



LATROBE CITY COUNCIL

MINUTES FOR THE ORDINARY COUNCIL MEETING

HELD IN NAMBUR WARIGA MEETING ROOM
CORPORATE HEADQUARTERS, MORWELL
AT 6.00 PM ON
01 AUGUST 2016

CM487

PRESENT:

Councillors: Cr Michael Rossiter, Mayor
Cr Graeme Middlemiss
Cr Christine Sindt
Cr Dale Harriman
Cr Sandy Kam
Cr Kellie O'Callaghan
Cr Darrell White
Cr Peter Gibbons

East Ward
Central Ward
Central Ward
East Ward
East Ward
East Ward
South Ward
West Ward

Officers: Gary Van Driel
Sara Rhodes-Ward
Phil Stone
Sarah Cumming
Steven Piasente
Susan Gillett
Amy Phillips
Kylie Stockdale

Chief Executive Officer
General Manager Community Services
General Manager City Development
General Manager Corporate Services
General Manager Infrastructure & Recreation
Manager Governance
Coordinator Governance
Governance Officer

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The Mayor read the opening prayer.

2. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND

The Mayor read the acknowledgement of the traditional owners of the land.

3. APOLOGIES AND LEAVE OF ABSENCE

Cr Gibson is an apology.

4. DECLARATION OF CONFLICT OF INTEREST

Cr Gibbons declared an indirect interest under Section 78 of *The Local Government Act 1989* in respect to Confidential Item 19.4 Future Morwell – Circuit Design Preliminary Assessment.

The General Manager Corporate Services declared a direct interest under section 77B, and an indirect interest under section 78 of the *Local Government Act 1989* in respect to Items 19.5 LCC-308 Provision of Security Services and 19.6 LCC-318 2016/17 Resealing of Municipal Roads within Latrobe City.

5. ADOPTION OF MINUTES**MOTION**

Moved: Cr Sindt

Seconded: Cr Harriman

That the minutes of the Ordinary Council Meeting held on 11 July 2016 be confirmed.

CARRIED UNANIMOUSLY

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Moved: Cr Sindt
Seconded: Cr O'Callaghan

That Council requests the Mayor writes a letter of condolence to the family of Mr Manny Manthos acknowledging his passing while holidaying overseas, on Wednesday 27 July 2016.

CARRIED UNANIMOUSLY

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Council suspended standing orders at 6:05 pm.

The following persons spoke on an item on the agenda:

**14.1 Considering Planning Panel Report for Planning Scheme
Amendment C93 - Ashworth Drive**

- Mr Steve Wood

MOTION**Moved:** Cr Kam**Seconded:** Cr O'Callaghan**That Council grants an extension of time to Mr Steve Wood.****CARRIED UNANIMOUSLY**

The following persons spoke on an item on the agenda:

16.1 Tarwin Street Pop Up Park

- Ms Stephanie Shields

18 Introduction of Urgent Business

- Mr Wayne Loechel

MOTION**Moved:** Cr O'Callaghan**Seconded:** Cr White**That Council resumes standing orders.****CARRIED UNANIMOUSLY**

Council resumed standing orders at 6:21 pm.

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

Council Meeting Date	Item	Resolution	Status Update
City Development			
06 May 2013 City Development	Latrobe City International Relations Advisory Committee - Amended Terms of Reference (continued below)	That the item be deferred pending further discussion by Councillors relating to the Terms of Reference.	<p>Complete Item on hold pending Council's review of Committees. A further report will be presented to Council once the review is complete.</p> <p>05 February 2016 Manager Arts & Events is preparing a submission for the Tourism Advisory Board to consider options to broaden the scope of the Terms of Reference to include matters relating to Major Events. The submission will be presented to the Advisory Board meeting scheduled for April.</p> <p>10 March 2016 On the 12 January 2016, The Latrobe City International Advisory Committee approved the Draft Latrobe City International Relations Advisory Committee Terms of Reference for the consideration of Council.</p> <p>18 March 2016 A report will be presented to Council which recommends adoption of the new terms of reference for the International Advisory Committee which is currently scheduled for 11 April 2016, following the Briefing held In February 2016.</p>

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Council Meeting Date	Item	Resolution	Status Update
06 May 2013 City Development	Latrobe City International Relations Advisory Committee - Amended Terms of Reference (continued)	That the item be deferred pending further discussion by Councillors relating to the Terms of Reference.	<p>08 April 2016 Council have requested further information in relation to the "Presentation of Advisory Committee Terms of Reference for Adoption" which includes the Latrobe City Council International Relations Advisory Committee</p> <p>27 May 2016 Copy of minutes of Advisory Committee meeting affirming the changes needs to be attached to new Terms of Reference; then matter can come back to Council for formal adoption.</p> <p>20 July 2016 Amended Terms of Reference were adopted by Council on 11 July 2016.</p>

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Council Meeting Date	Item	Resolution	Status Update
14 September 2015 City Development	Consideration of the Recommendations of the Panel Report for C87 (continued below)	That Council defer the Consideration of the recommendations of the Panel Report for C87 until the following have taken place: 1. That Council communicates with the Premier to organise a meeting with the EPA, interested Councillors, relevant Council Officers, Australian Paper and relevant stakeholders to discuss Urban Amenity Buffer solutions 2. That Council requests the Department of Energy and Earth Resources to work through the issues to provide a solution to the Coal Residential Interface	Complete – further updates will be provided against the 23 May 2016 resolution 05 February 2016 A Councillor Briefing with EPA and Australian Paper took place on 1 February 2016 to discuss the urban amenity buffer. 09 March 2016 EPA, AP and LCC met with Tyers landowners on 03 March 2016, and will organise to meet with the Traralgon West, Morwell North and community groups on 21 March 2016. The draft Risk Assessment has been received and reviewed by Council Officers. A Councillor Briefing was held on 07 March 2016 to discuss the Risk Assessment report. A second Councillor Briefing will be organised with DEDJTR regarding their position on coal buffers and the AGL Work Plan variation. This date will be communicated to Councillors once confirmed. 30 March 2016 EPA, AP and LCC met with the Traralgon West, Morwell North and community groups on 23 March 2016. A second Councillor Briefing has been organised with DEDJTR on 18 April 2016.

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Council Meeting Date	Item	Resolution	Status Update
14 September 2015 City Development	Consideration of the Recommendations of the Panel Report for C87 (continued)	As above	<p>14 April 2016 A Councillor Briefing has been scheduled for the 9 May 2016 to discuss the options and recommendations for progressing Amendment C87. Following the Councillor Briefing a Council report will be presented at the 23 May 2016 Ordinary Council Meeting for a decision on Amendment C87.</p> <p>23 May 2016 Motion One- Council considered PPV recommendation and split Amendment C87 into three parts: Part A (Urban Coal Buffer); Part B (Urban Amenity Buffer); Part C - all other elements. Motion Two- Council adopted C87 Part A with the changes identified in Attachment 3 - 'Consideration of Panel's Recommendations for Latrobe Planning Scheme Amendment C87', and committed to write to the Minister of Planning, and the Minister administering the Mineral Resources (Sustainable Development) Act 1990 seeking a meeting to discuss land use planning coal issues that affect Latrobe City.</p>

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14 September 2015 City Development	Consideration of the Recommendations of the Panel Report for C87 (continued)	As above	<p>Council also committed to writing to the aforementioned Ministers to inform that any future decision by Council to proceed with new urban rezoning of land in areas adjacent to the existing coal buffer will be deferred pending confirmation from the State as to whether it intends to review the existing boundary of the mapped coal buffer set out in ESO1, having regard to the report of the Planning Panel considering C87.</p> <p>Motion Four- Council Adopted C87 Part C, with the changes identified in Attachment 3 - 'Consideration of Panel's Recommendations for Latrobe Planning Scheme Amendment C87'.</p> <p>Motion Five- Council will inform all written submitters of the resolutions from 23 May 2016 Ordinary Council Meeting.</p> <p>Motion Six- Council deferred C87 Part B until a report on further options can be presented to Council, and, if necessary, Council may need to seek an extension of time from the Minister of Planning</p>

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Council Meeting Date	Item	Resolution	Status Update
06 July 2015 City Development	Latrobe Performing Arts and Convention Centre Review (continued below)	<p>That Council:</p> <ol style="list-style-type: none"> 1. Adopt the Review of the Latrobe Performing Arts and Convention Centre Feasibility Study and Business Case June 2015. 2. Consider the Latrobe Performing Arts and Convention Centre as two separate projects – Latrobe Performing Arts Centre and Latrobe City Convention Centre. 3. In relation to the Latrobe Performing Arts Centre: <ol style="list-style-type: none"> a) Confirms the site of the existing Latrobe Performing Arts Centre in Traralgon as the site for the new Latrobe Performing Arts Centre. b) Undertake a detailed business case for the Latrobe Performing Arts Centre including a strong evidence base for the new facility and confirmation of key design elements. c) Engage a specialised theatre design consultant to confirm key design elements and complete a functional design brief to detail costs of the Latrobe Performing Arts Centre. 	<p>05 February 2016</p> <p>In relation to the Latrobe City Convention Centre, a project brief will be prepared in the first half of 2015/16 to engage a consultant to undertake investigation to confirm potential demand for a dedicated convention centre. It is envisaged that this will be completed in the 2015/16 financial year, subject to budget approval by Council.</p> <p>A further report will be presented to Council at this time and depending on the outcome of the demand analysis, a business case including establishment of a working group will be progressed.</p> <p>A consulting team has been appointed and work is underway on the full business case, concept designs and applications for the National Stronger Regions Fund and Victorian Regional Jobs and Infrastructure Fund.</p> <p>A Project Reference Group has been established, with key community stakeholders, representatives of Regional Development Australia and Creative Victoria, Councillors and Council Officers to review and provide feedback on the submission elements through the development process.</p>

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Council Meeting Date	Item	Resolution	Status Update
06 July 2015 City Development	Latrobe Performing Arts and Convention Centre Review (continued)	<p>d) Allocate \$200,000 from the 2015/16 Financial Year surplus to develop the Latrobe performing arts business case and functional concept design.</p> <p>e) Establish a representative community working group to steer the business case and design for the Latrobe Performing Arts Centre.</p> <p>f) Receive a report pending the outcome of the funding submission to the National Stronger Regions Fund – Round 2.</p> <p>g) Continue to liaise with the Victorian and Commonwealth governments in relation to potential funding opportunities.</p>	<p>Following the Councillor Briefing on Wednesday 27 January, a report will be presented to Council on Monday 08 February ahead of the submission being lodged with the State Government.</p> <p>10 March 2016 Following the appointment of Williams Boag Pty Ltd Architects in December 2015, a Business Case and Functional Concept Design has been prepared in relation to what is now called the Latrobe Creative Precinct. The Precinct incorporates a new Latrobe Performing Arts Centre, outdoor event spaces, educational and vocational training facilities and a digital learning hub; in addition to the existing Library and Service Centre and Maternal and Child Health Centre. Applications for funding have been prepared and lodged with the State Government and Federal Governments, following Council's resolution to provide \$10 million towards the project. If successful, Council will move to the preparation of detailed planning for the new Precinct in coming months.</p>

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06 July 2015 City Development	Latrobe Performing Arts and Convention Centre Review (continued)	<p>4. In relation to the Latrobe City Convention Centre:</p> <p>a) Confirms Morwell as the location of the Latrobe City Convention Centre.</p> <p>b) Undertakes further detailed analysis and investigation to confirm potential demand for a dedicated convention centre in Latrobe City.</p> <p>c) Establish a representative community working group, to steer the business case and design for the Latrobe City Convention Centre.</p> <p>d) Allocate funding in future budgets to assist with the development of a business case and functional concept design for the Latrobe City Convention Centre.</p> <p>e) Investigate funding options for the Latrobe City Convention Centre.</p>	<p>In relation to the Latrobe City Convention Centre, a project brief will be prepared late in the first half of 2015/16 to engage a consultant to undertake investigation to confirm potential demand for a dedicated convention centre. It is envisaged that this will be completed in the 2015/16 financial year, subject to budget approval by Council.</p> <p>A further report will be presented to Council at this time and depending on the outcome of the demand analysis, a business case including establishment of a working group will be progressed.</p> <p>20 April 2016 On Wednesday 20 April Minister for Regional Development Jaala Pulford announced State Funding of \$10 million towards the Latrobe Creative Precinct. A decision is now awaited on Council's submission for a further \$10 million from the Federal Government's National Stronger Regions Fund.</p>

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Council Meeting Date	Item	Resolution	Status Update
06 July 2015 City Development	Latrobe Performing Arts and Convention Centre Review (continued)	<p>27 July 2015 That Council:</p> <ol style="list-style-type: none"> 1. Receives a report outlining State Government funding opportunities and recommendations on applying for funding through National Stronger Regions Fund Round 3. 	<p>09 May 2016 With the calling of the Federal election for 2 July 2016, an announcement of successful National Stronger Regions grants is not now anticipated until after that date.</p> <p>27 May 2016 On 20 April 2016, Member for Gippsland and Federal Minister for Infrastructure Darren Chester issued a Media Statement which confirms his strong support for the LCP project.</p> <p>15 July 2016 Following the return of the Coalition Government, Council is awaiting formal confirmation of Federal Government funding and conditions of grant.</p>

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Council Meeting Date	Item	Resolution	Status Update
26 October 2015 City Development	2015/20 - Traralgon Court House Status Update	<p>That a report be brought back to Council on the status of the plans for the Traralgon Court House.</p> <p>That the report includes:</p> <p>(a) the options on how Council proposes to fund the plans; and</p> <p>(b) the actions for 2015/16 and any actions proposed for 2016/17</p>	<p>Officers will prepare a report for Council meeting in May</p> <p>05 February 2016 Preparation of report is on schedule.</p> <p>28 Apr 2016 A report will be presented to the Briefing Meeting on 9 May 2016.</p> <p>11 May 2016 Accurate costings will now be obtained from a Quantity Surveyor regarding the construction of a new toilet block, deck and doorway to the existing building. When final costings are known, a report will be brought back to a Councillor Briefing.</p> <p>15 July 2016 A report will be prepared for the Councillor Briefing (1) on 8 August 2016.</p>

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Council Meeting Date	Item	Resolution	Status Update
26 October 2015 City Development	Economic Development Engagement Plan	<p>That Council:</p> <ol style="list-style-type: none"> 1. Approves the 2015/16 Economic Development Engagement Plan to improve information sharing and active communication with Council staff, investors, government, business and industry leaders. 2. Receives quarterly reports during the 2015/16 financial year on the activities of the Economic Development Engagement Plan, and 3. Receives a report in September 2016 detailing the annual results of the Economic Development Engagement Plan. 	<p>05 February 2016 The Economic Development Engagement Plan Quarterly report was presented to Council in February 2016. Report to be presented to the Ordinary Council Meeting on 29 February 2016.</p> <p>10 March 2016 The next quarterly report will be presented to Council in May 2016.</p> <p>The annual report will go to Council for consideration in September 2016.</p> <p>28 April 2016 The Economic Development Engagement Plan was presented to Council on 29 February 2016.</p>

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Council Meeting Date	Item	Resolution	Status Update
07 December 2015 City Development	Federation University Australia Gippsland Campus Initiatives with Taizhou, China (continued below)	That Council: 1. Supports the consideration of an allocation of Council resources to complement the Gippsland Campus of Federation University Australia proposed initiatives with Latrobe City's Sister City, Taizhou China. 2. Requests a further report be brought back in 2016, in accordance with the Sister Cities Policy.	Email correspondence has recently taken place with the Taizhou Foreign Affairs Officer in relation to a proposed Educational Marketing Campaign in Taizhou and also a possible Taizhou Foreign Affairs Officer secondment for 8 weeks in February/March 2016. However, due to time constraints it is unlikely that the secondment will come to fruition. Initial feedback on the marketing campaign was positive; we are waiting to hear more information in coming weeks. Positive feedback from the Taizhou Foreign Affairs office indicates that the Federation University marketing campaign in Taizhou is a real possibility. Further conversation will be held once Dr Harry Ballis returns from overseas in late January. 05 February 2016 Contact will be made this month with Dr Ballis. 09 March 2016 Correspondence has been sent to the Taizhou Government. Further information will be provided once a response is received.

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Council Meeting Date	Item	Resolution	Status Update
07 December 2015 City Development	Federation University Australia Gippsland Campus Initiatives with Taizhou, China (continued)	<p>That Council:</p> <p>3. Supports the consideration of an allocation of Council resources to complement the Gippsland Campus of Federation University Australia proposed initiatives with Latrobe City's Sister City, Taizhou China.</p> <p>4. Requests a further report be brought back in 2016, in accordance with the Sister Cities Policy.</p>	<p>10 March 2016 During April 2016, Federation University Australia, Gippsland Campus is embarking on another marketing campaign to Taizhou, China. The purpose of the visit will be to further progress the collaborative partnerships with Taizhou Polytechnic, Taizhou University and Taizhou High Schools with the aim of establishing programs and exchanges for mutual benefits.</p> <p>The delegation is planned for 18th to 22 April 2016, will focus on finalising collaborative partnership initiatives, showcase Federation University Australia Gippsland and Latrobe City as a destination of choice for Taizhou students and their families.</p> <p>08 June 2016 The delegation occurred from 18 to 22 April 2016, which focused on finalising collaborative partnership initiatives, showcasing Federation University Australia Gippsland and Latrobe City as a destination of choice for Taizhou students and their families. It is anticipated that a delegation of high level education representatives will visit Latrobe City late in the 2016 calendar year and Federation University are planning for students in 2017.</p>

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Council Meeting Date	Item	Resolution	Status Update
07 December 2015 City Development	Planning Scheme Amendment C85 - Crinigan Road, Morwell	<p>That Council:</p> <ol style="list-style-type: none"> 1. Defer the consideration of Amendment C85 until advice has been received from the landowner on how they wish to proceed with the amendment. 2. That a report outlining the next steps be presented to Council no later than 30 October 2016. 3. Advises those persons who made written submissions to Amendment C85 of Council's decision 	<p>The land owner has been advised of Council's decision, and are now considering their options. No further action will be undertaken until further advice from the landowner has been received.</p> <p>05 February 2016 The landowner (Hancock Victorian Plantations) has been contacted recently and has advised they are yet to make a decision pending a future HVP Board meeting. Further advice from the landowner is expected by the end of March.</p> <p>30 March 2016 The landowner (Hancock Victorian Plantations) have advised that they require more time to consider their options. The HVP Board have requested further information be sought prior to a decision being made. Further advice from HVP is expected in the coming months.</p> <p>08 April 2016 Submitters to Amendment C85 were notified of Council's resolution on 11 December 2015.</p> <p>08 and 29 June 2016 No further update to provide. Advice from HVP is still pending.</p>

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Council Meeting Date	Item	Resolution	Status Update
21 March 2016 City Development	Community Amenity Local Law No 2 2015 Consideration of Submissions (continued below)	That Council: 1. Notes and considers all submissions received in relation to the proposed draft Community Amenity Local Law No.2 2015; 2. Requests a further report be presented no later than 20 June 2016 that identifies any changes to the proposed draft Community Amenity Local Law No.2 through consideration of these submissions; 3. That an amended draft Community Amenity Local Law No.2 2015 be put out to the public for consultation for a period of four weeks; and 4. A meeting is arranged with the submitters to discuss any alterations to the draft Community Amenity Local Law No.2.	Complete 24 March 2016 Council has noted and considered all submissions received in relation to the proposed draft Law. 3 submitters spoke, specifically against section 94 - recreational vehicles & permits. A further report will be presented to Council in May that identifies any changes to the proposed law. The amended draft Local Law 2 2015 can then be put to the public for consultation for a four week period during June and a meeting will be arranged with the submitters to explain alterations to the proposed law. A report will then be presented to Council in July recommending that Council adopt the amended Local Law No 2. 20 June 2016 Report being presented to Council Monday 20 June 2016 requesting a second round of community consultation, inclusive of community meeting to discuss proposed Local Law No. 2.

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Council Meeting Date	Item	Resolution	Status Update
21 March 2016 City Development	Community Amenity Local Law No 2 2015 Consideration of Submissions (continued)	That Council: 1. Notes and considers all submissions received in relation to the proposed draft Community Amenity Local Law No.2 2015; 2. Requests a further report be presented no later than 20 June 2016 that identifies any changes to the proposed draft Community Amenity Local Law No.2 through consideration of these submissions; 3. That an amended draft Community Amenity Local Law No.2 2015 be put out to the public for consultation for a period of four weeks; and 4. A meeting is arranged with the submitters to discuss any alterations to the draft Community Amenity Local Law No.2.	06 July 2016 Council endorsed the recommendation to release the Proposed Community Amenity Local Law No.2 for a second round of community consultation from 28 June 2016 to 28 July 2016. All standard engagement methods are being used with the addition of a public meeting scheduled for 6.00 pm Thursday, 21 July 2016 at Headquarters Morwell. Council will have the opportunity to consider submissions at the OCM Monday 22 August 2016. Community members may also address Council at this meeting to support their submissions. It is anticipated that a report requesting Council to adopt the new Local Law No.2 will be presented at the OCM 12 September 2016.
02 May 2016 City Development	Proposed Livestock Selling Facility	That Council: 1. Complete a pre-feasibility study into the establishment of a Livestock Sales Facility within the municipality. 2. That a further report outlining the results of the pre-feasibility study be presented to Council.	11 May 2016 Officers are currently in the process of drafting a brief in order to go to market for a pre-feasibility study.

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Council Meeting Date	Item	Resolution	Status Update
23 May 2016 City Development	2016/10 - Impact Of Proposed Great Forest National Park	That Council: 1. Requests that the Chief Executive Officer prepares a report on the Assessment of the Economic and Social Impacts of the Proposed Great Forest National Park to the Latrobe City Municipality; 2. Requests that the Mayor writes to the Premier and the Minister for Energy, Environment and Climate Change and to express our disappointment that there is no local government voice on the taskforce looking at the Great Forest National Park. That the Mayor request that either MAV or Timber Towns Victoria are given a position on this taskforce.	08 June 2016 A report is being prepared that includes the economic value of the timber industry in Gippsland and Latrobe City LGA. The report will be included in a Council report providing the information and the option to undertake detailed economic and social research at additional cost and timeframe. Letter will be drafted at conclusion of report preparation. 30 June 2016 Report being drafted for a future Council Meeting.
23 May 2016 City Development	Consideration of the Recommendations of the Panel Report for Amendment C87	That Council defers Amendment C87 Part B (Urban Amenity Buffer), in accordance with Section 29 of the Planning & Environment Act, 1987 until a report on further options relating to C87 Part B (Urban Amenity Buffer) be presented to Council and if necessary, seeks an extension of time from the Minister of Planning.	20 July 2016 Council adopted C87 Part A and C on 23 May 2016. Council deferred C87 Part B until a report on further options can be presented to Council.

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Council Meeting Date	Item	Resolution	Status Update
20 June 2016 City Development	2016/12 - Future Economic Development of Latrobe City (continued below)	<p>That Council, as a result of the increasing community concern around media speculation on the future of the Latrobe Valley based brown coal electricity generation industry;</p> <ol style="list-style-type: none"> 1. Convenes a meeting within one month of all government, semi-government, union, community and business organisations who have been identified as preparing proposals for the future economic development of Latrobe City; and 2. Invites each organisation to give a brief presentation of their proposals, in order to avoid duplication of efforts around economic development in Latrobe City; and 3. Invites the Premier to open the meeting and outline the State position on this issue; and 4. Invites observers from relevant organisations to the meeting; and 	30 June 2016 Forum has been organised for 27 July 2016. State Government Ministers will attend. Community groups invited to present and participate in workshop.

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Council Meeting Date	Item	Resolution	Status Update
20 June 2016 City Development	2016/12 - Future Economic Development of Latrobe City (continued)	5. Requests a Positioning Paper be produced incorporating the direction and issues identified, and that this paper to be used as the basis of further meetings to coordinate and accelerate economic development in Latrobe City; and 6. Requests a report be presented to Council to consider adoption of the Positioning Paper as soon as practicable.	As above
20 June 2016 City Development	2016/13 - Remembrance Day And Anzac Day Road Closures	That Council: 1. Covers the cost associated with the Latrobe City RSL's road closures for Remembrance Day 2016; 2. Continues to lobby the State and Federal Governments to cover the ongoing costs associated with ANZAC and Remembrance Day; and 3. Seek a further report regarding options to support these events in future years.	29 June 2016 Following the Notice of Motion at the Council Meeting on 20 June 2016, Council will cover the cost of RSL road closures for Remembrance Day 2016. Accordingly, the Events Team is in the process of engaging a contractor to undertake the Morwell Remembrance Day Road Closure and has submitted notification to LV Bus Lines and PTV, and will be taking a copy of the 2016 Remembrance Day Public Transport Traffic Management Plan to the Morwell RSL for sign off today.

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Council Meeting Date	Item	Resolution	Status Update
20 June 2016 City Development	Proposed - Community Amenity Local Law No.2 2016 (continued below)	That Council: 1. Gives notice of its intention to make the Community Amenity Local Law No.2 2016, replacing Community Amenity Local Law No. 2 2009, as outlined in the Local Law Community Impact Statement. 2. Gives notice in the Victorian Government Gazette and by public notice in the local newspapers of its intention to make Local Law No. 2 2016, stating the purpose and general support of the draft Community Amenity Local Law No. 2 2016 and advising that any person affected by the proposed Local Law may make a submission relating to the proposed Local Law under Section 223 of the <i>Local Government Act 1989</i> ;	19 July 2016 A report to consider submissions from the community during the consultation process at the OCM 22 August 2016. To date, one submission has been received seeking clarification and one submission has been received suggesting a minor change to one clause.

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Council Meeting Date	Item	Resolution	Status Update
20 June 2016 City Development	Proposed - Community Amenity Local Law No.2 2016 (continued)	<p>3. In accordance with Section 223 of the <i>Local Government Act 1989</i>, considers and hears submissions received regarding the proposed Community Amenity Local Law No. 2 2016, at an Ordinary Meeting of Council to be held on 22 August 2016, at 6.00 pm, in the Nambur Wariga Meeting Room, Council Headquarters, 141 Commercial Road, Morwell; and</p> <p>4. That a copy of the proposed draft Community Amenity Local Law No. 2 2016 be made available at Latrobe City's Customer Service Centres and Libraries, during their respective hours of operation, and on Council's website from 23 June 2016.</p>	As above

ORDINARY COUNCIL MEETING MINUTES

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Council Meeting Date	Item	Resolution	Status Update
11 July 2016 City Development	Installation Of CCTV Head Street Traralgon - Dumped Rubbish	<p>That Council:</p> <ol style="list-style-type: none"> 1. Make a resolution approving the installation of CCTV at 135 Argyle Street Traralgon to allow Latrobe City Local Laws Officers to conduct an investigation in accordance with the Environment Protection Act 1970. 2. A sign be installed in the area informing the community of the installation of the CCTV units. 3. A further report be presented to Council at the conclusion of the trial period to report on the effectiveness of this action and any subsequent prosecution in progress. 	<p>19 July 2016</p> <p>Arrangements are currently being discussed with staff from the depot to install the CCTV hardware. Signage has been ordered to clearly advise the community about the cameras.</p>

ORDINARY COUNCIL MEETING MINUTES

01 AUGUST 2016 (CM487)

Council Meeting Date	Item	Resolution	Status Update
Infrastructure & Recreation			
06 November 2013 Infrastructure & Recreation	Latrobe Regional Motorsport Complex (continued below)	<ol style="list-style-type: none"> 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. 2. That Council officers meet with Energy Australia to discuss other possible sites for a motorsports complex on their land. 3. That a further report be presented to Council at such time that site options have been investigated 	<p>2015 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>A briefing report and Council report will be presented in April 2016.</p> <p>30 March 2016 Further evaluation will be undertaken of 10 sites identified during on-site meeting. A briefing report will be presented in May 2016.</p> <p>08 April 2016 Officers have recently met with Cr. Middlemiss in relation to investigating a number of possible options for the development of a motorsports complex. These ten sites are currently being assessed for their suitability. When this assessment is complete a further report will be presented to Council detailing and findings.</p>

ORDINARY COUNCIL MEETING MINUTES

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Council Meeting Date	Item	Resolution	Status Update
06 November 2013 Infrastructure & Recreation	Latrobe Regional Motorsport Complex (continued)	As above	<p>26 May 2016 A briefing report will be presented to Councillors at the 30 May 2016 Councillor Briefing.</p> <p>30 May 2016 A report was presented to the Councillor Briefing on 30 May 2016, and a further report will follow in September.</p> <p>10 June 2016 A briefing report was presented to Council on 3 May 2016. A tour of possible sites is to be organised for the Latrobe Motorsport Advisory Committee and a letter to be sent to CAMS regarding the possibility of hosting significant motorsport events is to be sent. A report to be provided to Council at a later date when these actions have been completed.</p>
25 May 2015 Infrastructure & Recreation	Draft Tracks, Trails And Paths Strategy	<p>That Council:</p> <ol style="list-style-type: none"> 1. Releases the draft Tracks, Trails and Paths Strategy for a period of 6 weeks from Tuesday 26 May 2015 to Friday 7 July 2015. 2. Request a further report be presented to Council with the results of the community consultation process. 	<p>Complete</p> <p>09 March 2016 The Tracks Trails and Paths Strategy and Implementation plan will be presented to Council in May 2016.</p> <p>11 May 2016 A report will be presented to Council for endorsement on 20 June 2016.</p> <p>27 June 2016 The Tracks Trails and Paths Strategy was adopted by Council on 20 June 2016.</p>

ORDINARY COUNCIL MEETING MINUTES

01 AUGUST 2016 (CM487)

Council Meeting Date	Item	Resolution	Status Update
25 May 2015 Infrastructure & Recreation	Request to Air Condition Latrobe Leisure Stadium Facilities (continued below)	<p>That Council:</p> <ol style="list-style-type: none"> 1. Considers allocating funding in the 2016/17 financial year for the installation of air handling systems at the following Latrobe Leisure facilities, Traralgon Sports Stadium, Latrobe Leisure Morwell, Latrobe Leisure Moe Newborough and Latrobe Leisure Churchill; 2. Instructs Council Officers to undertake further investigation in relation to energy efficiency improvements, heat load reduction and air conditioning systems for the facilities; 3. Identifies and allocates the funding for the investigations detailed in point 2 from savings from the 2014/15 budget; 4. Request a report be presented to Council prior to the development of the 2016/17 budget detailing the results of the investigations detailed in point 3; 	<p>2015 Quotes are currently being requested for investigation in relation to energy efficiency improvements, heat load reduction and air conditioning systems for the facilities. Quotes are currently being requested for the provision of temporary air handling units for the BVC Event in 2016. A report is planned to be presented to the April Council Meeting.</p> <p>30 March 2016 A report is planned to be presented to the June Council Meeting.</p> <p>08 June 2016 The report to Council has been rescheduled to 01 August 2016.</p> <p>18 July 2016 A report is to be presented to the 8th August Councillor Briefing.</p>

ORDINARY COUNCIL MEETING MINUTES

01 AUGUST 2016 (CM487)

Council Meeting Date	Item	Resolution	Status Update
25 May 2015 Infrastructure & Recreation	Request to Air Condition Latrobe Leisure Stadium Facilities (continued)	<p>5. Instructs Council Officers to investigate the ability to hire, and the costs associated with, temporary air handling units for the BVC event in 2016;</p> <p>6. Consider the costs of item 5 is as part of the mid year budget review; and</p> <p>7. Advise Basketball Victoria Country of Councils' decision.</p>	As above

ORDINARY COUNCIL MEETING MINUTES

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Council Meeting Date	Item	Resolution	Status Update
27 July 2015 Infrastructure & Recreation	2015/15 - Request for Investigation into Traralgon Netball Court Resurfacing (continued below)	That Council engage an Independent investigator to investigate the Traralgon Netball Court resurfacing tender process including; 1. The materials used 2. The written Tender brief 3. The overseeing process utilised and reporting details 4. The report with all of these details be brought back to Open Council as soon as practical.	<p>2015 Officers have not as yet engaged an independent investigator to investigate the Traralgon Netball Court resurfacing tender process. Council Officers are currently focused on finalising the remediation process with the Contractors who undertook the works.</p> <p>A project brief is currently being developed and quotes will be sought for the investigation during March. The investigation report will be provided to the Council Meeting in May 2016.</p> <p>We are currently negotiating with the Contractor who undertook the works for them to accept responsibility for the resurfacing. Once we have clarified the contractors position the review will commence.</p> <p>08 April 2016 The company have acknowledged that the repairs are their responsibility and the work is underway.</p> <p>An independent review will be arranged by end of financial year.</p> <p>04 May 2016 The remedial works were completed however minor defects have arisen that are being attended to.</p> <p>21 May 2016 The tender brief is prepared and will be sent 24 May 2016.</p>

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

Council Meeting Date	Item	Resolution	Status Update
27 July 2015 Infrastructure & Recreation	2015/15 - Request for Investigation into Traralgon Netball Court Resurfacing	<p>That Council engage an Independent investigator to investigate the Traralgon Netball Court resurfacing tender process including;</p> <ol style="list-style-type: none"> 1. The materials used 2. The written Tender brief 3. The overseeing process utilised and reporting details 4. The report with all of these details be brought back to Open Council as soon as practical. 	<p>08 June 2016 Tenders closing mid-June, with a report to Officers by 14 July, and a report prepared for the next available meeting in August</p> <p>20 July 2016 Tender process recommenced due to the prices received. A new tenderer has provided a quote to undertake the works and this will be awarded by the end of July.</p>

ORDINARY COUNCIL MEETING MINUTES

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Council Meeting Date	Item	Resolution	Status Update
02 May 2016 Infrastructure & Recreation	Agnes Brereton Park Traralgon - Preparation of Work Plan for Repairs (continued below)	That Council: 1. Takes immediate action to inspect, stabilise and prepare a work plan to ensure the surface of the netball courts at Agnes Brereton Park Traralgon are safe and appropriately repaired; and 2. Advises the Traralgon Netball Club of the timeframe for this work; and 3. Requests a report to be provided to the next Ordinary Council meeting regarding the outcomes.	10 May 2016 An on-site meeting was held on 6 May 2016 with the following actions outlined, that will be carried out by Council over the coming weeks, addressing the concerns raised at the meeting by the Traralgon Netball Association. 1. Weekly Inspections An inspection will be undertaken of the courts on a weekly basis to determine if any additional repair works are required. Should any additional works be required these will be organised by Council as soon as practically possible. 2. Independent Consultant We will appoint an independent consultant to undertake an assessment of the Courts. The consultant will provide advice to Council in relation to any additional works that may be required, over both the short and long term, to ensure the courts are in the best condition possible for use by the community.

