



LATROBE CITY COUNCIL

**SUPPLEMENTARY AGENDA FOR THE
ORDINARY COUNCIL MEETING**

**TO BE HELD IN NAMBUR WARIGA MEETING ROOM
CORPORATE HEADQUARTERS, MORWELL
AT 6.00 PM ON
14 SEPTEMBER 2015**

CM469



Latrobe Community **Vision**

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

Council **Mission**

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

Council **Values**

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

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

**ORDINARY COUNCIL MEETING AGENDA
14 SEPTEMBER 2015 (CM469)**

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NOTICES OF MOTION

8. NOTICES OF MOTION

**8.1 2015/17 - MOTIONS FOR THE MUNICIPAL ASSOCIATION OF
VICTORIA STATE COUNCIL MEETING ON 23 OCTOBER 2015**

Cr Peter Gibbons

I, Cr Peter Gibbons, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday, 14 September 2015:

That Council submits the following two motions to the Municipal Association of Victoria State Council Meeting to be held on Friday, 23 October 2015:

- 1. That the Municipal Association of Victoria State Council calls on State and Federal Governments to provide a more equitable and reliable source of revenue which will provide a consistent source of income for local government and enable it to reduce the infrastructure backlog as well as enhance current infrastructure and expenditure programs to keep pace with depreciation and community need; and**
- 2. That the Municipal Association of Victoria call upon the State Government to increase the allocation of funding to upgrade the regional rail network in Victoria so that regional businesses, importers and exporters can get greater access to the Port of Melbourne.**

Attachments

1. Proposed MAV State Council Motion - Equitable and Reliable Funding for Local Government
2. Proposed MAV State Council Motion - Regional Rail Network access to the Port of Melbourne

8.1

2015/17 - Motions for the Municipal Association of Victoria State Council Meeting on 23 October 2015

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- 2 Proposed MAV State Council Motion - Regional Rail
Network access to the Port of Melbourne 9**



MAV State Council Meeting – 23 October 2015

To submit a motion for consideration by State Council on 23 October 2015, please complete this form and email to [State Council](#), **no later than Friday, 25 September 2015**. Please note, deadlines are strictly observed.

MOTION [INSERT NAME OF MOTION]
<i>Submitted by: Latrobe City Council</i>
<p>MOTION:</p> <p>Equitable and Reliable Funding for Local Government</p> <p>That the Municipal Association of Victoria State Council calls on State and Federal Governments to provide a more equitable and reliable source of revenue which will provide a consistent source of income for local government and enable it to reduce the infrastructure backlog as well as enhance current infrastructure and expenditure programs to keep pace with depreciation and community need.</p>
<p>RATIONALE:</p> <p>State based sustainability studies dating back to 2006 confirm that a significant part of the local government sector has financial sustainability problems. It has been estimated that approximately 10% to 30% of Australia's councils could be unsustainable in the longer term</p> <p>Common findings across past studies are that councils with sustainability issues are likely to be developing infrastructure backlogs due to service expansions, moderate operating cost growth, minimal revenue growth giving rise to persistent underlying operating deficits and constraints on renewal expenditure.</p> <p>Therefore such councils have a funding gap between current and required revenue to enable them to clear the backlog and lift renewals expenditure to the optimal level.</p> <p>Improved funding for local councils, particularly for the renewal of community assets, would assist local communities by enabling councils to return important community infrastructure to acceptable levels of condition. In conjunction with improved financial and asset management practices, more appropriate funding levels for local government infrastructure and related services would help to ease the pressure of operating deficits. In addition, such extra funding would support the clearance of backlogs in renewals expenditure (identified by the MAV) and then also support more regular periodic maintenance to retain service levels.</p> <p>Importantly, additional funding would assist local government to take full advantage of their ability to flexibly gauge and respond to the changing demands at a community level. With increasing demands for a broader scope and higher standard of community services and infrastructure, it is important that local government has the resources to ascertain the priorities of the community.</p>

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



FORM

MAV State Council Meeting – 23 October 2015

To submit a motion for consideration by State Council on 23 October 2015, please complete this form and email to [State Council](#), **no later than Friday, 25 September 2015**. Please note, deadlines are strictly observed.

