



# LATROBE CITY COUNCIL

## MINUTES FOR THE ORDINARY COUNCIL

**HELD IN NAMBUR WARIGA MEETING ROOM  
CORPORATE HEADQUARTERS, MORWELL  
AT 6.00 PM ON  
09 FEBRUARY 2015**

**CM456**

**PRESENT:**

<b>Councillors:</b>	Cr Dale Harriman, Mayor	East Ward
	Cr Peter Gibbons, Deputy Mayor	West Ward
	Cr Sandy Kam	East Ward
	Cr Graeme Middlemiss	Central Ward
	Cr Kellie O'Callaghan	East Ward
	Cr Michael Rossiter	East Ward
	Cr Christine Sindt	Central Ward
	Cr Darrell White	South Ward
<b>Officers:</b>	Gary Van Driel	Chief Executive Officer
	Sara Rhodes-Ward	General Manager Community Liveability
	Phil Stone	General Manager Planning & Economic Sustainability
	Alison Coe	General Manager Corporate Services
	Steven Piasente	General Manager Community Infrastructure & Recreation
	Sarah Cumming	Executive Manager
	Amy Phillips	Coordinator Governance
	Katrina Pizzi	Council Operations Administration Officer

**ORDINARY COUNCIL MEETING MINUTES  
09 FEBRUARY 2015 (CM456)**

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**ORDINARY COUNCIL MEETING MINUTES  
09 FEBRUARY 2015 (CM456)**

1. **OPENING PRAYER**
2. **ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND**
3. **APOLOGIES AND LEAVE OF ABSENCE**

Cr Sharon Gibson

4. **DECLARATION OF CONFLICT OF INTEREST**

Cr Kam declared a Conflict of Interest in item 17.13 - Moe Rail Precinct Revitalisation Project - Stage 1 - Engagement of Consultant Team.

Cr Harriman declared a Conflict of Interest in Item 10.2 - Traralgon City Band Tour of Remembrance - Invitation to Mayor.

Cr Harriman declared a Conflict of Interest in Item 13.4 - Amendment C87 - Traralgon Growth Areas Review - Report to consider the submissions received during the exhibition period.

Cr O'Callaghan declared an Interest in item 13.4 - Amendment C87 - Traralgon Growth Areas Review - Report to consider the submissions received during the exhibition period.

Cr O'Callaghan declared an interest in item 17.12 - 2 2014/15 Community Grant - Request from Good Beginnings for Change of Project.

Cr White declared an Interest in item 17.5 - Mayoral Sponsorship Requests.

5. **ADOPTION OF MINUTES**

**RECOMMENDATION**

**That the minutes of the Ordinary Council Meeting held on 15 December 2014 and Special Council Meeting held on 18 December 2014 be confirmed.**

**Moved:** Cr White  
**Seconded:** Cr Middlemiss

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

6. PUBLIC QUESTION TIME

**Suspension of Standing Orders**

**Moved:** Cr Rossiter  
**Seconded:** Cr Kam

**That Standing Orders be suspended to allow members of the gallery to address Council in support of their submissions.**

**CARRIED UNANIMOUSLY**

**Standing Orders were suspended at 6.03pm.**

Mr Alistair Tompkin addressed Council in relation to item 13.1 - Planning Permit Application 2014/236 - Construction of five single dwellings and a five lot subdivision at 145 Riverslea Boulevard, Traralgon.

Mr Geoff Klegg addressed Council in relation to item 13.5 - Planning Permit Application 2014/70-23 Lot Subdivision ,Creation of Common Property and associated works at 94-110 Bridle Road, Morwell.

**Resumption of Standing Orders**

**Moved:** Cr Gibbons  
**Seconded:** Cr Sindt

**That Standing Orders be resumed.**

**CARRIED UNANIMOUSLY**

**Standing Orders were resumed at 6.09 pm.**

**ORDINARY COUNCIL MEETING MINUTES  
09 FEBRUARY 2015 (CM456)**

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

<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>	<b>Responsible Officer</b>
19/09/11	Traralgon Activity Centre Plan Key Directions Report	<p>That having considered all submissions received in respect to the Stage 2 Key Directions Report September 2011, Council resolves the following:</p> <ol style="list-style-type: none"> <li>1. To defer the endorsement of the Stage 2 Key Directions Report September 2011 until:               <ol style="list-style-type: none"> <li>a) Council has been presented with the Traralgon Growth Area Review</li> <li>b) Council has received information on the results of the Latrobe Valley Bus Review</li> </ol> </li> <li>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.</li> <li>3. That Council proceeds with the Parking Precinct Plan and investigate integrated public parking solutions.</li> <li>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.</li> <li>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).</li> </ol>	<ol style="list-style-type: none"> <li>1. <u>Status:</u> A review of Traralgon Activity Centre Plan project required to be undertaken by officers following adoption of Traralgon Growth Areas Review. Draft discussion paper currently being prepared.</li> <li>2. <u>Status:</u> Letter sent 10 August 2010. Response received 24 August 2010.</li> <li>3. <u>Status:</u> Letter sent 10 October 2011. No response received.</li> <li>4. <u>Status:</u> Parking Strategy completed September 2013. Planning Scheme Amendment Process commenced. Council report requesting to proceed schedule for 9 February 2015 Ordinary Council Meeting.</li> <li>5. <u>Status:</u> Adopted by Council 6 February 2012</li> <li>6. <u>Status:</u> Working Party endorsed by Council, 20 February 2012</li> </ol>	General Manager Planning and Economic Sustainability

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

Council Meeting Date	Item	Resolution	Status Update	Responsible Officer
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.	Investigations continuing into a possible mechanism for this purpose.	Office of the Chief Executive
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.	Preparation underway to commence negotiations for a new lease. A further report to be presented to Council.  Discussion has progressed with the leasing of the land to the Traralgon Greyhound Racing Club.  A rental valuation is being obtained from independent valuer.  A report will be presented to Council in 2015.	Office of the Chief Executive
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>	This project is currently under review, with a Council report to be presented to Council in 2015.	General Manager Community Liveability
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.	Item on hold pending adoption of a Terms of Reference for Advisory Committees. A further report will be presented to Council once the Terms of Reference is adopted.	General Manager Planning & Economic Sustainability

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

Council Meeting Date	Item	Resolution	Status Update	Responsible Officer
6/11/13	Latrobe Regional Motorsport Complex	<ol style="list-style-type: none"> <li>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.</li> <li>2. That Council officers meet with Energy Australia to discuss other possible sites for a motorsports complex on their land.</li> <li>3. That a further report be presented to Council at such time that site options have been investigated.</li> </ol>	<p>Initial advice from Energy Australia and HVP is that land is not currently available for this use. Officers continuing to work with both parties to identify potential sites for further investigation.</p> <p>An on-site meeting with Cr Middlemiss occurred in December 2014 to investigate further site options.</p> <p>Further evaluation will be undertaken of sites identified during on-site meeting.</p> <p>Further report to be presented to Council in 2015.</p>	General Manager Community, Infrastructure & Recreation
19/05/14	Drainage Investigation At Adam View Court, Tanjil South	That Council defer consideration of this item, so that a meeting between the Acting CEO, Mrs Kellie Fraser, the neighbouring property owners and the West Gippsland Catchment Management Authority, can be undertaken to explore the most appropriate options to mitigate the flooding issues.	Report to be considered at the Ordinary Council Meeting 9 February 2015 in closed Council.	General Manager Community Infrastructure & Recreation
21/7/14	Cultural Diversity Action Plan 2014-2018	<ol style="list-style-type: none"> <li>1. That the draft Cultural Diversity Action Plan 2014-2018 be released for community comment in accordance with the Community Engagement Plan 2010 – 2014 from 22 July 2014 to 23 September 2014.</li> <li>2. That following the community consultation process a further report on the Cultural Diversity Action Plan 2014-2018 be presented to Council for consideration.</li> </ol>	Report to be presented to Council at the Ordinary Council Meeting 9 February 2015.	General Manager Community Liveability



## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

Council Meeting Date	Item	Resolution	Status Update	Responsible Officer
13/10/14	Draft Community Engagement Strategy And Action Plan 2015-2019 - Community Consultation	<ol style="list-style-type: none"> <li>That Council approves the draft Community Engagement Strategy and Action Plan 2015-2019 be released for community consultation for four weeks from Monday, 20 October 2014 to Friday, 14 November 2014.</li> <li>That following the community consultation process a further report on the Community Engagement Strategy and Action Plan 2015-2019 be presented to Council for consideration.</li> </ol>	<p>The draft Strategy is being finalised following the community engagement period.</p> <p>A report will be presented to Council with the final Strategy in March 2015.</p>	Office of the Chief Executive
13/10/14	Churchill and District Community Hub Strategic Plan 2014 – 2018	<p>Council release the draft Churchill and District Community Hub Strategic Plan 2014-2018 and,</p> <ol style="list-style-type: none"> <li>Release the Plan for public comment for a period of 6 weeks.</li> <li>A further report be presented to Council at the Ordinary Council meeting 15 December 2014 to consider any submissions to the draft Churchill and District Community Hub Strategic Plan 2014 – 2018.</li> </ol>	<p>The Draft Churchill and District Community Hub Strategic Plan was released for public consultation in late January for a period of 6 weeks. A further report is scheduled to be considered at the Ordinary Council Meeting 23 March 2015 detailing the community feedback.</p>	Community Liveability
5/11/14	Family Day Care Funding	<ol style="list-style-type: none"> <li>That Council note the report.</li> <li>That a detailed report be presented to Council in February 2015 following assessment of the ongoing feasibility of the Latrobe City Council Family Day Care scheme.</li> <li>That Council write to the Federal Minister for Education the Hon. Susan Ley and State Minister for Children and Early Childhood Development the Hon. Wendy Lovell MLC requesting confirmation of 2015/16 Community Support Program funding for Latrobe City Council by no later than 20 January 2015</li> </ol>	<p>Report to be presented to Council at the Ordinary Council Meeting 9 February 2015.</p>	General Manager Community Liveability

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

Council Meeting Date	Item	Resolution	Status Update	Responsible Officer
24/11/14	Councillors Quarterly Expenses Report - July - September 2014	That Council be provided with a CEO Expense report at the next Ordinary Council Meeting 15 December 2014 for the period December 2013 to end of November 2014, and that this report be tabled in open Council.	A report has been provided for Council consideration at the closed meeting held on 15 December 2014. This matter is currently progressing, with a second report being presented to Council at the Ordinary Meeting 9 February 2015 in closed Council.	Executive Manager Office of the Chief Executive
24/11/14	Review Of Council Meeting Cycle	That Council: <ol style="list-style-type: none"> <li>1. Maintain a three-weekly Council Meeting cycle.</li> <li>2. Begin Ordinary Council Meetings at 6:00pm.</li> <li>3. Distribute the final Ordinary Council Meeting Agenda to the public, six (6) days prior, to the Ordinary Council Meeting.</li> <li>4. Review the meeting cycle after an eight-month period and a further report be presented to Council in July 2015 with a review of the changes.</li> </ol>	Report to be prepared to Council in July 2015.	Executive Manager Office of the Chief Executive
24/11/14	Moe Golf Club	That Council defer consideration of this matter to a future Council Meeting to enable officers to undertake further investigation.	Report to be presented to Council at the Ordinary Council Meeting 9 February 2015.	General Manager Community Infrastructure & Recreation

# 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**

Nil reports

# CORRESPONDENCE

10. CORRESPONDENCE

**10.1 CLOSURE OF THE ABC GIPPSLAND OFFICE, MORWELL**

Executive Manager

Office of the Chief Executive

For Decision

**PURPOSE**

To provide Councillors with the responses received in relation to the Australian Broadcasting Corporation (ABC) Morwell office closure.

**EXECUTIVE SUMMARY**

At the Council Meeting held on 24 November 2014, Council resolved:

*That Latrobe City Council recognises the valuable work of our regional ABC network through promoting community conversations, providing localised news services and content, debating local issues and providing essential notification of emergency service information during times of crisis including dedicated weekend and evening reporting services.*

*ABC Gippsland was recently recognised for 10 outstanding years supporting the Victorian community as an Emergency Broadcaster yet due to reduction in staffing levels, has been unable to provide those same award winning services during the region's most recent emergency events.*

*In support of the valuable work of ABC Gippsland the Mayor:*

- *Write to the Federal Members for Gippsland and McMillan and the Managing Director of the ABC asking that ABC Gippsland be quarantined from the proposed budget cuts and that services return to their pre-2012 levels.*

Letters were sent on 25 November 2014 from the Mayor to the Managing Director of the ABC, as well as the Member for Gippsland and the Member for McMillan (attached).

Responses have been received from the Member for Gippsland as well as a response from the ABC (attached).

**Moved:** Cr White  
**Seconded:** Cr Rossiter

**That Council notes the action taken to support the ABC Morwell office from closure and the responses received on this matter.**

**CARRIED UNANIMOUSLY**



**DECLARATION OF INTEREST**

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

**Attachments**

1. Letter sent from the Mayor to the ABC
2. Letter sent from the Mayor to the Federal Member for Gippsland
3. Letter sent from the Mayor to the Federal Member for McMillan
4. Initial Response from Darren Chester, Federal Member of Gippsland
5. Second Response from Darren Chester, Federal Member of Gippsland
6. Response from Kevin McAlinde, Acting Head, Audience and Consumer Affairs,  
ABC

## 10.1

### Closure of the ABC Gippsland Office, Morwell

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6	Response from Kevin McAlinde, Acting Head, Audience and Consumer Affairs, ABC.....	37

Our Ref: «DataWorks no»  
DH:SC

25 November 2014

Mr Mark Scott  
Managing Director:  
Australian Broadcasting Corporation  
GPO Box 9994  
SYDNEY NSW 2001

Dear Mr Scott

### **RECOGNITION OF REGIONAL ABC NETWORK**

That Latrobe City Council recognises the valuable work of our regional ABC network through promoting community conversations, providing localised news services and content, debating local issues and providing essential notification of emergency service information during times of crisis including dedicated weekend and evening reporting services.

ABC Gippsland was recently recognised for 10 outstanding years supporting the Victorian community as an Emergency Broadcaster yet due to reduction in staffing levels, has been unable to provide those same award winning services during the region's most recent emergency events.

At its Ordinary Council Meeting held on 24 November 2014 Council resolved to:

*In support of the valuable work of ABC Gippsland the Mayor:*

- *Write to the Federal Members for Gippsland and McMillan and the Managing Director of the ABC asking that ABC Gippsland be quarantined from the proposed budget cuts and that services return to their pre-2012 levels.*

Accordingly, we seek your action to have ABC Gippsland quarantined from the proposed budget cuts, and to have ABC Services returned to their pre-2012 levels

Should you require any further information the contact officer at Latrobe City Council is John Mitchell Acting Chief Executive Officer. John can be contacted on (03) 5128 5413 or via email [John.Mitchell@latrobe.vic.gov.au](mailto:John.Mitchell@latrobe.vic.gov.au).

Yours sincerely

CR DALE HARRIMAN  
**Mayor**

cc The Hon Darren Chester MP  
Member for Gippsland Victoria  
PO Box 6022  
House of Representatives  
Parliament House  
CANBERRA ACT 2600

Mr Russell Broadbent MP  
Member for McMillan Victoria  
PO Box 6022  
House of Representatives  
Parliament House  
CANBERRA ACT 2600

Our Ref: «DataWorks no»  
DH:SC

25 November 2014

The Hon Darren Chester MP  
Member for Gippsland Victoria  
PO Box 6022  
House of Representatives  
Parliament House  
CANBERRA ACT 2600

Dear Mr Chester

### **RECOGNITION OF REGIONAL ABC NETWORK**

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Accordingly, we seek your action to have ABC Gippsland quarantined from the proposed budget cuts, and to have ABC Services returned to their pre-2012 levels

Should you require any further information the contact officer at Latrobe City Council is John Mitchell Acting Chief Executive Officer. John can be contacted on (03) 5128 5413 or via email [John.Mitchell@latrobe.vic.gov.au](mailto:John.Mitchell@latrobe.vic.gov.au).

Yours sincerely

CR DALE HARRIMAN  
**Mayor**

cc Mr Russell Broadbent MP  
Member for McMillan Victoria  
PO Box 6022  
House of Representatives  
Parliament House  
CANBERRA ACT 2600

Mr Mark Scott  
Managing Director:  
Australian Broadcasting Corporation  
GPO Box 9994  
SYDNEY NSW 2001

Our Ref: «DataWorks no»  
DH:SC

25 November 2014

Mr Russell Broadbent MP  
Member for McMillan Victoria  
PO Box 6022  
House of Representatives  
Parliament House  
CANBERRA ACT 2600

Dear Mr Broadbent

### **RECOGNITION OF REGIONAL ABC NETWORK**

That Latrobe City Council recognises the valuable work of our regional ABC network through promoting community conversations, providing localised news services and content, debating local issues and providing essential notification of emergency service information during times of crisis including dedicated weekend and evening reporting services.

ABC Gippsland was recently recognised for 10 outstanding years supporting the Victorian community as an Emergency Broadcaster yet due to reduction in staffing levels, has been unable to provide those same award winning services during the region's most recent emergency events.

At its Ordinary Council Meeting held on 24 November 2014 Council resolved to:

*In support of the valuable work of ABC Gippsland the Mayor:*

- *Write to the Federal Members for Gippsland and McMillan and the Managing Director of the ABC asking that ABC Gippsland be quarantined from the proposed budget cuts and that services return to their pre-2012 levels.*

Accordingly, we seek your action to have ABC Gippsland quarantined from the proposed budget cuts, and to have ABC Services returned to their pre-2012 levels

Should you require any further information the contact officer at Latrobe City Council is John Mitchell Acting Chief Executive Officer. John can be contacted on (03) 5128 5413 or via email [John.Mitchell@latrobe.vic.gov.au](mailto:John.Mitchell@latrobe.vic.gov.au).

Yours sincerely

CR DALE HARRIMAN  
**Mayor**

cc The Hon Darren Chester MP  
Member for Gippsland Victoria  
PO Box 6022  
House of Representatives  
Parliament House  
CANBERRA ACT 2600

Mr Mark Scott  
Managing Director:  
Australian Broadcasting Corporation  
GPO Box 9994  
SYDNEY NSW 2001





## Darren Chester

Federal Member for Gippsland

December 2, 2014

Cr Dale Harriman  
Mayor  
Latrobe City Council  
PO Box 264  
MORWELL VIC 3840

Dear Cr Harriman

Thank you for contacting me to convey the Latrobe City Council's concerns with ABC funding and programming.

The ABC provides a vital communication link to the public during emergency situations, such as bushfire or flood. It is also popular among the local community and I appreciate that Gippslanders are anxious for some assurance that programming will not be affected by the current restructure.

By way of background, the Australian taxpayer provides, and will continue to provide, the ABC more than \$1 billion a year to deliver broadcasting and digital media services in line with its charter obligations.

In early 2014, the Minister for Communications, Malcolm Turnbull, established an Efficiency Study, which ABC management was involved in, identifying a range of areas where significant operational efficiencies or savings could be achieved.

As a result of this study, the government announced that the ABC will receive \$5.2 billion over five years rather than \$5.5 billion, which is an average saving of 4.6 percent per year.

I was deeply disappointed to hear the ABC will close its Morwell office. This satellite office has covered a number of important local and national stories this year and having a journalist on the ground has no doubt contributed to this. I believe this decision is another example of the twisted priorities of the city-centric ABC management team.

I have made representations to Managing Director Mark Scott, seeking clarification on why he chose to close the ABC's Morwell office, when there is a strong argument the organisation could achieve savings without affecting regional areas. I have urged Mr Scott to reconsider this decision.

All correspondence to: PO Box 486 Sale Victoria 3853 Telephone: 1300 131 785  
Email: [darren.chester.mp@aph.gov.au](mailto:darren.chester.mp@aph.gov.au) Website: [www.darrenchester.com](http://www.darrenchester.com)

Regional Australian radio services are already lean and efficient. It's an odd management decision to close regional media operations ahead of bloated back-of-house operations in our city centres.

I also firmly believe regional taxpayers pay their share to fund the ABC and should get a better deal in the future.

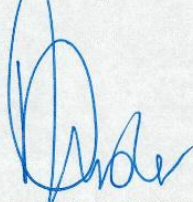
The government has been forced to act because it was elected to fix Labor's debt, and that no government-funded body should be immune from savings. We inherited a budgetary situation which required tough decisions.

The ABC shouldn't be immune to the same processes of every other taxpayer-funded organisation across Government. Even the Opposition Leader Bill Shorten indicated on ABC Statewide on November 24 that a Labor Government would make efficiency changes to the ABC.

I have enclosed a copy of my media statement and transcript on this issue which I trust you find to be of interest.

Again, thank you for taking the time to contact me and rest assured I will continue to make this case in the Parliament and to the board and management of the ABC.

Kind regards



**DARREN CHESTER**  
The Nationals



## Media Release Darren Chester

Federal Member for Gippsland

Tuesday, November 25, 2014

### **ABC MANAGEMENT WRONG ON MORWELL OFFICE CLOSURE**

Federal Member for Gippsland Darren Chester has criticised ABC management for flagging the closure of its Morwell office, when savings could have been found in other areas of the national broadcaster.

Mr Chester said the ABC would still receive \$5.2 billion over five years, instead of the \$5.5 billion originally planned and shouldn't be targeting regional areas for savings.

"I'm bitterly disappointed ABC management has turned straight to regional areas to achieve savings, when there is every indication the ABC has become a bloated bureaucracy in Melbourne and Sydney," Mr Chester said.

"It's a bizarre decision to shut down the Morwell newsroom, which has broken a number of important local and national stories this year. This is another example of the twisted priorities of the city-centric management team."

Mr Chester said ABC would likely end up paying back money saved from rent through increased travel expenses for journalists. It's understood the ABC will re-locate the Morwell journalist position to Sale – about 65km away.

"Managing Director Mark Scott said he understands the ABC's obligations to cover news in regional Australia and that's why closing the Morwell office, when other savings options were available, doesn't make sense," Mr Chester said.

ABC management had been involved in an efficiency study which found there was ample capacity for the ABC to achieve savings without impacting on programming, the MP said.

"The ABC has an obligation to provide services in regional and rural Australia – and this includes having journalists on the ground, with all the associated costs involved," Mr Chester said.

"Regional taxpayers pay their share to fund the ABC and should get a better deal in the future."

Mr Chester said the Lewis efficiency study of ABC and SBS operations showed savings could have been found in areas such as transmission costs and shared facilities and resources.

**Media Contact:** James Twining P: (03)51446744 M: 0428 998 544 james.twining@aph.gov.au www.darrenchester.com.au

The Federal Government had been forced to act because it was elected to fix Labor's debt, and that no government-funded body could be immune from savings, Mr Chester said.

"The government inherited a budgetary situation which requires significant changes to ensure the longer term sustainability of all government services," he said.

"The government is making sure the ABC operates as efficiently as possible, which happens with every other taxpayer-funded organisation.

"This is about making sure taxpayers' money is treated with respect."

Mr Chester said he had written to Mr Scott and would continue to make this case in the Parliament and ABC board and management.

**BILL SHORTEN  
INTERVIEW WITH NICOLE CHVASTEK,  
ABC DRIVE  
MONDAY 24 NOVEMBER 2014**

**NICOLE CHVASTEK:**

Bill Shorten, good afternoon.

**BILL SHORTEN:**

Good afternoon, Nicole.

**NICOLE CHVASTEK:**

Your reaction to the cuts?

**BILL SHORTEN:**

I think Tony Abbott's broken his election promise. He said clearly, unambiguously, black and white, he said there'll be no cuts to the ABC or SBS and that's exactly what they've done.

**NICOLE CHVASTEK:**

He also said that he had to get the Budget in order, that there is a Budget emergency, and that as circumstances change he is obliged, as Prime Minister, to move in accordance with those circumstances as they change.

**BILL SHORTEN:**

Well, this is Tony Abbott picking and choosing what promises he wants to keep. We didn't ask Tony Abbott before the last election to get people to vote for him based on what he said. That's up to him what he says to people and he said no cuts to the ABC.

**NICOLE CHVASTEK:**

Critics say that Mark Scott cut in the wrong places and that these losses are the ABC's fault.

**BILL SHORTEN:**

Well, I think it's a bit cute of Coalition members to say that they're unhappy with the Board of the ABC. They're the ones who vote for half a billion dollars' worth of cuts since they've got into power. I mean, you can't starve the organisation and then complain about the organisation's decisions. I mean, we saw this situation where Cabinet ministers are now organising petitions about the decision, yet they sit in Cabinet voting for these decisions. It's hilarious if it wasn't so serious.

**NICOLE CHVASTEK:**

The reality is, though, that there has been a raft of cuts right across the board, that there are many in the public service who have lost their jobs in recent years, that there are crack downs, and that a 5 per cent cut in income is a possibility that in the private sector real businesses facing market forces have to deal with every day. Why should the ABC be immune to that?

**BILL SHORTEN:**

I think the ABC is special. I think SBS is special. There's an important role for a public broadcaster. From early in the mornings when farmers are going out to do their work to the late hours – the night hours – when you've got truck drivers driving across Australia, the ABC is their wakeful companion. The ABC isn't just another milk bar, it isn't just another commodity; when it comes to emergency or cyclone or bush fire, it's the entity that we most trust. So, I don't accept the proposition that this is just the way of the world. I get that the ABC has got to constantly be improving. What I don't get is that the Government starves them of funds. So they've got the double whammy – they've got to reinvest in new technology and they need to feed Tony Abbott's broken promises.

**NICOLE CHVASTEK:**

Would you reserve the cuts if you came to office?

**BILL SHORTEN:**

We believe that the ABC should be maintained properly. We haven't finalised our proposition for government, but I make it very clear by my unambiguous opposition to this; we think that there's more things that a government can do than cut the ABC.

**NICOLE CHVASTEK:**

You can't criticise, though, if you're not in a position to say that you would reverse the cuts if you were in the same position.

**BILL SHORTEN:**

I can criticise, because Tony Abbott lied before the last election.

**NICOLE CHVASTEK:**

Would you reverse the cuts if you took office?

**BILL SHORTEN:**

We don't think the cuts need to be as deep as they are, absolutely.

**NICOLE CHVASTEK:**

I understand that you, in fact, were part of a rally yesterday at Federation Square. Can you take me through that?

**BILL SHORTEN:**

Well across Australia, ordinary people are saying that these cuts and the attack on the ABC is the final straw. We know the Government brought down an unfair budget. We know that they're changing the indexation rate of pensioners – they're lowering the indexation rate. We know that they're making it harder for children from modest backgrounds to go to university by increasing the cost of degrees. We know that they're putting – they call it a co-payment, we call it a GP tax – on sick and vulnerable people to go to the doctor. These are big issues. We know that the Government doesn't believe in climate change and they were embarrassed at the G20 when the rest of the world wanted to talk about it and this Government didn't. But for some people, I actually think these ABC cuts are indeed the final straw, not the biggest decision the Government has made, but the final straw, because the Government made very clear, and we just came out of Question Time where the Government just refuses to admit that these are cuts.

They said before the election you can vote for Liberal because there will be no cuts to education or health but clearly they are cutting funding to states. They said there would be no changes or new taxes, yet they've put a new petrol tax. They've started to reintroduce indexation of petrol taxes. And now they're cutting the ABC and SBS which they said they wouldn't do. And they said there'd be no change to pensions and they're lowering the indexation rate, or the rate of growth, which effectively means that in the future pensioners will be not keeping up with their pensions in the same way they would have been if the Government hadn't broken their promise.

**NICOLE CHVASTEK:**

Bill Shorten, you won't say whether you would or wouldn't reverse the cuts if you took office, but governments are always obliged to take some sort of measures to implement their own plan and their own vision for the future. Where would you be looking at making savings and adjustments if you were to take office? Surely that's something we should know?

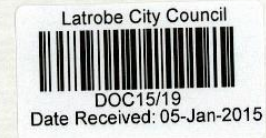
**BILL SHORTEN:**

Sure, but just to correct you ever so slightly, we wouldn't be making the same extent of cuts to the ABC, so there is a difference. But in terms of our policies going forward, we will ask the Government not to go ahead with this paid parental leave scheme which is going to see millionaires get money they don't need. We believe that the Government has gone the wrong way by gutting the Australian Tax Office people who chase multinational taxation. So, they're two very straightforward ways that the Government could be receiving more revenue, not spending as much, which would make these cuts unnecessary.

**NICOLE CHVASTEK:**

Bill Shorten, thank you for your time.

[ends]



## Darren Chester

Federal Member for Gippsland

December 18, 2014

Mr Gary Van Driel  
Chief Executive Officer  
Latrobe City Council  
PO Box 264  
MORWELL VIC 3840

Dear Gary

I recently made representations to Mark Scott, Managing Director, Australian Broadcasting Corporation (ABC) in which I raised several issues of concern including the ABC emergency broadcasting and the closure of the Morwell station. I have received a reply from Mr Scott regarding recent changes to ABC operations which I enclose for your interest.

You will note that Mr Scott advises that the ABC remains committed to regional Australia and will continue to invest more than any other Australian broadcaster in rural and regional Australia.

If I can be of any further assistance, please do not hesitate to contact me once more.

Best wishes for a happy and safe Christmas.

Kind regards

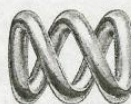
DARREN CHESTER  
The Nationals

All correspondence to: PO Box 486 Sale Victoria 3853 Telephone: 1300 131 785  
Email: darren.chester.mp@aph.gov.au Website: www.darrenchester.com



5 December 2014

Mr Darren Chester  
Parliamentary Secretary to the Minister for Defence  
Member for Gippsland  
PO Box 486  
Sale VIC 3853



ABC  
Australian  
Broadcasting  
Corporation



Office of the  
Managing Director

ABC Ultimo Centre  
700 Harris Street  
Ultimo NSW 2007

GPO Box 9994  
Sydney NSW 2001

Tel. +61 2 8333 5342  
Fax. +61 2 8333 5172  
abc.net.au

Dear Mr Chester

I refer to your letter of 24 November. In regards to your concerns, I note as follows:

#### **ABC emergency broadcasting**

The recent changes to ABC operations, announced in response to ABC budget cuts, will in no way impact on the ABC's ability and commitment to issue all medium and high level 'watch and act' and emergency warnings, with the aim of keeping the public informed and safe.

Under the ABC's Emergency Broadcasting Policy, implemented in January 2014, Emergency Broadcasting and the issue of warnings is the responsibility of ABC Local Radio, which also co-ordinates warnings on other ABC platforms including ABC News24, other ABC radio stations and digital networks, as well as online and social media. ABC News teams continue to cover disasters as news.

The changes announced will in fact enhance the ABC's online and mobile content and broaden the scope for distribution of warnings and emergency information to people using these options to receive information.

#### **ABC Morwell**

I note also your comments in relation to ABC Morwell, one of the ABC local station outposts that was selected for closure following the government budget cuts to the ABC.

The Department of Communication's Efficiency Review at page 80 observes that "*over the last 20 years, the ABC has reviewed from time to time its regional locations to ensure its investment is being maximised*" and this process has seen the opening of certain stations and the closure of others. Clearly station location is not static. The Review also asks the ABC to consider whether the operating and staffing models of the local stations maximise investment (at page 81).

The ABC proposes to close the Morwell station as it considers there will be no content impact and minimal staffing impact. It is proposed that the two local staff will work from the ABC office in Sale and cover the same region.



Under the changes announced, the ABC will also create a Regional Division incorporating for the first time all regional staff, from News, Online, Local Radio and ABC Open, which will enhance our connections to local communities and our ability to ensure warnings are as local as possible, and that education and awareness campaigns are delivered locally.

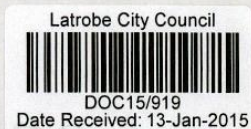
The ABC remains committed to regional Australia and will continue to invest more than any other Australian broadcaster in rural and regional Australia, despite recent budget cuts. The ABC remains committed to telling Australian stories and conversations from regional centres and rural Australia.

I thank you again for your letter. Should you have any further queries or concerns relating to operational or content changes at the ABC, I would be happy to meet with you to discuss them.

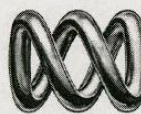
Yours sincerely

A handwritten signature in black ink, appearing to read 'Mark Scott'.

Mark Scott  
Managing Director



7 January 2015



**ABC**  
Australian  
Broadcasting  
Corporation

Councillor Dale Harriman  
Mayor  
Latrobe City Council  
PO Box 264  
Morwell 3849

ABC Ultimo Centre  
700 Harris Street  
Ultimo NSW 2007  
GPO Box 9994  
Sydney NSW 2001  
Tel. +61 2 8333 1500  
abc.net.au

Dear Councillor Harriman,

Thank you for your letter of 25 November to the Managing Director. Mr Scott has asked me to respond to you on his behalf and I apologise for the delay in doing so.

Firstly I would like to provide you with some background information that will give context for recently announced ABC programming decisions. These decisions have been made to reposition the ABC to allow us to meet current and future challenges and to maintain a clear focus on our audience strategy. The scope of these decisions has been necessitated by the Government's confirmation of a \$207 million cut to ABC funding, which comes on top of the \$120 million funding cut levied against the ABC in the May 2014 Budget.

In order to meet this reduction in funding, we must implement a reduced-cost operating model and continue to focus on efficiencies. We are conscious that we must do this while continuing to meet our Charter obligations and increasingly expansive audience expectations.

Our response to the Government's budget cut focuses on overheads and back office functions. We are reviewing our property holdings and extracting efficiencies from our procurement processes, our contracts with key suppliers and our infrastructure contracts. However, a cut of this magnitude has broader implications for the ABC; it will inevitably affect our content as we will no longer be able to apply efficiency savings to fund our audience strategy. The effect of these changes will include:

- Cessation of the Friday 7.30 state-based programs, with a more flexible and effective approach being used to deliver local current affairs to local audiences across the week;
- Closure of the ABC's Adelaide television production studio;
- Closure of our five smallest regional radio posts in Wagin (WA), Morwell (Vic), Gladstone (Qld), Port Augusta (SA) and Nowra (NSW);
- A revised television sports strategy focussing on national sporting events; and
- A reduction in the number of concerts recorded annually on Classic FM and adjustments to Radio National programming.

No area of the ABC is immune and as an outcome, over the next few months the ABC will lose approximately 400 dedicated and talented staff.

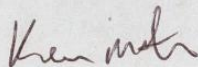
Throughout this process, the ABC has had top of mind that we must continue to tell stories from across the nation, to provide quality news and current affairs services and to provide strong coverage from all regions. Technology has provided us with the means to do this in different ways. The ABC has been at the forefront in maximising the opportunities of the new digital era to offer innovative new services to all Australians. ABC Open and our new localised online news websites are two examples of this commitment to innovative solutions that reach and engage with people across Australia.

The ABC also remains committed to continuing coverage of state-based news and current affairs across ABC TV, Radio and Online. The majority of editorial, camera and editing resources associated with the state-based current affairs programs will be retained in the state newsrooms. The ABC will also produce and extended Sunday night news bulletin and a series of one hour state-based current affairs programs throughout the year on News 24 and on the state-based news websites. The ABC will also publicly report on its state and territory newsroom output to ensure the commitment to continued local current affairs coverage is transparently demonstrated.

We acknowledge that the challenges ahead are great as we navigate our way through a rapidly evolving media environment with a real and significant cut to our budget. However, the ABC Board and management are committed to making the structural changes that are required to ensure that the ABC remains a relevant and vital institution for the Australian community.

I hope this information is of assistance. Thank you again for taking the time to write and for your support for the ABC.

Yours sincerely,



Kevin McAlinden  
A/Head, Audience and Consumer Affairs

**10.2 TRARALGON CITY BAND TOUR OF REMEMBRANCE -  
INVITATION TO MAYOR****General Manager****Planning & Economic  
Sustainability****For Information****PURPOSE**

The purpose of this report is to present to Council correspondence received from the Traralgon City Band inviting the Mayor of Latrobe City to join it on a Tour of Remembrance to the United Kingdom and France in May and June 2015.

**EXECUTIVE SUMMARY**

The Traralgon City Band has invited (Attachment 1) the Mayor of Latrobe City to join it on a Tour of Remembrance to the United Kingdom and France in May and June 2015.

The planned Tour of Remembrance has a strong community link, tying in with the 100 year anniversary of WW1 and notwithstanding the planned events of the tour that will represent those who lost loved ones, the tour provides Latrobe City Council with the opportunity to promote our region and municipality at the many events and venues the band will be performing at.

The cost for the Mayor to attend the tour has been estimated at \$4,650 which includes airfares, accommodation, transfers and incidentals. However, this expense is not currently budgeted for in Council's 2014/15 adopted budget.

It is recommended that Council refer the costs associated with the Mayor of Latrobe City joining the Latrobe City Band on its Tour of Remembrance to the United Kingdom and France in May and June 2015 to the 2014/15 mid-year budget review process.

**Cr Harriman vacated the Chair and left the Chamber at 6.16pm due to a Conflict of Interest in item 10.2 - Traralgon City Band Tour of Remembrance - Invitation to Mayor.**

**Cr Gibbons assumed the Chair at 6.16pm.**

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

**Moved:** Cr Kam  
**Seconded:** Cr Middlemiss

**That Council refer the costs associated with the Mayor of Latrobe City joining the Latrobe City Band on its Tour of Remembrance to the United Kingdom and France in May and June 2015 to the 2014/15 mid-year budget review process.**

**CARRIED UNANIMOUSLY**

**Cr Harriman returned to the Chamber at 6.18pm and resumed the Chair.**

### **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 - Culture*

*In 2026, Latrobe Valley celebrates the diversity of heritage and cultures that shape our community, with activities and facilities that support the cultural vitality of the region.*

#### **Latrobe City Council Plan 2013 - 2017**

##### **Theme and Objectives**

*Theme 4: Advocacy for and consultation with our community*

*Strategic Direction – Strengthen the profile of Latrobe City as one of Victoria’s four major regional cities.*

### **BACKGROUND**

The Traralgon City Band is wholly owned by Latrobe City and all assets belong to the city. The band has strong independent leadership and does not have a history of seeking financial support from the Latrobe City Council. The band has approximately 50 members, with its membership drawn from across Latrobe City.

The band proudly represents Latrobe City at local, state and national band events, and has an impressive history of achievement at those events. The band also plays a significant role in the Latrobe City community

**ORDINARY COUNCIL MEETING MINUTES  
09 FEBRUARY 2015 (CM456)**

through its participation in community events throughout the year, including formal services and ceremonies, concerts, parades, marches and celebratory events.

The planned Tour of Remembrance has a strong community link, tying in with the 100 year anniversary of WW1 and planned activities include the representation of local families who have lost their loved ones in France by laying poppies and performing memorial ceremonies in their honour. The tour also provides Latrobe City Council with the opportunity to promote our region and municipality at the many events and venues the band will be performing at.

At the Ordinary Council meeting held 15 December 2015, Council resolved the following:

- 1. Provide financial assistance to the Traralgon City Band for their Tour of Remembrance in May and June 2015 to the sum of \$25,000 on the condition that the funds are repayable to the Latrobe City Council if fundraising efforts exceed the total amount required.*
- 2. That the financial assistance of \$25,000 be funded from the 2013/14 accumulated cash surplus.*

**KEY POINTS/ISSUES**

An invitation (Attachment 1) was received from the Traralgon City Band on 15 January 2015 inviting the Mayor to join the Traralgon City Band on the tour.

The correspondence indicated that the Mayor could assist with official presentations, thank you speeches and lead the Traralgon Band in a street parade. In addition, the band is planning a concert at the Australian Embassy in Paris and wish to invite a GDF Suez representative and should this occur, the Band would value an official Latrobe City representative.

The proposed itinerary of the tour is as follows and the detailed itinerary is Attachment 2 of this report:

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

Date	Itinerary
24/05/2015	Depart Melbourne
25/05/2015	Arrive London
26/05/2015	London (Buckingham Palace, Tower of London, Hyde Park Concert)
27/05/2015	London Events Continue
28/05/2015	Travel to Manchester area, Queensbury (Black Dyke Band)
29/05/2015	Whit Friday competition – 3pm to 1am
30/05/2015	Manchester and local areas, including performances
31/05/2015 (Mayor Arrives)	Band Club performance
01/06/2015	Travel Day: Manchester-London-Lille, France-Menin Gates service (Belgium)-Lille, France
02/06/2015	Lille-south to battlefields of The Somme (including Fromelles and surrounding battle fields)-Amiens
03/06/2015	The Somme-Paris(including Villers-Bretonneux)
04/06/2015	Paris – concert at the Australian Embassy
05/06/2015	Disneyland – concert in rotunda and street parade
06/06/2015	Depart from Paris to Melbourne

Whilst the Traralgon City Band's itinerary is quite extensive, it is envisaged that the majority of Mayoral duties would be performed in the back half of the trip. As such, an option is to refine the itinerary for the Mayor with a proposed arrival on 31 May 2015 and departure with the Band on 6 June 2015.

### **RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

There is some degree of financial risk given the estimated cost of the Mayor attending is currently not budgeted for within Council's 2014/15 adopted budget and would need to be referred to the 2014/15 mid-year budget review process.



## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

### **FINANCIAL AND RESOURCES IMPLICATIONS**

Information provided by the Traralgon City Band indicates the cost of the tour as approximately \$5,800 per tour member.

However, based on a shortened itinerary and researching current costs and previous overseas trips of Council, the following indicates the potential cost of the Latrobe City Mayor attending:

<b>Item</b>	<b>Estimated Expense</b>
Flights (China Southern) - Melbourne to London Return	\$1,600*
Coach Transfers	\$200
Accommodation (Europe)	\$1800** (\$300 per night x 6 nights)
Incidentals	\$1050 (\$150 per day x 7 days)
<b>TOTAL ESTIMATED EXPENSE</b>	<b>\$4,650</b>

\*Flights were researched on [www.flightcentre.com](http://www.flightcentre.com) and assessed based on price and travel duration.

\*\*Accommodation estimated cost is based on average 4 star accommodation as indicated on website [www.hotels.com](http://www.hotels.com)

Currently, there are no funds allocated in the adopted 2014/15 Council budget for this purpose and would need to be referred to the 2014/15 mid-year budget review process.

### **INTERNAL/EXTERNAL CONSULTATION**

*Engagement Method Used:*

The Traralgon City Band made a formal request for Latrobe City Council to consider the attendance of the tour by the current Mayor.

### **OPTIONS**

Council has the following options in relation to this report:

1. Refer the costs associated with the Mayor of Latrobe City joining the Latrobe City Band on its Tour of Remembrance to the United Kingdom and France in May and June 2015 to the 2014/15 mid-year budget review process.
2. Not refer the costs associated with the Mayor of Latrobe City joining the Latrobe City Band on its Tour of Remembrance to the United Kingdom and France in May and June 2015 to the 2014/15 mid-year budget review process.

**CONCLUSION**

The Traralgon City Band has planned a Tour of Remembrance to the United Kingdom and France in May and June 2015. This tour has a strong community link, tying in with the 100 year anniversary of WW1 and planned activities include the representation of local families who have lost their loved ones in France by laying poppies and performing memorial ceremonies in their honour. The tour also provides Latrobe City Council with the opportunity to promote our region and municipality at the many events and venues the band will be performing at.

An invitation was received from the Traralgon City Band on 15 January 2015 for the Mayor join the Traralgon City Band on the tour.

A revised shortened itinerary is considered appropriate and the total estimated expense for the Mayor to join this tour is \$4,650 which includes airfares, accommodation, transfers and incidentals; however, these costs are currently unbudgeted for and would need to be referred to the 2014/15 mid-year review process.

**SUPPORTING DOCUMENTS**

Traralgon City Band presentation to council dated 8<sup>th</sup> December 2014.

**Attachments**

1. Tour of Remembrance - Mayor Invitation

## **10.2**

### **Traralgon City Band Tour of Remembrance - Invitation to Mayor**

- 1 Tour of Remembrance - Mayor Invitation ..... 47**



15 January 2015

Mr. W MacPherson  
Acting Manager Arts, Events, Tourism & International Relations  
Latrobe City Council  
PO Box 264  
Morwell 3840

P.O. Box 169  
Traralgon Victoria  
AUSTRALIA 3844

Dear William

**Re: Tour of Remembrance UK/France 2015**

Further to our telephone conversation, the Band would like to officially invite our Mayor, Cr. Dale Harriman to join our Tour of Remembrance. We believe having the Mayor accompany us on tour adds genuine value as a community event, particularly in building International relations.

Some responsibilities best handled by our Mayor include the official presentations and thank you speeches to our hosts in the UK, including the world famous, Black Dyke Mills Band. In addition, having the Mayor lead the Traralgon Band in the Street Parade at the famous Whit Friday competitions will certainly add to our pride and inspire us musically.

Performing in the French Battlefields and at War Memorials will be a culturally meaningful part of the tour. At each historic site we must seek permission from the Mayor of each particular village. Our supporters, led by our Mayor, will lay poppies for local soldiers buried in French cemeteries. Where appropriate, we will acknowledge local French communities for watching over our fallen sons. It would be an historic and fitting gesture if our Mayor could do this officially on behalf of Latrobe City.

In Paris we are planning a concert at the Australian Embassy. GDF Suez has their head office in Paris and we plan to invite a representative to attend. Since GDF Suez plays an important part economically and socially in our region, we would really value an official representative from Latrobe City.

The cost of the tour is \$5,800 and I have attached a copy of the Itinerary and the relevant documentation from Flying Colours Travel.

I hope our request meets with Council approval and I would be happy to discuss this in further detail with you.

Yours faithfully

A handwritten signature in blue ink that reads "Alan N Wilson".

Alan N Wilson  
Tour Chairman

Energy in  
action.



Corporate Patron of the Band



**10.3 NOMINATION OF A COUNCIL REPRESENTATIVE TO THE  
HAZELWOOD MINE FIRE HEALTH STUDY COMMUNITY  
ADVISORY COMMITTEE****Executive Manager****Office of the Chief Executive****For Decision****PURPOSE**

To endorse the nomination of a Council representative to the Hazelwood Mine Fire Health Study Community Advisory Committee.

**EXECUTIVE SUMMARY**

Monash University has been contracted by the Victorian Department of Health to undertake a comprehensive study of the long-term health of Morwell residents following exposure to the smoke from the Hazelwood coal mine fire.

Researchers from the School of Public Health and Preventive Medicine (SPHPM) and School of Rural Health (SRH) will lead the project, in collaboration with researchers from elsewhere in Monash as well as Federation University, University of Tasmania, University of Adelaide, and CSIRO.

The project's governance structure comprises a Community Advisory Committee, Project Steering Committee, Scientific Reference Group and Clinical Reference Group.

Monash University has invited Latrobe City Council to nominate a Council representative to the Hazelwood Mine Fire Health Study Community Advisory Committee.

**RECOMMENDATION**

That Council:

1. Nominates Cr Harriman to represent Council on the Hazelwood Mine Fire Health Study Community Advisory Committee; and
2. The Project Manager at Monash University is notified of this decision.

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

**ALTERNATE MOTION**

**That Council:**

- 1. Nominates the Mayor to represent Council on the Hazelwood Mine Fire Health Study Community Advisory Committee; and**
- 2. The Project Manager at Monash University is notified of this decision.**

**CARRIED UNANIMOUSLY**

**DECLARATION OF INTEREST**

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

**Attachments**

1. Request for Nomination for the Hazelwood Mine Fire Health Study Community Advisory Committee

## **10.3**

### **Nomination of a Council Representative to the Hazelwood Mine Fire Health Study Community Advisory Committee**

- 1 Request for Nomination for the Hazelwood Mine Fire  
Health Study Community Advisory Committee ..... 51**

**Amy Phillips**

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**Subject:** Hazelwood Mine Fire Health Study: Community Advisory Committee  
**Attachments:** 20012015CAC\_TOR.docx

**For the Attention of the Mayor: Mr Dale Harriman**

Dear Mr Harriman and Mr Vandriel,

This letter serves as an invitation to invite the Latrobe City Council to nominate your representative to the Hazelwood Mine Fire Health Study Community Advisory Committee.

Monash University has been contracted by the Victorian Department of Health to undertake a comprehensive study of the long-term health of Morwell residents following exposure to the smoke from the Hazelwood coal mine fire. Researchers from the School of Public Health and Preventive Medicine (SPHPM) and School of Rural Health (SRH) will lead the project, in collaboration with researchers from elsewhere in Monash as well as Federation University, University of Tasmania, University of Adelaide, and CSIRO.

The project's governance structure comprises a Community Advisory Committee, Project Steering Committee, Scientific Reference Group and Clinical Reference Group.

The Community Advisory Committee (CAC) is the project's peak advisory body. The purpose of the CAC is to ensure that the study hears directly from and works in partnership with Latrobe Valley community members, health and community service providers and local government in undertaking the research program and ultimately to improve health services and health outcomes for the local community.

The Committee will have 10 members reflecting the diversity of stakeholder groups and will be Chaired by Professor Judi Walker, the study's Co-Principal Investigator (Gippsland). A copy of the draft Terms of Reference is attached. The Committee will meet on a quarterly basis, always in the Latrobe Valley. We would like to hold the first meeting on **Thursday 26 February at 5 pm** with dates for the rest of the year to be determined at a time convenient to all members.

If you would like to discuss further please do not hesitate to contact me on [REDACTED]. I would be pleased to receive details of your nominee by **Monday 16 February**.

Yours sincerely,

--  
Phillip R. Thompson, PhD, Dip.Proj.Mgmt.  
Project Manager (Interim)  
Hazelwood Mine Fire Study  
Level 5, Alfred Centre  
AMREP  
Faculty of Medicine, Nursing and Health Sciences  
Monash University  
Melbourne, Australia  
[REDACTED]



**ORDINARY COUNCIL MEETING MINUTES  
09 FEBRUARY 2015 (CM456)****10.4 CITY OF GREATER BENDIGO - FAIR FUEL PRICING****Executive Manager****Office of the Chief Executive****For Decision****PURPOSE**

The purpose of this report is for Council to consider a request from the City of Greater Bendigo in regards to the issue of fair fuel pricing for regional and rural areas throughout Victoria.

**EXECUTIVE SUMMARY**

The City of greater Bendigo has requested that the Mayor of Latrobe City Council assist them in advocating for the issue of fair fuel pricing throughout Latrobe City.

**Moved:** Cr Kam  
**Seconded:** Cr Middlemiss

**That Council support the City of Greater Bendigo's request to raise the issue of fair fuel pricing within Latrobe City and write to the ACCC and other authorities expressing Council's concern.**

**CARRIED UNANIMOUSLY****DECLARATION OF INTEREST**

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

**Attachments**

1. Correspondence

## **10.4**

### **City of Greater Bendigo - Fair Fuel Pricing**

<b>1</b>	<b>Correspondence .....</b>	<b>55</b>
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Enquiries: Nicole Dunstone  
T: 5434 6102

13 January 2015

Dear Mayor

### **RURAL AND REGIONAL FUEL PRICES**

I write on behalf of the Greater Bendigo City Council to raise the issue of fair fuel pricing for regional and rural areas throughout Victoria. Our Council has written to the Chairman of the Australian Competition and Consumer Commission (ACCC) to raise concerns about lead free petrol being 12cents to 15cents per litre dearer in Bendigo than it is in Melbourne. Some prices in rural areas are much higher.

Council has requested a statement in plain English explaining why there is such a difference in pricing. We have raised issues such as the impact on business and low income families but generally Council is advocating on behalf of its residents. The ACCC were given new powers to investigate and prosecute by the Federal Government in December. It is important that this long running anomaly is fairly addressed. This issue has been given good media coverage but it is most important that all levels of government understand the cost of fuel in country areas and the uncompetitive burden it places on business and the additional cost of living to residents.

There are of course many other issues around fuel pricing including the price of diesel which I have not touched on. I encourage you as Mayor and your Council also raise the issue in your local community and to consider writing to the ACCC and other authorities. You will have your own story to tell. I have attached the GBCC's letter for your information. It would be appreciated if you could provide feedback on any action you might take. It's a big issue and it will not be resolved overnight but I believe we can make a difference if we support one another.

Regards

A handwritten signature in black ink, appearing to read "Peter Cox", is written over a light blue horizontal line.

**Cr Peter Cox**  
**MAYOR**

cc Municipal Association of Victoria  
Rural Councils Victoria  
Regional Cities Victoria

Hearing or speech impaired?  
Call us via the National Relay  
Service on 133 677 or  
[www.relayservice.com.au](http://www.relayservice.com.au)  
and ask for 03 5434 6000

Greater Bendigo City Council  
Address: 195-229 Lyttleton Terrace, Bendigo  
Postal Address: PO Box 733, Bendigo VIC 3552  
T: 03 5434 6000  
F: 03 5434 6200  
E: [requests@bendigo.vic.gov.au](mailto:requests@bendigo.vic.gov.au)  
W: [www.bendigo.vic.gov.au](http://www.bendigo.vic.gov.au)  
ABN 74 149 638 164



Enquiries: Nicole Dunstone  
T: 5434 6102

5 January 2015

Mr Rod Sims  
Chairman  
Australian Competition and Consumer Commission  
PO Box 520  
MELBOURNE VIC 3001

Dear Mr Sims

**RE: REGIONAL FUEL PRICES**

I write on behalf of the citizens of Greater Bendigo to convey my concern about the price disparity in fuel prices in central Victoria compared to fuel prices in metropolitan Melbourne.

Fuel prices in Melbourne on Tuesday December 30, 2014 varied between 112.7 cents per litre and 116.9 cents per litre for unleaded petrol, while in Bendigo they ranged from 126.3 cents to 130.1 cents per litre. In rural areas prices were much higher.

I understand the Australian Competition and Consumer Commission does not set or control petrol prices, but does monitor and report on them. Under new Federal Government powers given to the ACCC, I hope the agency will consider the Greater Bendigo area for a "deep dive" investigation as there does not appear to be an explanation for the high prices.

Many motorists are saying it is very unfair that they are missing out on the full benefits that flow from the worldwide fall in oil prices.

I have called two numbers from your website and spoken to staff who advised they would get someone with appropriate knowledge to respond to my calls.

I request a plain English statement regarding why there is such a large difference in fuel prices between Greater Bendigo and metropolitan Melbourne, especially in a period when many country drivers have to travel long distances to fulfil family Christmas obligations.

Hearing or speech impaired?  
Call us via the National Relay  
Service on 133 677 or  
[www.relayservice.com.au](http://www.relayservice.com.au)  
and ask for 03 5434 6000

Greater Bendigo City Council  
Address: 195-229 Lyttleton Terrace, Bendigo  
Postal Address: PO Box 733, Bendigo VIC 3552  
T: 03 5434 6000  
F: 03 5434 6200  
E: [requests@bendigo.vic.gov.au](mailto:requests@bendigo.vic.gov.au)  
W: [www.bendigo.vic.gov.au](http://www.bendigo.vic.gov.au)  
ABN 74 149 638 164

I would also like the ACCC to take into consideration the following:

- Average households spend \$60 a week on fuel (ABS)
- Household weekly income in Greater Bendigo is \$225 less than the Victorian average
- 38.5 per cent of residents are low income earners
- 4,000 small businesses in the region find the cost of fuel a burden

A response on this matter would be most appreciated.

Yours sincerely



**Cr Peter Cox**  
**MAYOR**

Hearing or speech impaired?  
Call us via the National Relay  
Service on 133 677 or  
[www.relayservice.com.au](http://www.relayservice.com.au)  
and ask for 03 5434 6000

Greater Bendigo City Council  
Address: 195-229 Lyttleton Terrace, Bendigo  
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W: [www.bendigo.vic.gov.au](http://www.bendigo.vic.gov.au)  
ABN 74 149 638 164

# PRESENTATION OF PETITIONS

**11. PRESENTATION OF PETITIONS**

Nil reports

# OFFICE OF THE CHIEF EXECUTIVE



## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

### 12. OFFICE OF THE CHIEF EXECUTIVE

#### 12.1 ASSEMBLY OF COUNCILLORS

**Executive Manager**

**Office of the Chief Executive**

**For Decision**

#### PURPOSE

The purpose of this report is to present to Council, the Assembly of Councillors forms submitted since the Ordinary Council Meeting held 15 December 2014.

#### DECLARATION OF INTEREST

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

#### OFFICER COMMENTS

The following Assembly of Councillors took place:

<b>Date:</b>	<b>Assembly Details / Matters Discussed:</b>	<b>In Attendance:</b>	<b>Conflicts of Interest Declared:</b>
16 October 2014	Traralgon CBD Safety Committee Meeting	<b>Councillors:</b> Cr Rossiter, Cr Kam (arrived 9.04pm)  <b>Officers:</b> Steve Tong, Andrew Legge	NIL
20 November 2014	Traralgon CBD Safety Committee Meeting	<b>Councillors:</b> Cr Kam, Cr Rossiter  <b>Officers:</b> Steve Tong	NIL
3 December 2014	Braiakaulung Advisory Committee	<b>Councillors:</b> Cr O'Callaghan  <b>Officers:</b> Steve Tong, Mary Sharrock, Sharon Kingaby, Ronald Edwards.	NIL
3 December 2014	Tourism Advisory Board	<b>Councillors:</b> Cr Sindt, Cr White.  <b>Officers:</b> Geoff Hill, Jason Membrey, Caroline Hammond, Linda Brock.	NIL
18 December 2014	Traralgon CBD Safety Committee Meeting	<b>Councillors:</b> Cr Rossiter, Cr Kam.  <b>Officers:</b> Heather Farley, Andrew Legge.	NIL

**Attachments**

**ORDINARY COUNCIL MEETING MINUTES  
09 FEBRUARY 2015 (CM456)**

1. Attachment 1 - Traralgon CBD Safety Committee 161014
2. Attachment 2 - Traralgon CBD Safety Committee 201114
3. Attachment 3 - Braikaulung Advisory Committee 031214
4. Attachment 4 - Tourism Advisory Board 031214
5. Attachment 5 - Traralgon CBD Safety Committee 181214

**Moved:** Cr Rossiter  
**Seconded:** Cr Kam

**That Council note this report.**

**CARRIED UNANIMOUSLY**

## **12.1**

### **Assembly of Councillors**

- 1 Attachment 1 - Traralgon CBD Safety Committee 161014 ..... 65**
- 2 Attachment 2 - Traralgon CBD Safety Committee 201114 ..... 69**
- 3 Attachment 3 - Braikaulung Advisory Committee 031214 ..... 73**
- 4 Attachment 4 - Tourism Advisory Board 031214 ..... 75**
- 5 Attachment 5 - Traralgon CBD Safety Committee 181214 ..... 77**



## Assembly of Councillors Record

This form **MUST** be completed by the attending Council officer and returned **IMMEDIATELY** to the Council Operations Team for filing. {see over for Explanation/Guide Notes}.

<b>Assembly details:</b>	<b>Traralgon CBD Safety Committee Meeting</b>
<b>Date:</b>	<b>16 October 2014</b>
<b>Time:</b>	<b>9:02 am to 9:35 am</b>
<b>Assembly Location:</b>	(e.g: Town Hall, TOWN, No. xx ADDRESS, Latrobe City Council Offices). <b>Macfarlane Burnett Room, Latrobe City Service Centre Kay Street, Traralgon</b>

### IN ATTENDANCE

<b>Councillors:</b>	<input type="checkbox"/> Cr Christine Sindt	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Sandy Kam – arrived 9:04 am
	<input type="checkbox"/> Cr Darrell White	<input checked="" type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	<b>Steve Tong &amp; Andrew Legge</b>		
<b>Matter/s and main topic/s discussed:</b> <i>Provide dot points only, not the minutes of the meeting</i>	<ol style="list-style-type: none"> <li>1. Seeking representation from Department of Transport and V Line</li> <li>2. Late Night Bus Services</li> <li>3. Traralgon Liquor Accord report and proposed changes to Late Night Bus Service to seek a service on Friday night</li> <li>4. Discussion on role and action of Protective Services Officers</li> <li>5. Report from late night venues</li> <li>6. Discussion on CCTV in the CBD and dealing with graffiti through use of Graffiti Removal Trailer available from Latrobe City – need to notify Chamber of Commerce</li> <li>7. New – additional - McDonalds to open in November in Traralgon</li> </ol>		
<b>Confidential/ Not confidential</b>	<i>Are the matters considered confidential under the Local Government Act?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

### CONFLICT OF INTEREST DISCLOSURES: (refer to page 2)

<b>Councillors:</b>	<input type="checkbox"/> Cr Christine Sindt	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input type="checkbox"/> Cr Sandy Kam
	<input type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	<b>Nil</b>		



Times that Officers / Councillors left/returned to the room:	Nil
--	-----

Completed by: (full name, title, date) Heather Farley - Coordinator Community Strengthening, Tuesday 23 December 2014

**Assembly of Councillors Record Explanation / Guide Notes**  
Required pursuant to the Local Government Act 1989 as amended.

**1. Section 80A requirements (re: Written Record to be made by Council staff member):**

Amendments to the Local Government Act 1989 (Section 80A), operative from 2 December 2008 now stipulate:

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

- the names of all Councillors and members of Council staff attending;
- the matters considered;
- any conflict of interest disclosures made by a Councillor attending under subsection (3);
- whether a Councillor who has disclosed a conflict of interest as required by subsection (3) leaves the assembly."

The above required information is:

- to be reported to an Ordinary meeting of the Council; and
- incorporated in the minutes of that Ordinary meeting.

**2. Section 76AA definition:**

"**Assembly of Councillors** (however titled, e.g: meeting / inspection / consultation etc) is a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of staff which considers matters that are intended or likely to be;

- The subject of a decision of the Council; or
- Subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.

**Brief Explanation:**

Some examples of an *Assembly of Councillors* will include:

- Councillor Briefings;
- on site inspections, generally meetings re: any matters;
- meetings with residents, developers, other clients of Council, consultations;
- meetings with local organisations, Government Departments, statutory authorities (e.g. VicRoads, etc);

providing **at least 5 Councillors and 1 Council staff member are present** and the matter/s considered are intended or likely to be subject of a future decision by the Council **OR** an officer decision under delegated authority.

*Effectively it is probable, that any meeting of at least 5 Councillors and 1 Council staff member will come under the new requirements as the assembly will in most cases be considering a matter which will come before Council or be the subject of a delegated officer's decision at some later time. If you require further clarification, please call the Manager Council Operations – Legal Counsel.*

**Please note:** an Advisory Committee meeting requires only one Councillor to be in attendance. An advisory committee is defined as any committee established by the Council, other than a special committee, that provides advice to:

- the Council; or
- a special committee; or
- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

**3. Section 80A and 80B requirements (re: Conflict of Interest):**

Councillors and officers attending an Assembly of Councillors must disclose any conflict of interest.

**Section 80A(3)**

"If a Councillor attending an Assembly of Councillors knows, or would reasonably be expected to know, that a matter being considered by the assembly is a matter that, were the matter to be considered and decided by Council, the Councillor would have to disclose a conflict of interest under section 79, the Councillor must disclose either:

- (a) immediately before the matter in relation to the conflict is considered; or



- (b) if the Councillor realises that he/she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware of the conflict of interest, leave the assembly whilst the matter is being considered by the assembly."

**Section 80B**

A member of Council staff who has a conflict of interest (direct or indirect) in a matter in which they have a delegated power, duty or function must:

- not exercise the power or discharge the duty or function;
- disclose the type of interest and nature of interest to the in writing to the Chief Executive Officer as soon as he/she becomes aware of the conflict of interest. In the instance of the Chief Executive Officer having a pecuniary interest, disclosure in writing shall be made to the Mayor.



## Assembly of Councillors Record

This form **MUST** be completed by the attending Council officer and returned **IMMEDIATELY** to the Council Operations Team for filing. {see over for Explanation/Guide Notes}.

<b>Assembly details:</b>	<b>Traralgon CBD Safety Committee Meeting</b>
<b>Date:</b>	<b>20 November 2014</b>
<b>Time:</b>	<b>9:03 am to 9:22 am</b>
<b>Assembly Location:</b>	(e.g: Town Hall, TOWN, No. xx ADDRESS, Latrobe City Council Offices). <b>Macfarlane Burnett Room, Latrobe City Service Centre Kay Street, Traralgon</b>

### IN ATTENDANCE

<b>Councillors:</b>	<input type="checkbox"/> Cr Christine Sindt	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Sandy Kam
	<input type="checkbox"/> Cr Darrell White	<input checked="" type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	<b>Steve Tong</b>		
<b>Matter/s and main topic/s discussed:</b> <i>Provide dot points only, not the minutes of the meeting</i>	<ol style="list-style-type: none"> <li>1. <b>Late Night Bus Services and lobby of Russel Northe MP for potential funding to support a Friday night service</b></li> <li>2. <b>Traralgon Liquor Accord report</b></li> <li>3. <b>Report from late night venues</b></li> <li>4. <b>Evaluation of CCTV effectiveness and request for local businesses to review and update their CCTV systems</b></li> <li>5. <b>Notify Chamber of Commerce on availability of Graffiti Removal Trailer from Latrobe City Council</b></li> <li>6. <b>Contact the Traralgon Chamber of Commerce to encourage its participation on the Committee</b></li> </ol>		
<b>Confidential/ Not confidential</b>	Are the matters considered confidential under the Local Government Act? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

### CONFLICT OF INTEREST DISCLOSURES: (refer to page 2)

<b>Councillors:</b>	<input type="checkbox"/> Cr Christine Sindt	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input type="checkbox"/> Cr Sandy Kam
	<input type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	<b>Nil</b>		



Times that Officers / Councillors left/returned to the room:	Nil
--	-----

Completed by: (full name, title, date) Heather Farley - Coordinator Community Strengthening, Tuesday 23 December 2014

**Assembly of Councillors Record Explanation / Guide Notes**  
Required pursuant to the Local Government Act 1989 as amended.

**1. Section 80A requirements (re: Written Record to be made by Council staff member):**

Amendments to the Local Government Act 1989 (Section 80A), operative from 2 December 2008 now stipulate:

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

The above required information is:

- to be reported to an Ordinary meeting of the Council; and
- incorporated in the minutes of that Ordinary meeting.

**2. Section 76AA definition:**

"**Assembly of Councillors** (however titled, e.g: meeting / inspection / consultation etc) is a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of staff which considers matters that are intended or likely to be;

- The subject of a decision of the Council; or
- Subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.

**Brief Explanation:**

Some examples of an *Assembly of Councillors* will include:

- Councillor Briefings;
- on site inspections, generally meetings re: any matters;
- meetings with residents, developers, other clients of Council, consultations;
- meetings with local organisations, Government Departments, statutory authorities (e.g. VicRoads, etc);

providing **at least 5 Councillors and 1 Council staff member are present** and the matter/s considered are intended or likely to be subject of a future decision by the Council **OR** an officer decision under delegated authority.

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**Please note:** an Advisory Committee meeting requires only one Councillor to be in attendance. An advisory committee is defined as any committee established by the Council, other than a special committee, that provides advice to:

- the Council; or
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- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

**3. Section 80A and 80B requirements (re: Conflict of Interest):**

Councillors and officers attending an Assembly of Councillors must disclose any conflict of interest.

**Section 80A(3)**

"If a Councillor attending an Assembly of Councillors knows, or would reasonably be expected to know, that a matter being considered by the assembly is a matter that, were the matter to be considered and decided by Council, the Councillor would have to disclose a conflict of interest under section 79, the Councillor must disclose either:

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- (b) if the Councillor realises that he/she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware of the conflict of interest, leave the assembly whilst the matter is being considered by the assembly."

**Section 80B**

A member of Council staff who has a conflict of interest (direct or indirect) in a matter in which they have a delegated power, duty or function must:

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## Assembly of Councillors Record

This form **MUST** be completed by the attending Council officer and returned **IMMEDIATELY** to the Council Operations Team for filing. {see over for Explanation/Guide Notes}.

<b>Assembly details:</b>	Braikaulung Advisory Committee
<b>Date:</b>	3 December 2014
<b>Time:</b>	10.30 am to 12.00 noon
<b>Assembly Location:</b>	Nambur Wariga Room, Latrobe City HQ

### IN ATTENDANCE

<b>Councillors:</b>	<input type="checkbox"/> Cr Christine Sindt	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input type="checkbox"/> Cr Dale Harriman	<input checked="" type="checkbox"/> Cr Kellie O'Callaghan	<input type="checkbox"/> Cr Sandy Kam
	<input type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	Steven Tong, Mary Sharrock, Sharon Kingaby, Ronald Edwards		
<b>Matter/s and main topic/s discussed:</b> <i>Provide dot points only, not the minutes of the meeting</i>	Latrobe City Reconciliation Celebration Deadly X Factor Old Photos of committee Xmas Party Guest Speakers for Future Meetings		
<b>Confidential/ Not confidential</b>	Are the matters considered confidential under the Local Government Act? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

### CONFLICT OF INTEREST DISCLOSURES: (refer to page 2)

<b>Councillors:</b>	<input type="checkbox"/> Cr Christine Sindt	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input type="checkbox"/> Cr Sandy Kam
	<input type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>			
<b>Times that Officers / Councillors left/returned to the room:</b>	10.30am 12.00pm		



Completed by: *Chelsea Stewart*

**Assembly of Councillors Record Explanation / Guide Notes**  
Required pursuant to the Local Government Act 1989 as amended.

**1. Section 80A requirements (re: Written Record to be made by Council staff member):**

Amendments to the Local Government Act 1989 (Section 80A), operative from 2 December 2008 now stipulate:

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

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- the matters considered;
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- incorporated in the minutes of that Ordinary meeting.

**2. Section 76AA definition:**

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**Brief Explanation:**

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- on site inspections, generally meetings re: any matters;
- meetings with residents, developers, other clients of Council, consultations;
- meetings with local organisations, Government Departments, statutory authorities (e.g. VicRoads, etc);

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**Please note:** an Advisory Committee meeting requires only one Councillor to be in attendance. An advisory committee is defined as any committee established by the Council, other than a special committee, that provides advice to:

- the Council; or
- a special committee; or
- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

**3. Section 80A and 80B requirements (re: Conflict of Interest):**

Councillors and officers attending an Assembly of Councillors must disclose any conflict of interest.

**Section 80A(3)**

"If a Councillor attending an Assembly of Councillors knows, or would reasonably be expected to know, that a matter being considered by the assembly is a matter that, were the matter to be considered and decided by Council, the Councillor would have to disclose a conflict of interest under section 79, the Councillor must disclose either:

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- (b) if the Councillor realises that he/she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware of the conflict of interest, leave the assembly whilst the matter is being considered by the assembly."

**Section 80B**

A member of Council staff who has a conflict of interest (direct or indirect) in a matter in which they have a delegated power, duty or function must:

- not exercise the power or discharge the duty or function;
- disclose the type of interest and nature of interest to the in writing to the Chief Executive Officer as soon as he/she becomes aware of the conflict of interest. In the instance of the Chief Executive Officer having a pecuniary interest, disclosure in writing shall be made to the Mayor.



## Assembly of Councillors Record

This form **MUST** be completed by the attending Council officer and returned **IMMEDIATELY** to the Council Operations Team for filing. {see over for Explanation/Guide Notes}.

<b>Assembly details:</b>	Tourism Advisory Board
<b>Date:</b>	3.12.2014
<b>Time:</b>	5.35pm
<b>Assembly Location:</b>	(e.g: Town Hall, TOWN, No. xx ADDRESS, Latrobe City Council Offices). Nambur Wariga Meeting room, Latrobe City Council HQ Morwell

### IN ATTENDANCE

<b>Councillors:</b>	<input checked="" type="checkbox"/> Cr Christine Sindt	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input type="checkbox"/> Cr Sandy Kam
	<input checked="" type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	Geoff Hill, Jason Membrey, Caroline Hammond, Linda Brock		
<b>Matter/s and main topic/s discussed:</b> <i>Provide dot points only, not the minutes of the meeting</i>	Gippsland Tourism Conference Sep 2015 Latrobe Tourism website		
<b>Confidential/ Not confidential</b>	Are the matters considered confidential under the Local Government Act? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

### CONFLICT OF INTEREST DISCLOSURES: (refer to page 2)

<b>Councillors:</b>	<input type="checkbox"/> Cr Christine Sindt	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input type="checkbox"/> Cr Sandy Kam
	<input type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>			
<b>Times that Officers / Councillors left/returned to the room:</b>	Cr Sindt departed at 6.55pm		

Completed by: Linda Brock, Tourism Coordinator, Date: 1.10.2014



## Assembly of Councillors Record

This form **MUST** be completed by the attending Council officer and returned **IMMEDIATELY** to the Council Operations Team for filing. {see over for Explanation/Guide Notes}.

<b>Assembly details:</b>	Traralgon CBD Safety Committee Meeting
<b>Date:</b>	18 December 2014
<b>Time:</b>	9:01 am to 9:32 am
<b>Assembly Location:</b>	(e.g: Town Hall, TOWN, No. xx ADDRESS, Latrobe City Council Offices). Macfarlane Burnett Room, Latrobe City Service Centre Kay Street, Traralgon

### IN ATTENDANCE

<b>Councillors:</b>	<input type="checkbox"/> Cr Christine Sindt	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Sandy Kam
	<input type="checkbox"/> Cr Darrell White	<input checked="" type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	Heather Farley & Andrew Legge		
<b>Matter/s and main topic/s discussed:</b> <i>Provide dot points only, not the minutes of the meeting</i>	<ol style="list-style-type: none"> <li>1. Late Night Bus Services and potential funding and variation in operation to support a Friday night service</li> <li>2. Traralgon Taxi services and late night venue lock out times</li> <li>3. Traralgon Liquor Accord report</li> <li>4. Repair of lighting behind Ryans Hotel in car park area</li> <li>5. Next features in Traralgon CBD Safety Committee Newsletter</li> <li>6. Potential late night CBD and venues walk through by members of the Committee</li> </ol>		
<b>Confidential/ Not confidential</b>	Are the matters considered confidential under the Local Government Act? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

### CONFLICT OF INTEREST DISCLOSURES: (refer to page 2)

<b>Councillors:</b>	<input type="checkbox"/> Cr Christine Sindt	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input type="checkbox"/> Cr Sandy Kam
	<input type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	Nil		
<b>Times that Officers / Councillors left/returned to the room:</b>	Nil		



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Completed by: *(full name, title, date)* Heather Farley - Coordinator Community Strengthening, Tuesday 23 December 2014

**Assembly of Councillors Record Explanation / Guide Notes**  
Required pursuant to the Local Government Act 1989 as amended.

**1. Section 80A requirements (re: Written Record to be made by Council staff member):**

Amendments to the Local Government Act 1989 (Section 80A), operative from 2 December 2008 now stipulate:

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

- the names of all Councillors and members of Council staff attending;
- the matters considered;
- any conflict of interest disclosures made by a Councillor attending under subsection (3);
- whether a Councillor who has disclosed a conflict of interest as required by subsection (3) leaves the assembly."

The above required information is:

- to be reported to an Ordinary meeting of the Council; and
- incorporated in the minutes of that Ordinary meeting.

**2. Section 76AA definition:**

"**Assembly of Councillors** (however titled, e.g. meeting / inspection / consultation etc) is a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of staff which considers matters that are intended or likely to be;

- The subject of a decision of the Council; or
- Subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.

**Brief Explanation:**

Some examples of an *Assembly of Councillors* will include:

- Councillor Briefings;
- on site inspections, generally meetings re: any matters;
- meetings with residents, developers, other clients of Council, consultations;
- meetings with local organisations, Government Departments, statutory authorities (e.g. VicRoads, etc);

providing **at least 5 Councillors and 1 Council staff member are present** and the matter/s considered are intended or likely to be subject of a future decision by the Council **OR** an officer decision under delegated authority.

*Effectively it is probable, that any meeting of at least 5 Councillors and 1 Council staff member will come under the new requirements as the assembly will in most cases be considering a matter which will come before Council or be the subject of a delegated officer's decision at some later time. If you require further clarification, please call the Manager Council Operations – Legal Counsel.*

**Please note:** an Advisory Committee meeting requires only one Councillor to be in attendance. An advisory committee is defined as any committee established by the Council, other than a special committee, that provides advice to:

- the Council; or
- a special committee; or
- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

**3. Section 80A and 80B requirements (re: Conflict of Interest):**

Councillors and officers attending an Assembly of Councillors must disclose any conflict of interest.

**Section 80A(3)**

"If a Councillor attending an Assembly of Councillors knows, or would reasonably be expected to know, that a matter being considered by the assembly is a matter that, were the matter to be considered and decided by Council, the Councillor would have to disclose a conflict of interest under section 79, the Councillor must disclose either:

- (a) immediately before the matter in relation to the conflict is considered; or
- (b) if the Councillor realises that he/she has a conflict of interest after consideration of the matter has begun, as



soon as the Councillor becomes aware of the conflict of interest, leave the assembly whilst the matter is being considered by the assembly.”

**Section 80B**

A member of Council staff who has a conflict of interest (direct or indirect) in a matter in which they have a delegated power, duty or function must:

- not exercise the power or discharge the duty or function;
- disclose the type of interest and nature of interest to the in writing to the Chief Executive Officer as soon as he/she becomes aware of the conflict of interest. In the instance of the Chief Executive Officer having a pecuniary interest, disclosure in writing shall be made to the Mayor.

# PLANNING & ECONOMIC SUSTAINABILITY



13. PLANNING & ECONOMIC SUSTAINABILITY

**13.1 PLANNING PERMIT APPLICATION 2014/236 - CONSTRUCTION  
OF FIVE SINGLE DWELLINGS AND A FIVE LOT SUBDIVISION  
AT 145 RIVERSLEA BOULEVARD, TRARALGON.**

General Manager

Planning & Economic  
Sustainability

**For Decision**

**PURPOSE**

The purpose of this report is for Council to consider Planning Permit Application 2014/236 for the construction of five single dwellings and a five lot subdivision at 145 Riverslea Boulevard, Traralgon (Lot 12 PS 531365).

The application is to be heard at an Ordinary Council Meeting under the current delegation process whereas six objections have been received to the proposal.

**EXECUTIVE SUMMARY**

Having evaluated the proposal against the relevant provisions of the Latrobe Planning Scheme (the Scheme), it is considered that the application is consistent with the relevant objectives and decision guidelines of the Scheme. It is therefore recommended that a Notice of Decision be issued for the following reasons:

- The proposal will provide for five new dwellings in an established residential area of Traralgon, thereby allowing for additional residential development in keeping with the objectives of Clause 11.02-1 (Supply of urban land), Clause 16.01-1 (Integrated housing) and Clause 16.01-2 (Location of residential development) of the Scheme.
- The design of the dwellings and the subdivision is considered appropriate for the area and the proposal is considered to be consistent with the objectives of Clause 15.01-1 (Urban design), Clause 15.01-2 (Urban design principles), Clause 15.01-3 (Neighbourhood and subdivision design), Clause 15.01-5 (Cultural identity and neighbourhood character).
- The proposal will provide for five smaller lots within the urban area, thereby providing more affordable housing options in keeping with the objectives of Clause 16.01-4 (Housing diversity) and Clause 16.01-5 (Housing affordability) of the Scheme.
- The proposal is consistent with Clause 55 (Two of more dwellings on a lot).
- The proposal is consistent with Clause 65 (Decision Guidelines).

RECOMMENDATION

That Council issues a Notice of Decision to grant a planning permit, for the construction of five single dwellings and a five lot subdivision at 145 Riverslea Boulevard, Traralgon (Lot 12 PS 531365), with the following conditions:

Subdivision conditions

- 1 The layout of the subdivision as shown on the endorsed plan must not be altered without the permission of the Responsible Authority.
- 2 Before the commencement of any works hereby permitted or prior to the certification of the plan of subdivision under the Subdivision Act 1988 (whichever is earlier), a site drainage plan, including levels or contours of the land and all hydraulic computations, must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The drainage plan must be prepared in accordance with the requirements of Latrobe City Council's Design Guidelines and must provide for the following:
  - a) How the land including all buildings, open space and paved areas will be drained for a 1 in 5 year ARI storm event.
  - b) An underground pipe drainage system conveying stormwater to the legal point of discharge.
  - c) The provision of stormwater detention within the site and prior to the point of discharge into Latrobe City Council's drainage system. The stormwater detention system must be designed to ensure that stormwater discharges arising from the proposed development of the land are restricted to pre-development flow rates. The rate of pre-development stormwater discharge shall be calculated using a co-efficient of run-off of 0.45.
  - d) No part of any above ground stormwater detention system is to be located within a stormwater drainage easement.
- 3 The plan of subdivision submitted for certification under the Subdivision Act 1988 must show appropriate easements set aside for drainage purposes to the satisfaction of the Responsible Authority.
- 4 Before an Occupancy Permit is issued for the dwellings hereby permitted or prior to the issue of a Statement of Compliance for this subdivision under the Subdivision Act 1988 (whichever is earlier), the operator of this permit must complete the following works to the satisfaction of the Responsible Authority including all necessary permits being obtained and inspections undertaken:

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- a) All drainage works must be constructed in accordance with the approved site drainage plan.
- b) The construction of all on-site stormwater detention works in accordance with the site drainage plan approved by the Responsible Authority.
- c) A new vehicle crossing must be constructed, in accordance with the endorsed plans, at right angles to the road and must comply with the vehicle crossing standards set out in Latrobe City Council's Standard Drawing LCC 307.
- d) The areas shown on the endorsed plans for vehicle access within the property must be constructed in accordance with the endorsed plans and be surfaced with concrete, reinforced concrete, brick paving or hot mix asphalt and drained in accordance with the approved site drainage plan.
- e) Installation of street lighting in accordance with Australian Standard AS1158, along all new vehicle accessways.

5 The owner of the land must enter into an agreement with:

- a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
- b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- c) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and

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- d) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- 6 Prior to the issue of a Statement of Compliance under the Subdivision Act 1988, the owner must either:
- a) Commence the development to completion of footings (if on stumps) or completion of slab to the satisfaction of the Responsible Authority;
  - or
  - b) enter into an agreement with the Responsible Authority made pursuant to section 173 of the Planning and Environment Act 1987 which provides that the subsequent development of the land will accord with the plans endorsed to Planning Permit 2014/236 and
  - c) make application to the Registrar of Titles to have the agreement registered on the title to the land under section 181 of the Act; and
  - d) pay the reasonable costs of preparation, review, execution and registration of the agreement; and
  - e) provide Council with a copy of the dealing number issued by the Titles Office; and
  - f) upon registration of the Agreement provide either:
    - i) a current title search; or
    - ii) a photocopy of the duplicate certificate of Title as evidence of registration of the section 173 agreement on title.
- 7 Prior to the issue of a Statement of Compliance under the Subdivision Act 1988, the owner must:
- a) Pay New Customer Contributions to Gippsland Water for each service (water and/or wastewater) provided to each lot created by this development. These charges are based on Gippsland Water's rates at the time of payment and are associated with additional infrastructure that Gippsland Water will be required to operate and maintain to ensure ongoing servicing of this development.

- b) Install water services to the satisfaction of Gippsland Water. As Constructed details showing the location of the installed services are required to be submitted to Gippsland Water.
- c) Install separate internal sewer services to the satisfaction of Gippsland Water. As Constructed details showing the location of the installed services are required to be submitted to Gippsland Water.
- d) There is an existing sewer connection point located in this property. Construction adjacent to an asset requires a minimum clearance of 1.0 metre from the outside edge of the sewermain and sewer connection point (includes assets below the ground as per the Water Act). The Site Development Plan ref Project No: 141600, Revision No: P2; included as part of this planning permit application, does not provide the location of the existing sewer connection point. As such, we cannot ascertain that this clearance will be achieved. In this instance, the existing sewer point (copy of plans provided), may require to be capped and in this instance a new sewer connection point will be required.
- e) As constructed details showing the location of the installed internal combined sewer drain services are required to be submitted to Casey Services via facsimile on 9835 5515 and a copy to Gippsland Water on facsimile 5174 5174.
- f) Create Reserves and/or Easements in favour of the Central Gippsland Region Water Corporation over all existing and proposed water and sewerage works located within the subdivision. Easements are to be for Pipeline or Ancillary Purposes.
- g) Any plan of subdivision of the subject land lodged for certification shall be referred to Gippsland Water under Section 8(1) of the Subdivision Act 1988.
- h) If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.

#### DESIGN AND CONSTRUCTION OF WORKS WITHIN THE REGIONAL OUTFALL SEWER (ROS) EASEMENT

- i) Prior to the commencement of any construction works the owner/developer must provide the following:
  - i) A Detailed Structural Design Drawing for the proposed Vehicle Slab over the Critical Asset (Regional Outfall Sewer) including excavation depths, proposed construction / surface details and location of the Gippsland Water Asset. The design of the driveway must be for the use of Heavy Vehicles and approved by Gippsland Water prior to any works commencing.

- ii) The Structural Design Drawing must also incorporate all infrastructure such as water, sewer, gas, stormwater pipes, Telstra and electricity. Location of services must be submitted to Gippsland Water for approval prior to any works commencing.
  - iii) The Detailed Design Drawing must have a notation outlining that no heavy plant equipment is allowed to move across or over the ROS pipeline within the ROS Reserve and no plant, spoil or machinery is allowed to sit over the top of any Gippsland Water assets within the Regional Outfall Sewer Easement during construction of any works to the satisfaction of Gippsland Water.
  - iv) A Gippsland Water representative is to be contacted at least 2 working days prior to works commencing to allow Gippsland Water representative(s) to be onsite during construction works.
- 8 Prior to the issue of certification under the Subdivision Act 1988, the applicant must
- a) Enter into an agreement with AusNet Electricity Services Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.
  - b) Provide electricity easements internal and external to the subdivision in favour of AusNet Electricity Services Pty Ltd to service the lots on the plan of subdivision and/or abutting lands as required by AusNet Electricity Services Pty Ltd. The provision of reserves for electricity substations may also be required.
- 9 This permit will expire if:
- a) the plan of subdivision is not certified within 2 years of the date of this permit; or
  - b) the registration of the subdivision is not completed within 5 years of certification.

The Responsible Authority may extend the time if a request is made in writing before the permit expires or within six months of expiry of permit.

Development conditions

- 10 The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
- 11 Once building works have commenced they must be completed to the satisfaction of the Responsible Authority.

- 12 All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 13 Upon completion of the works, the site must be cleared of all excess and unused building materials and debris to the satisfaction of the Responsible Authority.
- 14 The landscaping as shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
- 15 The exterior colour and cladding of the building(s) must be of a non-reflective nature to the satisfaction of the Responsible Authority.
- 16 Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Responsible Authority.
- 17 This permit will expire if:
  - a) The development is not commenced within two years of the date of this permit; or
  - b) The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of expiry of permit. An extension of time to complete the development or a stage of the development may be requested if—

  - the request for an extension of time is made within 12 months after the permit expires; and
  - the development or stage started lawfully before the permit expired.

