



LATROBE CITY COUNCIL

MINUTES FOR THE SPECIAL COUNCIL MEETING

HELD IN MOE TOWN HALL
ALBERT STREET, MOE
AT 5.30PM ON
25 MARCH 2013

SM303

PRESENT:

Councillors:	Cr Sandy Kam, Mayor	East Ward
	Cr Sharon Gibson, Deputy Mayor	West Ward
	Cr Peter Gibbons	West 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
Officers:	Paul Buckley	Chief Executive Officer
	Michael Edgar	General Manager Community Liveability
	Carol Jeffs	General Manager Governance
	Allison Jones	General Manager Economic Sustainability
	Grantley Switzer	General Manager Recreation, Culture & Community Infrastructure
	Jacinta Saxton	Manager Community Relations

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1. OPENING PRAYER

The Opening Prayer was read by the Mayor.

2. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND

The Recognition of Traditional Landholders was read by the Mayor

3. APOLOGIES AND LEAVE OF ABSENCE

Cr Harriman

4. DECLARATION OF CONFLICT OF INTEREST

Cr Kam declared an indirect interest under sections 78 & 78A of the Local Government Act 1989 in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Cr Harriman declared an indirect interest under section 78B of the Local Government Act 1989 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project

5. PUBLIC QUESTION TIME

Cr Kam, Mayor left the Chamber at 5.34pm due to an indirect interest under sections 78 & 78A of the Local Government Act 1989 and did not return for the remainder of the meeting.

Cr Gibson, Deputy Mayor took the chair.

PUBLIC QUESTION TIME

MACP REVIEW

Ms Sue Abbott (Committee for Moe) asked the following question:

Question:

I refer to the Agenda for this evenings meeting. In particular to the attachment listed on appendix 5 (2nd submission from MADRA):

An email was sent to Paul Buckley, from the email address of Peter Gibbons but written from Cheryl Wragg (MADRA).

Is Councillor Peter Gibbons going to declare a conflict of interest about this matter and in regard to the MACP submission?

Answer:

This question is in relation to conflict of interest which is a matter for individual Councillors to determine.

MACP REVIEW

Ms Sue Abbott (Committee for Moe) asked the following question:

Question:

How many 'man hours' have been taken up in reviewing the MACP project?

What would be the approximate cost to the Latrobe City rate payers for this review?

Answer:

As indicated in the report, costs associated with the review have been accommodated within existing budget allocations.

FUNDING FOR MACP

Ms Carol Hogan asked the following question:

Question:

Matt Viney M.P. has stated that \$4million has already been allocated by the Victorian and Federal Governments. What has happened to this funding?

Answer:

The \$4million funding provided by the State and Federal Governments has been utilised for the acquisition of the George Street shops. Detailed design of MRPRP and construction of the Moe Rest Station. (Refer to page 33 of the review document).

Suspension of Standing Orders

Moved: Cr Gibson
Seconded: Cr White

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 5.33 pm

Mr David (Tony) Paul addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Mr Darrel Larsen addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Mr Michael Fozard addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Mr Brad Law addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Ms Marilyn May addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Mr Trevor Batt addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Mr Steve McIntosh addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Mr Jason Price addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Mr Pearce Morgan addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Cr Sindt arrived at the meeting at 6.16pm.

Mr Manny Gelagotis addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Ms Virginia Gratton addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Mr Graham Scott addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

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Ms Harmony Smith addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Mr Troy Carpenter addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Mr Tony Flynn addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Mr Ian Grant addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Mr Don Coupe addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Mr Steven Foster addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Mr Peter Colli addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Ms Jenny McNab addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Ms Christine Waterhouse addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Ms Susan Broadbent addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Mr Bruce McDonald addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Mr Vaughen Speck addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Ms Tessa Jenkins addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Mr Brendan Jenkins addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Mr Bob Wilde addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

Ms Ana Stojkovic addressed Council in relation to item 6.1 Review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

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Moved: Cr Rossiter
Seconded: Cr White

That Standing Orders be resumed.