ORDINARY COUNCIL MEETING MINUTES

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Council Meeting Date	Item	Resolution	Status Update
02 May 2016 Infrastructure & Recreation	<p>Agnes Brereton Park Traralgon - Preparation of Work Plan for Repairs</p> <p>(continued)</p>	As above	<p>3. Car Park Repairs</p> <p>I will arrange for my staff to assess the condition of the car park. While on site today I identified a number of areas that will require immediate attention and some that may be undertaken at a later date. I will provide you with further detail in relation to when these works will be undertaken after the car park has been assessed by my staff.</p> <p>4. Additional Concreting Works</p> <p>Additional concreting works will be undertaken to provide pathway connections from the concrete roadway to the back courts.</p> <p>Our contractor has advised that there may be a sand like material on the surface during the first few weeks while the surface dries completely. It would be appropriate for the association to monitor the condition of the courts during play to ensure that the surface continues to be safe for play. Should the surface be determined to be unsafe play may need to be suspended for a short period in order for the courts to be swept clean.</p>

ORDINARY COUNCIL MEETING MINUTES

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Council Meeting Date	Item	Resolution	Status Update
20 June 2016	Draft Drainage Asset Management Plan 2016	<p>That Council:</p> <ol style="list-style-type: none"> 1. Endorses the draft Drainage Asset Management Plan 2016 for public consultation for 7 weeks from 10 October 2016 to 28 November 2016. 2. Requests that a further report be brought to Council following the public consultation with a draft Drainage Asset Management Plan 2016 that considers the feedback from the community consultation. 	<p>05 July 2016</p> <p>Following adoption Officers are reviewing the improvement plan and will discuss Consultation with Communication Department to prepare a plan to consult immediately following the caretaker period.</p>
11 July 2016 Infrastructure and Recreation	Petition - Old Sale Road Newborough	<p>That Council:</p> <ol style="list-style-type: none"> 1. Agrees to lay the petition, regarding Old Sale Road Newborough, on the table until the next practical opportunity for Council Officers to present a report at an Ordinary Council Meeting. 2. Advises the head petitioner of Council's decision in relation to the petition. 	

ORDINARY COUNCIL MEETING MINUTES

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Council Meeting Date	Item	Resolution	Status Update
11 July 2016 Infrastructure and Recreation	Latrobe Leisure Moe Newborough Hydrotherapy Program	<p>That Council:</p> <ol style="list-style-type: none"> 1. Continue the hydrotherapy program at LLMN on Sundays until a report is presented to Council in early 2017, which will provide time to assess the impact of the opening of the newly redeveloped Warragul Leisure Centre. 2. Advise key stakeholders (Pre-schools, schools, LCC childcare centres, aged care facilities, and medical centres) of Councils decision to continue the hydrotherapy program at LLMN until a report is presented to Council in early 2017. 	<p>20 July 2016 A report will be presented to Council in 2017.</p>

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Council Meeting Date	Item	Resolution	Status Update
Community Services			
18 February 2013 Community Services	Affordable Housing Project – Our Future Our Place	<p>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.</p> <p>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.</p>	<p>Project review underway, almost at completion.</p> <p>09 March 2016 A report will be presented to a Councillor Briefing in May 2016</p> <p>08 June 2016 The Briefing report has been rescheduled to 27 June 2016.</p> <p>20 July 2016 A briefing report was prepared for the Councillor briefing on 27 June. Feedback from the briefing was received and a further briefing report is being presented to the Councillor briefing on 25 July. The report outlines an option for gifting the land to a not for profit organisation for a social housing project.</p>
Corporate Services			
23 May 2016 Corporate Services	Report Into Grant Acquittal Practices	<p>That Council:</p> <p>1. Receives and notes this interim report into grant acquittal practices;</p> <p>2. Notes the management actions contained within the Community Grants and Sponsorships internal audit report; and</p> <p>3. Requests a further report to be presented by September 2016 detailing the progress of designing a new Grants and Sponsorship Framework.</p>	<p>A report is planned to be presented to Council at the 12 September 2016 meeting.</p>

ORDINARY COUNCIL MEETING MINUTES

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Council Meeting Date	Item	Resolution	Status Update
02 May 2016 Corporate Services	Traralgon Greyhound Racing Club - Long Term Lease	<p>That Council:</p> <ol style="list-style-type: none"> 1. Endorses the in principle draft terms and special conditions prepared for the long term lease with the Traralgon Greyhound Racing Club for part of Glenview Park, Traralgon, and 2. Forwards a copy of the draft lease document to the Traralgon Greyhound Racing Club for consideration. 3. Requests the Chief Executive to revise and amend the draft terms and special conditions following comments from the Traralgon Greyhound Racing Club and subject to further advice from Council Officers that the outstanding issues have been resolved provide a report prior to the signing of the revised Lease with the Traralgon Greyhound Racing Club and sublease with Telstra for Glenview Park, McNairn Road, Traralgon. 	<p>12 May 2016 Follow up report will be provided advising Council of the status of the outstanding issues.</p> <p>08 June 2016 A further report is planned to be presented to Council at the 01 August 2016 meeting, subject to receiving information from the Traralgon Greyhound Racing Club.</p> <p>15 July 2016 Council officers met with the President and Manager of the Traralgon Greyhound Racing Club on 7 July 2016 to discuss the terms and conditions of the draft lease. The Greyhound Racing Club has provided its comments in response to the draft lease and requested to speak to Councillors which has been tentatively arranged for the Public Presentation session to be held on 15 August 2016.</p>

Comments provided 20 July 2016. Any further updates after this time will be provided in the next Council Meeting Agenda.

NOTICES OF MOTION

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9. NOTICES OF MOTION

9.1 2016/19 - REMOVAL OF REEDS/BULLRUSHES FROM KERNOT LAKE, MORWELL

Cr Graeme Middlemiss

I, Cr Middlemiss, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday, 01 August 2016:

RECOMMENDATION

That Council:

1. Approves in principle the immediate removal of reed/bullrush encroachment from Kernot Lake, Morwell; and
2. Refers funding of this work for consideration in the Mid Year Budget Review process.

MOTION

Moved: Cr Middlemiss

Seconded: Cr White

That Council:

1. Approves in principle the removal of reed/bullrush encroachment from Kernot Lake, Morwell as soon as possible; and
2. Refers funding of this work for consideration in the Mid Year Budget Review process.

CARRIED UNANIMOUSLY

Attachments

Nil

Signed
Cr Graeme Middlemiss
28 July 2016

ITEMS REFERRED BY THE COUNCIL TO THIS MEETING FOR CONSIDERATION

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

Nil reports

CORRESPONDENCE

11. CORRESPONDENCE**11.1 CORRESPONDENCE FOR CONSIDERATION FROM SOUTH
GIPPSLAND SHIRE COUNCIL VIA THE GIPPSLAND LOCAL
GOVERNMENT NETWORK****General Manager****Corporate Services****For Decision****PURPOSE**

To present to Council for consideration a letter requesting support of all Gippsland Local Government Network Councils for the renaming of the Federal electoral division of McMillan.

EXECUTIVE SUMMARY

A letter has been received via the Gippsland Local Government Network from the South Gippsland Shire Council, advocating for the renaming of the Federal Seat of McMillan.

A name of an electoral division can only be changed as part of a Federal redistribution in the relevant state or territory. There is not a redistribution process for Victoria to commence until December 2017.

Therefore, it is recommended that Council does not support the renaming at this time.

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RECOMMENDATION

That Council:

1. Confirms it does not support advocating for the renaming of the federal electoral division of McMillan at this point in time as it cannot be renamed outside of a Federal redistribution process; and
2. Advises the Gippsland Local Government Network and South Gippsland Shire Council of this decision.

MOTION

Moved: Cr Harriman

Seconded: Cr Gibbons

That Council:

1. **Although supportive of a renaming of the federal electoral division of McMillan, acknowledges that a renaming cannot occur outside of a Federal redistribution process; and**
2. **Advises the Gippsland Local Government Network and South Gippsland Shire Council of this decision.**

For: Crs White, Sindt, O'Callaghan, Middlemiss, Harriman and Gibbons

Against: Crs Rossiter and Kam

CARRIED

DECLARATION OF INTEREST

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

OFFICER COMMENTS

The Federal electoral division of McMillan (division) covers an area spanning Pakenham, Newborough, Wilsons Promontory and Noojee. The main towns include Drouin, Erica, Foster, Inverloch, Korumburra, Leongatha, Mirboo North, Moe, Neerim South, Newborough, Nyora, Pakenham, Trafalgar, Walhalla, Warragul, Wonthaggi, Yallourn North and Yarragon.

The division was named after Angus McMillan (1810-1865), who is described as a pioneer and explorer who made several trips into Gippsland. It is now acknowledged that Angus McMillan was associated with the massacre and hunting of Aborigines as part of the settlement of the area. It is for this reason that a renaming of the McMillan electoral division would be appropriate to be considered.

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According to information obtained from the Australian Electoral Commission (AEC), the name of an electoral division can only be changed as part of a Federal redistribution in the relevant state or territory. Any proposal for an alternative name cannot be considered if received outside of the redistribution period.

The AEC have published indicative timing for commencement of the next redistribution for each state and territory. For the State of Victoria, a redistribution would be required to commence within 30 days of 24 December 2017. It would be appropriate for Council to consider whether a name change would form part of any submission it may make as part of the AEC's processes at that time.

Attachments

1. Correspondence received from South Gippsland Shire Council

11.1

Correspondence for consideration from South Gippsland Shire Council via the Gippsland Local Government Network

- 1 Correspondence received from South Gippsland Shire Council 49**

Our Ref: D6026316

27 June 2016

Cr Darren McCubbin
GLGN Chair
Wellington Shire Council
PO Box 506
Sale VIC 3850



Dear Darren

Letter of Support – Federal Government Seat of McMillan be Renamed

South Gippsland Shire Council is advocating for the renaming of the Federal Government seat of McMillan and is calling on the Gippsland Local Government Network (GLGN) for support to strengthen the renaming campaign.

A Notice of Motion was presented at the Ordinary Meeting of Council on 27 April 2016. The purpose of this Notice of Motion proposed that Council support the renaming of the Federal seat of McMillan when the Australian Electoral Commission next undertakes a redistribution of the seat. The name McMillan is not suitable due to the controversial history of its namesake, Mr Angus McMillan. A new name would support and be a practical step towards reconciliation with the traditional owners of the land.

The Notice of Motion was carried and we would be grateful to receive the collective support from GLGN.

Attached is a draft letter indicating GLGN's willingness to support this advocacy. This letter is for your convenience only; please amend as you wish.

If you have any questions, please do not hesitate to contact me on 5662 9200.

I thank you in anticipation for your support of renaming the Federal Government seat of McMillan.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Bob Newton".

Cr Bob Newton
Mayor

GLGN LETTERHEAD

Ref:

Xx July 2016

Cr Cr Bob Newton
Mayor
South Gippsland Shire Council
9 Smith Street
Leongatha VIC 3953

Dear Bob

Letter of Support – Federal Seat of McMillan be Renamed

The Gippsland Local Government Network (GLGN), is pleased to forward this letter in support of South Gippsland Shire Council's advocacy to the Australian Electoral Commission to rename the Federal Government seat of McMillan.

GLGN is well aware that the name McMillan is not suitable due to the controversial history of its namesake, Mr Angus McMillan. A new name would support and be a practical step towards reconciliation with the traditional owners of the land.

GLGN strongly encourages the Australian Electoral Commission to consider the renaming of the Federal Government seat of McMillan at the next redistribution of the seat.

Yours sincerely

Cr Darren McCubbin
GLGN Chair

PRESENTATION OF PETITIONS

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12. PRESENTATION OF PETITIONS

12.1 PETITION REQUESTING THE INSTALLATION OF TRAFFIC CALMING DEVICES ALONG MANNING DRIVE, CHURCHILL

General Manager

Infrastructure and Recreation

For Decision

PURPOSE

The purpose of this report is to present Council with a petition received 16 June 2016, requesting traffic calming devices be installed along Manning Drive, Churchill.

EXECUTIVE SUMMARY

A petition containing 23 signatures was received on 16 June 2016, stating:

'We, the undersigned, request the installation of Speed Humps to reduce vehicular speeds along MANNING DRIVE to CANTERBURY WAY in Churchill 3842'

The petition was presented by Brett Griffiths and is included in Attachment 1.

MOTION

Moved: Cr White

Seconded: Cr Harriman

That Council:

1. **Agrees to lay the petition requesting traffic calming devices be installed along Manning Drive, Churchill, on the table until the Ordinary Council Meeting to be held on 12 September 2016.**
2. **Advises the head petitioner of Council's decision in relation to the petition requesting traffic calming devices be installed along Manning Drive, Churchill.**

CARRIED UNANIMOUSLY

DECLARATION OF INTEREST

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

OFFICER COMMENTS

Clause 63 of the *Local Law No. 1*, relating to Council meeting procedure and adopted on 3 March 2014, states:

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“Unless Council determines by resolution to consider it as an item of urgent business, no motion (other than a motion to receive the same and advise the head petitioner of council’s decision) may be made on any petition, joint letter, memorial or other like application until the next Ordinary Meeting after that at which it has been presented”

As such, it is recommended that Council lay this petition on the table until the Ordinary Council Meeting on 12 September 2016, to allow time for the appropriate investigation of the concerns raised.

Attachments

1. Petition requesting traffic calming on Manning Drive, Churchill (Published Separately) (Confidential)

CHIEF EXECUTIVE OFFICE

13. CHIEF EXECUTIVE OFFICE

Nil reports

CITY DEVELOPMENT

14. CITY DEVELOPMENT**14.1 CONSIDERING PLANNING PANEL REPORT FOR PLANNING
SCHEME AMENDMENT C93 - ASHWORTH DRIVE****General Manager****City Development****For Decision****PURPOSE**

The purpose of this report is for Council to consider the Planning Panel report received for proposed Amendment C93 and to seek approval of the Amendment.

EXECUTIVE SUMMARY

Amendment C93 seeks to rezone approximately 25 hectares of land held in 12 allotments with frontage to Ashworth Drive, Traralgon from Rural Living Zone – Schedule 3 to General Residential Zone. The Amendment was proposed by one of the landowners who sought a rezoning of all 12 lots on the basis that such a proposal would be consistent with the future use of the land as depicted in the Traralgon Structure Plan.

The exhibition and notification of the Amendment in August and September 2015 drew 21 submissions of which 13 were in objection. A Planning Panel was held on the 10 March 2016 and a recommendation report was issued on the 5 May 2016.

Generally the Planning Panel have supported the rezoning of Ashworth Drive, Traralgon from Rural Living Zone to General Residential Zone with the exception of three lots (lots 5, 6 and 7). As a result this report, it is recommended that Council adopt the Planning Panels report and proceed with rezoning as recommended by the Planning Panel.

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RECOMMENDATION

That Council:

1. Having considered the Planning Panel report recommendations, adopts Amendment C93 by removing lots 5, 6 and 7 on PS126409 consistent with the Planning Panel's recommendations, in accordance with Section 29 of the *Planning & Environment Act, 1987*;
2. Submits Amendment C93 once adopted to the Minister for Planning for approval, in accordance with Section 35 of the *Planning and Environment Act 1987*;
3. Advises those persons who made written submissions to Amendment C93 of Council's decision; and,
4. Subject to approval of the rezoning, commits to commencing work to develop an implementation plan for the areas within the General Residential Zone to facilitate the coordinated and efficient development staging of the site in consultation with landowners.

MOTION

Moved: Cr Kam
Seconded: Cr Harriman

That Council:

1. **Defers consideration of the Planning Panel report for Planning Scheme Amendment C93 – Ashworth Drive until the next Council meeting to be held on 22 August 2016; and**
2. **Organises a meeting with the residents of Ashworth Drive, Councillors and Council Officers in the next week.**

CARRIED UNANIMOUSLY

DECLARATION OF INTEREST

No officer declared a conflict of 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

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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

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*

BACKGROUND

An amendment application was received on 14 October 2014, by The Planning Group (TPG) acting on behalf of Steven and Gayle Wood who are landowners in the Ashworth Drive precinct.

The subject land is located at Ashworth Drive, Traralgon (excluding the property at 80 Ashworth Drive) and is defined as Lots 1-12 on PS126409, including the property at 124 Cross's Road, Traralgon (refer to Attachment 1 for zoning map or aerial view map in Issues section of this report).

The area proposed to be rezoned comprises 25.54 ha of the total 75.96 ha of land that forms the Cross's Road Development Plan (CRDP). The CRDP was approved by Council in September 2012, and a number of technical reports were approved as part of the CRDP. These form

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background documentation for the current rezoning proposal. A copy of the final endorsed CRDP forms Attachment 2.

The proposal seeks to rezone the subject land from RLZ3 to GRZ. Development Plan Overlay Schedule 5 – Residential Growth Areas (DPO5) currently applies to the subject land and will continue to apply, irrespective of whether the land is rezoned or not.

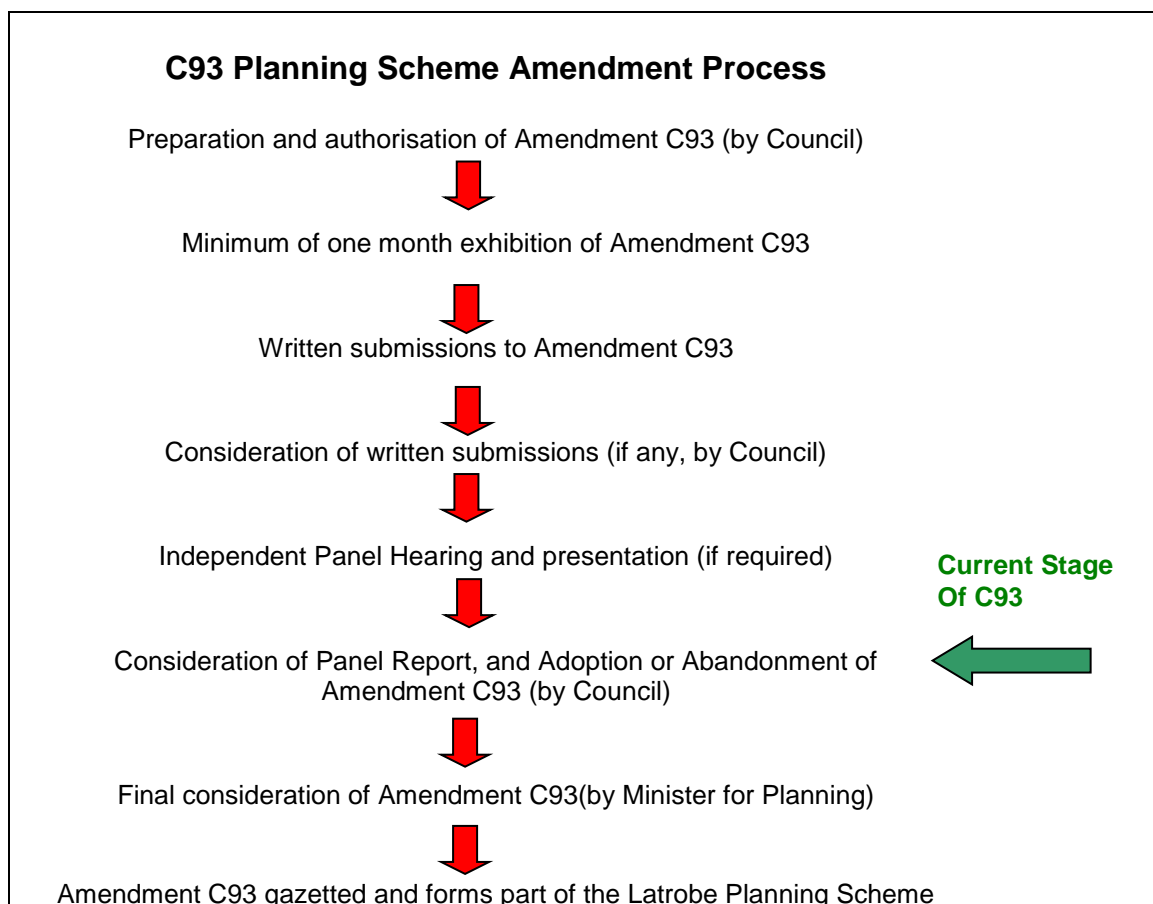
The subject land comprises the last remaining parcels of land to be rezoned to residential land, as part of the CRDP and 'Area One' of the existing Traralgon Structure Plan in the Latrobe Planning Scheme. In order to facilitate the strategic direction of the Traralgon Structure Plan, Traralgon Growth Areas Review and the CRDP, it is considered appropriate that the remaining Rural Living Zone land be rezoned to residential.

The Proposed Zoning map is provided at Attachment 1 and the Explanatory Report outlining the amendment is provided at Attachment 3.

At the Ordinary Council meeting on 16 October 2016 Council considered all written submissions to Amendment C93 and resolved to request the Minister for Planning to establish a planning panel to consider submissions and prepare a report.

Statutory Requirements

The C93 planning scheme amendment process is shown in the figure below and provides an indication of the current stage of C93.



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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):

- 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 C93 has had regard to and is consistent with the requirements of Section 12 of the Act. In addition, each amendment must address the Department of Environment, Land, Water & Planning (DELWP) publication Strategic Assessment Guidelines for Planning Scheme Amendments. A response to these guidelines is included in the Explanatory Report at Attachment 3.

The proposal is consistent with the State Planning Policy Framework and the Municipal Strategic Statement (MSS). A response to this is included in the Explanatory Report at Attachment 3.

Planning Scheme Amendments

At the Ordinary Council Meeting on 13 April 2015, Council resolved to seek authorisation from the Minister for Planning to prepare and exhibit Amendment C93.

The Minister for Planning in accordance with Section 8A of the *Planning and Environment Act 1987*, authorised Council to prepare the amendment on 7 July 2015.

The recommendations of this report are in accordance with section 27(1) and 29(1) of the Act.

INTERNAL/EXTERNAL CONSULTATION

The exhibition time was undertaken from 6 August until 18 September for six weeks in accordance with Latrobe City Council's general practice when exhibiting Planning Scheme Amendments. This is above and beyond the requirements set out in the *Planning and Environment Act 1987*.

The amendment was exhibited in the following manner:

- Notification of the Amendment was sent by mail 4 August 2015 to all landowners directly affected by the Amendment. As well as a reminder letter regarding open house session sent to affected land owners on 20 August 2015.
- Notice of the Amendment appeared in the Latrobe City Council section of the Latrobe Valley Express on 6 August 2015.

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- Notice of the Amendment appeared in the Government Gazette on 6 August 2015.
- Notification of the Amendment was forwarded to public authorities and prescribed Ministers on 4 August 2015.
- An open house session was held on the 25 August 2015.
- Display of the Amendment on Council's website, at Council Offices, and on the Department of Environment, Land, Water and Planning (DELWP) website.

Public Submissions

A total of 21 submissions were received in relation to the Amendment, consisting of:

- 5 referral agency submissions:
 - 2 with no objection (Gippsland Water and DELWP);
 - 2 in support with further comments provided (WGCMA and VicRoads); and,
 - 1 objection from (EPA).
- 16 public submissions:
 - 3 in support: and
 - 13 opposed.

A report to consider submissions raised was presented to Council at its Ordinary Meeting of 26 October 2015. At this time the matter was deferred with a procedural motion

'That Council lay this matter on the table to the next Council meeting'.

At a subsequent meeting (16 November 2015) the tabling of the matter was withdrawn and the matter and report was considered and resolved to appoint a Planning Panel.

A Directions Hearing was held on 28 January 2016, at Traralgon Service Centre. The Panel Hearing was then held on 10 March 2016 at 131 Commercial Road, Morwell. All 21 written submissions were considered by the panel.

The Panel Report that was received by Council on 5 May 2016, was made available to the public on the 23 May 2016.

KEY POINTS/ISSUES

The Planning Panel report makes one recommendation for Council consideration.

The recommendation was that;

"Amendment C93 to the Latrobe Planning Scheme be adopted as exhibited with the exclusion of Lots 5, 6 and 7 in PS126409".

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This would mean that the following lots indicated in the map below (with stars) would be retained in the Rural Living Zone and the rest would be rezoned to General Residential Zone.



The Panels reasoning for not including the lots in the rezoning is discussed on page 11 and 12 of the report and generally relate to the sites being constrained due to a declared waterway and also drainage lines identified across the sites. This is discussed in further detail below.

A summary of the issues that were outlined in the Planning Panel's report were;

- Drainage and flooding

Two submitters from the adjoining residential estate to the east submitted that there is insufficient room to accommodate stormwater between their rear boundary and future development on the subject land. A submitter from within the subject land expressed concern that the drainage easement will be inadequate to cater for the increased stormwater run-off generated by future development.

In its report, the Panel noted that the Drainage Strategy for the Cross's Road precinct includes the subject land in Ashworth Drive. This strategy has been endorsed by the WGCMA, which the Panel considers to be the relevant independent authority on matters pertaining to drainage and flooding. The strategy has also been formulated having regard for the Development Plan prepared for the area.

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The Panel identified three lots that were going to be constrained by flooding, required buffers and the declared waterway that flows across the lots. It also identified that the two drainage lines identified within the subject land converge within Lot 7 at the northern end of the subject land.

With 60 metre wide buffers straddling these drainage lines, this lot is severely constrained for development at an urban scale. It is likely that in a major rainfall event this lot would be at risk of inundation, and no evidence was presented to the Panel that would suggest otherwise. Lot 6 is also substantially constrained through the application of the FO and LSIO stemming from the influence of the Latrobe River flood plain. The lot adjoining this on the southern side (Lot 5) is constrained by one of the drainage lines with its associated 60 metre buffer.

The Panel considered that the issue of drainage and flooding has in the main, been adequately investigated as part of the Amendment via preparation of the Development Plan. This along with the drainage and flooding issues goes some way to making the case for excluding these three lots from the General Residential Zone and retaining them in the Rural Living Zone.

On this basis the Panel have recommended that the final Amendment should not include these three lots as part of the rezoning which will mean they are retained in Rural Living Zone.

Preliminary officer comments are that the recommendation from the Planning Panel to exclude lots 5, 6 and 7 from being rezoned, is a good outcome for the area. It will result in the lots being retained in Rural Living Zone and it is not considered that this will constrain future residential development occurring in the remainder of Ashworth Drive.

- **Cost of infrastructure**
A number of the objecting submitters raised issues related to the cost of infrastructure and development, including:
 - the small size of the individual holdings make the cost of development non-viable;
 - residents being forced to contribute to others' infrastructure, (even though they themselves were not intending to develop or use the services) the high cost of providing flood-free access to the land on the east side of Ashworth Drive;
 - the cost of waterway rectification protection works from increased drainage flows from adjacent development.

In its report the Panel acknowledged the submitters' concerns regarding the cost of development and the difficulties presented by the fragmented ownership. However, because the Cross's Road Development Plan was previously adopted (in 2012) it was not the role of this Panel, to make an assessment of the practicality of

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implementing the CRDP or to resolve any future development contribution issues.

At the hearing some of the submitters claimed potential developers had told them that it was too expensive to create small parcels but, there was no formal evidence in this regard. The Panel accepts however that the small lots could present problems for orderly development if not undertaken in a coordinated fashion. The Panel states in its report that it believes that the fragmented ownership is likely to retard development of the area for typical residential allotments, partially due to a lack of economies of scale, access to infrastructure and associated costs. The possible delay in development however, is not a reason to reject the rezoning, and while the Panel notes there will be some cost and apportionment issues to be dealt with in the future, it is satisfied that they will be able to be resolved.

Although not a formal recommendation of the Planning Panel, it is considered important that as part of the rezoning of this area that Council also consider preparation of an implementation plan to assist with the delivery of residential lots in this area. This plan will need to be undertaken in consultation with landowners.

- Traffic

In its submission VicRoads did not object but did propose the requirement of a new Traffic Impact Assessment Report. However, the Planning Panel accepted that this was unnecessary given that one had been prepared and submitted as part of the approval of the Cross's Road Development Plan.

- Heritage

The owner of a restored older residence on Lot 1 (see Figure 1) raised concerns that the heritage value of the property may be detrimentally affected by the future development of the subject land for urban residential purposes. The detriment could involve being 'engulfed' by houses or through demolition to maximise the development potential of the land. The submitter requested that the rezoning of the land should be deferred for 10 years.

This building does not have any formal heritage protection and has not been identified for heritage protection. Given the location of the house on the lot it was considered by the Panel that it would be possible to design an appropriate response, should the owner seek to develop the site. The Panel also did not consider the issue of heritage, particularly with regard to the property at Lot 1 warrants modification or refusal of the proposed Amendment C93.

- Buffer to Australian Paper Mill at Maryvale

The EPA submitted to Council that the Amendment was not supported, on the grounds that part of the subject land was situated within the default five kilometre buffer for the type of industrial activity

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undertaken by the Australian Paper Mill at Maryvale (the mill). Council noted that under the EPA guidelines, recommended separation distances between a potentially offensive source and sensitive receivers can be varied if justified by a detailed study of site conditions. The reduced distance then becomes the Adjusted Amenity Buffer.