**Moved:** Cr Rossiter

**Seconded:** Cr White

**That the Recommendation be adopted.**

**For the Motion**

Councillor/s Rossiter, White.

**Against the Motion**

Councillor/s Gibbons, Kam, Harriman, O'Callaghan, Sindt, Middlemiss.

**The Mayor confirmed that the Recommendation had been LOST**

## **DECLARATION OF INTERESTS**

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

## **STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

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

#### *Strategic Objectives – Built Environment*

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

#### *Strategic Objectives – Economy*

*In 2026, Latrobe Valley has a strong and diverse economy built on innovative and sustainable enterprise. As the vibrant business centre of Gippsland, it contributes to the regional and broader economies, whilst providing opportunities and prosperity for our local community.*

### *Latrobe City Council Plan 2013 - 2017*

#### *Theme and Objectives*

##### *Theme 1: Job creation and economic sustainability*

###### *Strategic Direction*

*Provide timely and targeted infrastructure to support economic growth and the marketability of Latrobe City to industry and investors.*

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

###### *Strategic Directions*

*Development and maintain community infrastructure that meets the needs of our community.*

*Promote and support opportunities for people to enhance their health and wellbeing.*

*Enhance and develop the physical amenity and visual appearance of Latrobe City.*

*Continue to maintain and improve access to Latrobe City's parks, reserves and open spaces.*

##### *Theme 5: Planning for the future*



## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

### *Strategic Directions*

*Provide efficient and effective planning services and decision making to encourage development and new investment opportunities.*

*Plan and coordinate the provision of key services and essential infrastructure to support new growth and developments.*

### Legislation

*Local Government Act 1989*

*Planning and Environment Act 1987*

*Subdivision Act 1988*

## **BACKGROUND**

### **SUMMARY**

Land:	145 Riverslea Boulevard, Traralgon known as Lot 12 on PS 531365.
Proponent:	Salmar Developments P/L C/- Beveridge Williams P/L
Zoning:	General Residential Zone
Overlay	N/A

A Planning Permit is required for the subdivision of land in the General Residential Zone in accordance with Clause 32.08-2 of the Scheme. A permit is also required for the development of two or more dwellings on a lot in accordance with Clause 32.08-4 of the Scheme. A site context plan is included as Attachment 1 of this report.

### **PROPOSAL**

The application is for the construction of five single dwellings and a five lot subdivision. The site area is 2057 sq m and is a vacant allotment created as part of the original subdivision of the area.

Lots 1, 3 and 4 are 250 sq m in size, lot 2 is 245 sq m and lot 5 is 260 sq m. The remainder of the site is the access driveway which is designated as common property.

Each dwelling is proposed to be single storey (maximum height of 5.5m), have three bedrooms and a secure double integral garage. Dwellings 3-5 have the same internal layout and almost the same external appearance, the difference being in the detailing of the porch roof.

Dwellings 1 and 2 are proposed to be located on the northern part of the site, separated from dwellings 3-5 which are proposed along the southern section. There would be an access area in between, designated as common property. The boundary around the entire site is to comprise of 1.8m high timber fencing.

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

A copy of the proposed plans, including the proposed plan of subdivision is included as Attachment 2 of this report.

### Subject Land:

The site is 2057 sq m in size and is battle axe shaped, with the accessway coming off Riverslea Boulevard. The full length of the western boundary is 78.37m, the southern boundary is 52.07m, the eastern boundary 37.87m and the northern boundary 41.59m. The area slopes gently up to the east, but the application site is generally flat.

The main part of the site is rectangular in shape and is currently vacant and laid to grass. The application site is flat and there are two easements on the site; a 3m wide drainage easement running across part of the narrow accessway to the site and a 20.12m wide sewerage easement which protects the Regional Outfall Sewer main and also incorporates a standard sewer main (3m wide).

### Surrounding Land Use:

The site is located in the General Residential Zone to the north-west of Traralgon in an established residential area. Residential dwellings lie immediately to the west and south of the site and to the east is a public reserve. Immediately to the north is a vacant lot which fronts onto Riverslea Boulevard. The wider surrounding area comprises residential properties and public reserves and St Paul's Anglican Grammar School lies just over 200m to the east.

## **LATROBE PLANNING SCHEME**

### **State Planning Policy Framework**

The proposal has been considered against the relevant clauses under the State Planning Policy Framework.

Clause 11.02-1 (Supply of urban land) seeks to ensure that there is a sufficient supply of land available for a variety of uses, including residential. Strategies include ensuring that sufficient land is available to meet forecast demand and that there is an ongoing provision of land and supporting infrastructure to support sustainable urban development.

Clause 15.01 relates to the urban environment. It sets out a number of objectives that seek to:

- achieve high quality urban design and architecture
- create safe and functional urban environments and provide good quality environments with a sense of place and cultural identity
- enhance the liveability, diversity, amenity and safety of the public realm

Strategies include requiring development that responds to its context, providing a diverse range of housing types and sizes in sustainable locations. Good urban design should be promoted contributing to

community and cultural life and making the environment more liveable and attractive whilst providing safe and secure communities. Clause 55 of the Planning Scheme contains a series of design principles for a proposal of two or more dwellings on a lot that the application has been assessed against.

Clause 15.02-1 relates to Energy and resource efficiency encouraging land use and development that are consistent with the efficient use of energy and the minimisations of greenhouse gas emissions. To achieve this, buildings and subdivision design should improve efficiency in energy use and promote consolidation of urban development and integration of land use and transport.

Clause 16 relates to Residential development. The objective of clause 16.01-1 (Integrated housing) is to promote a housing market that meets community needs. One strategy to achieve this is to increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.

Ensuring that new housing is located in accessible locations, close to activity centres and employment corridors is the objective of Clause 16.01-2 (Location of residential development). Higher density housing development should be encouraged on sites that are well located in relation to activity centres, employment corridors and public transport and opportunities should be identified for increased residential densities to help consolidate urban areas.

The objective of Clause 16.01-4 (Housing diversity) is to provide for a range of housing types to meet increasingly diverse needs. Strategies include ensuring housing stock matches changing demand by widening housing choice, particularly in established residential areas and supporting opportunities for a wide range of income groups to choose housing in well-serviced locations.

Clause 16.01-5 (Housing affordability) seeks to deliver more affordable housing closer to jobs, transport and services. This can be achieved by, amongst other things, ensuring land supply continues to be sufficient to meet demand and increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.

### **Local Planning Policy Framework**

#### Municipal Strategic Statement (Clause 21)

Clause 21.04-2 relates to Settlement Overview. Objective 1 seeks to build upon the existing structure of the towns and settlements to create an integrated network of urban areas. This can be achieved by consolidating development within and around existing towns and avoiding unnecessary urban expansion and rural subdivision is one strategy to help achieve this

objective. The aim of objective 3 is to encourage a wider variety of housing types, especially smaller and more compact housing, to meet the changing housing needs of the community. Strategies to achieve this include encouraging diversity of dwelling types to provide greater choice and affordability and encouraging infill and renewal at a variety of housing densities.

Clause 21.05-2 relates to Main Towns Overview. The aim of objective 1 is to provide the flexibility for development to occur in each town to accommodate the needs of its population as well as to contribute to the municipal networked city. Encouraging well designed, infill residential development throughout the existing urban area, especially in locations close to activity centres, areas of open space and areas with good public transport accessibility will help to achieve this objective. Objective 2 seeks to facilitate development in accordance with the specific Town Structure Plan attached to this clause. Strategies include encouraging the consolidation of urban settlement within the urban zoned boundaries in accordance with the adopted structure plans and continuing new residential subdivision within residential areas shown on the local structure plans.

### **Zoning**

The site is located within the General Residential Zone where the purpose includes:

- To encourage development that respects the neighbourhood character of the area.
- To implement neighbourhood character policy and adopted neighbourhood character guidelines.
- To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.

In accordance with the provisions of the General Residential Zone, a permit is required to subdivide land and also where two or more dwellings are proposed on a lot. In accordance with Clause 32.08-2 an application to subdivide land must meet the requirements of Clause 56. In accordance with Clause 32.08-4 a development of two or more dwellings on a lot must meet the requirements of Clause 55. In accordance with Clause 32.08-10 of the Scheme, Council must consider the relevant decision guidelines of the General Residential Zone. A discussion of the decision guidelines is considered in the relevant section below of this report.

### **Particular Provisions**

#### *Clause 52.01 Public Open Space Contribution and Subdivision*

Council's Public Open Space Strategy requires a contribution from the developer of 10% of the value of the net developable area of the land to be provided in either cash or land or a combination of both for public open space. Public open space was provided under the original subdivision

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09 FEBRUARY 2015 (CM456)**

(planning permit reference 03020) and is therefore not required under this current application.

*Rescode Assessment Clause 55 Two or More Dwellings on a Lot and Clause 56 Residential Subdivision*

The proposal has been assessed against Clauses 55 and 56 of the Scheme and is deemed to satisfy the relevant objectives and standards of both Clauses in relation to neighbourhood character, site layout and building massing, amenity impacts, on-site amenity and facilities and detailed design.

**Decision Guidelines (Clause 65):**

Clause 65.01 sets out the decision guidelines to consider before deciding on an application or approval of a plan. Clause 65.02 sets out the decision guidelines to consider before deciding on an application to subdivide land. These guidelines are discussed in the Key Points/Issues section of this report.

**INTERNAL / EXTERNAL CONSULTATION**

*Engagement Method Used:*

Notification:

The application was advertised pursuant to Sections 52(1)(a) and (d) of the Planning and Environment Act 1987. Notices were sent to all adjoining and adjacent landowners and occupiers and a site notice was displayed on the site frontage for 14 days.

Six submissions in the form of written objections were received. A copy of these objections can be viewed at Attachment 3 of this report. The fundamental concern of the objections was the level of development on the site and following discussions between the officer and the objectors, it was apparent that they wished to see the number of dwellings proposed on the site to be reduced. The applicant was unwilling to undertake this and it was therefore concluded that there would be no benefit in holding a stakeholder meeting as it was clear that the fundamental issues would not be overcome.

The issues raised in the objections are discussed in the Key Points/Issues sections of this report.

External:

In accordance with the referral requirements of Section 55 of the Act, the application was referred to Gippsland Water, SP Ausnet and APA Group for consideration. All three authorities did not object to the proposal.

Internal:

The application was referred internally to Council's Engineering team for consideration. There was no objection to the granting of a planning permit subject to the inclusion of appropriate conditions.

**KEY POINTS/ISSUES**

The application received six submissions in the form of objections. The issues raised were:

- 1 The proposal would result in a high density development of small lots that is out of keeping with the character of the area, and with limited tree cover and soft landscaping. The site was not subdivided under the original application

Comment:

Council's Local Planning Policy Framework, which includes the Municipal Strategic Statement, sets out that the priorities in all the main urban settlements are on realising opportunities for infill developments, providing diversity of housing types and improving residential amenity. The objective of clause 21.04-2 is 'to encourage a wider variety of housing types, especially smaller and more compact housing.'

Planning permission was granted in 2003 for a 204 lot subdivision on land which now comprises Riverslea Boulevard and associated cul-de-sacs. The density for this subdivision was 7.22 lots per hectare. Taking into account the proposed five lot subdivision, as well as other subdivisions approved within the original area only results in a small increase in density, to 7.71 lots per hectare. It is therefore considered that the proposed development is still in keeping with the residential character of the area. The fact that the application site was not part of the original subdivision is not considered to be a relevant planning consideration. It is common that individual lots are further subdivided at a later stage once the original subdivision has been approved.

Concerns were also raised about the proposed development being out of keeping with the character of the area, providing smaller lots with less amenity space and soft landscaping. Council's Planning Scheme has no neighbourhood character policy, objectives or standards. The proposal will provide five single storey dwellings on an infill site and meets the Rescode requirements, in terms of providing adequate amenity space. A landscaping plan has been submitted as part of the proposal, which is considered to provide a reasonable level of soft landscaping, including some trees. If the proposal is approved, conditions will be placed on the permit to require landscaping of the site in accordance with the plan.

- 2 There is insufficient car parking provided.

Comment

Two parking spaces are provided for each dwelling consistent with the requirements set out in Clause 52.06. There is also parking for two visitor spaces within the site; the mandatory requirement under the clause is one space. Sufficient room is provided within the site for vehicles to manoeuvre so as to be able to exit the site in a forward direction. Concern has been raised that if every unit gets visitors at the same time, then there will be parking on the street near a bend.

There are no restrictions on on-street parking within the area. It is therefore not considered that this concern can be used as a justification to refuse the application.

- 3 Traffic safety concerns

Comment

The applicant submits that the development will generate on average 10 additional vehicle movements per day, per dwelling, which would equate to a total of 50 vehicle movements per day. As per Council's Design Guidelines, Riverslea Boulevard is classified as a major access street, meaning it has been designed to carry up to 2000 vehicles per day. According to Council's most recent data, the average traffic count for Riverslea Boulevard is approximately 630 vehicles per day. Conservatively, the addition of a five lot subdivision, with a total of 50 vehicle movements per day would still be within the design capacity of the road and as such will not negatively impact on the existing road network.

- 4 There is a limited kerb frontage to the application site and concern is raised about placing bins on the street.

Comment:

The site has an existing accessway off Riverslea Boulevard which is 5.46m wide. This will remain the same irrespective of the number of dwellings proposed on the main section of the site. The proposal will generate more bins to be accommodated along the road front. This is one side effect when achieving urban consolidation. The temporary annoyance caused by the line up of bins does not warrant the refusal of the proposal.

- 5 The development is not in close proximity to activity centres.

Comment:

The application site is located within an established residential area in close proximity to a public bus route (approximately 200m) that provides a direct connection to the CBD.

**ORDINARY COUNCIL MEETING MINUTES  
09 FEBRUARY 2015 (CM456)**

- 6 Proposal clearly targeted at rental market when surrounding properties are predominantly owner occupier.

Comment:

The tenure of the dwellings, whether for sale or rent is not a relevant planning consideration. This objection therefore is outside the realms of matters to be considered by the Responsible Authority.

- 7 Noise disruption from vehicles.

Comment:

Additional noise associated with a new development is to be expected within an urban environment. Given the scale and residential nature of the development, it is considered that any noise will be typical of that generated within an urban area and as a result the proposal will not result in any material detriment to the surrounding area.

- 8 Devaluation of surrounding properties.

Comment:

Property values are not relevant planning considerations and therefore not grounds for refusing an application. This has been upheld at VCAT hearings and so is not a matter for consideration by the Responsible Authority.

**RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework. There is not considered to be any risks associated with this report.

**FINANCIAL RESOURCES IMPLICATIONS**

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

**OPTIONS**

Council has the following options in regard to this application:

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

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



**CONCLUSION**

The proposal is considered to be:

- Consistent with the strategic direction of the State and Local Planning Policy Frameworks;
- Consistent with the 'Purpose' and 'Decision Guidelines' of the General Residential Zone;
- Consistent with Clause 65 (Decision Guidelines); and
- The objectors concerns have been considered against the provisions of the Latrobe Planning Scheme. Some concerns can be addressed by planning conditions and some of the concerns are not relevant planning considerations. It has been determined that they do not form planning grounds on which the application should be refused.

**Attachments**

1. Site context plan
2. Plans, elevations and subdivision plan
3. Objection Letters (Published Separately)

## 13.1

### Planning Permit Application 2014/236 - Construction of five single dwellings and a five lot subdivision at 145 Riverslea Boulevard, Traralgon.

- 1 Site context plan ..... 99
- 2 Plans, elevations and subdivision plan ..... 101

**Design Response**

The existing neighbourhood consists of a newer subdivision completed approximately 2005 with the construction of dwelling in the mid to late 2000's.

These buildings within the neighbourhood are constructed utilising a wide variety of building elements including face brickwork, render, metal and fibre cement lightweight claddings.

The roof construction is generally hipped and gable roof forms, however there are also a Parapeted roofs and skillion roof shapes in the vicinity of the subject site.

The roof cladding is a combination of tile and sheet roofing. Front fencing the surrounding area is generally no fencing, however some dwellings have a hedge screening forming a fence and another a 1.2h permeable pool type fence.

The landscaping in Riverslea Boulevard is varied with the majority of residences having quite basic landscaping within the front setback of dwelling include low level shrubs and grassed lawns.

The subject site is close to amenities such as IGA supermarket and service station on the corner of Grey Street and Grub Avenue approx 900m from the site.

The CBD is approximately 2.05km from the site which has good access via public transport with the bus network having a bus stop approximately 50m from the south boundary on Cross's road.

Public open space is ample and near to the site with a large reserve to the east boundary and also a large park with playground approximately 120m away opposite the Cross's Road / Riverslea Boulevard intersection. Access to schools is very handy from the site with a number of schools within walking distance, the closest of which is the St Pauls Anglican Grammar which is 250m to the east of the subject site.

The pattern of development is generally single storey dwellings with single dwellings per allotment with multi-residential developments however are present with a two dwellings on an allotment under construction on No. 153 Riverslea Boulevard and also a 3 two storey dwelling development approved on No. 80 Cross's road which is over the south fence of the subject site.

The proposed development has been designed to best utilise the attributes of the site. The subject site is a large battleaxe shaped allotment of 2058m<sup>2</sup>. The site falls at approximately 1 in 50 grade from the north east corner to the south west corner with 1.24m fall over the 60 meters.

The access to the allotment off Riverslea Boulevard is a 5 meter wide driveway access which is on the southern side of Riverslea boulevard. The rear section of open land available for development is approximately 52 meters wide by 35 meters deep.

The proposed dwellings have been designed to suit the site orientation with the living area's to the northerly aspect with a 450 wide eave included to shelter the dwellings from the hot summer sun.

Undercover outdoor area's have been provided accessed off the living area's of each dwelling to the east or north east to allow protection from the wind and weather which is generally from the west south westerly direction.

The proposed development facades has been designed to reflect the present neighbourhood character while presenting to current market demands.

The design is to blend with the existing built form in the surrounding area's by utilising some of the features already present, such as hipped roof forms, face brickwork, render and low lying vegetation within mulched garden beds.



Public Open Space  
With Playground

SITE CONTEXT / ANALYSIS PLAN  
1:1000

S.P. 4031425      OFFICE: 56A HATHAM STREET TRARALGON      PHONE: (051) 874 0000  
 ABN 88 143 364 096      POSTAL: P.O. Box 1561 TRARALGON 3844      MOB: 0412 841 064

PROJECT: PROPOSED MULTI-RESIDENTIAL DEVELOPMENT			
CLIENT: SALMAR DEVELOPMENTS Pty Ltd			
145 RIVERSLEA BOULEVARD TRARALGON VIC 3844			
DRAWING TITLE:	BUILDERS SIGNATURE:	CLIENT SIGNATURE:	REVISION NUMBER:
SITE CONTEXT/ANALYSIS PLAN			P1
DRAWN BY: S.AACLEMENY			PROJECT NUMBER:
DATE: 19/10/2014			141600
SCALE: AS NOTED @ A3			DRAWING NUMBER:
			A-15

**ENERGY RATING REQUIREMENTS**

REFER TO FIRSTRATE5 ENERGY RATING FOR FURTHER DETAILS

**GENERAL**  
 ALL EXTERNAL DOORS TO BE SEALED  
 ALL DOORS TO UNCONDITIONED ROOMS TO BE WEATHER STRIPED  
 ALL EXHAUST FANS TO BE SEALED  
 ALL CONSTRUCTION GAPS & CRACKS TO BE SEALED

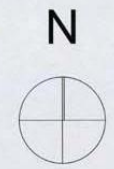
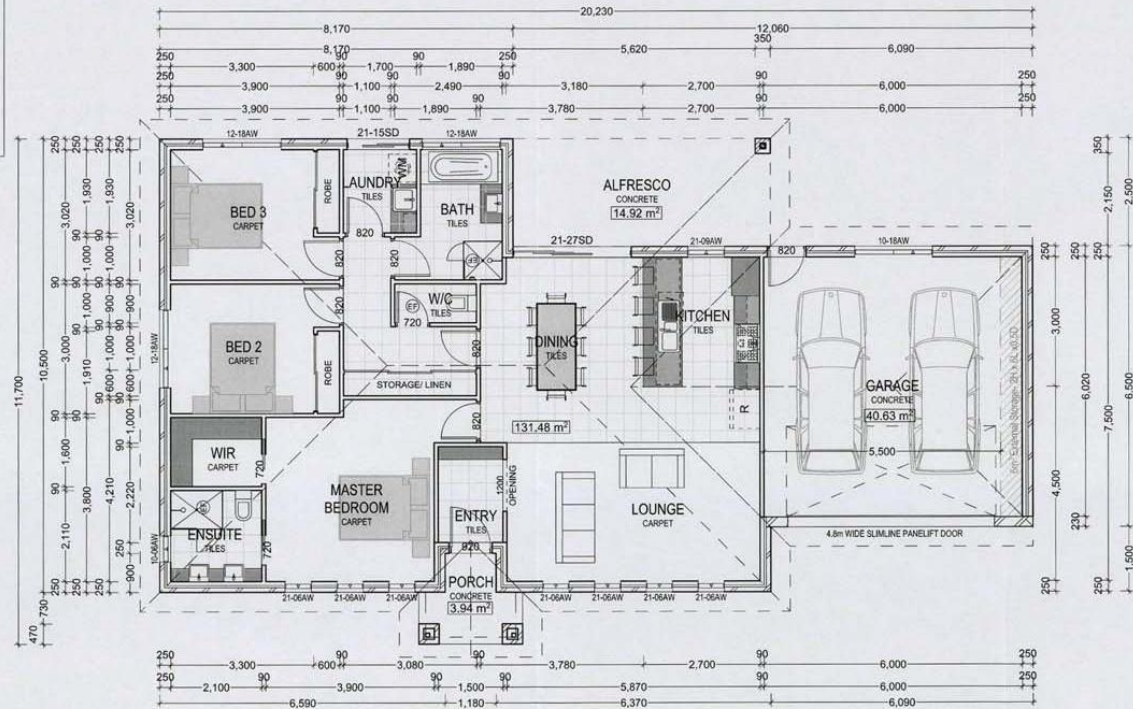
**FLOOR**  
 CONCRETE RAFT SLAB ON GROUND

**EXTERNAL WALLS**  
 BRICK VENEER CONSTRUCTION  
 DOUBLE SIDED VAPOUR PERMEABLE REFLECTIVE FOIL  
 FIXED TO EXTERNAL FACE OF STUDS,  
 R2.0 BATTS BETWEEN STUDS, LINED INTERNALLY

**WINDOWS**  
 ALUMINIUM IMPROVED FRAME AND DOUBLE GLAZING  
 WITH U VALUE 3.95 AND SHGF 0.68

**ROOF / CEILING**  
 SHEET ROOF. FOIL SARKING OVER RAFTERS  
 R3.5 BULK INSULATION BETWEEN CEILING JOISTS

**DWELLING ONE**



**LEGEND**

230 DOUBLE BRICK	
250 BRICK VENEER	
110 SINGLE BRICK	
90 TIMBER STUD	
SMOKE DETECTOR	
EXHAUST FAN	
ARTICULATION JOINT	
ELEC. SUB-BOARD	
HOT WATER SYSTEM	
DOWN PIPE	

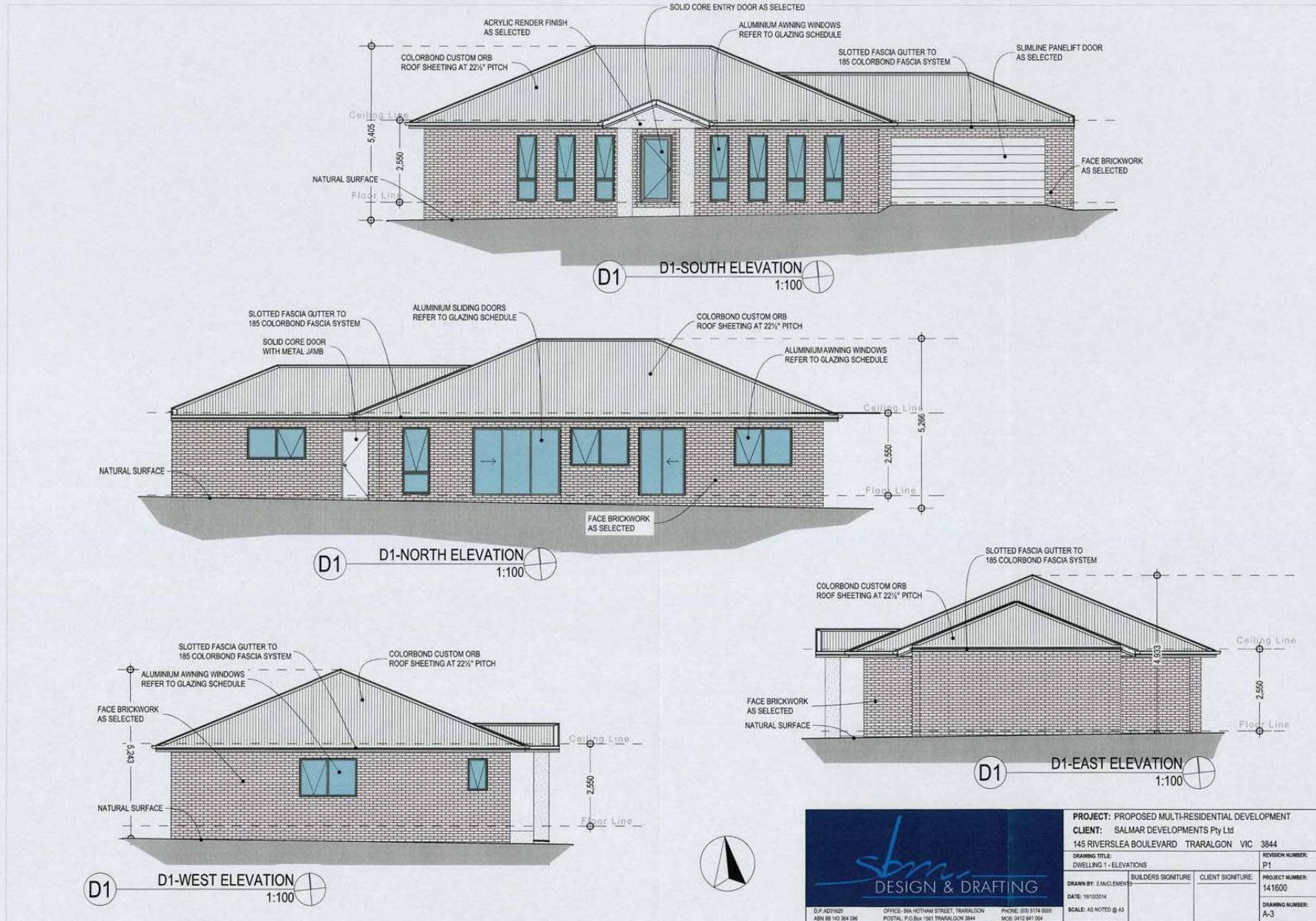
**Dwelling 1 - Area Summary**

Zone	m2	Sqr
Living Area	131.48	14.15
Garage Area	40.63	4.37
Porch Area	3.94	0.42
Alfresco Area	14.92	1.61
<b>Total Area</b>	<b>190.97</b>	<b>20.56</b>

D1 FLOOR PLAN 1:100



<b>PROJECT:</b> PROPOSED MULTI-RESIDENTIAL DEVELOPMENT	
<b>CLIENT:</b> SALMAR DEVELOPMENTS Pty Ltd	
145 RIVERSLEA BOULEVARD TRARALGON VIC 3844	
<b>DRAWING TITLE:</b> DWELLING 1- FLOOR PLAN	<b>REVISION NUMBER:</b> P1
<b>DRAWN BY:</b> S.MCLEMENTS	<b>BUILDERS SIGNATURE:</b>
<b>DATE:</b> 18/10/2014	<b>CLIENT SIGNATURE:</b>
<b>SCALE:</b> AS NOTED @ A3	<b>PROJECT NUMBER:</b> 141600
	<b>DRAWING NUMBER:</b> A-2



**ENERGY RATING REQUIREMENTS**

REFER TO FIRSTSTAR'S ENERGY RATING FOR FURTHER DETAILS

**GENERAL**

- ALL EXTERNAL DOORS TO BE SEALED
- ALL DOORS TO UNCONDITIONED ROOMS TO BE WEATHER STRIPED
- ALL EXHAUST FANS TO BE SEALED
- ALL CONSTRUCTION GAPS & CRACKS TO BE SEALED

**FLOOR**

CONCRETE RAFT SLAB ON GROUND

**EXTERNAL WALLS**

- BRICK VENEER CONSTRUCTION
- DOUBLE SIDED VAPOUR PERMEABLE REFLECTIVE FOIL FIXED TO EXTERNAL FACE OF STUDS.
- R2.0 BATTS BETWEEN STUDS, LINED INTERNALLY

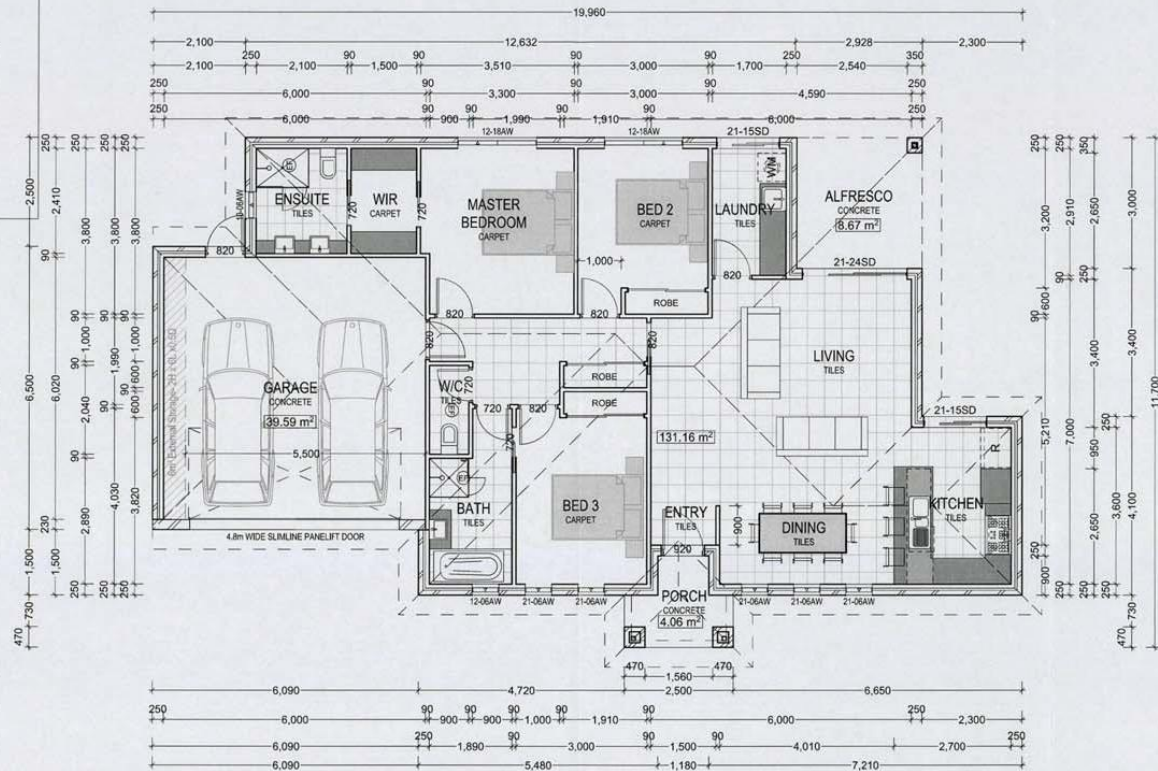
**WINDOWS**

ALUMINIUM IMPROVED FRAME AND DOUBLE GLAZING WITH U VALUE 3.95 AND SHGF 0.68

**ROOF / CEILING**

SHEET ROOF, FOIL SARKING OVER RAFTERS  
R3.5 BULK INSULATION BETWEEN CEILING JOISTS

**DWELLING TWO**



**LEGEND**

- 230 DOUBLE BRICK
- 250 BRICK VENEER
- 110 SINGLE BRICK
- 90 TIMBER STUD
- SMOKE DETECTOR
- EXHAUST FAN
- ARTICULATION JOINT
- ELEC. SUB-BOARD
- HOT WATER SYSTEM
- DOWN PIPE

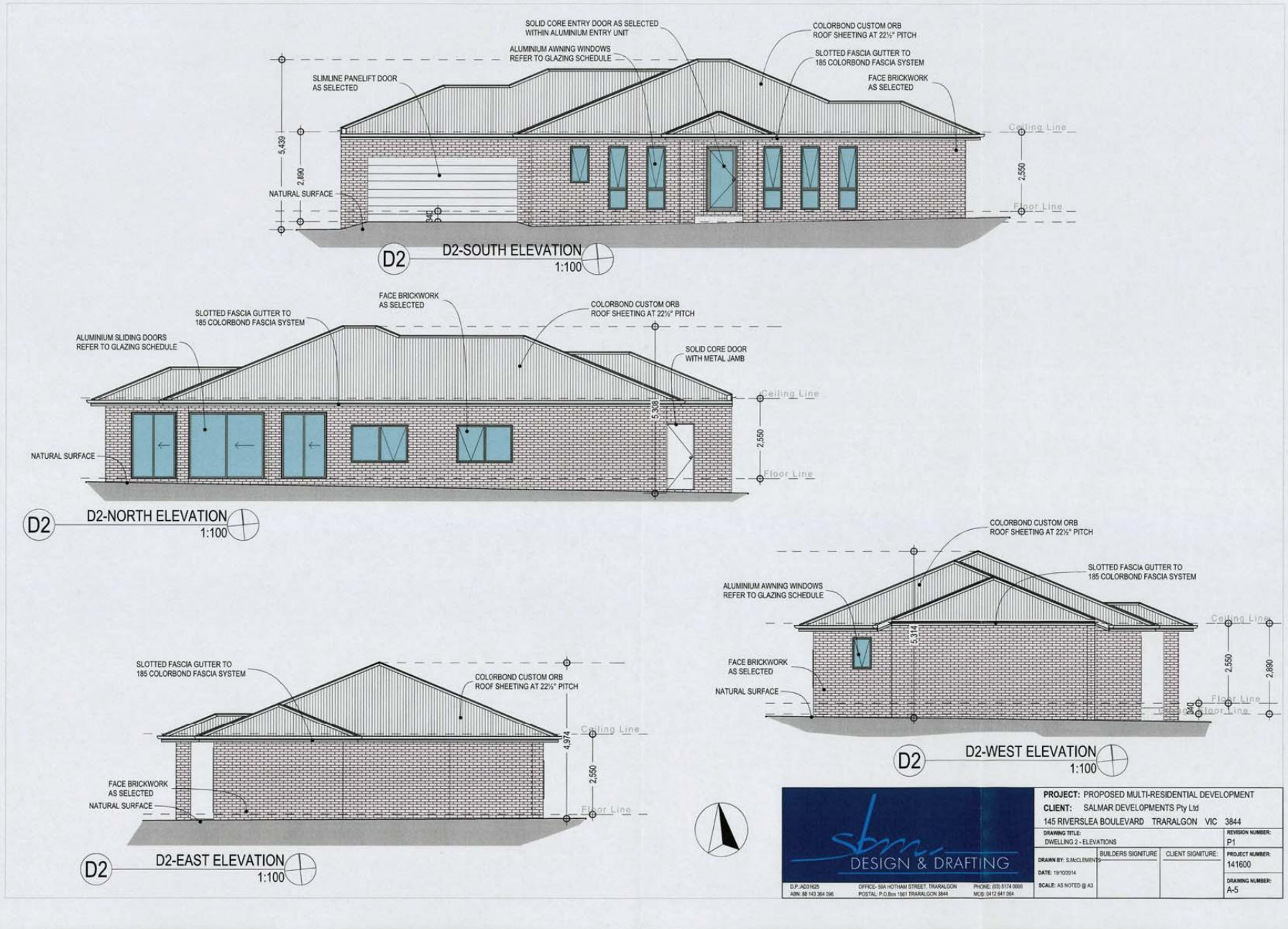
**Dwelling 2 - Area Summary**

Zone	m2	Sqr
Living Area	131.16	14.12
Garage Area	39.59	4.26
Porch Area	4.06	0.44
Alfresco Area	8.67	0.93
Total Area	183.48	19.75

**D2 FLOOR PLAN 1:100**

**sbm DESIGN & DRAFTING**  
 D.P. 421425 OFFICE: 58A HOCHAM STREET, TRARALGON PHONE: (03) 9174 0000  
 ARN 88 143 384 096 POSTAL: P.O. Box 1561 TRARALGON 3844 MOB: 0412 641 064

<b>PROJECT:</b> PROPOSED MULTI-RESIDENTIAL DEVELOPMENT	
<b>CLIENT:</b> SALMAR DEVELOPMENTS Pty Ltd 145 RIVERSLEA BOULEVARD TRARALGON VIC 3844	
<b>DRAWING TITLE:</b> DWELLING 2 - FLOOR PLAN	<b>REVISION NUMBER:</b> P1
<b>DRAWN BY:</b> S.MACLENNEN	<b>PROJECT NUMBER:</b> 141600
<b>DATE:</b> 19/10/2014	<b>DRAWING NUMBER:</b> A-4
<b>SCALE:</b> AS NOTED @ A1	<b>BUILDERS SIGNATURE:</b>
	<b>CLIENT SIGNATURE:</b>



**sbm DESIGN & DRAFTING**

S.P. 4031625 ABN 38 143 364 096 OFFICE: 554 HITCHAM STREET TRARALGON POSTAL P.O. BOX 1561 TRARALGON 3844 PHONE: (053) 974 0000 MOB: 0412 841 284

PROJECT: PROPOSED MULTI-RESIDENTIAL DEVELOPMENT		CLIENT: SALMAR DEVELOPMENTS Pty Ltd	
145 RIVERSLEA BOULEVARD TRARALGON VIC 3844		REVISION NUMBER: P1	
DRAWING TITLE: DWELLING 2 - ELEVATIONS	BUILDERS SIGNATURE:	CLIENT SIGNATURE:	PROJECT NUMBER: 141600
DRAWN BY: S.JACCLEMETS	DATE: 19/10/2014	SCALE: AS NOTED @ A3	DRAWING NUMBER: A-5

**ENERGY RATING REQUIREMENTS**

REFER TO FIRSTRATES ENERGY RATING FOR FURTHER DETAILS

**GENERAL**

ALL EXTERNAL DOORS TO BE SEALED  
 ALL DOORS TO UNCONDITIONED ROOMS TO BE WEATHER STRIPED  
 ALL EXHAUST FANS TO BE SEALED  
 ALL CONSTRUCTION GAPS & CRACKS TO BE SEALED

**FLOOR**

CONCRETE RAFT SLAB ON GROUND

**EXTERNAL WALLS**

BRICK VENEER CONSTRUCTION  
 DOUBLE SIDED VAPOUR PERMEABLE REFLECTIVE FOIL  
 FIXED TO EXTERNAL FACE OF STUDS,  
 R2.0 BATTS BETWEEN STUDS, LINED INTERNALLY

**WINDOWS**

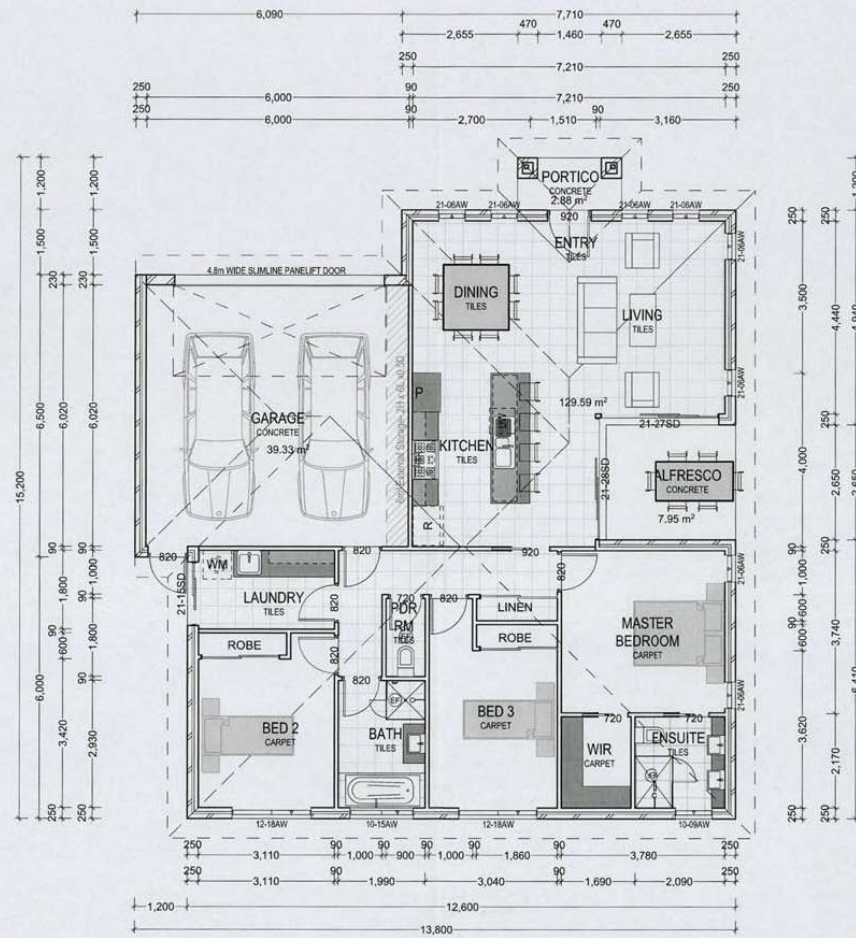
ALUMINIUM IMPROVED FRAME AND DOUBLE GLAZING  
 WITH U VALUE 3.95 AND SHGF 0.66

**ROOF / CEILING**

SHEET ROOF, FOIL SARKING OVER RAFTERS  
 R3.5 BULK INSULATION BETWEEN CEILING JOISTS

**LEGEND**

- 230 DOUBLE BRICK
- 250 BRICK VENEER
- 110 SINGLE BRICK
- 90 TIMBER STUD
- S.M.O. SMOKE DETECTOR
- EXHAUST FAN
- ARTICULATION JOINT
- ELEC. SUB-BOARD
- HOT WATER SYSTEM
- DOWN PIPE



**DWELLING THREE**

**Area Summary**

Zone	m2	Sqr
Living Area	129.59	13.95
Garage	39.33	4.23
Porco	2.88	0.31
Alfresco	7.95	0.85
<b>Total Area</b>	<b>179.75</b>	<b>19.35</b>

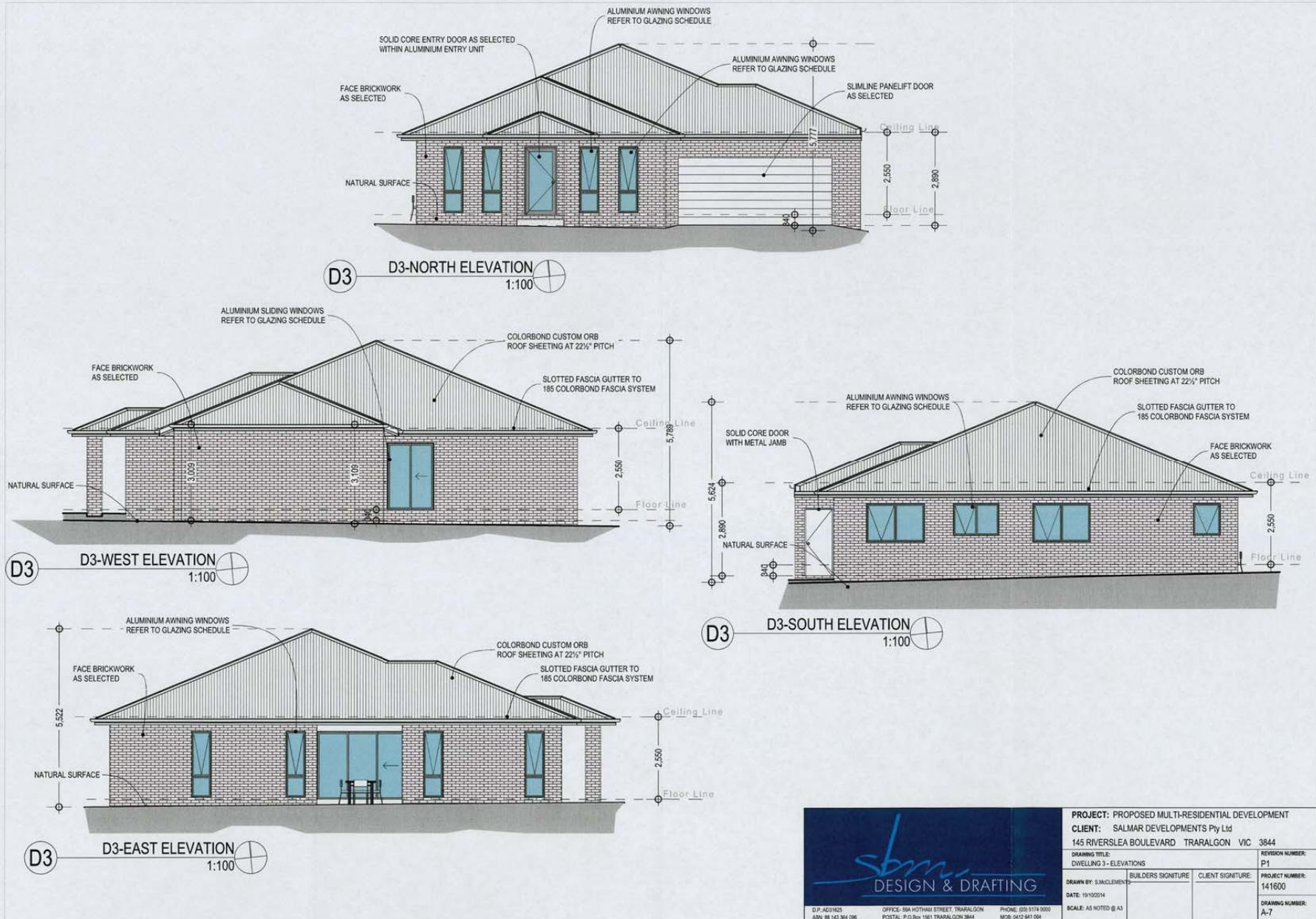
**D3 FLOOR PLAN 1:100**

**sbm DESIGN & DRAFTING**

D.P. 4021425 OFFICE: 55A HITCHAM STREET TRARALGON PHONE: (03) 974 0000  
 ABN 88 143 364 086 POSTAL: P.O. Box 1361 TRARALGON 3844 MOB: 0412 641 084

PROJECT: PROPOSED MULTI-RESIDENTIAL DEVELOPMENT			
CLIENT: SALMAR DEVELOPMENTS Pty Ltd			
145 RIVERSLEA BOULEVARD TRARALGON VIC 3844			
DRAWING TITLE:	DWELLING 3- FLOOR PLAN	REVISION NUMBER:	P1
DRAWN BY: E.L.A.CLEMENTS	BUILDERS SIGNATURE:	CLIENT SIGNATURE:	PROJECT NUMBER: 141600
DATE: 18/10/2014			DRAWING NUMBER: A-6
SCALE: AS NOTED @ A3			





<p>D.P. A231625 ABN 88 143 364 096</p> <p>OFFICE: 58A HOYHAM STREET, TRARALGON POSTAL: P.O. Box 1561 TRARALGON 3844</p> <p>PHONE: 033 9174 0000 MOB: 0412 641 094</p>	<p><b>PROJECT:</b> PROPOSED MULTI-RESIDENTIAL DEVELOPMENT  <b>CLIENT:</b> SALMAR DEVELOPMENTS Pty Ltd                  145 RIVERSLEA BOULEVARD TRARALGON VIC 3844</p>	
	<p><b>DRAWING TITLE:</b> DWELLING 3 - ELEVATIONS</p>	<p><b>REVISION NUMBER:</b> P1</p>
	<p><b>DRAWN BY:</b> S.MACLEMENTS</p>	<p><b>PROJECT NUMBER:</b> 141600</p>
	<p><b>DATE:</b> 19/10/2014</p>	<p><b>DRAWING NUMBER:</b> A-7</p>
<p><b>SCALE:</b> AS NOTED @ A3</p>	<p><b>BUILDERS SIGNATURE:</b></p>	<p><b>CLIENT SIGNATURE:</b></p>

**ENERGY RATING REQUIREMENTS**

REFER TO FIRSTSTRATES ENERGY RATING FOR FURTHER DETAILS

**GENERAL**

- ALL EXTERNAL DOORS TO BE SEALED
- ALL DOORS TO UNCONDITIONED ROOMS TO BE WEATHER STRIPED
- ALL EXHAUST FANS TO BE SEALED
- ALL CONSTRUCTION GAPS & CRACKS TO BE SEALED

**FLOOR**

CONCRETE RAFT SLAB ON GROUND

**EXTERNAL WALLS**

- BRICK VENEER CONSTRUCTION
- DOUBLE SIDED VAPOUR PERMEABLE REFLECTIVE FOIL
- FIXED TO EXTERNAL FACE OF STUDS
- R2.0 BATTS BETWEEN STUDS, LINED INTERNALLY

**WINDOWS**

ALUMINIUM IMPROVED FRAME AND DOUBLE GLAZING WITH U VALUE 3.95 AND SHGF 6.68

**ROOF / CEILING**

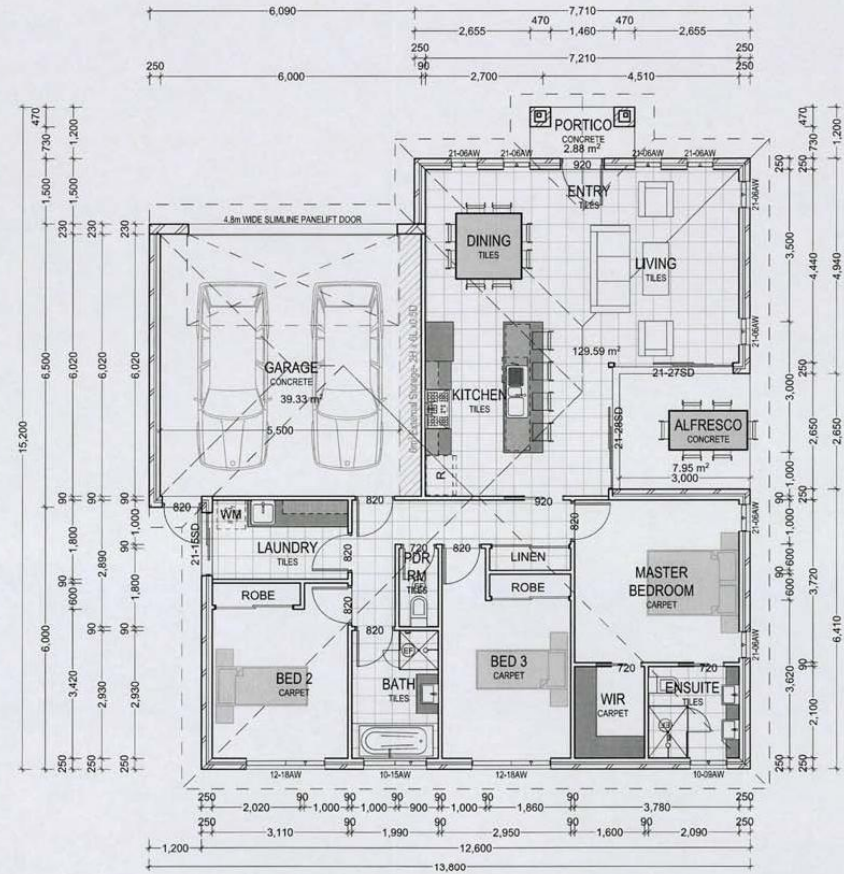
SHEET ROOF, FOIL SARKING OVER RAFTERS  
R3.5 BULK INSULATION BETWEEN CEILING JOISTS

Area Summary		
Zone	m2	Sqr
Living Area	129.59	13.95
Garage	39.33	4.23
Porco	2.88	0.31
Alfresco	7.95	0.85
<b>Total Area</b>	<b>179.75</b>	<b>19.35</b>

**LEGEND**

- 230 DOUBLE BRICK
- 250 BRICK VENEER
- 110 SINGLE BRICK
- 90 TIMBER STUD
- SMOKE DETECTOR
- EXHAUST FAN
- ARTICULATION JOINT
- ELEC. SUB-BOARD
- HOT WATER SYSTEM
- DOWN PIPE

**D4** FLOOR PLAN 1:100



**DWELLING FOUR**

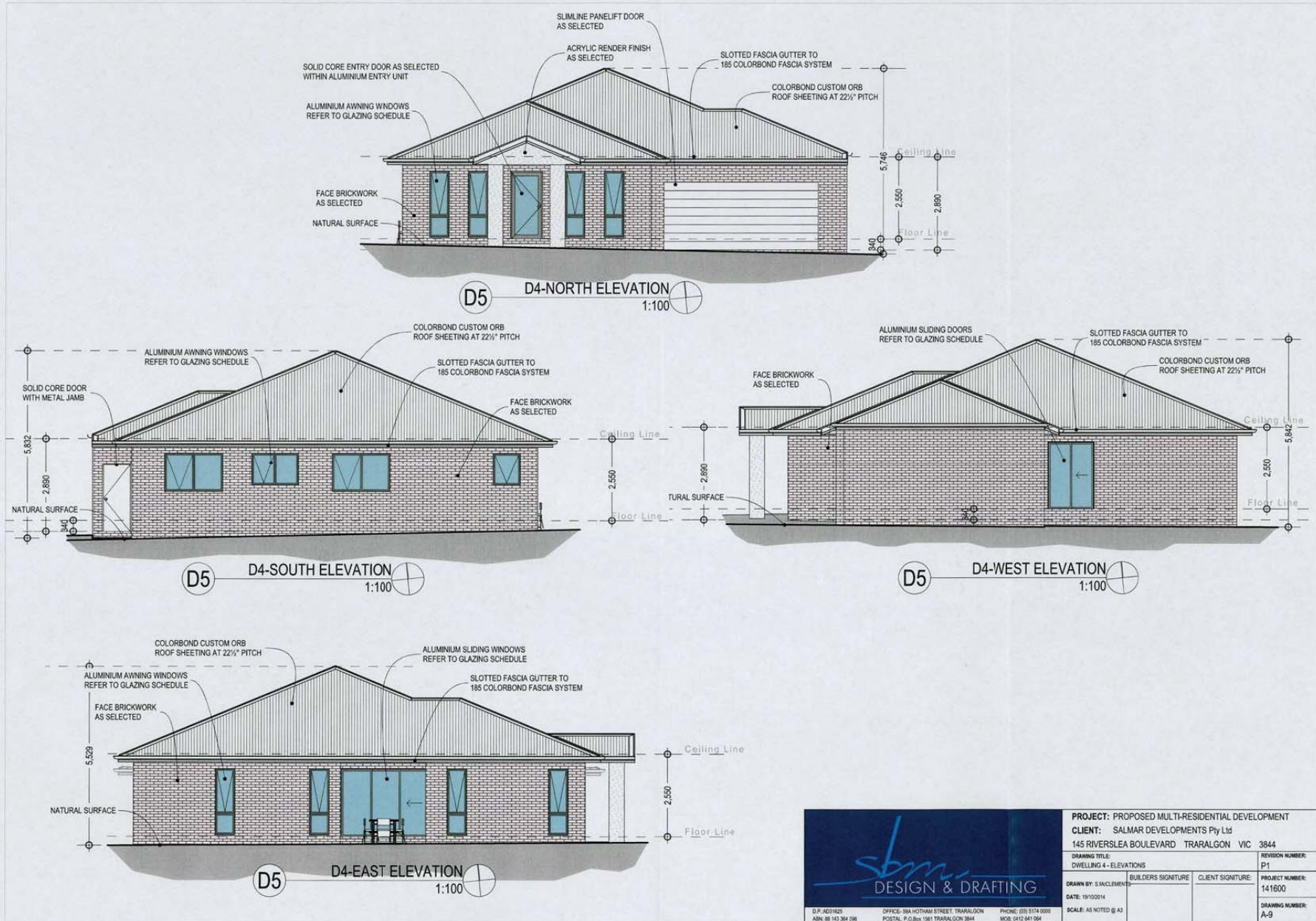


D.P. A011435  
ABN 88 143 364 006

OFFICE: 566 NOTHAM STREET, TRARALGON  
POSTAL: P.O. Box 1961 TRARALGON 3844

PHONE: 035 5174 0000  
MOB: 0412 641 564

<b>PROJECT:</b> PROPOSED MULTI-RESIDENTIAL DEVELOPMENT			
<b>CLIENT:</b> SALMAR DEVELOPMENTS Pty Ltd			
145 RIVERSLEA BOULEVARD TRARALGON VIC 3844			
<small>DRAWING TITLE:</small>	<small>BUILDERS SIGNATURE:</small>	<small>CLIENT SIGNATURE:</small>	<small>REVISION NUMBER:</small>
DWELLING 4- FLOOR PLAN			P1
<small>DRAWN BY:</small> S.JACCLEMENTS			<small>PROJECT NUMBER:</small>
DATE: 19/10/2014			141600
<small>SCALE:</small> AS NOTED @ A3			<small>DRAWING NUMBER:</small>
			A-5



		<b>PROJECT:</b> PROPOSED MULTI-RESIDENTIAL DEVELOPMENT <b>CLIENT:</b> SALMAR DEVELOPMENTS Pty Ltd 145 RIVERSLEA BOULEVARD TRARALGON VIC 3844	
		DRAWING TITLE: DWELLING 4 - ELEVATIONS	REVISION NUMBER: P1
DRAWN BY: S MACLEMBERT DATE: 19/10/2014	BUILDERS SIGNATURE:	CLIENT SIGNATURE:	PROJECT NUMBER: 141600 DRAWING NUMBER: A-9
D.P. A011425 ABN: 88 143 364 036	OFFICE: 18A HOYMAN STREET TRARALGON POSTAL: P.O.Box 1561 TRARALGON 3844	PHONE: (03) 9174 0000 MOB: 0412 641 064	SCALE: AS NOTED @ A3

**ENERGY RATING REQUIREMENTS**

REFER TO FIRSTSTAR'S ENERGY RATING FOR FURTHER DETAILS

**GENERAL**

- ALL EXTERNAL DOORS TO BE SEALED
- ALL DOORS TO UNCONDITIONED ROOMS TO BE WEATHER STRIPED
- ALL EXHAUST FANS TO BE SEALED
- ALL CONSTRUCTION GAPS & CRACKS TO BE SEALED

**FLOOR**

CONCRETE RAFT SLAB ON GROUND

**EXTERNAL WALLS**

- BRICK VENEER CONSTRUCTION
- DOUBLE SIDED VAPOUR PERMEABLE REFLECTIVE FOIL
- FIXED TO EXTERNAL FACE OF STUDS.
- R2.0 BATTS BETWEEN STUDS, LINED INTERNALLY

**WINDOWS**

ALUMINIUM IMPROVED FRAME AND DOUBLE GLAZING WITH U VALUE 3.95 AND SHGF 0.66

**ROOF / CEILING**

SHEET ROOF, FOIL SARKING OVER RAFTERS R3.5 BULK INSULATION BETWEEN CEILING JOISTS

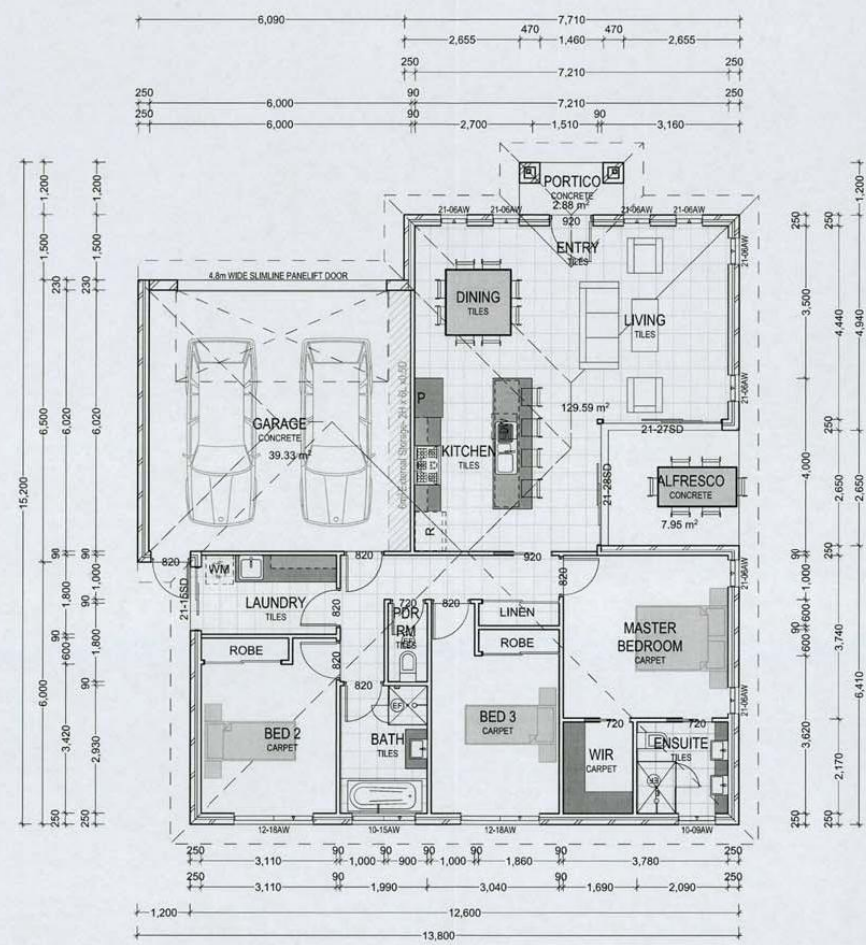
**Area Summary**

Zone	m2	Sqr
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**LEGEND**

- 230 DOUBLE BRICK
- 250 BRICK VENEER
- 110 SINGLE BRICK
- 90 TIMBER STUD
- SMOKE DETECTOR
- EXHAUST FAN
- ARTICULATION JOINT
- ELEC. SUB-BOARD
- HOT WATER SYSTEM
- DOWN PIPE

**DWELLING FIVE**



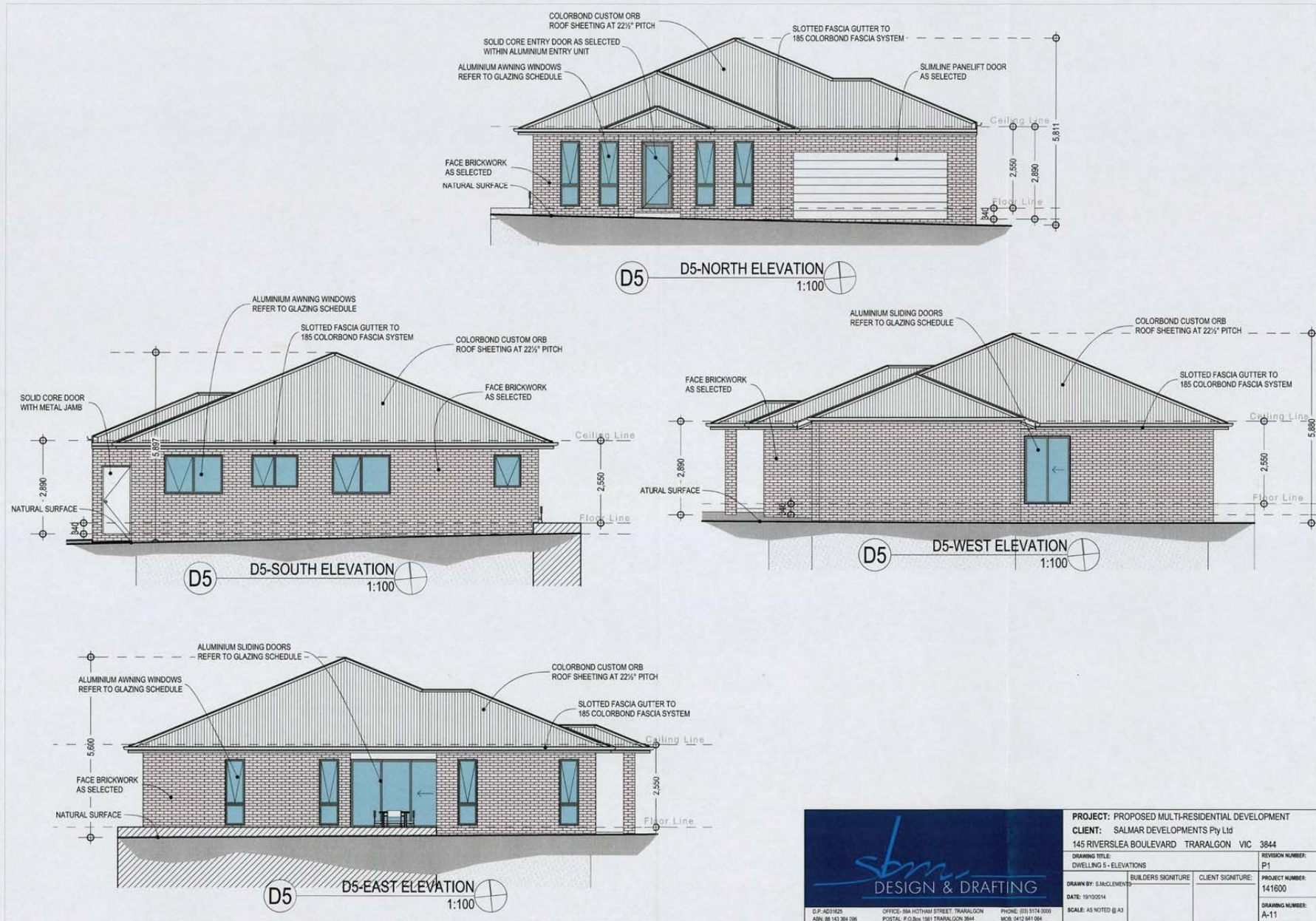
**FLOOR PLAN**  
1:100



**sbm**  
DESIGN & DRAFTING

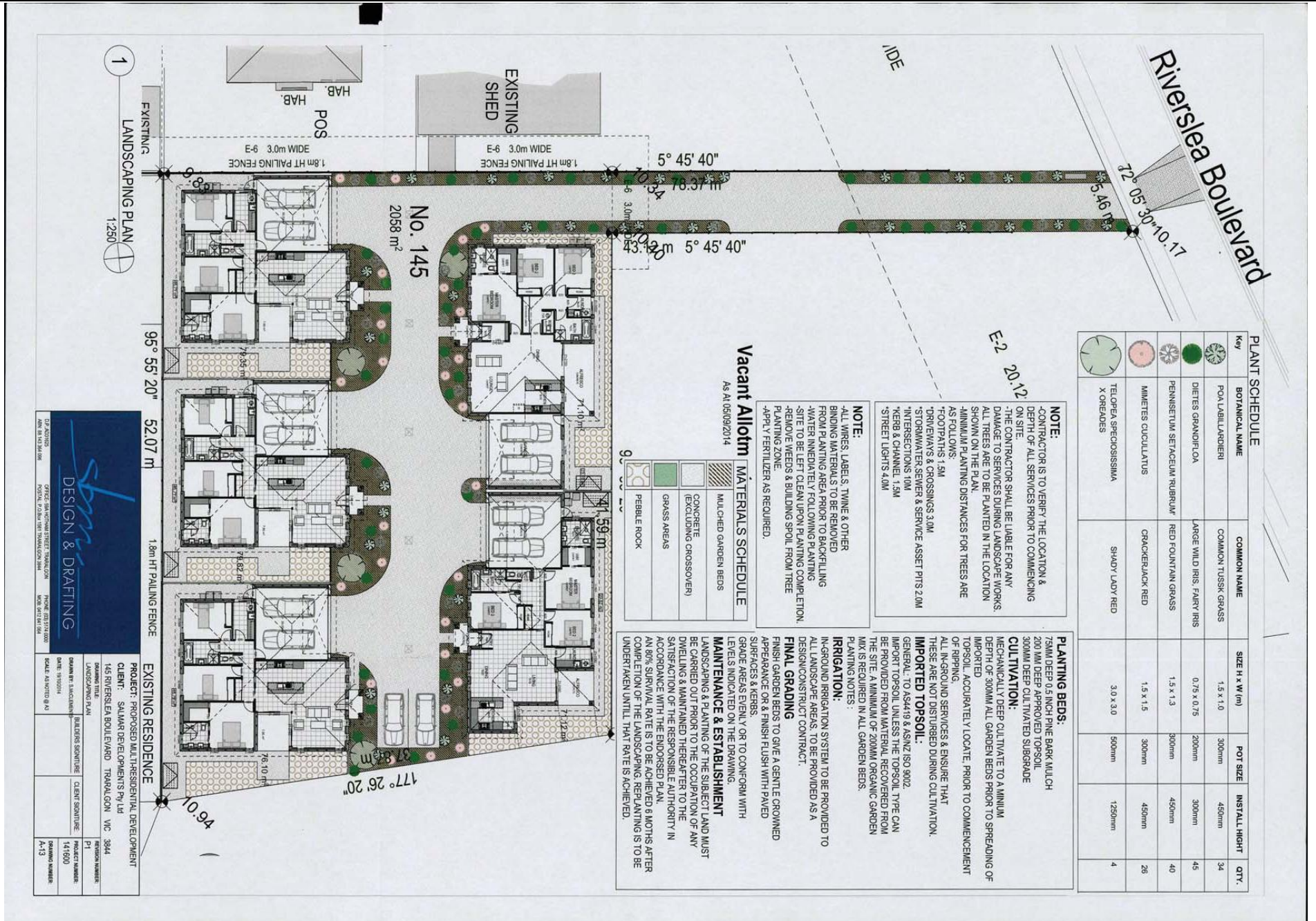
1/1, AC21625 OFFICE: 50A HOCHAM STREET, TRARALGON PHONE: (03) 8714 0000  
 18/1, AC21625 ANK 88 143 364 006 POSTAL: P.O.Box 1561 TRARALGON 3844 MOB: 0412 841 064

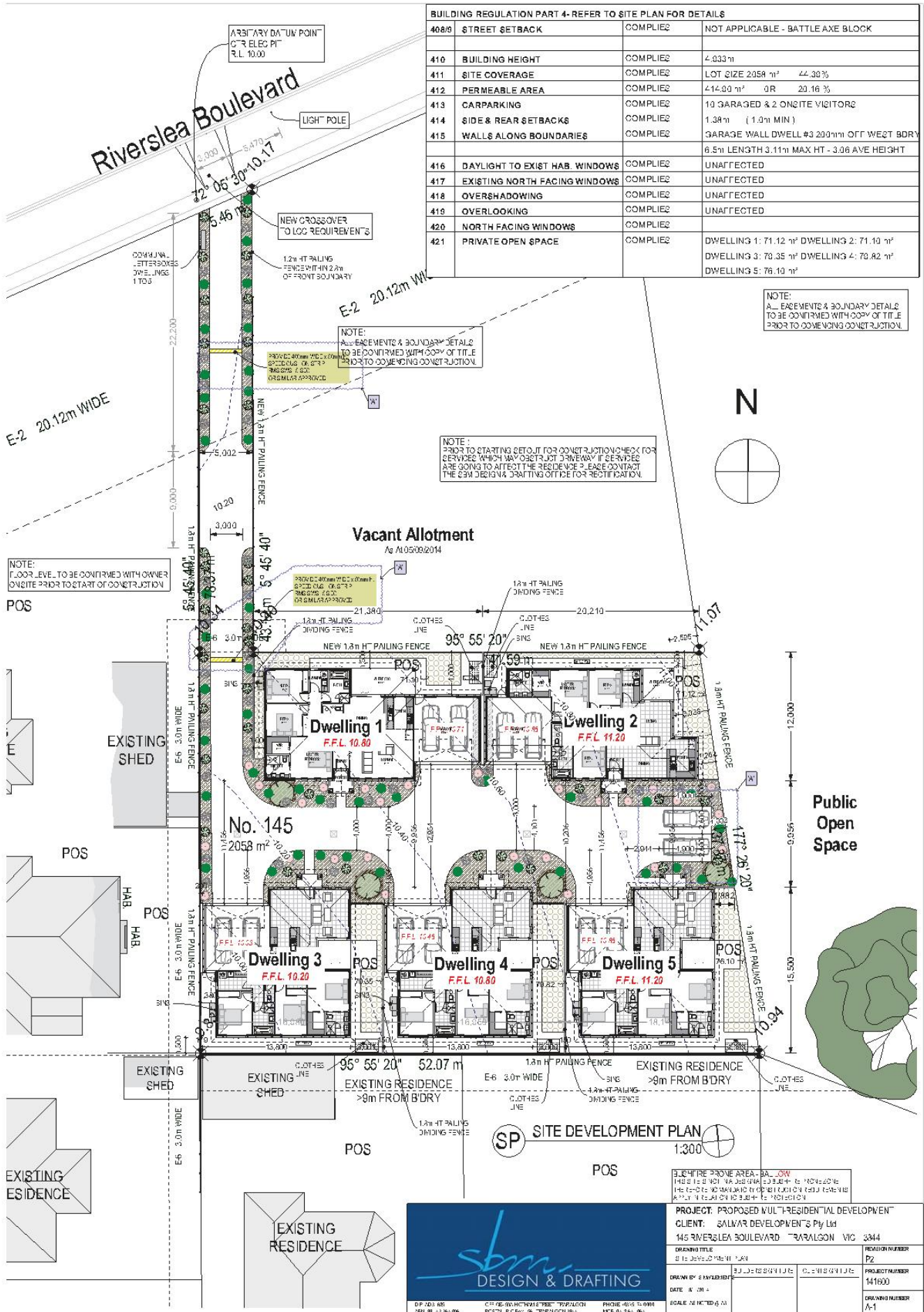
PROJECT: PROPOSED MULTI-RESIDENTIAL DEVELOPMENT	
CLIENT: SALMAR DEVELOPMENTS Pty Ltd	
145 RIVERSLEA BOULEVARD TRARALGON VIC 3844	
DRAWING TITLE: DWELLING 5- FLOOR PLAN	REVISION NUMBER: P1
DRAWN BY: S MACLEMENTS	PROJECT NUMBER: 141600
DATE: 19/10/2014	DRAWING NUMBER: A-10
BUILDERS SIGNATURE:	CLIENT SIGNATURE:
SCALE: AS NOTED @ A3	



PROJECT: PROPOSED MULTI-RESIDENTIAL DEVELOPMENT		
CLIENT: SALMAR DEVELOPMENTS Pty Ltd		
145 RIVERSLEA BOULEVARD TRARALGON VIC 3844		
DRAWING TITLE	BUILDERS SIGNATURE	REVISION NUMBER:
DWELLING 5 - ELEVATIONS	CLIENT SIGNATURE:	P1
DRAWN BY: S.MACLEMENTS	PROJECT NUMBER:	141600
DATE: 19/10/2014	SCALE: AS NOTED @ A3	DRAWING NUMBER:
		A-11

D.P. 401425 OFFICE: 88A HOYHAM STREET TRARALGON PHONE: (03) 9174 0000  
 ABN: 88 143 384 096 POSTAL: P.O. BOX 1561 TRARALGON 3844 MOB: 0412 641 064







NOTATIONS:

- BUILDING ENVELOPES TO MATCH DEVELOPMENT PLANS PREPARED BY SBM DESIGNS & DRAFTING REF: 141600, DATE: 19/10/14.

- PRIVATE OPEN SPACE
- COMMON PROPERTY

- ALL DIMENSIONS ARE SUBJECT TO SURVEY & FINAL COMPUTATIONS
- PHOTO SOURCE - NEARMAP

**BW** Beveridge Williams  
development & environment consultants  
Traralgon ph : 03 5176 0374  
www.beveridgewilliams.com.au

SURVEYORS REF. 1401199 ORIGINAL SHEET SIZE A3  
23/09/2014 VERSION A  
DRAWN: AS CHECKED: NS  
SHEET 1 OF 1

SCALE 1:300  
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LENGTHS ARE IN METRES

PROPOSED PLAN OF SUBDIVISION  
SALMAR DEVELOPMENTS P/L  
145 RIVERSLEA BOULEVARD,  
TRARALGON  
PS531365V LOT 12  
C/T VOL 10872 FOL 653

CAD REFERENCE: S:\JOBS DATA\1401199\SUR\CAD\1401199-PPS.dgn



**13.2 2014 VISIT TO CHINA - CHINA INTERNATIONAL FRIENDSHIP  
CITIES CONFERENCE AND GUANGZHOU INTERNATIONAL  
URBAN INNOVATION CONFERENCE**

**General Manager**

**Planning & Economic  
Sustainability**

**For Information**

**PURPOSE**

The purpose of this report is to provide Council with information regarding the activities undertaken during the recent Latrobe City visit to China.

**EXECUTIVE SUMMARY**

Latrobe City has established and managed formal sister city relationships since the year 2000 with Takasago, Japan and Taizhou, China. The relationships have helped promote Latrobe City as city of global significance, through exchanges and initiatives that focus on five key areas – education, culture, trade, tourism and sport.

Latrobe City was invited by the city of Taizhou to attend the 2014 China International Friendship Cities Conference to receive an ‘Exchange Cooperation Award’ and attend the Guangzhou International Urban Innovation Conference.

The outbound delegation included Latrobe City Deputy Mayor Councillor Peter Gibbons and Jie Liu, Latrobe City International Relations Officer. The trip took place between 26 November 2014 – 5 December 2014 and to leverage off the visit, an expanded itinerary was adopted. This itinerary included a visit to Shanghai and our sister city, Taizhou where meetings were held with the Taizhou Government, Taizhou Educational Institutions, Shanghai Electric Power and Austrade.

These meetings were held to promote Latrobe City as: an international investment location to market the economic and cultural strengths of Latrobe City internationally, to enthusiastically promote Latrobe City as a destination for international students and to develop, nurture and further enhance our relationship with sister cities; all of which are objectives of the Latrobe City International Relations Plan.

**Moved:** Cr Gibbons  
**Seconded:** Cr White

**That Council notes the report regarding activities undertaken during the recent Latrobe City delegation to China.**

**CARRIED UNANIMOUSLY**

**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.

The report is consistent with the Sister City Visits Policy which states..."Through cultural, educational and sporting exchanges, the program helps to break down intercultural barriers (encouraging) openness, tolerance and mutual understanding".

*Latrobe 2026: The Community Vision for Latrobe Valley*

*Strategic Objectives - Culture*

*In 2026, Latrobe Valley celebrates the diversity of heritage and cultures that shape our community, with activities and facilities that support the cultural vitality of the region.*

*Latrobe City Council Plan 2013 - 2017*

*Theme and Objectives*

*Theme 4: Advocacy for and consultation with our community*

*Strategic Direction – Establish a strong image and brand for Latrobe City as one of Victoria's four major regional cities.*

*Strategy – Latrobe City International Relations Plan 2011-2014*

Key Objectives:

1. *COMMUNICATION ACTIVITIES – To further enhance the Latrobe City's community understanding of the value of our International Relations Program.*
2. *INTERNATIONAL INVESTMENT - To continue to promote Latrobe City as an international investment location.*
3. *ECONOMIC AND CULTURAL STRENGTHS - To market the economic and cultural strengths of Latrobe City internationally.*
4. *INTERNATIONAL STUDENTS - To enthusiastically promote Latrobe City as a destination for international students.*
5. *COMMUNITY INVOLVEMENT – To expand and make accessible the range of existing cultural, sporting, educational and youth exchange opportunities for the residents of Latrobe City.*

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

6. *FUNDING OPPORTUNITIES - To pursue funding assistance opportunities that will facilitate meeting the objectives of the International Relations Plan.*
7. *SISTER CITIES – To develop, nurture and further enhance our relationship with sister cities.*
8. *COMMUNITY ENGAGEMENT - To positively engage with individual groups and organisations for the benefit of the Latrobe City community.*

### **BACKGROUND**

The sister city relationship between the City of Taizhou and Latrobe City developed from an initial interest, by Taizhou, in identifying a region similar to itself.

In November 1999, La Trobe Shire Council resolved to establish a formal sister city relationship with Taizhou and the Mayor of Taizhou was invited to visit Latrobe to sign the sister city agreement in March 2000.

The agreement that established an obligation on both cities to ensure regular contacts are maintained between the leaders and relevant departments of the two municipalities and included the following clauses:

*That each city shall strive to promote the interchanging of ideas, culture and education and shall encourage the promotion of youth and cultural changes to promote cultural awareness.*

*That the promotion of different sporting and tourism events be encouraged to exchange ideas and to co-ordinate the staging of events to encourage participation from both countries.*

In 2010, a re-affirmation of the Sister Cities Agreement was signed to commemorate what has been a rewarding and fulfilling 10 year relationship between the two cities.

Over the past 14 years more than 20 Latrobe City Council led exchanges have taken place between the two cities. These have ranged from cultural exchange, education exchange and economic/business focussed exchanges; though in most cases, each exchange has included a combination of all. As a consequence of the relationship, a number of formal Sister School Relationships have emerged. These relationships are strengthened by teacher and student exchanges to encourage cultural and educational understanding and growth.

Latrobe City is committed to an International Relations Program for our community, for the purpose of international exchange and cooperation in the fields of economy, trade, science and technology, cultural exchange, education, sports, health and people.

Latrobe City's International Relations Program has been an integral component of Council operations since 2000 with over 500 Latrobe City residents having participated in sport, music, arts and education exchanges.

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

These programs enable us to foster international relations while enriching our community with a broader understanding of other nations, their traditions, customs and cultures. It also provides a multi-lateral framework for cultivating economic growth across a host of trade, industry and business sectors.

### **KEY POINTS/ISSUES**

Latrobe City received official notification from the Taizhou Foreign Affairs Office via email on 16 October 2014 that it had been awarded the 'Exchange Cooperation Award' and was subsequently invited to attend both the 2014 China International Friendship Cities Conference and the Guangzhou International Urban Innovation Conference.

This information and invitation was presented to Council for consideration at the Ordinary Council Meeting held 5 November 2014, whereby Council resolved:

1. *That the Mayor or delegate accept the invitation to attend the 2014 China International Friendship Cities Conference to receive the award on behalf of Latrobe City.*
2. *That Jie Liu, International Relations Officer, accompany the Mayor or delegate to interpret and provide travel and protocol assistance.*

The trip took place between 26 November 2014 – 5 December 2014 and an expanded itinerary (Attachment 1) was developed which enabled further leveraging opportunities with a number of investment and relationship focussed meetings held in Taizhou and Shanghai. A summary of these meetings is outlined below.

### **Taizhou City**

Deputy Mayor, Councillor Peter Gibbons met with officials from the Taizhou People's Government. Councillor Gibbons and Taizhou People's Government Deputy Mayor Kong Deping discussed the free trade agreement between Australia and China, the significant benefits of our Sister Cities relationships, the achievements to date, building on what is already a strong relationship and leveraging off the Jiangsu Province and Victorian Government relationship.

The Jiangsu Province is the largest industrial and fourth largest agricultural Province in China and this provides significant leveraging opportunities and future partnerships.

### **Taizhou Polytechnic**

Following the recent Memorandum of Understanding between Taizhou Polytechnic and Federation University, Churchill Campus, Councillor Gibbons met with officials from the Taizhou Polytechnic College. Discussions included the possibilities of exchanges between Federation University and Federation Training Gippsland, long and short term student

**ORDINARY COUNCIL MEETING MINUTES  
09 FEBRUARY 2015 (CM456)**

and staff exchanges and Taizhou Polytechnic's proposed inbound delegation to Latrobe City in March 2015.

**Taizhou Middle School No.2**

Councillor Gibbons met with Principal Mr. Tai and they discussed the Sister School relationships (Lowanna College) and ongoing support from Latrobe City to ensure the relationships continue to grow and strengthen.

Taizhou Middle School No.2 is well equipped and places significant emphasis on their English program. The school stated that it is extremely grateful for the support and commitment from Latrobe City and they look forward to the ongoing developments of their English programs and exchanges with Lowanna College.

**Australian Garden**

Councillor Gibbons visited the Australian Garden at Taizhou Expo Gardens. The Australian Garden has been established as a constant reminder of the Sister City relationship that exists between the cities of Taizhou, China and Latrobe City. The Australian Garden is a lasting symbol of the on-going friendship and co-operation, as well as the variety of exchanges and interactions that have developed as a result of the Sister City relationship.

**Shanghai Electric**

Councillor Gibbons met with Shanghai Electric officials where discussions included Shanghai Electric's current and future operations, potential partnerships and opportunities. Councillor Gibbon's welcomed Shanghai Electric staff members who are currently located in Melbourne to visit Latrobe City in 2015 and indicated that Latrobe City would like to provide all necessary support to Shanghai Electric.

**Austrade**

Councillor Gibbons visited the Austrade office in Shanghai where positive and productive discussions were held with the Senior Trade Commissioner/ Deputy Consul-General (Commercial) Bing Liu in regards to Latrobe City's main industries: power generation, Australia Paper, education and agriculture.

As per the Sister City Visits Policy adopted by Council on 4 June 2012, a report outlining the key outcomes from sister city visits shall be provided to Council within 60 days of a delegations return to Australia.

**RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

There are no risks associated with this report.

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

### **FINANCIAL AND RESOURCES IMPLICATIONS**

There is an allowance for Inbound and Outbound Delegations within the 2014/2015 International Relations budget.

Expenses associated with the travel of Councillor Peter Gibbons and Jie Liu, Latrobe City International Relations Officer was accommodated in the 2014/2015 budget and have been acquitted as listed below.

Councillor and Officer Expenditure	Amount
Travel	\$4213.34
Accommodation	\$1165.02
Meals	\$309.04
Sundries & Passport	\$503.95
Chinese Visa	\$380.00
<b>TOTAL</b>	<b>\$6571.35</b>

### **INTERNAL/EXTERNAL CONSULTATION**

*Engagement Method Used:*

No consultation has been undertaken in respect to this report.

*Details of Community Consultation / Results of Engagement:*

No consultation has been undertaken in respect to this report.

### **OPTIONS**

1. That Council notes this report regarding activities undertaken during the recent Latrobe City delegation to China.
2. That Council requests further information in relation to this report.