MOTION
[INSERT NAME OF MOTION]
<i>Submitted by: Latrobe City Council</i>
<p>MOTION: That the Municipal Association of Victoria call upon the State Government to increase the allocation of funding to upgrade the regional rail network in Victoria so that regional businesses, importers and exporters can get greater access to the Port of Melbourne.</p>
<p>RATIONALE: The Victorian State Government is in the process of privatizing the operation of the Port of Melbourne by way of a long term lease. Latrobe City Council has a number of concerns in relation to this proposal, notably the potential impact it will have on regional freight logistics and operations, particularly regional businesses.</p> <p>Under the current arrangements, the cost to move containers to the Port of Melbourne on rail is subject to a substantial price differential. For example, the cost to move a container through the port facilities to a vessel on rail can vary from \$85-\$100, whereas the same container delivered on a truck is \$10-\$15. This cost impost for rail is not addressed in the proposed lease.</p> <p>In addition, the current port facilities experience congestion as trucks from all parts of Victoria access the port facilities to load vessels. Council understands this vehicle congestion to be increasing and rather than consider rail access, larger trucks are being considered as a solution. This will do little to alleviate increasing congestion and put larger vehicles on roads that already struggle to deal with the existing vehicle size.</p> <p>Latrobe City Council seeks to recommend that the MAV advocate to the State Government that the use of the funds collected from the proposed lease be more fairly distributed on rail infrastructure upgrades across the State. Rather than have all of the funds directed to the upgrading of level crossings in urban Melbourne, a portion of these funds should be directed to upgrading the regional rail network that supports the goods movements to the port facilities by regional businesses.</p>

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

URGENT BUSINESS

17. URGENT BUSINESS

Business may be admitted to the meeting as urgent business in accordance with clause 26 of the Meeting Procedure Local Law by resolution of the Council, if it relates to a matter which has arisen since distribution of the agenda and:

- 1. cannot safely or conveniently be deferred until the next Ordinary meeting; or*
- 2. involves a matter of urgent community concern.*

RECOMMENDATION

That Council admits, in accordance with clause 26 of the Meeting Procedure Local Law, the following item:

- 1. Moe Cup Half-Day Public Holiday**

as it cannot safely or conveniently be deferred until the next Ordinary meeting.

**ORDINARY COUNCIL MEETING AGENDA
14 SEPTEMBER 2015 (CM469)****17.1 MOE CUP HALF-DAY PUBLIC HOLIDAY****Executive Manager****Office of the Chief Executive****For Decision****PURPOSE**

The purpose of this report is to seek Council approval to write to the Minister for Small Business, Innovation and Trade to have the half-day public holiday declared for the Win TV Moe Cup on Thursday, 15 October 2015 revoked and Melbourne Cup Day reinstated as a full-day public holiday for the 3825 postcode area within Latrobe City.

EXECUTIVE SUMMARY

At its meeting held on 11 June 2015 Council resolved to support the request from the Moe Racing Club to declare a half-day public holiday for the Win TV Moe Cup on Thursday, 15 October 2015 for the 3825 postcode area within Latrobe City.

This half-day public holiday was formally declared by a notice in the Victoria Government Gazette published on 31 July 2015.

The Moe Racing Club has recently advised that the Win TV Moe Cup will no longer be run and, as a result, the half-day public holiday that has been declared is no longer required.

Small Business Victoria has advised that this can be rectified by writing to the Minister for Small Business, Innovation and Trade requesting that Melbourne Cup Day on Tuesday, 3 November 2015 be reinstated as a full-day public holiday for this area by publication of a new notice in the Victoria Government Gazette.

RECOMMENDATION**That Council:**

- 1. Resolves to write to the Minister for Small Business, Innovation and Trade requesting that Melbourne Cup Day on Tuesday, 3 November 2015 be reinstated as a full-day public holiday for the 3825 postcode area within Latrobe City.**
- 2. Advises the community, in conjunction with the Moe Racing Club, that Melbourne Cup Day on Tuesday, 3 November 2015 is to be reinstated as a full-day public holiday for the 3825 postcode area within Latrobe City.**

DECLARATION OF INTEREST

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

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STRATEGIC FRAMEWORK

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

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives - Governance

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

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

Theme 3: Efficient, effective and accountable governance

Strategic Direction – Planning & Governance

- *Support effective community engagement to increase community participation in decision making, and*
- *Ensure that Council decision making considers adopted policies.*

Legislation – Public Holidays Act 1993

The purpose of this Act is to appoint public holidays and define the parameters and requirements for additional or substitute public holidays.

Policy - Public Holiday Policy 11 POL-4

The purpose of this policy is to ensure consistency when deciding whether to support an application to the relevant Minister for the declaration of an additional local or substituted public holiday for the whole and/or part of the municipality.

This policy is subject to the provisions of the *Public Holidays Act 1993* (as amended), whereby only the relevant Minister has the power to declare an additional or substituted public holiday.

BACKGROUND

A petition containing 333 signatures was received from the Moe Racing Club on 6 February 2015 requesting that Council declare a half-day public holiday for the Win TV Moe Cup to be held on Thursday, 15 October 2015 for the 3825 postcode area of Latrobe City.

This would include Moe, Moe South, Newborough, Tanjil South, Yallourn and Yallourn North.