CARRIED UNANIMOUSLY

Standing Orders were resumed at 8.00 pm

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6. ITEMS REFERRED BY THE COUNCIL TO THIS MEETING FOR CONSIDERATION

6.1 REVIEW OF THE MOE ACTIVITY CENTRE PLAN AND MOE RAIL PRECINCT REVITALISATION PROJECT

Chief Executive Officer

For Decision

PURPOSE

The purpose of this report is to present to Council the review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project and to consider two related petitions.

DECLARATION OF INTEREST

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

STRATEGIC FRAMEWORK

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

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives – Built Environment

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

Latrobe City Council Plan 2012 - 2016

Shaping Our Future

Gippsland's Regional City

Strengthening our profile

An active connected and caring community

Supporting all

Attract, retain, support

Enhancing opportunity, learning and lifestyles

Strategic Direction – Built Environment

- Integrate transit cities principles in the development of Moe, Morwell and Traralgon activity centres.

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

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

Strategy – Built Environment

- *Moe Activity Centre Plan,
Adopted 17 December 2007*
- *Moe Rail Precinct Revitalisation Project: Master Plan,
Adopted 7 December 2009*
- *Moe Rail Precinct Revitalisation Project: Concept Design
Adopted 9 May 2011*
- *Moe Rail Precinct Revitalisation Project Strategic Business Case
Adopted 4 June 2012*

Key Strategic Actions

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

BACKGROUND

At the Ordinary Council Meeting on Monday, 17 December 2012, in response to a Notice of Motion, Council resolved:

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

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Immediately following the adoption of the above resolution, Council also resolved:

1. *That Council endorses the following review process for the MRPRP-MACP project. That Council:*
 - *Identify realistic funding opportunities and amounts for each component of the design;*
 - *Reviews each component of the MRPRP-MACP project design not yet undertaken and/or funded with regard to availability of funding and previous council submissions;*
 - *Review all previously received written public submissions made to Council on the MACP and MRPRP, including petitions;*
 - *Review the project design with reference to the Department of Transport's current 'Guidelines for Land Use and Development', and any plans involving transport which may affect the Moe railway corridor that have developed since adoption of the MRPRP-MACP Masterplan in 2009, and any finalised reports commissioned by Council and the State Government about road and rail traffic in and around Moe;*
 - *Undertake meetings in February 2013 between Councillors and Council officers with the previous public submitters to the MRPRP-MACP, and MACP written submission processes to discuss their respective submission/s.*
2. *That a report be brought back to a future Council meeting no later than the second Council meeting in March, 2013.*

At the Ordinary Council Meeting on 4 February 2013, a report was presented to Council providing the details of all previous submissions made in relation to these projects, and suggesting a process for previous submitters to engage in the review process during February 2013.

Following consideration of this report, Council resolved:

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

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4. *That a Special Council Meeting is held for the purpose of considering the review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project, on Monday, 25 March 2013 at 5.30pm at the Moe Town Hall.*

At the Ordinary Council Meeting on 18 February 2013, a report was presented to Council with a petition requesting that *“the Moe Rail Precinct Revitalisation Project Master Plan be implemented immediately and that Council actively seek funding from both state and federal governments to ensure the completion of the project in a timely manner”*.

Following consideration of this report, Council resolved:

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

In accordance with part 2 of the 4 February 2013 Council resolution, a Special Council Meeting was held on 20 February 2013 to hear from previous submitters to the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project.

At this meeting, Council resolved:

1. *That Council notes submissions made at this meeting by previous submitters to the Moe Activity Centre Plan and/or Moe Rail Precinct Revitalisation Project, in relation to whether their views about their original submission have since changed.*

At the Ordinary Council Meeting on 18 March 2013, a report was presented to Council with a petition from the youth of Latrobe Valley requesting the Moe Rail Precinct Revitalisation Project Master Plan be implemented immediately and that Council actively seek funding from both state and federal governments to ensure the completion of the project in a timely manner. Following consideration of this report, Council resolved:

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

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2. *That the head petitioner be advised of Council's decision in relation to the petition "requesting the Moe Rail Precinct Revitalisation Project Master Plan be implemented immediately and that Council actively seeks funding from both state and federal governments to ensure the completion of the project in a timely manner".*

ISSUES

The attached review document has been prepared in response to the Council resolutions of 17 December 2012, 4 February 2013, 18 February 2013, 20 February 2013 and 18 March 2013.