### **CONCLUSION**

Latrobe City received official notification from the Taizhou Foreign Affairs Office via email on 16 October 2014 that it had been awarded the 'Exchange Cooperation Award' and subsequently invited to attend both the 2014 China International Friendship Cities Conference and the Guangzhou International Urban Innovation Conference.

In leveraging off the attendance at the 2014 China International Friendship Cities Conference and Guangzhou International Urban Innovation Conference, Latrobe City Deputy Mayor Councillor Peter Gibbons participated in a number of investment and relationship development meetings both in Taizhou and Shanghai.

These meetings promoted Latrobe City as an international investment location, marketed the economic and cultural strengths of Latrobe City internationally, promoted Latrobe City as a destination for international students, and to develop, nurture and further enhance our sister cities relationship with Taizhou and China.

**SUPPORTING DOCUMENTS**

Latrobe City Sister City Visits Policy – 12 POL-1

Latrobe City International Relations Plan 2011-2014

**Attachments**

1. Latrobe City visit to China - Itinerary November/December 2014
2. Images of trip to China

## **13.2**

### **2014 Visit to China - China International Friendship Cities Conference and Guangzhou International Urban Innovation Conference**

- |          |   |            |
|----------|---|------------|
| <b>1</b> | <b>Latrobe City visit to China – Itinerary<br/>November/December 2014 .....</b> | <b>133</b> |
| <b>2</b> | <b>Images of trip to China .....</b>  | <b>137</b> |





## LATROBE DELEGATION VISIT TO CHINA NOVEMBER/DECEMBER 2014

### 2014 China International Friendship Cities Conference Guangzhou—International Urban Innovation Conference

#### ITINERARY

Date and Time	Activity	Location
Wednesday 26 November	Travel to Melbourne airport Arrive in Melbourne airport around 10pm	Melbourne International Airport
Thursday 27 November	Departure Melbourne 00.50 Flight No. CX178 Arrive in Hong Kong at 07.00  Depart Hong Kong at 8.00 Flight No. CX5782 Arrive in Guangzhou at 8.55  Hotel check in and Conference registration Meet with Mayor of Taizhou Mr Kong and Director of Taizhou Foreign Affairs Office Mr Zhang Director Zhang's contact: 13961068588	Guangzhou  Baiyun International Convention Centre Hotel  1039-1045, Baiyuan Avenue, Baiyun District, Guangzhou China Tel: +86 20 6237 9888  名称: 广州白云国际会议中心 地址: 广州市白云区白云大道南1039-1045号(近白云文化广场,广州体育馆) 电话: 020-6273 9888 020-6273 9881
Friday-Saturday 28-29 November	International Urban Innovation Conference  <b>Dress code: formal</b>	Guangzhou Baiyun International Convention Centre Hotel  1039-1045, Baiyuan Avenue, Baiyun District, Guangzhou China Tel: +86 20 6237 9888
Sunday 30 November	Travel to Taizhou Flight No. ZH9575 from Guangzhou to Wuxi 12.50—15.20 (Ivy helped with the booking, cash need to be paid to her once we arrive in Taizhou)	Taizhou Double Tree Hotel No. 222 East Jichuan Road, Taizhou, China ,225300

	<p>Taizhou Foreign Affairs Office will arrange pick up from Wuxi Airport Wuxi to Taizhou 1 hour trip by car Check into Hotel (booked by Taizhou Foreign Affairs, pay when check out)</p> <p>Dinner</p>	<p>Tel: 86-523 86699999 Fax: 86-523 86695555</p>
Monday 1 December	<p><b>Dress code: formal</b></p> <p>Meeting with:</p> <ul style="list-style-type: none"> <li>• Taizhou Government</li> <li>• Australian Garden</li> <li>• Taizhou No 2 Middle School (Sister School with Lowanna College)</li> </ul> <p>Lunch</p> <ul style="list-style-type: none"> <li>• Taizhou Polytechnic College</li> </ul> <p>Dinner</p>	<p>Taizhou Double Tree Hotel No. 222 East Jichuan Road, Taizhou, China ,225300 Tel: 86-523 86699999 Fax: 86-523 86695555</p>
Tuesday 2 December	<p>Travel to Shanghai after breakfast Approx. 3-4 hours by car</p>	<p>Shanghai</p> <p>Majesty Plaza Shanghai Add: 700 Jiujiang Road, Shanghai, China. Tel: +86-21-63500000 Fax: +86-21-63508490</p>
Wednesday 3 December	<p><b>Dress code: formal</b></p> <p>James will arrange pick up from Hotel</p> <p>Meeting with Shanghai Electric Power</p> <p>Meeting with Austrade/VGBO</p>	<p>Shanghai Majesty Plaza Shanghai Add: 700 Jiujiang Road, Shanghai, China. Tel: +86-21-63500000 Fax: +86-21-63508490</p>
Thursday 4 December	<p>Arrive in Shanghai International Airport around 17.30 Depart Shanghai at 20.30 Flight No. CX5809 Arrive in Hong Kong 23.15</p>	<p>Travel back to Melbourne</p>
Friday 5 December	<p>Depart Hong Kong at 00.05 Flight No. CX105 Arrive in Melbourne at 12.20</p>	<p>Melbourne</p>

**Contact:****Taizhou**

Ivy Liu

Foreign Affairs Office of Taizhou Municipality

58# Fenghuang Rd (E)

Taizhou Jiangsu

225300, P.R. China

Tel: +86 523 86839293

Fax: +86 523 86839294

**VGBO CHINA:**

Shanghai – Mr James Xu – Tel: 8621 6279 8681 M: 1330 180 7355

## ATTACHMENT 2

### 2014 China International Friendship Cities Conference



### Australian Garden in Taizhou



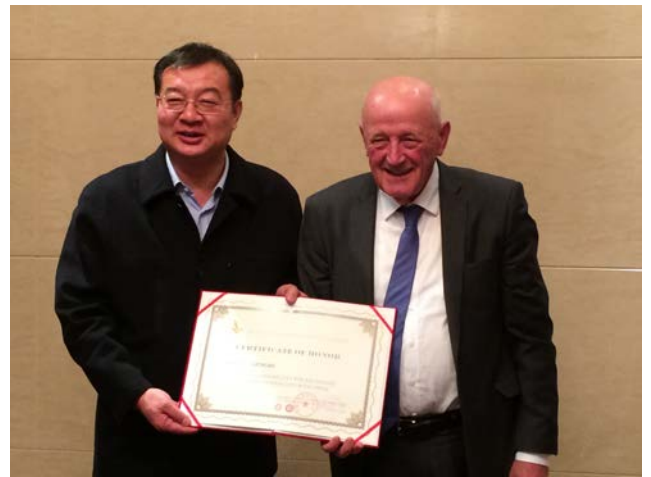
### Taizhou Number 2 School Visit



### Taizhou Polytechnic College Visit



### Meeting with Taizhou Officials



### Shanghai Electric - Shanghai



### Austrade - Shanghai



**13.3 COUNCIL AUTHORISATION TO PREPARE A PLANNING  
SCHEME AMENDMENT TO INTRODUCE A PARKING OVERLAY  
TO TRARALGON AND MORWELL**

**General Manager**

**Planning & Economic  
Sustainability**

**For Decision**

**PURPOSE**

The purpose of this report is for Council to consider a request to be made to the Minister for Planning to authorise the preparation and exhibition of a proposed amendment to the Latrobe Planning Scheme in accordance with Section 8A (3) of the *Planning and Environment Act 1987* (the Act). The amendment proposes to apply the Parking Overlay to land within the Traralgon and Morwell Activity Centres and to insert the *Car Parking Framework Review August 2014* as a reference document into the Scheme.

**EXECUTIVE SUMMARY**

This report seeks Council consideration to authorise a request to the Minister for Planning to prepare and exhibit a proposed amendment to the Latrobe Planning Scheme. The amendment proposes to implement the Parking Overlay to reduce state government scheduled car parking rates in Traralgon and Morwell and introduce cash in lieu contributions for car parking that cannot be met onsite.

The Car Parking Project for Traralgon and Morwell has been split into two stages: Stage One - Applying a Parking Overlay and Stage Two - Complementary Measures (Use and other mechanisms). The complementary measures will address time allocation parking within the Traralgon and Morwell Activity Centres.

## RECOMMENDATION

That Council

1. Consider allocating a budget amount of \$80,000 to undertake Stage Two Complementary Measures to the 2015/16 Budget and Business Planning process
2. Adopts the Car Parking Framework Review August 2014
3. Requests authorisation from the Minister for Planning to prepare and exhibit an amendment to the Latrobe Planning Scheme, which seeks to:
  - a. Apply the Parking Overlay and associated schedules to land within the Traralgon and Morwell Activity Centres.
  - b. Insert Schedules 1 and 2 of the Parking Overlay that are to apply to land within the Morwell and Traralgon Activity Centres.
  - c. Insert the Car Parking Framework Review August 2014 as a reference document into the scheme in Clauses 21.05 and 21.07 and in proposed Schedules 1 and 2 of the Parking Overlay.

Moved: Cr Kam  
Seconded: Cr Rossiter

## ALTERNATE MOTION

1. **That Council allocates \$80,000 in the 2015/16 Budget and Business Planning process to undertake Stage Two Complementary Measures**
2. **Investigate the need to undertake a parking audit for Mid Valley Shopping Centre and surrounds and if required enter into discussions with the operator to improve traffic and car parking issues at the site.**
3. **Adopts the Car Parking Framework Review August 2014**
4. **Requests authorisation from the Minister for Planning to prepare and exhibit an amendment to the Latrobe Planning Scheme, which seeks to:**
  - a) **Apply the Parking Overlay and associated schedules to land within the Traralgon and Morwell Activity Centres.**
  - b) **Insert Schedules 1 and 2 of the Parking Overlay that are to apply to land within the Morwell and Traralgon Activity Centres.**
  - c) **Insert the Car Parking Framework Review August 2014 as a reference document into the scheme in Clauses 21.05 and 21.07 and in proposed Schedules 1 and 2 of the Parking Overlay.**



CARRIED UNANIMOUSLY

### **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 – Built Environment (City Planning)*

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

Latrobe City is a vibrant and diverse community. Council is ensuring that the changing needs and aspirations of our diverse community are met by providing facilities, services and opportunities that promote an inclusive and connected community.

#### *Latrobe City Council Plan 2013 - 2017*

##### *Theme and Objectives*

###### *Theme 5: Planning for the future*

*To provide a well planned, connected and liveable community.*

*To provide clear and concise policies and directions in all aspects of planning.*

###### *Strategic Direction – Planning for the future*

Provide efficient and effective planning services and decision making to encourage development and new investment opportunities.

Plan and coordinate the provision of key services and essential infrastructure to support new growth and developments

###### *Legislation –*

The provisions of the Latrobe Planning Scheme and the following legislation apply to this amendment:

- *Local Government Act 1989*
- *Planning and Environment Act 1987*

- *Transport Integration Act 2010*

The proposed amendment is consistent with the Latrobe Planning Scheme and the applicable legislation.

### **BACKGROUND**

In 2011 Council resolved to undertake the Traralgon Activity Centre Car Parking Strategy as part of the Traralgon Activity Centre Plan. The Car Parking Strategy was finalised in October 2013. The Morwell Activity Centre Car Parking Study was commissioned in 2012 and finalised in April 2013. As part of these studies; *the Latrobe Parking Study – Traralgon and Morwell Peer Review* (the Peer Review) was completed in 2013; recommending that the two parking studies be combined to prepare a planning scheme amendment to implement a Parking Overlay. At this point in time due to the significant project currently underway at the Moe Rail Precinct a Parking Strategy for Moe has not been completed. It would be timely to complete a Parking Strategy at the completion of the project.

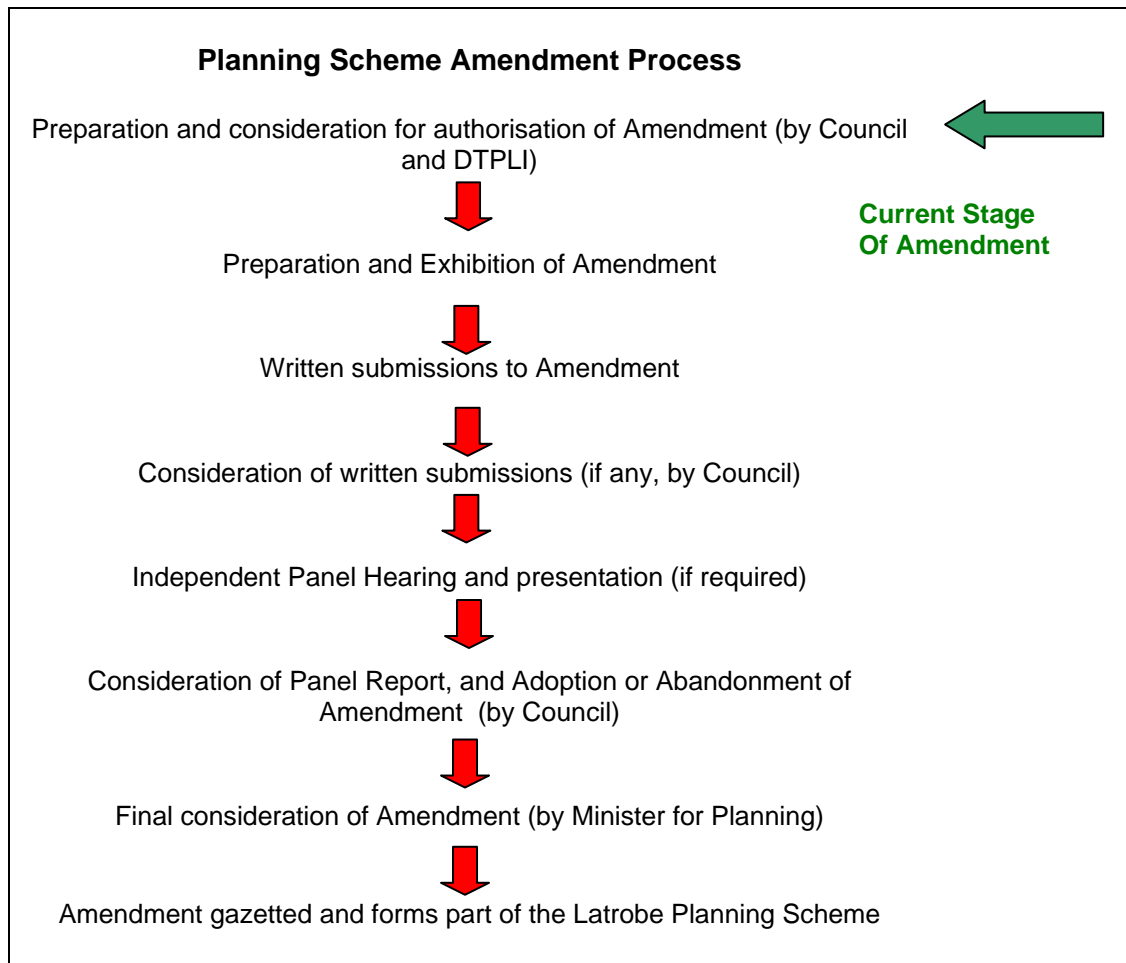
The various studies, reviews and strategies have been consolidated by Traffix Group to now form the *Car Parking Framework Review August 2014* (Attachment One). The Car Parking Framework Review August 2014 (the Review) acts on the recommendations of the Peer Review, taking into account existing parking demands, character, and economic performance of the respective activity centres.

The Review and subsequent studies have identified that current parking supply in Traralgon and Morwell is adequate to meet current demands. However the Review recommends a reduction of car parking rates in a Parking Overlay Schedule and a cash in lieu contribution for car parking unable to be supplied in Traralgon.

In order to give effect to the Review, a planning scheme amendment is proposed to the Latrobe Planning Scheme that introduces a Parking Overlay for Traralgon and Morwell prescribing parking rates and cash-in-lieu contributions as required. The Parking Overlay is proposed to be introduced over parts of the Traralgon and Morwell Activity Centres (Attachment Two and Three).

### **Statutory Requirements**

The planning scheme amendment process is shown in the figure below and provides an indication of the current stage.



In accordance with Section 9 of the Act, the Minister for Planning may authorise a municipal council to prepare an amendment to State and local standard provisions of a planning scheme in force in its municipal district. Municipal councils, as the planning authority, have a number of duties and powers. These duties and powers are listed at Section 12 of the Act. Under Section 12 a planning authority must have regard to (*inter alia*):

- The objectives of planning in Victoria;
- The Minister's directions;
- The Victoria Planning Provisions;
- The Latrobe Planning Scheme;
- Any significant effects which it considers a planning scheme amendment might have on the environment or which it considers the environment might have on any use or development envisaged by the amendment.

Any significant effects which it considers a planning scheme amendment might have on the environment or which it considers the environment might have on any use or development envisaged by the amendment.

This amendment proposal has had regard to the Act and is consistent with the requirements of Section 12.

Also each amendment must address the Department of Transport, Planning and Local Infrastructure (DTPLI) publication *Strategic*

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

*Assessment Guidelines for Planning Scheme Amendments 2013.* A response to these guidelines is outlined in the attached Explanatory Report (see Attachment Three).

The proposal is consistent with the State Planning Policy Framework at Clause 11 - Settlement and Clause 18 – Transport. The proposal is also consistent with the Municipal Strategic Statement (MSS) at Clause 21.05 – Main Towns and Clause 21.07 – Economic Sustainability; by encouraging the development of new retail, office and residential mixed use developments within the Traralgon and Morwell Activity Centres and the implementation of the Transit City principles to attract new investment opportunities. This is further explained in the attached Explanatory Report (see Attachment Four).

### **INTERNAL/EXTERNAL CONSULTATION**

The amendment is subject to the prescribed process in accordance with the public notice and consultation requirements of Section 19 of the Act. This will include advertising in the government gazette and local newspapers as well as written notification to landowners and occupiers that may be materially affected by the amendment following authorisation of the amendment.

All statutory and servicing authorities likely to be materially affected will also be notified of the proposed amendment.

As part of the proposal and throughout Stage One and Two, Council will engage with the key stakeholders in each of the Activity Centres, such as the traders, community groups and associations.

### **KEY POINTS/ISSUES**

#### **The Proposed Planning Scheme Amendment and Complimentary Measures**

The Car Parking Framework Review for Traralgon and Morwell has been split into two stages (See Figure Two):

Stage One - Applying a Parking Overlay and

Stage Two - Complementary Measures (Use and other mechanisms).

Stage One seeks to apply the proposed Parking Overlay to the Latrobe Planning Scheme over the Traralgon and Morwell Activity Centres. The purpose of the Parking Overlay is to:

- facilitate an appropriate provision of car parking spaces in an area;
- to identify areas and uses where local car parking rates apply;
- to respond to local car parking issues and outline local variations to the standard requirements pursuant to Clause 52.06; and
- to identify areas where financial contributions are to be made for the provision of shared car parking.

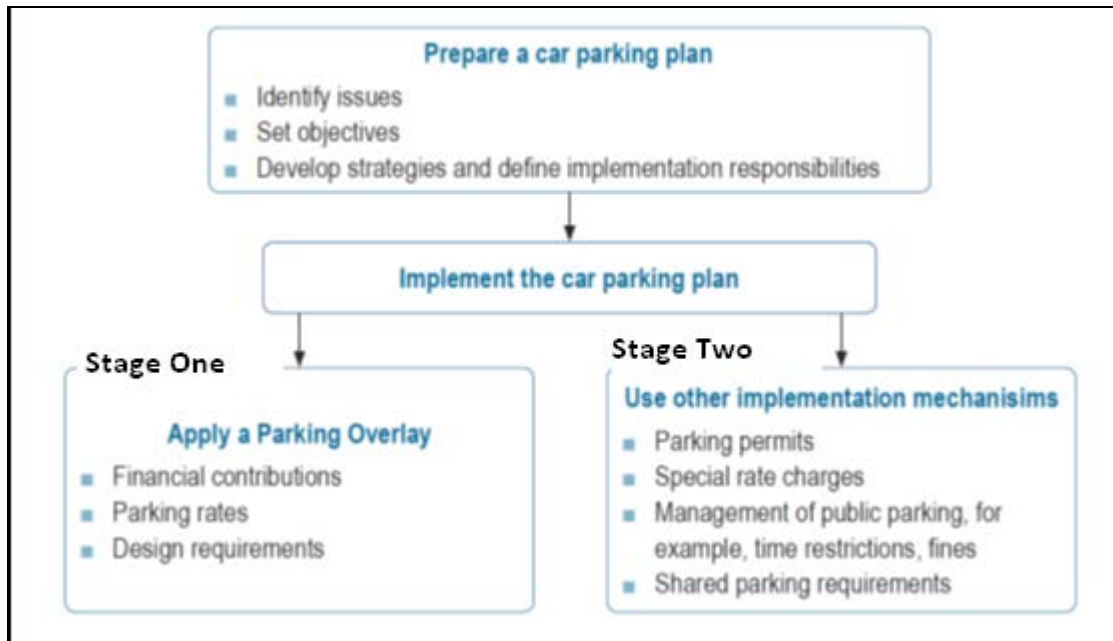


Figure One: Preparation of a Car Parking Plan – Showing Stage One - Apply a Parking Overlay and Stage Two - Complementary Measures (Use and other mechanisms)

Stage Two - Complementary Measures is needed to address issues such as time allocation, all access car parking, permit allocation and a review of parking enforcement practices. These 'Complimentary Measures' will noticeably improve car parking provisions and are essential to improving car parking in Traralgon concurrently with the proposed planning scheme amendment.

The budget and business planning process for the 2015/16 year will need to include the delivery of Stage Two - Complementary Measures to ensure appropriate resource prioritisation. Although the project has not been fully scoped, it is estimated that budget allocation in the order of \$80,000 may be required. At this stage a Parking Strategy for Moe has not been completed due to the significant project currently underway at the Moe Rail Precinct.

#### Reduced Car Parking Rates – Traralgon and Morwell

A schedule to the Parking Overlay can be used to vary the standard number of car parking spaces required under Clause 52.06 in Column A. To vary the standard number of car spaces required (i.e. Column A rates); a strategic assessment of existing car parking conditions has been completed. Column A is considered to suit parking requirements in metropolitan Melbourne. A recommended figure of 75% of Column B, will take into account factors such as existing (historical) floor space inefficiencies, and excessive vehicle circulation searching for vacant car spaces. The figure will reduce the overall car parking spaces required for proposals in future planning permit applications appropriate for a regional centre. The Review recommends that 75% of Column B rates be adopted

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in both Traralgon and Morwell. Further discussion regarding the reduction in car parking rates can be found in Attachment One.

**Cash in Lieu**

The Review identified that for Traralgon, the forecast future floor space indicates that new car parking will be required to be constructed in Traralgon to meet future demand generated by the expected increase in floor space. The Review recommends that where the parking requirement under Clause 52.06 of the Planning Scheme cannot be met on site in Traralgon, a financial contribution of \$8,000 in respect to each car parking space that is required and which is not provided on the land (but not net of car parking credits) should be applied.

The Review benchmarks the cash in lieu figure across both metropolitan and regional municipalities. It indicates that the average cash in lieu rate in metropolitan municipalities is \$13,087 per space, which reflects higher land costs. In regional municipalities the average cash in lieu rate is \$7,385. The proposed cash in lieu contribution of \$8,000 for the Traralgon Activity Centre is justified in terms of need, nexus (link to car parking provisions), accountability and equity. The cash in lieu contribution for the Traralgon Activity Centre is similar to the previous cash in lieu figure that has been used by Latrobe City Council and therefore isn't considered to have a detrimental economic effect on the Activity Centre Precinct. The previous cash in lieu process was abandoned by Council in 2010 as the mechanism was not incorporated into the Latrobe Planning Scheme.

The cash in lieu is calculated to take into account the more efficient use of car parking resource allocations within the Traralgon Activity Centre Precinct; with multiple uses sharing the same parking spaces. In determining the cash in lieu rate, consideration has been given to equity between existing and future development, noting that historically in Traralgon, a substantial proportion of car parking has been provided as public parking and a minor proportion as private parking.

The Review recommends that Council use the funds collected by the cash in lieu contribution towards building new car parking facilities in the core of the Traralgon Activity Centre Precinct. The funds will be secured by an on title agreement outlining payment options. Council can then allocate these funds to parking improvements provided need, nexus, equity and accountability is demonstrated.

In Morwell, a cash in lieu scheme is not considered appropriate at this time, as the activity centre is already experiencing significant impediments to development, including a declining population, division of the centre by the railway line, high vacancy rates and competing retail facilities at Mid Valley and Traralgon. As the vision of the Re-activate Latrobe Valley project in Morwell is realised and vacant retail space is utilised, a cash in lieu contribution in Morwell can be revisited.

**RISK IMPLICATIONS**

There are a number of risks associated if this planning scheme amendment doesn't progress:

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

- lack of suitable parking in the future making the Activity Centres less viable and attractive for investment;
- lack of funds to construct future required parking infrastructure
- inadequate strategic justification at VCAT to defend planning permit decisions.

### **FINANCIAL AND RESOURCES IMPLICATIONS**

The prescribed fees for planning scheme amendments are detailed in the *Planning and Environment (Fees) Regulations 2012*. The costs associated with a planning scheme amendment include: considering a request to amend a planning scheme, consideration of submissions, providing assistance to a panel and adoption and approval of an amendment.

Funds have been allocated in the current 2014/15 budget year to enable the planning scheme amendment to proceed. Funding for 'Stage 2 – Complimentary Measures' has yet to be allocated and this will need to be considered as part of the 2015/16 budget and business planning process. It is estimated that this component would cost in the order of \$80,000.

### **OPTIONS**

The options available to Council are as follows:

- 1 That Council pursues the proposed amendment and supports the request to be made to the Minister for Planning to authorise the preparation and exhibition of the amendment to the Latrobe Planning Scheme.  
Or
- 2 That Council does not support the request to be made to the Minister for Planning, to authorise the preparation and exhibition of the amendment to the Latrobe Planning Scheme and therefore abandons the amendment.

### **CONCLUSION**

The proposed amendment provides the opportunity to introduce a Parking Overlay over the Traralgon and Morwell Activity Centres. The amendment was identified as a high priority in the Latrobe Planning Scheme Review Report and will contribute to ensuring the Morwell and Traralgon Activity Centres remain viable as an attractive location for investment. The amendment will ensure Council has a contribution to the provision of future parking infrastructure and will ensure Council has strategic justification needed to support decision making.

The two stage approach as outlined in Figure One will address key community concerns in the Activity Centres of Traralgon and Morwell, introduce a reduction of car parking suitable for a regional centre and apply a cash in lieu figure that has met requirements of need, nexus, accountability and equity.

**SUPPORTING DOCUMENTS**

NIL

**Attachments**

1. Attachment One: Car Parking Framework Review August 2014
2. Attachment Two: Parking Overlay Schedule 1 Traralgon Activity Centre
3. Attachment Three: Parking Overlay Schedule 2 Morwell Activity Centre
4. Attachment Four: Proposed C94 Parking Overlay Explanatory Report
5. Morwell Activity Centre Car Parking Study (Published Separately)
6. Traralgon Activity Centre Car Parking Strategy (Published Separately)
7. Latrobe Parking Study Traralgon and Morwell Peer Review (Published Separately)



## 13.3

### **Council Authorisation to prepare a planning scheme amendment to introduce a Parking Overlay to Traralgon and Morwell**

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# CAR PARKING FRAMEWORK REVIEW

## TRARALGON & MORWELL

Prepared for




AUGUST, 2014

OUR REFERENCE: 16796R9594

# CAR PARKING FRAMEWORK REVIEW

## TRARALGON & MORWELL

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## 1 INTRODUCTION

Traffix Group has been engaged by Latrobe City Council to prepare a consolidated Car Parking Framework Review for Traralgon and Morwell. This report consolidates the following documents:

- the Draft Traralgon Activity Centre Car Parking Strategy (prepared by Cardno Grogan Richards, dated 10<sup>th</sup> September, 2012, Ref: CG110032),
- the Morwell Activity Centre Car Parking Study (prepared by Cardno Grogan Richards, dated 9<sup>th</sup> April, 2013, Ref: CG120255), and
- the Latrobe Parking Study Peer Review (prepared by Traffix Group and Spade Consultants with the assistance of the DPCD Rural & Regional Flying Squad, Ref: 15688R9050).

In addition, the peer review document recommended that some additional work be undertaken, and the outcome of that additional work is also presented in this report.

Where this Car Parking Framework Review report expresses opinions, observations, strategies or recommendations, these are the expert views of Henry Turnbull (Traffix Group), Chris McNeill (Spade Consultants) and/or Rod Jude (Cardno) and have been formed based on the data, analysis and relevant experience, and are consistent with the views and recommendations expressed in the above-listed background documents.

## 2 CONTEXT

### 2.1 Latrobe City

Latrobe City is centrally located in eastern Victoria approximately two hours east of Melbourne. The City has a combined population of over 75,000 and includes three key urban centres – Moe/Newborough, Morwell and Traralgon – located in a linear arrangement along the Princes Highway. A fourth, but smaller urban centre, Churchill, is located due south of Morwell.

The balance of the municipality's population resides in a number of smaller townships and rural hinterland to the north and south of the Princes Highway.

### 2.2 Latrobe Retail Overview

Traralgon is the largest town within the municipality, with a population of 24,358 recorded at the 2011 ABS Census and acts as the primary business hub of not only the municipality but the broader region as well. Retail and commercial activity is focused on the Traralgon Activity Centre ("Traralgon AC"), a centrally located and compact activities area. The Traralgon AC presents as a prosperous and bustling activity centre.

Morwell is the third largest town (behind Moe/Newborough), with a population of 13,505 recorded at the 2011 ABS Census, and provides a second tier retail and commercial role. Retail activity in the town is split between the Morwell Activity Centre (Morwell AC) and the Mid Valley Shopping Centre, an out of centre shopping mall with two discount department stores (Kmart and Big W), two full line supermarkets, cinemas and specialty shops. The Morwell AC has become a central hub for municipal and state government activities and services with recent investment including the Latrobe City Council Offices,





health services, law courts and the Department of Justice. Retail activity plays a largely supportive role to commercial and government services.

### 2.3 Projected Population Growth in the City of Latrobe

Population forecasts have been undertaken by demographic forecasting firm, id forecast on behalf of Council. The forecasts have been provided at both a municipal level and smaller area level, reflecting specific urban areas and rural districts.

Forecasts relevant to Traralgon and Morwell are provided in the following table.

**Table 1: Population Projections**

Location	Estimated Residential Population	
	2011	2036
Traralgon	26,038	36,545
Morwell <sup>1</sup>	14,205	16,123

*Note 1: The id population forecast for Morwell does not include Churchill*

Over the 25 year period 2011 to 2036, Traralgon is forecast to add an additional 10,500 persons to its 2011 population. Over the same period, Morwell is expected to add just under 2,000 persons to its 2011 population.

The population projections for Latrobe indicate:

- An ongoing concentration in future growth in Traralgon with approximately 75% of Latrobe's total growth occurring in Traralgon's growth areas.
- Moderate growth in both Morwell and Moe.
- Limited growth in the rural areas of the municipality.

## 2.4 Future Retail Floorspace Requirements

Traralgon and Morwell do not have current retail strategies. However, for the purpose of providing a rough guide (order of magnitude) as to the potential increase in retail floor space within these activity centres to 2036, an assessment has been made, adopting the general rule of thumb that demand for retail floorspace is generated at the rate of 2.2 square metres per capita. Of this figure approximately 0.7 square metres relates to bulky goods floorspace.

For the purposes of determining future retail floorspace requirements, it is assumed there is limited capacity for bulky goods floorspace to establish within activity centres (particularly Traralgon given the compact nature of the Traralgon AC area).

### Traralgon

Based on an additional 10,500 persons, there will be an additional retail floorspace requirement of approximately 15,750 square metres between 2011 and 2031 (excluding the bulky goods floorspace component).

There are several points to note:

- Retail floorspace includes the categories of Food (groceries and liquor), Food-catering (e.g. restaurant, cafes and takeaway food), Non-food (apparel and general merchandise) and Services (spending on hairdressers, beauty salon etc.);
- A proportion of new retail floorspace is likely to be located in established or identified activity nodes outside the Traralgon Activity Centre<sup>1</sup>;
- This analysis does not take account of future commercial (office) requirements;
- As Traralgon represents the municipality and region's principal retail and commercial centre, there is likely to be a significant amount of expenditure leakage from other centres to Traralgon which would generate an additional requirement for retail and commercial floorspace.

### Morwell

Based on an additional 2,000 persons, there will be an additional retail floorspace requirement of approximately 4,400 square metres in Morwell between 2011 and 2031, including 1,400 square metres of bulky goods floor space.

It is not possible to predict whether additional retail floorspace will be located in the Morwell AC or at the Mid Valley Shopping Centre.

However, it is noted that existing shop vacancies in Morwell AC easily exceed the future retail space requirements to 2031 based on the id forecast projections.

<sup>1</sup> This refers to small local neighbourhood convenience shopping. Existing activity nodes outside the Traralgon Activity Centre with retail floor space include Tanjil Street, Hyland Street and Smith Street/Park Lane. There is the potential for similar local convenience shops to be located within Traralgon's residential growth areas in the future.

### 3 STUDY AREA

#### 3.1 Traralgon

The designated activity centre precinct for Traralgon is irregular in shape, extending to Gordon Street to the north, Princes Highway to the east, Hyland Highway to the south and Mabel and Byron Streets to the west, as presented in the precinct locality plan at Figure 1. The precinct includes residential streets on the periphery of the commercial area<sup>2</sup>. Figure 1 also shows two sub-precincts which were separately analysed in the Latrobe Parking Study Peer Review to give an indication of the variance of the parking occupancy rates within these sub-areas of the Traralgon AC compared with the overall precinct area.

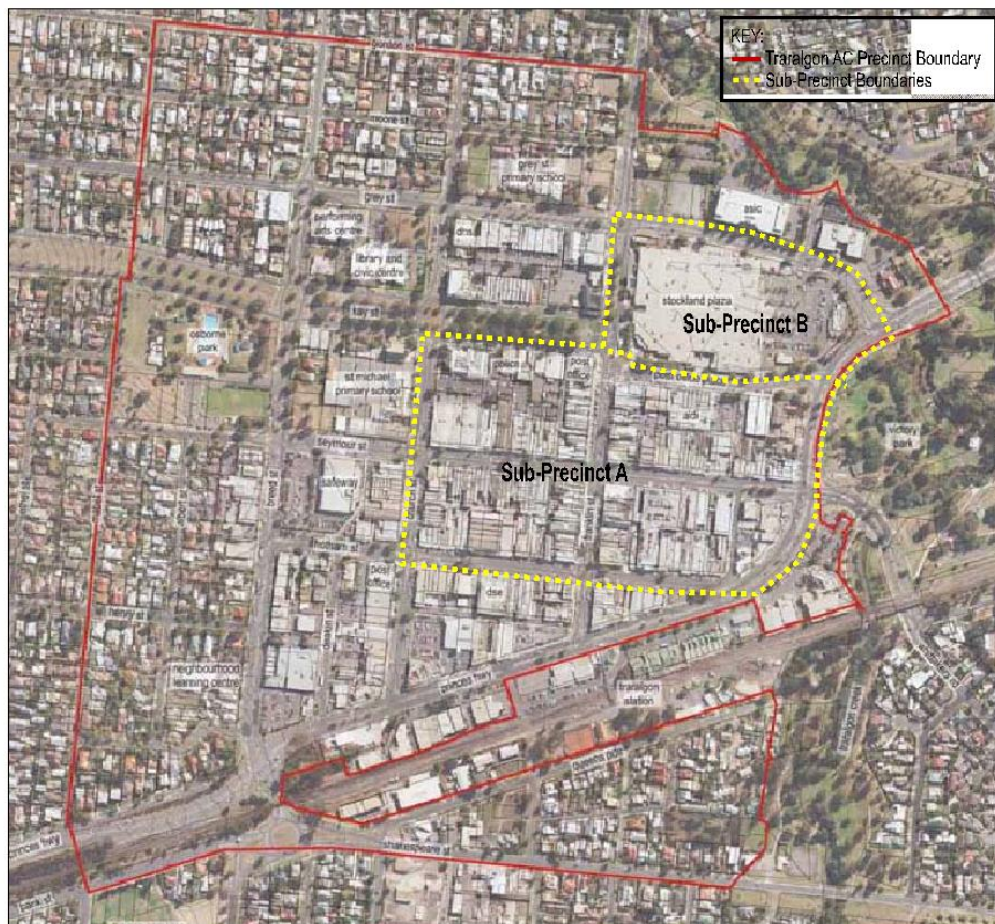


Figure 1: Traralgon Precinct Locality Map

<sup>2</sup> The designated activity centre precinct highlighted by the red line in Figure 1 is consistent with the Traralgon Activity Centre Plan prepared by Hansen (June 2010) and associated background documents. It is also consistent with the precinct boundary utilised for the purposes of the Draft Traralgon Activity Centre Car Parking Strategy (prepared by Cardno Grogan Richards, dated 10<sup>th</sup> September, 2012, Ref: CG110032), and also the Latrobe Parking Study Peer Review (prepared by Traffix Group and Spade Consultants with the assistance of the DPCD Rural & Regional Flying Squad, Ref: 15688R9050).



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While Figure 1 shows a more expansive precinct boundary, retail and commercial activity is expected and encouraged (by way of Planning Scheme zone controls) to remain within a relatively compact area bounded by the Gippsland rail line to the south and east, Breed Street to the west and (nominally) Grey Street to the north.

This provides for an effective restriction on the spread of retail and commercial activity and is likely to result in an intensification of commercial activity in particular with greater use and development of upper levels to house office space.

Successful implementation of this strategy is likely to see an escalation in land values which, provided commercial activity remains attracted to Traralgon and in the absence of alternative locations, is likely to see higher density forms of development emerge in Traralgon over time.

It is understood higher intensity forms of development are already planned, with a three level office development set to proceed in Seymour Street and a multi-level Quest serviced apartment project approved nearby.

Two other key features are located in the north-eastern areas of the Traralgon AC.

The first is the Stockland Plaza, an internalised shopping mall with a Coles supermarket and Kmart Discount Department Store as anchor tenants. The centre includes a significant area of basement parking under the centre itself and at-grade parking on the eastern entrance to the centre.

The second feature is a major office presence in the form of the Australian Securities and Investments Commission processing centre on the north side of Grey Street and south of Traralgon Creek.

In addition, the Traralgon Station Precinct Masterplan area is located to the south, which provides extra car parking.

The Activity Centre Plan looks set to build on the current land use arrangements in Traralgon with:

- Specialised retail activity centred on the axis of Seymour and Franklin streets;
- Large format retail (Coles and Kmart) in Stockland Plaza north east of Franklin Street and Post Office Place and Woolworths at the western end of the AC between Hotham Street and Seymour Street;
- Ancillary retail and commercial (office) uses along Hotham Street in the south-western part of the AC; and
- Commercial (office) uses on the north side of the AC particularly between Kay Street and Grey Street.

The Gippsland Regional Aquatic Centre is currently in the planning phase, and is earmarked for the existing Traralgon Outdoor Swimming Pool site and surrounds, located on the west side of Breed Street south of Kay Street.

### 3.2 Morwell

The designated activity centre precinct for Morwell is irregular in shape, extending to Margaret Street to the north, McDonald Street to the east, Elgin Street to the south and Avondale Road and Helen Street to the west, as presented in the precinct locality plan at Figure 2.



*Figure 2: Morwell Precinct Locality Map*

The Morwell activity centre faces several significant challenges. The first is that from a retail perspective it is not the primary retail centre in Morwell – that role lies with the Mid Valley Shopping Centre. The second is the activity centre itself is bisected by the Gippsland rail line which creates an almost 200 metre divide (significantly longer by car) between activity located to the north and that to the south.

The area south of the rail line contains the majority of retail activity, Latrobe City Council Offices, Law Courts and other key office functions.

The area north of the rail line provides a limited retail function and a secondary commercial function. A significant Latrobe Health facility (Latrobe Community Health Service) represents the key anchor in the area.

A Morwell Activity Centre Plan is yet to be prepared.



## 4 CAR PARKING ANALYSIS

### 4.1 Existing Car Parking Supply

Table 2 below sets out the existing car parking supply for Traralgon and Morwell within the designated Activity Centre precinct boundaries.

**Table 2: Existing Car Parking Supply**

Location	Traralgon*	Morwell
On-Street	2,341 spaces	1,348 spaces
Public Off-Street	2,736 spaces	494 spaces
Private Off-Street	765 spaces	1,668 spaces
<b>TOTAL</b>	<b>5,842 spaces</b>	<b>3,510 spaces</b>

\* The identified parking supply in the Traralgon Activity Centre differed in February 2010 to November 2011. The updated (November 2011) figures have been included in Table 2.

The area contained within sub-precincts A and B within the Traralgon Activity Centre (as shown in Figure 1) includes a total of 2,567 car spaces, of which 1,800 spaces are 'public' parking (excluding bus zones, taxi zones, loading zones, police parking, no stopping zones, no parking zones, motorcycle parking and restricted/permit/private parking), made up of 683 public on-street spaces and 1,117 public off-street spaces.

### 4.2 Existing Parking Restrictions

#### Traralgon

In the order of a third of the land identified within the Traralgon Activity Centre precinct boundary is residential in nature, and on-street parking in these residential streets is predominantly unrestricted.

Short-term parking (predominantly two-hour parking (2P)) is located on-street on commercial frontages within the Traralgon Activity Centre.

The majority of off-street parking is not time-restricted. The Council-owned Seymour Street multi-level carpark includes a mix of unrestricted, Permit, 2P, three-hour parking (3P) and disabled parking.

#### Morwell

Much of the on-street parking on commercial frontages is subject to short-term (predominantly 2P) restrictions, and on-street parking on the periphery streets identified within the Morwell Activity Centre precinct boundary is generally unrestricted.

The majority of off-street parking in Morwell is not time-restricted, however most is privately owned, and reserved for customers and staff.

Table 3 below sets out the overall break-down of on-street parking restrictions within the two designated activity centre precinct boundaries. The majority of 'unrestricted' spaces are on residential frontages near the periphery of the designated activity centre precinct boundaries.

Table 3: On-Street Parking Restrictions

Restriction	Traralgon	Morwell
Unrestricted	1,183 spaces	630 spaces
Short-term: 1P & 2P	992 spaces	567 spaces
Less than 1P	34 spaces	64 spaces
Other*	132 spaces	87 spaces
<b>TOTAL</b>	<b>2,341 spaces</b>	<b>1,348 spaces</b>

\* 'Other' includes Permit, Disabled, Loading Zone, Police Only, Bus Zone, Taxi Zone, No Stopping School Times, etc.

### 4.3 Car Parking Occupancy

Car parking occupancy surveys were undertaken as follows:

- Traralgon:
  - Friday 19<sup>th</sup> February 2010 from 8am till 8pm,
  - Saturday 20<sup>th</sup> February 2010 from 9am till 2pm, and
  - Friday 18<sup>th</sup> November, 2011 from 8am till 8pm.
- Morwell:
  - Friday 4<sup>th</sup> May 2012 from 7am till 7pm.

While it is acknowledged that the survey data is now a couple of years old, for the purposes of the Car Parking Framework Review, and in particular the analysis which has been undertaken to inform the Schedules to the Parking Overlay, the survey data is appropriate<sup>3</sup>.

Importantly, for the purposes of analysing appropriate car parking rates to be adopted for future development in the activity centres, the date of the survey data needs to be generally consistent with the date of the retail/commercial floor space data in order to compare the measured (observed) peak parking occupancy with the theoretical parking demands based on the floor space information. This is addressed in more detail at Section 4.5.

The peak parking occupancy for each of the overall activity centre precincts is summarised in Table 4 below.

<sup>3</sup> It is noted that future surveys may show a higher parking occupancy in some locations, in particular as a result of a number of permits which have been issued in recent years granting parking reductions/waivers. However, the floor space of those developments did not exist at the time of the parking surveys so the analysis is not impacted. Furthermore, in terms of parking provision rates, new developments from now on should not be required to compensate for approved developments which have already been granted parking waivers.



Table 4: Peak Parking Occupancy

	Traralgon (Overall)	Traralgon Core (Sub-Precincts A & B)	Morwell (Overall)
Supply	5,842 spaces	1,800 spaces	3,510 spaces
Peak Demand	3,386 spaces	1,489 spaces	1,811 spaces
Day/Time	Friday 18/11/2011 12noon	Friday 18/11/2011 1pm	Friday 4/05/2012 1pm
% Occupancy	58% <sup>Note 1</sup>	83%	52%
Vacancies	2,456 spaces	311 spaces	1,699 spaces

Note 1: This figure (58% occupancy) is misleading, because it includes a significant number of spaces which were vacant but are located on residential frontages and are not appropriate to count towards the 'Activity Centre' parking supply. Accordingly, the Sub-Precincts A and B (entirely Commercial 1 Zone land in the core of the Traralgon Activity Centre) have been separately analysed for comparison purposes.

For the purpose of analysis, 'stressed' parking is defined as areas with a peak car parking occupancy of greater than 90%, and 'near-stressed' parking is defined as areas with a peak car parking occupancy of 85% – 90%.

Figures 3 and 4 below show the on-street and off-street 'stressed' and 'near-stressed' parking areas in Traralgon and Morwell respectively, at the peak surveyed time.

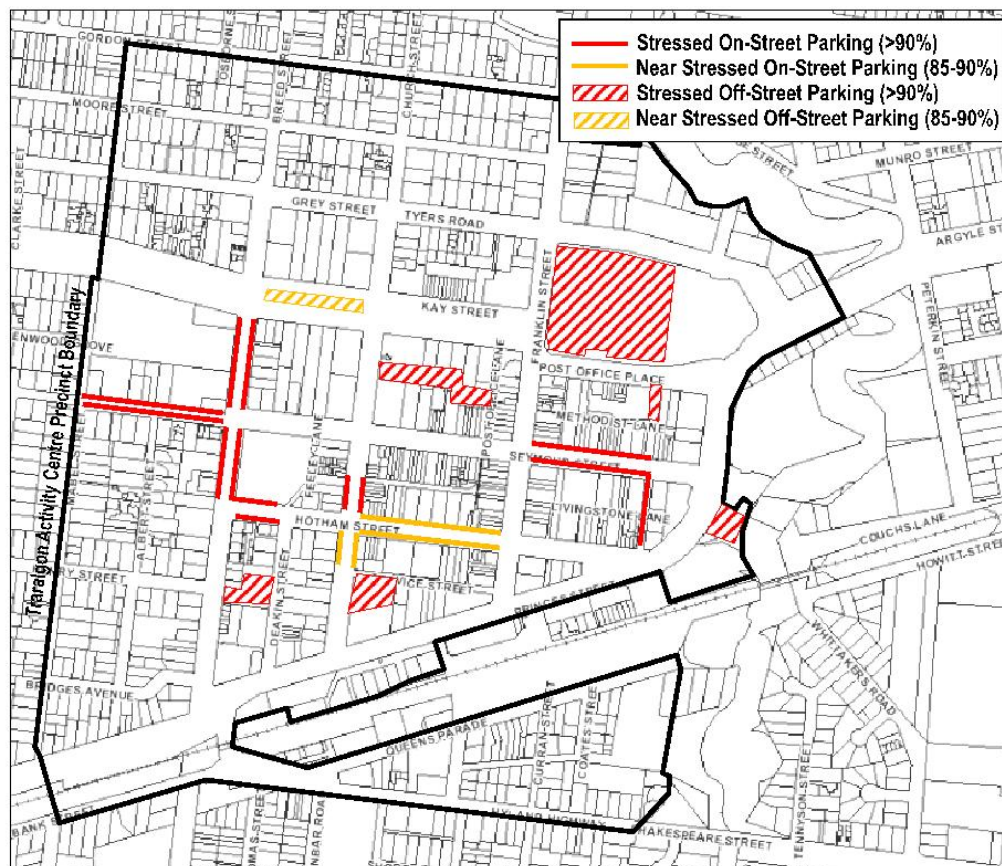


Figure 3: 'Stressed' and 'Near-Stressed' Parking Areas – Traralgon (12noon Friday 18<sup>th</sup> November, 2011)



## Car Parking Framework Review

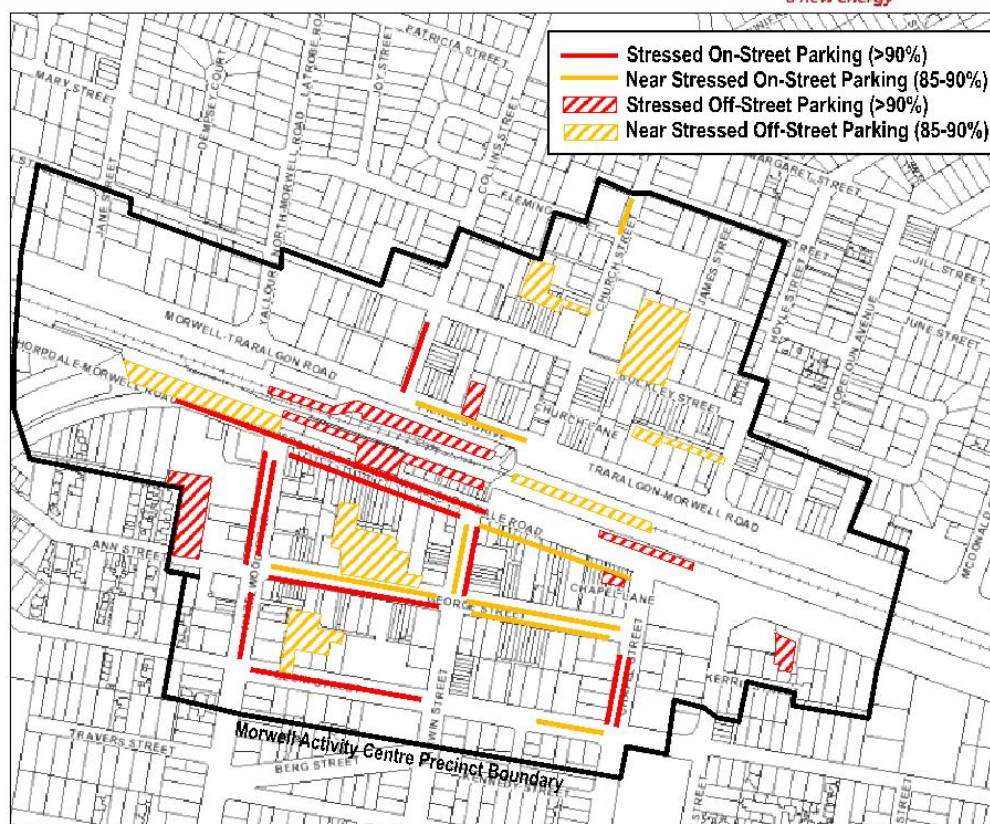


Figure 4: 'Stressed' and 'Near-Stressed' Parking Areas – Morwell (1pm Friday 4<sup>th</sup> May, 2012)

Car parking occupancy observations are set out below:

#### Traralgon

- On-street car parking demand in the Traralgon retail core is high but not 'stressed' (less than 85% overall within sub-precincts A and B), and on-street short-term car parking spaces are available at the peak time.
- Publicly available off-street car parking demand in the Traralgon retail core is very high (86% within sub-precincts A and B which is within the 'near-stressed' category at the peak time).
- The occupancy of publicly available off-street parking within the Traralgon retail core remained above 80% between 11:00am and 2:00pm on the peak day (Friday 19<sup>th</sup> November, 2011).
- The on-street car parking within the retail core is predominantly controlled by short-term restrictions.
- Much of the off-street parking is either unrestricted or has longer restrictions (3P at Stockland and in part of the Seymour Street carpark).
- The observed higher occupancy rate of off-street (predominantly long-term) parking compared with on-street (short-term) parking indicates that there may be an imbalance between short and long term parking supply versus demand in the Traralgon retail core, with a potential need to convert some existing short-term spaces to long-term restrictions to correct the imbalance.

## Car Parking Framework Review

**Morwell**

- Stressed and near-stressed areas are generally located to the south of the railway line.
- While there are high occupancy rates particularly in close proximity to the railway line, parking is available within a short walk (250m/4 minutes) of all 'stressed' areas.
- There is adequate availability of public on-street parking areas in the northern half of the activity centre precinct.

**General**

- High on-street parking occupancy rates are not necessarily bad, as it contributes to a sense of vibrancy in the activity centre. However this needs to be complimented by a high-turnover (short-term restrictions) so as to ensure visitors are able to find a space nearby to their destination.
- 'Stressed' parking within an activity centre environment is not uncommon. Car parking for activity centres is generally assessed on a 'whole of centre' approach, which recognises that people often make use of a trip to an activity centre to visit a number of different destinations within the centre. In turn, this spreads the parking demand across a number of land uses resulting in lower parking demands than would be generated by a similar individual land use that is not in an activity centre.
- The whole of centre approach recognises that different land uses within the centre may generate varying levels of parking demand throughout the course of the day, or at different times of the week, month or year. As a result it is possible to gain efficiencies in the public car parking supply through the 'sharing' of parking amongst a number of uses where peak parking demands do not coincide. This means that the overall parking requirement for the area is lower than if parking were to be provided to cater for the peak demands of all uses within the centre and leads to a more efficient use of the available land.
- Visitors will generally seek to park as close to their destination as possible and as a result, while parking for the area may be sufficient, parking around popular destinations within the centre will generally experience higher levels of utilisation than other parking opportunities that exist elsewhere.

#### 4.4 Duration of Stay

Analysis of number plate data collected as part of the car parking occupancy survey process indicates that there are a substantial number of long-term parkers (presumably staff) parking within the short-term parking spaces and moving their vehicles throughout the day so as to comply with the restrictions, potentially due in part to there being inadequate long-term parking in close proximity to workplaces.

This is not the intent of the short-term restrictions and suggests that the current method of enforcement is not working, in the sense that whilst apparently resulting in time restrictions being generally adhered to (in Traralgon more so than Morwell<sup>4</sup>), it is not preventing staff from parking within the short-term spaces.

Also, the results suggest that there may be an imbalance in the proportion of short-term and long-term parking.

High utilisation of on-street spaces (high occupancy and turnover) contributes to a sense of vibrancy of an activity centre. Long-term (staff) parking should generally be provided in off-street parking areas.

#### 4.5 Theoretical Car Parking Demand Analysis

Statutory car parking requirements for land use developments are set out in the revised Clause 52.06 of the Planning Scheme, which came into effect on 5<sup>th</sup> June, 2012.

Clause 52.06 sets out 'standard' rates (intended for stand-alone developments which are not within major activity centres) in Column A.

Separate rates are specified at Column B. The Column B rates only apply where specified in a schedule to the Parking Overlay. Different rates (other than Column A or Column B rates) can also be applied via a Parking Overlay.

Both Traralgon and Morwell are activity centres which provide a substantial proportion of the overall car parking supply as 'shared' public parking, and accordingly the Column B rates provide an appropriate starting point.

A 'theoretical car parking demand' analysis has been undertaken for both Traralgon and Morwell, based on the existing floor areas<sup>5</sup> and adopting Clause 52.06 Column B rates, as set out in Tables 5 and 6 below.

<sup>4</sup> In Morwell, a high proportion of vehicles were observed to be overstaying time limits, with 65% of vehicles parked in 1P spaces observed during at least two consecutive hourly passes, and 15% of vehicles parked in 2P spaces observed during at least three consecutive hourly passes. Conversely in Traralgon there was a high level of compliance, however a significant number of vehicles were recorded as being moved nearby rather than leaving the activity centre, indicating that the vehicles are likely to be staff vehicles, requiring longer duration parking spaces.

<sup>5</sup> For Traralgon, the breakdown of retail floor space was set out in the economic report prepared by Hansen Partnership, dated July 2010. Given that the floor space information is current as at 2010, for the purposes of comparing the theoretical and observed car parking demands, the car parking supply and occupancy from the 2010 Cardno surveys has been used, as it coincides with the timing of the floor space data collection. In addition, the Traralgon assessment excludes tenancies which were vacant at the time that the economic report was prepared.

For Morwell, similar detailed land use data is not currently available. However, MacroPlan Australia prepared a Retail Strategy Review for Latrobe in 2007, which set out the total retail floor space and total 'other commercial' floor space for the Morwell Activity Centre. The 'supermarket' component of the retail floor space has been estimated from measuring off aerial photography.



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Table 5: Traralgon Theoretical Parking Supply Assessment – Clause 52.06 Column B Rates

Use	Size	Rate	Requirement <sup>1</sup>
Retail <sup>2</sup>	58,083 m <sup>2</sup>	3.5 per 100m <sup>2</sup>	2,032 spaces
Supermarket	9,531 m <sup>2</sup>	5 per 100m <sup>2</sup>	476 spaces
Manufacturing	1,189 m <sup>2</sup>	1 per 100 m <sup>2</sup>	11 spaces
Wholesale	3,877 m <sup>2</sup>	3.5 per 100m <sup>2</sup>	135 spaces
Automotive Sales & Servicing	4,633 m <sup>2</sup>	3 per 100m <sup>2</sup>	139 spaces
Clubs, pubs and hotels	7,374 m <sup>2</sup>	3.5 per 100m <sup>2</sup>	258 spaces
Health and Community Services	9,549 m <sup>2</sup>	3.5 per 100m <sup>2</sup>	334 spaces
Education <sup>3</sup>	9,654 m <sup>2</sup> (57 FTE)	1 to each employee that is part of the maximum no. of employees on the site	57 spaces
Office <sup>4</sup>	60,608 m <sup>2</sup>	3 per 100m <sup>2</sup>	1,818 spaces
<b>TOTAL</b>	<b>157,455 m<sup>2</sup></b>		<b>5,260 spaces</b>

Note 1: Clause 52.06 states that where a number is a fraction of a whole number, it should be rounded down to the nearest whole number.

Note 2: Shop, Restaurant and Food & Drink Premises rates are the same (all 3.5 per 100sqm) under Column B so there is no need to distinguish between them for the purposes of the theoretical demand assessment.

Note 3: Based on 57 'full time equivalent' (FTE) staff – My School website confirms 24 FTE at St. Michael's PS and 33 FTE at Grey Street PS in 2011.

Note 4: Office use is assumed to incorporate transport, media and communications, finance and insurance, property and construction services, business services, government services, emergency services and other services.

Table 6: Morwell Theoretical Parking Supply Assessment – Clause 52.06 Column B Rates

Use	Size	Rate	Requirement <sup>1</sup>
Retail <sup>2</sup>	56,061 m <sup>2</sup>	3.5 per 100 m <sup>2</sup>	1,962 spaces
Supermarket	4,325 m <sup>2</sup>	5.0 per 100 m <sup>2</sup>	216 spaces
Office	29,684 m <sup>2</sup>	3.0 per 100 m <sup>2</sup>	890 spaces
<b>TOTAL</b>	<b>90,070 m<sup>2</sup></b>		<b>3,068 spaces</b>

Note 1: Clause 52.06 states that where a number is a fraction of a whole number, it should be rounded down to the nearest whole number.

Note 2: Shop, Restaurant and Food & Drink Premises rates are the same (all 3.5 per 100sqm) under Column B so there is no need to distinguish between them for the purposes of the theoretical demand assessment.

Table 7 below summarises the theoretical car parking requirement (based on Clause 52.06 Column B rates), the actual parking provision and the surveyed peak parking demand for both Traralgon and Morwell.

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Table 7: Theoretical Parking Demand Analysis – Summary Table

	Traralgon	Morwell
Theoretical Demand (Column B)	5,260 spaces	3,068 spaces
Existing Supply <sup>1</sup>	4,903 spaces	3,510 spaces
Surveyed Peak Demand	3,259 spaces <sup>2</sup>	1,811 spaces
Surveyed Peak as a Proportion of Column B	62%	59%

*Note 1: The quoted supply for Traralgon in this table is based on a reduced 'activity centre' area which excludes on-street parking in streets which are in the Residential Zone, and also excludes all land south of the railway line.*

*Note 2: This figure is the surveyed peak for the 2010 surveys, as this coincides with the date of the land use data.*

Table 7 indicates that the surveyed peak car parking demand was 62% and 59% of the theoretical car parking demand (using Column B rates) in Traralgon and Morwell respectively.

This suggests that requiring new developments to provide parking (or in-lieu contributions) at Column B rates may not be appropriate.

Typically in the order of 90% occupancy is considered to be fully occupied, as higher occupancy rates tend to lead to excessive congestion associated with vehicles circulating looking for vacant spaces.

If 90% is considered to be "capacity", then parking would need to be provided at a rate of at least 69% of the Column B rates in Traralgon and 66% of the Column B rates in Morwell.

In the case of Morwell, the floor space information utilised for the purposes of establishing the 'theoretical' parking demand (based on Column B rates) included tenancies which are currently vacant and not contributing to the current parking demands. A review of the Morwell Vacancy Handbook (Reactivate Latrobe) dated 16<sup>th</sup> October 2013 indicates that at that time, there were 34 vacant premises with a combined floor area of approximately 10,387m<sup>2</sup> of vacant commercial floor space, comprising approximately two-thirds retail and one-third non-retail (office, etc.). This represents 11.5% of the total floor space in Morwell being vacant. Table 8 below sets out the revised analysis, excluding the vacant floor space.

Table 8: Revised Theoretical Parking Demand Analysis – Summary Table

	Traralgon	Morwell
Theoretical Demand (Column B)	5,260 spaces	2,714 spaces
Existing Supply <sup>1</sup>	4,903 spaces	3,510 spaces
Surveyed Peak Demand	3,259 spaces <sup>2</sup>	1,811 spaces
Surveyed Peak as a Proportion of Column B	62%	67%

*Note 1: The quoted supply for Traralgon in this table is based on a reduced 'activity centre' area which excludes on-street parking in streets which are in the Residential Zone, and also excludes all land south of the railway line.*

*Note 2: This figure is the surveyed peak for the 2010 surveys, as this coincides with the date of the land use data.*

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Table 8 shows that if the 'theoretical parking demand' for Morwell is adjusted down to exclude the vacant floor space, the revised theoretical parking demand would be 2,714 spaces<sup>6</sup>, and the actual observed peak parking demand of 1,811 spaces represents 67% of the revised theoretical parking demand. If 90% is considered to be "capacity", then parking would need to be provided at a rate of at least 74% of the Column B rates in Morwell, taking into account the existing vacancies.

Also, in both activity centres, there is likely to be existing (historical) floor space inefficiencies. Traditional regional centres have larger floor space/inefficient use of floor space with substantial "back of house" storage type areas counted in the overall floorspace, which generally corresponds to lower car parking ratios per floor space overall. Newer shops typically include less storage area on-site and accordingly converting older inefficient premises to new more efficient ones may also increase the parking rate. This factor needs to be built into the final parking rates incorporated into the Planning Scheme.

Having regard to these factors, it is recommended that in both Traralgon and Morwell, a Parking Overlay be introduced, requiring parking to be provided at 75% of Column B rates for retail uses, and 100% of the Column B parking rate for office uses<sup>7</sup>.

In Morwell, if the Parking Overlay rates cannot be achieved for individual development applications, the standard Clause 52.06 decision guidelines should be applied to determine whether the shortfall can be supported.

In Traralgon, if the Parking Overlay rates cannot be achieved for individual development applications, a cash-in-lieu payment per space which is not provided on the land should be applied (via the Parking Overlay mechanism). The recommended cash-in-lieu amount per space is discussed in greater detail later in this report.

#### 4.6 Adequacy of Current Allocation of All-Day Parking

Tables 9 and 10 calculate the theoretical staff (all day) parking demands for Traralgon and Morwell respectively, based on estimated proportions for the various uses within each of the activity centres, using the Column B rates.

<sup>6</sup> The ratio of vacant floor space (2/3 retail and 1/3 non-retail) is consistent with the overall floorspace ratio in Morwell. Accordingly, the overall theoretical parking demand of 3,068 spaces calculated in Table 6 has been adjusted down by 11.5% (i.e. the overall proportion of vacant floor space) to represent the revised theoretical parking demand of 2,714 spaces for the occupied floor space.

<sup>7</sup> It is noted that this recommendation is made in the Latrobe Parking Study Peer Review (prepared by Traffix Group and Spade Consultants with the assistance of the DPCD Rural & Regional Flying Squad, Ref: 15688R9050), and the recommendation to adopt 75% of the Column B (Clause 52.06) rates is based on consideration of the surveyed peak parking demands as a proportion of the full Column B rates (62% and 67% for Traralgon and Morwell respectively, as shown in Table 8) and adding a 'factor of safety' (by requiring a higher provision than observed rates) to account for historic inefficiencies and to ensure adequate spaces are provided so that vehicles aren't excessively circulating looking for a vacant space.

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Table 9: Theoretical All Day Staff Parking Demands - Traralgon

Use <sup>1</sup>	Size	Rate	Requirement	Proportion Staff	Number Staff
Retail	58,083 m <sup>2</sup>	3.5 per 100m <sup>2</sup>	2,032 spaces	25%	508 spaces
Supermarket	9,531 m <sup>2</sup>	5 per 100m <sup>2</sup>	476 spaces	20%	95 spaces
Manufacturing	1,189 m <sup>2</sup>	1 per 100 m <sup>2</sup>	11 spaces	75%	8 spaces
Wholesale	3,877 m <sup>2</sup>	3.5 per 100m <sup>2</sup>	135 spaces	25%	34 spaces
Automotive Sales & Servicing	4,633 m <sup>2</sup>	3 per 100m <sup>2</sup>	139 spaces	25%	35 spaces
Health and Community Services	9,549 m <sup>2</sup>	3.5 per 100m <sup>2</sup>	334 spaces	40%	134 spaces
Education	9,654 m <sup>2</sup> (57 FTE)	1 to each employee	57 spaces	100%	57 spaces
Office	60,608 m <sup>2</sup>	3 per 100m <sup>2</sup>	1,818 spaces	95%	1727 spaces
<b>TOTAL</b>	<b>171,541 m<sup>2</sup></b>		<b>5,002 spaces</b>		<b>2,598 spaces</b>

Note 1: The 'clubs, pubs and hotels' use has been excluded from this table, because the staff and customer parking demands during business hours are likely to be minimal, and including them would skew the results.

Table 10: Theoretical All Day Staff Parking Demands - Morwell

Use	Size	Rate	Requirement	Proportion Staff	Number Staff
Retail	56,061 m <sup>2</sup>	3.5 per 100m <sup>2</sup>	1,962 spaces	25%	490 spaces
Supermarket	4,325 m <sup>2</sup>	5 per 100m <sup>2</sup>	216 spaces	20%	43 spaces
Office	29,684 m <sup>2</sup>	3 per 100m <sup>2</sup>	890 spaces	95%	845 spaces
<b>TOTAL</b>	<b>90,070 m<sup>2</sup></b>		<b>3,068 spaces</b>		<b>1,378 spaces</b>

### Traralgon

Table 9 indicates that the theoretical staff parking requirement is 2,598 car spaces out of a total theoretical car parking demand of 5,002 spaces. The actual surveyed peak car parking demand was 3,259 occupied spaces.

It is anticipated that the number of all-day staff spaces required in Traralgon is likely to be close to the theoretical number calculated in Table 9.

It is also noted that Traralgon is Gippsland's Regional hub, with many regional services located within Traralgon.

If the parking requirement in Traralgon is assumed to be 75% of the Column B rates for all uses except for 'Office' (which should not be less than 100%), then the parking requirement would be 4,206 spaces. If 2,598 of those spaces are required for staff use (as calculated in Table 9) then the long-term staff parking demand represents 62% of the total parking requirement.

The study area includes a total of 1,078 unrestricted car spaces (excluding residential frontages) and a further 1,052 private all-day staff spaces (including permit zone and

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parking on private land), which suggests that there may be insufficient all-day parking provided to meet the theoretical staff demand (2,600 spaces needed). Furthermore, the location of the all-day parking spaces may not be meeting the needs of users, as demonstrated by the high number of staff utilising the restricted spaces.

There are 2,027 short-term restricted spaces within the activity centre, which exceeds the theoretical requirement of 1,600 customer spaces. This is in addition to the spaces on private land signed for customer use. This suggests there is perhaps an excess of short-term parking, and that some of it could be converted to all-day parking.

**Morwell**

Table 10 indicates that the theoretical staff parking requirement is 1,378 car spaces out of a total theoretical car parking demand of 3,068 spaces. The actual surveyed peak car parking demand was 1,811 spaces. It is anticipated that the number of all-day staff spaces required in Morwell is likely to be close to the theoretical number calculated in Table 10.

As previously noted, Morwell has become a central hub for municipal and state government activities and services with recent investment including Latrobe City Council's Offices, health services, law courts and the Department of Justice. Retail activity plays a largely supportive role to commercial and government services, and accordingly much of the demand for retail services in the Morwell activity centre is generated from staff who are already in the town centre for work purposes, with a high proportion of people seeking to undertake purely retail visits in Morwell choosing to do so at the out-of-centre Mid Valley Shopping Centre, rather than within the Morwell activity centre.

If the parking requirement in Morwell is assumed to be 75% of the Column B rates for all uses except for 'Office' (which should not be less than 100%), then the parking requirement would be 2,523 spaces. If 1,378 of those spaces are required for staff use (as calculated in Table 10) then the long-term staff parking demand represents 55% of the total parking requirement.

The study area includes a total of 647 all-day on-street spaces (including 18 'authorised' parking spaces), and a further 2,029 all-day off-street spaces. While this appears to exceed the theoretical staff parking requirement, it is noted that 1,625 of the 2,029 all-day off-street spaces are listed as private staff/customer/reserved/permit spaces, and accordingly are not public/shared resources and may not be available to the users requiring them.

The significant overstay of parking restrictions observed in Morwell suggests the existing all-day parking supply is insufficient.

The Morwell study area includes sections with centre-of-road parking. From an operational perspective, it is generally considered to be good practice for centre-of-road spaces to be longer-term lower turnover parking, to reduce the number of people walking to and from the centre of the road. Accordingly, it is recommended that centre-of-road parking (particularly in Elgin Street, George Street and Tarwin Street) be converted to all-day parking. It is noted that complimentary measures will be undertaken as a separate piece of work in parallel with this car parking framework review, addressing potential changes to parking restrictions and enforcement measures, etc.

## 5 ADEQUACY OF EXISTING CAR PARKING SUPPLY

### 5.1 Physical Numbers

The preceding analyses (as presented in detail in the Draft Traralgon Activity Centre Car Parking Strategy, the Morwell Activity Centre Car Parking Study and the Latrobe Parking Study Peer Review) indicates that the current parking supply in Traralgon and Morwell is adequate to meet the current demands.

In addition, the future floor space predictions indicate that there is sufficient car parking within the Morwell activity centre to accommodate the future parking demands for the next 10 years within the existing supply, without constructing any new spaces within the Morwell activity centre.

The future floor space predictions for Traralgon indicate that new car parking will required to be constructed in Traralgon to meet future demands generated by the increase in floor space.

It is noted that the Gippsland Regional Aquatic Centre is planned to be located at the existing outdoor swimming pool site and surrounds on the west side of Breed Street south of Kay Street. It is envisaged at this stage that the planned Aquatic Centre will be self-sufficient in terms of car parking provision and accordingly will not impact on the existing parking supply within the Traralgon Activity Centre.

### 5.2 Allocation

While the all-day parking supply within the study area (excluding residential frontages) is sufficient to meet the theoretical all-day demands, it appears that in both Traralgon and Morwell, the breakdown of restricted and unrestricted car spaces within the core retail area does not match the demands, in particular, there appears to be an insufficient supply of all-day parking.

This is demonstrated in Traralgon by the occurrence of cars remaining within the core area but being moved so as to comply with time-based restrictions. This remains a challenge for the successful enforcement of short-term parking stock.

It is also demonstrated in Morwell by the apparent overstay in time-restricted car spaces, again with challenges for the enforcement regime.

It is important to consider the purpose of the restrictions. It seems that based on the car parking occupancy data, an increased number of all-day spaces may be warranted in closer proximity to the core retail precinct in both activity centres.

Historically, the core of Traralgon Activity Centre has relied heavily on public parking, with minimal on-site parking provided for staff (with the exception of large sites such as Stockland) and accordingly, public parking needs to continue to accommodate staff as well as customers.

As a general rule, on-site parking in CBD centres for short-term visitors (as currently occurs throughout Morwell) is undesirable (except for large sites such as Stockland) as it is inefficient and does not allow a sharing of the resources to occur. On-street parking on retail frontages needs to be readily available for high turnover, to support a vibrant centre. Off-street parking should therefore accommodate staff so that the on-street parking is freed up for customers to park close to their destination.



Accordingly, it is recommended that Council-controlled off-street carparks should be designated as all-day parking. In particular, the Seymour Street carpark in Traralgon should be all-day parking.

We note that it is not appropriate to solve the all-day parking issue by allowing staff to park in residential areas, and accordingly the unrestricted parking on residential frontages on the streets surrounding the activity centre should not be counted in the activity centre parking supply<sup>8</sup>. However, this is an excellent resource at peak periods, e.g. Christmas trading.

### 5.3 Location

There appears to be sufficient all-day parking within the identified precinct boundaries, however it is not necessarily within the core retail and commercial area where the expectation is for parking facilities.

In part, there may be an unrealistic expectation in regional cities that parking should be available at the door, or within say 50 metres of their destination. However the reality is that parking within 250 metres (approximately 5 minutes' walk) is widely regarded in urban areas as being an acceptable distance to walk, particularly for long-term staff parking.

<sup>8</sup> It is noted that parking on some residential frontages in Traralgon was surveyed by Cardno as these streets were included as part of the overall Activity Centre boundary identified in the Traralgon Activity Centre Plan prepared by Hansen (June 2010) and associated background documents. However it is important to note that the parking on these residential frontages was excluded from the Activity Centre parking supply for the purposes of analysis (refer to footnote 1 of Table 8, which clarifies that the supply for the purpose of analysis excluded residential frontages).

## 6 CASH IN LIEU

The new Clause 52.06 and Parking Overlay (Clause 45.09) provisions are set up in such a way so as to allow Councils to collect a financial contribution as a way of meeting the car parking requirements that apply to a particular development.

An example of the relevant section of a recent Parking Overlay is reproduced below:

*A schedule to this overlay may allow a responsible authority to collect a financial contribution in accordance with the schedule as a way of meeting the car parking requirements that apply under this overlay or Clause 52.06.*

*A schedule must specify:*

- *The area to which the provisions allowing the collection of financial contributions applies.*
- *The amount of the contribution that may be collected in lieu of each car parking space that is not provided, including any indexation of that amount.*
- *When any contributions must be paid.*
- *The purposes for which the responsible authority must use the funds collected under the schedule. Such purposes must be consistent with the objectives of Section 4 of the Act.*

### 6.1 Traralgon

In Traralgon, cash-in-lieu should be encouraged in preference to on-site customer parking on smaller development sites in particular (excluding large developments such as Stockland and Woolworths), to maintain vibrancy of the centre. Shared public parking resources are more efficient than private parking<sup>9</sup>, and this is demonstrated by surveys which suggest an underutilisation of private parking and a high demand for public parking.

Accordingly, the cash-in-lieu parking rate should take into account the desire to encourage this option for provision of customer parking.

There are a number of factors with implications beyond traffic engineering that should be considered in determining an appropriate cash-in-lieu value.

There is a limit to how much can be charged for parking via a cash-in-lieu scheme without discouraging the development of the activity centre.

It is also important to recognise that it is not intended that the cash-in-lieu amount cover the full cost of providing car parking (land plus construction value).

Council would not need to construct one car space for every space for which cash-in-lieu is paid. Due to the variation in demand over time for various uses, public parking resources are more efficient and can be shared by multiple users. For example, cash-in-lieu contributions might be collected from a retail store with opening hours of 9am till 5pm, and additional cash-in-lieu contributions might be collected from a restaurant

<sup>9</sup>

*Often taking access within a retail precinct will lose on-street spaces and adversely impact on the streetscape.*



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which generates parking demands predominantly after 6pm. These two uses can share the same parking spaces.

In determining the cash-in-lieu rate, consideration should also be given to equity between existing and future developments, noting that historically in Traralgon, a substantial proportion of car parking has been provided as public parking.

Of the 4,130 car spaces within the activity centre (excluding the residential frontages and the large Stockland development which is, and should be, self-contained in terms of parking supply), 2,062 spaces are public spaces (either on-street or within public off-street carparks). This corresponds to almost exactly 50% of the existing parking supply being publicly provided.

A similar proportion would be appropriate for future developers, and the cash-in-lieu rate should reflect that historically, the community (via Council) has provided 50% of the parking requirement.

#### Example Cash-in-Lieu Rates

A number of other municipalities have Parking Overlays at Clause 45.09 which allow for the collection of cash in lieu of car parking spaces. The following table sets out cash-in-lieu rates which are currently applied in some other regional and metropolitan municipalities.

**Table 11: Example Cash-in-Lieu Rates**

Municipality	Planning Scheme Amendment No.	Cash-in-Lieu Rate
<b>Regional Municipalities</b>		
Greater Shepparton	VC95	\$4,500
South Gippsland	C85	\$0 (1 – 4 spaces) \$4,800 (per space for 5 <sup>th</sup> to 8 <sup>th</sup> space) \$7,200 (per space for 9 <sup>th</sup> to 20 <sup>th</sup> space) \$9,600 (per space for 21 <sup>st</sup> space and above)
Wodonga	VC95	\$5,000
Benalla	C10	\$6,431
Southern Grampians	C25	\$8,000
Moira	C56	\$8,060
Greater Bendigo	C169	\$10,000
Colac-Otway	C72	\$13,000
Surf Coast	C66	\$13,291
<b>Metropolitan Municipalities</b>		
Monash	C25	\$6,000 (Oakleigh) \$11,000 (Glen Waverley)
Wyndham	C151	\$12,500
Casey	C83	\$16,935
Greater Dandenong	VC95	\$19,000

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Table 11 indicates that regional municipalities apply rates between \$4,500 and \$13,291 per space, with the average being \$7,385 per space. The metropolitan municipalities apply higher rates, with an average cost of \$13,087 per space, being reflective of higher land costs in metropolitan municipalities compared with regional municipalities.

### Cash-in-Lieu Options

There are several options which can be considered in determining the cash-in-lieu rate, as follows:

- **Cost Penalty:** This option charges an amount in excess of the actual cost of providing parking spaces (i.e. the cost of providing spaces off-site exceeding the cost of providing them within a proposed development), with the intention being to discourage developments which do not meet their parking requirements on-site.
- **Full Cost Recovery:** This option charges an amount equal to the actual cost of providing parking spaces, with the intention being that Council utilise the funds to construct one car space for every space that cash-in-lieu payments are collected, without needing to contribute additional funds.
- **Subsidised Fee:** This option charges an amount less than the actual cost of providing parking spaces, and takes into account efficiencies in public parking resources (with the sharing of public parking meaning Council is unlikely to need to construct one parking space for every space which cash-in-lieu is collected). This also takes into consideration that most parking provided by Council would not be ideal for any particular developer, and would not be restricted for use by customers of the originally contributing developers, but would be in the general area and therefore utilised by shoppers shopping in the general area.

Most of the regional municipalities that have cash-in-lieu parking rates adopt the 'subsidised fee' approach in recognition that shared public parking resources are a valuable asset to the broader community, with the adopted cash-in-lieu rate not being reflective of the full cost of providing a parking space.

### Locations for New All-Day Parking in the Traralgon AC

Three locations are considered to be suitable for further consideration in Traralgon in relation to the potential provision of additional public parking resources in the future (to be funded by future cash-in-lieu contributions) as follows:

- an extra level on the Seymour Street multi-deck carpark (this carpark has been designed to accommodate an additional level in the future),
- a decked carpark in the location of existing car parking adjacent to the Post Office (accessed via Deakin Street and Hotham Street), and
- a decked carpark in the location of existing public car parking behind Ryan's Hotel (accessed via Church Street and Kay Street).

Little needs to be done in terms of design for the Seymour Street carpark as it was originally designed to accommodate another level. This is also in a central location close to high parking demands where minimal staff parking is currently available.

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Accordingly, this location is best placed to provide additional parking through collection of cash-in-lieu funds in the short-term.

#### Cash-in-Lieu Calculation Formula

The formula for calculating cash-in-lieu contributions is generally:

$$P = (L + C + A) \times (1 - D)$$

Where:

- P – Cost per space (cash-in-lieu rate - \$ per car space)
- L – The market value of land (\$ per m<sup>2</sup> x land area per car space)
- C – The construction cost (\$ per m<sup>2</sup> x land area per car space)
- A – An administration charge (typically 2% of the total cost)
- D – Discount, e.g. 0.3 (30% discount)

Due to existing land constraints in the Traralgon AC, all of the options currently under consideration for delivery of future public parking resources involve construction of decked parking on land already owned by Council. Accordingly, there is no additional 'land' cost component.

However, the construction cost for decked parking is considerably more expensive than at-grade parking.

The Cobram Parking Precinct Plan for example (Moirá Shire, 2009) lists the construction cost for at-grade parking at \$2,200 per car space. In comparison, *Rawlinsons Construction Cost Guide 2011* states that the cost to construct multi-level carparks is approximately \$17,000 per space. Notwithstanding, the developer of the Seymour Street carpark has advised that the cost to construct an additional level may be somewhat cheaper than the cost indicated by the Rawlinsons Guide.

It is noted that the Panel reports for both Amendment C10 to the Benalla Planning Scheme and Amendment C56 to the Moira Planning Scheme determine that a 30% 'discount', is a reasonable compromise.

In the case of Traralgon though, historically, approximately 50% of the activity centre's parking supply has been provided as 'public' parking (Council-funded), including on-street and public off-street parking.

#### Recommended Cash-in-Lieu Rate

It is recommended that Council adopt the 'subsidised fee' option, providing for a 'discount' in the cost of actually providing a car space. This option is fairer for the development industry taking into account that the space will not be exclusively available for customers of the development which made the cash-in-lieu contribution and will instead be a shared public parking resource some distance away from the development site.

While Benalla and Moira adopted a 30% discount (70% developer-funded), the adopted rates in these municipalities are \$6,431 and \$8,060 respectively, suggesting the actual cost per space would be \$9,187 and \$11,514 respectively (with the in-lieu rates representing 70% of these costs), being significantly lower than the \$17,000 per space for multi-level carparks as indicated by the Rawlinsons Guide.

It is recommended that having regard to the historical 'public' contribution of approximately 50% of the parking supply in the Traralgon activity centre, a discount of 50% be applied to the \$17,000 car space cost, corresponding to a cash-in-lieu contribution rate of \$8,500, or \$8,670 if a 2% administration fee is added.



It is noted that this is above the average of \$7,385 per space for regional centres (as set out in Table 11), is comparable to the rates charged by Southern Grampians Shire and Moira Shire, and is less than the rates charged in Bendigo, Colac-Otway Shire and Surf Coast Shire.

Other factors (beyond the actual cost of providing a space) also require consideration when determining the cash-in-lieu rate, such as the desire to either attract or discourage development in the Traralgon AC for example.

It is noted that the car parking peer review recommended an upper limit of \$5,000 per space, being approximately 30% of the actual cost of providing a space (a 70% discount), with this recommendation based on a desire to encourage and facilitate more intensive development in the Traralgon AC and also encourage the provision of shared public parking resources by making this an attractive option for developers, rather than each development providing all of its parking within private on-site carparks (with the disadvantage of breaking up the streetscape to provide access to the on-site parking).

Taking into account the range of factors discussed above, a cash-in-lieu rate in the range of \$5,000 to \$8,670 is recommended for the Traralgon AC.

## 6.2 Morwell

In Morwell, a cash-in-lieu scheme is not considered appropriate at this time, as the activity centre is already experiencing significant impediments to development, including a declining population, division of the centre by the railway line, high vacancy rates and competing retail facilities at Mid Valley and Traralgon.



## 7 PARKING OUTCOMES

### 7.1 Traralgon

Figure 5 below highlights the area which is recommended to have the 'Parking Overlay' applied in Traralgon. The highlighted area incorporates all of the Commercial 1 Zone (C1Z, B1Z, B2Z & B5Z) land to the north of the railway line, as well as the Mixed Use Zone (MUZ) parcel located on the northeast side of the Grey Street/Franklin Street intersection. Land earmarked for the future Gippsland Regional Aquatic Centre<sup>10</sup> (bound by Kay Street, Breed Street, Seymour Street and Mabel Street) is excluded.



Figure 5: Recommended Parking Overlay Boundary – Traralgon

<sup>10</sup> The proposed Regional Aquatic Centre site has been excluded from the area proposed to be covered by the Parking Overlay – Schedule 1, as it is understood that this facility will be self-sufficient in terms of meeting its car parking demands, and accordingly this development can be appropriately dealt with under the existing Clause 52.06 provisions (including any relevant dispensation criteria in the event that a lesser parking demand is justified than the statutory rate). In the event that the Aquatic Centre proposes to provide less car parking than the demand it generates, it would be appropriate to include it in the Parking Overlay so the development can be required to make a cash-in-lieu contribution to make up the shortfall, so as not to adversely impact on the existing public parking supply nearby.

## Car Parking Framework Review



The area identified in Figure 5 should be covered by a 'Parking Overlay – Schedule 1'.

Section 1.0 of the Parking Overlay Schedule 1 will set out the parking objectives, generally as follows:

### 1.0 Parking Objectives to be Achieved

To ensure the appropriate provision of car parking spaces in the Traralgon Activity Centre and maintain a balance between car parking supply and demand in the centre.

To provide for cash-in-lieu payments for car parking provision.

Section 2.0 of the Parking Overlay Schedule 1 will set out the permit requirements, generally as follows:

### 2.0 Permit Requirement

In any permit that authorises or results in the commencement of a new use or the increase in an existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use, the amount of car parking spaces required by the responsible authority must be consistent with the amount specified in the scheme for that use.

A permit cannot be granted to reduce the car parking requirement for the uses specified in part 3.0 of this Schedule unless car parking entitlements or credits exist.

Where car parking credits exist:

- The reduction in the amount of car parking must not be greater than the extent of the credit, and
- The quantum of the credit must be determined having regard to the rates set out in this scheme.

A permit cannot be granted to reduce the car parking requirement.

Section 3.0 of the Parking Overlay Schedule 1 will set out the number of car spaces required, generally as follows:

### 3.0 Number of Car Spaces Required

If a use is specified in the Table below, the number of car parking spaces required for the use is calculated by multiplying the *Rate* specified for the use by the accompanying *Measure*.

