



# **LATROBE CITY COUNCIL**

**AGENDA FOR THE  
ORDINARY COUNCIL**

**TO BE HELD IN NAMBUR WARIGA MEETING ROOM  
CORPORATE HEADQUARTERS, MORWELL  
AT 5:30 PM ON  
07 APRIL 2014**

**CM433**



## *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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**1. OPENING PRAYER**

*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.*

**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/Kurnai Clan and pay our respect to their past and present elders*

**3. APOLOGIES AND LEAVE OF ABSENCE****4. DECLARATION OF CONFLICT OF INTEREST****5. ADOPTION OF MINUTES****RECOMMENDATION**

**That the minutes of the Ordinary Council Meeting meeting held on 24 March 2014 be confirmed.**

**6. PUBLIC QUESTION TIME**

**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 Planning and 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 Planning and 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 Planning and Governance

## ORDINARY COUNCIL MEETING AGENDA 07 APRIL 2014 (CM433)

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, and 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, and Community Infrastructure
6/05/13	Latrobe City International Relations Advisory Committee - Amended Terms of Reference	That the item be deferred pending further discussion by Councillors relating to the Terms of Reference.	General Manager Economic Sustainability
6/05/13	Latrobe City International Relations Advisory Committee - Motion Re: Monash University	That the item be deferred until after the amended Terms of Reference for the Latrobe City International Relations Advisory Committee have been considered by Council.	General Manager Economic Sustainability

## ORDINARY COUNCIL MEETING AGENDA 07 APRIL 2014 (CM433)

Council Meeting Date	Item	Status	Responsible Officer
6/05/13	Former Moe Early Learning Centre	<ol style="list-style-type: none"> <li>1. That a community engagement process be undertaken to inform a potential Expression of Interest for funding from the State Government's <i>Putting Locals First Program</i> to redevelop the former Moe Early Learning Centre as a centre for community organisations, addressing the stated funding criteria.</li> <li>2. That subject to the community engagement process identifying a community need meeting the funding criteria, that an Expression of Interest for funding from the State Governments Putting Locals First Program be prepared and submitted.</li> <li>3. That a further report be presented to Council for consideration outlining the draft design of the former Moe Early Learning Centre based on feedback received during the community engagement process.</li> </ol>	General Manager Community Liveability
01/07/13	Traffic Investigation At Finlayson Crescent Traralgon	<ol style="list-style-type: none"> <li>1. That Council install temporary traffic calming devices in Finlayson Crescent, Traralgon for a period of six months.</li> <li>2. That a review of traffic flow during this six month period in Finlayson Crescent and adjoining cross streets be undertaken and reported back to Council.</li> <li>3. That a final determination be made by Council on review of these figures.</li> <li>4. That Council write to the head petitioner and all other residents who were invited to express their views informing them of Council's decision.</li> </ol>	General Manager Recreation and Community Infrastructure
16/09/13	2013/20 - Notice Of Motion - Adam View Court, Tanjil South	That a report be provided to Council on options available for the mitigation of flooding at 25 Adam View Court, Tanjil South.	General Manager Recreation and 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>
16/09/13	14.3 Hazelwood Pondage Waterway And Caravan Park Lease	<p>1. That Council authorise the Chief Executive Officer to commence negotiations with IPH GDF Suez for the lease of the caravan park, southern boat ramp and surrounds, northern boat ramp and surrounds and management of the waterway for recreational purposes, ensuring the following principals are addressed:</p> <ul style="list-style-type: none"> <li>•GDF SUEZ to retain full accountability for Blue Green Algae and water quality testing;</li> <li>•GDF SUEZ to remain fully accountable for the pondage integrity;</li> <li>•Fair and equitable termination clauses should the power station close earlier than 2025;</li> <li>•Clarify risk, release and indemnity conditions;</li> <li>•Liquidated damages;</li> <li>•Clarify the end of lease conditions;</li> <li>•Clarify the early termination conditions</li> </ul> <p>2. That a further report be presented to Council following negotiations with IPH GDF SUEZ seeking Council approval of the new lease arrangements at Hazelwood Pondage.</p> <p>3. That Council write to the Minister for Regional &amp; Rural Development and advise of Council's resolution to commence negotiations with IPH GDF SUEZ .</p>	General Manager Recreation and Community Infrastructure
6/11/13	Latrobe Regional Motorsport Complex	<p>1. That Council requests the members of the Latrobe Regional Motorsports Complex Advisory Committee to investigate potential sites for the motorsports complex and to advise Council of any sites identified so that further investigation can be undertaken by Council officers.</p> <p>2. That Council officers meet with Energy Australia to discuss other possible sites for a motorsports complex on their land.</p> <p>3. That a further report be presented to Council at such time that site options have been investigated.</p>	General Manager Recreation and Community Infrastructure
18/11/13	2013/26 – Notice Of Motion Car Parking At Traralgon, Morwell And Moe Train Stations	<p>1. That the Mayor write to the appropriate authorities and request an update, which includes timelines, on when improved car parking will be provided at the Traralgon, Morwell and Moe train stations</p> <p>2. That the response be tabled at an Ordinary Council meeting</p>	General Manger Planning and Governance

**ORDINARY COUNCIL MEETING AGENDA  
07 APRIL 2014 (CM433)**

<b>Council Meeting Date</b>	<b>Item</b>	<b>Status</b>	<b>Responsible Officer</b>
2/12/13	Presentation Of Petition For The Proposed Removal Of 15 Corymbia Maculata Spotted Gum Street Trees Growing In Nature Strips In Fowler Street, Moe	<ol style="list-style-type: none"> <li>1. That Council lay the petition requesting the removal of gum trees in Fowler Street, Moe on the table.</li> <li>2. That Council initiate a consultation process with all residents of Fowler Street, Moe and the broader local community to determine public opinion in relation to the proposed removal of the gum trees.</li> <li>3. That a further report be presented to Council detailing the results of the community consultation.</li> </ol>	General Manager Recreation and 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 DESIGN OF CHURCHILL TAXI RANK AND BUS SHELTER**

**General Manager**

**Recreation and Community  
Infrastructure**

**For Decision**

**PURPOSE**

The purpose of this report is to provide designs of the Churchill town centre bus shelter and taxi rank to Council for approval, in line with the Council resolution of 16 December 2013 relating to the Design and Construct tender.

**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 2013-2017.

*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 2013 - 2017*

*Theme and Objectives*

*Theme 2: Appropriate, affordable and sustainable facilities, services and recreation*

*Objective: To provide facilities and services that are accessible and meet the needs of our diverse community*

*Strategic Direction: Develop and maintain community infrastructure that meets the needs of our community.*

*Strategy & Plans –*

*Churchill Town Centre Plan, adopted 2007, and modified in 2010*

**BACKGROUND**

On 16 December 2013, Latrobe City Council resolved to accept the tender submitted by Adshel Street Furniture Pty Ltd for Invitation to Tender No: LCC-149 – Design and Construction of Churchill Taxi Rank and Bus Shelter. Council also resolved “That the final design is brought back to Council for approval prior to construction”.

**ISSUES**

Copies of the designs of the bus shelter and taxi rank are attached, for consideration by Latrobe City Council.

The bus shelter is a standard design, with the specifications designed to comfortably fit the available space on its traffic island. The shelter is over 5 metres in length and the roof is just over 3 metres wide. Weather protection is provided to the south-west to the rear of the shelter, while panels of 1.2 metres in length provide protection to the ends of the shelter. Two seats are each 1.8 metres long.

The taxi rank shelter is custom designed for the site, with the curved section of the roof aligning with Georgina Place. The shelter includes a covered drive-through area with spaces for two taxis to the north, and louvres are located on the northern side to provide additional shade for parked taxis. Weather protection is provided to the west and east of the seating, with twin panels of a total of 2.4 metres each side - this covers virtually all of the available space on the western side, because the remainder is required for the drive-through area for taxis. There will be a single seat facing the taxis to the north on the western side; on the east, there will be back-to-back seating facing the taxis to the north and buses to the south.

For both the taxi rank and bus shelter, it is proposed that the roofing be in corrugated Colorbond in Woodland Grey, matching the colour of the north facing wall of the West Place Shopping Centre. Silver posts and other features will be used, matching the colour of street light poles and other street furniture in Churchill. It is proposed to use hardwood slats and stainless steel frames for the seating, similar to those used in the outdoor pool at Moe.

The feasibility of including historical or artistic panels featuring Churchill within the taxi rank is currently being investigated.

**Design Principles**

The attached “Design Principles for Taxi Rank and Bus Shelter” (Attachment 6) were drafted in 2013, aiming to provide a framework for the designers of the two shelters. They were based on the design philosophy outlined in the Churchill Town Centre Plan and the Churchill East West Link Master Plan, together with the VicRoads Guidelines for taxi ranks and bus stops.

**Consultation**

The “Design Principles...” (Attachment 6) document was considered by the Churchill Town Centre Plan Implementation Consultation Group on 30 September 2013, and copies were forwarded to Churchill Taxis and

Latrobe Valley Buslines for comment. The final document was then included as part of the tender for the shelters.

Further discussion on the proposed design took place at the Churchill Town Centre Plan Implementation Consultation Group meeting on 21 March 2014, which led to a number of refinements to seating and weather protection.

#### Funding

The taxi rank is being funded by a grant from the Victorian Taxi Directorate from the 2012/13 Taxi Rank Safety Program. The grant for \$93,000 (GST-inclusive) covers the shelter and associated elements such as furniture, site preparation, lighting and signage.

An extension of the completion date for the project has been granted, and is now 31 May 2014. Erection of the structure will take only a couple of days, but there is a lead time for manufacture of around six weeks.

#### Advertising on the Structures

There is no intention of including advertising on either the taxi shelter or the bus shelter. The external funding of the taxi rank ensured that the structures could be funded without any necessity for advertising revenue.

The Churchill Town Centre Plan Implementation Consultation Group considered that there may be some opportunities to incorporate art works into the structures in the future (such as the possibility of art works attached to the weather protection). This could complement the Churchill Art and Culture Trail, but would only be considered in the future if it is feasible, consistent with policy, and funded.

### **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.

### **INTERNAL/EXTERNAL CONSULTATION**

#### *Engagement Method Used:*

The principles underlying the designs were considered by the Churchill Town Centre Plan Implementation Group, which is chaired by Cr White and includes representatives of the Churchill community.

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

The principles underlying the designs were supported by the Churchill Town Centre Plan Implementation Group.

### **OPTIONS**

The options are:

1. Approve the designs
2. Do not approve the designs.



**ORDINARY COUNCIL MEETING AGENDA  
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The designs are provided for consideration of Latrobe City Council, in line with the Council decision of 16 December 2013.

**Attachments**

1. Taxi Rank Perspective (a)
2. Taxi Rank Perspective (b)
3. Site Plan
4. Taxi Rank Details
5. Bus Shelter
6. Design principles for the Taxi Rank/Bus Shelter

**RECOMMENDATION**

**That the designs of the Churchill bus shelter and taxi rank be approved.**

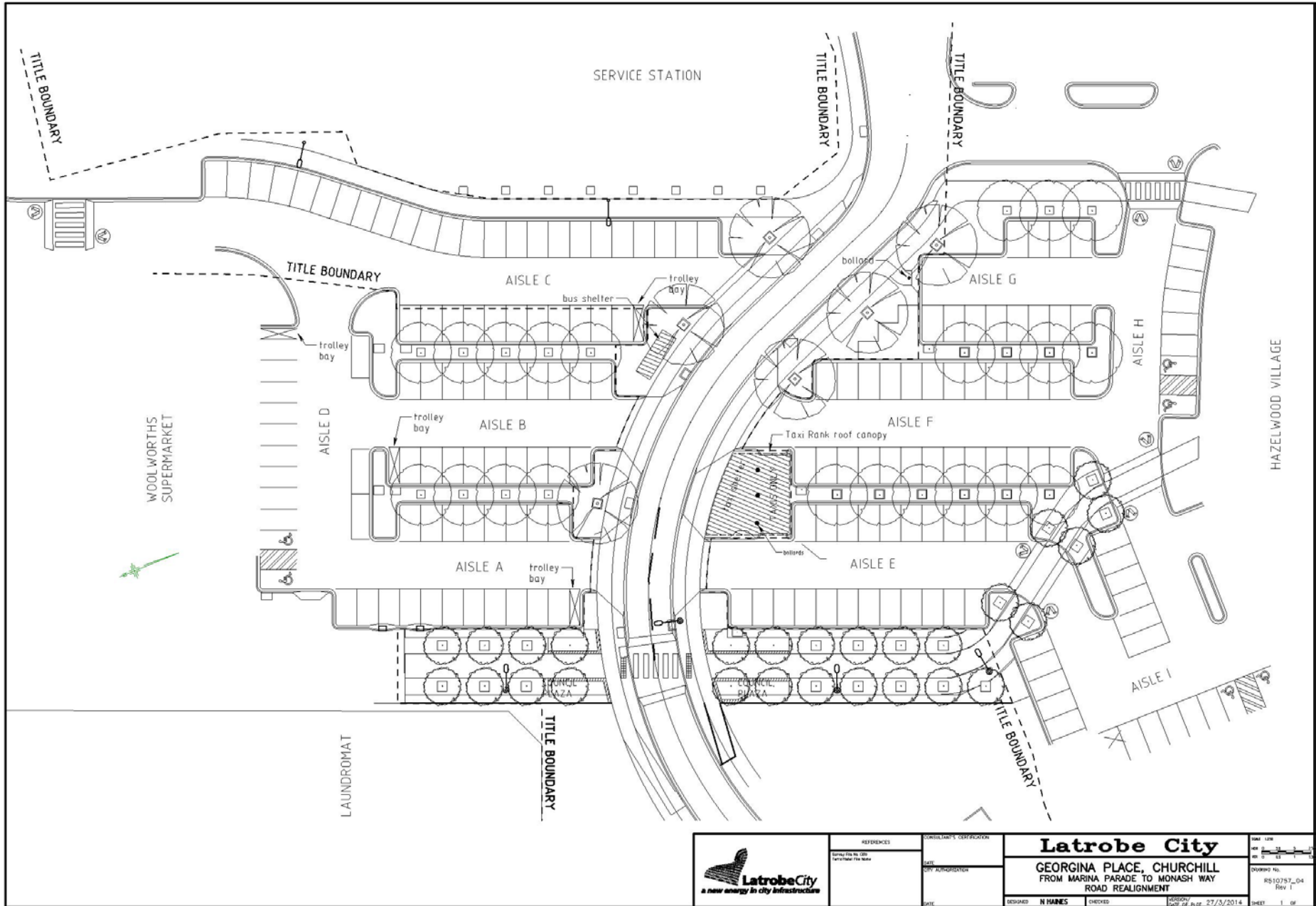
## **9.1**

### **Design of Churchill Taxi Rank and Bus Shelter**

<b>1</b>	<b>Taxi Rank Perspective (a) .....</b>	<b>17</b>
<b>2</b>	<b>Taxi Rank Perspective (b) .....</b>	<b>19</b>
<b>3</b>	<b>Site Plan .....</b>	<b>21</b>
<b>4</b>	<b>Taxi Rank Details .....</b>	<b>23</b>
<b>5</b>	<b>Bus Shelter .....</b>	<b>27</b>
<b>6</b>	<b>Design principles for the Taxi Rank/Bus Shelter .....</b>	<b>33</b>

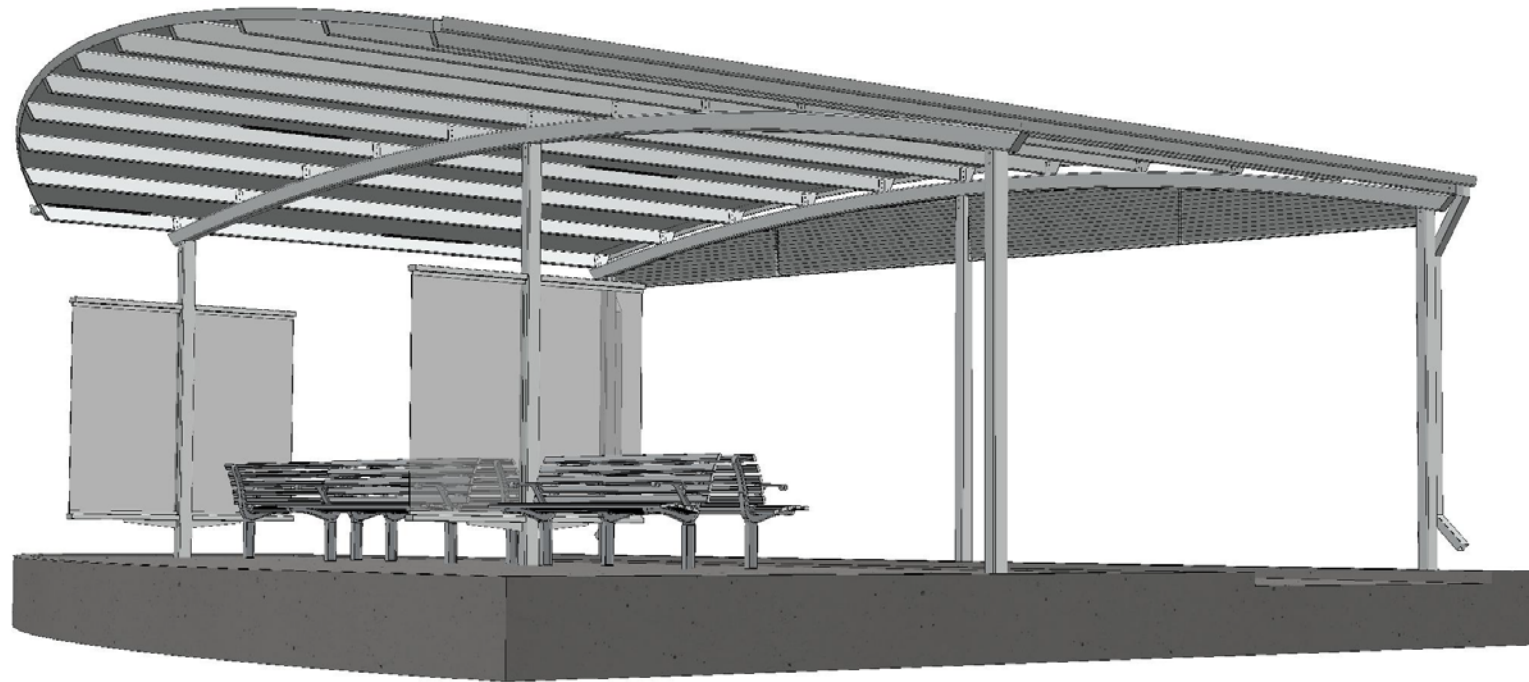






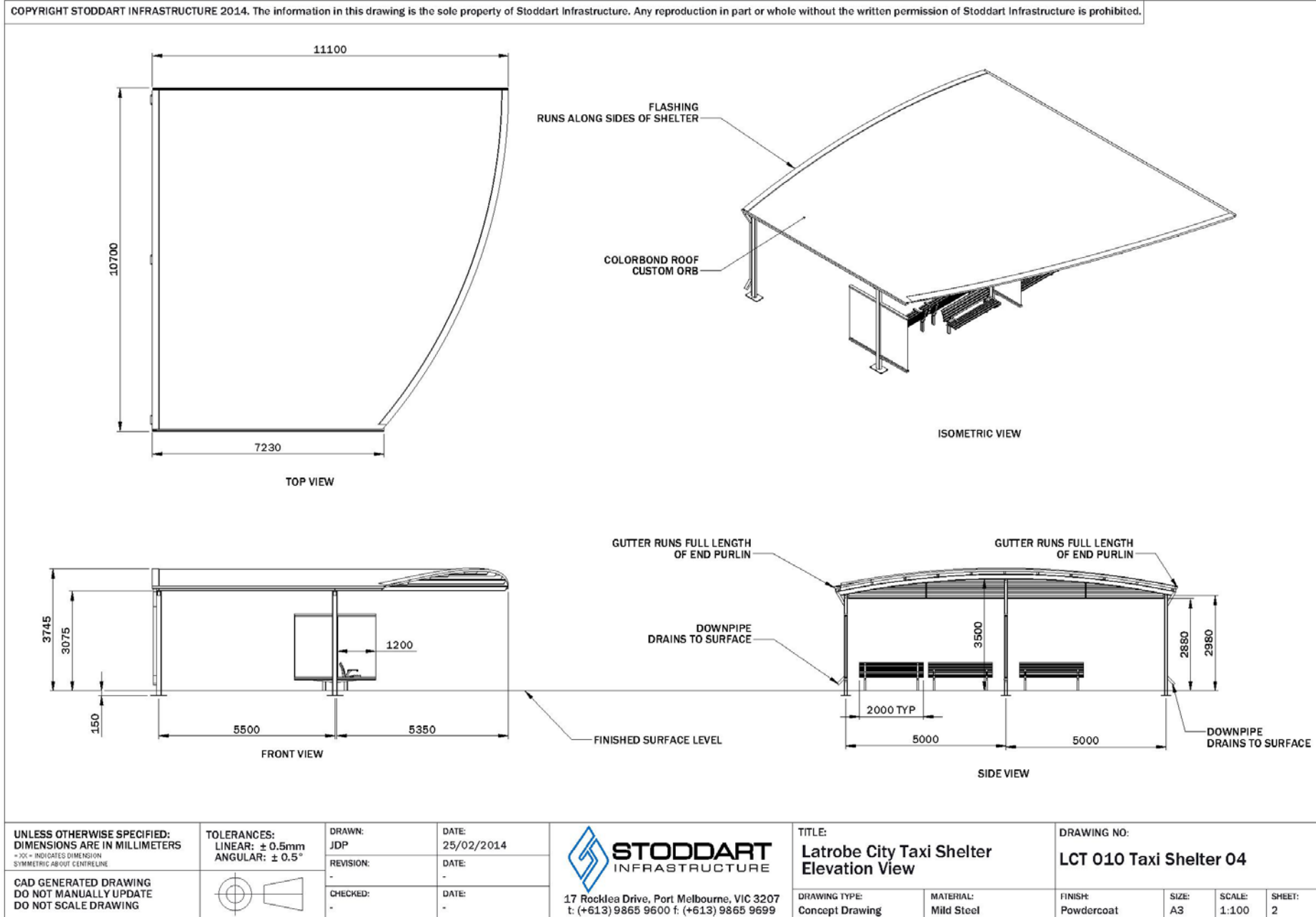
	REFERENCES Survey File No 120 2013/1401 The State	CONSULTANT'S CERTIFICATION DATE: _____ CITY AUTHORITY: _____ STATE: _____	<b>Latrobe City</b> GEORGINA PLACE, CHURCHILL FROM MARINA PARADE TO MONASH WAY ROAD REALIGNMENT	DRAWN: LPM DATE: 01/11/14 CHECKED: _____ DATE: 27/3/2014 SHEET 1 OF 1
	DESIGNED: N HANES CHECKED: _____ DATE: 27/3/2014	DRAWING NO: RD10757_04 Rev 1		