In its submission to Amendment C93 in September 2015, the EPA acknowledged the agreed C87 TGAR Adjusted Amenity Buffer for the mill but noted that *“Council are yet to adopt any documentation that recognises the ‘Adjusted Urban Amenity Buffer’ in its planning scheme.”* The EPA did not request to be heard at the Panel hearing and were unable to contribute to any discussion on this issue. In the absence of the EPA, the Panel is accepting of the location of the Adjusted Amenity Buffer as recommended by the Panel to Amendment C87.

On this basis the Panel concluded that the issue of the odour buffer to the mill alone does not warrant modification or refusal of the proposed Amendment. However, other issues leading to the retraction of the proposed zoning from the northern end would further distance intensive future urban residential development from the mill. This would reduce, albeit slightly, the number of future residents at risk of odour impacts if the buffer were exceeded.

- Majority landowner objection

This is not an issue raised in submissions but one raised by the Panel. There are 12 independent landowners within the area to which Amendment C93 applies. Of these, eight lodged objecting submissions to the Amendment.

The Panel discussed this at length. It is an important aspect to consider with respect to the report and its recommendations.

As all lots are approximately two hectares in area (the exception is Lot 1 at 3.1 hectares) the proportion of objection to support (73%) across the 11 submitters is more or less the same for land area as it is for number of landowners. Given there is a substantial majority in objection, there is a question as to whether or not this is grounds alone for abandoning the Amendment, regardless of the planning merits of the proposal.

The Planning Panel concluded that *“Unless there are unforeseen issues arising from the Amendment process that were not considered or have changed since the time of the structure plan preparation or its review, the Panel considers that the adopted strategic position of Council should prevail.”*

It is considered that this is an appropriate approach, particularly since the rezoning of land that has been identified in 2007 as future residential. The panel has agreed with this approach given that the intent has been clear that the site would be required for residential development for 9 years.

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- Amenity

This was a common issue raised by a number of submitters to the Amendment both from within and adjoining the subject land. The overall concern of submitters within the subject land in raising this issue is the change to the current semi-rural environment enjoyed by residents that will be brought about by an intensification of residential development.

The Panel's response to submissions based on this issue confirmed that given the subject land has been designated for future urban residential development since 2007. The Panel also noted that it is a held principle in planning law that 'no-one owns a view', this means that sight-lines and impact on view sheds are not appropriate reasons to not rezone an area. On this basis the Panel concluded that the issue of amenity does not warrant modification or refusal of the proposed Amendment

- Rates

Some submitters objected to the Amendment on the basis that the resulting increase in land value will be reflected in an increase in rates. In its report the Panel agreed that this issue is not a planning consideration. It is noted however, that whilst there may be a chance that there would be some increase in rates, this can be offset by the corresponding increase in the value of the asset.

This report recommends that Council adopt the Planning Panels report recommendations. As a result, it is proposed that the Amendment be changed post exhibition to exclude Lots 5, 6 and 7 from the rezoning meaning they will be retained in the Rural Living Zone. A map of this area and its final zoning forms Attachment 1.

It is not considered that that the changes to C93 post panel report will impact on *natural justice* rights of the community or result in C93 being *transformed* into a different proposal to that which was exhibited or from what the panel has recommended. It is noted that whilst the community have not had an opportunity to consider the changes because the changes did not form part of the exhibition documents, the owners of these lots presented at Panel and made submissions of objection to their lots being rezoned. The changes are clearly discussed and the recommendation clearly states out justification for not including these three lots, on the basis of constraints onsite. The changes in accordance with the Panel's recommendation are considered sound and are not considered a transformation of the Amendment post exhibition.

In order for Amendment C93 to proceed, Council must now consider the recommendations of the Planning Panel and decide whether to adopt Amendment C93 as exhibited, adopt Amendment C93 with changes or abandon the amendment.

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It is further recommended that in order to ensure that planning and infrastructure delivery in the area is sufficient to meet the demand and development take up, it will be important to commit to undertaking an implementation plan. This is consistent with previous approaches to facilitating development in the area through providing more detail consistent with the intent and purpose of the Cross's Road Development Plan.

RISK IMPLICATIONS

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

Amendment C93 is not significantly transformed from what was exhibited or from what the panel recommend. There is limited risk that the Minister for Planning may not support or refuse to approve C93 and require a new planning scheme amendment to be prepared and re-exhibited.

It should be noted that if Council wish to make substantial changes to C93 or abandon parts of C93, there is a risk that the Minister for Planning may refuse to approve C93 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 recommendations for Amendment C93, resolves to adopt and submit for approval to the Minister for Planning, Amendment C93 without changes from the documents that were exhibited.
Or
2. That Council, after considering the Planning Panel report recommendations for Amendment C93, resolves to adopt and submit for approval to the Minister for Planning, Amendment C93 with changes consistent with Panel's recommendations.
Or
3. That Council, having considered the Planning panel report recommendations for C93, resolves to not adopt the Panels recommendations and abandon Amendment C93 and inform the Minister for Planning.

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The recommendation to Council is to support option 2.

CONCLUSION

Amendment C93 seeks to rezone approximately 25 hectares of land held in 12 allotments with frontage to Ashworth Drive, Traralgon from Rural Living Zone – Schedule 3 to General Residential Zone. The Amendment was proposed by one of the landowners who sought a rezoning of all 12 lots on the basis that such a proposal would be consistent with the future use of the land as depicted in the Traralgon Structure Plan.

The exhibition and notification of the Amendment in August and September 2015 drew 21 submissions of which 13 were in objection. The issues raised in the submissions included the demand and supply of residential land in Traralgon; stormwater and drainage; cost of urban infrastructure; traffic; heritage; buffer to the Australian Paper Mill; amenity and impact on Council rates. As all of these issues could not be resolved, Council requested the appointment of a Panel to consider the submissions.

The Planning Panel report received 5 May 2016. In its report the Panel stated that they were satisfied that the Amendment is consistent with the broader and specific planning policy framework for Traralgon and the subject land respectively.

The single recommendation is that;

“Amendment C93 to the Latrobe Planning Scheme be adopted as exhibited with the exclusion of Lots 5, 6 and 7 in PS126409”.

It is recommended that Council adopt in full the Planning Panel’s recommendations as well as support the commencement of an implementation plan for the area.

SUPPORTING DOCUMENTS

Nil

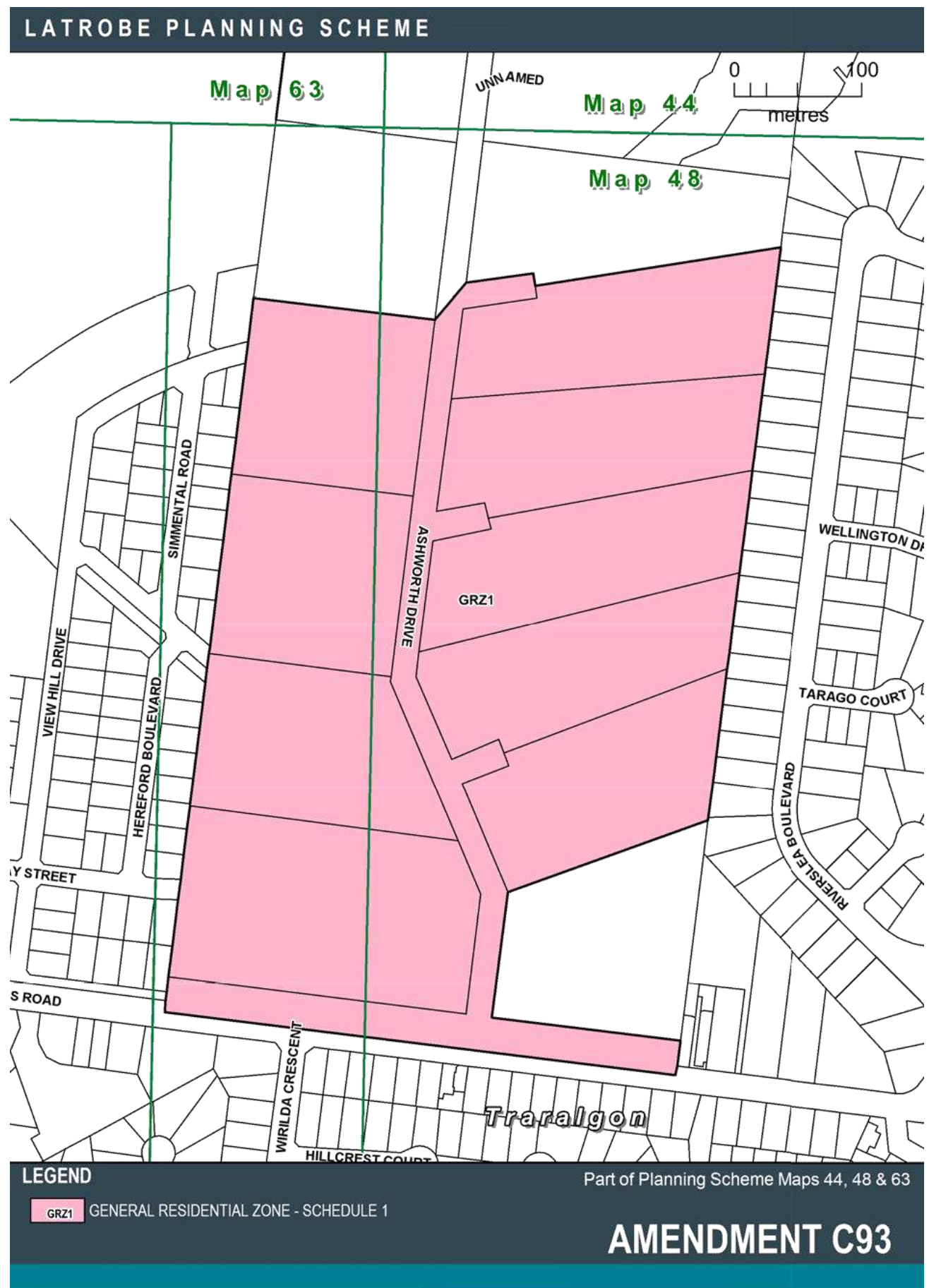
Attachments

1. Final Zoning Map
2. Cross's Road Development Plan
3. Final Explanatory Report
4. Planning Panel Report

14.1

Considering Planning Panel Report for Planning Scheme Amendment C93 - Ashworth Drive

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2	Cross's Road Development Plan.....	73
3	Final Explanatory Report	307
4	Planning Panel Report	321





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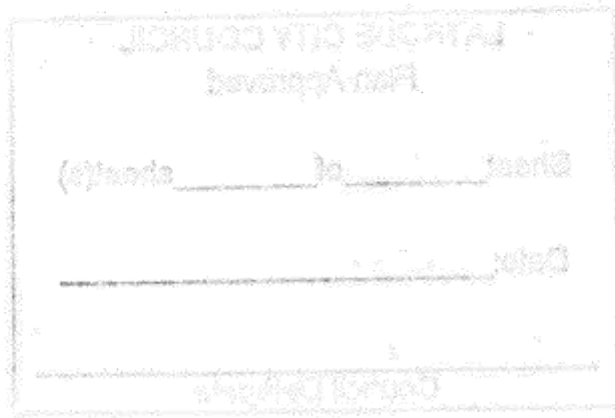


Council Delegate

**Cross' Road Residential Precinct Development Plan,
Traralgon
31 August 2012**

Prepared by CPG with SMEC on behalf of land owners for approval by Latrobe
City Council

CPG



Cross' Road Traralgon

This report has been prepared from the office of CPG

Level 3 469 Latrobe Street PO Box 305 South Melbourne 3205 T 9993 7888


Acknowledgements and Recognition

SMEC

Projectman

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Issue Date	Revision No	Author	Checked	Approved
20/12/2011	V01	JPM	TR	TR
23/12/2011	V02	JPM	TR	TR
18/01/2012	V03	JPM	MG	TR
23/02/2012	V04	TR	TR	TR
18/06/2012	V05	TR	TR	TR
04/07/2012	V06	TR	TR	TR
31/08/2012	V07	TR	TR	TR

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1 Introduction

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The Development Plan (Plan) has been prepared in accordance with the requirements of Schedule 5 to the Development Plan Overlay (DPO) in the Latrobe Planning Scheme.

BT

The Plan covers 75.96 hectares of land located at the gate, affected by the DPO located on the north-east corner of Cross' Road and Tyers Road, Traralgon. The land is bounded by Tyers Road to the west, Cross' Road to the south, the Riverslea Estate residential subdivision to the east and Latrobe River floodplain to the north.

The Plan covers fifteen properties including land at 150 Tyers Road, 240 Cross' Road and thirteen properties in Ashworth Drive.

Figure 1: Plan Area



Source: <http://services.land.vic.gov.au/maps/interactive.asp>, accessed 17 November 2011

1.1 Basis for the Development Plan

150 Tyers Road and 240 Cross' Road total 47ha and were rezoned from Farming Zone to Residential 1 Zone as part of Amendment C56 to the Latrobe Planning Scheme on 5 May 2011. The rezoning provides residential land required to meet demand and implement the objectives of the *Traralgon Structure Plan*.

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The thirteen properties in Ashworth Drive total 29.4ha and were not rezoned and remain Rural Living Zone Schedule 3. Amendment C56 applied the DPO to all land in Figure 1.

1.2 The Role of the Development Plan

The Plan has been prepared by consultants CPG and SMEC on behalf of the land owners of 240 Cross' Road and 150 Tyers Road which comprise 61% of the Plan area. It seeks to provide an integrated vision for co-ordinated development of all properties affected by the DPO.

Properties in Ashworth Drive require rezoning (Rural Living Zone Schedule 3 to Residential 1 Zone) before residential subdivision can occur. Nonetheless the Plan sets a framework for staged development which ensures future connections and servicing requirements can be delivered in a flexible and fair manner for all properties if land owners choose to develop.

The Plan has been prepared in consultation with Latrobe City Council, Gippsland Water, West Gippsland Catchment Management Authority, VicRoads, DSE, EPA, SP AusNet and CFA. It addresses land use and subdivision, waterways, infrastructure services, open space, community hubs and meeting places, flora and fauna and cultural heritage.

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**2 Site analysis****2.1 Site context**

The subject site is located on the north west edge of the Traralgon township as shown in Figure 2. Urban development in this location is contained by Tyers Road which forms the logical western township boundary and a transition to farming land. The Latrobe River floodplain which adjoins the northern boundary of the site limits urban development to the north.

Standard residential subdivision has developed south of Cross' Road and east of the site in the Riverslea Estate.

The site is in proximity to a range of services and facilities listed below:

Commercial /Business Facilities

Traralgon Central Activity Centre 3.8 kilometres south east

Education

St Gabriels Primary RC Primary 1.0 kilometre south

St Pauls Anglican Primary School 1.4 kilometres east

Traralgon Secondary College (West Campus) 1.5 kilometres south east

ABC Traralgon West, Child Care Centre 2.0 kilometres south east

Lavalla RC Secondary and Primary School 2.4 kilometres south east

Health

Traralgon Medical Centre 3.4 kilometres south east

Hillcrest Family Medicine 3.6 kilometres south east

Transport

Traralgon Bus Services (Route 1, Rangeview) 1.2 kilometres south east

Traralgon Railway Station 3.4 kilometres south east

Princes Highway 3.8 kilometres south east

Recreation

Traralgon West Sports Complex 1.7 kilometres south east

Traralgon Golf Club 2.5 kilometres south

Traralgon Showgrounds 4.1 kilometres south east

Traralgon Racecourse (Glenview Park) 5.6 kilometres southeast

Natural Environment

Wade Creek 1.0 kilometre east

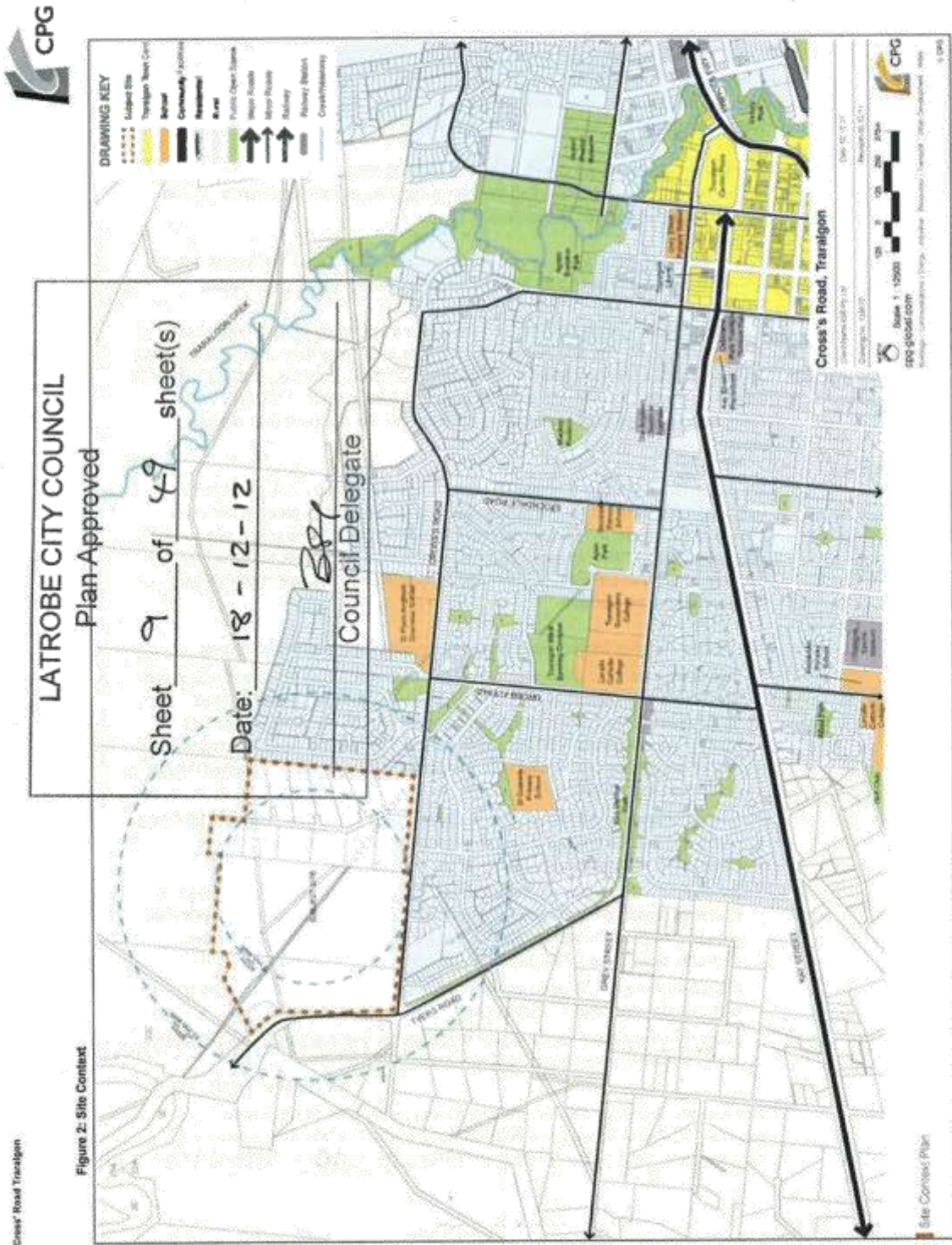
Latrobe River 1.3 kilometres north

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2.2 Site description

The subject site consists of two adjoining farming properties and a large lot rural residential subdivision containing thirteen properties in Ashworth Drive. A site analysis plan is provided in Figure 3.

150 Tyers Road ('Yurragar') is located on the corner of Cross' Road and Tyers Road. The property is 15.2ha and is currently used for grazing purposes.

240 Cross' Road ('View Hill') adjoins the eastern boundary of 150 Tyers Road. The property is 31.4ha and is currently used as a dairying farm. The dairy grazes cattle on land in Lot 2 on Plan of Subdivision 424148C which adjoins the northern boundary of the property and extends across the floodplain. The dairy will continue to operate from the existing buildings on the northern part of the property.

Six properties in Ashworth Drive share a common boundary with 240 Cross' Road. On the east side of Ashworth Drive seven properties share a common boundary with standard residential lots in the Riverslea Estate which are approximately 1,000m² in size. The Ashworth Drive properties are rural residential or bush blocks and generally contain a dwelling and outbuildings although some are vacant.

The landform in the subject area has the following topographical features:

- Two designated waterways enter the site at Cross' Road passing through the site before intersecting in the north east corner. One waterway passes through 240 Cross' Road before entering 45 and 55 Ashworth Drive and leaving the site through 60 Ashworth Drive. The second passes through the rear of properties on the east side of Ashworth Drive. The waterways merge on 60 Ashworth Drive.
- A minor waterway enters the site at Cross' Road at the boundary of 150 Tyers Road and 240 Cross' Road and flows north east to meet the western designated waterway in Ashworth Drive.
- A ridgeline extends across the northern boundary of the site. Land south of the ridge slopes gently whilst land north of the ridge slopes steeply away into the Latrobe River floodplain approximately 20m below. Good views are available across the floodplain from the ridgeline.
- A local highpoint is situated immediately south of Cross' Road on a spur between the designated waterways.
- With the exception of land north of the ridgeline the majority of the site slopes gently toward waterways at between 2-8%.

The western designated waterway that enters 240 Cross' Road drains stormwater, and at times, sand filter discharge from the adjoining residential development. Prior to the construction of the adjoining residential development,

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the waterway was an open ephemeral drain. At that time the primary source of input was from Stoddarts Abattoir upstream. The waterway was piped under Cross' Road approximately 40 years ago. The waterway has been cleaned out several times in an effort to confine the discharge however, this maintenance ceased 15 years ago. Rainfall in recent years in conjunction with pugging from livestock has left the area immediately north of the piped section prone to flooding.

150 Tyers Road and 240 Cross' Road have been almost entirely cleared of remnant vegetation during historic agricultural use on the land. The exception is a patch of remnant native vegetation in the riparian zone (EVC 53 Swamp Scrub) of the lower reaches of the western waterway, and two remnant River Red Gums in the southern paddock of 240 Cross' Road adjacent to the waterway.

Several plantations have been planted along boundaries, intermediate fence lines and driveways on properties across the site. Scattered native and exotic vegetation has also been planted on several properties typically around buildings.

Access to the site from the adjoining road network is currently from Ashworth Drive which is a public road, and via private driveways to 150 Tyers Road and 240 Cross' Road from Tyers Road and Cross' Road respectively.

A Gippsland Water water treatment plant is located on a 1.7ha property at 110 Cross' Road in the south east corner of the site. A raw water main supplying drinking water to the township of Tyers extends from the treatment plant and traverses the site diagonally to the north east corner. The pipeline is located within a water supply easement (future reserve) that varies in width from 10m and 17m wide across the site.

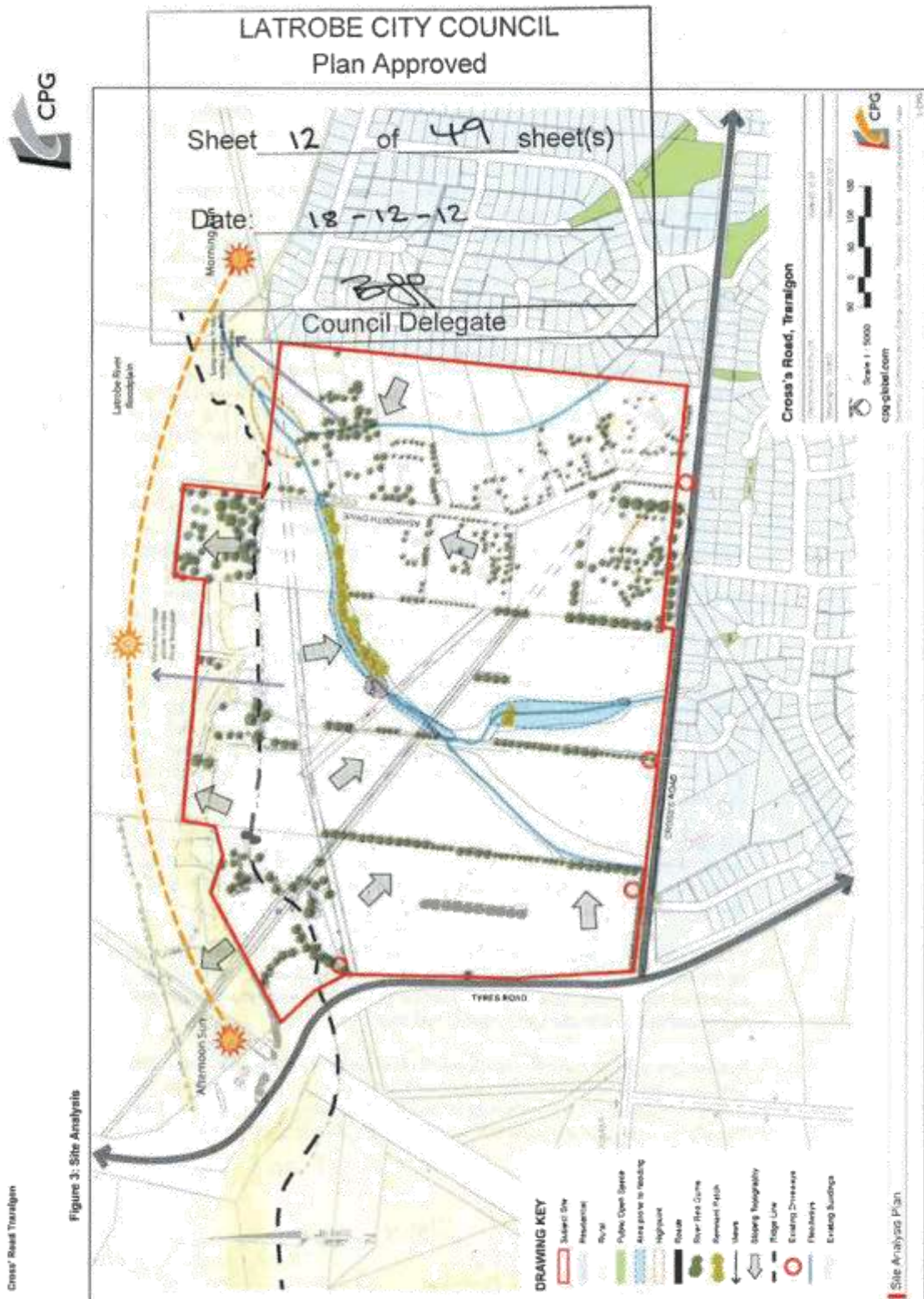
A Gippsland Water rising sewer main is located across the front of the site in the Cross' Road reserve. Gippsland Water requires land to be set aside for the future duplication of the existing rising sewer main which requires a 6.8m wide strip of land across the front of 150 Tyers Road and 240 Cross' Road.

A 66KV electricity line traverses the northern part of the site. It is located within a 12.8m wide electricity transmission easement. A second electricity transmission easement also affects the site and SPAusNet, the relevant authority, has advised this easement is redundant and can be removed.

A major gas pipeline passes close to the north west corner of the Plan area. The Latrobe Planning Scheme shows Schedule 1 to the Design and Development Overlay applied to a 200m wide strip of land along the route of the pipeline. This Overlay extends approximately 55m into the north west corner of the Plan area.

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3 Key opportunities and constraints

The subject site features opportunities and constraints that have influenced the design response underpinning the Plan. The key opportunities and constraints are summarised below:

3.1 Opportunities

- Provide a well designed urban expansion that responds to the features of the site and surrounds.
- Provide certainty of development potential for properties encumbered by easements.
- Incorporate easements into the open space network where possible.
- Provide an open space network using drainage lines, easements and local parks.
- Provide a sewerage connection to the site.
- Integrate stormwater management and existing hydraulic and ecological features into the proposed urban environment.
- Deliver a holistic drainage strategy for the site which enhances the condition of downstream properties.
- Provide a permeable and legible movement network throughout the site.
- Provide functional east west connections across the site.
- Provide a limited number of access points onto Cross' Road.
- Use views from the ridgeline across the Latrobe River floodplain.
- Provide a mix of lot sizes on the site.
- Provide larger lots north of the ridgeline on constrained land where the escarpment and slope should be protected and reticulated sewerage is not feasible to deliver.
- Maximise lots which address Cross' Road.
- Preserve existing buildings and the amenity of land owners in Ashworth Drive.
- Set a framework for possible future development of properties in Ashworth Drive.
- Remove the redundant electricity easement.
- Provide an urban layout that enables lots to address Tyers Road (where direct street access from private lots is not allowed).

3.2 Constraints

- Fragmented land holdings in Ashworth Drive.
- Intersection access and direct access to Tyers Road from private lots is not permitted by VicRoads.
- Diagonal alignment of the water main easement (future reserve) traversing the site and inability to construct driveway access to private lots across the water main easement.

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- Provision of a 6.8m wide strip of land along Cross' Road to accommodate duplication of the existing rising sewer main.
- Electricity easement containing a 66KV power line traversing the northern part of the site.
- Absence of an existing reticulated sewer connection to the site.
- Unsuitability of steeply sloping land on the escarpment for traditional subdivision.
- Inability to provide a gravity fed sewer connection to lots north of the ridge.
- Boggy land prone to flooding immediately north of the piped drainage outfall on 240 Cross' Road.
- Upstream drainage catchments are not retarded or treated before entering the site.
- Protection of potential habitat for Growling Grass Frogs in the dam on 240 Cross' Road.
- Retention of remnant River Red Gums.
- Arbitrary 30 metre buffer distances from designated waterways.
- The location of a designated waterway midway through properties on the east side of Ashworth Drive.
- Water reserve adjoining the site which runs parallel to Cross' Road and restricts direct access to Cross' Road from potential private lots developed on 124 Cross' Road.
- Schedule 1 to the Design and Development Overlay affecting the north west corner of the Plan area

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4 The Plan

4.1 Design response

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The design response in Figure 4 demonstrates how the opportunities and constraints of the site inform and influence the design of the new community. This is explained below:

- An open space network is planned around linear corridors along designated waterways intersecting with a continuous green streetscape along the water main easement (future reserve) which terminates on both sides of the site at local parks.
- Two remnant River Red Gums are protected in parkland that is incorporated into the western drainage reserve with additional unencumbered land bolstering the park.
- A local park is located in the south west corner of the site to provide public open space for surrounding residents that are more removed from the central drainage reserve and associated parklands.
- A remnant vegetation patch within the western designated waterway will be enhanced with improvements to the waterway.
- Potential habitat for growling grass frogs located in the dam within the western designated waterway will be enhanced with improvements to the waterway.
- Local parks incorporate land encumbered by easements.
- The water main easement (future reserve) is incorporated into a continuous green streetscape which protects the water pipeline within a 10 metre wide linear park and provides a pedestrian connection from one side of the site to the other.
- As driveways from private lots cannot cross the water main easement (future reserve) modules have been orientated so side fences, not back fences, face the easement.
- An integrated housing site adjoins the south side of the water main easement (future reserve) so future built form can address the linear park within the water main easement.
- Local streets adjoin the open space network on all sides to ensure passive surveillance and activation by dwellings.
- Three connections are provided between 240 Cross' Road and Ashworth Drive to ensure the site develops in an integrated manner over time.
- The 66KV power line has been incorporated into an expanded nature strip within a non-standard access street cross-section.
- The orientation of the street layout seeks to provide logical north south and east west modules whilst responding to site topography to assist with efficient drainage of neighbourhoods.
- The street network has been designed to provide an overland flow path for the minor waterway that enters the site at Cross' Road at the boundary of 150

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- Tyers Road and 240 Cross' Road and flows north east to the western designated waterway.
- A gravity fed rising main will be constructed through the site from the existing sewer pump station in the Riverslea Estate along the western designated drainage reserve to provide sewerage servicing.
 - With no intersection access or direct access from private lots permitted to Tyers Road internally accessed loops roads are used to ensure lots address Tyers Road.
 - Lots have been orientated to front on to Cross' Road.
 - A path is be provided within the Cross' Road reserve as required by Council's Bicycle Plan, 2007.
 - A path is provided along Tyers Road, north of Cross' Road as required by Council's Bicycle Plan, 2007.
 - Land generally north of the ridgeline is designated as large lot subdivision because the ridgeline, slope and future runoff from development should be sensitively managed to ensure buildings are recessive in the landscape and potential pollutants running into the floodplain are minimised.
 - Land affected by Schedule 1 to the Design and Development Overlay is designated as large lot subdivision to provide flexibility in locating buildings and structures.
 - A road network is proposed for properties in Ashworth Drive that facilitates integrated development if the land is rezoned and land owners choose to develop their properties.
 - The proposed road network in Ashworth Drive does not impact existing dwellings.
 - A holistic approach, rather than a property by property approach, to drainage has been adopted which provides a single end-of-line wetland facility for treatment of stormwater from the site on the property immediately downstream.
 - 30 metre buffers are provided for designated waterways with the exception of the first section of the western designated waterway where a 15 metre is provided.
 - Independent access to Ashworth Drive via access places is provided for all properties on the east side of Ashworth Drive to enable independent development by land owners.
 - The layout has been designed to satisfy the requirements of Clause 56 in the Latrobe Planning Scheme and in particular building envelopes, solar orientation, public open space, walking and cycling network, landscaping and stormwater management.