Table: Car parking spaces

Use	Rate	Measure
Office	3.0	To each 100 sq m of net floor area

For all other uses listed in Table 1 of Clause 52.06-5, the number of car parking spaces required for a use is calculated by using 75% of the Rate in Column B of that Table.

Where a use of land is not specified in Table 1 of Clause 52.06-5, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority.

## Car Parking Framework Review



Section 4.0 of the Parking Overlay Schedule 1 will set out the financial contribution requirement, generally as follows:

#### 4.0 Financial Contribution Requirement

A financial contribution in the amount of \$8,670 (plus GST) in respect of each car parking space which is required under this Scheme and which is not provided on the land (but net of car parking credits) must be paid to the responsible authority.

The amount of \$8,670 (plus GST) is to be adjusted annually from 1 July 2015 using the Consumer Price Index (CPI) (all groups) as the index.

The cash contribution must be made before the use or development commences unless a permit condition allows payment instalments under the Section 173 agreement provisions of the *Planning and Environment Act 1987*.

## 7.2 Morwell

Figure 6 below highlights the area which is recommended to have the 'Parking Overlay' applied. The highlighted area incorporates all of the Commercial 1 Zone (C1Z, B1Z, B2Z & B5Z) land, Public Use Zone (PUZ2 & PUZ7) and Mixed Use Zone (MUZ) land to the south of the railway line, as well as the Mixed Use Zone (MUZ) land located on the north side of the railway line.

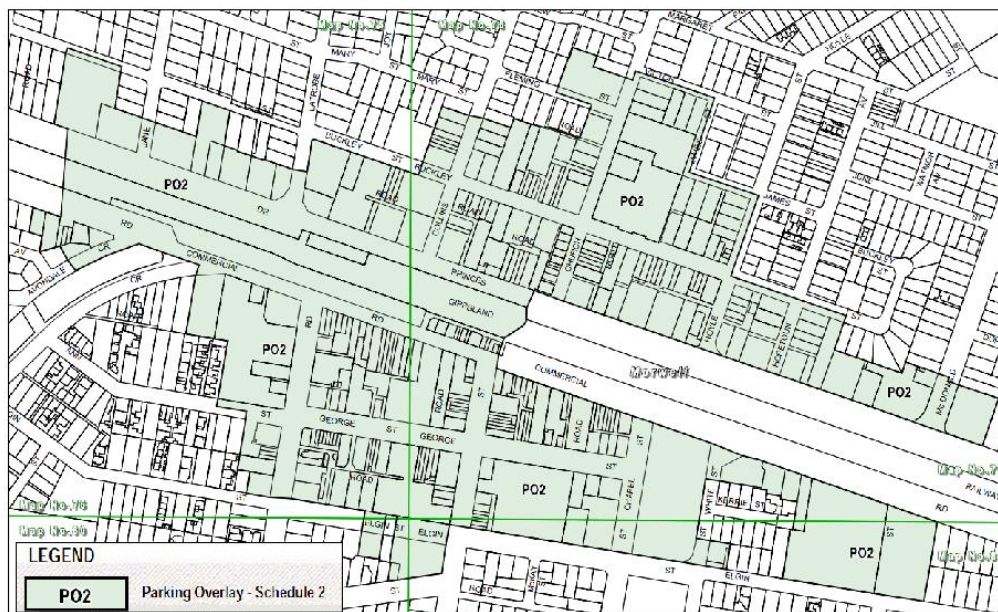


Figure 6: Recommended Parking Overlay Boundary – Morwell



The area identified in Figure 6 should be covered by a 'Parking Overlay – Schedule 2'.

Section 1.0 of the Parking Overlay Schedule 2 will set out the parking objectives, generally as follows:

**1.0 Parking Objectives to be Achieved**

To ensure the appropriate provision of car parking spaces in the Morwell Activity Centre and maintain a balance between car parking supply and demand in the centre.

Section 2.0 of the Parking Overlay Schedule 2 will set out the number of car spaces required, generally as follows:

**2.0 Number of Car Spaces Required**

If a use is specified in the Table below, the number of car parking spaces required for the use is calculated by multiplying the *Rate* specified for the use by the accompanying *Measure*.

Table: Car parking spaces

Use	Rate	Measure
Office	3.0	To each 100 sq m of net floor area

For all other uses listed in Table 1 of Clause 52.06-5, the number of car parking spaces required for a use is calculated by using 75% of the Rate in Column B of that Table.

Where a use of land is not specified in Table 1 of Clause 52.06-5, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority.

Section 3.0 of the Parking Overlay Schedule 2 will set out the conditions for granting a variation to the car parking requirements, generally as follows

**3.0 Application Requirements and Decision Guidelines for Permit Applications**

A permit may be granted to reduce (including reduce to zero) the number of car parking spaces required under Schedule 2 to the Parking Overlay.

Before granting a permit to reduce the number of spaces below the number required under Schedule 2 to the Parking Overlay, the responsible authority must consider the decision guidelines set out at Clause 52.06-6.



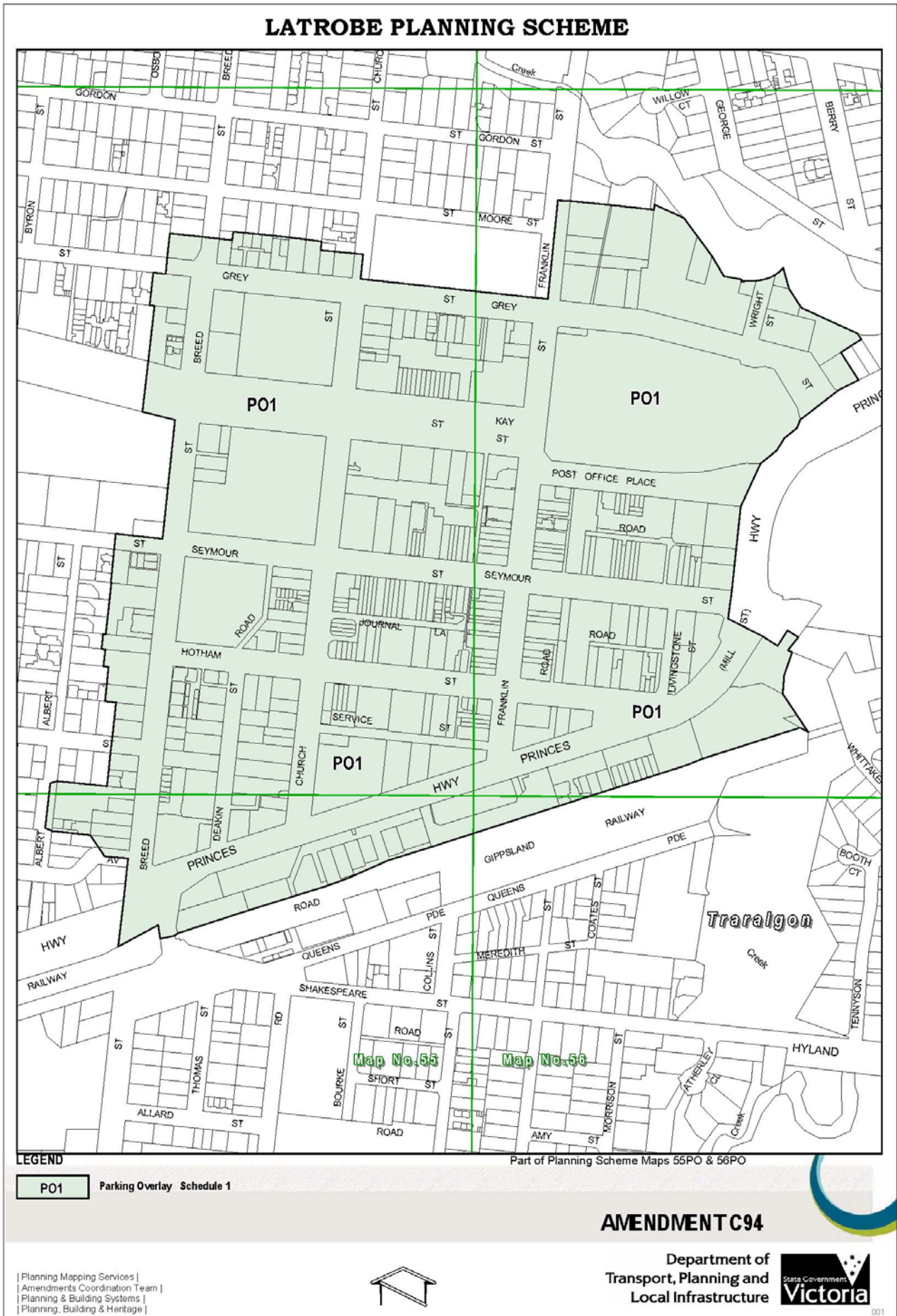


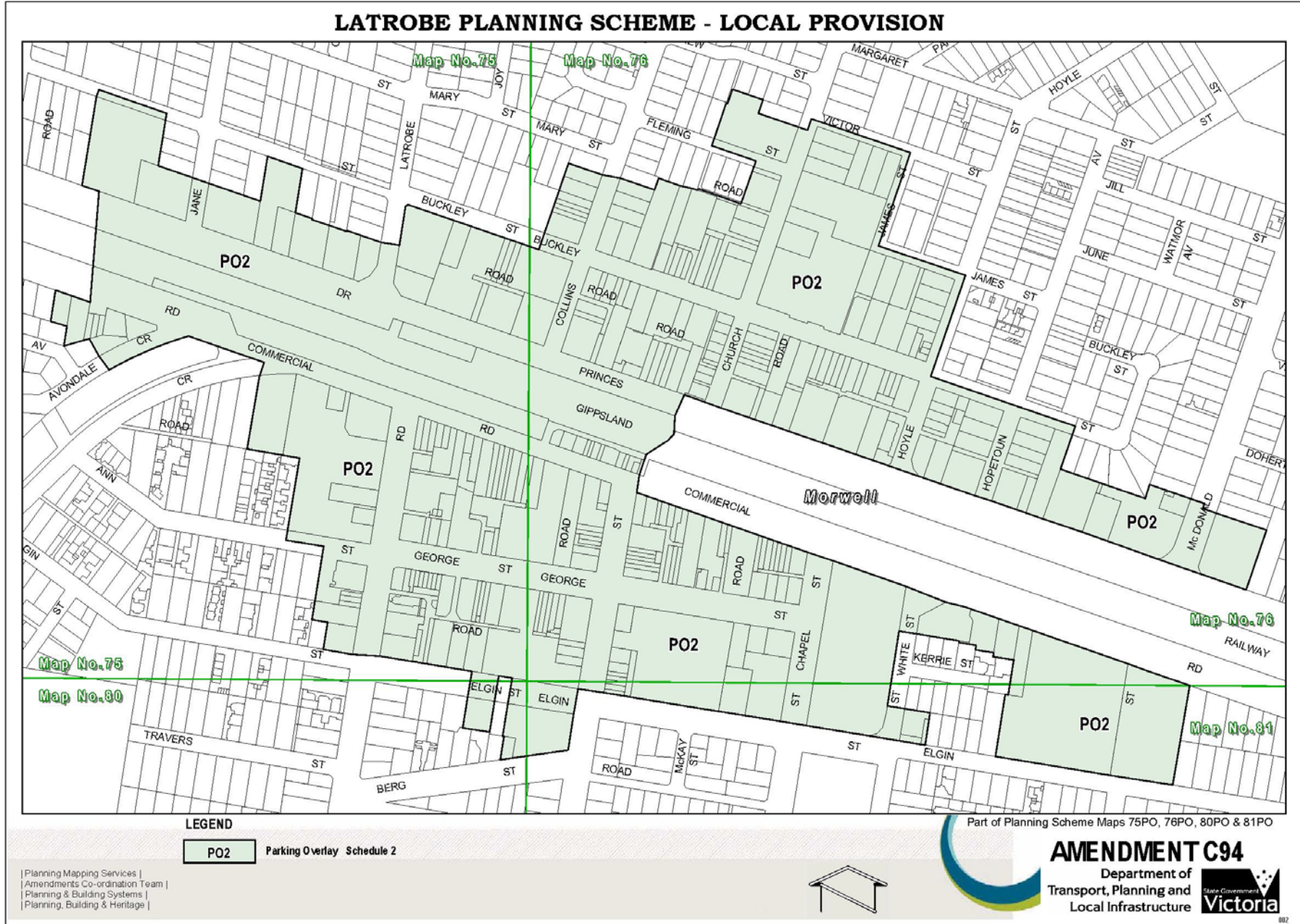
## 8 CONCLUSIONS & RECOMMENDATIONS

The Car Parking Framework Review for Traralgon and Morwell sets out guidelines for providing a consistent approach to varying the parking requirements outlined in Clause 52.06 of the Latrobe Planning Scheme, taking into account existing parking demands, character and economic performance of the activity centres.

Recommendations are as follows:

- A car parking rate of 100% of the 'Column B' rate is recommended for 'Office' use, and a car parking rate of 75% of the 'Column B' rate is recommended for all other uses, in both Traralgon and Morwell.
- In Traralgon, where the parking requirement cannot be met on-site, a financial contribution of between \$5,000 and \$8,670 (plus GST) in respect of each car parking space which is required and which is not provided on the land (but net of car parking credits) should be applied.
- A cash-in-lieu parking scheme is not warranted in Morwell at this time.
- In Morwell, where the parking requirement cannot be met on-site, the responsible authority will consider whether the proposed reduction is appropriate having regard to the relevant Clause 52.06-6 decision guidelines.
- Planning Scheme Amendment documents should be prepared, to introduce Parking Overlays for Traralgon and Morwell to give effect to the recommended parking rates and cash-in-lieu contributions outlined in this car parking framework review.
- Separate to the Planning Scheme Amendment process, the car parking restrictions and enforcement methods should be reviewed in both Traralgon and Morwell with this car parking framework review.





*Planning and Environment Act 1987*

**LATROBE PLANNING SCHEME**

**AMENDMENT C94**

**EXPLANATORY REPORT**

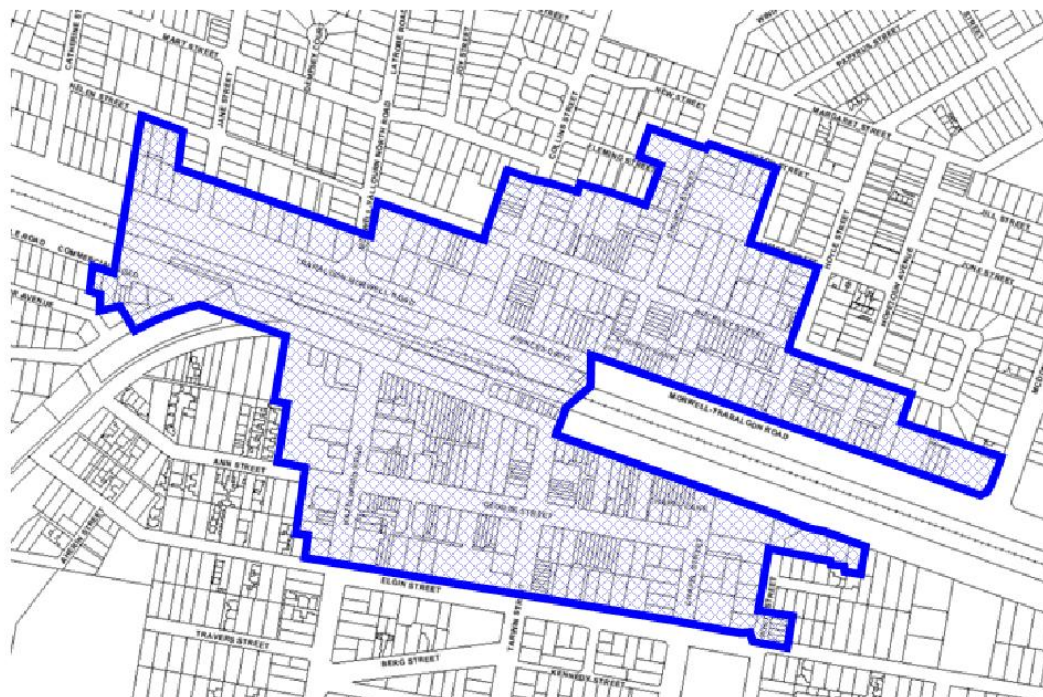
**Who is the planning authority?**

This amendment has been prepared by the Latrobe City Council, which is the planning authority for this amendment.

**Land affected by the amendment**

The amendment applies to land in Traralgon and Morwell activity centres as delineated on Maps 1 and 2 below.

**Map 1 – Traralgon Activity Centre Amendment Area**

**Map 2 – Morwell Activity Centre Amendment Area****What the amendment does**

The amendment proposes to:

- Apply the Parking Overlay to land within the Traralgon and Morwell Activity Centres.
- Insert Schedules 1 and 2 of the Parking Overlay that are to apply to land within the Morwell and Traralgon Activity Centres.
- Insert the *Car Parking Framework Review August 2014* as a reference document into the scheme in Clauses 21.05 and 21.07 and in proposed Schedules 1 and 2 of the Parking Overlay.

**Strategic assessment of the amendment****Why is the amendment required?**

Council carried out a Car Parking Framework Review in relation to Traralgon and Morwell taking into account existing parking demands, character, and economic performance of the respective activity centres. The various studies comprising this review have been consolidated by Traffix Group in the *Car Parking Framework Review August 2014* (the Review).

In order to give effect to the Review, amendments are proposed to the Planning Scheme that introduce Parking Overlays for Traralgon and Morwell prescribing parking rates and cash-in-lieu contributions as relevant.

The Review identified that current parking supply in Traralgon and Morwell is adequate to meet current demands.

The Review acknowledged that the actual parking rates in Morwell are lower than the standard rates set out in clause 52.06 of the Planning Scheme. The purpose of applying the Parking Overlay to Morwell activity centre is therefore to bring the requirements in the planning scheme relating to parking more in line with actual and expected demand. For Morwell, where the car parking requirement cannot be met on-site, the Review recommends that consideration be given to whether the proposed reduction is appropriate having regard to the relevant Clause 52.06-6 decision guidelines. The Review recommends that where the parking requirement under clause 52.06 of the Planning Scheme cannot be met on site in Morwell that no financial contribution should be applied.

The Review identified for Traralgon that forecasted future floor space indicates that new car parking will be required to be constructed in Traralgon to meet future demand generated by the expected increase in floor space. The Review recommends that where the parking requirement under clause 52.06 of the Planning Scheme cannot be met on site in Traralgon, a financial contribution of \$8,000 in respect of each car parking space that is required and which is not provided on the land (but net of car parking credits) should be applied.

**How does the amendment implement the objectives of planning in Victoria?**

The Amendment implements the objectives of planning in Victoria set out in Section 4 of the *Planning and Environment Act 1987* by providing a clear car parking policy framework for the fair, orderly, economic and sustainable use and development of land in Morwell and Traralgon.

**How does the amendment address any environmental, social and economic effects?**

The amendment will have no adverse environmental, social and economic effects. The amendment promotes the economic and social success of Morwell and Traralgon activity centres by considering the adequacy of parking in these centres to support existing and future activities, and ensuring adequate supply in the future.

The proposed cash-in-lieu contribution of \$8,000 for the Traralgon activity centre is justified in terms of need, nexus, accountability and equity. The cash-in-lieu contribution for the Traralgon activity centre is similar to a previous cash-in-lieu figure that has been used and

therefore isn't considered to have a detrimental economic effect on the Traralgon activity centre. No cash-in-lieu contribution is proposed for the Morwell activity centre.

The amendment also implements the recommended car parking strategy set out in the Review which promotes the sustainable and efficient delivery of car parking within each of the activity centres thereby promoting a positive environmental outcome.

**Does the amendment address relevant bushfire risk?**

The amendment will have no effect on bushfire risk.

**Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

The amendment complies with the requirements of Ministerial Direction No. 11: Strategic Assessment of Amendments.

The amendment complies with and is affected by Ministerial Direction 15: The Planning Scheme Amendment Process that establishes time frames for completing steps in the planning scheme amendment process.

**How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?**

The amendment is supported by the State Planning Policy Framework (SPPF).

Clause 11.05-1 promotes the sustainable growth and development of regional Victoria through a network of settlements identified in the Regional Victoria Settlement Framework Plan. Strategies for achieving this planning objective include directing urban growth into major regional cities (e.g. Traralgon and Morwell) of Latrobe as Gippsland's regional city.

In order to strengthen the economic resilience of Gippsland as a region, Clause 11.08-1 of the Planning Scheme promotes the creation of vibrant and prosperous town centres that are clearly defined and provide commercial and service activities that respond to changing population and market conditions.

Morwell and Traralgon, located along the Princes Highway are two key urban centres within Latrobe City with Traralgon being the largest town within the municipality acting as a primary business hub for Latrobe city and the broader region as well. Morwell is the third largest town and provides a second tier retail and commercial role, with Morwell activity centre

acting as a central hub for municipal and state government activities and services. Recent population forecasts suggest that 75% of Latrobe's total growth to 2036 will occur in Traralgon's growth areas and that there will be moderate growth in Morwell.

Clause 18.02-5 of the State Planning Policy Framework (Car Parking) encourages the provision of an adequate supply of car parking that is appropriately designed and located. Strategies for achieving this include:

- Allocate or require land to be set aside for car parking subject to the existing and potential modes of access including public transport, the demand for off-street car parking, road capacity and the potential for demand management of car parking.
- Encourage the efficient provision of car parking through the consolidation of car parking facilities.

The SPPF also states that parking precinct plans should be prepared or required for the design and location of local car parking to:

- Protect the role and function of nearby roads, enable easy and efficient use and the movement and delivery of goods.
- Achieve a high standard of urban design and protect the amenity of the locality, including the amenity of pedestrians and other road users.
- Create a safe environment, particularly at night.
- Facilitate the use of public transport.

The SPPF further states that the amenity of residential land is to be protected from the effects of road congestion created by on-street parking, and that adequate provision for taxi ranks should be planned for.

The purpose of the Review for Traralgon and Morwell is to co-ordinate the efficient provision of car parking in the activity centres having regard to many of the above planning policy objectives.

The amendment is also consistent with Gippsland's Regional Growth Plan 2014 that promotes the sustainable and planned growth of Morwell and Traralgon.

**How does the amendment support or implement the Metropolitan Planning Strategy, Plan Melbourne?**

The amendment supports the implementation of Plan Melbourne by facilitating key shared infrastructure that supports the growth of the regional city of Latrobe. This is in-line with the 'networked state of cities' concept contained in Plan Melbourne and the promotion of regional growth plans for Victoria. The Gippsland Regional Growth Plan 2014 specifically



promotes the sustainable growth of Latrobe City's key urban centres including Traralgon and Morwell.

**How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The amendment is supported by the Local Planning Policy Framework and the Municipal Strategic Statement.

Specifically, the amendment is consistent with:

Clause 21.05 Main Towns

- Encourage the development of new retail, office and residential mixed use developments within the Traralgon and Morwell Primary Activity Centres.
- Encourage increased densities and vertical growth of Traralgon's town centre to support growth of the office sector.

Clause 21.07 Economic Sustainability

- Promote the development of Transit City principles and the creation of private investment opportunities to attract new retail development.
- Undertake a car parking policy review

The provision of suitable car parking arrangements is critical to the development of Traralgon and Morwell activity centres by helping to attract new commercial investment. The amendment proposes implementation of a car parking strategy that will help to support the above strategies.

**Does the amendment make proper use of the Victoria Planning Provisions?**

The appropriate Victoria Planning Provisions are proposed to be utilised. The amendment has considered and is consistent with the following Victorian State Government Practice and Advisory Notes:

- Practice Note May 2000: Writing schedules
- Practice Note 13 October 2013: Incorporated and reference documents
- Practice Note 22 April 2013: Using the car parking provisions
- Practice Note 46 July 2014: Strategic assessment guidelines for preparing and evaluating planning scheme amendments
- Practice Note 57 April 2013: The Parking Overlay
- Advisory Note 25 June 2012: New car parking provisions
- Advisory Note 34 January 2011: Addressing the *Transport Integration Act 2010* in a planning scheme amendment

**How does the amendment address the views of any relevant agency?**

The amendment will be referred to all relevant agencies as part of the exhibition process and any comments will be included as necessary. Preliminary feedback has been sought from VicRoads on a number of traffic issues around the Traralgon and Morwell activity centres.

**Does the amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment will not have a significant impact on the transport system, as defined by Section 3 of the *Transport Integration Act 2010*. The amendment is expected to provide a policy framework whereby traffic and transport issues in Traralgon and Morwell town centres will be better planned that is likely to result in a greater level of efficiency and performance of the town centres. The amendment therefore supports the objectives and principles of the *Transport Integration Act 2010*.

**Resource and administrative costs****What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The proposed amendment would not have an unreasonable impact on the resource and administrative costs of the responsible authority. The amendment if approved will result in council collecting and administering funds for cash in lieu contributions. It is not considered that this function will have a significant impact on the resource and administrative costs of the responsible authority.

**Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

Directions hearing: [dates to be confirmed]

Panel hearing: [dates to be confirmed]

**Where you may inspect this Amendment**

The amendment is available for public inspection, free of charge, during office hours at the following places:

Latrobe City Council Corporate Headquarters 141 Commercial Road Morwell VIC 3840	Latrobe City Council Moe Service Centre 44 Albert Street Moe VIC 3825
Latrobe City Council Traralgon Service Centre 34 – 38 Kay Street Traralgon VIC 3844	Latrobe City Council Churchill Service Centre 9 – 11 Phillip Parade Churchill VIC 3842

The amendment can also be inspected free of charge at the Department of Transport,  
Planning, and Local Infrastructure website at  
<http://www.dpcd.vic.gov.au/planning/publicinspection>

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

### **13.4 AMENDMENT C87 - TRARALGON GROWTH AREAS REVIEW - REPORT TO CONSIDER THE SUBMISSIONS RECEIVED DURING THE EXHIBITION PERIOD.**

General Manager

Planning & Economic  
Sustainability

For Decision

#### **PURPOSE**

The purpose of this report is for Council to consider all written submissions received in response to Amendment C87 – Traralgon Growth Areas Review to the Latrobe Planning Scheme and to seek Council approval to progress the Amendment C87 to the next stage by requesting a Panel to independently consider all submissions.

#### **EXECUTIVE SUMMARY**

The Amendment implements key parts of the Traralgon Growth Areas Review (TGAR) by amending relevant clauses of the Municipal Strategic Statement (MSS) of the Latrobe Planning Scheme. The MSS sets the 'Vision' for future development and land use within the municipality. Amendment C87 updates the strategies and structure plans for the towns of Morwell, Traralgon, Tyers and Glengarry, and introduces strategies and a structure plan for the Traralgon West Growth Corridor (previously referred to as the Morwell-Traralgon Corridor in the MSS).

The Amendment also introduces the Traralgon – Morwell Growth Framework Plan to the MSS to provide an overarching strategy for the long-term growth of these two main towns. The Growth Framework Plan and Traralgon West Growth Corridor Structure Plan envision the gradual development of the Traralgon West Growth Corridor, linking Morwell and Traralgon together to form a continuous urban area.

Following public exhibition of Amendment C87 41 written submissions were received by Latrobe City Council. This report presents all 41 submissions received to the amendment and outlines the issues raised by each submitter (see Attachment 2 and 3).

Given that submissions that request a change to Amendment C87 cannot be satisfied, Council must either request the Minister for Planning to establish a planning panel to progress the amendment to the next stage or abandon the amendment. It is recommended that Council request an independent panel to consider all submissions.

**Cr Harriman vacated the Chair and left the Chamber at 6.54pm due to a Conflict of Interest in item 13.4 - Amendment C87 - Traralgon Growth Areas Review - Report to Consider the Submissions Received During the Exhibition Period.**

**Cr Gibbons took the Chair at 6.54pm.**

**ORDINARY COUNCIL MEETING MINUTES  
09 FEBRUARY 2015 (CM456)**

The meeting was adjourned at 6.59pm to allow for additional information to be provided to Councillors.

The meeting resumed at 7.06pm.

That Cr Middlemiss be granted an extension of speaking time.

**Moved:** Cr O'Callaghan

**Seconded:** Cr Sindt

**CARRIED UNANIMOUSLY**

**RECOMMENDATION**

- 1 That Council having considered all written submissions received to Amendment C87 requests that the Minister for Planning establish a planning panel to consider submissions for Amendment C87 and prepare a report.
- 2 That Council advises those persons who made written submissions to Amendment C87 of Council's decision.

**Moved:** Cr Kam

**Seconded:** Cr White

**That the Recommendation be adopted.**

**For the Motion**

Councillor/s Gibbons, Kam, Rossiter, White, O'Callaghan

**Against the Motion**

Councillor/s Middlemiss, Sindt.

**The Mayor confirmed that the Recommendation had been CARRIED**

**Cr Harriman returned to the Chamber at 7.23pm.**

**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 – Built Environment*

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

##### *Strategic Objectives – Economy*

In 2026, Latrobe Valley has a strong and diverse economy built on innovation and sustainable enterprise. The vibrant business centre of Gippsland contributes to the regional and broader communities, whilst providing opportunities and prosperity for our local community.

##### *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 5: Planning for the future*

To provide clear and concise policies and directions in all aspects of planning.

##### *Strategic Direction – Planning for the future*

Provide efficient and effective planning services and decision making to encourage development and new investment opportunities.

Plan and coordinate the provision of key services and essential infrastructure to support new growth and developments.

##### *Legislation:*

*Local Government Act 1989*

*Planning and Environment Act 1987*

*Transport Integration Act 2010*

##### *Policy - Traralgon West Infrastructure Development Policy 11 POL-2*

This policy sets out Latrobe City Council's procedure for the assessment of subdivision proposals and the equitable provision and management of

stormwater and road infrastructure within the Traralgon West Low Density Residential Precinct.

## **BACKGROUND**

### *The Traralgon Growth Areas Review (TGAR)*

TGAR is intended to provide a growth strategy that identifies areas for future urban development (i.e. housing, commercial, industrial and open space) around Traralgon, Traralgon-Morwell Corridor, Glengarry and Tyers up to the year 2051.

The project was developed in response to the State Government's decision in 2007 to adopt W1C (northern-most alignment) and E2D (eastern alignment) as the preferred alignment for the future Princes Freeway – Traralgon Bypass. This decision removed approximately 500 hectares from a future urban growth corridor that was planned by the Latrobe City Council to accommodate Traralgon's urban growth into the future.

The TGAR project has been partly funded by Regional Development Victoria (RDV). The TGAR project consists of three principle documents:

- Background Report – examines the existing and future socio-economic conditions and planning policy environment that affects the study area
- Framework Plan – examines demand for urban land and options for providing the location for such land
- Structure Plan – examines in detail how the area between Traralgon and Morwell corridor could develop, and establishes the development vision for the area.

The draft TGAR Background Report, draft TGAR Framework Plan report and draft Traralgon West Structure Plan report were presented to Council for consideration at its Ordinary Council Meeting of 28 April 2014. At the Meeting Council resolved to adopt the TGAR reports and request authorisation from the Minister for Planning to prepare and exhibit a future amendment to the Latrobe Planning Scheme, which proposed to include key parts of the TGAR Framework Plan and Traralgon West Structure Plan into the Scheme.

Authorisation to publicly exhibit planning scheme amendment C87 was granted by the Minister for Planning and Council officers gave notice of C87 to all relevant stakeholders commencing 4 September 2014.

### *The Planning Scheme Amendment Proposal C87*

An amendment to the relevant clauses (i.e. Clause 21.02 Municipal Vision; Clause 21.04 Built Environment Sustainability; Clause 21.05 Main Towns; Clause 21.06 Small Towns, Clause 21.07 Economic Sustainability and

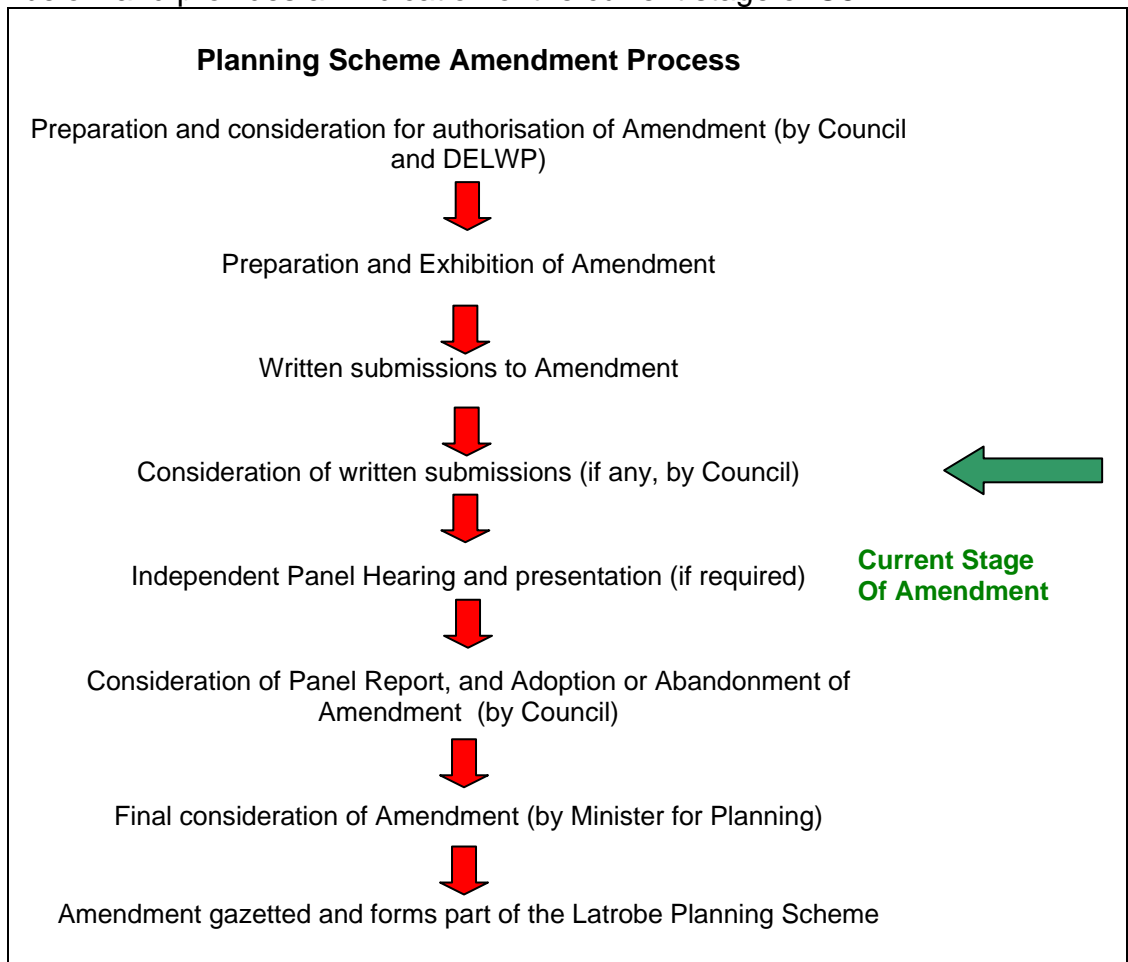
## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

Clause 21.08 Liveability) of the Municipal Strategic Statement (MSS) of the Latrobe Planning Scheme is proposed to enable key parts of the TGAR Framework Plan and Traralgon West Structure Plan to be included in the scheme.

Further detail on the specific changes to the MSS is provided in the C87 Explanatory Report (see Attachment 1). Proposed zone and overlay changes do not form part of the C87 planning scheme amendment proposal. These changes may form part of separate future planning scheme amendment proposals.

### Statutory Requirements

The C87 planning scheme amendment process is shown in the figure below and provides an indication of the current stage of C87.



In accordance with the Act, the municipal council, as a planning authority, has a number of duties and powers. These duties and powers are listed at Section 12 of the Act. Under Section 12 a planning authority must have regard to (*inter alia*):



## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

- The objectives of planning in Victoria;
- The Minister's directions;
- The Victoria Planning Provisions;
- The Latrobe Planning Scheme;
- Any significant effects which it considers a planning scheme amendment might have on the environment or which it considers the environment might have on any use or development envisaged by the amendment.

Amendment C87 has had regard to Section 12 of the Act and is consistent with the requirements of Section 12. In addition, each amendment must address the Department of Planning and Community Development (DPCD) publication *Strategic Assessment Guidelines for Planning Scheme Amendments*. A response to these guidelines is outlined in the attached C87 Explanatory Report (see Attachment 1).

The proposal is consistent with the State Planning Policy Framework and requires changes to the Municipal Strategic Statement (MSS). This is explained in the attached C87 Explanatory Report, (see Attachment 1).

### **INTERNAL/EXTERNAL CONSULTATION**

#### *Engagement Method Used:*

In addition to the extensive TGAR project consultation during 2012 - 2014, C87 was placed on public exhibition for a period of 9 weeks from 4 September 2014 until 31 October 2014.

As part of the community consultation process council officers have posted approximately 148 letters and C87 documentation to the following groups:

- All 73 parties who made a submission to TGAR.
- All 75 landowners who are directly affected by the proposed urban amenity buffer.
- Statutory agencies, referral authorities and council officers.

To further promote the community consultation process, 5 public notices were published in the Latrobe Valley Express during September and October 2014.

A C87 newspaper article appeared in the Business Connect on 23 October 2014 and a news piece appeared on WinNews on the 4 September 2014.

Notice of C87 was published in the government gazette on 4 September 2014.

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

Information associated with the C87 proposal were (and are still) available for public viewing on Latrobe City Council's corporate website both in the 'Have a Say' page and in the current amendment web page and at Latrobe City Council's service centres.

A C87 public information and discussion session was held in Traralgon during 16 October 2014 where approximately 70 members of the public attended. Letters were sent directly to landowners within the proposed Urban Amenity Buffer and notices were placed on Council's website and in the Latrobe Valley Express providing details of the meeting.

Council officers have met with 35 stakeholders for one on one discussions at Latrobe City Council offices during and post the community consultation period.

### **KEY POINTS/ISSUES**

C87 was placed on public exhibition for a period of 9 weeks from 4 September 2014 until 31 October 2014. A total of 41 written submission were received in response to the public exhibition process. Councillors were provided with an overview of the C87 submissions on 8 December 2014.

A brief summary of the type of C87 submissions received are provided below:

Table 1 Submission Summary

<b>Type of submission (broad)</b>	<b>Number</b>
Supportive submissions	18
Objections to the proposed urban amenity buffer	21
Objections based on specific request to change land use for various parcels of land not affected by the proposed urban amenity buffer	11

Note: some submissions were in support of and objected to different submission themes. Therefore the number of submission types does not add up to the total number of submitters.

Of the 41 C87 submitters, 22 had previously made a submission to the Traralgon Growth Area Review project process.

Most of the C87 submitters (whether they had made a submission previously or not) reiterate issues that were discussed in detail as part of the Traralgon Growth Area Review project process. There were only a few new issues raised by the C87 submitters, discussed below under the heading New C87 Issues.

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### *Previous TGAR and C87 issues*

- Support for the majority of C87

A large proportion of submitters support C87 with most submitters raising concerns or requesting changes to only a few of C87's land use planning proposals.

- Australian Paper Urban Amenity Buffer

Amendment C87 identifies a proposed odour buffer (i.e. urban amenity buffer) for the Australian Paper Mill and surrounding residents to reduce the current 'default' buffer in accordance with modelling data and allow for urban intensification closer to the AP mill without increasing the risk of amenity problems.

The Australian Paper Mill is the largest private sector employer in the Latrobe Valley with approximately 845 direct employees and a further 2550 indirect employees across Victoria, so care must be taken to provide a balance between urban intensification around the mill and increasing the risk to AP.

The majority of submitters still have concern over the application of the proposed urban amenity buffer citing issues with the environmental modelling work done by AP; negative effects on property values; the buffer not being required due to no odour being present and other adequate planning controls already in place. Some of the submitters suggest that the adjusted buffer proposed by TGAR Community Working Group may be a better compromise. It is noted that some submitters do not raise any concerns about being within the proposed buffer and one submitter requests that the buffer be applied to their land.

AP and EPA have advised that they are satisfied with the modelling work done and have stated that it considers that there is insufficient evidence to apply any adjustment to the buffer, including that proposed by the TGAR Community Working Group.

Furthermore, EPA and AP object to adjustments to the proposed urban amenity buffer that are not based on evidence and which may place the Mill operations at risk. The Australian Paper submission states *"If the amenity buffer is removed from Amendment C87, Australian Paper will be required to immediately revert to the default 5 kilometre buffer as set out in Clause 52.10 of the Planning Scheme and the EPA Guidelines (EPA publication 1518 March 2013 Recommended separation distances for industrial residual air emissions), and will ask Latrobe City Council to require all applications to be referred to Australian Paper as a protected industry under the requirements of the EPA Guidelines. In the absence of any other buffer arrangements, Australian Paper will then adopt this 5 kilometre radius as the necessary Amenity Buffer"*.

Any application received for Rural Living Zone properties within the proposed Urban Amenity Buffer will have subdivision/development

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applications assessed on merit. AP has indicated they will not 'blanket' object to proposals where there is an existing right under the zone provisions.

Clearly, this is an issue which will require substantial focus by a panel if Council agrees to submit the amendment as recommended.

- **Employment Investigation Area**  
C87 proposes a future employment investigation area around the Latrobe Regional Hospital and South West of the Latrobe Regional Airport.

One submitter raises concerns over the length of time council has taken to progress the Traralgon Growth Areas review and to implement its strategic vision for the employment investigation area. Another submitter requests C87 be changed to allow for more flexible uses (such as residential or industrial) to be established in the area and to facilitate this change, the submitter requests the designation on the plan be amended from 'employment investigation area' to 'urban investigation area'.

The need to protect the Latrobe Regional Airport's current and future expansion operations are acknowledged by C87. However, it is clear from the range of views regarding the future employment investigation area that the proposed C87 strategies included in the exhibited Municipal Strategic Statement may need to be further strengthened. This would also include the provision for clearer links with any adopted Latrobe Regional Airport master plan and these changes can be identified during the planning panel process should council request a panel to be appointed.

C87 recommends that a separate master plan be developed for the employment investigation area that will provide clear direction for landowners and investors in the precinct and protect the operations of the Latrobe Regional Hospital and the Latrobe Regional Airport.

### *New C87 issues*

- **Residential development close to coal mines**  
Department of State Development, Business and Innovation (DSDBI) and AGL Loy Yang raise concerns over C87 encouraging residential intensification within close proximity of the Hazelwood and Loy Yang mines. C87 does not propose any changes to residential land near Hazelwood or Loy Yang Mines as this matter was already considered as part of the Amendment C62 process and approved by the Minister for Planning in 2010. However C87 does designate a small section in Traralgon East (i.e. Area 12b) that already contains an existing Rural Living precinct for Future Residential purposes. C87 already proposes that Area 12b is located outside of the required coal buffer from the Loy Yang Mine.
- **Major gas pipelines**

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APA Group has five major gas pipelines affected by C87. DSDBI and APA Group raise concern that future urban growth precincts in Tyers and Traralgon may impact APA's assets in the future.

The C87 structure plans and framework plan show the existing location of APA's major gas pipelines. The major gas pipelines are also affected by a Design and Development Overlay in the Latrobe Planning Scheme that require relevant parties to seek the views of DSDBI who then forward the proposal onto APA for comment.

- Specific requests

Some submitters request specific changes to land use for various parcels of land in Traralgon and Tyers. Some of these requests relate to changes in zone or policy that are outside the scope of C87 and therefore have not been able to be entertained as part of C87.

- Minor structure plan mapping errors

During the exhibition process it was identified that:

- The proposed Urban Amenity Buffer has been drawn with a slight misalignment on the Morwell Structure Plan between Old Melbourne Road and Maryvale Hospital.
- The Morwell-Traralgon Growth Framework Plan and the Traralgon Growth Area Framework Plan incorrectly labels the 'local activity centre' as a 'neighbourhood activity centre' on the corner of Marshalls Road and Park Lane.
- The Traralgon Structure Plan has the word 'Danes' instead of 'Dranes'.

These minor errors are proposed to be corrected prior to C87 being determined by the Minister for Planning, should council adopt C87 in the future.

Each submission has been summarised and has been presented in a table along with a planning response to each submission made along with any previous submission points raised during the TGAR project (Attachment 2).

### **RISK IMPLICATIONS**

Risk has been considered as part of this report and the recommendations of this report are considered to be consistent with the Risk Management framework. However, there are a number of risks in not adopting the council report. These risks are outlined below.

#### *Australian Paper employment and economic impact risk*

Australian Paper's Maryvale Mill is the largest private sector employer in the Latrobe Valley with approximately 845 direct employees and a further 2550 indirect employees across Victoria. C87 proposes an urban amenity buffer around the mill to secure the long term viability and future operation of the Mill and to ensure that the amenity of nearby sensitive uses (e.g.

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dwelling) is protected. Australian Paper advised that delay or abandonment of the council report recommendations places the Maryvale Mill operations at risk and this may have a detrimental social and economic impact on the Gippsland region.

The Australian Paper submission states *“If the amenity buffer is removed from Amendment C87, Australian Paper will be required to immediately revert to the default 5 kilometre buffer as set out in Clause 52.10 of the Planning Scheme and the EPA Guidelines (EPA publication 1518 March 2013 Recommended separation distances for industrial residual air emissions), and will ask Latrobe City Council to require all applications to be referred to Australian Paper as a protected industry under the requirements of the EPA Guidelines. In the absence of any other buffer arrangements, Australian Paper will then adopt this 5 kilometre radius as the necessary Amenity Buffer”*.

### *Strategic policy impact and urban land supply risk*

Adoption of the council report recommendations would assist with supporting elements of the Traralgon Growth Areas Review 2013, Gippsland Regional Plan 2014 and Metropolitan Planning Strategy 2014. Adoption of the council report would reinforce Latrobe City's Victorian Regional City Status and provide strategic justification for future rezoning and development in and around Traralgon, Tyers and Glengarry. Delay or abandonment jeopardises a strategic approach to implementing these plans and may result in a shortfall of urban land supply.

### *Infrastructure costs risk*

Council's Traralgon West Interim Infrastructure Development Policy and the Latrobe Planning Scheme clearly identifies that there are issues with landowners providing key infrastructure in the C87 area (e.g. roads, drainage, reticulated sewerage/water etc.) without a coordinated development plan or development contribution plan to guide infrastructure provision and costings. The council report and supporting C87 planning scheme amendment examines in detail how the area between Traralgon and Morwell corridor could develop and would inform the future preparation of a development/contribution plan for the Traralgon West area and other areas that have been identified for future urban growth. There is a risk that Council may be responsible to pay for key shared infrastructure in these areas without a development/contribution plan being in place. Further delays or abandonment of C87 will jeopardise potential development of the Traralgon West corridor and other areas and may cause further frustration and confusion for landowners and the community. Adoption of the council report recommendations will allow Council to move another step closer to commence preparation of development contribution plans for these areas.

### **FINANCIAL AND RESOURCES IMPLICATIONS**

The prescribed fees for planning scheme amendments are detailed in the *Planning and Environment (Fees) Regulations 2012*. The costs associated

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with a planning scheme amendment include: considering a request to amend a planning scheme, consideration of submissions, providing assistance to a panel and adoption and approval of an amendment.

Funds have been allocated in the current 2014/2015 budget year to enable the planning scheme amendment to proceed.

### **OPTIONS**

The options available to Council are as follows:

- 1 That Council, after considering all written submissions received to Amendment C87, resolves to request the Minister for Planning to establish a planning panel to consider submissions and prepare a report.

**Or**

- 2 That Council, after considering all written submissions received to Amendment C87 resolves to abandon the exhibited planning scheme amendment C87 *or part of the amendment* and inform the Minister for Planning.

### **CONCLUSION**

The Amendment C87 seeks to implement changes to the MSS. TGAR is intended to provide a growth strategy that identifies areas for future urban development (i.e. housing, commercial, industrial and open space) around Traralgon, Traralgon-Morwell Corridor, Glengarry and Tyers up to the year 2051.

The final TGAR documents provide a balanced long term urban growth strategy framework for Traralgon, Glengarry and Tyers that will help secure some of the urban supply needs of the municipality. The final TGAR documents also contribute to the regional city role and needs of Latrobe City and the growth employment potential identified in the *Gippsland Regional Growth Plan 2014* and the *Latrobe City Council Plan 2013-2017*.

Extensive community consultation has taken place during the TGAR project from 2012-2014 and over the two months of public exhibition of the amendment documentation with a broad range of mediums used to engage with various stakeholders. This resulted in Council receiving submissions for a range of issues from both original submitters of the TGAR project and new submitters.

Given that submissions still stand that request a change to Amendment C87 that cannot be satisfied, Council must request the Minister for Planning establish a planning panel to progress the amendment to the next stage.

**SUPPORTING DOCUMENTS**

TGAR Background Report August 2013

TGAR Framework Plan August 2013

TGAR Traralgon West Structure Plan August 2013

**Attachments**

1. Attachment 1: C87 Explanatory Report
2. Attachment 2: C87 Submissions (Confidential) (Published Separately)
3. Attachment 3: C87 Planning Response to Submissions



## **13.4**

### **Amendment C87 - Traralgon Growth Areas Review - Report to consider the submissions received during the exhibition period.**

- 1 Attachment 1: C87 Explanatory Report ..... 209**
- 3 Attachment 3: C87 Planning Response to Submissions ..... 239**

*Planning and Environment Act 1987*

## **LATROBE PLANNING SCHEME**

### **AMENDMENT C87**

#### **EXPLANATORY REPORT**

#### **Who is the planning authority?**

Amendment C87 has been prepared by the Latrobe City Council which is the planning authority for this amendment.

#### **Land affected by the amendment**

The Amendment affects broad areas of the municipality. In particular, Amendment C87 provides clear direction for growth and development within the main towns of Morwell, Traralgon, the Traralgon West Growth Corridor, and the small towns of Glengarry and Tyers. The Amendment updates the planning policy direction for these areas to accommodate the next 30-40 years of urban growth.

#### **What the amendment does**

The Amendment implements key parts of the recently adopted *Traralgon Growth Area Review Framework* (August 2013) and *Traralgon West Structure Plan* (August 2013) by amending relevant clauses of the Municipal Strategic Statement (MSS) of the Latrobe Planning Scheme. Principally, it amends the strategies and updates the structure plans for the towns of Morwell, Traralgon, Tyers and Glengarry (refer to **Attachment 2,4,5 & 6**), and inserts a clause to introduce strategies and a structure plan for the Traralgon West Growth Corridor (previously referred to as the Morwell-Traralgon Corridor in the MSS).

The Amendment also introduces the *Traralgon – Morwell Growth Framework Plan* (herein referred to the '*Growth Framework Plan*') (refer to **Attachment 1**) to the MSS to provide an overarching strategy for the long-term growth of these two main towns. The *Growth Framework Plan* and *Traralgon West Growth Corridor Structure Plan* (herein referred to the '*Growth Corridor Structure Plan*') (refer to **Attachment 3**) envision the gradual development of the Traralgon West Growth Corridor, linking Morwell and Traralgon together to form a continuous urban area.

The Amendment introduces four new reference documents that provide extensive justification of the proposed updates to the MSS. These reference documents include:

1. *Traralgon Background Report* (August 2013);
2. *Traralgon Growth Area Review Framework* (August 2013);
3. *Traralgon West Structure Plan* (August 2013); and
4. *Australian Paper: Maryvale Pulp Mill Buffer Requirements* (July 2011).

It is important to note that the Amendment does not propose any zone or overlay changes and therefore does not alter the existing development potential of any land within the municipality.

The Amendment also corrects inconsistencies in terminology within the MSS. All alternative terminologies for Township Gateway, Primary Activity Centre, Neighbourhood Activity

Centre, Transit City Precinct and Township Boundary have been replaced with these standardised terms.

The Amendment specifically:

1. Amends Clause 21.02 Municipal Vision, by amending the *Latrobe City Strategic Land Use Framework Plan* (refer to **Attachment 7**) to include the Traralgon West Growth Corridor and updating the associated text on the plan;
2. Amends Clause 21.04 Built Environment Sustainability by:
  - a. amending Clause 21.04-2 Settlement Overview, to introduce and describe the *Growth Framework Plan* and *Growth Corridor Structure Plan*; and removing redundant text relating to the urban expansion impacts of the confirmed 'northern route' for the future Traralgon Bypass;
  - b. amending Clause 21.04-7 Implementation – Using Zones and Overlays, to introduce Precinct Structure Plans and Development Contribution Plans as planning options for undeveloped land; and under Future Strategic Work, include the recommendations of the *Traralgon Growth Area Review Framework* (August 2013) and *Traralgon West Structure Plan* (August 2013); and
  - c. amending Clause 21.04-8 Reference Documents, to include the *Traralgon Background Report* (August 2013), *Traralgon Growth Area Review Framework* (August 2013), *Traralgon West Structure Plan* (August 2013), and *Australian Paper: Maryvale Pulp Mill Buffer Requirements* (July 2011).
3. Amend Clause 21.05 Main Towns by:
  - a. amending Clauses 21.05-2 Main Towns Overview, 21.05-5 Specific Main Town Strategies – Morwell, and 21.05-6 Specific Main Town Strategies – Traralgon, by deleting, amending and introducing new strategies that implement the *Growth Corridor Structure Plan* and *Growth Framework Plan*;
  - b. inserting a new Clause 21.05-7 Specific Growth Corridor Strategies – Traralgon West, which includes new strategies for the Traralgon West Growth Corridor that implement the *Growth Corridor Structure Plan*;
  - c. amending Clause 21.05-7 Implementation – Using Zones and Overlays, by renumbering to 21.05-8 and replacing Business Zones 1 - 4 with Commercial Zones 1 and 2 and removing redundant recommendations; and under Future Strategic Work, include the recommendations of the *Traralgon Growth Area Review Framework* (August 2013) and *Traralgon West Structure Plan* (August 2013);
  - d. amending Clause 21.05-8 Reference Documents, by renumbering to 21.05-9 and including the *Traralgon Background Report* (August 2013), *Traralgon Growth Area Review Framework* (August 2013), *Traralgon West Structure Plan* (August 2013), and *Australian Paper: Maryvale Pulp Mill Buffer Requirements* (July 2011); and
  - e. inserting a new Clause 21.05-9 Main Town Structure Plans, to include the Main Town Structure Plans, Churchill Town Centre Concept Plan and Moe Activity Town Centre Plan within a clause; and



way the Amendment introduces planning provisions that implement the Regional Victoria development objectives of the State Planning Policy Framework (SPPF) and the Regional Victoria Settlement Framework. In particular, it contributes to the SPPF goal to create a 'State of Cities' that rebalances Victoria's population growth from Melbourne to rural and regional Victoria.

### **How does the amendment implement the objectives of planning in Victoria?**

The Amendment implements a number of the objectives of planning in Victoria under Section 4 of the *Planning and Environment Act 1987* (Act). In particular, the Amendment implements the following objectives:

- *To provide for the fair, orderly, economic and sustainable use and development of land*

Setting out a clear and logical vision for the next 30 - 40 years of urban growth in Morwell, Traralgon, the Traralgon West Growth Corridor, Glengarry and Tyers in the MSS will facilitate orderly residential, activity centre, commercial and industrial development into the future. The Amendment and the future planning works it supports will ensure a sufficient supply of land is available to meet future demand. The future planning works, crucial to the delivery of land required by the Amendment include:

- Studies to establish development capability and infrastructure investment requirements for various urban expansion areas;
- Rezoning land in accordance with the future land use and staging outlined by the Amendment in the Structure Plans and the *Growth Framework Plan*.
- The preparation of development plans or precinct structure plans for new urban growth areas; and
- The preparation of development contribution plans.

The Amendment will facilitate the development of new communities with good access to services, employment and public open space. The vision and policy direction embedded in the Amendment makes efficient use of the limited unconstrained land surrounding the existing towns of Morwell, Traralgon, Glengarry and Tyers.

- *To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*

The Amendment is supported by the recently adopted *Traralgon Growth Area Review Framework* (August 2013) and *Traralgon West Structure Plan* (August 2013). These strategic documents draw on the findings of the *Traralgon Background Report* (August 2013). This report considered the existing natural and man-made resources of the affected land, including:

- community, transport and utilities infrastructure,
- coalfields and power generation infrastructure;
- strategic industries including the Australian Paper Mill;
- agricultural land,
- heritage sites,
- flora and fauna, and
- waterways and wetland.

The Amendment has been prepared to respond to the many opportunities and constraints posed by these natural and man-made resources. The urban expansion 'vision' embedded in the Amendment respect existing buffers to coal resources, integrates environmental assets

into open spaces and other non-urban areas, protects important agricultural land and ensure a logical expansion of the existing community, transport and utilities infrastructure so as not to compromise these assets.

Another important element of the Amendment is the introduction of the Urban Amenity Buffer around the Australian Paper Mill to ensure the continued operation of the Mill. The Mill is an important employer in the region and an importance manufacturing asset to the State. The Amendment introduces the Urban Amenity Buffer by:

- including it in the new and amended structure plans,
- including the Australian Paper Mill odour modelling report as a reference document, and
- identifies future strategic works to translate the Buffer into appropriate land use and development controls.

Another example of the Amendment's response to natural and man-made resources is its recognition of the potential to create a large recreation and conservation precinct with in the flood affected land south of Latrobe River and north of the Traralgon urban area. The Amendment identifies this opportunity on the Traralgon and Traralgon-West Structure Plans and includes future strategic works to investigate opportunity for open space, recreation and conservation uses in the area.

- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*

The Amendment embeds the strategic planning contained within the *Traralgon Growth Area Review Framework (August 2013)* and *Traralgon West Structure Plan (August 2013)* within the MSS. The Amendment and these two proposed reference documents outline how future planning and development should be undertaken to ensure pleasant, efficient and safe working, living and recreational environments for the future and existing residents and workers of Morwell, Traralgon, the Traralgon West Growth Corridor, Glengarry and Tyers. They set out future strategic works required to plan for:

- vibrant activity centres;
- integrated high quality opens space networks;
- an efficient safe movement network for cyclists, pedestrians, public transport uses and private vehicle users; and
- infrastructure and land supply for employment generating industries.

The future strategic works introduced in the MSS by the Amendment that are crucial to the delivery of the above include:

- The preparation of development plans or precinct structure plans for new urban growth areas;
- The preparation of development contribution plans for new urban growth areas;
- The preparation of a coordinated Activity Centre Strategy across the four Main Towns which considers the retail needs of the community, but also the cultural and social activities that occur in activity centres;
- Investigation of potential future uses for the land identified as employment investigation area within the Traralgon West Growth Corridor that will generate long term future employment opportunities; and

- Encouraging the preparation of Masterplans for the Latrobe Regional Airport, Latrobe Regional Hospital and the open space and green movement corridors within the Traralgon West Growth Corridor.

Where appropriate the Amendment goes further and outlines site specific recommendations to ensure the delivery of the above outcomes. For example, the five structure plans identify future cycle and pedestrian paths, critical new road connections, indicative locations for new activity centre, schools and significant future open spaces.

- *To protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.*

As outlined above, the Amendment is supported by the recently adopted *Traralgon Growth Area Review Framework* (August 2013) and *Traralgon West Structure Plan* (August 2013). These strategic documents build on the findings of the *Traralgon Background Report* (August 2013). This background report considered at a broad level (rather than site by site) the existing capacity of public utility infrastructure and assets within the land affected by the Amendment and the ability to increase the capacity of this infrastructure to accommodate urban expansion. The report examined telecommunications and reticulated water, sewer, electricity, gas infrastructure, existing and future transport assets, the Latrobe Regional Hospital and Airport, major gas pipeline and coal resource and infrastructure. In addition all utility providers were consulted during the exhibition of the *Traralgon Background Report*, *Traralgon Growth Area Review Framework* (August 2013) and *Traralgon West Structure Plan* (August 2013).

A number of infrastructure servicing issues were identified in the report and have been considered by the *Traralgon Growth Area Review Framework* (August 2013) and *Traralgon West Structure Plan* (August 2013) and the Amendment. Generally, these issues are addressed by the Amendment through future strategic works to be included in the MSS. These works include drainage studies, land capability studies and developer contribution plans for various urban expansion areas. Where the ability to service land in the future is uncertain the Amendment requires the resolution of servicing issues before development of land for urban residential purposes.

The Amendment will aid the timely and efficient 'roll out' of utilities infrastructure into new urban areas by providing a defined development 'vision' for the subject towns. It provides certainty to utility providers, developers, local government, and other service providers about the future development potential of land and approximate timeframes for the staging of development.

- *To balance the present and future interests of all Victorians*

The Amendment balances the present and future interests of all Victorians by:

- Efficiently planning for future population growth within the finite unconstrained land surrounding Morwell, Traralgon, Glengarry and Tyers;
- Ensuring equitable funding of development infrastructure through developer contribution plans;
- Consideration of environmental constraints such as industry interface buffers, flooding and bushfire risk; and
- Protection of strategic economic assets through buffers to coal fields, manufacturing sites, and large industrial areas.

**How does the amendment address any environmental, social and economic effects?**

The Amendment is supported by the *Traralgon Growth Area Review Framework* (August 2013), *Traralgon West Structure Plan* (August 2013) and the *Traralgon Background Report* (August 2013). The Amendment ensures the environmental, social and economic impacts of urban expansion will be adequately considered and addressed into the future.

In regard to the environment effects, the Amendment:

- Ensures future development plans or precinct structure plans facilitate urban expansion of the subject towns which consider flora and fauna, existing bushland reserves, waterways and wetlands, and the ecological assets within various linear corridors;
- Introduces the Urban Amenity Buffer to the Australian Paper Mill to limit the establishment of new sensitive uses within the odour buffer to the Mill;
- Promotes an urban form where residents and workers can access retail centres, schools, open space within an easy walkable distance;
- Supports infrastructure that facilitates alternative modes of transport such as cycling, walking and using public transport; and
- Supports an investigation to create a large recreation and conservation precinct within the flood affected land south of Latrobe River and north and Traralgon urban area.

In regard to the economic effects, the Amendment:

- Establishes a framework for the development of new urban communities to accommodate the increasing number of people moving to the region and natural population increases;
- Allows for the timely and efficient release of urban land to meet expected demand;
- Makes efficient use of the significant community infrastructure within Latrobe City and its region;
- Supports the significant existing and planned economic investment in the region by private industry and State and Federal Governments;
- Ensures equitable funding of development infrastructure through developer contribution plans; and
- Ensures continued operation of important industries through provision of appropriate interface buffers to sensitive uses.

In regard to the social effects, the Amendment:

- Promotes an urban structure that supports the development of strong new urban communities through a mix of open spaces, well distributed activity centres and schools and walkable, cycle friendly movement networks;
- Supports the development of a diversity of housing types to accommodate the evolving accommodation needs of the community; and
- Makes efficient use of the significant social capital within Latrobe City and its region.

### **Does the amendment address relevant bushfire risk?**

All of the Amendment area is currently a declared Bushfire Prone Area under the *Building Regulations 2006* due to its generally grassed and vegetated character. This declaration requires buildings in the area to meet minimum bushfire resistant construction standards.



It is likely that the designation will not remain on the land once it is development for urban purposes. However it is likely to remain on open spaces of significant size that are not managed in a bushfire safe state.

The Bushfire Management Overlay within the Latrobe Planning Scheme does not affect any existing urban or future urban area identifies in the Amendment except a small section of future residential land within Morwell. This land has previously been identified for residential development under the existing Morwell Structure Plan and an approved Development Plan.

There is no need for the Amendment to include further provisions to address bushfire risk.

### **Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The amendment complies with the Ministerial Direction on the *Form and Content of Planning Schemes* under Section 7(5) of the Act and the Ministerial Directions issued under Section 12(2) (a) of the Act.

The explanatory report has evaluated and discussed the relevant strategic considerations as outlined in *Direction No. 11 Strategic assessment of amendments*.

The Amendment has had regard to and is consistent with *Practice Note 46 – Strategic Assessment Guidelines*.

### **How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?**

The Amendment implements the State Planning Policy Framework (SPPF) and adopted State policy as follows:

- **Clause 11 Settlements** - 11.01 Activity centres, 11.02 Urban growth, 11.03 Open space, 11.05 Regional development

The Amendment replaces structure plans for Morwell, Traralgon, Tyers and Glengarry, inserts a new structure plan for the Traralgon West Growth Corridor and the *Traralgon – Morwell Growth Framework Plan*. These six plans set out an orderly structure for long-term urban expansion for the four towns and the Traralgon West Growth Corridor. These plans and future strategic works outlined in the Amendment, in particular future development plans or precinct structure plans, will facilitate an urban form where residents and workers can access activity centres, schools, and open space within an easy walkable distance. In this way the Amendment achieves the objectives for activity centres, urban growth and open space under Clause 11 of the SPPF.

The Amendment furthers the regional development objectives of the SPPF by establishing a vision for significant sustainable urban expansion of the main towns of Morwell, Traralgon, the Traralgon West Growth Corridor, and the small towns of Glengarry and Tyers. These areas form an important part of the Latrobe 'Networked City' which is identified as Gippsland's regional city under the SPPF. The Amendment implements the SPPF goal to create a 'State of Cities' that rebalances Victoria's population growth from Melbourne to rural and regional Victoria. As required by the SPPF, the Amendment accords with the vision for Latrobe set out in the Gippsland Regional Growth Plan.

- **Clause 12 Environmental and Landscape Values** - 12.01 Biodiversity

The Amendment accords with the biodiversity objectives of the SPPF through assisting the protection and conservation of Victoria's biodiversity as part of any future urban expansion projects. The biodiversity assets of the area have been

outlined in the *Traralgon Background Report* (August 2013), a reference document under the Amendment. Generally, the land subject to the Amendment has been identified as having limited areas of remnant native vegetation due to widespread clearing for agriculture. There are a number of remnant vegetation patches within road reserves and along waterways. The Amendment supports the protection of these remnant vegetation areas within road reserves identified as Green Movement Corridors and along waterways within open space.

- **Clause 16 Housing - 16.01 Residential Development**

The Amendment promotes urban development which accommodates a variety of housing types and densities. The Amendment specifically:

- identifies strategic medium density housing sites in existing urban areas and within urban expansion areas. These sites include the 'Holydale' site and the Traralgon Golf Course within the Traralgon West Growth Corridor, and the old psychiatric hospital in the Traralgon;
- supports further investigations to increase in the existing average density achieved in urban expansion areas;
- encourages urban infill and redevelopment within in existing urban areas of the Traralgon and Morwell, particularly through higher densities in proximity to train stations and activity centres;
- encourages the redevelopment of existing low density and rural living areas in proximity to Traralgon and Morwell for urban residential uses;
- supports limited expansion of the small towns of Glengarry and Tyers for residential, low density residential and rural living uses which provide 'rural lifestyle' housing options.

- **Clause 17 Economic Development - 17.01 Commercial and 17.02 Industry**

The Amendment promotes the economic objectives of the SPPF by providing for future commercial and industrial uses and supporting the continued operation of existing commercial and industrial.

The five structure plans and the *Growth Framework Plan* included in the Amendment achieve the objectives of the SPPF by:

- Identifying several new neighbourhood and local activity centres that will complement the existing activity centre network. The proposed activity centres are distributed so as to ensure most residents are within walkable catchments of an activity centre. The Amendment supports the continued development of the Morwell and Traralgon Primary Activity Centres as the principle retail and service centres of the main towns.
- Identifying an employment investigation area within the Traralgon West Growth Corridor to leverage off the Latrobe Regional Airport and Hospital and accommodate industry clusters linked to health, aeronautics or agriculture research and development
- Identifying large industrial sites to accommodate new large, high amenity, low density manufacturing industry.
- Protection of strategic economic assets through buffers to coal fields, manufacturing sites, and large industrial areas. In particular the introduction of the Urban Amenity Buffer to the Australian Paper Mill to ensure its continued operation.

- **Clause 18 Transport** - 18.01 Land use and transport planning, 18.02 Movement networks

The Amendment accords with the transport objectives of the SPPF by planning for the logical extension of the existing movement network to facilitate urban expansion of Morwell, Traralgon, and the Traralgon West Growth Corridor. The Amendment requires future urban areas provide efficient and safe movement networks for cyclists, pedestrians, public transport users and private vehicle users. Where appropriate the structure plans identify where new roads, bridges and cycling and pedestrian paths may be required.

- **Clause 19 Infrastructure** - 19.02 Community infrastructure, 19.03 Development infrastructure

The Amendment accords with the infrastructure objectives of the SPPF supporting appropriate community facilities and service within walking distance to new communities. Detailed planning for community and development infrastructure will be undertaken as part of future planning scheme amendments that rezone land and incorporate development plans or precinct structure plans and development contribution plans.

A number of infrastructure servicing issues were identified in the report and have been considered by the *Traralgon Growth Area Review Framework (August 2013)* and *Traralgon West Structure Plan (August 2013)* and Amendment. Generally, these issues are addressed by the Amendment by through future strategic works to be included in the MSS. These works include drainage studies, land capability studies and developer contribution plans for various urban expansion areas. Where the ability to service land in the future is uncertain the Amendment requires the resolution of servicing issues before development of land for urban residential purposes.

### **How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The Amendment updates the Local Planning Policy Framework (LPPF) and Municipal Strategic Statement as follows:

#### Municipal Strategic Statement:

- Clause 21.02 – Municipal Vision

This policy provides a strategic framework and vision for Latrobe and establishes the role of the MSS as providing the land use planning objectives and strategies to implement *Latrobe 2021 (now Latrobe 2026)*. The Municipal Vision and *Latrobe 2026* emphasises 'sustainability' and 'liveability'. The Latrobe Strategic Land Use Framework Plan within Clause 21.02 provides a municipal wide land use vision. The framework plan maps out the urban growth extent of the four main towns which constitute the Latrobe 'network city'. The Amendment proposes a logical expansion to the main towns of Morwell and Traralgon urban areas identified by the Framework Plan and updates the plan accordingly.

- Clause 21.03 – Natural Environment Sustainability

The Latrobe region is identified as containing significant native flora and fauna. However, the areas containing these native flora and fauna are generally located away from the main towns within the Southern Fall of the Great Dividing Range and the Strzelecki Ranges. The biodiversity assets of the area affected by the Amendment were considered by the *Traralgon Background Report (August 2013)*. The background report found that the subject land has limited areas of remnant

native vegetation due to widespread clearing for agriculture. However, there is a number of remnant vegetation patches within road reserves and along waterways. The Amendment supports the protection of remnant vegetation within road reserves identified as Green Movement Corridors and along waterways within open space.

- Clause 21.04 – Built Environment Sustainability

The MSS seeks to establish a network city settlement pattern built on the four main towns. It supports the maintenance of a 10 to 15 year urban land supply for each main town. The Amendment aligns with the network city principle and facilitated efficient release of urban land into the future in the main towns of Morwell and Traralgon the Traralgon West Growth Corridor and also the small towns of Tyers and Glengarry. The strategic vision by the Amendment has a longer horizon, planning for growth out to 2051. This long-term planning is appropriate in the case of these two towns because of the finite area of unconstrained land surrounding the towns.

The Amendment updates the Settlement Overview, Settlement Objectives and Future Strategic Works in Clause 21.04 to update the strategic visions for the affected towns and growth corridors. The principal change is the recognition that Morwell and Traralgon, through the gradual development of the Traralgon West Growth Corridor over the next 20 years, will eventually form a continuous urban area. This settlement pattern does not accord with the existing Settlement Objective to *maintain a clear separation between urban settlements facilitating the self-containment and individual identity of each town*. Therefore, the Settlement Objectives have been updated to reflect Morwell and Traralgon as exceptions to this approach.

- Clause 21.05 – Main Towns and 21.06 – Small Towns

The high level land use objectives of Clause 21.05 and 21.06 accord with the Amendment. It is proposed that the specific town strategies be updated where required to reflect new urban expansion areas, infrastructure requirements and future planning works.

- Clause 21.07 – Economic Sustainability

Clause 21.07 sets out the vision and key directions for delivering a well-connected vibrant economy. The Amendment introduces into this Clause the Employment Investigation Area as identified in the *Traralgon West Growth Corridor Structure Plan* as an important industry precinct connected to the Latrobe Regional Airport and Hospital. It also recognises the Australian Paper Mill as an important heavy industry site within this Clause.

The Amendment and its urban development 'vision' for the subject towns supports the objectives of the Clause, particularly the objectives relating to the local servicing industry which provides for local community needs. This section of the municipality's industry will be stimulated by the establishment of new communities, in particular construction, retail, health and education services.

- Clause 21.08 - Liveability

The amendment supports this policy by developing a long-term vision for an urban structure that supports the development of strong new urban communities through a mix of open spaces, well distributed activity centres and schools and walkable, cycle friendly movement networks. Development plans and precinct structure plans are required by the Amendment to guide the development of urban design of new urban communities. These plans will ensure the objectives of this Clause are achieved.

## **Does the amendment make proper use of the Victoria Planning Provisions?**

The Amendment meets the form and content requirements for planning schemes under section 7 (5) of the *Planning and Environment Act 1987*. The Amendment only affects the Latrobe Planning Scheme MSS. It is important to note that the Amendment does not propose any zone or overlay changes and therefore does not alter the existing development potential of any land within the municipality.

The Amendment makes proper use of the MSS by furthering the objectives of planning in Victoria and Latrobe City, setting out strategies for achieving these objectives and providing a general explanation of the relationship between the objectives, strategies, and planning controls.

The existing MSS was written prior *Planning Practice Note 4 - Writing a Municipal Strategic Statement (PPN4)*. The Amendment uses the current structure of the MSS and therefore Amendment does not at times make full use or accord completely with *PPN4*. However, the strategic content and purpose of the Amendment complies with *PPN4*. Furthermore, the City is currently undertaking a Planning Scheme Review and as part of that process will be updating the form and content of the Planning Scheme to align it with all VPP Practice Notes.

The Amendment also has regard to and is consistent with *Planning Practice Note 13 - Incorporated and Reference Documents*.

### **How does the amendment address the views of any relevant agency?**

As outlined above the Amendment is supported by the recently adopted *Traralgon Growth Area Review Framework (August 2013)*, *Traralgon West Structure Plan (August 2013)* and *Traralgon Background Report (August 2013)*. These strategic documents were referred to relevant agencies during their exhibition from April to November 2012 and copies of the adopted documents have been provided to relevant agencies.

Referral comments from these agencies all provided in-principal support for the documents and comments relating to specific issues were incorporated into the document. These documents are proposed to reference documents under the Amendment.

The views of agencies and key stakeholders will also be sought as part of the Amendment process and modifications made as further agency comments are provided.

### **Does the amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment has had regard to and is consistent with *Advisory Note 34 - Addressing the Transport Integration Act in a Planning Scheme*. The Amendment does not directly impact the municipality's transport system as it does not propose any rezoning or overlay changes which would facilitate development. It does establish a future vision for urban growth which may have a significant impact on the municipal transport system.

The Amendment accords with the transport system objectives outlined in the *Transport Integration Act 2010*. The Amendment plans for the logical extension of the existing movement network to facilitate urban expansion of Morwell, Traralgon, the Traralgon West Growth Corridor, Glengarry and Tyers. The Amendment requires future urban areas provide efficient and safe movement networks for cyclists, pedestrians, public transport users and private vehicle users. Where appropriate the structure plans identify where new roads, bridges and cycling and pedestrian paths are required.

Future urban development in accordance with the Amendment is likely to require upgrades to the regional road network and will allow the creation of a new local road network that will set the future pattern of development in the precinct. The Amendment will support an

expansion of the bus network between Morwell and Traralgon and the pedestrian and cycle network throughout the five towns.

Supportive referral comments from VicRoads were provided to Council during exhibition of the *Traralgon Growth Area Review Framework* (August 2013), *Traralgon West Structure Plan* (August 2013) and *Traralgon Background Report* (August 2013). These documents are implemented by the Amendment.

## Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment will have minimum impact on the resources and administrative costs of the responsible authority. The Amendment outlines strategic future works in some cases these works may be undertaken by another organisation or private party. The City will identify and budget for critical strategic works on annual basis as part of its Business Action Plan.

## Where you may inspect this Amendment

The amendment is available for public inspection, free of charge, during office hours at the following places:

### Latrobe City Council

Corporate Headquarters  
141 Commercial Road  
Morwell VIC 3840

Moe Service Centre  
44 Albert Street  
Moe VIC 3825

Churchill Service Centre  
9-11 Phillip Parade  
Churchill VI 3842

Traralgon Service Centre  
34-38 Kay Street  
Traralgon VIC 3844

The Amendment can also be inspected free of charge on Latrobe City Council website at <http://www.latrobe.vic.gov.au> or at the Department of Transport, Planning, and Local Infrastructure website at [www.dtpli.vic.gov.au/publicinspection](http://www.dtpli.vic.gov.au/publicinspection) .

## Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by **[insert submissions due date]**.

