on site. A Land Capability Assessment (prepared by Land Safe – a Division of Ag-Challenge Consulting Pty Ltd, dated 20 January 2012) has been submitted with the application and is included in Attachment 3 of this report.

A Stormwater Management Plan has also been submitted with the application (refer to Attachment 4). The plan proposes that each lot would be provided with a stormwater property connection connected to an underground piped drainage system which would then direct the collected stormwater to a grassed swale and a proposed retarding basin to be located centrally across Lot 4.

A building and waste disposal envelope plan is contained in Attachment 5 of this report, showing indicative building and waste water disposal areas for each of the proposed lots.

**Subject Land:**

The subject site is located at 85 Coonoc Road in Traralgon, or more particularly described as Lot 7 on Plan of Subdivision 86033.

The site is irregular in shape, with an area of 2.023 hectares and an abuttal to Coonoc Road along the full length of its eastern boundary. The dimensions of the site are as follows:

- A frontage (eastern boundary) measuring 140.82 metres;
- A southern side boundary measuring 207.79 metres;
- A northern side boundary measuring 140.82 metres;
- A rear (western) boundary measuring 142.27 metres.

The land is currently used for low density residential purposes and is developed with a large single storey brick dwelling, with attached garage and carport, in-ground pool, colorbond storage shed, garden shed and associated infrastructure. The existing buildings are grouped together in the eastern portion of the land, within 65 metres of the front boundary.

The dwelling and associated buildings are surrounded by a landscaped garden comprising a combination of native and exotic trees, shrubs and lawn cover. As submitted by the applicant, all the existing vegetation (native and exotic) on site was planted by the land owners following their purchase of the property in the early 1970s.

Primary access to the site is currently obtained from Coonoc Road via a sealed crossover and driveway. A secondary access point is provided to the storage shed on site via another crossover and concrete culvert.

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The site has a gentle slope in a south-westerly direction, with a fall of approximately 10 metres across the property between its highest point (adjacent to the main driveway entrance) and lowest point (south-west corner). The south-west corner of the site is affected by a waterway. As submitted by the applicant, there are currently three separate wastewater treatment and dispersal systems (3 septic tanks and 3 sets of absorption trenches) servicing the existing 6-bedroom dwelling. The systems servicing the house collect black water only, with grey water discharged directly to the paddock untreated. It should be noted that each of these three systems would have to be disconnected and replaced with a new system as part of the proposal, as they would not be located wholly within the proposed boundaries of Lot 2.

### **Surrounding Land Use:**

The site is located within an established low density residential precinct on the western periphery of Traralgon's urban area, approximately 3.2 kilometres west of the central activity district.

Surrounding the site are low residential allotments generally ranging between approximately 0.4 hectare and 4 hectares in area. All of the adjoining lots are developed with single dwellings and associated sheds.

Coonoc Road is classified as a Rural Access Road and is constructed with a seal width of 5.5 metres.

It should be noted that the subject site is located within the Draft Traralgon West Structure Plan study area (part of the Traralgon Growth Areas Review project).

### **HISTORY OF APPLICATION**

A history of assessment of this application is set out in Attachment 6.

The provisions of the Scheme that are relevant to the subject application are included in Attachment 7.

### **ISSUES**

#### **Clause 32.03 Low Density Residential Zone (LDRZ)**

The subject land is contained within the Low Density Residential Zone of the Scheme. The primary purpose of the zone is *'to provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater'*. In accordance with the LDRZ provisions, a permit is required to subdivide land and each of the proposed lots must be at least 0.4 hectare. Given the site comprises 2.024 hectares in overall area, this allows Council to consider the subject application to subdivide the site into 0.4 hectare lots.

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However, it should be noted that Clause 65 of the Scheme states that because a planning permit can be granted does not imply that a permit should or will be granted. Council must decide whether the proposal will produce acceptable outcomes in terms of the relevant provisions of the Scheme.

In accordance with Clause 32.03-3 of the Scheme, Council must consider decision guidelines of the LDRZ as follows, as appropriate:

- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.*
- *The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.*
- *In the absence of reticulated sewerage:*
  - *The capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.*
  - *The benefits of restricting the size of lots to the minimum required to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria).*
  - *The benefits of restricting the size of lots to generally no more than 2 hectares to enable lots to be efficiently maintained without the need for agricultural techniques and equipments.*
- *The relevant standards of Clauses 56.07-1 to 56.07-4 [which relate to integrated water management in subdivisions].*

An assessment of the application against the above has highlighted that wastewater and stormwater management as the key issues to be resolved. The subject land is located outside Gippsland Water's sewer reticulation district and all of the proposed lots would require on-site treatment and disposal of wastewater. Also, there is currently no supporting drainage or stormwater infrastructure in place in the Traralgon low density residential area.

### **Stormwater Management**

The stormwater management plan submitted by the applicant proposes that each lot be provided with a stormwater property connection which would connect to an underground piped drainage system. This would direct stormwater to a grassed swale and a proposed retarding basin to be located centrally across Lot 4.



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As submitted by the applicant, by the combination of a grassy swale and shallow grassy retarding basin, the stormwater would be treated to achieve the relevant objectives for environmental quality as set out in the Urban Stormwater Best Practice Environmental Guidelines (CSIRO) 1999. Following pre-treatment, flows would be limited to the pre-development level, then be forced to discharge from the basin over a weir length of at least 3 metres into the existing waterway which runs through the subject site.

The stormwater management plan also proposes the use of rainwater tanks on each allotment for the purpose of reuse through new dwellings (toilets and washing machine) and irrigation.

It is proposed by the applicant that the maintenance of the drainage system within the land would be the responsibility of the Owners Corporation although maintenance of the grassed swale and the retarding basin would appear to be the responsibility of the owner of Lot 4.

Council's Infrastructure Planning Team has advised that whilst the stormwater drainage design is generally adequate, maintenance of the proposed drainage works is not satisfactory. This is because the proposed arrangement would require the owner of Lot 4 to undertake ongoing maintenance and liability of the stormwater treatment and detention system at their own cost. A more satisfactory arrangement would be for the Owners Corporation to be responsible.

In other words, should a planning permit be granted, appropriate conditions must be included to require all members of the Owners Corporation be responsible for the use, maintenance and liabilities associated with the shared drainage system in accordance with the stormwater management plan. The stormwater management plan should be enforced via a Section 173 Agreement registered on the title to each lot, to ensure that maintenance works would be undertaken after the subdivision is registered. The Agreement should set out obligations on the Owners Corporation and its members to maintain the shared drainage system. The stormwater management plan should be included as a schedule to the Agreement and therefore provide certainty to the land owners, the Owners Corporation and Council as to responsibilities for this drainage system. It is expected that once registered, the obligations associated with the Agreement would 'flow' through to each of the respective owners of the allotments created (Lots 1 – 5) and also the title issued for the Common Property. In addition, the final plan of subdivision submitted for certification should also include a drainage easement over the swale and retarding basin in favour of all lots on the plan of subdivision.

It should be noted whilst the West Gippsland Catchment Management Authority (WGCMA) has identified that a designated waterway runs through the property with proposed Lots 3, 4 & 5 being affected, they have consented to issuing a planning permit for the proposed subdivision based on the submitted stormwater management plan, with the 'Owners Corporation' arrangement as highlighted above (refer to Attachment 8 for a copy of WGCMA's response).

On the above basis, it is reasonable to consider that subject to appropriate conditions, the proposed stormwater drainage system would be able to operate efficiently to limit stormwater discharge from the site to pre-developed levels. The proposal is unlikely to have any adverse amenity impact on adjoining properties or on the environmental qualities of waterways, from excessive stormwater runoff.

### **Wastewater Management**

In terms of wastewater management, it should be noted the purpose and decision guidelines of the LDRZ emphasise the need to ensure that waste water can be treated and retained on site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

A Land Capability Assessment was conducted by Land Safe (refer to Attachment 3) and the key findings of the assessment are as follows:

*'The most significant environmental constraints impacting upon the sustainable application to land of wastewater on the property are the low permeability of the subsoil and poorly drained subsoil. The presence of a swale and frequently saturated soil also present a constraint, but the effect of this swale and saturated soil only significantly impacts upon proposed Lot 4...*

*The Land Application Area LAA (note: LAA refers to areas that allowed treated domestic waste water to be managed entirely on site) for subsoil absorption trenches should be 635 square metres for a four bedroom home using 900L/day and 924m for a six bedroom home using 1260L/day. These LAAs include a 3m space between each absorption trenches which also acts as the reserve area, but does not include EPA setback distances. Absorption trenches are not considered appropriate in proposed Lot 4, given the constrained area available for wastewater dispersal with this method.*

*For subsurface irrigation a Design Irrigation Rate (DIR) of 2.86L/m<sup>2</sup>/day or 20mm/week has been assigned. The LAA with subsurface irrigation should be 559 square metres for a four bedroom home or 783 for a six bedroom home. This LAA does not include EPA setback distances. Subsurface irrigation with secondary treatment is the most suitable wastewater management option for proposed Lot 4.*

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*There is generally sufficient area available on each proposed allotment for sustainable waste water application to land. Given the recommended setbacks from the swale, absorption trenches are not suitable for proposed Lot 4, only subsurface irrigation. Either absorption trenches or surface irrigation must be used in each of the other four proposed allotments'.*

As highlighted above, the findings contained in the Land Capability Assessment are not without limitations. More specifically, the recommended Land Application Areas (LAAs) for subsurface irrigation with secondary treated wastewater and for subsoil absorption trenches with primary treated wastewater calculated in the assessment do not take into account setback distances specified in EPA publication - Onsite Wastewater Management Code of Practice.

It should be noted however that the recommended LAAs above have been used to inform the extent of wastewater envelopes as proposed under this subdivision (refer to Attachment 5).

According to the relevant EPA's guidelines, even when onsite wastewater systems are properly designed, installed and maintained, a residual environmental and public health risk always remains. The consequence of failing systems varies and depends upon the particular site and the sensitivity of the environment surrounding the site.

To minimize that residual risk, onsite waste water systems must be installed in a way that allows for a 'buffer' or 'setback distance' between the system and the surrounding environment. In accordance with EPA's draft Code of Practice – Onsite Wastewater Management 891.3, the setback distance for onsite wastewater system in unsewered areas (i.e. including the subject area) from waterway for secondary treated wastewater system is approximately 20 to 30 metres. The relevant section of the draft Code of Practice is included as Attachment 11 of this report.

It should be noted that the West Gippsland Catchment Management Authority (WGCMA) has identified that a designated waterway runs through the property with proposed Lots 3, 4 & 5 being affected (refer to Attachments 8 & 9). The stormwater management plan submitted with the application further confirms the function of this 'waterway', by proposing that stormwater be discharged from the proposed retarding basin into this existing waterway.

Based on the location of the designated waterway as identified by the WGCMA (refer to Attachment 9), it appears that the wastewater envelope (or Land Application Areas for subsurface irrigation with secondary treated wastewater) of Lot 4 would not be able to provide adequate buffer distance of at least 20-30 metres from the waterway on the land, in accordance with the relevant EPA's Code of Practice.

**ORDINARY COUNCIL MEETING AGENDA  
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The relevant EPA's guidelines also state that Council may increase setback distances where it considers that the residual risk to public health and the environment are too high. Council may also reduce setback distances where it considers that the residual risk to public health and the environment is negligible. In either case, Councils may seek advice from relevant authorities and stakeholders before making such a decision.

The application was referred to the EPA for consideration. EPA, being the responsible authority administering the EPA Act, generally questions the ability of the site being able to sustainably treat and contain wastewater within the boundary of the property. EPA does not support Council issuing a planning permit for the proposal (refer to Attachment 10).

It should be noted that the application was also referred internally to Environmental Health team for consideration and Council's Health Officers generally acknowledge concerns raised by the EPA.

For the reasons outlined above, it is considered that the proposal is inconsistent with the purpose of LDRZ, as it has failed to demonstrate that wastewater would be capable of being treated and contained within the boundary of the site in accordance with the relevant EPA's guidelines and Code of Practice.

**Traralgon West Interim Infrastructure Development Policy (TW Interim Policy) 11 POL-2**

Pursuant to Section 60(1A)(g) of the Act, before deciding on an application, the responsible authority, if the circumstances appear to so require, may consider any other strategic plan, policy statement, code or guideline which has been adopted by a Minister, government department, public authority or municipal council.

In this case, the Traralgon West Interim Infrastructure Development Policy (TW Interim Policy) 11 POL-2 is applicable.

The TW Interim Policy applies to approximately 180 hectares of Low Density Residential zoned land to the west of Traralgon (or known as Traralgon West Low Density Residential Precinct). The subject site falls within this precinct.

This policy, adopted by Council on 7 February 2011, outlines the process by which Latrobe City Council will consider further subdivision of land within the Traralgon Low Density Residential Precinct, pending:

- Resolution and construction of agreed road and stormwater infrastructure services to be provided for the precinct;
- Mitigation of potential detriment to downstream landholders resulting from increased stormwater volumes;

## ORDINARY COUNCIL MEETING AGENDA 18 MARCH 2013 (CM402)

- Establishment of an appropriate framework to assure the equitable distribution and sequencing of landowner financial contributions to agreed road and stormwater infrastructure services;
- Resolution of opportunities for the immediate and long term provision of medium density residential development within the LDRZ precinct.

Before deciding on an application to subdivide land, the responsible authority must also consider:

- *The directions of this policy [TW Interim Policy];*
- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;*
- *The Decision Guidelines provided by the Latrobe Planning Scheme at Clause 32.03-3 and Clause 65;*
- *The need to prevent the subdivision of land which may compromise future opportunities for future residential development within the precinct;*
- *Whether the proposal will result in increased stormwater volumes being generated and whether this is likely to have an adverse impact on other property’;*
- *Whether a stormwater management plan has been submitted and that the plan is to the satisfaction of the responsible authority;*
- *Whether each proposed lot has a legal point of vehicle access via a government road;*
- *Consideration of any management plan or infrastructure contribution scheme being prepared for the precinct; and*
- *The need to include a condition requiring specified works or services to be provided or paid for in accordance with an agreement under Section 173 of the Planning and Environment Act 1987. The 173 Agreement is to be prepared to ensure:*
  - *present and future landowner awareness of the possible higher density residential development occurring within the Traralgon LDRZ precinct’; and*
  - *Financial contributions are provided for the provision of future stormwater and road infrastructure within the Traralgon LDRZ precinct.*

As issues regarding stormwater and waste management have already been discussed above, the relevant decision guidelines of the TW Interim Policy that need to be further considered by Council are those relating to impact of the proposal on future opportunities for residential development within the TW precinct (or fragmentation of potential future residential land).

**Inconsistency with the State and Local Planning Policies & Fragmentation of potential future residential land**

The land is located outside the Traralgon township boundary identified in the Traralgon Structure Plan at Clause 21.05. There are Clauses which acknowledge the need to protect land on the outskirts of the town boundary in the event that this is to be required for future growth of the town. In particular, Clause 11.02-1 of the Scheme aims to restrict low density rural residential development that would compromise future development at higher densities. Also, 21.04-3 of the Scheme generally discourages further rural living or low density residential development on the fringes of the major towns where land is designated as a long-term urban growth corridor.

In addition, Council's draft Traralgon Growth Area Review report and draft Traralgon West Structure Plan have identified that there are some significant constraints associated with future residential development of Traralgon. In particular, the floodplain associated with Latrobe River located to the north of the town, the proposed Traralgon bypass to the south of the town, and the airfield and coal buffer to the west of the town restrict the ability for growth in these directions. Areas to the east and west of Traralgon (including the subject land) therefore represent opportunities for future growth for the town, and ad-hoc subdivisions should be avoided to provide maximum opportunity for future residential development.

The subject land has been identified as being located within a 'proposed conventional residential' area, in accordance with Council's draft Traralgon West Structure Plan.

Whilst the proposed subdivision will potentially assist with the short term provision of low density residential lots, it restricts the potential for a higher density lot yield in the future.

On the above basis, it is considered that to create five additional lots will result in a long term detrimental impact on potential future residential growth of Traralgon, given the existing development constraints around the town boundaries. The proposal will restrict the orderly planning of future growth for the town and may hinder the capabilities for well planned, sustainable growth of the town.

It should be noted that the subject land has also been identified as being partly located within the Australia Paper Buffer area as per Council's draft Traralgon West Structure Plan. Given the nature of this proposal, it is considered that the land would not be unreasonably affected by the odour emissions from the existing Australia Paper Facility and is therefore generally suitable for higher density development.

In relation to financial contributions (i.e. last dot point of TW Interim Policy), it should be noted that this issue has not been considered as part of the assessment of this application.

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18 MARCH 2013 (CM402)**

This is because specific requirements of financial contributions have not been determined by Council at this stage, pending to outcome of the Traralgon Growth Areas Review project.

As a result of the notification process, the application received four submissions (including submissions from the WGCMA and EPA). The issues raised in the submissions were as follows:

1. Stormwater and wastewater runoff

Comment:

Issues in relation to stormwater and wastewater runoff have been discussed above.

It is considered that subject to inclusion of appropriate permit conditions, the proposed stormwater drainage design is generally satisfactory, in terms of restricting stormwater flows from the subdivision to pre-development levels.

In relation to the wastewater issue, based on the information submitted with the application, it is questionable as to whether the on-site wastewater arrangement could be achieved on each lot in accordance with the relevant EPA regulations. The residual environmental and public health risk associated with the proposed on-site waste water system is of a concern.

It should be noted that as part of Council's Traralgon Growth Review Project, it has been identified that significant scope exists in the overall Traralgon West area to cater for future growth in terms of sewage treatment. This is because upon completion of the Gippsland Water Factory, it will be able to treat up to 35 million litres of domestic and industrial wastewater daily when fully operational. There is potential for the Traralgon West area to be serviced by reticulated sewerage in the future.

2. Implications of the Australian Paper Buffer

EPA highlighted in its submission to Council that the subject site is located within the 5 km Australia Paper Buffer area. EPA is of the view that the subject site is likely to be affected by amenity reducing impacts, in terms of odour emission from the Australian Paper Mill operation. To protect both residents and industry alike, EPA is generally against further intensification of residential areas within the Australian Paper buffer zone.

It should be noted that as part of the Traralgon Growth Review project, Council Officers are in the process of working with both the Australian Paper Mill and EPA to determine an appropriate buffer zone based on odour emissions and context of the area. A defined buffer zone has not been established at this stage.

**FINANCIAL, RISK AND RESOURCES IMPLICATIONS**

Additional resources or financial cost will only be incurred should the planning permit application require determination at the Victorian Civil and Administrative Tribunal (VCAT).

Council would also be exposed to risk if the wastewater system proposed by the applicant was not adequately maintained, and the consequence of failing system varies and depends upon the particular site and the sensitivity of the environment surrounding the site.

**INTERNAL / EXTERNAL CONSULTATION**

*Engagement Method Used:*

**Notification:**

In accordance with the notice requirements of Section 52(1) of the Act, notice was provided to adjoining property owners and occupiers of the proposal and a sign was displayed on the site for 14 days.

**External:**

In accordance with the referral requirements of Section 55 of the Act, the application was referred to Telstra, SP AusNet Pty Ltd, Gippsland Water and GasNet for consideration.

The application was also referred to the WGCMA and EPA in accordance with Section 52 of the Act.

WGCMA provided consent to the granting of a planning permit subject to a range of conditions. EPA does not support Council issuing a planning permit for the proposed subdivision.

**Internal:**

The application was referred internally to Council's Infrastructure Planning team for consideration. Council's engineers do not object to the proposal.

Details of Community Consultation following Notification:

Following the advertising and referral of the application, one objection to the application was received.

As requested by the applicant, a mediation meeting was not held. However, written response was provided by the applicant to address concerns raised by the objector. The written response was forwarded to the objector for consideration.



## ORDINARY COUNCIL MEETING AGENDA 18 MARCH 2013 (CM402)

### OPTIONS

Council has the following options in regard to this application:

- 1 Issue a Notice of Decision to Grant a Planning Permit: or
- 2 Refuse to Grant a Planning Permit.

Council's decision must be based on planning grounds, having regard to the provisions of the Latrobe Planning Scheme.

### CONCLUSION

The proposal is considered to be:

- The proposal is inconsistent with Clauses 11.02-1 (Supply of Urban Land) and 21.04-3 (Rural Living Overview) of the Scheme by facilitating an inappropriate low density residential subdivision on land that is designated as a long-term urban growth corridor. The proposal would compromise future development at higher densities and restrict the orderly planning of future growth for Traralgon.
- The proposal is considered to be inconsistent with the purpose and decision guidelines of the Clause 32.03 (Low Density Residential Zone), in terms of failing to demonstrate the capability of the lots to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The proposal is considered to be inconsistent with Clause 65.02 (Decision Guidelines).
- The proposal is inconsistent with Council's Traralgon West Interim Infrastructure Development Policy 11 POL-2.

#### **Attachments**

1. Site Context Plan
2. Proposed Plan of Subdivision
3. Land Capability Assessment
4. Stormwater Management Plan
5. Building and Wastewater Envelopes
6. History of Assessment
7. Relevant Planning Scheme Provisions
8. Referral Response from West Gippsland Catchment Management Authority
9. Location of Designated Waterway
10. Referral Response from Environment Protection Authority
11. EPA Code of Practice - On Site Wastewater Management Draft 891.3
12. Objections

**RECOMMENDATION**

- 1 That Council issues a Refusal, for the five lot subdivision at 85 Coonoc Road Traralgon (or more particularly described as Lot 7 on Plan of Subdivision 86033), on the following grounds:**
  - **The proposal is inconsistent with Clause 11.02-1 (Supply of Urban Land) and Clause 21.04-3 (Rural Living Overview) of the Scheme by facilitating an inappropriate low density residential subdivision on land that is designated as a long-term urban growth corridor. The proposal would compromise future development at higher densities and restrict the orderly planning of future growth for Traralgon.**
  - **The proposal is considered to be inconsistent with the purpose and decision guidelines of the Clause 32.03 (Low Density Residential Zone), in terms of failing to clearly demonstrate the capability of the lots to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.**
  - **The proposal is considered to be inconsistent with Clause 65.02 (Decision Guidelines).**
  - **The proposal is inconsistent with Council's Traralgon West Interim Infrastructure Development Policy 11 POL-2.**

## 9.3

### PLANNING PERMIT APPLICATION 2012/038 - FIVE LOT SUBDIVISION AT 85 COONOC ROAD TRARALGON

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SITE CONTEXT PLAN  
85 COONOC ROAD, TRARALGON  
LOT 7 PS86033  
W & A BECKER



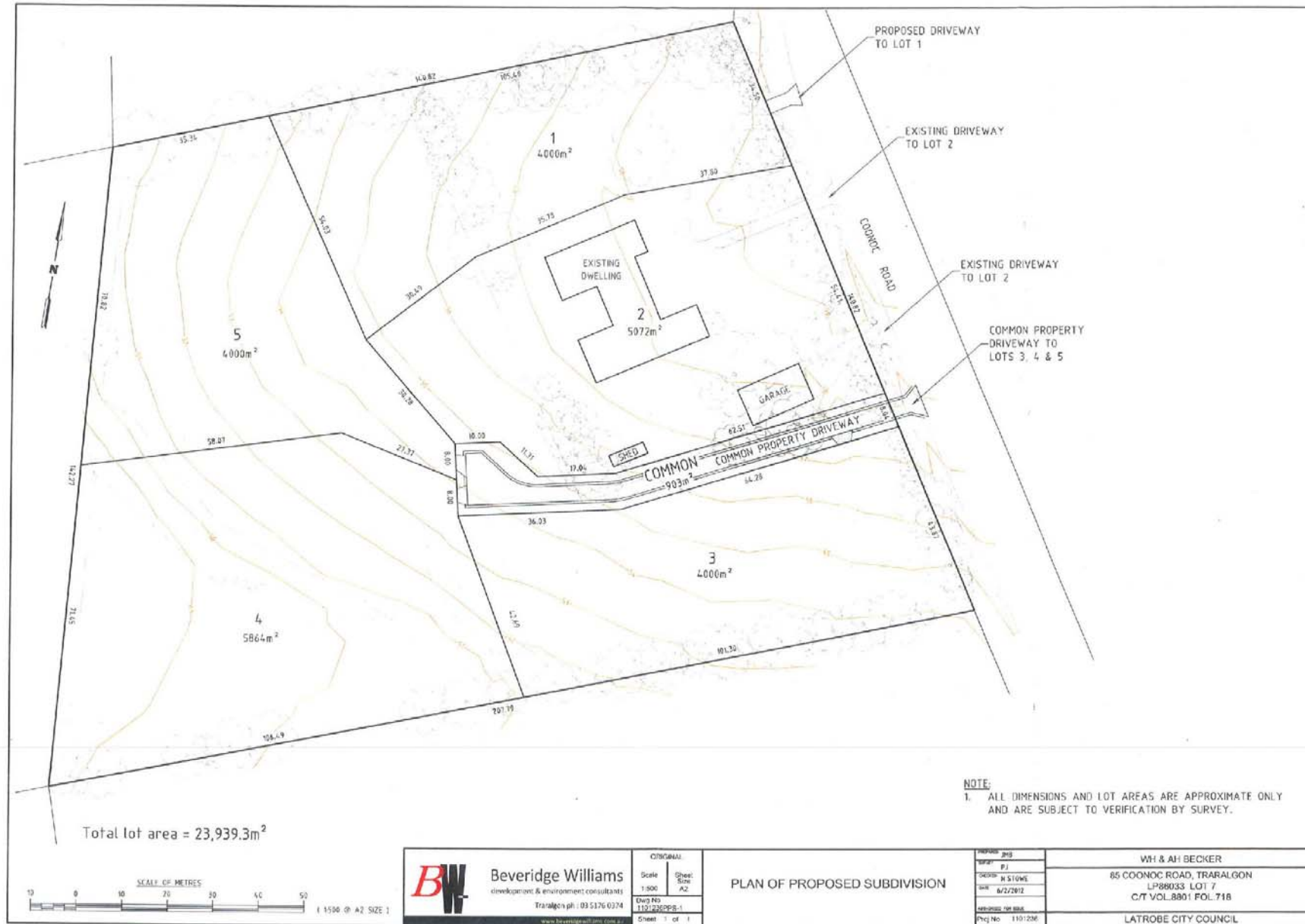
 SUBJECT SITE



**Beveridge Williams**  
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LAND CAPABILITY ASSESSMENT  
FOR ON-SITE DOMESTIC WASTEWATER MANAGEMENT  
OFA  
PROPOSED FIVE LOT SUB-DIVISION AT  
85 COONOC ROAD TRARAGLON

*for*

W & A Becker  
&  
Beveridge Williams & Co. Pty Ltd

*By*  
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*(20 January 2012)*



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LCA – 85 Coonoc Road – Traralgon – Becker

### Executive Summary of Land Capability Assessment

Site Address	85 Coonoc Road Traralgon
Lot Number	Lot 7 LP86033
Owner/Developer	W & A Becker
Council	Latrobe City Council
Property Zoning	Low Density Residential Zone
Land and Proposed Allotment size & Present Land Use Total Property: 2.39393 ha	Lot 1 – 4000 m <sup>2</sup> ; Vacant Lot 2 – 5024 m <sup>2</sup> ; Existing 6 bedroom house Lot 3 – 4000 m <sup>2</sup> ; Vacant Lot 4 – 5864 m <sup>2</sup> ; Vacant Lot 5 – 4000 m <sup>2</sup> ; Vacant
Anticipated Wastewater Load	New - Four bedroom home with standard fixtures: (4 bedroom + 1) Therefore 5 x 180 L = 900 L/day  Existing - Six bedroom home with standard fixtures: (6 bedroom + 1) Therefore 7 x 180 L = 1260 L/day
Rainfall: Evaporation:	Estimated by calculation to be 840 mm per annum Estimated to be 1182 mm per annum
Surface Water	There is a swale in the south west corner of the property. This depression is not considered to be a watercourse despite being shown as watercourse in Figure 1. This swale does not meet any of the parameters used to define a waterway by Southern Rural Water (Appendix 11) and is therefore not considered by definition a watercourse. There are no clearly defined bed and banks, nor is it fed by a groundwater spring. The catchment area of the swale has been calculated at 20 ha which is well below the 60 ha specified by SRW. While there is no watercourse, the south west corner is likely to be regularly waterlogged and as such a setback to wastewater LAAs of 15 m is recommended as a precautionary measure. This setback maybe reduced to 7.5 m if the wastewater is treated to a secondary standard and applied to land with pressure compensated subsurface irrigation.
Groundwater	The surface soil was saturated throughout the low lying south western corner of the property. The soil colour in this area suggests that waterlogging is frequent and as such no wastewater LAA should be located in the low lying south west corner of the property (Figure 8). This significantly impacts upon the area available for wastewater application to land in proposed Lot 4, but there is still adequate high ground available in Lot 4 for wastewater application.
Stormwater run-on and upslope seepage	Stormwater should be diverted away from the LAA by diversion drains installed above the LAA (Figure 4). These drains will prevent stormwater run-on and up slope seepage from impacting upon the LAA.
Site drainage and subsurface drainage	Given the anticipated low soil permeability, site drainage is likely to be an issue during prolonged periods of wet weather. The use of stormwater diversion drains around the LAA and sizing the LAA based upon nutrients and water balance will ensure the LAA is sized according to the local climate and nutrient load.
Subsoil Permeability (K <sub>sat</sub> ) at 350 – 600 mm	Not measured but estimated to be ~ 0.06 m/day based upon previous measurements at Kay Road, Traralgon.

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<p>Design Irrigation Rate (DIR) for subsurface irrigation &amp; required Land Application Area (LAA)</p>	<p>DIR = 20 mm/week or 2.9 mm/day</p> <p>LAA of 559 m<sup>2</sup> – New 4 bedroom home LAA of 783 m<sup>2</sup> – Existing 6 bedroom home</p> <p><b>Subsurface irrigation with secondary treated wastewater is required on proposed Lot 4 given the constrained area available for wastewater management.</b></p>
<p>Design Loading Rate (DLR) for absorption trenches &amp; required Land Application Area (LAA)</p>	<p>DLR = 28 mm/week or 4 L/m<sup>2</sup>/day</p> <p>LAA of 635 m<sup>2</sup> – New 4 bedroom home LAA of 924 m<sup>2</sup> – Existing 6 bedroom home</p> <p><b>Absorption trenches with primary treated wastewater are not suitable for Lot 4 given the constrained area available for wastewater management.</b></p>
<p>Exchangeable Sodium Percentage (ESP)</p>	<p>11 % (40 – 50 cm): Soil is sodic and gypsum must be applied at 2 kg/m<sup>2</sup></p>
<p>Dispersion Index (Loveday-Pyle)</p>	<p>16 (40 – 50 cm): significant dispersion, to be minimised with gypsum application. gypsum is required at a rate of 2 kg/m<sup>2</sup></p>
<p><b>Most significant environmental factor impacting upon sustainable wastewater land application –</b></p> <p><b>Low subsoil permeability &amp; restricted deep drainage</b></p> <p><b>Swale &amp; saturated soil in the south west corner</b></p>	<p>A water balance has been used to size the LAA that takes into account the anticipated low subsoil permeability and local climate. The wastewater will be applied at a suitably low rate, to ensure sustainable wastewater land application. Due to the low permeability of the subsoil, site drainage presents a significant constraint and this will be enhanced with the installation of upslope diversion drains, which must be installed around each wastewater LAA to intercept surface water run-on and up-slope seepage.</p> <p>The swale and frequently saturated soil in the south west corner of the property must not be used for the application to land of wastewater. As an additional precautionary measure a setback distance to all LAAs of 15 m from this swale is recommended. Where wastewater is treated to a secondary standard and applied to land with subsurface irrigation the setback to the swale may be reduced to 7.5 m. These setbacks have been derived from the EPA guidelines which apply to cuttings or escarpments.</p>

## 1. Introduction

Land Safe<sup>1</sup> has been engaged by Beveridge Williams & Co Pty Ltd on behalf of their client W & A Becker to complete a Land Capability Assessment (LCA) for a proposed five Lot subdivision at 85 Coonoc Road, Traralgon (Lot 7 LP86033).

The owners propose to subdivide the existing 2.9393 ha property into five allotments. Proposed Lot 2 is to retain the existing six bedroom residence. Town water is available but no town sewer.

The field investigation for this LCA was conducted by Glenn Marriott and Pauline McPherson of Land Safe on the 24<sup>th</sup> November 2011. Glenn is a Level 2 Certified Professional Soil Scientist (CPSS) and specialised in soil and wastewater management.

This LCA has been commissioned to determine whether each of the allotments are capable of treating and dispersing domestic wastewater to land in an environmentally sustainable manner in accordance with both EPA Victoria and Latrobe City Council requirements.

Should the land be deemed suitable, the size of the designated wastewater Land Application Area (LAA) on each allotment will be calculated according to the estimated soil permeability, in conjunction with Municipal Association of Victoria (MAV) water and nutrient balances.

The size of the LAAs will be determined on the basis of the wastewater being treated to a primary standard and absorption trenches used as the land application method along with treatment of the wastewater to a secondary standard (20/30) and subsurface irrigation used as the land application method. The options of a Sand filter or Reed bed have been included as low maintenance alternatives to Aerated Wastewater Treatment Systems (AWTS) for treatment of domestic wastewater up to a secondary standard for use in subsurface irrigation systems.

## 2. The Development and Key Features of the Property

A brief description of the property and each allotment has been presented in Table 1. The entire unsubdivided 2.39393 ha retained land shall hereby be referred to as the property and is shown as an aerial photo in Figure 1. The spatial arrangement of proposed five Lot subdivision are shown in Figure 2. Where reference is made to a specific allotment it will be referred to by the specific proposed allotment number.

There are currently three separate wastewater treatment and dispersal systems (3 septic tanks and 3 sets of absorption trenches) servicing the existing 6 bedroom home and workshop/garage. The systems servicing the house collect black water only, with grey water discharged directly to the paddock untreated. Each of these three systems will have to be

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<sup>1</sup> Land Safe is the joint trading name of van de Graaff & Associates Pty Ltd, based in Mitcham, and Ag-Challenge Consulting Pty Ltd, based in Warragul. Robert van de Graaff and Tony Pitt are the Principals of Land Safe.

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disconnected as part of the proposed subdivision as they will not be located within the property boundaries of proposed Lot 2. The existing six bedroom home will require a new wastewater treatment and dispersal system to treat and disperse all domestic wastewater (both black and grey water will need to be connected to this system).

Table 1. Property description

Site Address	85 Coonoc Road Traralgon
Lot and Plot Number	Lot 7 LP86033
Owner/Developer	W & A Becker
Council	Latrobe Shire Council
Property Zoning and Planning Overlays	Low Density Residential Zone
Land and Proposed Allotment size & Present Land Use  Total Property size: 2.39393 ha	Lot 1 – 4000 m <sup>2</sup> ; Vacant Lot 2 – 5024 m <sup>2</sup> ; Existing 6 bedroom house Lot 3 – 4000 m <sup>2</sup> ; Vacant Lot 4 – 5864 m <sup>2</sup> ; Vacant Lot 5 – 4000 m <sup>2</sup> ; Vacant
Domestic Water Supply	Each allotment will have access to town water
Anticipated Wastewater Load	Maximum anticipated from the vacant allotments - based on a four bedroom home with standard fixtures: (4 bedroom + 1) Therefore 5 x 180 L = 900 L/day  Maximum anticipated from the existing residence - based on a six bedroom home with standard fixtures: (6 bedroom + 1) Therefore 7 x 180 L = 1260 L/day
Availability of Sewer	The subdivision will be unsewered.

The 2.39393 ha property was assessed according to the environmental factors that may limit or prevent sustainable wastewater application to land on the property according to the Municipal Association of Victoria (MAV) Land Capability Assessment Template. The significant environmental features of the property are presented in Table 2.

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Table 2. Significant environmental features of the property

Feature	Description
Rainfall	<b>Estimated by calculation to be 840 mm</b> - The mean annual rainfall for Traralgon has been estimated from Met Stations at Morwell (La Trobe Valley Airport), Yallourn and Yallourn SEC.
Evaporation	<b>Estimated to be 1182 mm</b> - The mean annual Class A pan evaporation level is estimated from Yallourn SEC Met Station.
Vegetation	Mostly pasture. Native eucalypts occur along the northern boundary and Cypress along the southern boundary.
Landform	Dissected terrace of a former depositional plain.
Slope	The property has a convex slope towards the west at a gradient of between 5 and 9 % (measured with a hand held clinometer).
Fill	None observed.
Erosion Potential	No erosion was observed on site. Erosion potential is seen as negligible as all slopes are gentle. Erosion is not considered to be an issue.
Surface Water	There is a broad based concave depression (swale) in the south west corner of the property. This swale does not meet any of the parameters used to define a waterway by Southern Rural Water and is therefore not considered by definition a watercourse (Appendix 11). There are no clearly defined bed and banks, nor is it fed by a groundwater spring. The catchment area of the swale has been calculated at 20 ha which is well below the 60 ha specified by SRW. While there is no watercourse, the south west corner is likely to be regularly waterlogged and as such a setback to wastewater LAAs of 15 m is recommended as a precautionary measure as shown in Figure 8. This setback maybe reduced to 7.5 m if the wastewater is treated to a secondary standard and applied to land with pressure compensated subsurface irrigation. These setbacks have been derived from the EPA guidelines which apply to cuttings or escarpments (Appendix 6).
Groundwater	The permanent groundwater table is not expected to come within 2 m of the surface within proposed allotments 1, 2, 3 & 5 and within the area deemed suitable to wastewater dispersal in proposed allotment 4. The surface soil was saturated throughout the low lying south western corner of the property, which is the area of allotment 4 which is not suitable for wastewater dispersal (Figure 8). The soil colour in this area suggests that waterlogging is frequent and as such no wastewater LAA should be located in the low lying south west corner of the property. This significantly impacts upon the area available for wastewater application to land in proposed Lot 4, but there is still adequate high ground available in Lot 4 for wastewater application.
Stormwater run-on and upslope seepage	Stormwater should be diverted away from the LAA by diversion drains installed above the LAA (Figure 4). These drains will prevent stormwater run-on and up slope seepage from impacting upon the LAA.
Site drainage and subsurface drainage	Given the anticipated low soil permeability, site drainage is likely to be an issue during prolonged periods of wet weather. The use of stormwater diversion drains around the LAA and sizing the LAA based upon nutrients and water balance will ensure the LAA is sized according to the local climate and nutrient load.

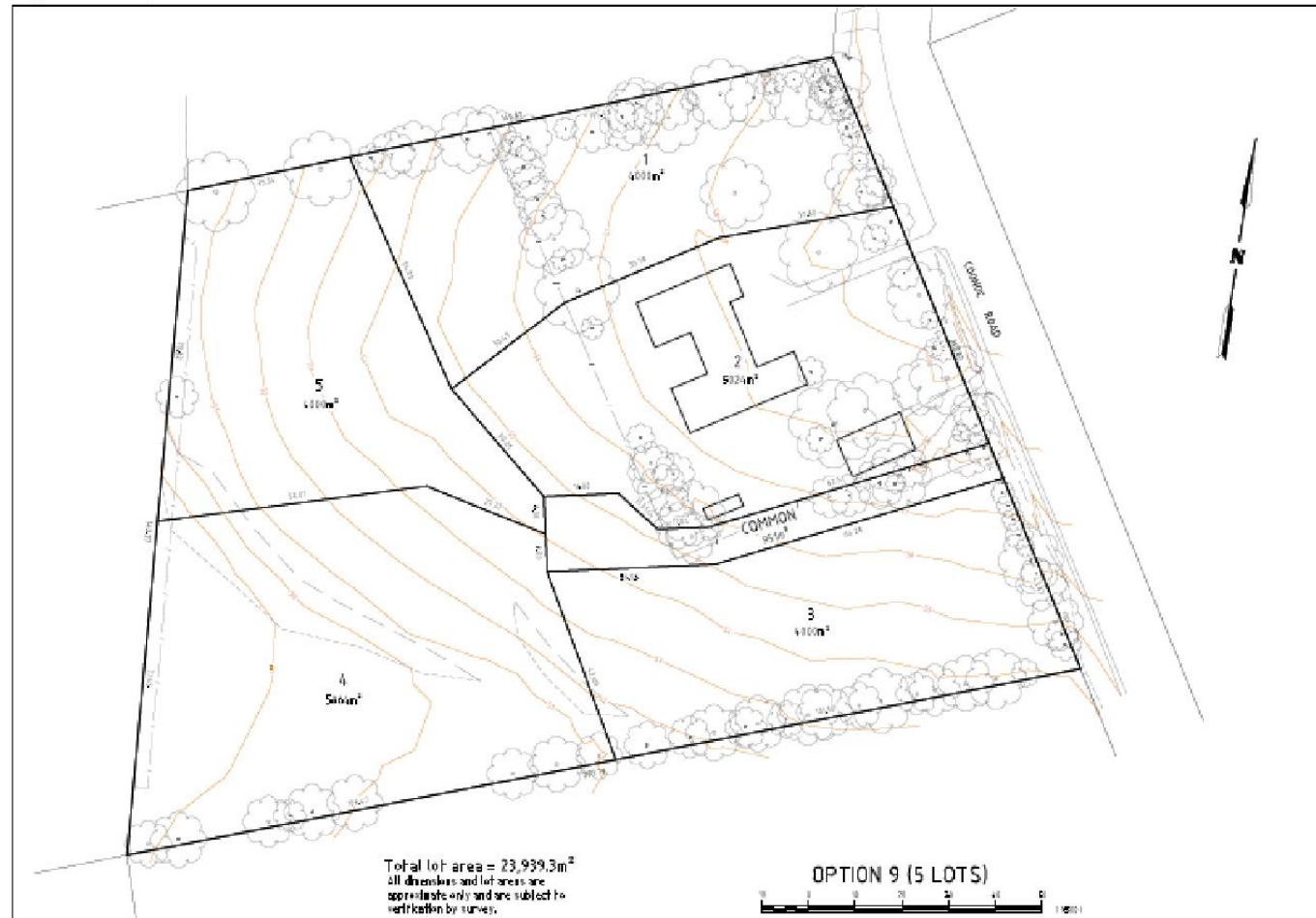
LCA – 85 Coonoc Road – Traralgon – Becker

Figure 1. Aerial photo showing the property boundary (white). *NOTE: Blue line denoting the presence of a watercourse is considered incorrect.*



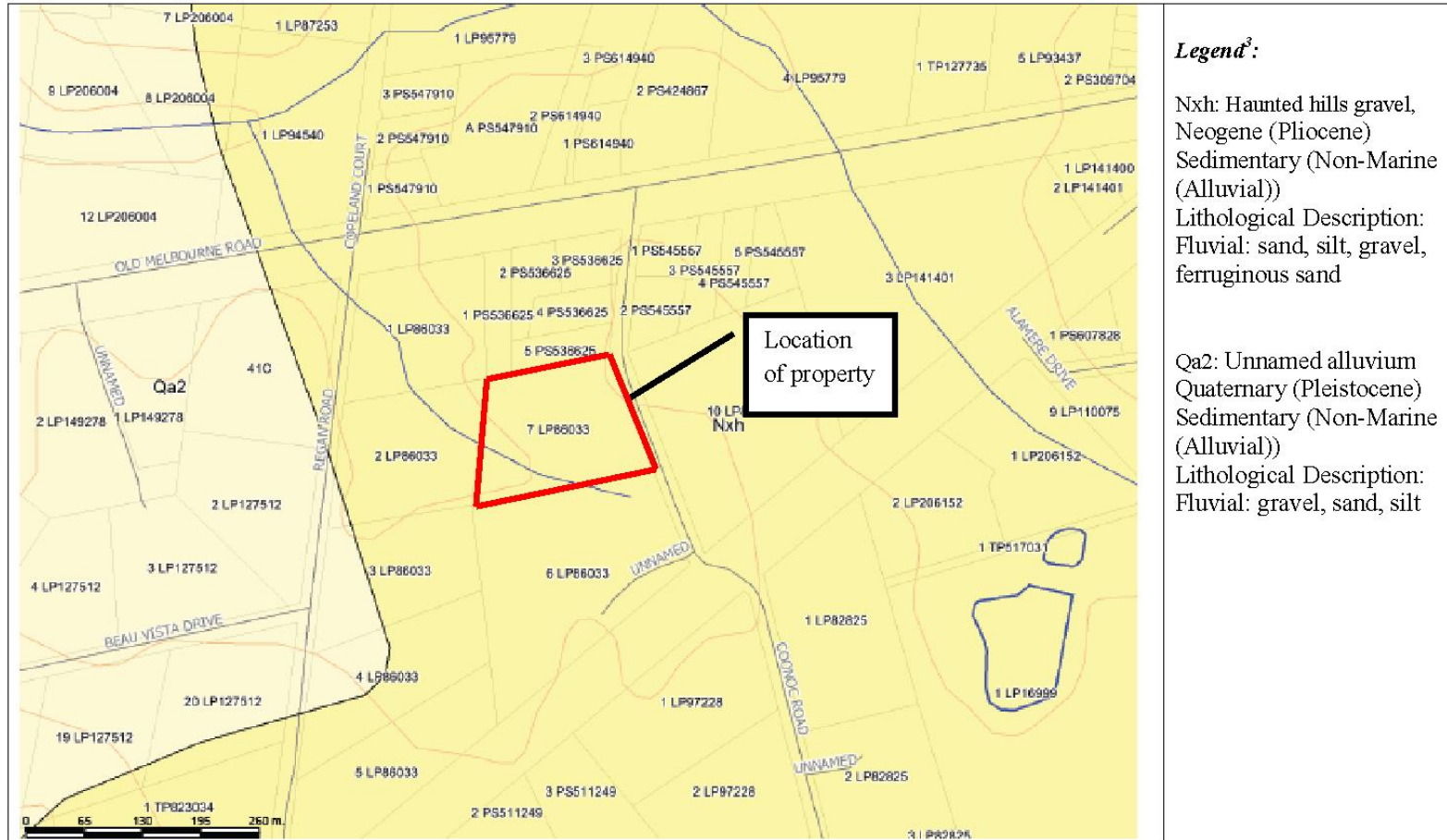
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Figure 2. Proposed Subdivision Plan.



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Figure 3. Geology map<sup>2</sup>



<sup>2</sup> Geovic Website: <http://mapshare2.dse.vic.gov.au/MapShare2EXT/imf.jsp?session=49969> – Accessed 11 January 2012

<sup>3</sup> Vandenburg, A.H.M., 1997. WARRAGUL SJ 55-10 Edition 2, 1:250 000 Geological Map Series. 1:250,000 geological map. Geological Survey of Victoria.



### 3. Soil Assessment and Site Constraints

The soils of the property have been assessed for their suitability for the application of domestic wastewater. The soil is a consistent yellow brown sodic duplex across the property. Soils were classified according to Australian/New Zealand Standard (AS/NZS 1547:2000). A complete soil profile description is included in Appendix 1.

A soil sample was taken from site 1 (location defined in Appendix 1) at a depth of 40 to 50 cm below the surface for laboratory analysis of physical and chemical properties likely to affect wastewater application. The full set of laboratory results is included in Appendix 10, with a summary of the pertinent parameters included in Section 3.2.

#### *3.1 Soil and Geological Reference Material*

A regional geological map of the property and the surrounding Traralgon area has been included in Figure 3. This gives an indication of the surface geology and shows that this region is in a depositional area. The site itself is situated on Neogene fluvial deposits of sand, silt, gravel and ferruginous sand which corresponds with the observations made during the site investigation.

#### *3.2 Soil Chemical and Physical Analysis*

Full soil chemical and physical analysis results are provided in Appendix 10 for a soil sample taken from a depth of 40 – 50 cm. The following is a discussion of the soil chemical and physical parameters likely to impact on the soils ability to disperse wastewater in a sustainable manner. A summary of the soil features is included in Table 3.

- The pH subsoil (40 – 50 cm) is moderately acidic at pH 6.1<sub>(1:5 water)</sub> and no action is required as this pH is suitable for the growth of most plants and gypsum will still work effectively.
- The Exchangeable Sodium Percentage (ESP) of the subsoil (40 – 50 cm) is 11 % and therefore sodic. There is a high risk that these soils will disperse upon application of sodium-rich but low salinity domestic wastewater based upon the dispersion index value of 16 on a scale of zero to 16. Gypsum **must** be applied to minimise loss of soil permeability under the application of wastewater. The application of gypsum at a rate of 2 kg/m<sup>2</sup> to the wastewater LAA is recommended. This will assist in the creation and maintenance of soil structure and enhance soil permeability.
- The calcium magnesium ratio of 0.2 at a depth of 40 – 50 cm is very low and should be closer to 4 to ensure plant health and soil structural stability. The application of gypsum at a rate of 2 kg/m<sup>2</sup> will provide additional calcium to lift this ratio.

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- The level of soil salinity as measured by the electrical conductivity ( $EC_{1:5}$ ) of the subsoil is 0.1 dS/m, which is a low level of salinity and indicates that most of the salts have been removed from the soil profiles during rain events.
- The phosphorus binding capacity is moderate based upon the Phosphorus Binding Index (PBI) value of 228. This indicates that the soil has a high ability to bind and lock up a phosphorus applied in the wastewater, preventing it from being mobilised through the soil profile. The soils PBI has been taken into account in the nutrient balance in Appendix 5.

**Overall these soils are capable of sustainable wastewater application provided gypsum is applied at a rate of 2 kg/m<sup>2</sup> in order reduce the soils tendency to slake and disperse.**

Table 3. Soil features: Yellow brown duplex

Soil Feature	Description
Soil Depth	Soil depth estimated to be at least 2 m.
Coarse Fragments	None.
Soil Permeability ( $K_{sat}$ ) of the subsoil between 350 mm – 600 mm	<b>Not measured but estimated to be ~ 0.06 m/day based upon previous measurements at Kay Road, Traralgon.</b>
Soil Category (AS/NZ1547:2000)	5
Design Irrigation Rate (DIR) for subsurface irrigation & required Land Application Area (LAA)	DIR = 20 mm/week or 2.9 mm/day LAA of 559 m <sup>2</sup> – New 4 bedroom home LAA of 783 m <sup>2</sup> – Existing 6 bedroom home
Design Loading Rate (DLR) for absorption trenches & required Land Application Area (LAA)	DLR = 28 mm/week or 4 L/m <sup>2</sup> /day LAA of 635 m <sup>2</sup> – New 4 bedroom home LAA of 924 m <sup>2</sup> – Existing 6 bedroom home
Soil pH (1:5 water)	6.1 (40 – 50 cm): Moderately acidic soil pH, no action required
Exchangeable Sodium Percentage (ESP)	11 % (40 – 50 cm): Soil is sodic and gypsum must be applied at 2 kg/m <sup>2</sup>
Electrical Conductivity (EC)	0.1 dS/m (40 – 50 cm): Low level of salinity of little concern
Calcium Magnesium ratio	0.2 (40 – 50 cm): Very low value should be closer to 4 for desirable plant growth and soil structural stability, should be increased with gypsum.
Dispersion Index (Loveday-Pyle)	16 (40 – 50 cm): significant dispersion, to be minimised with gypsum application. gypsum is required at a rate of 2 kg/m <sup>2</sup>

### 3.3 Soil Permeability

Soil permeability ( $K_{sat}$ ) was not measured onsite due to the saturated soil conditions present and as such the soil water conditions required for the Talsma-Hallam method were not met. The essential condition for any *in situ* test method for soil permeability is that there be no soil saturation between the soil surface and at least 0.5 m below the bottom of a test hole. This condition was not fulfilled when the fieldwork took place. Appendix 2B has been included to explain the theory behind *in situ* soil permeability tests.

In October 2008 a set of seven soil permeability measurements were conducted in similar soils nearby on Kay Street, Traralgon (LP141401). The geometric mean  $K_{sat}$  value recorded was 0.07 m/day and is considered representative of the soils on this property on Coonoc Road. The same soil type, yellow brown sodic duplex soil, is present on the Kay Street property.

Temporary intermittent saturated soils and perched water tables are a normal and common occurrence across Victoria and do not preclude the land from being suitable for the application to land of domestic wastewater, provided wastewater is applied at a suitable rate. It is recommended that the design loading rate be calculated based upon a category 5 soil from AS/NZS 1547:2000.

### 3.4 Site Constraints

The site was assessed according to the environmental factors that may limit or prevent sustainable wastewater dispersal on the site according to the MAV Land Capability Assessment Template.