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4.2 Development objectives

The development objectives for the Plan are to:

- Maximise development outcomes on large consolidated properties.
- Protect lifestyle and amenity for rural residential properties in Ashworth Drive.
- Provide a framework for future development of properties in Ashworth Drive if the land is rezoned and land owners choose to develop.
- Minimise development costs through logical design.
- Consider title boundaries to ensure sustainable neighbourhood outcomes.
- Consider title boundaries to ensure independent development of large properties.
- Provide for a mix of residential lot sizes which respond to market expectation.
- Use natural features in the design of the neighbourhood.
- Provide high quality open spaces within convenient walking distance of homes.
- Integrate stormwater management and easements into the open space network.
- Create regular modules and lots acknowledging site constraints.
- Provide highly permeable and legible movement through the site.
- Provide a co-ordinated and holistic approach to drainage that benefits the site and downstream land owners.
- Incorporate Crime Prevention Through Environment Design (CPTED) principles in the neighbourhood design.
- Bring critical services to the site including sewer.

4.3 Overview of the Plan

The Plan is provided in Figure 5. The key elements of the Plan are detailed in the following sections. The land budget for the Plan is provided in Table 1 and a property specific land budget is provided in Table 2.

The gross site area is 75.96ha. The Plan provides a Net Developable Area of 64.37ha excluding encumbered land (11.59ha) and unencumbered public open space (1.34ha).

The Plan includes 14.25ha in road reserves including the existing Ashworth Drive road reserve, leaving 48.83ha as Residential Allotment Area. Different lots sizes will be developed across the site including standard and large lots and an integrated housing site.

A total of 677 lots are provided on the site at a density of 10.5 dwellings per Net Developable Hectare (NDHa)¹. In standard density areas (including integrated

¹ Definition of NDHa from Precinct Structure Planning Guidelines

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housing site) 662 lots are provided at a density of 11.9 dwellings per NDHA based on an average lot size of 625m² for standard lots and 294m² for lots within the integrated housing site.

Encumbered and unencumbered land contributes to the public open space network across the site. This is detailed in Section 7. The Plan requires a public open space contribution of 5% for each property.

4.4 Community hubs, meeting place and activity centre

Traralgon Statistical Local Area has a population of 27,225 and 11,275 households (2006 Census). At full development the site will accommodate approximately 677 dwellings. By assuming an average of 2.41 persons per household consistent with the Traralgon average (2006 Census) the estimated population on the site is 1,632 people.

Planning for Community Infrastructure in Growth Areas (Australian Social & Recreational Research Pty Ltd, April 2008) recommends a process for determining community infrastructure needs in new communities. Table 29 - *Analysis of Community Infrastructure Requirements for the Hypothetical Community of Batman North (illustrative purposes only)* is an indicative approach to the threshold numbers required for the provision of community infrastructure.

The report identifies a minimum population threshold for the provision of primary schools, Council community centres, kindergartens and equivalent facilities as 1 per 3,000 households. The proposed lot yield for the site of 677 lots is considerably below the indicative threshold of 3,000 households and therefore no community facilities are proposed to be located on the site.

Figure 3 in the *Latrobe Structure Plans – Traralgon (2007)* designates land within the Plan area as 'future residential'. It also requires a future road connection through land to the west of Ashworth Drive to Cross' Road. The structure plan does not designate a 'possible future neighbourhood activity centre' in the Plan area. Such an activity centre would be the logical location in which to co-locate commercial and community facilities such as retail floor space and a maternal and child health centre. Therefore, no commercial facilities or community facilities are proposed in the Plan.

4.5 Rural and commercial land uses

A range of rural and commercial land uses occur within the Plan area. The Plan designates the majority of land for residential subdivision, however existing rural and commercial land uses may continue to lawfully operate within the Plan area.

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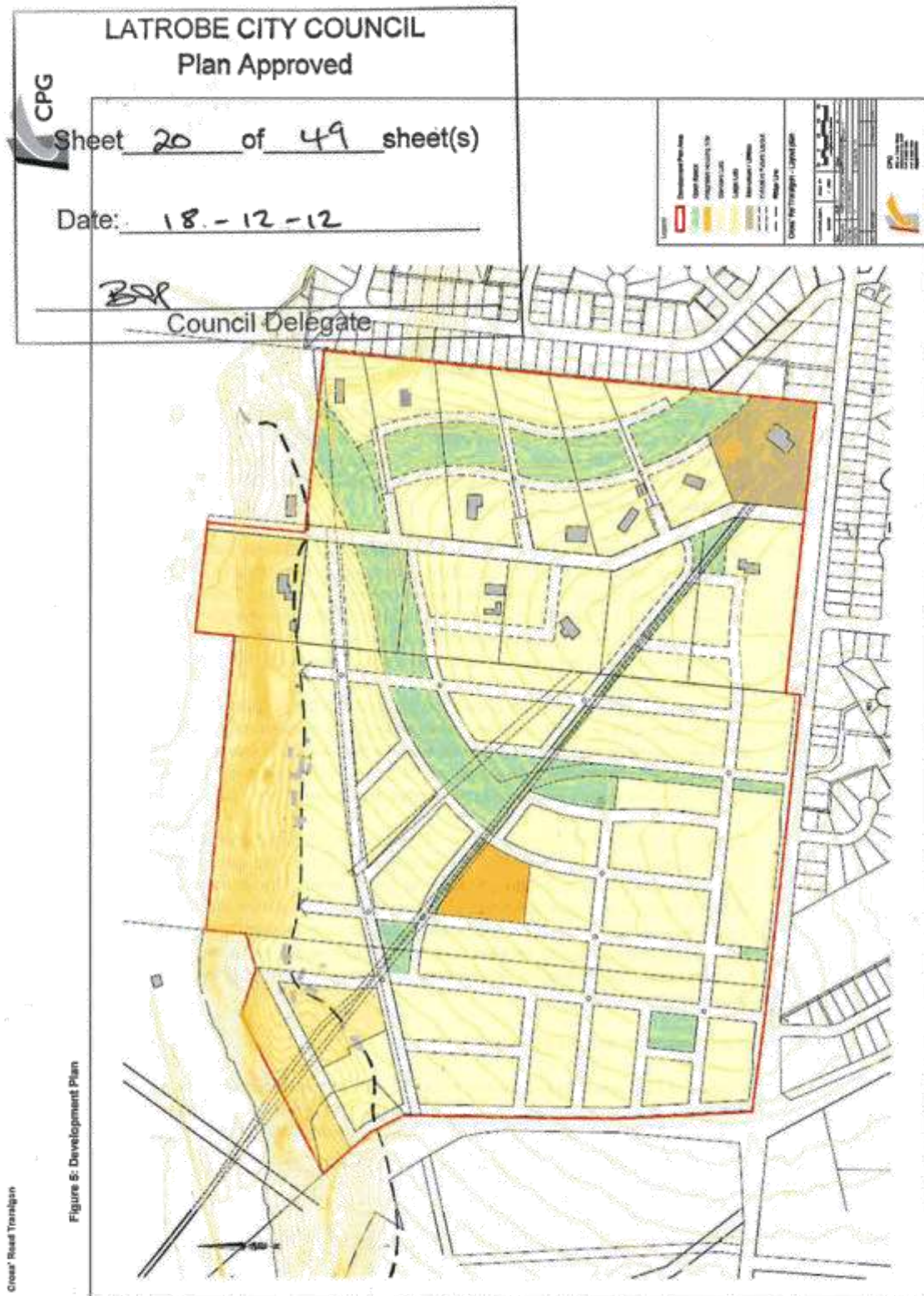
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Table 1: Land Budget

1	GROSS AREA	75.96 Ha	
	240 Cross's Road	31.40	
	150 Tyers Road	15.20	
	Ashworth Drive Properties	29.36	
2	ENCUMBERED LAND	11.59 Ha	
	240 Cross's Road Electricity Easement	0.53	
	240 Cross's Road Water Pipe Easement	0.66	
	240 Cross's Road Drainage	2.11	
	240 Cross's Road Cross's Road Widening	0.27	
	150 Tyers Road Electricity Easement	0.27	
	150 Tyers Road Water Pipe Easement	0.52	
	150 Tyers Road Cross's Road Widening	0.11	
	Ashworth Drive Electricity Easement	0.47	
	Ashworth Drive Water Pipe Easement	0.33	
	Ashworth Drive Drainage	4.58	
	Ashworth Drive Utilities	1.73	
3	NET DEVELOPABLE AREA (NDA)	64.37 Ha	
	240 Cross's Road	27.83	
	150 Tyers Road	14.29	
	Ashworth Drive	22.25	
4	OPEN SPACE	1.30 Ha	2.0 % NDA
	240 Cross's Road	0.76	2.7
	150 Tyers Road	0.38	2.7
	Ashworth Drive	0.15	0.7
5	ROAD RESERVE AREA	14.25 Ha	22.1 % NDA
	240 Cross's Road	5.65	
	150 Tyers Road	3.71	
	Ashworth Drive Properties	4.89	
6	RESIDENTIAL ALLOTMENT AREA	48.83 Ha	
	240 Cross's Road Standard	15.99	
	240 Cross's Road Large	4.53	
	240 Cross's Road Integrated	0.90	
	150 Tyers Road Standard	8.21	
	150 Tyers Road Large	1.99	
	Ashworth Drive Standard	15.22	
	Ashworth Drive Large	1.98	
7	LOT YIELD	677 TOTAL	Size m2
	240 Cross's Road Standard	256	625
	240 Cross's Road Large	5	10000
	240 Cross's Road Integrated	31	294
	150 Tyers Road Standard	131	625
	150 Tyers Road Large	8	2500
	Ashworth Drive Standard	244	625
	Ashworth Drive Large	2	10000

Disclaimer

- A. Areas and yields of lots and roads are approximate only.
 B. A site visit has been undertaken before the preparation of this land budget.
 C. Areas are in hectares unless otherwise stated.
 D. Lot layout, open space allocation and road classification are indicative only and subject to Council approval.
 E. Road linkages to adjoining lands are based on preliminary discussions and are subject to approval from the land owners.
 F. A drainage strategy has been prepared and the plan provides sufficient area for stormwater purposes.
 G. Encumbered land in Ashworth Drive Properties are estimates only, due to feature survey not being available.

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Table 2: Property Specific Land Budget

	Gross Area (ha)	Encumbered (ha) Electricity	Encumbered (ha) Water	Encumbered (ha) Drainage	Encumbered (ha) Road making	Net Developable	Open Space	%	Net Residential
246 Cross's Road	31.40	0.53	0.86	2.11	0.27	27.63	0.76	2.7%	27.07
150 Tyers Road	15.20	0.27	0.52	0	0.11	14.30	0.38	2.7%	13.91
Ashworth Drive 1	3.08	0	0.10	0	0	2.98	0.15	5.0%	2.83
Ashworth Drive 2	2.11	0	0.20	0	0	1.91	0.07	3.4%	1.84
Ashworth Drive 3	2.02	0	0	0	0	2.02	0	0	2.02
Ashworth Drive 4	1.96	0	0	0.25	0	1.71	0	0	1.71
Ashworth Drive 5	1.96	0.26	0	0.07	0	1.66	0	0	1.66
Ashworth Drive 6	1.96	0	0	0	0	1.96	0	0	1.96
Ashworth Drive 7	2.05	0.26	0	0.06	0	1.86	0	0	1.86
Ashworth Drive 8	2.10	0	0	0.47	0	1.63	0	0	1.63
Ashworth Drive 9	2.05	0	0	0.46	0	1.59	0	0	1.59
Ashworth Drive 10	2.11	0	0	0.45	0	1.66	0	0	1.66
Ashworth Drive 11	2.00	0	0	0.56	0	1.44	0	0	1.44
Ashworth Drive 12	2.00	0	1.7	0.27	0	1.42	0	0	1.42
Ashworth Drive 13 (Utility site)	2.00	0	0.93	0	0	1.07	0	0	N/A
Existing Ashworth Drive Road Reserve	1.80	0.03	0.34	4.63	0.36	64.35	1.36	0	N/A
Total	75.30	1.34	3.34	14.3	0.98	64.35	1.36	0	61.27

Disclaimer

- A. Areas and yields of lots and roads are approximate only.
 B. The land budget has been prepared for preliminary feasibility purposes and the following information was not available:
 C. Preliminary environmental and flood assessment has been undertaken. Remaining issues will be subject to further detailed studies.
 D. A site visit has been undertaken before the preparation of this land budget.
 E. Areas are in hectares unless otherwise stated.
 F. Residential lot areas, open space allocation and road classification are indicative only and subject to Council approval of the DP.
 G. Road budgets for adjoining lots are based on preliminary assessments and are subject to approval from the land owners.

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The Plan aims to provide a variety of housing types and lots types to meet the Traralgon market demands. The Plan provides a higher proportion of larger standard residential lots that maintain the sense of openness, and respond to landform and landscape cues valued by the community.

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A total of 677 lots are provided on the site. Assuming average household size of 2.41 persons the site will be home to approximately 1,632 people when fully developed.

A breakdown of lot yield is provided in Table 3.

Table 3: Lot yield by type

Lot Type	Lot Size	Total Lots
Standard density	625m ²	631
Integrated housing site	294 m ²	31
Large lot	10,000m ²	15

The density in standard lots areas including the integrated housing site is 11.9 dwellings per NDHa assuming an average lot size of 625m² and 294m² respectively.

5.1 Large lot residential

Large lot residential averaging 10,000m² is proposed north of and adjacent to the ridgeline in the northern part of the site on 240 Cross' Road and 75 Ashworth Drive. Large lots are suited to this location because standard lot sizes on the escarpment would erode the integrity of the slope and increase potential pollutant flow into the floodplain. Buildings located on the slope and ridgeline would also create undesirable visual and landscape amenity impacts.

In terms of servicing this area, there is restricted access to the proposed gravity sewer system south of the ridgeline. An additional sewer pump station would be required to pump sewerage over the ridge into the proposed system which is not considered cost effective given the Plan area will need to fund a new sewer pump station. It is likely larger lots will require septic tanks however a land capability assessment should be undertaken with any planning permit application to ensure these are appropriate to the land.

On 150 Tyers Road larger lots down to 2,500m² are provided subject to Gippsland Water's approval of Low Pressure Pump Systems (LLPS). These systems are installed where a gravity fed sewer system cannot be provided due to grade restrictions. A LLPS will connect to the reticulated sewer system constructed to service standard lots south of the ridgeline.

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Subject to appropriate servicing, the provision of larger lots supports a transition from the urban to rural landscape within the northern part of the site and presents an opportunity for larger lots to be significantly revegetated so that buildings are recessive in the landscape when viewed from surrounding rural land and the slope is stabilised.

5.2 Affordable housing

Opportunities to deliver affordable housing should be considered at planning permit stage in consultations between land owners, developers, Council and Department of Housing.

5.3 124 Cross' Road

The existing dwelling and outbuildings at 124 Cross' Road may have heritage value and the significance of these should be further investigated as part of a planning permit application. The site is suitable for community uses and such activities should be encouraged in future use, management and development of the site.

5.4 Development guidelines

- Standard density areas should achieve an average density of 11.9 dwellings per NDHa.
- Dwellings in the Integrated Housing Site should achieve a minimum average lot size of 294m².
- Design of the Integrated Housing Site should ensure dwellings address the green streetscape within the water main easement (future reserve). Specifically, fencing along the green streetscape should be semi-transparent.
- Applications to subdivide land affected by Schedule 1 to the Design and Development Overlay should have regard to the relevant provisions in the planning scheme.
- Investigate the heritage significance of the dwellings and outbuildings at 124 Cross' Road as part of a planning permit application.
- The ultimate configuration of access to large lots north of the ridge and standard density lots north of the east west access street along the electricity easement on 240 Cross' Road should be investigated at planning permit stage.
- Design guidelines should be prepared to guide subdivision and development of land on 240 Cross' Road adjoining the western boundary of the drainage reserve south of the local park protecting remnant native vegetation. Guidelines should be registered as a restriction on title for this land and ensure:
 - o Dwellings do not present "back fences" to the drainage reserve.

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- Dwellings positively address the drainage reserve to the east and access place to the west.
- Building setbacks and design, garaging, fencing and landscaping are appropriate to activate both frontages of new lots created.



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Integrated stormwater management

A drainage strategy has been prepared by CPG to inform the stormwater quantity and quality controls required to service development of the site. The strategy is located in Attachment 1.

The strategy has been prepared in consultation with West Gippsland Catchment Management Authority (CMA) and Council. The CMA and Council have approved the drainage strategy. Details of the tenure and maintenance of the downstream wetland will be resolved by Council with relevant land owners prior to construction of the facility.

The subject site is characterised by the following key water management issues:

- Two designated waterways;
- 150 Tyers Road drains into 240 Cross' Road along with Ashworth Drive properties due to the topographical characteristics;
- Wetland delivery on Lot 2 on PS 424148C downstream of the site;
- Management and maintenance of the wetland;
- Cost for land owners of 150 Tyers Road to connect to 240 Cross' Road drainage reserve; and,
- Management and transfer of upstream flows through the site.

The options for stormwater management include:

- a) On-site treatment for each property (150 Tyers Road, 240 Cross' Road and Ashworth Drive properties).
- b) On site end of line treatment.
- c) Holistic treatment for the entire Development Plan area downstream and offsite.
- d) Additional treatment of upstream catchments.

The drainage strategy recommends *Option c)* as the preferred option.

6.1

Stormwater conveyance and treatment

The drainage strategy is a holistic response which takes into consideration the 434ha catchment which outfalls to the Latrobe River floodplain, of which the Plan area contributes approximately 76ha.

The strategy addresses stormwater conveyance and treatment. The strategy assumes no retardation of developed flows, water quality treatment and waterway corridor link being provided within the flood plain outside the Plan area.

Modelling undertaken to inform the drainage strategy shows the vast majority of stormwater to be conveyed through 240 Cross' Road and in turn through 45, 60

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and 65 Ashworth Drive is generated in the existing urban areas upstream of the Plan area, south of Cross' Road. Additional stormwater produced by the subdivision of 240 Cross' Road and 150 Tyers Road will be minimal by comparison and the strategy recommends against the provision of on-site retardation on 240 Cross' Road. Development of retardation on 240 Cross' Road will extend the period of stormwater flows through 45, 60 and 65 Ashworth Drive which is not considered desirable.

As shown in Figure 6 the drainage strategy consists of:

- Underground stormwater drainage with associated overland flow paths via road reservation for minor catchments.
- A 15 metre drainage reserve and road reservation with under ground drainage within 240 Cross' Road between Cross' Road and water main easement (future reserve) to allow for stormwater conveyance upstream of Cross' Road (Figure 7, Section B).
- 60 metre drainage reservations on 240 Cross' Road and in Ashworth Drive to protect the existing designated waterways (Figure 7, Section A).
- A sediment basin and wetland system external to the site in the flood plain on Lot 2 on PS 424148C downstream of the site.
- A 20 metre drainage reserve connecting the site to the existing St Paul's wetland.
- Minor alterations to the existing St Paul's wetland.

The drainage strategy requires 6.69ha of land on the site for drainage purposes.

As development of 240 Cross' Road occurs stormwater will be conveyed through 45, 60 and 65 Ashworth Drive. The existing drainage channels through these properties perform well during normal and higher flow events and will continue to do so once upstream land is fully developed. It is recommended that disturbance of these drainage channels is avoided as this can lead to erosion.

Figure 6 shows a section of land for drainage purposes traversing land at 110 Cross' Road owned by Gippsland Water. An existing easement for drainage purposes in favour of Council (as drainage authority) is in place and shown on Lot 13 in LP126409. Council and Gippsland Water have agreed this land will not be set aside in a reserve or vested in Council.

Properties on the east side of Ashworth Drive are periodically impacted by stormwater flows from upstream catchments, generally south of Cross' Road. Council will work with land owners to reduce the impact on these properties during and after rainfall events.

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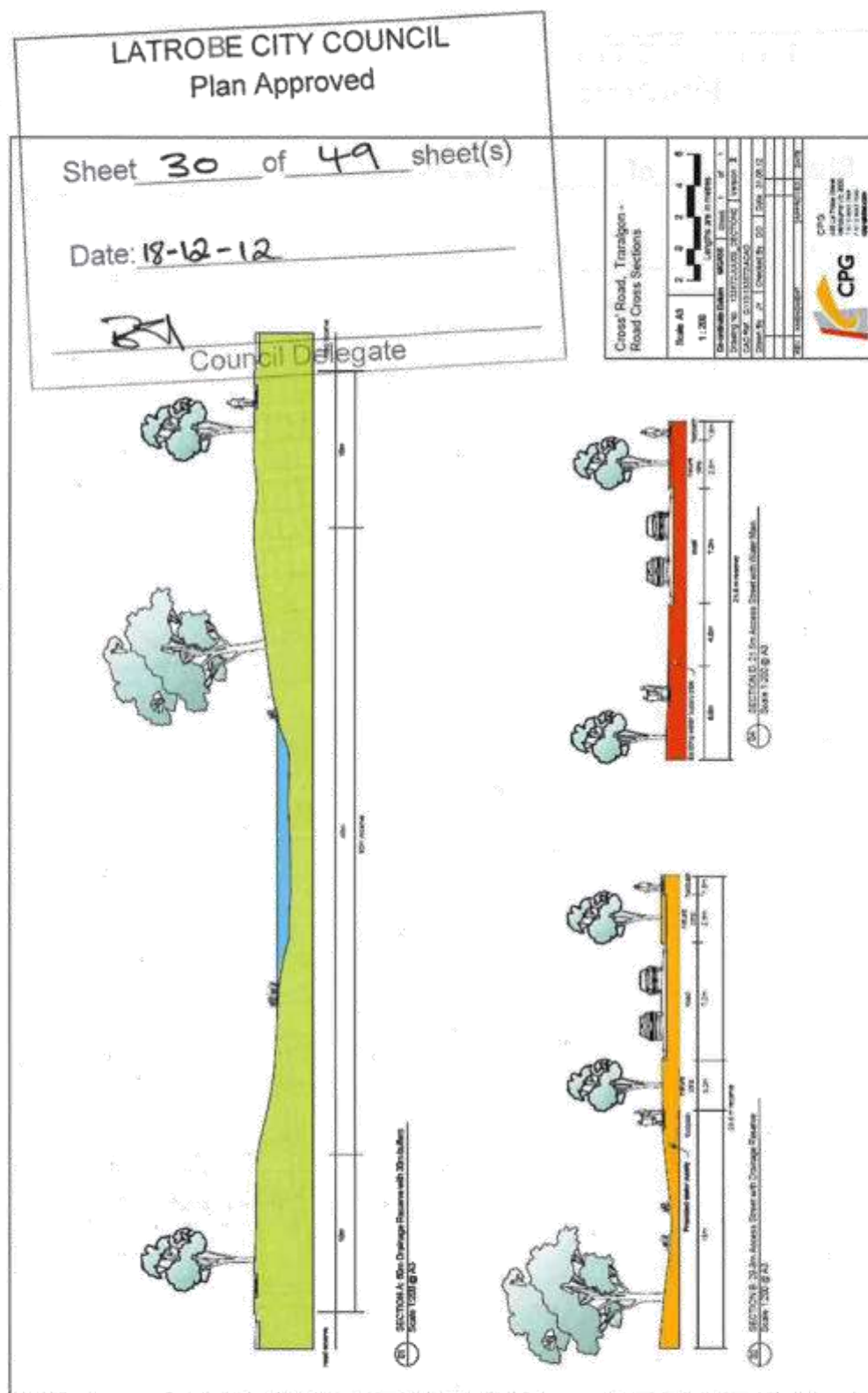
**6.2 Development guidelines**

- Drainage reserves as shown on the Plan should be shown on planning permit applications.
- Drainage reserves should be transferred to Council as responsible authority at subdivision stage.
- Land required to accommodate a wetland on Lot 2 on PS 424148C should be within a reserve vested to Council to the satisfaction of Council.
- A Waterway Management Plan is required to demonstrate the protection of waterways and minimise maintenance.





Figure 7: Drainage and road cross sections (Note: Section D below relates to Section 9 and Figure 9)



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7 Open Space

The site has strong natural and man-made features which have determined the configuration of the open space network for the site shown in Figure 8. These include:

- Designated drainage lines
- Water main easement (future reserve)
- Remnant River Red Gum trees
- Locations where water main easement and electricity easement converge

Within in the open space network, continuous open spaces are proposed along drainage lines and two local parks in the north west and south east of the site. An expanded green streetscape is proposed along the water main easement (future reserve), containing a linear trail with a shared path connecting local parks on each side of the proposed community (Figure 7, Section D). A green link path is provided within all sections of the open space network.

A further local park is provided in the south west corner of the Plan area where homes are not within 500m walking distance of the open space network. With this park, all homes are within 500m walking distance of public open space.

Figure 8 nominates five open spaces nodes across the Plan area within the open space network. These nodes provide a suitable location for community facilities such as playgrounds, barbeques, shelters and seating.

Public open spaces are adjoined by local streets to activate the spaces and provide passive surveillance. The exception is along the southern boundary of the water main easement (future reserve) where driveways are not permitted to cross the water main pipe. Here, semi-transparent boundary fences will adjoin the green streetscape. To manage a section of this interface an integrated housing site is proposed on 240 Cross' Road.

Gippsland Water has confirmed the raw water main within the expanded green streetscape will be duplicated in the future, and the 10m wide easement (future reserve) shown in Figure 7, Section D is sufficient for the existing and duplicated asset.

7.1 Open space contribution

At subdivision stage each property is required to provide a public open space contribution of 5%. The contribution can be made as land or cash or a combination of land and cash. The open space network is shown in Figures 6 and 8 and planning permits should set aside land as public open space generally in accordance with the plans.

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Table 2 provides a property specific land budget for all properties in the site. It shows the public open space contribution to be set aside as land on each property. Where the land contribution is less than 5% a cash contribution for the balance amount up to 5% must be paid to Council at subdivision stage.

Cash contributions collected by Council will be used to embellish public open spaces in accordance with Council's funding priorities as outlined in Council's Open Space Strategy.

The open space network includes encumbered and unencumbered land. Council will not credit encumbered land towards the 5% public open space contribution.

7.2

Development guidelines

- Any variation to the provision of public open space must be approved by, and is at the discretion of, Council having regard to the objective of the Plan.
- All parks and drainage reserves must be transferred to Council at subdivision stage.
- Fencing around the perimeter of open spaces should be discouraged to maximise surveillance of spaces.
- Where private lots adjoin public open spaces and drainage reserves boundary fencing should be semi-transparent to encourage surveillance of public spaces and interaction between private and public areas.

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8 Biodiversity and Landscape

An ecological assessment was undertaken by CPG to inform the Plan. The report is located in Attachment 2.

8.1 Flora

The key findings are described below.

- It is unlikely the site contains significant habitat for threatened species due to intensive historic land uses (heavily grazed and fertilized), high density of weeds (pasture grasses) and the level of soil disturbance caused by cattle grazing.
- Native vegetation associated with Wades Creek, below the dam on 240 Cross' Road, is a remnant patch of native vegetation despite its low species richness, low floristic and structural diversity and high density of weeds.
- Two scattered trees (River Red Gums) were recorded within the site.
- The vegetation prior to settlement was EVC 53 – Swamp Scrub. However, the historic land use including grazing, pasture improvement and more regular and concentrated inundation, has considerably altered the vegetation quality of this area. It is considered that EVC 53 - Swamp Scrub on the site is now extinct and has been replaced by a relatively new community of exotic plants.
- Under the Native Vegetation Framework, the West Gippsland Vegetation Plan and the Latrobe Planning Scheme the site is a disturbed area, and as such, the principles of net gain are not applicable.

Recommendations of the assessment include:

- The conservation values of the remnant Swamp Scrub below the dam could be greatly improved by supplementary revegetation and intensive weed control.
- The removal of the low lying, shallow saturated area in 240 Cross' Road immediately north of the piped drainage outfall under Cross' Road is not considered to significantly reduce the biodiversity values of the site particularly if it is replaced by an on site stormwater management system.
- The incorporation of the waterway and Wades Creek into such a water treatment facility which includes extensive revegetation would greatly improve the contribution the site makes to sustainable biodiversity conservation.

The alignment of a potential north south access street in the north east corner of 240 Cross' Road is shown crossing the western drainage reserve which includes an area of emergent EVC 53 – Swamp Scrub along the existing waterway. The potential suitability of the alignment of the access street in this location should be examined in the planning permit stage in consultation between Council, DSE and the permit applicant.

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8.2 Fauna

The key findings are described below.

- The assessment identified it is unlikely the subject land contains significant habitat for threatened species. It is noted that the habitat in the dam on 240 Cross' Road may be suited to the breeding of the Growling Grass Frog (GGF). No frogs, other than the Common Froglet (*Crinia signifera*) were heard during the site assessment.
- The assessment also identified that Wades Creek may provide a marginal habitat for Dwarf Galaxias and, further downstream, the Australian Grayling. It is considered the current contribution Wades Creek makes to the sustainable conservation of both species of fish is marginal given the current quality of habitat.

Recommendations of the assessment include:

- An assessment of the waterway on the site for Dwarf Galaxias and Australian Grayling is not considered to be essential however, such an assessment is required by the DPO.
- There is potential for the GGF to utilise the marginal habitat of the dam on 240 Cross' Road. An assessment to determine the presence and significance of the site to the GGF should be carried out (October – November 2011). A survey was conducted in December 2011.


In December 2011 a targeted survey of GGF was undertaken and no GGF were recorded or seen on the site. Consequently it is considered unlikely that they inhabit the site. The water test results also support this conclusion. The report is located in Attachment 3.

8.3 Landscape

In addition to the open space network proposed in Section 7 landscape development will be supported by street tree planting as shown in the Concept Landscape Masterplan (Figure 8). A hierarchy of planting will be provided across the site and an indicative planting schedule for street trees, riparian planting areas and open space planting is provided in Attachment 3.

Within the hierarchy, signature planting is proposed along access streets with different plantings schemes proposed along access places and lanes and within public open spaces.

Figure 8 shows five open space nodes within the open space network. Playgrounds and other community recreational infrastructure such as barbeques and shelters are nominated within three of the park nodes in Figure 8. These nodes as well as the drainage reserves are suitable locations for public art and community events.

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8.4 Cultural heritage

An Aboriginal and Historical Heritage Assessment provided in Attachment 4 was undertaken by Ecology and Heritage Partners and informed development of Plan. The assessment included desktop research and site survey. It found no Aboriginal or historical sites on the site.

One Aboriginal place was located in the north east corner of 240 Cross' Road consisting of stone artefacts which triggers the need for a complex Cultural Heritage Management Plan (CHMP). The CHMP should target areas of cultural heritage sensitivity located along the ridgeline of the site.

8.5 Development guidelines

- A landscape masterplan must be submitted with planning permit applications to subdivide land.
- Streetscapes and public open spaces must be planted with species from the planting schedule in Attachment 5.
- Revegetation and intensive weed control in the remnant patch of native vegetation below the dam in the western drainage reserve should be undertaken to improve conservation values.
- A CHMP should be prepared for 240 Cross' Road targeting land along the northern ridgeline.
- A management plan should be provided in the event that Growling Grass Frog or Dwarf Galaxias are detected on site following commencement of works.