Following extensive community consultation, Council considered those submissions received at its meeting held on 11 June 2015 and resolved the following:

That Council:

**ORDINARY COUNCIL MEETING AGENDA
14 SEPTEMBER 2015 (CM469)**

1. *Resolves to support the request from the Moe Racing Club to have a half-day public holiday declared for the Win TV Moe Cup on Thursday, 15 October 2015 from 1pm to 5pm for the 3825 postcode area within Latrobe City, and write to the Minister for Innovation, Services and Small Business requesting that it be declared accordingly; and*
2. *Advises the Moe Racing Club and those who made a submission of the decision to support the request to declare a half-day public holiday for the Win TV Moe Cup to be held on Thursday, 15 October 2015 for the 3825 postcode area within Latrobe City.*

In accordance with this resolution a Council wrote to the Minister requesting that this half-day public holiday be formally declared and this was finalised by the publication of a notice in the Victoria Government Gazette on 31 July 2015.

It should be noted that whilst Council specified in this resolution that the half-day public holiday be between the hours of 1pm and 5pm advice was subsequently received from Small Business Victoria that any half-day public holiday commences from 12 noon and concludes at midnight on the day of the public holiday.

KEY POINTS/ISSUES

The Moe Racing Club has recently advised that, due to issues with the track, the Win TV Moe Cup will no longer go ahead as planned.

As a result of this cancellation the half-day public holiday on Thursday, 15 October 2015 declared for the 3825 postcode area in Latrobe City is no longer required.

Small Business Victoria has advised that this can be rectified by writing to the Minister for Small Business, Innovation and Trade requesting that Melbourne Cup Day on Tuesday, 3 November 2015 be reinstated as a full-day public holiday for this area by publication of a new notice in the Victoria Government Gazette.

To ensure that there is sufficient time for the Minister to prepare and publish such a notice it will be necessary for Council to make a formal written request as soon as possible.

Once this has been done it will also be imperative that the community is informed of this change to avoid any confusion. The Moe Racing Club has indicated that they would be prepared to do this in conjunction with Council.

**ORDINARY COUNCIL MEETING AGENDA
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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

Should Council resolve to have Melbourne Cup Day reinstated as a full-day public holiday for the 3825 postcode area a formal written request will be sent to the Minister for Small Business, Innovation and Trade who will, in turn, prepare and publish the required notice in the Victoria Government Gazette.

As it will be necessary for Council to ensure that the wider community is made aware that Melbourne Cup Day will again be a full-day public holiday in this area publicity will be required.

INTERNAL/EXTERNAL CONSULTATION

Prior to the cancellation of the Win TV Moe Cup a number of enquiries were received from the community as to the impact of having two half-day public holidays in the 3825 postcode area, particularly from businesses in relation to issues with staffing and payroll.

Following the cancellation of the race further enquiries were received from the community as to what would be happening with the half-day public holiday.

Council officers have contacted the Moe Racing Club, the Moe Traders Association and the Committee for Moe to ascertain if they had any issues with Melbourne Cup Day being reinstated as a full-day public holiday and all were supportive of Council taking this action.

The Moe Traders Association sought feedback from their membership and twenty business owners responded, all of which were supportive of Council reinstating Melbourne Cup Day as a full-day public holiday.

As stated previously, it will be necessary for Council to ensure that the wider community is made aware that this has been done and the Moe Racing Club has requested that they be informed of any decision so that a joint media release could be prepared.

OPTIONS

Council has the following options:

1. Resolve to write to the Minister for Small Business, Innovation and Trade requesting that Melbourne Cup Day be reinstated as a full-day public holiday for the 3825 postcode area within Latrobe City and that it be declared accordingly.
2. Resolve not to write to the Minister for Small Business, Innovation and Trade and retain a half-day public holiday on Thursday, 15 October 2015 together with a half-day public holiday for Melbourne Cup Day on Tuesday 3 November, 2015 for the 3825 postcode area within Latrobe City.

**ORDINARY COUNCIL MEETING AGENDA
14 SEPTEMBER 2015 (CM469)****CONCLUSION**

At its meeting held on 11 June 2015 Council resolved to support the request from the Moe Racing Club to declare a half-day public holiday for the Win TV Moe Cup on Thursday, 15 October 2015 for the 3825 postcode area within Latrobe City.

This half-day public holiday was formally declared by a notice in the Victoria Government Gazette published on 31 July 2015.

The Moe Racing Club has recently advised that the Win TV Moe Cup will no longer be run and, as a result, the half-day public holiday that has been declared is no longer required.

It would therefore be appropriate for Council to write to the Minister for Small Business, Innovation and Trade requesting that Melbourne Cup Day on Tuesday, 3 November 2015 be reinstated as a full-day public holiday for this area by publication of a new notice in the Victoria Government Gazette.

SUPPORTING DOCUMENTS

Nil

Attachments

Nil