The broad based drainage line (swale) and land subject to frequent waterlogging in the south west corner of the property (Figure 8), presents a constraint to the location of wastewater LAA in proposed Lot 4 as no wastewater should be applied in this area. While the swale does not meet any of the criteria for a waterway according Southern Rural Water (Appendix 11), it is recommended that a 15 m setback from this swale be implemented if wastewater is treated to a primary standard and applied to land with absorption trenches. This setback may be reduced to 7.5 m if wastewater is treated to a secondary standard and applied to land with pressure compensated subsurface irrigation. The land to the south west of the drainage line is unsuitable for wastewater application and no LAA should be positioned in this area. The LAA in proposed Lot 4 must be located on the elevated land to the north east of the allotment as shown in Figure 8. The remaining area available for the house, driveway and shedding in allotment 4 will be significantly restricted. The recommended setbacks from the edge of the swale also impact upon proposed Lot 3, but to a lesser extent than Lot 4.

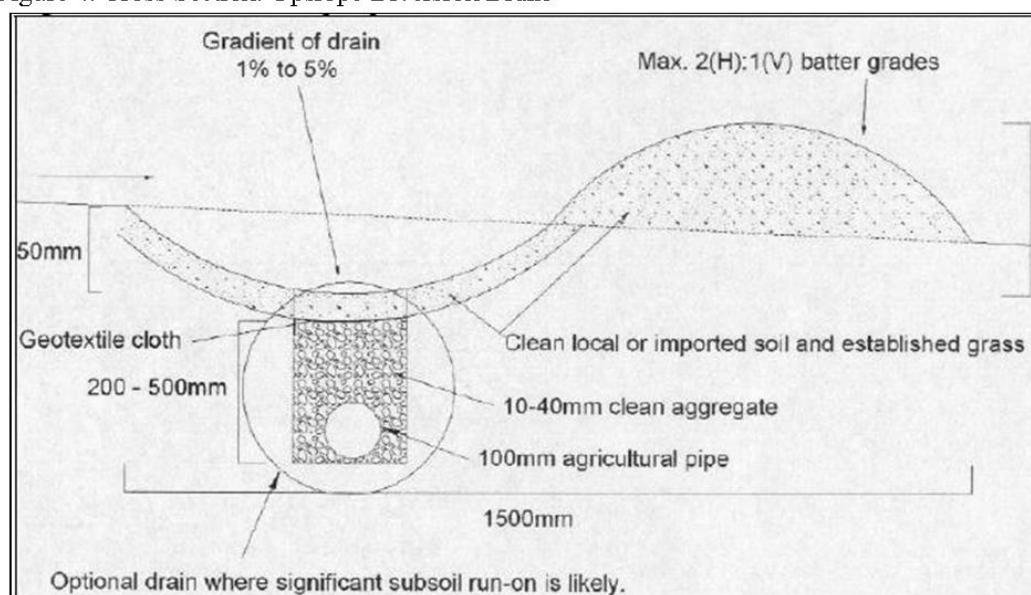
The wastewater LAAs will need to be protected against heavy or prolonged periods of rain by the installation of upslope diversion drains (as shown in Figure 4). These will not only divert surface water away from the LAAs but will also be effective in intercepting any lateral seepage from upslope.

Rainwater tanks should be installed for new dwellings to collect rainwater from the roofs for use in the home and garden irrigation. This will reduce stormwater runoff. The overflow from tanks and runoff from impervious surfaces should be diverted away from wastewater LAAs.

Site drainage may be restricted over winter by the limited subsoil permeability. By sizing the LAA with a water balance using a low wastewater loading rate and local climatic data the impact of poor site drainage can be overcome.

The soils are considered sufficiently permeable for the application of domestic wastewater through either subsurface irrigation or absorption trenches. The use of absorption trenches is not possible in Lot 4 given the requirement for a 40 m setback from the drainage line and land subject to frequent waterlogging.

Figure 4. Cross Section: Upslope Diversion Drain<sup>4</sup>



#### 4. Interpretation of Field Results for On-Site Wastewater Dispersal

According to “Table 4.2 A1 of AS/NZS 1547:2000 standard soil categories” found in Appendix 8 of this report, the soil type identified on the property can be classed as category 5, based on the geometric mean  $K_{sat}$  value of 0.07 m/day recorded in a similar soil type at Kay Road, Traralgon.

For subsurface irrigation the  $K_{sat}$  value corresponds to a conservative Design Irrigation Rate (DIR) of 20 mm/week or 2.86 L/m<sup>2</sup>/day for secondary treated wastewater.

<sup>4</sup> Domestic Wastewater Management Technical Workshop – Centre for Environmental Training – Baw Baw Shire Council 4 December 2006

For absorption trenches the  $K_{sat}$  value corresponds to a conservative Design Loading Rate (DLR) of 28 mm/week or 4 L/m<sup>2</sup>/day for primary treated wastewater.

Gypsum should be applied to all Land Application Areas (LAAs) at a rate of 2 kg/m<sup>2</sup>. This should be applied to the base of absorption trenches during construction or otherwise to the soil surface after subsurface irrigation lines have been installed.

#### 4.1 Required Area for Subsoil Absorption Trenches

The appropriate absorption trench length for a subsoil absorption system has been determined with a water balance constructed by Dr Robert Patterson<sup>5</sup> with a conservative DLR of 4 L/m<sup>2</sup>/day. The length of absorption trench required for new four bedroom homes has been determined based upon a daily design flow rate of 900 L/day and for the existing six bedroom home using 1260 L/day.

According to the water balance in Appendix 3A a total trench length of 194 m is required to adequately disperse 900 L/day of wastewater generated by a four bedroom dwelling on town water (assuming a trench depth of 400 mm and width of 700 mm). A total absorption trench length of 272 m is required for the existing six bedroom home (Appendix 3B).

These water balances take into account soil absorption from the trench base and also 250 mm up the sides of each wall. This means that the water balance allows for storage of effluent in the trench of up to 250 mm in depth, which still allows 150 mm between the highest water mark and the surface with 400 mm deep trenches. This aspect has been factored in to allow for the varying water level in the trench and the absorption potential of the trench side walls.

To ensure an even application of wastewater to the area it is beneficial to apply the effluent via multiple lengths of trench, no greater than 30 m each in length. Table 4 has been included to detail the recommended absorption trench configurations for four and six bedroom homes. The use of 3 m spacings between trenches negates the need for the allocation of a reserve wastewater LAA<sup>6</sup>, as additional absorption trenches can be installed between the existing trenches, or else a subsurface irrigation system could be installed in the same area after some soil remediation. Subsurface irrigation would also require treatment of the wastewater up to a secondary standard. This is discussed in Section 4.2.

Table 4. Recommended absorption trench configurations for four and six bedroom homes. Assumes trench widths of 0.7 m and 3 m of undisturbed soil between absorption trenches.

No. of Trenches	Total Trench length required	Individual Trench length	Width of LAA	Total LAA required
7	194 m	27.7 m	22.9 m	635 m <sup>2</sup>
10	272 m	27.2 m	34 m	924 m <sup>2</sup>

<sup>5</sup> R.A. Patterson (2006) Water balance spreadsheet derived from water balance included in Table G1, AS 1547:1994. Lanfax Labs Armidale, NSW.

<sup>6</sup> EPA Onsite Newsletter No. 11 (30 September 2009) issued by Sarah West Onsite Wastewater Program Manager

The amount of area available for absorption trenches in proposed allotment 4 is significantly restricted by the area of land in the south west corner which is considered unsuitable and the recommended 15 m setbacks from the swale as shown in Figure 8. There is likely to be insufficient land available in proposed allotment 4 for absorption trenches with primary treated wastewater, with the construction of a house, garage, shedding and driveway. Wastewater in allotment 4 will need to be treated up to a secondary standard and applied to land with subsurface irrigation.

#### **4.2 Required Area for Subsurface Irrigation**

Wastewater applied to land using subsurface irrigation must be treated to a secondary (20/30) standard<sup>7</sup>. Wastewater may be treated to a 20/30 standard by a number of methods and a full list of EPA approved wastewater treatment systems is available on the EPA Victoria website<sup>8</sup>. Sand filters and Reed bed filters have been included in this report as low maintenance alternatives to Aerated Wastewater Treatment Systems (AWTS).

Pressure compensated subsurface irrigation of wastewater ensures even distribution across the entire LAA, maximising the uptake of nutrients. One of the most significant advantages of subsurface irrigation is that the LAA can easily be installed in irregular shapes and potentially in multiple irrigation areas. This increases the flexibility in positioning the LAA and enables use of the wastewater for irrigation of either garden or lawn. Secondary treatment and subsurface irrigation also has the advantage of reduced setback distances of up to 50 % thus further increasing its versatility.

Instead of disposing of unwanted wastewater, secondary treatment and subsurface irrigation can become an asset by providing a supplement to conventional garden and lawn watering systems.

The MAV water and nutrient balances which appear in Appendix 4 and 5 respectively calculate the size of the LAA on the most limiting factor, assuming no winter storage. The water and nutrient balances determine the area required to sustainably disperse their respective components. The larger wastewater land application area predicted by either the water or the nutrient balances is the land application area to be adopted, as this becomes the limiting parameter.

The MAV method predicts that a four bedroom dwelling on town water (900 L/day) requires a LAA of 559 m<sup>2</sup> to adequately disperse the wastewater. A LAA of 783 m<sup>2</sup> is required for the existing 6 bedroom home using 1260 L/day.

Secondary treatment and subsurface irrigation avoids the need for a reserve area<sup>9</sup>.

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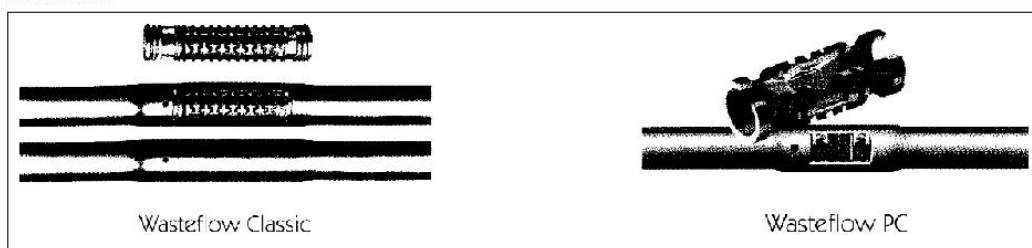
<sup>7</sup> Secondary standard wastewater (20/30) requires treatment to 20 mg/L of Biological Oxygen Demand (BOD) and 30 mg/L of Suspended Solids (SS).

<sup>8</sup> EPA Victoria online : Wastewater treatment systems with Certificates of Approval  
<http://epanote2.epa.vic.gov.au/epa/septic.nsf/2830336ba1417b774a25664a002344d5?OpenView>

<sup>9</sup> EPA Victoria (2008) Guidelines for Environmental Management – Onsite Wastewater Management Code of Practice. Document No. 891.1

The most significant advantage of subsurface irrigation is that it enables greater flexibility when determining the location of the LAA. Figure 5 has been included to demonstrate a typical subsurface irrigation line.

Figure 5. A typical pressure compensated subsurface irrigation line taken from Wasteflow brochure.



#### 4.3 Details of Sand Filters & Reed Beds

There are some disadvantages associated with AWTS's, including the continuous need for electrical power and maintenance to be carried out every three months by an accredited person<sup>10</sup>.

- Sand filter beds require annual maintenance by an accredited person or servicing agent<sup>11</sup>, but still use electric pumps to ensure even effluent distribution over the sand, and for irrigation to land.
- Rootzone Reed beds require four maintenance visits by an accredited person or servicing agent in the first year, and annual maintenance thereafter<sup>12</sup>.

The options of a Sand filter and a Rootzone Reed Bed have been included in this report as alternatives to an AWTS for the treatment of effluent up to a secondary standard.

##### 4.3.1 Sand filter

A typical pressurised sand filter system involves the primary treated effluent being collected in a 500 L dosing chamber after leaving the septic tank. From the dosing tank the effluent is pumped to the sand filter bed [7 m x 4 m and 1.4 m deep for 900 L/day (4 bedrooms) and 10 m x 4 m and 1.4 m deep for 1260 L/day] and then returned to a 500 L dispersal tank, before being pumped to irrigation or absorption trenches. The sand filter is normally covered with a thin layer of topsoil with lawn allowed to grow over the top. The area would then blend into the surrounds and can be easily mown over with the rest of the lawn. Figure 6 has been included to demonstrate the components and layout of a typical sand filter bed<sup>13</sup>.

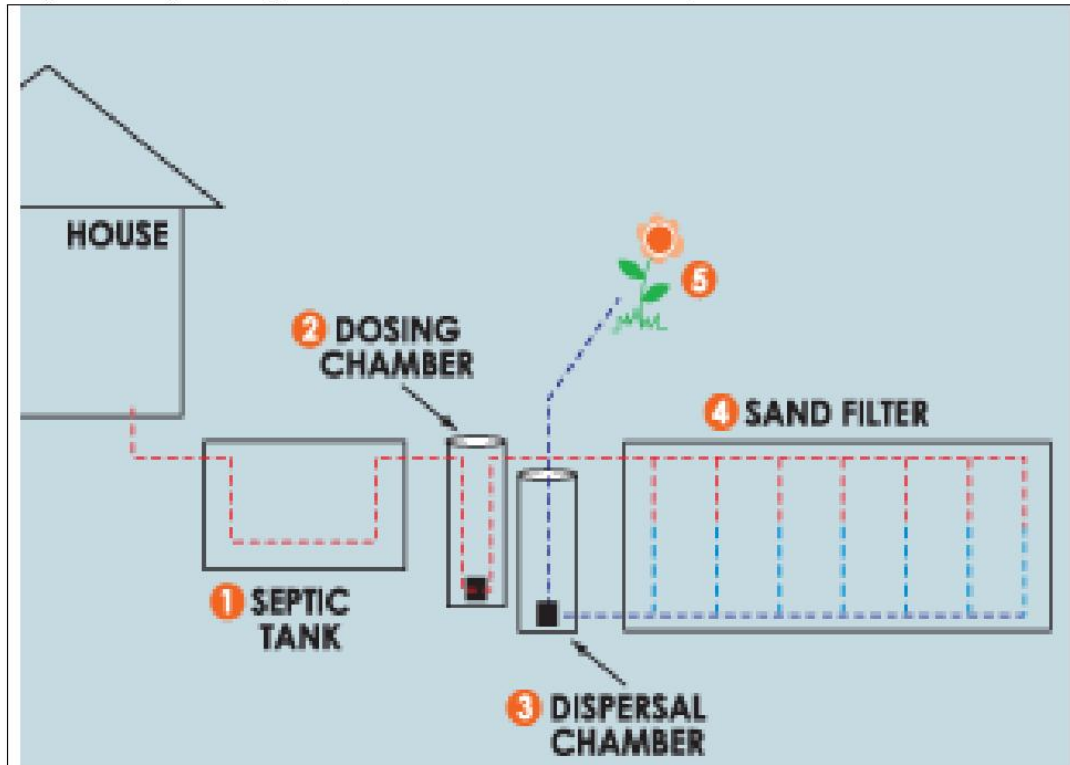
<sup>10</sup> EPA Victoria (2002) – Guidelines for Environmental Management – Guidelines for On-site Aerated Wastewater Treatment Systems. Domestic Wastewater Management Series. Document No. 760 Page 39

<sup>11</sup> EPA Victoria (2003) Certificate of Approval Sand Filters. CA 1.3/03

<sup>12</sup> EPA Victoria (2009) Certificate of Approval Rootzone. CA 103/09

<sup>13</sup> Valley Septics Sand Filter - <http://www.valleyseptics.com.au/Sand%20Filter.htm> Accessed 17 Jan 2008

Figure 6. Diagram of typical pressurised sand filter bed components.



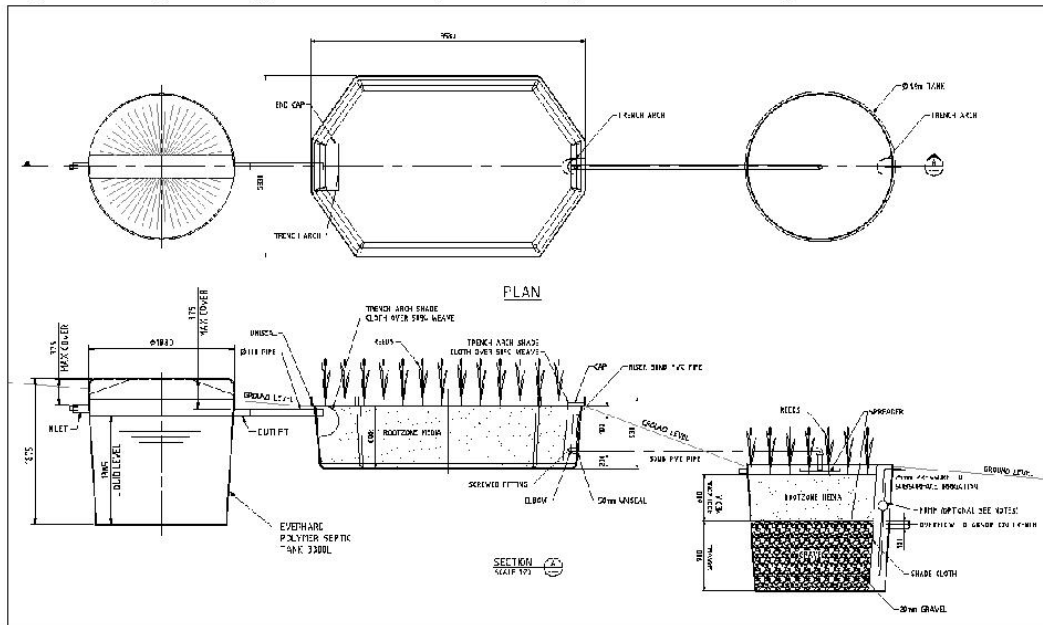


### 4.3.2 Rootzone reedbed

The Rootzone reed bed system consists of two different reed beds - a horizontal reed bed and a vertical reed bed (Figure 7). Primary treated effluent from the septic tank (minimum capacity of 3000 L) flows into the front end of the first reed bed (constructed in a 930 mm deep tub with the base 800 mm below ground level) and flows horizontally through the filter media. Effluent traversing this filter exits the bed near the base and flows into the top of the vertical reed bed (constructed in a 3000 L tank containing filter media to a depth of 600 mm on top of 900 mm of gravel), where it flows vertically through the filter media into the gravel storage area below.<sup>14</sup>

A suitably sized pressure pump is located in the exit well of the vertical filter for distribution of the treated effluent to the subsurface irrigation system. An emergency outlet pipe is installed above the gravel section to enable effluent to enter a short (10 m) subsoil absorption trench in the event of electricity disruption or pump failure. Reed beds are designed to retain effluent for five to seven days to allow for ideal secondary treatment before irrigation occurs. The Rootzone reed bed 1200P model would be the most appropriate model for a four or six bedroom home as it is suitable for up to 6 occupants regardless of the wastewater volume (wastewater just becomes less concentrated as volume increases). The 1200P model is required when effluent must be pumped between the two reed beds, which is a requirement for level sites.

Figure 7. Diagram of typical reed bed (Rootzone) system for secondary treatment.



<sup>14</sup> EPA Victoria (2009) Certificate of Approval Rootzone. CA 103/09

#### **4.4 Setback Distances and Reserve Areas**

The recommended Land Application Areas (LAAs) for subsurface irrigation with secondary treated wastewater and for subsoil absorption trenches with primary treated wastewater calculated in this report do not take into account setback distances specified in EPA publication 891.2 Onsite Wastewater Management Code of Practice<sup>15</sup>. These setback distances have been included in Appendix 6.

According to this code, wastewater LAAs receiving primary treated wastewater must be located 6 m upslope or 3 m downslope of buildings or property boundaries. This means that when these set back distances are taken into account the LAA will need to be 6 m wider and 9 m longer. EPA specifies that setback distances can be reduced by 50 % if wastewater is to be treated to a secondary standard and applied to land via pressure compensated subsurface irrigation.

A reserve area has not been allocated for absorption trenches, as the 3 m space of undisturbed soil between each trench may act as a reserve area if required. Alternatively the wastewater may be treated up to a secondary standard and a new subsurface irrigation system installed over the existing absorption trenches after some soil remediation.

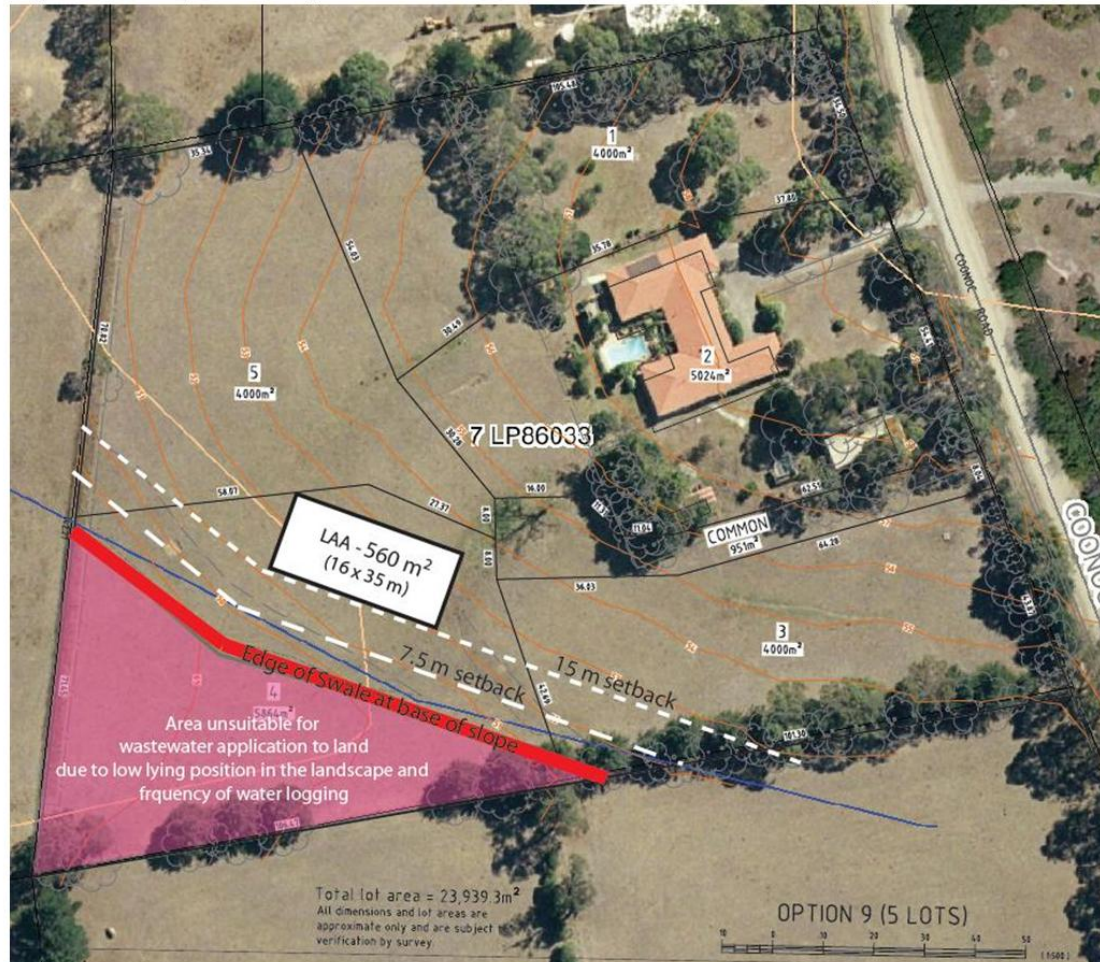
It is recommended that setbacks of 15 m to the commencement of the swale and land subject to waterlogging be implemented on this property. This setback may be reduced to 7.5 m where wastewater is treated up to a secondary standard and applied to land with subsurface irrigation. This setback is based upon that which applies to a cutting or escarpment according to EPA guidelines in Appendix 6.

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<sup>15</sup> EPA Victoria (December 2008) Guidelines for Environmental Management – Onsite Wastewater Management Code of Practice. Document No. 891.2

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Figure 8. Aerial photo with plan of subdivision overlay. *Recommended setbacks from swale and indicative location of wastewater LAA.*



## 5. Conclusion and Recommendations

The most significant environmental constraints impacting upon the sustainable application to land of wastewater on this property are the low permeability of the subsoil and poorly drained subsoil. The presence of a swale and frequently saturated soil also present a constraint, but the effect of this swale and saturated soil only significantly impacts upon proposed Lot 4 (Figure 8).

- The low permeability of the subsoil has been overcome with the use of a water balance to take into account climate and a low design wastewater application rate. The low wastewater application rate will ensure the low subsoil permeability is not exceeded. Gypsum **must be applied** at a rate of 2 kg/m<sup>2</sup> to all Land Application Areas (LAAs) to overcome the soil sodicity and to improve the drainage characteristics of the subsoil. The gypsum will improve the soil structure and promote deep percolation and treatment of wastewater through the soil profile.
- Site drainage will be improved by the installation of diversion drains upslope and around each LAA. Upslope diversion drains are recommended to provide protection to the LAA from surface water run-on and upslope seepage, which are both likely on this property.
- The duplex soils on this property have subsoils which are sodic and likely to disperse when sodic and slightly saline domestic wastewater is applied. For this reason gypsum is recommended at a rate of 2 kg/m<sup>2</sup> to protect soil permeability in wastewater application areas.
- The swale and low lying land in the south west corner of the property are unsuitable for the application to land of wastewater. Land Safe considers that this swale does not meet any of the criteria for a waterway used by Southern Rural Water (eg no defined bed or banks, not spring fed, catchment area less than 60 ha). As a precautionary measure however it is recommended that a setback of 15 m to LAAs upslope of this swale be implemented. This setback may be reduced to 7.5 m where wastewater is treated to a secondary standard and applied to land with pressure compensated subsurface irrigation.

Soil permeability ( $K_{sat}$ ) was not able to be measured using the Talsma-Hallam constant head method on the day of the site visit due to the saturated soil conditions which have been common across Gippsland in the past 12 months. A  $K_{sat}$  value of 0.07 m/day from seven permeability tests conducted on a similar soil type on Kay Road, Traralgon has been used as the anticipated soil permeability. This permeability is acceptable for the application to land of domestic wastewater, by either absorption trenches with primary treated wastewater or subsurface irrigation with secondary treated wastewater.

All LAAs in this report have been sized taking into account both water and nutrient balance requirements.

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For absorption trenches a conservative Design Loading Rate (DLR) of 4 L/m<sup>2</sup>/day or 28 mm week has been assigned. The Land Application Area (LAA) for subsoil absorption trenches should be 635 m<sup>2</sup> for a four bedroom home using 900 L/day and 924 m<sup>2</sup> for a six bedroom home using 1260 L/day. These LAAs include a 3 m space between each absorption trenches which also acts as the reserve area, but does not include EPA setback distances. Absorption trenches are not considered appropriate in proposed Lot 4, given the constrained area available for wastewater dispersal with this method.

For subsurface irrigation a Design Irrigation Rate (DIR) of 2.86 L/m<sup>2</sup>/day or 20 mm/week has been assigned. The LAA with subsurface irrigation should be 559 m<sup>2</sup> for a four bedroom home or 783 m<sup>2</sup> for a six bedroom home. This LAA does not include EPA setback distances. Subsurface irrigation with secondary treatment is the most suitable wastewater management option for proposed Lot 4.

There is sufficient area available on each proposed allotment for sustainable wastewater application to land. Given the recommended setbacks from the swale, absorption trenches are not suitable for proposed Lot 4, only subsurface irrigation. Either absorption trenches or subsurface irrigation may be used in each of the other four proposed allotments.

Stormwater diversion drains must be installed around all LAAs so as to protect them from excess surface and subsurface water. Rainwater tanks should be installed to collect rainwater from all dwellings. All excess stormwater must be diverted away from wastewater LAAs.

The septic tanks and absorption trenches currently servicing the existing 6 bedroom home will need to be disconnected and all wastewater directed to a new wastewater management system in accordance with the recommendations in this report.

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## Appendix 1 Soil Profile Descriptions

W & A Becker

Coonoc Road, Traralgon

24 November 2011

Site No.1 GPS Co-ordinates - S38°12.106' E146°29.776 (DATUM Aus Geod 66)

Soil Type: Yellow brown duplex

- Centre of property
- Pasture
- Gradient 5-9 % (measured with a hand held clinometer, convex slope towards the west)

Horizon	Depth (cm)	Description
A1	0-15	Dark brown (10YR 3/3). Sandy clay loam, crumb structure. Worms present.  <i>—Clear change—</i>
A2	15-30	Mottles of Greyish brown (10YR 5/2 & 10YR 5/30). Sandy loam, weak structure.  Soil saturated at depth.  <i>—Abrupt change—</i>
B1	30-80	Mottles yellow brown (10YR 5/8) and dark grey (10YR 4/1). Medium clay. Plant roots.  <i>—Gradual change—</i>
B2	80-110	Brownish Yellow (10YR 6/8). Minor mottles of yellowish red (5YR 5/8). Light clay.  <i>—Hole terminated—</i>

### Soil profile as seen at site 1



### Site 2 – South west corner of property

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**Soil similar to site 1.**



Soil saturated at the surface and soil colour significantly more grey and soil texture more silty than at site 1. Also to B1 clay soil horizon.

## Appendix 2A Soil Hydraulic Conductivity Talsma-Hallam Method

### SOIL PERMEABILITY MEASUREMENT - CONSTANT-HEAD TEST<sup>16</sup>

#### INTRODUCTION

The Constant head method described here for measuring soil permeability *in-situ*, is described in more detail in Appendix 4.1F of the Australian/New Zealand Standard AS1547: 2000.

This method can be used for sizing effluent dispersal systems. The permeameter described below is suitable for a soil permeability range of  $1 \times 10^{-7}$  to  $3 \times 10^{-4}$  m/sec ( $\approx 0.009$  to 26 m/day). With certain modifications it can also be used for permeabilities less than  $1 \times 10^{-7}$  m/sec.

#### TEST METHODOLOGY

##### 1 Scope

In a constant head test, the water that runs out of an unlined test hole is replenished at the same rate from a reservoir, and one measures the loss of water from the reservoir over time. During this test the head of water in the hole remains the same, and a well-versed mathematical model can be used to calculate  $K_{sat}$  from the measurement.

##### 2 Apparatus

The following is required to carry out soil permeability tests using the constant head method;

- (a) soil auger of 75 to 100 mm diameter,
- (b) permeameter and tripod as illustrated in Figure 1,
- (c) anti scouring device,
- (d) suction flask,
- (e) stopwatch and field data sheets,
- (f) water container.

##### 3 Procedure

Excavate the required number of holes to 50 cm depth<sup>17</sup>, spacing holes over required area. Record the depth of the holes. Remove most of the loose earth at the bottom of the hole by hand.

Measure depth of hole and adjust tripod on permeameter to maintain 25 cm head of water in hole. Record the height of the head.

Place anti scouring device in hole and fill hole with water to approximately 25 cm depth soak test holes until the water infiltration is not influenced by the dryness of the soil, and record time of soaking

Fill permeameter with water, invert and place into hole so that water flows out of base. To the start test, suck water out of hole using suction flask apparatus until first air bubble appears. Set stop watch to 0.00 and start recording drop in solution reservoir (in cm) over time. Five minute intervals enable 8 tubes to be measured, with tubes read 30 seconds apart in 4 minutes. The time should be adjusted if the drop in the water level is too rapid. With very high infiltration rates, each tube is read separately to its finish.

Record drop in water level in the reservoir using the field sheet (see next page) until it becomes

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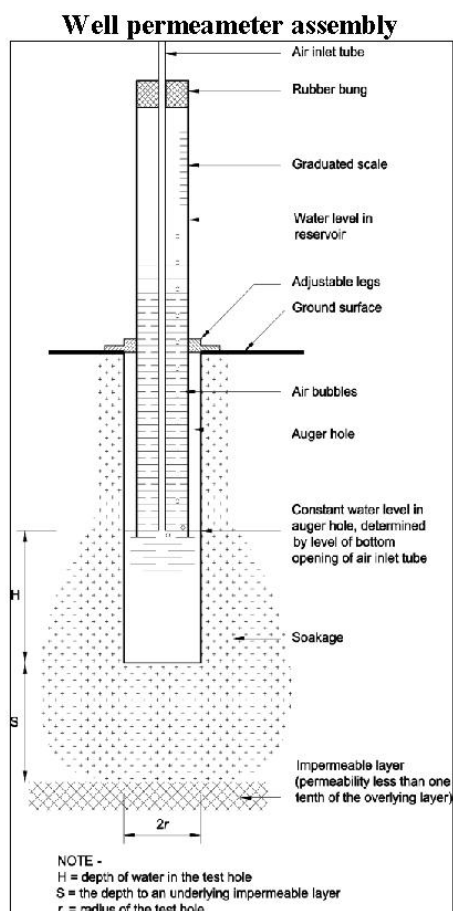
<sup>16</sup> As per procedure in AS 1547:2000

<sup>17</sup> The depth of hole and height of head may be varied for particular situations, and the depths should be recorded to ensure the calculations are performed correctly.



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“constant”, i.e. the last drop differs by less than 10% of the preceding drop.



**4 Calculations**

Calculate the soil hydraulic conductivity according to the equation;

$$K_{sat} = 4.4 Q [0.5 \sinh^{-1}(H/2r) - \sqrt{\{(r/H)^2 + 0.25\}} + r/H] / 2\pi H^2$$

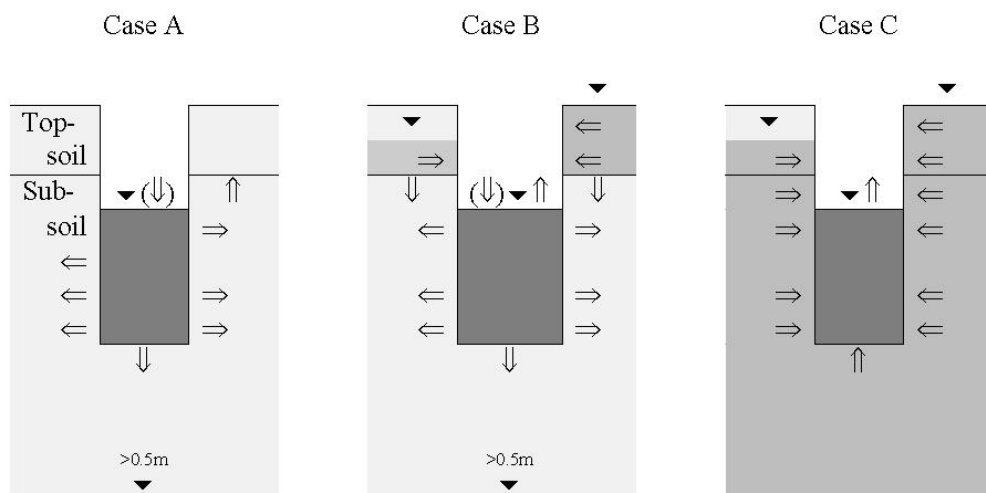
Where

- $K_{sat}$  = saturated hydraulic conductivity of the soil in cm/min.
- 4.4 = correction factor for a systematic under-estimate of soil permeability in the mathematical derivation of the equation,
- Q = rate of loss of water from the reservoir in  $\text{cm}^3/\text{min}$ ,
- H = depth of water in the test hole in cm,
- r = radius of the test hole in cm.



## Appendix 2B How Soil Moisture Conditions Impact on Soil Hydraulic Conductivity Measurement

Soil moisture conditions and their possible seasonal variations as they affect soil permeability and soil percolation tests.



← ⇒	Directions of water flow
↑ ↓	(↓) Applies only to the falling head percolation test. The water level in the hole stays at the pre-set level in a constant head permeability test.
▼	Indicating position of the free water surface (water table).
	Dry or moist but not saturated soil.
	Saturated soil.
	Water in the test hole.

### Case A:

This represents the appropriate conditions where soil permeability tests or percolation tests can succeed. A true groundwater table occurs at least 0.5 m below the bottom of the test hole. The test method is a so-called ‘above the water table test’. The surrounding soil exerts a capillary attraction on the water in the test hole and a stable infiltration rate occurs when the soil ‘mantle’ immediately around the hole is saturated and controls the rate of infiltration. The soil further out is still unsaturated and continues to exert a capillary pull. If a constant head test method is used, the reservoir from which water is added to the test hole will show a constant rate of depletion. With the old percolation test method – a falling head method – the rate of lowering of the water level in the hole becomes constant also. The permeability that is measured is  $K_{sat}$ , the permeability of the saturated soil. This permeability is used to size effluent disposal systems.

### Case B:

A perched water table exists above the subsoil layer, a common condition in many Victorian soils during periods of high rainfall in winter and early spring. The perched water table may extend all the way to the soil surface. A true groundwater table occurs at least 0.5 m below the bottom of the test hole. Water seeps from the saturated surface soil down into the test hole. If

the rate of seepage inflow exceeds the infiltration outflow rate from the test hole into the subsoil, the water level in the hole will rise. If the seepage inflow equals the infiltration outflow, the level will remain constant and a lay observer may interpret this as an impermeable soil. If the rate of seepage inflow is less than the infiltration outflow, the rate of lowering of the water level in the hole is reduced from what it would have been without the perched water. In all these scenarios, a test produces a useless result in terms of determining the size of an effluent disposal field.

When land is subject to seasonal and periodic perched water tables, a separate site analysis is needed to determine:

- what measures should be taken to protect an effluent disposal field from the ingress of lateral seepage and run-on,
- what is the viability of on-site effluent disposal, and
- what alternative systems or designs may overcome these site limitations.

A soil permeability test or percolation test is not intended to answer these questions.

**Case C:**

The groundwater table extends to well above the water level required for the test. Water from the saturated soil around the hole flows into the hole. A hole dug into this soil will fill up naturally with water until the water level in the hole is at the same level as the water table in the surrounding soil. The permeability of the soil can now only be measured by emptying the hole and measuring the rate of recovery of the water level in the hole. It now is a so-called ‘below the water table test’ which requires a different mathematical equation. However this case is of no interest to on-site effluent disposal, but it is relevant where land drainage schemes are being proposed.

**Theory and Examples**

The unifying principle that applies to all test methods, whether in the lab or in the field is Darcy’s Law (1856), which states that the velocity of seepage flow, **V**, is proportional to the hydraulic gradient, **i**, which is the loss of head divided by the length of the flow path, and the permeability, also called hydraulic conductivity, **K**:

$$V = K \times i$$

It follows that when **i** = 0, regardless how big **K** may be, **V** = 0. Thus, to measure **K** by monitoring and measuring **V**, one must choose conditions when **i** is not zero. The **K** value we obtain from a correct test represents the permeability of the saturated “mantle” of soil immediately around the test hole. The unsaturated soil beyond ensures that the hydraulic gradient continues to act, i.e. does not go to zero.

It also follows that if **V** is made up of two components, outflow partially compensated by an unknown amount of inflow, then **V** is equally unknown and **K** cannot be calculated.

We have evidence of cases where the tester ran water into the test holes from siphons for periods of up to 28 hours when the soils were already saturated or close to saturation. In August 1996 a major consulting firm was engaged by an outer Melbourne Shire to do soil testing as part of a land use planning strategy. This consultant reported “*apparent undesirable percolation results*” where, “*in contrast to regional experience, it is understood that septic tank systems have been operating in generally similar soil profiles as that encountered on the*

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*site*". The geological engineer in charge of the work reported that "*free ground water was not observed in any of the bores, however distinct wet horizons were encountered in bores 3, 8 and 13.*" Several days later "*water levels in all test holes, except site 6, had risen to the ground surface.*"

In another case, in an eastern rural Shire in October 1996, the tester actually wrote in his report that his test holes "*were observed to be in a very damp to saturated condition*". Nevertheless the tester soaked the holes for 20 hours and found that of 5 sites tested 3 had percolation rates less than 15 mm/hour and 2 came out at 16 mm/hour. (Obviously, in reality these soils were pretty good for septic tanks, since the long soaking was not able to cause the water to stagnate in the soil around the holes!)

**How to recognise soil saturation**

The soil coming out of the test hole during augering is glistening with moisture if held in sunlight or even dripping.

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**Appendix 3A Water Balance – Absorption Trenches – Four Bedrooms**

Nominated Area for 700 mm wide Absorption Trenches										
Site Address: <b>Coonoc Road - Traralgon - Becker</b>										
Mean of Morwell (085280), Yallourn (08 Evap. data Yallourn SEC (085103)										
Mean average Pan evaporation										
Source: AS1547-1994 - Table G1 (Prepared by R.A. Patterson, Lanfax Labs. Armidale updated April 2006)										
1	2	3	4	5	6	7	8	9	10	11
Month	Days per month	daily pan Eo (B.Met)	Pan Eo	Et +CPEo	Rainfall P	Retained Rainfall Re=(1-r)P	LTAR*N	Disposal rate/month (Et-Re)+ LTAR*N	Effluent applied per month	Size of area (8)/(7) 900
		mm	mm	mm	mm	mm	mm	mm	L	m2
Jan	31	5.9	182.9	146	55.6	47.3	124	223.1	27900	125
Feb	28	5.6	156.8	125	52.3	44.5	112	193.0	25200	131
Mar	31	3.9	120.9	97	58.3	49.6	124	171.2	27900	163
Apr	30	2.7	81.0	57	70.3	59.8	120	116.9	27000	231
May	31	1.7	52.7	37	68.8	58.5	124	102.4	27900	272
Jun	30	1.2	36.0	25	73.7	62.6	120	82.6	27000	327
Jul	31	1.3	40.3	28	72.9	62.0	124	90.2	27900	309
Aug	31	1.6	49.6	35	78.9	67.0	124	91.7	27900	304
Sep	30	2.4	72.0	50	78.5	66.7	120	103.7	27000	260
Oct	31	3.3	102.3	82	84.6	71.9	124	133.9	27900	208
Nov	30	4.4	132.0	106	78.2	66.5	120	159.1	27000	170
Dec	31	5.0	155.0	124	69.1	58.8	124	189.2	27900	147
<b>Totals</b>		<b>1181.5</b>	<b>912</b>	<b>841.2</b>	<b>715.0</b>					

TABLE G2 - Depth of stored effluent First trial - choose from col.9 table above										
1	2	3	4	5	6	7	8	9	10	11
month	first trial area (m2)	application rate (8)/(2) (mm)	Disposal rate (mm)	(3)-(4) (mm)	Increase depth of stored effluent (5)porosity	Starting depth of effluent for month	Increase depth of effluent +(6)	computed depth of effluent (X)	reset if Et deficit <0 (mm)	equivalent storage 10 x area (L)
Dec								0.0	0	0
Jan	252.3842	111	223	-113	-375	0	-375	-375	0	0
Feb		100	193	-93	-310	0	-310	-310	0	0
Mar		111	171	-61	-202	0	-202	-202	0	0
Apr		107	117	-10	-33	0	-33	-33	0	0
May		111	102	8	27	0	27	27	27	2053
Jun		107	83	24	81	27	81	108	108	8211
Jul		111	90	20	68	108	68	176	176	13341
Aug		111	92	19	63	176	63	239	239	18102
Sep		107	104	3	11	239	11	250	250	18929
Oct		111	134	-23	-78	250	-78	172	172	13034
Nov		107	159	-52	-174	172	-174	-2	0	0
Dec		111	189	-79	-262	0	-262	-262	0	0
Jan		111	223	-113	-375	0	-375	-375	0	0
Feb		100	193	-93	-310	0	-310	-310	0	0
Mar		111	171	-61	-202	0	-202	-202	0	0
Apr		107	117	-10	-33	0	-33	-33	0	0
May		111	102	8	27	0	27	27	27	2053

From calculations in tables above for optimised drainfield area, using Appendix G AS1547-1994

<b>Porosity in disposal area</b>	<b>30%</b>
<b>Variables Table</b>	<b>Runoff Coeff = 0.15 percentage runoff</b>
	<b>Summer Crop Factor = 0.8 crop transpiration rate Oct-Mar</b>
	<b>Winter Crop Factor = 0.7 crop transpiration rate -Apr-Sep</b>
Change as required	<b>DLR = 4 L/m2/day</b>
	<b>FLOWS = 900 L/day</b>
<b>Estimated base area of trench =</b>	<b>252 square metres</b>
<b>Maximum depth of stored effluent =</b>	<b>250 mm depth</b>
<b>Trench dimensions (mm)</b>	<b>width = 700 mm depth = 400 mm</b>
<b>Length of trench required =</b>	<b>194 metres</b>

NOTES:  
As a model, the best results are only ESTIMATES of performance.  
A model is used to assess SENSITIVITY to changes in the variables and the effect upon application area

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**Appendix 3B Water Balance – Absorption Trenches – Six Bedrooms**

Nominated Area for 700 mm wide Absorption Trenches										
Site Address: <b>Coonoc Road - Traralgon - Becker</b>										
Mean of Morwell (085280), Yallourn (08 Evap. data Yallourn SEC (085103)										
Mean average Pan evaporation										
Source: AS1547-1994 - Table G1 (Prepared by R.A. Patterson, Lanfax Labs. Armidale updated April 2006)										
1	2	3	4	5	6	7	8	9	10	11
Month	Days per month	daily pan Eo (B.Met)	Pan Eo	Et +C*Eo	Rainfall P	Retained Rainfall Re=(1-r)P	LTAR*N	Disposal rate/month (Et-Re)+ LTAR*N	Effluent applied per month	Size of area (8)/(7)
		mm	mm	mm	mm	mm	mm	mm	L	m2
Jan	31	5.9	182.9	146	55.6	47.3	124	223.1	39060	175
Feb	28	5.6	156.8	125	52.3	44.5	112	193.0	35280	183
Mar	31	3.9	120.9	97	58.3	49.6	124	171.2	39060	228
Apr	30	2.7	81.0	57	70.3	59.8	120	116.9	37800	323
May	31	1.7	52.7	37	68.8	58.5	124	102.4	39060	381
Jun	30	1.2	36.0	25	73.7	62.6	120	82.6	37800	458
Jul	31	1.3	40.3	28	72.9	62.0	124	90.2	39060	433
Aug	31	1.6	49.6	35	78.9	67.0	124	91.7	39060	426
Sep	30	2.4	72.0	50	78.5	66.7	120	103.7	37800	365
Oct	31	3.3	102.3	82	84.6	71.9	124	133.9	39060	292
Nov	30	4.4	132.0	106	78.2	66.5	120	159.1	37800	238
Dec	31	5.0	155.0	124	69.1	58.8	124	189.2	39060	206
<b>Totals</b>			<b>1181.5</b>	<b>912</b>	<b>841.2</b>	<b>715.0</b>				

TABLE G2 - Depth of stored effluent First trial - choose from col.9 table above										
1	2	3	4	5	6	7	8	9	10	11
month	first trial area (m2)	application rate (8)/(2) (mm)	Disposal rate (above) (mm)	(3)-(4) (mm)	Increase depth of stored effluent (5)/porosity	Starting depth of effluent for month	increase depth of effluent + (6)	computed depth of effluent (X)	reset if Et deficit <0	equivalent storage 10 x area (L)
Dec										
Jan	353	3379	111	223	-113	-375	0	-375	-375	0
Feb			100	193	-93	-310	0	-310	-310	0
Mar			111	171	-61	-202	0	-202	-202	0
Apr			107	117	-10	-33	0	-33	-33	0
May			111	102	8	27	0	27	27	2875
Jun			107	83	24	81	27	81	108	11495
Jul			111	90	20	68	108	68	176	18678
Aug			111	92	19	63	176	63	239	25343
Sep			107	104	3	11	239	11	250	26500
Oct			111	134	-23	-78	250	-78	172	18248
Nov			107	159	-52	-174	172	-174	-2	0
Dec			111	189	-79	-262	0	-262	-262	0
Jan			111	223	-113	-375	0	-375	-375	0
Feb			100	193	-93	-310	0	-310	-310	0
Mar			111	171	-61	-202	0	-202	-202	0
Apr			107	117	-10	-33	0	-33	-33	0
May			111	102	8	27	0	27	27	2875

From calculations in tables above for optimised drainfield area, using Appendix G AS1547-1994

<b>Porosity in disposal area</b>	<b>30%</b>
<b>Variables Table</b>	<b>Runoff Coeff = 0.15 percentage runoff</b>
	<b>Summer Crop Factor = 0.8 crop transpiration rate Oct-Mar</b>
	<b>Winter Crop Factor = 0.7 crop transpiration rate -Apr-Sep</b>
Change as required	<b>DLR = 4 L/m2/day</b>
	<b>FLOWS = 1260 L/day</b>
<b>Estimated base area of trench =</b>	<b>353 square metres</b>
<b>Maximum depth of stored effluent =</b>	<b>250 mm depth</b>
<b>Trench dimensions (mm)</b>	<b>width = 700 mm depth = 400 mm</b>
<b>Length of trench required =</b>	<b>272 metres</b>

NOTES:  
As a model, the best results are only ESTIMATES of performance.  
A model is used to assess SENSITIVITY to changes in the variables and the effect upon application area

## LCA – 85 Coonoc Road – Traralgon – Becker

## Appendix 4A MAV Water Balance – Subsurface Irrigation – Four bedrooms

<b>Nominated Area Water Balance &amp; Storage Calculations For Irrigation</b>																
<b>Site Address:</b>		<b>Coonoc Road - Traralgon - Becker</b>														
<b>INPUT DATA</b>																
Design Wastewater Flow	Q	900	L/day													
Design DIR	DIR	20	mm/week													
Daily DIR		2.9	mm/day													
Nominated Land Application Area	L	559	m sq													
Crop Factor	C	0.7-0.8	unitless													
Retained Rainfall		0.85	unitless													
Rainfall Data (mean monthly)	Mean of Morwell (085280), Yallourn (085098) & Yallourn SEC (085103)															
Evaporation Data	Yallourn SEC (085103)															
<b>Parameter</b>	<b>Symbol</b>	<b>Formula</b>	<b>Units</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Total</b>
Days in month	D	\	days	31	28	31	30	31	30	31	31	30	31	30	31	<b>365</b>
Rainfall	R	\	mm/month	56	52	58	70	69	74	73	79	78	85	78	69	<b>840</b>
Evaporation	E	\	mm/month	183	157	121	81	53	36	40	50	72	102	132	155	<b>1182</b>
Crop Factor	C			0.80	0.80	0.80	0.70	0.70	0.70	0.70	0.70	0.70	0.80	0.80	0.80	
<b>OUTPUTS</b>																
Evapotranspiration	ET	ExC	mm/month	146	125	97	57	37	25	28	35	50	82	106	124	<b>912</b>
Percolation	B	(DIR/7)xD	mm/month	88.6	80	88.6	85.7	88.6	85.7	88.6	88.6	85.7	88.6	85.7	88.6	<b>1043</b>
Outputs		ET+B	mm/month	234.9	205	185	142	125	111	117	123	136	170	191	213	<b>1955</b>
<b>INPUTS</b>																
Retained Rainfall	RR	R*0.80	mm/month	47.26	44.455	49.555	59.755	58.48	62.62	61.99	67.04	66.70	71.94	66.47	58.76	<b>715</b>
Effluent Irrigation	W	(QxD)/L	mm/month	49.9	45.1	49.9	48.3	49.9	48.3	49.9	49.9	48.3	49.9	48.3	49.9	<b>588</b>
Inputs		RR+W	mm/month	97.2	89.5	99.5	108.1	108.4	110.9	111.9	116.9	115.0	121.8	114.8	108.7	<b>1303</b>
<b>STORAGE CALCULATION</b>																
Storage remaining from previous month			mm/month	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Storage for the month	S	(RR+W)-(ET+B)	mm/month	-137.7	-115.9	-85.8	-34.4	-17.1	0.0	-4.9	-6.3	-21.1	-48.6	-76.5	-103.9	<b>-264</b>
Cumulative Storage	M		mm	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<b>0</b>
Maximum Storage for Nominated Area	N		mm	0.00												
	V	NxL	L	2												
<b>LAND AREA REQUIRED FOR ZERO STORAGE</b>				m <sup>2</sup>	149	157	206	327	417	559	509	496	389	283	216	181
<b>MINIMUM AREA REQUIRED FOR ZERO STORAGE:</b>					559.0	m <sup>2</sup>										



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**Appendix 4B MAV Water Balance – Subsurface Irrigation – Six bedrooms**

<b>Nominated Area Water Balance &amp; Storage Calculations For Irrigation</b>																
<b>Site Address:</b>	<b>Coonoc Road - Traralgon - Becker</b>															
<b>INPUT DATA</b>																
Design Wastewater Flow	Q	1260	L/day													
Design DIR	DIR	20	mm/week													
Daily DIR		2.9	mm/day													
Nominated Land Application Area	L	783	m sq													
Crop Factor	C	0.7-0.8	unitless													
Retained Rainfall		0.85	unitless													
Rainfall Data (mean monthly)	an of Morwell (085280), Yallourn (085098) & Yallourn SEC (085103)															
Evaporation Data	Yallourn SEC (085103)															
<b>Parameter</b>	<b>Symbol</b>	<b>Formula</b>	<b>Units</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Total</b>
Days in month	D	\	days	31	28	31	30	31	30	31	31	30	31	30	31	<b>365</b>
Rainfall	R	\	mm/month	56	52	58	70	69	74	73	79	78	85	78	69	<b>840</b>
Evaporation	E	\	mm/month	183	157	121	81	53	36	40	50	72	102	132	155	<b>1182</b>
Crop Factor	C			0.80	0.80	0.80	0.70	0.70	0.70	0.70	0.70	0.70	0.80	0.80	0.80	
<b>OUTPUTS</b>																
Evapotranspiration	ET	ExC	mm/month	146	125	97	57	37	25	28	35	50	82	106	124	<b>912</b>
Percolation	B	(DIR/7)xD	mm/month	88.6	80	88.6	85.7	88.6	85.7	88.6	88.6	85.7	88.6	85.7	88.6	<b>1043</b>
Outputs		ET+B	mm/month	234.9	205	185	142	125	111	117	123	136	170	191	213	<b>1955</b>
<b>INPUTS</b>																
Retained Rainfall	RR	R*0.80	mm/month	47.26	44.455	49.555	59.755	58.48	62.62	61.99	67.04	66.70	71.94	66.47	58.76	<b>715</b>
Effluent Irrigation	W	(QxD)/L	mm/month	49.9	45.1	49.9	48.3	49.9	48.3	49.9	49.9	48.3	49.9	48.3	49.9	<b>587</b>
Inputs		RR+W	mm/month	97.1	89.5	99.4	108.0	108.4	110.9	111.9	116.9	115.0	121.8	114.7	108.6	<b>1302</b>
<b>STORAGE CALCULATION</b>																
Storage remaining from previous month			mm/month	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Storage for the month	S	(RR+W)-(ET+B)	mm/month	-137.7	-115.9	-85.9	-34.4	-17.1	0.0	-4.9	-6.4	-21.1	-48.6	-76.6	-103.9	<b>-285</b>
Cumulative Storage	M		mm	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	<b>0</b>
Maximum Storage for Nominated Area	N		mm	0.00												
	V	NxL	L	0												
<b>LAND AREA REQUIRED FOR ZERO STORAGE</b>				m <sup>2</sup>	208	219	288	457	583	783	713	694	545	397	303	254
<b>MINIMUM AREA REQUIRED FOR ZERO STORAGE:</b>					<b>782.6</b>		m <sup>2</sup>									

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Appendix 5 Nutrient Balance – Irrigation

<b>Nutrient Balance</b>					
<b>Site Address: Coonoc Road - Traralgon - Becker</b>					
<i>Please read the attached notes before using this spreadsheet.</i>					
<b>SUMMARY - LAND APPLICATION AREA REQUIRED BASED ON THE MOST LIMITING BALANCE =</b>					<b>420 m<sup>2</sup></b>
<b>INPUT DATA <sup>[1]</sup></b>					
<b>Wastewater Loading</b>			<b>Nutrient Crop Uptake</b>		
Hydraulic Load	900 L/Day		Crop N Uptake	250 kg/ha/yr	which equals 68 mg/m <sup>2</sup> /day
Effluent N Concentration	40 mg/L		Crop P Uptake	50 kg/ha/yr	which equals 14 mg/m <sup>2</sup> /day
% Lost to Soil Processes (Geary & Gardner 1996)	0.2 Decimal		<b>Phosphorus Sorption</b>		
Total N Loss to Soil	7200 mg/day		P-sorption result	300 mg/kg	which equals 4500 kg/ha
Remaining N Load after soil loss	28800 mg/day		Bulk Density	1.5 g/cm <sup>3</sup>	
Effluent P Concentration	13 mg/L		Depth of Soil	1 m	
Design Life of System	50 yrs		% of Predicted P-sorp. <sup>[2]</sup>	0.75 Decimal	
<b>METHOD 1: NUTRIENT BALANCE BASED ON ANNUAL CROP UPTAKE RATES</b>					
<b>Minimum Area required with zero buffer</b>		<b>Determination of Buffer Zone Size for a Nominated Land Application Area (LAA)</b>			
Nitrogen	420 m <sup>2</sup>	Nominated LAA Size	559 m <sup>2</sup>		
Phosphorus	363 m <sup>2</sup>	Predicted N Export from LAA	-3.46 kg/year		
		Predicted P Export from LAA	-2.30 kg/year		
		Phosphorus Longevity for LAA	128 Years		
		Minimum Buffer Required for excess nutrient	0 m <sup>2</sup>		
<b>PHOSPHORUS BALANCE</b>					
<b>STEP 1: Using the nominated LAA Size</b>					
Nominated LAA Size	559 m <sup>2</sup>				
Daily P Load	0.0117 kg/day	→ Phosphorus generated over life of system	213.525 kg		
Daily Uptake	0.0076575 kg/day	→ Phosphorus vegetative uptake for life of system	0.250 kg/m <sup>2</sup>		
Measured p-sorption capacity	0.45 kg/m <sup>2</sup>				
Assumed p-sorption capacity	0.338 kg/m <sup>2</sup>	→ Phosphorus adsorbed in 50 years	0.338 kg/m <sup>2</sup>		
Site P-sorption capacity	188.66 kg	→ Desired Annual P Application Rate	6.568 kg/year		
P-load to be sorbed	1.48 kg/year		which equals	0.01800 kg/day	
<b>NOTES</b>					
[1]. Model sensitivity to input parameters will affect the accuracy of the result obtained. Where possible site specific data should be used. Otherwise data should be obtained from a reliable source such as, - Environment and Health Protection Guideline					
[2]. A m multiplier, normally between 0.25 and 0.75, is used to estimate actual P-sorption under field conditions which is assumed to be less than laboratory estimates.					