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FRONT PERSPECTIVE VIEW

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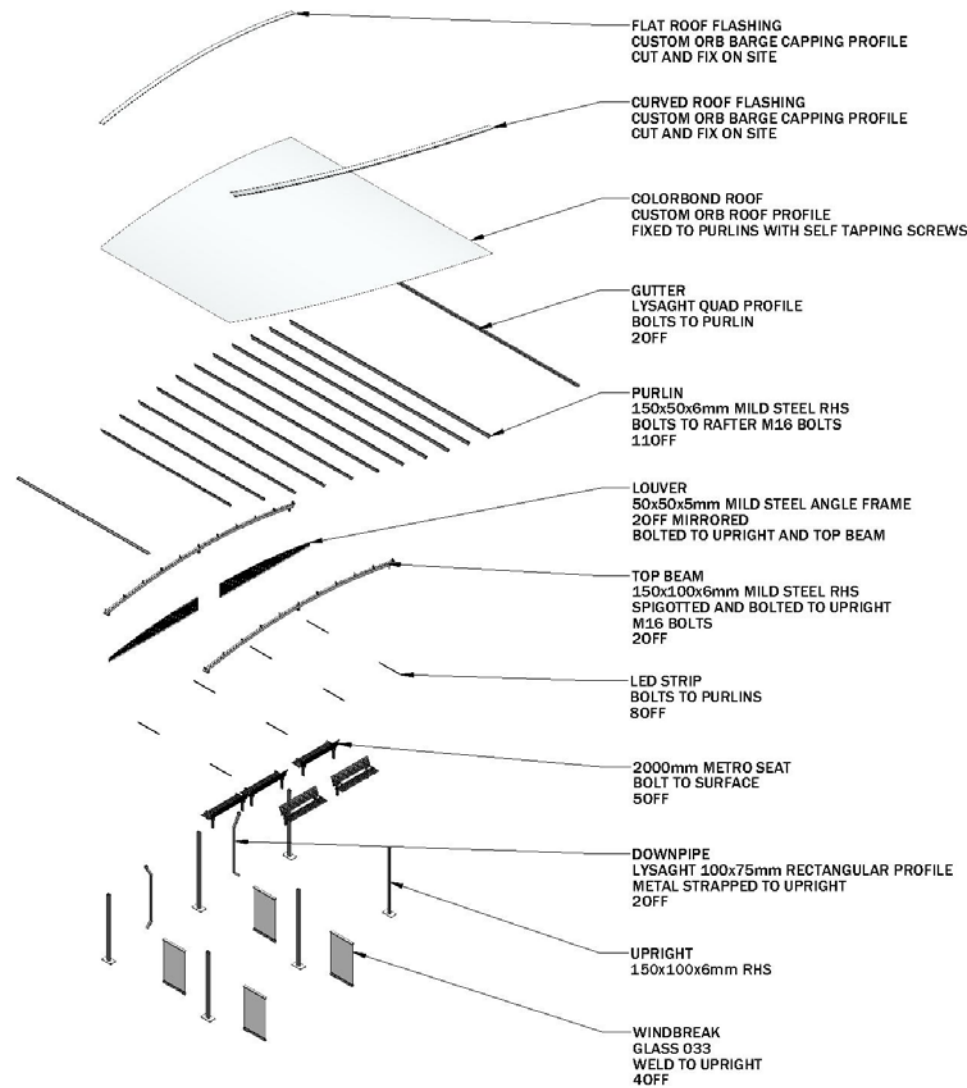
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 INFRASTRUCTURE  
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TITLE:  
**Latrobe City Taxi Shelter  
 Elevation View**  
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 Concept Drawing  
 MATERIAL:  
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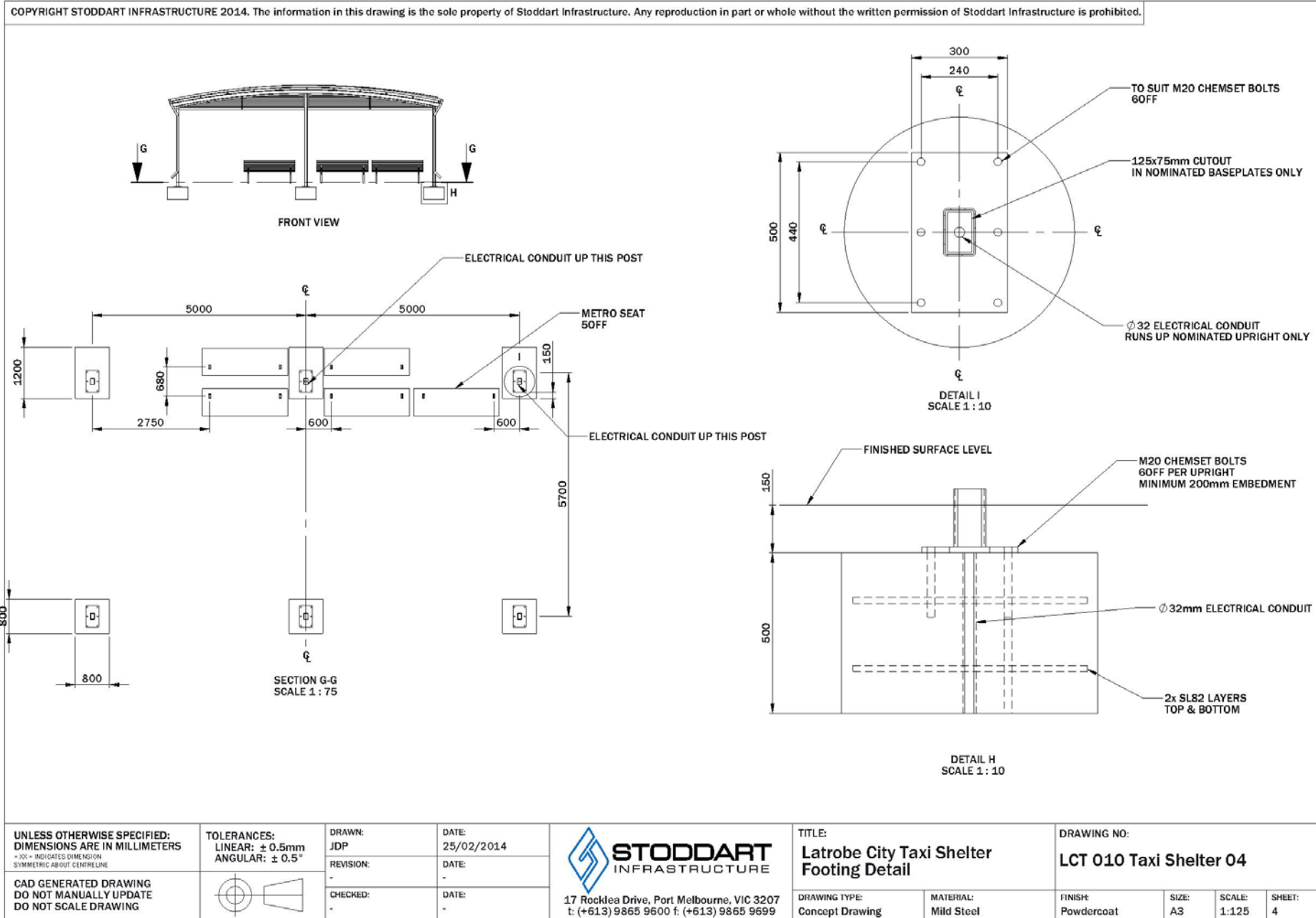
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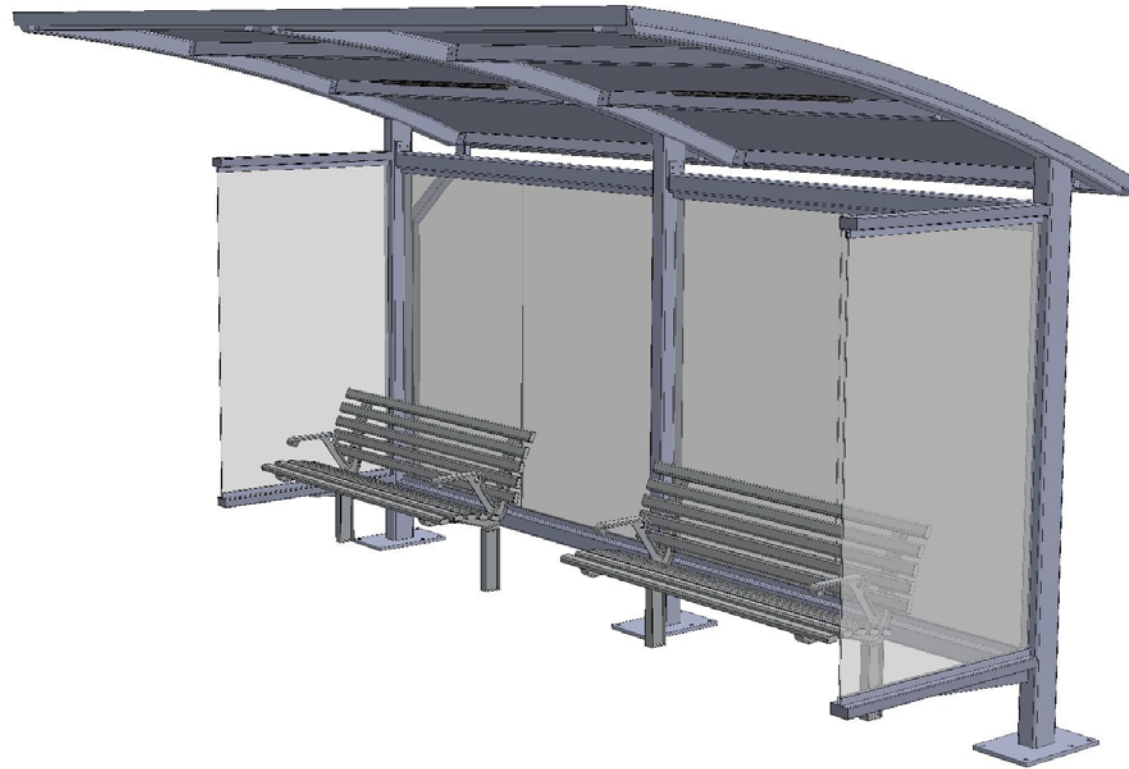


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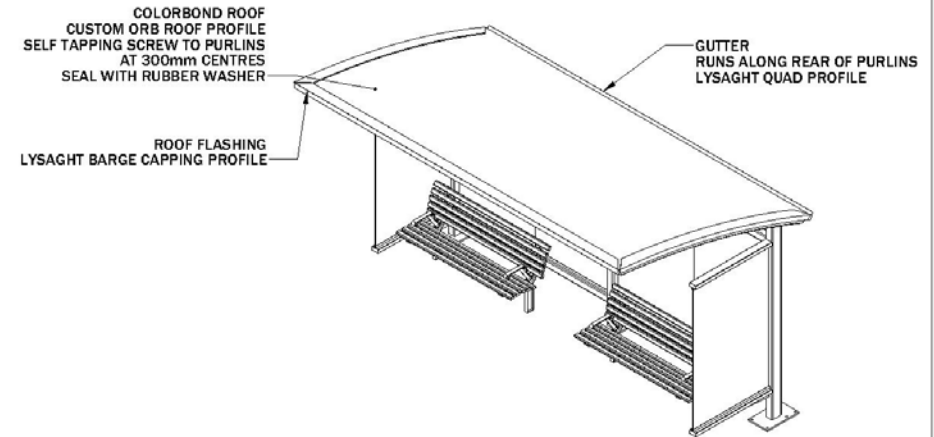
FRONT PERSPECTIVE VIEW

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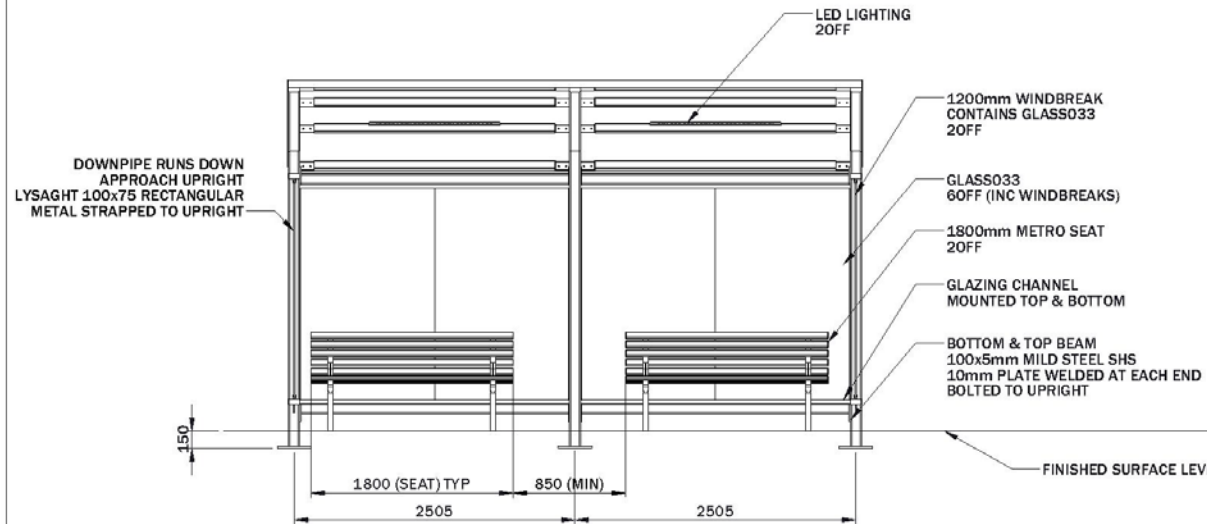
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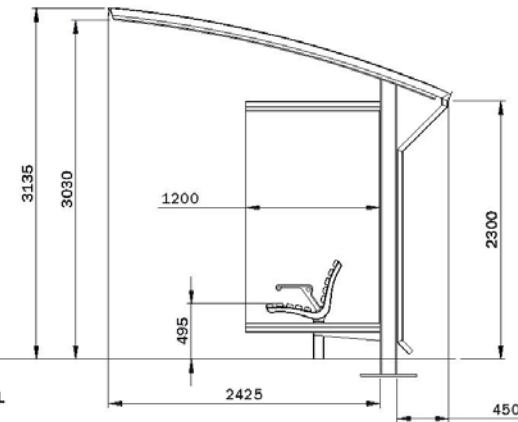
TOP VIEW



ISOMETRIC VIEW  
SCALE 1 : 50

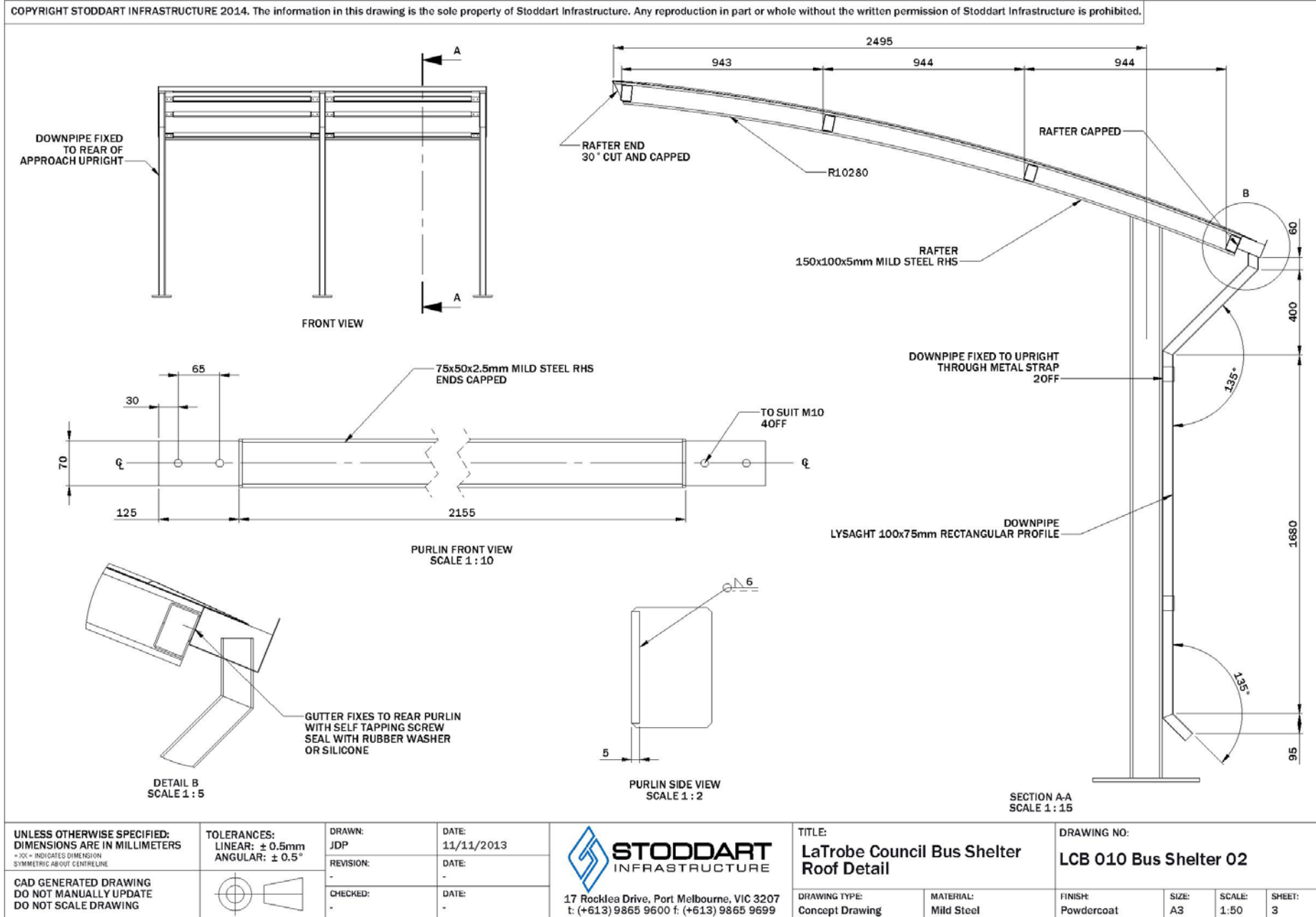


FRONT VIEW

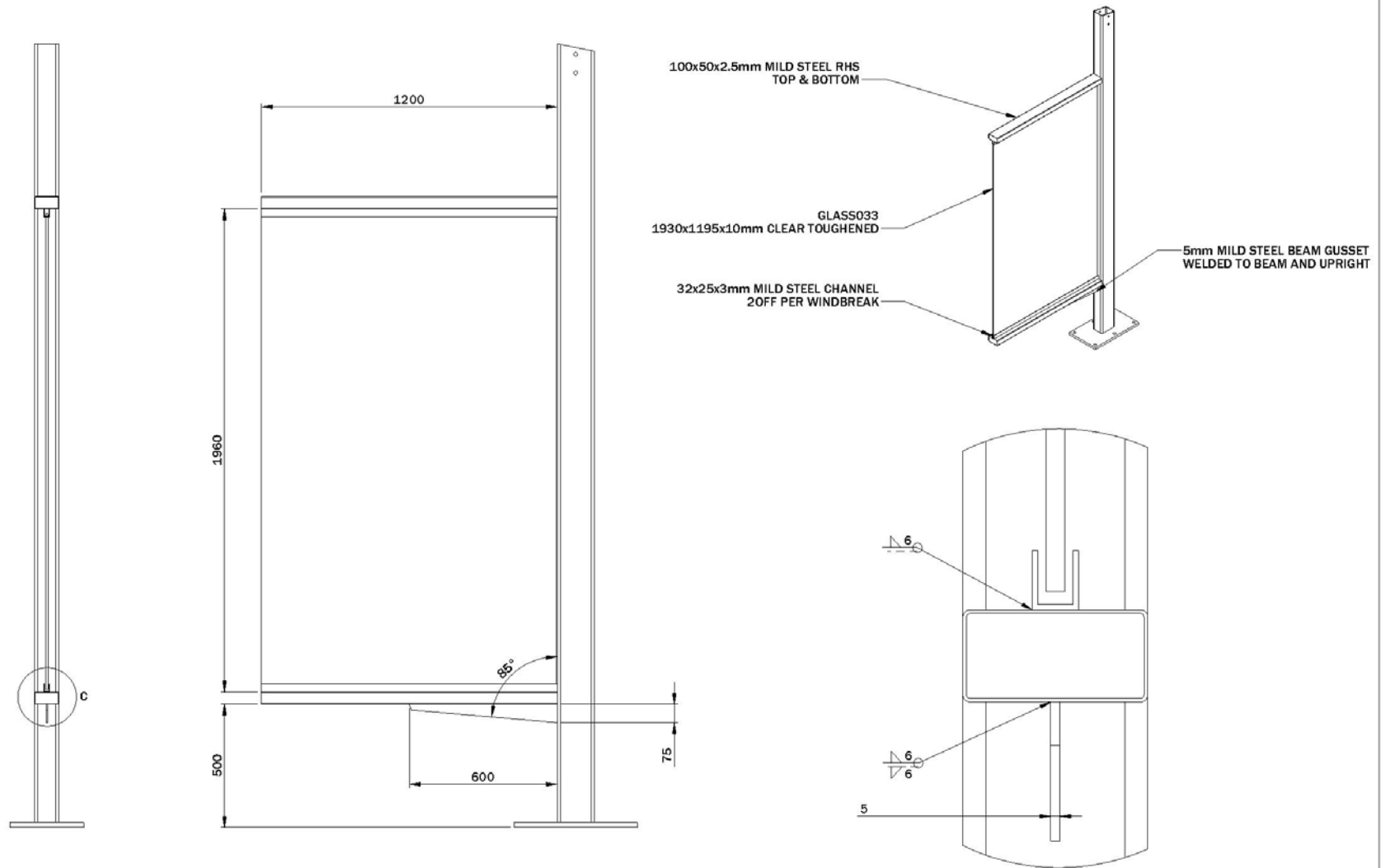


SIDE VIEW

UNLESS OTHERWISE SPECIFIED: DIMENSIONS ARE IN MILLIMETERS <small>- XX - INDICATES DIMENSION                  SYMMETRIC ABOUT CENTRELINE</small>	TOLERANCES: LINEAR: $\pm 0.5\text{mm}$ ANGULAR: $\pm 0.5^\circ$	DRAWN: JDP	DATE: 11/11/2013	STODDART INFRASTRUCTURE	TITLE: LaTrobe Council Bus Shelter Elevation Views	DRAWING NO: LCB 010 Bus Shelter 02			
		REVISION: -	DATE: -			DRAWING TYPE: Concept Drawing	MATERIAL: Mild Steel	FINISH: Powdercoat	SIZE: A3
CAD GENERATED DRAWING DO NOT MANUALLY UPDATE DO NOT SCALE DRAWING		CHECKED: -	DATE: -	17 Rocklea Drive, Port Melbourne, VIC 3207 t: (+613) 9865 9600 f: (+613) 9865 9699					