Cross' Road Traralgon



9 Access and movement

The movement network is planned around paths in the open space network and a distorted grid street network to provide legible connections in a highly permeable street network within the site. Figure 9 shows the street hierarchy and internal and external active path network.

9.1 Pedestrian pathways

Figure 9 shows shared paths through the open space network including a shared path within the green streetscape of the water main street. Off road paths within drainage reserves should be constructed on both sides of the waterway.

A footpath is provided on the north side of Cross' Road and will be accommodated within a widening of the existing road reserve. A footpath is also provided within the existing Tyers Road reservation.

9.2 Public transport

Public transport in Traralgon is provided by Latrobe Valley Buses. There are currently eight designated bus routes of which Route 1 Rangeview and Route 2 Freeman Park serve the north west of Traralgon. Neither of these routes travels near the site or along Cross' Road.

Consultation with the DOT and busline should be held to investigate an extension of service area to cater for residents on the site and in the adjoining Riverslea Estate and along Cross' Road. A potential bus route and indicative locations for bus stops are shown on the site in Figure 9.

The proposed street network has considered the potential for a future bus network through the site. Specifically, the access streets have been designed to allow for east to west bus travel through the site, in walkable proximity to most future residential lots.

9.3 Cross' Road widening

According with the requirements of Gippsland Water and Council, the reservation accommodating Cross' Road will be widened by 6.8m to accommodate:

- Appropriate offsets from the existing rising sewer main in the verge.
- Appropriate offsets from a future duplication of the rising sewer main,
- Appropriate offsets from new services required by future subdivision.
- A standard connector street cross section including general parking and street trees.

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9.4 Traffic volumes and intersections

A traffic impact assessment for the Plan has been prepared by SMEC and is located in Attachment 6. The assessment has been undertaken to determine the:

- Impact of development on adjoining streets/roads
- Intersection locations and treatments
- Internal road hierarchy

VicRoads advised that no access can be provided from the site to Tyers Rd. This requires all access to the site to come from Cross' Road. A street hierarchy has been established where the three connections into the site from Cross' Road are designated as access streets. The layout provides two key east-west routes within the site that integrate across the precinct.

Full development of the site will generate approximately 5,800 vehicle trips per day. The assessment shows:

- Impact of additional trips on the capacity of Cross' Road and Tyers Road is acceptable.
- Location of proposed access points onto Cross' Rd are suitable.
- Each of the three intersections on to Cross' Road should provide an auxiliary left turn and channelized right turn treatment.
- The Cross' Road reserve width needs localised widening by 2.4m to accommodate the proposed intersection treatments into 150 Tyers Road and 240 Cross' Road.

In summary, the layout, road hierarchy and intersection treatments to adjoining roads are considered acceptable.

9.5 East side of Ashworth Drive

Properties on the east side of Ashworth Drive are provided with independent access to Ashworth Drive via access places to enable development of their properties without reliance on other land owners.

9.6 Development guidelines

- Cross sections for the road types proposed in the road hierarchy for the site are to comply with Latrobe City Council requirements:

- o Connector Street, 20m
- o Access Street, 16-18m
- o Access Place, 16m
- o Access Lane, 3-8m

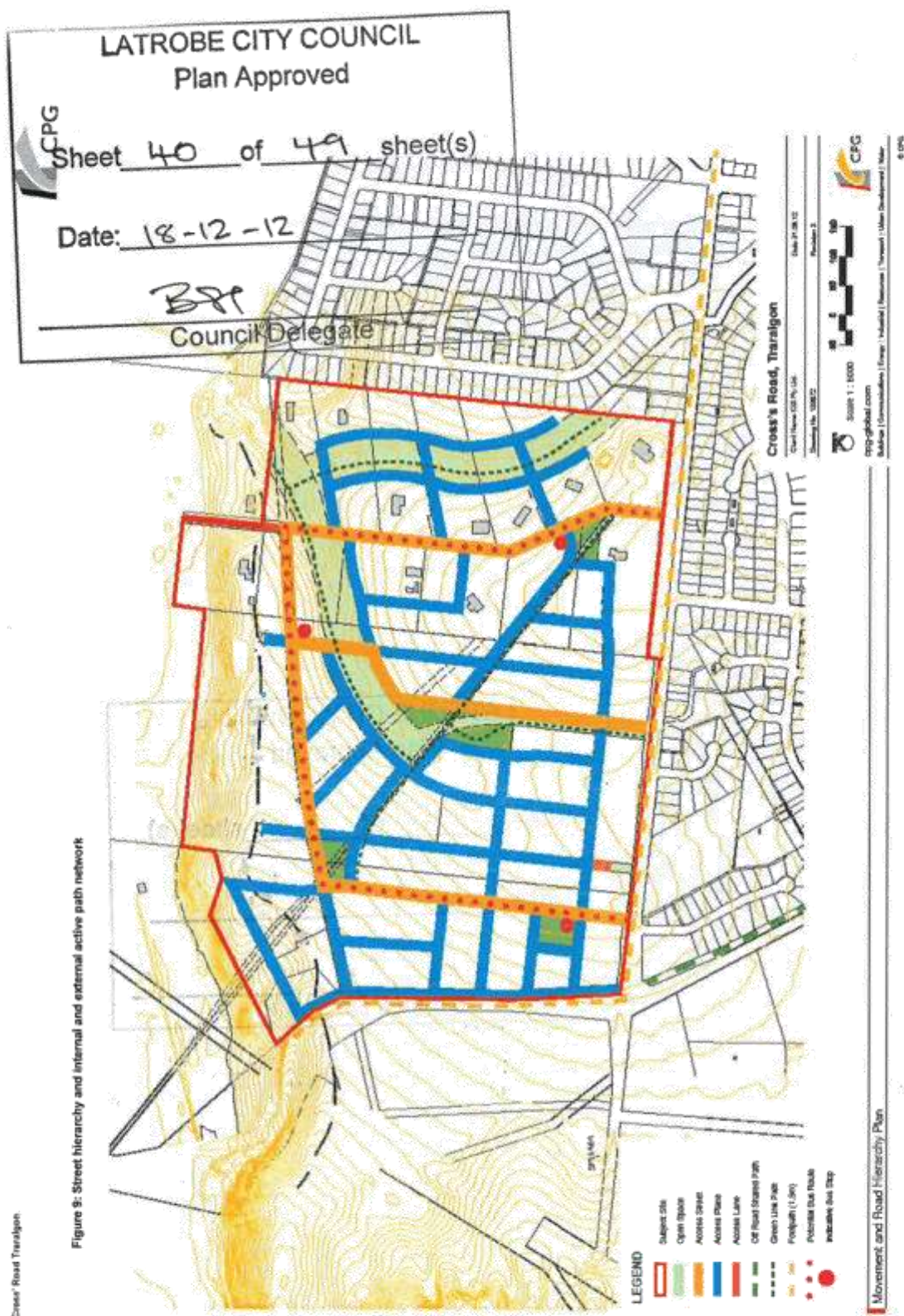
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- Off road paths within drainage reserves should be constructed on both sides of the waterways.

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10 Infrastructure Services and Development Staging

10.1 Sewer

Land in Ashworth Drive requires rezoning to Residential 1 zone before conventional subdivision can occur. Land at 240 Cross' Road and 150 Tyers Road areas is zoned for subdivision and requires a sewer connection through Ashworth Drive properties to service new development.

It is proposed that a gravity fed sewer will be brought to the site from the existing network to the east of the site. Recommendations identified in Gippsland Water's review of the Traralgon sewer network are also to be considered once final. There are two principal options:

- a) Upgrade the existing sewer pump station in Riverslea Estate with gravity sewer to site; or
- b) Construct a new sewer pump station with gravity sewer and rising main.

The preferred option is *Option b*).

The rising main to 240 Cross' Road and 150 Tyers Road will be constructed along the low point in the western waterway through three properties in Ashworth Drive. Consent will be required from the affected land owners. The provisional route for the rising main is shown in the Shared Infrastructure Plan in Figure 10. It will connect to two existing sewer pump stations on the south side of Cross' Road.

The rising main will be a shared sewer to service the entire site and it will service land in Ashworth Drive if and when that is rezoned. Until such a time, the delivery of the rising main will be co-ordinated by the land owners of 150 Tyers Road and 240 Cross' Road. The staging of access to the rising main for each of these properties will be agreed between land owners.

10.2 Sewer on large lots

Due to the steep slope on land north of the ridgeline designated as "large lot" on 240 Cross' Road and 75 Ashworth Drive it is not feasible to provide reticulated sewerage to this part of the site. In addition, this part of 240 Cross' Road will continue to operate as a dairying property for the foreseeable future. All land south of the ridgeline, designated as standard lots, will have access to reticulated sewerage. Therefore it is not considered necessary for a land capability assessment to be undertaken on this part of the site.

The Plan requires all large lots on 240 Cross' Road and 75 Ashworth Drive to have a minimum area of 10,000m² and require a land capability assessment with a planning permit application consistent with the EPA Code of Practice - Onsite Wastewater Management.

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The Plan also shows large lots on land generally north of the ridgeline on 150 Tyers Road with an average size of 2,500m². The size of these lots is not likely to be sufficient to sustainably treat and contain all wastewater on site as above. Therefore the developer will be required to use low pressure pump systems on large lots on 150 Tyers Road to connect these lots to the reticulated sewerage system to be built south of the ridgeline on the property. This will negate the need for on-site treatment of wastewater and also the need for a land capability assessment.

The suitability of low pressure pump systems will be assessed by Gippsland Water during the planning permit application process. In the event that use of a low pressure pump system is not supported and land designated as large lots on 150 Tyers Road cannot be connected to reticulated sewer, subdivision of this land will be required to provide lots with a minimum area determined by a land capability assessment prepared to the satisfaction of the EPA and Council.

10.3 Drainage

As described in Section 6, an integrated stormwater management strategy is proposed for the entire site. Development of 240 Cross' Road and 150 Tyers Road requires conveyance of stormwater through three properties in Ashworth Drive. The extent of stormwater to be conveyed through these properties does not warrant on-site retardation.

The eastern and western drainage reserves will be shared infrastructure servicing multiple properties within the site. Each drainage reserve can be built progressively to the satisfaction of Council, and their delivery will be co-ordinated by the land owners of the corresponding catchments.

The treatment of stormwater from the entire site will occur downstream in a wetland to be constructed on Lot 2 in PS424148C. Prior to construction of the wetland, interim stormwater treatment works should be constructed on-site to the satisfaction of Council.

10.4 Electricity, gas and telecoms

These services are available adjacent to the site and connections will be provided with the initial stage of development.

SP AusNet has advised that the existing 66kV electricity line traversing the northern part of the site must be retained in an easement. The Plan proposes to retain the electricity line within an expanded nature strip in a road reserve. SP AusNet advised that the easement may be entirely within the future road reserve or may partially overlap private lots adjacent to the road reserve.

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**10.5 Development staging**

Properties in Ashworth Drive require rezoning to Residential 1 Zone to enable conventional subdivision, therefore initial development of the site will occur on 240 Cross' Road and 150 Tyers Road.

Given the route of the rising sewer main along the western drainage reserve, 240 Cross' Road will be serviced by sewer before 150 Tyers Road. The initial development front is likely to be on Cross' Road in the south east corner of 240 Cross' Road. The development front is likely to progress west along Cross' Road towards Tyers Road as the western leg of the rising sewer main is developed.

Development staging is not fixed and development of land in the south west corner of the site can be brought forward with early delivery of the western leg of the rising sewer main and shared drainage infrastructure. The delivery of shared sewer and drainage infrastructure will be mutually agreed between land owners.

10.6 Infrastructure requirements

Development will require a range of infrastructure projects to be delivered in the Plan area. An outline of these projects is provided in Table 5.

Table 5: Infrastructure projects

Project	Timing	Responsibility
Cross' Road widening (land and urbanisation of rural verge)	Subdivision stage	Land owners to vest land for widening in Council in Plans of Subdivision and construct kerb and channel
Temporary stormwater treatment	Required on a staged basis prior to a Statement of Compliance for each stage	Land owners
Footpath between Rostrevor Close and Wirilda Crescent on south side of Cross' Road	At Council's discretion	Council
Footpath on north side of Cross' Road adjacent to Plan area	Required on a staged basis for stages with frontage to Cross' Road prior to a Statement of Compliance for each stage	Land owners

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Intersections into 150 Tyers Road and 240 Cross' Road	Required on a staged basis for stages containing intersections with Cross' Road prior to a Statement of Compliance for each stage	Land owners
Drainage reserves with paths on both sides of waterways	In accordance with a site stormwater management plan to the satisfaction of Council	Land owners
Rising sewer main	As agreed between land owners in cost sharing agreement	Land owners

Have regard to additional stormwater likely to be generated by development of land in the Plan area and in existing upstream catchments, temporary retardation of stormwater on lots on the east side of Ashworth Drive is not recommended as discussed in Section 6.1.

The Traffic Impact Assessment (Appendix 6) does not recommend an upgrade to the intersection of Tyers Road and Cross' Road as a result of additional traffic generated by development in the Plan area.

10.7

Development guidelines

- All lots within the Plan area, unless greater than 10,000m² in area, must be connected to reticulated sewerage. A planning permit application to subdivide land at 240 Cross' Road and 75 Ashworth Drive into large lots must be accompanied by a land capability assessment to the satisfaction of the EPA and Council.
- Large lots created on 150 Tyers Road must be connected to reticulated sewerage via the use of low pressure pump systems approved by Gippsland Water at the time of a planning permit application. In the event that use of low pressure pump systems is not supported by Gippsland Water and land designated as large lots on 150 Tyers Road cannot be connected to reticulated sewer, subdivision of the land must provide lots with a minimum area determined by a land capability assessment prepared to the satisfaction of the EPA and Council.

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Cross's Road Development Plan – Implementation Plan

The Implementation Plan has been prepared to facilitate a co-ordinated development of the properties that are zoned residential in support of the approved Cross's Road Development Plan (dated August, 2012) (the 'Development Plan') and is intended to provide a consolidated list of requirements and implementation actions which are necessary to deliver the outcomes of the Development Plan.

This Implementation Plan has been prepared in accordance with Development Plan Overlay Schedule 5 of the Latrobe Planning Scheme and the approved Development Plan. Once endorsed, it is expected that the Implementation Plan will form part of the approved Development Plan and all development occurring within the Cross' Road Precinct (the 'Precinct') must be carried out in accordance with this Plan.

Development Sequencing Plan


While staging will largely be determined by the development program of landholders, sequencing has been established in the Implementation Plan to reflect the key landholdings in the precinct and allow for co-ordination of key requirements that will enable the vision of the Development Plan to be achieved.

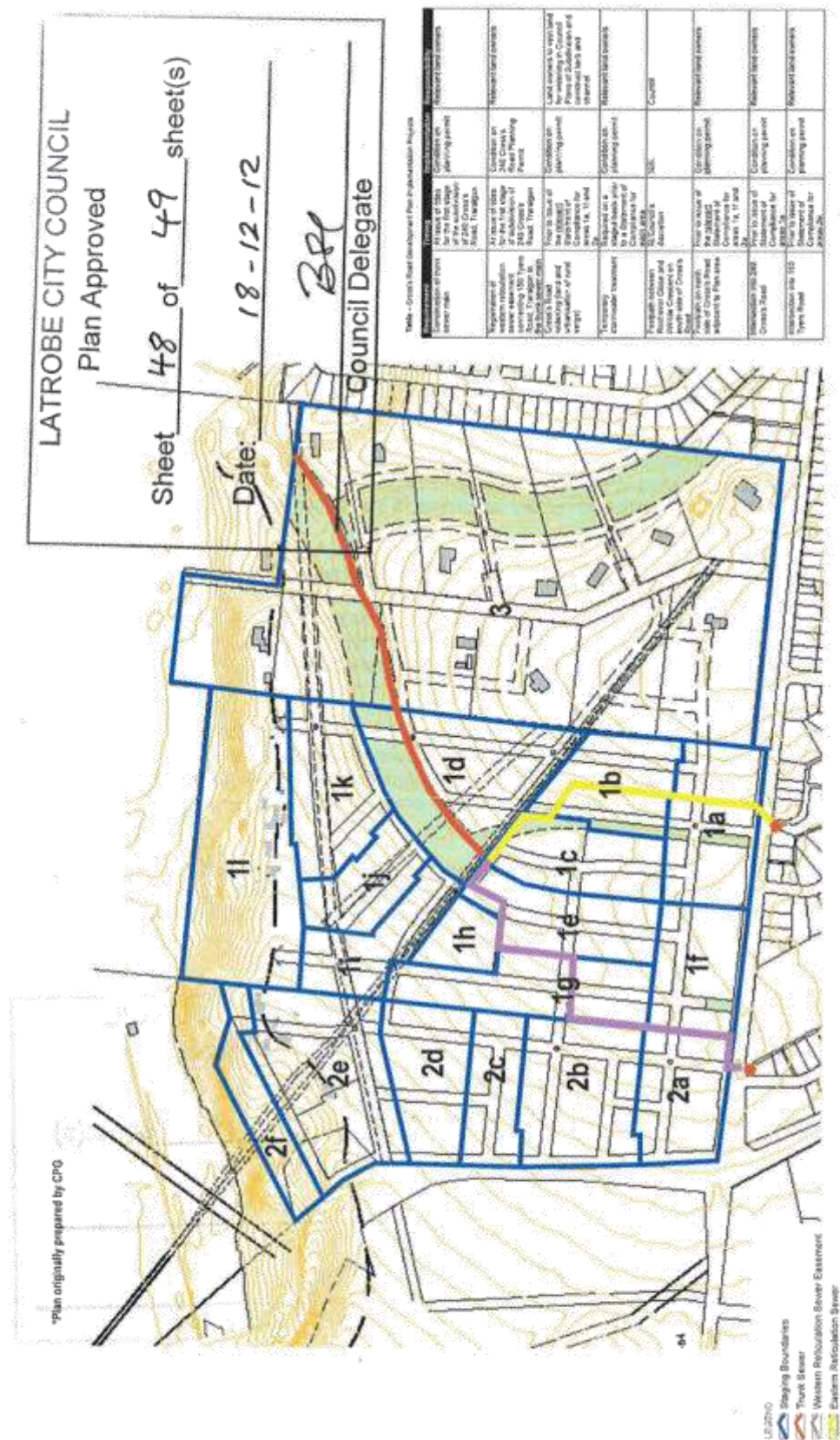
The Implementation Plan (attached) identifies that development will generally occur in three 'Area' phases. Each Area may commence development independently of one another, however delivery of shared infrastructure and zoning will largely determine the logical progression of development through the Precinct. Areas are further broken down into stages to indicate the potential infrastructure progression within each individual area.

Implementation Projects and Actions

Section 10 (Infrastructure Services and Development Staging) of the Development Plan identifies a number of requirements and implementation actions which are required to realise the outcomes of the Plan. These projects and actions are summarised in the Implementation Plan along with specific timing requirements to ensure co-ordinated delivery of projects is achieved.

The Implementation Plan submitted to Council is intended to provide Council with clarity and understanding of how development across the Cross' Road Precinct will be realised. In doing so, the Plan will establish a framework for development sequencing and the provision of efficient and logical infrastructure through the Precinct.

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Implementation Plan Cross Road, Traralgon

This plan is based on preliminary information only and is not intended to be used as a final plan. It is subject to change without notice. The Council is not responsible for any errors or omissions in this plan.

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Date: 20th Dec 2012
Author: CPO
Reviewer: CPO
Traralgon, VIC



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Table – Cross's Road Development Plan Implementation Projects

Requirement	Timing	Implementation	Responsibility
Construction of trunk sewer main	At issue of titles for the first stage of the subdivision of 240 Cross's Road, Traralgon	Condition on planning permit	Relevant land owners
Registration of western reticulation sewer easement connecting 150 Tyers Road, Traralgon to the trunk sewer main	At issue of titles for the first stage of subdivision of 240 Cross's Road, Traralgon	Condition on 240 Cross's Road Planning Permit	Relevant land owners
Cross's Road widening (land and urbanisation of rural verge)	Prior to issue of the <u>relevant</u> Statement of Compliance for areas 1a, 1f and 2a	Condition on planning permit	Land owners to vest land for widening in Council Plans of Subdivision and construct kerb and channel
Temporary stormwater treatment	Required on a staged basis prior to a Statement of Compliance for each area	Condition on planning permit	Relevant land owners
Footpath between Rostrevor Close and Wirilda Crescent on south side of Cross's Road	At Council's discretion	N/A	Council
Footpath on north side of Cross's Road adjacent to Plan area	Prior to issue of the <u>relevant</u> Statement of Compliance for areas 1a, 1f and 2a	Condition on planning permit	Relevant land owners
Intersection into 240 Cross's Road	Prior to issue of Statement of Compliance for areas 1a	Condition on planning permit	Relevant land owners
Intersection into 150 Tyers Road	Prior to issue of Statement of Compliance for areas 2a	Condition on planning permit	Relevant land owners

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Cross's Road Traralgon
Development Plan
Drainage Strategy

10 November 2011

CPG



Cross's Road Development Plan
Drainage Strategy

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Acknowledgements and Recognition

Latrobe City Council
West Gippsland Catchment Management Authority
Colin Stockdale (Downstream landowner)

Issue Date	Revision No	Author	Checked	Approved
10/11/2011	A (Draft / Client Review)	John Koehler	Jonathon McLean / Travis Reid	Jonathon McLean

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**Cross' Road Development Plan
Drainage Strategy**

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1 Introduction

CPG has been engaged by IGB Pty Ltd to formulate a drainage strategy for the Cross' Road Traralgon Development Plan.

– Figure 1.0 Preliminary Development Plan



The development plan is bound by Cross's Road to the south, Riverslea Estate to the east, Tyers Road to the west and Latrobe River flood plain to the north.

This drainage strategy responds to the development plan area in a holistic manner and considers both conveyance and water quality objectives.

2 Site Characteristics

The topography of the site is undulating with grades typically in the order of 1 in 10 to 1 in 100. The site falls generally from south to north.

Two designated waterways traverse the proposed development site on route to the Latrobe River. The subject site is divided into three distinct sub-catchments.

Cross' Road Development Plan
Drainage Strategy



3 Objectives

The Development Plan has been based upon WSUD principles and the stormwater management strategy has considered the two main issues and impacts relating to:

- Stormwater quantity
- Stormwater quality

3.1 Methodology

The drainage strategy was formulated by undertaking the following work:

- Desktop catchment analysis based on GIS and contour information supplied by Latrobe City Council.
- Site Visit (conducted during a rainfall event, to confirm desktop catchment analysis).
- Creation of a hydrologic model (a RORB model calibrated to Rational Flows)
- Creation of a hydraulic model (HECRAS)
- Creation of a stormwater quality model (MUSIC)
- Meetings and discussions with various stakeholders (eg Latrobe City Council (LCC), West Gippsland Catchment Management Authority (WGCMA), Colin Stockdale (adjacent landowner), land owners in Ashworth Drive
- Consideration of the above to determine conveyance and water quality treatment requirements and locations in a holistic manner for the development plan.

4 Catchment Analysis / Site Visit – Stormwater Quantity

A desktop catchment analysis was undertaken based on GIS and contour information provided by Latrobe City Council. This assessment was supplemented with a site visit to confirm the catchment extent and boundary conditions (refer to plan 133872D01 in appendix 1.0.)

An overall catchment area of 434.6 hectares outfalls to the Latrobe River, of which the development plan contributes 16% (69.8 ha).

4.1 Hydrologic Model

A hydrologic RORB model was produced to estimate runoff generated by the catchment. This RORB model was calibrated to the rational method as it is an ungauged catchment.

The calibration process has not been provided in this report.

Cross' Road Development Plan
Drainage Strategy



4.2 Overall Catchment

Plan 133872D02 in appendix 2.0. shows the location of runoff estimated for the development plan provided in table 1.0 below.

– Table 1 Runoff Estimates for the Development Plan

Location	Pre Development Runoff (m ³ /s)	Post Development Runoff (m ³ /s)	% Increase
A	4.3	4.5	4.6
B	13.5	13.5	0
C	16.0	16.2	1.3
D	19.2	20.0	4.2
E	19.6	20.8	6.1
F	16.4	17.4	6.1
G	36.6	38.0	3.8

The difference between pre and post development runoff magnitudes is minimal, this makes logical sense as the development plan area is at the outlet of the catchment.

As a result CPG recommends that retardation is not required as part of the development plan (other than to meet downstream land owner expectations, Colin Stockdale).

4.3 Stormwater Conveyance

External runoff entering at point A will be conveyed via road reserves and under ground pipe drainage to the start of the drainage reserve at point D.

External runoff entering at point B will be conveyed via road, open channel and under ground pipe drainage to the start of the drainage reserve at point D.

Runoff from point D to G will be accommodated by a drainage reserve.

External and Internal runoff from C to G will be accommodated by a drainage reserve.

Runoff generated by the internal development will be conveyed to the drainage reserves via road reserves and underground drainage.

Cross' Road Development Plan
Drainage Strategy



The design approach is for the under ground drainage to be design to convey the 1 in 5 year ARI storm events with the remainder of flow up to the 1 in 100 year ARI event been conveyed via road reserve, channel and or drainage reserve.

4.4 Hydraulic Model (or incorporate under the relevant catchment above)

A hydraulic HEC-RAS model was produced for the main drainage lines shown in the RORB catchment plan to estimate the extent of inundation caused throughout the development plan area for post development conditions.

A plan with extent of inundation 133872D03 can be found in appendix 3.0.

This modelling was used to confirm drainage reserve boundary extents and facilitate discussions with land owners within the development plan. The inundation plan showed that the flood extent was contained within the 60m width required by the WGCMA associated with a designated waterway.

The model was utilised to estimate the change in flood level between pre and post development scenarios for the properties in Ashworth Drive. The modelling between pre and post development flows in Ashworth drive showed an increase in flood level of between 10 to 30mm which could be described as minimal. The results from this analysis can be found in appendix 4.0.

It is intended to re establish the drainage reserve to imitate a natural waterway, this may required the incorporation of rock and riffle structures at key locations to provide grade and scour control.



5 Stormwater Quality

A "masterplan" treatment strategy has been prepared for the development plan based on meeting the best practice pollutant reduction targets, namely:

- 80% removal of total Suspended Solids
- 45% removal of total Nitrogen
- 45% removal of total Phosphorus

The water quality treatment train considers the proposed Development Plan as one entity. That is the objective is to meet the overall pollutant reduction targets prior to discharge to the Latrobe River.

A MUSIC (Model for Urban Stormwater Improvement Conceptualisation) modelling approach has been used to establish the proposed treatment train strategy. The model estimates the amount of pollutants the catchment produces, the performance of treatment measures and the pollutant load generated once the catchment is treated.

The proposed stormwater quality strategy is based on the use of a wetland treatment system. To meet the minimum stormwater quality requirements a 0.94 hectare wetland system is required.

This wetland consists of:

- 1200m² sedimentation pond.
- 8500m² of emergent aquatic macrophyte plants, with a 400mm extended detention depth.

This wetland is proposed to be located within the floodplain on Colin Stockdale's land.

Cross' Road Development Plan
Drainage Strategy



6 Stakeholder Negotiations

6.1 Latrobe City Council

Meetings with Latrobe City Council to date have involved obtaining desktop GIS data and high level discussions around a possible drainage strategy.

6.2 West Gippsland Catchment Management Authority

Meetings with West Gippsland Catchment Management Authority have involved discussions relating to:

- Pre development conditions, predominantly around residents concerns in Ashworth Drive, and Colin Stockdales concerns with regard to utilising his and leased land within the flood plain.
- Designated drainage line requirements.
- The possibility of a wetland retarding basin facility been located on Colin Stockdales property within the flood plain with a corridor linking it to the existing St Pauls wetland to address Colin's concerns.
- The possibility of reducing the width of a section of designated waterway within the development plan area.
- The possibility of incorporating a low flow pipe within the drainage reserves such that low flow rain fall events that contain the majority of pollutants can be conveyed to the wetland, hence possibly addressing residents concerns in Ashworth Drive.
- WGCMA requirements pertaining to "net no change or zero afflux modelled", or in short that the upstream development must retard flows back to predevelopment levels and demonstrate via hydrologic and hydraulic models.
- WGCMA requirements relating to water quality requirements.
- WGCMA aspirations for the designated drainage lines.
- How the Latrobe River flood plain operates.

CPG's understanding of the WGCMA's current position is:

- The WGCMA would be in favour of a wetland / retarding basin linked to the St Pauls wetland being located on Colin Stockdales property within the flood plain subject to land owner written agreements, and that flood plain storage is maintained.
- The WGCMA require a 30m offset from designated drainage line on both sides (60m drainage reserve).
- The WGCMA would negate the zero afflux modelled requirements for the development plan for flows entering the flood plain if and only written agreement from effected land owners within Ashworth drives (who are within the Development Plan) can be provided.
- The WGCMA will require water quality treatment in accordance with Clause 56 for the development plan.
- The WGCMA would like to see the designated drainage line revegetated.

Cross' Road Development Plan
Drainage Strategy



- The WGCMA may consider reducing the width of a section of designated waterway if an offset downstream which can enhance waterway objectives can be found. There was mention of a 150% offset; however this conversation was not taken further.
- The WGCMA would not be in support of a low flow pipe within the drainage reserve.

At the time of writing this report CPG is in the process of obtaining Lidar information from the WGCMA for the flood plain.

6.3 Colin Stockdale

Colin Stockdale's concerns relate to his ability to utilise the land within the floodplain for cattle grazing.

A site visit was carried out after a rainfall event, which demonstrated Colin's concerns. The visual conclusion of the site visit was that the St Pauls wetland, when operating at extended detention depth, appeared to be causing at least localised flooding of the land Colin is utilising for stock grazing.

Lidar information from the WGCMA will hopefully enable this to be reviewed.

6.4 Ashworth Drive Landowners

Anecdotal information would suggest that the main concerns that the Ashworth Drive landowners have are:

- The rubbish and sediment load conveyed through their properties during a rainfall event.
- The frequent inundation of their property.

A low flow pipe would enable the majority of rainfall events and rubbish and sediment to bypass the Ashworth Drive resident's land, whilst also directing all the pollutants to one location for ongoing maintenance.



7 Historic / Financial Obligations

The Cross' Road Traralgon Development Plan has to convey drainage flows from the existing upstream catchment; the historic and financial obligations of this are discussed in this section.

7.1 Stormwater Conveyance

Development upstream of the Cross' Road Traralgon Development Plan has historically occurred without the need for onsite storm water detention and or storm water quality treatment.

As such increased drainage flow in (magnitude and volume) along with an increase in storm water pollutant load (litter and sediment) has been experienced by the downstream properties. This has no doubt altered the waterway characteristics of the downstream properties overtime. How this relates to the designation of the waterways by the WGCMA is unknown or tested.

A 60m drainage reserve is required within the development plan to comply with WGCMA requirements. As the conveyance of the upstream and development plan flow can be contained within this reserve no obligation for conveyance can be contributed to Council as the drainage authority.

There is however an argument that:

- A proportion of costs associated with providing an outfall for low flows through the Colin Stockdale land (land acquisition and construction cost) should be borne by Council.
- A portion of costs associated with the construction of the retarding basin to meet Colin Stockdale's needs should be borne by Council.
- A portion of costs associated with upgrading the culverts on Ashworth Drive if required should be borne by Council.
- A portion of the cost associated with providing a low flow pipe throughout the development plan if required should be borne by Council.

7.2 Stormwater Quality

The proposed wetland treatment facility will treat the development plan area only and as such the costs associated with wetland and land acquisition are to be borne wholly by the development plan.