A submission must be sent to:  
Latrobe City Council  
Strategic Planning Department  
141 Commercial Road  
Morwell VIC 3840

## Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: **[insert directions hearing date]**

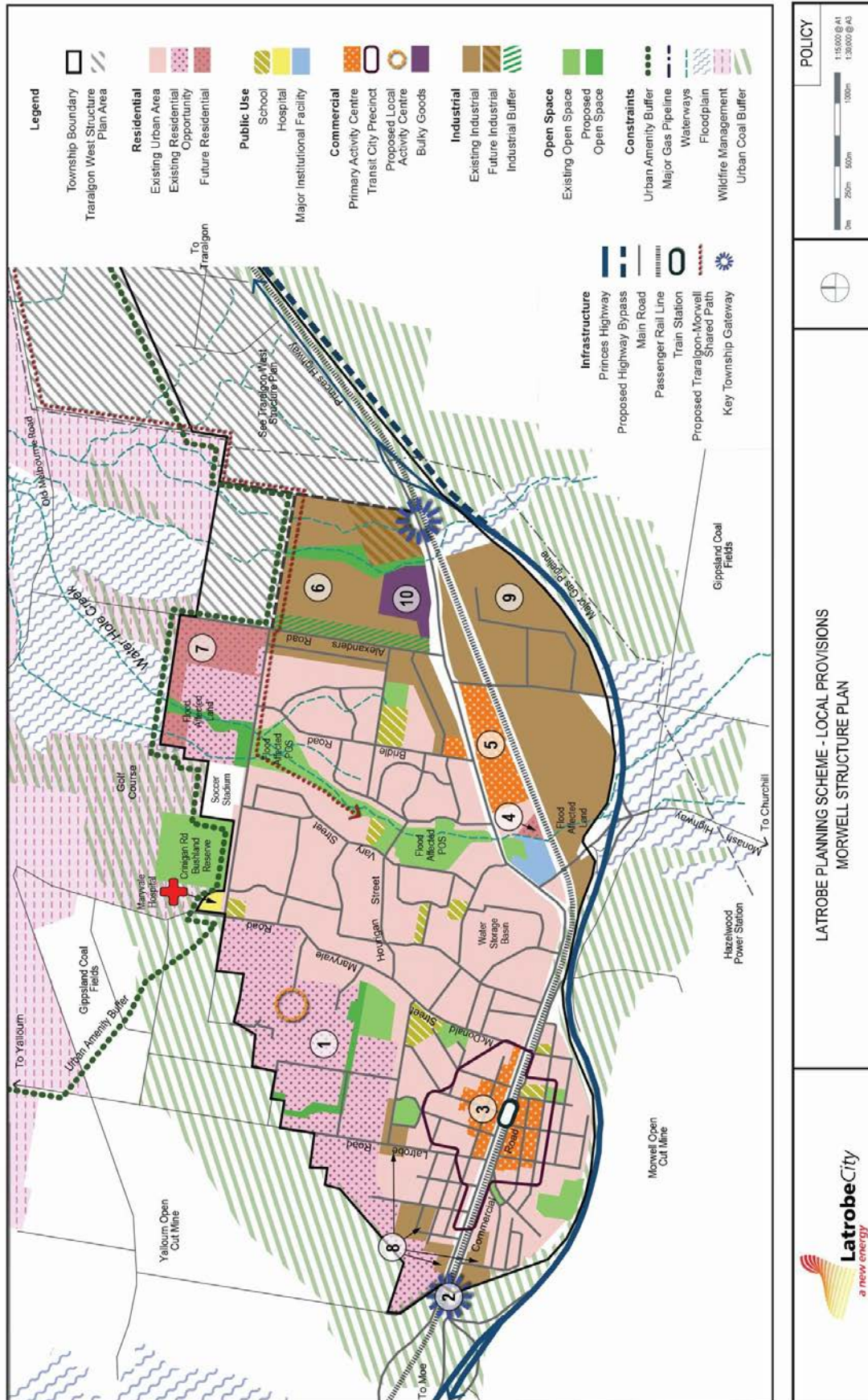
- panel hearing: [insert panel hearing date] ]

**Attachment 1 - Traralgon – Morwell Growth Framework Plan**

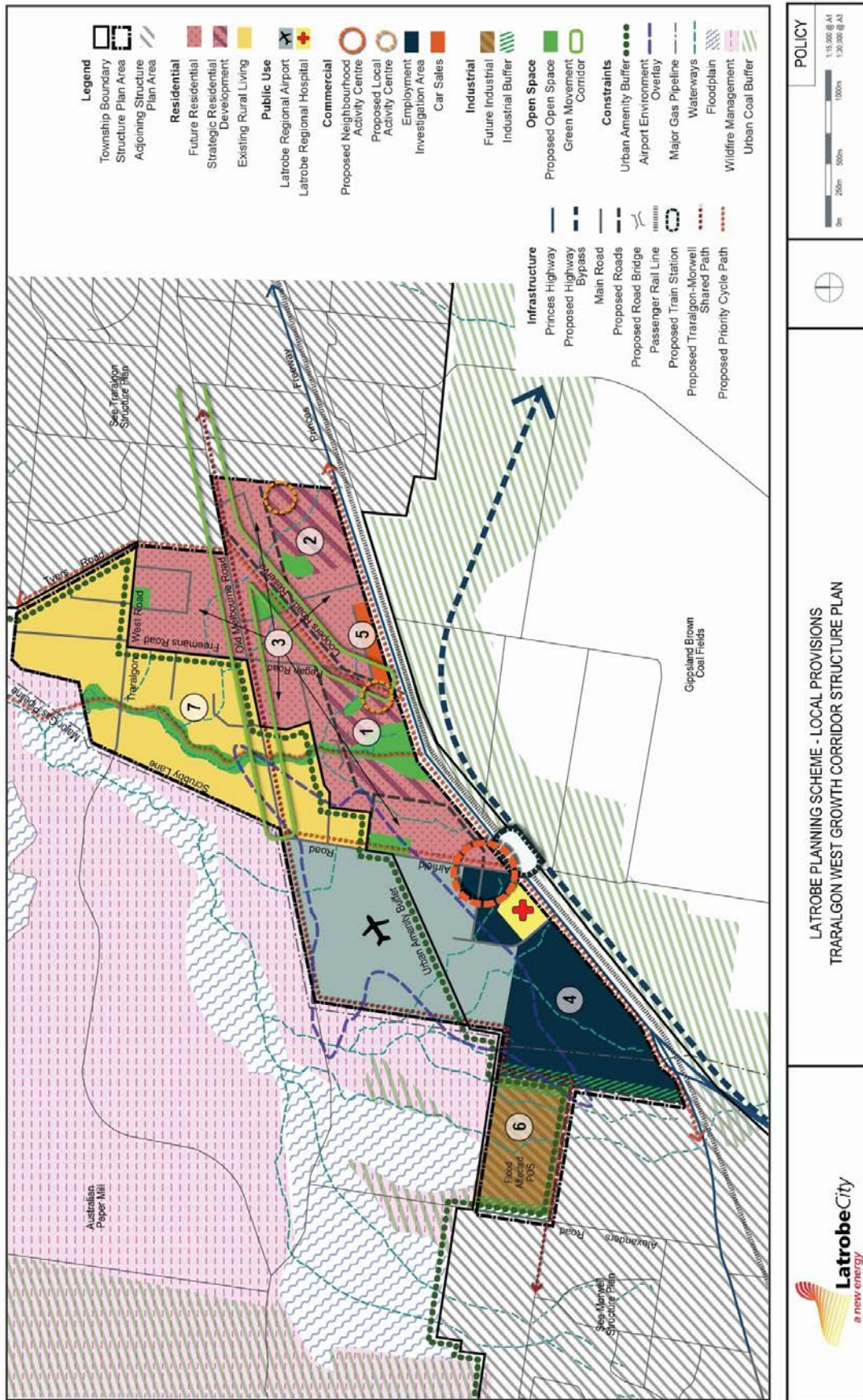




## **Attachment 2 – Morwell Structure Plan**

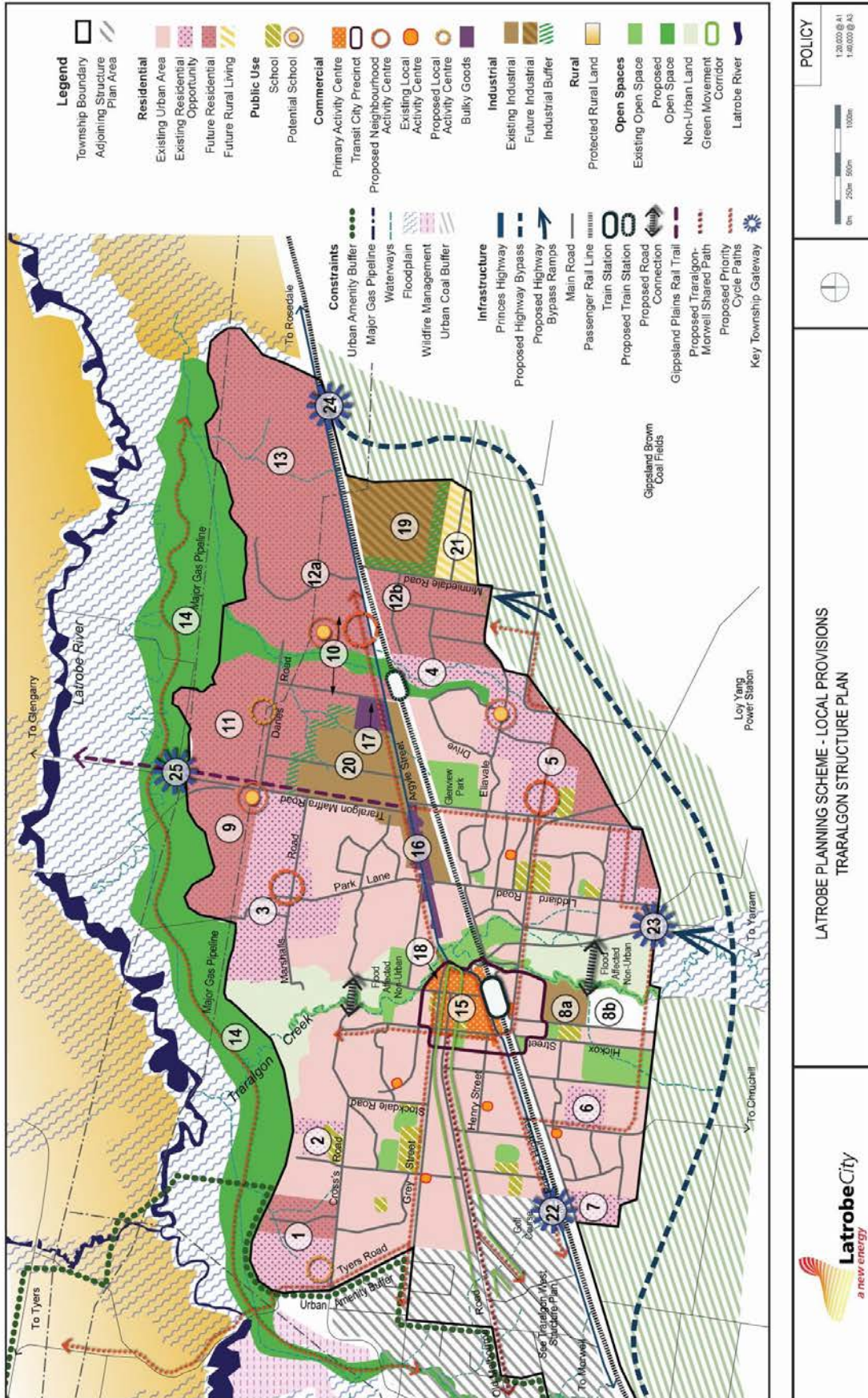


**Attachment 3 – Traralgon West Growth Corridor Structure Plan**



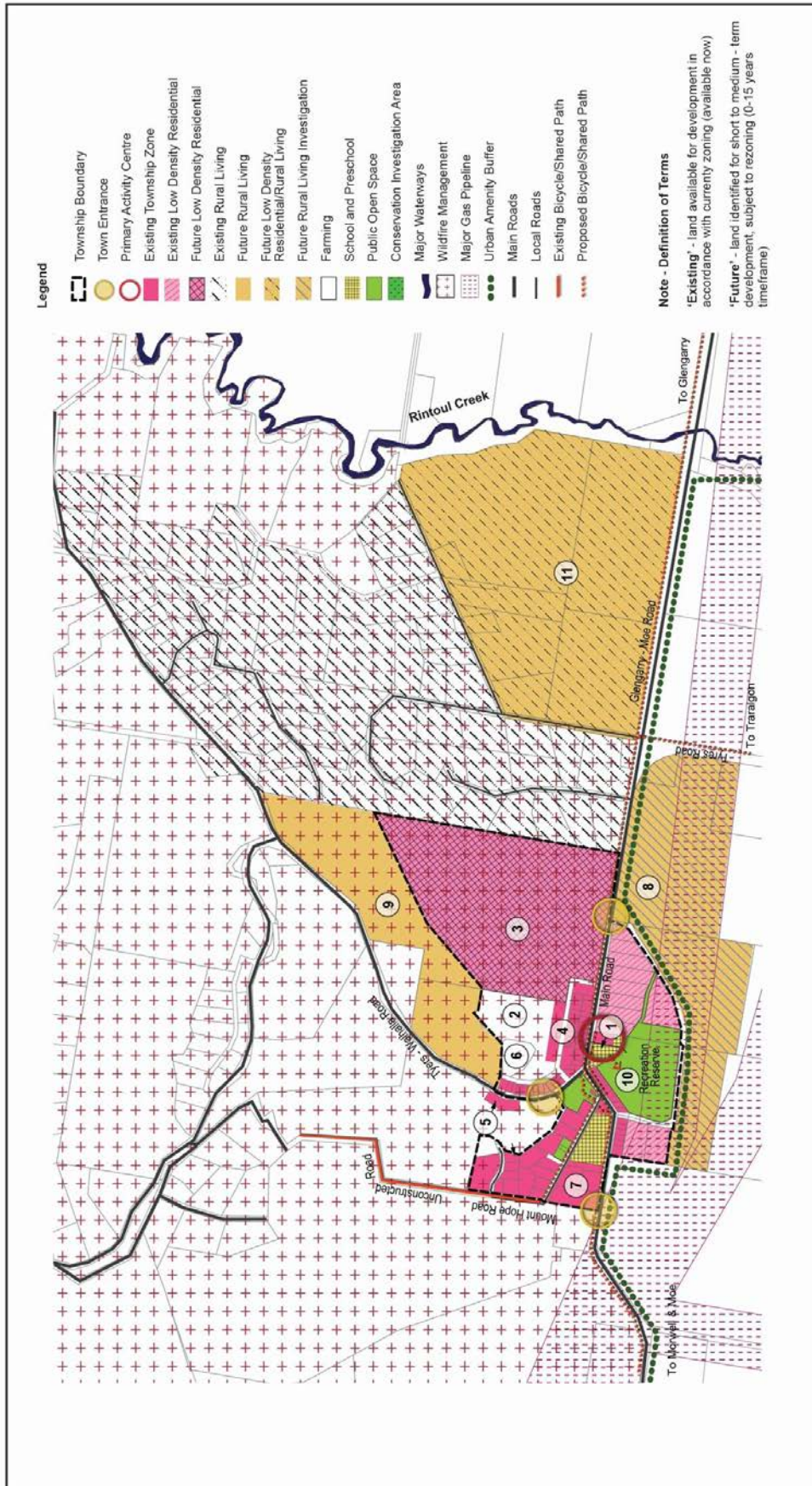


## **Attachment 4 – Traralgon Structure Plan**





## **Attachment 5 – Tyers Structure Plan**

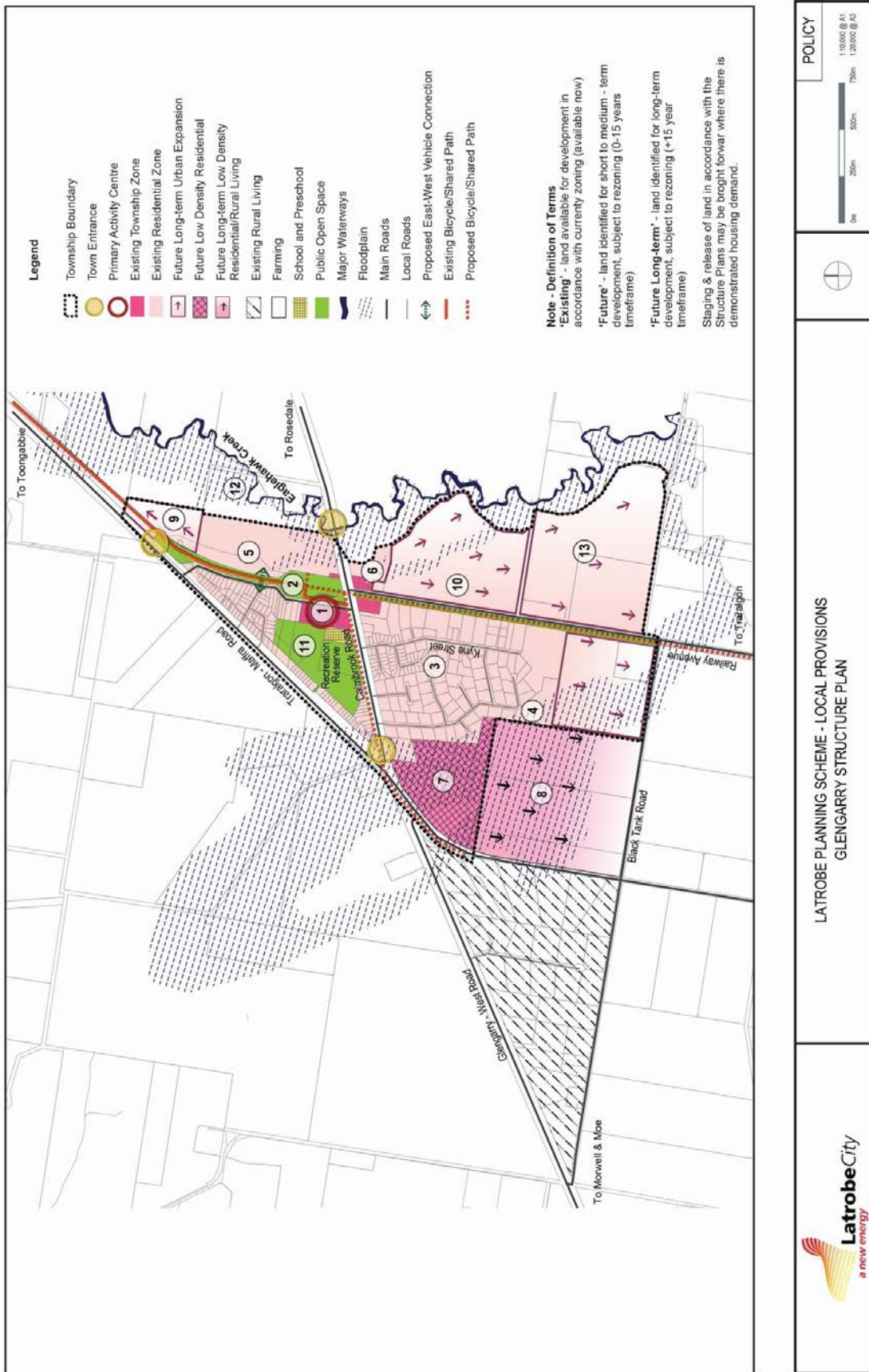


LATROBE PLANNING SCHEME - LOCAL PROVISIONS  
TYERS STRUCTURE PLAN

**LatrobeCity**  
a new energy

POLICY

## **Attachment 6 – Glengarry Structure Plan**

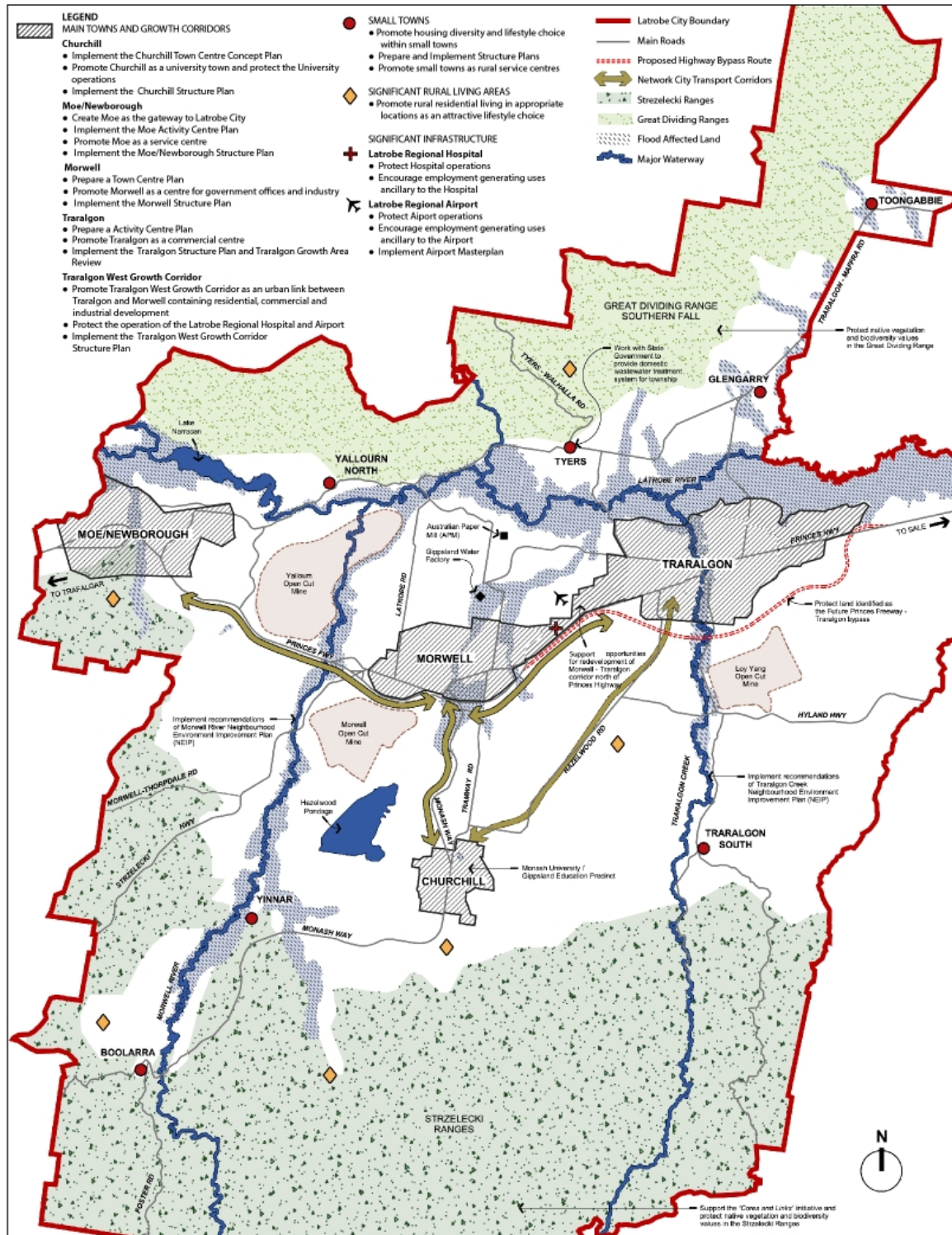


LATROBE PLANNING SCHEME - LOCAL PROVISIONS  
GLENGARRY STRUCTURE PLAN

POLICY



**Attachment 7 – Latrobe City Strategic Land Use Framework Plan**



LATROBE PLANNING SCHEME - LOCAL PROVISION

	<p>SCALE:</p> <p>Kilometres Australian Map Grid Zone 55</p>	<p>LATROBE CITY STRATEGIC LAND USE FRAMEWORK PLAN</p> <p>POLICY</p>
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Submission #	Name/Organisation	Support/Objection	Submission previously lodged to the TGAR? Y/N	Previous TGAR points raised New C87 TGAR points raised	Planning Comment	Changes to exhibited C87 Y/N
1.	Mr Chris Buckingham, EPA Gippsland.	Support	Yes	<p>Previous – EPA supports council endorsement of the Traralgon Growth Areas Framework and the Traralgon West Structure Plan.</p> <p>Supports the proposed urban amenity buffer around the Australian Paper Mill because odour emissions should be considered as a constraint to any residential development or intensification within the buffer. EPA is currently in discussions with Council and Australian Paper to clearly establish the buffer boundary.</p> <p>Opposes the possible residential area south of the Sibelco site in Traralgon due to unreasonably high noise emissions from the site that poses significant amenity issues on residents and substantial costs to industry to reduce noise.</p> <p>Supports Gippsland Water’s storage lagoon as a constraint to residential development due to odour complaints and that future residential areas within close proximity should be discouraged.</p> <p>New – EPA supports C87 which clearly identifies an appropriate odour buffer (i.e. urban amenity buffer) for the Australian</p>	<p>Previous – Support acknowledged.</p> <p>Sites to the south of Sibelco in Traralgon have previously been flagged for future residential development, but any rezoning for these purposes will need to acknowledge the implication of the ongoing viability of activities at the Sibelco industrial site. However, given the long term nature of this framework it is considered appropriate to identify the long term future use for the area south of Sibelco</p> <p>TGAR reports and plans also identify the need for a future industrial strategy that may inform the future use of the Sibelco site and surrounding sites.</p> <p>Refer submission 2 (Mr Paul Young, Gippsland Water).</p> <p>New – Support acknowledged.</p>	No

				<p>Paper Mill. EPA guideline Recommended Buffer Distances for Industrial Air Emissions recommends a separation distance for the Australian Paper Mill of 5km. Council must have regard to the guideline. Australian Paper has established a site specific buffer that EPA has reviewed.</p> <p>EPA objects to any adjustments to the site specific urban amenity buffer based solely on residents requests that are not based on sufficient evidence. Failure of council to adopt the C87 urban amenity buffer will require EPA to default back to the 5km buffer and raise concern regarding residential intensification within the 5km buffer area.</p> <p>EPA supports the incorporation of the urban amenity buffer into the Latrobe Planning Scheme.</p>	<p>C87 thoroughly considers the proposed Australian Paper site specific urban amenity buffer and the information used to support the buffer has informed C87.</p> <p>The proposed urban amenity buffer is discussed in the TGAR Background Report, TGAR Framework Report, Traralgon West Structure Plan Report and in C87 proposed Latrobe Planning Scheme Clauses 21.02, 21.04, and 21.05. However, C87 doesn't propose to include any zones or overlays as this may form part of a separate planning scheme amendment process.</p>	
2.	Mr Paul Young, Gippsland Water	Support	Yes	<p>Previous – Supports the growth of urban areas to the south of Latrobe River.</p> <p>Suggests significant infrastructure upgrades will be required to service Glengarry beyond the urban growth areas shown in the Small Town Structure Plan.</p> <p>To service all of the land identified as potential residential and industrial in Traralgon will require significant augmentation to both the existing water and sewerage infrastructure and development based infrastructure. Gippsland Water currently does not have a way forward on how to service additional land and reduce the impact on</p>	<p>Previous – Support acknowledged.</p> <p>Development of Glengarry is proposed in the short to medium term in line with the Small Town Structure Plan. It is acknowledged that further development may require infrastructure upgrades which would need to be assessed for feasibility at the rezoning and development plan stages.</p> <p>The servicing of Traralgon will likely result in the need for additional infrastructure to be developed over the coming years and the use of development/contribution plans is encouraged to help co-ordinate the delivery of new shared infrastructure items.</p>	Yes in part



				<p>critical assets.</p> <p>Large wastewater and water asset reserves will be required to allow transfer of water and sewerage and additional information will be required when Gippsland Water understands the impacts of the additional land on existing assets and systems. The land east of Traralgon identified for rezoning will require the Regional Outfall Sewer easement to be converted to a Gippsland Water reserve at the time of subdivision.</p> <p>Additional monitoring and modelling of the Maryvale Emergency Storage and Traralgon Emergency Storage is required in the future and may result in an increase in the odour buffer.</p> <p>New – Significant augmentation will be required to existing water and sewerage infrastructure in Traralgon and Glengarry to support the new C87 urban growth areas.</p> <p>New urban growth areas proposed in East Traralgon are affected by the Regional Outfall Sewer (ROS). The ROS easement is required to be converted to a Gippsland Water Reserve at the time of subdivision. Requests that the ROS be shown on the maps in C87.</p> <p>Gippsland Water has two wastewater emergency storage facilities within the study area near the Latrobe Regional Airport and Marshalls Road Traralgon. A proposed buffer around the storage facilities has been provided. Requests the proposed buffer be shown on the maps in C87.</p>	<p>Any required easements should be dealt with as part of any Development Plan and / or subdivision process.</p> <p>The buffers associated with the emergency storage have been identified on the latest version of the Traralgon Growth Areas Review plans and their implications acknowledged through amendments to the Traralgon Growth Areas Framework Plan and Traralgon West Structure Plan.</p> <p>New – Latrobe City Council officers will continue to work with Gippsland Water in understanding Gippsland Water's development infrastructure plans and including these as a key consideration when Council considers development plans and large subdivisions.</p> <p>The ROS is identified as an important infrastructure asset in the C87 TGAR Background Report. However, there is an opportunity to better define the location of the ROS on the proposed Traralgon Structure Plan and its importance in proposed Clause 21.05-6.</p> <p>The two wastewater emergency storage facilities are already shown on the C87 maps in Figure 16 and Appendix 2 of the TGAR Framework Report and Figure 7 of the Traralgon West Structure Plan Report.</p>	
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<p>3.</p>	<p>Ms Linda Tubnor, West Gippsland Catchment Management Authority</p>	<p>Support and seeks a change</p>	<p>Yes</p>	<p>Previous - Supports the Land Subject to Inundation Overlays for the Latrobe River, Traralgon Creek and Waterhole Creek and identifies flooding issues with some smaller waterways, drainage lines and overland flow paths which are not identified in the Traralgon Growth Areas Review documents.</p> <p>Waterways within the identified Traralgon Growth Area declared under the Water Act 1989 will place some restriction on future growth (ie a 30 metre buffer).</p> <p>Suggests stormwater quality infrastructure will be required to manage increased volumes of stormwater associated with development and to ensure no adverse offsite water quality or hydraulic impacts to properties or downstream.</p> <p>Suggests an opportunity for Floodplain, Waterway and Stormwater planning to be integrated across the Growth Area instead of on an ad hoc basis, through a Development Plan for each precinct including areas in the Traralgon West Structure Plan.</p> <p>Supports the Traralgon Growth Areas Review and Traralgon West Structure Plan as currently proposed and will work with Latrobe City Council to develop some necessary details for specific Development Plans for each precinct.</p> <p>New - C87 provides clear direction for growth and development in the towns of Traralgon, Morwell, Tyers and Glengarry.</p> <p>The Glengarry Structure Plan shows outdated flood mapping and should be revised to reflect current flood data.</p>	<p>Previous – General support acknowledged and the support for the proposed management of growth areas through Development Plans is noted and reflected in the TGAR reports and plans.</p> <p>New – Support acknowledged.</p> <p>C87 does not propose any changes to the existing Glengarry Structure Plan. The new flood mapping data reduces the area affected by inundation in South West Glengarry. It is important for the Land Subject to Inundation Overlay in the Latrobe Planning Scheme to provide detailed flood information and for the Glengarry structure plan to identify general land use planning</p>	<p>No</p>
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					issues that need to be considered for the future growth of the town. Therefore it is not essential that the Glengarry structure plan be updated as part of C87, but rather the structure plan can be updated at an appropriate time in the future.	
4.	Mr John Brennan, Department of Environment and Primary Industries	Support	Yes	<p>Previous – The submitter provides general support and makes specific comment about the TGAR reports and plans.</p> <p>Traralgon Background Report - Does not describe the significant biodiversity assets at Latrobe Regional Airport within the conservation zone of the site which Council has an obligation to manage; - Community sentiment regarding the value of the natural environment is not well reflected in discussions identifying environmental assets; - Only describes mapped native vegetation and a simplified overview of existing native vegetation. The report describing native vegetation as EVCs is inaccurate; - In regards to Clause 12.01 Biodiversity, the report should identify and discuss opportunities and constraints for existing biodiversity values including waterways, wetlands and terrestrial biodiversity, not just native vegetation.</p> <p>Traralgon Growth Area Framework - It needs to be clear how key environmental objectives have been considered in development of the framework; - Bushfire prone areas, development of land near existing plantations or areas of native vegetation/ existing biodiversity values need to be considered; - Consideration is needed of biodiversity values within the Princes Highway road reserve and railway corridor to the east and west of Traralgon including potential constraints such as the presence of threatened species and Communities.</p> <p>Traralgon West Structure Plan - Potential biodiversity impacts and values need to be considered in the Old Melbourne Road development for</p>	<p>Previous – General support acknowledged.</p> <p>The Traralgon Background Report has been updated to better reflect biodiversity issues that are relevant to the study area including matters raised by the submitter.</p> <p>The community feedback is a reflection of matters documented in consultation sessions with the community.</p> <p>The Traralgon Growth Area Framework report has been updated to better reflect biodiversity issues that are relevant to the study area including matters raised by the submitter.</p> <p>The Traralgon West Structure Plan report has been updated to better reflect biodiversity issues that are relevant to the study area</p>	No

				<p>cycle paths and pedestrian pathways;                      - Potential future residential development in the southern section of Latrobe Regional Airport must consider existing biodiversity constraints.</p> <p>General comments                      -None of the reports identify or discuss the presence of areas reserved as ‘net gain’ offset sites, sites of biological significance, significant habitat values or bushland reserves.                      - Identifying where in the landscape there are significant biodiversity values, constraints and opportunities is recommended before finalising the report.                      - A list of rare and threatened species and floristic community throughout the study area from the DSE database is given in the submission. Council should consider the implications of the impact of these flora and fauna within the study area.                      - Bushfire Management Overlay (BMO) drafts will be provided to Council and should be considered in the TGAR.</p> <p>New –                      Supports C87. The TGAR background document that refers to native vegetation removal guidelines has been updated by the Department of Environment and Primary Industries.</p>	<p>including matters raised by the submitter.</p> <p>The TGAR reports have all been updated to better reflect biodiversity issues, constraints and opportunities that are relevant to the study area including matters raised by the submitter.</p> <p>New –                      Support acknowledged.</p> <p>The updated native vegetation guidelines are noted.</p>	
5.	Mr Lachlan Marshall, APA Group	Objection	No	<p>Previous –                      N/A</p> <p>New –                      APA have five major gas pipelines affected by C87s future urban growth precincts that may impact APAs assets in the future.</p> <p>APA have provided guidelines that help to ensure that future subdivision and land use doesn’t inhibit high pressure transmission pipelines to continue to provide capacity for the needs of natural gas in Victoria.</p> <p>Concern over the potential impact of new residential growth to the south of Tyers on APAs assets.</p>	<p>Previous –                      N/A</p> <p>New –                      The C87 structure plans and framework plan show the existing location of APAs major gas pipelines. The major gas pipelines are also affected by a Design and Development Overlay in the Latrobe Planning Scheme that require relevant parties to seek the views of DSDBI who then forward the proposal onto APA for comment.</p> <p>APAs development guidelines are noted and are a key consideration when development</p>	No

				<p>Requests Latrobe City Council officers continue to consult with APA when considering urban growth developments close to APAs assets.</p>	<p>plans and subdivisions are being prepared for future urban growth precincts near major gas pipelines. This would also apply to the future rural living growth front to the south of Tyers. Refer submission 29 (Mr Vito Albanese).</p> <p>Latrobe City Council officers are required to consult with DSDBI/APA under the Latrobe Planning Scheme when considering development plans and subdivisions near APAs major gas pipelines. Refer submission 6 (Ms Sarah Hill).</p>	
6.	Ms Sarah Hill, Department of State Development, Business and Innovation (DSDBI).	Objection	No	<p>Previous – N/A</p> <p>New – Concerns over Clause 21.05-5 encouraging the application of the Residential Growth Zone in the Transit City Precinct south of the railway line in Morwell due to the proximity of the Hazelwood mine.</p> <p>Requests Clauses 21.05-6 and 21.05-7 be changed to include the need for DSDBI to be consulted where residential development in Traralgon is close to a major gas pipeline.</p> <p>Request that the DSDBI submission be read in conjunction with the APA submission 5.</p>	<p>Previous – N/A</p> <p>New – C87 does not propose any changes to Clause 21.05-5 that relate specifically to residential land south of the railway line in Morwell and therefore this issue is outside of the scope of C87.</p> <p>The proposed Traralgon and Traralgon West Growth Corridor Structure Plans both show the existing location of major gas pipelines. The major gas pipelines are also affected by a Design and Development Overlay in the Latrobe Planning Scheme that already require relevant parties to seek the views of DSDBI. Therefore there isn't a need to include a requirement in Clauses 21.05-6 and 21.05-7 for DSDBI to be consulted. However, there is a need to better acknowledge the potential impact of new residential growth fronts in locations close to the major gas pipeline and this can be achieved through minor wording changes to Clauses 21.05-6 and 21.05-7.</p>	Yes in part

					APAs submission has been considered as part of C87. Refer submission 5 (Mr Lachlan Marshall).	
7.	Ms Nicole Stow , Beveridge Williams (acting on behalf of Mr Ruben Diaz)	Support	Yes	<p>Previous – Would like to develop remainder of Rural Living Zone land on Airfield Road with consulting suites or other hospital associated uses. Current Rural Living zoning is preventing the land from being developed for those purposes. Supports the identification of this land as an ‘investigation area’ in the Traralgon West Structure Plan for the above purposes and would like to be advised of timing of any consultation.</p> <p>New – Support inclusion of the submitters land in the C87 Employment Investigation Area; policy statements in the C87 Municipal Strategic Statement; and in the C87 reference documents.</p> <p>Concerns over the length of time council has taken to progress the Traralgon Growth Areas review and to implement it strategic vision.</p> <p>Requests a detailed examination of the employment investigation area be carried out within the next 12 months.</p>	<p>Previous – Support acknowledged. The land forms part of the ‘employment investigation area’ and proposed ‘neighbourhood activity centre’. This area is subject to a future development plan/master plan that will inform the future use of the land.</p> <p>New – Support acknowledged.</p> <p>Noted.</p> <p>This work is subject to the outcome of C87.</p>	No
8.	Mr Howard Lovell, Australian Paper	Support	Yes	<p>Previous – Generally supports the draft Traralgon Growth Areas Framework and Traralgon West Structure Plan.</p> <p>A 5 km buffer is specified in Clause 52.10 of the planning</p>	<p>Previous - Support acknowledged.</p> <p>Subsequent to receipt of the submission, Council officers have continued to meet with the Environment Protection Authority, Australian Paper, community groups and individuals in an effort to finalise any required adjustments to the proposed urban amenity buffer. This planning response acknowledges the submission and also reflects the outcomes of current discussions with Australian Paper.</p> <p>It is agreed that a 5km buffer that would</p>	No

				<p>scheme for paper or paper pulp production involving sulphur between the industry and a residential zone, Business 5 Zone or land used for a hospital or education centre. However it is not feasible to protect a 5 km buffer as this would include much of the existing urban areas of Morwell and Traralgon. It is suggested that a buffer consistent with the Australian Paper’s modelled 10 odour unit contour would provide an acceptable level of protection for both industry and residential, however should be modified to exclude existing developed or residentially zoned areas. The buffer could also be adjusted where the land is already zoned R1Z or is included within the urban growth boundary in the existing Traralgon Structure Plan and will be developed for residential purposes. The buffer should be realigned with a road or prominent feature if the adjusted buffer divides an allotment (refer to map attached to submission).</p> <p>Does not support the expansion of lower density residential development (rural living) south of Tyers (Area 20) as this will impact Australian Paper’s obligation to address any adverse amenity impact of odour on residential properties within the 100U buffer.</p>	<p>include the existing urban areas of Morwell and Traralgon is impracticable. The TGAR proposed urban amenity buffer has used Australian Paper’s modelled 10 odour unit contour as a guide but the urban amenity buffer has been changed in the following way:</p> <ul style="list-style-type: none"> <li>- Existing Residential 1 Zone land or future Residential 1 Zone land in Morwell and Traralgon has been excluded from the proposed urban amenity buffer map to reflect subdivision opportunities that existed in the Latrobe Planning Scheme prior to Australian Paper odour modelling being undertaken;</li> <li>- Existing Low Density Residential Zone land immediately west of Traralgon has been excluded from the proposed urban amenity buffer map to reflect subdivision opportunities that existed in the Latrobe Planning Scheme prior to Australian Paper odour modelling being undertaken.</li> <li>- Minor amendment to the boundary of the proposed urban amenity buffer map to better reflect title boundaries and road reserve alignments, particularly in the south eastern section of the proposed urban amenity buffer.</li> <li>- Acknowledgment that an area in Morwell North around Paul Street may require further odour modelling by Australian Paper that may result in future minor amendments to the boundary of the proposed urban amenity buffer map.</li> </ul> <p>The potential impact of odour on any rural residential development south of Tyers is acknowledged. However, the area is also identified in the adopted Tyers Small Town Structure Plan as being suitable for ‘future</p>	
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				<p>Opposes development of new sensitive uses including residential uses, hospitals and education facilities within the proposed amenity buffer in line with EPA recommendations. Commercial or industrial uses or continued farming and agricultural uses would be appropriate within the buffer.</p>	<p>long-term urban expansion’ and this is reflected at Clause 21.06 of the Latrobe Planning Scheme. The position of long term urban expansion to the south of Tyers needs to be reviewed in light of the new information provided by way of the Australian Paper odour modelling. Nonetheless, the identification of this land for ‘rural living future investigation’ is considered to have merit, noting:</p> <ul style="list-style-type: none"> <li>- The area is approximately the same distance as some existing rural living areas to the west of Traralgon which will remain within the buffer;</li> <li>- There are existing rural living allotments (and zoned land) at the southern extent of the area proposed;</li> <li>- The development of rural living lots offers a ‘role’ for Tyers in providing a type of development opportunity that is no longer supplied in association with the growing regional centre of Traralgon; and</li> <li>- Rezoning of this area, should it be pursued, would only result in a limited number of new dwellings (depending on minimum lot size).</li> </ul> <p>The submitter is in support of changing the TGAR proposed urban amenity buffer to acknowledge that the area immediately south of Tyers township may require further odour modelling by Australian Paper. This may result in future minor amendments to the boundary of the proposed urban amenity buffer map that would potentially release the land for some rural living opportunities. The submitter’s comments are noted. However, the submitter is in support of changing the TGAR proposed urban amenity buffer to acknowledge that there may be</p>	
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				<p>With advances in emissions control technology the buffer may be further refined over time and Australian Paper and EPA will update the buffer requirement consistent with the requirements of their licence in the future.</p> <p>New – Supports C87. C87 provides clear direction for the growth and development within the townships of Morwell, Traralgon, Tyers and Glengarry.</p> <p>The Australian Paper Mill is the largest private sector employer in the Latrobe Valley with approximately 845 direct employees and a further 2550 indirect employees across Victoria. The Mill contributes \$360 million to Gippsland and \$612 million to Victoria. Maintaining sufficient buffers to the site is therefore not only critical to securing the long term viability and operation of the Mill, but also indirectly to the social and economic viability of the Gippsland region.</p> <p>Australian Paper has made submissions throughout the planning process of TGAR that further encroachment of urban development for sensitive uses towards the Mill should be limited. Australian Paper opposes the removal of the urban amenity buffer from C87 as this would place the Mill operations at risk. If the urban amenity buffer is removed then Australian Paper will revert to the default 5 kilometre buffer as set out in the Latrobe Planning Scheme and require all planning applications to be referred to Australian Paper for comment.</p>	<p>potential (subject to planning permit application assessment) to honour the limited subdivision potential in the existing Rural Living Zone within the proposed urban amenity buffer that existed in the Latrobe Planning Scheme prior to Australian Paper odour modelling being undertaken.</p> <p>Potential changes to the proposed urban amenity buffer as a result of technological advances is identified in the TGAR reports and plans.</p> <p>New – Support acknowledged.</p> <p>C87 thoroughly considers the proposed Australian Paper urban amenity buffer and the information used to support the buffer has informed C87.</p> <p>The importance of the Australian Paper Mill to the State of Victoria is well documented in the Latrobe Planning Scheme and Latrobe City Council's various economic development strategies and documents.</p> <p>The proposed C87 urban amenity buffer that is based on environmental modelling provides for a buffer less than 5 kilometres in diameter from the Mill. The C87 buffer is a practical and reasonable land use planning compromise that balances the needs of the community, Australian Paper and the Environment Protection Authority. Reverting back to the 5 kilometre buffer would result in an unsatisfactory outcome as much of the</p>	
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				Australian Paper request that the matter be considered by an independent Planning Panel.	land affected by the buffer is within the existing urban extent of Morwell, Traralgon and Tyers and this would result in constant land use planning conflict.  Noted.	
9.	Ms Leanne Sutton	Support	Yes	<p>Previous – Supports the Traralgon Growth Area Framework recommendation to rezone Area 4 in East Traralgon to Residential 1.</p> <p>New – Requested opportunity to be heard at the independent panel.</p>	<p>Previous and New – Support acknowledged</p> <p>New – Noted.</p>	No
10.	Mr Lloyd Edwards	Support	No	<p>Previous – N/A</p> <p>New – Supports the rezoning of land from Farming Zone to Residential Zone in the area north of Stammers Road, Traralgon. The rezoning needs to be applied to land except for where there are environmental constraints such as flooding.</p>	<p>Previous – N/A</p> <p>New - Support acknowledged.</p>	No
11.	Mr Robert Fullerton	Objection	No	<p>Previous – N/A</p> <p>New – Requests a former quarry site in Tyers to be rezoned from Farming Zone to Rural Living Zone due to the site not being suitable for farming.</p>	<p>Previous – N/A</p> <p>New - C87 doesn't propose to apply any zones or overlays. The submitter's land adjoins a recently approved planning scheme amendment that rezones the adjoining land to a Rural Living Zone. The submitter's land should have been included in this amendment. The C87 Tyers Structure Plan should be amended to show the submitter's land as suitable for Future Rural Living. Rezoning of the land would then be subject to a separate planning scheme amendment process.</p>	Yes

12.	Mr Neil Jones	Objection	No	<p>Previous – N/A</p> <p>New – Requests Farming Zone land in Tyers is designated Future Township Zone or Future Residential on the Tyers Structure Plan. The land is well drained with infrastructure services.</p> <p>Second submission received updating the maps submitted for the first submission.</p>	<p>Previous – N/A</p> <p>New - The land is outside the existing Tyers settlement boundary and is subject to steep gradients and is adjacent to a water course. The request requires further strategic justification to be carried out before the proposal can be entertained.</p> <p>New maps do not change the intent or outcome of the original submission.</p>	No
13.	Mr Ben Leigh, Latrobe Community Health	Support	No	<p>Previous – N/A</p> <p>New - Supports C87. Supports improvements or additions to bicycle and walking tracks. Local and neighbourhood centres should not contain fast food outlets due to health problems related to obesity. Development contribution schemes should focus on improved health outcomes.</p>	<p>Previous – N/A</p> <p>New - Support acknowledged.</p> <p>C87 is unable to discourage fast food outlets in neighbourhood centres due to state government zones controlling new retail use and development in these areas.</p> <p>Development contribution schemes are prepared in accordance with urban design and healthy by design principles.</p>	No
14.	Ms Judy and Mr Neil Alexander	Support in part Objection in part	No	<p>Previous – N/A</p> <p>New – Supports proposed amenity buffer and requests for all of the submitter's land to be included <u>in</u> the proposed urban amenity buffer.</p> <p>Concerns over the land being rezoned to residential in the future as the land is important to enable continued farming operations and for the land to be retained in the family.</p>	<p>Previous – N/A</p> <p>New - Support acknowledged.</p> <p>The land is currently zoned Farming Zone where agricultural activities can continue under C87. The land forms part of an approved residential growth front development plan and is currently shown on the Morwell Structure Plan as Future</p>	No

				Requests to be heard at the independent planning panel.	Residential. Therefore, It is inappropriate for the land to be covered by the proposed urban amenity buffer.  Noted.	
15.	Mr Anthony Duffill, Sweett (Acting on behalf of Kasam Suleman Pty Ltd)	Objection	Yes	<p>Previous – Supports the identification of the land as ‘future investigation area’ in Area 5 (now Area 4) of Traralgon West Structure Plan, but does not support the identification of Area 2 as ‘future industrial use’ due to a perceived oversupply of industrial land.</p> <p>Proposes Area 2 be identified for future residential use instead of industrial use based on:</p> <ul style="list-style-type: none"> <li>- A perceived surplus of available industrial land in the area</li> <li>- Residential land abuts the subject land to the west and there may be detrimental amenity impacts if the subject land was developed for heavy industrial uses</li> <li>- The proposed AP odour buffer is not yet determined, therefore future residential land on the subject land is still feasible</li> </ul>	<p>Previous – The use of Area 4 (i.e. formerly Area 5 in exhibited TGAR) for residential uses is not supported due to the large amount of constraints that affect the land (e.g. LSIO, DDO and AEO) and most importantly the need to protect the long term interests of the Latrobe Regional Airport and the Latrobe Regional Hospital. This land is ideally suited for employment uses and the Traralgon Growth Area Framework and Traralgon West Structure Plan continues to promote this given the importance of employment in promoting the growth of both Latrobe City and the wider Gippsland region. The completion of a municipal wide Industrial Land Study is required to inform industrial land supply and demand requirements and employment needs prior to making substantial reductions of Latrobe City’s industrial zoned land, especially where these industrial areas are already identified within the Latrobe Planning Scheme.</p> <p>While the need for additional land to meet residential supply requirements is acknowledged and the submitter proposes a new residential precinct in Area 2 and Area 4, the preferred residential areas are clearly identified in other more suitable areas in the TGAR plans. Furthermore, the presence of abutting residential land to Area 2 is not considered sufficient strategic justification for the use of the land for residential purposes. The proposed TGAR</p>	No

				<p>- The existence of the Land Subject to Inundation Overlay (LSIO), Design and Development Overlay (DDO - Latrobe Regional Airport – Obstacle Height) over the subject land does not preclude future residential development.</p> <p>Promotes the development of land for various uses as per the submitter’s concept plan. These uses include:</p> <ul style="list-style-type: none"> <li>-Commercial uses along the Princess Highway frontage due to good exposure from passing traffic;</li> <li>-Residential uses in areas 4 and 5 and larger residential lots along Alexander Road;</li> <li>-Retirement village opportunities in close proximity to hospital;</li> <li>-Open space areas that are affected by the Airport Environs Overlay (AEO).</li> </ul>	<p>Australian Paper urban amenity buffer has been updated and reflects the most recent view of Australian Paper and Environment Protection Authority. New residential precincts that aren’t already zoned for residential purposes or identified in the Latrobe Planning Scheme as such should be discouraged where they are affected by the proposed TGAR Australian Paper urban amenity buffer.</p> <p>It is recommended that the landowner be involved in further discussions regarding the investigation of potential opportunities for the land but that residential uses and core commercial uses west of the airport abutting the Princes Highway not be supported. This is reflected in the updated Traralgon Growth Area Framework and Traralgon West Structure Plan, noting that a municipal wide Industrial Land Study and Retail Land Study is required which may influence future uses in Area 2 and Area 4.</p> <p>The Traralgon Growth Area Framework and Traralgon West Structure Plan identify the submitter’s land as ‘future industrial’ and ‘employment investigation area’. The detailed planning of both of these areas are subject to a development plan/master plan being prepared to guide future use and development and therefore no appraisal of the submitter’s concept plan has been undertaken. That being said, the following comments above do identify where the submitter’s concept plan appears to be in conflict with the objectives and strategies of the Traralgon Growth Area Framework and Traralgon West Structure Plan.</p>	
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				<p>New – Requests that the ‘employment investigation area’ to the west of the Latrobe Regional Hospital be changed to an ‘urban investigation area’ on the C87 Traralgon West Structure Plan. This would allow for more flexible uses to be established in the future.</p> <p>Wishes to be heard at the independent planning panel.</p>	<p>New – The change in designation to an urban investigation area fundamentally alters the strategic intent for the area. Refer to previous planning comments. C87 identifies the need for the preparation of a master plan for the area and this is a more appropriate mechanism to provide for the detailed planning for the area while still maintaining the strategic intent for the precinct.</p> <p>Noted.</p>	
16.	Mr Nick Anderson, NBA Group (acting on behalf of Buhagiar et al.)	Support in part  Objection in part	Yes	<p>Previous – Supports the Hollydale site being used for future residential development.</p> <p>Does not support the findings in the draft TGAR report and plans that discourage commercial Business 4 Zone at the Hollydale site and suggests a commercial proposal for the site will have no negative impact.</p> <p>Requests that the Hollydale site be formally identified in the TGAR reports and plans as being best suited for the dual purpose of residential (R1Z) and commercial development (B4Z) in order to action the submitter’s Master Plan for the Hollydale Site.</p> <p>Objects to the draft TGAR reports in particular the referencing and reliance of the TGAR reports of Council’s adopted <i>Assessment of Bulky Goods Floorspace Report 2009</i>. The submission includes an updated analysis of the supply and demand for bulky goods floorspace. Based on the analysis, the submitter suggests that the Latrobe City’s predicted bulky goods floorspace growth is significantly below the needs of the region’s growing population and that an additional location at the Hollydale site is needed.</p> <p>Suggests that the alternative existing zoned bulky goods sites are unsuitable due to the limited exposure to passing</p>	<p>Previous – The proposal for bulky goods use and development at the Hollydale site and the submitters updated analysis of the supply and demand for bulky goods floorspace was independently reviewed by an economist. Based on the review and other planning matters, bulky goods use and development at the site is discouraged. The TGAR documents provide further discussion regarding the rationale for not supporting bulky goods use and development at the Hollydale site. The rationale includes (<i>inter alia</i>):</p> <ul style="list-style-type: none"> <li>- Concerns over an existing oversupply of bulky goods land, which would be exacerbated by any further commercial rezoning including existing bulky goods opportunities in the new Commercial 2 Zone;</li> <li>- The existence of two other precincts (already adopted and identified in the Latrobe Planning Scheme as the most appropriate for bulky goods uses through a previous study) which have not yet been developed and are or will be available for development;</li> </ul>	No

				<p>traffic and that the Hollydale site would be a more appropriate location to cater for both employment and residential uses.</p> <p>The draft TGAR reports will preclude the development of a Masters store within the Traralgon region resulting in lost opportunity for local job creation and improved consumer choice.</p> <p>Suggests the proposed Neighbourhood Activity Centre should be more centrally located near the Hollydale site to maximise the available population catchment</p>	<ul style="list-style-type: none"> <li>- Activity created by a new bulky goods development may cause commercial shop closures elsewhere in the area and result in no real net gain in retail spending or employment;</li> <li>- The intention of the TGAR framework to avoid ad-hoc 'strip' development along the Hollydale frontage, as has occurred previously between Morwell and Traralgon;</li> <li>- The importance of the Hollydale site as one of a limited number of strategically located greenfield sites capable of accommodating significant residential populations.</li> </ul> <p>The TGAR reports and plans acknowledge the potential opportunity for local job creation as a result of a new Masters store in Latrobe City while also supporting new bulky goods use and development in appropriate locations.</p> <p>The TGAR reports and plans encourage a new Neighbourhood Activity Centre (NAC) near the Latrobe Regional Hospital and not at the Hollydale site due to:</p> <ul style="list-style-type: none"> <li>- The large number of people employed at the airport and hospital who would be able to access services and facilities within the NAC;</li> <li>- The recommended establishment of an additional rail station opposite the hospital would ensure improved and sustainable access to the NAC;</li> <li>- Persons who reside in existing higher density residential development in the form of retirement villages, caravan parks, as well as the accommodation options such as motels in the area would be able to access services and facilities within the NAC. These residential activities would also help support</li> </ul>	
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				<p>New - Supports C87 with the exception of a component for the Hollydale site.</p> <p>Concern that C87 doesn't provide the strategic justification to proceed with a future planning scheme amendment for a large scale commercial purpose at the Hollydale site.</p>	<p>the ongoing viability of the NAC.</p> <p>It should be noted that a Local Activity Centre (LAC) is proposed at the Hollydale Site. The LAC is intended to provide for small scale locally accessibly convenience retailing to service the future residential population in Traralgon West.</p> <p>New – Support acknowledged.</p> <p>A planning scheme amendment was previously lodged with council but wasn't supported due to the matters raised in the previous planning comments and lack of strategic planning justification.</p>	
17.	Mr Craig Watts	<p>Support in part</p> <p>Objection in part</p>	No	<p>Previous – N/A</p> <p>New – Supports C87 with the exception of the urban amenity buffer.</p> <p>Support Australian Paper's operations at Maryvale and acknowledges the economic importance of the Mill.</p> <p>Submitter is employed at the Australian Paper Mill and odour is not a problem.</p> <p>Current planning controls prohibit further development in the area and there isn't a need for the urban amenity buffer.</p> <p>Concern that the environmental modelling done by Australian Paper hasn't undergone any verification.</p> <p>Concern over compensation for landowners affected by the proposed urban amenity buffer.</p>	<p>Previous – N/A</p> <p>New – Support acknowledged.</p> <p>Refer to submission 20 (Mr Sal Testa).</p> <p>Refer submission 20 (Mr Sal Testa).</p> <p>Refer submission 26 (Dr Barbara Panther (on behalf of the Morwell North Residents Group)).</p> <p>Refer to submission 21 (Mr Ian McGown).</p>	No



				Concern that the proposed urban amenity buffer will affect property values.	Refer submission 27 (Mr Stefan Dundek (on behalf of Dundek and Vacca)).	
18.	Mr/s Kevin and Minke Bennett	Support in part  Objection in part	No	Previous – N/A  New – Supports an urban amenity 5km buffer and the need for open space.  Concern over the proposed open space corridor that runs along Boys Creek that will require use of some of the submitter’s land. Requests proposed open space is moved off the submitter’s land.	Previous – N/A  New – Support acknowledged.  The C87 Traralgon West Growth Corridor Structure Plan designates a proposed open space area along Boys Creek. Detailed planning of any future open space in this area will be undertaken when a development plan is prepared for the area.	No
19.	Mr Neil Prestipino	Objection	Yes	Previous – Signatory on a petition.  New – Concern over being forced to subdivide a 5 acre allotment into residential allotments due to C87 causing a change in lifestyle in the area.  There is sufficient land to meet the future needs of the area and an assessment should be undertaken regarding residential land demand and supply requirements before C87 is approved.	Previous – N/A  New – C87 designates the submitters land as first stage future residential but does not force landowners to subdivide their land. The land is still subject to a planning scheme amendment and the preparation of a development plan for the area before the option of subdividing becomes available.  C87 was informed by residential land demand and supply research that identified the need to designate the area in and around the submitters land as being suitable for future residential purposes.	No
20.	Mr Sal Testa	Support in part  Objection in	Yes	Previous - Concern over the application of a buffer from the APM site.	Previous – It is acknowledged that the application of an urban amenity buffer around the APM site which may affect the Traralgon West area is	No

		part		<p>Has not detected any odour in the 16 years of living in the buffer. Suggests AP should continue to develop processes to minimise odours, EPA should review AP's odour management plans and Council should exclude the buffer from the TGAR project.</p>	<p>an important issue. Under the Victorian Planning System, there is a legal requirement for a buffer to be established. While it appears that this has not been acknowledged previously it does not give reason to exclude this current TGAR work from reflecting any buffer and there appears to be general acknowledgement of the need for such a buffer, although many residents within the buffer area advise that they have not experienced any odour impacts.</p> <p>The buffer is recommended to reflect the best available expert opinion. In this case, consultancy odour modelling work prepared by GHD regarding the buffer has been accepted by the EPA and Council. They identified that a standard 5km buffer would be impractical and have too great an impact and that a better outcome would be to map and use the 10 odour unit extent, which is what the initial exhibited TGAR buffer reflected. This was then adjusted to reflect a buffer which may be more easily applied through the planning scheme, aligning along roadways, title boundaries and the like.</p> <p>Australian Paper has undertaken significant upgrades to their facilities in recent years to reduce the impact of odour on the community and is continuing to do so. The EPA is responsible for ensuring Australian Paper adheres to the licensing requirements of odour emissions from paper manufacturing using sulphur containing materials. Under the Victorian Planning System, there is a legal requirement for a buffer to be established. The current TGAR work is required to reflect the buffer, although many residents within the buffer</p>	
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				<p>New- Supports C87 with the exception of the urban amenity buffer.</p> <p>Concern that the environmental modelling done by Australian Paper hasn't undergone any verification.</p> <p>Only one complaint has been received from the Scrubby Lane area since 2011 and Australian Paper have advised that the odour has been reduced to non detectable levels. Suggests the reduced Community Urban Amenity Buffer may be a better compromise</p> <p>.</p> <p>Current planning controls prohibit further development in the Hoven Drive, Traralgon area and there isn't a need for the urban amenity buffer.</p> <p>The proposed urban amenity buffer will affect property values.</p>	<p>area advise that they have not experienced any odour impacts.</p> <p>New – Support acknowledged.</p> <p>Refer submission 26 (Dr Barbara Panther (on behalf of the Morwell North Residents Group)).</p> <p>EPA data indicates a significant number of complaints regarding odour emissions incidents around the Scrubby Lane area. Australian Paper and EPA advise that odour levels around the Scrubby Lane area and Hoven Drive area are an ongoing issue and wish the proposed C87 urban amenity buffer to be retained.</p> <p>Current planning controls do not sufficiently recognise the existing amenity issues between sensitive uses and the operation of the Australian Paper Mill. C87 provides a practical and reasonable land use planning compromise that balances the needs of the community, Australian Paper and the Environment Protection Authority.</p> <p>Refer submission 27 (Mr Stefan Dundek (on behalf of Dundek and Vacca)).</p>	
21.	Mr Ian McGown (two submissions)	Objection	Yes	<p>Previous – Concern over the application of a buffer from the APM site and that the modelling undertaken by GHD to justify the buffer is unscientific and unreliable.</p> <p>Concern that the buffer denies property owners in the Rural Living Zone in the west of Traralgon further subdivision opportunities.</p>	<p>Previous – Refer submission 26 (Dr Barbara Panther (on behalf of the Morwell North Residents Group))</p> <p>Most of the Rural Living Zone (RLZ) land affected by the exhibited draft TGAR proposed urban amenity buffer is already at the minimum subdivision allotment size and</p>	No

				<p>these allotments do not have potential development subdivision opportunities. There are only 8 additional allotments able to be applied for and assessed under the existing RLZ in the area. The exhibited draft TGAR proposed urban amenity buffer map has been retained in-principle but discussion within the TGAR reports now acknowledge that there may be potential (subject to planning permit application assessment) to honour the limited subdivision potential in the existing RLZ within the proposed urban amenity buffer that existed in the Latrobe Planning Scheme prior to the Australian Paper odour modelling being undertaken. Any RLZ land outside the proposed urban amenity buffer that was proposed for residential type subdivision density in the future would need to be justified as part of a separate planning scheme amendment process that would need to be approved by the Minister for Planning.</p> <p>The TGAR reports do not in themselves generate or result in any health risks. Direct health risks (if any) associated with the odour from the Australian Paper site are outside the scope of the TGAR reports and are a matter for Australian Paper and the Environment Protection Authority</p> <p>New – Noted.</p> <p>Refer submission 20 (Mr Sal Testa).</p> <p>The principle of the proposed urban amenity</p>
			<p>Concern as to why residents have not been notified if there is a potential health risk by being situated in the buffer.</p> <p>New – Accepts that odour emissions from the Australian Paper Mill are an unfortunate by-product of the Mill’s operation.</p> <p>Concern that the Hoven Drive area has not experienced odours from the Mill in 20 years and no odour complaints have been received.</p> <p>Concern over legal and constitutional right of council to</p>	

				<p>impose restrictions on land owners and concern over compensation for landowners affected by the proposed urban amenity buffer has not been considered. Property owners in the buffer pay the highest rates in the community.</p> <p>Current planning controls prohibit further development in the Hoven Drive, Traralgon area and there isn't a need for the urban amenity buffer.</p> <p>Suggest solution for Australian Paper to restructure its operations to remove odour.</p>	<p>buffer has been reflected in Environment Protection Authority and land use planning policy for some time. The issue of the applicability of financial compensation in this instance is not a matter that is given significant weight in determining the adoption or abandonment of C87 (see various Victorian Panel and VCAT cases).</p> <p>Refer submission 20 (Mr Sal Testa).</p> <p>Refer to submission 8 (Mr Howard Lovell, Australian Paper).</p>	
22.	Mr Steve Rieniets, AGL Loy Yang	Objection	No	<p>Previous – N/A</p> <p>New – Concern over the potential for residential development in Areas 5 and 12b on the proposed C87 Traralgon Structure Plan that encroach closer to the Loy Yang mine. Parts of these areas are affected by the Environmental Significance Overlay 1 (ESO1). Part of an exploration license is within the ESO1 and Areas 5 and 12b are within 1km of the exploration license. There is potential for amenity impacts.</p>	<p>Previous – N/A</p> <p>New – C87 does not propose any changes to Area 5 on the existing Traralgon Structure Plan as this matter was already considered as part of the C62 process and approved by the Minister for Planning in 2010. Area 12b is intended to align with the ESO1 and not encroach within the overlay. Any minor encroachment or minor mapping error can be rectified as part of the C87 process. The ESO1 is intended to provide an adequate buffer for both sensitive uses (e.g. dwellings) and the Loy Yang mine. The ESO1 buffer was established in the mid 1980s and is intended to provide at least a 1 kilometre buffer from the urban settlement boundary and the crest of the open cut mine. The 1 kilometre buffer is not to be measured from the mining license boundary within the ESO1 as the submitter states and any mining within the ESO1 is highly unlikely and would require</p>	Yes in part

				<p>Concern over lack of strategic consideration about the risk of encroachment of residential development near the Loy Yang mine. Figure 7 in the C87 background report shows future residential growth encroaching into the ESO1. C87 should give greater consideration to the implications of facilitating residential development near coal mines.</p> <p>Concern over the suitability of locating the bypass within the ESO1 adjacent to the Loy Yang mine. No public acquisition overlay exists for the future bypass alignment and there is no state government commitment to proceed with the bypass. ESO1 is an inappropriate location for the future bypass and the location should to the North of Traralgon.</p>	<p>separate approvals under relevant legislation.</p> <p>Figure 7 in the C87 background report provides an indicative overview of the existing and future urban structure of Traralgon, Tyers and Glengarry. Figure 7 is not intended to be read as a zoning or overlay plan. C87 does not propose to apply any new zones or overlays and specific boundaries will be determined when this process commences at an appropriate time in the future. Section 6 of the C87 background report and Section 5 of the TGAR framework report acknowledges the implications of facilitating residential development near coal mines.</p> <p>C42 was approved by the Minister for Planning in 2009 and established the preferred route for the Traralgon bypass within the ESO1. C42 also applied the Public Acquisition Overlay and other planning controls to reserve the land for the future Traralgon bypass.</p>	
23.	Mr/s Barry and Leanne White	Objection	Yes	<p>Previous – Concern over the application of a buffer from the APM site.</p> <p>Concern over the impact of the buffer on land values</p> <p>Concern regarding the loss of potential development of their land.</p> <p>Suggests 1 or 5 acre lots be considered for future development at the Hollydale site.</p> <p>New – Current planning controls prohibit further development in the Pedra Road, Traralgon area and there isn't a need for the</p>	<p>Previous – Refer submission 20 (Mr Sal Testa).</p> <p>Refer submission 20 (Mr Sal Testa).</p> <p>Refer submission 21 (Mr Ian McGown).</p> <p>Refer submission 20 (Mr Sal Testa).</p> <p>New – Refer submission 20 (Mr Sal Testa).</p>	No

				<p>urban amenity buffer.</p> <p>Support the adjusted buffer proposed by TGAR Community Working Group.</p>	Refer submission 20 (Mr Sal Testa).	
24.	Mr Jack Kraan, Focus CDS Consultants (on behalf of Sibelco Lime).	Objection	No	<p>Previous – N/A</p> <p>New – Concern over C87 policies and strategies that will have an adverse impact on the future activities of the Sibelco lime manufacturing site in Traralgon.</p> <p>Sibelco is currently undertaking significant capital work investment at the site.</p> <p>Concern over converting the Sibelco site to a future residential use and requests any policy that supports residential use be removed from C87.</p>	<p>Previous – N/A</p> <p>New – C87 doesn't propose to change the existing planning scheme provisions for the Sibelco site as these matters were already considered as part of the C62 process and approved by the Minister for Planning in 2010.</p> <p>While the submitters concerns are noted, the submitter appears to have misinterpreted the C87 proposal. Therefore the requested changes are outside of the scope of C87.</p>	No
25.	Mr/s Kerry and Lauris Watson	Objection	Yes	<p>Previous – Concern over the application of a buffer from the APM site.</p> <p>Suggests that Council have ignored the EPA guidelines since 1990.</p>	<p>Previous – Refer submission 20 (Mr Sal Testa).</p> <p>The EPA publication <i>Recommended Buffer Distances For Industrial Air Emissions AQ 2/86 July 1990</i> (recently updated) and other guidelines (i.e. Clause 52.10 of the Latrobe Planning Scheme) have been in place for some time and have been used as a broad guide by Environment Protection Authority and Council in assisting consideration of the location of existing and proposed sensitive uses close to the Australian Paper site. Australian Paper recently prepared detailed urban amenity buffer odour modelling that helped to better define and map the extent of odour from the site. Now that Australian Paper, Environment Protection Authority and Council have new odour modelling</p>	No

				<p>Support the adjusted buffer proposed by TGAR Community Working Group</p> <p>New – Supports TGAR with the exception of the urban amenity buffer.</p> <p>Concern that the environmental modelling done by Australian Paper hasn’t undergone any verification.</p> <p>Only one complaint has been received from the Scrubby Lane area since 2011 and Australian Paper have advised that the odour has been reduced to non detectable levels. Suggests the reduced Community Urban Amenity Buffer may be a better compromise.</p> <p>Current planning controls prohibit further development in the Hoven Drive, Traralgon area and there isn’t a need for the urban amenity buffer.</p> <p>The proposed urban amenity buffer will affect property values.</p>	<p>information, they must have regard to the appropriateness of existing and proposed sensitive uses close to the Australian Paper site. This is particularly pertinent when considering and preparing new land use strategies in the area.</p> <p>Refer submission 20 (Mr Sal Testa).</p> <p>New- Support acknowledged.</p> <p>Refer submission 26 (Dr Barbara Panther (on behalf of the Morwell North Residents Group)).</p> <p>Refer submission 20 (Mr Sal Testa).</p> <p>Refer submission 20 (Mr Sal Testa).</p> <p>Refer submission 27 (Mr Stefan Dundek (on behalf of Dundek and Vacca)).</p>	
26.	Dr Barbara Panther (on behalf of the Morwell North Residents Group)	Objection	Yes	<p>Previous – Concern over the application of a buffer from the APM site.</p> <p>Concern over the impact of the buffer on land values.</p>	<p>Previous – Refer submission 20 (Mr Sal Testa).</p> <p>Council officers have consulted with Environment Protection Authority, Australian Paper, community groups and individuals in an effort to finalise any required adjustments to the proposed urban amenity buffer. After considering alternative urban amenity buffer</p>	No



				<p>Requests a copy of the GHD modelling report.</p> <p>New – The Morwell North Residents Group represents 27 residents in the Morwell North Area.</p> <p>The Morwell North Area is impacted by odour from the Maryvale Paper Mill. The proposed urban amenity buffer is based on flawed modelling which does not represent the actual odour movement in the area. The modelling makes a range of inappropriate assumptions and uses unsuitable instruments to measure odour. The data used to support the modelling does not support the outputs of the modelling.</p> <p>Monitoring of actual odour and sulphur levels in the area must be carried out before any decision is made about the location of the proposed urban amenity buffer.</p>	<p>mapping proposals, the exhibited draft TGAR proposed urban amenity buffer map has been retained in-principle but discussion within the TGAR reports now acknowledge that an area in Morwell North around Paul Street and an area immediately south of Tyers township may require further odour modelling by Australian Paper that may result in future minor amendments to the boundary of the proposed urban amenity buffer map</p> <p>A meeting was held post receipt of the submission between Morwell North Residents Group, Australian Paper, GHD and Council officers. It was agreed that Australian Paper and GHD would review the previous odour modelling and undertake a frequency impact analysis of odour within the Morwell North area. This area is still currently under investigation by Australian Paper</p> <p>New – Australian Paper has prepared a series of reports that provides environmental modelling in and around the Australian Paper Mill. The modelling concludes the land covered by the proposed C87 urban amenity buffer is affected by odour. This work has been reviewed by the EPA and other environmental consultants who are satisfied with the modelling used to inform C87.</p> <p>Australian Paper have viewed the submission with the intent of considering if any of the technical information put forward would warrant changes to the proposed C87 urban amenity buffer prior to council considering written submissions. Australian Paper has</p>	
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					advised that the proposed buffer is not required to be modified. The numerous technical issues raised in the submission regarding the environmental buffer modelling is able to be addressed by Australian Paper’s expert witness that will be present at the independent planning panel where all interested parties will be able to seek information and have matters clarified.	
27.	Mr Stefan and Meg Dundek and Charlie and Nicki Vacca	Support in part  Objection in part	Yes	<p>Previous – Concern over the application the proposed Australian Paper Urban Amenity Buffer.</p> <p>Questions why the 5km radius buffer is represented differently in the diagram on page 14 of Traralgon West Structure Plan.</p> <p>Concern as to why residents have not been notified if there is a potential health risk by being situated in the buffer.</p> <p>Concern over the impact of the buffer on land values.</p>	<p>Previous – Refer submission 20 (Mr Sal Testa).</p> <p>The Australian Paper odour amenity buffer follows the same alignment within the Traralgon West Structure Plan on page 14 and within the Traralgon Growth Area Framework Plan on page 39 of the corresponding draft documents.</p> <p>Refer submission 21 (Mr Ian McGown).</p> <p>The recommendations of a proposed broad land-use strategy that may be perceived to contribute to decreasing or increasing land values on specific properties is not a matter that is given significant weight in determining the adoption or abandonment of a proposed land-use strategy (see various Victorian Panel and VCAT cases) because it is often difficult to estimate the impact (if any) of land-use decisions on land values. It is important to recognise that there are numerous reasons why property prices go up and down: location, size, amenity, the state of neighbouring properties, building use, rental return, current socio economic conditions, quality of buildings etc. Furthermore, the TGAR reports in themselves do not introduce</p>	No

				<p>Strongly objects to the Hollydale site being medium density as it will adversely affect liveability.</p> <p>New – Support for no further alteration to Australian Paper’s and Environment Protection Authorities proposed urban amenity buffer as it will result in creased complaints and does not reflect the environmental modelling that has been undertaken.</p> <p>Requests a green open space belt between the Hollydale site and Beau Vista Drive to address amenity concerns.</p> <p>Concern over the timing of future rezoning of land around Beau Vista Drive.</p>	<p>any new zones or overlays into the Latrobe Planning Scheme. This may be done as part of future planning scheme amendments and at different stages over a long term period that may or may not be approved by the Minister for Planning.</p> <p>The identification of the Hollydale site for medium density housing is not considered to affect the liveability of the area where planned appropriately. The presence of additional residents within the areas provides additional support for the provision of services and local shops etc.</p> <p>New – Support acknowledged.</p> <p>The C87 Traralgon West Growth Corridor Structure Plan designates a proposed open space area between the Hollydale site and Beau Vista Drive. Detailed planning of any future open space in this area will be undertaken when a development plan is prepared for the area.</p> <p>The C87 Traralgon West Growth Corridor Structure Plan identifies the Beau Vista Drive areas as first stage residential and for the land to be rezoned as appropriate. This process would require a separate planning scheme amendment process.</p>	
28.	Mr/s Alex and Leanne Van Den Dolder	Objection	No	Previous – N/A	Previous – N/A	No

				<p>New – Concern over the application of a buffer from the APM site.</p> <p>The proposed urban amenity buffer will restrict subdivision of the submitter’s land that was bought as an investment.</p>	<p>New – Refer submission 27 (Mr Stefan Dundek (on behalf of Dundek and Vacca)).</p> <p>The land is currently zoned Rural Living and isn’t able to be further subdivided. Refer to submission 8 (Mr Howard Lovell, Australian Paper) and submission 27 (Mr Ian McGown).</p>	
29.	Mr Vito Albanese	Objection	No	<p>Previous – N/A</p> <p>New – Concern over the application of a buffer from the APM site.</p> <p>Land was purchased as a long term investment when it was designated Future Long Term Urban Expansion on the Tyers Structure Plan. Concern over the C87 Tyers Structure Plan designating the submitter’s land as future rural living. The submitter’s adjoining land is also affected by the proposed urban amenity buffer. Requests proposed buffer be removed from both of the submitter’s properties.</p> <p>Concern that the environmental modelling done by Australian Paper hasn’t undergone any verification.</p>	<p>Previous – N/A</p> <p>New – Refer submission 27 (Mr Stefan Dundek (on behalf of Dundek and Vacca)).</p> <p>Refer to submission 8 (Mr Howard Lovell, Australian Paper).</p> <p>Refer submission 26 (Dr Barbara Panther (on behalf of the Morwell North Residents Group)).</p>	No
30.	Mr Paul Kobiela	Objection	Yes	<p>Previous – Concern over the application of a buffer from the APM site.</p> <p>Requests a further 90 days for consultation so all residents can respond.</p>	<p>Previous – Refer submission 20 (Mr Sal Testa).</p> <p>The community consultations for the TGAR project were extended several times in accordance with subsequent Council resolutions and the consultation period ran from 9 April 2012 until 16 November 2012. Therefore, the submitter and residents have been provided with sufficient time to make a written submission. It is noted that late submissions have also been considered by Council.</p>	No

				<p>New – Concern over the impact of the buffer on land values due to real-estate agent advice.</p> <p>Concern over the credibility of the data used for the proposed urban amenity buffer and how some residential subdivisions have been excluded from the buffer.</p> <p>Requests EPA to place an odour monitoring station on the submitter’s land.</p> <p>Australian Paper must contain odour emissions within their boundaries.</p> <p>Concern over compensation for landowners affected by the proposed urban amenity buffer.</p>	<p>New – Refer submission 27 (Mr Stefan Dundek (on behalf of Dundek and Vacca)).</p> <p>Refer submission 26 (Dr Barbara Panther (on behalf of the Morwell North Residents Group)) and refer to submission 8 (Mr Howard Lovell, Australian Paper).</p> <p>This is outside the scope of C87 and is a matter for the EPA.</p> <p>Refer to submission 8 (Mr Howard Lovell, Australian Paper).</p> <p>Refer to submission 21 (Mr Ian McGown).</p>	
31.	Mr Robert Lorenz	Support in part  Objection in part	Yes	<p>Previous – Concern over the application of a buffer from the APM site.</p> <p>Concern over the impact of the buffer on land values.</p> <p>Concern regarding the loss of potential development of their farming land.</p> <p>Support the adjusted buffer proposed by TGAR Community Working Group.</p> <p>New – Support Australian Paper’s operations at Maryvale and acknowledges the economic importance of the Mill.</p> <p>Concern that the Freemans Road area only experiences a slight odour from Australian Paper about twice a year and all areas around Traralgon experience some odour.</p> <p>The large plantation at Scrubby Lane provides an odour and noise buffer from Australian Paper. There is closer</p>	<p>Previous – Refer submission 20 (Mr Sal Testa).</p> <p>Refer submission 20 (Mr Sal Testa).</p> <p>Refer to submission 21 (Mr Ian McGown).</p> <p>Refer submission 20 (Mr Sal Testa).</p> <p>New – Support acknowledged.</p> <p>Refer submission 26 (Dr Barbara Panther (on behalf of the Morwell North Residents Group))</p> <p>Refer to submission 8 (Mr Howard Lovell, Australian Paper).</p>	No

				<p>residential subdivision to Australian Paper when compared to the Scrubby Lane area.</p> <p>Land in the proposed urban amenity buffer was purchased when no buffer requirements applied.</p> <p>Concern with local government processes around councillor consideration of issues and decision making.</p>	<p>Some residential development has already occurred within the proposed urban amenity buffer. This development occurred prior to Australian Paper’s detailed urban amenity buffer odour modelling. The modelling has helped to better define and map the extent of odour from the site. Now that Australian Paper, Environment Protection Authority and Council have new odour modelling information, they must have regard to the appropriateness of existing and proposed sensitive uses close to the Australian Paper site. This is particularly pertinent when considering and preparing new land use strategies in the area</p> <p>This matter is outside the scope of C87.</p>	
32.	Mr/s Gerald, Sue and Adam Conway	Objection	No	<p>Previous – N/A</p> <p>New – Concern over the reliability of the data and methodology used for the proposed urban amenity buffer.</p> <p>The buffer should not have sharp edges; rather it should be smooth and curved and include residential zoned areas.</p> <p>The proposed urban amenity buffer doesn’t take in account the environmental risk of allowing Australian Paper to emit high levels of pollutants and the social and economic risk of the impact on property prices and housing market shortages around Traralgon.</p>	<p>Previous – N/A</p> <p>New – Refer submission 26 (Dr Barbara Panther (on behalf of the Morwell North Residents Group))</p> <p>Refer submission 8 (Mr Howard Lovell, Australian Paper)</p> <p>The C87 buffer is a practical and reasonable land use planning compromise that balances the needs of the community, Australian Paper and the Environment Protection Authority.</p>	No

				There is a lack of odour modelling data made available to the public.	All environmental modelling reports regarding the proposed urban amenity buffer are available upon request from Australian Paper and have been exhibited with C87. Australian Paper and the EPA have made themselves available to answer any queries from the public regarding the urban amenity buffer.	
33.	Mr/s Daryl and Lyndee Hodder	Objection	No	<p>Previous – N/A</p> <p>New – Concern over the application of a buffer from the APM site.</p> <p>Purchased land 20 years ago and wishes to subdivide to support retirement fund.</p> <p>Land at Cross’s Road, Traralgon has been able to be subdivided.</p> <p>Australian Paper is responsible for maintain odour emissions within its own boundaries.</p> <p>EPA has not been available to ask questions about the proposed urban amenity buffer.</p> <p>Support the adjusted buffer proposed by TGAR Community Working Group.</p>	<p>Previous – N/A</p> <p>New – Refer submission 27 (Mr Stefan Dundek (on behalf of Dundek and Vacca)).</p> <p>The land is currently zoned Rural Living and isn’t able to be further subdivided. Refer to submission 8 (Mr Howard Lovell, Australian Paper) and submission 21 (Mr Ian McGown).</p> <p>Refer submission 8 (Mr Howard Lovell, Australian Paper).</p> <p>Refer to submission 8 (Mr Howard Lovell, Australian Paper).</p> <p>While EPA have not attended the TGAR public meeting information sessions, they have made themselves available to answer any queries from the public regarding the urban amenity buffer.</p> <p>Refer submission 20 (Mr Sal Testa).</p>	No
34.	Ms Astrid Eerens	Objection	No	<p>Previous – N/A</p> <p>New –</p>	<p>Previous – N/A</p> <p>New –</p>	No

				Concern over the application of a buffer from the APM site.	Refer submission 27 (Mr Stefan Dundek (on behalf of Dundek and Vacca)).	
35.	Mr/s John and Rosie Di Ciero	Support in part  Objection in part	Yes	<p>Previous – Concern over the application of a buffer from the APM site.</p> <p>Suggests that Council have ignored the EPA guidelines since 1990.</p> <p>Support the adjusted buffer proposed by TGAR Community Working Group.</p> <p>New – Supports TGAR with the exception of the urban amenity buffer.</p> <p>Concern that the environmental modelling done by Australian Paper isn't based on scientific data.</p> <p>Current planning controls prohibit further development in the area and there isn't a need for the urban amenity buffer.</p> <p>The proposed urban amenity buffer will affect property values.</p>	<p>Previous – Refer submission 20 (Mr Sal Testa).</p> <p>Refer submission 25 (Mr/s Kerry and Lauris Watson).</p> <p>Refer submission 20 (Mr Sal Testa).</p> <p>New – Support acknowledged.</p> <p>Refer submission 26 (Dr Barbara Panther (on behalf of the Morwell North Residents Group)).</p> <p>Refer submission 20 (Mr Sal Testa).</p> <p>Refer submission 27 (Mr Stefan Dundek (on behalf of Dundek and Vacca)).</p>	No
36.	Mr/s Julie and Kevin Durward	Support in part  Objection in part	Yes	<p>Previous – Concern over the application of a buffer from the APM site.</p> <p>Concern over the impact of the buffer on land values.</p> <p>New – Supports TGAR with the exception of the urban amenity buffer.</p> <p>Australian Paper has undertaken substantial improvements at the Maryvale Mill to reduce odour emissions so there is no smell.</p> <p>There is a natural buffer around Australian Paper that</p>	<p>Previous – Refer submission 20 (Mr Sal Testa).</p> <p>Refer submission 20 (Mr Sal Testa).</p> <p>New – Support acknowledged.</p> <p>Refer to submission 20 (Mr Sal Testa).</p> <p>Refer to submission 8 (Mr Howard Lovell,</p>	No



				<p>consists of pine plantations, Latrobe River and a quarry and Australian Paper should contain their odour emissions within this area.</p> <p>Concern that the environmental modelling that supports the proposed urban amenity buffer has not been explained.</p>	<p>Australian Paper).</p> <p>Refer to submission 20 (Mr Sal Testa).</p>	
37.	Mr/s Jim and Lauren Stevenson	Objection	No	<p>Previous – N/A</p> <p>New – Concern over the application of a buffer from the APM site.</p> <p>Concern that the environmental modelling done by Australian Paper hasn't undergone any verification.</p> <p>Land in the proposed urban amenity buffer was purchased when no buffer requirements applied.</p> <p>Expected that the submitters land would be able to be subdivided in 5 – 10 years.</p> <p>Concerned over AP not reducing odour emissions to an acceptable level.</p> <p>Support the adjusted buffer proposed by TGAR Community Working Group.</p>	<p>Previous – N/A</p> <p>New – Refer submission 27 (Mr Stefan Dundek (on behalf of Dundek and Vacca)).</p> <p>Refer submission 26 (Dr Barbara Panther (on behalf of the Morwell North Residents Group)).</p> <p>Refer to submission 31 (Mr Robert Lorenz).</p> <p>Refer to submission 21 (Mr Ian McGown).</p> <p>Refer to submission 8 (Mr Howard Lovell, Australian Paper).</p> <p>Refer to submission 20 (Mr Sal Testa).</p>	No
38.	Mr/s Aaron and Nicole Doupain	Objection	No	<p>Previous – N/A</p> <p>New – Concern that the environmental modelling done by Australian Paper hasn't undergone any verification.</p> <p>Only one complaint has been received from the Scrubby Lane area since 2011 and Australian Paper have advised that the odour has been reduced to non detectable levels.</p>	<p>Previous – N/A</p> <p>New – Refer submission 26 (Dr Barbara Panther (on behalf of the Morwell North Residents Group)).</p> <p>Refer submission 20 (Mr Sal Testa).</p>	No

				<p>Suggests the reduced Community Urban Amenity Buffer may be a better compromise.</p> <p>Current planning controls prohibit further development in the Hoven Drive, Traralgon area and there isn't a need for the urban amenity buffer.</p> <p>The proposed urban amenity buffer will affect property values.</p>	<p>Refer submission 20 (Mr Sal Testa).</p> <p>Refer submission 27 (Mr Stefan Dundek (on behalf of Dundek and Vacca)).</p>	
39.	Mr Kevin Walsingham (on behalf of Reality Christian Church)	Objection	Yes	<p>Previous – Concern over the application of a buffer from the APM site.</p> <p>Concern over the impact of the buffer on land values.</p> <p>Concern regarding the loss of potential development of their land.</p> <p>Support the adjusted buffer proposed by TGAR Community Working Group.</p> <p>New- Reality Christian Fellowship Church provides religious, social and recreational services.</p> <p>Concerns with not being able to have the option to develop an aged care or a respite care facility on the Church land because the proposed urban amenity buffer doesn't allow future development.</p> <p>The number of complaints regarding Australian Paper's odour emissions has reduced with the occasional minimal odour being experienced. The Gippsland Water factory has also helped reduce emissions. Therefore there is no need for the proposed urban amenity buffer.</p> <p>Some areas adjoining the buffer have been excluded due to commercial interests.</p>	<p>Previous – Refer submission 20 (Mr Sal Testa).</p> <p>Refer submission 20 (Mr Sal Testa).</p> <p>Refer submission 21 (Mr Ian McGown).</p> <p>Refer submission 20 (Mr Sal Testa).</p> <p>New – Noted.</p> <p>The land is zoned Rural Living and the use and development of an aged care facility is subject a planning permit assessment. C87 doesn't propose any zones or overlays and an aged care facility would be still subject to a planning permit if C87 was approved.</p> <p>EPA data indicates a significant number of complaints regarding odour emissions incidents around the Scrubby Lane area.</p> <p>Refer submission 20 (Mr Sal Testa).</p>	No

				<p>Australian Paper has advised that they are willing to accept the TGAR residents working group revised urban amenity buffer. The revised buffer is attached to the submission.</p> <p>Concern with local government processes around councillor consideration of issues and decision making.</p>	<p>Refer submission 8 (Mr Howard Lovell, Australian Paper)</p> <p>Refer submission 20 (Mr Sal Testa).</p> <p>This matter is outside the scope of C87.</p>	
40.	Mr Ken Bailey and Family	Objection	Yes (Previously the TGAR Community Working Group).	<p>Previous –</p> <p>Concern over the application of a buffer from the APM site. Propose an adjusted buffer utilising road alignments (Valley Drive, Airfield Road, Scubby Lane, Cemetery Drive, Tyers Road and Archibold’s and Sawyers Lanes).</p> <p>Concern over the impact of the buffer on land values.</p> <p>Concern regarding the loss of potential development of their land.</p> <p>Mentions that the buffer was proposed in 1990 and it has not changed in 22 years despite APM lowering their emissions.</p>	<p>Previous –</p> <p>Refer submission 20 (Mr Sal Testa).</p> <p>Refer submission 20 (Mr Sal Testa).</p> <p>Refer submission 21 (Mr Ian McGown).</p> <p>The exhibited draft TGAR proposed urban amenity buffer map has been retained in principle but changed to exclude existing Low Density Residential Zone land immediately west of Traralgon to reflect subdivision opportunities that existed in the Latrobe Planning Scheme prior to Australian Paper odour modelling being undertaken. Therefore there is no loss of subdivision potential due to the proposed urban amenity buffer.</p> <p>Refer submission 25 (Mr/s Kerry and Lauris Watson).</p> <p>The proposed urban amenity buffer is based</p>	

				<p>Suggests the proposed AP buffer represents considerable unfairness due to future development areas such as Crinigan Road Morwell and Tyers Road Traralgon having been excluded.</p> <p>Suggest Council keep landowners affected by proposed buffer updated on the progress of the project</p> <p>New – Concern over the impact on the desirability of the land if the buffer was to be applied. There is already a negative awareness within the community towards the buffer.</p> <p>Suggests residents rarely experience odour issues in Scrubby Lane, Traralgon.</p>	<p>on odour modelling provided by Australian Paper and comments from the Environment Protection Authority. Existing Residential 1 Zone land or future Residential 1 Zone land in Morwell and Traralgon has been excluded from the proposed urban amenity buffer map to reflect subdivision opportunities that existed in the Latrobe Planning Scheme prior to Australian Paper odour modelling being undertaken.</p> <p>Council officers have met with stakeholders for one-on-one discussions at Latrobe City Council offices during and post the community consultation period. Further correspondence will be forwarded to submitters to the project to advise the details of the upcoming Council meeting where the TGAR documents will be referred to Council for their consideration.</p> <p>New – Refer submission 27 (Mr Stefan Dundek (on behalf of Dundek and Vacca)).</p> <p>Refer submission 20 (Mr Sal Testa).</p>	
41.	Mr Ian Watson	Objection	No	<p>Previous – N/A</p> <p>New – Concern over the application of the urban amenity buffer from the APM site.</p> <p>Requests Rural Living Zone land near Mark Drive, Traralgon be rezoned to Low Density Residential Zone so the submitters land can be further subdivided.</p> <p>Provides copy of letter to EPA Regional Manager that raises</p>	<p>Previous – N/A</p> <p>New – Refer submission 20 (Mr Sal Testa).</p> <p>Refer submission 21 (Mr Ian McGown).</p> <p>(Refer submission 8 (Mr Howard Lovell,</p>	

				concerns over there being no pollution in the Latrobe Valley on certain days and that EPA has failed to regulate odour emissions from the Australian Paper Mill.	Australian Paper).	
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**ORDINARY COUNCIL MEETING MINUTES  
09 FEBRUARY 2015 (CM456)****13.5 PLANNING PERMIT APPLICATION 2014/70-23 LOT  
SUBDIVISION ,CREATION OF COMMON PROPERTY AND  
ASSOCIATED WORKS AT 94-110 BRIDLE ROAD, MORWELL.****General Manager****Planning & Economic  
Sustainability****For Decision****PURPOSE**

The purpose of this report is for Council to consider Planning Permit Application 2014/70 for a 23 lot subdivision, Creation of Common Property and associated works at 94-110 Bridle Road, Morwell.

The application is to be heard at an Ordinary Council Meeting under the current delegation process as twelve objections remain outstanding.

**EXECUTIVE SUMMARY**

Having evaluated the proposal against the relevant provisions of Latrobe Planning Scheme (the Scheme), it is considered that the application is consistent with the relevant objectives and decision guidelines of the Scheme. It is therefore recommended that a notice of decision to grant a Planning Permit be issued for the reasons set out in this report subject to conditions. More specifically, it is considered that:

- The proposal is consistent with Clauses 11.02-1 (Supply of Urban Land) and 21.04-2 (Settlement Overview) of the Scheme by consolidating development within an existing residential area of Morwell.
- The proposal is consistent with the strategic direction outlined in Gippsland Regional Growth Plan.
- The proposal is consistent with Clause 21.05-2 (Main Towns Overview) of the Scheme in particular the proposal will lead to a well-designed, infill residential development in an existing urban area with appropriate access to a range of necessary services.
- The proposal is consistent with Clause 56 (Residential Subdivision) of the Scheme.
- The proposal is consistent with Clause 65.02 (Approval of an application to subdivide land).

**ORDINARY COUNCIL MEETING MINUTES  
09 FEBRUARY 2015 (CM456)**

**Moved:** Cr White  
**Seconded:** Cr Sindt

**ALTERNATE MOTION**

**That Council defer consideration of this item to the next Ordinary Council Meeting 2 March 2015.**

**CARRIED UNANIMOUSLY****RECOMMENDATION**

That Council issues a Notice of Decision to Grant a Planning Permit, for a 23 lot subdivision, creation of common property and associated works at 94-110 Bridle Road, Morwell being Lot 1 on Plan of Subdivision 204190W with the following conditions:

1. Amended Plans

Prior to the certification of the plan under the *Subdivision Act 1988*, amended plans must be submitted to and approved by the Responsible Authority. The plans must be generally in accordance with the plans submitted with the application but modified to show:

- a) Access ways must have a minimum trafficable width of 5.5m, including kerb invert to invert as requested by the CFA.

When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided.

Layout not Altered – Subdivision

2. The layout of the subdivision as shown on the endorsed plan must not be altered without the permission of the Responsible Authority.

3. Detailed Landscape Plans

Prior to the commencement of any works associated with the subdivision, a landscape plan must be prepared by a person suitably qualified or experienced in landscape design and submitted to the Responsible Authority for its approval. When approved the plan will be endorsed and will then form part of the permit. The landscape plan must be drawn to scale with dimensions and three copies and an electronic copy (PDF) must be provided. The landscape plan must show:

- a) A survey (including botanical names) of all existing vegetation to be retained and/or removed.