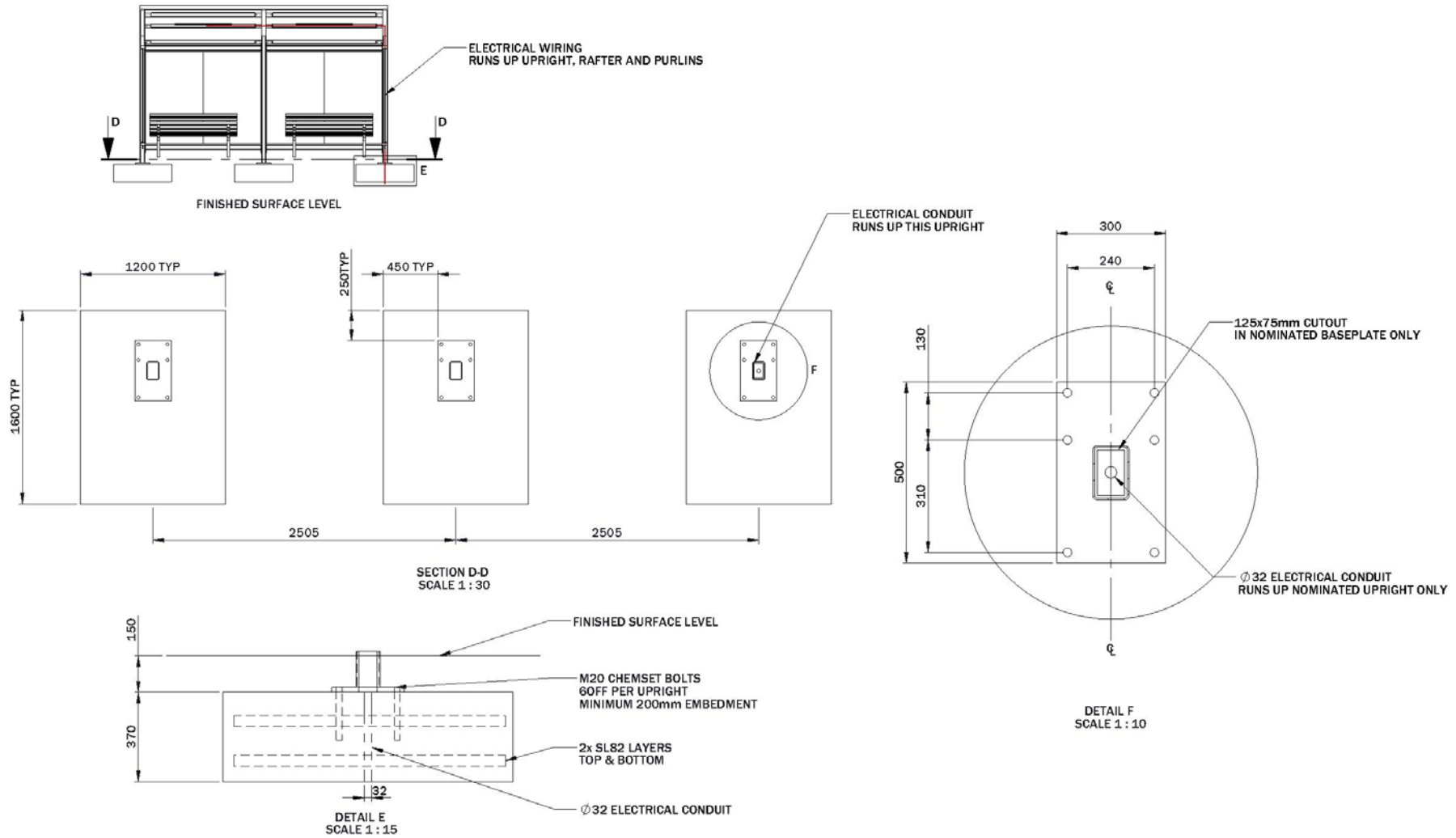


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UNLESS OTHERWISE SPECIFIED: DIMENSIONS ARE IN MILLIMETERS -XX- INDICATES DIMENSION SYMMETRIC ABOUT CENTRELINE	TOLERANCES: LINEAR: $\pm 0.5\text{mm}$ ANGULAR: $\pm 0.5^\circ$	DRAWN: JDP	DATE: 11/11/2013	STODDART INFRASTRUCTURE	TITLE:		DRAWING NO:				
		REVISION: -	DATE: -		LaTrobe Council Bus Shelter Windbreak Details		LCB 010 Bus Shelter 02				
CAD GENERATED DRAWING DO NOT MANUALLY UPDATE DO NOT SCALE DRAWING		CHECKED: -	DATE: -	17 Rocklea Drive, Port Melbourne, VIC 3207 t: (+613) 9865 9600 f: (+613) 9865 9699		DRAWING TYPE: Concept Drawing	MATERIAL: Mild Steel	DETAIL FINISH: SCALE 1: Powdercoat	SIZE: A3	SCALE: 1:15	SHEET: 4

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UNLESS OTHERWISE SPECIFIED: DIMENSIONS ARE IN MILLIMETERS - XX - INDICATES DIMENSION SYMMETRIC ABOUT CENTRELINE	TOLERANCES: LINEAR: ± 0.5mm ANGULAR: ± 0.5°	DRAWN: JDP	DATE: 11/11/2013	<b>STODDART</b> INFRASTRUCTURE 17 Rocklea Drive, Port Melbourne, VIC 3207 t: (+613) 9865 9600 f: (+613) 9865 9699	TITLE: <b>LaTrobe Council Bus Shelter Footing Detail</b>	DRAWING NO: <b>LCB 010 Bus Shelter 02</b>			
		REVISION: -	DATE: -		DRAWING TYPE: Concept Drawing	MATERIAL: Mild Steel	FINISH: Powdercoat	SIZE: A3	SCALE: 1.50
CAD GENERATED DRAWING DO NOT MANUALLY UPDATE DO NOT SCALE DRAWING		CHECKED: -	DATE: -						

## Design Principles for the Taxi Rank and Bus Shelter

Reviewed by Churchill Town Centre Plan Implementation Group,  
September 2013

The following are draft design requirements for the taxi rank (comprising the taxi rank, plus seating for bus passengers fronting Georgina Place) and bus shelter (further to the west, also fronting Georgina Place).

The two structures will be required to meet the VicRoads design guidelines, which describe a range of safety, accessibility and signage requirements:

- *Taxi Rank Guidelines* (November 2005)

<http://www.vicroads.vic.gov.au/NR/rdonlyres/90AF358D-FD24-442C-851F-CD3C84737CF7/0/TR2005277v3.pdf>

- *Bus Stop Guidelines* (February 2006)

<http://www.vicroads.vic.gov.au/NR/rdonlyres/FC0338A1-AE4A-4471-8D75-99AE36C6078F/0/vrpin013261.pdf>

The following Design Principles have been used to provide a consistent direction for the rebuild of Churchill town centre:

Design Principles	Examples of Design Consequences	Implications for the Taxi Rank and Bus Shelter
<b>Local:</b> Designs reflect and reinforce the positive aspects of Churchill's history, culture and environment	<ul style="list-style-type: none"> <li>• Designs build on the growing quality of Churchill's facilities and set new standards of creativity</li> </ul>	<ul style="list-style-type: none"> <li>• Innovative design that reflects and reinforces Churchill's character is adopted</li> <li>• Design of the shelters, lighting and seating complements town centre themes (complementary with sparkling aluminium poles; black recycled plastic seats)</li> <li>• Design of the taxi rank is complementary with the bus shelter</li> </ul>
<b>Safe:</b> All designs are aimed at improving the reality and perception of safety for those using the spaces, reflecting principles of Crime Protection Through Environmental Design (CPTED)	<ul style="list-style-type: none"> <li>• Increased activity</li> <li>• Improved passive surveillance</li> <li>• Improved pedestrian safety</li> <li>• Appropriate lighting</li> <li>• Improved</li> </ul>	<ul style="list-style-type: none"> <li>• Lighting is appropriate for high pedestrian activity (complements the P11b lighting in the northern car park)</li> <li>• Appropriate signage is incorporated</li> <li>• Shelters are designed and built in a way that minimises graffiti and other vandalism</li> </ul>

Design Principles	Examples of Design Consequences	Implications for the Taxi Rank and Bus Shelter
	signage	<ul style="list-style-type: none"> <li>Transparent sections are incorporated in the shelters to assist with passive surveillance (opaque areas are of appropriate scale and location)</li> </ul>
<p><b>Accessible:</b> All designs promote access for all, including access for disabled people</p>	<ul style="list-style-type: none"> <li>Materials and layouts of infrastructure are designed to maximise access</li> </ul>	<ul style="list-style-type: none"> <li>Pathways to the taxi rank and bus shelter provide access to wheelchairs, prams etc.</li> <li>Seating is provided in appropriate locations – with appropriate shade and shelter</li> </ul>
<p><b>Environmental:</b> Designs create environmental and aesthetic improvements</p>	<ul style="list-style-type: none"> <li>Designs integrate with surrounding infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>The taxi rank is very centrally located, but is not a dominant feature of the car park landscape when viewed from the Monash Way traffic lights, and Hazelwood Village or West Place shopping centres</li> <li>Design is simple and elegant, avoiding being dominant features</li> <li>There is an “open” feel to connect the taxi rank with the concourse</li> </ul>
<p><b>Artistic and cultural:</b> Designs assist in identifying the precinct as part of Churchill’s Art and Culture Pathway, consistent with the Brecknock Consulting report, <i>Making Our Way</i> (2011) [<i>This principle may be difficult to implement in the case of the taxi rank and bus shelter</i>]</p>	<ul style="list-style-type: none"> <li>Artistic and cultural focus in designs</li> </ul>	<ul style="list-style-type: none"> <li>Any opportunities for artistic elements in the shelters are considered</li> </ul>



<p><b>Practical:</b> Designs continue to lift the standard of Churchill's infrastructure, are affordable and easy to maintain</p>	<ul style="list-style-type: none"><li>• Designs are fit for purpose</li><li>• All-of-life costs are considered, through identification and control of maintenance costs</li></ul>	<ul style="list-style-type: none"><li>• Shelter is provided for taxi and bus passengers and drivers; issues such as shade from sun, and protection from rain and prevailing winds are considered</li><li>• Drainage issues are investigated and resolved</li><li>• Infrastructure such as footpaths, lighting, signage and street furniture is designed to minimise maintenance requirements</li></ul>
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# CORRESPONDENCE

**10. CORRESPONDENCE**

**10.1 MAV STATE COUNCIL MOTION - LONG SERVICE LEAVE - EAST GIPPSLAND SHIRE COUNCIL**

**Chief Executive Officer**

**For Decision**

**PURPOSE**

The Municipal Association of Victoria (MAV) State Council Meeting will be held on Friday, 16 May 2014. Members may submit Motions for consideration by the State Council, in writing to the MAV.

**DECLARATION OF INTEREST**

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

**OFFICER COMMENTS**

Each year the MAV hold two State Council Meetings where member councils have the opportunity to submit motions for consideration. Motions and letters of support are required to be sent to the State Council by Friday, 18 April 2014.

East Gippsland Shire have requested letters of support be submitted to them by close of business Tuesday, 8 April 2014 to enable timely submission to the MAV for inclusion in the State Council Meeting papers.

The Motion Latrobe City Council has been asked to support is as follows: *'That the MAV writes to Local Government Victoria requesting the Local Government (Long Service Leave) Regulation 2012 be changed to stipulate the recognition by Local Government Councils of prior service with a Victorian Public Service Body or Special Body is conditional on agreement to transfer payment to cover the value of accrued liabilities.'*

**Attachments**

1. Correspondence
2. Motion

**RECOMMENDATION**

**That the Mayor writes to East Gippsland Shire Council providing support to the MAV State Council Motion:**

- **That the MAV writes to Local Government Victoria requesting the Local Government (Long Service Leave) Regulation 2012 be changed to stipulate the recognition by Local Government Councils of prior service with a Victorian Public Service Body or Special Body is conditional on agreement to transfer payment to cover the value of accrued liabilities.'**

## **10.1**

### **MAV State Council Motion - Long Service Leave - East Gippsland Shire Council**

- 1 Correspondence ..... 39**
- 2 Motion..... 41**

**Stacey Greenwood**

**From:** Governance Officer <Govofficer@egipps.vic.gov.au>  
**Sent:** Thursday, 27 March 2014 3:46 PM  
**To:** gail.hogben@wellington.vic.gov.au; l.ryan@basscoast.vic.gov.au;  
laureng@southgippsland.vic.gov.au; Stacey Greenwood;  
sam.mchenry@bawbawshire.vic.gov.au; sharon.willison@wellington.vic.gov.au;  
sam.mchenry@bawbawshire.vic.gov.au; Courtney Aquilina;  
danielle.marotti@southgippsland.vic.gov.au; m.stone@basscoast.vic.gov.au  
**Cc:** PA to Director Corporate; Executive Services Coordinator; Governance Officer  
**Subject:** GLGN member support for East Gippsland Shire MAV State Council meeting motions  
**Attachments:** Motion A - Long Service Leave entitlements - portability without funds.pdf; Motion B - 2014 Victorian Bushfires (modified 26-03-14).pdf  
**Importance:** High

Good afternoon,

As you will be aware, East Gippsland Shire Council has prepared two motions for submission to the upcoming Municipal Association of Victoria (MAV) State Council Meeting to be held 16 May 2014. The draft versions of these documents were presented to the Gippsland Local Government Network (GLGN) meeting held last Friday 21 March 2014 with the following outcomes:

- o Motion A – “Long Service Leave – portability between local and state government without transfer of funds” was endorsed without amendment by your representatives. (pdf file attached for information)
- o Motion B – “2014 Victorian Bushfires” was discussed with an amendment proposed to the motion wording. This has now been effected by Kate Nelson, Director Planning and Community, and the tracked changes may be seen in the file attached.

It would be appreciated if your Council could now endorse the amendment to Motion B, and forward a letter of support for both motions via return email by c.o.b. Tuesday 8 April 2014. This will enable timely submission to the MAV for inclusion in the State Council Meeting papers.

Please don't hesitate to contact Director Corporate, Maryanne Bennett or myself if you require any further information.

Your assistance in this matter is greatly appreciated.

Kind regards,

Amanda Rigoni  
Governance Officer  
(direct phone – 03 5179 5051)



**Governance Officer ■ Graeme Hill / Amanda Rigoni ■ East Gippsland Shire Council**

■ P: 03 5153 9500 ■ M: Governance Officer ■ F: 03 5153 9576 ■ PO Box 1618, Bairnsdale, Vic 3875

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# FORM

## MAV State Council Meeting- 16 May 2014

To submit a motion for consideration by State Council on 16 May 2014, please complete this form and email to [State Council](#), **not later than 18 April 2014**. Please note, deadlines are strictly observed.

### MOTION

#### LONG SERVICE LEAVE ENTITLEMENTS PORTABILITY BETWEEN LOCAL AND STATE GOVERNMENT WITHOUT A SUPPORTING TRANSFER OF FUNDS

*Submitted by: East Gippsland Shire Council*

#### MOTION:

That the MAV writes to Local Government Victoria requesting the Local Government (Long Service Leave) Regulations 2012 be changed to stipulate that recognition by Local Government Councils of prior service with a Victorian Public Service Body or Special Body is conditional on agreement to transfer payment to cover the value of accrued liabilities.

#### RATIONALE:

Regulation 8 in the Local Government (Long Service Leave) Regulations 2002 provided for prior service to be recognised between specific authorities. Included were Victorian and other State or Commonwealth Local Government authorities, public authorities of any State and the Commonwealth, and any offices under the Crown in any State or the Commonwealth. In practice this encompassed all Councils around Australia, Water Authorities and public authorities (including the public service) in state, Territory and Federal jurisdictions. Regulation 8 provided for portability of Long Service Leave between the above authorities, conditional on the existence of agreements to cover transfer payments for accrued liabilities.

The most significant change to the Long Service Leave Regulations 2012 was in relation to the recognition of prior service. Under the new Regulation 15 in the Local Government (Long Service Leave) Regulations 2012, when a council employs a new staff member from the Victorian Public Service (VPS) with five or six years service they will be taking on a liability to pay long service leave for this prior service if that employee remains with them up to the date they become eligible for long service leave (after seven years of combined service) without the existence of any agreement to cover transfer payments for accrued liabilities.

Previously Councils were only required to recognise prior service with other Victorian Councils and Local Authorities. However, with the changes at clause 15 of the LSL Regulations, Local Government Councils are now required to recognise previous service with a VPS Body or a Special Body without receiving any funds transfer.

There is no obvious connection between Local Government and the VPS, and no explanation as to why Local Government should bear the additional costs if a VPS staff member transfers to Council (i.e. there is no associated transfer of funds, as there would be from Council to Council) due to an absence of a reciprocal agreement with the VPS Body or Special Body.

Council seeks to redress a situation that is clearly inequitable for Local Government and to that end, seeks a commitment from the MAV to write to Local Government Victoria requesting a change to the Local Government (Long Service Leave) Regulations 2012 to stipulate that recognition of prior service with a Victorian Public Service Body or Special Body is conditional on the existence of an agreement to cover transfer payments for accrued liabilities.

*\*Note: Motions must be submitted by one council but may be supported by other councils. The council submitting the motion will need to supply written confirmation from any council(s) listed as supporting the motion. All relevant background information in support of the motion should be included in the space provided for the rationale and not in attachments. The motion and rationale should be no longer than one page.*

**10.2 MAV STATE COUNCIL MOTION - 2014 VICTORIAN BUSHFIRES -  
EAST GIPPSLAND SHIRE COUNCIL**

**Chief Executive Officer**

**For Decision**

**PURPOSE**

The Municipal Association of Victoria (MAV) State Council Meeting will be held on Friday, 16 May 2014. Members may submit Motions for Consideration by the State Council, in writing to the MAV.

**DECLARATION OF INTEREST**

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

**OFFICER COMMENTS**

Each year the MAV hold two State Council Meetings where member councils have the opportunity to submit motions for consideration. Motions and letters of support are required to be sent to the State Council by Friday, 18 April 2014.

East Gippsland Shire have requested letters of support be provided to them by close of business Tuesday, 8 April 2014 to enable timely submission to the MAV for inclusion in the State Council Meeting papers.

The Motion Latrobe City Council has been asked to support (as shown on attachment 1) is as follows:

*'That the MAV:*

- Advocate for an appropriately constituted inquiry designed to capture the experience and learnings of State Government Agencies, Local Government, communities and other key stakeholders impacted by the 2014 Victorian Bushfires across the state; and*
- Facilitate the preparation of a Local Government focused debrief and submission to inform the inquiry with the purpose of ensuring that the experience of Local Government is appropriately represented in the context of proposed and transition changes to Emergency Management arrangements in Victoria and to allow investigation and analysis of a range of matters experienced as part of the 2014 Victorian Bushfires across the state.'*

**Attachments**

1. Correspondence
2. Motion

**RECOMMENDATION**

That the Mayor writes to East Gippsland Shire Council providing support to the MAV State Council Motion:

*'That the MAV:*

- *Advocate for an appropriately constituted inquiry designed to capture the experience and learnings of State Government Agencies, Local Government, communities and other key stakeholders impacted by the 2014 Victorian Bushfires across the state; and*
- *Facilitate the preparation of a Local Government focused debrief and submission to inform the inquiry with the purpose of ensuring that the experience of Local Government is appropriately represented in the context of proposed and transition changes to Emergency Management arrangements in Victoria and to allow investigation and analysis of a range of matters experienced as part of the 2014 Victorian Bushfires across the state.'*



## **10.2**

### **MAV State Council Motion - 2014 Victorian Bushfires - East Gippsland Shire Council**

- 1 Correspondence ..... 45**
- 2 Motion..... 47**

**Stacey Greenwood**

**From:** Governance Officer <Govofficer@egipps.vic.gov.au>  
**Sent:** Thursday, 27 March 2014 3:46 PM  
**To:** gail.hogben@wellington.vic.gov.au; I.ryan@basscoast.vic.gov.au;  
laureng@southgippsland.vic.gov.au; Stacey Greenwood;  
sam.mchenry@bawbawshire.vic.gov.au; sharon.willison@wellington.vic.gov.au;  
sam.mchenry@bawbawshire.vic.gov.au; Courtney Aquilina;  
danielle.marotti@southgippsland.vic.gov.au; m.stone@basscoast.vic.gov.au  
**Cc:** PA to Director Corporate; Executive Services Coordinator; Governance Officer  
**Subject:** GLGN member support for East Gippsland Shire MAV State Council meeting motions  
**Attachments:** Motion A - Long Service Leave entitlements - portability without funds.pdf; Motion B - 2014 Victorian Bushfires (modified 26-03-14).pdf  
**Importance:** High

Good afternoon,

As you will be aware, East Gippsland Shire Council has prepared two motions for submission to the upcoming Municipal Association of Victoria (MAV) State Council Meeting to be held 16 May 2014. The draft versions of these documents were presented to the Gippsland Local Government Network (GLGN) meeting held last Friday 21 March 2014 with the following outcomes:

- o Motion A – “Long Service Leave – portability between local and state government without transfer of funds” was endorsed without amendment by your representatives. (pdf file attached for information)
- o Motion B – “2014 Victorian Bushfires” was discussed with an amendment proposed to the motion wording. This has now been effected by Kate Nelson, Director Planning and Community, and the tracked changes may be seen in the file attached.

It would be appreciated if your Council could now endorse the amendment to Motion B, and forward a letter of support for both motions via return email by c.o.b. Tuesday 8 April 2014. This will enable timely submission to the MAV for inclusion in the State Council Meeting papers.

Please don't hesitate to contact Director Corporate, Maryanne Bennett or myself if you require any further information.

Your assistance in this matter is greatly appreciated.

Kind regards,

Amanda Rigoni  
Governance Officer  
(direct phone – 03 5179 5051)



**Governance Officer ■ Graeme Hill / Amanda Rigoni ■ East Gippsland Shire Council**

■ P: 03 5153 9500 ■ M: Governance Officer ■ F: 03 5153 9576 ■ PO Box 1618, Bairnsdale, Vic 3875

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## MAV State Council Meeting—16 May 2014

To submit a motion for consideration by State Council on 16 May 2014, please complete this form and email to [State Council](#), not later than 18 April 2014. Please note, deadlines are strictly observed.

**MOTION - 2014 VICTORIAN BUSHFIRES**

*Submitted by: East Gippsland Shire Council*

**MOTION:** That the MAV:

- Advocate for an appropriately constituted Inquiry designed to capture the experience and learnings of State Government Agencies, Local Government, communities and other key stakeholders impacted by the 2014 Victorian Bushfires across the State; and
- Facilitate the preparation of a Local Government focused debrief and submission to inform the Inquiry with the purpose of ensuring that the experience of Local Government is appropriately represented in the context of proposed and transition changes to Emergency Management arrangements in Victoria and to allow investigation and analysis of a range of matters experienced as part of the 2014 Victorian Bushfires across the State.

**RATIONALE:**

Many municipalities experienced the impact of bushfires on their communities in summer 2014. While a formal Inquiry has been announced in respect to the Hazelwood Mine Fire and its impact on Latrobe Valley communities, it is considered important that the practical experience of Local Councils and community members across the State are factored into a Bushfire Inquiry this season to ensure that future emergency management arrangements are developed in the context of this practical experience. In East Gippsland Shire we have identified a number of matters that we consider need specific consideration. These include:

**Fire Management and Suppression**

Community members from impacted areas in East Gippsland have raised a range of concerns in relation to the management of fires and their subsequent impact on private land assets.

**Rapid Impact Assessment**

Externally provided Rapid Impact Assessment processes are frequently ineffective and a duplication of effort for Local Government recovery purposes. This has the potential to delay the effective assessment of community impacts and required supports and needs to be reassessed as locally supported processes are more appropriate for community members.

**DHS Relief Payments**

Minimum payment of \$500 does not allow easy reimbursement of minor expenses by those in need and results in burden being transferred to charitable organisations.

**Rebuilding Housing**

Numbers of houses lost across the State is significant. Consideration needs to be given to processes to support and facilitate rebuilding in communities given new Bushfire Management Overlay requirements and community and Council resource implications.

**Cross State Border Arrangements**

Cross Border arrangements need to be established with NSW and possibly SA municipalities to provide support resources and to facilitate reimbursement.

**Blaze Aid Memorandum of Understanding**

While there have been both positive and negative experiences with organisation such as Blaze Aid there is a need for a consistent approach to Local Government interaction with this type of volunteer organisation to ensure that the recovery process is effective, local community needs and Council requirements are accounted for.

**Management of Vulnerable People**

This event has allowed real life testing of Vulnerable Persons Register arrangements and this experience needs to inform future development of this program especially in remote areas.

**Access to and timing of Government Grants**

Support funding from the Victorian Government needs to be timely and matched to community need. This is not the experience to date.

**Timing of Audit of past events**

Gippsland municipalities were dealing with an event and the need to respond to audit requirements relating to an event seven years ago with little warning and short timeframes. Greater consideration needs to be given to current demands on Local Government operations.

**Conducting Business as Usual with DEPI**

There are ongoing concerns with the effectiveness of DEPI and compliance with their statutory obligations despite undertakings given to work to minimise impacts to important community project delivery.

While it is appreciated that fires continue to burn and threaten the health and safety of communities in Gippsland, the impact of fire activity in Victoria has been widespread and it is important to ensure that the perspective of Local Government and local communities is considered in the development of new emergency management arrangements in Victoria.

The MAV has taken a strong stand in representing the interests of Local Government in the changing approaches and it is considered important that current experience is drawn upon to inform future strategic and operational arrangements.