## Appendix 6 EPA Setback Distances

### 4.4 Setback distances (unsewered areas)

Even when onsite wastewater systems are properly designed, installed and maintained, a residual environmental and public health risk always remains. The consequence of failing systems varies and depends upon the particular site and the sensitivity of the environment surrounding the site.

To minimise that residual risk, onsite wastewater systems must be installed in a way that allows for a 'buffer' or 'setback distance' between the system and the surrounding environment (in other words, both the treatment system and the associated disposal/recycling system must be installed the required distance away from the site boundary). Setback distances for onsite systems

that dispose/recycle primary/secondary treated wastewater in unsewered areas are listed in Table 4.2. These setback distances are independent of any other buffer distances that may apply to the site.

Council may increase setback distances where it considers that the residual risk to public health and the environment are too high. Council may also reduce setback distances where it considers that the residual risk to public health and the environment is negligible. In either case, councils may seek advice from relevant authorities and stakeholders before making such a decision.

Also, council may need to seek that advice through formal processes (such as planning referrals).

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Table 4.2: Setback distances for primary and secondary treated sewage in unsewered areas<sup>1</sup>

Item	Setback distance <sup>2,3</sup> (m)
<b>Building</b>	
Wastewater field up-slope of building <sup>4</sup>	6
Wastewater field down-slope of building	3
<b>Allotment boundary</b>	
Wastewater field up-slope of adjacent lot	6
Wastewater field down-slope of adjacent lot	3
<b>Services</b>	
Water supply pipe	3
Potable supply channel (wastewater field up-slope)	300
Potable supply channel (wastewater field down-slope)	20
Gas	3
Underground water tank	15
Stormwater drain	6
Swimming pool	6
Cutting/escarpment	15
<b>Surface waters (up-slope from)</b>	
Dam or reservoir (potable, includes water for food production) <sup>5</sup>	300
Stream, River, Waterways in potable water supply catchment <sup>6</sup>	100
Dam or reservoir (stock & non-potable) <sup>5</sup>	60
Stream or channel (continuous or ephemeral, non-potable)	60
Drainage lines, dam outfalls	60
<b>Groundwater bore</b>	
Potable or non-potable	20

- 1 These distances act as a guide and must be measured horizontally from the defined boundary of the disposal/irrigation area. They do not apply vertically. For streams and dams, the measuring point shall be the 'bank-full discharge level'. See Table 5.3 for setback distances for irrigating with treated greywater.
- 2 The setback distances may be reduced by up to 50 per cent where all the following conditions are met:
  - effluent quality meets 20/30 standard when used for sub-surface irrigation
  - or
  - effluent quality meets 20/30/10 standard when used for surface irrigation
  - and
  - slopes are <5%, or pressure compensated sub-surface irrigation drip lines along the contour.
- 3 Effluent typically contains high levels of nutrients that may have a negative impact on native vegetation. When considering setbacks, council should consider not only the potential impact of nutrients in regards to the proposed onsite wastewater system, but in regards to other existing onsite wastewater systems located in the same area.
- 4 Setback distances help protect human health. However, establishing an effluent disposal field/irrigation area upslope of a building may have implications for the structural integrity of the building. This issue is beyond this Code's scope and should be examined by a building professional on a site-by-site basis.
- 5 Does not apply to dams and reservoirs located above ground-level.
- 6 Means a watercourse in an area declared as a water supply protection area as defined in section 27 of the Water Act 1989.

## Appendix 7 EPA Design Flow Rates

**CODE OF PRACTICE – ONSITE WASTEWATER MANAGEMENT**



Table 4.1: Typical domestic wastewater flow design allowances<sup>1</sup>

Contributing source	Design flow (L/person.day)		Sludge and scum rate (L/person.year)
	Onsite roof water	Reticulated water supply or water supply sourced from both onsite roof water plus alternative sources (rivers, dams, creeks, bores)	
<b>Domestic wastewater flows at domestic residences</b>			
Households with extra wastewater producing facilities	180	220	80
Household with no water saving features	180	200	80
Household with standard fixtures (excluding top loading automatic washing machine)	140	180	80
Household with standard water reduction facilities <sup>2,4</sup>	80	110	80
Household with full water reduction facilities <sup>3,4</sup>	60	80	80
Household (blackwater only)	50	60	60
Household (greywater only)	90	120	20
<b>Domestic wastewater flows at community/commercial premises</b>			
<b>Accommodation establishments</b>			
Guests, residential staff	140	180	60
Non-residential staff	30	40	6
<b>Food premises</b>			
Food premises (unlicensed)	15	25	30
Restaurant/Café (licensed), Hotel (per customer)	20	30	50
<b>Community recreation</b>			
Centre with commercial kitchens	20	30	5
Meeting room	10	15	1
Recreation facility (social club)	20	30	2
Sports centre (with showers)	40	50	5
Sports centre (without showers)	20	30	2
Picnic area (public amenities)	5	5	2
<b>Community education</b>			
Schools (Pupils + Staff)	30	40	10
<b>Small and medium commercial premises</b>			
Small/medium business (Staff)	15	10	10
<b>Shopping centres</b>			
Staff	15	15	15
Public access	5	5	5
<b>Camping area (fully serviced)</b>	100	130	60

Source: AS/NZS 1547

- These flows are minimum rates unless actual flows from past experience can be demonstrated and shall be related to the maximum occupancy rate for a house.
- Standard water-reduction fixtures include dual flush 6/3 litre toilets, shower-flow restrictors, aerator taps and water-conserving automatic washing machines.
- Full water-reduction fixtures include the combined use of reduced flush 4.5/3 litre toilets, shower-flow restrictors, aerator taps, front-load washing machines and flow/pressure control valves on all water-use outlets.
- Additionally, water reduction may be achieved by
  - reusing untreated greywater in the garden within 24 hours
  - or
  - recycling treated greywater that meets water quality requirements for toilet flushing and/or cold water supply to washing machines.

Note: When designing the wastewater treatment system and the land disposal/recycling area, the higher level of nutrients and salts in effluent derived from recycled waste water must be considered.

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**Appendix 8 DLR and DIR Tables from AS/NZS 1547:2000**

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**TABLE 4.2A1  
RECOMMENDED DESIGN LOADING RATES FOR TRENCHES AND BEDS**

Soil category	Soil texture	Structure	Indicative permeability ( $K_{sat}$ ) (m/d) (see Note 6)	Design loading rate (DLR) (see Notes 1, 2 and 3)			Indicative drainage class (see Note 9)
				Primary-treated effluent (see Note 4)		Secondary-treated effluent (see Note 5)	
				Conservative rate (mm/d) (see Notes 4 & 7)	Maximum rate (mm/d) (see Notes 4 & 8)	(mm/d)	
1	Gravels and sands	Structure-less (Massive)	>3.0	20 (see Note 10)	35 (see Note 10)	50 (see Note 10)	Rapidly drained
2	Sandy loams	Weakly structured	> 3.0	20	35	50	Well drained
		Massive	1.4 – 3.0	15	25	50	
3	Loams	High/moderate structured	1.5 – 3.0	15	25	50	Moderately well drained
		Weakly structured or massive	0.5 – 1.5	10	15	30	
4	Clay loams	High/moderate structured	0.5 – 1.5	10	10	30	Imperfectly drained
		Weakly structured	0.12 – 0.5	6	10	20	
		Massive	0.06 – 0.12	4	5	10	
5	Light clays	Strongly structured	0.12 – 0.5	5	8	12	Poorly drained
		Moderately structured	0.06 – 0.12	(see Note 11)	5	10	
		Weakly structured or massive	< 0.06	(see Note 11)	(see Note 11)	8	
6	Medium to heavy clays	Strongly structured	0.06 – 0.5	(see Note 11)	(see Note 11)	(see Note 11)	Very poorly drained
		Moderately structured	< 0.06	(see Note 11)	(see Note 11)	(see Note 11)	
		Weakly structured or massive	< 0.06	(see Note 11)	(see Note 11)	(see Note 11)	

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NOTES TO TABLE 4.2A1:	
1	The DLR in mm/day is to be used to size the horizontal bottom area of conventional trench and bed systems. (Refer to Paragraph 4.2A7.3.1 for comment on the relationship between bottom area and sidewall absorption mechanisms.)
2	Where loading rates of 10 mm/day or lower are required, it is critical that there is an even effluent loading over the design area.
3	The Design Loading Rates in Table 4.2A1 are based upon the best available information at the time of preparation of this Standard.
4	Primary-treated effluent is the discharge from conventional septic tanks and improved septic tanks (such as two-stage units and/or tanks fitted with solids-control filters). It includes all-waste, greywater and blackwater effluents.
5	Secondary-treated effluent has a quality equal to or better than 20 g/m <sup>3</sup> BOD <sub>5</sub> and 30 g/m <sup>3</sup> SS and typically is the effluent discharged from processes such as AWTs, sand filters, or wetlands.
6	The values of indicative permeability as $K_{sat}$ are based on the movement of water, and not effluent, through the soil. They are estimates only and shall be used with caution in the determination of soil category and DLR.
7	Conservative Design Loading Rates must be used for beds (see Paragraph 4.2A7.2), for systems to be installed on steep sites and where other site and soil limitations are present. Conservative Design Loading Rates must always be used for primary-treated blackwater effluent.
8	Maximum Design Loading Rates may only be used where site and soil limitations are absent and where there is evidence that these rates can be effectively maintained without harm to the environment or without potential for failure of the system. Maximum Design Loading Rates may also be used for primary-treated greywater effluent and for improved primary effluent from modified septic tanks. (Refer to Clause 4.3.5.2.1.)
9	Indicative drainage classes listed are based on the assumption that drainage of water out of the soil is governed only by the indicative permeability and that external factors play no role.
10	The treatment capacity of the soil and not the hydraulic capacity of the soil or the growth of the clogging layer govern the effluent loading rate in Category 1 soil. Category 1 soils require special design and distribution techniques to help achieve even distribution of effluent over the full design surface (see Paragraph 4.5A4.2) for recommended discharge method). These soils have low nutrient retention capacities, often allowing accession of nutrients to groundwater.
11	To enable utilization of such soils for on-site wastewater disposal alternative systems (including ETA/ETS systems), special design requirements and distribution techniques and/or soil modification procedures will be necessary. For any alternative system designed for these soils, the effluent absorption rate shall be based upon soil permeability testing. Specialist soils advice and special design techniques will be required for clay dominated soils having dispersive (sodic) or shrink/swell behaviour. Such soils shall be treated as Category 6 soils. In some situations, these soils will preclude the use of an absorption only system design. If $K_{sat} < 0.06$ m/d, a full water balance for the disposal area (including effective rainfall, run-off, evapo-transpiration, (see Appendix 4.2D), can be used to calculate trench/bed size.

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**TABLE 4.2A4  
RECOMMENDED DESIGN IRRIGATION RATE (DIR) FOR IRRIGATION SYSTEMS**

Soil category	Soil texture	Structure	Indicative permeability ( $K_{sat}$ ) (m/d) (see Note 1)	Design irrigation rate (DIR) (mm/week) (see Notes 2 & 3)	Indicative drainage class (see Note 4)
1	Gravels and sands	Structureless Massive	>3.0	35	Rapidly drained
2	Sandy loams	Weakly structured	> 3.0	35	Well drained
		Massive	1.4 – 3.0	35	
3	Loams	High/moderately structured	1.5 – 3.0	28	Moderately well drained
		Weakly structured or massive	0.5 – 1.5	28	
4	Clay loams	High/moderately structured	0.5 – 1.5	25	Imperfectly drained
		Weakly structured	0.12 – 0.5	25	
		Massive	0.06 – 0.12	25	
5	Light clays	Strongly structured	0.12 – 0.5	20	Poorly drained
		Moderately structured	0.06 – 0.12	20	
		Weakly structured or massive	< 0.06	20	
6	Medium to heavy clays	Strongly structured	0.06 – 0.5	15	Very poorly drained
		Moderately structured	< 0.06	15	
		Weakly structured or massive	< 0.06	15	

NOTES:  
 1 The values of indicative permeability as  $K_{sat}$  are based on the movement of water, and not effluent through the soil. They are estimates only and should be used with caution in determining soil category and Design Loading Rates.  
 2 The relevant qualifications regarding the use of trenches and beds in Table 4.2A1 are applicable for irrigation systems.  
 3 The Design Irrigation Rates in Table 4.2A4 are based on the best available information at the time of preparation of this Standard.  
 4 Indicative drainage classes listed are based on the assumption that drainage of water out of the soil is governed only by the indicative permeability and that external factors play no role.



### Appendix 9 Estimating Coefficient of Run-off

Estimating coefficient of run-off R, as a percentage value, for use with the rational formula ( $Q = RiA$ ) or catchments with area less than 1 square mile (2.56 square km). Values in brackets are percentage run-off and are to be added together for each combination of the five catchment characteristics Burton<sup>18</sup> 1965).

Run-off producing characteristics				
Catchment characteristics	Extreme - 100	High - 75	Normal - 50	Low - 25
<b>Rainfall Intensity</b>	(30) 75-100 mm/hour	(25) 50-75 mm/hour	(15) 25-50 mm/hour	(5) < 25 mm/hour
<b>Relief</b>	(10) Steep rugged country with average slope above 20%	(5) Hilly with average slopes of 10%-20%	(0) Rolling with average slopes of 5%-10%	(0) Relatively flat land with average slopes of 0%-5%
<b>Surface retention stream and surface storage</b>	(10) Negligible; few surface depressions; water courses steep with thin film overland flow	(5+) Well-defined system of small water courses	(5) Considerable surface depressions; overland flow is significant; some farm ponds and swamps; some contour banks and furrows	(0) Poorly defined and meandering stream courses; large surface storage; water and soil conservation plan on 90% of the catchment
<b>Infiltration</b>	(25) No effective soil cover; either solid rock or thin mantle of negligible infiltration capacity	(20) Slow water infiltration; e.g. solodic soils when surface sealed or saturated	(10) Loam soils or well-structured clay soils; e.g. krasnozems	(5) Deep sands or well-aggregated soil, e.g. chernozems
<b>Cover</b>	(25) No effective plant cover	(20) Sheet-eroded native pasture; less than 10% of area under good native or improved pasture; clean cultivated crops	(10) About 50% of area with improved cover; not more than 50% cultivation; open woodlands	(5) About 90% of area with improved pasture; dry sclerophyll type forest

*Note:* Determine the cumulative value for each of the characteristics of the catchment in question by summing individual % run-off values. In this instance a run off of 20 % is thought to be too great, 10 % has been used instead in the water balance calculations.

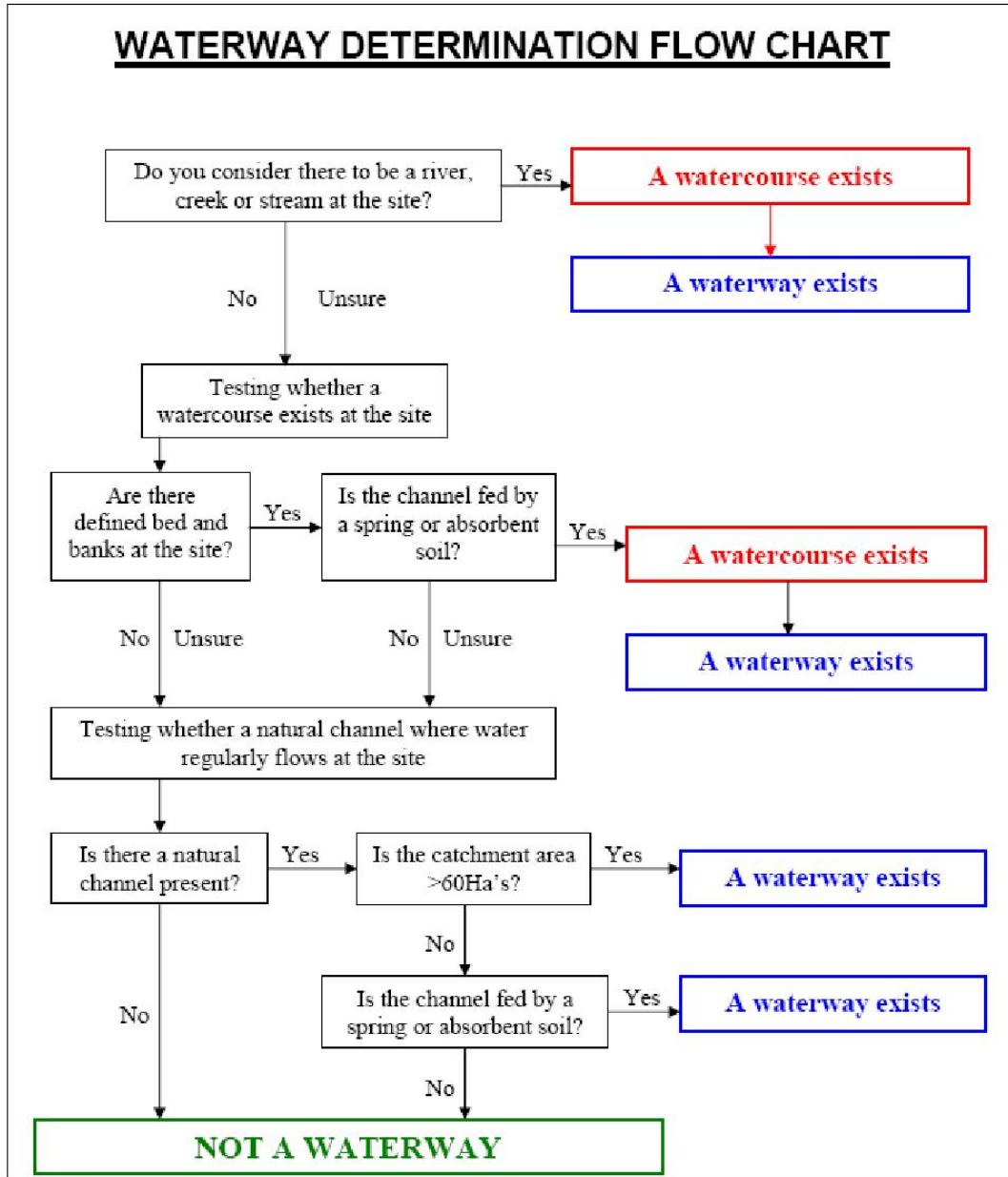
<sup>18</sup> Burton J.R (1965). "Water Storage on the Farm", Bulletin No.9, Water Research Foundation of Australia.

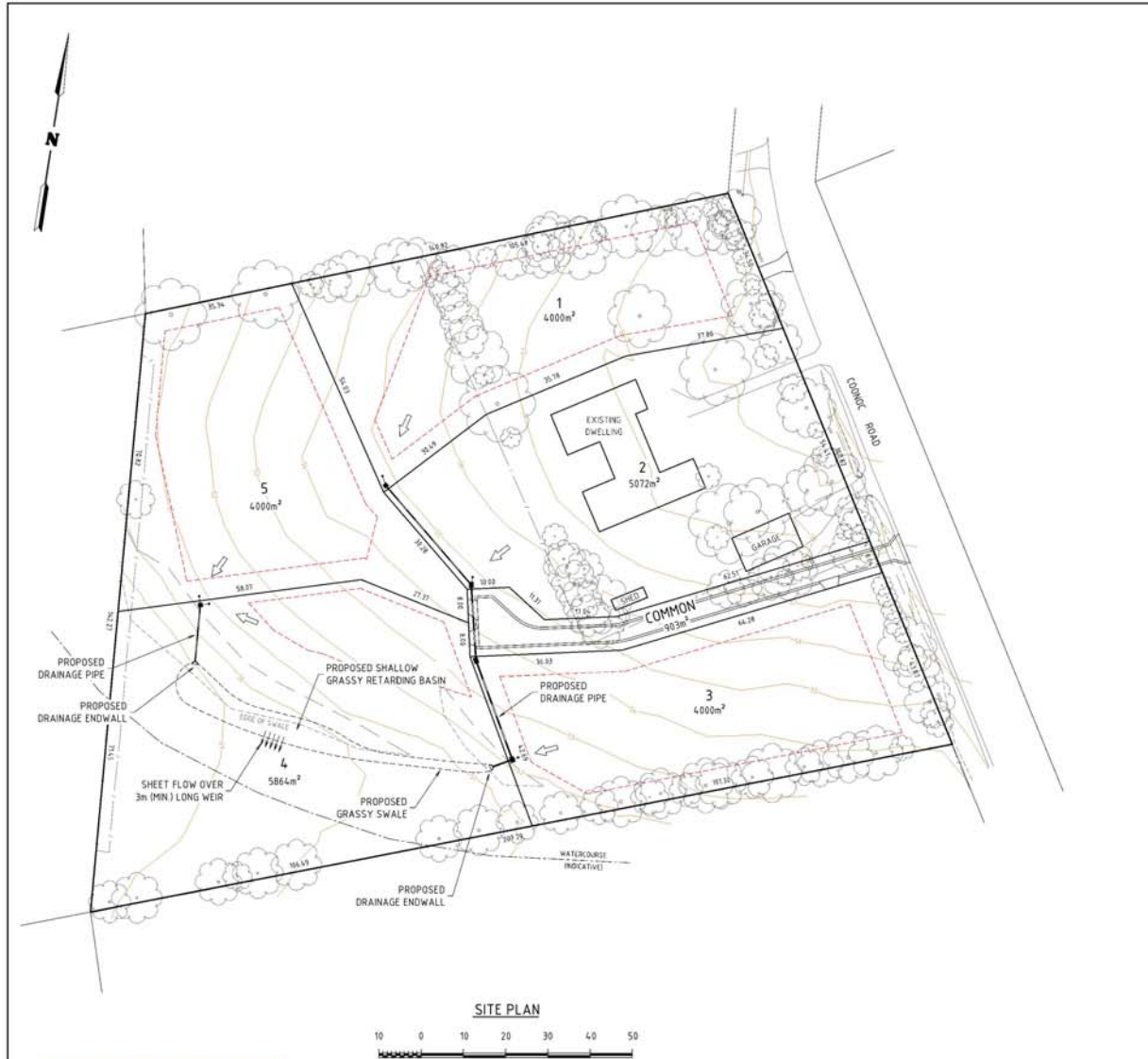
LCA – 85 Coonoc Road – Traralgon – Becker

## Appendix 10 Soil Laboratory Chemical Analysis

Sample ID		21308542
Sample Name		SITE 1
User ID		637
User Name		Glenn Marriott
Grower Name		AG CHALLENGE CONSULTING
Customer Name		AG CHALLENGE CONSULTING P/L
Paddock Name		BECKER TRARALGON
Sampling Date		27/11/2011
Sample Depth From		40
Sample Depth To		50
Crop		UNKNOWN
Test Code		2011-069
pH (1:5 Water)		6.1
pH (1:5 CaCl <sub>2</sub> )		4.9
Elect. Conductivity	dS/m	0.1
Phosphorus (Colwell)	mg/kg	<5
Phosphorus Buffer Index (PBI-Col)		228 *
Available Potassium	mg/kg	38
Calcium (Amm-acet.)	Meq/100g	2.1
Potassium (Amm-acet.)	Meq/100g	0.1
Magnesium (Amm-acet.)	Meq/100g	9.1
Sodium (Amm-acet.)	Meq/100g	1.5
Calcium/Magnesium Ratio		0.2
Aluminium (KCl)	Meq/100g	0.37
Cation Exch. Cap.	Meq/100g	13.2
Sodium % of Cations (ESP)	%	11
Aluminium Saturation	%	2.8
Disp. Index, Loveday/Pyle		16
Slaking 2Hrs		Partial
Aluminium (KCl)	mg/kg	33
Calcium (Amm-acet.)	%	16
Magnesium (Amm-acet.)	%	69
Potassium (Amm-acet.)	%	0.75
Potassium to Magnesium Ratio		0

**Appendix 11 Southern Rural Water Waterway determination flow chart**





**NOT FOR CONSTRUCTION**

**DRAINAGE STRATEGY**

**LOT CONNECTIONS TO DRAINAGE:**

- Lot 1 - Connection to proposed underground drainage at south-west corner of lot.
- Lot 2 - Connection to proposed underground drainage at south-west corner of lot.
- Lot 3 - Connection to proposed underground drainage at north-west corner of lot.
- Lot 4 - Connection to proposed underground drainage at south-west corner of lot.
- Lot 5 - Connection to proposed underground drainage at south-west corner of lot.
- Common Property - Connection to proposed underground drainage at south-west end of CP.

**PROPOSED DRAINAGE SYSTEM DESIGN:**

Drainage system to be designed to convey 5 year ARI storm flows from building envelopes and common property within the development.  
100 Year ARI storm flows in excess of the piped drainage system capacity will sheet flow across the development generally towards the south west corner of the development.

**STORMWATER TREATMENT:**

Stormwater will be treated to achieve the following objectives for environmental quality as set out in the Urban Stormwater Best Practice Environmental Guidelines (CSIRO) 1999 for:  
 (a) 80% retention of the typical annual load of suspended solids,  
 (b) 45% retention of the typical annual load of total phosphorous,  
 (c) 45% retention of the typical annual load of nitrogen; and  
 (d) 70% retention of the typical annual load of gross pollutants.

Treatment will be achieved by the combination of a grassy swale and shallow grassy retarding basin. Rainwater tanks (for lots 1, 3, 4 & 5) incorporating detention may also be considered in the treatment system. The exact length of swale and size of retarding basin and rainwater tanks will be determined following MUSIC modeling after detailed drainage design.

Maintenance of the open treatment system will generally involve normal lawn mowing practices. Batter slopes will be no steeper than 1 in 3 to ensure this is possible.  
A Section 173 agreement would be required for lot 4 to ensure general maintenance of the treatment system and to prevent any system modifications without prior consent of council.

A Section 173 agreement would be required for lots 1, 3, 4 & 5 if rainwater tanks are incorporated into the treatment or detention system.

**STORMWATER DETENTION/RETARDATION:**

Detention or retarding of stormwater flows will occur to limit site discharge to pre-developed levels for up to the 100 year ARI storm event. A single shallow grassy retarding basin (up to 0.5m deep) is proposed for the south west corner of the development (within Lot 4). Rainwater tanks with detention component may also be considered for this development (lots 1, 3, 4 & 5), though would not provide for all storage requirements.

Following pre-treatment, flows will be limited to the pre-development rate (for both the 5 year ARI and 100 year ARI storms) then be forced to discharge from the basin over a weir length of at least 3 metres into the "watercourse". Scour protection will be provided if necessary.

**DRAINAGE EASEMENTS:**

Drainage easements in favor of the subdivided lots would be created as necessary to protect the drainage infrastructure.

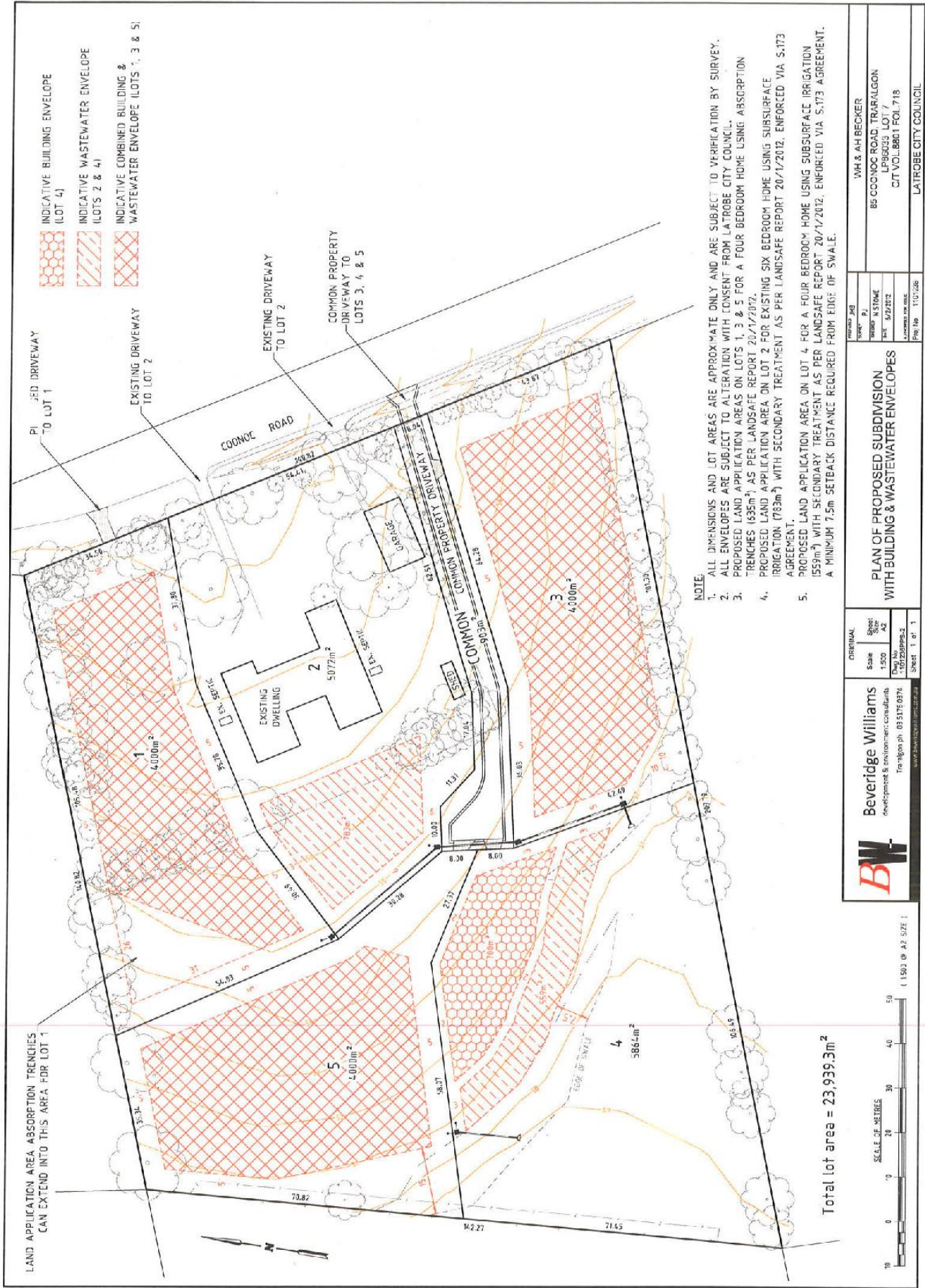
INDICATIVE BUILDING ENVELOPES

E				
D				
C				
B				
A	9-3-2012	P1 - PRELIMINARY ISSUE	JMB	
INDEX	DATE	REVISION	APPD.	

**BW BEVERIDGE WILLIAMS & Co**  
 DEVELOPMENT & ENVIRONMENT CONSULTANTS  
 Melbourne: 1 Glenferrie Road, Malvern 3144 Ph (03) 9524 8888  
 Sydney: 98 Macleay Street, Sydney 2000 Ph (02) 9237 2000  
 Brisbane: 15 Midburn Street, Brisbane 4004 Ph (07) 5579 0274  
 Perth: 124 Gallop Street, West Perth 6005 Ph (08) 9462 2000  
 Adelaide: 45 Macdonald Street, Adelaide 5000 Ph (08) 5447 3877  
 Perth: 418 Corporation Street, Perth 6000 Ph (08) 9447 2126

SURVEY	PJ	PS 7777	MUNICIPALITY:	LATROBE CITY COUNCIL
DESIGN	JMB	Validation Reference: [ ]	SCHEME:	PROPOSED 5 LOT LDRZ SUBDIVISION - 85 COONOC RD, TRARALGON
DRAWN	JMB	© COPYRIGHT BEVERIDGE WILLIAMS & CO. ALL RIGHTS RESERVED. NO PART OF THIS PUBLICATION MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE PRIOR WRITTEN PERMISSION OF BEVERIDGE WILLIAMS & CO.		STORMWATER MANAGEMENT PLAN
CHECKED	PI		PRINCIPAL:	WM & AH BECKER

Scale:	AS SHOWN @ A1 SIZE
Drawing No.:	1101236-D01
REV	P1
Sheet	1 of 1



**History of Application**

14 February 2012	Planning Permit application received by Council.
5 March 2012	Request for further information pursuant to 54(1) of the <i>Planning and Environment Act 1987</i> was sent to the applicant.
28 March 2012	Information was submitted by the applicant to respond to Council's further information request.
30 April 2012	Letter was sent to the applicant requesting that they advertise their application by sending letters to adjoining landowners and occupiers, as well as placing a sign on site for 14 days under Section 52(1)(a) and Section 52(1)(d) of the <i>Planning and Environment Act 1987</i> (the Act).
2 May 2012	Application was referred to authorities internally and externally in accordance with Sections 52 and 55 of the <i>Planning and Environment Act 1987</i>
9 – 18 May 2012	Two objections to the application (from adjoining owners / occupiers) received.
23 May 2012	Applicant submitted statutory declaration to Council confirming that advertising had been completed as requested.
31 May 2012	Objection received from the West Gippsland Catchment Management Authority (WGCMA), in accordance with Section 52 of the <i>Planning and Environment Act 1987</i>
26 June 2012	A written response to the objections was received from the applicant.
5 July 2012	Further to discussions between the applicant and WGCMA, a revised referral response was received from WGCMA, stating that WGCMA does not object to the proposed subdivision subject to conditions.
May to August 2012	Referral responses received from APA Group, Gippsland Water, SP-AusNet Electricity, Telstra, as well as Council's Health, Infrastructure Planning Departments. No objection from any of the authorities.
20 November 2012	Application was referred to the Environment Protection Authority (EPA) in accordance with 52 of the <i>Planning and Environment Act 1987</i> , as the subject site is partly affected by the Australia Paper Amenity Buffer.
21 November 2012	Request for additional information sent to the application. Further justifications requested from the applicant as to how the proposal is consistent with the draft Traralgon West Structure Plan
13 December 2012	Additional information received from the applicant
14 December 2012	Referral response received from EPA, stating that EPA does not support Council issuing a planning permit for the proposed subdivision.

## **Latrobe Planning Scheme**

### **State Planning Policy Framework:**

- Clause 11.05 Regional Development
- Clause 14.02-1 Catchment Planning and Management
- Clause 14.02-2 Water Quality
- Clause 19.03-2 Water Supply, Sewerage and Drainage
- Clause 19.03-3 Stormwater

### **Municipal Strategic Statement:**

- Clause 21.01 – Municipal Profile
- Clause 21.02 – Municipal Vision
- Clause 21.03-5 Water Quality and Quantity Overview
- Clause 21.04-3 Rural Living Overview
- Clause 21.5 – Main Towns

### **Zoning:**

The subject site is zoned Low Density Residential Zone

### **Overlays:**

The subject site is not affected by any overlays.

### **General Provisions:**

Before deciding on an application, the Responsible Authority must also consider the 'Decision Guidelines' of Clause 65 as appropriate.

### **Incorporated Documents:**

No incorporated documents are considered to be relevant to this application.

### **Relevant Strategic Planning Policies / Plans:**

It should be noted that the subject site is affected by the draft Traralgon West Structure Plan

pwr 17/7/12



CMA Application No: WG-F-2012-0215-LAT  
Document No: 2  
Council No: 2012/38  
SPEAR No.: S02063V  
Date: 5 July 2012

Jacklyn Hiriaki  
Planning Officer  
Latrobe City Council  
PO Box 264  
Morwell Vic 3840

Dear Jacklyn,

**Application Number (CMA Ref):** WG-F-2012-0215-LAT  
**Section:** 52  
**Property Street:** 85 Coonoc Road Traralgon, VIC 3844  
**Cadastral:** Lot 7, LP86033, Parish of Traralgon

I refer to your correspondence dated 29 June 2012, received at the West Gippsland Catchment Management Authority on 29 June 2012 in accordance with the provisions of Section 52 of the *Planning and Environment Act 1987*.

Below is the Authority's understanding of the application:

The applicant(s), W & A Becker  
Represented by Gwen Hickman, Beveridge Williams and Co Pty Ltd

Propose the following;

**Proposed Development Type:** Subdivision Only  
**Proposed Development Description:** Five lot subdivision 29/06/12 Further info provided by developer

on the abovementioned proposed development location.

The Authority's assessment indicates that the property is covered by the following Zones and Overlays in the Latrobe Planning Scheme:

**Zone(s):** LDRZ - Low Density Residential Zone  
**Overlay(s):** -



WG-F-2012-0215-LAT-02.docx

Pa 1 of 3

ABN 88 062 514 481

Correspondence PO Box 1374, Traralgon VIC 3844

Telephone 1300 094 262 • Facsimile (03) 5175 7899 • Email westgippy@wgoma.vic.gov.au • Website www.wgoma.vic.gov.au  
Traralgon Office 16 Holtham Street, Traralgon VIC 3844 • Leongatha Office Corner Young & Bair Streets, Leongatha VIC 3953



Mapping available to the Authority indicates that a designated waterway runs through the property with proposed Lots 3, 4 & 5 being affected.

The Authority has met with the developers' representatives to discuss the proposed management arrangements for stormwater drainage treatment and the waterway area in Lot 4.

In light of the above information, the Authority **does not object** to the granting of a permit, subject to the following conditions:

- Prior to Certifying the plan of subdivision, the owner shall enter into an Agreement with the Latrobe City Council made pursuant to Section 173 of the Planning and Environment Act 1987, and make application to the Registrar of Titles to have the Agreement registered on the title to the land under Section 181 of the Act, acknowledging that:
  - The management and maintenance of the stormwater drainage treatment system identified on Lot 4 must be managed and maintained by an Owners Corporation
  - The owner of any approved permit in the future should pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.
- Prior to Certifying the plan of subdivision, the owner shall enter into an Agreement with the Latrobe City Council made pursuant to Section 173 of the Planning and Environment Act 1987, and make application to the Registrar of Titles to have the Agreement registered on the title to the land under Section 181 of the Act, acknowledging that:
  - A Waterway Management Plan to the satisfaction of the WGCMA is developed for the proposed Lot 4 which addresses the following:
    - A plan showing the Waterway Management Area within Lot 4
    - A Landscape Plan showing the revegetation of the Waterway Management Area with an appropriate selection of indigenous vegetation in accordance with the Ecological Vegetation Class;
    - Ongoing maintenance plan of the revegetated area, including weed eradication.
    - Exclusion of grazing animals from the Waterway Management Area;
  - The owner of any approved permit in the future should pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.
- Completion of the revegetation works to the satisfaction of the WGCMA must be done prior to the issue of a statement of compliance in accordance with the Waterway Management Plan;

In accordance with Section 66 of the *Planning and Environment Act 1987*, please provide a copy of the outcome of this proposal to the Authority for our records.

Should you have any queries, please do not hesitate to contact me on 1300 094 262. To assist the CMA in handling any enquiries please quote **WG-F-2012-0215-LAT** in your correspondence with us.

Yours sincerely,



**Adam Dunn**  
Land Planning Manager

Cc: W & A Becker, -

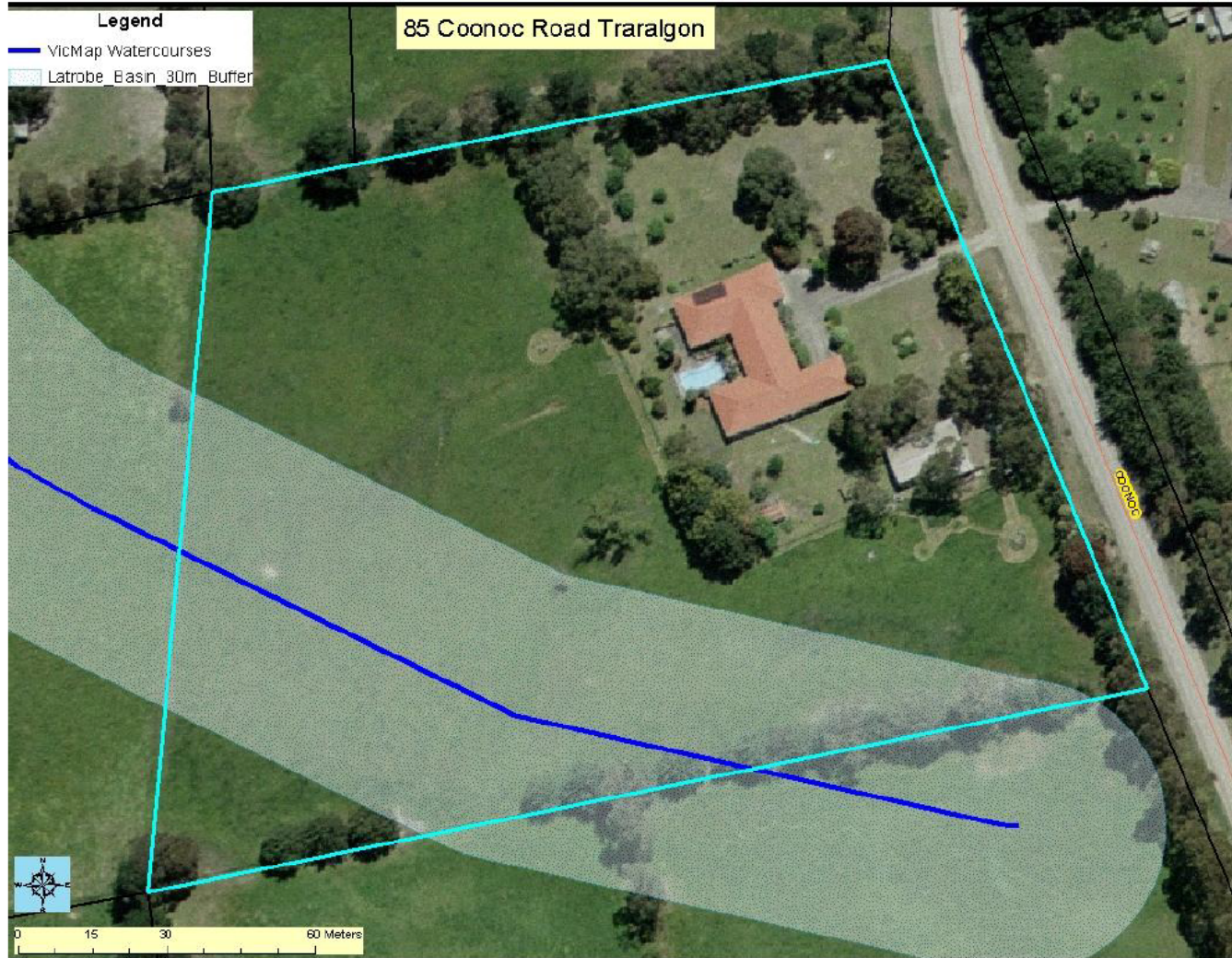
The information contained in this correspondence is subject to the disclaimers and definitions attached.

**Definitions and Disclaimers**

1. The area referred to in this letter as the 'proposed development location' is the land parcel(s) that, according to the Authority's assessment, most closely represent(s) the location identified by the applicant. The identification of the 'proposed development location' on the Authority's GIS has been done in good faith and in accordance with the information given to the Authority by the applicant(s) and/or LATROBE Shire Council.
2. While every endeavour has been made by the Authority to identify the proposed development location on its GIS using VicMap Parcel and Address data, the Authority accepts no responsibility for or makes no warranty with regard to the accuracy or naming of this proposed development location according to its official land title description.
3. **AEP** as Annual Exceedance Probability – is the likelihood of occurrence of a flood of given size or larger occurring in any one year. AEP is expressed as a percentage (%) risk and may be expressed as the reciprocal of ARI (Average Recurrence Interval).  
  
Please note that the 1% probability flood is not the probable maximum flood (PMF). There is always a possibility that a flood larger in height and extent than the 1% probability flood may occur in the future.
4. **AHD** as Australian Height Datum - is the adopted national height datum that generally relates to height above mean sea level. Elevation is in metres.
5. **ARI** as Average Recurrence Interval - is the likelihood of occurrence, expressed in terms of the long-term average number of years, between flood events as large as or larger than the design flood event. For example, floods with a discharge as large as or larger than the 100 year ARI flood will occur on average once every 100 years.
6. No warranty is made as to the accuracy or liability of any studies, estimates, calculations, opinions, conclusions, recommendations (which may change without notice) or other information contained in this letter and, to the maximum extent permitted by law, the Authority disclaims all liability and responsibility for any direct or indirect loss or damage which may be suffered by any recipient or other person through relying on anything contained in or omitted from this letter.
7. This letter has been prepared for the sole use by the party to whom it is addressed and no responsibility is accepted by the Authority with regard to any third party use of the whole or of any part of its contents. Neither the whole nor any part of this letter or any reference thereto may be included in any document, circular or statement without the Authority's written approval of the form and context in which it would appear.
8. The flood information provided represents the best estimates based on currently available information. This information is subject to change as new information becomes available and as further studies are carried out.



Figure 1: Showing 30m buffers either side of the designated waterway



Our Ref: 62229 - PL8388  
Your Ref: 2012/38

14 December 2012

Jacklyn Hiriaki  
Planning Officer  
Latrobe City Council  
PO Box 264  
MORWELL VIC 3840

Dear Jacklyn,

APPLICATION NO. 2012/38, 5 LOT SUBDIVISION, 85 COONOC ROAD,  
TRARALGON (SPEAR REF S020630V)

Thank you for your referral dated 20 November 2011 regarding the above  
planning permit application. EPA is not a statutory referral Authority under  
Section 55 of the Planning and Environment Act 1987, since this proposal:

- (a) does not require a licence or works approval or amendment to a licence  
or works approval;
- (b) is not proposed to be used for an industry or warehouse for a purpose  
listed in the table to Clause 52.10 shown with a Note 1 or for which the  
threshold distance is not to be met; and
- (c) is not a proposed extractive industry intended to be used at a later date  
for landfill.

However, EPA offers the following comments with regard to this proposal:

#### **Australian Paper Buffer**

The application relates to a property which is located approximately 4.1km  
from the Australian Paper Mill. When making land use decisions, council  
must give regard to EPA Publication AQ 2/86 *Recommended Buffer  
Distances for Industrial Residual Air Emissions*. This guideline specifies that  
a paper or paper pulp industry involving the combustion of sulphur or sulphur  
containing materials requires a 5km buffer. As the property relating to this  
application falls within this buffer area, it is likely to be affected by amenity  
reducing impacts.

The guideline does allow for the buffer distance to be modified under a  
detailed study for site specific and local conditions. GHD Pty Ltd, on behalf  
of Australian Paper, have assessed the odour emissions from the site and  
devised a revised site specific buffer currently known as the "Adjusted  
Amenity Buffer". However, part of the property relating to this application is  
still located within this adjusted amenity buffer.

To protect both residents and industry alike, EPA advises against further  
intensification of residential areas within the Australian Paper buffer zone.

#### **Wastewater Disposal**

EPA has reviewed the Land Capability Assessment (LCA) for the proposal.  
The LCA states that the site has low permeability subsoil and poorly drained  
subsoil. The report also mentions a swale and frequently saturated soil.