- b) New plantings including their layout to be provided in any road reserves and municipal reserves.
- c) A detailed planting schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant.
- d) Details of any signage associated with the development
- e) Detailed planting and construction drawings including site contours and any proposed changes to existing levels including any structural elements such as retaining walls.
- f) Additional supporting information, such as certified structural designs or building forms.
- g) Design and construction layouts for equipment in playground areas.
- h) All proposed street-tree planting using semi-advanced trees, with minimum container size of 45 litres.
- i) Location of public lighting.

#### Landscape Works to be Completed

4. Prior to the issue of Statement of Compliance or by such later date as is approved by the Responsible Authority in writing, the landscape works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority. All areas to be landscaped, including open space, must:
  - a) Have bulk earthworks completed (where required) to ensure reserves are fit for intended purpose;
  - b) Be cleared of all rubbish and environmental weeds, top soiled and grassed;
  - c) All landscape planting works completed including drought resistant trees and other planting; and
  - d) Public lighting provided along paths.
  
5. The operator of this permit must maintain to the satisfaction of the responsible authority for a period of two (2) years, all landscaping constructed under this permit. The maintenance shall commence on the date the landscaping is certified by the Responsible Authority as practically complete.



Any defects occurring during the maintenance period shall be repaired by the operator of this permit to the satisfaction of the responsible authority. During this period, any dead, diseased or damaged plants are to be replaced during the period of maintenance and must not be deferred until the completion of the maintenance period.

#### Design Guidelines

6. Prior to the issue of a Statement of Compliance under the *Subdivision Act 1988*, amended design guidelines must be submitted to and approved by the Responsible Authority. When approved, the design guidelines will be endorsed and then form part of the permit. The design guidelines must be generally in accordance with the design guidelines submitted with the application but modified to show:
- Any fencing attached to the retaining wall must have a minimum transparency of 75%; and
  - Fencing or a building must not be positioned forward of the building line of the dwelling on any lot addressing the road frontages of Lord Place or Bridle Road and the common property area apart from the retaining wall and attached semi-permeable fence and with a maximum height of 1.2 metre high with a minimum transparency 75%.

The guidelines must be submitted to and approved by the Responsible Authority. When approved, the guidelines will be endorsed and will then form part of the permit.

#### Section 173 Agreement

7. Prior to the issue of Statement of Compliance under the *Subdivision Act 1988*, the owner must enter into an agreement with the Responsible Authority under Section 173 of the *Planning and Environment Act 1987*, which provides that:
- Development of all lots must be in accordance with the design guidelines (as required under Condition 6 of this permit) approved by the Responsible Authority.

The owner/operator under this permit must pay the reasonable costs of the preparation, execution and registration of the Section 173 agreement.

Within 3 months of the registration of the Section 173 agreement, the owner/operator of the permit must provide Council a copy of the dealing number issued by the Title Office. Once titles are issued, Council requires the owner/operator of the permit or its legal representative to provide either:

- a) a current title search; or
- b) a photocopy of the duplicate certificate of title as evidence of registration of the Section 173 agreement on title.

#### Public Open Space Contribution

8. Prior to the issue of Statement of Compliance under the *Subdivision Act* 1988, the applicant or owner must pay to the Responsible Authority:
- a) a sum equivalent to 5 per cent of the site value of all the land in the subdivision; and
  - b) any costs associated with valuation of the land including valuers fees.

The permit holder must make a request to Council to commence the process involved with this condition.

#### Site Management Plan

9. Prior to the commencement of any works (including but not limited to road, drainage or landscaping works) associated with each stage of the subdivision, a Site Management Plan shall be submitted to and approved by the Responsible Authority. When approved, the Site Management Plan will be endorsed and will then form part of the permit. The Site Management Plan must include:
- a) Traffic management measures - the plan must detail measures proposed to protect and maintain vehicle use of the existing road system and pedestrians using existing footpaths adjacent to the development, how site access will be obtained, how construction vehicles will access and egress the site and the management of public access to the site. The plan must include details of all signage on adjacent roads.
  - b) Construction management measures - the plan must outline how issues such as deliveries, noise, mud on roads, and dust generation will be managed onsite during the construction phase. Details of a contact person/site manager must also be provided, so that this person can be easily contacted should any issues arise.
  - c) An environmental management plan for the works detailing techniques for erosion prevention, temporary drainage and sediment control measures during the construction of the works and post construction. Reference should be made to the Environment Protection Authority's publication 960 'Doing it right on subdivisions'.

10. Control measures in accordance with the approved Site Management Plan shall be employed throughout the construction of the works to the satisfaction of the Responsible Authority. The Responsible Authority must be kept informed in writing of any departures from the Site Management Plan. If in the opinion of the Responsible Authority the departure from the approved plan is significant then an amended plan must be submitted to and approved by the Responsible Authority. The approved measures must be carried out continually and completed to the satisfaction of the Responsible Authority.
11. Polluted drainage must be treated and/or absorbed on the lot from which it emanates to the satisfaction of the Responsible Authority. Polluted drainage must not be discharged beyond the boundaries of the lot from which it emanates or into a watercourse or easement drain.
12. All construction activities associated with the subdivision must be carried out in such a manner so as to not create nuisance to the satisfaction of the Responsible Authority.

#### Engineering Conditions

13. Prior to the certification of the plan of subdivision under the Subdivision Act 1988, a site drainage plan, including levels or contours of the land and all hydraulic computations, must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The drainage plan must be prepared in accordance with the requirements of Latrobe City Council's Design Guidelines and must provide for the following:
  - a) How the land will be drained to the legal point of discharge for a 1 in 5 year ARI storm event.
  - b) An underground pipe drainage system conveying stormwater discharge from each lot and the common property to the legal point of discharge and from the legal point of discharge to Latrobe City Council's stormwater drainage system.
  - c) The provision of stormwater detention within the site and prior to the point of discharge into Latrobe City Council's drainage system. The stormwater detention system must be designed to ensure that stormwater discharges arising from the proposed development of the land are restricted to pre-development flow rates. The rate of pre-development stormwater discharge shall be calculated using a co-efficient of run-off of 0.4
14. Plans submitted for certification under the Subdivision Act 1988 must show to the satisfaction of the Responsible Authority:
  - a) Road names for vehicle accessways within the common property compliant with the requirements of the Department of Sustainability and Environment's "*Guidelines for Geographic Names 2010*"

- b) A restriction on the plan of subdivision, as required by the Responsible Authority, in relation to collection of refuse from bins placed on bin pads located within the common property area
15. Prior to certification of the plan of subdivision under the Subdivision Act 1988, the operator of this permit shall provide documentary evidence to the satisfaction of the Responsible Authority in support of all proposed new road names shown on the plan. All proposed new road names must comply with the naming principles described in the Department of Environment and Primary Industry's "Guidelines for Geographic Names 2010".
16. Before the commencement of any works hereby permitted, the following plans shall be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and an electronic copy (PDF) must be provided.
- a) Detailed design plans for the construction of the internal vehicle accessway. The plans must be prepared in accordance with the requirements of Latrobe City Council's Design Guidelines and include construction details demonstrating adequate strength to provide for the passage of waste collection and emergency service vehicles. The vehicle accessway must be designed for a vehicle target speed of 10 km/h, be surfaced with concrete, reinforced concrete, brick paving or hot mix asphalt and drained in accordance with the approved site drainage plan. Concrete paved areas on the internal vehicle accessway must be provided for the placement of bins for the collection of wastes and recyclables.
  - a) A plan for the installation of street lighting in accordance with Australian Standard AS1158, along all new vehicle accessways.
  - b) Detailed design plans for the construction of an opening in the median island opposite the accessway into the development from Bridle Road. The plans must be prepared in accordance with the requirements of Latrobe City Council's Design Guidelines and include construction details demonstrating an appropriate road pavement design.
17. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Responsible Authority.

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18. Prior to the issue of a Statement of Compliance for this subdivision under the Subdivision Act 1988, the operator of this permit must complete the following works to the satisfaction of the Responsible Authority including all necessary permits being obtained and inspections undertaken:
- a) All drainage works must be constructed in accordance with the site drainage plan for the property approved by the Responsible Authority.
  - b) New vehicle crossings must be constructed to provide access to the common property, at right angles to the road and must comply with the vehicle crossing standards set out in Latrobe City Council's Standard Drawing LCC 307.
  - c) Areas for common property vehicle access within the land must be constructed in accordance with plans endorsed by the Responsible Authority.
  - d) Concrete footpaths within the land must be constructed in accordance with plans endorsed by the Responsible Authority, be constructed with a durable, non-skid surface and be of a quality and durability to ensure a minimum 20 year life span.
  - e) Redundant vehicle crossings must be removed and kerb and channel, footpath and naturestrip reinstated.
  - f) Concrete paved areas on the internal vehicle accessway for the placement of bins for the collection of wastes and recyclables must be constructed in accordance with plans submitted to the satisfaction of and approved by the Responsible Authority.
  - g) Installation of street lighting in accordance with Australian Standard AS1158, along all new vehicle accessways.
  - h) Installation of all street name signage.
  - i) The construction of an opening in the median island opposite the accessway into the development from Bridle Road.
19. Before a Statement of Compliance is issued for this subdivision under the Subdivision Act 1988, the operator of this permit must pay to Latrobe City Council:
- a) The sum of \$180 per lot frontage or side abuttal to Bridle Road and Lord Place, for the provision of street trees along Bridle Road and Lord Place where trees are not planted by the operator of this permit.
- Gippsland Water

20.

The operator of this permit must meet the requirements of Gippsland Water in that, prior to the issues of Certification/Statement of Compliance, they:

- a) Pay New Customer Contributions to Gippsland Water for each service (water and/or wastewater) provided to each lot created by this development. These charges are based on Gippsland Water's rates at the time of payment and are associated with additional infrastructure that Gippsland Water will be required to operate and maintain to ensure ongoing servicing of this development.
- b) Install water services to the satisfaction of Gippsland Water. As Constructed details showing the location of the installed services are required to be submitted to Gippsland Water.
- c) Install sewer services to the satisfaction of Gippsland Water. As Constructed details showing the location of the installed services are required to be submitted to Gippsland Water.
- d) Create Reserves and/or Easements in favour of the Central Gippsland Region Water Corporation over all existing and proposed water and sewerage works located within the subdivision. Easements are to be for Pipeline or Ancillary Purposes.
- e) Any plan of subdivision of the subject land lodged for certification shall be referred to Gippsland Water under Section 8(1) of the Subdivision Act 1988.
- f) If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.

West Gippsland Catchment Authority

21. The operator of this permit must meet the requirements of West Gippsland Catchment Management Authority (WGCMA) in that, prior to the issues of Certification/Statement of Compliance, they:

- a) All lots must be wholly above 56.5m AHD.

Country Fire Authority

22. Fire Hydrants

- 1.1. Operable hydrants, above or below ground must be provided to the satisfaction of CFA.
- 1.2. The maximum distance between these hydrants and the rear of all lots must be 120m and hydrants; and

- i) may include a design where hydrants are located to the proposed dual public street entrances of the development, or
- ii) may include a design where hydrants are located at the two proposed internal intersections.

- 1.3. Hydrants must be identified as specified in "Identification of Street Hydrants for Firefighting purposes" available under publications on the Country Fire Authority website ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au))

#### Access Ways

- 1.4. Access ways must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
- 1.5. The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 metres. Dips must have no more than 1 in 8 (12%) (7.1 degree) entry and exit angle.
- 1.6. Access ways must have a minimum trafficable width of 5.5m, including kerb invert to invert, or all minimal profile kerb.

#### Permit Expiry

23. This permit will expire if:
- a) the plan of subdivision is not certified within 2 years of the date of this permit; or
  - b) the registration of the subdivision is not completed within 5 years of certification.

The Responsible Authority may extend the time if a request is made in writing before the permit expires or within six months of expiry of permit.

Note: The commencement of the subdivision is regarded by Section 68(3A) of the *Planning and Environment Act* 1987 as the certification of the plan, and completion is regarded as the registration of the plan.

### **DECLARATION OF INTERESTS**

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

### **STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

Latrobe 2026: The Community Vision for Latrobe Valley  
*Strategic Objectives – Built Environment*

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

*Strategic Objectives – Economy*

*In 2026, Latrobe Valley has a strong and diverse economy built on innovation and sustainable enterprise. The vibrant business centre of Gippsland contributes to the regional and broader communities, whilst providing opportunities and prosperity for our local community.*

*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 1: Job Creation and Economic Sustainability*

*Strategic Direction - Job Creation and Economic Sustainability*

*Provide timely and targeted infrastructure to support economic growth and the marketability of Latrobe City to industry and investors.*

*Theme 2: Appropriate, Affordable and Sustainable Facilities, Services and Recreation*

*Strategic Direction - Appropriate, Affordable and Sustainable Facilities, Services and Recreation*

*Develop and maintain community infrastructure that meets the needs of our community*

*Promote and support opportunities for people to enhance their health and wellbeing.*

*Encourage and create opportunities for more community participation in sports, recreation, arts, culture and community activities.*

*Improve and link bicycle paths, footpaths and rail trail networks to encourage physical activity and promote liveability.*

*Continue to maintain and improve access to Latrobe City's parks, reserves and open space.*



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*Theme 5: Planning for the future*

*Strategic Direction – Planning for the future*

*Provide efficient and effective planning services and decision making to encourage development and new investment opportunities.*

*Plan and coordinate the provision of key services and essential infrastructure to support new growth and developments.*

Legislation

*Local Government Act 1989*

*Planning and Environment Act 1987*

### **BACKGROUND**

#### **SUMMARY**

Land:	94-110 Bridle Road, Morwell known as Lot 1 on Plan of Subdivision 204190W.
Proponent:	Micsha Developments Pty Ltd
Zoning:	General Residential Zone
Overlay	Land Subject to Inundation Overlay

A planning permit is required for subdivision in accordance with Clause 32.08-2 of the General Residential Zone and also for subdivision pursuant to Clause 44.04-2 of the Land Subject to Inundation Overlay.

#### **PROPOSAL**

The application is for a twenty-three lot subdivision, creation of common property and associated works. The lots will range in area from approximately 355m<sup>2</sup> to 715m<sup>2</sup>. Each lot will be regular in shape with its long axis on a north/south or east/west axis to facilitate solar efficient housing development. Access to a number of lots will be provided by a common property accessway with an overall width of 8 metres, accommodating a 5.5 metre wide pavement with 1.25 metre wide nature strips on either side. The accessway will intersect with both Bridle Road and Lord Place on the site's west and north boundaries to allow for a distribution of traffic movements, as well as providing a safe alternative egress route during a flood event if the area becomes inundated.

An 'Owners Corporation' will manage the area of common property. The corporation will establish a set of rules and regulations regarding the use, management and on-going maintenance of this land, along with other requirements such as:

- Restrictions on external alterations and additions to future dwellings (to ensure that there is continuity of design within the estate);

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- Minimum landscaping standards and maintenance requirements for front yard areas abutting the common property;
- Specific directions for each lot owner regarding the location of waste collection in designated areas within Bridle Road and Lord Place and the need to remove emptied bins on the same day of collection.

It is further noted that design guidelines will be secured via Section 173 Agreement to address concerns regarding orientation of buildings to Lord Place, visual design, fencing, floor areas and car parking as discussed with the applicant and concerned parties during the application process.

A copy of the proposed subdivision layout is included in attachment 1

### **SUBJECT LAND AND SURROUNDING AREA**

The land is located at the south-east corner of the intersection of Bridle Road and Lord Place. It is rectangular in shape, with a total area of 1.247 hectares and the following dimensions:

- East and west boundaries each having a length of 91 metres; and
- North and south boundaries each having a length of 137 metres.

The land is vacant, covered in pasture grass and devoid of any other vegetation. Vehicular access to the site is currently obtained from Lord Place via a gravel driveway crossover. There is no constructed crossover along the Bridle Road abuttal. The site is located within an established residential precinct approximately 4.5 kilometres north-east of Morwell's central activity district and 1.2 kilometres north of Mid Valley Shopping Centre. The site is surrounded by residential development within an area of Morwell locally known as 'The Bridle Estate'. The subject site is the largest remaining parcel of vacant residential land within the estate.

Lots sizes vary in the surrounding area from 600m<sup>2</sup> to 986m<sup>2</sup>, with frontage widths of between 12 and 22.5 metres. Allotments opposite the site on the west side of Bridle Road are typically smaller, with an average area of approximately 600m<sup>2</sup>. The predominant dwelling type in the area is single storey of brick construction with a pitched or hipped concrete tiled roof and garage incorporated under its roofline. There are a number of multi-dwelling developments of varying densities located within a 200 metre radius of the site, including five attached single storey units to the immediate south at 92 Bridle Road.

A site context plan is included as attachment 2 of this report.

### **LATROBE PLANNING SCHEME**

#### **State and Local Planning Policy Framework**

The State Planning Policy Framework (SPPF) and the Local Planning Policy Framework (LPPF), including the Municipal Strategic Statement (MSS) have been considered as part of the assessment of this application. The following are relevant clauses considered in the assessment of the application.

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The objective of Clause 11.02-1 is to ensure a sufficient supply of land is available for, among other things, residential uses.

Strategies to achieve this include

- *Ensure that sufficient land is available to meet forecast demand.*
- *Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur.*
- *Restrict low-density rural residential development that would compromise future development at higher densities.*

The objective of Clause 11.05-1 Regional settlement networks is “to promote the sustainable growth and development of regional Victoria through a network of settlements identified in the Regional Victoria Settlement Framework plan”.

The Moe, Morwell and Traralgon cluster has been identified in the Regional Victoria Settlement Framework plan as one of the regional areas where urban growth should be directed.

Networks of high-quality settlements should be delivered by:

- *Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.*
- *Balancing strategic objectives to achieve improved land-use and development outcomes at a regional, catchment and local level.*
- *Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.*
- *Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs.*

Clause 13.02-1 Floodplain management is relevant to the consideration of the application as approximately 10% of the site area would be affected in 1 in 100 year flood event. The objective of this clause is to assist the protection of:

- *Life, property and community infrastructure from flood hazard.*
- *The natural flood carrying capacity of rivers, streams and floodways.*
- *The flood storage function of floodplains and waterways.*
- *Floodplain areas of environmental significance or of importance to river health.*

The objective of Clause 15.01-1 Urban design is “to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity”. Strategies to achieve this include:

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- *Promote good urban design to make the environment more liveable and attractive.*
- *Ensure new development or redevelopment contributes to community and cultural life by improving safety, diversity and choice, the quality of living and working environments, accessibility and inclusiveness and environmental sustainability.*
- *Require development to respond to its context in terms of urban character, cultural heritage, natural features, surrounding landscape and climate.*

Clause 15.01-3 Neighbourhood and Subdivision Design objective is to ensure that the design of subdivisions achieves attractive, pedestrian friendly, diverse and sustainable neighbourhoods. The strategies listed in this clause aim to have subdivisions designed so that they create liveable and sustainable communities. The strategies as relevant to this application are:

- *Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.*
- *A convenient and safe road network.*
- *Creating a strong sense of place because neighbourhood development emphasises existing cultural heritage values, well designed and attractive built form, and landscape character.*

Clause 15.01-5 Cultural identity and neighbourhood character has an outlined objective “*to recognise and protect cultural identity, neighbourhood character and sense of place.*” Relevant strategies in the assessment of this application include:

- *Ensure development responds and contributes to existing sense of place and cultural identity.*
- *Ensure development recognises distinctive urban forms and layout and their relationship to landscape and vegetation.*

It is noted there is no specific neighbourhood character study in place within the Latrobe Planning Scheme.

Clause 19.03-2 refers to the provision of water supply, sewerage and drainage. The objective of this clause is “*to plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment*”.

Clause 19.03-3 Stormwater aims to reduce the impact of stormwater on bays and catchments.

To achieve this, water-sensitive urban design techniques should be incorporated into developments to:

- *Protect and enhance natural water systems.*
- *Integrate stormwater treatment into the landscape.*
- *Protect quality of water.*
- *Reduce run-off and peak flows.*
- *Minimise drainage and infrastructure costs.*

Similar objectives are re-emphasised and elaborated under the LPPF of the Scheme. The MSS at Clause 21.05-5 identifies Morwell as one of the main towns within the municipality, where residential growth will continue and is encouraged. The Structure Plan for Morwell identifies the subject site as an 'existing urban area'.

### **Zoning**

The subject site is located within the General Residential Zone. The purpose of the zone, amongst other things is '*To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport*'. In accordance with the General Residential provisions, a permit is required to subdivide land.

In accordance with Clause 32.08-10 of the Scheme, Council must consider the relevant decision guidelines of the General. A discussion of the decision guidelines is included in the issues section of this report.

### **Overlay**

The subject land is partially affected by the Land Subject to Inundation Overlay (44.04). Flood extent mapping from the Waterhole Creek Flood Study indicates that the north-west corner of the property would be subject to inundation in a 1% Annual Exceedance Probability (AEP) flood event on the Waterhole Creek and appears to constitute about 10% of the property.

Pursuant to Clause 44.04-2 a permit is required to subdivide land.

A discussion of the decision guidelines of the overlay is included in the issues section of this report.

### **Particular Provisions**

#### *Clause 52.01 Public Open Space Contribution and Subdivision*

Council's Public Open Space Strategy requires a contribution from the developer of 10% of the value of the net developable area of the land to be provided in either cash or land or a combination of both for public open space. This strategy has been adopted by Council but is not incorporated into the Latrobe Planning Scheme.

Therefore, in this instance, a cash contribution of 5% would be required in accordance with the Section 18 of the *Subdivision Act* 1988 as no provision of a land component has been provided onsite.

#### *Clause 56 Residential Subdivision*

An assessment against the provisions of Clause 56 of the Latrobe Planning Scheme has been conducted. It is generally considered the proposal is consistent the requirements of the objective and standards of this clause.

**Decision Guidelines (Clause 65):**

Clause 65 provides decision guidelines to consider when assessing applications to subdivide land and associated works. These guidelines are discussed in the Issues section of this report.

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

The application was advertised under Section 52(1)(a) and Section 52(1)(d) of the Act by sending notices to all adjoining and adjacent landowners and occupiers and by displaying an A3 sign on each site boundary adjoining a road the subject site for a minimum of 14 days.

External:

The application was referred under Section 55 of the Act to the following authorities:

- Gippsland Water;
- AusNet Electricity Services Pty Ltd;
- APA Group;
- West Gippsland Catchment Management Authority (WGCMA);

All the above authorities gave consent to the granting of a Planning Permit for the proposal, subject to the inclusion of appropriate conditions and notes (where applicable).

The application was referred under Section 52(1)(d) to the CFA who gave consent to the granting of a Planning Permit for the proposal, subject to the inclusion of appropriate conditions

Internal:

Internal officer comments were sought from Council's Infrastructure Planning and Recreation Team.

All the relevant Council's internal departments gave consent to the granting of a planning permit in relation to their area of expertise. It is noted that their comments only relate to part of the assessment process and do not necessarily direct the final recommendation to Council.

*Details of Community Consultation following Notification:*

Following the referral and advertising of the application, 14 submissions in the form of objections were received. The following information was sent via letter to all objectors on 3 November 2014:

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- Written response to objectors concerns;
- Draft design guidelines (that will be used to secure the type of residential development on the lots in the future as part of any permit issued)
- Proposed Plan of Subdivision
- Plans identifying controls that could be placed on subsequent development of the lots, images of the indicative streetscape elevation along the Lord Place frontage and 3D images of how the development could look like in the future when completed.

A stakeholder meeting was held on 19 November 2014 which was attended by the applicant and his representative, the objectors and Ward Councillor.

Subsequent information was provided to the objectors on 24 December 2014 as a result of points raised at the stakeholder meeting. As a result two objectors have withdrawn their objections, leaving 12 current outstanding objections.

A copy of outstanding objections is included in attachment 3.

**KEY POINTS/ISSUES****Strategic Consideration for Subdivision of the Land**

The State Planning Policy Framework (SPPF) and the Local Planning Policy Framework (LPPF), including the Municipal Strategic Statement (MSS) have been considered as part of this application, and it is found that the provisions of the Scheme generally provide a strategic basis to support residential subdivision of the subject site.

The SPPF encourages new urban residential areas to be developed in a sustainable manner. Subdivisions should achieve attractive, liveable, walkable, cyclable, diverse and sustainable neighbourhoods. The Latrobe City Strategic Land Use Framework Plan found at Clause 21.02 identifies Morwell as one of the main towns, whereby housing diversity and lifestyle choice should be promoted. Clause 21.04-2 Settlement Overview states that development within and around existing towns should be consolidated and unnecessary urban and rural expansion should be avoided. The priorities in all main urban settlements are on realising opportunities for infill development, diversity of housing types, improving residential amenity, while maximising existing infrastructure and community facilities. Clause 21.04-2 of the Scheme further states that given the land use constraints around the major towns, there is an increasing need to reduce average residential property sizes so the remaining land is consumed at a more sustainable rate.

The proposal seeks to subdivide land located in the General Residential Zone for residential purposes, thereby assisting in the consolidation of urban settlement within urban zoned boundaries.

The proposed lot sizes, ranging from 355m<sup>2</sup> to 715m<sup>2</sup> would increase diversity in residential allotment sizes within main towns, whilst having regard to the physical and environmental constraints of the land.

The purpose of the General Residential Zone, amongst other things, is 'To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport' and 'To encourage development that respects the neighbourhood character of the area. The zoning of the site provides further strategic basis to support residential subdivision of the land.

### **Design Implications due to the Land Subject to Inundation Overlay affecting the Site**

The Land Subject to Inundation Overlay affects 10% of the site. The site is presented with this development constraint in north-western portion where the land would be subject to inundation from Waterhole Creek during a 1% AEP flood event. Furthermore, floodwater depths within Lord Place and Bridle Road exceed acceptable standards for safe access and egress from the property during a 1% AEP flood event.

As a consequence of this encumbrance, the following works will have to take place to address this concern:

- The flood prone portion of land in the north-west corner of the site must be filled to enable dwellings to be constructed with floor levels that meet the stipulated minimum requirements set by the West Gippsland Catchment Management Authority; and
- A low retaining wall will need to be constructed around the section of filled land. The wall will have a maximum height of 0.8 metre at the north-west corner of the site, tapering down to the existing ground level where the common property accessway intersects with Bridle Road and Lord Place; and

It is also noted that no direct vehicular access is permitted from either Bridle Road or Lord Place where floodwater depths exceed the standards for safe vehicular movements in a 1 in 100 year flood event as outlined by the West Gippsland Catchment Management Authority (WGCMA).

As required the application was formally referred to the WGCMA for comment and has reviewed the Flood Investigation completed by Water Technology in August 2012 in support of this application. The WGCMA have stated that it is satisfied that the import of fill to this site will not have any adverse impacts on flood characteristics on the site or the surrounding properties.

It is also noted that the proposed common property accessway allows for access from the subdivision onto the flood-free portion of Bridle Road. It is considered as a result that the requirement and decision guidelines of the Land Subject to Inundation have been adequately addressed and the considerations of the WGCMA have been fully considered in the design of the proposal.



### **Lot Yield and Density**

Based on a net developable area (i.e. land available for development and includes lots and accessways) and a yield of 23 residential lots, the lot yield of the proposed subdivision is 18 lots per hectare.

Whilst the residential density of the proposal is higher than the preferred lot density of 11 lots per hectare of Council and the target of 15 lots per hectare in residential growth areas as specified under Clause 11.02-2 of the Scheme, this has to be balanced with the fact that the density of development of the wider area is less than the preferred target (as outlined under Clause 11.02-2). For instance, currently Lord Place (excluding the subject site) has a lot density of 9.4 lots per hectare. To the south of the subject site Fumina Court and Talbot Court have a combined lot density of 10.55 lots per ha. To the north of Lord Place, Hewatt Court has a lot density of 12 lots per hectare.

A balance must be struck between increasing residential density in residential areas and the protection of residential amenity and neighbourhood character. The Scheme generally envisages change in subdivision patterns within existing residential areas in order to achieve urban consolidation objectives, but it also seeks to manage the change so that neighbourhood features which are valued by residents are retained. The proposal addresses this concern by ensuring design guidelines are put in place (discussed in the subsequent section of this report) and that the number of lots with frontage orientated towards Lord Place (six) is the exact number of lots orientated towards Lord Place on the northern side of the street along the extent of the subject site frontage.

On this basis, it is considered that the proposed density of 18 lots per hectare for the proposed subdivision is reasonable.

### **Subdivision Layout and Design**

Clause 32.08-2 in the General Residential Zone requires that a subdivision must meet the requirements of Clause 56 Residential Subdivision. The objectives and standards of Clause 56 relate to community, movement network, pedestrians and cyclists, lot size and orientation, street design, street construction, drainage systems and utilities provision.

The proposal has been assessed against the relevant provisions of the Scheme and it is considered that the subdivision generally meets the standards and purposes of Clause 56, subject to conditions that form part of the recommendations to this report. In particular, the proposed subdivision has been designed to appropriately respond to the constraints and opportunities of the site such as being partially impacted by the Land Subject to Inundation Overlay and that it has a frontage to both Bridle Road and Lord Place. The proposal provides for a similar number of lots with frontage along the Lord Place to the properties to the north of Lord Place providing an effective transition from these larger lots.

To ensure that passive surveillance is to be provided along Lord Place and Bridle Road, in particular where the retaining wall has to be located due to inundation issues, appropriate conditions are recommended to specify design controls. Any fencing erected next to the retaining wall adjacent to Lots 16, 17, 18, 19 and 20 must be at least 75% permeable and not exceed 1.2 metres in height. Added to this the applicant has responded to the objections by agreeing to design requirements which will be implemented through Section 173 to address the location and design of windows, screening of clothes lines, bin storage area and required car parking requirements both for residents and visitors of any future occupants.

The application was also referred to all the utility authorities and the CFA for consideration. Subject to appropriate permit conditions, the subdivision layout is deemed satisfactory in terms of meeting the service requirements of the relevant authorities including waste service collection and emergency service access.

### **Submissions**

The application received fourteen submissions in the form of objections originally, however two of those objections have been withdrawn subsequently. The issues raised were:

1. Design issues including concerns of the interface between the proposed subdivision and the existing properties of Lord Place.

#### **Comment:**

It is accepted that dwellings constructed on the lots with no vehicular access from Bridle Road or Lord Place must be carefully designed to ensure that an appropriate interface with the adjacent roads is provided. In response to this issue design guidelines are required to ensure that future development does not present as a continuous row of back fences and rear walls when viewed from either Bridle Road or Lord Place have been developed. These guidelines include restrictions on the height, type and location of fencing, location and design of windows, screening of clotheslines and bin storage areas. These guidelines will be enforced by way of a Section 173 Agreement (subject to minor modifications) as part of any permit issued and attached to the title of each proposed lot. See attachment four for a copy of the draft design guidelines and a indicative design of how the subdivision is envisaged to be developed.

2. Concern regarding emergency and waste service provision given the small internal access way.

The common property roadway has a width of 8m and will have sealed width of 5.5m. The common property area has been designed to comply with the CFA standards in particular; the roadway has been designed to allow for the safe passage of an 8.8 metre long truck. It is noted that the

**ORDINARY COUNCIL MEETING MINUTES  
09 FEBRUARY 2015 (CM456)**

permit application was referred to the CFA for comment and the Authority has offered no objection to the proposal. Council's engineering department has also confirmed that the road has adequate geometry to safely accommodate emergency vehicles.

3. Devaluation of other properties in the area due to the proposed small lot size.

Devaluation of property values are not relevant planning considerations and therefore not sufficient grounds for refusing an application.

4. Management of the site itself and nature strips as a result of the subdivision

An Owners Corporation will manage and maintain all communal open space areas and control any alterations to the external design of each dwelling. This will also include the management of adjoining nature strips and requirements for bin collection.

5. Increased traffic congestion on Lord Place

Council's engineering department has confirmed that Lord Place has been designed with adequate capacity to accommodate the anticipated additional vehicular movements generated by the development. In any case the applicant has agreed to alter the break in the central median strip in Bridle Road as a result of discussions with objectors to enable vehicular traffic to make right-hand turns into and out of the site from Bridle Road, thus further reducing traffic movement on Lord Place. It should be noted that the engineering department did not formally request this amendment to support the approval of the application.

6. Not consistent with the prevailing character of the area.

This point is discussed previously in the report in the "lot yield and density". Considering existing planning policy, design amendments, as a result of discussion with objectors and council concerns, the design guidelines and support generally from external referral authorities that the proposal provides an appropriate design response noting the lack of any adopted neighbourhood character policy

7. Increased noise in the area and resultant reduction of amenity

The proposal is for a residential subdivision. It is considered that any increase in noise will be reasonable for the existing use of the area for residential purposes.

Following the stakeholder meeting, further confirmation on a number of issues was provided to the objectors. Please see attachment five for a copy of the letter that was sent to all objectors.

**RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework. There is not considered to be any risks associated with this report.

**FINANCIAL RESOURCES IMPLICATIONS**

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

**OPTIONS**

Council has the following options in regard to this application:

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

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

**CONCLUSION**

The proposal is considered to be:

- Consistent with the strategic direction of the State and Local Planning Policy Frameworks;
- Consistent with the 'Purpose' and 'Decision Guidelines' of the General Residential Zone;
- Consistent with the requirements of Clause 44.04 (Land Subject to Inundation Overlay);
- Consistent with Clause 56 (Residential Subdivision);
- Consistent with Clause 65 (Decision Guidelines); and
- The objectors concerns have been considered against the provisions of the Latrobe Planning Scheme and it has been determined that they do not form sufficient planning grounds on which the application should be refused.

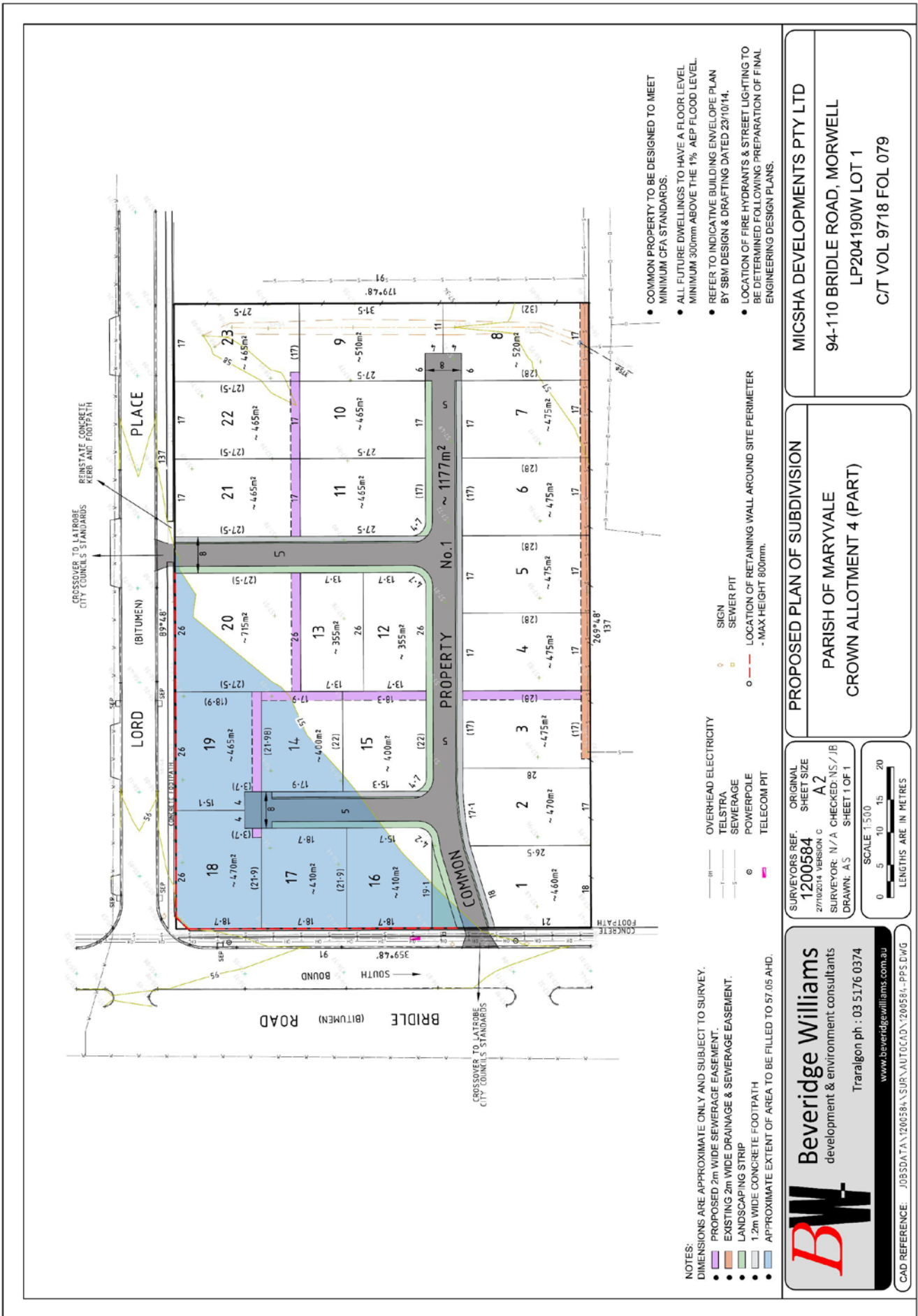
**Attachments**

1. Plan of Subdivision
2. Site Context
3. Outstanding Objections (Published Separately)
4. Draft design guidelines and indicative designs of future development
5. Copy of letter sent to objectors following stakeholder meeting

## 13.5

### **Planning Permit Application 2014/70-23 Lot Subdivision ,Creation of Common Property and associated works at 94-110 Bridle Road, Morwell.**

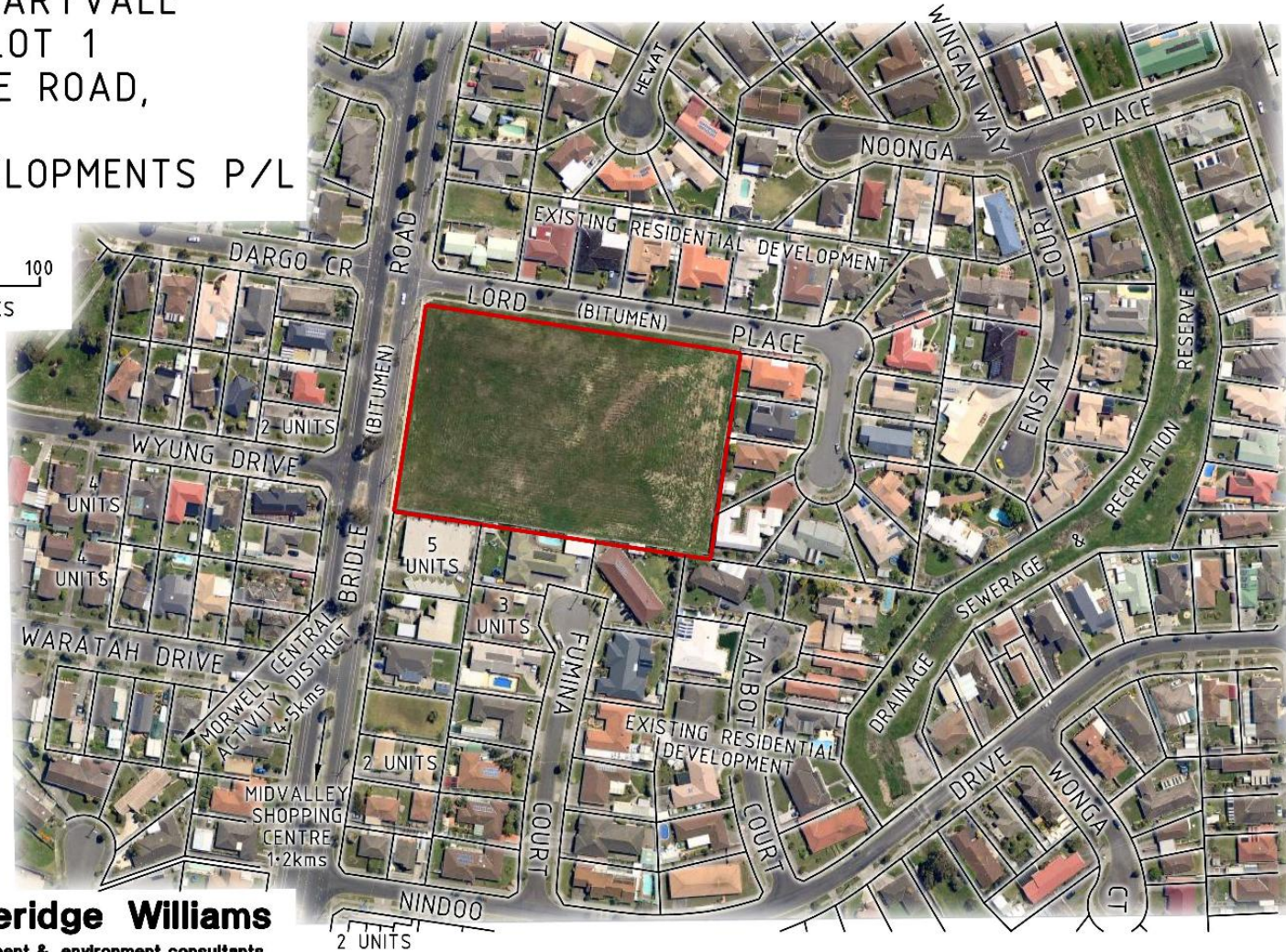
1	Plan of Subdivision .....	303
2	Site Context.....	305
4	Draft design guidelines and indicative designs of future development .....	307
5	Copy of letter sent to objectors following stakeholder meeting.....	323



SITE CONTEXT PLAN  
PARISH OF MARYVALE  
LP204190W LOT 1  
94-110 BRIDLE ROAD,  
MORWELL  
MICSHA DEVELOPMENTS P/L

SCALE 1:2500  
25 0 25 50 75 100  
LENGTHS ARE IN METRES  
(SHEET SIZE A4)

 SUBJECT SITE



**Beveridge Williams**  
development & environment consultants  
Traralgon ph : 03 5176 0374

[www.beveridgewilliams.com.au](http://www.beveridgewilliams.com.au)

REF: 1200584

**PLANNING PERMIT 2014/70****BRIDLE ROAD/LORD PLACE – DESIGN GUIDELINES**

**To be read in conjunction with development plans prepared by SBM Design & Drafting Pty Ltd (Ref: 121174, sheets A-1 to A-7, dated 23/10/14)**

**Building Design**

- On Lots 1, 16 and 17 the dwelling must be designed to address both Bridle Road and the common property road. At least two habitable room windows must be provided in each façade, each window having:
  - a maximum sill height of 600mm above floor level;
  - the minimum dimensions of 1.8 metres in width and 1.5 metres in depth, with an overall area of 2.7 square metres.
- On Lot 18 the dwelling must be designed to address both Bridle Road and Lord Place. At least two habitable room windows must be provided in each façade, each window having:
  - a maximum sill height of 600mm above floor level;
  - the minimum dimensions of 1.8 metres in width and 1.5 metres in depth, with an overall area of 2.7 square metres.
- On Lots 19 and 20 the dwelling must be designed to address both Lord Place and the common property road. At least two habitable room windows must be provided in each façade, each window having:
  - a maximum sill height of 600mm above floor level;
  - the minimum dimensions of 1.8 metres in width and 1.5 metres in depth, with an overall area of 2.7 square metres.
- On Lots 2 to 15, the dwelling must be provided with at least one habitable room window in each façade, each window having:
  - a maximum sill height of 600mm above floor level;
  - the minimum dimensions of 1.8 metres in width and 1.5 metres in depth, with an overall area of 2.7 square metres.
- There is no vehicular access to Lots 16, 17, 18, 19 and 20 permitted from Bridle Road or Lord Place, therefore garages must be located so they can be accessed from the common property road.
- On all Lots, no clotheslines or bin storage areas are to be located where they are directly visible from Bridle Road, Lord Place or the common property road.



### **Fencing**

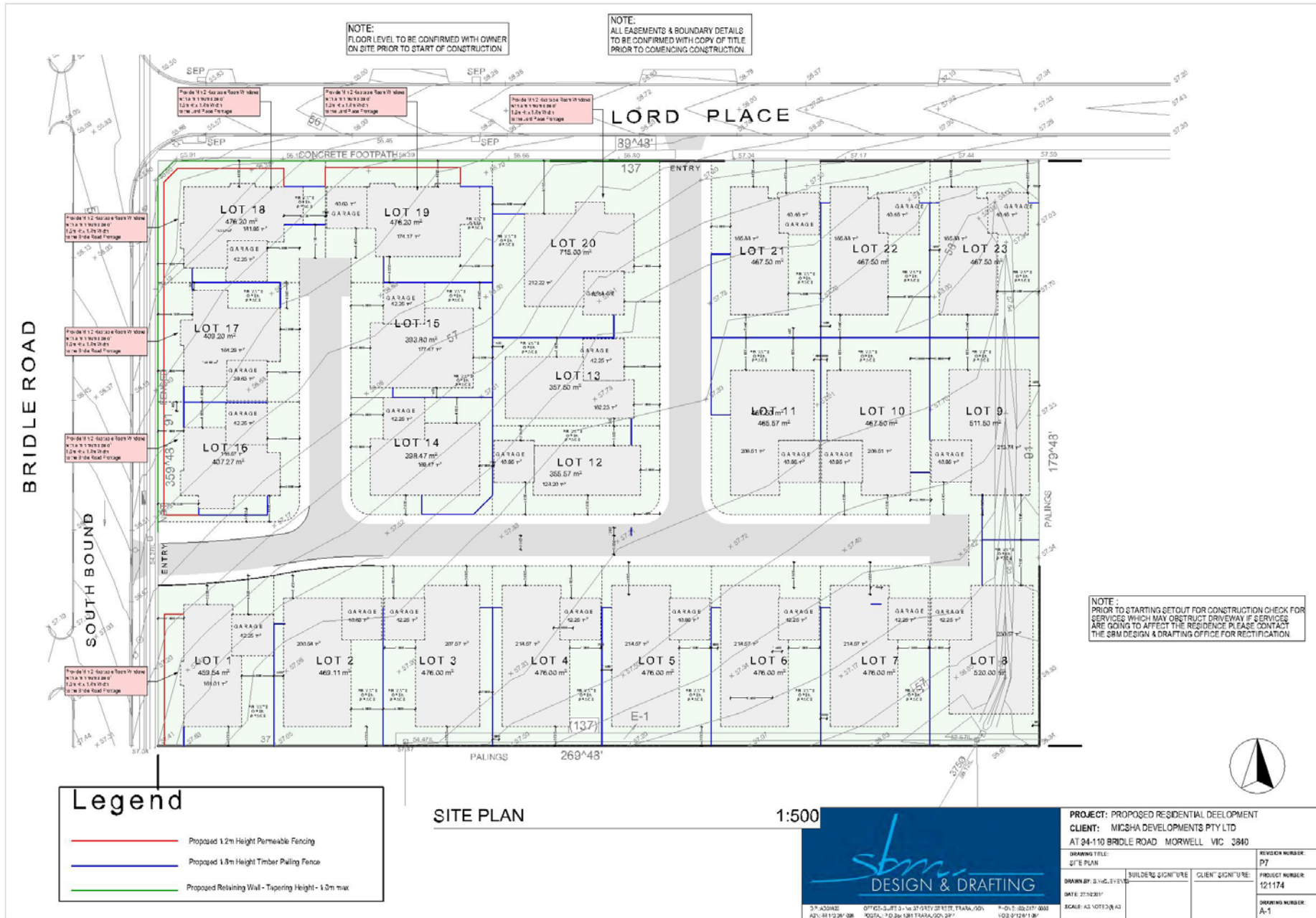
- Any fencing erected next to the retaining wall adjacent to Lots 16, 17, 18, 19 and 20 must be at least 50% permeable and not exceed 1.2 metres in height.
- On Lot 1:
  - Fencing must not exceed 1.2 metres in height for the entire boundary length to Bridle Road. It must achieve a minimum transparency of 50%, must not be timber paling and must be co-ordinated with the house colours and materials.
  - Any other fencing must not be positioned forward of the building line addressing either Bridle Road or the common property road.
- On Lot 16:
  - Fencing must not be positioned forward of the building line addressing Bridle Road, apart from the retaining wall and attached semi-permeable fence and abovementioned maximum 1.2 metre high fence.
  - Fencing must not be positioned forward of the façade in which the front entry door is situated;
  - Fencing must not exceed 1.2 metres in height for a minimum 50% of the side boundary length abutting the common property road. It must achieve a minimum transparency of 50%, must not be timber paling and must be co-ordinated with the house colours and materials.
- On Lot 17:
  - Fencing must not be positioned forward of the building line addressing either Bridle Road or the common property road, apart from the retaining wall and semi-permeable fence referred to previously.
- On Lot 18:
  - Fencing must not be positioned forward of the building line addressing either Bridle Road or Lord Place, apart from the retaining wall and semi-permeable fence referred to previously.
- On Lot 19:
  - Fencing must not be positioned forward of the building line addressing Lord Place, apart from the retaining wall and semi-permeable fence referred to previously.

- On Lot 20:
  - Fencing must not be positioned forward of the building line addressing either Lord Place or the common property road, apart from the retaining wall and semi-permeable fence referred to previously.
- On Lots 2, 3, 4, 5, 6, 7, 10, 13, 15, 22 and 23:
  - Fencing must not be positioned forward of the building line addressing either Lord Place or the common property road.
- On Lots 11, 12, 14 and 21:
  - Fencing must not be positioned forward of the façade in which the front entry door is situated;
  - Fencing must not exceed 1.2 metres in height for a minimum 50% of the side boundary length abutting the common property road. It must achieve a minimum transparency of 50%, must not be timber paling and must be co-ordinated with the house colours and materials.

#### **Car parking**

- For a two bedroom dwelling, a minimum of one on-site car parking space must be provided in a lock-up garage.
- For a three bedroom dwelling, two on-site car parking spaces must be provided in a lock-up garage.
- All garages must be set back a minimum of 5 metres from its respective lot frontage to enable a visitor vehicle to park in the adjoining driveway without overhanging the common property.

### **END GUIDELINES**





Lord Place - Streetscape Elevation



		PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT CLIENT: NICSHA DEVELOPMENTS PTY LTD AT 94-110 BRIDLE ROAD MORWELL VIC 3840	
		DRAWING TITLE: STREE SCAPES IMAGES - 2MBE"1	REVISION NUMBER: 001
DRAWN BY: J.HIGGINS DATE: 27/10/2017	BUILDERS SIGNATURE:	CLIENT SIGNATURE:	PROJECT NUMBER: 121174
3" x A3(2400) 0"=1" (25.4) 1:3 = 1/8" (31.75) 1:10 (30.48) 1"=10' (304.8) 1:20 (60.96) 1:50 (152.4) 1:100 (304.8)	SCALE: AS NOTED	DRAWING NUMBER: A-2	



		PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT CLIENT: MICSHA DEVELOPMENTS PTY LTD AT 94-110 BRIDLE ROAD MORWELL VIC 3840	
		DRAWING TITLE: SITE & TREE SCAPES IMAGES - 2014-2	REVISION NUMBER: 01
DRAWN BY: J. HIGGINS DATE: 27/10/2017	ARCHITECT SIGNATURE:	CLIENT SIGNATURE:	PROJECT NUMBER: 121174
3° 40' 00" N 145° 31' 00" E	0° 00' 00" N 145° 31' 00" E	0° 00' 00" N 145° 31' 00" E	DRAWING NUMBER: A-2



		<b>PROJECT:</b> PROPOSED RESIDENTIAL DEVELOPMENT <b>CLIENT:</b> NICSHA DEVELOPMENTS PTY LTD AT 94-110 BRIDLE ROAD MORWELL VIC 3840	
		DRAWING TITLE: SITE TREE SCAPING IMAGES - 2014	POLYCHORD NUMBER: 007
DRAWN BY: J. HIGGINS DATE: 27/10/2014	BUILDER'S SIGNATURE:	CLIENT'S SIGNATURE:	PROJECT NUMBER: 121174
3° 40' 00" N 146° 38' 10" E	0° 00' 00" N 146° 38' 10" E	0° 00' 00" N 146° 38' 10" E	DRAWING NUMBER: A-4



		PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT CLIENT: NICSHA DEVELOPMENTS PTY LTD AT 94-110 BRIDLE ROAD MORWELL VIC 3840	
		DRAWING TITLE: SITE SCAPING AND LANDSCAPE	REVISION NUMBER: 07
DRAWN BY: J. HIGGINS DATE: 27/10/2017	BUILDER'S SIGNATURE	CLIENT'S SIGNATURE	PROJECT NUMBER: 121174
3° 40' 00" N 146° 38' 10" E	0° 00' 00" N 146° 38' 10" E	0° 00' 00" N 146° 38' 10" E	DRAWING NUMBER: A-5



Lord Place

		PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT CLIENT: NICSHA DEVELOPMENTS PTY LTD AT 94-110 BRIDLE ROAD MORWELL VIC 3840	
		DRAWING TITLE: SITE & TREE SCAPES IMAGES - 2000'S	REVISION NUMBER: 07
DRAWN BY: J. HIGGINS DATE: 27/10/2017	ARCHITECT'S SIGNATURE:	CLIENT'S SIGNATURE:	PROJECT NUMBER: 121174
3" x A3 (2014) 0" x 11" (2013) 3" x 11" (2011) 24" x 36" (2008) 4" x 11" (2007) 8000 A21-3810281-08 105742-70236138117466A000-3817 1023-3128118	SCALE: AS NOTED	DRAWING NUMBER: A-6	





				<b>PROJECT:</b> PROPOSED RESIDENTIAL DEVELOPMENT <b>CLIENT:</b> MICSHA DEVELOPMENTS PTY LTD AT 94-110 BRIDLE ROAD MORWELL VIC 3840	
				DRAWING TITLE: SITE SCALE IMAGES - 2000" X	REVISION NUMBER: 07
DRAWN BY: J.HIGGINS DATE: 27/10/2017	BUILDER SIGNATURE:	CLIENT SIGNATURE:	PROJECT NUMBER: 121174	DRAWING NUMBER: A-7	
3° 40' 00" N 145° 31' 00" E	0° 00' 00" N 135° 00' 00" E	90° 00' 00" N 135° 00' 00" E	0° 00' 00" N 135° 00' 00" E	0° 00' 00" N 135° 00' 00" E	0° 00' 00" N 135° 00' 00" E

Ref: 2014/70

24 December 2014

Mr M E Tyas  
12 Lord Pl  
MORWELL VIC 3840

Dear Mr Tyas

**APPLICATION NO:** 2014/70  
**PROPOSAL:** 23 LOT SUBDIVISION  
**PROPERTY:** 94-110 BRIDLE ROAD, MORWELL  
**DESCRIPTION:** L 1 LP 204190

I refer to your objection received concerning the above proposal and to the Planning Mediation Meeting held on 19 November 2014

A number of points were discussed at the meeting. The following is a response to the points raised:

1. Is the developer is looking to open up Bridle Road to allow access to the development directly rather than via Lord Place. This needs to be accepted by Council:

**Officer Response-** *Micsha Developments has agreed to pay the full cost of altering the break in the central median in Bridle Road to enable vehicular traffic to make right-hand turns into and out of the site. Please see attached written confirmation from the applicant.*

2. Developer to build all 23 buildings at same time:

**Officer Response-** *Micsha Developments is proposing to sell each proposed lot 'off the plan' with an approved dwelling design, which they will then construct for the purchaser. Lots will be sold and developed in a staged manner as dictated by market demand and will not occur at the same time.*

3. All properties to be landscaped and driveways to be done as part of the building process:

**Officer Response-** *Micsha Developments have agreed to this. All landscaping and driveways will be completed prior to the issue of a Certificate of Occupancy for each dwelling.*

4. Council to provide us with the flood report and the plans for the homes that face away from Lord Place:

**Officer Response:** *Please see attached.*

5. Owners Corporation to allow for regular lawn mowing of common ground areas:

**Officer Response:** *Micsha Developments have agreed to this and will be enforced via the Owners Corporation rules and regulations.*

6. Owners Corporation to make mention that homes cannot be sold to Government agencies such as Housing Commission.:

**Officer Response:** *The Owners Corporation is responsible for managing the rules and regulations relating to common areas and other relevant matters (i.e. external finishes of houses, landscaping within front setback areas, etc). It is not considered to the best of Councils knowledge that it can legally enforce restrictions relating to future transfers of land. Nevertheless, Micsha Developments have already stated in writing (via letter to Council dated 23 October 2014 and verbally at the information session at Council on 19 November 2014) that they have no intention of selling any part of the site to a government agency.*

7. No bins to be in Lord Place except for the home that face into Lord Place:

**Officer Response-** *Micsha Developments have agreed to this and will be enforced via the Owners Corporation rules and regulations.*

8. No parking allowed on the roads in the new development. Any illegal parking to be policed by Council Officer.

**Officer Response:** *The common property area will not be a public road and as a result will not be policed by Local Laws Officers. This will be enforced via the Owners Corporation rules and regulations.*

9. Majority of homes to be 20 square plus, all with double garages, and most dwellings will have 3 bedrooms.

**Officer Response:** *This has been demonstrated in the revised site plan containing indicative building envelopes, dated 27/10/14 by SBM Design and Drafting. If necessary, the requirement for provision of double garages can be included in the design guidelines. The applicant has also provided indicative floor plans for lots 17 to 23 that are orientated towards Lord Place. See attached.*

10. Issues regarding garbage collection (waste service vehicle movements) currently in the court of Lord Place:

**Officer Response:** *Currently under investigation and any findings and issues to be addressed will be outlined in any council report prepared for this application.*

11. Draft conditions to be provided to objectors so they can review and ask any questions if applicable:

**Officer Response:** *A council report will be prepared for the council meeting of 9 February 2015. When this is prepared, draft conditions will be made available to all interested parties.*

Also attached for your completion and return within 10 working days is a response to advise whether your objection is withdrawn or upheld.

If you require any further information in relation to this matter, please call Jody Riordan on 03 5128 6178.

Yours faithfully

JODY RIORDAN  
**Senior Statutory Planner**

Enc.

Statutory Planning team  
Latrobe City Council  
PO Box 264  
MORWELL VIC 3840

Attention Jody Riordan

Dear Sir/Madam

**OBJECTION TO PLANNING PERMIT 2014/70  
94-110 Bridle Road, MORWELL  
L 1 LP 204190  
23 Lot Subdivision**

I refer to your correspondence of 24 December 2014  
and wish to advise as follows:  
(Please tick one)

We wish to withdraw our objection to planning permit 2014/70 subject  
to [any conditions](#).

We do not wish to withdraw our objection

Yours sincerely

.....  
Mr M E Tyas  
Printed Name and Signature  
Date

.....  
Date

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

### 13.6 AMENDMENT C83 - REZONE LAND AT 50 HIGH STREET, MOE, CONSIDERATION OF PANEL REPORT

**General Manager**

**Planning & Economic  
Sustainability**

**For Decision**

#### **PURPOSE**

The purpose of this report is for Council to consider the Planning Panel report received for proposed Amendment C83 and to seek approval to progress the amendment to the next stage.

#### **EXECUTIVE SUMMARY**

Amendment C83 proposes to rezone land at 50 High Street, Moe from General Residential Zone (formally Residential 1 Zone) to Mixed Use Zone (MUZ) and facilitate consideration of a planning permit that would allow the use and development of the land for a supermarket and licensed premises, associated works and business advertising signage.

Following public exhibition of Amendment C83 ten written submissions including three in objection and seven in support, were received by Latrobe City Council. At the 13 October 2014 Ordinary Council meeting, Council resolved to request the Minister for Planning to establish a planning panel to progress the Amendment to the next stage.

The Minister for Planning appointed a single-Member Panel and a Directions Hearing was held on 18 November 2014. As none of the submitters who opposed the Amendment requested to be heard, a panel hearing was not held, and the matter was considered 'on the papers' by Planning Panel's Victoria on the basis of existing submissions and reports.

The Panel Report was received by Latrobe City Council on 23 December 2014. The Panel recommends that the rezoning of the land is appropriate from General Residential Zone to Mixed Use Zone and the "*Latrobe Planning Scheme Planning Permit 254/2013 be adopted as exhibited subject to any minor refinements to address drafting issues*".

In summary, Council now need to consider the Panel Report and the Recommendation so that Amendment C83 and Planning Permit 254/2013 can progress to the next stage.

#### **RECOMMENDATION**

- 1 That Council, having considered the Planning Panel report recommendations for Amendment C83 adopts Amendment C83 as exhibited, subject to minor changes, in accordance with Section 29 of the *Planning & Environment Act, 1987*.
- 2 That Council submits Amendment C83 to the Minister for Planning for approval, in accordance with Section 35 of the *Planning and Environment Act 1987*.
- 3 That Council advises those persons who made written submissions to Amendment C83 of Council's decision.

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

**Moved:** Cr Gibbons  
**Seconded:** Cr Middlemiss

### ALTERNATE MOTION

1. That Council, having considered the Planning Panel report recommendations for Amendment C83 adopts Amendment C83 as exhibited, subject to minor changes as outlined in the panel report, in accordance with Section 29 of the Planning & Environment Act, 1987.
2. That Council submits Amendment C83 to the Minister for Planning for approval, in accordance with Section 35 of the Planning and Environment Act 1987.
3. That Council advises those persons who made written submissions to Amendment C83 of Council's decision.

**CARRIED UNANIMOUSLY**

### 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 – Built Environment (City Planning)*

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

Latrobe City is a vibrant and diverse community. Council is ensuring that the changing needs and aspirations of our diverse community are met by providing facilities, services and opportunities that promote an inclusive and connected community.

#### *Latrobe City Council Plan 2013 - 2017*

##### *Theme and Objectives*

##### *Theme 5: Planning for the future*

*To provide a well planned, connected and liveable community.*

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

*To provide clear and concise policies and directions in all aspects of planning.*

### *Strategic Direction – Planning for the future*

Provide efficient and effective planning services and decision making to encourage development and new investment opportunities.

Plan and coordinate the provision of key services and essential infrastructure to support new growth and developments.

### *Legislation –*

The provisions of the Latrobe Planning Scheme and the following legislation apply to this amendment:

- *Local Government Act 1989*
- *Planning and Environment Act 1987*
- *Transport Integration Act 2010*

The proposal is considered to be consistent with this legislation.

### **BACKGROUND**

Amendment C83 proposes to rezone the parcel of land at Lot 5, PS17127 known as 50 High Street, Moe from General Residential Zone (formally Residential 1 Zone) to Mixed Use Zone (MUZ) with a combined request for a Planning Permit for Use and Development of the site (see Attachment 1 – Subject Land and Proposed Zoning Map).

The planning permit application seeks permission to use and develop the land for a supermarket and licensed premises, associated works and business identification signage (see Attachment 2 – Draft Planning Permit, as exhibited).

Latrobe City Council received the application to amend the Latrobe Planning Scheme on 17 October 2013 from Beveridge Williams acting on behalf of the proponent, Martini Investment Pty Ltd. An initial review of the documents submitted with the application identified the need for further information and minor alterations to strengthen the strategic justification of the proposal. Subsequently, Latrobe City Council received a revised application on 13 January 2014.

While the combined planning scheme amendment and planning permit is being assessed as a combined process, the determination of the planning permit for use and development will be subject to the outcome of the proposed planning scheme amendment.



## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

Amendment C83 was placed on public exhibition during the period 10 July 2014 to 22 August 2014 where ten written submissions were received by Council. This included three in objection and seven in support.

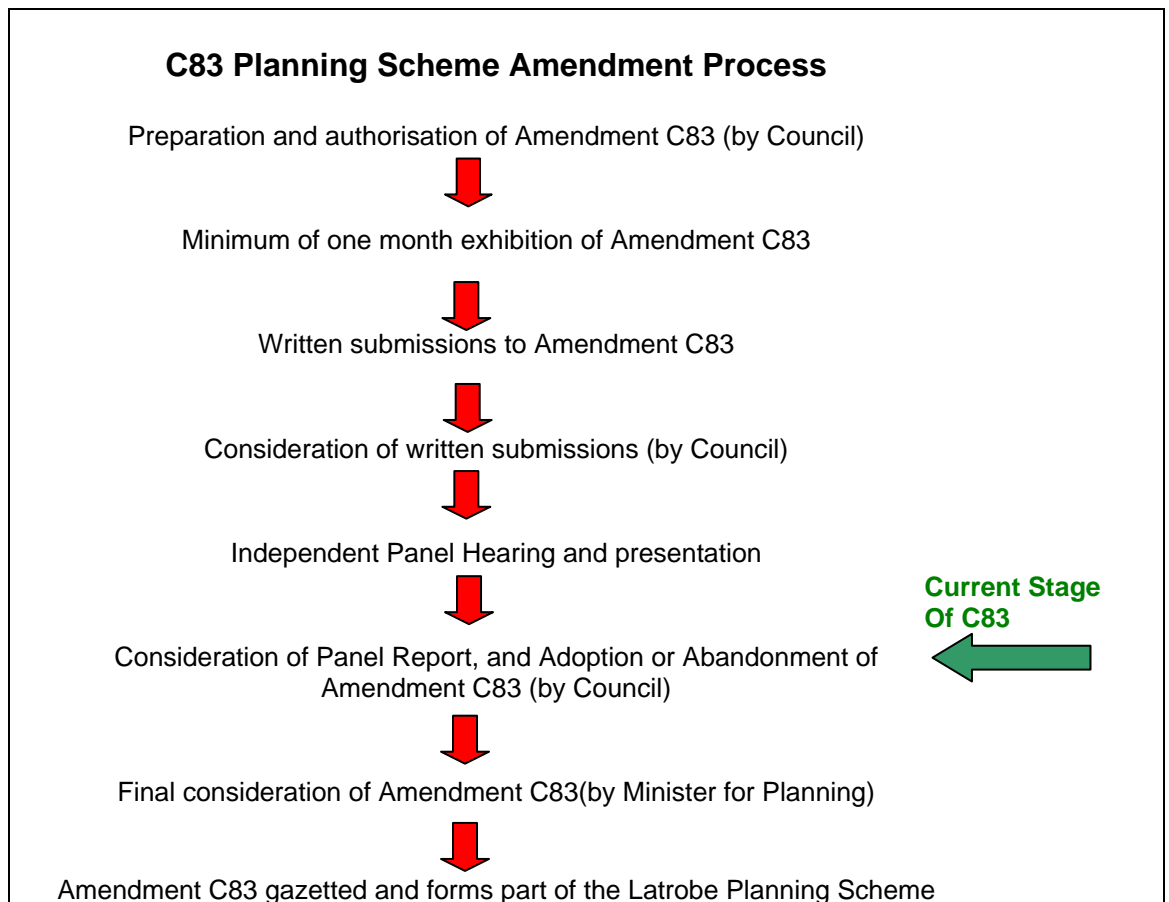
At the Ordinary Council meeting on 13 October 2014, Council considered all written submissions to Amendment C83 and resolved to request the Minister for Planning to establish a planning panel to consider submissions and prepare a report.

The Panel Report was received by Latrobe City Council on 23 December 2014 (Attachment 3 – Planning Panel Report). The Panel recommends:

*“Latrobe Planning Scheme Planning Permit 254/2013 be adopted as exhibited subject to any minor refinements to address drafting issues”.*

### **Statutory Requirements**

The C83 planning scheme amendment process is shown in the figure below and provides an indication of the current stage of C83.



In accordance with the Act, the municipal council, as a planning authority, has a number of duties and powers. These duties and powers are listed at Section 12 of the Act. Under Section 12 a planning authority must have regard to (*inter alia*):

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

- The objectives of planning in Victoria;
- The Minister's directions;
- The Victoria Planning Provisions;
- The Latrobe Planning Scheme;
- Any significant effects which it considers a planning scheme amendment might have on the environment or which it considers the environment might have on any use or development envisaged by the amendment.

Amendment C83 has had regard to Section 12 of the Act and is consistent with the requirements of Section 12. In addition each amendment must address the Department of Planning and Community Development (DPCD) publication *Strategic Assessment Guidelines for Planning Scheme Amendments*. A response to these guidelines is outlined in the attached Explanatory Report, (see Attachment 4).

The proposal is consistent with the State Planning Policy Framework and the Municipal Strategic Statement (MSS). This is explained in the attached Explanatory Report, (see Attachment 4 – C83 Explanatory Report).

Section 27(1) of the Act requires Council to consider the panel's report before deciding whether or not to adopt the amendment. The panel's report is not binding on any party and the panel's recommendations are for consideration only. Section 29(1) of the Act enables Council after complying with the relevant sections of the Act, to adopt the amendment in whole or in part, with or without changes.

### Planning Scheme Amendments

At the Ordinary Council meeting on 17 February 2014 Council resolved to seek the Minister for Planning's Authorisation to prepare and exhibit the proposed Amendment C83.

The Minister for Planning in accordance with Section 8A (3) of the *Planning and Environment Act, 1987*, authorised Council to prepare the proposed Amendment C83 on 23 May 2014.

Amendment C83 was placed on public exhibition during the period 10 July 2014 to 22 August 2014.

Sections 22 and 23 of the Act require that Council must consider all submissions received to C83 and where a submission requests a change that can't be satisfied, request the Minister for planning to establish a planning panel to consider submissions.

The Directions Hearing was held on the 19 November 2014 at the Moe Service Centre where two representatives from Council were in

**ORDINARY COUNCIL MEETING MINUTES  
09 FEBRUARY 2015 (CM456)**

attendance along with one Panel member, the proponent and two submitters in support of the proposal. At the Directions Hearing the Panel member indicated that the hearing would be 'on the papers' which removed the need for a formal Panel Hearing. Council received the Panel Report on the 23 December 2014.

**INTERNAL/EXTERNAL CONSULTATION**

The amendment was subject to the prescribed process in accordance with the public notice and consultation requirements of Section 19 of the Act.

This included advertising in the Government Gazette on 10 July 2014 and local newspapers on 14 July 2014 as well as written notification to landowners and occupiers that may be materially affected by the amendment on 9 July 2014.

All statutory and servicing authorities likely to be materially affected were also notified of the proposed amendment on 9 July 2014.

**Public Submissions**

Amendment C83 was placed on public exhibition during the period 10 July 2014 to 22 August 2014. Ten written submissions were received by Latrobe City Council to C83, including three in objection and seven in support. These were considered at the Ordinary Council meeting on 13 October 2014.

As not all of the submissions were able to be resolved, Council resolved to request the Minister for Planning to establish a Planning Panel to progress Amendment C83 to the next stage.

A Directions Hearing was held on 18 November 2014, at the Moe Service Centre. No submitters who objected to the combined Planning Scheme Amendment and Planning Permit submitted a 'request to be heard' form to Planning Panels Victoria by the Directions Hearing date. As only those in support were in attendance at the Directions Hearing, the Panel member decided the application could be assessed 'on the papers' (i.e. assessing the application based on all the submissions and application documents) and the set Panel date was cancelled.

The panel report was received by Council on 23 December 2014. Section 26 of the *Planning and Environment Act 1987* requires the responsible authority to make available the panel report to the public.

### KEY POINTS/ISSUES

The Planning Panel report supports the rezoning of the land from General Residential Zone to Mixed Use Zone and makes one recommendation for Council consideration. The Panel recommendation included minor refinement to the proposed Planning Permit to address drafting issues. This change was to replace the word 'shall' with 'must' within the suggested conditions. This revision has occurred (see Attachment 5 – Planning Permit revised).

From the submissions received, the following themes were identified as being of main concern to those in objection to the combined planning permit and planning scheme amendment. These concerns included:

- Concerns over reduced amenity and neighbourhood character including safety, traffic, noise and rubbish associated with the proposed use;
- Concerns over social issues associated with liquor consumption.

The Panel responded by providing the following comments regarding the planning permit requirements of the application. These are:

- The proposal will improve the amenity of the area;
- The signage proposal for the land is relatively modest and will not adversely impact on the surrounding area;
- Adequate parking is provided, and traffic impacts are acceptable;
- The proposal incorporates an on-site loading bay that meets the required standards;
- The sale of liquor will complement the local supermarket function and is appropriate.

Council has a responsibility to ensure that any changes to C83 post panel report do not impinge on *natural justice* rights of the community or result in C83 being *transformed* into a different proposal to that which was exhibited or from what the panel has recommended. The community may not have had an opportunity to consider the changes because the changes did not form part of the exhibition documents or the changes may not have been discussed in the panel report. If a member of the community was aware of the change they may have wished to make a written submission regarding the change. If C83 is significantly transformed from what was exhibited or from what the panel recommend, there is a risk that the Minister for Planning may not support or refuse to approve C83 and require a new planning scheme amendment to be prepared and re-exhibited.

It is not considered that the minor changes to the proposed planning permit recommended by Planning Panels Victoria constitute a transformation of C83.

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

In order for Amendment C83 to proceed, Council must now consider the recommendation of the Planning Panel and decide whether to adopt Amendment C83 as exhibited, adopt Amendment C83 with changes or abandon the amendment.

### **RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

There is a risk of criticism to Council if this report is deferred to a later meeting, as the need for a council decision will exceed the 40 statutory days that Council have to adopt the Amendment under Ministerial Direction 15.

It should be noted that if Council wish to make substantial changes to C83 or abandon parts of C83, there is a risk that the Minister for Planning may refuse to approve C83 and require a new planning scheme amendment to be prepared and re-exhibited.

### **FINANCIAL AND RESOURCES IMPLICATIONS**

The prescribed fees for planning scheme amendments are detailed in the *Planning and Environment (Fees) Regulations 2012*. The costs associated with this stage of the planning scheme amendment include the fee for the panel report and the fee for the Minister's approval of an amendment if the amendment is adopted by Council.

Statutory fees associated with this proposed amendment will be met by the proponent.

### **OPTIONS**

The options available to Council are as follows:

- 1 That Council, after considering the Planning Panel report recommendation for Amendment C83, resolves to adopt, and submit for approval to the Minister for Planning C83 with changes.
- 2 That Council, after considering the Planning Panel report recommendation received for Amendment C83, resolves to abandon the exhibited Planning Scheme Amendment C83 and inform the Minister for Planning.

### **CONCLUSION**

Amendment C83, if approved, will allow for a use to occur which was previously established on the site. The current zoning does not allow for the previous use to now occur and with existing infrastructure on the site allowing for the use to recommence, the amendment seeks to allow the proposed use to conform to an appropriate zoning.

**ORDINARY COUNCIL MEETING MINUTES  
09 FEBRUARY 2015 (CM456)**

The Planning Panel report received 23 December 2014 recommended the adoption of Amendment C83 as exhibited subject to any minor refinements to address drafting issues. It is considered that these minor changes are appropriate given the changes were replacing the word 'shall' with 'must'.

As such, the proposed Planning Permit 254/2013 has been revised to reflect the Panel's Recommendation.

It is recommended that a determination on Amendment C83 is made with changes prior to 23 February 2015 to comply with the 40 day statutory timeframe for Council to adopt or abandon C83.

**SUPPORTING DOCUMENTS**

NIL

**Attachments**

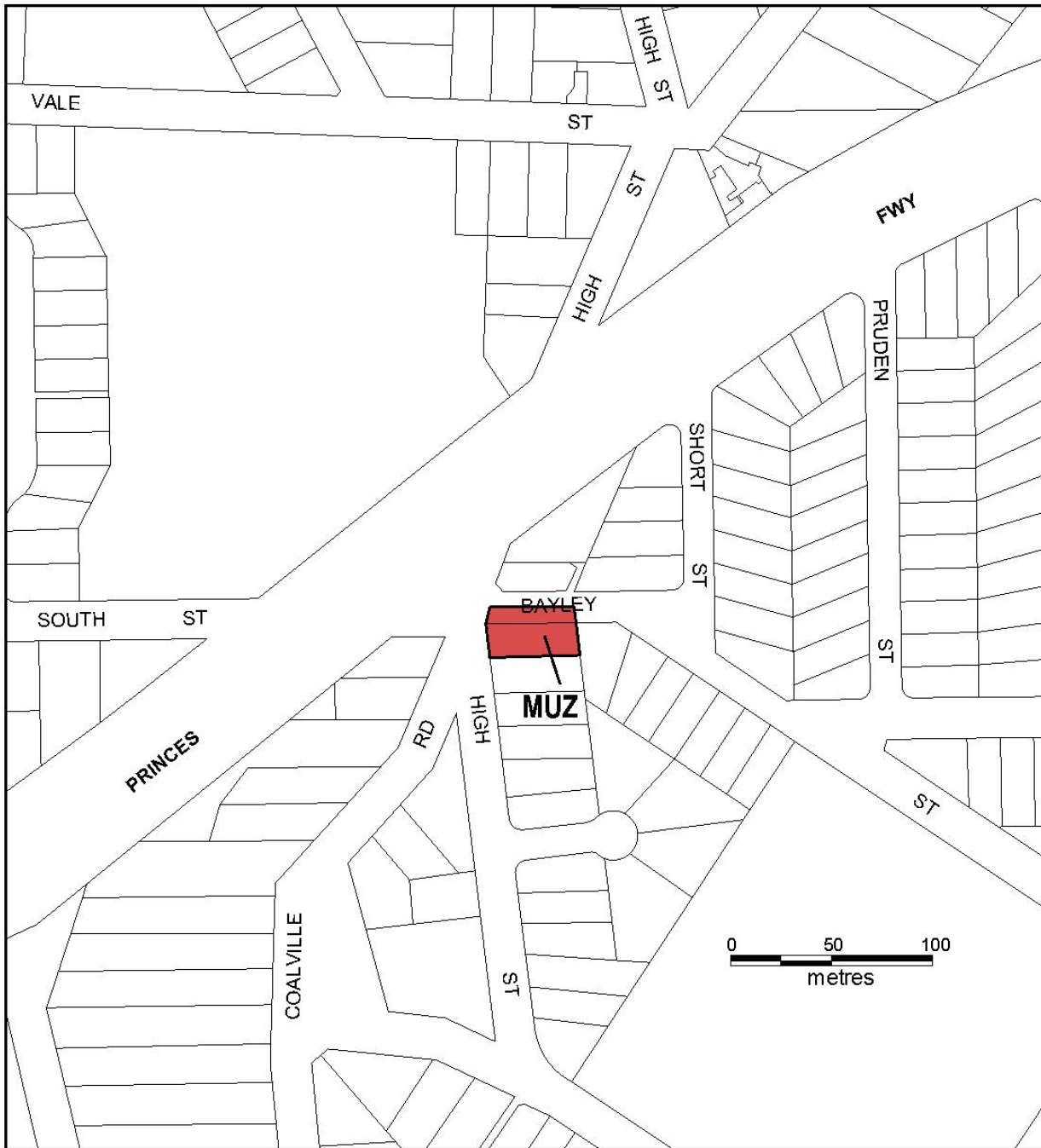
1. Attachment 1: Proposed Zoning Map and Subject Land
2. Attachment 2: Draft Planning Permit 254/2013 as exhibited.
3. Attachment 3: Panel Report
4. Attachment 4: Explanatory Report
5. Attachment 5: Draft Planning Permit 254/2013 post exhibition

## 13.6

### Amendment C83 - Rezone land at 50 High Street, Moe, Consideration of Panel Report

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# LATROBE PLANNING SCHEME LOCAL PROVISION



Part of Planning Scheme Map 28

### LEGEND

**MUZ** MIXED USE ZONE

## AMENDMENT C83

| Planning Mapping Services |  
| Amendments Coordination Team |  
| Planning & Building Systems |  
| Planning, Building & Heritage |



Department of  
Transport, Planning and  
Local Infrastructure



001



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# PLANNING PERMIT

GRANTED UNDER DIVISION 5 OF PART 4 OF  
THE PLANNING AND ENVIRONMENT ACT  
1987

Permit No.: 254/2013

Planning Scheme: Latrobe Planning Scheme

Responsible Authority: Latrobe City Council

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**ADDRESS OF THE LAND:**

50 High Street Moe Vic 3825 (Lot 5 PS 017127)

**THE PERMIT ALLOWS:**

Use and Development for Supermarket and Licensed Premises, Associated Works and Business Advertising Signage.

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**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:**

1. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

**Engineering Conditions:**

2. Prior to the commencement of any works hereby permitted, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted but modified to show:
  - a) A note added to the plans advising that the existing vehicle crossing shall be removed and the kerb and channel and footpath reinstated to the satisfaction of Latrobe City Council.
  - b) A note added to the plans advising that the three existing on-street parking spaces shall be removed by high pressure water blasting or by other approved means, to the satisfaction of Latrobe City Council.
  - c) A note added to the plans advising that the installation of two new on-street parking bays along the south side of Bayley Street following the removal of the redundant vehicle crossing, must be undertaken to the satisfaction of Latrobe City Council.
3. Before works commence on the development hereby permitted, a site drainage plan including levels or contours of the land and all hydraulic computations must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and an electronic copy (PDF) must be provided. The drainage plan must be prepared in accordance with the requirements of Latrobe City Council's Design Guidelines and must provide for the following:
  - a) How the land including all buildings, open space and paved areas will be drained for a 1 in 10 year ARI storm event.
  - b) An underground pipe drainage system conveying stormwater discharge to the legal point of discharge.

- 
- 4. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Responsible Authority.
- 5. Before the use commences of the building hereby permitted, or by such later date as is approved by the Responsible Authority in writing, the following works must be completed in accordance with the endorsed plans and to the satisfaction of the Responsible Authority:
  - a) All drainage works must be constructed in accordance with the approved site drainage plan.
  - b) The proposed vehicle crossing shall be constructed in accordance with the endorsed plans, at right angles to the road and must comply with the vehicle crossing standards set out in Latrobe City Council's Standard Drawing LCC 307.
  - c) The areas shown on the endorsed plans for vehicle access and car parking must be constructed to such levels that they can be used in accordance with the approved plans including surfacing with an all-weather sealed surface, drained, line marking to indicate each car space and all access lanes; and clearly marked to show the direction of traffic along access lanes and roadways.
  - d) The redundant vehicle crossing must be removed and kerb and channel and footpath reinstated.
  - e) The operator of this permit shall arrange at their cost for the removal by high pressure water blasting or by other approved means, of the line marking of the existing on-street parking spaces in Bayley Street made redundant by the new vehicle crossing.
- 6. The operator of this permit shall arrange at their cost for the installation of two new on-street parking bays along the south side of Bayley Street following the removal of the redundant vehicle crossing, including all signage and road pavement line marking.
- 7. The loading and unloading of goods from vehicles must only be carried out on the land subject to this permit and must not disrupt the circulation and parking of vehicles on the land or adjacent roads. Delivery vehicles larger than that nominated on the approved and endorsed parking layout plan shall not be permitted to enter the site.
- 8. All vehicles reversing onto Bayley Street from the land in this permit must only do so under the supervision of an adult person located outside of the reversing vehicle. This person is required to direct the driver of the reversing vehicle and warn of the approach of any traffic along Bayley Street.
- 9. Car spaces, vehicle access lanes and driveways must be kept available for these purposes at all times.
- 10. The areas set aside for car parking and vehicle access lanes must be maintained in a continuously useable condition to the satisfaction of the Responsible Authority.

**Signage Conditions:**

- 11. The location and details of the signage, including those of any supporting structure, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.
- 12. The signage must not contain any flashing light.
- 13. The sign lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.
- 14. The signage must be constructed and maintained to the satisfaction of the Responsible Authority.

- 15. The approval contained in this permit for the signage shown on the endorsed plans expires 15 years from the date of this permit. (NOTE: This is a condition requirement of the State Government).

**Landscaping Conditions:**

- 16. Prior to the commencement of any works, a landscape plan must be submitted to and approved by the Responsible Authority. The plan must show:
  - a) details of surface finishes of pathways and driveways; and
  - b) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- 17. All species must be selected to the satisfaction of the Responsible Authority.
- 18. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided.
- 19. Prior to the use commencing or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
- 20. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

**Liquor Licensing Conditions:**

- 21. Except with the prior written consent of the Responsible Authority, the sale of liquor permitted by this permit must only occur between the following times:
  - a) Daily - 10 am - 9 pm;
  - b) Anzac Day - 12 noon - 9 pm, and
  - c) Good Friday - Not permitted.
- 22. The operator of this permit and the Manager shall take all necessary steps to ensure that no noise or other disturbances emanates from the premises which may cause a nuisance to adjoining occupiers or detriment to the amenity of the neighbourhood, in the opinion of the Responsible Authority.
- 23. The operator of this permit must comply with any conditions set by the Victorian Commission for Gambling and Liquor Regulation.

**Standard Conditions:**

- 24. The use may operate only between the hours of Monday to Friday 6am to 9pm, Saturday and Sunday and all Public Holidays from 8am to 9pm, unless with the written consent of the Responsible Authority.
- 25. Once building works have commenced they must be completed to the satisfaction of the Responsible Authority.
- 26. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 27. Construction works on the land must be carried out in a manner that does not result in damage to existing Council assets and does not cause detriment to adjoining owners and occupiers, to the satisfaction of the Responsible Authority.
- 28. The exterior colour and cladding of the building must be of a non-reflective nature to the satisfaction of the Responsible Authority.

- 
- 29. Any external lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.
- 30. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
  - a) transport of materials, goods or commodities to or from the land;
  - b) appearance of any building, works or materials;
  - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - d) presence of vermin;or otherwise, to the satisfaction of the Responsible Authority.
- 31. All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service.
- 32. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1.
- 33. Upon completion of the works, the site must be cleared of all excess and unused building materials and debris to the satisfaction of the Responsible Authority.

**Expiry of Permit:**

- 34. This permit will expire if one of the following circumstances applies:
  - a) The development is not started within two years of the date of this permit;
  - b) The development is not completed and the use has not commenced within four years of the date of this permit;
  - c) The use is not started within two years of the date of this permit; or
  - d) The use ceases for a period of two years or greater.
- 35. The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of expiry of permit. An extension of time to complete the development or a stage of the development may be requested if:
  - the request for an extension of time is made within 12 months after the permit expires; and
  - the development or stage started lawfully before the permit expired.

**Note 1**

This permit does not authorize the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

**Note 2**

Unless exempted by Latrobe City Council, an Asset Protection Permit must be obtained prior to the commencement of any proposed building works, as defined by Latrobe City Council's Local Law No. 3. Latrobe City Council's Asset Protection Officer must be notified in writing at least 7 days prior to the building works commencing or prior to the delivery of materials/equipment to the site.

**Note 3**

A Latrobe City Vehicle Crossing Permit must be obtained prior to the commencement of the construction of all new vehicle crossings and for the upgrading, alteration or removal of existing vehicle crossings. The relevant fees, charges and conditions of the Vehicle Crossing Permit will apply to all vehicle crossing works. It is a requirement that all vehicle crossing works be inspected by Latrobe City Council's Asset Protection Officer.