# PRESENTATION OF PETITIONS

**11. PRESENTATION OF PETITIONS****11.1 PETITION TO SEAL WILGA CRESCENT, TRARALGON****General Manager****Planning and Governance****For Decision****PURPOSE**

The purpose of this report is to present Council with a petition requesting Council seal Wilga Crescent, Traralgon immediately and that it not be part of the Traralgon Growth Area Review.

**DECLARATION OF INTEREST**

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

**BACKGROUND**

A petition was received on Friday 21 March 2014 which is provided as Attachment 1.

**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 28 April 2014 Ordinary Council Meeting.

**Attachments**

1. Petition to Seal Wilga Crescent, Traralgon
2. Map of Wilga Crescent

**RECOMMENDATION**

- 1 That Council agrees to lay the petition requesting Council seal Wilga Crescent, Traralgon immediately and that it not be part of the Traralgon Growth Area Review, on the table until the Ordinary Council Meeting to be held on 28 April 2014.
- 2 That the head petitioner be advised of Council's decision in relation to the petition requesting Council seal Wilga Crescent, Traralgon immediately and that it not be part of the Traralgon Growth Area Review.

## **11.1**

### **Petition to Seal Wilga Crescent, Traralgon**

- 1   Petition to Seal Wilga Crescent, Traralgon ..... 51**
- 2   Map of Wilga Crescent ..... 61**

# PETITION

For the attention of: Councillors – Sharon Gibson, Sandy Kam, Graeme Middlemiss, Christine Sindt, Dale Harriman, Kellie O’Callaghan, Michael Rossiter, Darrell White, Peter Gibbons  
 CEO – John Mitchell  
 GM Recreation & City Infrastructure – Grantley Switzer

As residents and frequent users of Wilga Crescent, Traralgon, we are petitioning to have the sealing of our road immediately be put back on the council agenda and removed from the Traralgon Growth Area Review (TGAR) project.  
 We are aware that a letter was sent in from a resident removing their support for the sealing of the road due to the removal of Low Density Residential zoning for this area. We believe that this has now been altered back and would like for the road plans still to be implemented in the 2014/15 financial year as we were previously advised was to occur. Even if this area is still not Low Density Residential the original numbers were still the majority supporting to sealing of this road – even with one property changing their mind.  
 The decision to defer the road due to a single removal of support and move decision into an extremely large project that will not be finalised in the near future we believe was an extremely inefficient reaction and not in the best interests of Wilga Crescent.

Date	Name	Address	Comment	Signature
11/3/14	HARRIET KINGSBURN	119 WIM ST TRARALGON	PLEASE RE-SURFACE!	
11/3/14	MICHELLE RAVLEY	3/33 GOODON ST TRON	RE-SURFACE!	
11/3/14	JULIE SUTCLIFFE	5 WYLAH CT TRARALGON	NO DIRT USED OF FUTURE ROAD	
12/3/14	MAURICE SUTCLIFFE	5 WYLAH CT TRARALGON	PLEASE RE-SURFACE	
12/3/14	RUSSELL MASTERS	27 WILGA CRESCENT TRARALGON	RE-SURFACE, NO INTRUSIVE TRAFFIC	
12/3/14	David Robinson	51 Benegal Ave Traralgon		
12/03/14	David Croft	11 Lyndon Cres Traralgon		
12/3/14	DAVID HILL	Lot 20 Greyside Road Traralgon		
15/3/14	RODNEY HARRIS	REMOND H CHRISTMAS		
15/3/14	BEN HARRIS	15 SERRAVALLO RD TRARALGON		
15/3/14	Tona Musgrave	94 morrison's cird Gormandale		
15/3/14	Angela Kavanagh	15 Carey Drive Gormandale	PLEASE RE-SURFACE	
15/3/14	DAVID LANE	9 CAUNDRICK RD TRARALGON		

# PETITION

9

Date	Name	Address	Comment	Signature
15.3.14	Don Hbley	5 Cooba wty TRARALGON		
15.3.14	Dee Farmer	8 Jazmine CR TRARALGON	1	
15.3.14	Rafe Stables	617 C Mills lane Cungahs st GARDINGDALE		
15.3.14	ANDREA RIMSKY	1 WESTMINSTER ST TRARALGON		
15.3.14	Houie Youcombe			
15.3.14	Chris Masters	2 Megan Place TRARALGON.	Badly needs re-surfacing	
15.3.14	Christine Masters	2 Megan Place Traralgon.		
18.3.14	Lisa Knowles	6 O'Shane St Traralgon		
18.3.14	Lisa Pavlich	157 BRIDGE ROAD TRARALGON	"	
18.3.14	Faehat Zafer	25 Wilga Cres Traralgon		
20/3/14	Kelly Davies	7 Kennedy Close Traralgon		
20-3-14	BETA DRAPER	PO Box 323 MURKOO NZ		
20-3-14	THIN	PO BOX 187 GLENELG		







# PETITION

For the attention of: Councillors – Sharon Gibson, Sandy Kam, Graeme Middlemiss, Christine Sindt, Dale Harriman, Kellie O'Callaghan, Michael Rossier, Darrell White, Peter Gibbons  
 CEO – John Mitchell  
 GM Recreation & City Infrastructure – Grantley Switzer

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Date	Name	Address	Comment	Signature
2/3/2014	Dam Mason	42 Independent Way	Visit regularly (too much) Sick of dust	D Mason
2/3/2014	BARRY MASTERS	70 WILGA CRESCENT	SIDE OF DIRT + CORROSION ROAD	[Signature]
2/3/2014	JILL SILVESTER	70 WILGA CRESCENT	lived here 31 years and road has been an issue since then. Hoons, Dust	[Signature]
2/3/2014	PAUL SILVESTER	70 WILGA CRESCENT	Concrahons, wrecking the year - Also we WANT an answer to the TGAR - we need the issue resolved it has been too long-deferred	[Signature]
2/3/2014	Renee Dume	The Avenue Traralgon	too many times	[Signature]
2/3/2014	Rod Dume	19 The Avenue Traralgon		[Signature]

# PETITION

Date	Name	Address	Comment	Signature
11/3/14	GEMME PROLEY	734 Dunoon Road Traralgon	Will be home owner	
11/3/14	LOUISE PROLEY	" "	Resident	
18/3/14	Heather Cameron Wala Cameron	81 Sinalloa Ct Traralgon 81 Sinalloa Cr Traralgon	Very rough full of rubbish	
20/5/14	FRANCOE TAPPE	1 LIPWIT ST TRARALGON	Dunlop	

# PETITION

For the attention of: Councillors – Sharon Gibson, Sandy Kam, Graeme Middlemiss, Christine Sindt, Dale Harriman, Kellie O'Callaghan, Michael Rossiter, Darrell White, Peter Gibbons  
 CEO – John Mitchell  
 GM Recreation & City Infrastructure – Grantley Switzer

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Date	Name	Address	Comment	Signature
2/3/14	Caroline Mitchell	Traralgon		<i>[Signature]</i>
4/3/14	Simone Lennon	Traralgon		<i>[Signature]</i>
12-4-14	Jeanette Trar	Traralgon		<i>[Signature]</i>
13-3-14	Stephanie Brown	Traralgon		<i>[Signature]</i>
18-3-14	DEBRA DRAKE	REGENT ST GULLY		<i>[Signature]</i>
19.3.14	Charlie Kirby	Traralgon		<i>[Signature]</i>
19/3/14	Mardi Salenko	Newborough		<i>[Signature]</i>
19/3/14	DENI MINGHALL	TRARALGON		<i>[Signature]</i>
19/3/14	Abbey Taylor	Boolarra		<i>[Signature]</i>

# PETITION

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Date	Name	Address	Comment	Signature
2/2/14	Rod Siddle	65 Wilga cres Tigon		
	Vanessa Sentero	6/65 Wilga cres Traralgon		
	Rosekeel Aves	5 company car Traralgon		
	Wendy Dineen	11 Wilga St. Traralgon		
	Mark Barkman	Parkington St Traralgon		
	Carlynn Johnson	20 Anderson St Traralgon		
	Michelle Masters	27 Wilga cres Traralgon		
	David Switzer	70 Wilga cres Traralgon		
	Ron Draberg	11 Wilga St Traralgon	Went West Dery Lane	
10/3/14	Seamus Booth	21 Wilga St Traralgon		
10/3/14	Tyson French	64 Gilman St Tigon		
10/3/14	Olivia Barrett	6 Wilga Crescent		
10/3/14	Alex Barrett	6 Wilga Crescent		

# PETITION

Date	Name	Address	Comment	Signature
10.3.14	Dianne Fairley	10 Wilga Cres Traralgon	Dust Bumps only Road Between Traralgon & Wilga Cres	Dianne Fairley
10.3.14	LOUISE PATTIE	15 Wilga Cres Traralgon	is not sealed	Louise Pattie
10/3/14	BONIE SMITH	65 WILGA CRES	DUST / CONVENIENS HOLES / INCREASE IN TRAFFIC	Bonnie Smith
15/3/14	Brockie Hall	363 Old Melbourne Rd	Conventions	Brockie Hall
5/3/14	Rebecca Campbell	110 Davidson St	Conventions	Rebecca Campbell

# PETITION

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Date	Name	Address	Comment	Signature
1-3-14	Stacey Cunningham	75 Wilga Cr	Road is dusty & dangerous	[Signature]
1-3-14	Antonia Cunningham	75 Wilga Cr	"Disagree"	[Signature]
12-3-14	GARREN HETTER	215 Marshalls Rd	Road is dangerous	[Signature]
12-3-14	Sarah Conway	215 Marshalls Rd	Dangerous for drivers	[Signature]
12-3-14	GEORGE CONWAY	HEYFIELD	Dangerous for big trucks	[Signature]
12-3-14	Sue Conway	HEYFIELD	Children play on footpaths	[Signature]
13-3-14	Bianca Steynow	HEYFIELD	Keep it down & safety	[Signature]
14-3-14	BRETT CONWAY	HEYFIELD	DANGEROUS	[Signature]
14-3-14	ALISON CONWAY	HEYFIELD	UNSAFE	[Signature]
16-3-14	Lin Ke Conway	HEYFIELD Traralgon	Poverty B. Slipping & falling	[Signature]
16-3-14	Adrian Conway	Heyfield	Pot holes, bumping of trucks	[Signature]

*(Handwritten scribbles and signatures)*

*(Handwritten scribbles)*

# PETITION

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Date	Name	Address	Comment	Signature
21/3/14	Norelle Wilkins	79 WILGA CRESC, TRARALGON	stop the hoons + protect our children	
3/3/14	Wendy Zucchi	84 TEBB TCE DEERUANS	stop the dust	
3/3/14	Kelly Giersch	3 SARA CRT TRARALGON	Stop for the kids	
4/3/14	Tacey Benekias	1 Lem Tce Traralgon	stop the dust-	
4/3/14	Chloe Morrison	11 Sligo Court, Traralgon	stop the hoons/road potholes	
4/3/14	Rachael Hall	2 Harney Place Tilgou	Stop the dust/safer	
28/3/14	Danielle Wood	4 Kaye Court Sale	stop the dust.	
21/3/14	Fruce King	6 Mudgeoo Road Newborough	too much dust	
21/3/14	Judy King	6 MURRAY ROAD NEWBOROUGH	stop the hoons	

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Date	Name	Address	Comment	Signature
12.3	TARA BELL	73 WASHINGTON ST.	ATTEND COUN.	<i>[Signature]</i>
12.3	Karen Sattler	4 FORNSA COURT TIGON	ATTEND GYM	<i>[Signature]</i>
	S. STOCKER	ADAMS ROAD TIGON	ATTEND GYM	<i>[Signature]</i>
14.3	O GILMOUR	265 GLENGARNTIN	ATTEND GYM	<i>[Signature]</i>
14.3	R. GILMOUR	8 MIRIUDA CRES TIGON	ATTEND GYM	<i>[Signature]</i>
15.3	A. DOLBY	16 FAIRVIEW ST Traralgon	ATTEND GYM	<i>[Signature]</i>
15.03	Pauline	21 Sutherland Ave Traralgon	ATTEND GYM	<i>[Signature]</i>
15.03	Middle Dearden	35 Mount Dove Traralgon	ATTEND GYM	<i>[Signature]</i>
15.03	Paul Brown	18 LOCK PARK RD TIGON	ATTEND GYM	<i>[Signature]</i>
20.03	DAVID MITCHELL	19 WILGA CRES TIGON	Supporter in letter and during Petition	<i>[Signature]</i>
20-03	ALAN MITCHELL	19 WILGA CRES TIGON		<i>[Signature]</i>





# CHIEF EXECUTIVE OFFICER

**12. CHIEF EXECUTIVE OFFICER****12.1 COUNCIL MEETING SCHEDULE****Chief Executive Officer****For Decision****PURPOSE**

The purpose of this report is to provide a review of the Council meeting cycle that will allow Council greater opportunity to focus on key strategic issues that are critical to the success and progress of Latrobe City.

**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 2013-2017.

***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 2013 - 2017******Theme and Objectives******Theme 3: Efficient, effective and accountable governance******Strategic Direction –***

To achieve the highest standards of financial probity and meet all statutory obligations.

Work in partnership with all levels of government to ensure Latrobe City is well supported, resourced and recognised as one of Victoria's four major cities.

Local Government Act 1989

***Part 5 – Local Laws.***

In accordance with Latrobe City Council Local Law No. 1 - Meeting Procedure, adopted 3 March 2014, Council is empowered with the following:

## ORDINARY COUNCIL MEETING AGENDA 07 APRIL 2014 (CM433)

### ***Division 1 - Notices Of Meetings And Delivery Of Agendas***

#### **12. *Dates and Times of Meetings***

*Council must from time to time fix the date, time and place of all Ordinary meetings.*

#### **13. *Council may alter Ordinary and Special Meeting dates***

*Council may change the date, time and place of any Ordinary or Special Meeting which has been fixed and must provide reasonable notice of the change to the public.*

### **BACKGROUND**

A key theme of the Latrobe City Council Plan 2013-2017 is for efficient, effective and accountable governance.

Consistent with this theme Council officers have undertaken a review of its Council Meeting structures in consultation with Councillors. This report presents the finding of that review for Council's consideration.

### **ISSUES**

A review of the fortnightly meeting cycle presents an opportunity for Council to consider the following matters:

1. Focus on some of the larger strategic issues that face Latrobe City. Examples include:
  - The future of Latrobe City from a spatial land use planning perspective (e.g. projects such as TGAR, Housing Strategy, Planning Scheme Review etc.).
  - Critical statutory functions for Council including preparation of the Council Plan, annual budgets etc.
  - Strategic discussion regarding the advocacy role for Council with Federal and State Government (e.g. Low Carbon Future, Agriculture White Paper, Port of Hastings etc.); and key stakeholders (e.g. GLGN, Regional Cities Victoria etc.)
  - Space to manage and develop relationships with key employment stakeholders (e.g. timber industry).
  - Strategic approach to key issues facing the municipality such as redundant infrastructure and rehabilitation of mines.
  - Strategic approach to natural disaster relief and recovery and potential implications for the community and costs for Council (e.g. Mine fire recovery, land slip at Summerfield Track etc.).
2. The opportunity for the role of CEO and General Managers to focus on execution of duties to implement efficient and effective service delivery for the community.

## ORDINARY COUNCIL MEETING AGENDA 07 APRIL 2014 (CM433)

In order to consider such opportunities research has been conducted into five different municipalities yearly meeting schedules as outlined in Attachment 1 of this report. The following Council's were reviewed:

- City of Greater Bendigo
- City of Greater Geelong
- City of Ballarat
- South Gippsland Shire Council, and
- Baw Baw Shire Council

Attachment 2 of this report proposes a similar Council Meeting Process for Latrobe City Council, as modelled from South Gippsland Shire Council.

Four different options are discussed here for Councillors to discuss and consider:

- Option 1 - proposes a 3-weekly cycle with I&D sessions being held on the first Monday of the cycle, Public Presentations (PP) being held on the second Monday, and finally Council meetings being held on the third Monday. This option plans to issue the final Ordinary Council Meeting Agenda to Councillors and the community on the Thursday prior to the Council Meeting. This will ensure that Council has the most, up to the minute information included in Council reports allowing decisions to be made at the speed of business.



- Option 2 – Similar to option 1, option 2 works on a 3-weekly cycle, however Councillors and the public would receive the final Ordinary Council Meeting Agenda 10 days prior to the Council Meeting. This would allow the public ample to read and review the agenda prior to any decisions being made.

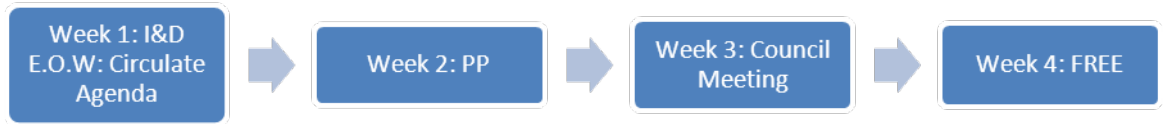


- Option 3 – proposes a 4-weekly cycle with I&D sessions being held on the first Monday of the cycle, Public Presentations on the second Monday and Ordinary Council Meetings on the third Monday, with Councillors and the community receiving the final Ordinary Council Meeting Agenda Thursday prior to the Council Meeting.



## ORDINARY COUNCIL MEETING AGENDA 07 APRIL 2014 (CM433)

- Option 4 – Similar to option 3, option 4 also works on a 4-weekly cycle, the only difference being that Councillors and the public would receive the final Ordinary Council Meeting Agenda 10 days prior to the Council Meeting.



The opportunity exists for Councillors to consider the purpose/structure of I&D Sessions, Public Presentation days, Council Meetings and Agendas as part of this review. This could include (but is not limited to):

### Issues and Discussion:

- Space to allow Councillors to focus on the key strategic issues that are critical to the ongoing success and progress of Latrobe City.
- Not including a draft CM agenda for review – any questions would need to be provided to the CEO or General Manager of the report separately.
- A focus on monthly Financial/Performance report
- General Councillor issues and discussions

### Public Presentation Days:

- Public Presentation days whereby members of the public are given the opportunity to address Council and make a presentation on a topic that is relevant to Council (see Attachment 3 for South Gippsland Shire's Public Presentation procedure)
- A set criteria to determine what the public are permitted to present to Council

### Ordinary Council Meetings:

- The inclusion of attachments to reports in hard copy agendas (make attachments available on the LCC Website)
- A more publically inclusive process that is linked to the public presentation days
- The inclusion of an Executive Summary at the beginning of all officer reports, based on the following principles:

1. Brief summary which allows Council to immediately know what the report is about.
2. Where possible, use **Number Lists** rather than bullet points ('Agenda List' style) from the 'Styles' toolbar.
3. To be no more than 2 paragraphs.

**The fourth Monday**

In the event that Council choose to operate on a 4-Weekly basis, Council is given the option of having a 'free night/week' every fourth Monday, or taking the opportunity of the spare time to allow space for working on strategic issues, i.e. budget, Council plan, job creation, government relationships etc. This focus on the strategic issues that are critical to the Council is at times lost under the current regime.

**Urgent business**

It is acknowledged that a revised meeting cycle could result in significant time between Council meetings. It is important for Councillors to consider the implications for this in terms of being able to action urgent business. In particular this relates to the ability for expeditious assessment of statutory functions associated with the assessment of planning applications.

It is noted that the opportunity exists for matters to be brought to Council for consideration as part of a special Council meeting if required. This could occur on the 'fourth Monday' without disruption to the efficient delivery of services.

**Administrative Efficiency Gains:**

In the event that Council chose to operate on a four weekly cycle there would be significant administrative efficiency gains in the Council Operations team. There would be a reduction in the significant volume of agenda papers that are currently produced that may lead to a reduction in staff requirements.

Council officers are also anticipating that there would be a significant reduction in the volumes of paper and officer time spent on Council papers.

**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. No significant risks have been identified.

**INTERNAL/EXTERNAL CONSULTATION***Engagement Method Used:*

Community consultation on this matter has not been undertaken.

**OPTIONS**

Council has the following options:

1. Retain the current Latrobe City Council Ordinary Meeting Schedule,  
or
2. Adopt one of the 4 proposed options in this report, or
3. Propose an amended Council Meeting Schedule.

**ORDINARY COUNCIL MEETING AGENDA  
07 APRIL 2014 (CM433)****CONCLUSION**

The proposed Council Meeting Schedule provided in this report presents an opportunity for Councillors to review Latrobe City Council's current Council Meeting process and look at potentially revising it through the implementation of the suggested options.

Both the three and four week cycles, as proposed, allow Council to focus on the key strategic issues that are critical to the ongoing success and progress of the City of Latrobe. It is suggested that the four week cycle may provide Council with the best opportunity to do this.