7 Church Street  
Traralgon  
Victoria 3844  
PO Box 1332  
Traralgon Victoria 3844  
T: 1300 EPA VIC  
F: 03 5174 7851  
DX 219292  
www.epa.vic.gov.au



2

EPA recommends Council consider obtaining an independent review of the LCA, as the report submitted with the application raises numerous factors which may impact on the site being able to sustainably treat and contain wastewater on within the boundary of the property. I remind you that Clause 32 of the *State Environment Protection Policy (Waters of Victoria)* requires that prior to approving a development; Council must ensure that the allotment is capable of treating and retaining all wastewater within the allotment boundary.

Due to the above areas of concern, EPA does not support Council issuing a planning permit for this application.

Please contact our Planning Assessment Officer, Karen Taylor on 1300 EPA VIC (1300 372 842) if you require further information or advice.

Yours Sincerely



GARRY KAY  
EPA GIPPSLAND



DRAFT EPA CODE OF PRACTICE — ONSITE WASTEWATER MANAGEMENT

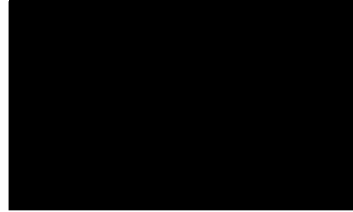
**Table 5: Setback distances for primary and secondary treated effluent disposal / irrigation areas<sup>1,2</sup>**

Landscape feature or structure	Land application setback distances (m)		
	Primary treated effluent	Secondary sewage & greywater effluent <sup>1,3</sup>	Advanced secondary greywater effluent <sup>3,4,5</sup>
<b>Building</b>			
Wastewater field up-slope of building <sup>7</sup>	6	3	3
Wastewater field down-slope of building	3	1.5	1.5
<b>Allotment boundary</b>			
Wastewater field up-slope of adjacent lot	6	3	1
Wastewater field down-slope of adjacent lot	3	1.5	0.5
<b>Services</b>			
Water supply pipe	3	1.5	1.5
Wastewater up-slope from potable supply channel	300	300	150
Wastewater field down-slope from potable supply channel	20	20	10
Gas	3	1.5	1.5
Underground water tank	15	7.5	3
Stormwater drain	6	3	2
In-ground swimming pool	6	3	2
Wastewater up-slope from cutting / escarpment	15	15	15
<b>Surface waters (up-slope from)</b>			
Dam, lake or reservoir (potable and for food production) <sup>8</sup>	300	300	300
Waterways (potable water supply) <sup>9</sup>	100	100	100
Dam, lake or reservoir (stock & non-potable) <sup>8</sup>	60	30	20
Waterways, wetlands, estuaries, ocean beach (continuous or ephemeral, non-potable, includes ocean at high-tide mark)	60	30	20
<b>Groundwater bore</b>			
Potable <sup>1,5</sup>	50	50	25
Non-potable	20	10	10
<b>Watertable</b>			
Vertical depth from base of trench to ground water table	1.2	1.2	1.2
Vertical depth from irrigation pipes to ground water table	NA	1.2	1.2

- 1 These distances act as a guide for the protection of environment and human health and must be measured horizontally from the defined boundary of the dispersal/irrigation area. Only the 'Watertable' category is measured vertically through the soil profile. For surface waters, the measuring point shall be the 'bank-full level'.
- 2 Primary water-based sewerage systems must only be installed in unsewered areas; secondary sewerage system must only be installed and managed in sewerred areas by water corporations; secondary greywater systems can be installed in sewerred and unsewered areas.
- 3 Advanced secondary treated greywater of 10/10/10 standard.
- 4 With the exception of potable groundwater bores, Special Water Supply Catchments and cutting/escarpments the setback distances for secondary treated effluent with a minimum of 20/30 and 20/30/10 standard can be reduced by up to 50 per cent of the primary treated effluent setback distances, where all the following conditions are met:
  - slopes are <5% or pressure-compensating sub-surface irrigation is installed along the contour. (Where the slope is >5% and there is a risk of land slippage, a reduction in setback distances may not be appropriate. A geotechnical assessment maybe needed to determine the risk of land-slippage, especially if the soil is likely to be saturated during winter); and
  - an ongoing maintenance and service contract with a service agent accredited by the manufacturer is in place to ensure the system is regularly serviced in accordance with the relevant EPA CA and Council Permit conditions.
- 5 The setback distance to a potable groundwater bore in clay soil can be reduced by up to 50% where treated and disinfected greywater (10/10/10 or 20/30/10 standard) is applied via pressure-compensating sub-surface or surface irrigation.
- 6 Effluent typically contains high levels of nutrients that may have a negative impact on native vegetation and promote the growth of weeds. When determining setbacks, Council should consider not only the potential impact of nutrients from the proposed onsite wastewater system, but the cumulative impact of the existing onsite wastewater systems in the area.
- 7 Setback distances help protect human health. Establishing an effluent dispersal/irrigation area upslope of a building may have implications for the structural integrity of the building. This issue is beyond this Code's scope and should be examined by a building professional on a site-by-site basis.
- 8 Does not apply to dams and reservoirs located above ground-level which cannot receive run-off.
- 9 Means a waterway within a Special Water Supply Catchment Area listed in Schedule 5 of the Catchment and Land Protection (CaLP) Act 1994 or waterway within a Special Area as created under Section 27 of the CaLP Act.

11/10/12  
10/5/12

**Brian and Lynda Pinches**



Latrobe City Council

PO Box 264

Morwell 3840

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**Re 2012/38 OBJECTION Letter**

To the Latrobe City Council,

We object to the subdivision being proposed for 85 Coonac Road Traralgon application reference 2012/38 for the following reasons.

1. We feel as per the sub division put in next to this one that there is no method of getting rid of the storm water from the roofs of five houses other than what is being done next door where the water is being piped to my fence and then being released via a culvert grate on to my property. So is this going to happen again with this storm water? This is because I am down hill of this position and per the subdivision next door the Latrobe City Council do not care about the effected land holders after the subdivision has been put in. Refer to correspondence and meeting notes with planning department.
2. The septic water will run off will come on to my property due to the poor level of soil and the low percolation test of the soil. This is due to my property being downhill of this proposed subdivision.

What guarantee do we have that if this subdivision is granted that the council will care what happens to the other land holder? From person experience I have found the council do not care once a permit is approved so we oppose this subdivision.

Yours

Brian and Lynda Pinches

<b>LATROBE CITY COUNCIL</b>	
<b>INFORMATION MANAGEMENT</b>	
RECEIVED	
09 MAY 2012	
R/O:	Doc No:
Comments/Copies Circulated to:	
<input type="checkbox"/> Copy registered in DataWorks	<input type="checkbox"/> Invoice forwarded to accounts

pw 22/5  
Jacklyn

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16<sup>th</sup> May 2012

To Whom It May Concern,

Re:- Reference No. 2012/38  
WH Becker and AH Becker

We oppose the subdivision, as we feel water catchment is at a bare minimum.

If the "developer" can build any supply efficient storm water and water catchment to suit beyond the environmental studies partaken, then we would have no objections.

Simply the excess water run off will go into our property and make it difficult for any development we may wish to do in the future. We have (in 1978) forsaken some of our land for road development (Regan Rd) and do not wish to forsake our land for "water catchment" at our expense, to benefit our neighbour.

Thank you for the opportunity but we object to this development as your environmental study is not sufficed.

Thank you

Gino Tripodi

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# CORRESPONDENCE

**10. CORRESPONDENCE**

Nil reports

# PRESENTATION OF PETITIONS

11. PRESENTATION OF PETITIONS

**11.1 PETITION TO IMPLEMENT THE MOE RAIL PRECINCT  
REVITALISATION PROJECT MASTER PLAN AND ACTIVELY  
SEEK FUNDING FROM BOTH STATE AND FEDERAL  
GOVERNMENTS TO ENSURE COMPLETION OF THE PROJECT.**

General Manager

Recreation, Culture &  
Community Infrastructure

For Decision

**PURPOSE**

The purpose of this report is to present Council with a petition received requesting the Moe Rail Precinct Revitalisation Project Master Plan be implemented immediately.

**DECLARATION OF INTEREST**

No officer declared an interest under the Local Government Act 1989 in the preparation of this report.

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2012-2016.

*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 surrounds and which provides for a connected and inclusive community.*

*Latrobe City Council Plan 2012 - 2016*

*Shaping Our Future*

*Gippsland's Regional City  
Strengthening our profile*

*An active connected and caring community  
Supporting all*

*Attract, retain, support  
Enhancing opportunity, learning and lifestyles*

*Strategic Direction – Built Environment*

- Integrate transit cities principles in the development of Moe, Morwell and Traralgon activity centres.*
- Develop high quality community facilities that encourage access and use by the community.*

## ORDINARY COUNCIL MEETING AGENDA 18 MARCH 2013 (CM402)

- *Ensure proposed developments enhance the liveability of Latrobe City, and provide for a more sustainable community.*
- *Promote and support high quality urban design within the built environment.*
- *Promote the integration of roads, cycling paths and footpaths with public transport options and public open space networks to facilitate passive recreation and enhance the liveability and connection of Latrobe City.*
- *Promote and support private and public sector investment in the development of key infrastructure within the municipality.*

### *Major Initiatives – Built Environment*

*Pursue government funding opportunities to progress construction of the Moe Rail Precinct Revitalisation Project in accordance with the Moe Activity Centre Plan.*

### *Strategy – Built Environment*

- *Moe Activity Centre Plan*
- *Moe Rail Precinct Revitalisation Project: Master Plan*

### *Key Strategic Actions*

*Pursue government funding opportunities to progress construction of the Moe Rail Precinct Revitalisation Project in accordance with the Moe Activity Centre Plan.*

## **BACKGROUND**

The petition (Attachment 1) was received on Friday 1 March 2013, and contains 180 signatures.

The petition seeks the Moe Rail Precinct Revitalisation Project Master Plan to be implemented immediately and that Council actively seeks funding from both state and federal governments to ensure the completion of the project in a timely manner.

## **ISSUES**

Latrobe City Council adopted the Moe Activity Centre Plan (MACP) in December 2007. The MACP contains seven individual projects that have been designed to drive the urban revitalisation of the Moe Activity Centre.

The seven projects are:

1. Moe Train Station Precinct
2. Integrated Bus Loop & Street Upgrades
3. Moore Street Shared Zone
4. Clifton Street Car Park
5. Hasthorpe Place Precinct
6. Roundabout Overpass
7. Southern Precinct Housing

**ORDINARY COUNCIL MEETING AGENDA  
18 MARCH 2013 (CM402)**

In order to undertake a whole of precinct approach to the future development of Moe, a number of the projects have been combined to create the Moe Rail Precinct Revitalisation Project (MRPRP). The projects combined include:

- Project 1 – Moe Train Station Precinct
- Project 2 – Integrated Bus Loop and Street Upgrades
- Project 3 – Moore Street Shared Zone, and,
- Project 6 – Roundabout Overpass

Latrobe City Council adopted the Moe Rail Precinct Revitalisation Project: Master Plan in December 2009. In May 2011, Council adopted the concept design of the Moe Rail Precinct Revitalisation Project and launched the design to the community and stakeholders in June 2011.

At the Ordinary Council Meeting on Monday, 17 December 2012, Council resolved:

*That the Moe Railway Revitalisation Project – Moe Activity Centre Plan (MRPRP – MACP) be brought back to Council for a full review and that no further works be commenced, external funding sought and/or Council funding allocated until such time as Council completes the review, with the exception of those projects already approved by Council and funded, namely the underground placement of powerlines, construction of public toilets and the clocktower.*

Subsequently, at the 17 December 2012 Ordinary Meeting Council also resolved:

1. *That Council endorses the following review process for the MRPRP-MACP project. That Council:*
  - *Identify realistic funding opportunities and amounts for each component of the design;*
  - *Reviews each component of the MRPRP-MACP project design not yet undertaken and/or funded with regard to availability of funding and previous council submissions;*
  - *Review all previously received written public submissions made to Council on the MACP and MRPRP, including petitions;*
  - *Review the project design with reference to the Department of Transport's current 'Guidelines for Land Use and Development', and any plans involving transport which may affect the Moe railway corridor that have developed since adoption of the MRPRP-MACP Masterplan in 2009, and any finalised reports commissioned by Council and the State Government about road and rail traffic in and around Moe;*

## ORDINARY COUNCIL MEETING AGENDA 18 MARCH 2013 (CM402)

- *Undertake meetings in February 2013 between Councillors and Council officers with the previous public submitters to the MRPRP-MACP, and MACP written submission processes to discuss their respective submission/s.*
- 2. *That a report be brought back to a future Council meeting no later than the second Council meeting in March, 2013.*

A report was presented to the Ordinary Council Meeting on Monday, 4 February 2013 to identify all previous submissions made to Council on the MACP and MRPRP; and present a suggested process for community members to engage with Council in relation to the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project review during February.

At this meeting, Council resolved:

1. *That Council notes a copy of all previous submissions to the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project, together with relevant petitions, has been provided to the Council for review.*
2. *That a Special Council Meeting is held for the purpose of hearing from previous submitters to the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project and whether their views about their original submission have since changed, on Wednesday, 20 February 2013 at 5.30 pm at the Moe Town Hall.*
3. *That Council invite written submissions from previous submitters to the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project to address whether their views about their original submission have since changed, to be received by Friday 1 March 2013 and included in the final review report for Council consideration at the Special Council Meeting to be held on Monday, 25 March 2013 at 5.30 pm at the Moe Town Hall.*
4. *That a Special Council Meeting is held for the purpose of considering the review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project, on Monday, 25 March 2013 at 5.30 pm at the Moe Town Hall.*

On Friday, 1 March 2013 Latrobe City Council received a petition from Ms Virginia Gratton. The petition contains 180 signatures and requests that the Moe Rail Precinct Revitalisation Project Master Plan be implemented immediately and that Council actively seeks funding from both state and federal governments to ensure the completion of the project in a timely manner.

**ORDINARY COUNCIL MEETING AGENDA  
18 MARCH 2013 (CM402)****FINANCIAL, RISK AND RESOURCES IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management Plan 2011-2014.

There are no financial or resource implications arising from this report at this point in time.

**INTERNAL/EXTERNAL CONSULTATION**

*Engagement Method Used:*

There has been no specific community engagement undertaken in the preparation of this report.

**OPTIONS**

Council has the following options in relation to the petition;

1. Lay the petition on the table until a future Council Meeting; or
2. Deal with the petition at this Ordinary Council Meeting.

**CONCLUSION**

It is usual practice for petitions to lay on the table as per Clause 63 of Council's Local Law No.1.

It is recommended that the petition lay on the table until the 25 March 2013 Special Council Meeting, as Council has resolved to hold this Special Council Meeting for the purpose of considering the review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

**Attachments**

1. Petition

**RECOMMENDATION**

- 1 That Council lays the petition "requesting the Moe Rail Precinct Revitalisation Project Master Plan be implemented immediately and that Council actively seeks funding from both state and federal governments to ensure the completion of the project in a timely manner", on the table until the Special Council Meeting to be held on Monday, 25 March 2013.**
- 2 That the head petitioner be advised of Council's decision in relation to the petition "requesting the Moe Rail Precinct Revitalisation Project Master Plan be implemented immediately and that Council actively seeks funding from both state and federal governments to ensure the completion of the project in a timely manner".**



## **11.1**

**Petition to implement the Moe Rail Precinct  
Revitalisation Project Master Plan and actively seek  
funding from both State and Federal Governments to  
ensure completion of the project.**

<b>1</b>	<b>Petition .....</b>	<b>153</b>
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1<sup>st</sup> March, 2013  
Latrobe City Council

LATROBE CITY COUNCIL INFORMATION MANAGEMENT	
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**RE: MOE RAILWAY PRECINCT REVITALISATION PROJECT MASTER PLAN**

Dear Sir/Ms,

As a young person who resides in Moe, I demand that the Moe Railway Precinct Revitalisation Project Master Plan be implemented immediately as per the resolution of Council on the 7<sup>th</sup> December 2009 and that Council actively seek funding from both State and Federal Governments to ensure the completion of the project in a timely manner.

In the past two weeks I have spoken to many young people about the designs (180 signatures attached as of today) who are very excited by the town project. It has given them a hope and a positive focus for the future of Moe.

Moe is a central point for many surrounding townships (e.g. Yallourn North, Westbury, Trafalgar, Tanjil South, Willow Grove, Hillend, Thorpdale etc.) and as such needs to have an appealing and functional CBD hub.

A new library with up to date facilities and technology, a civic plaza, a youth precinct which incorporates a new skate park and various landscaped areas including picnic and barbeque areas are fantastic ideas. This project will give the youth something to look forward to.

Yours faithfully,



Virginia Gratton

### To the Mayor and Councillors of Latrobe City Council

We, the youth of Latrobe Valley demand the Moe Railway Precinct Revitalisation Project Master Plan be implemented immediately as per the resolution of Council on the 7<sup>th</sup> December 2009 and that Council actively seek funding from both State and Federal Governments to ensure the completion of the project in a timely manner.

**Age range: 12 – 30 Years of age**

NAME	ADDRESS	SIGNATURE	AGE
Amelia Cotajar	35 York street, Moe	[Handwritten Signature]	25
Danielle Sommers	48 Boodarra ave Moe	[Handwritten Signature]	24



**To the Mayor and Councillors of Latrobe City Council**

We, the youth of Latrobe Valley demand the Moe Railway Precinct Revitalisation Project Master Plan be implemented immediately as per the resolution of Council on the 7<sup>th</sup> December 2009 and that Council actively seek funding from both State and Federal Governments to ensure the completion of the project in a timely manner.

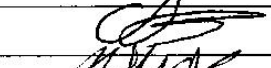
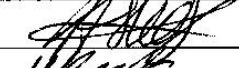


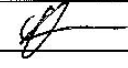
**Age range: 12 – 30 Years of age**

NAME	ADDRESS	SIGNATURE	AGE
VIRGINIA GRATTON	10 KINGSFORD ST, MOE		20
Jenna Richards	3109 main road, Hillend		26
MARK SLATE	3109 MAIN ROAD HILLEN		23
CHRIS SLATE	3109 MAIN ROAD HILLEN		25
CELESTE RICHARDS	77 Lilley's Rd Naracan		27
LUKE RICHARDS	748 MAIN RD TANJIL STH		28

**To the Mayor and Councillors of Latrobe City Council**

We, the youth of Latrobe Valley demand the Moe Railway Precinct Revitalisation Project Master Plan be implemented immediately as per the resolution of Council on the 7<sup>th</sup> December 2009 and that Council actively seek funding from both State and Federal Governments to ensure the completion of the project in a timely manner.

**Age range: 12 - 30 Years of age**

NAME	ADDRESS	SIGNATURE	AGE
Courtney	3137 Murray RD.		23
Nicole	3/10 Vasey St		23
Michael	3/10 Vasey St		24
Nich	87 Service Rd		20
Danielle	77 Margaret St		23

### To the Mayor and Councillors of Latrobe City Council

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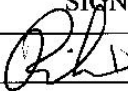
**Age range: 12 – 30 Years of age**

NAME	ADDRESS	SIGNATURE	AGE
Joel Celina	6 Wirraway St Moe		24
Riley McArae	Lot 2 english St Maxwell		14
<del>Kia Day</del>	<del>Bennett St Moe</del>	<del></del>	<del>19</del>
Rowan Day	Bennett St Moe		13
Darcy Zwagerman	Coalville road Moe		17
Corey Edwards	119 moe south rd		19
Megan Bur	Moe		14
Elise Tulloch	Moe south		12
Carly Tulloch	moe south		14
Nathaniel Boonstra	Moe		20

### To the Mayor and Councillors of Latrobe City Council

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**Age range: 12 – 30 Years of age**

NAME	ADDRESS	SIGNATURE	AGE
BRENDAN LINDHS	21 CUMBERS STREET		23



### To the Mayor and Councillors of Latrobe City Council

We, the youth of Latrobe Valley demand the Moe Railway Precinct Revitalisation Project Master Plan be implemented immediately as per the resolution of Council on the 7<sup>th</sup> December 2009 and that Council actively seek funding from both State and Federal Governments to ensure the completion of the project in a timely manner.

Age range: 12 - 30 Years of age

NAME	ADDRESS	SIGNATURE	AGE
Joseph Young	Moe	J. Young	15
Megan Wynjies	Moe	M. Wynjies	21
Rebecca Fortuin	Morwell	R. Fortuin	21
Katrina Rixon	24 Hawkey St Moe	K. Rixon	18
Jessica Street	" "	J. Street	16
Josh Rixon	" "	Josh Rixon	24
Blendon Street	" "	B. Street	18
Allian Fitzpatrick	37 Wirranu Dr Moe	Allian Fitzpatrick	16
Kelsey Hayes	12 Samantha Av Moe	K. Hayes	17
Liam O'Hea	270 Moe South Rd Moe	Liam O'Hea	16
Tyler Morrow	183 Moe South rd Moe	Tyler Morrow	15
Justin Morrow	183 Moe South Rd Moe	J. Morrow	13
Sophie McIntosh	40 Rosato's Rd Moe Sth	S. McIntosh	15
ROBERT BLUNT	P.O. BOX 318, NEWBOROUGH	R. Blunt	17
PHILIP BLUNT	P.O. BOX 318, NEWBOROUGH	Philip Blunt	17
Jodi Marriott	Moe	J. Marriott	17
Eliza Buggea	Moe	E. Buggea	16
Courtney Griffiths	Moe	C. Griffiths	16
Kelly Marriott	Moe	K. Marriott	15
Emily Macdonald	Moe	E. Macdonald	12
Zoe Perkins	Moe	Z. Perkins	12
Emma Wilkinson	Moe	emma	12
Jessica-Lee Stacey	Traralgon	Jessica-Lee Stacey	17
Adam Bok	Moe	A. Bok	19
Andrew Irvine	1/7 646 St Moe	A. Irvine	20
Salomon Tuff	Moe	S. Tuff	20
Jake Lazzardo	Moe	J. Lazzardo	20
Adam Lazzardo	1/22 Harsey St	A. Lazzardo	20
Jamie Fisher	Moe	J. Fisher	21
EMILY BURRIDGE	Moe	E. Burrige	12
Sarah Orton	Moe	S. Orton	13
Rachel Huzley	Moe	R. Huzley	14

### To the Mayor and Councillors of Latrobe City Council

We, the youth of Latrobe Valley demand the Moe Railway Precinct Revitalisation Project Master Plan be implemented immediately as per the resolution of Council on the 7<sup>th</sup> December 2009 and that Council actively seek funding from both State and Federal Governments to ensure the completion of the project in a timely manner.

Age range: 12 - 30 Years of age

NAME	ADDRESS	SIGNATURE	AGE
Brady Hams	696-moe-willowgrove rd. Tansil South		18
Mitchell Jennings	1 Ashdowns rd Sunjil sth		18
Alex Pearman	1170 Moe - Willow Grove Rd		18
Patrick Mucillo	653 Moe - Willow Grove Rd		17
Robert Fiddelaers	1427 Willow Grove Rd		21
RYAN Broberg	37 high street		18
Nathan Perkins	232 old site rd Newborough.		18
Blake Penfold	292 Needhams RD W/G	B. Penfold	15
Lafa VanCooten	19 Para av		13
Shelby Bialon	10 ross Ave		17
Jack Eaton	41 Fowler st Moe		16
chloe Pollard-Elliott	8 Kingsford St Moe		15
Alfranz Abuan	Beatha Road		13
Ethan M	Keith Ave Moe		15
Austin M	Keith Ave	Austin	12
Ayen Riak	15 Austin ave	Ayen	14
Abiar Maluk	26 Hawker street	Abiar	14
Adier Maluk	20 Hawker street	Adier	12
Raim Turner	16 Kingsford St Moe		20
Scott Roberts	31 Monash Rd Newborough		21
Simon Dickinson	21 Taylor Crescent		23
Katelyn Waller	Waralga		17
Richard	46 Hawker street Tonganah	Richard Grotton	17
Zoe Treloar	Hazelwood North		17 1/2
Billy Treloar	Hazelwood North		14 1/2
Sasha L	53 Robert St		15 3/4
Emma Gill	15 lae cart	Emma	16
Bronte Gill	15 lae cart	Bronte	13
Leticia D	172 Marylake Rd		14
ANTHONY B	14 HAWKER STREET MOE		26
Darrah R	"		21
Nartika Street	24 Hawker St		21

**To the Mayor and Councillors of Latrobe City Council**

We, the youth of Latrobe Valley demand the Moe Railway Precinct Revitalisation Project Master Plan be implemented immediately as per the resolution of Council on the 7<sup>th</sup> December 2009 and that Council actively seek funding from both State and Federal Governments to ensure the completion of the project in a timely manner.

**Age range: 12 - 30 Years of age**

NAME	ADDRESS	SIGNATURE	AGE
Dylon Waterhouse	145 Arvis Road Tanjic		22
Stacey Cutajar	40 Bennett st Moe		23.
Casie Waterhouse	MS Durvis Road Tanji		17
Brittany Rees	9 Libra cres moe		17
Amy Schwartz	39 Wirrana Drive		21
MCLAIN POWRIE	42 LINCOLN ST MOE		29.
Claire Anderson-Woolley	13 Bealiba rd Moe		23
<del>Barbara Kove</del>	<del>40 Bennett St Moe</del>	<del></del>	<del>13/14</del>
Emily Amaira	3 Sherwood ct Moe		19.
Chantelle T.	moe		19.
Jan Wilk	Moe.		25.
Leosci Bright	Fvelyn St Moe		29
Luke Mackay	5 Catani Court moe		23
Danielle Burton	6 Baw Baw Street moe		17
Phonka Burk	6 Baw Baw Street		20
Courtney Broadbent	2 Wooreen St Newb		17
Madeline Ware.	27 Burnside St MOE.		17.
Jayde Haber	11 Mardon St Newborough		17
Paul Davis	11 Hestharpe Tanjic South		18
Paul Peetley	4 Bayley Street		20
<del>BOB BARKINER</del>	<del>157 WIT RD YARRA VALLEY</del>	<del></del>	<del>17</del>
<del>Will Hill</del>	<del>67 Southwell Ave Newborough</del>	<del></del>	<del>16</del>
elisa PETERS	16 copperhead court Newb		21
Tyler Mander	16 copperhead court		24
Deb H-B	PO box 395 Moe.		over 40.
Jackson Long	" " " "		53.
Sophie Hamilton	PO box 395 moe		
Taylor Kemp	42 Southwell Ave		17
<del>Doc Rowlings</del>	<del>2A Phillip St Mo.</del>	<del></del>	<del>60</del>
<del>PAUL DAVIS</del>	<del>150 BERTRAM RD WA.</del>	<del></del>	<del>57</del>

### To the Mayor and Councillors of Latrobe City Council

We, the youth of Latrobe Valley demand the Moe Railway Precinct Revitalisation Project Master Plan be implemented immediately as per the resolution of Council on the 7<sup>th</sup> December 2009 and that Council actively seek funding from both State and Federal Governments to ensure the completion of the project in a timely manner.

Age range: 12 – 30 Years of age

NAME	ADDRESS	SIGNATURE	AGE
Annabella	moe	Annabella	12
Chloe	Traralgon	<del>Chloe</del>	15
Jordan	Traralgon	Jordan Ryle	13
Maleah	Traralgon south	Maleah	13
Gemma	Moe	Gemma	13
Shae	Moe	Shae	18
Brylee	Moe	Brylee	22
Nicole	VALOURN NORTH	Nicole	19
Lisa	Newborough	Lisa	28
Hannah	Newborough	Hannah	13
Sarah	Traralgon	Sarah	21
Amee	Traralgon	Amee	20
Sarah	Traralgon	Sarah	20
Amanda Campbell	Traralgon.	Amanda Campbell	24
Thomas Young	Trafalgar East	Thomas Young	18
Chris Gratton	Moe KINGSTON ST	Chris Gratton	19
Latara Selmes	VALOURN NORTH.	Latara Selmes	15
Tom. Newman	Hernes oak	T. Newman	16
Bradley Morgan	Moe	Bradley Morgan	16
Elizabeth Hayes	Moe	E Hayes	30
Wendy Morgan	Moe	Wendy Morgan	18
Cheryl Hayes	Moe	Cheryl Hayes	14
Katrina Mobbarr	Moe	Katrina Mobbarr	30
Chantelle Marrone	Moe	Chantelle Marrone	13
Emily Koppen	Newborough	Emily Koppen	17
Sophie Koppen	Newborough	Sophie Koppen	14
DANIEL FARMER	Moe	Daniel Farmer	24
Rebecca Veerstra	Moe	Rebecca Veerstra	20
Candice Gratton	Traralgon	Candice Gratton	21
Rachel Gratton	Traralgon	R. Gratton	22
Philip Jamieson	1/30 collins st Traralgon	Philip Jamieson	24
Tim Kingman	38 Hovington Rd Morwell	Tim Kingman	23

To the Mayor and Councillors of Latrobe City Council

We, the youth of Latrobe Valley demand the Moe Railway Precinct Revitalisation Project Master Plan be implemented immediately as per the resolution of Council on the 7<sup>th</sup> December 2009 and that Council actively seek funding from both State and Federal Governments to ensure the completion of the project in a timely manner.

Age range: 12 – 30 Years of age

NAME	ADDRESS	SIGNATURE	AGE
Alice Henry	William St, Newborough	Alice Henry	28
Penny Mead	Weirs Rd, Newborough	Penny Mead	24
Cherkeria Austin	41 Staff St, MOE	Cherkeria Austin	19
Richard Nelson	11	Richard Nelson	20
Jade Francis	26 Rolland St Sale	Jade Francis	21
Natasha Farrugia	35 Coorinaton St Sale	Natasha Farrugia	15
Jasmine	10 Low Road	Jasmine	30
Jake Atkinson	8 Lucinda St MOE	Jake Atkinson	21
Blake Atkinson	8 Lincoln	Blake Atkinson	20
Michael Atkinson	8 Lincoln St MOE	M Atkinson	19
Tarquin Harvey	31 Monash Newborough	Tarquin Harvey	19
Ricky	56 Langford Street moe	Ricky	20
Michael Page	20 High St MOE	Michael Page	21
Deanna Kennedy	5 Hinkler St Moe	Deanna Kennedy	17
Tyson	9 Keble St moe	Tyson	22
Kylie Jerning	46 Vale Street Moe	Kylie Jerning	29
Jacqui	14 Beck St Moe	Jacqui	26
Andrew	14 Beck St Moe	Andrew	25
Shae Gould	40 Vale St Moe	Shae Gould	20
Matt Hardy	42 Tresswell Avenue Newb	Matt Hardy	22
Cambell Staff	6B vale street moe	Cambell Staff	15
Tracy Anghis	Talk	Tracy Anghis	18
Matt Pearce	55 Parkside Drive Moe	Matt Pearce	19
Kaitlan Thomas	moe	Kaitlan Thomas	14
Reuben Lawrence	moe	Reuben Lawrence	18
Mersina Gelagotis	Parkside Drive Moe	M. Gelagotis	14
Jessica O'Toole	Cemetery Road Moe	Jessica O'Toole	17
Molly Egan	Low Street Newb	Molly Egan	14
Veronica Abuan	Bealiba Kd. Moe	Veronica Abuan	15
Gabrielle Powell	Tresswell Ave Newb	Gabrielle Powell	14
Elle-May Shields	Relford St Newb	Elle-May Shields	20
Kyle Atard	coalville road moe	Kyle Atard	15

# CHIEF EXECUTIVE OFFICER

**12. CHIEF EXECUTIVE OFFICER**

Nil reports

# ECONOMIC SUSTAINABILITY



**13. ECONOMIC SUSTAINABILITY**

Nil reports

# RECREATION CULTURE AND COMMUNITY INFRASTRUCTURE

14. RECREATION CULTURE AND COMMUNITY INFRASTRUCTURE

**14.1 REALLOCATION OF CAPITAL WORKS FUNDING FOR WARREN  
TERRACE RESERVE HAZELWOOD NORTH**

General Manager

Recreation, Culture &  
Community Infrastructure

For Decision

**PURPOSE**

The purpose of this report is to request that Council reallocate capital works funding allocated for construction of a basic oval at Warren Terrace Reserve Hazelwood North to the development of a master plan.

**DECLARATION OF INTEREST**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2012-2016.

**Latrobe 2026: The Community Vision for Latrobe Valley**

*Strategic Objectives - Recreation*

*In 2026, Latrobe Valley encourages a healthy and vibrant lifestyle, with diversity in passive and active recreational opportunities and facilities that connect people with their community.*

*Strategic Objectives – Built Natural Environment*

*In 2026, Latrobe Valley benefits from a well-planned built environment that is complimentary to its surroundings, and which provides for a connected and inclusive community.*

**Latrobe City Council Plan 2012 - 2016**

**Shaping Our Future**

An active connected and caring community  
*Supporting all*

Attract, retain, support  
*Enhancing opportunity, learning and lifestyles*

*Strategic Direction – Recreation*

*Assess and evaluate recreational trends and opportunities to address community aspirations for passive and active recreational activities.*

*Align open space requirements of the community with useable public open space.*

*Promote and maximise the utilisation of recreational, aquatic and leisure facilities and services to ensure they meet the needs of the community.*

*Provide a diverse and accessible recreational, leisure and sporting facilities that are financially sustainable.*

*Develop and maintain high quality recreational, leisure and sporting facilities in accordance with community aspirations.*

*Support and develop partnerships and collaboration with user groups, friends of and committees of management for recreational, aquatic, public open spaces, park and gardens.*

*Strategic Direction – Built Natural Environment*

*Develop high quality community facilities that encourage access and use by the community.*

*Promote and support high quality urban design within the built environment.*

*Ensure proposed developments enhance the liveability of Latrobe City and provide for a more sustainable community.*

*Ensure proposed development and open space areas are complementary to their surrounds.*

*Service Provision – Built Natural Environment*

*Provide Recreation and Open Space planning advice for Latrobe City*

*Major Initiatives - Recreation*

*Finalise review of the Latrobe City Public Open Space Strategy to ensure accessible, connected and varied open space experience continue to be provided for our community.*

*Strategy – Recreation*

*Southern Towns Outdoor Recreation Plan*

**BACKGROUND**

The Southern Towns Outdoor Recreation Plan 2009 identified two options for the provision of recreation facilities for the Hazelwood North community.

1. Develop the existing council owned reserve in Warren Terrace.
2. Develop a reserve adjacent to the Primary School in Church Road.

**ORDINARY COUNCIL MEETING AGENDA  
18 MARCH 2013 (CM402)**

Community consultation on the Southern Towns Outdoor Recreation Plan generated significant interest and a large number of community submissions. Council resolved at its Ordinary Meeting of 15 June 2009 the following:

*That Council undertakes further investigation into the Church Road option to service the Hazelwood North community's recreation needs.*

Consultants completed the investigation into the feasibility of developing facilities adjacent to the primary school in Church Road. Development of this site, as identified in the Southern Towns Outdoor Recreation Plan, would require the diversion of Waterhole Creek to provide adequate space for the provision of a full sized sports oval.

Since Council's consideration of this matter in 2009, a number of enquiries had been received regarding the development of facilities in Church Road and the future of the Warren Terrace site. A petition was received by Council on 23 February 2010 containing 27 signatures from local landowners (attachment 3), opposing the alteration of Waterhole Creek at Hazelwood North to create a recreation reserve.

The petition was considered at the 22 March 2010 Council Ordinary Meeting where it was resolved;

- 1. That Council agrees to lay the petition opposing the alteration of Waterhole Creek to develop recreation facilities in Hazelwood North, on the table until the Ordinary Council Meeting to be held on 3 May 2010.*
- 2. That the head petitioner be advised of Council's decision in relation to the petition opposing the alteration of Waterhole Creek to develop recreation facilities in Hazelwood North.*
- 3. That the petition be considered in conjunction with the outcomes of the investigation into the development of recreation facilities in Church Road, Hazelwood North.*

A consultancy team with expertise in recreation planning, sports field development and hydrology were engaged to investigate the feasibility of developing a full sized sports oval adjacent to the school in Church Road Hazelwood North.

**ORDINARY COUNCIL MEETING AGENDA  
18 MARCH 2013 (CM402)**

This investigation included;

- Surveying of the Church Road site;
- Onsite inspections;
- Discussions with the West Gippsland Catchment Management Authority (WGCMA);
- Key literature review in particular the Southern Towns Outdoor Recreation Plan 2009 and community submissions received;
- Hydrological assessment of Waterhole Creek including flood levels; and
- Discussions with the current owner of the Church Road site.

The Hazelwood North Sports Facility – Due Diligence report compiled by the consultants (attachment 1) identifies the works required and provides cost estimates on the acquisition of land, diversion of Waterhole Creek, oval establishment and the additional facilities required at the site to supports its use as a recreation reserve.

A concept plan based on the site survey information that shows the positioning of an oval and the required diversion of Waterhole Creek has also been prepared. The report indicates acquisition of land, creek diversion and oval construction at the Church Road site is estimated to cost approximately \$908,000.

The report also provides a comparison of the likely development costs of both the Warren Terrace and Church Road sites. This comparison indicates that the initial development cost of the Church Road site is significantly higher than the Warren Terrace site, primarily due to site acquisition and creek diversion costs.

As the Hazelwood North community is based within a rural living residential area, the recreation and open space required differs from the town based communities. The area is characterised with large allotments therefore, the need for small areas of public open space is reduced. Larger areas of open space are still required for active recreation facilities for community based sports teams. These reserves are intended to provide for the immediate community and therefore are considered local level facilities.

For a community such as Hazelwood North a local level oval with basic change and toilet facilities, with room for further development in the future, would more than adequately provide for the recreation needs of the community.

An allocation of \$20,000 was made in the 2009/10 Latrobe City budget towards the development of a basic oval at the Warren Terrace site. This project was not progressed during 2009/2010 as the investigation into the development of the Church Road site was still pending.

## ORDINARY COUNCIL MEETING AGENDA 18 MARCH 2013 (CM402)

At the Ordinary Council Meeting held on 3 May 2010, Council resolved the following:

1. *That Latrobe City Council supports the development of future recreation facilities at Warren Terrace, Hazelwood North.*
2. *That a community advisory committee be established to assist Latrobe City Council in the development of the Warren Terrace site as an active recreation reserve.*
3. *That the 2009/10 Council budget allocation of \$20,000 be applied to the construction of a basic oval at Warren Terrace to enable use of the site as an active recreation reserve to commence as soon as possible.*
4. *That the head petitioner be advised of Council's decision in relation to the petition opposing the alteration of Waterhole Creek to develop recreation facilities in Hazelwood North.*

### **ISSUES**

To progress the development of the Warren Terrace Reserve, the following terms of reference (Attachment 2 ) were developed for the Warren Terrace Hazelwood North Reserve Advisory Committee:

The objectives of the advisory committee were:

- To share information with other users and Latrobe City regarding the future development of the Warren Terrace Reserve Hazelwood North.
- To provide advice, information and feedback in relation to Warren Terrace Reserve Hazelwood North operational and maintenance issues.
- To provide advice, information and feedback in relation to the use of the Warren Terrace Reserve Hazelwood North for recreational purposes.
- To provide advice, information and feedback to Latrobe City in relation to the Warren Terrace Reserve Hazelwood North.

The terms of reference provides for a composition of the Committee. The Latrobe City Warren Terrace Hazelwood North Advisory Committee can comprise of membership from the following community organisations:

- Ward Councillors;
- A representative of the Hazelwood North Cricket Club;
- A representative of the Hazelwood North Tennis Club;
- A representative of the Hazelwood North Primary School;
- A representative of the Hazelwood North Country Fire Authority;
- A representative of the Hazelwood North Hall Committee;
- Up to three (3) members of the community.

**ORDINARY COUNCIL MEETING AGENDA  
18 MARCH 2013 (CM402)**

On 4 May 2010, correspondence was sent to above organisations inviting them to nominate a representative for the Warren Terrace Reserve Advisory Committee. A notice was also placed in the Latrobe City Council Noticeboard, inviting interested community members to nominate in writing their intention to be considered for membership of the Warren Terrace Reserve Advisory Committee.

Latrobe City Council received the following nominations:

- Harold Jones – Hazelwood North Hall Committee
- Ken Rae – Community member
- Gary Honeychurch – Community member
- Don George – Hazelwood North Rural Fire Brigade
- John Daddo – Hazelwood North Cricket Club

The inaugural meeting of the Warren Terrace Reserve Advisory Committee occurred on 10 November 2010. Subsequent advisory committee meetings were held in December 2010, February, March, and May 2011 to discuss the development of the reserve, and in particular the construction of the oval and a suitable entrance to the reserve.

In March 2011, after discussion with the Warren Terrace Reserve Advisory Committee, Latrobe City Council invited Vin Key to join the committee as a community member.

The advisory committee focused on the design and construction of the oval and the needs of the Hazelwood North Cricket Club, so the design focused on an oval suitable for cricket. The advisory committee were advised that with a budget of \$20,000 the construction of a proper oval was not possible, and the outcome would be a removal of the vegetation and the scratching out of a basic oval shape at the reserve.

The site proposed a number of challenges. The reserve is approximately 8 hectares, has a narrow frontage of approximately 110 metres, and then flares outwards as the reserve goes to the north.

The reserve topography is undulating, with considerable cut and fill required to achieve a flat oval area. The only site suitable for the construction of an oval is the southern section of the reserve, immediately fronting Warren Terrace. Attachment 3, 4 and 5 provide three indicative locations for the oval.

Attachment 3, option 1 showing the oval at the Warren Terrace side of the reserve was deemed by the advisory committee to be the most developable of the three proposals. However, this area posed a number of design issues, including uneven topography and it was heavily vegetated with grass, weeds and low growing bushes.

In May 2011, the advisory committee met the contractor engaged to construct a driveway culvert on site at the reserve. The contractor advised that the culvert could be constructed immediately, but due to extremely wet conditions, his recommendation was that any works for the construction of an oval would not be possible until the Summer of 2011/12. No quotes for the construction of the oval were obtained at this time.



**ORDINARY COUNCIL MEETING AGENDA  
18 MARCH 2013 (CM402)**

The advisory committee considered this advice and made a decision not to proceed with the construction of an oval until weather conditions had improved.

The driveway culvert was constructed in May 2011 at a cost of \$5,200. The culvert was constructed to a standard that would allow CFA tankers to access the site for training or staging activities. A hard stand area immediately inside the access gate was also constructed with bluestone material. These works were funded from the original capital allocation of \$20,000.

During the Spring and Summer of 2011 Latrobe Valley continued to receive above average rainfalls, and this continued through to the Autumn of 2012 and Spring of 2012.

In December 2011, Council officers contacted a number of local contractors to investigate options for an oval at the reserve. The availability and willingness of contractors to quote for works to the reserve was an issue. Three separate contractors were contacted about the proposed works but failed to provide a quote for works.

In February 2012, a local contractor agreed to meet on site and advised that the vegetation on top of the proposed oval site would need to be removed, and the site 'dried out' before any construction could begin. The contractor advised that the reserve was saturated, following heavy rains and the only way construction for an oval could begin, was if the dirt underneath the vegetation could be dried out.

The advisory committee agreed that it would not be financially viable to undertake works until the reserve was again dry enough. Wet weather conditions continued to hamper the development of an oval at Warren Terrace until the end of 2012.

The Warren Terrace Reserve Advisory Committee met on 5 February 2013.

The need for planning and design were raised at the meeting, and the suggestion of a detailed master plan was discussed. The pros and cons of undertaking a master plan were discussed at length by the advisory committee, with all of the committee members agreeing that a master plan would provide for a well-planned and designed reserve, which would eventuate in better access to funding both from Latrobe City Council and funding partners such as the State Government. The only advisory committee member not in attendance, John Daddo who represents the Hazelwood North Cricket Club was contacted by a Council Officer after the meeting. Mr Daddo also supports the development of a master plan for Warren Terrace Reserve.

A master plan will allow community groups and members to guide the future development of the reserve, and identify potential future user groups for the reserve, not currently represented. Without a comprehensive and Council endorsed master plan, funding opportunities are limited to Latrobe City Community grants only.

Any funding opportunities from State or Federal government bodies, would require detailed strategic work to have been completed and endorsed by Latrobe City Council before considering funding.

The committee members accepted that there were insufficient funds (\$14,800) available to properly prepare the Warren Terrace site and construct a basic oval.

Professional quotations received by officers have indicated that the cost of preparing the site and construction of a basic oval, without drainage or irrigation would be approximately \$50,000. This cost does not include a cricket pitch, fencing, amenity buildings, surrounds, plantings or seating etc.

It is proposed that the master plan for the Warren Terrace Reserve will be undertaken during 2013/14. This will allow opportunities for funding for recreational infrastructure into the future.

### **FINANCIAL, RISK AND RESOURCES IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management Plan 2011 – 2014.

The risk to Council relevant to this report is that proceeding with a development which has not properly considered the planning of the entire site, may result in a less than satisfactory long term outcome.

A Master Plan is a project to mitigate the above risk to Council.

Funds were allocated in the 2009/10 budget year for the construction of a basic oval at Warren Terrace Reserve. The remaining funds could be utilised for the development of a master plan which will cost approximately \$14,000. Any remaining funds left over can be put towards implementation of the master plan priorities.

### **INTERNAL/EXTERNAL CONSULTATION**

#### *Engagement Method Used:*

The engagement method used for this report included consultation with the Warren Terrace Reserve Advisory Committee, which is made up of the following community groups and members:

- Harold Jones – Hazelwood North Hall Committee
- Vin Key – Community member
- Ken Rae – Community member
- Gary Honeychurch – Community member
- Don George – Hazelwood North Rural Fire Brigade
- John Daddo – Hazelwood North Cricket Club
- Councillor Sandy Kam – Latrobe City Council Ward Councillor

**ORDINARY COUNCIL MEETING AGENDA  
18 MARCH 2013 (CM402)***Details of Community Consultation / Results of Engagement:*

All of the advisory committee members agreed that a master plan would provide for a well-planned and designed reserve, which would eventuate in better access to funding both from Latrobe City Council and funding partners such as the State Government.

The only advisory committee member not in attendance, John Daddo who represents the Hazelwood North Cricket Club was contact by a Council Officer after the meeting. Mr Daddo also supports the development of a master plan for Warren Terrace Reserve

**OPTIONS**

Council has the following options available:

1. Reallocate the remaining capital works funding of \$14,800 (2009/10) from the construction of a basic oval at Warren Terrace Reserve Hazelwood North to the development of a master plan for the Warren Terrace Reserve Hazelwood North.
2. Not reallocate the remaining capital works funding of \$14,800 (2009/10) from the construction of a basic oval at Warren Terrace Reserve Hazelwood North to the development of a master plan for the Warren Terrace Reserve Hazelwood North.
3. Request further information or changes be provided in relation to the project.
4. Allocate additional funds in a future budget for the construction of a basic oval.

**CONCLUSION**

Warren Terrace Reserve Hazelwood North has been endorsed by Council as the recreation facility in the community of Hazelwood North.

The original allocation of \$20,000 during 2009/10 has been insufficient for the preparation and construction of a basic oval at Warren Terrace Reserve.

The development of a master plan for the Warren Terrace Reserve will provide for a well planned and comprehensive plan for the future recreation facilities in Hazelwood North. A master planned, endorsed by Latrobe City Council will allow for greater access to both Latrobe City Council funding and funding partners such as the State and Federal Government.

**Attachments**

1. Hazelwood North sports Facility - Due Diligence Report
2. Warren Terrace Reserve Advisory Committee - Terms of Reference
3. Attachment 3 - Option 1
4. Attachment 4 - Option 2
5. Attachment 5 - Option 3

**RECOMMENDATION**

- 1. That Council reallocates the balance of capital works funding of \$14,800 (2009/10) from the construction of a basic oval at Warren Terrace Reserve Hazelwood North to the development of a master plan for the Warren Terrace Reserve Hazelwood North.**

## **14.1**

### **Reallocation of Capital Works funding for Warren Terrace Reserve Hazelwood North**

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# *Hazelwood North Sports Facility Due Diligence Report*





22/04/10

### **About this document**

This due diligence report was prepared by @leisure for Latrobe City Council.

### **Acknowledgements**

This project has been undertaken by @leisure in conjunction with:

- SportsTurf Consultants Pty Ltd in particular: Michael Robinson, Consultant, and Alan Stobbie, Consultant, and
- Storm Consulting Pty Ltd, in particular Rod Weise, Managing Director

@leisure wishes to acknowledge the support and contributions on this project made by:

- Ian Murphy, Coordinator Recreation and Open Space Planning, Latrobe City Council
- Dr Geoff Taylor, Team Leader Statutory Functions, West Gippsland Catchment Management Authority

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## Executive summary

Latrobe City Council engaged @leisure to conduct a due diligence investigation regarding the development of an outdoor sports facility. The sites assessed were in Hazelwood North as proposed in the Southern Towns Recreation Plan.

Two sites were investigated: a Council owned reserve in Warren Terrace, and a parcel of land located in Church Road, adjacent to the Hazelwood Primary School.

SportsTurf Consultants provided advice with response to the costs and feasibility of constructing a sports ground on the sites. Their report in provided as Appendix 4. Storm Consulting provided advice with respect to the feasibility of realigning the creek to provide adequate space for a sports facility at Church Road, and the probable costs of earth works. Their report is provided as Appendices 2 and 3.

It is proposed to provide a senior cricket ground on the site, with practice nets to be added at a later stage. Additional facilities that would be desirable to provide at each site include: pavilion, hard court tennis/ netball/ basketball courts, playground, path system, car park, and associated landscape works.

The site in Church Road would need to be purchased and the creek realigned, to provide adequate space (and protection from flooding), for a sports ground.

The probable costs of the sports facility at Church Road are likely to be in order of \$1,342 million dollars.

The probable costs of providing the same facilities at Warren Terrace are likely to be in order of \$779,550.

The Church Road site will cost in order of \$563,000 more than the Warren Terrace site to develop, in addition to further design and planning investigations that will be required.

Plan 1 illustrates an indicative layout of facilities at the Church Road site. This has provided the basis for determining probable costs.



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## 1. Introduction

### 1.1 The project

#### The brief

@leisure was engaged to conduct a due diligence investigation regarding the development of an outdoor sports facility in Hazelwood North. The sites assessed were in Church Road and Warren Terrace as proposed in the Southern Towns Recreation Plan.

#### Background

The 'Southern Towns Outdoor Recreation Plan' was prepared for Latrobe City Council in June 2009 to plan for future facilities in the southern part of the municipality. One recommendation from this plan was to investigate the feasibility of a new oval to be built in Hazelwood North, either at a reserve in Warren Terrace or a site in Church Road adjacent to the Hazelwood Primary School.

The community were consulted after the Draft Plan was prepared, regarding their preferences for a site. The Church Road site was identified as the preferred option by the community. (See Appendix 1. Council Minutes on 15 June 2009).

#### The Church Road Site

The site selected in Church Road is private property on rural land zoned Farming, adjacent to the Hazelwood Primary School and opposite the Hazelwood North Reserve. On this reserve are two practice cricket nets, four tennis courts, a community hall and playground. The users of the reserve are the Hazelwood North Cricket Club, The Hazelwood North Tennis Club, playgroup and Hall committee. The land (0.55 hectares) is owned by Council. At the proposed site at Church Road, there is a seasonal flowing creek (Water Hole Creek), which flows for approximately 3-4 months per year. It is fed by table drains, and is highly disturbed.

#### The Warren Terrace Site

The Warren Terrace site is a reserve owned by Council. It is approximately 5.9 ha in size and is zoned Rural Living. The reserve is located within close proximity to where the majority of the Hazelwood North residents live.

It is a narrow site in close proximity to residences. An electric supply transmission line crosses the site in the north.

Refer to the following images of the Church Road and Warren Terrace sites.