**Note 4**

A Latrobe City Stormwater Connection Permit must be obtained prior to the connection of all new stormwater drainage into Latrobe City Council's stormwater drainage system. All new stormwater drainage connections must be inspected by Latrobe City Council's Asset Protection Officer before any backfilling of the connection is undertaken.

**Note 5**

The location of the Legal Point of Discharge for any property and the connection point into Latrobe City Council's stormwater drainage system can be obtained by completing a Legal Point of Discharge form, found at [www.latrobe.vic.gov.au/Our\\_Services/Other\\_Services/Infrastructure/Work\\_Permits\\_and\\_Property\\_Information](http://www.latrobe.vic.gov.au/Our_Services/Other_Services/Infrastructure/Work_Permits_and_Property_Information).

**Note 6**

Vehicle crossings must be provided with minimum clearances to other infrastructure in accordance with Latrobe City Council's Vehicle Crossing Policy, including clearances to property boundaries, any adjacent side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense.

*(If the permit has been amended, include the following table indicating the date and nature of amendments included in the amended permit)*

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Date of amendment	Brief description of amendment
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## IMPORTANT INFORMATION ABOUT THIS PERMIT

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### WHAT HAS BEEN DECIDED?

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The Responsible Authority has issued a permit. The permit was granted by the Minister administering the **Planning and Environment Act 1987** under section 96I of that Act.

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### WHEN DOES THE PERMIT BEGIN?

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The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

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### WHEN DOES A PERMIT EXPIRE?

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1. A permit for the development of land expires if -
    - \* the development or any stage of it does not start within the time specified in the permit; or
    - \* the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; or
    - \* the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
  2. A permit for the use of land expires if -
    - \* the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
    - \* the use is discontinued for a period of two years.
  3. A permit for the development and use of land expires if -
    - \* the development or any stage of it does not start within the time specified in the permit; or
    - \* the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
    - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
    - the use is discontinued for a period of two years.
  4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision-
    - \* the use or development of any stage is to be taken to have started when the plan is certified; and
    - \* the permit expires if the plan is not certified within two years of the issue of the permit.
  5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.
- 

### WHAT ABOUT APPEALS?

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- \* Any person affected may apply for a review of -
    - a decision of the responsible authority refusing to extend the time within which any development or use is to be started or any development completed; or.
    - a decision of the responsible authority refusing to extend the time within which a plan under the **Subdivision Act 1988** is to be certified, in the case of a permit relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**; or.
    - the failure of the responsible authority to extend the time within one month after the request for extension is made.
  - \* An application for review is lodged with the Victorian Civil and Administrative Tribunal.
  - \* An application for review must be made on an Application for Review form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
  - \* An application for review must state the grounds upon which it is based.
  - \* An application for review must also be served on the Responsible Authority.
  - \* Details about applications for review and the fees payable can be obtained from Victorian Civil and Administrative Tribunal.
-



*Planning and Environment Act 1987*

## **Panel Report**

Latrobe Planning Scheme

Amendment C83

Planning Permit 254/2013

50 High Street, Moe

**23 December 2014**



*Planning and Environment Act 1987*

Panel Report pursuant to Section 25 of the Act

Latrobe Planning Scheme Planning Amendment C83

Permit Application 254/2013

50 High Street, Moe

A handwritten signature in black ink that reads "Lester Townsend". The signature is written in a cursive style with a large, stylized initial "L".

Lester Townsend



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## List of Abbreviations

GRZ	General Residential Zone
LPPF	Local Planning Policy Framework
MSS	Municipal Strategic Statement
MUZ	Mixed Use Zone
SPPF	State Planning Policy Framework
VPP	Victoria Planning Provisions

## Amendment Summary

<b>The Amendment</b>	Latrobe Planning Scheme Amendment C83 and Planning Permit 254/2013
<b>Subject Site</b>	50 High Street, Moe
<b>Purpose of Amendment</b>	Rezone the subject site from the General Residential Zone (GRZ) (formally Residential 1 Zone) to the Mixed Use Zone (MUZ) The planning permit that would allow the use and development of the land for a supermarket and licensed premises, associated works and business advertising signage
<b>The Proponent</b>	Martini Investments
<b>Planning Authority</b>	Latrobe City Council
<b>Authorisation</b>	The Minister for Planning authorised Council to prepare the Amendment on 23 May 2014
<b>Exhibition</b>	10 July to 22 August 2014

## Panel Process

<b>The Panel</b>	Lester Townsend
<b>Directions Hearing</b>	Moe Service Centre, 18 November 2014
<b>Panel Hearing</b>	Because no one who opposed the Amendment requested to be heard, a panel hearing was not held, and the matter was considered on the basis of existing submissions and reports
<b>Site Inspections</b>	Unaccompanied, 18 November 2014
<b>Submissions</b>	Following public exhibition of Amendment C83 ten written submissions were received by Latrobe City Council: <ul style="list-style-type: none"> <li>- Victoria Police - Morwell</li> <li>- Department of Environment and Primary Industries - Traralgon</li> <li>- Gippsland Water</li> <li>- Aaron Falzon</li> <li>- Martini Investments</li> <li>- Graeme Bush &amp; Michelle Dickson</li> <li>- Pat Bush</li> <li>- Yvette Stolk</li> <li>- Steven Smith &amp; Linda Oswin</li> <li>- Joanne Goode.</li> </ul>
<b>Date of this Report</b>	23 December 2014

## Summary and recommendations

Amendment C83 and associated permit allows the use and development of an existing vacant retail premises for a local supermarket with a small component of packaged liquor sales.

The proposal will add to the amenity of the area by providing convenient shopping facilities. It will have minimal negative off-site impacts.

Based on the reasons set out in this Report, the Panel recommends:

**Latrobe Planning Scheme Planning Permit 254/2013 be adopted as exhibited subject to any minor refinements to address to drafting issues.**

# 1 The Proposal

## 1.1 The Amendment and Permit

The proposal seeks to rezone the parcel of land at Lot 5, PS17127 known as 50 High Street, Moe from General Residential Zone (formally Residential 1 Zone) to Mixed Use Zone (MUZ).

The Amendment is combined with a request for a Planning Permit for Use and Development of the site. The planning permit application seeks permission to use and develop the land for a supermarket and licensed premises, associated works and business identification signage.

## 1.2 The subject site

The subject land is located on the former Wakkers Convenience Store site (which was vacated in 1998) and is proposed to retain the name 'Wakkers Foodworks'.

## 1.3 Background to the proposal

The existing General Residential Zone (formally Residential 1 Zone) provisions currently prohibit a convenience shop with a floor area exceeding 80m<sup>2</sup> or a shop/supermarket of any size. The zoning effectively makes the existing retail building and other infrastructure on the site redundant and unable to be used for its intended purpose. The zone limits flexibility in the type of other appropriate retail uses that may be established.

The rezoning will better reflect the proposed and former retail land use allowing for the operation of a small supermarket, delicatessen, take-away food and the sale of packaged liquor.

## 1.4 Issues dealt with in this report

A total of ten submissions were received by Latrobe City Council about the Amendment and permit. Of these submissions only three raised concerns about the Amendment. A number were very supportive:

*We have lived in Beck Street for over 40 years and have sorely missed having a local shop.*

and

*We are in favour of this site once again becoming a small supermarket/licensed premises for the following reasons:*

- *Updating this building will enhance the general appearance of the local area*
- *The population of this local area (Moe South) has grown enormously over the last years, and a local store would be invaluable*
- *Will enable people to walk in order to buy day to day items*
- *While the liquor outlet may concern some there is no enticement within the area to encourage those who buy liquor to consume it there, or in the vicinity.*

I have considered all written submissions and material supplied to me. In addressing the issues raised in those submissions, I have been assisted by the information provided to me as well as my observations from inspections of specific sites.

This report deals with the issues under the following headings:

- Is the rezoning appropriate?
- Permit requirements
  - Use permit
  - Advertising Signs
  - Car Parking and traffic
  - Loading and Unloading of Vehicles
  - Issue of liquor licence
  - Drafting issues.

## 2 Is the rezoning appropriate?

### (i) Consistency with State and Local Planning Policy

Concerns were raised by one objector in relation to the proposal's perceived inconsistency with State and Local Planning Policy. It was also submitted that the proposal:

*... is not fair on Moe's existing retail businesses.*

### (ii) Evidence and Submissions

It was submitted that the proposal was not consistent with the Main Town Strategy for Moe/Newborough as it created out of centre development, which could impact on retailing and liveability.

Council provided a response to the Strategic Assessment Guidelines as part of the Explanatory Report and Beveridge Williams provided a detailed submission as part of the request for the Amendment and Permit.

I have reviewed the policy context of the Amendment.

#### State Planning Policy Framework

Clause 11.05-1 provides the following objective for Regional settlement networks:

*To promote the sustainable growth and development of regional Victoria through a network of settlements identified in the Regional Victoria Settlement Framework plan.*

The Moe-Morwell-Traralgon cluster is identified as one of Victoria's Major Regional Cities on the Regional Victoria Settlement Framework plan at Clause 11.05.

#### Municipal Strategic Statement

The Latrobe City Council Municipal Strategic Statement (MSS) sets out the future strategic direction for the municipality in Clause 21 of the Planning Scheme.

Clause 21.02 outlines the Municipal Vision, which is based on Council's adopted *Latrobe 2021 – The Vision for Latrobe Valley*. The Council and Community Vision as stated in *Latrobe 2021*, is to create:

- a vibrant region
- a caring and enterprising community
- a harmonious community
- a sustainable, safe, secure region.

Strategic objectives identified in *Latrobe 2021* which have particular relevance to the Latrobe Planning Scheme (and form the basis of objectives and strategies in the MSS) are:

#### *Sustainability:*

- *To promote the responsible and sustainable care of our built and natural environment for the use and enjoyment of the people who make up the vibrant community of Latrobe Valley.*

- *To provide leadership and to facilitate a well-connected, interactive economic environment in which to do business.*

*Liveability:*

- *To promote and support social, recreational, cultural and community life by providing both essential and innovative amenities, services and facilities within the municipality.*

The Latrobe City Strategic Land Use Framework Plan is presented in Clause 21.02. This plan identifies the subject land within the main town of Moe, with the following specific strategic land use objectives:

- promote Moe as a service centre
- implement the Moe/Newborough Structure Plan.

Clause 21.04 identifies the Council Vision, objectives and strategies for Built Environment Sustainability. Relevant Settlement objectives include:

*To build upon the existing structure of the towns and settlements to create an integrated network of urban areas.*

Moe is, according to the Main Towns Overview in Clause 21.05-2, one of the most populated towns in the municipality. The Moe Structure Plan allows for sustainable housing growth, growth of the central activity area and small neighbourhood centres. Relevant Main Town objectives include:

*To provide the flexibility for development to occur in each town to accommodate the needs of its population as well as to contribute to the municipal networked city.*

*To facilitate development in accordance with the specific Town Structure Plan attached to this clause.*

Strategies identified to achieve these stated objectives include:

*Encourage walkable neighbourhood centres and increased densities around Transit City areas and neighbourhood clusters.*

*Encourage consolidation of urban settlement within the urban zoned boundaries in accordance with the adopted structure plans.*

Specific strategies for Moe/Newborough are identified in Clause 21.05-4. The following strategies are of particular relevance to the proposal:

*Establish Neighbourhood Clusters in key locations as outlined in the Moe Structure Plan and only encourage basic goods, services, community services and facilities in these clusters.*

The Moe-Newborough Structure Plan at Clause 21.05 identifies the site within the southern portion of Moe's urban area, well within the township boundary and south of the Princes Freeway.



In the Retailing Overview in Clause 21.07-6, it is stated that:

*The main activity centres in Latrobe City are the Moe Central Activity District (CAD), Morwell CAD, Mid Valley Shopping Centre and Traralgon CAD ...*

*... The strategic direction is to support the existing neighbourhood and smaller town retail centres.*

*No new centres should be supported unless demand can be demonstrated as well as substantial assessment and statement that existing centres should not be detrimentally affected.*

Clause 21.08 identifies the Council Vision, objectives and strategies for Liveability. Part of the Council Vision is:

*To promote and support social, recreational, cultural and community life by providing both essential and innovative amenities, services and facilities within the municipality.*

*To enhance the quality of residents' lives by encouraging positive interrelated elements including safety, health, education, quality of life, mobility and accessibility, and sense of place.*

In the Healthy Urban Design Overview in Clause 21.08-3, it is stated that:

*Healthy Urban Design Good Practice Guideline – Meeting Healthy by Design Objectives is an initiative of Latrobe City Council which aims to accommodate the community, pedestrians and cyclists as a first priority in street, building and open space design.*

*The Healthy Urban Design Good Practice Guideline has been developed for guidance in designing and developing healthy lifestyles for the community.*

The relevant objectives for Healthy Urban Design are:

*To provide for walkable neighbourhoods, ensuring public transport, shops, public open space and mixed-use community centres are close to all dwellings.*

*To encourage all retail to provide active street frontages to foster a community spirit and promote community involvement.*

Relevant strategies identified to achieve these stated objectives include:

*Promote walkability within new developments, community centres or buildings (appropriate to the scale of development) of approximately 400-800 metres from all dwellings.*

*Encourage retail areas that are commonly accessed community centres to be walkable spaces that promote physical activity and provide infrastructure such as bicycle racks.*

*Encourage community centres to be designed to ensure active street frontages and promote 'eyes on the street' for natural surveillance.*

**(iii) Discussion**

The State Planning Policy Framework (SPPF) encourages developments that meet the community's needs for retail services. The proposal will facilitate re-use of the site for the purpose it was originally designed for – a small supermarket that provides an important local neighbourhood function.

The SPPF also promotes the creation of good quality urban environments with a sense of place and cultural identity. It seeks to achieve urban design outcomes that contribute positively to the local urban character and enhance the public realm. The proposal will involve an upgrade of the existing building and associated landscape design works, which will enhance the amenity and liveability of the public realm and promote the attractiveness of this part of Moe's urban area.

The Local Planning Policy Framework (LPPF) encourages neighbourhood shops that provide local convenience goods and services in locations that are accessible to local communities. Although the site is not identified within an existing 'Primary Activity Centre' or 'Possible Future Neighbourhood Centre', the previous use of the site, existing site characteristics and potential economic viability of the proposed business provide strong support for the proposal.

To address the issue of an 'out of centre development' an Economic Impact Study was submitted as part of the application. The impact study demonstrated that the establishment of the supermarket will have a negligible impact on the economic viability of existing full-line supermarkets within Moe's central activity district and other smaller supermarkets within existing neighbourhood centres elsewhere within Moe or Newborough.

The physical characteristics of the site indicate its suitability for inclusion within the Mixed Use Zone:

- The site is already developed with a commercial building, car parking and associated infrastructure that has previously served a local convenience retailing function.
- The existing building can be redeveloped into a modern and economically viable supermarket providing local convenience goods that are accessible to the surrounding neighbourhood.
- The site has good exposure to passing traffic.
- The site can be accessed via an established footpath network.
- The site is fully serviced with reticulated sewerage, water, telecommunications, electricity, gas and underground drainage.
- The site does not contain any native vegetation or any other environmental features worthy of protection.
- The site is not within an area of cultural heritage sensitivity as per the Aboriginal Heritage Regulations 2007.

Planning does not seek to regulate financial competition between businesses, but considers broader economic and social impacts. In this regard whether or not the proposal is fair to existing businesses is not a primary consideration.

**(iv) Conclusions**

The provision of a local retail opportunity is broadly supported by the SPPF and LPPF. I do not think the proposal can be characterised as a new centre, but even if it were, it is supported by policy because it would meet local demand does not be detrimentally affect existing businesses.

I conclude:

**The proposed rezoning to the Mixed Use Zone is appropriate.**

## 3 Permit requirements

### 3.1 Use permit

Concerns were raised by three objectors in relation to a possible loss of amenity and neighbourhood character if a development of this nature was to be established in the area. Concerns were raised in regards to safety, traffic, noise and rubbish.

#### (i) Evidence and Submissions

Council stated:

*The development of the current site to the proposed 'Wakkers Foodworks' will facilitate an upgrade of the existing derelict building and associated landscape design works, which is expected to enhance the amenity and liveability of the public realm and promote the attractiveness of the local urban area.*

#### (ii) Discussion

The proposal is to reuse the existing retail building. Any amenity impacts from the existing structure already exist and with a viable use in the building the negative impacts from a vacant building will be reduced.

I do not see that the retail use in and of itself will have a particularly negative impact on amenity:

- The hours of operation are limited to between 6.00 am and 9.00 pm weekdays and 8.00 am to 9.00 pm on weekends and public holidays, ensuring minimal impact on the surrounding residential area.
- A permit condition requires that delivery of goods must not detrimentally affect the amenity of the area.
- An enclosed waste bin storage area is proposed on the eastern side of the building for commercial waste. Bin receptacles are also proposed to be located at both extremities of the site for customers to dispose of rubbish if required. The availability of bins should minimise the potential for rubbish to be dropped elsewhere by customers.

#### (iii) Conclusion

I conclude:

**The proposal will improve the amenity of the area.**

### 3.2 Advertising Signs

The site is located within a Category 3 – High amenity area control for advertising signage, under Clause 52.05-9 of the Scheme.

A business identification sign is a Section 2 – Permit Required sign under this clause.

In response to the decision guidelines contained in Clause 52.05-3 of the Scheme, the proposed business advertising signage:

- has been designed to avoid visual disorder and clutter

- does not have the potential to obscure or compromise important views from the public realm
- will not dominate the skyline
- is in proportion to the scale of the proposed building
- is unlikely to have any impact on traffic safety.

I conclude:

**The signage proposal for the land is relatively modest and will not adversely impact on the surrounding area.**

### **3.3 Car Parking and traffic**

Under the provisions of this Clause 52.06, prior to a new use commencing required car parking spaces must be provided.

The car parking requirement for a Shop is 0.4 spaces to each 100m<sup>2</sup> of leasable floor area.

The proposal incorporates an overall leasable floor area of 292m<sup>2</sup>, therefore requiring a total of 11 car spaces (4 x 2.92 = 11.68). The proposal provides more than this requirement, with a total of 13 spaces.

Concerns were expressed about the traffic impacts. The site is well located in relation to the arterial road network, but parking access is from a local road with direct access to the arterial road. A detailed traffic assessment was provided with the application. There are no particular safety, access or amenity issues associated with the traffic from the use, that would support the refusal of the permit.

I conclude:

**Adequate parking is provided, and traffic impacts are acceptable.**

### **3.4 Loading and Unloading of Vehicles**

Under Clause the 52.07 provisions of this clause, no building or works may be constructed for the manufacture, servicing, storage or sale of goods or materials unless space is provided for loading and unloading vehicles and other associated requirements of this clause are met.

The loading bay requirements were discussed in detail within the Traffic Impact Assessment, and I am satisfied that the arrangements are appropriate.

I conclude:

**The proposal incorporates an on-site loading bay that meets the required standards.**

### **3.5 Issue of liquor licence**

Concerns were raised by three objectors about the social issues associated with liquor consumption.

Under the provisions of this Clause 52.27, a permit is required to use land to sell or consume liquor if a licence is required under the *Liquor Control Reform Act 1998*.

In this case, the proposal includes the sale of packaged liquor which requires a Packaged Liquor Licence from the Victorian Commission for Gambling and Liquor Regulation.

**(i) Evidence and Submissions**

One submitter explained that while they would support a retail outlet they opposed the liquor licence:

*... a liquor vendor located at 50 High Street would be detrimental to the residential area and would counteract the local, state and national initiative to combat alcohol related community issues such as alcohol fuelled violence, drink driving, alcohol abuse, which are current and serious issues in the community.*

Other submitters drew attention to the problem of 'undesirables congregating as is the case at Elizabeth Street shops'. Concern was also expressed that having alcohol nearby will escalate previous social problems with abuse and violence.

The Council report stated:

*There has been no evidence presented to support the assertion that the sale of packaged liquor from the premises will result in an increase in anti-social behaviour in the immediate or surrounding area, or that it will increase the exposure of children to such behaviour.*

Packaged liquor sales will be restricted to the following hours, unless the Responsible Authority gives prior written consent:

- Daily: 10.00am to 9.00pm
- Anzac Day: Midday to 9.00pm
- Good Friday: not permitted.

There will be no sale of packaged liquor outside the supermarket opening hours.

Background material stated that the licensee's obligations under the liquor licence from the Victorian Commission for Gambling and Liquor Regulation will ensure that impact on the amenity of the surrounding area is minimised. It is understood that these will include the installation of security cameras within the shop and provision of camera footage to the Victoria Police as required.

**(ii) Discussion**

The proposed sale of packaged liquor is an ancillary component of the supermarket, occupying only 45m<sup>2</sup> of gross floor area of 292m<sup>2</sup>. There will be no sale of packaged liquor outside the supermarket opening hours.

I inspected the Elizabeth Street supermarket. Typical of many IGA establishments it has completely painted out its shop windows and presents a poor aspect to the street. I am not surprised people look at this form of development and form a negative view about local shops.

The issue of the impact of packaged liquor sale has been addressed in a number of planning panels. For example, the Panel for Wellington C79 heard evidence in relation to packaged liquor that:

- Alcohol amenity impacts are concentrated between 6pm and 3am in particular between 9pm and 3am.
- Packaged liquor is not typically consumed in the immediate vicinity of the point of sale or necessarily immediately following purchase. As a result, packaged liquor outlets do not influence the location or timing of alcohol consumption and do not generate spatially concentrated amenity impacts, with the exception of when the outlet is located within an entertainment precinct and when alcohol is inadvertently sold to minors.
- Packaged liquor outlets contribute to the overall level of consumption and harm in the community by making alcohol available for purchase and consumption. As the number of outlets increase, convenience and price competition may also increase. However, any resulting impacts will not be spatially concentrated in the area surrounding the outlet.

In the case of the current proposal there are a number of nearby liquor sales outlets as presented by a submitter:

*Take away liquor already available in Moe are:*

- *Woolworth's 1.3 km*
- *Coles Liquor land 2 km*
- *BWS 2 kms*
- *1<sup>st</sup> choice liquor 1.3 kms*
- *Aldi 1.8 kms*
- *IGA liquor 2.7 kms*
- *Moe hotel (the Bottle O) 1.2 kms.*

The proposal will not have a material effect on the overall availability of liquor in the Moe, and is not likely to lead to localised problems.

The impact of misuse of alcohol is a significant issue for Australian society and Moe is no exception. I sympathise with submitters who are genuinely concerned with the impact of alcohol on their community but I am satisfied that the proposed sale of alcohol as part of this development will not present an unacceptable risk or further impact on the amenity of the surrounding area.

### **(iii) Conclusion**

I conclude:

**The sale of liquor will complement the local supermarket function and is appropriate.**

### **3.6 Drafting issues**

Council presented minor editorial changes to the permit. These are appropriate. The permit conditions are acceptable as exhibited, but their language could be improved, for example by using 'must' in place of 'shall'. Improving the language is not required, but Council may wish to do so.

*Planning and Environment Act 1987*

## LATROBE PLANNING SCHEME

### AMENDMENT C83

#### EXPLANATORY REPORT

#### Who is the planning authority?

This amendment has been prepared by the Latrobe City Council, which is the planning authority for this amendment.

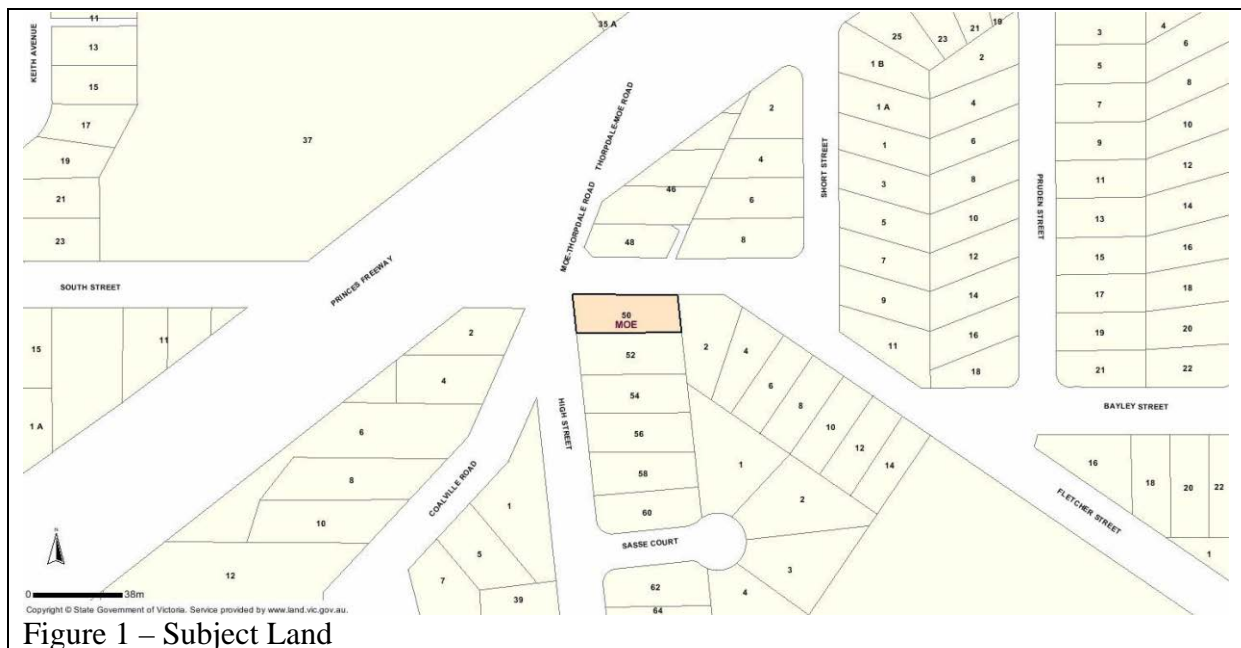
The proposed amendment has been made at the request of Beveridge Williams & Co Pty Ltd on behalf of Martini Investments Pty Ltd.

#### Land affected by the amendment

The land affected by the proposed amendment is located at 50 High Street, Moe. It is shown in Figure 1 below

The subject land is known as Lot 50 on Plan of Subdivision 17127 and contained in Certificate of Title Volume 7165 Folio 859. The land is approximately 766m<sup>2</sup>.

The Waker convenience store and delicatessen operated from the site from the early 1960's to 1998 when it was vacated. The current owner Martini Investments Pty Ltd bought the land in 2009 with the intention to once again operate a small retail premises.



#### What the amendment does.

The proposed amendment seeks to rezone the land from Residential 1 Zone (R1Z) to Mixed Use Zone (MUZ) and facilitate consideration of a Planning Permit that would allow the use and development of the land for a supermarket and licensed premises, associated works and business advertising signage.

#### Strategic assessment of the amendment



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**Why is the amendment required?**

The application for rezoning intends to apply an appropriate planning control to the land which:

- Provides greater flexibility for use of the land which is not afforded under the existing Residential 1 Zone;
- Facilitates re-use of an existing building for the purpose that it was originally constructed for in the early 1960's;
- Facilitates establishment of an economically viable business that will serve an important local convenience retailing function; and
- Provides an appropriate level of control over the intended use and development of the land.

The amendment is necessary, as there are no other mechanisms (such as the planning permit application process) that are capable of achieving the desired future land use outcome. The matters addressed in the amendment are not dealt with under other regulations.

The proposed amendment seeks to apply the Mixed Use Zone to facilitate the future use and development of the land for a licensed supermarket. This is consistent with Council's strategic policy position outlined in the Municipal Strategic Statement, which seeks to:

- Encourage neighbourhood shops that provide local convenience goods and services in locations that are accessible to local communities;
- Encourage shops that do not significantly detract from the function of existing major retail centres;
- Provide for localised convenience retailing;
- Will improve the efficiency and convenience of service to the local community; and
- Create walkable neighbourhoods that provide shops within 400 to 800 metres walking distance from all dwellings.

There are no anticipated costs relating to the proposed zoning change.

The proposed amendment does not seek to repeat provisions that are already in the Latrobe Planning Scheme.

**How does the amendment implement the objectives of planning in Victoria?**

The objectives of planning in Victoria are:

- a) To provide for the fair, orderly, economic and sustainable use and development of land.
- b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.
- c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.

- d) To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.
- e) To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.
- f) To facilitate development in accordance with the objectives set out in the points above.
- g) To balance the present and future interests of all Victorians.

The amendment provides for the fair, orderly, economic and sustainable use and development of land by facilitating the establishment of an economically viable business that will serve an important local convenience retailing function; and involves the re-use of an existing building for the purpose that it was originally constructed for in the 1960's.

The amendment provides for the protection of natural resources and maintenance of ecological processes through the use of land which has no environmental constraints. There will be no impact on the orderly provision and coordination of public utilities as a result of this amendment, as all services and utilities are connected for the desired purpose.

The amendment delivers a pleasant and safe living and recreational environment by creating a walkable neighbourhood through localised convenience retailing supported through both Local and State Policy in the Latrobe Planning Scheme.

### **How does the amendment address any environmental, social and economic effects?**

The social and economic impacts of the amendment are likely to be mostly positive and include direct and indirect employment opportunities. The rezoning will support the use of the exiting site as it was intended.

The amendment adequately addresses environmental effects of the proposal considering the existing development on site. The subject site is devoid of native vegetation and does not have any other significant environmental characteristics. Other environmental matters, such as stormwater management, can be addressed through conditions on the planning permit (if the amendment is approved) and/or building permit.

The amendment will have positive social effects, in particular by:

- Promoting Moe as a strong regional town that provides a choice of places to live, establish a business and find a job;
- Improving the efficiency and convenience of service to the local community;
- Facilitating an upgrade of the existing building and associated landscape design works, which will enhance the amenity and liveability of the public realm and promote the attractiveness of this part of Moe's urban area;
- The proposed use acting as a community hub where local residents can meet and interact in a safe environment. The proposal already has attracted a significant level of local community support which has been expressed through social media;
- Promoting the concept of a 'walkable neighbourhood' by facilitating a land use that will encourage walking and cycling as an alternative form of transport. This will inevitably lead to improved social interaction within the local community.

The rezoning to Mixed Use Zone will facilitate the assessment of the planning permit including the sale of packaged liquor at the site. The Planning Permit application will be referred to relevant agencies including the Victorian Commission for Gambling and Liquor Regulation. It is noted that the proposal may inevitably result in minimal negative social impacts from the sale of packaged liquor which will be minimalised through the Liquor Licence and Planning Permit conditions.

The proposed amendment will provide the following economic benefits:

- It will assist to maintain a strong and dynamic local economy through establishment of a new commercial enterprise that serves an important local convenience retailing function;
- As detailed in the Economic Impact Study by Business Insight Group (August 2013), the proposal will not adversely affect the economic viability of any other supermarket retailer in Moe, as:
  - The proposed supermarket is expected to generate a weekly turnover of \$40,000. The existing supermarkets in the Moe Activity Centre are too large for this expenditure to have any impact on their profitability; and
  - The IGA in Elizabeth Street will not be impacted, as it is geographically isolated from the site and relies upon a different catchment area.
- It will provide additional long term employment opportunities through the creation of at least 8 new permanent jobs; and,
- It will provide additional short term employment associated with the building upgrade, internal fit out, landscaping and other associated works.

### **Does the amendment address relevant bushfire risk?**

This issue is not relevant to the proposal, as the site is not within a designated bushfire area.

### **Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The amendment is consistent with the Ministerial Direction of the Form and Content of Planning Schemes under section 7(5) of the *Planning and Environment Act 1987*.

Under Section 12(2)(a) of the *Planning and Environment Act 1987* the Minister's Direction No 11 (Strategic Assessment of Amendment) applies to this amendment. The amendment complies with the requirements of this direction, as evidenced by this explanatory report.

The amendment is affected by Ministerial Direction 15 *The Planning Scheme Amendment Process* by achieving the set time frames for completing steps in the planning scheme amendment process. This direction applies to the Minister for Planning, the Secretary to the Department, Panels appointed under Part 8 of the *Planning and Environment Act 1987* (Act), and all planning authorities in Victoria. The amendment will be processed in accordance with this direction and the associated Advisory Note 48: 'Ministerial Direction No. 15 – The Planning Scheme Amendment Process' and Practice Note 77: 'Pre-setting Panel Hearing Dates'.

Advisory Note 34: 'Addressing the *Transport Integration Act 2010* in a Planning Scheme Amendment' requires consideration of the provisions of this Act.

### **How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?**

The amendment both considers and gives effect to relevant principles and specific policies contained in the State Planning Policy Framework (SPPF) as outlined below:

*Clause 11.05-1 – Regional settlement networks, Clause 11.05-4 – Regional planning strategies and principles & Clause 17.01-1 – Business* seek to promote the sustainable growth and development of regional Victoria through a network of settlements identified in the Regional Victoria Settlement Framework plan. Moe is identified as one of Victoria's Major Regional Cities on the Regional Victoria Settlement Framework plan, where developments which meet the communities' needs for retail services and provide a net community benefit in relation to accessibility, efficient infrastructure use and sustainability of commercial facilities are encouraged.

**Response:**

The amendment is consistent with the objectives of the above clauses, as it seeks to apply a zone that will allow the land to be re-used for the purpose it was originally designed for, i.e. a small supermarket that provides an important local neighbourhood function. By doing so, it promotes Moe as a strong regional town that provides a choice of places to live, establish a business and find a job and will improve the efficiency and convenience of service to the local community.

*Clause 15.01-1 – Urban design and Clause 15.01-2 – Urban design principles* promote the creation of good quality urban environments with a sense of place and cultural identity. They seek to achieve urban design outcomes that contribute positively to the local urban character and enhance the public realm.

**Response:**

The amendment is consistent with the objectives of the above clauses, as it will facilitate an upgrade of the existing building and associated landscape design works, which will enhance the amenity and liveability of the public realm and promote the attractiveness of this part of Moe's urban area.

*Clause 18.02-1 – Sustainable personal transport and Clause 18.02-5 – Car parking* promote the use of sustainable personal transport, along with an adequate supply of car parking commensurate with land use needs.

**Response:**

The amendment is consistent with the objectives of the above clauses, as it will facilitate a land use that will encourage walking and cycling as an alternative form of transport. Adequate car parking can be accommodated on both the site and within the adjacent road reserve to cater for the intended use.

### **How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The amendment both considers and gives effect to relevant policy objectives and strategies contained in the Municipal Strategic Statement (MSS) as outlined below.

*Clauses 21.04-2 Settlement and 21.05 – Main Towns* seek to make the best possible use of communities' investment in urban infrastructure and support commercial services by encouraging infill or incremental development of existing towns in preference to dispersed development. *Clause 21.07-2 – Economic Sustainability* encourages a vibrant and dynamic economic environment and supports flexibility for development to occur to accommodate the needs of the population. *Clause 21.07-6 - Retailing* states that major town centres such as Moe must grow and innovate their retail offering in order to cater for increased demand and to remain competitive.

**Response:**

The amendment is consistent with the objectives of the above clauses, as it will protect existing businesses (particularly those that play a weekly shopping role) whilst

embracing a private investment opportunity for a new retail development that fulfils identified gaps in the market. More specifically, the amendment will facilitate use of the land for a small licensed supermarket that will perform an important localised convenience retailing function.

The site is not identified within an existing 'Primary Activity Centre' or 'Possible Future Neighbourhood Centre' on the Moe Structure Plan in the MSS. However, neither is the existing local supermarket in Elizabeth Street, Moe, or other comparable sized facilities in other major towns of Latrobe City (eg. the local supermarkets in Hyland and Henry Streets, Traralgon). The previous use of the site, existing site characteristics and potential economic viability of the proposed business should be considered greater influencing factors in support of the rezoning. It should also be noted that the site does not seek to generate an expanded neighbourhood centre function with other community and commercial uses, as the adjacent land is expected to continue to be used for residential purposes and remain in a residential zone for the foreseeable future. It is also not expected to have any economic impact on the viability of existing full-line supermarkets within Moe's central activity district or other smaller supermarkets within existing neighbourhood centres elsewhere within Moe or Newborough, as discussed in the Economic Impact Assessment by Business Insight Group.

*Clause 21.04-5 – Urban Design* seeks to encourage high quality urban design which enhances the amenity and liveability of the public realm and promotes the attractiveness of towns. This is to be achieved through planning outcomes that provide a visually attractive urban environment, display a high level of civic pride, community satisfaction and positive image.

**Response:**

The amendment is consistent with the objective of this clause, as it will facilitate an upgrade of the existing building and associated landscape design works, which will enhance the amenity and liveability of the public realm and promote the attractiveness of this part of Moe's urban area.

*Clauses 21.04-6 – Infrastructure* and *21.08 – Liveability* refer to the concept of community liveability that relates to the provision of services and the ways in which they make a contribution to a community's way of life. *Clause 21.08-3 – Healthy Urban Design* promotes 'Healthy Urban Design' principles, with the provision of walkable neighbourhoods and shops that are within 400 to 800 metres walking distance from all dwellings.

**Response:**

The amendment is consistent with the objectives of these clauses, as it promotes the concept of a 'walkable neighbourhood' by facilitating a land use that will encourage walking and cycling as an alternative form of transport. This will inevitably lead to improved social interaction within the local community and healthier lifestyles resulting from a reduction in the need to use a motor vehicle to obtain convenience items such as milk or bread.

### **Does the amendment make proper use of the Victoria Planning Provisions?**

The amendment seeks to rezone the subject land from Residential 1 Zone to the Mixed Use Zone to reflect the past and future land use of the site. The purpose of the Residential 1 Zone is primarily for providing for a range of housing densities to meet the needs of households and to encourage residential developments to respect neighbourhood character. The Residential Zone 1 also allows educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate location.

The objectives of the Mixed Use Zone are

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality;*
- *To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.*

Given the intent of the proposed amendment, which is to apply a zone that will facilitate the future use and development of the land for a small licensed supermarket to serve a local neighbourhood retailing function, the Mixed Use Zone is the most appropriate VPP tool to use.

The amendment does not seek to implement any new overlays.

The amendment does not affect, conflict with or duplicate another existing provision in the planning scheme that deals with the same land, use or development.

The proposed controls do not capture matters that do not specifically relate to the purpose or objectives of the control or matters that should not be dealt with under planning.

There are no other VPP Planning Practice Notes of relevance to the proposed amendment.

### **How does the amendment address the views of any relevant agency?**

The proposed amendment will be referred to all relevant agencies that may have an interest in the proposal as part of the exhibition process, and will be placed on public exhibition for at least one calendar month.

Preliminary feedback in regard to the proposed sale of packaged liquor has not been sought from the Victorian Commission for Gambling and Liquor Regulation or any local authorities.

The proposed amendment does not seek to create any new formal or informal referral requirements.

### **Does the amendment address relevant requirements of the *Transport Integration Act 2010*?**

The proposed rezoning and intended use of the land for a supermarket is not likely to have an impact on the transport system as defined by section 3 of the *Transport Integration Act 2010*.

A Traffic Impact Assessment has been undertaken by TTM Consulting (Vic) Pty Ltd to inform the proposed rezoning and intended land use. The primary findings of the report are that:

- Parking is proposed both on-site and adjacent to the site frontage in accordance with the provisions of the Latrobe Planning Scheme;
- The anticipated traffic volumes generated by the proposal will have no adverse impacts on existing traffic conditions in the immediate area; and
- The on-site parking and loading arrangements are appropriate for the proposal.

The planning scheme amendment process is not an appropriate mechanism to assess traffic management and car-parking; this will be undertaken through the concurrent planning permit process and referral to the appropriate authorities.

### **Resource and administrative costs**

#### **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The planning scheme amendment request was submitted by Beveridge Williams (the

applicant) on behalf of Martini Investments Pty Ltd (the proponent). Stage 1 application fees have been receipted and subsequent staged fees will be collected subject to progression of the amendment. Planning Panel costs associated with the consideration of any submissions will be at the cost of the proponent.

It is considered that the amendment will have a negligible impact on Council resources, with the main cost being officer time to assess and progress the proposed amendment.

The amendment will not result in an increase in the total number of planning permit applications processed by the responsible authority.

### **Where you may inspect this Amendment**

The amendment is available for public inspection, free of charge, during office hours at the following places:

Latrobe City Council  
Corporate Headquarters  
141 Commercial Road  
Morwell VIC 3840

Latrobe City Council  
Traralgon Service Centre  
34-38 Kay Street  
Traralgon VIC 3844

Latrobe City Council  
Moe Service Centre  
44 Albert Street  
Moe VIC 3825

Latrobe City Council  
Churchill Service Hub  
9-11 Philip Parade  
Churchill VIC 3842

The amendment can also be inspected free of charge at the Department of Transport, Planning, and Local Infrastructure website at

<http://www.dpcd.vic.gov.au/planning/publicinspection>.

### **Submissions**

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by 22 August 2014.

A submission must be sent to: Ms Leah Pollard

Senior Strategic Planner  
Latrobe City Council  
PO Box 264

MORWELL VIC 3840

### **Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: Week commencing 10 November 2014
- panel hearing: Week commencing 1 December 2014

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# PLANNING PERMIT

GRANTED UNDER DIVISION 5 OF PART 4 OF  
THE PLANNING AND ENVIRONMENT ACT  
1987

**Permit No.: 254/2013**

**Planning Scheme: Latrobe Planning Scheme**

**Responsible Authority: Latrobe City Council**

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**ADDRESS OF THE LAND:**

50 High Street Moe Vic 3825 (Lot 5 PS 017127)

**THE PERMIT ALLOWS:**

Use and Development for Supermarket and Licensed Premises (Packaged Liquor), Reduction of the Car Parking Requirement, Associated Works and Advertising Signage in accordance with the endorsed plans.

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**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:**

1. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

**Engineering Conditions:**

2. Prior to the commencement of any works hereby permitted, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted but modified to show:
  - a) A note added to the plans advising that the existing vehicle crossing must be removed and the kerb and channel and footpath reinstated to the satisfaction of Latrobe City Council.
  - b) A note added to the plans advising that the three existing on-street parking spaces must be removed by high pressure water blasting or by other approved means, to the satisfaction of Latrobe City Council.
  - c) A note added to the plans advising that the installation of two new on-street parking bays along the south side of Bayley Street following the removal of the redundant vehicle crossing, must be undertaken to the satisfaction of Latrobe City Council.
3. Before works commence on the development hereby permitted, a site drainage plan including levels or contours of the land and all hydraulic computations must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and an electronic copy (PDF) must be provided. The drainage plan must be prepared in accordance with the requirements of Latrobe City Council's Design Guidelines and must provide for the following:
  - a) How the land including all buildings, open space and paved areas will be drained for a 1 in 10 year ARI storm event.
  - b) An underground pipe drainage system conveying stormwater discharge to the legal point of discharge.



4. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Responsible Authority.
5. Before the use commences of the building hereby permitted, or by such later date as is approved by the Responsible Authority in writing, the following works must be completed in accordance with the endorsed plans and to the satisfaction of the Responsible Authority:
  - a) All drainage works must be constructed in accordance with the approved site drainage plan.
  - b) The proposed vehicle crossing must be constructed in accordance with the endorsed plans, at right angles to the road and must comply with the vehicle crossing standards set out in Latrobe City Council's Standard Drawing LCC 307.
  - c) The areas shown on the endorsed plans for vehicle access and car parking must be constructed to such levels that they can be used in accordance with the approved plans including surfacing with an all-weather sealed surface, drained, line marking to indicate each car space and all access lanes; and clearly marked to show the direction of traffic along access lanes and roadways.
  - d) The redundant vehicle crossing must be removed and kerb and channel and footpath reinstated.
  - e) The operator of this permit must arrange at their cost for the removal by high pressure water blasting or by other approved means, of the line marking of the existing on-street parking spaces in Bayley Street made redundant by the new vehicle crossing.
6. The operator of this permit must arrange at their cost for the installation of two new on-street parking bays along the south side of Bayley Street following the removal of the redundant vehicle crossing, including all signage and road pavement line marking.
7. The loading and unloading of goods from vehicles must only be carried out on the land subject to this permit and must not disrupt the circulation and parking of vehicles on the land or adjacent roads. Delivery vehicles larger than that nominated on the approved and endorsed parking layout plan must not be permitted to enter the site.
8. All vehicles reversing onto Bayley Street from the land in this permit must only do so under the supervision of an adult person located outside of the reversing vehicle. This person is required to direct the driver of the reversing vehicle and warn of the approach of any traffic along Bayley Street.
9. Car spaces, vehicle access lanes and driveways must be kept available for these purposes at all times.
10. The areas set aside for car parking and vehicle access lanes must be maintained in a continuously useable condition to the satisfaction of the Responsible Authority.

**Signage Conditions:**

11. The location and details of the signage, including those of any supporting structure, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.
12. The signage must not contain any flashing light.
13. The sign lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.
14. The signage must be constructed and maintained to the satisfaction of the Responsible Authority.

15. The approval contained in this permit for the signage shown on the endorsed plans expires 15 years from the date of this permit. (NOTE: This is a condition requirement of the State Government).

**Landscaping Conditions:**

16. Prior to the commencement of any works, a landscape plan must be submitted to and approved by the Responsible Authority. The plan must show:
- a) details of surface finishes of pathways and driveways; and
  - b) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
17. All species must be selected to the satisfaction of the Responsible Authority.
18. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided.
19. Prior to the use commencing or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
20. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

**Liquor Licensing Conditions:**

21. Except with the prior written consent of the Responsible Authority, the sale of liquor permitted by this permit must only occur between the following times:
- a) Daily - 10 am - 9 pm;
  - b) Anzac Day - 12 noon - 9 pm, and
  - c) Good Friday - Not permitted.
22. The operator of this permit and the Manager must take all necessary steps to ensure that no noise or other disturbances emanates from the premises which may cause a nuisance to adjoining occupiers or detriment to the amenity of the neighbourhood, in the opinion of the Responsible Authority.
23. The operator of this permit must comply with any conditions set by the Victorian Commission for Gambling and Liquor Regulation.

**Standard Conditions:**

24. The use may operate only between the hours of:
- a. Monday to Friday 6am to 9pm;
  - b. Saturday and Sunday and all Public Holidays from 8am to 9pm,
- unless with the written consent of the Responsible Authority.
25. Once building works have commenced they must be completed to the satisfaction of the Responsible Authority.
26. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
27. Construction works on the land must be carried out in a manner that does not result in damage to existing Council assets and does not cause detriment to adjoining owners and occupiers, to the satisfaction of the Responsible Authority.
28. The exterior colour and cladding of the building must be of a non-reflective nature to the satisfaction of the Responsible Authority.

29. Any external lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.
30. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
- a) transport of materials, goods or commodities to or from the land;
  - b) appearance of any building, works or materials;
  - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - d) presence of vermin;
- or otherwise, to the satisfaction of the Responsible Authority.
31. All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service.
32. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1.
33. Upon completion of the works, the site must be cleared of all excess and unused building materials and debris to the satisfaction of the Responsible Authority.

**Expiry of Permit:**

34. This permit will expire if one of the following circumstances applies:
- a) The development is not started within two years of the date of this permit;
  - b) The development is not completed and the use has not commenced within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of expiry of permit. An extension of time to complete the development or a stage of the development may be requested if:

- the request for an extension of time is made within 12 months after the permit expires; and
- the development or stage started lawfully before the permit expired.

**Note 1**

This permit does not authorize the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

**Note 2**

Unless exempted by Latrobe City Council, an Asset Protection Permit must be obtained prior to the commencement of any proposed building works, as defined by Latrobe City Council's Local Law No. 3. Latrobe City Council's Asset Protection Officer must be notified in writing at least 7 days prior to the building works commencing or prior to the delivery of materials/equipment to the site.

**Note 3**

A Latrobe City Vehicle Crossing Permit must be obtained prior to the commencement of the construction of all new vehicle crossings and for the upgrading, alteration or removal of existing vehicle crossings. The relevant fees, charges and conditions of the Vehicle Crossing Permit will apply to all vehicle crossing works. It is a requirement that all vehicle crossing works be inspected by Latrobe City Council's Asset Protection Officer.

**Note 4**

A Latrobe City Stormwater Connection Permit must be obtained prior to the connection of all new stormwater drainage into Latrobe City Council's stormwater drainage system. All new stormwater drainage connections must be inspected by Latrobe City Council's Asset Protection Officer before any backfilling of the connection is undertaken.

**Note 5**

The location of the Legal Point of Discharge for any property and the connection point into Latrobe City Council's stormwater drainage system can be obtained by completing a Legal Point of Discharge form, found at [www.latrobe.vic.gov.au/Our\\_Services/Other\\_Services/Infrastructure/Work\\_Permits\\_and\\_Property\\_Information](http://www.latrobe.vic.gov.au/Our_Services/Other_Services/Infrastructure/Work_Permits_and_Property_Information).

**Note 6**

Vehicle crossings must be provided with minimum clearances to other infrastructure in accordance with Latrobe City Council's Vehicle Crossing Policy, including clearances to property boundaries, any adjacent side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required must be in accordance with the requirements of the relevant Authority and must be at the applicant's expense.

*(If the permit has been amended, include the following table indicating the date and nature of amendments included in the amended permit)*

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Date of amendment	Brief description of amendment
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## IMPORTANT INFORMATION ABOUT THIS PERMIT

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### WHAT HAS BEEN DECIDED?

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The Responsible Authority has issued a permit. The permit was granted by the Minister administering the **Planning and Environment Act 1987** under section 96I of that Act.

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### WHEN DOES THE PERMIT BEGIN?

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The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

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### WHEN DOES A PERMIT EXPIRE?

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1. A permit for the development of land expires if -
    - \* the development or any stage of it does not start within the time specified in the permit; or
    - \* the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; or
    - \* the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
  2. A permit for the use of land expires if -
    - \* the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
    - \* the use is discontinued for a period of two years.
  3. A permit for the development and use of land expires if -
    - \* the development or any stage of it does not start within the time specified in the permit; or
    - \* the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
    - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
    - the use is discontinued for a period of two years.
  4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision-
    - \* the use or development of any stage is to be taken to have started when the plan is certified; and
    - \* the permit expires if the plan is not certified within two years of the issue of the permit.
  5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.
- 

### WHAT ABOUT APPEALS?

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- \* Any person affected may apply for a review of -
    - a decision of the responsible authority refusing to extend the time within which any development or use is to be started or any development completed; or.
    - a decision of the responsible authority refusing to extend the time within which a plan under the **Subdivision Act 1988** is to be certified, in the case of a permit relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**; or.
    - the failure of the responsible authority to extend the time within one month after the request for extension is made.
  - \* An application for review is lodged with the Victorian Civil and Administrative Tribunal.
  - \* An application for review must be made on an Application for Review form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
  - \* An application for review must state the grounds upon which it is based.
  - \* An application for review must also be served on the Responsible Authority.
  - \* Details about applications for review and the fees payable can be obtained from Victorian Civil and Administrative Tribunal.
-

**13.7 ANZAC DAY RSL TRAFFIC MANAGEMENT COSTS****General Manager****Planning & Economic  
Sustainability****For Decision****PURPOSE**

The purpose of this report is for Council to consider funding the traffic management costs associated with the ANZAC Day services/parades currently held by the Traralgon, Morwell and Moe RSL's.

**EXECUTIVE SUMMARY**

A request has been made of Latrobe City to fund the traffic management costs associated with the ANZAC Day services/parades currently held by the Traralgon, Morwell and Moe RSL's.

This year marks the 100 year commemoration of Gallipoli and as such, the RSL's envisage this year's services/parades to be even more significant.

Traffic management on these days is a requirement, with the Event organiser responsible for a range of activities and Latrobe City Council have historically provided support to the Event organiser in helping to deliver the traffic management as part of the Event.

Safe Site have provided costs associated with the services/parades as run through the Traralgon, Morwell and Moe RSL's and this is estimated at a total of \$17,239.94. These funds are not currently budgeted for within the 2014/15 budget.

It is recommended that funds be allocated in the 2014/15 budget for Latrobe City to cover the traffic management costs as requested. However, this should be considered a one off payment relating to the 2015 ANZAC Day services/parades and that future year's costs are to be borne by the RSL's as the Event managers.

**RECOMMENDATION**

That Council:

1. Approve the expenditure of \$17,239.94 for the costs of traffic management services associated with the delivery of 2015 ANZAC Day services held by the Morwell, Traralgon and Moe RSL's.
2. Approve the expenditure as a one off payment relating to the 2015 ANZAC Day services only.
3. Write to Darren Chester, Federal Member for Gippsland, advising him of the resolution.

**ORDINARY COUNCIL MEETING MINUTES  
09 FEBRUARY 2015 (CM456)**

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

**AMENDED MOTION**

**That Council:**

1. Approve the expenditure of \$17,239.94 for the costs of traffic management services associated with the delivery of 2015 ANZAC Day services held by the Morwell, Traralgon, Moe, Yallourn/Newborough and Yallourn North RSL's.
2. Approve the expenditure as a one off payment relating to the 2015 ANZAC Day services only.
3. Write to Darren Chester, Federal Member for Gippsland, advising him of the resolution.

**CARRIED UNANIMOUSLY**

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

**FORESHADOWED MOTION**

1. That Council write to the Federal Member for Gippsland, Darren Chester, seeking reimbursement of the RSL Traffic Management services, which have been approved by Latrobe City for the 2015 ANZAC Day services.
2. That Council seek an ongoing commitment from the Federal Government to meet the costs of traffic management associated with ANZAC Day and Remembrance services into the future.

**CARRIED UNANIMOUSLY**

**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 – Advocacy and Partnerships*

*In 2026, Latrobe Valley is supported by diversity of Government, agency, industry and community leaders, committed to working together to advocate for and deliver sustainable local outcomes.*

*Latrobe City Council Plan 2013 - 2017**Theme and Objectives*

*Theme 4: Advocacy for and consultation with our community*

*Strategic Direction – To advocate for and support cooperative relationships between business, industry and the community.*

**BACKGROUND**

Currently, there are 7 ANZAC Day parades/services held each year within Latrobe City with the following RSL's responsible for the respective services/parades held at:

Traralgon RSL – Traralgon, Tyers and Glengarry.

Morwell RSL - Morwell and Yinnar

Moe RSL – Moe

Yallourn/Newborough RSL - Newborough

Yallourn North RSL – Yallourn North

These Events are quite significant; especially in 2015 given the Events commemorate 100 years since Gallipoli. As such, an important component of the Event is the traffic management planning and delivery.

As it currently stands, it is the responsibility of the event manager to ensure that the following activities are undertaken to be able to conduct the event:

- Public transport notifications and submission of public transport plan.
- Submission of traffic management plan to Vic Roads, including risk assessment.
- Work with Council to approve traffic management plan, event management plan and compliance.
- Engage a traffic control company to comply with traffic management plan and Vic Road standards.
- Public notices, signage and other notifications.



## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

Historically, Latrobe City Council have provided the following to assist the local RSL's with traffic management for their parades:

- Engagement of an experienced traffic management company, Deploy Traffic Management, to create new event traffic plans/maps. These plans/maps met the new VicRoads requirements and are still current.
- Creation of a Traffic Management plan document for each ANZAC Day parade which includes
- Compiled and submitted on behalf of all ANZAC Day Parades, the relevant Transport Victoria and Public Transport notifications.
- Provided volunteer training to 200 people through a registered volunteer training organisation.
- General support including Council approval process and waiver of traffic management fees.

### **KEY POINTS/ISSUES**

Latrobe City Council currently provides assistance to local RSL sub branches with the approval process for their Traffic Management Plans for events such as ANZAC Day. Generally speaking however, the actual traffic management services required for a particular event are undertaken by the sub branches themselves.

Correspondence was received on 3 December 2014 from Darren Chester, Federal Member for Gippsland (Attachment 1) in relation to the Traralgon RSL and its ANZAC Day services, specifically in regards to the costs associated with the traffic management on the day.

The correspondence requests that given the significance of the 2015 commemorative services, Council consider the possibility of absorbing the traffic management costs borne by the Traralgon RSL in delivering their ANZAC Day services.

A request was then received from the Mayor of Latrobe City asking that Council consider funding the traffic management costs associated with the ANZAC Day services held by the Traralgon, Morwell and Moe RSL's. Council officers have obtained quotes for the associated traffic management costs and these are provided in the financial section of this report.

### **RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

There is some degree of financial risk given the estimated cost of the traffic management services is currently not budgeted for within Council's 2014/15 adopted budget.

In addition, although the request has been made for Council to absorb this year's costs given the 100 year commemoration of Gallipoli, there is a risk that the RSL's will expect that Council continue to fund traffic management costs associated with future ANZAC Day services/parades.

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

However, other funding options may be available to the RSL's such as the Latrobe City Community Grants program.

### **FINANCIAL AND RESOURCES IMPLICATIONS**

Officers have researched estimated costs involved in the ANZAC Day traffic management and the following costs were provided by Safe Site:

Group	Parade/Service Responsibility	Cost
Traralgon RSL	Traralgon Dawn Service*	\$1,535.38
	Traralgon Parade	\$3,413.52
	Tyers Service*	\$620.00
	Glengarry Parade	\$1,232.00
Morwell RSL	Morwell Dawn Service*	\$1,535.38
	Morwell Parade	\$1,535.38
	Yinnar Parade	\$1,232.00
Moe RSL	Moe Dawn Service*	\$1,838.76
	Moe Parade	\$1,838.76
Yallourn/Newborough RSL	Newborough Parade	\$1,838.76
Yallourn North	Yallourn North Service*	\$620.00
	<b>Total Cost</b>	<b>\$17,239.94</b>

\*Included in the price is the creation of a new traffic management plan which is now required.

The costs of providing the ANZAC Day traffic management for the above services/parades are not budgeted for within the 2014/15 budget and an allocation would have to be made.

### **INTERNAL/EXTERNAL CONSULTATION**

*Engagement Method Used:*

No community engagement was required in this report.

### **OPTIONS**

Council has the following options in relation to this report:

1. Approve the expenditure of \$17,239.94 for the costs of traffic management services associated with the delivery of 2015 ANZAC Day services held by the Morwell, Traralgon and Moe RSL's.
2. Not approve the expenditure of \$17,239.94 for the costs of traffic management services associated with the delivery of 2015 ANZAC Day services held by the Morwell, Traralgon and Moe RSL's.
3. Approve to fund a portion of the costs of traffic management services associated with the delivery of 2015 ANZAC Day services held by the Morwell, Traralgon and Moe RSL's.

**CONCLUSION**

ANZAC Day services/parades are currently conducted within Latrobe City and held at Traralgon, Morwell, Moe, Tyers, Glengarry, Newborough and Yallourn North.

An integral part of these services is the traffic management requirements of holding such events. Although Latrobe City Council currently provides assistance to local RSL sub branches with the approval process for their Traffic Management Plans for events such as ANZAC Day, the actual traffic management services required for a particular event and the corresponding costs are the responsibility of the sub branches themselves.

Requests have come through from Darren Chester (Federal Member for Gippsland) and the Mayor of Latrobe City Council to consider funding the traffic management costs borne by the RSL's in delivering their 2015 ANZAC Day services given that it is the 100 year commemoration of Gallipoli.

The traffic management costs associated for the Morwell, Traralgon and Moe RSL's is estimated at \$17,239.94 and these funds are not budgeted for within Council's adopted 2014/15 budget.

**SUPPORTING DOCUMENTS**

Nil

**Attachments**

1. Darren Chester Letter - ANZAC Day Traffic Management Costs

## 13.7

### ANZAC Day RSL Traffic Management Costs

- 1 Darren Chester Letter - ANZAC Day Traffic Management  
Costs..... 385



## Darren Chester

Federal Member for Gippsland

December 3, 2014

Cr Dale Harriman  
Mayor  
Latrobe City Council  
PO Box 264  
MORWELL VIC 3840

Dear Dale

Thank you for speaking with Ruth yesterday in relation the Traralgon RSL's request to access to the balcony at the Traralgon Post Office on ANZAC day.

As Ruth informed you I wanted to take the opportunity to raise this issue with the Minister for Communications, Malcolm Turnbull, in Canberra.

The Minister advises that Australia Post is a Government Business Enterprise (GBE), meaning it is owned by the government, however it operates as a commercial, for profit company. It has its own board, sets its own strategic direction and is responsible for achieving these goals.

He suggests that, in this instance, I make representations directly to Mr Ahmed Fahour, Managing Director and Chief Executive Officer, Australia Post, which I have now done.

On another issue relating to the Traralgon RSL and its ANZAC day services, I have previously been contacted by the sub-branch on the costs associated with the traffic management on the day.

I am advised that in recent years Latrobe City Council has passed on the costs associated with the traffic management to the RSLs, resulting in the branches having to pay up to \$8,000 to \$10,000 themselves. In Traralgon RSL's case I understand that to cover this cost they have had to rely on money in their welfare fund.

Given the significance of next year's commemorative services, I would be grateful for your advice on the possibility of council absorbing these costs.

I look forward to your comments on this issue and I will contact you again as soon as I receive a response from Australia Post.

Kind regards

DARREN CHESTER  
The Nationals

All correspondence to: PO Box 486 Sale Victoria 3853 Telephone: 1300 131 785  
Email: darren.chester.mp@aph.gov.au Website: www.darrenchester.com

# COMMUNITY INFRASTRUCTURE & RECREATION

14. COMMUNITY INFRASTRUCTURE & RECREATION

**14.1 MOE GOLF CLUB PETITION REQUESTING REMOVAL OF TREES ON LINKS ROAD**

General Manager

Community Infrastructure &  
Recreation

For Decision

**PURPOSE**

The purpose of this report is to present Council the resident feedback and the financial implications of a petition received from the Moe Golf Club in relation to the impacts of pine trees along Links Road, Newborough on the operations of the golf club. The petition requested that Council remove the pine trees along the eastern road reserve of Links Road.

**EXECUTIVE SUMMARY**

This report is to provide an update to Council in relation to resident feedback and the financial implications of a petition received from the Moe Golf Club seeking the removal of a stand of Radiata Pine trees located in the road reserve of Links Road, Newborough.

The petition stated that

*“We the undersigned members and users of the Moe golf Club, ask the Latrobe City Council to remove the pine trees situated along the adjoining roadside verge of Golf Links Road, Newborough. These trees and tree roots are adversely impacting the adjoining fairway as well as creating safety issues for staff and volunteers working and golfers playing the same fairway.*

In recent years the Moe Golf Club have invested significantly in replacing previous fairway grasses with drought tolerant varieties. The club believe that the effects associated with the trees have negatively impacted the standard of the course and therefore the revenue of the club from visitors.

Council officers have now received feedback from the residents of Links Road in relation to the proposed tree removals and is included in the Internal/External Consultation of this report. Quotes from two Council tree removal contractors have also been received and a contractor quote has been secured for proposed revegetation of the site. This information is included in the Financial and Resource Implications section of this report and the full quotation documents can be found in the Supporting Documents.

## ORDINARY COUNCIL MEETING MINUTES 09 FEBRUARY 2015 (CM456)

**Moved:** Cr Gibbons  
**Seconded:** Cr Middlemiss

### That Council

1. **Authorises the removal and replacement of the stand of pine trees adjacent to the Moe Golf Club on Links Road, Newborough subject to the following conditions.**
  - **That a Council approved landscape revegetation plan is developed in agreement with local residents.**
  - **That Moe Golf Club is responsible for funding, organisation and execution of the works**
2. **Notify the head petitioner of this decision.**

**CARRIED UNANIMOUSLY**

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

#### *Latrobe City Council Plan 2013 - 2017*

##### *Theme and Objectives*

*Theme 1: Job creation and economic sustainability*

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

*Theme 3: Efficient, effective and accountable governance*

*Theme 4: Advocacy for and consultation with our community*

*Theme 5: Planning for the future*

*Strategic Direction 2* – To promote and support a healthy, active and connected community. To provide facilities and services that are accessible and meet the needs of our diverse community. To enhance the visual attractiveness and liveability of Latrobe City.



**BACKGROUND**

Moe Golf Club presented a petition to Latrobe City Council on 21 August 2014 on behalf of members and users of the club.

The covering letter outlined Moe Golf Club's concerns regarding the roadside verge on Links Road, Newborough that directly abuts the second hole fairway, stating that it is planted with mature pine trees and is unsightly with weeds; and that the pine trees inhibit the growth of indigenous trees and grass in that area.

The letter also stated that representatives of the club have had numerous discussions with Latrobe City Council officers about the negative impact that the tree roots and the tree canopy have on establishing and maintaining an acceptable coverage of grass along the tree affected part of the fairway.

At the Ordinary Council Meeting of 13 October 2014 petition was tabled and Council resolved to receive the petition and table a further report at the 24 November 2014 Ordinary Council meeting.

A further report was tabled at the Ordinary Council Meeting of 24 November 2014 providing detail of a meeting held onsite with the president of Moe Golf Club on 31 October 2014. At this meeting Council deferred consideration of the petition to enable officers to undertake further investigation into the petitioner's request and table a further report at the Ordinary Council meeting of 15 December 2015.

At the Ordinary Council Meeting of 24 November 2014 Councillors requested further information in relation other examples of tree removals close to sporting facilities, in particular the Latrobe City Sports Stadium, Morwell (Council property) and Morwell Recreation Reserve (Council property), which is detailed below.

Major removals of Cypress Pine trees were carried out in 2011 and 2012 at the Latrobe City Sports Stadium, Morwell. The 2011 tree works were carried out on Council land and involved the removal of a number of trees adjacent to Practice Pitch Number 4 at the site. In this instance the trees were adversely affecting the playing surface in summer as the pitch became hard and rough due to lack of water as a result of the trees' root systems and in winter when the pitch became unplayable at times as it was continually waterlogged due to intense shading from the trees.

Further trees were removed in 2012 from Morwell Golf Club land, with their consultation and agreement, adjacent to the main oval at the stadium for reasons similar to those discussed above.

A series of pine tree removals was carried out between 10 and 15 years ago at the Morwell Recreation Reserve and were as the result of the overall deteriorating health of the trees and their increasing danger to the public.

All of the works carried out at Latrobe City Sports Stadium, Morwell and Morwell Recreation Reserve, were delivered at Council cost as they were

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on Council property or the works were required on private land as the trees removed adversely affected Council property.

A further report was tabled at the Ordinary Council Meeting of 15 December 2014 where Council resolved the following:

- 1. That Council note this report regarding the petition from the Moe Golf Club requesting removal of the Pine Trees on Links Road abutting the Moe golf course.*
- 2. That a further report in relation to the request be presented to Council at the first Ordinary Council Meeting in 2015 detailing full costings for any tree removals and the results of consultation with the residents of Links Road, Newborough.*
- 3. That Council advise the head petitioner of this decision.*

### **KEY POINTS/ISSUES**

In recent years the Moe Golf Club have invested significantly in replacing previous fairway grasses with drought tolerant varieties. The pine trees that bound the second hole inhibit the ability of grass growth in that area and have prevented the Moe Golf Club from providing fairways to the standard they require. The standard of fairways contribute to the overall condition of the golf course and the Club have advised that their visitor numbers have been negatively impacted due to the inability of the club to establish drought tolerant grass due to the pine trees.

The Moe Golf Club seek removal of the pine trees so that the club can return to being a favoured summertime golf destination and improve the overall financial position of the club.

Latrobe City Council's Manager Infrastructure Operations and Supervisor Arborist met with the president of Moe Golf Club on Friday, 31 October to discuss the club's concerns on site. At this meeting it was agreed that the stand of Radiata Pine trees does cast shadow over the fairway of the second hole of Moe Golf course inhibiting grass growth to an extent. Radiata pines also drop cone litter and this stand of trees is at full maturity with the majority being over 20 metres in height.

The president of Moe Golf Club also stated at the 31 October meeting that any removal works would have to be at Council's expense as the club could not afford to fund any works but they could provide a suitable stack site on the grounds of the golf course for the removed tree branches and debris. Officers asked that this be put in writing to Council (not received to date).

There are two residents on Links Road where the trees are situated and the removal of any trees would significantly affect the visual amenity of one resident. These two residents had letters hand delivered seeking their opinion on the proposed tree removals on 18 December 2014.

**RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

**FINANCIAL AND RESOURCES IMPLICATIONS**

An indicative quote of \$5,104 (Inc. GST) has been obtained as a guide for the site revegetation (*see supporting documents*). This figure may change if a different revegetation plan is developed for the site.

	<b>Quote 1 (Inc. GST)</b>	<b>Quote 2 (Inc. GST)</b>
Fell trees and leave on site for burning during Winter 2015.	\$18,282	\$13,420
<b>Total (Inc. revegetation)</b>	<b>\$23,386</b>	<b>\$18,254</b>
Fell trees and remove to a holding site on the Moe Golf Club grounds for disposal at a later date by the club.	\$34,155	\$21,670
<b>Total (Inc. revegetation)</b>	<b>\$39,259</b>	<b>\$26,774</b>

Funds are not available in the 2014/15 Infrastructure Operations recurrent budget for these works.

**INTERNAL/EXTERNAL CONSULTATION**

Officers met with the president of Moe Golf Club on 31 October 2014 to discuss the concerns in relation to the pine trees.

Consultation has now been undertaken with the residents (two) of Links Road, Newborough which sought their opinion on the proposed tree removals.

Both residents have provided feedback to officers (attachments 3&4). One resident of Links Road is in support of the tree removals while the other resident opposes the removals.

**OPTIONS**

Council now has the following options in relation to this report:

1. Authorise the removal of the pine trees from the Council road reserve on Links Road, Newborough and revegetation of this site at Moe Golf Club's expense.
2. Not authorise the removal of the pine trees from the Council road reserve on Links Road, Newborough.

**CONCLUSION**

A petition has been received from Moe Golf Club in relation to the impacts of pine trees along Links Road on the operations of the golf club. The petition requests that Council remove the pine trees along the roadside verge so that the Club can replace fairway grass with drought tolerant varieties.

The requested works are not budgeted for in the 2014/15 Infrastructure Operations budget and it is the officers opinion that any works should be carried out by Moe Golf Club at their cost subject to the development of a landscape plan and replanting of appropriate vegetation.

**SUPPORTING DOCUMENTS**

Contractor quotes for proposed works.

**Attachments**

1. Petition for removal of trees on Golf Links Road (Published Separately)
2. Proposed tree removal - site map
3. Attachment 3 - Letter supporting proposed tree removal (Published Separately)
4. Attachment 4 - Letter opposing proposed tree removal (Published Separately)

## **14.1**

### **Moe Golf Club Petition requesting removal of trees on Links Road**

- 2 Proposed tree removal - site map ..... 395**



# COMMUNITY LIVEABILITY

**15. COMMUNITY LIVEABILITY****15.1 FAMILY DAY CARE FEASIBILITY****General Manager****Community Liveability****For Decision****PURPOSE**

The purpose of this report is to present Council with the Family Day Care (FDC) Feasibility Report regarding the long term future of the Family Day Care Program as required in the Children's Services Plan 2013-2017.

**EXECUTIVE SUMMARY**

From its inception Latrobe City Council (LCC) has been committed to the provision of quality early years services. Child care services have been developed to reflect growing community need with Family Day Care (FDC) and Long Day Care (LDC) programs being an essential part of the Latrobe City landscape throughout the years.

At the Ordinary Council Meeting 18 November 2013, Latrobe City Council endorsed the Children's Services Plan, developed to guide the strategic direction and provision of early years services provided by Latrobe City Council.

The Plan considers that the ongoing financial viability of the direct delivery of services must be considered by Council on an ongoing basis. Specifically the Plan outlines an action to present a feasibility study into the long term viability of the Family Day Care scheme.

Potential, significant changes to FDC Community Support Funding (CSP) were announced during the later stages of 2014 by the Commonwealth Government.

The announcement of these changes, coupled with ongoing challenges in relation to the attraction and retention of educators in the FDC program resulted in a report presented to Council at the Ordinary Council Meeting on 5 November 2014.

At the Ordinary Council Meeting 5 November 2014, Council resolved the following:

1. *That Council note the report.*
2. *That a detailed report be presented to Council in February 2015 following assessment of the ongoing feasibility of the Latrobe City Council Family Day Care Scheme.*
3. *That Council write to the Federal Minister for Education the Hon. Susan Ley and State Minister for Children and Early Childhood Development the Hon. Wendy Lovell MLC requesting confirmation of 2015/16 Community Support Program funding for Latrobe City Council by no later than 20 January 2015.*



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The feasibility report shows the financial position of the LCC FDC scheme has had marginal improvement in the current financial year, with this improvement projected to continue into the next financial year as a result of some changes and efficiency gains that have been planned/implemented in the program.

It is not anticipated that this level of efficiency gain will be able to continue into future years, as the recent EFT review has resulted in the program being reduced to minimum staff (based on the amount of educators and service users currently enrolled in the program).

Further, the FDC scheme is seen as a valuable education and care service for the community, however recent trends in educator recruitment and an associated decline in client usage indicate that it is unlikely that the program will grow into the future without significant resource (and financial) investment.

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

### RECOMMENDATION

**That Council maintain the Family Day Care program at the current level.**

**That the Family Day Care Coordination team is adjusted as required and directly in relation to any reduction of Educators and/or Service Users.**

**That a further review of the program occur within the first six months of the 2015/16 financial year, with a further report being presented to Council for endorsement at the Ordinary Council Meeting on 07 December 2015.**

**That a report be developed demonstrating cost and funding options to grow other early education and care services as a transition plan from FDC into the future.**

**CARRIED UNANIMOUSLY**

### DECLARATION OF INTEREST

The Child and Family Services Team Leader, East has declared an indirect interest under section 78 of the Local Government Act 1989.

### 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 – Our Community

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In 2026, Latrobe Valley is one of the most liveable regions in Victoria, known for its high quality health, education and community services, supporting communities that are safe, connected and proud.

### Strategic Objectives – Economic

In 2026, Latrobe Valley has a strong and diverse economy built on innovative and sustainable enterprise. As the vibrant business centre of Gippsland, it contributes to the regional and broader economies, whilst providing opportunities and prosperity for our local community.

### 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: affordable and sustainable facilities, services and recreation:*

- To promote and support a healthy, active and connected community
- To provide facilities and services that are accessible and meet the needs of our diverse community
- To enhance the visual attractiveness and liveability of Latrobe City.

##### *Theme 3: Efficient, effective and accountable governance:*

- To achieve the highest standards of financial probity and meet all statutory regulations.
- To provide open, transparent and accountable governance.
- Work to minimise rate increases for our community.
- Effectively manage Council debt to minimise long term cost.

##### *Strategic Direction – 02 affordable and sustainable facilities, services and recreation:*

- Work in partnership with all stakeholders to ensure the provision of quality education and care services to the community.

##### *Strategic Direction – 03 Efficient, effective and accountable governance:*

- Continuously review our policies and processes to increase efficiency and quality of our facilities and services we provide.

### Latrobe City Council Children's Services Plan 2013 – 2017

#### *Family Day Care:*

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### *Commitment:*

- Provide accessible, flexible care options for families in accordance with Department of Education and Early Childhood Development (DEECD) and Australian Children's Education and Care Quality Authority (ACECQA).

### *Actions:*

- Complete a feasibility study into the long term viability of Family Day Care – year 2.
- Present a report to Council with recommendations regarding the long term future of the Family Day Care Program within the existing suite of children's services programs managed by Latrobe City Council – year 2 to year 3.

### *What success looks like:*

- Family Day Care assessment is complete with recommendations endorsed and action plan developed or implementation.

## **BACKGROUND**

Latrobe City Council (LCC) is one of the largest single providers of early years services in the Gippsland region and has a strong historic commitment to the provision of accessible early education and care services for families.

The Childcare Strategy adopted by Latrobe City Council in 2006, aimed to improve the wellbeing of families living in Latrobe City by supporting parents and creating an environment that enabled children the opportunity to grow and develop to their full potential.

Review of this Strategy identified a need for it to incorporate the strategic direction and provision of early years services provided by Latrobe City, resulting in the development of the Children's Services Plan 2013-2017 adopted by Council at the Ordinary Council Meeting held 18 November 2013.

The Children's Services Plan makes a commitment to provide accessible flexible care options for families in accordance with DEECD, and ACECQA guidelines. The Plan also outlines an action to present a feasibility study into the long term viability of Family Day Care.

Family Day Care (FDC) is an element of Latrobe City Council's children's services program. FDC is a flexible education and care option, particularly for families who work non-standard hours, who have a need for respite or who prefer accessible care arrangements for their children in a home based environment.

The Latrobe City Council FDC scheme is funded through a combination of the following streams:

- User fees
- Council contribution
- Commonwealth Government funding (Community Support Program)

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Potential and significant funding reduction to FDC Community Support Funding (CSP) were announced during the later stages of 2014 by the Commonwealth Government.

The announcement of these changes, coupled with ongoing challenges in relation to the attraction and retention of educators in the FDC program resulted in a report presented to Council at the Ordinary Council Meeting on 5 November 2014.

The report included a commitment by the Child and Family Services team to bring the completion of the Family Day Care feasibility study forward with a feasibility report and associated recommendation to be presented to Council for consideration in February 2015.

At the Ordinary Council Meeting 5 November 2014, Council resolved the following:

1. *That Council note the report.*
2. *That a detailed report be presented to Council in February 2015 following assessment of the ongoing feasibility of the Latrobe City Council Family Day Care Scheme.*
3. *That Council write to the Federal Minister for Education the Hon. Susan Ley and State Minister for Children and Early Childhood Development the Hon. Wendy Lovell MLC requesting confirmation of 2015/16 Community Support Program funding for Latrobe City Council by no later than 20 January 2015.*

### **KEY POINTS/ISSUES**

Family Day Care is a Commonwealth funded flexible Early Education and Care Service. LCC FDC provides full time, part time, before and after school, weekend, 24 hour and emergency care in the home of qualified Educators and is available seven days a week, 52 weeks of the year, depending on vacancies and educator availability. Care is provided in small groups and educators can care for up to seven (7) children at any one time with no more than four (4) children under school age. LCC has a strong historic commitment to the FDC scheme, which exists within a suite of services managed by the Child & Family Services team.

Over 200 families across the municipality currently utilise the FDC scheme. The annual hours of utilisation have declined by 48% over the five years 2009-2014.

The number of educators contracted by LCC to deliver Family Day Care has declined 45% over the same period. Based on the current trend and key data such as the median age of FDC educators, it is anticipated the scheme will continue to decline.

The Child & Family Services team have implemented changes based on the review of the FDC scheme that have improved the service's projected cost to Council in 2014/15 by approximately \$13,735 (9.5%) from 2013/14. The 2015/16 proposed budget includes amendment to the Coordination unit that further reduces the cost of the scheme to Council for the financial year by \$27876, a further 19%.

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The projected cost to Council for the overall FDC scheme for the 2014/15 financial year is \$126,750. The projected cost to Council for the overall FDC scheme for the 2015/16 financial year is \$ 98,874.

Results of the Commonwealth Governments self-assessment tool undertaken by Latrobe City Council Officers on 5 September 2014 indicate that the FDC Scheme may be eligible for funding: however Latrobe City Councils eligibility will alter if there are changes to the FDC service market (i.e. if additional FDC schemes move into the municipality).

### **RISK IMPLICATIONS**

Risk has been considered and presented in detail in the Family Day Care Feasibility report, Attachment 1.

The identified risks have been considered in the preparation of this report and the presentation of the recommendation to Council.

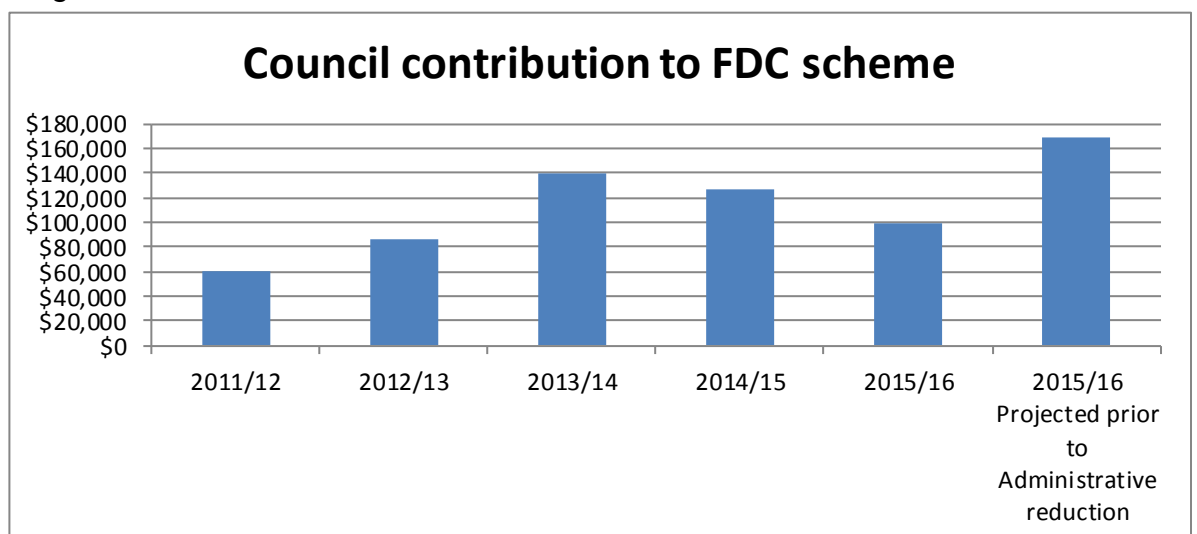
### **FINANCIAL AND RESOURCES IMPLICATIONS**

The projected cost to Council for the overall FDC scheme for the 2014/15 financial year is \$126,750. The projected cost to Council for the overall FDC scheme for the 2015/16 financial year is \$ 98,874.

Significant amendment to the coordination unit at mid-year budget review for the 2014/15 financial year and further during the preparation of the 2015/16 budget, has improved the projected financial outcome of the scheme, reducing the proposed cost to Council by approximately 31% for the 2015/16 financial year.

Council contribution to FDC scheme from 2011/12 to 2015/16

*Note that the cost differential shown in the figure below for 2014/15 and 2015/16 financial years is based on proposed 2014/15 and 2015/16 budgets*



From the 2012/13 to 2013/14 financial year, the hours of FDC care provided reduced by 51,646 hours. This reduction had a significant impact on the income of the FDC scheme through the associated reduction in funding and administration levy collected and subsequently the cost to Council. No adjustments to the Coordination unit were made in this period.

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Further financial and resource implications have been considered and presented in detail in the Family Day Care feasibility report, Attachment 1.

### **INTERNAL/EXTERNAL CONSULTATION**

#### *Engagement Method Used:*

A community survey was undertaken in September 2014 and sought to assess the community's awareness of and requirement for Latrobe City Council's FDC scheme and what factors influence their choice of early education and care.

Survey responses were sought from community members via the Latrobe City Council community sounding board and further distributed through FDC educators to existing service users.

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

A total of 229 respondents completed the survey with 96.5% of respondents noting that they were aware of the scheme. A total of 72.8% reported they would use Family Day Care as an education and care service and cited the home environment, lower educator to child ratios and flexibility of hours as the main reasons for their choice.

Detailed survey response information is included in the FDC feasibility report – Attachment 1

### **OPTIONS**

1. Cease service at conclusion of 2014/15 financial year:

If the proposed cost to Council and probable ongoing cost is deemed unviable, Council can consider ceasing delivery of the Family Day Care scheme. This option will result in the cessation of a service that is currently being provided to over 200 families living in the Latrobe City municipality. It would also result in the required redundancy or redeployment of the existing FDC coordination unit and the conclusion of licence agreements with existing FDC educators.

2. If Government funding reduces or continues to diminish, slowly reduce the Latrobe City Council FDC scheme during the 2015/16 financial year with view to concluding the program at the end of that same year:

If the proposed cost to Council and probable ongoing cost is deemed unviable, Council can consider ceasing delivery of the Family Day Care scheme over a period of time. This option will allow the program to end in a planned manner and should allow existing educators and families a period of time to seek alternate contract and care options. This option is likely to result in the redundancy or redeployment of the existing FDC coordination unit; however this will occur over a longer period of time.

3. Maintain program at current level and adjust support staff as required, allowing the program to end naturally:

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If the proposed cost to Council and probable ongoing cost is deemed viable, Council can resolve to continue delivering the Family Day Care Scheme by managing a continually declining trend until natural attrition occurs. It is difficult to predict how long this process would take, however based on the current average age of educators and the trend of decline in enrolments it is estimated that it may take up to 10 years, with no new enrolments.

4. Maintain program at current level and adjust support staff as required, until December 2015 with another review of the program to occur at this point in time.

This option ensures that Council can continue to provide the program to existing users, with adjustments being made to the FDC coordination unit staffing levels as required (with an internal review being triggered at the reduction of two educators and/or five service users at any given time). This option also ensures that the program continues until such time as information in relation to the CSP funding changes is confirmed and the ongoing cost impact to Council can be fully assessed. A further review of the program would occur at December 2015 with a report being presented to Council for consideration.

5. Continue program and invest in growth and shared delivery models.

Council can resolve to continue delivering the Family Day Care Scheme with a commitment to improved efficiency, including exploration of shared delivery models with neighbouring municipalities, and endeavour to grow the scheme to a point where it becomes financially viable into the future. This commitment would result in the need to continue with the same level of staffing as is in place at the current point in time, regardless of possible decline in educator numbers. It is important to consider that recruitment of new carers has been difficult in recent years (as noted previously in this report) and that the option most likely to result in improved efficiency would be a partnership arrangement with neighbouring municipalities (who have to date been non-committal about this option).

6. A combination of the above options.

**CONCLUSION**

Latrobe City Council's Family Day Care scheme has experienced a consistent decline in educators and users since 2009. The decline in the number of educators reduces the schemes revenue and compromises the financial viability of the scheme. With Commonwealth support funding also uncertain the scheme faces a significant challenge to remain sustainable from a financial point of view into the future.

The financial position of the LCC FDC scheme has marginally improved in the current financial year, with this improvement projected to continue into the next financial year as a result of some changes and cut backs that

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have been planned/implemented in the program, it is not anticipated that this level of efficiency gain will be able to continue into future years as the recent cuts have resulted in the program being reduced to minimum staff (based on the amount of educators and service users currently enrolled in the program).

The FDC scheme is seen as a valuable education and care service for the community, however recent trends in educator recruitment and an associated decline in client usage indicate that it is unlikely that the program will grow into the future without significant resource (and financial) investment.