**Attachments**

1. Council Meeting Benchmarking
2. LCC Revised Council Meeting Schedule
3. Public Presentations - South Guppsland Shire

**RECOMMENDATION**

**That Council:**

1. **Adopt a 4-weekly Ordinary Council Meeting cycle whereby the Ordinary Council Meeting Agenda is made available 10 prior to the meeting date.**
2. **That the meeting cycle process be reviewed and a report be brought back to Council in November 2014.**



# **12.1**

## **Council Meeting Schedule**

<b>1</b>	<b>Council Meeting Benchmarking .....</b>	<b>71</b>
<b>2</b>	<b>LCC Revised Council Meeting Schedule .....</b>	<b>75</b>
<b>3</b>	<b>Public Presentations - South Guppsland Shire .....</b>	<b>79</b>

	Council Meetings	Agenda Information	Attachments (Y/N)	Planning Permits	Public Question Time
<b>City Of Greater Bendigo</b>	<p>Start Time: 6:00PM</p> <p>Meetings occur every 3 weeks</p>	<ul style="list-style-type: none"> <li>• Sample of Agenda: <a href="#">T:\Other Council's Agendas\Bendigo Agenda 22 Jan 2014.pdf</a></li> <li>• All councillors receive the final agenda electronically and view them on their iPad's during the meeting (brought in at the last election)</li> <li>• Executive Summary included at the beginning of every report</li> </ul>	<ul style="list-style-type: none"> <li>• No hard copy attachments in agenda</li> <li>• All councillors receive attachments to reports electronically</li> <li>• All attachments are made available to the public via the council website</li> </ul>		<ul style="list-style-type: none"> <li>• Council allots a maximum for 30 minutes for public to address council</li> <li>• Public are encouraged to register their questions with the council ops team prior to the meeting to allow for a full response from the Mayor or CEO.</li> </ul>
<b>City Of Greater Geelong</b>	<p>Start Time: 7:00PM</p> <p>Meetings occur twice a month on a Tuesday</p>	<ul style="list-style-type: none"> <li>• Sample of Agenda: <a href="#">T:\Other Council's Agendas\Geelong Agenda 11 February 2014.pdf</a></li> <li>• Executive Summary included at the beginning of every report</li> </ul>	<ul style="list-style-type: none"> <li>• Attachments are not included in hard copy agendas – available online or upon request</li> </ul>		<ul style="list-style-type: none"> <li>• Maximum of 20 minutes</li> <li>• 3 minutes per speaker</li> <li>• All questions to be lodged prior to the meeting in order for a response to be prepared (otherwise taken 'on notice')</li> </ul>
<b>City Of Ballarat</b>	<p>Start Time: 7:00 PM</p> <ul style="list-style-type: none"> <li>• Council meetings are held on the 2nd and 4th Wednesday of each month</li> <li>• An 'Assembly of Councillors' meeting is held weekly to discuss items in the agenda</li> </ul>	<ul style="list-style-type: none"> <li>• Sample of Agenda: <a href="#">T:\Other Council's Agendas\Ballarat Agenda 12 Feb 2014.pdf</a></li> <li>• Executive Summary included at the beginning of every report</li> <li>• All agendas are provided to councillors electronically – no hard copies are issued</li> </ul>	<ul style="list-style-type: none"> <li>• Attachments are made available online, they are not included in the hard copy agendas (if a hard copy agenda is issued)</li> <li>• Attachments to NOM's are permitted, providing they are submitted with sufficient notice</li> </ul>	<ul style="list-style-type: none"> <li>• Strategic planning reports go to council,</li> <li>• Statutory planning reports do not. There is a planning committee that makes decisions on statutory planning reports</li> </ul>	<ul style="list-style-type: none"> <li>• Allow 30 minutes for public to address council</li> <li>• Members of the public are permitted to ask 2 questions</li> </ul>

<p><b>South Gippsland Shire Council</b></p>	<p>Start Time: 2:00 PM</p> <p>At Council Meeting held on 18 December 2013, Council resolved to hold monthly Council Meetings</p>	<ul style="list-style-type: none"> <li>• Sample of Agenda: <a href="#">T:\Other Council's Agendas\South Gippsland Agenda 18 Dec 2013.pdf</a></li> <li>• <a href="#">T:\Other Council's Agendas\South Gippy Council - Agenda info.docx</a></li> <li>• Executive Summary included at the beginning of every report</li> <li>• Councillors receive hard copies of agendas</li> </ul>	<ul style="list-style-type: none"> <li>• Attachments are made available online, they are not included in the hard copy agendas (if a hard copy agenda is issued)</li> <li>• Attachments to NOM's are permitted, providing they are submitted with sufficient notice</li> </ul>	<ul style="list-style-type: none"> <li>• Planning permits only go to council if they receive 3 or more objections</li> </ul>	<ul style="list-style-type: none"> <li>• Public Presentation sessions are also held on the morning of the Council Meeting Day. This session is conducted on the 4<sup>th</sup> Wednesday of each month at 10am. The speaking time set aside is usually 5 minutes</li> <li>• Public questions to Council are asked at the end of the Council Meeting.</li> </ul>
<p><b>Baw Baw Shire Council</b></p>	<p>Start Time: 5:30 PM</p> <p>Council Meetings occur twice a month on a Wednesday</p> <ul style="list-style-type: none"> <li>• Council close the meeting to The Public from 5:00PM – 5:30 PM</li> </ul>	<ul style="list-style-type: none"> <li>• Sample of Agenda: <a href="#">T:\Other Council's Agendas\Baw Baw Agenda 12 feb 2014.pdf</a></li> <li>• Baw Baw only have 1 agenda which comprises all matters to be discussed in I&amp;D and Council Meetings</li> <li>• Agenda is only reviewed once before going to council</li> <li>• Agendas are provided to councillors electronically, councillors then print out their own agendas if they desire</li> <li>• 'Recommendation' section is placed at the beginning of reports</li> <li>• 'Triple Bottom Line' implications section is included in each report</li> </ul>	<ul style="list-style-type: none"> <li>• Attachments are made available online, they are not included in the hard copy agendas (if a hard copy agenda is issued)</li> <li>• Attachments to NOM's are permitted, providing they are submitted with sufficient notice</li> </ul>	<ul style="list-style-type: none"> <li>• If a planning application receives 5 or more objections, it then goes to Council for decision.</li> <li>• Baw Baw allows its planning officers to make decisions on their report. If a planning officer decides to refuse an application, the applicant is notified and given 1 week to consult with their councillor. The councillor then has the choice whether to bring it to Council for a decision, or not.</li> </ul>	<ul style="list-style-type: none"> <li>• Council will provide the opportunity for Community briefings to occur with Councillors. A community briefing is a forum to allow presentation or discussion on strategic topics or key projects, and will be open to the community</li> <li>• Members must register a form prior to council meeting. No unregistered community member will be allowed to speak.</li> <li>• Community members are allowed to speak for 3 minutes</li> </ul>

**Option 1**

KEY DATES			Monday	Wednesday	Monday	Mon - Tues	Tuesday	Thursday
ISSUES AND DISCUSSION	PUBLIC PRESENTATIONS	COUNCIL MEETING	OCM Agenda Report Initial Deadline	Table of Contents made available to public	E-TEAM	AUTHOR/MANAGER	Reports to be finalised in InfoCouncil	GOVERNANCE
20 January 2014	27 January 2014	3 February 2014	20-Jan	22-Jan	27-Jan	28-Jan	<b>28-Jan</b>	30-Jan
10 February 2014	17 February 2014	24 February 2014	10-Feb	12-Feb	17-Feb	18-Feb	<b>18-Feb</b>	20-Feb
3 March 2014	10 March 2014	17 March 2014	3-Mar	5-Mar	10-Mar	11-Mar	<b>11-Mar</b>	13-Mar
24 March 2014	31 March 2014	7 April 2014	24-Mar	26-Mar	31-Mar	1-Apr	<b>1-Apr</b>	3-Apr
14 April 2014	21 April 2014	28 April 2014	14-Apr	16-Apr	21-Apr	22-Apr	<b>22-Apr</b>	24-Apr
5 May 2014	12 May 2014	19 May 2014	5-May	7-May	12-May	13-May	<b>13-May</b>	15-May
26 May 2014	2 June 2014	9 June 2014	26-May	28-May	2-Jun	3-Jun	<b>3-Jun</b>	5-Jun
16 June 2014	23 June 2014	30 June 2014	16-Jun	18-Jun	23-Jun	24-Jun	<b>24-Jun</b>	26-Jun
7 July 2014	14 July 2014	21 July 2014	7-Jul	9-Jul	14-Jul	15-Jul	<b>15-Jul</b>	17-Jul
28 July 2014	4 August 2014	11 August 2014	28-Jul	30-Jul	4-Aug	5-Aug	<b>5-Aug</b>	7-Aug
18 August 2014	25 August 2014	1 September 2014	18-Aug	20-Aug	25-Aug	26-Aug	<b>26-Aug</b>	28-Aug
8 September 2014	15 September 2014	22 September 2014	8-Sep	10-Sep	15-Sep	16-Sep	<b>16-Sep</b>	18-Sep
29 September 2014	6 October 2014	13 October 2014	29-Sep	1-Oct	6-Oct	7-Oct	<b>7-Oct</b>	9-Oct
20 October 2014	27 October 2014	3 November 2014	20-Oct	22-Oct	27-Oct	28-Oct	<b>28-Oct</b>	30-Oct
10 November 2014	17 November 2014	24 November 2014	10-Nov	12-Nov	17-Nov	18-Nov	<b>18-Nov</b>	20-Nov
1 December 2014	8 December 2014	15 December 2014	1-Dec	3-Dec	8-Dec	9-Dec	<b>9-Dec</b>	11-Dec

**3-Weekly Cycle**

**Option 2**

KEY DATES			Monday	Wednesday	Monday	Mon - Tues	Tuesday	Thursday
ISSUES AND DISCUSSION	PUBLIC PRESENTATIONS	COUNCIL MEETING	OCM Agenda Report Initial Deadline	Table of Contents made available to public	E-TEAM Agenda Review	AUTHOR/MANAGER Final OCM Agenda Report Deadline	Reports to be finalised in InfoCouncil	GOVERNANCE Distribute Final Agenda
20 January 2014	27 January 2014	3 February 2014	13-Jan	15-Jan	20-Jan	21-Jan	21-Jan	23-Jan
10 February 2014	17 February 2014	24 February 2014	3-Feb	5-Feb	10-Feb	11-Feb	11-Feb	13-Feb
3 March 2014	10 March 2014	17 March 2014	24-Feb	26-Feb	3-Mar	4-Mar	4-Mar	6-Mar
24 March 2014	31 March 2014	7 April 2014	17-Mar	19-Mar	24-Mar	25-Mar	25-Mar	27-Mar
14 April 2014	21 April 2014	28 April 2014	7-Apr	9-Apr	14-Apr	15-Apr	15-Apr	17-Apr
5 May 2014	12 May 2014	19 May 2014	28-Apr	30-Apr	5-May	6-May	6-May	8-May
26 May 2014	2 June 2014	9 June 2014	19-May	21-May	26-May	27-May	27-May	29-May
16 June 2014	23 June 2014	30 June 2014	9-Jun	11-Jun	16-Jun	17-Jun	17-Jun	19-Jun
7 July 2014	14 July 2014	21 July 2014	30-Jun	2-Jul	7-Jul	8-Jul	8-Jul	10-Jul
28 July 2014	4 August 2014	11 August 2014	21-Jul	23-Jul	28-Jul	29-Jul	29-Jul	31-Jul
18 August 2014	25 August 2014	1 September 2014	11-Aug	13-Aug	18-Aug	19-Aug	19-Aug	21-Aug
8 September 2014	15 September 2014	22 September 2014	1-Sep	3-Sep	8-Sep	9-Sep	9-Sep	11-Sep
29 September 2014	6 October 2014	13 October 2014	22-Sep	24-Sep	29-Sep	30-Sep	30-Sep	2-Oct
20 October 2014	27 October 2014	3 November 2014	13-Oct	15-Oct	20-Oct	21-Oct	21-Oct	23-Oct
10 November 2014	17 November 2014	24 November 2014	3-Nov	5-Nov	10-Nov	11-Nov	11-Nov	13-Nov
1 December 2014	8 December 2014	15 December 2014	24-Nov	26-Nov	1-Dec	2-Dec	2-Dec	4-Dec

**3-Weekly Cycle**

**Option 3**

KEY DATES			Monday	Wednesday	Monday	Mon - Tues	Tuesday	Thursday
ISSUES AND DISCUSSION	PUBLIC PRESENTATIONS	COUNCIL MEETING	OCM Agenda Report Initial Deadline	Table of Contents made available to public	E-TEAM Agenda Review	AUTHOR/MANAGER Final OCM Agenda Report Deadline	Reports to be finalised in InfoCouncil	GOVERNANCE Distribute Final Agenda to Councillors/Public
20 January 2014	27 January 2014	3 February 2014	20-Jan	22-Jan	22-Jan	23-Jan	<b>24-Jan</b>	1-Feb
17 February 2014	24 February 2014	3 March 2014	17-Feb	19-Feb	19-Feb	20-Feb	<b>21-Feb</b>	1-Mar
24 March 2014	31 March 2014	7 April 2014	24-Mar	26-Mar	26-Mar	27-Mar	<b>28-Mar</b>	5-Apr
21 April 2014	28 April 2014	5 May 2014	21-Apr	23-Apr	23-Apr	24-Apr	<b>25-Apr</b>	3-May
19 May 2014	26 May 2014	2 June 2014	19-May	21-May	21-May	22-May	<b>23-May</b>	31-May
23 June 2014	30 June 2014	7 July 2014	23-Jun	25-Jun	25-Jun	26-Jun	<b>27-Jun</b>	5-Jul
21 July 2014	28 July 2014	4 August 2014	21-Jul	23-Jul	23-Jul	24-Jul	<b>25-Jul</b>	2-Aug
18 August 2014	25 August 2014	1 September 2014	18-Aug	20-Aug	20-Aug	21-Aug	<b>22-Aug</b>	30-Aug
22 September 2014	29 September 2014	6 October 2014	22-Sep	24-Sep	24-Sep	25-Sep	<b>26-Sep</b>	4-Oct
20 October 2014	27 October 2014	3 November 2014	20-Oct	22-Oct	22-Oct	23-Oct	<b>24-Oct</b>	1-Nov
17 November 2014	24 November 2014	1 December 2014	17-Nov	19-Nov	19-Nov	20-Nov	<b>21-Nov</b>	29-Nov

**4-Weekly Cycle**

**Option 4**

KEY DATES			Monday	Wednesday	Thursday	Mon - Tues	Tuesday	Thursday
ISSUES AND DISCUSSION	PUBLIC PRESENTATIONS	COUNCIL MEETING	OCM Agenda Report Initial Deadline	E-TEAM Agenda Review	Table of Contents made available to public	AUTHOR/MANAGER Final OCM Agenda Report Deadline	Reports to be finalised in InfoCouncil	GOVERNANCE Distribute Final Agenda to Councillors/Public
20 January 2014	27 January 2014	3 February 2014	13-Jan	15-Jan	16-Jan	20-Jan	<b>21-Jan</b>	23-Jan
17 February 2014	24 February 2014	3 March 2014	10-Feb	12-Feb	13-Feb	17-Feb	<b>18-Feb</b>	20-Feb
24 March 2014	31 March 2014	7 April 2014	17-Mar	19-Mar	20-Mar	24-Mar	<b>25-Mar</b>	27-Mar
21 April 2014	28 April 2014	5 May 2014	14-Apr	16-Apr	17-Apr	21-Apr	<b>22-Apr</b>	24-Apr
19 May 2014	26 May 2014	2 June 2014	12-May	14-May	15-May	19-May	<b>20-May</b>	22-May
23 June 2014	30 June 2014	7 July 2014	16-Jun	18-Jun	19-Jun	23-Jun	<b>24-Jun</b>	26-Jun
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22 September 2014	29 September 2014	6 October 2014	15-Sep	17-Sep	18-Sep	22-Sep	<b>23-Sep</b>	25-Sep
20 October 2014	27 October 2014	3 November 2014	13-Oct	15-Oct	16-Oct	20-Oct	<b>21-Oct</b>	23-Oct
17 November 2014	24 November 2014	1 December 2014	10-Nov	12-Nov	13-Nov	17-Nov	<b>18-Nov</b>	20-Nov

**4-Weekly Cycle**

## Public Presentations and Questions to Council

### **Public Presentation Days at Council** (dates provided at bottom of page)

The South Gippsland Shire Council prides itself on community participation and is continually seeking ways in which to engage and proactively support the issues important to our community. Each month Council provides a range of opportunities for the Community to engage directly with Councillors by making presentations, submissions or asking questions.

Public Presentation sessions provide an occasion to focus on Council business in a professional and structured way. Decisions are not made at these sessions as decisions of Council can only be made at a properly constituted Council Meeting, however presentations from the public are taken into consideration by Councillors when making decisions at Council Meetings.

Council reviewed its Public Presentation schedule and noted the extent of current utilization rates of the current Public Presentation Sessions at the 26 June 2013 Council Meeting. At this meeting it determined to continue its current schedule of Public Presentation sessions, with the inclusion of scheduling additional Public Presentation sessions as required (in addition to those scheduled for the third and fourth Wednesday of each Month) on another Wednesday of each month on particular matters that have raised a high level of community interest as determined and scheduled by Council's Chief Executive Officer, in consultation with the Mayor.

### **When can I attend a Public Presentation?**

Public Presentation sessions are conducted on the 3<sup>rd</sup> Wednesday of each month at 2pm and 7pm (by appointment only). Community members are usually provided a ten minute speaking time with an additional 5 minutes set aside for Councillors to ask questions and seek clarification.

Public Presentation sessions are also held on the morning of the Council Meeting Day. This session is conducted on the 4<sup>th</sup> Wednesday of each month at 10am. The speaking time set aside is usually 5 minutes, however the Chairperson (usually The Mayor) may extend if there is time available in the session.

Public Presentations are advertised in Council's Noticeboard section of the local newspapers and Council's website: [www.southgippsland.vic.gov.au/aboutcouncil](http://www.southgippsland.vic.gov.au/aboutcouncil)

*Please note that Public Presentations are conducted on the 2<sup>nd</sup> Wednesday in March, April and December and that Council is in recess in the month of January.*

To arrange a speaking time contact the **Governance Unit at Council on 5662 9222**. Bookings are essential by 12 noon the day before the evening Public Presentation session on the 3<sup>rd</sup> Wednesday of the month.

### **Where do Public Presentations take place?**

Public Presentation sessions are usually conducted in the Council Chambers, Michael Place, Leongatha. From time to time additional Public Presentation sessions may be held in other venues in the Shire and this information is reflected in Council's Noticeboard in local newspapers.

### **What can I talk about?**

Community members are provided with an opportunity to make a presentation or submission to Council on items of significance to the Council or municipality.

If you have booked to present to Council, please ensure that your presentation relates to and is not outside the business of Council to take action. The presentation must not be defamatory, objectionable in language, nature or intent.

Questions can also be submitted to Council prior to Public Presentation sessions, please submit your questions in writing to:

South Gippsland Shire Council, Private Bag 4, Leongatha OR

Email: [council@southgippsland.vic.gov.au](mailto:council@southgippsland.vic.gov.au)

Question time is also provided at the conclusion of Council Meetings, where community members are able to ask verbal questions relating to that Council Meeting. Questions may be taken on notice and answered in a follow up letter.

### **What can I expect on the day?**

Public Presentation Sessions are open to the public, attendance is possible for the duration of the session. The Chairperson is responsible for regulating the proceedings, this is usually The Mayor, each speaker will be called to sit with the Councillors and make their presentation.



Whilst conducting your presentation any member of the public or community addressing the Council must extend due courtesy and respect and must take direction from the Chair whenever called upon to do so. Formal processes for Council Meetings are provided as a guide for Public Presentation sessions and are located in Local Law 3, Division 7 – Public Participation and is available on Council's website. Council is also in the process of developing a 'Draft Code of Practice, Council Meeting Procedure Requirements to Support Public Participation in Council Meetings.

**Questions at Public Presentations**

Community Members can present questions at the end of a Council Meeting (during Council Agenda Item "Question Time") or at Council Public Presentation Sessions.

Community Members wishing to ask a question of Council are requested to provide details on the Public Question Time Form with their name, address, phone number and question. This will enable the Council to prepare a thorough and informed answer at the Public Presentation or Council Meeting.

The form can be downloaded in PDF format here - [Public Question Time Form](#).

Questions in written form can be delivered to the Chief Executive Office – 9 Smith St, Leongatha, 3953, via e-mail to [council@southgippsland.vic.gov.au](mailto:council@southgippsland.vic.gov.au) or fax on 03 5662 3754 or provided to the Governance Officer prior to the commencement of the meeting.

Where practicable, an answer will be given at the meeting. Responses to written questions that are taken on notice at a meeting will be provided to a subsequent Council Meeting as is practicable to enable the development of a proper and informed response.

# ECONOMIC SUSTAINABILITY

**13. ECONOMIC SUSTAINABILITY**

Nil reports

# RECREATION AND COMMUNITY INFRASTRUCTURE

14. RECREATION AND COMMUNITY INFRASTRUCTURE

**14.1 PROPOSAL TO INTRODUCE INTERIM CHANGES TO THE  
LATROBE CITY DESIGN GUIDELINES WITH RESPECT TO  
STREET WIDTHS IN NEW RESIDENTIAL DEVELOPMENTS**

General Manager

Recreation and Community  
Infrastructure

For Decision

**PURPOSE**

The purpose of this report is to propose interim changes to the Latrobe City Design Guidelines with respect to the width of streets in new residential developments.

**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 2013-2017.

*Latrobe 2026: The Community Vision for Latrobe Valley*

*Strategic Objectives – Latrobe Valley benefits from a well planned built environment that is complementary to it's surroundings and which provides for a connected and inclusive community.*

*Latrobe City Council Plan 2013 - 2017*

*Theme and Objectives*

*Theme 5: Planning for the future*

*Strategic Direction – Review our policy and guidelines for new residential development in particular lot density, unit development, road widths and emergency vehicle access.*

*Strategy & Plans –*

*Latrobe Planning Scheme.*

*Latrobe City Design Guidelines – For Subdivisional Developments, Urban and Rural road and Drainage Construction, and Traffic Management Projects.*

*Legislation –*

Local Government Act 1989

**BACKGROUND**

Latrobe City Council has received a number of complaints from community members and emergency services regarding narrow road widths in new residential developments. The Yinnar community in particular has raised concerns about the street widths and safety in the Yinnar - Clearwater development. Correspondence from the Yinnar & District Community Association and the Yinnar Fire Brigade is included as Attachment 1 and Attachment 2 to this report.

The current Latrobe City Design Guidelines stipulate that an Access Place and an Access Street both have a carriageway width of 5.5 metres. These street widths were originally sourced from the Latrobe Planning Scheme. It is the road widths of these categories of street that have created community concern.

It is worth reflecting on street design objectives:

The following relevant objectives and guidance material was taken from the Street Design Guidelines for Landcom projects.

1) Ease of Use:

Streets should be easy to use for all users. Create neighbourhoods where people have opportunities for walking and cycling, and this requires conscious design for pedestrians and cyclists as well as for cars.

- Design local streets to reduce traffic speeds so that pedestrians, cyclists and vehicles can mix safely.
- Ensure appropriate visitor parking space is provided.

2) Functionality and Clarity:

Streets should be sufficiently wide to accommodate their functions and the design must make clear the intended behaviour of the various users. This includes where and at what speeds drivers should travel, where vehicles should be parked, where cyclists should ride, and where pedestrians should walk and cross.

- Provide sufficiently wide carriageway to allow vehicles to pass safely.
- Streets that are too narrow to function effectively reduce neighbourhood amenity and marketability.

3) Safety and Vehicle Speed:

Streets need to be safe for all users. The level of passive surveillance, traffic speed and parking behaviour affects the perceived safety of pedestrians. Narrow streets may reduce traffic speeds but they do not always achieve other design objectives. Wider streets provide a more generous public domain and can be designed so they do not become speedways.

- Minor local streets should be narrow to reduce traffic speed when lot frontages are wide (at least 15m). In this context narrow is defined as 7.6m, (Street Design Guidelines : Landcom NSW Government's property developer). The

## ORDINARY COUNCIL MEETING AGENDA 07 APRIL 2014 (CM433)

Infrastructure Design Manual prescribes a street width of 6.0 m for a similar category street but footnotes that the CFA may require a width of 7.3 m as per the CFA requirements.

These design objectives promote liveability and amenity in residential streets.

During 2014/15 Latrobe City Council will undertake a review of its design guidelines with a view of moving to the Infrastructure Design Manual. A group of 22 regional councils including three Gippsland councils (South Gippsland Shire Council, Wellington Shire Council and Baw Baw Shire) have collaboratively developed the Infrastructure Design Manual that sets out design guidelines. The objectives of the Infrastructure Design Manual are:

- To clearly document Council's requirements for the design and development of infrastructure that is or will become Council's infrastructure.
- To standardise development submissions as much as possible and thus expedite Council's engineering approvals.
- To ensure that minimum design criteria are met in regard to the design and construction of infrastructure within the municipality regardless of whether it is constructed by Council or a developer.
- To recognise and deal with various issues currently impacting on the land development industry, in particular sustainability, integrated water cycle management, timeliness and affordability.

This report recommends that as an interim measure, a number of changes are made to the current Latrobe City Design Guidelines to increase the minimum road width to 7.3 metres. This change is in line with the Infrastructure Design Manual and will address the community concerns.

The CFA street width requirement is represented as follows:

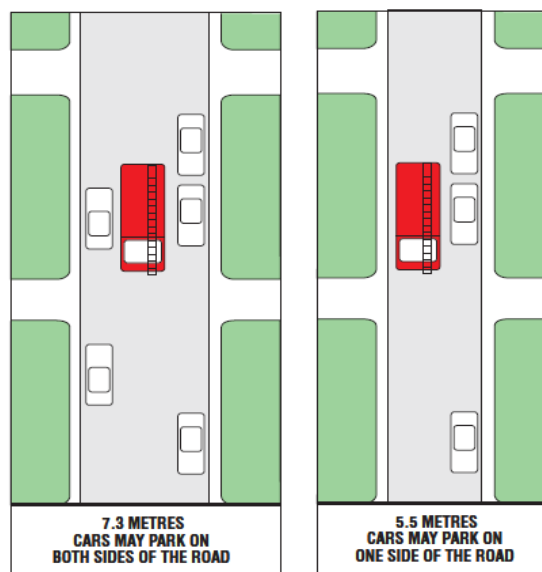


Figure 3 - CFA Requirements for Water Supplies and Access for Subdivisions in Residential 1 & 2 and Township zone October 2006

To practically implement the CFA requirements Access Places and Access Streets need to be a minimum of 7.3 metre wide. There are other alternatives that require parking on one side only on 5.5 metre wide streets or hard standing for parking on the nature strips, both options are difficult to implement and would negatively impact local amenity. Marked up changes to the relevant section of the Latrobe City Design Guidelines is included as Attachment 3.