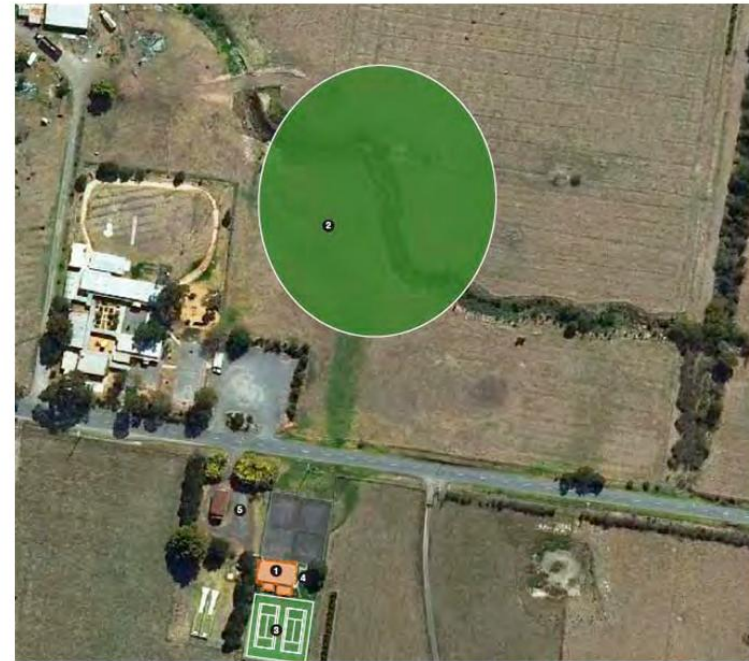


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Aerial 1: Church Road site



Aerial 2: Church Road site layout identified in the Southern Towns Outdoor Recreation Plan



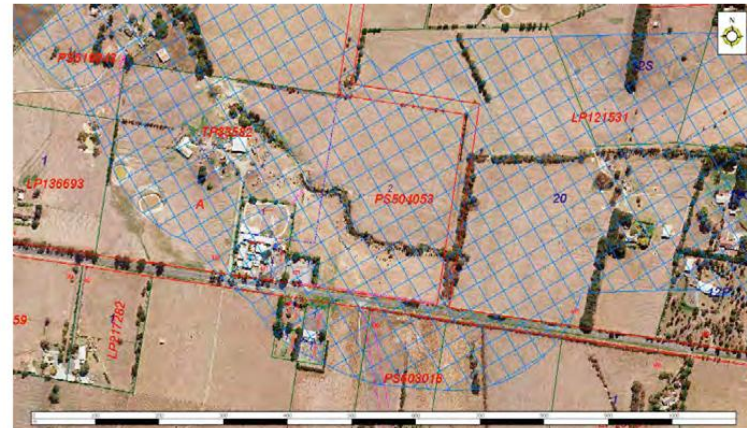


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Aerial 3: Church Road with land subject to inundation overlay



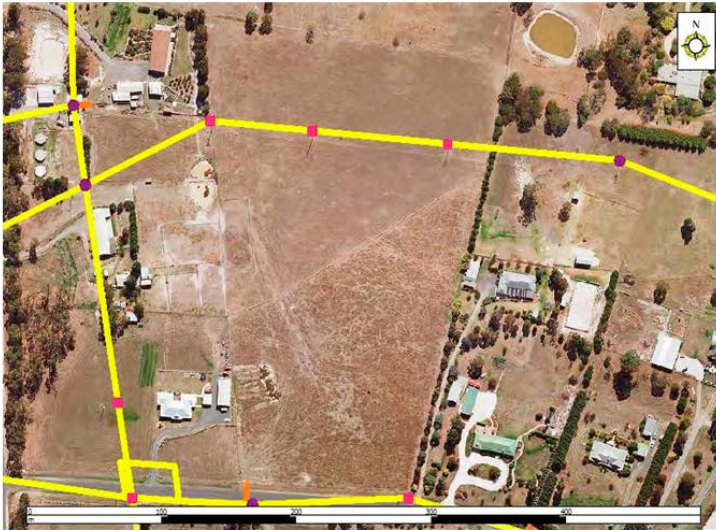
Aerial 4: Church Road with land area of likely cultural heritage significance





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Aerial 5: Warren Terrace site with power lines indicated





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## 1.2 **Methods**

The preparation of this due diligence report involved the following tasks:

- @leisure and SportsTurf Consultants met with Council and inspected the sites at Church Road and in Warren Terrace
- Photographing of the sites
- Storm Consulting also met with West Gippsland Catchment Management Authority, the land owner, and Council
- Reviewing past background documents including the Southern Towns Outdoor Recreation Plan, Council reports, a feature survey, and catchment management information
- Assessing the constraints and opportunities of the Warren Road and Church Road sites
- Undertaking a hydrological assessment of the Church Road site
- Preparing the appropriate dimensions and requirements for a sports park in this type of location
- Seeking information from the school and club regarding specific design features / relationships required
- Establishing the necessary works at each site in order to construct the appropriate facility
- Analysing the suitability and capability of developing a sport facility at each site and the preferred site for the specified nature of facilities
- Indicating a notional layout of the facility on the preferred site to determine costs
- Estimating probable capital costs of the necessary works to provide a sports park and the costs of constructing the oval
- Weighting and rating each site according to site selection criteria (using the paired comparison method) and ranking each site against the selection criteria



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## 2. Policy and planning context

### 2.1 Key literature reviewed

#### Recreation and Leisure Strategy 2006

The Principles, key directions and objectives of this plan are all supported by @leisure. Principle 8 is especially relevant – The provision of recreation and leisure facilities shall maximise shared usage and flexibility to meet changing community needs and aspirations.

#### Southern Towns Outdoor Recreation Plan

The Southern Towns Outdoor Recreation Plan was presented to Council in April 2009. It presented two site options for developing a sports field at Hazelwood North – Warren Terrace and Church Road. Council resolved that the draft Plan be made public, and called for feedback and comments regarding the recommendations for the Plan. The Plan recommended that there is a need to undertake a level of due diligence on the Church Road site to ensure that further development is achievable.

#### Latrobe City Council Minutes – 15 June 2009 – Southern Towns Outdoor Recreation Plan

The Council Minutes set out the options, comparisons and advantages for each site for a proposed oval. The Council Minutes state that “The Plan indicates a preference for the Warren Terrace site”. However after the consultation, there was stronger community support for the Church Road site (160 people) than Warren Terrace (60 people) as a future preferred recreation development site.

See Appendix 1. for the contents of the Council minutes.

#### Planning Scheme

The Church Road site as well as the Hazelwood Recreation Reserve across the road and adjacent to the previous considered sites, are all zoned Rural Living.

There is State Resources Overlay over the Church Road site. This means that “An application to construct a building, or carry out works, or subdivide the land .... must be accompanied by a report which explains how the building, works or subdivision: Is consistent with the management objective specified in the schedule, and responds to the decision guidelines”.<sup>1</sup>

Waterhole Creek is a designated waterway under the Water Act 1989 and a flood study carried out on Waterhole Creek identifies that a Floodway Overlay (FO) and a Land Subject to Inundation Overlay (LSIO) should be placed over this location. The FO and LSIO are currently not in the Planning Scheme Overlays used by Latrobe City<sup>2</sup>. This LSIO is shown in Aerial 3.

<sup>1</sup> Latrobe City Planning Scheme 44.07-03 19/01/2006 VC37

<sup>2</sup> Letter to Latrobe City Council from West Gippsland Catchment Management Authority 16 March 2010. Our Ref: GT 49835





The West Gippsland Catchment Management Authority advise that to “properly assess the impact of the proposed development the Authority requires a detailed flood study that demonstrates no adverse impacts to flood behaviour to neighbouring properties”.

As a designated waterway, Waterhole Creek is in an area of cultural significance and a cultural heritage management plan may be required. However, the high level of disturbance of the site means such a plan may not be required.

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### 3. Nature and standard of proposed facilities

@leisure has reviewed previous plans and notes there are no specific provision levels relevant for different hierarchies of settlement type.

Typically the type of sports park suitable in a rural hamlet would be different to that provided in a large town.

In this context, the location of a sports park in a rural hamlet or rural living areas should be considered only in community hub locations and where possible in conjunction with other community facilities such as schools, as in such locations they will be most viable and most likely to be used.

Typically, in urban locations it would not be desirable to locate a single playing field on its own.

However, in this context, having regard to competition venues within a short drive, the limited potential for population growth, and, if in conjunction with a school that has some space for sport, then a single ground is acceptable.

#### 3.1 Potential users

##### Hazelwood North Primary School

The school has 157 students. In 2010, 24 prep students started at the school. It is anticipated that the number of prep students starting 2011 will increase again.

There is no ‘Out of School Care’ at Hazelwood North Primary School, and none is likely in the foreseeable future.





The school would like a junior oval for football, cricket and school activities all year round that is adjacent to the school. The school could hold school athletics carnivals, lightning premierships for AFL and soccer and interschool games.

There is one netball court at the school. In the summer there is already a "Milo Have Go" program on the school ground every Tuesday after school. The students also cross the road to the cricket nets and tennis courts to train after school.

#### **Community: Hazelwood North Cricket Club**

The Council Report 15 June 2009 states:

'In addition to community support for the development at Warren Terrace, there is strong community support for the development to occur at the Church Road site in co-location with the Hazelwood North Primary School.

At present, a cricket oval is required.

The Hazelwood North Cricket Club train at the reserve across from the primary school, using the practice nets. The club plays their home cricket matches at Churchill.

### **3.2 Core requirements**

@leisure's understanding is that a playing field is needed to primarily cater for cricket. The standard of the ground would be local (ie not district or regional). The assumption is that players would come primarily from Hazelwood North. The likely catchment population the facility will serve is estimated at 3000 people.

We have assumed that the size of the ground will be a standard senior club size, or a field of 65m radii. The area required will be approximately 150m by 130m. A buffer of 20m each side of the field and 30m north and south of the wicket is required.

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It is desirable that any sports facility provided can be used in the other season and for other sports. This enables the formation of a community sports club with multiple codes that will be more viable than a single code club.

All playing surfaces should be oriented north south.

The field size suitable for senior cricket will allow junior Australian Rules football or Auskick to be played on the site. It will also enable the provision for school athletics and softball. The field size proposed would allow for under 16 yrs Aust. Rules Football (absolute minimum field size recommended (135m-110m).

Consultation with the school and Council indicates that there is unlikely to be the demand for Australian Rules Football in this area, (possibly with the exception of interschool football, Auskick or similar development programs).

It is more likely that a club would field a soccer team than an Australian Rules Football team, and the location of the oval has been notionally laid out to ensure there is adequate space for soccer on the same playing surface, west of cricket wicket.

In the long term, should soccer develop further in this area it would be possible to provide another soccer field east of the wicket and in the majority within the cricket ground playing field.

See Plan No.3.

It is assumed that the standard of cricket would require a synthetic wicket. It is not proposed to fence the playing field, ie provide a boundary fence. Without a fence there is greater flexibility to use the ground for other sports such as soccer and athletics.

The style of oval construction proposed is a "Rooftop" design. This is cheaper to construct and easier to drain than other forms.

It is assumed that the ground will only be irrigated during establishment (using Quick Coupler Valves). There may be



opportunities at the proposed site in Church Road to provide a dam, or harvest water on site. These have not been factored into the development costs for either site.

It is assumed that the oval would be turfed with warm season grass (Kikuyu) to be line planted, for best chance of establishment.

No lights are proposed for the oval. If new tennis courts are provided, it will be desirable to light at least one court, as the bulk of tennis participation is now in the evening. However, as lit club facilities are available close by lighting would not be required in the medium term.

It would be desirable to provide a perimeter path around the reserve as an exercise circuit, and access to the site by shared trail. No costs for a shared path to the site, or a perimeter path for exercise around the reserves have been estimated.

Both sites will need tree planting, seating and possibly shade / shelter, these have not been costed.

The basic components of a pavilion suitable to be shared with another club are shown below in Table 1.

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Table 1. Typical components of local/district support facility

Typical components	BCA requirements	Cricket / football size (m <sup>2</sup> )	Additional netball size (m <sup>2</sup> )
Showers and toilets (cubicles preferred)	For each 10 Players: 2x pan (or 1 urinal & 1 pan), basin + shower.	50	40
Public toilets	Male: 1 pan per 250 people, basin per 150 people. Female: 1 pan per 75 people, basin per 150 people 30 M,F, & A		
Change rooms		80	50
First aid medical room		15	
Kitchen and canteen		35	
Office / meeting room		15	
Social community room		60	
Storage		30	20
Utility / cleaners room		5	
External covered viewing areas		100	
TOTAL		390	110

The initial development will provide only toilets and change facilities (200m<sup>2</sup>).

It is assumed that all facilities will be accessible to people with a disability.



### Facilities required at Church Road

Facilities required at the proposed Church Road site in the short term would include: senior cricket ground, pavilion and entrance road and car park. In the longer term, facilities should include cricket nets (2 wickets), tennis courts and a shared path. It would be desirable to consolidate all sports facilities at the one site in the long term, and hence accommodate a new tennis facility of four courts on the same site as the oval. This is supported in Council's Recreation and Leisure Strategy 2006. Principle No. 5 states "There should be a focus on the consolidation of existing sporting facilities within the Region". The layout of facilities adjacent to the school should include space for tennis courts so that they can be accommodated in future, if required and if funds become available.

@leisure has assumed that there would be opportunities to use the existing hard court at the school for netball and for social / family recreation, and the playground, if the school has access to the oval.

@leisure has also assumed that two junior soccer grounds could be marked with the senior cricket wicket due to the likely demand from the school for soccer.

Consultation with the school indicates that they would be open to the use of the school car park, by users of the sports facility.

Costs for providing a car park have not been included in the estimate, at this stage. A new access road however would need to be provided.

Should this development be in partnership with the school, (and subject to a mutual agreement) it may be possible for users of the sports ground to also use the school playground.

In summary, the first stage of development at the proposed Church Road site will need to include major earthworks and creek

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realignment, the construction of the oval, road entrance and toilets and change room. In the long term it would be desirable to relocate the tennis courts and cricket nets to the same site should funds become available.

Further desirable stages include a pavilion extension and a shared path. This assumes an amicable agreement can be reached with the Hazelwood North Primary School to use the car park, possibly the netball court, and playground, in exchange for the use of the oval.

### Facilities required at Warren Terrace

Facilities required at Warren Terrace would include: senior cricket ground, practice nets (2 wickets) pavilion, car park (20 – 40 cars) entrance road, two tennis hard courts, shared path and playground. The hard courts would have a plexipave surface, and one would be a multipurpose court allowing for netball, basketball and tennis; social, family recreation and local level tennis and netball competition, if required.

Ideally if tennis were to be catered for, one court should be lit. However due to the availability of lit club tennis courts close by, lights are not warranted in the medium term.

The layout of facilities on this site have been considered for the purpose of estimating feasibility and cost.

The site poses some major constraints to develop as a sports facility: it is very narrow and slopes down to the road. The boundary of the playing field would be only some 20m from neighbouring residences. Future lighting would be constrained to the north of the site, due to the presence of an electric supply transmission line. As the north of the site will be relatively remote for locating a play space and hard courts, considerable excavation for those at the front of the site may be required. This has not been costed.



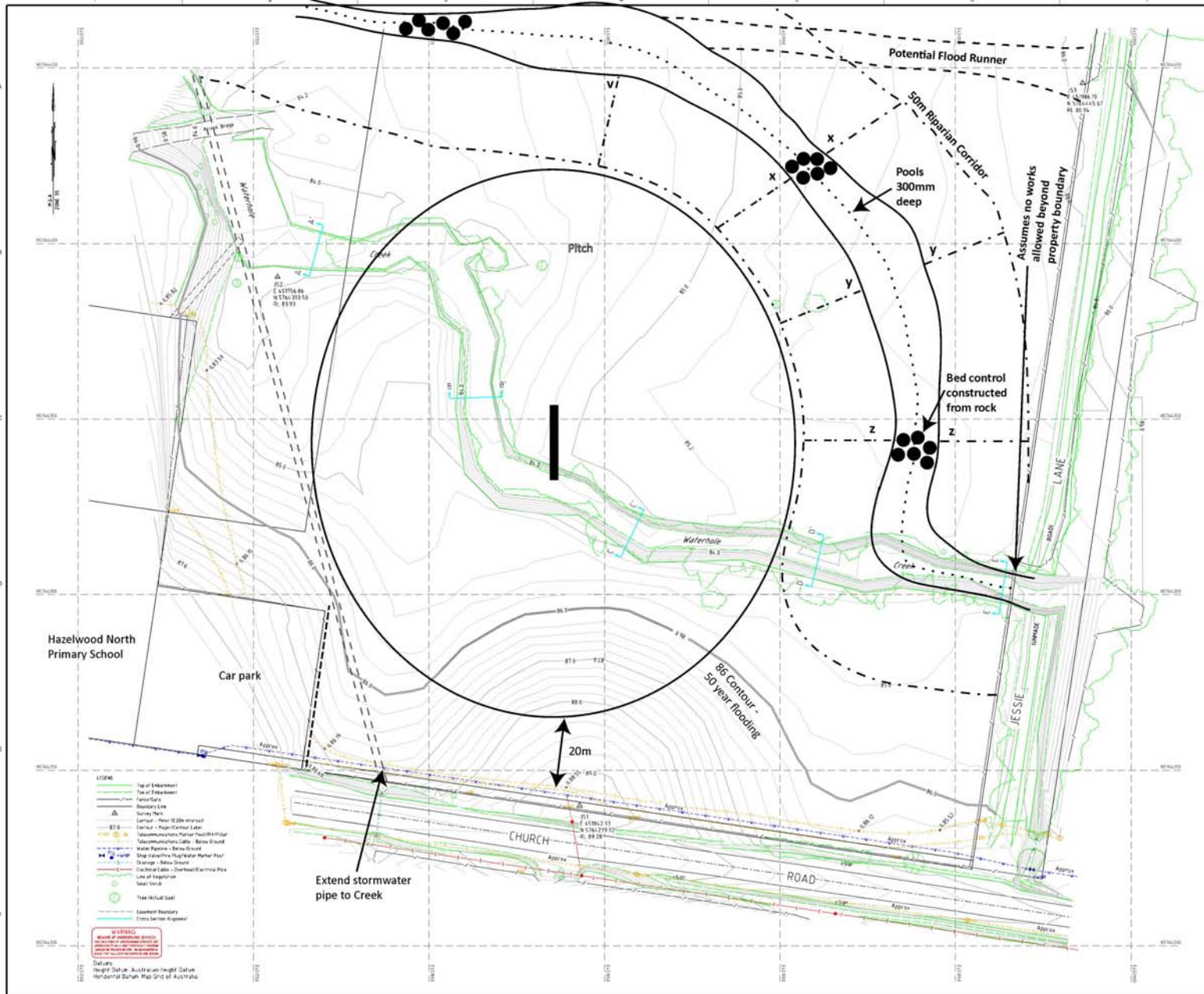


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It will be difficult to screen residences from sports activity, lights and a shared trail on the reserve, and if constructed here a sports facility may provide ongoing conflict for residents seeking privacy.

High fencing may need to be considered to provide a buffer between residences and the oval. This will add significantly to the estimated probable costs.

A layout plan for facilities on this site has not been included in this report.



**Plan 1:  
Hazelwood North  
Church Road  
Waterhole Creek  
Alignment**

Base plan was prepared by SMEC Urban Consulting Group.

**Disclaimer:**

The drawings are to an approximate scale only.

Please note that this is an indicative layout of facilities only and is not intended for construction purposes.

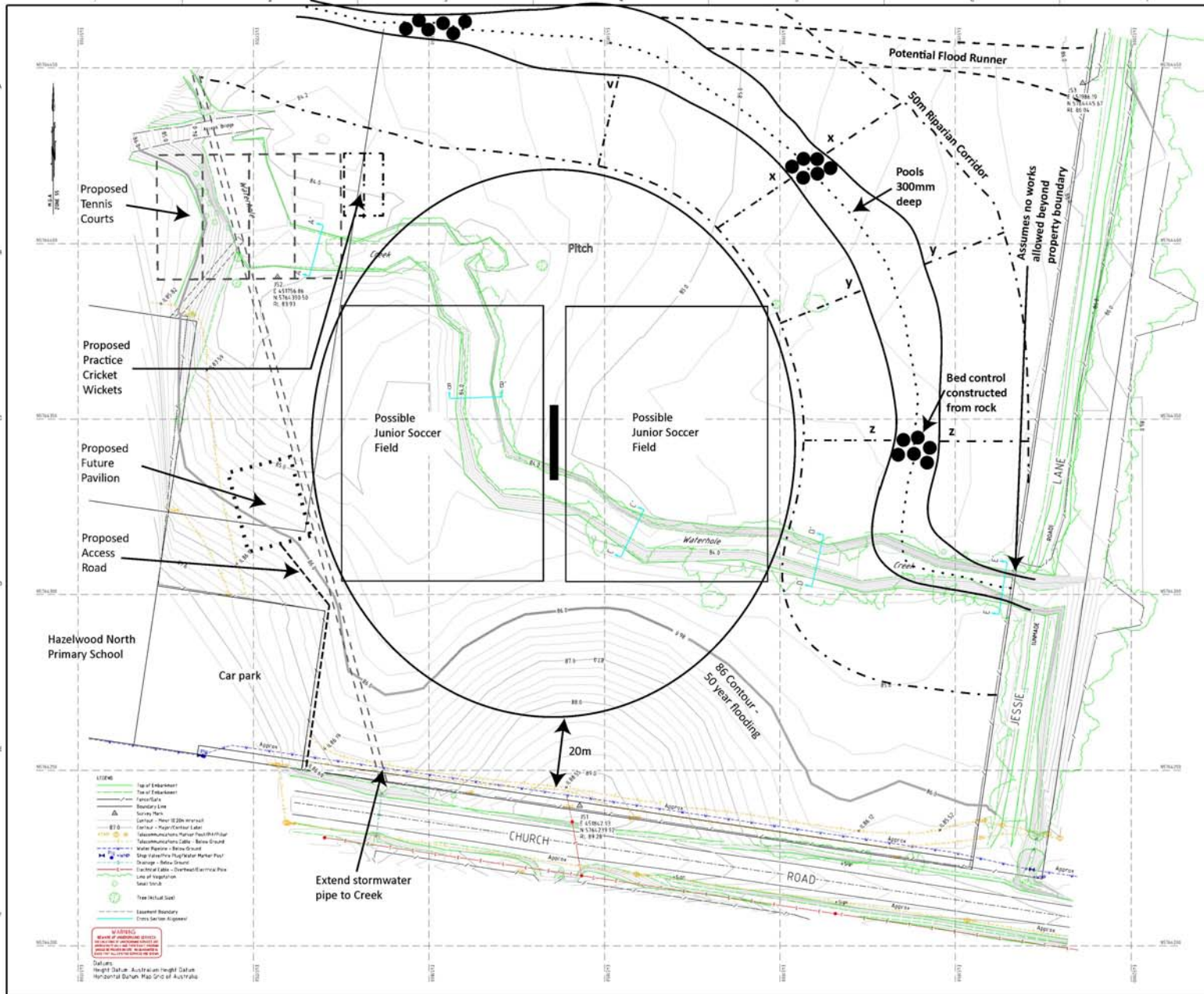
Note that before any works, the position of all existing services and infrastructure must be accurately identified on site.

The exact alignment for the full length of the creek has not been shown as a feature survey of the land to the north is not available.

19/02/2010



Scale 1:1000



**Plan 2:  
Hazelwood North  
Church Road  
Indicative Layout of  
Facilities**

Base plan was prepared by SMEC Urban Consulting Group.

**Disclaimer:**

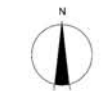
The drawings are to an approximate scale only.

Please note that this is an indicative layout of facilities only and is not intended for construction purposes.

Note that before any works, the position of all existing services and infrastructure must be accurately identified on site.

The exact alignment for the full length of the creek has not been shown as a feature survey of the land to the north is not available.

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Scale 1:500



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## 4. Probable costs

### 4.1 Land Acquisition And Creek Realignment

The following indicative costs of creek realignment at the Church Road site have been provided by Storm Consulting Pty Ltd.

The probable costs for land acquisition, and further investigation works have been provided by Council.

The probable costs for an oval construction have been provided by Sports Turf Consultants Pty Ltd.

SportsTurf Consultants have confirmed that the probable costs of constructing an oval would be the same at each of the sites, aside from the costs of earth works to level the initial site.

Other probable costs for support facilities have been provided by @leisure based on recent similar projects in regional Victoria, or Council where shown.

Table 2: Estimated Probable Costs Land Acquisition And Creek Realignment

Item	Rate (per sqm)	Quantity	Cost
Further site investigations (flora and fauna, cultural heritage, flooding and design <sup>3</sup> )		Allow	\$100,000
Land purchase	\$1.2	Allow	\$120,000 <sup>4</sup>
Site establishment and preparation		Allow	\$25,000
Earthworks (excavate, trim and stockpile)	\$9 p <sup>5</sup>	7,000	\$63,000
Prepare existing creek for filling and fill from stockpile		Allow	\$70,000
Rockwork (supply and construct)		Allow	\$40,000
Revegetation (planting and maintenance) <sup>6</sup>	\$15 <sup>7</sup>	6000	\$90,000
Extend culvert from Church Road to new creek alignment (underground pipe <sup>8</sup> )		Allow	\$100,000
New vehicle crossing of realigned creek		Allow	\$25,000
Sports field design and project management costs <sup>9</sup>		Allow	\$50,000
<b>TOTAL PROBABLE</b>			<b>\$683,000</b>

<sup>3</sup> Cost provided by Council

<sup>4</sup> Cost provided by Council

<sup>5</sup> SportsTurf Consultants advise costs may be up to \$15. Council recommend using \$9.

<sup>6</sup> Subject to detail (plant densities tree guards, and maintenance requirements)

<sup>7</sup> This could vary considerably if volunteer groups are used and / or planting densities are decreased particularly in the outer margins of the corridor.

<sup>8</sup> An alternative to an underground culvert is an earth channel, this would reduce the probable cost to \$25,000

<sup>9</sup> Estimated cost provided by Council



## 4.2 Sport Facility Construction

SportsTurf Consultants have undertaken a site inspection of both sites and have provided estimated probable costs for the construction of a senior cricket ground in both sites. Appendix 4 sets out the advice from SportsTurf Consultants. They advise that the costs would be similar for both sites.

Table 3: Estimated Probable Costs of Oval Construction

Oval construction	Rate	Probable Cost
▶ Spray out weeds and grass		
▶ Remove top 100mm		
▶ Stockpile and remove from site	Allow	\$35,000
<b>Earthworks</b>		
▶ Cut and fill / Shaping		
▶ Rotary hoeing and rolling		
▶ Add amendments	Allow	\$50,000
<b>Irrigation</b>		
▶ Connect to mains/ water supply		
▶ 4 x QCV		
▶ Rain mobile and hose	Allow	\$40,000 <sup>10</sup>
<b>Grassing</b>		
▶ Line planting / roll		
▶ Grow in (12 weeks)	Allow	\$60,000
<b>Construct synthetic cricket wicket</b>	Allow	\$15,000

<sup>10</sup> Council advise that \$40,000 is more likely to be the cost than \$15,000

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Oval construction	Rate	Probable Cost
Design (survey, plans and specs)		
Site security		
Construction supervision		
Miscellaneous	Allow	\$25,000 <sup>11</sup>
<b>SUBTOTAL BASIC OVAL CONSTRUCTION</b>		<b>\$225,000</b>

Note: These probable costs assume the oval is a basic standard only, without a boundary fence, or lighting. A higher standard surface with automatic irrigation will cost in order of \$300-400,000<sup>12</sup>.

### Probable pavilion costs- first stage

Based on the likely components identified in Table 1, the probable costs of the first stage of the pavilion development are shown in the following table. Note: probable costs do not include furniture and fittings, or immediate outdoor works such as paths.

<sup>11</sup> SportsTurf Consultants recommend allowing \$50,000

<sup>12</sup> Advice provided by SportsTurf Consultants







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Table 4: Probable costs of the pavilion (first stage)

Pavilion			
Building Component	Cost/ m2	Total Area	Probable Cost
Fully enclosed covered area	\$1,700.00 <sup>13</sup>	200	\$340,000
Covered, verandah area	\$940.00	100	\$94,000
<b>SUBTOTAL BASIC PAVILION</b>			<b>\$434,000</b>

Table 5: Probable costs of practice wickets

Practice cricket nets				
Item	Qty	Unit	Rate	Total
Pitch	2	pitch	\$15,000	\$30,000
Fencing	105	lm	\$150	\$15,750
<b>Total</b>				<b>\$45,750</b>

Table 6: Probable costs of multipurpose hard court

Basketball / netball court				
Item	Qty	Unit	Rate	Total
Excavation and site preparation	1	Ea	5000	\$5,000
Supply and lay 100mm thick reinforced concrete (F82)	787	m2	100	\$78,700
Apply acrylic coating with basketball and netball line markings	1	Ea	9500	\$9,500
Supply and install basketball ring and backboard	2	Ea	1500	\$3,000
Supply and install netball ring (midcourt)	2	Ea	650	\$1,300
Fencing	100	m2	150	\$15,000
Lighting - No allowance				N/A
<b>SUBTOTAL</b>				<b>\$112,500</b>

<sup>13</sup> Council recommend using \$1700 not \$1770



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Table 7: Probable costs of hard court tennis courts

Tennis courts					
Item	Qty	Unit	Rate	Per court	Total
2 courts	595	m2	100	\$59,500	\$119,000
Supply and lay 100mm thick reinforced concrete (F82)					
Plexipave surface	2			\$9,500	\$19,000
Lighting (future stage) <sup>14</sup>	1		ALLOW	\$20,000	\$20,000
Fencing (2 courts, 3m high) <sup>15</sup>	112m	1m	\$150 1m		\$16,800
<b>SUBTOTAL PROBABLE COST</b>				<b>TOTAL</b>	<b>\$174,800</b>

<sup>14</sup> Not included in total probable subtotal cost – Stage 2+ cost

<sup>15</sup> This fencing does not include an internal fence between the two courts

### 4.3 Comparison of the two sites

#### Church Road

The proposed site on Church Road site is immediately abutting the Hazelwood North Primary School. The school does not currently have any formal playing surface for sport other than a netball / basketball court. The school has a car park on its eastern boundary, which could be shared by a community sports facility.

The Hazelwood North Recreation Reserve is immediately across the road from the proposed site. This reserve accommodates two synthetic practice cricket wickets, four hard court tennis courts, a shared community hall/ clubroom and a church. A site abutting this recreation reserve would have been the most logical to provide an oval in Hazelwood North. However, parcels of land on either side are privately owned and not available for purchase.

The proposed site, north of Church Road and abutting the school is a low lying area, currently used for grazing, that abuts Waterhole Creek. This site is privately owned. There is currently insufficient land between the road and the current creek line to accommodate a senior size cricket ground.

The owner of the land indicated his willingness to sell the land, however the creek would need to be realigned and significant earthworks undertaken to elevate and level the site so it is suitable as a playing surface.

The most easterly corner of the site, adjacent to Jessie Lane, is subject to a future inundation overlay as shown in Aerial 3.

This creek would need to be diverted to accommodate a playing field, as there is insufficient land between the creek and the road.





There is one vehicle crossing of the creek, a culvert under Jessie Lane and a culvert running diagonally under the site. These would need to be modified or relocated in a new creek alignment.

The crossing has been constructed directly north of the school by the landholder, which consists of a culvert. The culvert has since been blocked, which creates a weir pool upstream. This increases flood levels (evidenced in the flood photos) particularly for the smaller events. This is also not desirable from an environmental perspective and West Gippsland Catchment Management Authority indicated on site that they would be keen to revert to a more natural channel (adding weight to the re-alignment).<sup>16</sup>

Storm Consulting have investigated the feasibility of realigning this creek and have supplied notional levels and sections to enable the construction of a sportsground. Storm Consulting's report is provided as Appendix 3.

The report indicates that it is possible to realign the creek and create a sports facility in this location.

Considerable planting has been undertaken within a fenced area of the creek but the riparian corridor is quite narrow. The vegetation is quite young and considerable weed species have invaded. This would need to be removed and re-established if the oval development proceeded.

The new site bounded by the school, the road and the new creek alignment and the driveway in the north west is approximately 8 ha.

<sup>16</sup> Storm Consulting Report for @leisure. See Appendix 3.

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#### **Advantages and disadvantages of developing a site in Church Road for sport**

The advantages of this site over Warren Terrace, for the development of a sports facility are:

- It would provide opportunities for the school to play sport that are not possible now, without an oval
- In the first stage, it would not be necessary to provide a car park, netball court and playground as they are already provided at the school
- Practice cricket nets, tennis courts and a hall already exist across Church Road (although it would be beneficial for these to be provided on the same site as the oval)
- The school would have access to a playing field for a range of school sports such as cricket, Australian Rules Football, athletics, soccer, softball, baseball etc as well as for development programs
- The sports facility in this location creates a more significant community hub that will be attractive for future residents, school users etc
- The opportunities to create a viable community sports club with multiple codes
- The site is a prominent one as it abuts the only existing sports club, church and the school
- Any lights and noise from sports club activities will not impact on residents
- The costs to a community of maintaining sports facilities in multiple locations (at the school, The Recreation Reserve and Warren Road Site) will be more, and the benefits to users less, than if all sports facilities are located in Church Road.





The disadvantages of the Church Road site for developing a sports park are:

- Cost of land purchase and significant creek realignment
- The site is more remote from the population centre

### Warren Terrace

The reserve at Warren Terrace is located within a relatively new residential subdivision. The site is zoned as Rural Living. The surrounding blocks are relatively large, however houses abut the boundaries of the reserve without being separated by a roadway.

The site has agricultural style fencing along the main road and slopes upward into the block. There are electrical supply transmissions lines that cut across the site to the north as well as along the road. Any sports grounds with lights would need to be constructed well away from the electric supply lines due to possible induction.

The site is approximately 5.9 ha. A sportsground on this site would take up the bulk of the reserve.

The site is not subject to flooding, or other planning constraints, as determined by information provided by Council.

### Advantages and disadvantages of developing a site in Warren Terrace for sport

The advantages of this site for the construction of a sports facility are largely that it is in Council ownership, there are no significant earthworks required to construct an oval, and there are larger number of residents living within walking distance of the site.

The disadvantages of this site are:

- Limited size of the reserve (that impacts on the number of facilities able to be provided, and the ability to create a

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buffer between the sports facility, and the electric supply as well as the sports facility and adjacent residents)

- The proximity to the electric supply easement means lights would not be possible on the oval (within 10 metres)
- The configuration of the site (shape, relationship to the road and abutting private yards) that will affect the function of the space and siting and design of the pavilion, play space, entryway, shared trail and hard courts.
- Limited opportunities to create economies of scale through co location of community facilities and other sports codes (these effect the viability of the infrastructure and any sports club using the facility)
- Distance from the school and therefore inability to provide the local school with sports facilities
- The cost of providing a hard court, playground and car park which are currently provided on the Church Road site, and earthworks will be required to site these adjacent to the road to enhance public surveillance and encourage use
- Likely costs and ongoing conflicts associated with locating a sports field, lights and pavilion so close to residences
- All the sports facilities to be available in Church Road are not proposed to be located to Warren Terrace. By not providing all sports facilities together, will increase the costs of maintenance and reduce potential use.

### Comparison of the two sites based on key evaluation criteria

To ascertain the preferred site for the proposed sports facility, @leisure utilised the paired comparison technique used in value management. @leisure developed a set of site evaluation criteria to assess each site based on the nature of facilities outlined in Chapter 2. Each criterium was weighted rated and applied to each site to give a total score for each site.





The proposed Church Road site scored higher than Warren Terrace site (See table 8 following), primarily because Church Road is located in more of a community hub, is more prominent site, and is in close proximity to a school.

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These factors will enhance usage, functionality and be more available for a local club to use. This site also has minimal impact on adjacent residents by way of balls, noise and lights.



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Table 8: Comparison of the two sites based on key evaluation criteria

EVALUATION CRITERIA		FREQUENCY	WEIGHTING	WARREN TERRACE		CHURCH ROAD	
				Rating	Score	Rating	Score
In a community hub / prominent site	A	18	0.09	6	0.54	9	0.81
Proximity to school	B	16	0.08	1	0.08	8	0.64
A site that will maximise usage	C	19	0.09	3	0.27	6	0.54
Provides other opportunities eg wetland plantings	D	0	0	3	0	3	0
Minimal impact of noise and lights on residences	E	13	0.06	2	0.12	7	0.42
Proximity to population	F	15	0.07	7	0.49	4	0.28
Access to water for irrigation	G	6	0.03	5	0.15	5	0.15
Opportunity to share facilities	H	15	0.07	5	0.35	7	0.49
Suitable road access, - no congestion on local roads	I	10	0.05	5	0.25	5	0.25
Size of land to fit 1 senior cricket field, amenities, and car park	J	20	0.1	6	0.6	6	0.6
Opportunity for additional social / family recreation	K	13	0.06	6	0.36	8	0.48
No major site constraints	L	9	0.04	8	0.32	2	0.08
Oval construction top soil, irrigation, design etc	M	13	0.06	4	0.24	4	0.24
Minimal flora / fauna constraints	N	5	0.02	3	0.06	5	0.1
Not flood prone	O	10	0.05	8	0.4	2	0.1
Close proximity to power and drainage	P	7	0.03	5	0.15	5	0.15
Ability to establish quickly	Q	1	0	6	0	3	0
May attract other funding ie from schools other sports clubs	R	1	0	3	0	4	0
Minimal other cost eg land purchase cost	S	6	0.03	10	0.3	3	0.09
Minimal cost of ancillary facilities	T	5	0.02	3	0.06	6	0.12
Minimal capital cost	U	6	0.03	6	0.18	3	0.09
<b>Total Cost</b>					<b>4.92</b>		<b>5.63</b>

Note: Where weighting was zero scores were zero.



The principal advantages of the Warren Terrace site are that it is relatively flat to enable an oval to be established and does not require purchase of land or the realignment of a waterway. @leisure however do not believe this is a suitable site for a sports facility development.

The following table indicates the cost of providing a sport facility at both sites. Preliminary probable costs for the construction of a sports field at Church Road are likely to be in order of \$583,000 or more than at Warren Terrace.

The estimated probable costs of providing a new sports facility (stage 1. essential works) at Warren Terrace is \$779,000 compared to \$1,342,000 for Church Road. See following table.

Table 9: Comparison of probable costs – first stage

Item	Warren Terrace	Church Road
Flora and fauna, flood and cultural heritage assessments	\$20,000 <sup>17</sup>	\$100,000 <sup>18</sup>
Land purchase	\$0	\$120,000
Major earth works	Not costed	\$463,000
Oval construction	\$225,000	\$225,000
Pavilion	\$434,000	\$434,000
Car park	Allow \$100,000 <sup>21</sup>	School shared
<b>Total</b>	<b>\$779,000</b>	<b>\$1,342,000</b>

<sup>17</sup> This total development cost will be considerably higher, however Council has advised that this figure is an estimate of development services able to be provided 'in house'

<sup>18</sup> This figure will be up to \$100,000

<sup>21</sup> Allows for 2500m<sup>2</sup> gravel car park widening of entrance cross over and gravel access road. Probable costs provided by Council.

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Table 10: Comparison of probable costs – future stage items

Item	Warren Terrace	Church Road
Practice cricket nets	\$45,750	\$0
Tennis courts (2 – one of which is a shared netball /tennis court)	\$174,800	\$0
Trees and landscaping	Not costed	Not costed
Access way / road	Not costed	Not costed
Shade and shelter	Not costed	Not costed
Shared path and trail	Not costed	Not costed
Playground	Not costed <sup>22</sup>	School shared
<b>Total</b>	<b>\$220,550</b>	<b>Not costed</b>

<sup>22</sup> No cost recommended until design prepared



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## 5. CONCLUSIONS

Both the Warren Terrace and Church Road sites investigated as part of this plan, could accommodate a local sports ground.

The site in Church Road would need further investigations undertaken, then will need to be purchased and the creek realigned in order to provide adequate space and protection from flooding for a sports ground.

There are, however, likely to be considerable benefits to the school and the club of being located at the Church Road site.

The Warren Terrace site is less suitable as a sports park due to the close proximity to residences, and the relationship with the road and electric supply transmission lines. These figures need to be considered against the estimated development cost of the Church Road site.

Considering the current availability of facilities, the cost of likely infrastructure, earthworks and land acquisition at the Church Road site will be approximately \$563,000 more (in the first stage) than developing the Warren Terrace site. In the long term consolidation of sports facilities will incur additional costs.





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## 6. APPENDICES

### **Appendix 1: Summary of Latrobe City Council Minutes – 15 June 2009 – Southern Towns Outdoor Recreation Plan**

#### **Development comparison**

The broad development issues associated with each site are outlined below:

#### **Church Road**

- Requires acquisition of adjoining privately owned land
- Development of an oval contiguous to the primary school would require engineering and hydrology feasibility studies to determine optimal location and overall site suitability
- Supporting infrastructure such as change rooms would need to be established
- Depending on location, pedestrian and vehicle access ways would be required

#### **Warren Terrace**

- Requires the construction of an oval on Council owned land
- Development of an oval on this site would require engineering feasibility studies and master planning to identify the optimal location for an oval and associated support facilities

- As the site is vacant land, all supporting infrastructure would be required

#### **Financial comparison**

The brief for development of the Southern Towns Outdoor Recreation Plan did not extend to providing the level of detailed investigation and analysis of the development costs for either option at Hazelwood North. The following comparison of development costs was provided. It was indicative only and based on best available estimates given known site factors:

Table 10: Comparison of site factors

Item	Warren Terrace	Church Road
Site acquisition (1)	\$0	\$120,000
Oval development	\$150,000	\$220,000
Tennis courts	\$160,000	\$0
Cricket nets	\$30,000	\$0
Change rooms / amenities	\$250,000	\$250,000
Site development (services / access)	\$200,000	\$100,000
General amenities (shade / shelter)	\$50,000	\$50,000
<b>Estimated probable cost total</b>	<b>\$ 840,000</b>	<b>\$740,000</b>



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### Site attributes

A range of other factors should be considered in addition to cost and development issues. These are represented in the following table:

Table 11: Additional attributes by comparison to consider

Attribute	Warren Terrace	Church Road
Road access to site	Very good	Very good
School access to site	Limited	Excellent
Proximity to population	Very good	Limited
Community outcome	New recreation facilities in single location	Facilities separated by road but well utilised by the school
Funding opportunities	Government recreation funding programs Community contributions	Government recreation funding programs Community contributions Potential sale of Warren Terrace Education Department funding programs
Delivery timeframe - oval	Immediate	Medium term
Delivery timeframe – full development	Longer term development due to number of new facilities.	Medium term



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**Policy context**

The Latrobe City Council Recreation & Leisure Strategy 2006 (the strategy) provides the strategic and policy context for the provision of facilities across the municipality.

The strategy details a number of principles and objectives that apply to the provision of recreation and leisure facilities within Hazelwood North, including the following principles:

**Table 12: Principles and their implications**

Principles	Implications for site selection at Hazelwood North
1. Council’s role and responsibility in the development and provision of recreation and leisure opportunities shall be clearly defined	Neutral impact
2. There shall be a diverse range of accessible recreation facilities and services, and open space areas available across the City	Neutral impact
3. Priority shall be given to supporting the provision of recreation facilities and services that cater for both municipal and local level needs	Neutral – both sites provide for a local level facility
4. The provision and allocation of recreation facilities and services shall be equitable according to age, gender, cultural background and ability	Neutral

Principles	Implications for site selection at Hazelwood North
5. Generally, there shall be a focus on the consolidation of existing sporting facilities within the Region, and an emphasis on the provision of new (unstructured) recreational pursuits and open space use	Existing facility at Church Road
6. There shall be a genuine attempt by Council to encourage the community into recreational activities for the health, well-being and social benefits they provide	Neutral
7. Recreation and leisure facilities and settings shall provide safe and supportive environments for participants	Facilities either side of Church Road creates an increased need for traffic management and safety mitigation measures
8. The provision of recreation and leisure facilities shall maximise shared usage and flexibility to meet changing community needs and aspirations	Existing facilities at Church Road provide some advantage and further potential for shared use
9. A collaborative and partnership approach with community groups, government agencies and the private sector will drive the provision of recreation and sporting facilities and services, and the provision of open space	Opportunities at Church Road for increased partnership with school





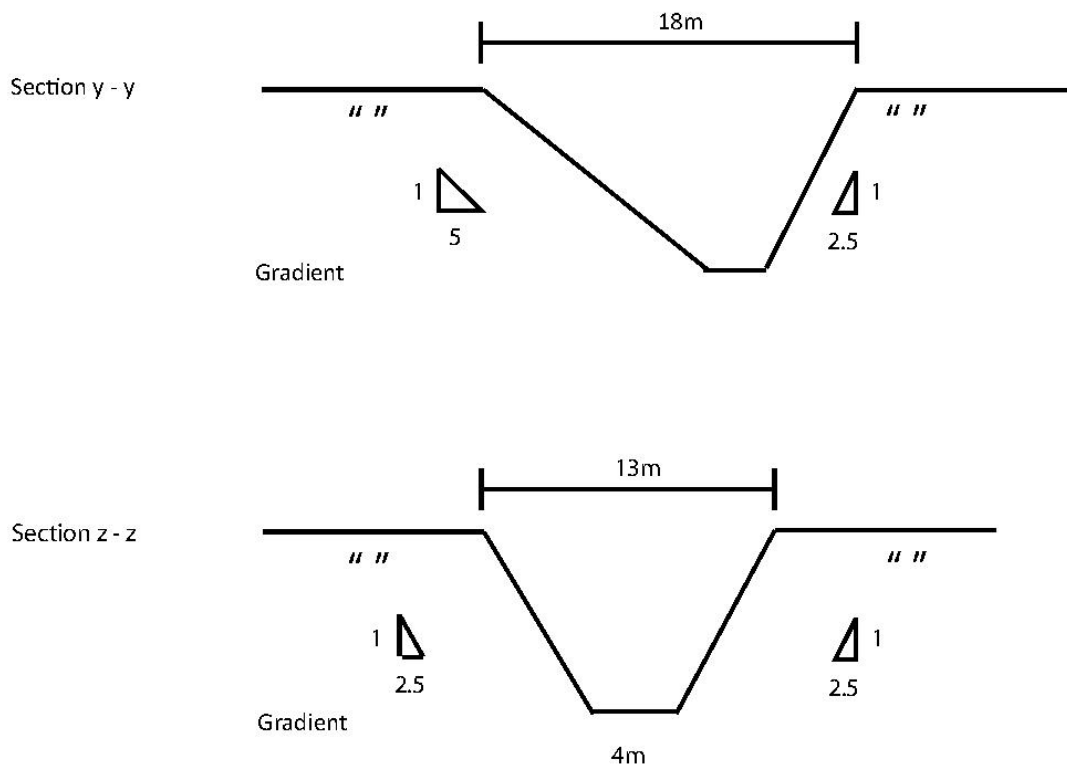
22/04/10

Table 13: Objectives and their implications

Objectives	Implication for site selection at Hazelwood North
1. Provide a diversity of financially sustainable recreation and leisure facilities and opportunities	Both sites require a significant financial commitment to develop Church Road may enable access to Education Dept funding
2. Provide well used and relevant recreation facilities and settings	Both sites would facilitate increased community use Church Road will attract higher school use
3. Consolidate recreation and sports facility provision and use	Full development of either site will achieve this
4. Encourage and support community involvement in sustainable facility management and development	Development of either site will require significant community input
5. Maximise opportunities for economic development through recreation and leisure	Neutral
6. Provide effective management, support and resources	Neutral



Appendix 2: Typical Profile of Waterhole Creek Realignment; Section



Please note these are schematic sections only and are not to be considered as designed.



## Appendix 3: Storm Consulting on Stream Realignment



17 February 2010

Alan Bull  
Leisure Planner  
@leisure  
Rear 534 Mt Alexander Rd  
Ascot Vale Vic 3032

Melbourne  
Unit 7, 84 Church Street  
Richmond VIC 3121  
Australia  
T +61 (03) 9208 0111  
F +61 (03) 9208 0199  
www.stormconsulting.com.au  
ABN 73 080 852 231

SUSTAINABLE WATER  
STORMWATER & RUNOFF  
STREAMS & WATERWAYS  
ENVIRONMENTAL

Dear Alan

RE: Senior Sports Oval at Hazelwood North

Latrobe City Council is proposing a senior sports oval adjacent a primary school on Church Road at Hazelwood. Waterhole Creek runs through the site and conflicts with proposed oval locations. STORM\_CONSULTING (STORM) has been engaged by @leisure to inspect the site, review available flood reports, site survey and assimilate advice from other team members to prepare comment on the feasibility, likely issues and broad opinion of costs for diverting the creek to accommodate the oval.

Information assessed:

1. Waterhole Creek Flood Study – Existing Flood Conditions, Water Technology (June 2007)
2. Survey, SMEC Urban (Dec 2009)
3. Southern Towns Outdoor Recreation Plan, Latrobe City Council (June 2009)

I inspected the site with Ian Murphy from Latrobe Council and Geoff Taylor from West Gippsland Catchment Management Authority (WGCMA) on 25<sup>th</sup> November 2009. I also met with the local landowner who is under the impression that the oval would be placed on the north side of the creek with the access via the road reserve to the east (Jessie Lane). He also gave the impression that he is prepared to sell all the necessary land to accommodate this.

A number of possible oval configurations have been supplied by @leisure and each of these place the majority of the oval on the south side of the creek. @leisure have since refined the oval location which results in pushing the alignment provided attached further north and this has the consequence of increasing construction costs slightly mainly due to the increasing the length. The opinion of costs reflect the revised alignment.

Council owns and manages numerous ovals that are flood free up to the 10 year Annual Recurrence Interval (ARI) however the 50 year level has been recommended for this site by Sports-turf and supported by @leisure.

The Flood Study estimates the peak flow rates for the 10 year and 50 year events as follows:

Location	10 year ARI	50 year ARI
Waterhole Creek #1 at Titree Rd	29.8 m <sup>3</sup> /s	47.6 m <sup>3</sup> /s
Waterhole Creek #2 at Church Rd	7.5 m <sup>3</sup> /s	11.1 m <sup>3</sup> /s

The location of these sites is shown in the figure overleaf which is Figure 3-5 in the Flood Study.





### Site Observations

A crossing has been constructed directly north of the school by the landholder which consists of a culvert. The culvert has since blocked which creates a weir pool upstream. This increases flood levels (evidenced in the flood photos) particularly for the smaller events until the hydraulic control is drowned. This is also not desirable from environmental perspective and WGCMA would be keen to revert to a more natural channel (adding weight to the re-alignment).

Considerable planting has been undertaken within a fenced area of the creek but the riparian corridor is quite narrow. The vegetation is quite young and considerable weed species have invaded.

A culvert exists under Church Rd just east of the school and it is assumed that this is referred to as Waterhole Creek #2 at Church Rd in the flood study.

There was no infrastructure observed to the north of the creek that would inhibit creek realignment.

Overland flooding to the north was reported by the landowner and indicated in the flood study.

### Solution

The two primary drainage options are piping and creek diversion. Piping is thought to be one appropriate solution for the Church Rd culvert however the current culvert is unlikely to convey the 50 year ARI flows estimated in the flood study (assuming I have interpreted it correctly). To convey  $> 11\text{m}^3/\text{s}$  would require a 1,650mm dia pipe or twin 1,200mm dia pipes which is very expensive. The diameter of this culvert is not known so I have assumed it is a 600mm dia for the purposes of preparing an opinion of costs. An alternative is to convey these flows in an earth channel which would be significantly cheaper. I assume that flows in excess of culvert capacity will surcharge and flow down the table drains until they can overtop the road at a sag point.

Piping of the creek is discouraged due to expense and environmental impacts. The WGCMA would also likely object to creek piping. Realignment of the creek itself is generally considered feasible.

A schematic has been prepared and is attached to show a potential solution for drainage including creek realignment. Please note that this is not a design but may be used to inform future discussions.

There is considerable flexibility in locating the new alignment to accommodate various oval options. The one presented on the attached schematic will satisfy most options however the downstream reach may be moved further north if required. As stated earlier, @leisure have finalised the oval location which requires moving the creek alignment further north. There is adequate land for this to occur and the resulting bed grades are suitable.

Bed control structures are proposed to accommodate changes in bed grades. These could potentially be removed in the detailed design pending other variables however it has been left in the solution for costing purposes. An additional bed control structure has been included in the new alignment.

The channel design sections are typical of creek restoration design and have varying batter slopes from 1:2.5 for outside meanders and riffle sections (where the bed control sills are proposed) up to 1:5 for the inside of meanders. The sections shown attached are expected to convey approximately 50% of the 10 year event which is typical of natural channels. To convey a 50 year ARI flood event through this reach the expected floodway is approximately 30m wide and 0.5m deep in a heavily vegetated riparian zone. This would need to be confirmed in the final design and is provided here to appreciate context. Levels above RL 86 are likely considered to be flood free from creek flows for the 50 year ARI however this is subject to detailed design.

An additional flood runner may be excavated to the north of the creek to convey additional flood flows if required. This structure would comprise only earthworks and would be quite subtle in the landscape. A cost has not been prepared for this.





A riparian zone has been shown on the schematic at 50m wide. This is thought to be appropriate for this stream however confirmation on this matter should be sought from WGCMA. Please note there is some flexibility in the riparian zone width in that some areas may be narrowed if other areas are increased, however it is subject to negotiation.

### Construction

Construction may be offline which will allow the majority of works to be undertaken without being affected by baseflow and small event flows. It will also give the vegetation a chance to establish without the potential erosive flows during runoff events. However, this means that there is a 2 stage construction required for the creek alignment which may impact on the oval construction timeline.