Cross' Road Development Plan
Drainage Strategy



8 Drainage Response to the Development Plan

The holistic drainage response to the development plan is based on:

- Conveying developed runoff through the development plan area to a wetland / retarding basin within the floodplain on Colin Stockdales land.
- The wetland in the flood plain being suitably sized to comply with Clause 56 of the Victorian Planning Provisions.
- The retarding basin, drainage corridor and modifications to the St Pauls wetland within the flood plain being sized to convey nuisance flows such that Colin Stockdales land can be managed better.
- Providing a 60m drainage reserve within the development plan to cater for designated waterways as per WGCMA requirements.
- Reducing the width of a section of designated waterway with approval from the WGCMA.
- The possible adoption of a low flow pipe within the drainage reserves.

To enable this to occur:

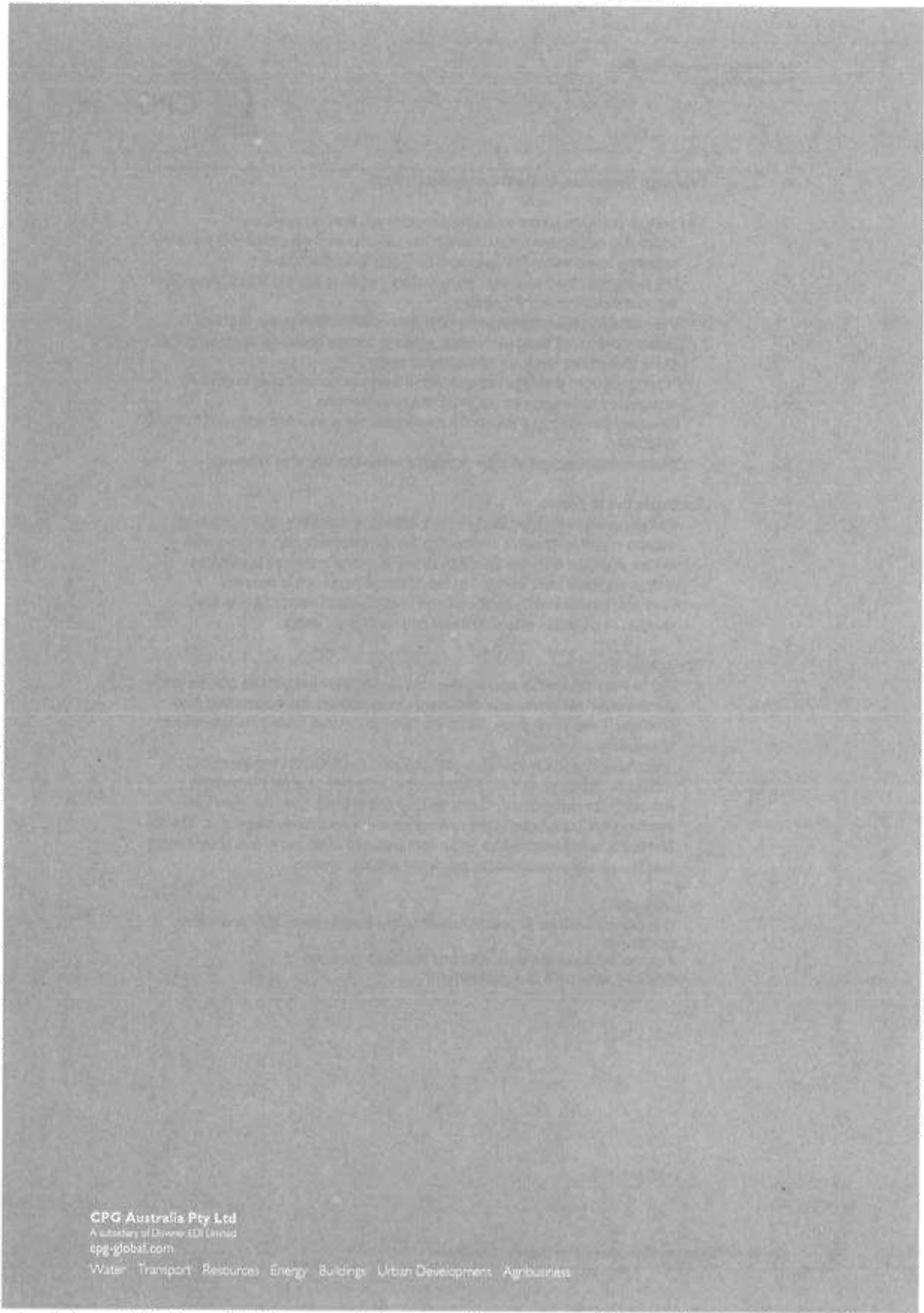
- Written agreements from land owners within the floodplain and those land owners in Ashworth drive affected by the development plan are required.
- Written approval from the WGCMA to the drainage response is required.
- Written approval from the LCC to the drainage response is required.
- Flora and Fauna and Cultural heritage investigations need to guide the location of wetland / retarding basin and flood plain works.

Comments:

- End of line treatment is appropriate for this development plan as grades within the development plan make treatment onsite difficult, the fragmented land holdings in Ashworth drive would also lead to Council having multiple assets to maintain.
- The adoption of a low flow pipe (although not the WGCMA's preference) should be explored as it may improve the amenity value for the existing Ashworth Drive residents. Currently litter and rubbish from the upstream catchment accumulates in the open drain that fronts these properties. The low flow drain would enable litter to be captured and collected in one downstream location as a pre-treatment to proposed wetland system.

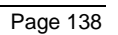
In conclusion:

- This proposal will be of overall benefit to the development plan and wider community.
- A range of issues are dealt with and solutions provided.
- A holistic solution is being provided.



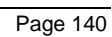
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Appendix 1

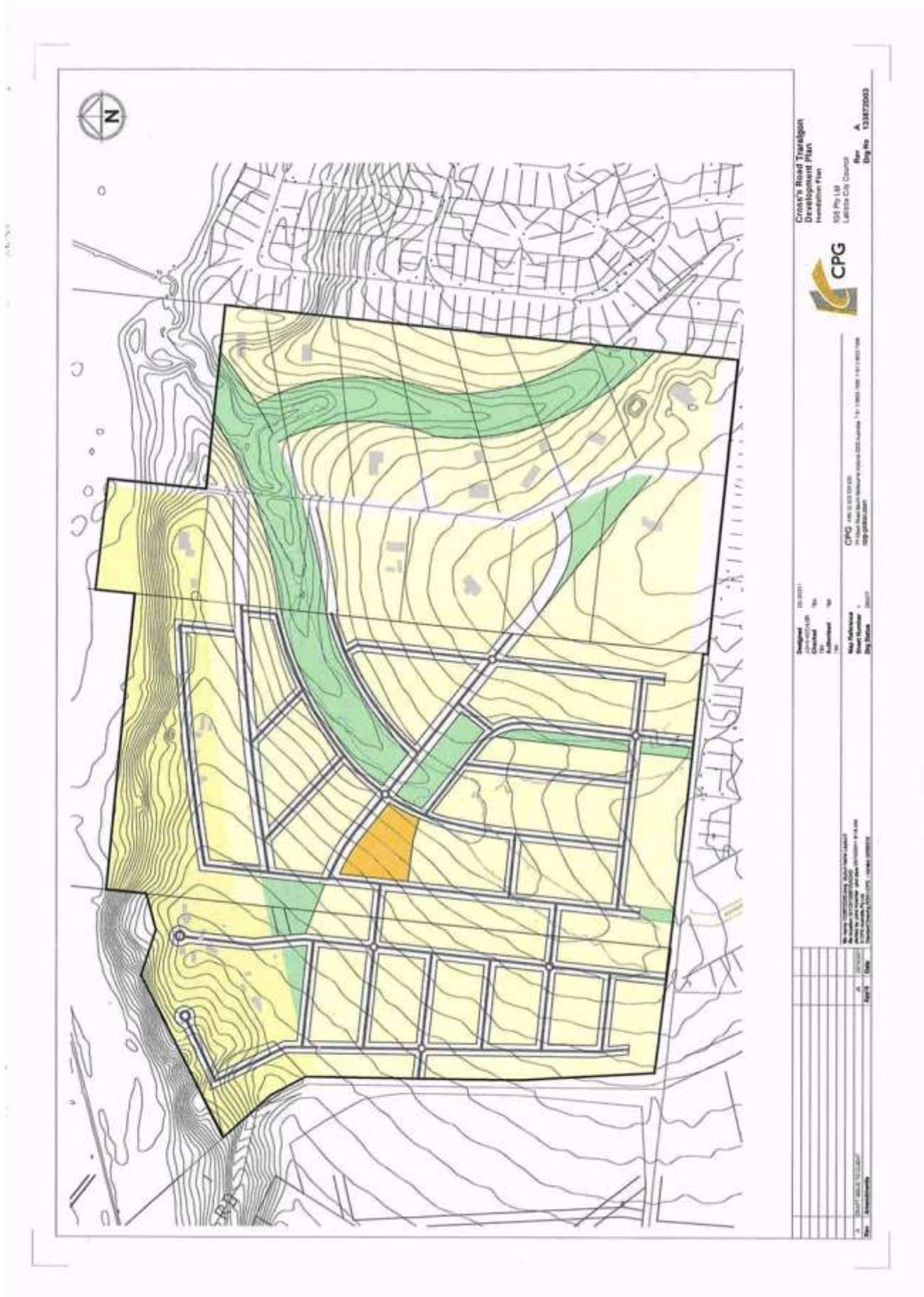


Appendix 2

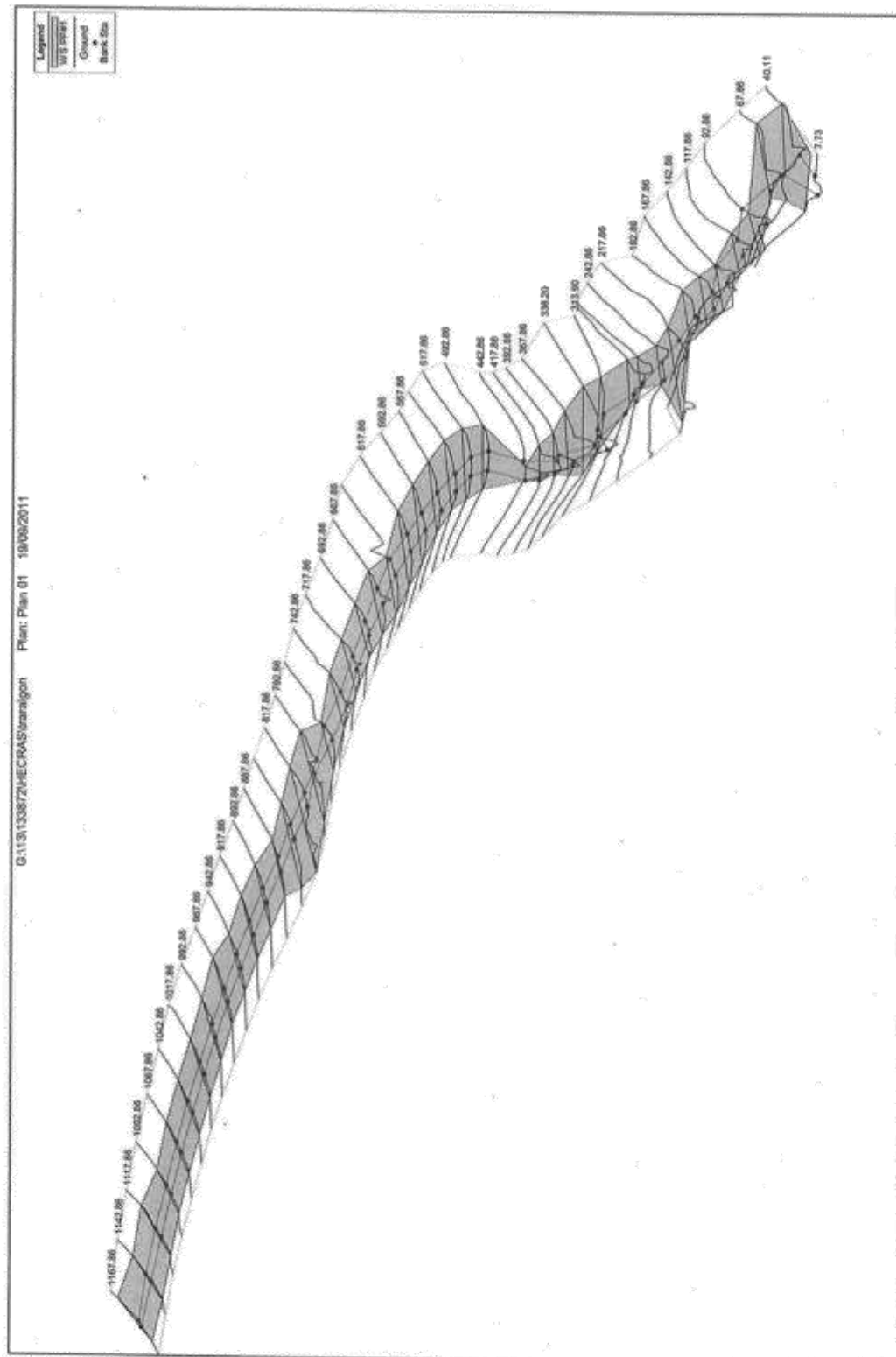




Appendix 3



Appendix 4



EXISTING CONDITIONS

JK 02/10/11

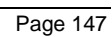
HEC-RAS Plan: Plan 01 River main Reach: 6 Profile: PPR1

Reach	River Sta	Profile	Q Total (m³/s)	Min Ch E (m)	W.S. Elev (m)	CRW.S. (m)	E.G. Elev (m)	E.G. Slope (mm)	Vel Chnl (m/s)	Flow Area (m²)	Top Width (m)	Froude # CH
6	1167.88	PPR1	4.50	40.60	40.89	40.84	40.91	0.010228	0.72	7.84	87.38	0.94
6	1142.88	PPR1	4.50	40.61	40.56	40.53	40.59	0.017420	0.74	6.42	59.04	0.96
6	1117.88	PPR1	4.50	40.00	40.22		40.24	0.010976	0.82	7.96	80.56	0.93
6	1092.88	PPR1	4.50	39.76	39.85		39.96	0.010988	0.75	6.67	46.50	0.96
6	1067.88	PPR1	4.50	39.60	39.69		39.71	0.010562	0.74	7.94	49.36	0.95
6	1042.88	PPR1	4.50	39.22	39.42		39.44	0.011302	0.76	6.84	48.64	0.97
6	1017.88	PPR1	4.50	38.94	39.15		39.16	0.010571	0.76	6.92	46.95	0.95
6	992.88	PPR1	4.50	38.71	38.93		38.95	0.009086	0.80	7.39	47.31	0.46
6	967.88	PPR1	4.50	38.50	38.71		38.73	0.009467	0.73	7.32	49.36	0.53
6	942.88	PPR1	4.50	38.26	38.48		38.51	0.008250	0.75	6.93	42.24	0.53
6	917.88	PPR1	4.50	37.96	38.23	38.16	38.26	0.011976	0.83	6.51	44.24	0.59
6	892.88	PPR1	4.50	37.77	38.01		38.03	0.007763	0.73	7.37	43.51	0.49
6	867.88	PPR1	4.50	37.38	37.61	37.61	37.67	0.035037	1.19	4.35	37.01	0.97
6	842.88	PPR1	4.50	37.20	37.58	37.31	37.59	0.000636	0.29	17.55	57.42	0.16
6	817.88	PPR1	4.50	36.69	37.57		37.58	0.000229	0.25	35.26	72.85	0.10
6	792.88	PPR1	19.61	36.73	37.47		37.52	0.008151	0.84	29.78	64.26	0.51
6	767.88	PPR1	19.61	36.42	37.13		37.24	0.015432	1.62	13.16	33.89	0.77
6	742.88	PPR1	19.61	35.74	36.87		36.96	0.008236	1.53	16.35	39.10	0.60
6	717.88	PPR1	19.61	35.62	36.69		36.76	0.007486	1.39	17.66	36.46	0.56
6	692.88	PPR1	19.61	35.61	36.36		36.50	0.015191	1.75	13.69	37.89	0.76
6	667.88	PPR1	19.61	34.90	36.21		36.27	0.005490	1.31	19.91	42.03	0.49
6	642.88	PPR1	19.61	35.44	35.66		35.66	0.013466	1.43	14.03	35.41	0.71
6	617.88	PPR1	19.61	35.16	35.73		35.80	0.007966	1.32	17.66	43.61	0.57
6	592.88	PPR1	19.61	34.82	35.54		35.61	0.007649	1.34	17.61	43.85	0.56
6	567.88	PPR1	19.61	34.63	35.28		35.36	0.013096	1.85	14.58	36.75	0.73
6	542.88	PPR1	19.61	34.40	35.00		35.09	0.008917	1.48	16.01	37.60	0.61
6	517.88	PPR1	19.61	34.16	34.79		34.87	0.008180	1.42	16.34	37.42	0.59
6	492.88	PPR1	19.61	33.87	34.39	34.37	34.59	0.022359	2.00	11.44	32.77	0.99
6	467.88	PPR1	19.61	31.16		33.01	33.48	0.019385	2.77	7.87	7.35	0.89
6	442.88	PPR1	19.61	31.23			33.17	0.005172	1.55	14.14	16.37	0.49
6	417.88	PPR1	19.61	30.61			33.05	0.004643	1.59	13.87	21.34	0.47
6	392.88	PPR1	19.61	30.65			32.97	0.000953	0.85	28.85	34.00	0.23
6	367.88	PPR1	19.61	30.12			32.85	0.000394	0.57	49.65	45.10	0.13
6	342.88	PPR1	19.61	32.32		32.76	32.81	0.028960	1.91	11.73	36.70	0.99
6	317.88	PPR1	19.61	31.04		31.15	31.53	0.006489	0.87	14.42	23.66	0.45
6	292.88	PPR1	19.61	30.50		31.10	31.37	0.020060	0.89	9.11	17.50	0.89
6	267.88	PPR1	19.61	30.29		30.86	30.87	0.016766	1.50	10.11	22.31	0.81
6	242.88	PPR1	19.61	29.43	30.19	30.14	30.71	0.000074	0.72	36.15	55.83	0.32
6	217.88	PPR1	19.61	28.16	30.15		30.69	0.016063	2.37	16.96	27.70	0.87
6	192.88	PPR1	19.61	28.61	30.06		30.24	0.010674	2.11	20.14	26.67	0.71
6	167.88	PPR1	19.61	28.44			30.01	0.006858	1.60	22.66	27.90	0.50
6	142.88	PPR1	19.61	27.82		29.41	29.72	0.019614	2.89	15.75	26.07	0.82
6	117.88	PPR1	19.61	27.32		28.02	28.28	0.014781	2.81	17.62	28.67	0.82
6	92.88	PPR1	19.61	27.15		28.47	28.72	0.028457	3.06	15.90	46.19	1.24
6	67.88	PPR1	19.61	26.91		27.96	28.30	0.007717	1.53	24.70	36.38	0.58
6	42.88	PPR1	19.61	26.45		27.63	27.91	0.017697	2.60	18.94	30.85	0.51

DEVELOPED CONDITIONS JK 02/10/11

HEC-RAS Plan Plan 01 River: main - Reach: B Profile: PPA1

Reach	River Sta	Profile	Q Total (m ³ /s)	Min Ch El (m)	W.S. Elev (m)	Crit W.S. (m)	E.G. Elev (m)	E.G. Slope (m/m)	Vel Chnl (m/s)	Flow Area (m ²)	Top Width (m)	Froude # CM
8	1187.86	PPA1	4.50	40.80	40.86	40.84	40.91	0.010228	0.72	7.84	67.30	0.54
8	1142.86	PPA1	4.50	40.41	40.56	40.53	40.59	0.017420	0.74	6.42	59.04	0.66
8	1117.86	PPA1	4.50	40.06	40.22		40.24	0.019975	0.82	7.56	60.86	0.53
8	1092.86	PPA1	4.50	39.75	39.95		39.96	0.010886	0.75	6.87	46.50	0.58
8	1067.86	PPA1	4.50	39.50	39.66		39.71	0.010592	0.74	7.04	49.36	0.55
8	1042.86	PPA1	4.50	39.22	39.42		39.44	0.011332	0.78	8.84	48.84	0.57
8	1017.86	PPA1	4.50	38.94	39.15		39.16	0.010571	0.76	8.82	46.50	0.58
8	992.86	PPA1	4.50	38.71	38.93		38.95	0.008086	0.66	7.59	47.51	0.48
8	967.86	PPA1	4.50	38.50	38.71		38.73	0.009467	0.73	7.32	49.36	0.53
8	942.86	PPA1	4.50	38.26	38.49		38.51	0.009250	0.75	6.93	42.24	0.53
8	917.86	PPA1	4.50	37.96	38.23	38.16	38.28	0.011676	0.83	6.51	44.24	0.50
8	892.86	PPA1	4.50	37.77	38.01		38.03	0.007163	0.73	7.37	43.51	0.49
8	867.86	PPA1	4.50	37.56	37.81	37.81	37.87	0.035037	1.19	4.35	37.01	0.97
8	842.86	PPA1	4.50	37.20	37.60	37.31	37.60	0.006553	0.27	18.39	58.18	0.14
8	817.86	PPA1	4.50	36.89	37.59		37.59	0.006201	0.23	25.40	72.93	0.09
8	792.86	PPA1	20.78	36.73	37.49		37.53	0.007889	0.64	21.87	65.50	0.50
8	767.86	PPA1	20.78	36.42	37.14		37.28	0.015367	1.65	13.71	34.43	0.77
8	742.86	PPA1	20.78	35.74	36.80		36.90	0.008224	1.35	17.06	33.77	0.60
8	717.86	PPA1	20.78	35.82	36.70		36.78	0.007581	1.43	17.71	39.00	0.58
8	692.86	PPA1	20.78	35.81	36.45		36.52	0.014587	1.77	14.26	38.50	0.77
8	667.86	PPA1	20.78	34.90	36.22		36.29	0.009528	1.33	19.79	42.30	0.49
8	642.86	PPA1	20.78	35.44	35.98		36.06	0.013536	1.48	14.55	35.71	0.72
8	617.86	PPA1	20.78	35.16	35.75		35.82	0.007957	1.35	16.37	44.31	0.57
8	592.86	PPA1	20.78	34.82	35.56		35.62	0.007666	1.26	18.52	44.33	0.57
8	567.86	PPA1	20.78	34.63	35.27		35.36	0.012921	1.67	15.24	40.23	0.73
8	542.86	PPA1	20.78	34.40	35.02		35.11	0.008923	1.51	16.65	36.42	0.82
8	517.86	PPA1	20.78	34.16	34.80		34.89	0.008576	1.47	16.73	37.65	0.80
8	492.86	PPA1	20.78	33.87	34.42	34.38	34.57	0.019878	1.96	12.44	33.65	0.89
8	467.86	PPA1	20.78	31.16	33.11	33.04	33.23	0.020763	2.89	7.20	7.47	0.93
18	442.86	PPA1	20.78	31.23	33.09	33.04	33.21	0.025345	1.80	14.62	59.71	0.50
17	417.86	PPA1	20.78	30.81	32.84	32.84	33.07	0.005188	1.65	14.34	22.00	0.49
16	392.86	PPA1	20.78	30.65	32.86	32.86	32.99	0.001015	0.88	20.40	34.52	0.23
15	367.86	PPA1	20.78	30.12	32.96	32.96	32.97	0.000326	0.60	46.49	45.64	0.14
14	342.86	PPA1	20.78	32.32	32.78	32.78	32.93	0.029551	1.94	12.28	40.38	0.99
13	317.86	PPA1	20.78	31.04	31.48	31.48	31.56	0.039480	0.70	15.09	24.31	0.45
12	292.86	PPA1	20.78	30.92	31.15	31.15	31.40	0.020185	0.75	9.56	16.44	0.70
11	267.86	PPA1	20.78	30.28	30.67	30.67	30.80	0.019548	1.57	10.39	22.45	0.84
10	242.86	PPA1	20.78	29.43	30.72	30.72	30.74	0.001001	0.74	37.39	56.85	0.23
9	217.86	PPA1	20.78	28.43	30.72	30.72	30.81	0.017013	2.41	17.39	28.00	0.87
8	192.86	PPA1	20.78	28.16	30.36	30.36	30.26	0.010791	2.13	20.69	29.86	0.71
7	167.86	PPA1	20.78	28.44	29.90	29.90	30.03	0.006881	1.63	23.40	26.12	0.56
6	142.86	PPA1	20.78	27.82	29.43	29.43	29.74	0.018511	2.72	16.18	26.28	0.92
5	117.86	PPA1	20.78	27.32	29.04	29.04	29.30	0.015063	2.64	18.10	28.83	0.83
4	92.86	PPA1	20.78	27.15	28.40	28.40	28.74	0.038222	3.07	18.34	48.48	1.24
3	67.86	PPA1	20.78	26.91	28.20	28.20	28.32	0.007736	1.55	25.29	38.85	0.58
2	42.86	PPA1	20.78	26.45	27.65	27.65	27.93	0.017080	2.61	17.56	31.45	0.90
1	17.86	PPA1	20.78	26.45	27.65	27.65	27.93	0.017080	2.61	17.56	31.45	0.90







Crosses Road, Traralgon
Ecological Assessment

24th July 2011
Prepared by Paul Kelly

CPG



Crosses Road, Traralgon
Ecological Assessment

This report has been prepared from the office of CPG
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Issue Date	Revision No	Author	Checked	Approved
24.07.2011	R001	PCK	TR	

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Ecological Assessment****Contents**

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Crosses Road, Traralgon
Ecological Assessment



1 Introduction

1.1 Project Brief

CPG Australia was commissioned by IGB Pty Ltd to conduct an ecological assessment of the flora and fauna within the Subject Site located at Crosses Road, Traralgon North. This report outlines the findings of the ecological assessment and identifies potential ecological constraints to the proposed development.

1.2 Objectives

The objectives of the flora and fauna assessment were to undertake:

- An analysis of the databases interrogated as part of the initial review;
- An assessment of the quality of the vegetation on the site including the presence of any remnant patches; and
- Advice as to the potential presence of listed threatened species of flora and or fauna or other ecological constraints to development of the site;

1.3 Subject site

The subject site contains all that land captured by the Development Plan Overlay (DPO5) on the corner of Crosses Road and Tyers Road, Traralgon. This area consists of two adjoining farming properties and a large lot rural residential development associated with Ashworth Drive.

'Yurragar' (150 Tyers Road) is the property of MB and JA Saunders and is located on the corner of Crosses Road and Tyers Road. This property is approximately 23 hectares in area and is currently grazed.

'View Hill' (Lot 1 PS 424148C) is the property of Colin Stockdale, and adjoins the eastern boundary of the Saunders property. This property is approximately 33 hectares in area and is a current dairy farm.

The majority of the site is zoned Residential 1 with a Development Plan Overlay (DPO5).

DPO5 contains specific requirements for flora and fauna namely:

- In consultation with the Department of Sustainability and Environment, a flora and fauna survey, prepared by a suitably qualified expert, which includes but is not limited to species surveys for Growling Grass Frog (*Litoria raniformis*) and Dwarf Galaxias (*Galaxiella pusilla*), and measures required to protect the identified species.
- An assessment of any native vegetation to be removed having regard to Victoria's Native Vegetation Management: A Framework for Action, including how it is proposed to protect and manage any appropriate native vegetation.
- Regard must be had to the West Gippsland Native Vegetation Plan 2003.
- Any management plan should take into account that the Strzelecki Bioregion is one of Victoria's most fragmented Bioregions and address this as a consideration.

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1.4 Land Use History

'Yurragar' has been operating as a dairy farm for over 40 years. Dairying has recently ceased but the property continues to be grazed by cattle.

'View Hill' has also been operating as a dairy farm for over 40 years and continues today (Jenny Saunders, Landowner 16th June 2011 pers. comm.).

The waterway that enters the Stockdale property in the south east corner drains storm water and at times, sand filter discharge from the adjoining residential development. Prior to the construction of the adjoining residential development, the waterway was an open ephemeral drain. At that time the primary source of input was from Stoddarts Abattoir upstream. The waterway was piped under Crosses Road approximately 40 years ago. (Colin Stockdale, Landowner and long time Traralgon resident. 16th June 2011 pers. comm.). The waterway has been cleaned out several times in an effort to confine the discharge.

All paddocks have been regularly fertilised and heavily grazed. Several boundary and intermediate fence line plantations have been planted on both properties.

The Subject site is within the Latrobe City Council local government area and the Gippsland Plain Bioregion.

2 Methods

2.1 Literature and Database Review

Several databases and reports were interrogated and reviewed. These include:

- The Flora Information System (FIS) (Viridans 2011a);
- The Atlas of Victorian Wildlife (AVW) (Viridans 2011b);
- The DSE Biodiversity Interactive Map (DSE 2011); and
- The EPBC protected matters search tool, using a 5km radius search (EPBC 2011).

2.2 Site Assessment

The Subject site was assessed on foot on the 16th June 2011.

The habitat of those threatened species of flora and fauna revealed during the analysis of the databases were actively target searched. Records of flora and fauna sighted during the site investigation were made and occur in Appendix 2 and Appendix 3 respectively.

The site assessment was carried out in winter. Winter is not considered to be the best season to carry out an assessment of the flora and fauna of a site. Many plants are not flowering making it difficult to accurately determine the identification. Fauna are not as active during winter and as such may not readily be observed. Late Spring/ early Summer is considered the most appropriate season.

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We consider that our extensive interrogation of the data; interviews with landowners; research of available documents and the intensive targeted searching of the site has provided a thorough site assessment. When combined with our extensive experience with the assessment of similar land systems and ecologies this report provides an assessment of the ecological constraints of the site which is fit for purpose.

3 Results

3.1 Subject site and land use

The subject site occurs within the Gippsland Plain Bioregion.

The Stockdale property ('View Hill') occurs in the eastern portion of the site and is an active dairy farm. The Saunders property ('Yurragar') occurs in the west of the site and is used for grazing of livestock. All paddocks are intensively grazed.

The Stockdale property has been a dairy farm for over 80 years. (Colin Stockdale, Landowner 16th June 2011 pers. comm.). The Saunders property has been a dairy farm for a similar period (Jenny Saunders, Landowner 16th June 2011 pers. comm.)

The majority of the site has been cleared of native vegetation and the pasture has been improved by sowing pasture species and regular applications of fertiliser. The vegetation of the site is considered to be highly modified due to this historic landuse and extensive clearing across the majority of the site. Scattered isolated native plants occur across the property (predominately in relation to the drainage lines).

Several plantations of exotic and native trees occur on the site.

The adjoining roadsides (Crosses Road and Tyers Road) are dominated by exotic plants. Several large native trees (Yellow Box *Eucalyptus melliodora* and Manna Gum *Eucalyptus viminalis*) occur within the road reserve in the north west corner of 'Yurragar'.

A storm water drain runs north to south across the subject site from Crosses Road. The storm water pipe extends from the adjoining residential development under Crosses Road and extends into the 'View Hill' paddock where it discharges into a low lying dispersed shallow saturated area dominated by emergent aquatic vegetation. The storm water then discharges into a clearly defined open drain and discharges into a dam on the drainage line. Discharge from the dam enters the upper reach of Wades Creek which at this point contains a variety of exotic and native overstorey vegetation. This waterway ultimately discharges into the property east of the site (Craigie 2010). The waterway, now best described as Wades Creek, flows through adjoining land and eventually into Traralgon Creek.

3.2 Flora

The flora species recorded on the site are listed in Appendix 2.

The pre-1750 vegetation of the site has been modelled by the DSE as containing three Ecological Vegetation Classes (EVC).

The EVC below the escarpment on the northern edge of the site was modelled as EVC 56 – Floodplain Riparian Woodland. The EVC associated with the drainage lines was modelled as EVC 53 Swamp Scrub and the remainder of the site was

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modelled as EVC 55 Plains Grassy Woodland. All three EVC have the Bioregional Conservation Status of Endangered.