### **ISSUES**

The CFA requirements are clear and have been in force since October 2006. Latrobe City experience is that the CFA referral process does not consistently reject the approval of 5.5 metre street widths. This does not change the validity of the CFA guidelines. The experience is that 5.5 metre wide residential streets with parking on both sides present a significant impediment to the access of standard fire trucks.

The implementation of 7.3 metre road widths will not require an increase in the total road reserve width and as such will not adversely impact the lot yield for developers when compared to 5.5 metre road widths. The majority of developers already implement roads wider than 5.5 metres as the narrow roads can impact negatively on lot sales. The proposed changes will ensure a consistent approach is implemented by all developers and will address the concerns of the CFA. The long term impact to Latrobe City maintenance costs of the additional 1.8m of road width is minimal.

This interim change in design requirements should be implemented effective immediately to prevent the development of narrow residential streets. It would not be equitable to retrospectively apply this guideline so any permits applications prior to adoption of the change would be exempt from meeting the new guidelines.

### **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.

### **INTERNAL/EXTERNAL CONSULTATION**

*Engagement Method Used:*

N/A

*Details of Community Consultation / Results of Engagement:*

No community engagement has been undertaken with respect to this change.

A process of communication will be required with the land development industry to inform them of the proposed interim changes to the Latrobe City Design Guidelines.

A broader process of stakeholder engagement will be undertaken during the 2014/15 Latrobe review of design guidelines with a view of moving to the Infrastructure Design Manual. A report commissioned by regional Councils presented an internal and external stakeholder consultation plan



## ORDINARY COUNCIL MEETING AGENDA 07 APRIL 2014 (CM433)

as part of a Guide for adoption of the Infrastructure Design Manual which will be considered to guide Latrobe City Council stakeholder consultation process.

### **OPTIONS**

- 1) To amend the current Latrobe City Design Guidelines to increase the minimum width of Access Places and Access Street to 7.3 metres to ensure clear access for emergency vehicles as an interim measure while a more thorough review of the Design Guidelines takes place.
- 2) Make no changes to the Design Guidelines.

### **CONCLUSION**

The most practical option to meet the CFA requirements relating to minimum road widths would be to prescribe a minimum carriageway width for Access Places and Access Streets of 7.3 metres.

These changes are in line with *Theme 5: of the Council Plan*

*Planning for the future*

*Strategic Direction – Review our policy and guidelines for new residential development in particular lot density, unit development, road widths and emergency vehicle access.*

Consideration of implementing the Infrastructure Design Manual requires comprehensive consideration of the entire Infrastructure Design Manual document which would require some time to adequately consider the implications.

Alignment of the Latrobe City Design Guidelines to the street widths prescribed in the Infrastructure Design Manual and the CFA requirements would be a worthwhile intermediate step for the period towards the possible adoption of the Infrastructure Design Manual. This approach will alleviate immediate concerns of the CFA and members of the community

#### **Attachments**

1. Attachment 1- YDCA Letter 4 Nov 2011
2. Attachment 2 - Yinnar Fire Brigade Letter 24 April 2012
3. Attachment3 - Mark up of Design Guidelines Section 4.2
4. Attachment 4 - Appendix 1 IDM Adoption Guide

### **RECOMMENDATION**

**That Council Resolve to:**

- 1 To amend the Design Guidelines such that the minimum carriageway width for Access Places and Access Streets in new residential developments is 7.3 metres, effective immediately.**
- 2 That the local land development industry be advised of Council's decision in relation the amendment of the Latrobe City Design Guidelines.**

## **14.1**

### **Proposal to introduce interim changes to the Latrobe City Design Guidelines with respect to Street Widths in New Residential Developments**

- |          |   |           |
|----------|---|-----------|
| <b>1</b> | <b>Attachment 1- YDCA Letter 4 Nov 2011 .....</b>                       | <b>91</b> |
| <b>2</b> | <b>Attachment 2 - Yinnar Fire Brigade Letter 24 April 2012.....</b>     | <b>93</b> |
| <b>3</b> | <b>Attachment3 - Mark up of Design Guidelines Sectiopn<br/>4.2.....</b> | <b>95</b> |
| <b>4</b> | <b>Attachment 4 - Appendix 1 IDM Adoption Guide .....</b>               | <b>97</b> |

# Yinnar

## **Yinnar & District Community Association**

**PO BOX 19 YINNAR 3869**

President: Herb Smith

Secretary: John Harris

4 November 2011

Mr Paul Buckley,  
Chief Executive,  
Latrobe City Council  
PO Box 264  
Morwell, Vic. 3840

Dear Mr Buckley,

It has been drawn to the attention of the YDCA that the narrowness of streets constructed in the new Clearview Estate constitutes a significant safety hazard for residents.

The CFA has advised that, with a car parked on one side of these streets, there is insufficient room for emergency vehicles to pass. This may prevent ambulances and firetrucks reaching a house to provide emergency support.

It appears that, although these streets may satisfy the current regulations of minimum road width, these regulations are inappropriate from a resident safety perspective and should be changed.

Yours sincerely



John A. Harris  
Secretary, YDCA

Cc Cr Darrell White, Mayor, Latrobe City  
Mr Russell Northe, Member for Morwell.



### Yinnar Fire Brigade

PO Box 112  
Yinnar  
Vic 3869

LATROBE CITY COUNCIL INFORMATION MANAGEMENT	
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<input type="checkbox"/> Copy registered in DataWorks	<input type="checkbox"/> Invoice forwarded to accounts

24<sup>th</sup> January 2012

Responsible Authority  
Latrobe City Council  
141 Commercial Road  
Morwell  
Vic 3840

**Re: Width of seal on new streets within Yinnar**

Dear Sir/Madam

The Yinnar Fire Brigade wishes to express concern in regard to the planning process that has seen the street width in the "Clearview Estate" development in Yinnar being significantly reduced.

It is recognised that the road widths may conform with the current guidelines as set out in the standards for Access Streets in Clause 56.06.8 of the Latrobe Planning Scheme, however the Yinnar Fire Brigade has identified that reduction of the actual street width compared to other streets within the township presents a number of significant access and egress issues for responding emergency services and other civil services into this estate.

Clearview Estate has a road reserve width of 16metres, however developers with the approval of Latrobe City, has reduced the actual street width to 4.4 metres, a width that makes it impractical for a fire appliance to make progress if 1 vehicle is parked on the street and impossible to progress if 2 vehicles are parked opposite or diagonally opposite without a clearance of at least 1 vehicle length.

This issue is further compounded when vehicles are parked on the street adjacent to or near a street corner. Heavy vehicles have no option and must mount the kerb and drive over the nature strip



An emergency response to this area may require the fire brigade and other emergency services divert onto the nature strip for access.

**Note** that driving up onto the nature strip is not an option, if the brigade officer in charge believes that any such action may lead to fire personnel or the public being put at risk or any risk of the fire appliance becoming bogged due to wet subsoil.



All emergency responses have the potential for a number of fire appliances and other services to attend. Fire appliances have a nominal width of 2.4 metres not including rear vision mirrors; this makes it impractical to leave sufficient clearance for other appliances to pass. All structure fires would expect a response from at least 3 fire appliances, the first arriving appliance taking up position would, given the narrow width of the street, effectively prohibit other fire appliances, police or ambulance from progressing.

The lack of adequate turning area at the end of the streets presents an issue for large vehicles. As shown, the concrete apron is of an insufficient depth and width to allow the vehicle to complete a three point turn without either front or rear wheels running on the grass area. This issue is compounded if vehicles are parked adjacent to or near the turning areas.



It is noted that the proposed new subdivision development at 55 Bonds Road has a road reserve of 16 metres. We would ask council to give careful consideration to the final detail of the proposed street widths. Consideration should be given to ensure that the street width in this or any other proposed development has a street width similar to, and not less than, streets such as William Crescent which have a road reserve width of 15.45 metres and a street width of 6.85m not including gutters.

The issue of a timely response to emergency calls cannot be underestimated. If ready access is not available to emergency services because of on street parking of any vehicle or any medium to heavy vehicle utilising the street, this may have a significant influence on the outcome of any response.

The Officers and Members of the Yinnar Fire Brigade would welcome the opportunity to discuss this issue with the Latrobe City. Please contact me on the phone numbers below should you wish to meet on site.

Yours Sincerely

Jim Irvine  
Captain Yinnar Fire Brigade  
Ph. 51 631 565  
Mob 0407 347 193

## ATTACHMENT XXX

### Extract Section 4.2 Latrobe City Design Guidelines (For subdivisional developments, urban and rural road and drainage construction, and traffic management projects)

#### 4.2 ROAD WIDTHS & PARKING

The design features of each type of street, the width of road reserve and road pavement, nature-strips, kerbing and landscaping should convey the road's function, encourage appropriate driver behaviour and discourage speeding. Table 4.2 shows the recommended street widths and parking provisions for the various classes of urban road.

Table 4.2 Street widths and parking

Street Type	Carriageway width <sup>1</sup>	Parking provision within street reserve	Min. verge width (includes footpath)	Minimum Road Reserve Width
Access Lane (second road frontage)	5.5 m See note 6  3m to 8m	Yes (one side) Appropriately signed  None	None	As determined by turning movements.
Access Place	7.3 m <del>3.5m</del>  5.0 m	Yes (both sides) <del>1 hard standing verge space per 2 lots with scope for more</del> On carriageway	3.5 m each side <del>Total width 7m. For services 3.5m one side, 2.5m other.</del>	16.0 m
Access Street (Minor)	7.3 m <del>5.0 m</del>	Yes (both sides) <del>On carriageway</del>	4.0 m min each side	16.0 m
Access Street (Major)	7.3 m <sup>3</sup> <del>5m or 7m</del> <sup>2,3</sup>	Yes (both sides) <del>On carriageway</del>	4.5 m min each side	18.0 m
Collector Road	11.0 m <del>6m</del> or 7m	Yes (both sides) <del>Indented to leave 6m clear carriageway</del>  On carriageway	6.0 m min each side <del>4.5m min each side with adequate road reserve width for widening for future bus route if required.</del>	24.0 m  20

1. Carriageway width is measured from kerb invert to invert. Width is to be increased by 0.5 m if a barrier kerb is used.
2. If parking is required along both sides adopt 7 m width.
3. Roads to be narrowed to 5.0 metres at intersections

- Note 1 Higher traffic volumes and intended use/s of carriageway may require greater Carriageway widths.
- Note 2 The developers must ensure that verge widths are sufficient to accommodate services that are required to be located.
- Note 4 Verge widths may be reduced to 3 m in the following situations:
- Court bowls less than 100 m in length.
  - Where access gates are set back from the property boundary by 3.0 m.
- Note 5 The minimum width of road reserve cannot be calculated by adding the minimum distances of the components within the road reserve.
- Note 6 Designers and developers need to ensure that the road reserve width adopted complies with the requirements of the following documents and Authority requirements:
- Department of Transport – Public Transport Guidelines.
  - Various walkability and bicycle strategies.
  - CFA may require the minimum Carriageway width to be 7.3 metres in certain areas unless parking is restricted to one side.

Designers are reminded that special consideration must be given to situations where schools, shops, sports and entertainment venues are involved where specific designs will need to be prepared to provide for on street parking and traffic control for expected peak flows. This will necessarily affect the width of road pavements.

If it can be demonstrated that recommended widths and footpath requirements should be varied to suit a particular application due consideration will be given to the proposal submitted by the designer/developer.

**IDM ADOPTION GUIDE**

**APPENDIX 1 (CONSULTATION)**

**Guideline Flow Chart for adoption of the Infrastructure Design Manual**

<b>PHASE</b>	<b>ACTION</b>	<b>COMMENT</b>
INTERNAL CONSULTATION	Inform	Distribute a letter to all staff informing of the application to become a member council of the IIDSB and adoption of the IDM. At this stage access to the manual and standard drawings should be provided. Ideally both electronically and in hard copy.
	Consult	A briefing to all staff should be provided followed by a workshop involving all departments potentially affected by the introduction of the IDM. The workshop provides an opportunity for detailed discussions and feedback on implications for existing practices, strategies and policies. It is essential that all Departments are engaged at this stage rather than allow subsequent realisation that "something is happening"
	Report	Compile feedback, identify issues and steps to address them and prepare report to CEO.



<p>STAKEHOLDER CONSULTATION</p>	<p>Inform</p>	<ul style="list-style-type: none"> <li>• Media release advising that Council is considering adopting the IDM to be issued. Media release provides background to IDM and reasons for its adoption and advises details of proposed consultation program.</li> <li>• Update Council website with project details.</li> <li>• A register of key stakeholders likely to be affected by the IDM and its provisions should be compiled. Stakeholders will be identified through discussions with all affected Councils. The stakeholders would include all parties involved in the ownership, planning, design, c construction and supply of components as well as regulatory authorities, government agencies and services suppliers likely to be affected.</li> </ul>
	<p>Consultation Workshop</p>	<ul style="list-style-type: none"> <li>• An Invitation letter is to be sent to all key stakeholders on the stakeholder register. Letter to again provide background to the IDM, and inform that Council is considering adoption of the IDM, and request attendance at a public workshop.</li> <li>• Undertake workshop/workshops and invite feedback in writing to an email address Workshop should answer queries, provoke discussion and explain the implications and benefits of the manual. Encouragement to join in the continued development of the manual should be provided. Use of a Powerpoint presentation and slides which attendees can take away may be particularly useful at this stage.</li> <li>• After Workshop send a follow up letter to the stakeholders and other attendees of the workshop and again inviting feedback. This step is essential as a reminder.</li> <li>• During this consultation phase it is likely that new potential stakeholders will emerge. New stakeholders should be added to the stakeholder register</li> </ul>

**14.2 PROPOSED REMOVAL OF TREES IN THE COUNCIL DRAINAGE  
RESERVE AT 55 HAUNTED HILLS ROAD NEWBOROUGH**

**General Manager**

**Recreation and Community  
Infrastructure**

**For Decision**

**PURPOSE**

The purpose of this report is to seek Council decision on the requested removal of 6 mature Messmate Gum trees in the Council owned drainage reserve at 55 Haunted Hills Road, Newborough.

**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.

*Strategic Direction – Built Environment*

*Latrobe City Council Plan 2013 – 2017*

- *Enhance the quality and sustainability of streetscapes and parks across the municipality through the provision and maintenance of the trees that are appropriate to their surroundings.*
- *Ensure public infrastructure is maintained in accordance with community aspirations.*

*Policy - Tree Work Notification Policy 11 POL-4*

The purpose of this policy is to detail processes for the notification of significant tree works prior to the works being undertaken.

**BACKGROUND**

Latrobe City Council's Manager Infrastructure Operations received a request (Attachment 1) from the resident of 53 Haunted Hills Road, Newborough on 20 November 2013, requesting that six Messmate Gum trees in the Council Drainage Reserve (Attachment 2) beside his property at 55 Haunted Hills Road, Newborough be removed.

The resident was concerned that the gum trees on the adjoining Council reserve present a genuine risk to their property and their family safety through the possibility of falling limbs. A Latrobe City Council arborist visited the reserve at 55 Haunted Hills Road in September 2013. After this inspection it was decided that pruning works would be carried out and Latrobe City Council's Arborist relayed this information to the resident.

**ORDINARY COUNCIL MEETING AGENDA  
07 APRIL 2014 (CM433)**

A reply to address the resident's concerns in this correspondence was sent from Latrobe City Council's Manager Infrastructure Operations on 26 November 2013 (Attachment 3)

Further correspondence in relation to the Messmate Gum trees was received from the resident of 53 Haunted Hills Road on 11 December 2013 (Attachment 4). In this correspondence the resident stated that the letter they received from Latrobe City Council did not assuage their concerns in relation to the gum trees on the Council owned reserve adjoining his home.

A further arborist visit was arranged in early January 2014 and subsequently further pruning works were carried out in mid January 2014, to address the resident's concerns. As a result of these works, the resident of 53 Haunted Hills Road wrote to Latrobe City Council's Chief Executive Officer, Manager Infrastructure Operations (Attachment 5) and Team Leader Tree Maintenance (Attachment 6) on 24 January 2014, again voicing his concerns in relation to gum trees situated at 55 Haunted Hills Road.

A site visit was undertaken by Latrobe City Council's General Manager Recreation and Community Infrastructure on 29 January 2014, to the reserve in question to discuss with Council arborists if there were any issues with the gum trees on the reserve. Subsequently a letter was sent to the resident of 53 Haunted Hills Road on 30 January 2014 (Attachment 7) detailing Latrobe City Council officer's opinion on the resident's concerns with the gum trees. Also outlined in this letter was the process for requesting, via Council, removal of trees which do not qualify for automatic removal under Council's Tree Work Notification Policy. Part of this process is that the resident requesting the removal of a tree must submit a formal written request to Latrobe City Council to generate a future Council report on their request. This was received by the Mayor on 21 February 2014 (Attachment 8) and forwarded to Latrobe City Council's Manager Infrastructure Operations to prepare this report.

**ISSUES**

The resident of 53 Haunted Hills Road would like Council to consider the full removal of six mature Messmate Gum trees on the Council owned Drainage Reserve at 55 Haunted Hills Road, Newborough. They have stated on several occasions that they perceive possible danger from the gum trees dropping limbs on either his family members or on his property which adjoins the reserve.

As discussed, Latrobe City Council arborists have inspected the gum trees on the reserve on three separate occasions and are of the opinion that the trees are in good health and do not fall under the criteria of Dead, Dying or Dangerous as stipulated in Council's Tree Work Notification Policy. Therefore as per the Council policy, this report has been generated and is now presented to Council.

Latrobe City Council's arborists have visually inspected the gum trees within the Council reserve on several occasions in recent months and conclude that gum trees are in good health and have sound structure.

The recent pruning works on the gum trees at the reserve have been carried out to further improve the trees health and reduce the risk of any limbs dropping into the resident of 53 Haunted Hills Road property. All pruning works to the gum trees have been carried out to the latest practices in arboriculture.

An independent arborist report (Attachment 9) on the condition of the gum trees has also been commissioned by Latrobe City Council officers to provide an independent opinion of the health of the gum trees. This report states that trees are in overall good health and are of sound structure.

Latrobe City Council cannot give any guarantee that the gum trees will not drop branches, these trees, like most gum species, could still drop or shed a branch without any warning, this is known as Summer or Sudden Limb Drop.

Long term residents who live adjacent to the drainage reserve in 57 Haunted Hills Road have never requested any tree removals from the reserve. These residents have in fact been actively involved in the reserve for a number of years and have, with Council approval, planted and watered trees and shrubs at the site and removed litter as required. They have significant pride in the adjacent reserve. The residents of 53 Haunted Hills Road purchased their current home less than one year ago and have not been privy to the development of the reserve by other local residents. The residents of 57 Haunted Hills Road have introduced some new species of shrubs to the drainage reserve. Whilst a small number of the shrubs would not have been the preferred choice of a Council arborist, the majority are and all the introduced shrubs are suitable in size for this site.

This area is known for its 'leafy' outlook and is a feature of this particular neighbourhood. Removal of these gum trees could potentially set a precedent for other trees in this area and ultimately devalue the neighbourhood character.

### **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 gum trees currently do not present any major risks to nearby residents and/or users of this Council drainage reserve.

Any future works to these gum trees are able to be undertaken within the recurrent tree works budget.

### **INTERNAL/EXTERNAL CONSULTATION**

*Engagement Method Used:*

## ORDINARY COUNCIL MEETING AGENDA 07 APRIL 2014 (CM433)

Latrobe City Council has not engaged in consultation with any residents of Haunted Hills Road, Newborough in relation to the requested tree removals.

Latrobe City Council will need to engage in a notification process with local residents on Haunted Hills Road, and the broader local community, if the requested tree removals are to be considered.

### OPTIONS

1. Remove the six mature Messmate Gum trees in the Council Drainage Reserve at 55 Haunted Hills Road, Newborough.
2. Take no action in regards to the six mature Gum trees in the reserve and maintain to current standards.
3. That Council seek street and community feedback on the proposed tree removals.

### CONCLUSION

Latrobe City Council cannot give any guarantee that the six mature gum trees will not drop branches and/or fail at the root plate below ground level. This would most likely only occur in an extreme weather event.

However both Council and an independent arborist have inspected the gum trees requested for removal on several occasions and have found them to be in good health and of sound structure.

If Council does consider the removal of six mature gum trees, Latrobe City Council should consider engaging in a consultation process with local residents and the broader local community.

### **Attachments**

1. Attachment 1 - Email to CEO on 20Nov13
2. Attachment 2 - Traffic Management Plan\_Staging Area
3. Attachment - 3 LCC Response 26Nov13 re 53 Haunted Hilld Road Newborough re trees
4. Attachment 4 Email re 55 Haunted Hills Rd NB 11Dec13
5. Attachment 5 Email re VCAT Court Action 24Jan14
6. Attachment 6 - Email sent to Ben Black
7. Attachment 7 LCC response letter from GS re 53 Haunted Hilld Road Newborough 30Jan14....
8. Attachment 8 Tree Report 4952\_001
9. Attachment 9 Chris Dash, beside 57 Haunted Hill Road, Newborough, 6 mature Messmate gum trees, March 2014

**RECOMMENDATION**

**That Council**

- 1. Take no action in regards to the request for removal of six Messmate Gum Trees in the Council Drainage Reserve at 55 Haunted Hills Road.**
- 2. Officers continue to carry out regular monitoring and maintenance to the trees in this reserve.**
- 3. Notify the resident who has requested the removal of the gum trees of the decision regarding the request to remove six Messmate Gum Trees in the Council Drainage Reserve at 55 Haunted Hills Road.**

## 14.2

### PROPOSED REMOVAL OF TREES IN THE COUNCIL DRAINAGE RESERVE AT 55 HAUNTED HILLS ROAD NEWBOROUGH

- 1 Attachment 1 - Email to CEO on 20Nov13 ..... 105
- 2 Attachment 2 - Traffic Management Plan\_Staging Area ..... 109
- 3 Attachment - 3 LCC Response 26Nov13 re 53 Haunted  
Hilld Road Newborough re trees ..... 111
- 4 Attachment 4 Email re 55 Haunted Hills Rd NB 11Dec13..... 113
- 5 Attachment 5 Email re VCAT Court Action 24Jan14..... 117
- 6 Attachment 6 - Email sent to Ben Black ..... 119
- 7 Attachment 7 LCC response letter from GS re 53  
Haunted Hilld Road Newborough 30Jan14..... 121
- 8 Attachment 8 Tree Report 4952\_001 ..... 123
- 9 Attachment 9 Chris Dash, beside 57 Haunted Hill Road,  
Newborough, 6 mature Messmate gum trees, March 2014 ..... 127

**From:** Teacher  
**To:** Latrobe Central Email <LatrobeCity@latrobe.vic.gov.au>  
**Date:** 20/11/2013 9:15:13 PM  
**Subject:** LEGAL ACTION... re BEN BLACK (Arborist) & PAUL BUCKLEY (CEO Latrobe City Council)

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20/11/13

Dear Mr Black/Paul Buckley,

I am now writing, out of quite some frustration, regarding not one but two recent submissions I made in writing, through the Moe Office of the Latrobe City Council, to consider cutting down gum trees adjoining my family home; which, given the absolute "un-exact science" of predicting whether gum trees may or may not fall down, may well be a direct threat to my property and the actual safety and possible lives of my young children if they DO in fact topple over - or specific branches break-off at a wrong time.

A decision was made by you Mr Black, and written into a specific report in response to my request, that works on the concerning trees would commence within 4 to 6 weeks. That was (now) some **12 weeks ago**, plus!

Given the in-ordinate number of extremely windy days that we've had and are continuing to have, we have been more than concerned for the security of our property and the welfare of our children.

So, Mr Black, what exactly gives with your lack of action with respect to this matter?