Excavated materials for new alignment will largely be used to fill existing creek. Some excess volumes are expected which may be used as general fill for the oval.

Planting of the corridor is expected to be a mix of littoral species in and adjacent the bed, shrub and tree species on the channel banks and overbank areas. The *typha* will likely dominate the channel in the short to medium term however this will generally disappear once the canopy cover is established.

### Broad opinion of costs

Site establishment and preparation – allow \$25,000

Earthworks (excavate, trim and stockpile) allow 7,000m<sup>3</sup>. This cost will vary significantly from contractor to contractor but is typically in the range of \$5 to \$15 per m<sup>3</sup>. This equates to \$35,000 - \$105,000.

Prepare existing creek for filling and fill from stockpile – allow \$70,000.

Rockwork (supply and construct) - allow \$40,000.

Revegetation is typically \$10-15 per m<sup>2</sup>. I would allow up to \$100,000 for planting and maintenance although this may decrease considerably if volunteer groups are used and/or the planting densities are decreased particularly in the outer margins of the corridor.

Extend culvert from Church Road to new creek alignment – allow \$100,000. Alternatively an earthen channel may be constructed which would likely be constructed for \$25,000 plus crossings. Assume each crossing will be \$7,000 plus the road or pathway above.

It is assumed a new road crossing for the landowner will not be required if the current landowner sells the entire block. However a new crossing is expected to be approximately \$25,000.

Please note that these costs are very approximate and should be only used as a guide. Design and project management costs are not included.

I hope this has addressed your needs on this project. Please contact me directly if you require any clarification.

Yours sincerely

A handwritten signature in black ink, appearing to read "Rod Wiese".

**Rod Wiese**

*Principal Engineer*

STORM CONSULTING PTY LTD



SportsTurf Consultants (Aust.) Pty Ltd.

A.B.N. 41 950 863 362

45 Westerfield Drive, Notting Hill, Victoria 3168 Ph: (03) 9574 9066 Fax: (03) 9574 9072 Email: info@sportsturf.com.au

Hazelwood North Project

November 2009

**a) Pros & Cons for Each Site from a Construction Point of View*****Hazelwood North Primary School (Church Road)***

Pros	Cons
<ul style="list-style-type: none"> <li>Natural fall (south to north) - surface water can be diverted into creek</li> <li>Potable water available for establishment</li> </ul>	<ul style="list-style-type: none"> <li>Flood zone (flood overlay follows creek but predominantly to the north)</li> <li>Creek needs to be diverted</li> <li>Removal of vegetation along creek and subsequent revegetation</li> <li>Construction of a bank between the creek and oval</li> </ul>

***Warren Terrace***

Pros	Cons
<ul style="list-style-type: none"> <li>Potable water available for establishment</li> </ul>	<ul style="list-style-type: none"> <li>No storm water connection</li> </ul>

**b) Similarities between Sites**

Both sites are fairly similar;

- Heavy clay soil
- Undulating (cut & fill required)
- Heavily grassed / weeds – need to be remove top 75 – 100mm
- Unaffected by shading
- Good access for construction vehicles etc.
- Sufficient area on site for construction of a large oval and for stockpiling soil (cut)

**c) Sportsfield Construction**

- Community level sportsfield
- Suitable for senior cricket (150m x 130m = 1.6 ha = 65m radius)
- Synthetic wicket
- Initially used for cricket (summer) and school sports during the year
- Not fenced
- Rooftop design – cheaper to construct and easier to drain
- Irrigated only during establishment (Quick Coupler Valves)
- Kikuyu – to be line planted for best chance of establishment

Apart from the cost for diverting the creek and constructing a flood bank at the Hazelwood North Primary School site, the bulk earthworks and cost for construction would be similar for the two sites (~\$225,000 + GST).

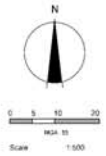
**d) Indicative Construction Costs**

Construction Task	Cost (ex GST)
<b>Remove top</b>	
• Spray out weeds & grass	\$ 35,000
• Remove top 100mm	
• Stockpile & remove from site	
<b>Earthworks</b>	
• Cut & fill	\$ 50,000
• Shaping	
• Rotary hoeing & rolling	
• Add amendments	
<b>Irrigation</b>	
• Connect to mains / water supply	\$ 15,000
• 4 x QCV	
• Rain mobile & hose	
<b>Grassing</b>	
• Line planting	\$ 60,000
• Roll	
• Grow in (12 weeks)	
<b>Other</b>	
• Synthetic wicket	\$ 15,000
• Design (survey, plans & specs.)	
• Site security	\$ 50,000
• Construction supervision	
• Miscellaneous	
<b>Total</b>	<b>\$ 225,000</b>



**Appendix 5:  
Feature Survey -  
Hazelwood North  
Church Road**

19/02/2010



Surveyed:	J. Baruch	Nov '09
Drawn:	S. Tresler	Dec '09
Checked:	S. White	Dec '09
Approved:	S. White	Dec '09

**LATROBE CITY COUNCIL**  
CHURCH ROAD,  
HAZELWOOD NORTH  
DETAIL AND TITLE IDENTIFICATION SURVEY  
LAYOUT PLAN

Drawing No. 3420680-00-001 Rev  
Sheet No. 1 of 2



19/04/10

**Appendix 6: Images of the Church Rd and Warren Terrace Sites**

**1. Church Road Proposed Site**



Image 1: Church Road following heavy rain



Image 2: Looking north east across Church Road



Image 3: Existing vegetation in Waterhole Creek



19/04/10



Image 4: Looking north from Church Road



Image 5: Hazelwood North Primary School car park



Image 6: Looking west towards school



Image 7: Hazelwood North Primary School car park / possible access road



19/04/10

**2. Hazelwood North Recreation Reserve**



Image 8: Existing tennis courts and community hall



Image 9: View of tennis courts and community hall



Image 10: Church on Hazelwood Recreation Reserve



19/04/10

**3. Warren Terrace Site Photos**



Image 11: View east from Warren Terrace, illustrating close proximity to residence



Image 12: View north west



Image 13: View north to Warren Terrace



Image 14: View south of the Reserve



Image 15: View to houses adjacent to Reserve



Image 16: View along road frontage







## **Warren Terrace Hazelwood North Reserve Advisory Committee**

### **TERMS OF REFERENCE August 2010**

#### **Contents:**

1. PREAMBLE
2. OBJECTIVES
2. MEMBERSHIP
  - Composition of the Committee
  - Officer Support
  - Length of appointment
  - Selection of members and filling of vacancies
  - Cooption of members
  - Attendance at meetings
3. RESIGNATIONS
4. PROCEEDINGS
  - Chair
  - Meeting Schedule
  - Meeting procedures
  - Quorum
  - Voting
  - Minutes
  - Reports to Council
5. AUTHORITY AND REPORTING
6. FINANCE & ADMINISTRATION
- 1.

## **PREAMBLE**

- 1.1. The Committee shall be known as the Warren Terrace Hazelwood North Reserve Advisory Committee (hereinafter referred to as “the committee”).
- 1.2. The Committee is an Advisory Committee of Latrobe City Council.

## **2. OBJECTIVES**

- 2.1. To share information with other users and Latrobe City regarding the future development of the Warren Terrace Reserve Hazelwood North.
- 2.2. To provide advice, information and feedback in relation to Warren Terrace Reserve Hazelwood North operational and maintenance issues.
- 2.3. To provide advice, information and feedback in relation to the use of the Warren Terrace Reserve Hazelwood North for recreational purposes.
- 2.4. To provide advice, information and feedback to Latrobe City in relation to the Warren Terrace Reserve Hazelwood North.

## **3. MEMBERSHIP**

### **Composition of the Committee**

- 3.1. The Latrobe City Warren Terrace Hazelwood North Advisory Committee shall comprise of a maximum of ten (10) representatives.
  - 3.1.1. Ward Councillors
  - 3.1.2. A Representative of the Hazelwood North Cricket Club
  - 3.1.3. A Representative of the Hazelwood North Tennis Club
  - 3.1.4. A Representative of the Hazelwood North Primary School
  - 3.1.5. A Representative of the Hazelwood North Country Fire Authority
  - 3.1.6. A Representative of the Hazelwood North Hall Committee
  - 3.1.7. Up to three (3) members of the community

### **Officer Support**

- 3.2. Latrobe City will provide administrative support to each Committee meeting and an advisory staff member will attend the meetings to provide feedback and technical advice.

*Length of appointment*

3.3. Whilst the Warren Terrace Hazelwood North Reserve Advisory Committee shall be in place for as long as Latrobe City Council sees fit, the appointment of members to Warren Terrace Hazelwood North Reserve Advisory Committee shall be for a term of three (3) years. Prior to the expiration of each two year term, there will be a call for nominations for the next two year term. Current Committee members are able to re-nominate.

*Selection of members and filling of vacancies*

3.4. Latrobe City shall determine the original membership of the Committee based on expressions of interest received from members of the community and nominations received from organisations.

3.5. The Committee may fill any vacancies that occur within the two year period of appointment, subject to the approval of the Chief Executive Officer. Where a vacancy is filled in this way, the appointment shall be limited to the remainder of the period of the original appointment.

*Co-option of members*

3.6. With the approval of the Chair organisational representatives may co-opt a temporary member to fulfil their duties and attend meetings.

3.7. With the approval of the Chair the Committee may invite other individuals to participate in the proceedings of the Committee on a regular or an occasional basis and including in the proceedings of any sub-committees formed.

*Attendance at meetings*

3.8. A member who misses two consecutive meetings without a formal apology may at the discretion of Latrobe City have their term of office revoked.

3.9. A member who is unable to attend the majority of meetings during the year may at the discretion of Latrobe City have their term of office revoked.

**4. RESIGNATIONS**

4.1. All resignations from members of the Hazelwood North Reserve User Group Committee are to be submitted in writing to the Chief Executive Officer, Latrobe City Council, PO Box 264, Morwell VIC 3840.

## **5. PROCEEDINGS**

### **Chair**

5.1. The Councillor delegate shall Chair the meetings. If the Councillor delegate is unavailable he/she shall delegate a replacement from the current membership of the Committee to chair the meeting.

### **Meeting schedule**

5.2. The Committee will determine its meeting schedule and times and of each of the meetings. The meetings will be held at a venue determined by the Advisory Committee. The duration of each Committee meeting should not generally exceed two hours.

5.3. Meetings of the Committee will be held bi-monthly initially or as may be deemed necessary by Latrobe City or the Committee to fulfil the objectives of the Committee. Special meetings may be held on an as-needs basis.

### **Meeting procedures**

5.4. Meetings will follow standard meeting procedures.

### **Quorum**

5.5. A majority of the members constitutes a quorum.

5.6. If at any meeting of the Hazelwood North Reserve User Group Committee a quorum is not present within 30 minutes after the time appointed for the meeting, the meeting shall be deemed adjourned.

### **Voting**

5.7. There will be no official voting process. Majority and minority opinions will be presented to Latrobe City in all reports.

### **Minutes of the Meeting**

5.8. A Latrobe City Officer or authorised agent shall take the minutes of each Committee meeting.

5.9. The Minutes shall be in a standard format including a record of those present, apologies for absence, adoption of previous minutes and a list of adopted actions and resolutions of the Committee.

5.10. The Minutes shall be stored in the Latrobe City Council corporate filing system (currently Dataworks electronic document and records management system).

5.11. A copy of the Minutes shall be distributed to all Committee members.

## **6. AUTHORITY AND REPORTING**

6.1. The Committee is an advisory committee only and has no delegated decision making authority.

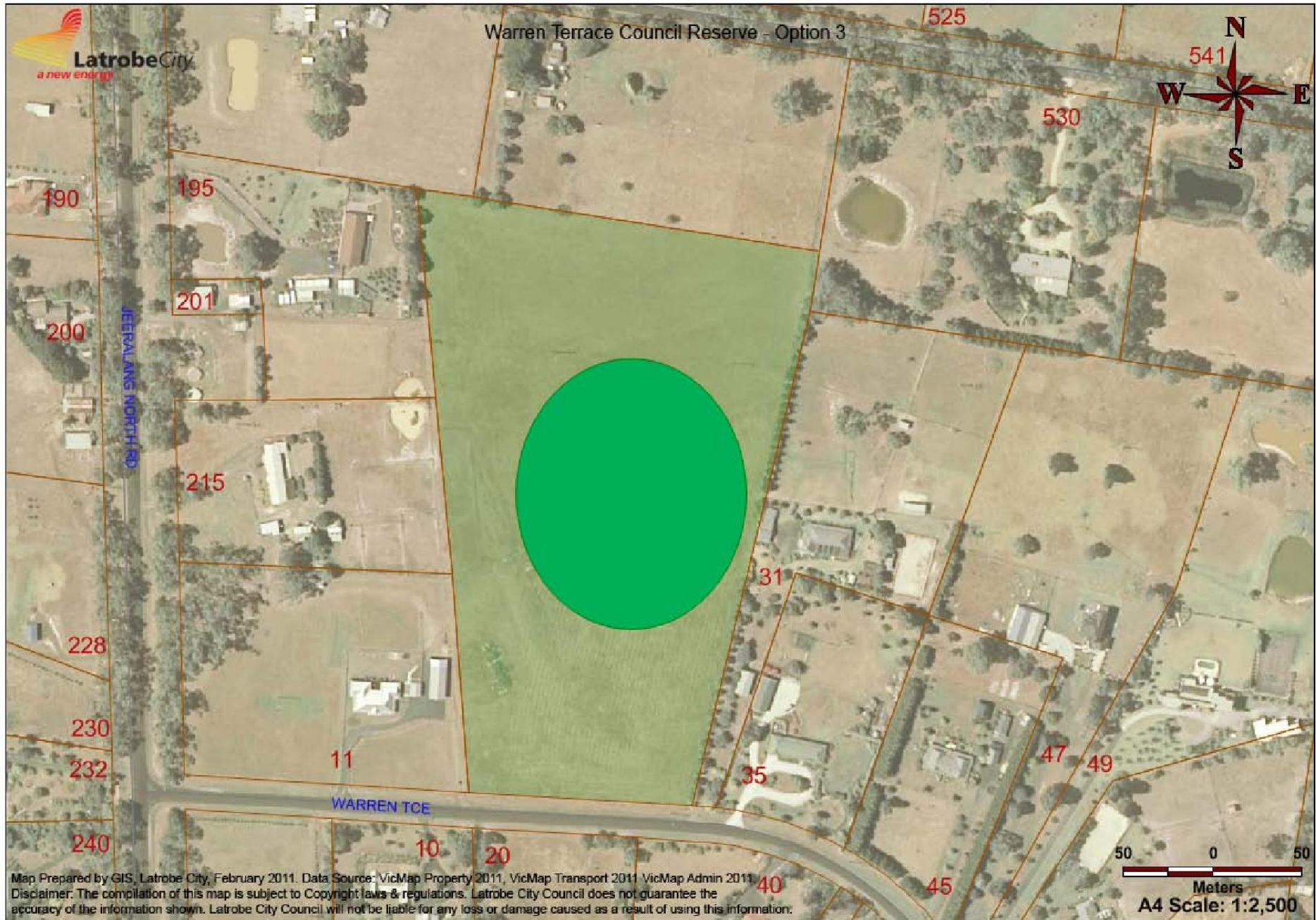
6.2. Reports to the Latrobe City should reflect a consensus of view. Where consensus cannot be reached, the report should clearly outline any differing points of view.

## **7. FINANCE & ADMINISTRATION**

7.1. Latrobe City Council shall provide for the Committee a Secretariat who shall receive and distribute communications to the Committee, arrange meeting venues and prepare and distribute meeting agendas and minutes.









# COMMUNITY LIVEABILITY

**15. COMMUNITY LIVEABILITY**

Nil reports

# GOVERNANCE

**ORDINARY COUNCIL MEETING AGENDA  
18 MARCH 2013 (CM402)**

**16. GOVERNANCE**

**16.1 ASSEMBLY OF COUNCILLORS**

**General Manager**

**Governance**

**For Decision**

**PURPOSE**

The purpose of this report is to present to Council, the Assembly of Councillors forms submitted since the Ordinary Council Meeting held 4 March 2013.

**DECLARATION OF INTEREST**

No officer declared an interest under the *Local Government Act* 1989 in the preparation of this report.

**OFFICER COMMENTS**

The following Assembly of Councillors took place between 25 February 2013 and 6 March 2013 inclusive:

<b>Date:</b>	<b>Assembly Details / Matters Discussed:</b>	<b>In Attendance:</b>	<b>Conflicts of Interest Declared:</b>
25-Feb-13	Issues and Discussion Session Matters discussed: <ul style="list-style-type: none"> <li>o Tonight's Presentation – Energy Australia – Current and Future Plans for Yallourn</li> <li>o Previous Presentation</li> <li>o Future Presentations</li> <li>o Forward Planner</li> <li>o New Issues</li> <li>o Outstanding Issues</li> <li>o Traralgon Bypass Western Alignment</li> <li>o Closure of Morwell Leisure Centre Crèche</li> <li>o Development of the Community Strengthening Plan</li> <li>o Metropolitan Planning Strategy – Melbourne Let's Talk</li> <li>o Monash Views Development Plan</li> </ul>	Cr Peter Gibbons Cr Sharon Gibson Cr Sandy Kam Cr Graeme Middlemiss Cr Kellie O'Callaghan Cr Michael Rossiter Cr Christine Sindt Cr Darrell White  Paul Buckley Carol Jeffs Allison Jones Jacinta Saxton Jodie Pitkin	Cr O'Callaghan declared an indirect interest under Section 78 of The Local Government Act 1989 in Item 10.1

**ORDINARY COUNCIL MEETING AGENDA  
18 MARCH 2013 (CM402)**

<b>Date:</b>	<b>Assembly Details / Matters Discussed:</b>	<b>In Attendance:</b>	<b>Conflicts of Interest Declared:</b>
06-Mar-13	Latrobe Tourism Advisory Board Matters discussed: <ul style="list-style-type: none"><li>o Review of the Tourism Advisory Board Annual Report</li><li>o Recruitment of members to the Board</li><li>o Great Vic Bike Ride</li></ul>	Cr Darrell White Cr Christine Sindt  David Elder Linda Brock Rachel Callus	NIL

**Attachments**

1. Issues and Discussion Seesion - 25 February 2013
2. Latrobe Tourism Advisory Board - 6 March 2013

**RECOMMENDATION**

**That Council note this report.**

# **16.1**

## **Assembly of Councillors**

- 1 Issues and Discussion Seesion - 25 February 2013 ..... 253**
- 2 Latrobe Tourism Advisory Board - 6 March 2013 ..... 257**



## Assembly of Councillors Record

**Assembly details:** Issues & Discussion Session

**Date:** Monday 25 February 2013

**Time:** 6.00 PM

**Assembly Location:** Nambur Wariga Meeting Room, Latrobe City Council Offices, Commercial Road, Morwell

**In Attendance:**

**Councillors:** Cr Gibbons, Cr Gibson, Cr Kam, Cr Middlemiss, Cr O'Callaghan, Cr Rossiter, Cr Sindt, Cr White

**Officer/s:** Paul Buckley, Carol Jeffs, Allison Jones, Jacinta Saxton, Jodie Pitkin

**Matter/s Discussed:**

- 4.1 Tonight's Presentation – Energy Australia – Current and Future Plans for Yallourn
- 4.2 Previous Presentation
- 4.3 Future Presentations
- 6.1 Forward Planner
- 7.1 New Issues
- 7.2 Outstanding Issues
- 10.1 Traralgon Bypass Western Alignment
- 12.1 Closure of Morwell Leisure Centre Crèche
- 12.2 Development of the Community Strengthening Plan
- 13.1 Metropolitan Planning Strategy – Melbourne Let's Talk
- 13.2 Monash Views Development Plan

**Are the matters considered confidential under the Local Government Act: NO**

**Conflict of Interest Disclosures:** (refer 3. over page)

**Councillors:**

Cr O'Callaghan declared an indirect interest under Section 78 of The Local Government Act 1989 in Item 10.1

**Officer/s:** NIL



**Times that Officers / Councillors left/returned to the room:**

Cr O'Callaghan arrived at 7.45pm at the conclusion of Item 4.1 – Tonight's Presentations

Cr Gibson left the Chamber at 6.35pm and returned at 7.45pm

Cr O'Callaghan left the Chamber due to a Conflict of Interest at 9.47pm and returned 9.54pm

**Completed by:** JAYNE EMANS





**Assembly of Councillors Record Explanation / Guide Notes**  
Required pursuant to the Local Government Act 1989 as amended.

**1. Section 80A requirements (re: Written Record to be made by Council staff member):**

Amendments to the Local Government Act 1989 (Section 80A), operative from 2 December 2008 now stipulate:

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

- the names of all Councillors and members of Council staff attending;
- the matters considered;
- any conflict of interest disclosures made by a Councillor attending under subsection (3);
- whether a Councillor who has disclosed a conflict of interest as required by subsection (3) leaves the assembly."

The above required information is:

- to be reported to an Ordinary meeting of the Council; and
- incorporated in the minutes of that Ordinary meeting.

**2. Section 76AA definition:**

"**Assembly of Councillors** (however titled, e.g. meeting / inspection / consultation etc) is 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 staff which considers matters that are intended or likely to be;

- The subject of a decision of the Council; or
- Subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.

**Brief Explanation:**

Some examples of an *Assembly of Councillors* will include:

- Councillor Briefings;
- on site inspections, generally meetings re: any matters;
- meetings with residents, developers, other clients of Council, consultations;
- meetings with local organisations, Government Departments, statutory authorities (e.g. VicRoads, etc);

providing **at least 5 Councillors and 1 Council staff member are present** and 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.

*Effectively it is probable, that any meeting of at least 5 Councillors and 1 Council staff member will come under the new requirements as the assembly will in most cases be considering a matter which will come before Council or be the subject of a delegated officer's decision at some later time. If you require further clarification, please call the Manager Council Operations – Legal Counsel.*

**Please note:** an Advisory Committee meeting requires only one Councillor to be in attendance. An advisory committee is defined as any committee established by the Council, other than a special committee, that provides advice to:

- the Council; or
- a special committee; or
- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

**3. Section 80A and 80B requirements (re: Conflict of Interest):**

Councillors and officers attending an Assembly of Councillors must disclose any conflict of interest.

**Section 80A(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 disclose either:

- (a) immediately before the matter in relation to the conflict is considered; or
- (b) if the Councillor realises that he/she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware of the conflict of interest, leave the assembly whilst the matter is being considered by the assembly."

**Section 80B**

A member of Council staff who has a conflict of interest (direct or indirect) in a matter in which they have a delegated power, duty or function must:

- not exercise the power or discharge the duty or function;
- disclose the type of interest and nature of interest to the in writing to the Chief Executive Officer as soon as he/she becomes aware of the conflict of interest. In the instance of the Chief Executive Officer having a pecuniary interest, disclosure in writing shall be made to the Mayor.



## Assembly of Councillors Record

This form **MUST** be completed by the attending Council officer and returned **IMMEDIATELY** to the Council Operations Team for filing. {see over for Explanation/Guide Notes}.

**Assembly details:** Latrobe Tourism Advisory Board

**Date:** 6 March 2013

**Time:** 5.35pm

**Assembly Location:** Nambur Wariga meeting room, Latrobe City Council Head Quarters, Morwell  
(e.g: Town Hall, TOWN, No. xx ADDRESS, Latrobe City Council Offices).

### In Attendance:

**Councillors:** Cr Darrell White, Cr Christine Sindt

**Officer/s:** David Elder, Linda Brock, Rachel Callus

**Matter/s Discussed:** Review of the Tourism Advisory Board Annual Report, Recruitment of members to the Board, Great Vic Bike Ride  
(e.g: Proposed Development in TOWN discussion with residents, Planning Permit Application No. xxxx re: proposed xx story development at ADDRESS, etc)

**Are the matters considered confidential under the Local Government Act:** NO

### Conflict of Interest Disclosures: (refer 3. over page)

**Councillors:** Nil

**Officer/s:** Nil

**Times that Officers / Councillors left/returned to the room:** Nil

**Completed by:** Linda Brock



### Assembly of Councillors Record Explanation / Guide Notes

Required pursuant to the Local Government Act 1989 as amended.

#### 1. Section 80A requirements (re: *Written Record to be made by Council staff member*):

Amendments to the Local Government Act 1989 (Section 80A), operative from 2 December 2008 now stipulate:

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

- the names of all Councillors and members of Council staff attending;
- the matters considered;
- any conflict of interest disclosures made by a Councillor attending under subsection (3);
- whether a Councillor who has disclosed a conflict of interest as required by subsection (3) leaves the assembly."

The above required information is:

- to be reported to an Ordinary meeting of the Council; and
- incorporated in the minutes of that Ordinary meeting.

#### 2. Section 76AA definition:

"*Assembly of Councillors* (however titled, e.g: meeting / inspection / consultation etc) is 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 staff which considers matters that are intended or likely to be;

- The subject of a decision of the Council; or
- Subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.

#### Brief Explanation:

Some examples of an *Assembly of Councillors* will include:

- Councillor Briefings;
- on site inspections, generally meetings re: any matters;
- meetings with residents, developers, other clients of Council, consultations;
- meetings with local organisations, Government Departments, statutory authorities (e.g. VicRoads, etc);

providing at least 5 Councillors and 1 Council staff member are present and 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.

*Effectively it is probable, that any meeting of at least 5 Councillors and 1 Council staff member will come under the new requirements as the assembly will in most cases be considering a matter which will come before Council or be the subject of a delegated officer's decision at some later time. If you require further clarification, please call the Manager Council Operations – Legal Counsel.*

**Please note:** an Advisory Committee meeting requires only one Councillor to be in attendance. An advisory committee is defined as any committee established by the Council, other than a special committee, that provides advice to:

- the Council; or
- a special committee; or
- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

#### 3. Section 80A and 80B requirements (re: *Conflict of Interest*):

Councillors and officers attending an Assembly of Councillors must disclose any conflict of interest.

##### Section 80A(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 disclose either:

- (a) immediately before the matter in relation to the conflict is considered; or
- (b) if the Councillor realises that he/she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware of the conflict of interest, leave the assembly whilst the matter is being considered by the assembly."

##### Section 80B

A member of Council staff who has a conflict of interest (direct or indirect) in a matter in which they have a delegated power, duty or function must:

- not exercise the power or discharge the duty or function;
- disclose the type of interest and nature of interest to the in writing to the Chief Executive Officer as soon as he/she becomes aware of the conflict of interest. In the instance of the Chief Executive Officer having a pecuniary interest, disclosure in writing shall be made to the Mayor.

## ORDINARY COUNCIL MEETING AGENDA 18 MARCH 2013 (CM402)

### 16.2 DOCUMENTS PRESENTED FOR SIGNING AND SEALING

**General Manager**

**Governance**

**For Decision**

#### DECLARATION OF INTEREST

No officer declared an interest under the Local Government Act 1989 in the preparation of this report.

#### DOCUMENTS

PP 2011/279	Section 173 Agreement under the Planning and Environment Act 1987 between Latrobe City Council and Kyriacos Armatas as the Owner of the Land more particularly described in Certificate of Title Volume 10948 Folio 271 being Lot 235 on PS 543448 situated at 18 Sligo Court, Traralgon pursuant to Condition 2(b) of Planning Permit No 2011/279 for Two (2) Lot Plan of Subdivision No. PS702055L issued under Officer Delegation on 5 March 2012 providing that any future development of the Land shall be in accordance with the approved plans as part of PP 2011/079.
PP 06108/A	Section 173 Agreement under the Planning and Environment Act 1987 between Latrobe City Council and JRL Developments Pty Ltd as the Owner of the Land more particularly described in Certificate of Title Volume 9014 Folio 687 being Lot 4 on LP 110075 situated at 10 Alamere Drive, Traralgon pursuant to Planning Permit No 06108/A for Five Lot Plan of Subdivision No. PS641980k issued by VCAT on 21 June 2006 and amended under Officer Delegation on 15 November 2011: <ul style="list-style-type: none"> <li>▪ Requiring each lot to install a stormwater retention tank as part of construction of a dwelling on the lot. The tank must be capable of retaining roof run-off from buildings on the site for a 5 year ARI storm event.</li> <li>▪ Proving for how cost will be shared and how entitlement and liability rights and responsibilities will be allocated for the maintenance of the shared vehicle crossing and driveway to a standard documented in the agreement.</li> </ul>

**Attachments**  
Nil

**RECOMMENDATION**

1. That Council authorises the Chief Executive Officer to sign and seal the Section 173 Agreement under the Planning and Environment Act 1987 between Latrobe City Council and Kyriacos Armatas as the Owner of the Land more particularly described in Certificate of Title Volume 10948 Folio 271 being Lot 235 on PS 543448 situated at 18 Sligo Court, Traralgon pursuant to Condition 2(b) of Planning Permit No 2011/279 for Two (2) Lot Plan of Subdivision No. PS702055L issued under Officer Delegation on 5 March 2012.
2. That Council authorises the Chief Executive Officer to sign and seal the Section 173 Agreement under the Planning and Environment Act 1987 between Latrobe City Council and JRL Developments Pty Ltd as the Owner of the Land more particularly described in Certificate of Title Volume 9014 Folio 687 being Lot 4 on LP 110075 situated at 10 Alamere Drive, Traralgon pursuant to Planning Permit No 06108/A for Five Lot Plan of Subdivision No. PS641980k issued by VCAT on 21 June 2006 and amended under Officer Delegation on 15 November 2011.

**16.3 PLANNING PERMIT APPLICATION 2012/223 - USE OF LAND AS  
A RESTRICTED RECREATION FACILITY (GYM) TO OPERATE 24  
HOURS A DAY 7 DAYS A WEEK; DISPLAY OF INTERNALLY  
ILLUMINATED AND BUSINESS IDENTIFICATION SIGNAGE;  
WAIVER OF BICYCLE PARKING FACILITIES AT 114-116  
ARGYLE STREET TRARALGON**

**General Manager**

**Governance**

**For Decision**

**PURPOSE**

The purpose of this report is to determine Planning Permit Application 2012/223 for the use of land at 114-116 Argyle Street Traralgon, as a restricted recreation facility (gymnasium) to operate 24 hours a day 7 days a week; display of internally illuminated and business identification signage; and waiver of bicycle parking facilities.

**DECLARATION OF INTERESTS**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2012-2016.

***Latrobe 2026: The Community Vision for Latrobe Valley***

***Strategic Objective – Built Environment***

- In 2026, Latrobe Valley benefits from a well planned built environment that is a complementary to its surroundings and which provides for a connected and inclusive community.

***Shaping Our Future***

An active connected and caring community  
*Supporting all*

***Latrobe City Council Plan 2012 – 2016***

***Strategic Objectives – Built Environment***

- Promote and support high quality urban design within the built environment; and
- Ensure proposed developments enhance the liveability of Latrobe City, and provide for a more sustainable community.

## ORDINARY COUNCIL MEETING AGENDA 18 MARCH 2013 (CM402)

### Legislation

The discussions and recommendations of this report are consistent with the provisions of the *Planning and Environment Act 1987* (the Act) and the Latrobe Planning Scheme (the Scheme), which apply to this application.

### **BACKGROUND**

#### **SUMMARY**

Land:	114-116 Argyle Street Traralgon, known as Lot 5 on Plan of Subdivision 613417X
Proponent:	Bosco Johnson on behalf of Lookside Pty Ltd
Zoning:	Business 4 Zone Abuts a Road Zone Category 1
Overlay	No overlays affect the subject site.

A Planning Permit is required:

- To use the land as a restricted recreation facility in accordance with Clause 34.04-1 of the Scheme;
- To display internally illuminated and business identification signage pursuant to Clause 52.05-7 of the Scheme;
- For the waiver of bicycle facilities in accordance with Clause 52.34-3 and Clause 52.34-4 of the Scheme.

Pursuant to Clause 74 of the Scheme, a restricted recreation facility is defined as *'land used by members of a club or group, members' guests, or by the public on payment of a fee, for leisure, recreation, or sport, such as a bowling or tennis club, gymnasium and fitness centre. It may include food and drink for consumption on the premises, and gaming'*.

A restricted recreational facility is included in the broader land use definition of a minor sports and recreational facility under Clause 74 of the Scheme.

### **PROPOSAL**

The application seeks to use the existing building on the subject land as a restricted recreation facility (gymnasium) to operate 24 hours a day 7 days a week. Details of the proposal are as follows:

- The existing building has a floor area of 826 square metres and the land use breakdown for the proposed gymnasium is as follows:
  - Cardio area: 193 square metres
  - Pin weights area: 228 square metres
  - Free weights area: 186 square metres

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- Office and reception area: 15 square metres
- Multi-purpose area: 86 square metres
- Remaining area to be used for amenity purposes
- The gymnasium would only be staffed during core business hours.
- The gymnasium would be used by members only. As submitted by the applicant, no group classes would be conducted on site.
- The gymnasium would only have background music playing when occupied (music system to be operated via sensor).
- Two pedestrian access points to the building are proposed, one via Argyle Street and one via Davidson Street.
- Security systems including a door access system, security camera system and customer safety/duress alarm system, would be provided on site.
- As submitted by the applicant, a maximum of seven staff members would be on site at any one time, including one on-site manager and up to six trainers. The applicant however does not seek to 'cap' the staff numbers as part of this application.
- Research by the applicant on similar gymnasiums indicates that there would be generally no more than 60 patrons on site at any one time, although the applicant does not seek to 'cap' the patron numbers as part of this application. Peak times for gymnasium facilities are generally between early morning at 6am to 9am, and late afternoon/evening from 4pm to 7pm.
- There are currently six car parking spaces on site which would be available for exclusive use by the patrons of the gymnasium.
- There are currently 19 on-street line-marked car parking spaces within the adjoining road reserves which are available for general public use. The proposal seeks to partly rely on these public car parking spaces to service the gymnasium.
- The applicant is committed to entering into an agreement with Council (if necessary) to construct four additional car parking spaces within the Davidson Street reserve as part of this application.
- The proposal does not seek to provide any bicycle parking spaces on site. A waiver of bicycle facilities is sought as part of this application.
- 25 external signs are proposed, including 4 internally illuminated signs, a number of business identification signs and various large vinyl window signs showing 'lifestyle' images. The total area of the proposed business signage is approximately 100 square metres and the total area of the proposed internally illuminated signage is approximately 29 square metres.



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- No buildings or works (other than internal fit out) are proposed as part of this application.

Refer to Attachments 1 and 2 for a copy of the proposed site plans and signage plans respectively.

### **SUBJECT LAND:**

The subject site is located at 114-116 Argyle Street, northwest corner of Argyle Street and Park Lane in Traralgon. The site is irregular in shape and has an area of 1496 square metres. The site is developed with a single storey building, which was formerly used as a shop / showroom but is currently vacant. The existing building has an area of 826 square metres, a frontage to Argyle Street of approximately 41 metres, a frontage to Davidson Street of approximately 46 metres and a frontage to Park Lane of approximately 16 metres.

There are two pedestrian entries to the existing building, one from Argyle Street and one from Davidson Street.

The site is currently provided with six car parking spaces, located to the rear (north) of the building.

There are a number of on-street unrestricted but line-marked car parking spaces within the immediate vicinity of the site, including five spaces located directly to the south of the site within the Argyle Street service road reserve, and 14 angle car parking spaces located on the south side of Davidson Street, to the rear of the existing commercial buildings at 104-116 Argyle Street.

There are also some opportunities for unrestricted car parking on Argyle Street (service lane).

### **SURROUNDING LAND USE:**

North:	Across Davidson Street, the land is developed and used for residential purposes. All the lots north of the site, across Davidson Street are zoned Residential 1
South:	Immediately south of the site is the signalised intersection of Princes Highway with Park Lane and Liddiard Road. Further south, the land is zoned Business 4 and is developed for commercial purposes.
East:	Across Park Lane, the land is developed for commercial purposes and contains a Hungry Jacks Restaurant. The lot is zoned Business 4. Further to the east of the Hungry Jacks Restaurant, the lots are zoned Residential 1.
West:	To the west is land zoned Business 4 and occupied by commercial businesses. Access to these commercial properties is provided via the Argyle Street service road.

**HISTORY OF APPLICATION**

A history of assessment of this application is set out in Attachment 3.

The provisions of the Scheme that are relevant to the subject application are included in Attachment 4.

**ISSUES****ASSESSMENT AGAINST THE RELEVANT PLANNING POLICIES**

The proposal has been considered against the relevant clauses under the State and Local Planning Policy Frameworks as follows:

**Clause 11.05 – Regional Development:**

The objective of this Clause is to *'promote the sustainable growth and development of regional Victoria through a network of settlements identified in the Regional Victoria Settlement Framework plan'*.

It is considered that the proposal is consistent with this Clause as the commencement of the use will serve to complement the strategies of *'direct(ing) urban growth into the major regional cities of Geelong, Ballarat, Bendigo and the Moe, Morwell and Traralgon cluster'*, and *'provide for growth in population and development of facilities and services across a region or sub-region network'*.

Within the Local Planning Policy Framework, the following Clauses are relevant for this application:

**Clause 21.05 – Main Towns:**

The objective of this Clause is to *'provide the flexibility for development to occur in each town to accommodate the needs of its population as well as to contribute to the municipal networked city'*.

It is considered that the proposal is consistent with this Clause as the commencement of the use will serve to complement the strategies of *'encourage(ing) the development of new retail, office and residential mixed use developments within Traralgon Primary Activity Centre (Area 4) and Argyle Street'*. It is recognised that the proposed use is not within an existing or proposed activity centre; however, the utilization of an existing building for recreational purposes is considered to be acceptable.

**Clause 21.07 – Economic Sustainability:**

The objective of this Clause is to *'facilitate a vibrant and dynamic economic environment'*.

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It is considered that the proposal is consistent with this Clause as the commencement of the use will serve to complement the strategies of *'provide(ing) a balanced approach to economic development taking into account economic, social and environmental values'*. The proposed use will serve to promote recreational activities that will improve the general well being of the community.

**ZONING**Clause 34.04 Business 4 Zone:

The purpose of this Zone is:

- *'to implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies'*.
- *'to encourage the development of a mix of bulky goods retailing and manufacturing industry and their associated business services'*.

The proposed use is a Section 2 Use (Permit required) in this zone.

Whilst it is acknowledged that a Restricted Recreation Facility is not a retailing or bulky goods use, the proposal is not contrary to the purpose of the zone. This is because the purpose does not preclude any non-bulky goods retailing or non manufacturing industry from operating in the Business 4 Zone. There is nothing in the nature of a Restricted Recreation Facility which would make the rest of the Business 4 Zone less suitable for its primary purpose of retailing or bulking goods use. Accordingly, it is reasonable to consider that the use of land as a Restricted Recreation Facility is not incompatible with the area and is an acceptable use in the Business 4 Zone.

**PROVISION OF CAR PARKING**

Clause 52.06 of the Scheme relates to car parking and one of the objectives is:

*'to ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality'*.

Pursuant to Clause 52.06 of the Scheme, a use must not commence until adequate car parking has been provided according to the table to this Clause. Whilst the table specifies the number of car spaces for many land uses, there is none for a restricted recreation facility. As such, Council's Infrastructure Planning Department has adopted the car parking rate as set out in the New South Wales Road Traffic Authority's publication "Guide to Traffic Generating Development" as the basis for determining the amount of car parking required for the proposal.

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The guide sets out that gymnasiums in metropolitan sub-regional areas require 4.5 parking spaces per 100 square metres of gross floor area. Based on this rate, the proposal to use the existing building with an area of 826 square metres, as a gymnasium would generate a parking demand of 37 car parking spaces at peak times. Council engineers are of the view that the number of parking spaces available (both in terms of on-site and off-site) appears to be less than what would be expected for up to 60 patrons.

It should be noted that a car parking and traffic study has not been provided as part of this application to support the proposed provision of car parking. During the detailed assessment stage of the application, the applicant was given the opportunity to provide further information to justify the proposed number of car parking on site. However, the applicant is only keen to have this application considered at a Council meeting as soon as possible and does not wish to hold up the application process due to the preparation of a car parking and traffic study.

Alternatively, in *Dekoma Pty Ltd v Moonee Valley CC* [2010] VCAT 1933 which related to a 24 hour gymnasium located within the Keilor Road Major Activity Centre in Essendon (Metropolitan Melbourne), the Tribunal adopted a parking rate based on the number of patrons (rather than gross floor area) when determining the appropriate amount of car parking to be provided on site. The rate adopted in the Dekoma's case was 0.3 car space per patron, similar to the parking requirement of a place of assembly in Clause 52.06 of the Scheme.

If based on the car parking rate adopted in the Dekoma's case, the proposal with maximum 60 patrons and 7 staff members would generate a parking requirement of 20 car parking spaces.

However, as submitted by the applicant, only 6 on-site car parking spaces are to be provided for the proposed gymnasium and heavy reliance would need to be made on on-street parking to cater for the demand generated by the proposal.

Whilst it is acknowledged that on-street car parking in the area is generally under-utilised, without a detailed traffic and car parking survey, it is questionable as to whether there would be sufficient car parking to cater for the parking needs of up to 60 patrons and 7 staff members.

On the above basis, it is considered that a conservative approach should be adopted in assessing the car parking demand generated by the proposal, and that there should be a cap on the maximum number of patrons allowed on site at any one time based on the availability of car parking in the area. This is to ensure that the proposal would not lead to an unacceptable detrimental effect on the amenity of the area.

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It is recommended that no more than 35 gymnasium patrons and 7 staff should be allowed on site at any one time. These maximum figures have been derived based on the following:

- There are ten dedicated car parking spaces for the proposed gymnasium, being the six on site car spaces, and the four additional on-street car spaces within the Davidson Street reserve, which are to be constructed should a planning permit be granted for the proposal.
- The peak times of the gymnasium are generally earlier in the morning and later in the afternoon. It is unlikely that the peak times of the gymnasium would clash with the peak times of other commercial activities in the area. On this basis, it is reasonable to consider that during peak hours, at least half of the existing on-street line-marked car parking spaces in the area would be available for use by the gymnasium patrons (i.e. approximately 10 out of the 19 on-street line-marked car parking spaces would be available for the gymnasium during peak hours).
- There are also some opportunities for unrestricted on-street parking on Argyle Street (service lane) within 100 metres of the subject site, say for parking of approximately 10 cars.

Refer to the attached aerial photo to get an overview of the availability of on-street car parking in the area.

- The car parking rate of 0.3 space per patron adopted in the Dekoma case appears to be too low for the proposal. This is because unlike the site in the Dekoma case which is zoned Business 1 and located in a Major Activity Centre, the subject site is located in the Business 4 Zone with limited access to public transport. Given the context of the subject site, it is reasonable to consider that most patrons would drive to the facility, although some would walk or cycle to the facility.
- Without any detailed car parking and traffic study provided by the applicant to support the application, Council Planning Officers are of the view that a more conservative car parking rate for the proposal should be at least 0.7 space per patron.
- Based on the general availability of approximately 30 car parking spaces in the area (both on-street and off-street) for the proposal, and a conservative rate of 0.7 space per patron, the maximum allowable patrons and staff members on site at any one time should be no more than 42 (or 35 patrons and 7 staff members).

It is considered that should the number of patrons required to be increased, a detailed car parking and traffic survey must be provided to Council for further assessment.

In addition, for access, car parking and safety/surveillance purposes, appropriate external lighting must be provided on the land at night. All external lighting installed on the land must be controlled by a timer switch where possible, and fitted with suitable baffles such that no direct light shines onto any nearby residential properties. These lighting issues can be addressed by way of permit condition.

### **BICYCLE PARKING**

Clause 52.34 of the Scheme seeks to encourage cycling as a mode transport. The Table to Clause 52.34 of the Scheme specifies that, for a minor sports and recreation facility, one bicycle parking space must be provided for each employee, and each 200 square metres of net floor area.

Based on the above rate, the proposal would generate a bicycle parking demand of up to 11 spaces.

This application however does not seek to provide any bicycle parking facilities on site. A recent inspection of the site has revealed that the site is not physically constrained in any way, and bicycle racks can easily be installed on site.

Justifications have not been provided by the applicant as to why the waiver of bicycle facilities is deemed necessary.

On the above basis, it is considered that the request to waive the bicycle facilities in accordance with Clause 52.34-3 of the Scheme should not be supported. Should a planning permit be granted for the proposal, it will be a condition of permit that prior to the commencement of use, appropriate bicycle parking facilities must be provided in accordance with Clause 52.34 of the Scheme, to the satisfaction of the Responsible Authority.

### **SIGNAGE**

In terms of signage, the proposal seeks to display a significant amount and variety of signage on the facades and windows of the existing building on the land. A copy of the proposed signage plan is included in Attachment 2 of this report.

It is considered that the proposed signage is generally appropriate for the site, for the following reasons:

- The site is located within an area designated for bulking goods premises and in the Business 4 Zone. Commensurate with such areas is often extensive signage. In particular, the subject area is generally characterised by a mix of business signage associated with the various retail and commercial buildings on both sides of the highway.

- It is considered that the proposed 'life style' images generally complement with the various business identification signs, fit neatly into the window spaces and are appropriate sized and spaced, contributing to an overall sense of orderliness. Accordingly, it is reasonable to consider that the number of signs on the building would not lead to visual clutter.
- Whilst the proposal seeks to cover most of the windows with 'life style images', it should be noted that only part of the windows facing Argyle Street would be covered with 'frosted safety banding' signs. There would be opportunities for pedestrians to see into the building, and to activate street frontages.
- The 'life style' images are generally interesting to pedestrians and to a certain extent, add life and colour to the street and to the existing building.

### **SUBMISSION**

The application received one submission in the form of an objection. The issues raised were:

1 Car parking and traffic flow issues

Comment:

As detailed earlier in this report, to ensure that the proposal would not lead to an unacceptable or detrimental effect on the amenity of the area, it is recommended that there should be a cap on the maximum number of patrons allowed on site at any one based on the availability of car parking in the area.

2 24 hour operation and associated amenity impact

Comment:

Another key issue raised in the objection relates to the proposed 24 hour operation and its associated impact on the amenity of adjoining residential properties, particularly in terms of noise emission.

Whilst the subject land is in the Business 4 Zone, it should be noted that the proposed on-street car parking area at the rear is in the Residential 1 Zone. Directly to the north of the subject site, on the opposite side of Davidson Street, are all residential properties and also zoned Residential 1.

If the rear car parking area was in the Business 4 Zone, the expectation of use of the land would be different. It would be one that is to enhance and facilitate the commercial use and vitality of the commercial area.

In this case however, the rear car parking area is the interface and transition from commercial use to residential use. Given the proximity of the car parking area to dwellings in a residential zone, it is reasonable to consider that the proposed 24 hour use of the car parking area, plus the need to light the area at night, would compromise the residential amenity of abutting and adjacent residents, most notably at night.

On this basis, it is recommended that access to the proposed gymnasium from the rear (i.e. Davidson Street entrance) should not be allowed at night from 10pm to 6am the next day, access should only be obtained from the Argyle Street entrance which is located in the Business 4 Zone and on a main road.

With restricted access from the rear, patrons of the gymnasium would be discouraged to park anywhere near the residential properties on Davidson Street. As the number of patrons attending the gymnasium between 10pm to 6am would be relatively low compared to day time, it is reasonable to consider that there would be adequate night time car parking on Argyle Street (service lane), to meet the expected demand generated by the proposal.

The restriction of access can be addressed by way of permit condition.

To further address the noise issue, Council's Health Department has recommended that appropriate conditions be included on the permit to ensure that the noise generated from the premises must not exceed 5dB(A) above the background noise (night and/or day).

### **FINANCIAL, RISK AND RESOURCES IMPLICATIONS**

Additional resources or financial cost will only be incurred should the planning permit application require determination at the Victorian Civil and Administrative Tribunal (VCAT).

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management Plan 2011-2014.

### **INTERNAL / EXTERNAL CONSULTATION**

*Engagement Method Used:*

Notification:

In accordance with the notice requirements of Section 52(1) of the Act, notice was provided to adjoining property owners and occupiers of the proposal, and a sign was displayed on the site for 14 days.

External:

There was no referral requirement pursuant to Section 55 of the Act.



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The application was referred internally to Council's Infrastructure Planning team for consideration. Council's engineers do not object to the proposal, subject to conditions.

Details of Community Consultation following Notification:

Following the advertising and referral of the application, one objection was received. At the request of the applicant a mediation meeting was not held.

**OPTIONS**

Council has the following options in regard to this application:

- 1 Issue a Notice of Decision to Grant a Planning Permit: or
- 2 Refuse to Grant a Planning Permit.

Council's decision must be based on planning grounds, having regard to the provisions of the Latrobe Planning Scheme.

**CONCLUSION**

The proposal is considered to be:

- Consistent with the strategic direction of the State and Local Planning Policy Frameworks;
- Not contrary to the 'Purpose' and 'Decision Guidelines' of the Business 4 Zone;
- Generally consistent with the 'Purpose' and 'Decision Guidelines' of Clauses 52.05 (Advertising Signage), 52.06 (Car Parking), 52.34 (Bicycle Facilities) of the Scheme, subject to appropriate conditions
- Consistent with Clause 65 (Decision Guidelines); and

The objection received has been considered against the provisions of the Latrobe Planning Scheme and the relevant planning concerns have been considered and relevant permit conditions addressing these issues will be required.

**Attachments**

1. Proposed Site Plans
2. Signage Plans
3. Aerial Photo
4. Zoning Map
5. History of Assessment
6. Relevant Clauses of the Scheme
7. Objection

**RECOMMENDATION**

That Council issue a Notice of Decision to Grant a Planning Permit, for the use of land as a restricted recreation facility (gymnasium) to operate 24 hours a day 7 days a week; display of internally illuminated and business identification signage, at 114-116 Argyle Street in Traralgon, with the following conditions:

**Amended Plans**

1. Prior to the commencement of use hereby permitted, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted but modified to show:
  - a) The car parking layout must be amended to accurately show the existing parking arrangement adjacent to the subject site (note that car space #16 as shown on the plans submitted with the application does not exist).
  - b) Provision of bicycle parking facilities to accommodate at least 10 bicycle spaces in accordance with the design requirements as specified under Clause 52.34 of the Scheme, to the satisfaction of the responsible authority.
  - c) Annotation on the plans to show that at least 30% of the windows fronting Argyle Street must be clear (not frosted) and free of advertising signage.

**Endorsed Plans**

2. The use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. The location and details of the signage, including those of any supporting structure, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.

**Engineering Conditions**

4. Before the commencement of use hereby permitted, the following plans shall be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and one copy and an electronic copy (PDF) must be provided.
  - a) Detailed design plans and specifications for the proposed extension of the indented car parking bays in Davidson Street. Dimensions of all proposed parking spaces must be clearly shown and the plan must include finished surface material details, finished surface levels and contours. Parking areas must be finished with an all-weather sealed surface; drained; and line marked to indicate each car space.

5. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Responsible Authority
6. Before the use hereby permitted commences, or by such later date as is approved by the Responsible Authority in writing, the following works must be completed in accordance with the endorsed plans and to the satisfaction of the Responsible Authority:
  - a. The areas shown on the endorsed plans for car parking must be constructed to such levels that they can be used in accordance with the plans approved by the Responsible Authority, including surfacing with an all-weather sealed surface, drainage and line marking to indicate each car space.
  - b. Bicycle parking shall be provided as shown on the endorsed plans.

#### **Number of Patrons and Staff Members**

7. No more than 7 staff may be present on the land at any one time unless with the prior written consent of the Responsible Authority.
8. No more than 35 patrons may be present on the land at any one time, unless with the prior written consent of the Responsible Authority.

#### **Access**

9. Except with the prior written consent of the Responsible Authority, or other than emergency, no access to the building from the Davidson Street entrances is allowed from 10pm to 6am the next day.

#### **Amenity**

10. Prior to the commencement of the use, a noise and amenity plan/patron management plan must be submitted to and approved by the Responsible Authority. The plan must include:
  - a) staffing and other measures which are designed to ensure the orderly arrival and departure of patrons
  - b) signage to be used to encourage responsible off-site patron behaviour
  - c) staff communication arrangements
  - d) measures to control noise emissions from the premises
  - e) procedures to be undertaken by staff in the event of complaints by a member of the public or an authorised officer of Council; and
  - f) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced.

When approved, the plan will be endorsed and will then form part of the permit. All activities forming part of the use must comply with the endorsed plan.