In addition to the issues identified by Council for review, the following issues have been raised by submitters during the review process:

- Car parking;
- Youth precinct;
- Public library; and
- Land tenure.

These issues have also been considered in preparation of the attached review.

The majority of issues raised in the submissions relate to the key aspects and components of the project design, however four submitters questioned governance processes associated with the projects since their inception. The review notes that all decisions made in respect to the MACP and MRPRP projects have been made by Council in accordance with the *Local Government Act 1989*.

To confirm that the review has been completed in accordance with the Council resolutions and that governance processes have been appropriate, an external independent review will be conducted. The findings of this independent review will be presented to a future Meeting of Council.

FINANCIAL, RISK AND RESOURCES IMPLICATIONS

Risk has been considered as part of this report, with consideration given to risks around community confidence and good governance for decision making.

The *Community Engagement Plan 2010-2014* adopted by Council is a key document to ensure Council appropriately engages and considers the views of the community as part of its decision making processes. Adherence to the values and principles included in the Plan are an effective strategy to mitigate risks of this nature, and therefore were considered during the review process.

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Financial and resource implications have been considered as part of this report. Costs associated with the review have been accommodated within existing budget allocations.

INTERNAL/EXTERNAL CONSULTATION*Engagement Method Used:*

Consultation in relation to the review has been carried out in accordance with the Council resolutions of 17 December 2012 and 4 February 2013.

Full detail and analysis of the internal and external consultation associated with the MACP / MRPRP and this review are provided in the attached review document and appendices.

OPTIONS

Council has the following options in relation to this report:

1. Note the review has been completed in accordance with the Council resolutions of 17 December 2012, 4 February 2013, 18 February 2013, 20 February 2013 and 18 March 2013.
2. Note that the review has not been completed in accordance with the Council resolutions of 17 December 2012, 4 February 2013, 18 February 2013, 20 February 2013 and 18 March 2013.

CONCLUSION

On 17 December 2012, Council resolved to undertake a full review of the Moe Activity Centre Plan (MACP) and Moe Rail Precinct Revitalisation Project (MRPRP).

The attached review provides Council with a thorough response to the resolutions of 17 December 2012, 4 February 2013, 18 February 2013, 20 February 2013 and 18 March 2013 and to other issues raised during the review.

Attachments
Nil

RECOMMENDATION

- 1. That Council note the review of the Moe Activity Centre Plan and Moe Rail Precinct Revitalisation Project has been completed in accordance with the Council resolutions of 17 December 2012, 4 February 2013, 18 February 2013, 20 February 2013 and 18 March 2013.**
- 2. That Council pursue state and federal government funding opportunities to progress the Moe Rail Precinct Revitalisation Project as per the Concept Design adopted on 9 May 2011.**
- 3. That the head petitioners of the two petitions received during the review be advised of Council's decision in relation to their petitions requesting that the Moe Rail Precinct Revitalisation Project Master Plan be implemented immediately and that Council actively seek funding from both state and federal governments to ensure the completion of the project in a timely manner.**
- 4. That the Mayor write to all submitters thanking them for their submissions and advising them of the completion of the review.**

Moved: Cr Gibbons
Seconded: Cr O'Callaghan

That the Recommendation be adopted.

For the Motion

Councillor/s Middlemiss, Gibbons, O'Callaghan, Rossiter, Sindt, White

Against the Motion

Nil

Abstained

Councillor/s Gibson

The Mayor confirmed that the Recommendation had been CARRIED

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There being no further business the meeting was declared closed at 8.44pm.

I certify that these minutes have been confirmed.

Mayor: _____

Date: _____