The 2005 DSE modelled EVC mapping shows the presence of small highly fragmented patches of EVC 56 – Floodplain Riparian Woodland and a small fragment of EVC 55 Plains Grassy Woodland, probably associated with the two retained River Red Gums within the drainage line on the Stockdale property. No remnant patches of EVC 53 – Swamp Scrub are mapped on the 2005 mapping. It is considered that there are two remnant patches of native vegetation on the subject site and two scattered trees.

The upper reaches of Wades Creek (between the dam and the culvert on Ashworth Drive) contains a discrete remnant modified patch of EVC 53 Swamp Scrub (HZ1). This patch contains a modified overstorey of mature Swamp Paperbark *Melaleuca ericifolia* with several Black Wattle *Acacia mearnsii* and the occasional Blackwood *Acacia melanoxylon*. The understorey is dominated by exotic plants including Willow *Salix* spp, Blackberry *Rubus fruticosus* sp.agg, Kikuyu *Pennisetum clandestinum* and other exotic grasses.

The EPBC listed search tool and FIS records for the area identified the potential for several threatened flora species onsite or within the vicinity of the site. Table 3-1 lists those species of threatened flora.

Table 3-1 - Threatened Flora or habitat recorded in the vicinity

F	A	V	O	Species Name	Common Name
		V		<i>Amphibromus fluitans</i>	River Swamp Wallaby-grass
f		e		<i>Craspedia canens</i>	Grey Billy-buttons
	E	e		<i>Dianella amoena</i>	Matted Flax-lily
		k		<i>Hypsela tridens</i>	Hypsela
F		r		<i>Lachnagrostis punicea</i>	Purple Blown-grass
F	E	e		<i>Prasophyllum frenchii</i>	Maroon Leek-orchid
F	E	e		<i>Thelymitra epipactoides</i>	Metallic Sun-orchid
	V	v		<i>Xerochrysum palustre</i>	Swamp Everlasting

F = Listed under Victorian Flora & Fauna Guarantee Act 1988

A = EPBC conservation significance (Extinct, Critically Endangered, Endangered and Vulnerable)

V = Victorian Conservation significance (extinct, endangered, vulnerable, rare and Poorly known (DSE 2005 – Advisory List).

O = Origin (indigenous or * exotic)

No EPBC or FFG listed threatened species of flora were recorded during the site survey. None of the species listed in Table 3-1 are considered to occur on the site due to the extensive amount of vegetation modification and intensive land use.

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3.3 Habitat Hectare Assessment

One remnant patch (Habitat Zone) of native vegetation (DSE 2004, DSE 2007) occurs on the site. The patch is a highly modified remnant of EVC 53 Swamp Scrub and occurs in the section of Wades Creek between the dam on the 'View Hill' and Ashworth Drive. The location of the patch is shown on Appendix 1 – Biological Features.

Table 3-2 determines the Habitat Hectare value of the remnant patch of native vegetation.

Two remnant Large Old Trees (LOT) River Red Gums were recorded in the drainage line on 'View Hill'.

3.4 'View Hill' Drain

The vegetation quality of the low lying dispersed shallow saturated area in the Stockdale property is considered to be low and the exotic vegetation cover is greater than 75%. The soil in this area is substantially saturated and is extensively pugged by livestock. A small area of open water occurs near the outlet of the pipe. Considerable amounts of a variety of litter are present. The dominant vegetation in this wet depression are Water Couch *Paspalum distichum* and Watercress *Nasturtium officinale*, both exotic species. Several dispersed tussocks of the indigenous Austral Rush *Juncus australis* and a spike-rush *Eleocharis* spp also occur.

Other exotic species include *Paspalum dilatatum*, Drain Flat-sedge *Cyperus eragrostis*, Creeping Buttercup *Ranunculus repens*, White Clover, *Trifolium repens*, Kikuyu, Clustered Dock *Rumex conglomeratus*, and Curled Dock *Rumex crispus*. The margins of this wet depression are variously invaded by the surrounding exotic pasture species e.g. White Clover, Ryegrass, Cocksfoot etc.

This drain enters a dam approximately central to the 'View Hill' site. This dam has a pressure pump installed on it that probably services the dairy.

It is considered that Wades Creek continues downstream of this dam. The vegetation associated with this creek forms a remnant patch of EVC 53 – Swamp Scrub (Section 3.3 Habitat Hectare Assessment).

Pre 1750 DSE vegetation modelling in this area considered that the vegetation was EVC 53 – Swamp Scrub prior to settlement. Historic land use including grazing, pasture improvement and more regular and concentrated inundation, has considerably altered the vegetation quality of this area. It is considered that EVC 53 – Swamp Scrub on this area is now extinct and has been replaced by a relatively new community of plants most of which are exotic. It is not considered to be, by definition (DSE 2007) a remnant patch of native vegetation. The indigenous species of plants present on the area are not those expected to be present in the pre 1750 EVC 53 Swamp Scrub. For the purposes of the Native Vegetation Framework (DNRE 2002), the West Gippsland Vegetation Plan (WGCMA 2008) and the Latrobe City Planning Scheme, the area is considered to be a disturbed area. As such, the three step approach does not need to be applied and an offset will not generally be required (DSE 2010).

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Several remnant patches of native vegetation and large old trees occur on the road reserve adjoining the north west corner of 'Yurrabar'.

Table 3-2 Quantification and significance of losses in patches of Native Vegetation

Habitat Zone		HZ1	
Bioregion		GP	
EVC #: Name		53 SS	
EVC Bioregional Conservation Status		END	
		Max Score	Score
Site Condition	Large Old Trees	10	NA
	Canopy Cover	5	1
	Understorey	25	5
	Lack of Weeds	15	4
	Recruitment	10	1
	Organic Matter	5	2
	Logs	5	NA
	Total Site Score	75	13
	EVC standardiser (e.g. 75/55) [1]		75/60
	Adjusted Site Score		16
Landscape value	Patch Size	10	1
	Neighbourhood	10	0
	Distance to Core	5	0
Habitat Score		100	17.00
Habitat points = #/100		1	0.17
Habitat Zone area (ha)		(#. #)	4.2
Habitat Hectares		(#. #)	0.71
Conservation Significance	Conservation status x Habitat Score		High
	Threatened Species Rating		Med
	Other Site Attribute Rating		High
	Overall Conservation Significance (highest rating)		High

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3.5 Fauna and Fauna habitats

The faunal compliment of the site is considered to reflect the quality of the vegetation and the extent of modification due to the historic and current land use practices. Fauna recorded on the site are listed in Appendix 3

The EPBC listed search tool and AVW records for the area identified the potential for several threatened fauna species onsite or within the vicinity of the site. Table 3-3 lists those threatened species or their habitat that has been recorded or may occur in the vicinity.

Table 3-3 -Threatened Fauna or habitat recorded in the vicinity

F	A	V	O	Species Name	Common Name
f		v		<i>Haliaeetus leucogaster</i>	White-bellied Sea-Eagle
f	E	ce		<i>Anthochaera phrygia</i>	Regent Honeyeater
f	E	e		<i>Lathamus discolor</i>	Swift Parrot
f	V	ce		<i>Rostratula australis</i>	Painted Snipe
f	V	v		<i>Galaxiella pusilla</i>	Dwarf Galaxias
f	V	v		<i>Prototroctes maraena</i>	Australian Grayling
f	V	e		<i>Litoria raniformis</i>	Growing Grass Frog
f	E	e		<i>Dasyurus maculatus</i>	Tiger Quoll
f	V	e		<i>Potorous tridactylus</i>	Long-nosed Potoroo
f		v		<i>Pseudomys novaehollandiae</i>	New Holland Mouse
f	V	v		<i>Pteropus poliocephalus</i>	Grey-headed Fruit Bat
		nt		<i>Gallinago hardwickii</i>	Latham's Snipe

F = Listed under Victorian Flora & Fauna Guarantee Act 1988

A = EPBC conservation significance (Extinct, Critically Endangered, Endangered and Vulnerable)

V = Victorian Conservation significance (extinct, endangered, vulnerable, rare and Poorly known (DSE 2005 – Advisory List).

O = Origin (indigenous or * exotic)

No EPBC or FFG listed threatened species of fauna were recorded during the site survey. The site is not considered to provide significant habitat critical to the conservation of these species. None of the species listed in Table 3-3 are considered to utilise the site permanently due to the extensive amount of vegetation modification with one exception, the Growing Grass Frog (GGF). Latham's Snipe may opportunistically utilise the low lying dispersed shallow saturated area associated with the drain.

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Dwarf Galaxias and Australian grayling may navigate the upper reaches of Traralgon Creek but it is doubtful if they would occupy this section of Wades Creek due to the extensive habitat modification.

4 Discussion

4.1 Flora

It is considered unlikely that the site contains significant habitat for the threatened species listed in Table 3-1 due to intensive, historic land use (heavily grazed and fertilised), high density of weeds (pasture grasses) and level of soil disturbance by grazing cattle.

The native vegetation associated with Wades Creek (below the 'View Hill' dam) is considered to be a remnant patch of native vegetation despite its low species richness, low floristic and structural diversity and high density of weeds.

Two scattered trees were the only other remnant native vegetation recorded on the site with the exception of isolated scattered native plants which occur within the grazed paddocks e.g. *Juncus* spp.

The Pre 1750 DSE modelling of the vegetation in the low lying dispersed shallow saturated area in the Stockdale property, concluded that the vegetation prior to settlement, was EVC 53 – Swamp Scrub. Historic land use including grazing, pasture improvement and more regular and concentrated inundation, has considerably altered the vegetation quality of this area. It is considered that EVC 53 - Swamp Scrub on this area is now extinct and has been replaced by a relatively new community of plants on a disturbed substrate and most of the plants are exotic. It is not considered to be, by definition (DSE 2007) a remnant patch of native vegetation. The indigenous species of plants present on the area are not those expected to be present in the pre 1750 EVC 53 Swamp Scrub. For the purposes of the Native Vegetation Framework (DNRE 2002), the West Gippsland Vegetation Plan (WGCMA 2008) and the Latrobe City Planning Scheme, the area is considered to be a disturbed area. As such, the three step approach does not need to be applied and an offset will not generally be required (DSE 2010). The predominantly exotic vegetation of this wet area does however provide valuable and effective sediment capture from the storm water of its catchment.

Despite being determined as having a high conservation significance rating (DNRE 2002), the remnant vegetation of Wades Creek is considered to be a very low quality example of EVC 53 Swamp Scrub. The edges of the remnant patch continue to be grazed. It provides a persistent ongoing source of weeds downstream. It does however, in its present form, provide valuable linear riparian vegetation that provides some marginal protection for this section of Wades Creek from further entrenchment and erosion.

4.2 Fauna

It is considered unlikely that the site contains significant habitat for the threatened species listed in Table 3-3.

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However, the habitat in the dam on 'View Hill', may be suited to breeding of GGF despite the absence of emergent vegetation, the relatively high turbidity of the water and the general absence of fringing vegetation. No frogs, other than the Common Froglet *Crinia signifera* were heard during the site assessment. In its present state, Wades Creek may provide marginal habitat for Dwarf Galaxias. It may also contribute to Australian Grayling habitat further down stream. However the current contribution Wades Creek makes to the sustainable conservation of both these species of fish is considered marginal given the current quality of the habitat.

5 Recommendations

An assessment of the drain on the site for Dwarf Galaxias and Australian Grayling is not considered to be essential however such an assessment is required in order to meet the requirements of DPO5. Such an assessment is best carried out at any time outside the breeding season (May – October)

There is potential for GGF to utilise the marginal habitat of the dam on the site. An assessment to determine the presence and significance of the site to GGF should be carried out in October – November 2011.

The conservation values of the remnant Swamp Scrub below the dam could be greatly improved by supplementary revegetation and intensive weed control.

The removal of the low lying shallow saturated area in the Stockdale property is not considered to significantly reduce the biodiversity values of the site particularly if it is replaced by an on site storm water management system. The incorporation of the drain and Wades Creek into such a water treatment facility which includes extensive revegetation would greatly improve the contribution the site makes to sustainable biodiversity conservation.

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6 References

Craigie, N. 2010. **Correspondence to SMEC Urban (Mr C Lyon) Storm water and Floodplain Management – 26 August 2010.** Neil M Craigie Pty Ltd, Melbourne.

Viridans 2011a, **Just a Minute – plants.** Web access (Flora list for 5km centred on the subject site).

DNRE 2002 **Victorias Native Vegetation Management – a Framework for Action.** Department of Natural Resources and environment, Melbourne

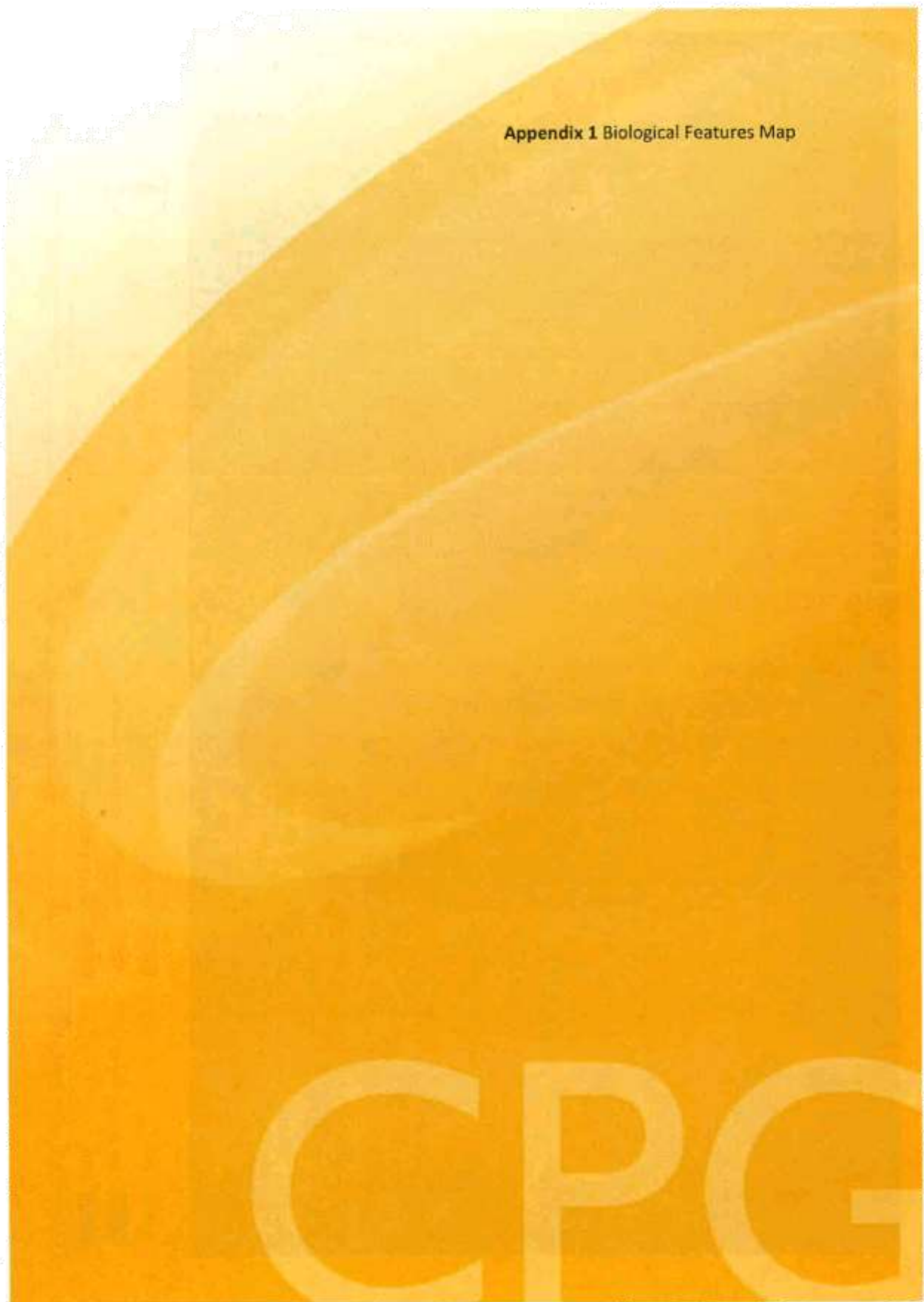
DSE 2004 **Native Vegetation: Vegetation Quality Assessment Manual – Guidelines for applying the habitat hectares scoring method. Version 1.3** Department of Sustainability and Environment, Melbourne

DSE 2005 **Advisory List of Rare or threatened plants in Victoria – 2005.** Department of Sustainability and Environment, Melbourne

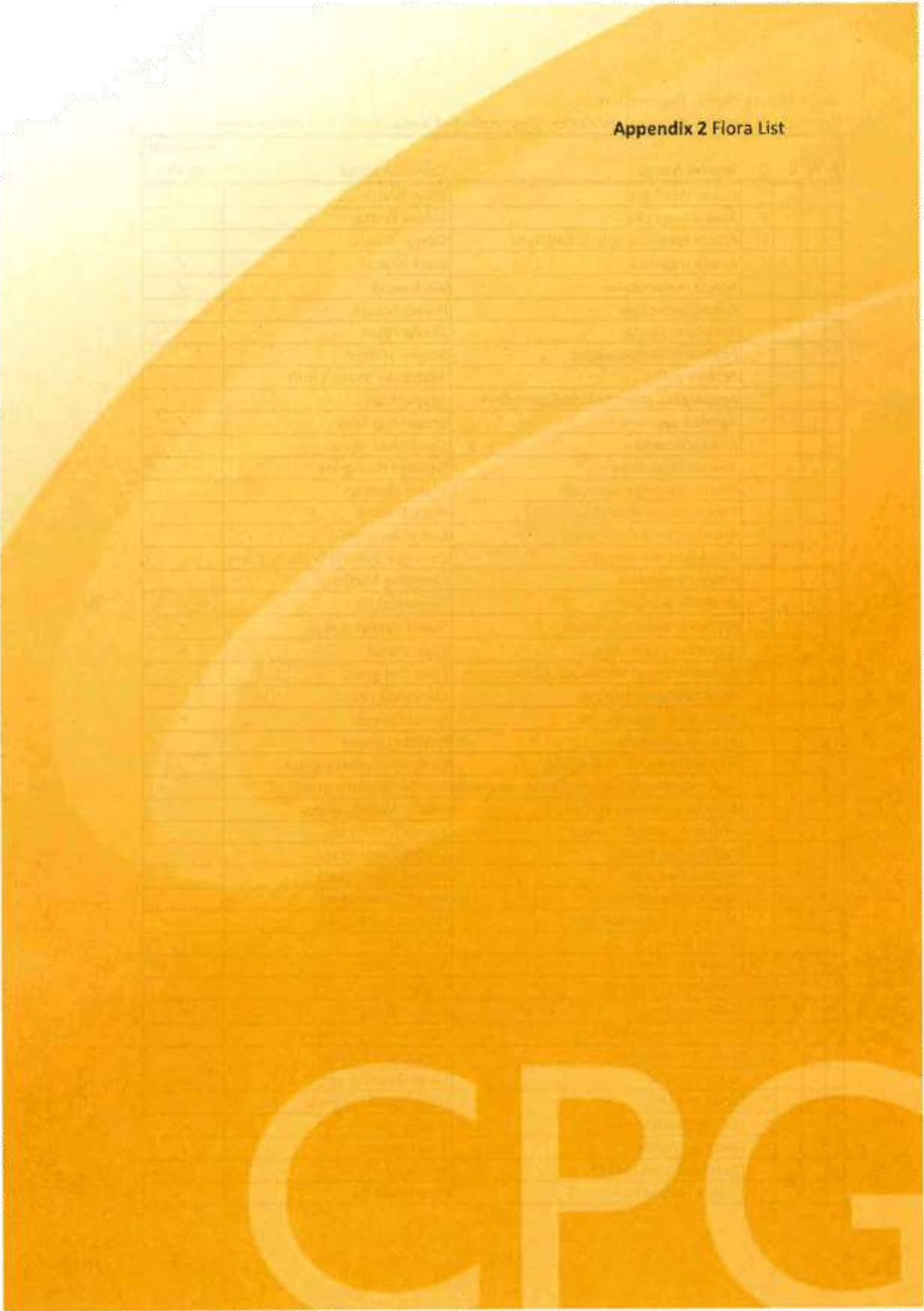
DSE 2007 **Native Vegetation – Guide for assessment of referred planning permit applications.** Department of Sustainability and Environment, Melbourne

DSE 2010 **Native Vegetation – Technical Information Sheet. Artificial substrates, temporary loss and areas of regeneration.** Department of Sustainability and Environment, Melbourne

WGCMA 2008 **Native Vegetation Management Plan.** West Gippsland Catchment Management Authority, Traralgon.







Just-a-Minute Plants - Regional List

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F	A	V	O	Species Name	Common Name	Recorded on site
				Acacia dealbata	Silver Wattle	
			#	Acacia longifolia	Sallow Wattle	
			#	Acacia longifolia subsp. longifolia	Sallow Wattle	
				Acacia mearnsii	Black Wattle	✓
				Acacia melanoxylon	Blackwood	✓
				Acacia verticillata	Prickly Moses	
				Acaena echinata	Sheep's Burr	
				Acaena novae-zelandiae	Bidgee-widgee	
				Acaena ovina	Australian Sheep's Burr	
			*	Agapanthus praecox subsp. orientalis	Agapanthus	
			*	Agrostis capillaris	Brown-top Bent	✓
			*	Aira cupaniana	Quicksilver Grass	
			*	Aira elegantissima	Delicate Hair-grass	
				Alisma plantago-aquatica	Water Plantain	
				Allocasuarina littoralis	Black Sheoak	
				Alternanthera denticulata	Lesser Joyweed	
				Amphibromus nervosus	Common Swamp Wallaby-grass	
				Amyema pendula	Drooping Mistletoe	
			*	Anagallis arvensis	Pimpernel	✓
			*	Anthoxanthum odoratum	Sweet Vernal-grass	✓
			*	Arctotheca calendula	Cape Weed	✓
			*	Arrhenatherum elatius var. bulbosum	False Oat-grass	
				Arthropodium strictum	Chocolate Lily	
			*	Asparagus asparagoides	Bridal Creeper	✓
			*	Atriplex prostrata	Hastate Orache	
				Austrodanthonia caespitosa	Common Wallaby-grass	
				Austrodanthonia racemosa var. racemosa	Slender Wallaby-grass	
				Austrodanthonia setacea	Bristly Wallaby-grass	
				Austrostipa bigeniculata	Kneel Spear-grass	
				Austrostipa mollis	Supple Spear-grass	
				Austrostipa rudis	Veined Spear-grass	
				Austrostipa scabra	Rough Spear-grass	
				Austrostipa semibarbata	Fibrous Spear-grass	
			*	Avena fatua	Wild Oat	
				Azolla filiculoides	Pacific Azolla	
			*	Barbarea intermedia	Wintercress	
			*	Bellis perennis	English Daisy	✓
				Billardiera mutabilis	Common Apple-berry	
				Bossiaea prostrata	Creeping Bossiaea	
			*	Briza maxima	Large Quaking-grass	
			*	Briza minor	Lesser Quaking-grass	
			*	Bromus catharticus	Prairie Grass	✓
			*	Bromus diandrus	Great Brome	
				Burchardia umbellata	Milkmaids	
				Caesia calliantha	Blue Grass-lily	

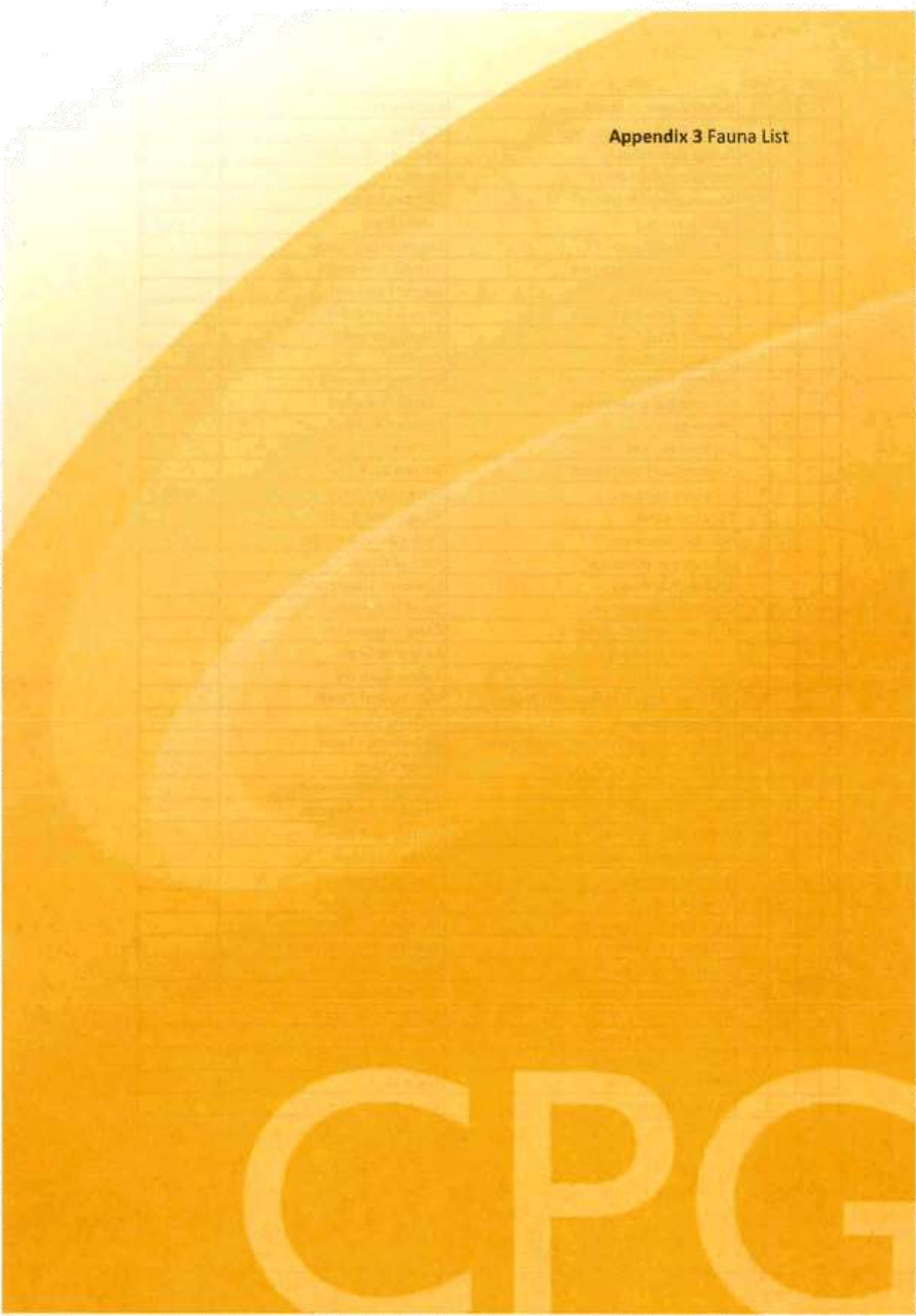
		*	<i>Callitriche stagnalis</i>	Common Water-starwort	
			<i>Carex appressa</i>	Tall Sedge	✓
			<i>Carex breviculmis</i>	Common Grass-sedge	
			<i>Carex inversa</i>	Knob Sedge	
			<i>Carex polyantha</i>	River Sedge	
			<i>Cassinia aculeata</i>	Common Cassinia	
			<i>Cassinia longifolia</i>	Shiny Cassinia	
		*	<i>Centaurium erythraea</i>	Common Centaury	✓
		*	<i>Centaurium tenuiflorum</i>	Slender Centaury	
			<i>Centella cordifolia</i>	Centella	
			<i>Centipeda cunninghamii</i>	Common Sneezeweed	
			<i>Centipeda minima</i>	Spreading Sneezeweed	
		*	<i>Chamaecytisus palmensis</i>	Tree Lucerne	✓
		*	<i>Chenopodium album</i>	Fat Hen	
		*	<i>Chenopodium murale</i>	Sowbane	
			<i>Chenopodium pumilio</i>	Clammy Goosefoot	
			<i>Chrysocephalum semipapposum</i>	Clustered Everlasting	
		*	<i>Cicendia filiformis</i>	Slender Cicendia	
		*	<i>Cirsium vulgare</i>	Spear Thistle	✓
		*	<i>Conyza primulaefolia</i>	Rough Conyza	
		*	<i>Conyza bonariensis</i>	Flax-leaf Fleabane	✓
		*	<i>Cortaderia selloana</i>	Pampas Grass	
		*	<i>Cotoneaster franchetii</i>	Grey Cotoneaster	
		*	<i>Cotoneaster glaucophyllus</i> var. <i>serotinus</i>	Large-leaf Cotoneaster	
		*	<i>Cotula coronopifolia</i>	Water Buttons	✓
f	e		<i>Craspedia canens</i>	Grey Billy-buttons	
			<i>Crassula helmsii</i>	Swamp Crassula	
		*	<i>Crataegus monogyna</i>	Hawthorn	✓
		*	<i>Crocsmia X crocosmiiflora</i>	Montbretia	
			<i>Cynodon dactylon</i>	Couch	✓
		*	<i>Cynodon dactylon</i> var. <i>dactylon</i>	Couch	
		*	<i>Cynosurus cristatus</i>	Crested Dog's-tail	
		*	<i>Cyperus eragrostis</i>	Drain Flat-sedge	✓
		*	<i>Dactylis glomerata</i>	Cocksfoot	✓
		*	<i>Daucus carota</i>	Carrot	
			<i>Daviesia latifolia</i>	Hop Bitter-pea	
			<i>Deyeuxia quadriseta</i>	Reed Bent-grass	
E	e		<i>Dianella amoena</i>	Matted Flax-lily	
			<i>Dianella longifolia</i>	Pale Flax-lily	
			<i>Dianella revoluta</i> s.l.	Black-anther Flax-lily	
			<i>Dichelachne crinita</i>	Long-hair Plume-grass	
			<i>Dichelachne rara</i>	Common Plume-grass	
			<i>Dichondra repens</i>	Kidney-weed	✓
			<i>Dillwynia cinerascens</i>	Grey Parrot-pea	
			<i>Dillwynia sericea</i>	Showy Parrot-pea	
			<i>Drosera peltata</i>	Pale Sundew	
			<i>Drosera peltata</i> subsp. <i>auriculata</i>	Tall Sundew	
		*	<i>Echinochloa crus-galli</i>	Barnyard Grass	
		*	<i>Echium plantagineum</i>	Paterson's Curse	