**SUPPORTING DOCUMENTS**

Children's Services Plan 2013-2017

**Attachments**

1. Latrobe City Council Family Day Care Feasibility report
2. REMPLAN Economy Report



# **15.1**

## **Family Day Care Feasibility**

<b>1</b>	<b>Latrobe City Council Family Day Care Feasibility report .....</b>	<b>407</b>
<b>2</b>	<b>REMPAN Economy Report .....</b>	<b>429</b>

## Latrobe City Council Family Day Care Feasibility report

### Context

From its inception Latrobe City Council (LCC) has been committed to the provision of quality early years services. Following the State Governments introduction of the preschool cluster management model, Latrobe City Council became one of the largest single cluster managers and the only Local Government Authority in the Gippsland region to take on this responsibility.

Child care services have been developed to reflect growing community need with Family Day Care (FDC) and Long Day Care (LDC) programs being an essential part of the Latrobe City landscape throughout the years.

During the 2012/13 financial year it was identified that, whilst Latrobe City Council has always had a clear commitment to the provision of, and advocacy for, early years services, this had not been captured appropriately through the development and endorsement of a strategic plan outlining Council's commitment in a formal manner. As a result, high level community engagement and consultation was undertaken that resulted in the development of the Latrobe City Council Children's Services Plan 2013 – 2017. This Plan was endorsed by Council at the Ordinary Council Meeting 18 November 2013.

The Children's Services Plan discusses the strong history that Latrobe City Council has in the successful delivery of high quality children's services, as well as working with the community to advocate for improved outcomes for children and their families. The Plan also considers that the ongoing financial viability of the direct delivery of services must be considered by Council on an ongoing basis and outlines a plan to review a number of services in a planned and considered fashion.

In relation to the Family Day Care service the Children's Services Plan 2013 – 2017 notes the following:

*Commitment:*

Provide accessible flexible care options for families in accordance with Department of Early Education and Childhood Development (DEECD) and Australian Children's Education and Care Quality Authority (ACECQA).

*Actions:*

Complete a feasibility study into the long term viability of Family Day Care – year 2

Present a report to Council with recommendations regarding the long term future of the Family Day Care program within the existing suite of Children's Service Programs managed by Latrobe City Council – year 2 to year 3

*What success looks like:*

Family Day Care assessment is complete with recommendations endorsed and Action plan developed for implementation.

Significant potential changes to Family Day Care Community Support Funding (CSP) were announced during the later stages of 2014 by the Commonwealth Government. The announcement of these changes, coupled with ongoing challenges in relation to the attraction and retention of educators in the Family Day Care program has resulted in the Family Day Care feasibility study being brought forward with associated recommendations to be presented to Council for consideration in February 2015.

The report aims to provide a detailed summary for Council in order to allow effective decision making in relation to the short, medium and long term viability of the program for Latrobe City Council, both from a financial and social point of view.

## Family Day Care service summary

The FDC scheme offers quality home-based care and education for children between 6 weeks and 13 years of age. Coordinated by Latrobe City Council, the scheme currently licenses 23 home based educators throughout the municipality. FDC is a flexible child care option with some educators offering care 24 hours a day, 7 days a week. This program can also provide before and after school care. By law the maximum number of children in care at any one time shall be no more than seven (7) children under thirteen (13) years of age with no more than four (4) children of preschool age or under at any one time (including those living in the Educator's home).

## Funding context

The Latrobe City Council FDC scheme is funded through a combination of the following streams;

- User fees
- Council contribution
- Commonwealth Government funding (Community Support Program)

User fees are set at the time of budget development each year by Council for implementation at the beginning of the following financial year. In order to establish suggested fees Latrobe City Council officers undertake a process of benchmarking against other schemes as well as considering the overall cost of the program to Council (Council contribution) and the need to offset this.

FDC schemes have long received operational support grants from the Commonwealth Government. Under the Community Support Program (CSP) funding agreement, schemes can utilise the funding to contribute to the day to day operating costs of the service.

The Commonwealth Government has advised that it is making changes to the CSP funding for FDC services to target the funding to where it is needed and make it a fairer, sensible and sustainable programme. The Government has promoted that these changes will bring the support offered to FDC services, through the CSP, into line with the support provided to other types of child care.

From 1 July 2015, all approved FDC service operators will be required to meet prescribed eligibility criteria in order to receive CSP funding. The new criteria requires services to be the sole FDC service located in a regional, remote or disadvantaged area and to demonstrate that there is demand for the childcare in that area.

A self-assessment tool was released during the later stages of 2014 to assist services to conduct a preliminary and indicative self-assessment of their potential to access ongoing CSP funding, against the eligibility criteria.

Latrobe City Council officers undertook the self-assessment on 5 September 2014, the results of which indicate that the Latrobe City Council FDC Scheme may be eligible for funding; however it is important to note the following:

- Self-assessment cannot provide a conclusive appraisal of Latrobe City Councils eligibility.
- Latrobe City Councils eligibility for CSP funding will alter if there are changes to the FDC service market (i.e. if additional FDC schemes move into the municipality).
- The self-assessment tool does not include all the criteria a FDC scheme must satisfy to be eligible for CSP funding.

All FDC services, including those with existing funding agreements, will be required to reapply for CSP funding for 2015-2016 from April 2015, at which time a formal assessment of eligibility will occur.

An annual cap of \$250,000 has also been introduced for all FDC schemes from 1 July 2015. At this point in time Latrobe City Council does not claim funding up to this cap and would not be affected unless the scheme, currently being provided, doubles in size.

The CSP is a capped funding programme, with a limited amount of funding allocated each year. FDC providers have recently been advised by the Commonwealth Government Department of Education that over the past three years the programme has over-spent by approximately \$200 million. It is anticipated that due to high levels of growth in FDC in some isolated areas, there is a high level of potential for this over spend to continue or increase into the future. As a direct result of this over expenditure, CSP funding has been capped for the remainder of the current financial year at the current average claim for each scheme. The Latrobe City Council FDC scheme has been capped at \$7831 per month for the remainder of the financial year.

The Latrobe City Councils 2014/15 FDC budget forecast is not expected to be impacted by this unexpected funding cap, as it is not anticipated that the program will deliver more hours of service in the remaining months of the financial year than have been delivered year to date. It does mean however, that CSP funding will not be paid on any hours of care provided beyond current levels, should this occur.

### **Regulatory & Policy Context & Requirements**

Latrobe City Council is licensed by the Department of Education and Training (DET, previously the DEECD) to operate as an approved provider of a registered FDC scheme. As an approved provider Latrobe City Council is obligated to operate within the requirements of the following legislation and guidelines:

- *Education and Care Services National Regulations 2011*
- *Education and Care Services National Law Act 2010*
- *National Quality Standards*

- *Early Years Learning Framework*
- *Latrobe City Family Day Care Scheme's policies and procedures.*

On behalf of the Australian Children's Education and Care Quality Authority (ACECQA), the DET undertake quality assurance audits whereby they assess and rate services according to the National Quality Framework (NQF). Latrobe City Councils FDC scheme was assessed in September 2012: the service achieved an overall rating of Working Towards National Quality Standard in the first Assessment and Rating cycle.

Table 1 Overall Assessment and rating result

Quality Area rating		
QA 1	Educational program and practice	Meeting National Quality Standard
QA 2	Children's health and safety	Working Towards National Quality Standard
QA 3	Physical environment	Meeting National Quality Standard
QA 4	Staffing arrangements	Meeting National Quality Standard
QA 5	Relationships with children	Meeting National Quality Standard
QA 6	Collaborative partnerships with families and communities	Meeting National Quality Standard
QA 7	Leadership and service management	Meeting National Quality Standard
	Overall rating	Working Towards National Quality Standard

Within the assessment and rating process 58 elements are assessed when Regulatory Authority Officers (RAO) visit each service. If any element is deemed 'not met' the Quality Area is assessed as Working Toward National Quality Standard. Across seven (7) Quality Areas, eighteen (18) Standards are rated. If one or more standards are rated Working Towards National Quality Standard, the Overall rating will be Working Toward National Quality Standard.

Element 2.1.3 was assessed as not met in the LCC FDC assessment and rating visit, specifically the RAO reported:

### **2.1.3 Basic hygiene practices are implemented, in that:**

- The service had a policy which outlined appropriate hygiene procedures. These policies were provided to educators.
- Educators followed appropriate guidelines and stored and handled food provided for children in a safe and hygienic manner.
- Educators engaged in effective hygiene practices and encouraged children to wash their hands prior to eating. All educators had appropriate facilities including provision for hand washing and provided individual hand towels or paper for children to use.
- Educators used appropriate nappy change facilities for the nappy change routine, and most educators used disinfectant and wiped the change mat surface down after the nappy was changed.
- One educator did not use gloves, and was not seen to wash her hands or wipe the nappy change mat down after the nappy was changed. When asked about the service's nappy change policy, the educator stated that she used the policy as a guide.

The DET endeavour to re-rate services assessed as Working Toward the National Quality Standard every 1-2 years, it is therefore anticipated the FDC scheme will be re-rated in 2015.

## Financial position

**Income** - the income of the FDC scheme is relative to the hours of care provided and therefore the funding and administration levy collected. For every hour of care provided a service user pays a fee to the educator and a fee for the administration of the scheme that is retained by Council for example:

Fee paid by family	Portion paid to educator	Admin levy retained by Council
\$7.85	\$7.00	\$0.85

In addition, the Commonwealth Government contributes CSP funding through the DET based on the total hours of care charged by the child care service during the relevant fortnight. The table below shows the approximate breakdown of the FDC scheme income by percentage, of each income stream.

Table 2 – Source and contribution to income per annum 2011/12 to 2014/15

Source of income	Approximate % of total income			
	2011/12	2012/13	2013/14	2014/15
CSP funding	9.3	9.1	8.2	7.7
Admin levy	8.5	8.4	7.1	7.5
CCB	43	41.5	37.5	30.5
Fees for service	34	36	37.5	38
Council contribution	3.1	5	9.5	11

**Expenditure**- in addition to educator payments, coordination unit salaries, wages and on-costs, the FDC scheme expenditure includes software maintenance and stationary required specifically for the program and corporate overheads. The program previously included a vehicle and associated costs, however this was removed at midyear 2014/15 in an effort to reduce overall program costs (and as a result of it being underutilised in the program).

The cost to Latrobe City Council to provide the FDC scheme has increased by approximately 40% since the 2011/12 financial year, as a result of the drop in the number educators and an associated decline in the number of service users (which has resulted in a reduction in income from CCB, CSP and user fees). Significant amendment to the coordination unit at mid-year budget review for the 2014/15 financial year and further during the preparation of the 2015/16 budget, has improved the projected financial outcome of the scheme, reducing the proposed cost to council by approximately 31% for the 2015/16 financial year.

The projected financial position of the FDC scheme for the 2015/16 financial year is improved due to:

- Proposed administration levy increase of 5.8% from the 14/15 to 15/16 financial year

- Forecast \$60K reduction in salaries and wages from reduced EFT in coordination unit
- Removed vehicle from the scheme (cannot be replicated as a saving in future financial years)

The current proposed FDC budget for the 2015/16 financial year is built on the assumption that CSP payments will continue to be paid to Latrobe City Council (the decision to build the proposed budget based on this assumption, was made following the completion of the CSP funding allocation self-assessment tool).

If Council becomes ineligible for CSP funding in the 2015/16 financial year, the cost to Council will increase by an estimated further \$97,909 resulting in the total cost to Council being \$196,783.

Figure 1 - Funding contribution 2010/11 to 2014/15

*Note that the Government contributions, fee for service and administration levy are directly related to hours of care provided.*

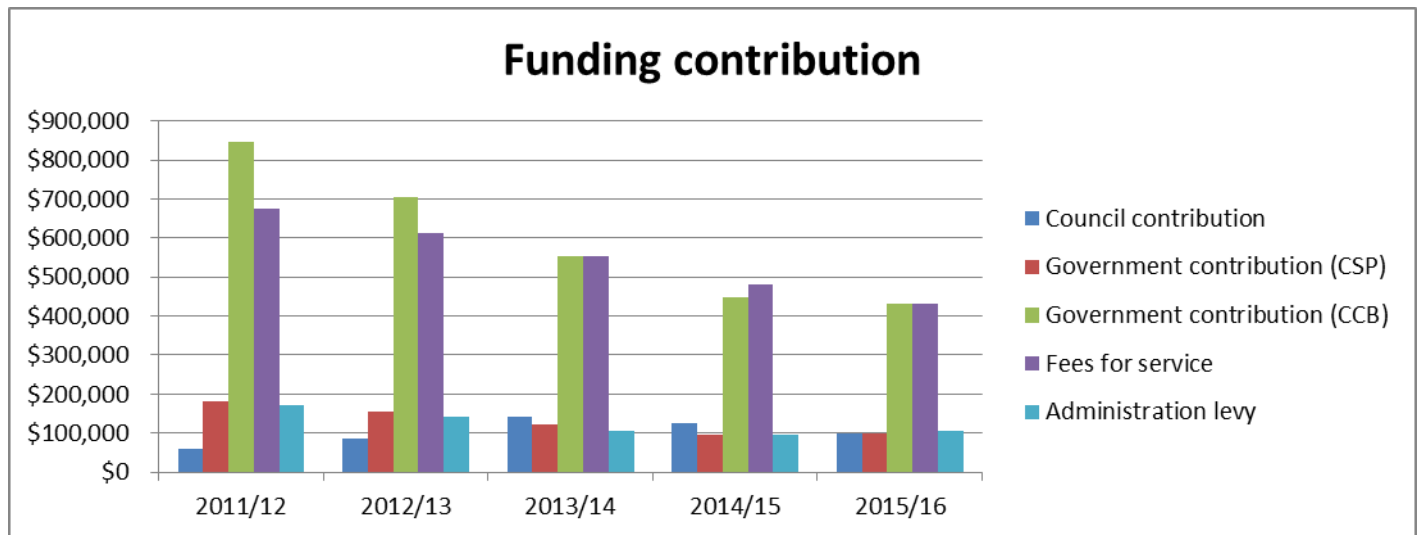


Figure 2 - Cost comparison of Long Day Care and Family Day Care 2013/14 financial year.

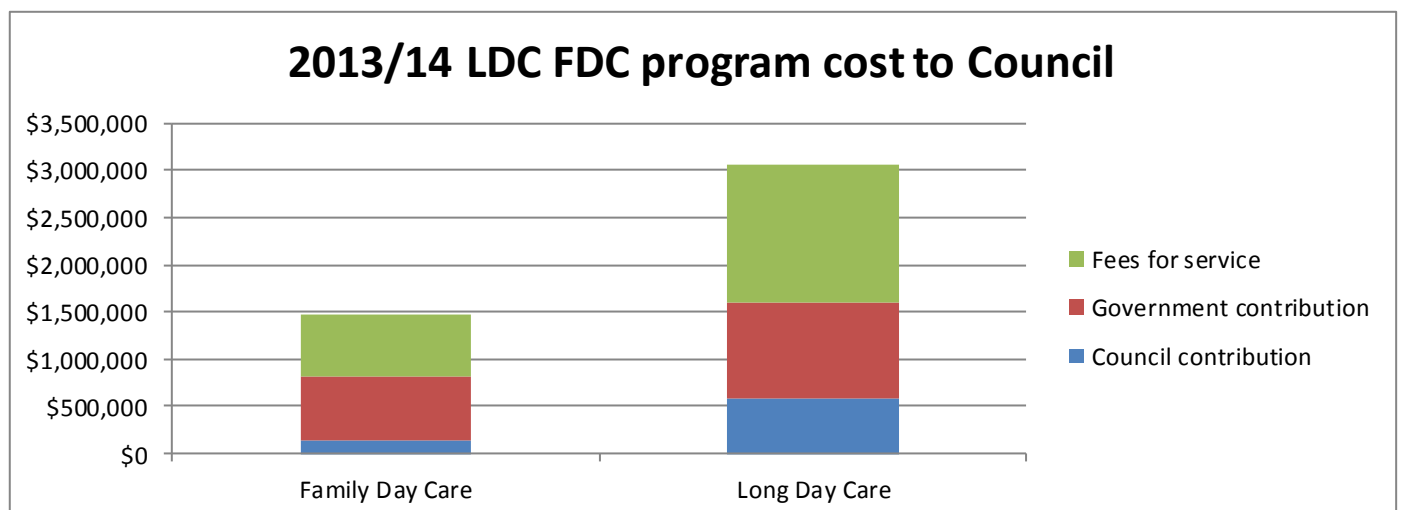


Figure 3 – Council contribution and administration levy contribution to FDC scheme from 2011/12 to 2015/16

Note that the cost differential shown in the figure below for 2014/15 and 2015/16 financial years is based on proposed 2014/15 and 2015/16 budgets

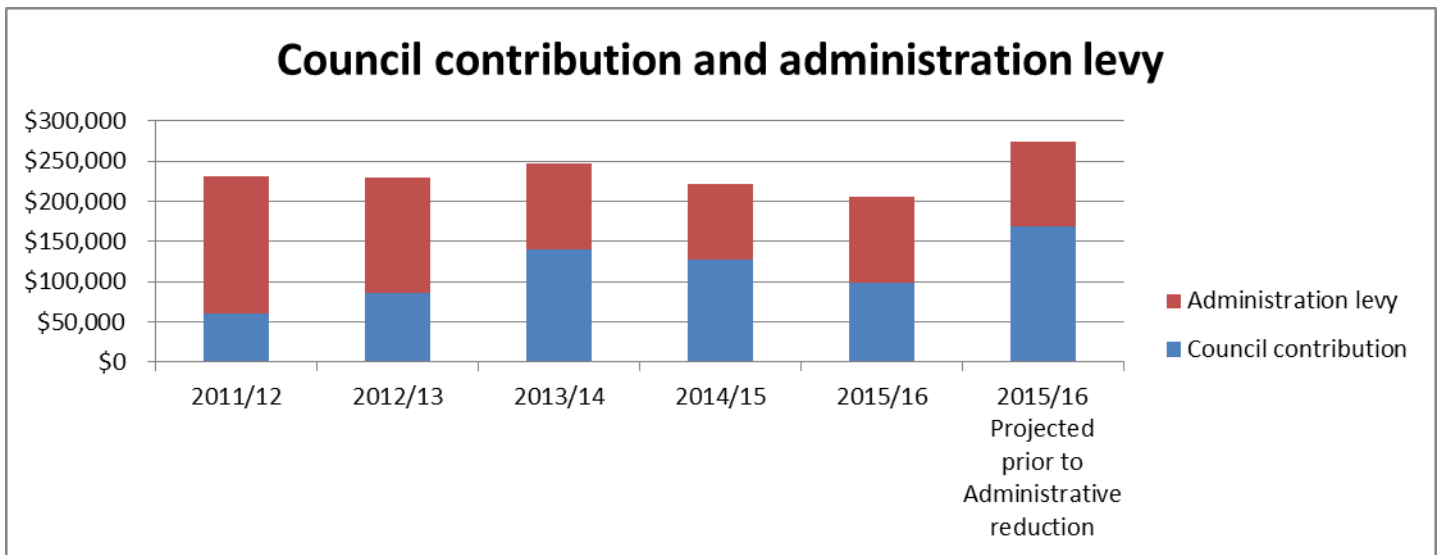


Figure 4 Trend of FDC fee increase from 2011/2012 to 2015/16 financial years.

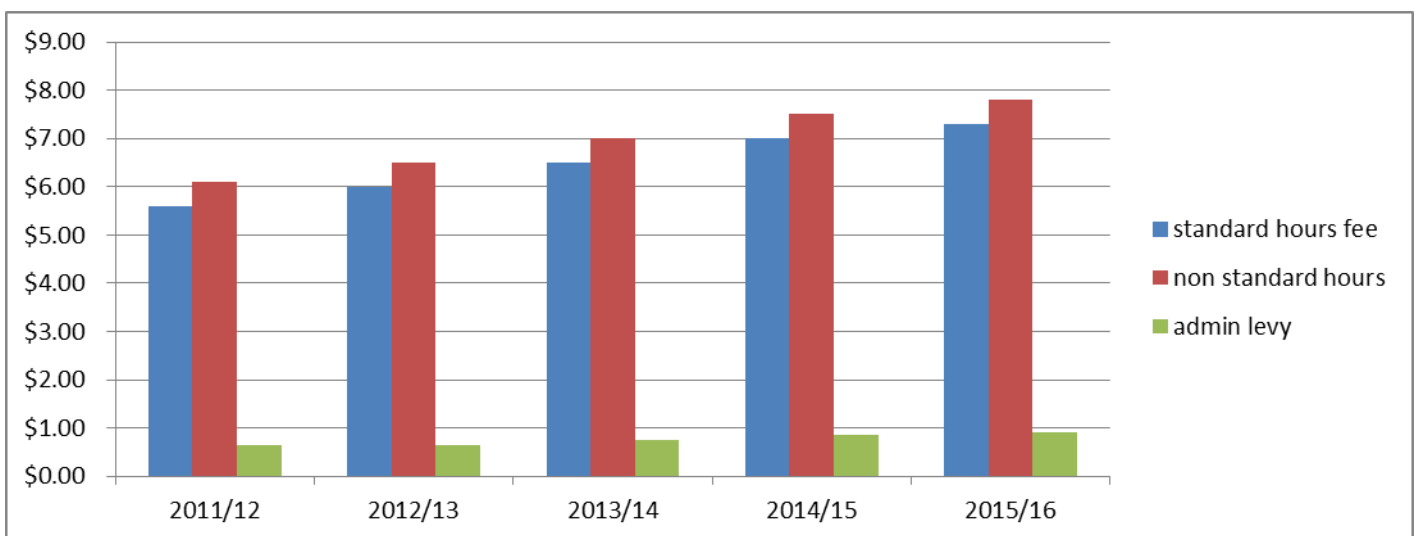
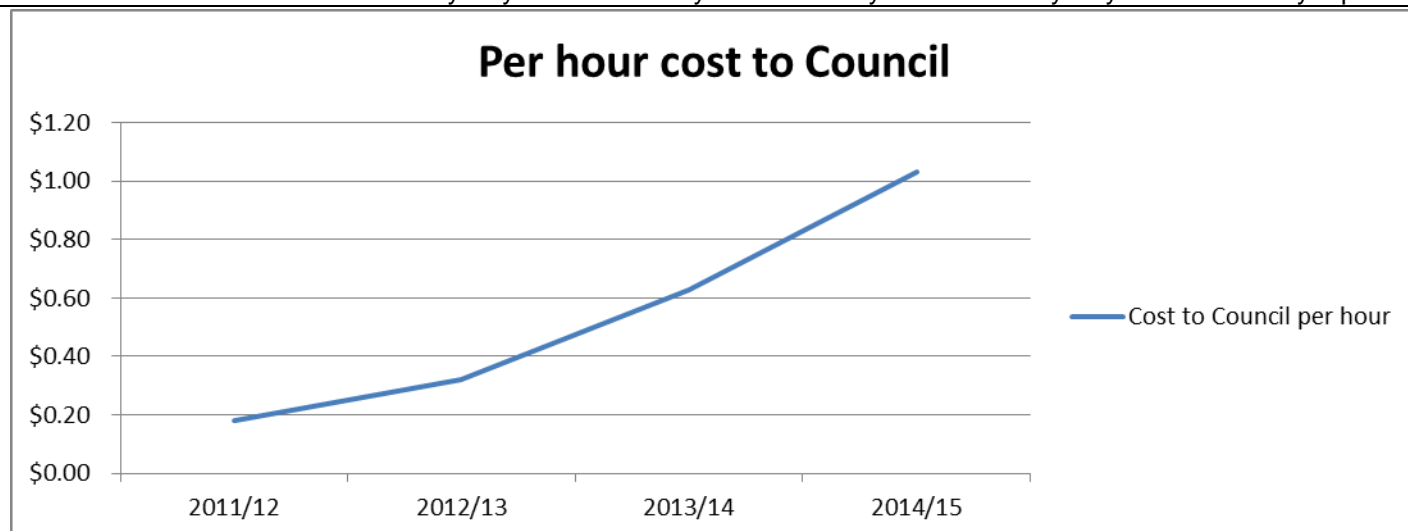


Figure 5 – Per hour cost to Council trend 2011/12 to 2014/15





### Debt management

The Latrobe City Council FDC scheme follows the practice of collecting fees from service users on behalf of educators and then passing on these fees at the agreed rate (which is the hourly rate charged to the service user). Whilst this ensures educators are paid on time and in full for the services that they provide each fortnight, it presents a risk to Council in relation to debt management.

History would indicate that debt management in the Latrobe City Council FDC scheme has been difficult in the past. Over the last 3 – 4 years the debt management processes in relation to this program have been reviewed and refined, in partnership between the Finance Team and the Child and Family Services (C&FS) Team.

C&FS administration staff spend approximately 5 hours per week (over 18% of the weekly hours allocated to the program in administration support) in managing debt recovery. In recent years, the implementation of strong and consistent debt management practices has significantly reduced the bad debt write off of the scheme however, some write off still occurs.

Table 3 – Bad debt write off from FDC service users 2011/12 to 2014/15

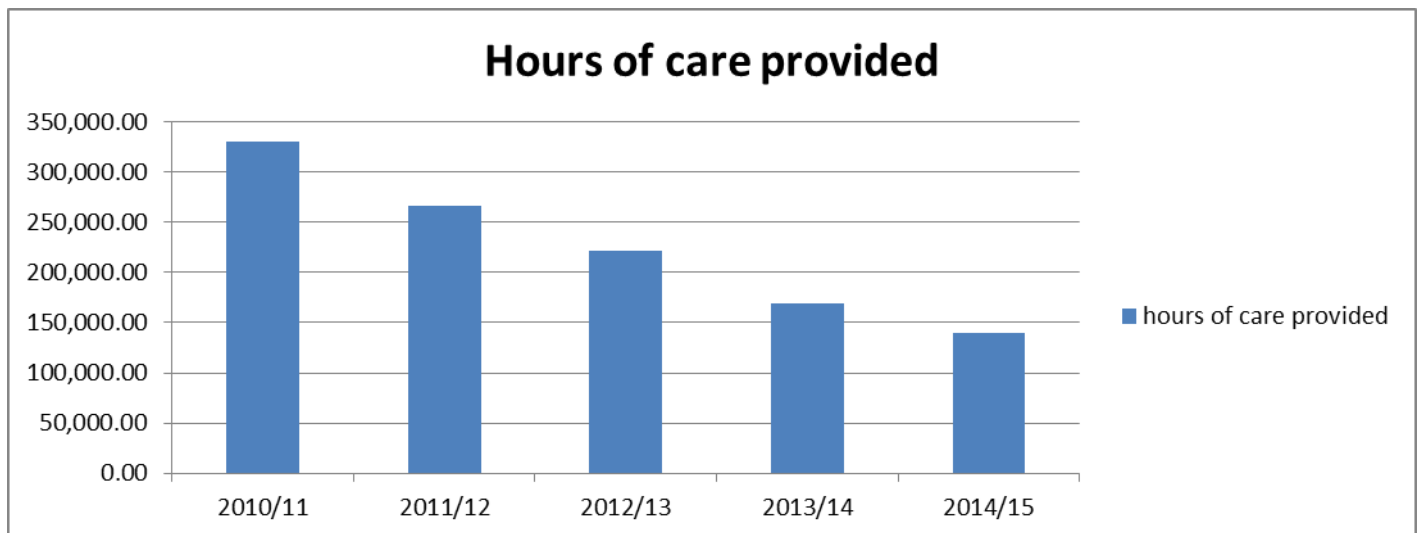
2011/2012	2012/2013	2013/2014	2014/2015
9,292.71	4,391.53	3,566.34	\$1494 YTD

Some FDC schemes managed by other Local Government Authorities and other organisations, allow educators to collect fees directly from service users, reducing the risks to the licenced organisation, which is then only responsible for the collection of administration fees. There are other risks associated with this fee collection system, including the risk of fraud and a reduced ability to cease the provision of service if accounts are unpaid.

### Hours of care provided / Utilisation

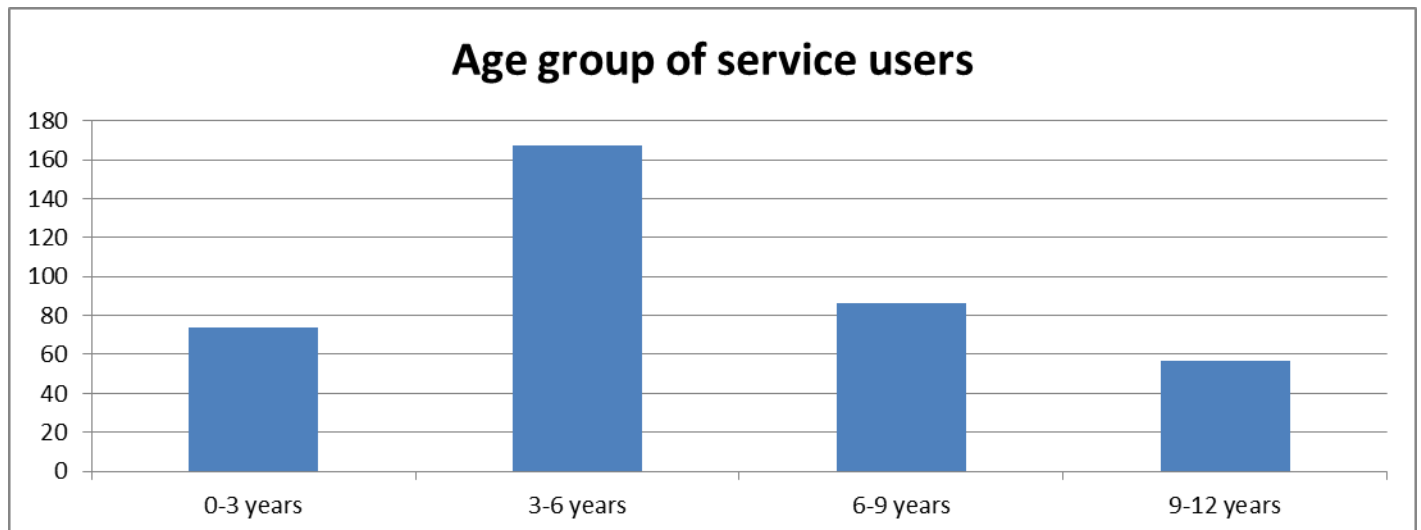
Over 200 families across the municipality currently utilise the family day care scheme. The annual hours of utilisation have declined by 48% in the 5 years 2009-2014.

Figure 6 – Hours of care provided from 2010/11 to 2014/15



The Family Day Care scheme provides education and care services for children aged 6 weeks to 13 years. The highest proportion of children currently enrolled in the scheme is 3-6 year olds accounting for 44% of service users.

Figure 7 - Age range of children using FDC



Family Day Care is the only education and care service to provide non-standard hours (outside normal business hours) of care in the municipality. Currently an average of 5.3% of all care provided by the Latrobe City Council FDC scheme is provided during non-standard hours (outside standard Long Day Care hours of service).

Table 4 - Risks identified

Risk	Likelihood	Mitigation
LCC assessed ineligible for CSP	Moderate	Increase administration levy by additional

<p>funding in 2015/16 financial year</p> <p>LCC become ineligible post assessment due to alteration in demand, new providers moving into the area or an unknown alteration to the assessment criteria</p> <p>2015/16 budget built on anticipated CSP funding, potential for council to run over budget</p>		<p>\$0.70 per hour per child, resulting in an overall administration cost of \$1.55 to offset withdrawal of CSP funding.</p>
<p><b>Impact</b></p> <p>Significant fee increases to offset any CSP funding withdrawal would have an impact on users of this service. The current administration fee for the Latrobe City Council FDC scheme has been endorsed by Council as being \$0.85 per hour per child. Increasing the levy to \$1.55 translates to a 9% increase or \$24.50 for a family using 35 hours of care per week.</p> <p>If the cost of CSP funding withdrawal is not passed on to families it creates increased cost to council/rate payers.</p> <p>There is limited time to communicate a potential fee increase with families.</p>		
<p><b>Risk</b></p>	<p><b>Likelihood</b></p>	<p><b>Mitigation</b></p>
<p>Scheme closure at 1 July 2015</p> <p>Under Family Assistance Law, closure of an approved service without 42 days' notice to DET prior to ceasing, can incur an Infringement Penalty issued by the Secretary or a Civil Penalty. Penalty can be \$13,600 for a body corporate.</p>	<p>Moderate</p>	<p>Notify DET no later than 19 May 2015, to cease operations as at 1 July 2015.</p>
<p><b>Impact</b></p> <p>Potential for significant household impact on 200 families, their 363 children and 23 educators.</p> <p>Limited lead time to transition families to alternative education and care services.</p>		

### Community feedback

A community survey was undertaken in September 2014 and sought to assess the community's awareness of, and requirement for, Latrobe City Council's FDC scheme and what factors influence their choice of early education and care.

Survey responses were sought from community members via the Latrobe City Council community sounding board and further distributed through Family Day Care educators to existing service users.

229 respondents completed the survey with 96.5% of respondents noting that they were aware of the scheme. 72.8% reported they would use Family Day Care as an education and care service

Figure 8 - Response to FDC survey Q1

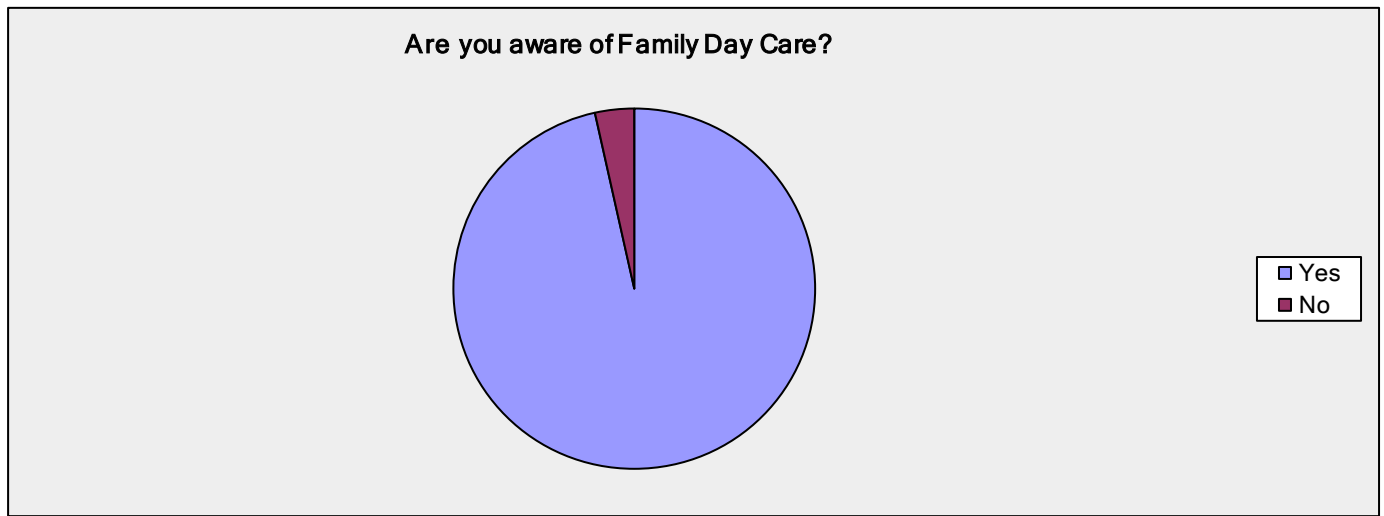


Figure 9 - Response to FDC survey Q2

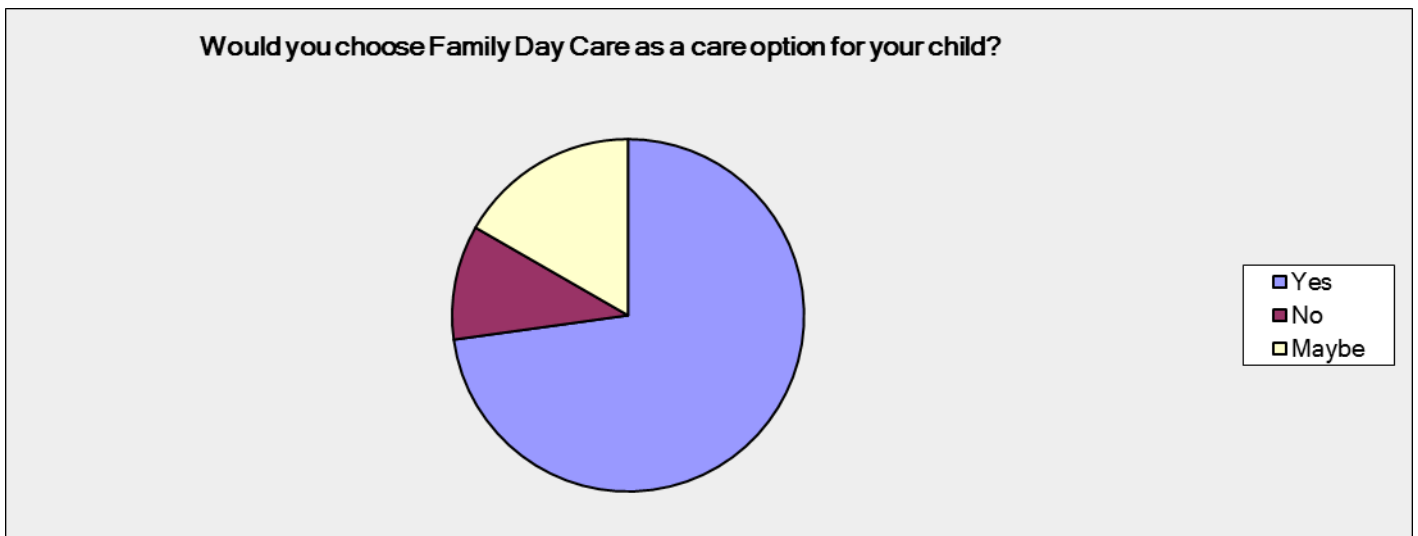


Figure 10 - Sample of summary comments in response to FDC survey Q3  
 'What do you see is the difference between Long Day Care and Family Day Care?'

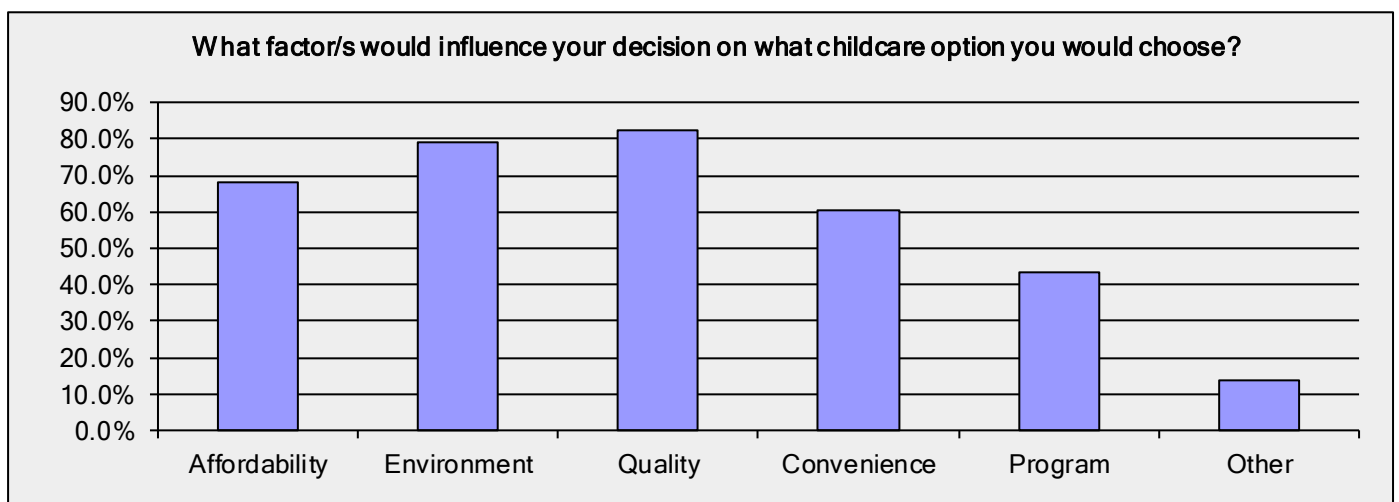
1	LDC is costly. Ration is higher. Not a "home environment". Less excursions. More changes in Educators - not consistent
2	FDC is more of a home environment. Not sure about LDC - more children to look after, not the same environment
3	Long Day care I feel there are more people to monitor what is happening. Family Day Care there is not enough monitoring.
4	When kids get sick it spreads quicker at LDC. Kids don't get as much attention. Kids are stuck in one room all day in LDC.
5	Long Day Care is centre based care. Family Day Care is home based care.

6	I would have to pay for a full day at Idc - even though I only need it for 5 hours. Family Day Care allows me to pay for just what i need.
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Figure 11 - Sample of summary comments in response to FDC survey Q4  
 'What would cause you not to choose Family Day Care as a childcare option?'

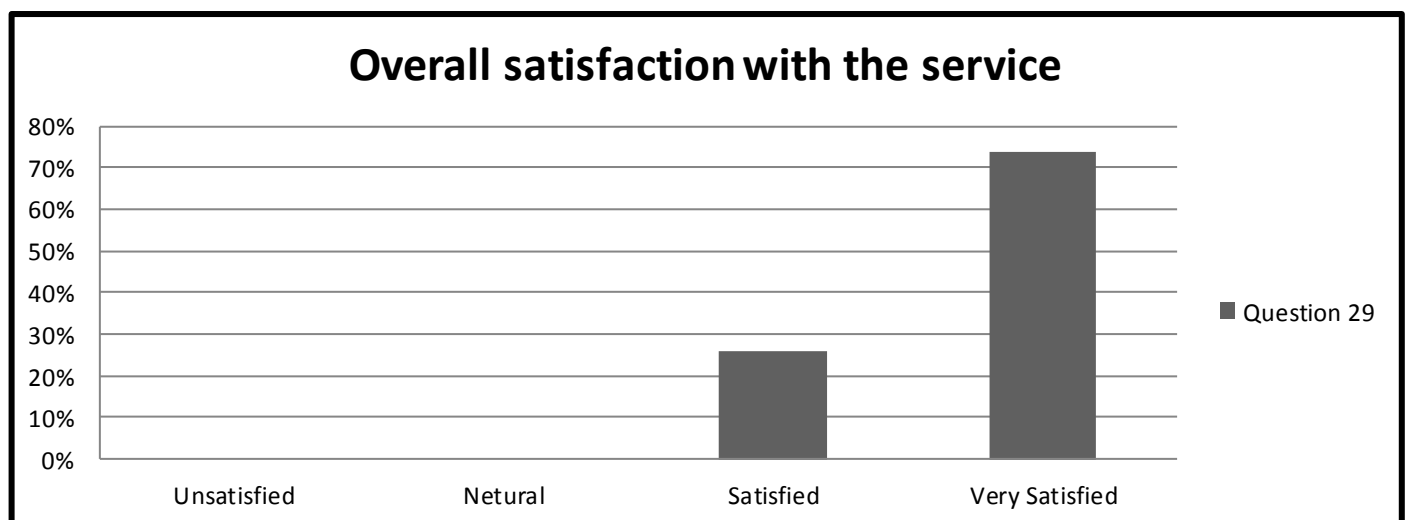
1	appearance of home, where located and word of mouth from others
2	if it was not freely available / free spaces. If I could not easily find people who did it in my local area.
3	The carer not being appropriate or the house not being safe.
4	I feel LDC is more regulated and have more staff to educate the children
5	Nothing - I love the FDC environment and it is a lot cheaper.
6	Lack of educational programs

Figure 12 – Response to FDC survey Q5



A customer satisfaction survey of existing FDC users is completed by the Child and Family Services team each year, with the results being used to inform the development of a Service Improvement Plan. The most recent customer satisfaction survey was completed in October 2014 with 38 respondents. 74% of respondents reported they were generally 'very satisfied' with the education and care service, with the remaining 26% generally 'satisfied'. 97% of respondents reported they would recommend the service to others.

Figure 13 – 2014 FDC Customer satisfaction survey results Q 29

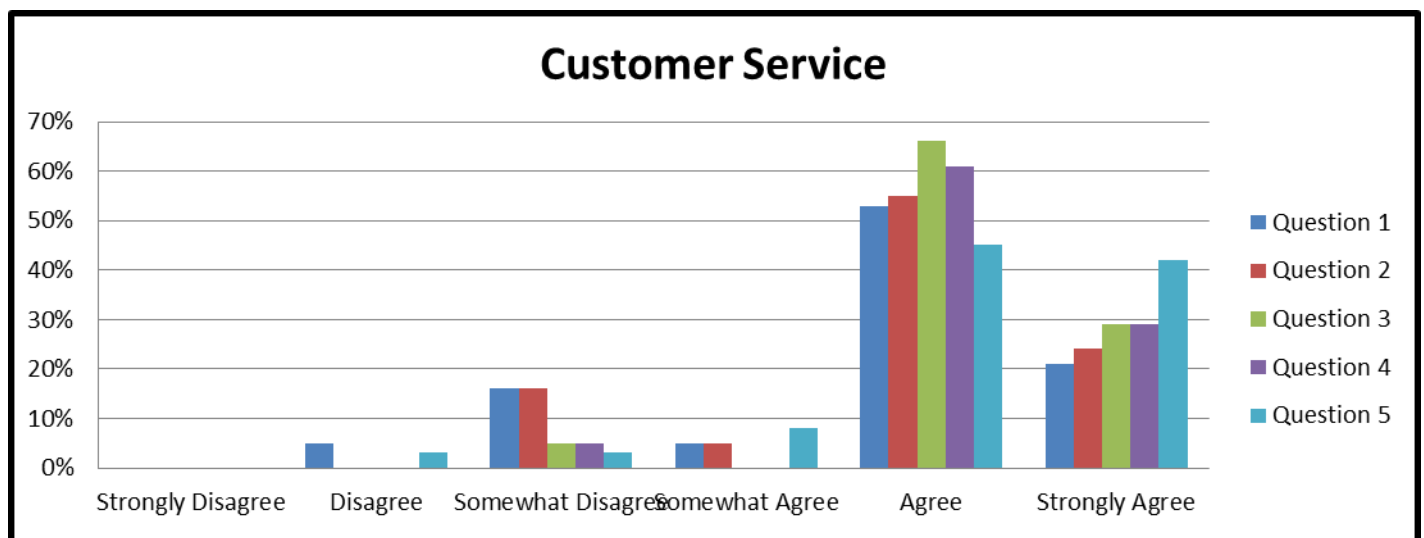


Data presented below from the 2014 Family Day Care customer satisfaction survey, demonstrates the community's response to the scheme.

Figure 14 – Response to FDC customer satisfaction survey Q1-5

#### Survey questions

1. Making contact with the service is easy
2. Responses to my questions are received in a timely manner
3. The co-ordination team are courteous and professional
4. The co-ordination team approach concerns in a confidential manner
5. The program has been able to fulfil my care requirements (Days and Times)



#### Value to community

Operation of the FDC scheme in Latrobe City makes a significant social and economic contribution<sup>1</sup> to the local community, by supporting parents to engage in employment or community activities and enabling educators to operate small businesses and have gainful employment. In the 2013/14 financial year, the FDC scheme made over \$1 million in income payments to its educators.

#### Educators

Latrobe City Council currently contracts 23 Family Day Care educators across the municipality, who provide care and education services from their private homes. All Family Day Care educators hold relevant qualifications and are assessed against the National Quality Standards by the DET. Upon commencement as a contracted Family Day Care educator, individuals enter into a license agreement that outlines the conditions of the service they provide. The educator's license agreement is revised and renewed annually.

For service users to be eligible for government grants such as the Child Care Rebate and Child Care Benefit, their Family Day Care educator needs to be registered with a licensed Family Day

<sup>1</sup> REMPLAN-Economy-Report.pdf

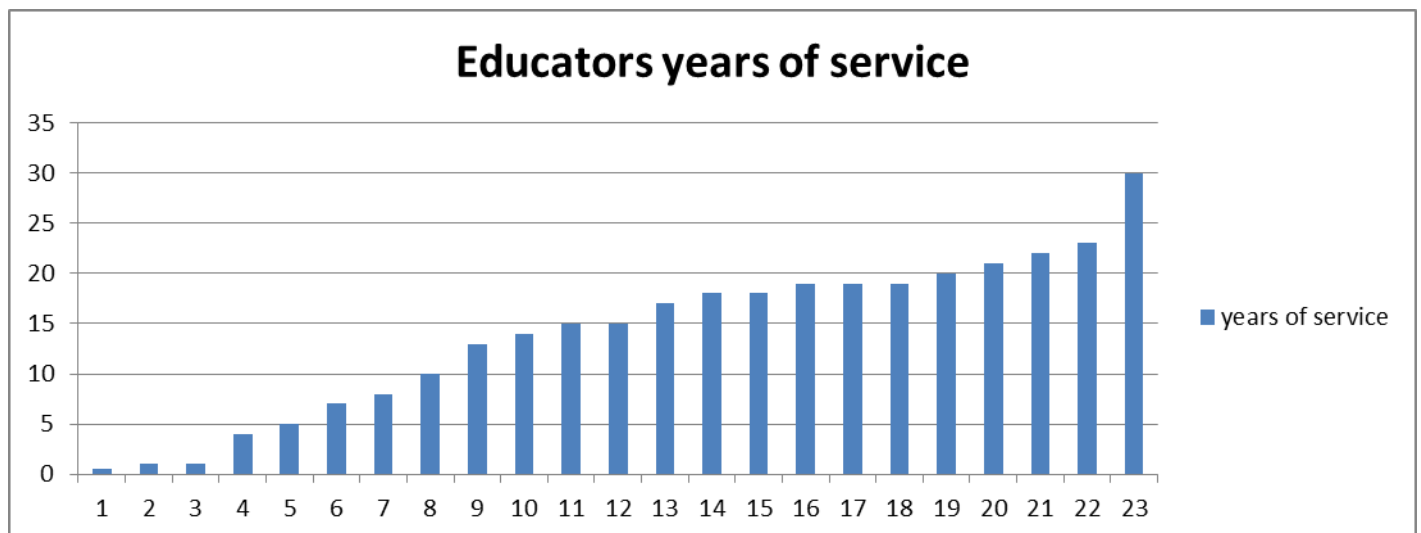
Care scheme. Key components of the agreement between educators and Latrobe City Council include:

- Latrobe City Council is the approved provider of the service
- Educators are contractors operating under Council’s license
- Educators must practice in accordance with the National Quality Framework and comply with all state and national regulations relating to the provision of care
- Latrobe City Council can terminate an educators license agreement if an educator breaches any component of the agreement

The age range of Family Day Care educators contracted by Latrobe City Council ranges from 22 to 66 years of age, with the average age of educators being 52 years. 52% of educators are aged 55 years or over indicating a high level of potential for educators retiring over the coming years.

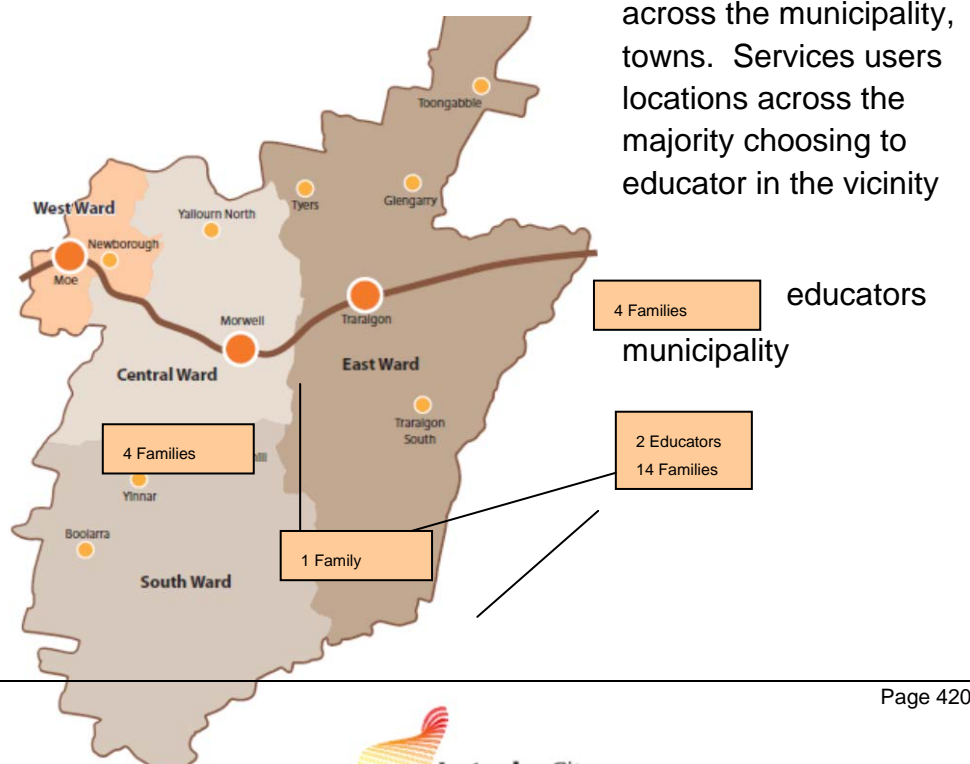
21 educators hold a Certificate III in Children’s Services and 2 educators hold a Diploma of Children’s Services. The average years of service for Family Day Care educators is 13 years with a range from 2 months to 30 years across the scheme.

Figure 15 Educators years of service

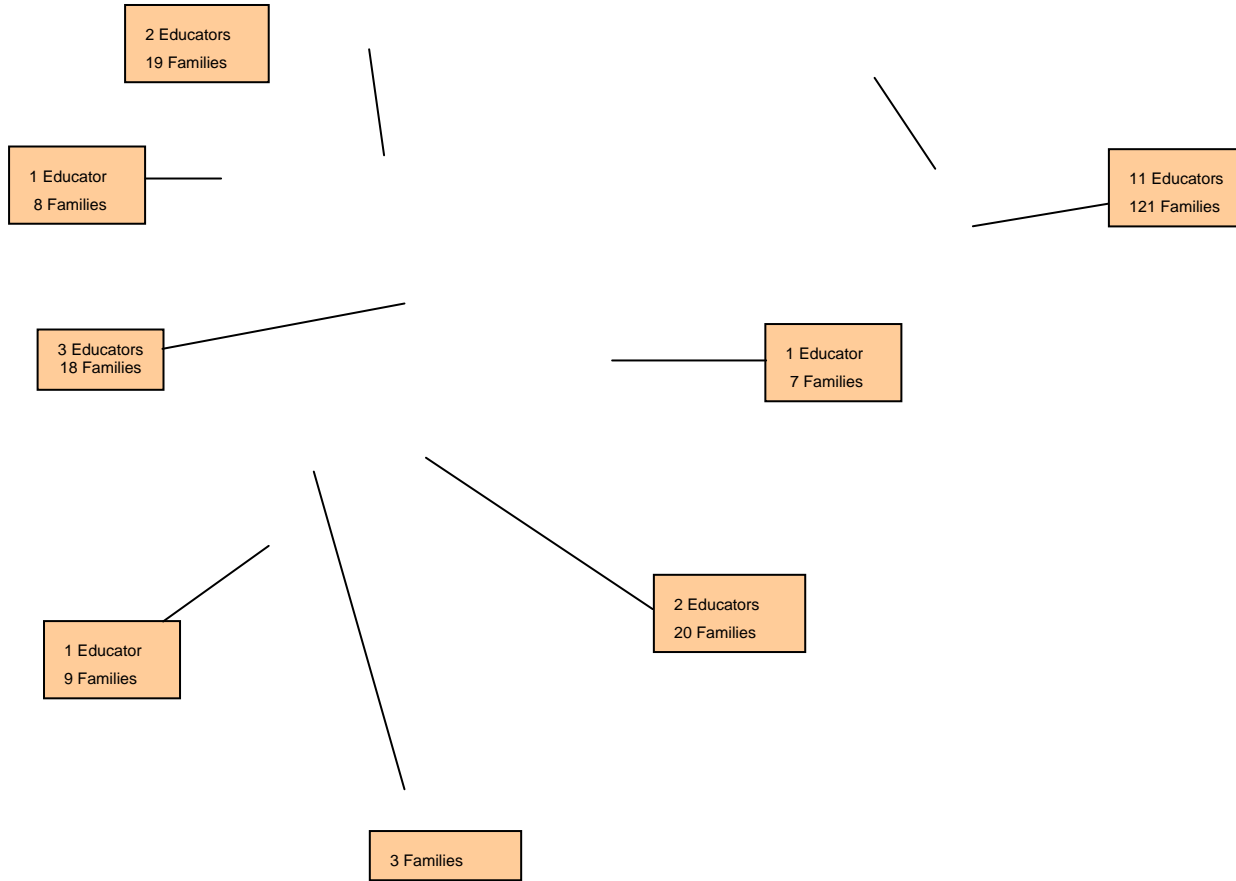


FDC educators operate in both large and small (families) live at various municipality, with the access the services of an of their home.

Figure 16 Location of and families across the

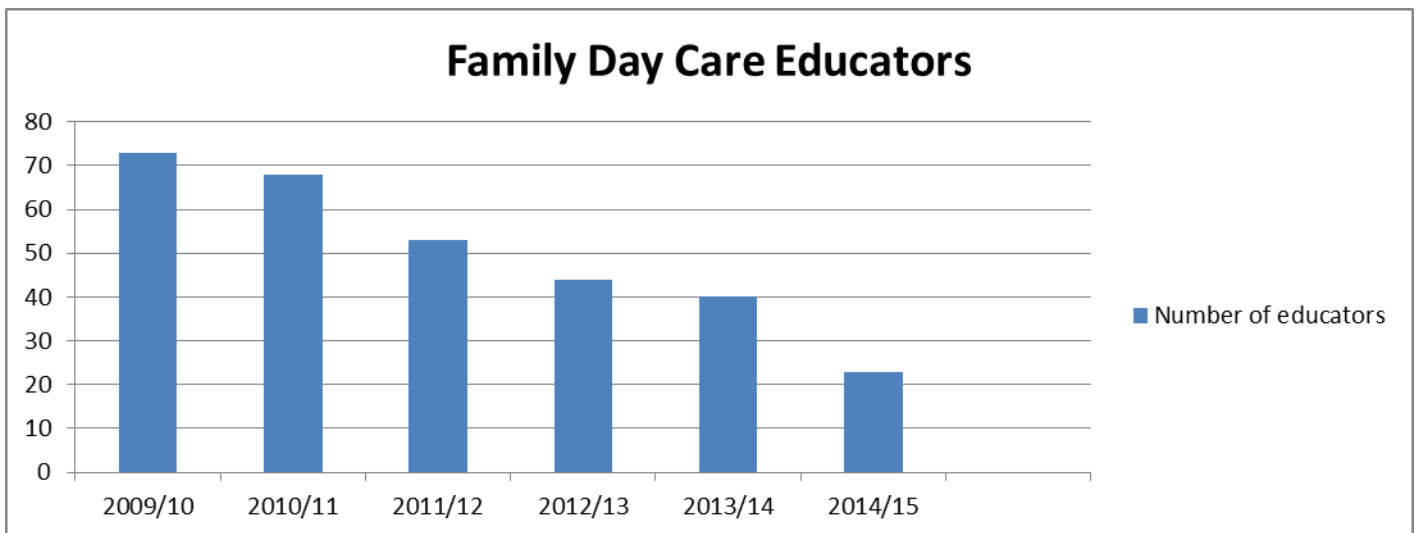


across the municipality, towns. Services users locations across the majority choosing to educator in the vicinity



The number of educators contracted by Latrobe City Council to deliver Family Day Care has declined 45% over the last 5 years (2009-2014).

Figure 17 Number of family day care educators 2009/10 – 2014/15



Factors believed to influence this attrition rate of an average 8.3 educators per year include:

- Educators retiring
- Implementation of regulations including qualification and compliance requirements
- Removal of Commonwealth start up incentives for educators



- Increasing requirements for new educators to meet an associated cost for required alterations to their homes.

### **Coordination Unit Operations**

The Family Day Care coordination unit operates within the Child & Family Services (C&FS) team and currently operates with 2.81 effective full time (EFT) staff. The roles and associated EFT hours within the coordination unit are highlighted below.

The Coordinator Early Learning and Care West/Officer accounts for .33 EFT (contained within 1.0 EFT) of the coordination unit and is responsible for:

- Coordination of FDC, Vacation care, Moe Early Learning Centre and West area preschools.
- Ensuring the scheme meets the requirements of the National Quality Framework in particular Quality Area 7, leadership and management
- Management of program resources and operating budgets
- Team Leader Early Learning and Care West and Team Leader Early Learning and Care Office as direct reports.

The Team Leader Early Learning and Care Officer accounts for .8 EFT (contained with 1.0 EFT) of the coordination unit and is responsible for:

- Leadership of the FDC scheme, Vacation Care programs and the Child & Family services administrative support team
- Licensing and legislative compliance
- Policy and procedure development
- Forming partnerships and networks with relevant organisations
- Staff and educator recruitment
- FDC field officer, FDC resource officer and office based child & family services administration officers as direct reports

The FDC Field Officer accounts for .63 EFT of the Coordination unit and is responsible for:

- Daily operation and quality assurance of the scheme
- Conducting safety checks and field visits in educator's homes,
- Providing practice guidance, compliance checks and support to educators
- Development and delivery of professional development and training

The FDC Resource Officer accounts for .42 EFT of the Coordination unit and is responsible for:

- Supporting educators to network through playgroup
- Maintaining a resource library (i.e. books, brochures, catalogues) for access by educators and staff
- Ordering supplies as required in accordance with budget restrictions.
- Participating in regular in-service training and meetings for prospective care providers

The C&FS Administration Officer role accounts for .63 EFT of the coordination unit and is responsible for:

- Providing high quality customer service to current and prospective service users
- Implementing debt management processes

- Developing correspondence for distribution to educators and service users
- Maintain appropriate and accurate administrative records
- Maintain electronic records of utilisation within Harmony software package

The current structure allows the Coordination unit to meet a Field Officer to educator ratio of approx. 1 hour per educator per week. The time and support the Field Officer and Resource Officer commit to the schemes educators, directly influences the quality of education and care provided by the scheme. It is also related to the effective monitoring of compliance with regulations and therefore risk management.

Of the coordination unit costs, the salaries, wages and on-costs of the Field Officer and Resource Officer are included in the program budget. The salaries, wages and on costs of the Coordinator, Team Leader and Administration support are additional overheads that are accounted for in other cost centres within the broader C&FS budget.

The FDC coordination unit has been gradually scaled back in response to the decline in educators and service users over recent years. A minor reduction in cost to Council is currently projected for the 2015/16 financial year (in comparison to the 2014/15 financial year

The FDC coordination unit has gradually been scaled back in response to the decline in educator and service user numbers. Following a service review, there is a minor reduction in cost projected for the 2015/2016 year due to the conclusion of a short term contract role that will not be replaced.

## Education and care services

The education and care options currently available in the in the child care market within the Latrobe City municipality include:

- Family Day Care
- Long Day Care
- Occasional Care
- Outside of School Hours Care
- Vacation Care

Approximately 12% of care services provided in Australia are provided in a Family Day Care setting, with long day care providing the largest proportion of care at approximately 61%.

Latrobe City Council has operated a FDC scheme since its amalgamation in 1995. Prior to amalgamation; the City of Morwell, City of Traralgon, Shire of Traralgon, and City of Moe each operated Family Day Care schemes.

In 2009 significant changes were introduced to licensing requirements for Family Day Care schemes. Legislative changes resulted in increased requirements for educator qualifications, safety, compliance and education practices.

Family Day Care scheme providers experienced further changes to the education and care service, with the introduction of the Coalition of Australian Governments National Quality Framework and related assessment and rating process.

## Benefits of Family Day Care

- <sup>2</sup>Educators can engage children in local activities such as taking children to kindergarten, school, the library and other local activities
- Quality early childhood education and care in a small group, home based setting.
- Children are nurtured and cared for in the homes of approved family day care educators who are resourced, supported and monitored by a central coordination unit.
- Family Day Care's core business is caring for young children but it also provides care for school age children up to the age of 13, offering families the flexibility of having all their children cared for in one home. Care is offered during standard hours, before and after school, during school holidays, overnight and weekends.
- Family Day Care is the major provider of regulated, flexible, non-standard hours child care.
- Current early years brain research confirms that the single most important element in stimulating a child's learning is strong relationships with significant adults – Family Day Care's small group, 'one on one' educator/child relationship facilitates strong bonds and promotes effective early learning and social development.
- Family Day Care is an affordable child care option where care is charged on an hourly basis.
- The Australian Government's Childcare Benefit (CCB) is available for families, as is the 50% Child Care Rebate (CCB).

### Other local providers

There are currently no other FDC schemes registered as operating within the Latrobe City municipality.

### Benchmarking

#### FDC service provision in Local Government Authorities (LGA's)

54% of Victorian LGA's currently provide family day care in their municipality.

Table 4 - Local Government authorities directly providing family day care.

Ballarat	Baw Baw	Benalla	Boroondara
Brimbank	Casey	Central Goldfields	Colac-Otway
Corangamite	Frankston	Gannawarra	Glen Eira
Glenelg	Golden Plains	Dandenong	Geelong
Shepparton	Hobson's Bay	Kingston	Knox
Latrobe	Melton	Mildura	Moira
Monash	Moorabool	Moreland	Mornington
Murrindindi	Nillumbik	Northern Grampians	Port Phillip
Southern Grampians	Stonnington	Surf Coast	Swan Hill
Wangaratta	Warrnambool	Whitehorse	Whittlesea
Yarra Ranges	Pyrenees	Moonee Valley	

<sup>2</sup> Family Day Care Australia <http://familydaycare.com.au/index.php/main/About%20Family%20Day%20Care#M39>

Benchmarking was undertaken against other comparable and neighbouring Council's directly providing a FDC scheme. The size of the scheme, the fee structure and the impact of CSP funding changes were considered for comparison.

Table 5 - Benchmark of family day scheme against other LGA providers

LGA	Direct provider	Likely to loose CSP funding?	No of educators	EFT in coordination	Hourly Fee	Admin levy
City of Greater Geelong	Y	Y	40	3.8	\$8.00 - \$13.00	\$2.00
City of Moonee Valley	Y	Y	11	1.8	\$7.50 - \$13.50	\$ 0.50
City of Casey	Y	Y	260	18	\$6.5	\$0.50
Baw Baw Shire Council	Y	Y	26	3	\$6.80 - \$10.00	\$0.45
Latrobe City Council	Y	N	23	2.81	\$7.00	\$0.85

The Municipal Association of Victoria (MAV) is working with LGA's to understand the impact of the changes CSP funding will result in for existing schemes, and advocate on behalf of the sector. MAV are currently collating further data to indicate (it is important to note that it is likely that the data will not be fully available until April 2015):

- the number of councils that will remain eligible for CSP funding post 1 July 2015
- If not eligible for CSP funding if the council will continue offering FDC
- the likely impacts (community and financial) if Council does not intend to continue with FDC
- the likely impacts if Council does plan to continue FDC without the CSP funding, such as the expected per hour increase in fees, how much more Council will need to invest in the FDC service, potential increase or reduction in the service to places/ staff/educators and overall costs.
- any other changes to FDC that councils may be considering – e.g. sub-regional models, other partnerships

## Conclusion

Latrobe City Councils Family Day Care Scheme has experienced a consistent decline in educators since 2009. The decline in the number of educators reduces the schemes revenue and compromises the financial viability of the scheme. With Commonwealth support funding also uncertain, the scheme faces a significant challenge to remain sustainable from a financial point of view, into the future.

The financial position of the Latrobe City Council FDC scheme has marginally improved in the current financial year, with this improvement projected to continue into the next financial year as a result of changes and cut backs that have been planned/ implemented in the program. It is not anticipated that this level of efficiency gain will be able to continue into future years as the recent cuts have resulted in the program being reduced to minimum coordination/administration staff (based on the amount of educators and service users currently enrolled in the program).

The FDC scheme is seen as a valuable education and care service for the community, however recent trends in educator recruitment and an associated decline in client usage indicate that it is unlikely that the program will grow into the future, without significant resource (and financial) investment.

## Options

The options are largely dependent on the funding outcome. In light of the changing landscape, Council may choose to:

1. Cease service at conclusion of 2014/15 financial year:

If the proposed cost to Council and probable ongoing cost is deemed unviable, Council can consider ceasing delivery of the Family Day Care scheme. This option will result in the cessation of a service that is currently being provided to over 200 families living in the Latrobe City municipality. It would also result in the required redundancy or redeployment of the existing FDC coordination unit and the conclusion of licence agreements with existing FDC educators.

2. If Government funding reduces or continue to diminish, slowly reduce the Latrobe City Council FDC scheme during the 2015/16 financial year with view to concluding the program at the end of that same year:

If the proposed cost to Council and probable ongoing cost is deemed unviable, Council can consider ceasing delivery of the FDC scheme over a period of time. This option will allow the program to end in a planned manner and should allow existing educators and families a period of time to seek alternate contract and care options. This option is likely to result in the redundancy or redeployment of the existing FDC coordination unit, however this is will occur over a longer period of time.

3. Maintain program at current level and adjust support staff as required, allowing the program to end naturally:

If the proposed cost to Council and probable ongoing cost is deemed viable, Council can resolve to continue delivering the Family Day Care scheme, managing a continued trend of

decline until natural attrition occurs. It is difficult to predict how long this process would take, however based on the current average age of educators and the trend of decline in enrolments it is estimated that it may take up to 10 years, with no new enrolments.

4. Maintain program at current level and adjust support staff as required, until December 2015 with another review of the program to occur at this point in time.

This option ensures that Council can continue to provide the program to existing users, with adjustments being made to the FDC coordination unit staffing levels as required (with an internal review being triggered at the reduction of two educators and/or 5 service users at any given time). This option also ensures that the program continues until such time as information in relation to the CSP funding changes is confirmed and the ongoing cost impact to Council can be fully assessed. A further review of the program would occur in September 2015 with a report being presented to Council for consideration.

5. Continue program and invest in growth and shared delivery models

Council can resolve to continue delivering the FDC scheme with a commitment to improved efficiency, including exploration of shared delivery models with neighbouring municipalities, and endeavour to grow the scheme to a point where it becomes financially viable into the future. This commitment would result in the need to continue with the same level of staffing as is in place at the current point in time, regardless of possible decline in educator numbers. It is important to consider that recruitment of new educators has been difficult in recent years (as noted previously in this report) and that the option most likely to result in improved efficiency would be a partnership arrangement with neighbouring municipalities (who have to date been non-committal about this option).

6. A combination of the above options

## **Recommendation**

It is recommended that:

That Council maintain the Family Day Care program at the current level.

That the Family Day Care Coordination team is adjusted as required and directly in relation to any reduction of Educators and/or Service Users.

That a further review of the program occur within the first six months of the 2015/16 financial year, with a further report being presented to Council for endorsement at the Ordinary Council Meeting on 07 December 2015.

That a report be developed demonstrating cost and funding options to grow other early education and care services as a transition plan from FDC into the future.

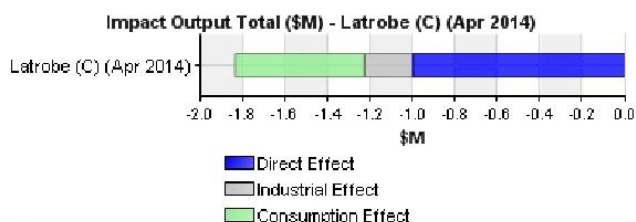
Impact Report for Latrobe (C)

Impact on Output

From a direct decrease in output of \$1.000 million it is estimated that the demand for intermediate goods and services would fall by \$0.228 million. This represents a Type 1 Output multiplier of 1.228. These industrial effects include multiple rounds of flow-on effects, as servicing sectors decrease their own output and demand for local goods and services in response to the direct change to the economy.

The decreases in direct and indirect output would typically correspond to the loss of jobs in the economy. Corresponding to this change in employment would be a decrease in the total of wages and salaries paid to employees. A proportion of these wages and salaries are typically spent on consumption and a proportion of this expenditure is captured in the local economy. The consumption effects under this scenario are estimated at \$0.608 million.

Total output, including all direct, industrial and consumption effects is estimated to decrease by up to \$1.836 million. This represents a Type 2 Output multiplier of 1.836.

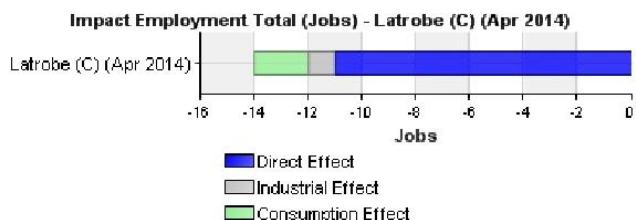


Impact on Employment

From a direct decrease in output of \$1.000 million the corresponding loss of direct jobs is estimated at 11 jobs. From this direct contraction in the economy, flow-on industrial effects in terms of local purchases of goods and services are anticipated, and it is estimated that these indirect impacts would result in the loss of a further 1 job. This represents a Type 1 Employment multiplier of 1.091.

The decrease in direct and indirect output and the corresponding loss of jobs in the economy are expected to result in a decrease in the wages and salaries paid to employees. A proportion of these wages and salaries are typically spent on consumption and a proportion of this expenditure is captured in the local economy. The consumption effects under this scenario are estimated to further reduce employment by 2 jobs.

Total employment, including all direct, industrial and consumption effects is estimated to decrease by up to 14 jobs. This represents a Type 2 Employment multiplier of 1.273.

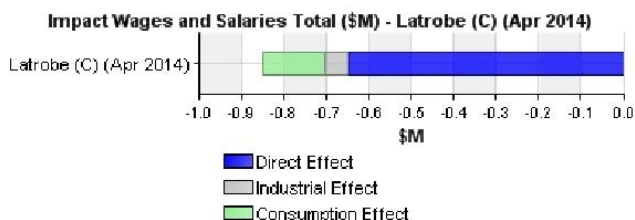


Impact on Wages and Salaries

From a direct decrease in output of \$1.000 million it is estimated that direct wages and salaries would decrease by \$0.648 million. From this direct contraction in the economy, flow-on industrial effects in terms of local purchases of goods and services are anticipated, and it is estimated that these indirect impacts would result in the loss of a further 1 job and a further decrease in wages and salaries of \$0.056 million. This represents a Type 1 Wages and Salaries multiplier of 1.087.

The decrease in direct and indirect output and the corresponding loss of jobs in the economy are expected to result in a decrease in the wages and salaries paid to employees. A proportion of these wages and salaries are typically spent on consumption and a proportion of this expenditure is captured in the local economy. The consumption effects under this scenario are expected to further reduce employment in sectors such as retail therefore further decreasing wages and salaries by \$0.146 million.

Total wages and salaries, including all direct, industrial and consumption effects is estimated to decrease by up to \$0.851 million. This represents a Type 2 Wages and Salaries multiplier of 1.313.

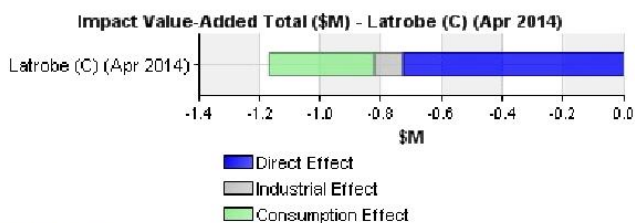


**Impact on Value-Added**

From a direct decrease in output of \$1.000 million the corresponding decrease in direct value-added is estimated at \$0.727 million. From this direct contraction in the economy, flow-on industrial effects in terms of local purchases of goods and services are anticipated, and it is estimated that these indirect impacts would result in a further decrease to value-added of \$0.096 million. This represents a Type 1 Value-added multiplier of 1.132.

The decrease in direct and indirect output and the corresponding reduction of jobs in the economy are expected to result in a decrease in the wages and salaries paid to employees. A proportion of these wages and salaries are typically spent on consumption and a proportion of this expenditure is captured in the local economy. The consumption effects under this scenario are expected to further reduce value-added by \$0.347 million.

Total value-added, including all direct, industrial and consumption effects is estimated to decrease by up to \$1.170 million. This represents a Type 2 Value-added multiplier of 1.610.



**Impact Summary**

Impact Summary	Direct Effect	Industrial Effect	Consumption Effect	Total Effect	Type 1 Multiplier	Type 2 Multiplier
Output (\$M)	-\$1.000	-\$0.228	-\$0.608	-\$1.836	1.228	1.836
Employment (Jobs)	-11	-1	-2	-14	1.091	1.273
Wages and Salaries (\$M)	-\$0.648	-\$0.056	-\$0.146	-\$0.851	1.087	1.313
Value-added (\$M)	-\$0.727	-\$0.096	-\$0.347	-\$1.170	1.132	1.610



# CORPORATE SERVICES

16. CORPORATE SERVICES

**16.1 AUTHORISATION OF COUNCIL OFFICER UNDER THE  
PLANNING AND ENVIRONMENT ACT 1987**

General Manager

Corporate Services

For Decision

**PURPOSE**

The purpose of this report is for Council to consider specially authorising the incumbent Deanne Smith, Senior Strategic Planner in her right pursuant to section 147 of the *Planning and Environment Act 1987*.

**EXECUTIVE SUMMARY**

By authorising officers, a Council is authorising a person to a particular statutory position. Once a person is authorised by Council, that person has the powers of that statutory position; as distinct from being delegated the powers of the Council.

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

Therefore it is important, for the proper functioning of the Council, to authorise officers generally under the *Local Government Act 1989* and specifically under other appropriate Acts.

For this reason, Latrobe City Council subscribes to the Maddocks Delegation and Authorisation Service. This service updates the organisation on legislative amendments and requirement and provides appropriate Instrument templates for our use.

**Moved:** Cr Rossiter  
**Seconded:** Cr Middlemiss

#### **RECOMMENDATION**

**That, in exercise of the powers conferred by Section 224 of the *Local Government Act 1989* and Section 147(4) of the *Planning and Environment Act 1987* Council resolves –**

- 1. That Deanne Smith be appointed and authorised as an Authorised Officer for the purposes of the *Planning and Environment Act 1987* and the regulation made under that Act.**
- 2. That the Chief Executive Officer is authorised to sign and seal the S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) as presented.**
- 3. That the S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) comes into force immediately the common seal of Council is affixed.**

**CARRIED UNANIMOUSLY**

#### **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 – Planning for the future*

*To provide clear and concise policies and directions in all aspects of planning.*

##### *Latrobe City Council Plan 2013 - 2017*

##### *Shaping Our Future*

*Strategic Direction – Provide efficient and effective planning services and decision making to encourage development and new investment opportunities.*

##### *Service Provision – Legal Services*

Administer legal advice and services for Latrobe City Council.

*Legislation –*

Local Government Act 1989

*Planning and Environment Act 1987*

Section 224 of the *Local Government Act 1989* allows the following:

**224. Authorised officers**

1. *A Council may appoint any person other than a Councillor to be an authorised officer for the purpose of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.*

*(a) A Council must maintain a register that shows the names of all people appointed by it to be authorised officers.*

2. *The Council must issue an identity card to each authorised officer.*

3. *An identity card must-*

*(a) contain a photograph of the authorised officer; and*

*(b) contain the signature of the authorised officer; and*

*(c) be signed by a member of Council staff appointed for the purpose.*

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

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

However, Section 188(2)(c) of the *Planning and Environment Act 1987*, stipulates that Council cannot delegate the power to authorise officers for the purpose of enforcing that Act:

**188. Planning authorities and responsible authorities may delegate powers**

*(5) A planning authority or responsible authority other than the Minister may by instrument delegate any of its powers, discretions or functions under this Act to-*

*(a) a committee of the authority; or*

*(b) an officer of the authority; or*

*(c) the Growth Areas Authority; or*

*(d) the Chief Executive Officer of the Growth Areas Authority.*

*(6) Subsection (1) does not apply to-*

*(a) the powers of as planning authority under sections 28, 29 and 191 and subsection (1); and*

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(b) the powers of a responsible authority under sections 125, 171(2)(b),(c),(d) and (e), 172 and 191 and subsection (1); and  
(c) the power of a responsible authority to authorise any officer to carry out a duty or function or to exercise a power.

### **BACKGROUND**

By authorising officers, a Council is authorising a person to a particular statutory position. Once a person is authorised by Council, that person has the powers of that statutory position; as distinct from being delegated the powers of the Council.

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

Therefore it is important, for the proper functioning of the Council, to authorise officers generally under the *Local Government Act 1989* and specifically under other appropriate Acts.

For this reason, Latrobe City Council subscribes to the Maddocks Delegation and Authorisation Service. This service updates the organisation on legislative amendments and requirement and provides appropriate Instrument templates for our use.

### **KEY POINTS/ISSUES**

Currently Council has a number of persons authorised to act in various statutory positions.

Deanne Smith, Senior Strategic Planner has recently been appointed to her substantive position (maternity leave relief). It is therefore necessary and appropriate for Council personally appoint and authorise these officers specifically under section 147(4) of the *Planning and Environment Act 1987* and generally under section 232 of the *Local Government Act 1989* to enable them to fulfil the duties and functions of their role.

Accordingly, the attached S11A. Instrument of Appointment and Authorisations (*Planning and Environment Act 1987*) have been prepared and are now presented for consideration by Council.

### **RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

### **FINANCIAL 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:*

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Internally, senior Planning staff have been consulted in relation to the nomination of the officers for appointment.

*Details of Community Consultation / Results of Engagement:*

No external consultation has been undertaken.

**OPTIONS**

Council has the following options in relation to the authorisation of the nominated officers:

1. Authorise the nominated officers in accordance with the attached Instrument.
2. Not specifically authorise the nominated officers under the *Planning and Environment Act 1987* which may impede their ability to fully perform their duties.

**CONCLUSION**

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

By authorising the nominated officers specifically under the *Planning and Environment Act 1987* and generally under section 232 of the *Local Government Act 1989*, Council will ensure that the nominated officer will be able to perform their duties under each Act.

**SUPPORTING DOCUMENTS**

1. S11A Instrument of Appointment & Authorisation (Planning & Environment Act 1987) Deanne Smith.

**Attachments**

1. S11A. Instrument of Appointment & Authorisation (Planning & Environment Act 1987) Deanne Smith.

## **16.1**

### **Authorisation of Council Officer under the Planning and Environment Act 1987**

- 1 S11A. Instrument of Appointment & Authorisation  
(Planning & Environment Act 1987) Deanne Smith. .... 439**

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Maddocks Delegations and Authorisations

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



**Latrobe City Council**

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

**February 2015**

**Deanne Smith**





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

In this instrument "**officer**" means -

**Deanne Smith**

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

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and

2. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

3. Any planning application which has received one or more objection(s).

Any planning application recommended for refusal (including planning applications where Council has no discretion for approval).

Any application of strategic significance (at the discretion of the CEO).

Any matter relating to the signing and sealing of Section 173 Agreements.

**It is declared that** this instrument -

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

This instrument is authorised by a resolution of the Council on 28 April 2014.

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The Common Seal of **LATROBE CITY COUNCIL**  
was affixed in accordance with Local Law No. 1  
this     day of             2015 in the presence of:

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*Gary Van Driel – Chief Executive Officer*

# MEETING CLOSED TO THE PUBLIC

## 17. 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.

**Moved:** Cr Rossiter  
**Seconded:** Cr Middlemiss

**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:**

### 17.1 ADOPTION OF MINUTES

**Agenda item 17.1 *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)**

### 17.2 CONFIDENTIAL ITEMS

**Agenda item 17.2 *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)**

### 17.3 DECEMBER 2014 - AUDIT COMMITTEE MINUTES REPORT

**Agenda item 17.3 *December 2014 - 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)**

### 17.4 MAYORAL SPONSORSHIP COMMITTEE - HALF YEARLY REPORT (JULY - DECEMBER 2014)

**Agenda item 17.4 *Mayoral Sponsorship Committee - Half Yearly Report (July - December 2014)* 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)**

**17.5 MAYORAL SPONSORSHIP REQUESTS**

Agenda item 17.5 *Mayoral Sponsorship Requests* 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)

**17.6 EXPENSES OF THE CHIEF EXECUTIVE OFFICER - ADVICE**

Agenda item 17.6 *Expenses of the Chief Executive Officer - Advice* is designated as confidential as it relates to contractual matters (s89 2d)

**17.7 REQUEST TO ENTER INTO MAV CONTRACT MS4333-2014  
MICROSOFT SOFTWARE LICENSING**

Agenda item 17.7 *REQUEST TO ENTER INTO MAV CONTRACT MS4333-2014 MICROSOFT SOFTWARE LICENSING* is designated as confidential as it relates to contractual matters (s89 2d)

**17.8 LCC-245 RECONSTRUCTION OF BUBB STREET, MOE**

Agenda item 17.8 *LCC-245 RECONSTRUCTION OF BUBB STREET, MOE* is designated as confidential as it relates to contractual matters (s89 2d)

**17.9 LCC-246 PAVEMENT REHABILITATION OF BALFOUR PLACE,  
CHURCHILL**

Agenda item 17.9 *LCC-246 PAVEMENT REHABILITATION OF BALFOUR PLACE, CHURCHILL* is designated as confidential as it relates to contractual matters (s89 2d)

**17.10 LCC-251 PAVEMENT REHABILITATION OF LINCOLN STREET,  
MOE**

Agenda item 17.10 *LCC-251 PAVEMENT REHABILITATION OF LINCOLN STREET, MOE* is designated as confidential as it relates to contractual matters (s89 2d)

**17.11 LCC-253 SUPPLY AND BULK DELIVERY OF MEALS ON  
WHEELS**

Agenda item 17.11 *LCC-253 SUPPLY AND BULK DELIVERY OF MEALS ON WHEELS* is designated as confidential as it relates to contractual matters (s89 2d)

**17.12 2014/15 COMMUNITY GRANT - REQUEST FROM GOOD  
BEGINNINGS FOR CHANGE OF PROJECT**

Agenda item 17.12 *2014/15 Community Grant - Request from Good Beginnings for Change of Project* 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)

**17.13 MOE RAIL PRECINCT REVITALISATION PROJECT - STAGE 1 -  
ENGAGEMENT OF CONSULTANT TEAM.**

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Agenda item 17.13 *Moe Rail Precinct Revitalisation Project - Stage 1 - engagement of Consultant team.* is designated as confidential as it relates to contractual matters (s89 2d)

**17.14 ADAM VIEW COURT, TANJIL SOUTH DRAINAGE**

Agenda item 17.14 *Adam View Court, Tanjil South Drainage* 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)

**CARRIED UNANIMOUSLY**

The Meeting closed to the public at 7.56pm.

The Meeting adjourned at 7.56pm for a tea break.

The Meeting resumed at 8.12pm.