11. The noise generated from the premises must not exceed 5dB(A) above the background noise (night and/or day).
12. The noise generated from the premises must not constitute a nuisance pursuant to the Public Health and Wellbeing Act 2008 at any time.
13. External lighting must be controlled by a timer switch or motion sensor, so that only the minimum extent of lighting required for access, car parking and safety/surveillance purposes and the like is provided on the land at night, to the satisfaction of the Responsible Authority.
14. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.
15. The use must be managed so that the amenity of the area is not detrimentally affected, through the:
  - g) transport of materials, goods or commodities to or from the land;
  - h) appearance of any building, works or materials;
  - i) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - j) presence of vermin;or otherwise, to the satisfaction of the Responsible Authority.

#### **Signage**

16. The signage must be constructed and maintained to the satisfaction of the Responsible Authority.
17. The signage must not contain any flashing light.
18. The approval contained in this permit for the signage shown on the endorsed plans expires 15 years from the date of this permit. (NOTE: This is a condition requirement of the State Government).

#### **Time Expiry**

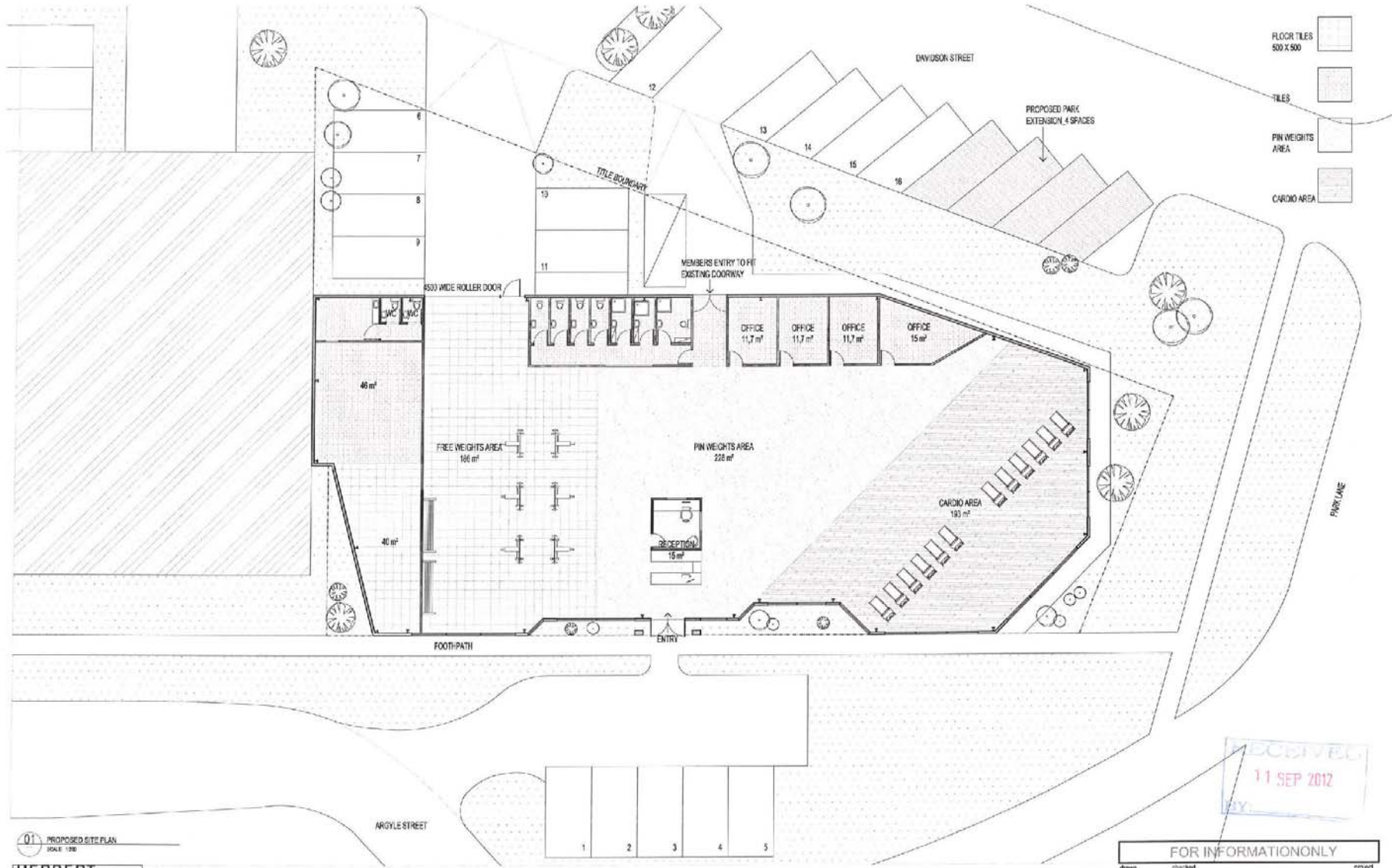
19. This permit will expire if the use is not started within two years of the date of this permit, or if the use ceases for a period of two years or greater.  
The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

**Note: Unless exempted by Latrobe City Council, an Asset Protection Permit must be obtained prior to the commencement of any proposed building works, as defined by Latrobe City Council's Local Law No. 3. Latrobe City Council's Asset Protection Officer must be notified in writing at least 7 days prior to the building works commencing or prior to the delivery of materials/equipment to the site.**

## 16.3

### **PLANNING PERMIT APPLICATION 2012/223 - USE OF LAND AS A RESTRICTED RECREATION FACILITY (GYM) TO OPERATE 24 HOURS A DAY 7 DAYS A WEEK; DISPLAY OF INTERNALLY ILLUMINATED AND BUSINESS IDENTIFICATION SIGNAGE; WAIVER OF BICYCLE PARKING FACILITIES AT 114-116 ARGYLE STREET TRARALGON**

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01 PROPOSED SITE PLAN  
SCALE: 1:200

**HERBERT & MASON**  
 Level 2  
 181 Collins Street  
 Melbourne VIC 3000  
 Australia  
 P +61 (0)3 9414 2777  
 F +61 (0)3 9414 2799  
 h@hmb.com.au  
 www.hmb.com.au

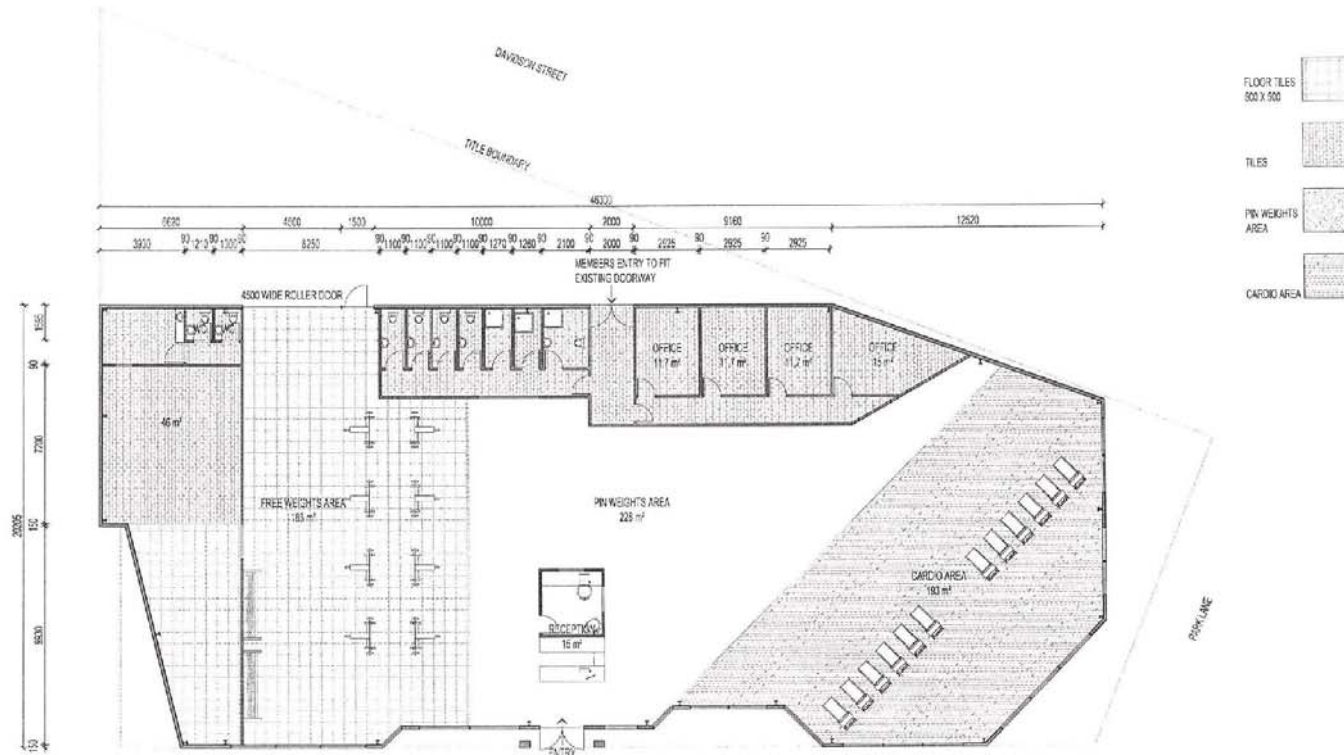
**GENERAL NOTES**  
 the contractor must verify all dimensions on site before commencing any work or making of any shop drawings. figured dimensions must be used in preference to scaled dimensions. all scaled dimensions must be verified on site. do not scale drawings. all drawings are to be read in conjunction with the schedules and the other contract documents - this drawing is copyright and remains the property of the architect.

**REVISION**

REV	ISSUE	REVISION DESCRIPTION	DATE
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**FOR INFORMATION ONLY**

drawn	checked	proj'd
NH	MH	SN/P, TRARALGON
scale		drawing title
1/200@A3		PROPOSED SITE PLAN
project no.	date	drawing no.
N_104_00	24/08/12	A_101
		sheet
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- FLOOR TILES 600 X 600
- TILES
- PIN WEIGHTS AREA
- CARDIO AREA

01 PROPOSED PLAN  
SCALE 1:50

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**HERBERT & MASON**

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GENERAL NOTES

The contractor must verify all dimensions on site before commencing any work or making of any shop drawings. Figured dimensions must be used in preference to scaled dimensions. All scaled dimensions must be verified on site on not scale drawings. All drawings are to be read in conjunction with the schedules and the other contract documents - this drawing is copyright and remains the property of the architect.

REVISION

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 A/H: Vm SBNAP TRARALGON  
 Scale: DRAWING 1:100  
 1/200@A3 PROPOSED PLAN  
 Project No: 22/08/12 A\_101 A  
 N: 10.4.01



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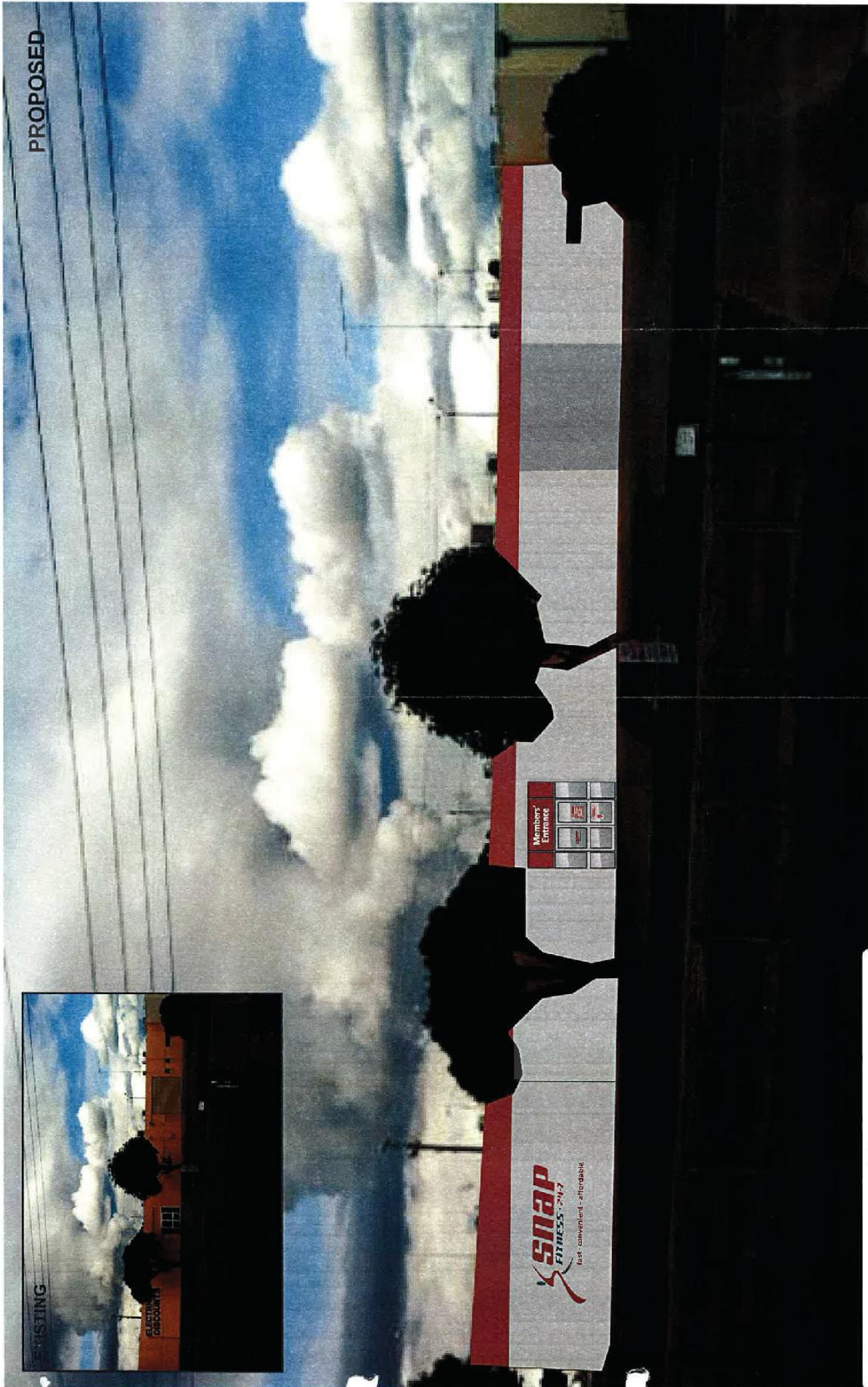
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PMS 425 C	C:67 M:43 Y:0 K:25	3M 5.5FT-0.76TY 3630-61	3M DAREL CREY 7225-41

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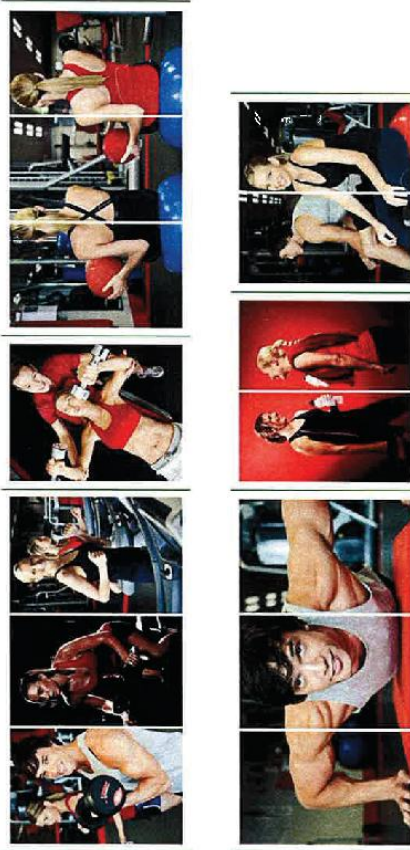
**Sign 1. Illuminated Logo Signs**  
 6000 x 1200mm white ACM backing panels (nominal)  
 100mm deep fabricated opal letters (illuminated)  
 Returns painted black - trans vinyl to faces  
 QTY 4



**Sign 2. Front Pylon**  
 Existing pylon painted snap red  
 White vinyl logo to header approx 2700 x 800mm



**Signs 3 & 10-14. Glazing Graphics**  
 3000mm high approx  
 Widths 6154mm / 2600mm / 5420mm / 5915mm / 3030mm / 3400mm  
 Face applied digital print to one way vision  
 Clear overlaminate



**Sign 4. Frosted Safety Banding**  
 Reverse applied cut frosted vinyl  
 1000mm high (nominal)  
 Widths 1200mm / 4563mm / 1810mm / 1250mm / 3060mm



**Sign 5. Door Logo**  
 Reverse applied cut vinyl decal  
 550 x 215mm (nominal)  
 QTY 2



**Signs 6, 7, & 8. Standard Door Decal Set**  
 Reverse applied digitally printed decals  
 Trading Hours - 450 x 450mm  
 Security - 450 x 175mm  
 Disclaimer - 150 x 200mm  
 QTY 2 each



**Signs 9 & 16. Above Door Signs**  
 Sizes TEC  
 Reverse applied white cut vinyl  
 Backed up solid opaque red vinyl  
 QTY 1 each



**15. Rear Logo Sign**  
 6000 x 2400mm (nominal)  
 Face applied vinyl graphics



PMS	CMYK	TRANSLUCENT VINYL	OPAQUE VINYL
PMS 1807 C	C:20 M:100 Y:0 K:3	3M CARDINAL RED 369C-53	3M CARDINAL RED 725-53
PMS 425 C	C:62 M:53 Y:13 K:25	3M SLATE GREY 4630-43	3M DARK GREY 725-44

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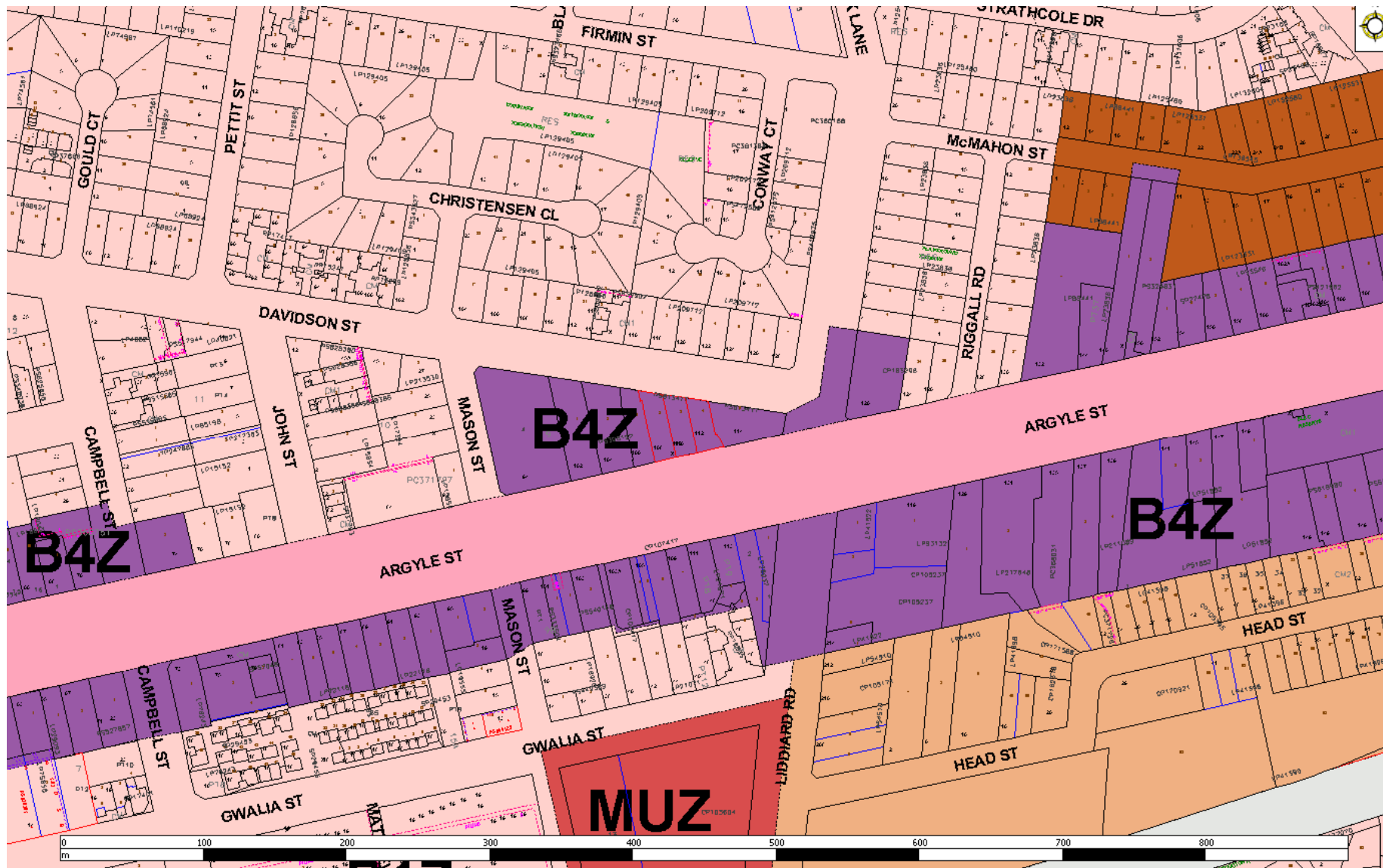
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1/3/2013



**History of Application**

7 September 2012	Planning Permit application received by Council.
3 October 2012	Letter was sent to the applicant requesting that they advertise their application by sending letters to adjoining landowners and occupiers, as well as placing a sign on site for 14 days under Section 52(1)(a) and Section 52(1)(d) of the <i>Planning and Environment Act 1987</i> (the Act).
3 October 2012	Application was referred to Council's Infrastructure Planning and Health Departments
29 October 2012	Internal referral response received from Council's Health Department
27 November 2012	One objection received
28 November 2012	Applicant submitted statutory declaration to Council confirming the completion of advertising process.
28 November – 21 December 2012	Discussion between the applicant and objector, with an attempt to resolve some of the issues raised by the objector
15 February 2013	Internal referral response received from Council's Infrastructure Planning Department

### **Latrobe Planning Scheme**

#### **State Planning Policy Framework:**

- Clause 11.05 Regional Development
- Clause 13.04-1 Noise Abatement
- Clause 17.01-1 Business
- Clause 18.02-2 Cycling
- Clause 18.02-5 Car Parking

#### **Municipal Strategic Statement:**

- Clause 21.01 – Municipal Profile
- Clause 21.02 – Municipal Vision
- Clause 21.05 – Main Towns
- Clause 21.07 – Economic Sustainability

#### **Zoning:**

The subject site is zoned Business 4

#### **Overlays:**

The subject site is not affected by any overlays.

#### **Particular Provisions:**

- Clause 52.05 – Advertising Signage
- Clause 52.06 – Car Parking
- Clause 52.34 – Bicycle Parking

#### **General Provisions:**

Before deciding on an application, the Responsible Authority must also consider the 'Decision Guidelines' of Clause 65 as appropriate.



pw 5/12  
Jan

LATROBE CITY COUNCIL	
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Ms. C. Morgan,  
128 Davidson St.,  
Traralgon. 3844.

I wish to place an objection to the proposed gymnasium - ref. no: 29195 000 - at 114 - 116 Argyle St, Traralgon.

Reasons being:

- Parking: Vehicles will park in Davidson St, causing more problems with traffic. Davidson St. / Parklane is a very busy intersection for traffic. During busiest times I am unable to turn into my drive and have to park opposite and wait for traffic flow to recede before gaining entry to my driveway. Also if Hungry Jack's carpark is full, traffic from there parks in Davidson St. I have had issues where cars park across my driveway.

Parking is a very big issue.

• Time 24 hrs - 7 days a week. Noise is an issue. Residents are entitled to times of restricted noise. I work alternate shifts & will not appreciate being woken by car doors and people conversing at all times of the night.

I strongly object to this proposal due to unsafe traffic flow/parking issues and noise levels consistent with 24hr. opening.  
Thankyou.

Yours Sincerely,

C. Mogg

**16.4 MONASH VIEWS DEVELOPMENT PLAN**

**General Manager**

**Governance**

**For Decision**

**PURPOSE**

The purpose of this report is to present the Monash Views Development Plan February 2013 to Council for consideration.

**DECLARATION OF INTEREST**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2012-2016.

***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 complimentary to its surrounds and which provides for a connected and inclusive community.

***Latrobe City Council Plan 2012 - 2016***

***Strategic Direction – Built Environment***

- Promote and support high quality urban design within the built environment; and
- Ensure proposed developments enhance the liveability in Latrobe City, and provide for a more sustainable community.

***Shaping Our Future –***

An active connected and caring community supporting all.

***Legal***

The discussions and recommendations of this report are consistent with the provisions of the *Planning and Environment Act 1987* (the Act) and the *Latrobe Planning Scheme*, both of which are relevant to this proposal.

**BACKGROUND**

The draft Monash Views Development Plan was lodged with Latrobe City Council by NBA Group on 31 August 2012 and applies to Lot A on PS701486M and Crown Allotment 9P1 Parish of Narracan.

The subject area is generally bounded by Monash Road to the north, Golf Links Road to the east, Fairway Drive residential area to the south and Coach Road to the west comprising a total area of 94.27 ha and incorporates the Yallourn Golf Course within the precinct. There are 2 landowners within the precinct, one being the Yallourn Golf Club. A site plan is provided at Attachment 1.

The Development Plan Precinct is identified in the Moe/Newborough Structure Plan as land for 'future residential' use. This designation is consistent with the Municipal Strategic Statement of the Latrobe Planning Scheme ("the Scheme") at Clause 21.05-5, which seeks to implement the outcomes of the Structure Plan.

To implement the strategic objectives of the Structure Plan and bring forward additional land for residential development the subject site was rezoned by the Minister for Planning as part of a suite of Planning Scheme Amendments, C47, C56 and C58, which released over 800 ha of residential zoned land within Latrobe City. Amendment C47 removed the Environmental Significance Overlay Schedule 1 – Urban Buffer (ESO1), rezoned the Monash Views area to Residential 1 Zone (R1Z) and introduced a Development Plan Overlay Schedule 5 (DPO5) to the site on 3 March 2011.

**The Proposal**

The draft Monash Views Development Plan has undergone a lengthy design process. As outlined in the Development Plan report an original concept for the site was generated in 2005 and over the past seven years several reiterations of the development plan have aimed to incorporate the best possible design outcomes given a number of physical constraints across the site, (in particular topography and native vegetation). Council officers have continued to meet with the applicant over this period and offer assistance where appropriate through the provision of urban design advice from the Department of Planning and Community Development.

The current draft Monash Views Development Plan indicates a concept layout for how the subject land will be developed for residential land use integrated with the existing Yallourn Golf Course. It identifies where future residential lots, roads, pathways, open space and physical infrastructure should be located.

**ORDINARY COUNCIL MEETING AGENDA  
18 MARCH 2013 (CM402)**

In addition to the draft Monash Views Development Plan report, the document incorporates a number of plans and background reports as appendices, these include;

- Appendix 1 - Site Conditions
- Appendix 2 - Golf Course Redevelopment
- Appendix 3 - Waterway & Catchments
- Appendix 4 - Habitat Zones
- Appendix 5 – Development Plan Map
- Appendix 6 - Staging Plan
- Appendix 7 – Landscape Content
- Appendix 8 - Ogilvy Clayton Correspondence
- Appendix 9 - Traffic Engineering Assessment
- Appendix 10 – Cultural Heritage Assessment
- Appendix 11 - Flora, Fauna & Net Gain Assessment
- Appendix 12 – Scoping Assessment
- Appendix 13 – Latrobe City Council Correspondence
- Appendix 14 – Draft Movement Network Plan Map
- Appendix 15 – Interface Plan Map

The Development Plan Map, Interface Plan Map and Movement Network Plan Map are provided at Attachment 2. The complete set of plans and background reports are provided at Attachment 3.

To ensure a comprehensive assessment of the development plan a 'peer review' has been undertaken. The 'peer review' was facilitated by the State Government's Department of Planning and Community Development via the Regional and Rural Planning Flying Squad. Consultants undertaking the peer review were requested to focus on the urban design aspects of the proposed development.

As a consequence of the peer review the Development Plan has been strengthened since it was first submitted, in the following areas;

- Improved interface with the Yallourn Golf Course (introduction of an Interface Plan at Appendix 5);
- Improved lot layout with minimal use of non conventional lots/cluster lots;
- Improved structure of the development plan document for improved communication.

## **ISSUES**

### *Requirements of the Development Plan Overlay Schedule 5 (DPO5)*

The primary purpose of the Development Plan Overlay is to identify areas which require the strategic outline of the form and conditions of future use and development to be shown on a development plan before a permit can be granted to subdivide, use or develop land.

A Development Plan submitted to Council for approval must show a detailed assessment of both the natural and cultural features of the site, the characterisation of nearby land use and development and a comprehensive assessment as to the justification of how the Development Plan layout has been derived.

In particular, Section 3 of DPO5 (*Requirements for development plan*) states that a development plan must be prepared to the satisfaction of the Responsible Authority (Council) and the plan must address the following matters:

- Land Use and Subdivision
- Waterways
- Infrastructure Services
- Open Space
- Community Hubs and Meeting Places
- Flora and Fauna
- Cultural Heritage
- Process and Outcomes

The Development Plan has considered the above listed matters and the main issues arising have been outlined below.

### *Land Use & Subdivision – Site boundary*

The Development Plan illustrates the boundaries of the land and represents the full extent of the area that is subject to the Development Plan Overlay. In addition to the concept layout for the residential component, redesign of the existing Yallourn Golf Course is also proposed and included in the Development Plan boundary. The following description is included in the Development Plan report;

*[The Development Plan] has been derived from a detailed assessment of the existing golf course and the aspirations of the club to significantly improve the course whilst allowing for the development of surplus land. Ogilvy Clayton Golf Course Architects have prepared design notes and supplied a subsequent letter (see Appendix 2) that discuss the replacement of the 2nd, 3rd and 4th holes.....,*

**ORDINARY COUNCIL MEETING AGENDA  
18 MARCH 2013 (CM402)**

*The removal of the original 2nd, 3rd and 4th, in place of new holes to the West of the course will, most importantly, allow for significant improvement to Yallourn Golf Club. These new holes replace three quite poor holes and the land over which they are planned allows for some first-class golf.*

Land Use & Subdivision – Lot density

The Development Plan aims to provide for a range of lot densities commensurate with the requirements of the Moe/Newborough Structure Plan, the existing zone provisions and Development Plan objectives. Of particular relevance is the following clause from the Latrobe Planning Scheme;

Clause 21.05-4 Specific Main Town Strategies Moe/Newborough states

*Subject to the Coal Resource Investigation findings, encourage redevelopment of Yallourn Golf Course in Coal Resource Investigation Area 8 for future life-style residential neighbourhood purposes.*

Having considered the Moe/Newborough Structure Plan the Development Plan states the following;

*The entire land has been considered as a single precinct and the design is reflective of maintaining a functional course with a lifestyle village component. The Golf Course Redevelopment plan is included at Appendix 2. The overall development will provide for high amenity housing choice, consistent with Latrobe Structure Plans – Moe/Newborough.....*

In accordance with the requirements of DPO5 and Clause 56 of the Latrobe Planning Scheme, the development layout for the residential component provides for a range of lot sizes and housing diversity. Table 1 provides an indication of the average lot sizes and corresponding percentage of the development area.

## ORDINARY COUNCIL MEETING AGENDA 18 MARCH 2013 (CM402)

Table 1: Lot Yield by Type

Lot Type	Area	% Developable Area	Approximate Lot Yield (based on average lot size)
Standard Lots (679m <sup>2</sup> )	10.81 ha	33.1%	159
Double Fronted Lots (947m <sup>2</sup> )	3.79 ha	11.7%	40
Cluster Lots (705m <sup>2</sup> )	1.41 ha	1.41%	20
Super Lots	0.79 ha	2.4%	2
Local Roads	5.46 ha	17%	
Total Open Space	10.09 ha	31.4%	
		Total Lots	221

Calculations provided in the Development Plan are indicative and have been based on average lot sizes (rounded to nearest 100m<sup>2</sup>) and estimated net developable area.

The *Growth Area Authority Precinct Structure Plan Guidelines 2009* defines net development hectare as;

*Land within a precinct available for development. This excludes encumbered land, arterial roads, railway corridors, government schools and community facilities and public open space. It includes lots, local streets and connector streets. Net Developable Area may be expressed in terms of hectare units (i.e. NDHa).*

The *Growth Area Authority Precinct Structure Plan Guidelines 2009* is included in the *State Planning Policy Framework (SPPF)* as a reference document and applies to all Victorian Councils.

The Development Plan map identifies a net developable area for the precinct of 22.3 ha. An estimate of 221 lots is proposed for the precinct. The lot yield for the proposed development area therefore is in the order of 10 lots per hectare.

At its Ordinary Council meeting of 19 November 2012 Council resolved the following;

*That Council's preferred lot density is 11 lots per hectare on unencumbered land and that this foreshadows Council's intention with regard to the Latrobe Statutory Planning Scheme review.*

It is acknowledged that the proposed lot density for the Monash Views Development Plan falls below this figure.



## ORDINARY COUNCIL MEETING AGENDA 18 MARCH 2013 (CM402)

Not reflected in the lot yield calculation above is the inclusion of areas to be developed as medium density. It is assumed the 'super lot' area may give rise to 26 dwellings based on an average 300m<sup>2</sup> per dwelling.

Table 2: Dwellings per hectare

Dwelling Type	Calculation
Standard Density dwellings	net area (excluding roads) ÷ average lot size 108,100m <sup>2</sup> ÷ 679m <sup>2</sup> = 159 dwellings
Medium Density dwellings (Super lots)	net area (excluding roads) ÷ average lot size 7900 m <sup>2</sup> ÷ 300m <sup>2</sup> = 26 dwellings
Cluster Lots	net area (excluding roads) ÷ average lot size 14,100 m <sup>2</sup> ÷ 705m <sup>2</sup> = 20 dwellings
Low Density dwellings	net area (excluding roads) ÷ average lot size 37,900 m <sup>2</sup> ÷ 947m <sup>2</sup> = 40 dwellings
Total dwellings	159 + 26 + 20 + 40 = 245
Net density	Total number of dwellings ÷ total net developable area (including roads) = 245 ÷ 22.3 = 10.9 dwellings per net developable hectare

Table 2 above calculates the number of dwellings per net developable hectare to be in the order of 11 dwellings.

Clause 11.02-2 of the SPPF encourages a residential density of 15 dwellings per net developable area for growth areas. The estimated dwelling density (of 11 dwellings) for the Monash Views Development Plan also falls below this figure.

The lower lot yield and dwelling density for the Monash Views Development area is considered to be acceptable in this instance given the specific constraints and opportunities of the development precinct. These constraints and opportunities include the topography of the site, native vegetation across the precinct which needs to be avoided, bushfire protection requirements which will require larger lots and the characteristics of a high amenity lifestyle residential precinct which integrates with an existing golf course. Attachment 4 provides photos of the site which reflects some of these constraints.

### Land Use and Subdivision – Interface issues

As a result of the 'peer review' described above the Development Plan now includes an Interface Plan (see Attachment 2) which indicates fencing types and locations, housing orientation, path locations, and typical cross sections of different interface treatments.

Land Use & Subdivision – Movement and Connectivity

As a result of the 'peer review' described above the Development Plan now includes a Movement Network Plan, (see Attachment 2) which clearly shows the proposed road hierarchy, and indicative paths connections and proposed bus routes.

Waterways - Buffers

Three designated waterways requiring a 30m buffer are located across the subject site. The development plan proposal limits residential development to those areas more than 30m from waterways where possible and this is acknowledged by the West Gippsland Catchment Management Authority (WGCMA) in their referral response, see Table 4 below in this report.

There are two locations within the development where crossings over designated waterways are required. These proposed road crossings are consistent with advice obtained from the Department of Planning and Community Development's Urban Design Unit to enable practical and efficient traffic circulation across the site. These works will need to be approved by the WGCMA via a formal works on waterways approvals process. These approvals are to be undertaken as part of the planning permit process and are acknowledged in the Development Plan report as outlined below;

*As part of the development plan preparation Water Technology have undertaken a Scoping Assessment (see Appendix 12) which notes that:*

*In almost all cases the minimum WGCMA buffer requirements have been retained in the updated development concept plans. Two locations within the development include crossings over designated waterways. These works will need to be approved by the WGCMA via a formal works on waterways approval process.*

*And*

*The proposed development involves modification to some of the flow paths of the designated waterways and areas inside the WGCMA preferred 30m buffer zone, and will involve changes to natural drainage conditions. Consequently an appropriately detailed hydrology scoping study is required for the subject site that provides surface water treatment and storage for the future post-development environment.*

Waterways – Native Vegetation

As part of the golf course redesign there is a requirement to re-align fairways and greens for holes 2, 3 and 4. This may result in the removal of native vegetation within the 30m waterway protection buffer. This is inconsistent with the SPPF Clause 14.02-1 (Catchment Planning and Management).

*Retain natural drainage corridors with vegetated buffer zones at least 30m wide along each side of a waterway to maintain the natural drainage function, stream habitat and wildlife corridors and landscape values, to minimise erosion of stream banks and verges and to reduce polluted surface runoff from adjacent land uses*

The WGCMA has raised concerns regarding this matter in their referral response see Table 4 below of this report.

The exact location and amount of native vegetation removal is subject to detailed design of the residential development and golf course and the applicant has indicated that this is to be undertaken at the planning permit stage for subdivision. This will determine the impact, if any, of vegetation removal on the designated waterways in the Development Plan precinct.

A Waterway Management Plan to the satisfaction of the WGCMA will be a requirement as part of the works on waterways process to ensure the protection of waterways is maintained in accordance with the SPPF. The applicant has indicated that this work will also be undertaken at the planning permit stage.

It should be noted that Clause 43.04 Development Plan Overlay of the Latrobe Planning Scheme states the following;

*43.04-1 Requirement before a permit is granted*

*A permit granted must;*

- *Be generally in accordance with the development plan*
- *Include any conditions or requirements specified in a schedule to this overlay.*

Therefore if a Waterway Management Plan was not to the satisfaction of the WGCMA and significant changes were proposed to the boundaries of the development area to meet this requirement at the planning permit stage, a revised Development Plan would need to be considered by Council at a future Council meeting, following re-exhibition of the revised plan to the community.

Risks associated with this approach can be mitigated by the requirement of the proponent to undertake a detailed study prior to formal endorsement of the Monash Views Development Plan.

*Infrastructure Services - Stormwater*

A Stormwater Management Scoping study has been submitted as part of the Development Plan at Attachment 3. The Development Plan notes that a detailed Stormwater Management Plan inclusive of Water Sensitive Urban Design principles will be submitted as part of the planning permit process for future subdivision.

Latrobe City Council's Infrastructure Planning Team have advised that this is appropriate given that onsite stormwater detention and water quality improvements will be requirements of any future planning permit for subdivision.

There is a requirement to provide a general indication of the areas of each facility needed for the treatment of stormwater within the development area on the Development Plan map. All proposed Water Sensitive Urban Design infrastructure must be incorporated in public open space reserves to be transferred into Council ownership and shown on the development plan.

This information has subsequently been provided by the applicant and indicated in an updated Development Plan map at Attachment 2.

*Infrastructure Services – Traffic*

A Traffic Engineering Assessment and Addendum has been submitted as part of the development plan approval see Attachment 3. Together they provide a traffic engineering assessment of the proposed subdivision layout, including the internal access arrangements as well as the likely impacts on the surrounding road network of the proposed development.

The Traffic Engineering Assessment has been reviewed by Council's Infrastructure Planning Team who has advised that the recommendations of the report were to the satisfaction of Council officers with a few minor exceptions. These matters are summarised below;

1. The provision of a roundabout at the intersection of Monash Road, the access into the TAFE College and the new access road into the development must be shown on the development plan.
2. The provision of roundabouts at all cross-road intersections within the development must be shown on the development plan.
3. Any dead-end street must be shown with a widening at the end of sufficient size to fit a 20 metre diameter vehicle turn-around area.
4. A new shared pedestrian and bicycle path along the Sandy Creek reserve must be shown on the development plan including an off-road link to the path leading to Fairway Drive.

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5. Written advice to be provided by the applicant from VicRoads that a reduction of the speed limit along Coach Road to 60 km/h is appropriate due to the level of development proposed along Coach Road and that the speed limit reduction will be approved at the relevant time.

Matters 1-4 have now been included as part of the development plan and are included on the development plan maps at Attachment 2.

With regard to matter 5 above, the proposed reduction of speed limit to 60 km/h along Coach Road, the applicant has received written advice from Vic Roads that states they will consider a request to reduce the speed limit, based on the required assessment from Latrobe City Council once development has begun.

As a result of the 'peer review' and on advice provided by the Department of Transport (DOT), council officers have worked with the applicant to improve the location and connectivity of pedestrian paths, cycle paths and bus stops to ensure the development plan meets the requirements of the DPO5 schedule.

Designated shared pathways are proposed to link the residential areas on site to the golf club house, Monash Park, Fairway Drive and Monash Road. Links to Monash Road will allow for connection to future on road bicycle routes planned under the Latrobe Bicycle Plan. The intended link from Fairway Drive through the subject site to Monash Road provides a link from these residences back into Newborough and is consistent with the 'future pedestrian link' identified on the Moe-Newborough Structure Plan.

Proposed bus route and bus stops through the development are now included in the development plan and are consistent with the DOT requirement of standard lots being within 400m of a bus stop.

These improvements have been articulated in the development plan documentation by the inclusion of a Movement Network Plan provided at Attachment 2.

### Open Space

The Development Plan map at Attachment 2 shows the location and size of proposed open space. Three public open space areas are proposed, each of which is designed to encompass significant vegetation and/or waterways and equates to 10.16 hectares or 31.4% of the development area. The exact area of unencumbered versus encumbered open space will be determined at the detailed design stage. However it is expected that of the 10.16 hectares of open space identified not more than 0.2 hectares (0.05%) would be required for drainage reserves.

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The development plan is therefore considered to be consistent with Latrobe's *Draft Public Open Space Strategy 2013* which requires a minimum of 10% open space, of which 5% must be unencumbered. The Monash Views development presents a unique lifestyle precinct for Moe/Newborough in that the layout of the development has been designed to integrate with the golf course offering highly attractive living opportunities whereby residents can enjoy the outlook offered. The proposed reserves cater for passive recreation and include a series of interlinked shared pathways that enhance the opportunity to enjoy the high amenity of the area and encourage active recreational opportunities.

There are also numerous opportunities for active recreation within the surrounding area. The following public open space facilities are located within the Newborough Township:

- Monash Reserve;
- John Field Reserve which includes Moe Newborough Sports Centre and Joe Carmody Athletics Track;
- WH Burrage Reserve;
- College Park.

The Yallourn Bowling Club and the Yallourn Golf Club, while both privately owned are adjacent to the development and also provide the opportunity for active recreation.

The development plan report states that the.....

*overriding design intent for open space networks will be to build on the scenic and environmental benefits of the interconnected gullies and significant native vegetation whilst also providing for a series of interconnected pedestrian paths.*

As such

*It has been considered that there is no need in this locality for any additional community facilities or playgrounds given the existence of nearby playgrounds, [at Monash Reserve, Fairway Drive and Boolarra Avenue] whereas these could be incorporated into reserves if desired by the community,*

All lots are within 500 metres walking distance to public open spaces of at least 0.5 hectares, which is consistent with *Clause 21.08 Liveability* of the Latrobe Planning Scheme and Latrobe's *Draft Public Open Space Strategy 2013*. A shared path network will provide accessibility to open space areas within the site and offer links to surrounding areas.

### Community Hubs and Meeting Places

Latrobe City Council's Community Liveability team have not identified any requirements for new facilities relevant to the Monash Views development.

Cultural Heritage

The area is not included within an area of cultural heritage sensitivity according to the wording of the Regulations, and the 1:100,000 mapsheet 'Aboriginal Heritage Act 2006 – Areas of Aboriginal Cultural Heritage Sensitivity 8121 – Moe' and as a result a Cultural Heritage Management Plan is not required.

Flora & Fauna – Native Vegetation removal

A Net Gain Vegetation Assessment has been prepared for the precinct and is provided as part of the Development Plan at Attachment 3. This assessment has been prepared in accordance with the Department of Sustainability and Environment (DSE)'s *Native Vegetation Management – A Framework for Action*. DSE has acknowledged in their referral response (see Table 4 below in this report) that the report provided *accurately represents the ecological values of the site*.

The report identifies that the proposed layout may require the removal of native vegetation in the order of 5.91 hectares, 0.19 hectares of which has very high significance, 3.29 hectares of which has high conservation significance and 2.43 hectares of which has medium conservation significance. The current design proposal may also result in the loss of 3 Large Old Trees.

The exact location and amount of native vegetation removal is subject to detailed design of the development to be undertaken at the planning permit stage for subdivision and includes the locations and redesign of fairways and greens associated with golf holes 2, 3 and 4.

The Net Gain Assessment identifies that the Development Plan;

*.... has been prepared with regard to the three step approach of Net Gain [Avoid, Minimise, Offset] and has sought to retain where possible the best areas of native vegetation in contiguous reserves. Anticipated loss of native vegetation can be appropriately offset on site.*

*If clearing is approved, a total of 2.43 habitat hectares could be generated through management of vegetation on site. This meets all net gain offset requirements including protection of the required number of Large Old Trees.*

It is proposed that an Offset Management Plan will be prepared by the applicant for any Net Gain offset sites at the subdivision planning permit stage and this will be subject to DSE approval.

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It should be noted that removal of very high conservation significance vegetation within the bioregion requires approval for clearing from the Minister of Environment and Climate Change as per the requirements of the Native Vegetation Framework, Latrobe Planning Scheme.

DSE have advised the following in their response;

*Any future planning permit application should clearly describe the relevant recommendations and related impacts on native vegetation/waterways, clarifying:*

- 1) specific details relating to reasons for vegetation removal and why it can't be avoided,*
- 2) justification for removal to improve golf course and associated benefits for consideration,*
- 3) how removal has been minimised through other design considerations, and*
- 4) the benefits of removing planted vegetation to focus on natural habitat and aesthetic values of existing native vegetation.*

Given that the Development Plan stage considers the concept for the development rather than the detailed design it may be appropriate to consider the specific requirements for removal of native vegetation at the detailed design/ planning permit stage.

If however failure to obtain either Ministerial approval for the removal of very high conservation significance vegetation or DSE approval for the Offset Management Plan result in significant changes to the proposed boundaries of the development area, a revised Development Plan would need to be considered by Council at a future Council meeting following re-exhibition of the revised plan to the community. This would be necessary to meet the requirements of Clause 43.04 Development Plan Overlay of the Latrobe Planning Scheme.

As previously discussed in this report risks associated with this approach can be mitigated by the requirement of the proponent to undertake a detailed study prior to formal endorsement of the Monash Views Development Plan.

*Flora & Fauna – Bushfire Protection*

Both the Country Fire Authority (CFA) and DSE have identified the need for site assessments regarding the requirements proposed by the future Bushfire Management Overlay with regard to defendable space. It should be noted that the site is not currently covered by the existing Wildfire Management Overlay (WMO) however is subject to the requirements of Bushfire Prone Area's which have a similar imposition to the proposed Bushfire Management Overlay.



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Each building envelope must be positioned to ensure that BAL-19 (Bushfire Attack Level - 19) or less defensible space can be achieved (Table 1 Clause 52.47), recognising that it is appropriate to have shared defensible space across allotments that are subject to vegetation management conditions.

In addition the CFA outline in their response (Attachment 9) a requirement for a Landscaping Plan to be submitted as follows;

*Considering the existence of the golf course, it would be acceptable for a Landscaping Plan to be submitted that indicates the ongoing state to which the golf course and surrounds will be maintained. Vegetation management may be required of the reserve near Bill Schulz Drive, however the extent will not be known until the applicant establishes building envelopes for the nearby allotments. This area of vegetation exceeds 8 Ha so it is assumed that it will be included in the revised Bushfire Management Overlay.*

DSE have also raised concerns regarding the impact of potential bushfire protection measures on existing native vegetation.

The applicant has met with Council, DSE and the CFA to discuss this issue in detail and is committed to providing the required Bushfire Attack Level assessments and Landscaping Plan at the planning permit stage for subdivision.

Again given the Development Plan stage considers the concept for the development rather than the detailed design it may be appropriate to consider the specific requirements for bushfire protection at the detailed design/ planning permit stage.

However it should be noted again that if in order to meet the requirements of the CFA and DSE at the planning permit stage a significant change to the proposed boundaries of the development area is required, a revised Development Plan would need to be considered by Council at a future Council meeting, following re-exhibition of the plan. This would be necessary to meet the requirements of Clause 43.04 Development Plan Overlay of the Latrobe Planning Scheme.

Risks associated with this approach can be mitigated by the requirement of the proponent to undertake a detailed study prior to formal endorsement of the Monash Views Development Plan.

*Processes & Outcomes - Consultation*

As per Section 3 of DPO 5 (*Requirements for development plan*) the Development Plan has been prepared with an appropriate level of community consultation and consultation with external referral authorities. Comments from referral responses and submissions have been incorporated into the Plan where practical and appropriate to do so.

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Issues raised by the community can be summarised into 4 main areas these include;

- increased traffic movements along Coach Road and the need for upgrades to Coach Road,
- increased traffic movements along Ellinbank Street,
- absence of a bus route along Coach Road and
- noise amenity.

*Increased traffic movements along Coach Road*

Submitter 17 identified a '*minor objection*' in their submission relating to traffic flow, particularly in peak times west along Coach Rd, which they believed had been greatly underestimated.

The Addendum to the Traffic Engineering Assessment at Appendix 9 of the Development Plan addresses the increased traffic movements that are likely to occur along Coach Rd. The report identifies an increase of 230+ movements attributed to the direct access of 34 properties with Coach Road.

It is recommended in the Traffic Engineering Assessment that the speed limit for Coach Road be reduced to 60 km/hr to ensure safe conditions as a result of these increased movements.

Advice from Latrobe City Council's Infrastructure Planning Team also indicates that upgrades to Coach Road abutting the development will be required including road drainage, street lighting, concrete kerb and channel, footpaths, nature strips and may include road widening. These works will be identified at the planning permit stage for subdivision and will be undertaken at the developers cost.

Submitter 30 also strongly disagreed with any access roads joining to Coach Road, due to the gradient of the road making access potentially dangerous to any vehicle entering or exiting the new access roads.

The issue of site distances and gradient on Coach Road was considered in the Traffic Engineering Assessment. The two access points off Coach Road into the development were located to meet the appropriate site distance requirements. The Development Plan also proposes the speed limit along Coach Road in the vicinity of the development be reduced to 60 km/h as discussed above.

*Increased traffic movements along Ellinbank Street*

Submitter 31 had no objection to the development itself but had concerns about the increase in traffic along Ellinbank Street. There was a concern that the development would generate a 50% or more increase in traffic flow along Ellinbank Street towards the existing retail outlets in Boolara Avenue, particularly in the evening when families and children could be in the area.

The Traffic Engineering Assessment provided does not consider traffic along Ellinbank Street. Advice provided by Latrobe City Council's Infrastructure Planning Team identifies that under Latrobe's adopted road hierarchy Ellinbank Street is classified as a Major Access Street. Latrobe City Council's design guidelines state that traffic volumes on a Major Access Street should be no more than 2000 vehicle movements a day.

The most recent traffic counts for Ellinbank Street in Latrobe City Council's database were undertaken in 2004 for the western end of the street. Advice from Latrobe City Council's Infrastructure Planning Team indicates that counts from this time remain relevant given there have been no other substantial developments in this area since 2004.

These traffic counts measured approximately 1000 vehicle movements per day. It is considered that current traffic levels at the eastern end of Ellinbank Street would be of substantially less volume and therefore unlikely to exceed the 2000 vehicle movements identified for a Major Access Street following the development of the Monash Views precinct.

There is the opportunity for Council to monitor the vehicle movements in the future should problems arise and undertake appropriate traffic calming works should this be deemed necessary.

*Absence of a bus route along Coach Road*

Submitter 17 raises concerns that currently there is no bus service along Coach Road; if one was planned then the pavement width and construction would require review.

It is noted that in the exhibited documentation there is no bus service along Coach Road indicated on the plan with the proposed bus service for the development terminating at Coach Road.

The Movement Network plan has subsequently been updated to show a bus route along Coach Road exiting at the Coach Road east access point to the development. It is acknowledge that the pavement width and construction would require review at the introduction of a bus route along Coach Road in the future.

It should also be noted that advice from Latrobe City Council's Infrastructure team indicates that upgrades to Coach Road abutting the development will be required including road drainage, street lighting, concrete kerb and channel, footpaths, nature strips and may include road widening. These works will be identified at the planning permit stage for subdivision and will be undertaken at the developers cost.

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It is also a requirement of DOT that cross sections for roads anticipated to accommodate buses should accord with the DOT *Public Transport Guidelines for Land Use and Development 2008* and paths, stops and bus shelters must be fully *Disability Discrimination Act 1992* (DDA) compliant, see Table 4 of this report.