Property/Details: Gum trees on council easement (55 Haunted Hills Rd)  
adjoining 53 Haunted Hills Rd, Newborough

Our Name: Dominic and Teena de van der Schueren



Contact Details: Ph (H) 51 26 2220

(W) 51 74 7355 (c/- Lavalla Catholic College,  
Traralgon)

I might well add, that when I first expressed my genuine concern of what would happen if any of the trees or branches did cause damage - or dare I say, personal injury or worse - you glibly replied that "insurance would cover it"... you'd remember that of course. With respect, quite frankly, this seemed like an almost 'caned response'.

When I then pushed the point even further, purely out of my heart-felt concern for our property and the safety of our young family, you became quite (almost automatically) "testy"... again, in a manner that seems to be a standard/well practiced response/attitude... dare I say, which is quite typical of many public servants - including the police - for example.

Let's not beat around the bush here... I'm reporting that my family is at risk and your telling me "insurance will cover it"!

That's great!

I wonder how you would be if it were your home adjoining this easement with such trees. Would you explicitly back your own professional judgment on this matter and gamble your property and the lives of your children with respect to these trees?

I think not, but, please correct me if I'm wrong.

Well Mr Black - and now Mr Buckley - let me unequivocally explain where I am now with this:

If you subsequently fail to assure me **within the next fortnight** that action on this matter WILL be taken, ASAP, as you assured me it would, I am now ready to speak to my solicitor, and/or, perhaps better, pay the respectably few dollars necessary to secure a hearing with VCAT. I will also forward this email to the appropriate journalist at the Latrobe Valley Express - just for the sake that it may be a 'good story' other residents may be interested in.

And in the mean-time, Mr Black, why don't you put your reputation as an 'arborist' on the line, and put in writing to us that these trees will cause "no damage to our property or our children in the foreseeable future" - rather than just assure me verbally as you've done, so far. ( But I can guarantee myself that this won't happen, will it?)

But please find this as the 3rd instalment of a 'paper-trail 'on this matter - including my 2 initial reports lodged with the Moe council office. Also, feel more than free to check on our contribution to this community in the form of the multiple rates and whatever else we pay your council with respect to the properties and business we own in this town.



Finally, with respect to my development of this specific "paper-trail", even if you get the trees 'trimmed' - as you've suggested would happen - if something does happen to any of my children, let me assure you Mr Black - and Mr Buckley, now - that I will personally 'sue' you guys, and the Latrobe City, in response. There will be no ifs or buts or maybes on this one!

Is this whole letter and the implications I am suggesting too harsh for you; or are the lives of my kids worth me executing exactly any and all of the above? I think so!

Please get back, ASAP.

Dominic de van der Schueren.



	<p><b>Note</b> The information shown on this map is derived from a variety of sources including, but not limited to, Vicmap Data, other State and Local Government Agencies data and Latrobe City Data.</p> <p><b>Disclaimer:</b> The State of Victoria does not warrant the accuracy or completeness of information in this publication and any person using or relying upon such information does so on the basis that the state of Victoria shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.</p> <p>Latrobe City does not guarantee the accuracy or the currency of the information presented on this map and therefore Latrobe City will not be held liable for any loss or damage arising as a result of using this information.</p> <p>The location of features shown on this map is indicative only. The underground infrastructure location shown is not to be used as a substitute for <b>Dial Before You Dig</b>.</p> <p>The compilation of this map is subject to copyright laws and regulations, no part of this map can not be reproduced without prior written consent of Latrobe City Council.</p>	<p>55 Haunted Hills Road</p>	<p>Wednesday, 19 March 2014</p>	
			<p>Scale 1:406</p>	

Our Ref: 1036111  
JO:CD

26 November 2013

Mr Dominic de van der Schueren  
53 Haunted Hills Road  
NEWBOROUGH VIC 3825

Dear Mr de van der Schueren

**PARK TREES AT 55 HAUNTED HILLS ROAD NEWBOROUGH COUNCIL  
DRAINAGE RESERVE**

Thank you for your email dated 20 November 2013 concerning the park trees adjacent to your property at 53 Haunted Hills Road, Newborough.

Latrobe City Council apologises for the delay in the works not being completed as previously stated. Following the severe wind storms experienced on 26 September 2013, Latrobe City Council's tree maintenance teams have been clearing up fallen and damaged trees throughout the municipality. These works have been on-going for the past eight weeks.

A further inspection carried out on 26 November 2013 by Latrobe City Council's arborist has indicated that maintenance work still needs to be carried out on the trees. These works are programmed to be carried out by the Tree Maintenance Team within the next three weeks.

These park trees do not fall under the requirements of Latrobe City Council's *Dead/Dying Tree Removal Policy* whereby a Latrobe City Council officer can authorise their removal. For these trees to be considered for removal, a formal written request needs to be received by the Council. A comprehensive report would be required to be generated and tabled at a future Ordinary Council meeting for decision by the Council.

Latrobe City Council cannot give a guarantee that these park trees will not fail in extreme weather events such as strong winds and heavy rains. Also gum trees can shed tree branches without any warning on any day, this is referred to as *Summer Limb Drop* or *Sudden Limb Drop*.

Latrobe City Council carries out regular routine maintenance to the trees in this park. This includes tree inspections, tree pruning and any tree removals which meet the requirements of Council's policy for a Latrobe City Council officer to authorise their removal.

All of Latrobe City Council's tree maintenance works meet the *Australian Standards - AS 4373-2007, Pruning of Amenity Trees*. This standard ensures that tree pruning is carried out to the latest practices in Arboriculture.

If you have any further queries relating to this matter please contact Chris Dash, Supervisor Arborist on 0408 598 112.

Yours sincerely

JODY O'KANE  
**Manager Infrastructure Operations**

**From:** DE VAN DER SCHUEREN, Dominic  
**To:** Latrobe Central Email <LatrobeCity@latrobe.vic.gov.au>  
**Date:** 11/12/2013 4:39:08 PM  
**Subject:** URGENT Attention JODY O 'KANE

---

*To whom it may CONCERN,*

***Re Council Drainage Site 55 Haunted Hills Road, Newborough***

*This email has a letter **attached above**... in response to a recent communication from Jody O'Kane.*

*Can you kindly forward this to Jody O'Kane ASAP, as it concerns some gum on above site which are a direct threat to my home and my children.*

*Thanks*

*Dominic de van der Schueren*

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This message may contain confidential and/or privileged information. If you have received this message in error, please notify the sender immediately by replying to this email and then delete the email from your system. Any views expressed in this message are those of the individual sender and not necessarily those of Lavalla Catholic College. Thank you for your cooperation.

YOUR REF: 1036111

JO:CD

8 November 2013

**JODY O'KANE**

Manager Infrastructure Operations

Dear Mr O'Kane,

**Park Trees at 55 Haunted Hills Road Newborough Council Drainage Reserve**

Thank you for writing back to me. This letter is in reply to your letter to me – see above reference. It was great for me and my wife to know we'd received a response directly from you, given your actual position/title.

When I requested 'something in writing' my tongue was firmly in my cheek - knowing it would never happen of course. Perhaps, inadvertently, you have responded in the exact manner we needed. Quite frankly, I cannot believe exactly what you HAVE 'put in writing'. I'm not even sure you realize yourself the exact import of what you've written back to us - in terms of any possible 'official inquiry/complaint' we could make through a civil court, VCAT, the mayor, the local members, local paper, or all and any of the above. I've already done some diligence on these options to best avoid the 'blanket rulings' you guys operate by.

Bottom-line for us though, the response you have made gives us the "evidence" we may need to go ahead and make a pretty confident case in whatever forum to get any and all of these threatening branches and/or trees down. I wonder what PB may think of what you wrote back to us. I might ask him.

Ben Black originally only gave me a 'verbal assurance' that the trees in question were "safe". You've noted that I responded in writing, assuring him that his 'arboreal analysis' was not exactly a "science". Then lo and behold we get a letter back from you, Latrobe City's actual Manager of Infrastructure Operations, categorically saying, quote, that "*Latrobe City cannot give a guarantee that these park trees will not fail in extreme weather events such as strong winds and heavy rains. Also gum trees can shed branches without any warning on any day, this is referred to (what was it) Summer Limb Drop or Sudden Limb Drop*"... and you actually have a term for it. Therefore, based on your letter to me, I'll fairly assume that our property and our and our children's safety and lives are still significantly at risk, no?

Surely this is a damning admission by Latrobe City with respect to the safety of my family. In fact, based on your letter alone, one would have to believe that Latrobe City Council is now in a very awkward position regarding this whole matter. Then there is the unbelievable irony in all of this: the

fact you guys couldn't get anyone around here within those 4 weeks when Ben said he would, because your crews were so busy with all the other gum branches and trees that (suddenly) "dropped" in those last massive storms. Trees that your 'arboralists' (sic) probably said were safe. If this matter wasn't so serious it would be totally hilarious.

Further, I'm told by you that these trees are on one of the Council Drainage Sites. A 'drainage site', no less... were the ground may be inadvertently soft and possibly even more susceptible to a *Sudden Drop* - but where a whole tree just falls over.

Mr O'Kane, with your letter in my hands, now, it may be more than prudent for you to personally get yourself over here and check out exactly where these trees may fall. Because, as of right now, I'll be holding you personally responsible if something happens! Whilst doing that, carefully consider if you and the mother of your children would be concerned if it were your home next to this ("green") drainage site. Also, please take the time also to literally look over our back-side-gate (adjoining lot 55) at the trees in the back yard of 51 Haunted Hills. There are 3 very dodgy trees there: also screaming danger! And, just so you know, if in the very near future if I am un-able to sufficiently move our neighbour to take action on these, I will be tabling a written notification with you personally on the matter - now that I know you oversee this particular jurisdiction. We need/want them made safe, too; although I am talking with this property owner, already.

Moving forward, given existing protocols re requests on such matters, after you do have a look at the site, may I humbly ask if you yourself could directly assist us in instigating/generating that very "comprehensive report" we actually need furnished. And could you duly then officially table it to Council before there are too many more "strong winds and heavy rains". May this possibly be achieved at the very next Ordinary Council Meeting, please... as the lives of my children are very much at stake here?

As a heads up, I can assure you I will be ringing and writing (a heart-felt letter) to Sharon G in her official capacity. Should I, at the same time, pop-in a copy of the letter you wrote back to me? Sharon has got kids, I know. I will also be ringing the office of my local National and Liberal members to seek their guidance in attempting to achieve meaningful action. Perhaps we could all meet on a blanket under said branches. I will also make it my business to appoint whichever journalist working at our local rag to garner their interest in this fascinating situation. Do you mind if I let them read your letter and use any parts they may see as important in the context of this story? Finally, I should advise my property insurers that I am in this dodgy situation and alert them to the possibility they may have to dip into their 'replacement resources' if one of your 'park trees' does fall on our house.

So Mr O'Kane, again, if you could kindly look after whatever formalities we may require completed/or come up against, to make things easier for us, we'd gratefully appreciate it.

I look forward to hearing from you, ASAP, of your direct intentions on this matter.

Yours sincerely,

*Dominic de van der Schueren*



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**From:** Teacher  
**To:** Latrobe Central Email  
**Date:** 24/01/2014 9:59:02 AM  
**Subject:** VCAT COURT ACTION against Latrobe City Council

---

24/01/2013

**Attention: Jody O'Kane & Paul Buckley**

Dear Mr O' Kane,

Just for the record... given we (right) now have a group of 'tree-workers' at your easement 55 Haunted Hills Rd - sent/supervised by Ben Black - and who I've actually just spoken to... apparently, JUST TRIMMING some of these trees, and, according to Ben, yet, he is still NOT interested in getting rid of the dangerous trees in question, here.

Therefore as a courtesy (heads up), be advised I will now be taking the following action this coming week:-

1) I will be appointing the Editor of the Latrobe Valley Express... on the premise of having an important story with relevance to all constituents of Latrobe that may have nearby Australian gum trees... and I'll be armed with copies of ALL the letters you and I have exchanged. I will doggedly attempt to make a very good case for an editorial re this entire matter. (As you know, Jody, there is an excellent paper-trail, now... 'to be sure, to be sure'!)

2) I will also happily pay my \$32 odd dollars and apply for a hearing date with VCAT, to discuss my tenuous position here at 53 Haunted Hills with respect to the safety of my property and the lives of my children... with your "*cannot guarantee the safety of any gum-trees...*" letter in my hand.

3) Continue to liaise with Sharon Gibson by email; who unfortunately as you know is suffering serious personal and family health concerns.

Ben actually said a couple of interesting things today, too, to which I said I would be 'quoting him on'... and you mentioned we could meet in an email sent to my school, I thought. Maybe I'm mistaken, but I thought I got back to you, but I have not heard anything since. (It was apparently sent Jan 1st, 2014). I have just rang your office, too; and you were not able to take my call as you were apparently "checking your messages". That's great, Jody. Thanks for that, too! (But I guess that's part of 'modern time-management', eh). Keep someone waiting who is about to take you to court!

This is now way beyond a joke, Jody.

Please only email me at home if you wish to communicate from now on.

I'm banking on seeing you in VCAT.

*Dominic de van der Schueren*

**From:** Teena  
**To:** Latrobe Central Email  
**Date:** 24/01/2014 10:35:29 AM  
**Subject:** URGENT Ben Black

---

24/1/2014

**Ben Black**  
**Arborist Latrobe City Council**

Dear Ben,

Your work crew to 55 Haunted Hills Rd today is gone. They have STILL LEFT a big branch hanging over our fence line... unbelievably, after a SECOND VISIT to this site, now, to SPECIFICALLY trim branches.

Ben, my goodness, I don't understand. What is going on?

- Two trucks, one other vehicle; you turned up in another vehicle; how many guys - 6, or was it 7?

For your record, I have advised Latrobe City just now, in writing, that I will be going to the Latrobe Valley Express with photos and this story - and because you said you were happy for me to quote you, I will be doing just that. And secondly, I will be applying to VCAT this week, too, and your name will again be mentioned in this case.

Please get the crew back to get rid of that branch over-hanging our fence, ASAP. And if I have anything to do with it, you will be back a fourth time to completely get rid of the 2 or 3 other trees that could well damage our house and hurt - or worse - my children if they accidentally go down.

Thank you

*Dominie de van der Schueren*

Our Ref: 1036111  
GS

30 January 2014

Mr Dominic de van der Schueren  
53 Haunted Hills Road  
NEWBOROUGH VIC 3825

Dear Mr de van der Schueren

**PARK TREES AT 55 HAUNTED HILLS ROAD NEWBOROUGH COUNCIL  
DRAINAGE RESERVE**

I am writing in response to various emails sent to a number of Latrobe City staff concerning the park trees adjacent to your property at 53 Haunted Hills Road, Newborough.

As you are aware, Council officers attended the site on Friday, 24 January 2014. Some pruning works were undertaken however were unable to be completed due to weather conditions.

Latrobe City Council staff returned to the site on Wednesday, 29 January 2014 and undertook further tree pruning works. Our qualified arborists have inspected the works of our tree crew and assessed pruning works to be of a high standard and that no further works are required at this point in time. I personally have also attended the site and am confident that all has been done to both preserve the health of the trees and minimise potential for damage to nearby properties or people.

I would like to reiterate that these park trees do not fall under the requirements of Latrobe City Council's *Dead/Dying Tree Removal Policy* whereby a Latrobe City Council officer can authorise their removal. For these trees to be considered for removal, a formal written request needs to be received by the Council. A comprehensive report would be required to be generated and tabled at a future Ordinary Council meeting for decision by the Council.

Latrobe City Council will continue to carry out regular routine maintenance to the trees in this park. This includes tree inspections, tree pruning and any tree removals which meet the requirements of Council's policy.

Yours sincerely

GRANTLEY SWITZER  
**General Manager Recreation and Community Infrastructure**

7

**Jody O'Kane**

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**From:** Sharon Gibson  
**Sent:** Tuesday, 25 February 2014 1:00 PM  
**To:** Jody O'Kane  
**Subject:** RE: Pathway Request 545961 Priority 3: Recreation Culture & Community Infrastructure.

Thanks Jody

*C. Sharon Gibson*  
*Mayor*  
*Latrobe City Council*

---

**From:** Jody O'Kane  
**Sent:** Tuesday, 25 February 2014 09:58  
**To:** Sharon Gibson  
**Cc:** Councillors; Executive Team; Senior Leaders Team  
**Subject:** Pathway Request 545961 Priority 3: Recreation Culture & Community Infrastructure.

Good afternoon CR Gibson

**Further to your request**

21-Feb-2014 14:15:09 - Gracie Smith - GEN  
COUNCILLOR REQUEST - CR SHARON GIBSON  
What is the process for this coming before us please?  
Sincerely,  
Sharon

From: DE VAN DER SCHUEREN, Dominic [<mailto:DEVADOM1@lavalla.vic.edu.au>]  
Sent: Friday, 21 February 2014 11:23  
To: Sharon Gibson  
Subject: FORMAL REQUEST, please...

Dear Sharon,

Please find attached the letter of 'formal request' you have encouraged and verified how it may be done... that is, looking to generate a "detailed report" for tabling with the Council at their next Ordinary Meeting... to make decision on the removal of said mentioned dangerous gum trees threatening our home and the lives of myself, my wife, and my 3 young children - along with our pets.

Sharon, we certainly acknowledge and sincerely appreciate all you have done so far... and if you can further assist now, with helping this to be an efficient/expedient process through all the necessary channels it would be much appreciated.

Than you,

Yours sincerely,  
Dominic & Teena de van der Schueren

**Officer response**

Officers from Council's Infrastructure Operations Team will now begin the preparation of a Council report in relation the formal request discussed above. It is envisaged that this report will be tabled at Council's Ordinary Meeting on 7 April 2014.

**Cr Sharon Gibson**

Mayor  
Latrobe City Council  
PO Box 264  
MORWELL VIC 3840

**21/2/2014**

Good Morning Cr Gibson,

**Re Potentially Dangerous Native Gum Trees on Newborough Council Drainage Reserve  
Located 55 Haunted Hills Rd Newborough**

My name is Dominic de van der Schueren. I live with my wife Teena and 3 young daughters, Zoe Lee 11, Ellie 10, and Charli 8 at 53 Haunted Hills Rd Newborough.

Ms Gibson, please find this letter a **formal written request to forthwith generate a comprehensive report on 5 potentially dangerous native gum trees located on Newborough Council Drainage Reserve located on 55 Haunted Hills Rd Newborough, for tabling at the next Ordinary Council Meeting for a DECISION to immediately authorize their removal.**

**A report considering and duly noting:**

1. The simple fact that these trees are certainly within striking distance/range of our house and the bedrooms of my children; and because they will continue to naturally grow the scope of their threat will proportionately increase with time.
2. That because native gums are known to just "sudden-drop" - a term coined by Jody O'Kane in a hard copy letter to me in late 2013 - a fact well recognized and noted by 'arborists' throughout Australia (because I have checked) - that there most certainly could be a potential threat to both our property and the lives of all of all of us there at 53 Haunted Hills Road at any time in the future.
3. The fact that the trees in question are on a Newborough Council "Drainage-Site" which is most certainly subject to obviously increased, more than normal water run-off and associated drying out, being on a steep incline; which could adversely affect there stability in the ground, and, in addition to the fact that they are native gums, more than likely increase the chances of them being unsafe as time goes by.
4. That this site is within an obvious valley, where winds can absolutely roar up and down (this precinct) purely because of the geographical/topographical terrain, perhaps placing a greater strain on these and all other trees there, than in other locales.

I also now need to go on record and say, that the "powers of Latrobe Council" that were in charge at the time to grant the permit to specifically build on 53 Haunted Hills Road - perhaps should NOT have allowed permit to build immediately next door to a Council Drainage Site, period, knowing gums had been planted... and likely, have likely left the existing Council liable to future litigations specifically regarding this property and any other like it in their jurisdiction.

**Background**

- *In 2013, I lodged 2 separate reports with the Moe Council offices noting my concern about the trees in question.*
- *With little positive action, I duly verbally communicated with Ben Black who glibly said that if there ever was a serious problem "insurance would cover it"... although I'm certainly not quite sure how insurance would cover the lives of my children and my wife and I, however.*
- *Consequently, I immediately wrote directly to Ben Black and Paul Buckley (as a courtesy) and received a written response from Jody O' Kane.*
- *From there, and over an extended period of time, I have been communicating and receiving sundry email responses and letters from both Jody O'Kane and Grantley Switzer, too - in Jody's absence when he was in Ireland, recently - along with a direct phone call from John Mitchell... to which he hasn't bothered to follow-up on, as promised, I might add.*
- *I am about to go to VCAT re this issue; and concurrently contact Consumer Affairs.*
- *Further, I am putting together a detailed letter to Lisa Cridge of the Latrobe Valley Express, who has been away, requesting an 'Editorial' on our situation here.*

Ms Gibson, I am happy to hold off on any and all of my latest efforts to draw attention to the fact that we may be in danger here, as long as this report is generated/dealt with as soon as possible, please, because of the on-going threat to ourselves. As suggested, we are living in real fear that one or any number of these trees which will continue to grow unabated on a "drainage site" no less, may just fall over, which they can do, I know already from personal experience at another house we own.

When Jody O' Kane wrote back and stated in his letter and I quote, that:

*"Latrobe City cannot give a guarantee that these park trees will not fail in extreme weather events such as strong winds and heavy rains. Also gum trees can shed branches without any warning on any day; this is referred to Summer Limb Drop or Sudden Drop..."*

And now, directly as result of this letter, my wife and I live in real fear that these trees may, in Jody's words, indeed fail "at any time".

Ms Gibson, I/we therefore need the urgent help of your Council, please!

Yours sincerely,

*Dominic & Teena de van der Schueren*

53 Haunted Hills Road, Newborough, 3825  
PH 51 26 2220  
Email [teacher@dcsi.net.au](mailto:teacher@dcsi.net.au)



RMB 3154, Traralgon South, VIC, 3844  
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# **TREE ASSESSMENT AND SAFETY REPORT**

**FOR**

**Latrobe City Council**

**In park beside 57 Haunted Hill Road,  
Newborough**

**March 2014**

**Compiled by: John Ruyg  
Dip in Arb, Adv Cert in Arb, Cert in Hort**



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## **TREE ASSESSMENTS FOR LATROBE CITY COUNCIL**

### **In park beside 57 Haunted Hill Road, Newborough**

#### **Brief:**

JR's Treemendous Landscapes P/L has been engaged by Latrobe City Council in March 2014 to provide a report for health assessments and safety rating with recommendations.

#### **Summary:**

The 6 mature Messmate gum trees (*Eucalyptus obliqua*) are growing in park area beside 57 Haunted Hill Road, Newborough.

The park area is an estimated 12 meters wide and 30 meters long with a number of mature Messmate Gum trees that are indigenous native vegetation. There is a lane way access between Haunted Hill Road and Smallburn Avenue where vehicle traffic and foot traffic occurs on an intermediate basis.

The mature Messmate gum trees alongside the boundary of 55 Haunted Hill Road have been recently pruned back from the property line.

All of the mature Messmate gum trees inspected have been assessed as having a medium hazard rating (see attachment for each tree). There have been no recommendations for additional pruning works carried out as the recent pruning works have addressed the requirement as per the Australian Standard A.S. 4373 – 1996.

There is no evidence that any of the mature Messmate tree have shed medium or large limbs in the past and no major structural faults were observed.

It is recommended that the tree be regularly inspected (at least every 12 months) by a suitably qualified and experienced arborist to further assess the ongoing health and safety factor with these trees.