Noise Amenity

Submitter 30 raises concerns regarding the close proximity to the Motocross track on Coach Road and the close proximity to the hill climb Car Club on Bill Schulz Drive. The submitter was concerned that if houses were allowed to be built close to or within proximity to these two venues, residents of the houses would complain of the noise that both the motocross track and hill climb car events can produce.

The Gippsland Car Club operates from the Hill Climb Track at 170 Coach Road Yallourn with access off Bill Schulz Drive. The site is subject to planning permit 06050/A & B.

Marshall Day Acoustics completed a Noise Assessment on behalf of the Car Club in 2005, this is titled *Gippsland Car Club Hill Climb Track measured and Predicted Noise Levels September 2005* and is provided at Attachment 5. The report concluded that;

*The proposed location of the track is such that the land forms a natural barrier between the track and the residences.*

*The noise from the proposed relocation of the Gippsland Car Club hill climb is predicted to be similar to the existing noise environment at the nearest residences, .....*

Given the topography of the landscape which appears to form a natural barrier to noise from the site as well as the fact that the closest lot on the proposed Development Plan is located over 700 m away, the impact of noise from this facility is not considered to be a significant issue to potential new residents in the area. It is considered reasonable however that the Development Plan consider the interface between future residential development on Coach Road and the activities at the Gippsland Car Club Hill Climb Track and discuss the options for any potential design response if required.

The Blue Rock Motorcycle Club (the Club) has a facility located on Coach Road Yallourn. The Club's current calendar of events, available on their website, identifies that for 2013 the facility is used on average 2 Sundays per month for practice sessions between 9.00 am - 4.30 pm with the exception of the month of March where an additional two days of the month are being utilised for competition.

These hours of use are consistent with the original planning permit (no 00340) which includes conditions to control the use and development of the site, with regular events to commence at 9.00 am.

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An environmental noise assessment was undertaken by Hazcon Pty Ltd on behalf of the Club in October 2000. The report titled *Environmental Noise Assessment For Motor Cross Circuit October 2000*, is provided at Attachment 6. The report measured noise levels at the back of residences in Fairview Drive approximately 380 m from the Motorcycle Club site. In summary the report concluded that measurements taken before and after motorcycle activity commenced at the Motor Cycle circuit on the testing day, were found to be similar. Hence there was no notable increase in noise levels at this location following motorcycle activity on the day tested.

Consistent with planning permit conditions the Club has also developed a Code of Practice which aims to limit any impacts of the use on the amenity of the locality.

The closest existing residence (in Linkside Court) is currently located approximately 340 metres from the Motorcycle club. The closest lot on the proposed Monash Views Development Plan would be located approximately 360 metres from the Motorcycle Club site. This lot is also adjacent to planted vegetation which may also assist in acting as a buffer to the lot.

Given the limited use of the facility controlled by planning permit conditions as well as the results of the past noise assessment, it is not considered that the impact of noise is a significant issue for the proposed Monash Views Development Plan. It is considered reasonable however that the Development Plan consider the interface between future residential development on Coach Road and the activities at the Blue Rock Motorcycle Club and discuss the options for any potential design response if required.

Table 3 in the 'Consultation' section of this report summarises the issues raised by the community and the planning consideration of these issues.

Issues raised by referral authorities have been discussed in detail above as they relate to Section 3 of DPO5 (*Requirements for development plan*). Table 4 in the 'Consultation' section of this report summarises these issues raised by the referral authorities and the planning consideration of these issues.

A number of the issues raised by the referral agencies regarding native vegetation removal and management, bushfire protection measures and waterways management remain unresolved at this stage. Resolution of these issues require detailed design work to be undertaken and the applicant has indicated that their preference is to undertake these detailed studies at the planning permit stage.

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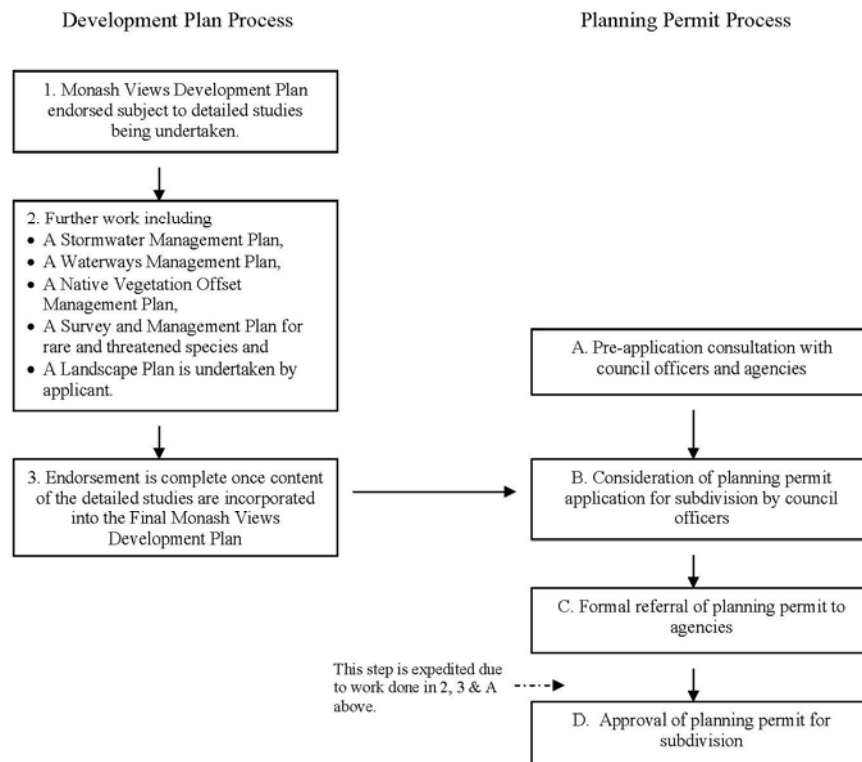
Alternatively if the studies are done after endorsement of the Development Plan and a significant change to the proposed boundaries of the development area is required in order to meet the requirements of the referral agencies, a revised Development Plan would need to be considered by Council at a future Council meeting following re-exhibition of the plan to the community. Risks associated with this approach can be mitigated by the requirement of the proponent to undertake a detailed study prior to formal endorsement of the Monash Views Development Plan.

The advantage of undertaking these detailed studies prior to endorsement of the Development Plan and hence prior to confirmation of allotment boundaries is that any requirements of the referral agencies can be secured at that time, therefore avoiding a lengthy referrals process at the planning permit stage for subdivision.

It is important to note that the timelines to achieve the subdivision permit are not extended by the requirement for the proponent to undertake detailed studies prior to endorsement of the final Monash Views Development Plan.

Figure 1 below provides a diagrammatic representation of the Development Plan process and planning permit process running in parallel.

Figure 1 Parallel Development Plan and Planning Permit Process



Processes & Outcomes – Implementation

An implementation plan must be submitted as part of the development plan indicating the proposed staging of the development. A Staging Plan is provided in Appendix 6 of the Development Plan found at Attachment 3.

**FINANCIAL, RISK AND RESOURCES IMPLICATIONS**

The Development Plan will contribute to reducing the following specific risk that is identified within the Council's *Risk Management Plan 2011-2014*:

*'Shortage of land available to support population growth and planning application processes that do not encourage development'*.

The risk is described as,

*'...the slow transitioning of structure plans to actual zoned and developable land'*.

Development Plans are identified as an existing control to manage and mitigate against the risk.

There may be a requirement for additional resources to Latrobe City Council or extra financial costs as a result of this development plan.

The applicant's preference to undertake the detailed studies required by the referral agencies at the planning permit stage may result in the requirement for a revised Development Plan to be considered by Council at a future Council meeting following re-exhibition of this revised plan. This situation would arise if in order to meet the requirements of these referral agencies a significant change to the proposed boundaries of the current development area was required. This would be necessary to meet the requirements of Clause 43.04 Development Plan Overlay of the Latrobe Planning Scheme.

Therefore the additional resources and costs would be in Council officers time to re-assess the Development Plan and coordinate re-exhibition of the plan as well as the financial cost for re-advertising the plan in the local newspaper.

**INTERNAL/EXTERNAL CONSULTATION**

The proposed development plan was placed on public exhibition for a period of 21 days from 14 January - 1 February 2013. It is noted that this exhibition process is not prescribed by the *Planning and Environment Act, 1987* however it was considered to be required to ensure awareness of the proposed future development of the site.

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Schedule 5 to the DPO states that;

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

Notice was sent to adjoining property owners and occupiers, a range of authorities and by placing a public notice in the Latrobe Valley Express for two issues during the exhibition period on 14 January 2013 and 28 January 2013. A map at Attachment 7 outlines the area that received direct notification of the draft Development Plan.

The Development Plan documentation was also placed on Latrobe City Council's website on the 'Have Your Say' page, with provision for receipt of electronic submissions.

Latrobe City Council received a total of 34 written submissions to the proposed Development Plan, 31 submissions were in support of the Development Plan and three submissions were objections or raised concerns.

Table 3 below provides a précis of the submissions received, planning consideration of any issues from the consultation with landowners and occupiers and an indication as to whether the plan requires changes as a result of this consideration. A full copy of the written submissions where a letter, or email were received are provided at Attachment 8.

**Table 3: Summary of Submissions Received**

\* Those who requested that their details not be released to the public are referred to as Submitter X

Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No
1. Graeme Yalden	Support	No comment made	-	No
2. Peter Fanning	Support	No comment made	-	No
3. Narelle Fanning	Support	No comment made	-	No
4. Lachlan Fanning	Support	No comment made	-	No
5. Craig Skinner	Support	No comment made	-	No
6. Matthew Disisto	Support	No comment made	-	No
7. Submitter 7*	Support	No comment made	-	No
8. Robert Ridley	Support	No comment made	-	No
9. Submitter 9*	Support	No comment made	-	No
10. Daryl Disisto	Support	No comment made	-	No
11. Submitter 11*	Support	No comment made	-	No
12. Matt Demczuk	Support	No comment made	-	No
13. Natalie Gannon	Support	No comment made	-	No
14. Angela Skinner	Support	No comment made	-	No
15. Submitter 15*	Support	No comment made	-	No



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Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No
16. Rod & Lyn McAlister	Support	Vital to the survival of local businesses and schools – will bring extra 150+ families to the area.	Comments of support noted	No
17. Bob Johnson	Objection	<p><u>Letter 1</u> Minor objection for traffic flow clarification in the above development proposal.</p> <p>There is no recognition in the Traffic Flow Report addressing the new traffic generated from the more than thirty five urban lots which would face Coach Road in this proposal.</p> <p>In the first decade following construction of the dwellings on these lots expect most of the children would be driven to and from the remote schools making two movements within the peak time in the morning and at least one movement (assuming no shopping or delays in the afternoon pick up), for a larger proportion of these lots.</p> <p>Currently there is no bus service along Coach Road; if one was planned then the pavement width and construction would require review.</p>	<p>The addendum to the Traffic Engineering Assessment at Appendix 9 addresses the increased traffic movements that are likely to occur along Coach Rd.</p> <p>The report identifies an increase of 230 movements attributed to the direct access of 34 properties with Coach Rd.</p> <p>It is recommended in the Traffic Engineering Assessment that the speed limit for Coach Road be reduced to 60 km/hr to ensure safe conditions as a result of these increased movements.</p> <p>Support from the submitter for the 60 km/h speed limit along Coach Road is noted.</p> <p>Advice from Latrobe City Council's Infrastructure Planning Team also indicates that upgrades to Coach Rd abutting the development will be required including road drainage, street lighting, concrete kerb and channel, footpaths, nature strips and may include road widening. These works will be identified at the planning permit stage for subdivision.</p> <p>It is noted that in the exhibited documentation there is no bus service along Coach Road indicated on the plan with the proposed bus service for the development terminating at Coach Road.</p> <p>The Movement Network</p>	Yes

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Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No
		<p><u>Letter 2</u> Believes the traffic flow, particularly in peak times west along Coach Rd is greatly underestimated,</p> <p>Believes new estates attract a high proportion of families with school age children which most likely will attend primary and secondary schools in Newborough, any that choose to attend the private schools would travel west via Gunn's Gully to school both east and west of the Monash Heights Development.</p> <p>Has no objection to reducing the Coach Road speed limit to 60km/h.</p>	<p>plan has been updated to show a bus route Along Coach Road exiting at the Coach Road east access point to the development.</p> <p>It is acknowledge that the pavement width and construction would require review at the introduction of a bus route along Coach Road in the future. This has also been identified on the Movement Network Plan.</p> <p>It should also be noted that advice from Latrobe City Council's Infrastructure Planning Team indicates that upgrades to Coach Rd abutting the development will be required including road drainage, street lighting, concrete kerb and channel, footpaths, nature strips and may include road widening. These works will be identified at the planning permit stage for subdivision.</p>	
18. Bambridge Homes (Greg Walker)	Support	A great opportunity to create new plans and form a true lifestyle development	Comments of support noted	No
19. William Estrada	Support	Very happy that at last a housing development has been planned for the Moe-Newborough area as restrictions in the past has prevented this area of Latrobe City to develop and prosper	Comments of support noted	No
20. Betsy Brown	Support	Provide a much needed injection of young families to the Newborough area and the flow-on effects for local businesses, schools and sporting clubs will be significant	Comments of support noted	No
21. Leigh Taylor	Support	Looks excellent for the community	Comments of support noted	No
22. David Lawless	Support	Eagerly awaiting for land to become available on Coach Road	Comments of support noted	No
23. Allan Keenan	Support	Benefit to a lot of people	Comments of support noted	No
24. Submitter 24*	Support	Create local construction employment initially and much needed flow on effect for local businesses	Comments of support noted	No

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Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No
25. Sue Abbott	Support	Growth for the town	Comments of support noted	No
26. Brad Law	Support	Growth for the town	Comments of support noted	No
27. Submitter 27*	Support	Community to grown – breath new life into town	Comments of support noted	No
28. Gerard Engel	Support	A development we haven't seen before in Moe/ Newborough	Comments of support noted	No
29. Submitter 29*	Support	Lifestyle opportunity for people – great views, proximity to town and golf course access.	Comments of support noted	No
30. Peter Farrugia	Objection	<p>Close proximity to the Motocross track and the close proximity to the Hillclimb car club on Bill Schulz Drive.</p> <p>If houses are allowed to be built close to or within proximity to these two venues residents of the houses will complain of the noise that both the motocross track and hillclimb car events can produce.</p>	<p>The Gippsland Car Club operates from the Hill Climb Track at 170 Coach Road Yallourn with access off Bill Schulz Drive. The site is subject to planning permit 06050/A &amp; B.</p> <p>Marshall Day Acoustics completed a Noise Assessment on behalf of the Car Club in 2005, this is titled <i>Gippsland Car Club Hill Climb Track measured and Predicted Noise Levels September 2005</i>. The report concluded that;</p> <p><i>The proposed location of the track is such that the land forms a natural barrier between the track and the residences.</i></p> <p><i>The noise from the proposed relocation of the Gippsland Car Club hill climb is predicted to be similar to the existing noise environment at the nearest residences, .....</i></p> <p>Given the topography of the landscape which appears to form a natural barrier to noise from the site as well as the fact that the closest lot on the proposed Development Plan is located over 700 m away, the impact of noise from this facility is not considered to be a significant issue to potential new residents in the area. It is considered reasonable however that the</p>	

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Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No
			<p>Development Plan consider the interface between future residential development on Coach Road and the activities at the Gippsland Car Club Hill Climb Track and discuss the options for any potential design response if required.</p> <p>The Blue Rock Motorcycle Club (the Club) has a facility located on Coach Road Yallourn. The Club's current calendar of events, available on their website, identifies that for 2013 the facility is used on average 2 Sundays per month for practice sessions between 9.00 am - 4.30 pm with the exception of the month of March where an additional two days of the month are being utilised for competition.</p> <p>These hours of use are consistent with the original planning permit which includes conditions to control the use and development of the site, with regular events to commence at 9.00 am.</p> <p>An environmental noise assessment was undertaken by Hazcon Pty Ltd on behalf of the Club in October 2000. The report titled <i>Environmental Noise Assessment For Motor Cross Circuit October 2000</i>, is provided at Attachment 6. The report measured noise levels at the back of residences in Fairview Drive approximately 380 m from the Motorcycle Club site. In summary the report concluded that measurements taken before and after motorcycle activity commenced at the Motor Cycle circuit on the testing day, were found to be</p>	

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Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No
		<p>Strongly disagrees with any access roads joining to Coach road as this is a steep road and access will be very dangerous to any vehicle entering or</p>	<p>similar. Hence there was no notable increase in noise levels at this location following motorcycle activity on the day tested.</p> <p>Consistent with planning permit conditions the Club has also developed a Code of Practice which aims to limit any impacts of the use on the amenity of the locality.</p> <p>The closest existing residence (in Linkside Court) is currently located approximately 340 metres from the Motorcycle club. The closest lot on the proposed Monash Views Development Plan would be located approximately 360 metres from the Motorcycle Club site. This lot is also adjacent to planted vegetation which may also assist in acting as a buffer to the lot.</p> <p>Given the limited use of the facility controlled by planning permit conditions as well as the results of the past noise assessment, it is not considered that the impact of noise is a significant issue for the proposed Monash Views Development Plan. It is considered reasonable however that the Development Plan consider the interface between future residential development on Coach Road and the activities at the Blue Rock Motorcycle Club and discuss the options for any potential design response if required.</p> <p>The issue of site distances and gradient on Coach Road was considered in the Traffic Engineering Assessment. The two</p>	

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Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No
		exiting these new access roads	access points off Coach Road into the development were located to meet the appropriate site distance requirements. The Development Plan also proposes the speed limit along Coach Road in the vicinity of the development be reduced to 60km/h.	
31. John & Donna Hoare	Objection	<p>Have no objection to the development itself but have concerns about the increase in traffic along Ellinbank Street.</p> <p>Are concerned that the development will generate a 50% or more increase in traffic flow along Ellinbank Street towards the existing retail outlets in Boolara Avenue, particularly in the evening when families and children could be in the area.</p>	<p>The Traffic Engineering Assessment provided does not consider traffic along Ellinbank Street. Advice provided by Council's Infrastructure Planning Team identifies that under Latrobe's adopted road hierarchy Ellinbank Street is classified as a Major Access Street. Latrobe City Council's design guidelines state that traffic volumes on a Major Access Street should be no more than 2000 vehicle movements a day.</p> <p>The most recent traffic counts for Ellinbank Street in Council's database were undertaken in 2004 for the western end of the street. These traffic counts measured approximately 1000 vehicle movements per day. It is considered traffic levels at the eastern end would be of substantially less volume and therefore unlikely to exceed the 2000 vehicle movements identified for a Major Access Street. There is the opportunity for Council to monitor the vehicle movements in the future should problems arise and undertake traffic calming works should this be deemed necessary.</p>	No
32. Paul Davis	Support	Revitalise the image and desirability of Moe/ Newborough	Comments of support noted	No

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<b>Name / Organisation</b>	<b>Support / Objection</b>	<b>Summary of Issues</b>	<b>Planning Comment</b>	<b>Changes to Plan Required? Yes / No</b>
33. Peter Lynch	Support		Comments of support noted	No
34. Yallourn Golf Club	Support	Boost local construction jobs, improve housing affordability and increase housing diversity.	Comments of support noted	No

Overall there was strong support from the community for the Monash Views development with 31 submissions supporting the development. Some of the reasons cited for this support included;

- Vital to the survival of local businesses and schools
- A great opportunity to create new plans and form a true lifestyle development
- Will help Latrobe City to develop and prosper
- Provide a much needed injection of young families to the Newborough area and the flow-on effects for local businesses, schools and sporting clubs will be significant
- Looks excellent for the community
- Create local construction employment initially and much needed flow on effect for local businesses
- A development we haven't seen before in Moe/ Newborough
- Lifestyle opportunity for people – great views, proximity to town and golf course access.
- Revitalise the image and desirability of Moe/ Newborough
- Improve housing affordability and increase housing diversity.

It should be noted that two of the submitters are employees of Latrobe City Council. These employees have not been involved in the assessment of the Development Plan or the development of this report.

Issues raised from the three community submissions that cited concerns have been discussed in detail in the 'Issues' section of this report. Each of these submitters has been contacted by a council officer to provide an opportunity to discuss the concerns raise and if any changes to the plan will result.

A summary of referral responses received is outlined in Table 4 below and a full copy of these responses are provided at Attachment 9. The issues raised in referral responses have been discussed in the 'Issues' section of this report.

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Table 4: Summary of Referral Responses Received

Submitter	Summary of Submission	Response/ Change
<p><b>1. Country Fire Authority</b></p>	<p><b>Land Use and Subdivision</b> Issue raised regarding access of fire trucks to houses on cluster lots, for consideration at subdivision stage if cluster lots are to remain.</p> <p><b>Buffers</b> As the subdivision is for greater than nine lots, the applicant should carry out site assessments for each allotment that is proposed to be affected by the future Bushfire Management Overlay. Each building enveloped is to be positioned to ensure that BAL-19 or less defensible space can be achieved (Table 1 Clause 52.47), recognising that it is appropriate to have shared defensible space across allotments that are subject to vegetation management conditions.</p> <p>The advantage of undertaking this work, prior to confirmation of allotment boundaries, is that any requirement of the Bushfire Management Overlay can be secured at the time of subdivision, thus avoiding any further referrals by the Bushfire Management Overlay for development of dwellings. Regardless of whether the Bushfire Management Overlay will apply or not, the Bushfire Prone Area will apply and the requirements of AS3959-2009 have a similar imposition to the Bushfire Management Overlay.</p>	<p>This issue will be considered at the planning permit stage for subdivision. The number of cluster lots in the development has now been minimised.</p> <p>The applicant has met with Council and the CFA to discuss this issue in detail and is committed to providing the required Bushfire Attack Level assessments and Landscaping Plan at the planning permit stage for subdivision.</p> <p>Given the Development Plan stage considers the concept for the development rather than the detailed design it may be appropriate to consider the specific requirements for bushfire protection at the detailed design/ planning permit stage.</p> <p>If in order to meet the requirements of the CFA at the planning permit stage a significant change to the proposed boundaries of the development area is required, a <b>revised</b> Development Plan would need to be considered by Council at a future Council meeting following re-exhibition of the revised plan to the community. This would be necessary to meet the requirements of Clause 43.04 Development Plan Overlay of the Latrobe Planning Scheme.</p>
<p><b>2. West Gippsland Catchment Management Authority</b></p>	<p><b>Waterways</b> WGCMA note the application of 30m wide buffers on either side of the designated waterways that traverse the property, and the Authority supports the proposal to limit all residential development to those areas more than 30m from the waterway.</p> <p>However we also note from the plans that the proposed realignment of golf holes 2, 3, 4 and 5 are likely to result in the removal of significant areas of native vegetation, much of which is adjacent to the waterways. The Authority is concerned about the possible impacts of this on the waterway, and the loss of ecological value associated with the remnant riparian vegetation.</p>	<p>The exact location and amount of native vegetation removal is subject to detailed design of the residential development and golf course and the applicant has indicated that this is to be undertaken at the planning permit stage for subdivision. This will determine the impact, if any, of vegetation removal on the designated waterways in the precinct.</p> <p>A Waterway Management Plan to the satisfaction of the WGCMA will be a requirement as part of the works on waterways process to ensure the protection of waterways is maintained in accordance with the SPPF. The applicant has indicated that this work will also be undertaken at the planning permit stage.</p> <p>If a Waterway Management Plan was</p>



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		<p>not to the satisfaction of the WGCMA and significant changes were proposed to the boundaries of the development area, a <b>revised</b> Development Plan would need to be considered by Council at a future Council meeting following re-exhibition of the revised plan to the community.</p>
<p><b>3. Department of Transport</b></p>	<p><b>Infrastructure Services</b> No specific reference in the Traffic Engineering Assessment to public transport access. Sections of "Street level Access 1' roads should be considered for buses.</p> <p>Cross sections for roads anticipated to accommodate buses should accord with the DOT Public Transport Guidelines for Land Use and Development 2008.</p> <p>Paths, stops and bus shelters must be fully DDA compliant.</p> <p>Pedestrian &amp; cycle access to broader networks to be considered and accommodated.</p>	<p>Proposed bus route and bus stops through the development are now included in the development plan and are consistent with the GAA requirement of standard lots being within 400m of a bus stop.</p> <p>Designated shared pathways are proposed to link the residential areas on site to the golf club house, Monash Park, Fairway Drive and Monash Road. Links to Monash Road will allow for connection to future on road bicycle routes planned under the Latrobe Bicycle Plan. The intended link from Fairway Drive through the subject site to Monash Road also provides consistency with the 'future pedestrian link' identified on the Moe-Newborough Structure Plan.</p> <p>These improvements have been articulated in the development plan documentation by the inclusion of a Movement Network Plan provided in Appendix 5.</p>
<p><b>4. Department of Sustainability &amp; Environment</b></p>	<p>Acknowledge that the Net Gain Assessment accurately represents the ecological values at the site.</p> <p><b>Flora and Fauna</b> Targetted surveys will be needed for Dwarf Galaxias, Swamp &amp; Glossy Grass Skink, Burrowing Crayfish and orchid species noted in report. Must take place at best time to identify to species level (optimal flowering time for orchids).</p> <p><b>Offsets</b> Concerns about the lots abutting vegetation to be retained/proposed for offsets. The areas of the proposed development where access roads provide buffer preferred.</p> <p><b>Buffers</b> Buffers for fire risk protection/mitigation in vegetated areas next to proposed house lots should be assessed by specialist to ensure they will satisfy BAL obligations. Will need to explain why</p>	<p>Targetted surveys will be undertaken by the applicant and the appropriate habitat management plans will be developed at the planning permit stage.</p> <p>It is proposed that an Offset Management Plan will be prepared by the applicant for any Net Gain offset sites at the subdivision planning permit stage this will be subject to DSE approval.</p> <p>The applicant has met with Council, DSE and the CFA to discuss this issue in detail and is committed to providing the required Bushfire Attack Level assessments and Landscaping Plan at</p>

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	<p>lots cannot be located further away from existing vegetation or that to be retained. How are buffers proposed to be managed or treated?</p> <p>Figure 3 - have buffers between the existing/retained veg and proposed lot boundaries been determined? What setbacks are proposed to address bushfire risk? Have CFA given any advice or feedback about this? If buffers haven't been considered, it is likely that more impacts would occur than have been described.</p> <p><b>Vegetation Removal</b> Ministerial consent will be needed for removal of VHCS. May happen before permit application lodged if all information required by planning scheme addressed to DSE's satisfaction.</p> <p>Discussion around potential losses of VHCS veg need to be strengthened in order for DSE to seek the minister's consent to removal. The project is not of state significance, so the justification would need to explore all possibilities why avoidance can't be achieved.</p> <p>Habitat Zones 4b &amp; 8 are VHCS, with 6 being HCS - all are near the eastern most edge of the proposed residential development area. Can the site layout be modified to avoid these areas, given that they represent some of the more intact (and therefore valuable) patches on site?</p>	<p>the planning permit stage for subdivision.</p> <p>See consideration of CFA response in section 1 above.</p> <p>Given that the Development Plan stage considers the concept for the development rather than the detailed design it may be appropriate to consider the specific requirements for removal of native vegetation at the detailed design/ planning permit stage.</p> <p>However should failure to obtain Ministerial approval for the removal of very high conservation significance vegetation result in significant changes to the proposed boundaries of the development area, a <b>revised</b> Development Plan would need to be considered by Council at a future Council meeting following re-exhibition of the revised plan to the community. This would be necessary to meet the requirements of Clause 43.04 Development Plan Overlay of the Latrobe Planning Scheme.</p>
<p><b>5. APA Group (Gas)</b></p>	<p>APA Group has no existing gas reticulation currently in the subject area, but does in the surrounding area.</p> <p>APA Group has no objection to the proposed development as the proposal will not affect existing gas assets.</p>	<p>Noted no change to plan required</p>
<p><b>6. SP Ausnet</b></p>	<p>There are 22kV overhead powerlines located on the eastern and northern side of the development (Monash Way &amp; Golf Links Rd). These existing powerlines will need to be augmented into the estate layout proposal.</p> <p>The 22kV line running along the boundary of the development will not be able to accommodate the development. This will potentially require reconducting of the line and a protection review.</p>	<p>Noted no change to plan required</p>
<p><b>7. Gippsland Water</b></p>	<p>Existing sewer main downstream will need to be upsized in diameter.</p>	<p>Noted no change to plan required</p>

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	Fairway drive Server Pump Station rising main will need to be incorporated into the new sewerage network.  Water pressure main in Coach Road will need to be upgraded at any road crossings.	
<b>8. VicRoads</b>	Although the development does not directly access an arterial road, the increase in traffic on intersections that access the arterial network should be considered in any traffic impact assessment.	Noted no change to plan required
<b>9. Telstra</b>	Telstra has no objection to the proposal.	Noted no change to plan required

**OPTIONS**

The options available to Council are as follows:

1. To endorse the Monash Views Development Plan February 2013, subject to detailed studies being submitted and the content of those studies being incorporated into the Plan.
2. To endorse the Monash Views Development Plan February 2013 as is, with the understanding that the applicant's preference to undertake the detailed studies required by referral authorities at the planning permit stage may result in the requirement for a revised Development Plan to be considered by Council at a future Council meeting following re-exhibition of the revised plan.
3. To not endorse the Monash Views Development Plan February 2013 and seek further information.

**CONCLUSION**

The Monash Views Development Plan presents an opportunity for a high amenity lifestyle residential precinct which integrates with the Yallourn Golf Course.

The Development Plan has strong community support indicated by the 31 submissions in favour of the development which identify the development as an opportunity for a lifestyle precinct which will revitalise the image and desirability of Moe/ Newborough, provide an injection of young families to the Moe/Newborough area and provide local construction employment and flow on effects for local businesses.

The issues of concern raised in three of the community submissions have been considered, appropriate updates to the development plan have been made and the need for further consideration regarding noise amenity from neighbouring land uses has been identified.

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Comments raised by Latrobe City Council's Infrastructure Planning Team around road, pedestrian and cycle infrastructure and by referral authorities around public transport have also been incorporated into the Development Plan.

These changes are incorporated into an updated Development Plan report titled Monash Views Development Plan February 2013 (Attachment 3).

A number of issues regarding native vegetation removal and management, bushfire protection measures and waterways management remain unresolved at this stage. Resolution of these issues require detailed design work to be undertaken and the applicant has indicated that their preference is to undertake these detailed studies at the planning permit stage.

In summary, the following detailed studies amongst others would be required at the planning permit stage;

- Stormwater Management Plan
- Waterways Management Plan
- Offset Management Plan
- Survey and Management Plan for rare and threatened species
- Landscape Plan

Given that the Development Plan stage considers the concept for the development rather than the detailed design it may be appropriate to consider the specific requirements of these issues at the detailed design/ planning permit stage.

Alternatively if the studies are done after endorsement of the Development Plan and a significant change to the proposed boundaries of the development area is required in order to meet the requirements of the referral agencies, a revised Development Plan would need to be considered by Council at a future Council meeting following re-exhibition of the plan to the community. Risks associated with this approach can be mitigated by the requirement of the proponent to undertake the detailed studies (as listed above) prior to formal endorsement of the Monash Views Development Plan.

The advantage of undertaking these detailed studies prior to endorsement of the Development Plan and hence prior to confirmation of allotment boundaries is that any requirements of the referral agencies can be secured at that time, therefore avoiding a lengthy referrals process at the planning permit stage for subdivision.

It is important to note that the timelines to achieve the subdivision permit are not extended by the requirement for the proponent to undertake these detailed studies prior to endorsement of the final Monash Views Development Plan.

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An option does exist for Council to endorse the Monash Views Development Plan February 2013, subject to the detailed studies listed above being completed and any changes subsequently incorporated into the Development Plan. This would result in a Development Plan that incorporates the recommendations of these studies and is therefore less likely to change significantly after endorsement.

### Attachments

1. Site Conditions
2. Development Interface Movement Plans
3. Monash Views Development Plan Feb 2013
4. Site Photos Highlighting Constraints
5. Car Club Noise Assessment
6. Motorcycle Club Noise Assessment
7. Map Outlining Mailing Area
8. Public Submissions
9. Agency Responses

### **RECOMMENDATION**

1. That Council endorse the Monash Views Development Plan February 2013, subject to a detailed land management plan being submitted for the area affected by the Development Plan Overlay (including the Yallourn Golf Course) to the satisfaction of the Responsible Authority. The Land Management Plan must include a detailed:
  - Stormwater Management Plan,
  - Waterways Management Plan,
  - Native Vegetation Offset Management Plan,
  - Management Plan for rare and threatened species,
  - A Landscape Plan
  - Consideration of the interface between future residential development on Coach Road and the activities at the Blue Rock Motorcycle Club on Coach Road and the Gippsland Car Club Hill Climb Track on Bill Schulz Drive.
2. Pursuant to Section 3 of Schedule 5 to the Development Plan Overlay of the Latrobe Planning Scheme the content of the above reports must be incorporated within the Monash Views Development Plan (where required) to the satisfaction of the Responsible Authority, prior to a planning permit application being granted for subdivision or building or works in accordance with the Latrobe Planning Scheme.

## 16.4

### Monash Views Development Plan

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**ATTACHMENT ONE – SITE CONDITIONS**

## **ATTACHMENT TWO – DEVELOPMENT INTERFACE MOVEMENT PLANS**



**ATTACHMENT THREE – MONASH VIEWS DEVELOPMENT PLAN FEB  
2013**

**ATTACHMENT FOUR – SITE PHOTOS HIGHLIGHTING CONSTRAINTS**

## **ATTACHMENT FIVE – CAR CLUB NOISE ASSESSMENT**

## **ATTACHMENT SIX– MOTORCYCLE CLUB NOISE ASSESSMENT**

**ATTACHMENT SEVEN – MAP OUTLINING MAILING AREA**

## **ATTACHMENT EIGHT – PUBLIC SUBMISSIONS**

## **ATTACHMENT NINE – AGENCY RESPONSES**

**16.5 METROPOLITAN PLANNING STRATEGY - MELBOURNE LET'S  
TALK ABOUT THE FUTURE**

**General Manager**

**Governance**

**For Decision**

**PURPOSE**

The purpose of this report is to present the draft Latrobe City Council Submission to the *Metropolitan Planning Strategy Melbourne - Let's talk about the future* for Council endorsement.

**DECLARATION OF INTEREST**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2012-2016.

***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 complimentary to its surroundings, and which provides for a connected and inclusive community.

***Strategic Objectives - Economy***

In 2026, Latrobe Valley has a strong and diverse economy built on innovative and sustainable enterprise. The vibrant business centre of Gippsland contributes to the regional and broader economies, whilst providing opportunities and prosperity for our local community.

***Strategic Objectives - Our Community***

In 2026, Latrobe Valley is one of the most liveable regions in Victoria, known for its high quality health, education and community services, supporting communities that are safe, connected and proud.

***Latrobe City Council Plan 2012 - 2016***

***Shaping Our Future***

Gippsland's Regional City

*Strengthening our profile*



Positioned for a Low Carbon Future  
*Advancing industry and innovation*

*Strategic Directions – Economy*

- Facilitate investment attraction of new firms to contribute to economic diversification, employment creation and to meeting the challenges of a carbon constrained economy.
- Promote and support the development of existing and new infrastructure to enhance the social and economic wellbeing of the municipality.
- Ensure well planned infrastructure that enhances the marketability of the municipality to industries, residents and investors.
- Strengthen the economic sustainability of the region by actively encouraging partnerships with other local governments, industry and with community agencies.

*Strategic Directions – Built Environment*

- Promote and support private and public sector investment in the development of key infrastructure within the municipality.
- Promote and support high quality urban design within the built environment.
- Support and advocate for integrated transport solutions that improve accessibility to and within Latrobe City.
- Ensure proposed developments enhance the liveability of Latrobe City, and provide for a more sustainable community.
- Integrate transit cities principles in the development of Moe, Morwell and Traralgon activity centres.
- Ensure the Local Planning Policy Framework is reviewed in accordance with legislative requirements, and updated regularly to reflect community aspirations and growth.

*Strategic Directions – Our Community*

- Provide support, assistance and quality services in partnership with relevant stakeholders to improve the health, wellbeing and safety of all within Latrobe City.

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### *Service Provision – Economy*

- In conjunction with the Victorian and Federal Governments, facilitate the attraction of large investments to Latrobe City for the creation of sustainable jobs.
- Provide regional leadership and facilitate a successful transition for Latrobe City to a low carbon future.

### *Major Initiatives – Built Environment*

- Actively participate in the Gippsland Integrated Land Use Plan to provide direction and priorities for addressing population growth, land use change, new infrastructure requirements and the management of natural resources including coal and agricultural assets (Supporting the Gippsland Regional Plan).

### *Strategy – Economy*

- Position Latrobe City Council for a Low Carbon Future

### *Strategy – Built Environment*

- Latrobe Structure Plans (for Churchill, Moe/ Newborough, Morwell and Traralgon)

## **BACKGROUND**

In October 2012, the Victorian Government released its discussion paper on the Metropolitan Planning Strategy *Melbourne let's talk about the future*.

The discussion paper has previously been provided to Council and officers have now prepared a submission which is provided as an attachment to this report.

## **ISSUES**

The Discussion Paper was prepared by a Ministerial Advisory Committee which is chaired by Professor Roz Hansen. The discussion paper sets out a range of principles which are set out below:

### **What we want to achieve**

1. A distinctive Melbourne
2. A globally connected and competitive city
3. Social and economic participation
4. Strong communities
5. Environmental resilience

### **What needs to change**

6. A polycentric city linked to regional cities
7. Living locally – a '20 minute' city

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8. Infrastructure investment that supports city growth
9. Leadership and Partnership

These principles are set out in greater detail in the discussion paper and reference to them has been made in Council's draft submission with a focus on the areas that are relevant to the future of Latrobe City.

The submissions are due by 5.00 pm on 28 March 2013.

The draft submission has focussed on the four key themes of partnerships, coal allocation and jobs, transport infrastructure and liveability. These have been highlighted as essential to ensure Latrobe Regional City is ready and willing to capture part of Victoria and Melbourne's projected growth.

**FINANCIAL, RISK AND RESOURCES IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management Plan 2011-2014.

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

**INTERNAL/EXTERNAL CONSULTATION***Engagement Method Used:*

The draft submission to the *Metropolitan Planning Strategy* has been informed by a number of relevant internal Latrobe City Council departments and key strategic documents (i.e. Latrobe Valley Industry and Employment Roadmap; Victorian Brown Coal Roadmap; Gippsland Regional Growth Plan etc). These key documents have all undergone separate community consultation processes.

*Details of Community Consultation / Results of Engagement:*

The ministerial consultation and consultation carried out by way of developing relevant strategic documents is generally consistent with Council's adopted community engagement principals.

**OPTIONS**

That Council:

1. Not submit Latrobe City Council's submission to the Ministerial Advisory Committee; or
2. Submit Latrobe City Council's submission to the Ministerial Advisory Committee.

**ORDINARY COUNCIL MEETING AGENDA  
18 MARCH 2013 (CM402)****CONCLUSION**

The discussion paper was designed to seek comments on the future planning of Melbourne and Victoria with the goal of ensuring Melbourne remains one of the most diverse, distinctive and liveable cities in the world. Council's submission has been prepared with a view to ensuring Latrobe City is part of the solution in accommodating the future growth in jobs and population of Victoria.

**Attachments**

1. Metropolitan Planning Strategy

**RECOMMENDATION**

**That Council endorse the Latrobe City Council Submission to the *Metropolitan Planning Strategy Melbourne - Let's talk about the future* and forward the submission to the Ministerial Advisory Committee prior to 28 March 2013.**

## **16.5**

### **Metropolitan Planning Strategy - Melbourne let's talk about the future**

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***Metropolitan Planning Strategy***  
***Melbourne let's talk about the future***



March 2013

Latrobe City Council Submission to the Metropolitan Planning Strategy

### **Introduction**

Latrobe City Council appreciates the opportunity to provide comments to the Metropolitan Planning Strategy *Melbourne let's talk about the future October 2012*.

It is noted that the document does not recognise Latrobe City's status as a Regional City along with the Ballarat, Bendigo and Geelong. We seek the recommitment of the Victorian Government to recognise the Regional City status of Latrobe City in the discussion paper and ensure consistency with all other publications that it produces.

Latrobe City is currently going through a period of population growth with projections suggesting that the growth will continue in the longer term. In response to these population projections the Minister for Planning has recently rezoned approximately 800 ha of residential land within the four main towns of Latrobe. This has enabled the Latrobe Regional City to be ready and willing to assist in accommodating the projected growth within Victoria.

### **General Comment**

Latrobe City Council is generally supportive of the approach of the Victorian Government in its long term planning for the future of Melbourne and Victoria. Latrobe City Council is keen to continue to work with the government in order to achieve the goals that are set out in the discussion paper.

The principles and ideas that are set out in the paper will be essential in ensuring that Victoria, assisted by the Latrobe Regional City, is well placed to capture the current and forecast growth in both the economy and in population. In particular, we acknowledge that 'a state of cities' model that includes Melbourne integrated with a network of regional cities will result in improved social, employment and infrastructure linkages between the *cities*.

We, as Latrobe City Council, have focussed on four key principles in that are directly relevant to the principles within the Discussion Paper;

- Partnerships
- Coal Allocation and Employment
- Transport Infrastructure
- Liveability

We believe that the principles set out above need to be integrated with the development of Melbourne as a polycentric city that is linked to Regional Cities. In order to achieve this, we believe there needs to be strong partnerships developed between the Victorian Government, the Commonwealth Government, Latrobe City Council and a range of industry and community groups. This is consistent with principles 6, 8 and 9 in the discussion paper. The following sections outline how the Latrobe City Council believe this can happen.

### **Partnerships**

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One recent example of a successful partnership is the development of the Latrobe Valley Industry and Employment Roadmap ('the Roadmap'). The Roadmap has been developed by a regional leadership group including;



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- **The Joint Ministerial Forum**
  - The Hon Peter Ryan MLA, Victorian Minister for Regional and Rural Development
  - The Hon Simon Crean MP, Federal Minister for Regional Australia, Regional Development and Local Government
- **Mayoral Reference Group**
  - This group includes the Mayor and CEO from Latrobe City Council and Wellington and Baw Baw Shire Councils
- **The Latrobe Valley Transition Committee**
  - Includes representatives from the Victorian and Commonwealth Governments, representatives from Latrobe City Council, Baw Baw Shire Council and Wellington Shire Council, the Regional Development Australia Gippsland Committee, the Victorian Chamber of Commerce and Industry, Gippsland Trades and Labour Council, the Construction Forestry, Mining and Energy Union, Monash University and the Latrobe Community Health Service.

The Roadmap was created in response to the challenges facing the Latrobe Valley economy in transitioning to a Low Carbon Future. This partnership approach has led to the creation of long term strategies to diversify the Latrobe Valley economy and position the Latrobe Regional City to capture parts of the population growth that is forecast for Victoria. Latrobe City Council is supportive of each of the strategic directions that have been developed in the partnership.

It is Latrobe City Council's belief that this approach has led to a higher quality outcome than could have been achieved with any or each of the individual organisations working alone. The Roadmap was published by Regional Development Victoria (RDV) and the Department of Planning and Community Development (DPCD) in July 2012 and is available on the RDV website.

The Roadmap is a demonstration of how the three tiers of government, business and community can create the Melbourne, and the Victoria, that is envisaged by the discussion paper.

### **Coal Allocation and Employment**

The Brown Coal resource in the Latrobe Regional City is an enormous asset for the region and for Victoria. Significant investment and investigation is underway by government and private industry to secure a sustainable and economically achievable use for this resource in the medium to long term. Latrobe City is seeking to harness its competitive strengths in power generation and heavy engineering in order to build on, and further enhance our reputation as Victoria's energy heartland with a particular focus on new technologies and sustainable uses for our vast brown coal resource.

The Victorian Brown Coal Roadmap and a coal allocation market analysis are two key pieces of work that have recently being undertaken that will potentially have an enormous impact on the future of the Latrobe Regional City.

Clean Coal Victoria has led the development of the Victoria Brown Coal (Lignite) Roadmap, to identify future pathways for Victoria's lignite in three time frames: 2020, 2035 and 2050. The Roadmap is an evidence based process, involving industry, government and academics from

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Australia and internationally. It is designed to assist the Victorian Government to develop future resource and innovation policy.

The Roadmap and the results of the coal allocation market analysis will feed into the Coal Strategic Plan. The Plan will identify actions to address issues associated with the long term development of Victoria's lignite from an economic, community and environmental perspective.

The development of the Coal Strategic Plan will also involve significant consultation with stakeholders and local communities in affected areas, and will cover land use planning, infrastructure planning, resource conflict issues and best practice mine rehabilitation options. Latrobe City Council is keen to be involved in these discussions and ensure that these factors are taken into account in order to ensure that the Latrobe Regional City can continue to grow and develop.

Historically, brown coal electricity generation has been the backbone of the local economy but the economy has continued to diversify by developing a range of industries including forestry and paper, manufacturing, agribusiness, retail, hospitality, aviation, health and education. Latrobe City is now home to Australia's largest yoghurt manufacturing facility, the largest pulp and paper manufacturer in Australia, the only regional "Group of Eight" university in Victoria and the only manufacturer of passenger aircraft in Australia.

There are also other significant opportunities to diversify Latrobe Regional City's economic base that would reinforce the role of employment and innovation clusters that in turn, would boost productivity, support economic and population growth and make the most of infrastructure. Some of these opportunities leverage off existing industries mentioned above or require innovation and broadly include (*inter alia*):

- Gippsland is increasingly becoming the food bowl for Victoria. Latrobe City Council is seeking to maximise opportunities for food processing investment within the municipality with an aim of attracting the next large project within this sector.
- Latrobe City Council is seeking to partner with the education sector to promote Latrobe Regional City as the location of choice for both Australian and international students within regional Victoria.
- Latrobe City Council is seeking to mobilise its skilled workforce and infrastructure capacity to be a key shared services hub within Australia.

### **Transport Infrastructure**

High quality infrastructure is essential in connecting the regional cities of Victoria with Melbourne. This creates access to markets and access to services and symbolically links the Regional Cities of Victoria with Melbourne.

There are a number of pieces of work currently being undertaken including the Gippsland Regional Growth Plan, the Gippsland Freight Strategy and the Infrastructure Vision that will define the specific infrastructure that is required for the Latrobe Regional City to be in a position to take advantage of the population growth forecast for Victoria. In particular, the Gippsland Freight Strategy sets out the Gippsland region's long term vision for managing Gippsland's freight needs and identifies investments in critical infrastructure, regulatory reforms, improved access to skills training and job opportunities, and planning to ensure that communities in Gippsland can accommodate future freight needs. The strategic work in Gippsland that has

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already been undertaken recognises that well planned transport infrastructure and investment will help the Gippsland region's industry to realise its full potential and result in improved social, employment and infrastructure linkages between the Melbourne and Gippsland's cities.

It is well recognised that the Latrobe Regional City and the greater Gippsland region needs to increase its productivity and export capacity and diversify its economy to take advantage of the enormous natural resources in the region. The discussion paper mentions the potential development of the Port of Hastings and a third airport for Victoria in the south east. These two large scale infrastructure projects would provide the Latrobe Regional City with greater access to international markets and help to establish new investment into Victoria. The development of the Gippsland Logistics Precinct in the Latrobe Regional City has potential to be directly linked to the Port of Hastings creating an outstanding opportunity for increased exports of brown coal and other natural resources to international markets.

The Latrobe City Council is very supportive of an opportunity to be involved in discussions and partnerships regarding the potential development of any key large scale infrastructure projects, including the Port of Hastings and a third airport in the south east, within the region. It is our position that these type of partnership approaches are critical in meeting the objectives set out in principle 8 of the discussion paper around using investment to transform places.

### **Liveability**

Ultimately, the discussion paper focuses on a number of strategies that will increase the liveability of Melbourne and Victoria.

The local suburbs of Moe, Morwell, Traralgon and Churchill are recognised as being part of places with unique characteristics which contribute to the diversity of the Latrobe Regional City. Each town has developed its own role and function. This networked cities approach creates a point of difference for the Latrobe Regional Centre. There are a range of examples that exist that show the potential of this approach including the Sunshine Coast and Canberra.

The Roadmap, transport infrastructure and the future of brown coal are three key local issues within the Latrobe Regional City. We are supportive of a partnership approach to resolving these issues so that the Latrobe Regional City can be in a position to take advantage of the population growth forecast for Victoria. These integral pieces of work have the potential to significantly increase the liveability of the area by creating jobs and opportunities for growth.

Strategic direction 7 of the Roadmap talks about attracting and facilitating investment and more specifically states;

*“the government [Victorian] will also ensure that a broad view of coal development is taken that ensures infrastructure, planning, regulatory, export, environmental, and Commonwealth/State aspects are considered in an integrated way to maximise the benefits of the coal resource.”*

Latrobe City Council are fully supportive of this approach and believe it is essential that none of these issues are dealt with in isolation from the other. The future of the brown coal is critical to planning the future population growth and land use strategies within the Latrobe Regional City. A complete understanding of each of the issues set out above will enable the Latrobe City Council

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to plan for population growth within the Latrobe Regional City, whilst ensuring that the industry and economy remain strong but also that the liveability of our City is not compromised.

There are a range of exciting developments underway within the Latrobe Regional City that will create economic activity, residential growth and unique lifestyle opportunities. Latrobe City Council is working with the Growth Areas Authority to develop a precinct plan (approximately 2500 – 3000 residential lots) for land immediately south of Lake Narracan. It is envisaged that this area will link with the town of Moe/Newborough and create a lifestyle that is not currently available within the Latrobe Regional City. The Morwell North West and Traralgon North precincts, each creating approximately 1500 new residential lots, ensure that the Latrobe Regional City is in position to capture growth within Victoria.

### **Conclusion**

In general, Latrobe City Council is supportive of the principles that have been established in the discussion paper.

Our paper has concentrated on partnerships, coal allocation and employment, transport infrastructure and liveability that link with three key principles in the discussion paper that are directly relevant to ensuring the Latrobe Regional City can capture parts of the forecast growth for Victoria;

Principle 6 – A polycentric city linked to regional cities

- Building national employment and innovation clusters
- Building a state of cities

Principle 8 – Infrastructure investment that supports city growth

- Using investment to transform places
- Moving to a place-based focus for programs
- Identifying a long term framework for metropolitan infrastructure

Principle 9 – Leadership and Partnership

- Developing partnerships and agreements
- Developing good governance structures and processes to deliver the strategy.

We are unwavering in our position that the Victorian Government should recognise the Regional City status of Latrobe City in the discussion paper and all other publications that it produces. The Latrobe City Council is ready and willing to work in partnership with the Victorian Government in capturing the current and forecast growth in the economy and population.

# ORGANISATIONAL EXCELLENCE

**17. ORGANISATIONAL EXCELLENCE**

Nil reports

# MEETING CLOSED TO THE PUBLIC

## 18. 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.

### RECOMMENDATION

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

#### 18.1 ADOPTION OF MINUTES

Agenda item *Adoption of Minutes* is designated as confidential as it relates to a matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

#### 18.2 CONFIDENTIAL ITEMS

Agenda item *Confidential Items* is designated as confidential as it relates to a matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

#### 18.3 ASSEMBLY OF COUNCILLORS

Agenda item *Assembly of Councillors* is designated as confidential as it relates to a matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

#### 18.4 LCC-38 FOOTPATH REPLACEMENT PROGRAM 2013

Agenda item *LCC-38 FOOTPATH REPLACEMENT PROGRAM 2013* is designated as confidential as it relates to contractual matters (s89 2d)

#### 18.5 LCC-43 DESIGN AND CONSTRUCTION OF SKATEPARKS AT MORWELL, TRARALGON SOUTH AND YINNAR

Agenda item *LCC-43 DESIGN AND CONSTRUCTION OF SKATEPARKS AT MORWELL, TRARALGON SOUTH AND YINNAR* is designated as confidential as it relates to contractual matters (s89 2d)



**18.6 LCC - 44 REDEVELOPMENT OF POOL INFRASTRUCTURE AT MOE OUTDOOR POOL**

Agenda item *LCC - 44 REDEVELOPMENT OF POOL INFRASTRUCTURE AT MOE OUTDOOR POOL* is designated as confidential as it relates to contractual matters (s89 2d)

**18.7 LCC-45 MOE OUTDOOR POOL PLANT ROOM, KIOSK AND AMENITIES**

Agenda item *LCC-45 MOE OUTDOOR POOL PLANT ROOM, KIOSK AND AMENITIES* is designated as confidential as it relates to contractual matters (s89 2d)