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## TREE ASSESSMENT & CONDITION REPORT

**Client:** Latrobe City Council, Chris Dash

**Date & Time of Inspection:** 10.00am, 11<sup>th</sup> of March 2014.

**Address/Location:** In park land area beside 57 Haunted Hill Road, Newborough.

**Botanical Name:** *Eucalyptus obliqua*, tree 1

**Common Name:** Messmate gum tree

**Tree Details:** 19 meters **tall**, 11 meters **wide**,  
40+ **age (estimate)**, **D.B.H.** 56cm

### Tree Condition:

#### Health:

**Excellent**      **Good**      **Average**      **Poor**

**Comments:** The annual growth extension and foliage density factors are good to average for this species. There is a small amount of deadwood and small amount of epercornic growth throughout the canopy. The callous tissue on old pruning wounds appears in good condition. There is no evidence of insect and fungal damage observed during the inspection.

### Branch formation:

**Excellent**      **Good**      **Average**      **Poor**

**Comments:** The weight distribution throughout the canopy is slightly uneven. There is a minor co dominate stem in the upper canopy with no obvious included bark. The tree has had the majority of the lower branches pruned back to the trunk some time ago. The tree has a natural lean in the easterly direction as a result of shading by nearby trees.

### Site Suitability:

**Excellent**      **Good**      **Average**      **Poor**

**Comments:** The tree is located within a park land area with a lane way and has intermediate vehicle traffic and foot traffic. The house 57 Haunted Hill Road is within the possible fall zone area.



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**Insect-Fungal-Bacterial attack:**                      **Yes/No**

**Comments:** None were observed during the inspection period.

**Useful Life Expectancy:**                                      **20+ years.**

**Maintenance Requirements:**

**Comments:** None.

**Hazard rating:** 6/12 Medium Hazard Rating. (Refer to attachment)

**Reason for this Report:**

**Comments:** Latrobe City Council staff requires the trees to be assessed for their health and safety factors.

**RECOMMENDATIONS:**

- 1) That the Messmate Gum tree be retained and re-inspected in 12 months time for the date of this report by a suitably qualified and experience arborist.**



**TREEMENDOUS  
LANDSCAPES**

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Messmate Gum, tree 1



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## APPENDIX

### HAZARD RATING SYSTEM/FORMULA EXPLATATION

This hazard rating system is endorsed by the International Society of Arboriculture from *Evaluation of Hazard Trees in Urban Areas, 2<sup>nd</sup> edition*, Matheny & Clark, 1994. The scoring system is listed below by category that best fits the tree being assessed.

#### Failure Potential:

1. **Low** – Defects are minor (e.g. Dieback of twigs, small wounds with good woundwood development).
2. **Medium** – Defects are present and obvious (e.g. Cavity encompassing 10-25% of the circumference of the trunk, codominant stems without included bark).
3. **High** – Defect a numerous and/or significant (e.g. Cavity encompassing 30-50% of the circumference of the trunk, multiple pruning wounds with decay along a branch).
4. **Severe** - Defects are very severe (e.g. heartrot decay sporophores or conks in main stem; cavity encompassing more than 50% of the truck, codominant stems with included bark).

#### Size of Defective Part

1. most likely failure less than 15cm in diameter
2. most likely failure less than 15-45cm in diameter
3. most likely failure less than 45-75cm in diameter
4. most likely failure greater than 75cm in diameter

#### Target Rating

1. occasional use (e.g. Open parkland, etc)
2. intermittent use (e.g. Picnic area, day parking)
3. frequent use (e.g. Jogging Track, storage facilities)
4. constant use (e.g. Year-round use for a number of hours for each day, residences, etc)

The hazard evaluation system provides a simple process for Arborists to assess/process the danger and risks associated with trees. This includes death/injury to people and damage to infrastructure from falling branches. The rating system does not define danger. It provides a system for managing trees that could present high risk of failure.



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## TREE ASSESSMENT & CONDITION REPORT

**Client:** Latrobe City Council, Chris Dash

**Date & Time of Inspection:** 10.15am, 11<sup>th</sup> of March 2014.

**Address/Location:** In park land area beside 57 Haunted Hill Road, Newborough.

**Botanical Name:** *Eucalyptus obliqua*, tree 2

**Common Name:** Messmate gum tree

**Tree Details:** 17 meters **tall**, 9 meters **wide**,  
40+ **age (estimate)**, **D.B.H.** 47cm

### Tree Condition:

#### Health:

**Excellent**      **Good**      **Average**      **Poor**

**Comments:** The annual growth extension and foliage density factors are good to average for this species. There is a small amount of deadwood and small amount of epercornic growth throughout the canopy. The callous tissue on old pruning wounds appears in good condition. There is no evidence of insect and fungal damage observed during the inspection.

#### Branch formation:

**Excellent**      **Good**      **Average**      **Poor**

**Comments:** The weight distribution throughout the canopy is slightly uneven. There is a minor co dominate stem in the upper canopy with no obvious included bark. The tree has a natural lean in the northerly direction as a result of shading by nearby trees.

#### Site Suitability:

**Excellent**      **Good**      **Average**      **Poor**

**Comments:** The tree is located within a park land area with a lane way and has intermediate vehicle traffic and foot traffic.



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**Insect-Fungal-Bacterial attack:**                      **Yes/No**

**Comments:** None were observed during the inspection period.

**Useful Life Expectancy:**                                      **20+ years.**

**Maintenance Requirements:**

**Comments:** None.

**Hazard rating:** 6/12 Medium Hazard Rating. (Refer to attachment)

**Reason for this Report:**

**Comments:** Latrobe City Council staff requires the trees to be assessed for their health and safety factors.

**RECOMMENDATIONS:**

- 1. That the Messmate Gum tree be retained and re-inspected in 12 months time for the date of this report by a suitably qualified and experience arborist.**



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**Messmate Gum, tree 2**



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## APPENDIX

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#### Failure Potential:

1. **Low** – Defects are minor (e.g. Dieback of twigs, small wounds with good woundwood development).
2. **Medium** – Defects are present and obvious (e.g. Cavity encompassing 10-25% of the circumference of the trunk, codominant stems without included bark).
3. **High** – Defect a numerous and/or significant (e.g. Cavity encompassing 30-50% of the circumference of the trunk, multiple pruning wounds with decay along a branch).
4. **Severe** - Defects are very severe (e.g. heartrot decay sporophores or conks in main stem; cavity encompassing more than 50% of the truck, codominant stems with included bark).

#### Size of Defective Part

1. most likely failure less than 15cm in diameter
2. most likely failure less than 15-45cm in diameter
3. most likely failure less than 45-75cm in diameter
4. most likely failure greater than 75cm in diameter

#### Target Rating

1. occasional use (e.g. Open parkland, etc)
2. intermittent use (e.g. Picnic area, day parking)
3. frequent use (e.g. Jogging Track, storage facilities)
4. constant use (e.g. Year-round use for a number of hours for each day, residences, etc)

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## TREE ASSESSMENT & CONDITION REPORT

**Client:** Latrobe City Council, Chris Dash

**Date & Time of Inspection:** 10.30am, 11<sup>th</sup> of March 2014.

**Address/Location:** In park land area beside 57 Haunted Hill Road, Newborough.

**Botanical Name:** *Eucalyptus obliqua*, tree 3

**Common Name:** Messmate gum tree

**Tree Details:** 17 meters **tall**, 11 meters **wide**,  
40+ **age (estimate)**, **D.B.H.** 62cm

### Tree Condition:

#### Health:

**Excellent**      **Good**      **Average**      **Poor**

**Comments:** The annual growth extension and foliage density factors are average for this species. There is a small amount of deadwood and small amount of epercornic growth throughout the canopy. The callous tissue on old pruning wounds appears in good condition. There is evidence of a minor amount of insect damage to the bark only that was observed during the inspection.

### Branch formation:

**Excellent**      **Good**      **Average**      **Poor**

**Comments:** The weight distribution throughout the canopy is slightly uneven. There is a minor co dominate stem in the upper canopy with no obvious included bark. The tree has shed only minor limbs in the past. The tree has a natural lean in the southerly direction as a result of shading by nearby trees.

### Site Suitability:

**Excellent**      **Good**      **Average**      **Poor**

**Comments:** The tree is located within a park land area with a lane way and has intermediate vehicle traffic and foot traffic. The house 55 Haunted Hill Road is within the possible fall zone area.



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**Insect-Fungal-Bacterial attack:** **Yes/No**

**Comments:** A minor amount of insect damage to the bark only was observed during the inspection period.

**Useful Life Expectancy:** **20+ years.**

**Maintenance Requirements:**

**Comments:** None.

**Hazard rating:** 6/12 Medium Hazard Rating. (Refer to attachment)

**Reason for this Report:**

**Comments:** Latrobe City Council staff requires the trees to be assessed for their health and safety factors.

**RECOMMENDATIONS:**

- 1. That the Messmate Gum tree be retained and re-inspected in 12 months time for the date of this report by a suitably qualified and experience arborist.**



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Messmate Gum, tree 3



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#### Failure Potential:

1. **Low** – Defects are minor (e.g. Dieback of twigs, small wounds with good woundwood development).
2. **Medium** – Defects are present and obvious (e.g. Cavity encompassing 10-25% of the circumference of the trunk, codominant stems without included bark).
3. **High** – Defect a numerous and/or significant (e.g. Cavity encompassing 30-50% of the circumference of the trunk, multiple pruning wounds with decay along a branch).
4. **Severe** - Defects are very severe (e.g. heartrot decay sporophores or conks in main stem; cavity encompassing more than 50% of the truck, codominant stems with included bark).

#### Size of Defective Part

1. most likely failure less than 15cm in diameter
2. most likely failure less than 15-45cm in diameter
3. most likely failure less than 45-75cm in diameter
4. most likely failure greater than 75cm in diameter

#### Target Rating

1. occasional use (e.g. Open parkland, etc)
2. intermittent use (e.g. Picnic area, day parking)
3. frequent use (e.g. Jogging Track, storage facilities)
4. constant use (e.g. Year-round use for a number of hours for each day, residences, etc)

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## TREE ASSESSMENT & CONDITION REPORT

**Client:** Latrobe City Council, Chris Dash

**Date & Time of Inspection:** 10.45am, 11<sup>th</sup> of March 2014.

**Address/Location:** In park land area beside 57 Haunted Hill Road, Newborough.

**Botanical Name:** *Eucalyptus obliqua*, tree 4

**Common Name:** Messmate gum tree

**Tree Details:** 18 meters **tall**, 10 meters **wide**,  
 40+ **age (estimate)**, **D.B.H.** 62cm

### Tree Condition:

#### Health:

**Excellent**      **Good**      **Average**      **Poor**

**Comments:** The annual growth extension and foliage density factors are average for this species. There is a small amount of deadwood and small amount of epercornic growth throughout the canopy. The callous tissue on old pruning wounds appears in good condition. There is no evidence of insect and fungal damage observed during the inspection.

### Branch formation:

**Excellent**      **Good**      **Average**      **Poor**

**Comments:** The weight distribution throughout the canopy is slightly uneven. There is a minor co dominate stem in the upper canopy with no obvious included bark. The tree has been recently pruned back from the property line of 55 Haunted Hill Road. The tree has a natural lean in the northerly direction as a result of shading by nearby trees.

### Site Suitability:

**Excellent**      **Good**      **Average**      **Poor**

**Comments:** The tree is located within a park land area with a lane way and has intermediate vehicle traffic and foot traffic. The house 55 Haunted Hill Road is within the possible fall zone area.



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**Insect-Fungal-Bacterial attack:** Yes/No

**Comments:** None were observed during the inspection period.

**Useful Life Expectancy:** 20+ years.

**Maintenance Requirements:**

**Comments:** None.

**Hazard rating:** 6/12 Medium Hazard Rating. (Refer to attachment)

**Reason for this Report:**

**Comments:** Latrobe City Council staff requires the trees to be assessed for their health and safety factors.

**RECOMMENDATIONS:**

1. That the Messmate Gum tree be retained and re-inspected in 12 months time for the date of this report by a suitably qualified and experience arborist.



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**Messmate Gum, tree 4**



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## APPENDIX

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#### Failure Potential:

1. **Low** – Defects are minor (e.g. Dieback of twigs, small wounds with good woundwood development).
2. **Medium** – Defects are present and obvious (e.g. Cavity encompassing 10-25% of the circumference of the trunk, codominant stems without included bark).
3. **High** – Defect a numerous and/or significant (e.g. Cavity encompassing 30-50% of the circumference of the trunk, multiple pruning wounds with decay along a branch).
4. **Severe** - Defects are very severe (e.g. heartrot decay sporophores or conks in main stem; cavity encompassing more than 50% of the truck, codominant stems with included bark).

#### Size of Defective Part

1. most likely failure less than 15cm in diameter
2. most likely failure less than 15-45cm in diameter
3. most likely failure less than 45-75cm in diameter
4. most likely failure greater than 75cm in diameter

#### Target Rating

1. occasional use (e.g. Open parkland, etc)
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## TREE ASSESSMENT & CONDITION REPORT

**Client:** Latrobe City Council, Chris Dash

**Date & Time of Inspection:** 11.00am, 11<sup>th</sup> of March 2014.

**Address/Location:** In park land area beside 57 Haunted Hill Road, Newborough.

**Botanical Name:** *Eucalyptus obliqua*, tree 5

**Common Name:** Messmate gum tree

**Tree Details:** 19 meters **tall**, 9 meters **wide**,

50+ **age (estimate)**, **D.B.H.** 74cm

### Tree Condition:

#### Health:

**Excellent**      **Good**      **Average**      **Poor**

**Comments:** The annual growth extension and foliage density factors are average for this species. There is a small amount of deadwood and small amount of epicormic growth throughout the canopy. The callous tissue on old pruning wounds appears in good condition. There is evidence of a minor amount of insect damage to the bark only that was observed during the inspection.

### Branch formation:

**Excellent**      **Good**      **Average**      **Poor**

**Comments:** The weight distribution throughout the canopy is uneven. The tree is multi-stemmed from the base with no obvious included bark observed. The tree has been recently pruned back from the property line of 55 Haunted Hill Road. The tree has a natural lean in the southerly direction as a result of shading by nearby trees.

### Site Suitability:

**Excellent**      **Good**      **Average**      **Poor**

**Comments:** The tree is located within a park land area with a lane way and has intermediate vehicle traffic and foot traffic. The house 55 Haunted Hill Road is within the possible fall zone area.



RMB 3154, Traralgon South, VIC, 3844  
Office - 03 51 955 099  
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Mobile - 0437791099

**Insect-Fungal-Bacterial attack:** **Yes/No**

**Comments:** A minor amount of insect damage to the bark only was observed during the inspection period.

**Useful Life Expectancy:** **20+ years.**

**Maintenance Requirements:**

**Comments:** None.

**Hazard rating:** 6/12 Medium Hazard Rating. (Refer to attachment)

**Reason for this Report:**

**Comments:** Latrobe City Council staff requires the trees to be assessed for their health and safety factors.

**RECOMMENDATIONS:**

- 1. That the Messmate Gum tree be retained and re-inspected in 12 months time for the date of this report by a suitably qualified and experience arborist.**



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**Messmate Gum, tree 5**



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## APPENDIX

### HAZARD RATING SYSTEM/FORMULA EXPLATATION

This hazard rating system is endorsed by the International Society of Arboriculture from *Evaluation of Hazard Trees in Urban Areas, 2<sup>nd</sup> edition*, Matheny & Clark, 1994. The scoring system is listed below by category that best fits the tree being assessed.

#### Failure Potential:

1. **Low** – Defects are minor (e.g. Dieback of twigs, small wounds with good woundwood development).
2. **Medium** – Defects are present and obvious (e.g. Cavity encompassing 10-25% of the circumference of the trunk, codominant stems without included bark).
3. **High** – Defect a numerous and/or significant (e.g. Cavity encompassing 30-50% of the circumference of the trunk, multiple pruning wounds with decay along a branch).
4. **Severe** - Defects are very severe (e.g. heartrot decay sporophores or conks in main stem; cavity encompassing more than 50% of the truck, codominant stems with included bark).

#### Size of Defective Part

1. most likely failure less than 15cm in diameter
2. most likely failure less than 15-45cm in diameter
3. most likely failure less than 45-75cm in diameter
4. most likely failure greater than 75cm in diameter

#### Target Rating

1. occasional use (e.g. Open parkland, etc)
2. intermittent use (e.g. Picnic area, day parking)
3. frequent use (e.g. Jogging Track, storage facilities)
4. constant use (e.g. Year-round use for a number of hours for each day, residences, etc)

The hazard evaluation system provides a simple process for Arborists to assess/process the danger and risks associated with trees. This includes death/injury to people and damage to infrastructure from falling branches. The rating system does not define danger. It provides a system for managing trees that could present high risk of failure.



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## TREE ASSESSMENT & CONDITION REPORT

**Client:** Latrobe City Council, Chris Dash

**Date & Time of Inspection:** 11.15am, 11<sup>th</sup> of March 2014.

**Address/Location:** In park land area beside 57 Haunted Hill Road, Newborough.

**Botanical Name:** *Eucalyptus obliqua*, tree 6

**Common Name:** Messmate gum tree

**Tree Details:** 23 meters **tall**, 16 meters **wide**,  
70+ **age (estimate)**, **D.B.H.** 95cm

### Tree Condition:

#### Health:

**Excellent**      **Good**      **Average**      **Poor**

**Comments:** The annual growth extension and foliage density factors are good to average for this species. There is a small amount of deadwood and small amount of epercormic growth throughout the canopy. The callous tissue on old pruning wounds appears in good condition. There is no evidence of insect and fungal damage observed during the inspection.

#### Branch formation:

**Excellent**      **Good**      **Average**      **Poor**

**Comments:** The weight distribution throughout the canopy is slightly uneven. The tree is multi-stemmed with no obvious included bark observed. The tree has shed minor limbs in the past. The tree has been pruned recently.

#### Site Suitability:

**Excellent**      **Good**      **Average**      **Poor**

**Comments:** The tree is located within a park land area with a lane way and has intermediate vehicle traffic and foot traffic. The house 55 Haunted Hill Road is within the possible fall zone area.



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**Insect-Fungal-Bacterial attack:**                      **Yes/No**

**Comments:** None were observed during the inspection period.

**Useful Life Expectancy:**                                      **20+ years.**

**Maintenance Requirements:**

**Comments:** None.

**Hazard rating:** 6/12 Medium Hazard Rating. (Refer to attachment)

**Reason for this Report:**

**Comments:** Latrobe City Council staff requires the trees to be assessed for their health and safety factors.

**RECOMMENDATIONS:**

- 1. That the Messmate Gum tree be retained and re-inspected in 12 months time for the date of this report by a suitably qualified and experience arborist.**



**TREEMENDOUS  
LANDSCAPES**

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**Messmate Gum, tree 6**



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## APPENDIX

### HAZARD RATING SYSTEM/FORMULA EXPLATATION

This hazard rating system is endorsed by the International Society of Arboriculture from *Evaluation of Hazard Trees in Urban Areas, 2<sup>nd</sup> edition*, Matheny & Clark, 1994. The scoring system is listed below by category that best fits the tree being assessed.

#### Failure Potential:

1. **Low** – Defects are minor (e.g. Dieback of twigs, small wounds with good woundwood development).
2. **Medium** – Defects are present and obvious (e.g. Cavity encompassing 10-25% of the circumference of the trunk, codominant stems without included bark).
3. **High** – Defect a numerous and/or significant (e.g. Cavity encompassing 30-50% of the circumference of the trunk, multiple pruning wounds with decay along a branch).
4. **Severe** - Defects are very severe (e.g. heartrot decay sporophores or conks in main stem; cavity encompassing more than 50% of the truck, codominant stems with included bark).

#### Size of Defective Part

1. most likely failure less than 15cm in diameter
2. most likely failure less than 15-45cm in diameter
3. most likely failure less than 45-75cm in diameter
4. most likely failure greater than 75cm in diameter

#### Target Rating

1. occasional use (e.g. Open parkland, etc)
2. intermittent use (e.g. Picnic area, day parking)
3. frequent use (e.g. Jogging Track, storage facilities)
4. constant use (e.g. Year-round use for a number of hours for each day, residences, etc)

The hazard evaluation system provides a simple process for Arborists to assess/process the danger and risks associated with trees. This includes death/injury to people and damage to infrastructure from falling branches. The rating system does not define danger. It provides a system for managing trees that could present high risk of failure.



# COMMUNITY LIVEABILITY

**15. COMMUNITY LIVEABILITY**

Nil reports

# PLANNING AND GOVERNANCE

**16. PLANNING AND GOVERNANCE**

**16.1 DOCUMENTS PRESENTED FOR SIGNING AND SEALING**

**GENERAL MANAGER**

**Planning and Governance**

**For Decision**

**DECLARATION OF INTEREST**

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

**DOCUMENTS**

1065967	<p>Boundary Roads Agreement between Latrobe City Council and South Gippsland Shire Council pursuant to the following recitals:</p> <ul style="list-style-type: none"><li>(a) Each party has operational responsibility for those parts of the road that lie within its municipal district. These include roads that start in one municipality and end in the other municipality and / or where the municipal boundary runs down the centre of the road or is immediately adjacent. Bridges that traverse watercourses that delineate the municipal boundary are also included.</li><li>(b) Under Section 15 of the Road Management Act 2004, a road authority may enter into an arrangement with another road authority to transfer a road management function.</li><li>(c) The parties have agreed to vary operational responsibilities between each other in respect of the roads referred to in this agreement on the terms and conditions of this agreement.</li></ul>
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**Attachments  
Nil**

**RECOMMENDATION**

- 1. That Council authorises the Chief Executive Officer to sign and seal Boundary Roads Agreement between Latrobe City Council and South Gippsland Shire Council.**

# 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 18.1 *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 18.2 *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 AUDIT COMMITTEE MINUTES REPORT

**Agenda item 18.3 *Audit Committee Minutes Report* 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 BAD DEBTS REPORT - JANUARY 2014

**Agenda item 18.4 *BAD DEBTS REPORT - JANUARY 2014* is designated as confidential as it relates to personal hardship of any resident or ratepayer (s89 2b)**



- 18.5 LCC-153 RECONSTRUCTION OF INTERSECTION AT OLD SALE ROAD AND HAIGH STREET, NEWBOROUGH**  
Agenda item 18.5 *LCC-153 RECONSTRUCTION OF INTERSECTION AT OLD SALE ROAD AND HAIGH STREET, NEWBOROUGH* is designated as confidential as it relates to contractual matters (s89 2d)
- 18.6 LCC-158 PROVISION OF ELECTRICAL TESTING AND TAGGING SERVICES AT LATROBE CITY COUNCIL PREMISES**  
Agenda item 18.6 *LCC-158 PROVISION OF ELECTRICAL TESTING AND TAGGING SERVICES AT LATROBE CITY COUNCIL PREMISES* is designated as confidential as it relates to contractual matters (s89 2d)
- 18.7 LCC-163 UPGRADE TO LIGHTING AND GUIDANCE SYSTEMS AT LATROBE REGIONAL AIRPORT**  
Agenda item 18.7 *LCC-163 UPGRADE TO LIGHTING AND GUIDANCE SYSTEMS AT LATROBE REGIONAL AIRPORT* is designated as confidential as it relates to contractual matters (s89 2d)
- 18.8 LCC-165 SOUTHERN STORMWATER DRAINAGE AUGMENTATION AT LATROBE REGIONAL AIRPORT**  
Agenda item 18.8 *LCC-165 SOUTHERN STORMWATER DRAINAGE AUGMENTATION AT LATROBE REGIONAL AIRPORT* is designated as confidential as it relates to contractual matters (s89 2d)
- 18.9 LCC-166 DESIGN AND REMEDIATION OF A LANDSLIP AT LYNDONS ROAD, CALLIGNEE**  
Agenda item 18.9 *LCC-166 DESIGN AND REMEDIATION OF A LANDSLIP AT LYNDONS ROAD, CALLIGNEE* is designated as confidential as it relates to contractual matters (s89 2d)
- 18.10 ORGANISATIONAL STRUCTURE**  
Agenda item 18.10 *Organisational Structure* is designated as confidential as it relates to personnel matters (s89 2a)