	*	<i>Ehrharta erecta</i> var. <i>erecta</i>	Panic Veldt-grass	✓
	*	<i>Ehrharta longiflora</i>	Annual Veldt-grass	
		<i>Einadia hastata</i>	Saloop	
		<i>Einadia nutans</i> subsp. <i>nutans</i>	Nodding Saltbush	
		<i>Elatine gratioloides</i>	Waterwort	
		<i>Eleocharis acuta</i>	Common Spike-sedge	
		<i>Eleocharis sphacelata</i>	Tall Spike-sedge	✓
		<i>Elymus scaber</i> var. <i>scaber</i>	Common Wheat-grass	
		<i>Epacris impressa</i>	Common Heath	
		<i>Epilobium billardierianum</i>	Variable Willow-herb	
		<i>Epilobium hirtigerum</i>	Hairy Willow-herb	
		<i>Eragrostis brownii</i>	Common Love-grass	
		<i>Eucalyptus angophoroides</i>	Apple Box	
		<i>Eucalyptus bridgesiana</i>	But But	
		<i>Eucalyptus camaldulensis</i>	River Red Gum	✓
		<i>Eucalyptus melliodora</i>	Yellow Box	✓
		<i>Eucalyptus microcarpa</i>	Grey Box	✓
		<i>Eucalyptus ovata</i>	Swamp Gum	
		<i>Eucalyptus radiata</i>	Narrow-leaf Peppermint	
		<i>Eucalyptus radiata</i> subsp. <i>radiata</i>	Narrow-leaf Peppermint	
		<i>Eucalyptus tereticornis</i> subsp. <i>mediana</i>	Gippsland Red-gum	
		<i>Eucalyptus viminalis</i>	Manna Gum	✓
		<i>Eucalyptus viminalis</i> subsp. <i>viminalis</i>	Manna Gum	
		<i>Euchiton involucratu</i>	Star Cudweed	
		<i>Euchiton sphaericus</i>	Annual Cudweed	
	*	<i>Euphorbia peplis</i>	Petty Spurge	
		<i>Exocarpos cupressiformis</i>	Cherry Ballart	
		<i>Gahnia radula</i>	Thatch Saw-sedge	
	*	<i>Gamochaeta purpurea</i>	Purple Cudweed	
	*	<i>Geranium dissectum</i>	Cut-leaf Crane's-bill	
	*	<i>Gladiolus undulatus</i>	Wild Gladiolus	
		<i>Glyceria australis</i>	Australian Sweet-grass	
		<i>Gonocarpus tetragynus</i>	Common Raspwort	
		<i>Gratiola peruviana</i>	Austral Brooklime	
		<i>Haloragis heterophylla</i>	Varied Raspwort	
		<i>Hardenbergia violacea</i>	Purple Coral-pea	
		<i>Helichrysum scorpioides</i>	Button Everlasting	
		<i>Hemarthria uncinata</i> var. <i>uncinata</i>	Mat Grass	
	*	<i>Holcus lanatus</i>	Yorkshire Fog	✓
		<i>Hypericum gramineum</i>	Small St John's Wort	
	*	<i>Hypericum perforatum</i> subsp. <i>veronense</i>	St John's Wort	
	*	<i>Hypochoeris radicata</i>	Flatweed	✓
		<i>Hypoxis hygrometrica</i>	Golden Weather-glass	
k		<i>Hypsela tridens</i>	Hypsela	
	*	<i>Iris germanica</i>	German Iris	
		<i>Isolepis cernua</i>	Nodding Club-sedge	
		<i>Isolepis inundata</i>	Swamp Club-sedge	
	*	<i>Isolepis levynsiana</i>	Tiny Flat-sedge	
	*	<i>Ixia polystachya</i>	Variable Ixia	
		<i>Joycea pallida</i>	Silvertop Wallaby-grass	

			<i>Juncus amabilis</i>	Hollow Rush	
		*	<i>Juncus articulatus</i>	Jointed Rush	
			<i>Juncus australis</i>	Austral Rush	✓
			<i>Juncus bufonius</i>	Toad Rush	
		*	<i>Juncus capitatus</i>	Capitate Rush	
			<i>Juncus gregiflorus</i>	Green Rush	
			<i>Juncus holoschoenus</i>	Joint-leaf Rush	
			<i>Juncus homalocaulis</i>	Wiry Rush	
			<i>Juncus pallidus</i>	Pale Rush	
			<i>Juncus pauciflorus</i>	Loose-flower Rush	
			<i>Juncus planifolius</i>	Broad-leaf Rush	
			<i>Juncus procerus</i>	Tall Rush	
			<i>Juncus sarophorus</i>	Broom Rush	
			<i>Juncus subsecundus</i>	Finger Rush	✓
		*	<i>Juncus tenuis</i>	Slender Rush	
			<i>Juncus vaginatus</i>	Clustered Rush	
			<i>Kennedia prostrata</i>	Running Postman	
			<i>Kunzea ericoides</i> spp. agg.	Burgan	
			<i>Lachnagrostis filiformis</i>	Common Blown-grass	
	r		<i>Lachnagrostis punicea</i>	Purple Blown-grass	
		*	<i>Lactuca serriola</i>	Prickly Lettuce	✓
			<i>Lemna disperma</i>	Common Duckweed	
		*	<i>Leontodon taraxacoides</i> subsp. <i>taraxacoides</i>	Hairy Hawkbit	
		*	<i>Lepidium africanum</i>	Common Peppergrass	✓
			<i>Lepidosperma filiforme</i>	Common Rapier-sedge	
			<i>Lepidosperma gunnii</i>	Slender Sword-sedge	
			<i>Lepidosperma laterale</i>	Variable Sword-sedge	
			<i>Leptorhynchus tenuifolius</i>	Wiry Buttons	
			<i>Leptospermum continentale</i>	Prickly Tea-tree	
			<i>Lilaeopsis polyantha</i>	Australian Lilaeopsis	
			<i>Limosella australis</i>	Austral Mudwort	
			<i>Linum marginale</i>	Native Flax	
		*	<i>Linum trigynum</i>	French Flax	
			<i>Lobelia pratioides</i>	Poison Lobelia	
		*	<i>Lolium perenne</i>	Perennial Rye-grass	✓
			<i>Lomandra filiformis</i>	Wattle Mat-rush	
			<i>Lomandra filiformis</i> subsp. <i>coriacea</i>	Wattle Mat-rush	
			<i>Lomandra longifolia</i>	Spiny-headed Mat-rush	
			<i>Lomandra longifolia</i> subsp. <i>longifolia</i>	Spiny-headed Mat-rush	
		*	<i>Lotus subbiflorus</i>	Hairy Bird's-foot Trefoil	
			<i>Luzula meridionalis</i>	Common Woodrush	
			<i>Lythrum hyssopifolia</i>	Small Loosestrife	
		*	<i>Malva neglecta</i>	Dwarf Mallow	
			<i>Melaleuca armillaris</i>	Honey Myrtle	✓
			<i>Melaleuca ericifolia</i>	Swamp Paperbark	✓
			<i>Melaleuca parvistaminea</i>	Rough-barked Honey-myrtle	
		*	<i>Mentha pulegium</i>	Pennyroyal	
			<i>Microlaena stipoides</i> var. <i>stipoides</i>	Weeping Grass	
			<i>Microtis parviflora</i>	Slender Onion-orchid	
			<i>Microtis unifolia</i>	Common Onion-orchid	

			<i>Myriophyllum crispatum</i>	Upright Water-milfoil	
		*	<i>Nasturtium officinale</i>	Watercress	✓
			<i>Notodanthonia semiannularis</i>	Wetland Wallaby-grass	
		*	<i>Nymphaea alba</i>	White Waterlily	
			<i>Opercularia ovata</i>	Broad-leaf Stinkweed	
		*	<i>Oxalis corniculata</i>	Creeping Wood-sorrel	
			<i>Oxalis exilis</i>	Shady Wood-sorrel	
		*	<i>Oxalis incarnata</i>	Pale Wood-sorrel	
			<i>Oxalis perennans</i>	Grassland Wood-sorrel	
			<i>Ozothamnus ferrugineus</i>	Tree Everlasting	
		*	<i>Parapholis strigosa</i>	Slender Barb-grass	
		*	<i>Parentucellia viscosa</i>	Yellow Bartsia	
		*	<i>Paspalum dilatatum</i>	Paspalum	✓
		*	<i>Paspalum distichum</i>	Water Couch	✓
		*	<i>Pennisetum clandestinum</i>	Kikuyu	✓
			<i>Pentapogon quadrifidus</i> var. <i>quadrifidus</i>	Five-awned Spear-grass	
			<i>Persicaria decipiens</i>	Slender Knotweed	✓
			<i>Persicaria hydropiper</i>	Water Pepper	
			<i>Persicaria lapathifolia</i>	Pale Knotweed	
			<i>Persicaria prostrata</i>	Creeping Knotweed	
		*	<i>Phalaris aquatica</i>	Toowoomba Canary-grass	✓
			<i>Phragmites australis</i>	Common Reed	✓
			<i>Pimelea curviflora</i>	Curved Rice-flower	
			<i>Pimelea humilis</i>	Common Rice-flower	
		*	<i>Pinus radiata</i>	Radiata Pine	✓
		*	<i>Plantago coronopus</i>	Buck's-horn Plantain	✓
		*	<i>Plantago lanceolata</i>	Ribwort	✓
		*	<i>Plantago major</i>	Greater Plantain	
			<i>Plantago varia</i>	Variable Plantain	
		*	<i>Poa annua</i>	Annual Meadow-grass	
			<i>Poa clelandii</i>	Noah's Ark	
			<i>Poa labillardierei</i>	Common Tussock-grass	
			<i>Poa morrisii</i>	Soft Tussock-grass	
			<i>Poa sieberiana</i>	Grey Tussock-grass	
			<i>Poa sieberiana</i> var. <i>sieberiana</i>	Grey Tussock-grass	
		*	<i>Polygonum aviculare</i>	Prostrate Knotweed	
		*	<i>Polypogon monspeliensis</i>	Annual Beard-grass	
			<i>Poranthera microphylla</i> s.l.	Small Poranthera	
			<i>Portulaca oleracea</i>	Common Purslane	
			<i>Potamogeton tricarinatus</i> s.l.	Floating Pondweed	
		*	<i>Prunella vulgaris</i>	Self-heal	
			<i>Pseudognaphalium luteoalbum</i>	Jersey Cudweed	
			<i>Pteridium esculentum</i>	Austral Bracken	
			<i>Ranunculus amphitrichus</i>	Small River Buttercup	
			<i>Ranunculus lappaceus</i>	Australian Buttercup	
		*	<i>Ranunculus repens</i>	Creeping Buttercup	✓
		*	<i>Raphanus raphanistrum</i>	Wild Radish	✓
		*	<i>Romulea rosea</i>	Onion Grass	✓
		*	<i>Rosa rubiginosa</i>	Sweet Briar	✓

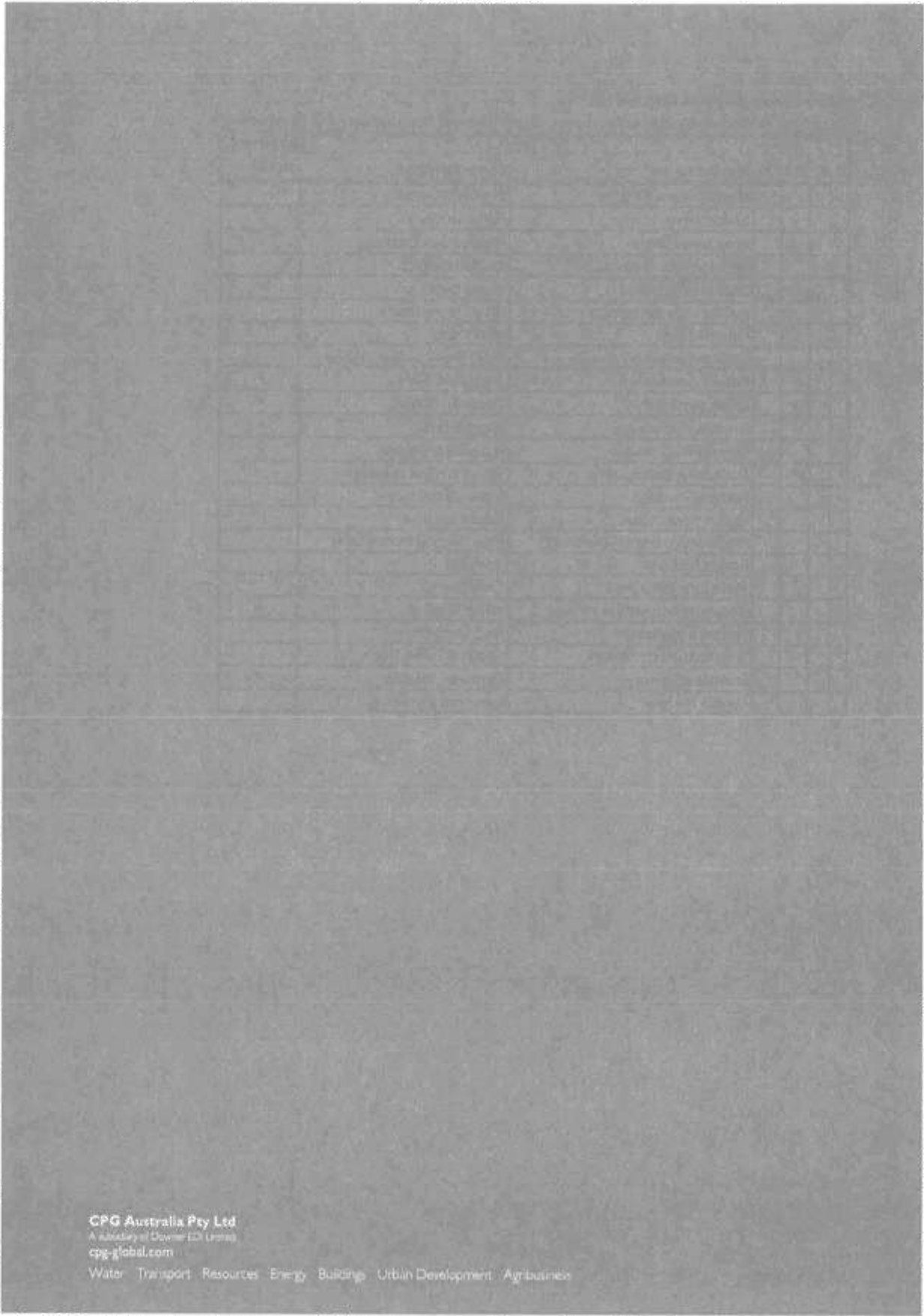
		*	<i>Rubus anglocandicans</i>	Blackberry	
		*	<i>Rubus fruticosus</i> spp. agg.	Blackberry	✓
			<i>Rubus parvifolius</i>	Small-leaf Bramble	
		*	<i>Rubus polyanthemus</i>	Blackberry	
		*	<i>Rumex conglomeratus</i>	Clustered Dock	✓
		*	<i>Rumex crispus</i>	Curled Dock	✓
			<i>Schoenus apogon</i>	Common Bog-sedge	
			<i>Schoenus lepidosperma</i>	Slender Bog-sedge	
			<i>Senecio biserratus</i>	Jagged Fireweed	
			<i>Senecio glomeratus</i>	Annual Fireweed	
			<i>Senecio hispidulus</i>	Rough Fireweed	
		*	<i>Senecio jacobaea</i>	Ragwort	
			<i>Senecio minimus</i>	Shrubby Fireweed	
			<i>Senecio quadridentatus</i>	Cotton Fireweed	
		*	<i>Silene gallica</i>	French Catchfly	
		*	<i>Silybum marianum</i>	Variegated Thistle	
		*	<i>Sisyrinchium iridifolium</i>	Striped Rush-leaf	
		*	<i>Solanum nigrum</i>	Black Nightshade	✓
		*	<i>Sonchus asper</i>	Rough Sow-thistle	
		*	<i>Sonchus oleraceus</i>	Common Sow-thistle	✓
		*	<i>Sporobolus africanus</i>	Rat-tail Grass	✓
			<i>Stylidium armeria</i>	Common Triggerplant	
			<i>Stylidium despectum</i>	Small Triggerplant	
			<i>Stylidium graminifolium</i> s.l.	Grass Triggerplant	
			<i>Themeda triandra</i>	Kangaroo Grass	
			<i>Tricoryne elatior</i>	Yellow Rush-lily	
		*	<i>Trifolium angustifolium</i> var. Angust	Narrow-leaf Clover	
		*	<i>Trifolium dubium</i>	Suckling Clover	
		*	<i>Trifolium fragiferum</i> var. fragiferum	Strawberry Clover	
		*	<i>Trifolium repens</i> var. repens	White Clover	✓
			<i>Triglochin procera</i>	Common Water-ribbons	
			<i>Triglochin striata</i>	Streaked Arrowgrass	
			<i>Typha domingensis</i>	Narrow-leaf Cumbungi	✓
		*	<i>Vellereophyton dealbatum</i>	White Cudweed	
			<i>Veronica gracilis</i>	Slender Speedwell	
		*	<i>Vicia sativa</i>	Common Vetch	
		*	<i>Vicia sativa</i> subsp. nigra	Narrow-leaf Vetch	
			<i>Villarsia reniformis</i>	Running Marsh-flower	
		*	<i>Vulpia bromoides</i>	Squirrel-tail Fescue	✓
			<i>Wahlenbergia communis</i>	Tufted Bluebell	
			<i>Wahlenbergia gracilis</i>	Sprawling Bluebell	
			<i>Wahlenbergia gymnoclada</i>	Naked Bluebell	
			<i>Wahlenbergia multicaulis</i>	Branching Bluebell	
		*	<i>Watsonia meriana</i>	Bugle Lily	
			<i>Xanthorrhoea minor</i> subsp. lutea	Small Grass-tree	



Just-a-Minute Animals - Regional List

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F	A	V	O	Species Name	Common Name	Recorded on site
				<i>Acanthiza pusilla</i>	Brown Thornbill	
			*	<i>Acridotheres tristis</i>	Common Myna	✓
				<i>Anas superciliosa</i>	Pacific Black Duck	✓
				<i>Anthochaera carunculata</i>	Red Wattlebird	
				<i>Chenonetta jubata</i>	Wood Duck	✓
				<i>Colluricincla harmonica</i>	Grey Shrike-thrush	
			*	<i>Columba livia</i>	Rock Dove	
				<i>Coracina novaehollandiae</i>	Black-faced Cuckoo-shrike	
				<i>Corvus coronoides</i>	Australian Raven	✓
				<i>Crinia signifera</i>	Common froglet	✓
				<i>Grallina cyanoleuca</i>	Magpie-lark	✓
				<i>Gymnorhina tibicen</i>	Australian Magpie	✓
f		v		<i>Haliaeetus leucogaster</i>	White-bellied Sea-Eagle	
				<i>Malurus cyaneus</i>	Superb Fairy-wren	
			*	<i>Passer domesticus</i>	House Sparrow	
				<i>Phylidonyris novaehollandiae</i>	New Holland Honeyeater	
				<i>Rattus fuscipes</i>	Bush Rat	
				<i>Rhipidura albiscarpa</i>	Grey Fantail	
				<i>Rhipidura leucophrys</i>	Willie Wagtail	✓
				<i>Strepera graculina</i>	Pied Currawong	
			*	<i>Streptopelia chinensis</i>	Spotted Turtle-Dove	
			*	<i>Sturnus vulgaris</i>	Common Starling	✓
			*	<i>Turdus merula</i>	Common Blackbird	





Growling Grass Frog
Targeted Survey
Cross' Road, Traralgon

23 February 2012
Prepared by CPG Australia

CPG



GGF Targeted Survey
Crosses Road, Traralgon

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Paul Kelly & Associates/CPG Australia – Ecological Assessment 2011

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Crosses Road, Traralgon**Contents**

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GGF Targeted Survey
Crosses Road, Traralgon



1 Introduction

1.1 Project Background

CPG Australia was commissioned by IGB Pty Ltd to conduct a Growling Grass Frog (GGF) Targeted Survey within the Subject Site located at Cross' Road, Traralgon. This report outlines the findings of the Targeted Survey.

1.2 Objectives

The objectives were to:

- Carry out a targeted survey for Growling Grass Frog on the site; and
- Determine the likelihood of GGF utilising the site and the need for a Conservation Management Plan and/or a referral to the Federal Government, dependent on findings.

1.3 Study Site

The subject site contains land captured by the Development Plan Overlay (DPO5) of the Latrobe City Planning Scheme on the corner of Cross' Road and Tyers Road, Traralgon. The DPO captures two adjoining farming properties and a large lot rural residential subdivision associated with Ashworth Drive. The Targeted Survey is to be carried out within the property 'View Hill' (Lot 1 PS 424148C). This property is approximately 33 hectares in area and is a working dairy farm.

The majority of the site is zoned Residential 1 with a Development Plan Overlay (DPO5). DPO5 contains specific requirements for flora and fauna namely: *In consultation with the Department of Sustainability and Environment, a flora and fauna survey, prepared by a suitably qualified expert, which includes but is not limited to species surveys for Growling Grass Frog (Litoria raniformis) and measures required to protect the identified species.*

The waterway that enters the Subject site in the south east corner drains storm water and at times, sand filter discharge from the adjoining residential development. The storm water discharges into a clearly defined open drain and discharges into a dam on the drainage line. Discharge from the dam enters the upper reach of Wades Creek which at this point contains a variety of exotic and native overstorey vegetation. This creek ultimately discharges into the property east of the site. This creek flows through adjoining land and eventually flows into Traralgon Creek. The dam has a pressure pump installed on it that services the nearby dairy.

The GGF survey site is the dam on Wades Creek (Refer to Appendix 1 – Site Map). CPG (2011) concluded that the habitat in the dam on 'View Hill', may be suited to breeding of GGF despite the absence of emergent vegetation, the relatively high turbidity of the water and the general absence of fringing vegetation. No frogs, other than the Common Froglet *Crinia signifera* were heard during that site assessment.

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The Subject site is within the Latrobe City Council local government area and the Gippsland Plain Bioregion.

2 Methods

2.1 Literature and Database Review

The literature and database review included;

- The flora Information System (FIS);
- The DSE Biodiversity Interactive Map;
- The EPBC protected matters search tool, using a 5km radius search;
- Ecological Assessment, CPG Australia July 2011

2.2 Growling Grass Frog Survey

Growling Grass Frog surveys were carried out on 27 and 29 December 2011 in accordance with the DSE prescribed methodology (DSE2010).

This method predominately uses vocal playback to detect the presence of the species. It is carried out during the mating period of the frog and presence is confirmed by observation using spotlights and diurnal surveys.

Water quality was also assessed and included pH, dissolved oxygen, electrical conductivity, temperature and salinity.

2.3 Survey Results

The results of the GGF survey are tabled below.

Table 2-1 GGF Habitat at Survey Site

Data	Creek line
Australian Map Grid co-ordinates	GDA94 MGA 55:457090, 5774980.
Area of site	Dam at the Creekline
Percentage cover of (100%):	(%)
emergent vegetation	5
submerged vegetation	6
floating vegetation	4
fringing vegetation	15
terrestrial vegetation	70
Presence of surrounding terrestrial refuge sites	Refuge terrestrial sites available within the creek-line downstream, general debris.
Water level	High
Water chemistry	Medium to low health
Type of surrounding habitat within 30 metres of site.	The creekline below the dam contains modified overstorey of mature Swamp Paperbark <i>Melaleuca ericifolia</i> with several Black Wattle <i>Acacia mearnsii</i> and

GGF Targeted Survey
Crosses Road, Traralgon

Data	Creek line
	the occasional Blackwood <i>Acacia melanoxylon</i> . The understorey is dominated by exotic plants including Willow <i>Salix</i> spp, Blackberry <i>Rubus fruticosus</i> sp.agg. Kikuyu <i>Pennisetum clandestinum</i> and other exotic grasses.
Presence and overall abundance of aquatic and terrestrial predators	Considered medium due to surrounding agricultural & residential land (encouraging foxes/cats and dogs). Mosquito Fish are likely to be present.
Potential dispersal routes and linked habitat	Considered possible. Wades Creek drains into Traralgon Creek

Table 2-2 - GGF Targeted Survey results

Survey Data	Results	
	Site Visit 1	Site Visit 2
Date	27 th Dec 2011	29 th Dec 2011
Time	5pm-10.30pm	7pm-10.30pm
Weather Conditions		
High temperature	20.4 °C	25.0 °C
Low temperature	13.2 °C	10.0 °C
Description of conditions	Scattered showers during the day. Minimal cloud cover. Heavy rainfall the day before.	Medium cloud cover, scattered showers in the morning, clearing in the afternoon.
Wind speed and direction	WSW, 20km/h	SW, 7km/h
Temperature	20 °C	21 °C
Relative Humidity	45%	53%
Cloud cover	0/8	0/8
Precipitation†	0.0mm (12.2mm previous day)	0mm (0.0mm previous day)
Last rain†	26 th Dec 2011	26 th Dec 2011
Moon Phase	Waning Crescent	Waning Crescent
Survey Activities (Diurnal)		
Ground level habitat, rock rolling and vegetation	Undertaken, no frogs observed	Undertaken, no frogs observed
Search for tadpoles and metamorphs in areas of standing water	Undertaken, no metamorphs observed.	Undertaken, no metamorphs observed.
Survey Activities (Nocturnal)		
Quiet listening	1.45hr dam, 1.45hr	1.45hr dam, 1.45hr

GGF Targeted Survey
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Survey Data	Results	
	Site Visit 1	Site Visit 2
	Creek	Creek
Recorded male calls	Intermittent broadcast during survey period	Intermittent broadcast during survey period
Spotlighting	20min dam, 20 min dam	20min dam, 20 min dam
Frog species recorded		
Growing Grass Frog <i>Litoria raniformis</i>	No, None	Not in dam on subject site.
Spotted Marsh Frog <i>Limnodynastes tasmaniensis</i>	No, None	No, None
Common Froglet <i>Crinia signifera</i>	Yes only two	Yes, one
Pobblebonk Frog <i>Limnodynastes dumerillii</i>	No, None	No None

/ Data from Latrobe Valley Daily Observations

2.4

Water Chemistry Analysis

The basic water chemistry analysis was undertaken on the south eastern corner of the Subject site within the dam off the creekline (Appendix 1).

Water Test	Results	Preferred Benchmark Results
Dissolved Oxygen	8.4ppm	9ppm or greater
Conductivity/Total Dissolved Solids	112uS	0-2500 uS
pH	8.1	6.5-8.5
Turbidity	51.9NTU	5NTU or less
Temperature	18 degrees	18 degrees or less

Water test results indicate the dam is considered a relatively unhealthy waterway according to the ANZECC and ARMCANZ 2000 and Melbourne Water guidelines (Refer to Appendix 2 Water Chemistry Analysis). Turbidity was considerably higher than the recommended indicators for a healthy waterway, most likely due to the ongoing storm water discharge from the adjoining residential development and agricultural land as well as the inefficiency of the saturated depression upstream.

No GGF were recorded on the Subject site. The closest known records according to the DSE Biodiversity Interactive Website, are 5-8km away to the north and south of the Subject site with 13 records recorded in 1968. Considering the significant changes to landuse history and encroaching urban development since the last known records, it is considered of low likelihood that GGF utilise the site

GGF Targeted Survey
Crosses Road, Traralgon



as a dispersal corridor. No GGF were recorded on the Subject Site and none are expected to inhabit the site.

3

Conclusion/Recommendations

It is expected the vegetation quality on the site will continue to decrease with current land use and maintenance practices (dairy farm, heavy grazing), increase in rainfall and absence of weed management.

No GGF were recorded onsite during the Targeted Survey and none are expected to utilise the dam.

The need for an EPBC referral to DSEWPC for Growling Grass Frog is not considered necessary. However any proposed development should ensure Water Sensitive Urban Design (WSUD) principles are implemented to reduce the impact of development to the associated waterbody.

4

References

CPG 2011 **Ecological Assessment Cross' Road, Traralgon**. CPG Australia July 2011.

DSE 2004 **Native Vegetation – Guide for assessment of referred planning permit applications**. Department of Sustainability & Environment, Melbourne.

DSE 2010 **Biodiversity Precinct Structure Planning Kit**. Department of Sustainability & Environment, Melbourne.



Appendix 2 – Water Chemistry Analysis

1.1

Electrical Conductivity & Total Dissolved Solids

Conductivity is a measure of the amount of dissolved salts in water, and therefore an indicator of salinity. In fresh water, low conductivity indicates a preferred environment for a healthy ecosystem with lower nutrient levels. The higher the nutrient level the higher the conductivity.

While an appropriate concentration of salts is vital for aquatic plants and animals, salinity that is beyond the normal range for any species of organism will cause stress or even death to organisms and can also affect the availability of nutrients to plant roots.

At this time ANZECC/ARMCANZ 2000 has no current indicative normal ranges for conductivity; therefore normal ranges have been sourced from Melbourne Water and S., *Ribbons of Blue Handbook*. Scitech, Victoria, 1990, as per Table 1 below.

Table 1:

Water	Reading (uS/cm)
Deionised water	0.5-3
Pure rainwater	<15
Freshwater rivers	0-800
Marginal river water	800-1600
Brackish water	1600-4800
Saline water	>4800
Seawater	51 500
Industrial waters	100-10 000

Source: Suttar S., *Ribbons of Blue Handbook*. Scitech, Victoria, 1990

Total Dissolved Solids (TDS)

The total dissolved solids (or TDS) content of a water sample, is another measure of salinity in water which is measured by the concentration of dissolved solids. EC and TDS usually exhibit a strong correlation for a particular type of water.

ANZECC/ARMCANZ 2000 has no current indicative ranges for TDS however water quality guidelines provided by Melbourne Water (Table 2) indicate potable water ranges <1000mg/L are considered acceptable. By comparison, seawater contains about 35,000 mg/L TDS.

Table 2:

Range mg/l or ppm	Range EC uS/cm (mS/cm x 1000)	Score
approx. 0 - 480	0 - 800	Range for rainwater and tap water. Good drinking water for people and suitable for animals and plants.
approx. 480 - 1500	801 - 2500	A healthy level for most aquatic invertebrates and plants. Still drinkable but begins to taste salty.
approx. 1500 - 6000	2500 - 10,000	Medium to High salinity level for most freshwater sites.

1.2

Dissolved Oxygen

Dissolved oxygen is a measure of the quantity of oxygen present in water and is essential for life processes of most aquatic organisms. Low concentrations of dissolved oxygen usually indicate the presence of excessive organics (organic runoff) within the system, while high values can indicate excessive plant production (eutrophication). Many aquatic organisms will suffocate if there is insufficient volume of dissolved oxygen in the water.

Seasonal cycles directly correlates to dissolved oxygen levels in a waterway, for example during summer on sunnier days, in highly turbulent water, supersaturated conditions are more likely to occur, which is when water contains too much oxygen. Supersaturation is dangerous for aquatic animals as the oxygen concentration in their blood rises.

ANZECC/ARMCANZ 2000 water quality guidelines indicate that dissolved oxygen should exceed 8.0mg/L for a healthy aquatic system.

Melbourne Water have indicated that dissolved oxygen concentrations below 3 mg/L are stressful to most aquatic organisms and at least 5-6 mg/L or 9ppm or greater are required for fish growth and activity.

1.3

pH

pH is a measure of the acidity or alkalinity of water. Changes to pH can be caused by a range of potential water quality problems. Extremes in pH (less than 6 or greater than 9) can indicate toxicity to aquatic organisms. Most aquatic animals and plants are adaptive to pH ranges between 6 and 9.

Many freshwater systems have a pH close to 7.0, in marine waters the pH is normally close to 8.2. Table 3 indicates general guidelines for pH and water quality.

Table 3:

	Excellent	Good	Fair	Poor	Degraded
pH range	6.0-7.5	5.5-6 or <8.0	8.0-8.5	5.0-5.5 or 8.5-9.0	<5.0 or >9.0

ANZECC/ARMCANZ 2000 current normal guideline ranges for pH are 6.5 – 8.5.

1.4

Temperature

The temperature of waterways can directly affect physical, biological and chemical characteristics of the system with warm waters more susceptible to eutrophication. Oxygen is less soluble in warmer water and this can affect aquatic life in contrast salts are more soluble in warmer water, so temperature can affect the water's salinity. Temperature directly affects the metabolic rate of plants and animals. Aquatic species have evolved to live in water of specific temperatures.

ANZECC/ARMCANZ 2000 current normal guidelines for temperature include not exceeding 18 degrees.

1.5

Turbidity

Turbidity, measured in Nephelometric units, is influenced by the concentration of suspended matter in water (e.g Clay/Silt/Organic matter). Turbidity is a measure of the amount of scattering light and is generally related to visibility. The more suspended material in water, the greater the water's turbidity.

As suspended particles absorb heat, water temperatures rise faster in turbid water and warm water holds less dissolved oxygen than cold, helping to exacerbate eutrophication and algal blooms in waterways, which in turn inhibits the growth of submerged vegetation an important food source and habitat for the survival of *L. raniformis*.

ANZECC/ARMCANZ 2000 current normal guidelines for turbidity are (preferred measurement of 5 NTU).



FINAL REPORT:

Residential Subdivision, Cross's Road, Traralgon, Victoria:
Aboriginal and Historical Heritage Assessment

HV Number: 3936

AAV Number: N/A

CLIENT

IGB Australia Pty Ltd

8 June 2012

EHP Reference: 2842



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EXECUTIVE SUMMARY

Introduction

Ecology and Heritage Partners Pty Ltd was commissioned by CPG Australia Pty Ltd, on behalf of IGB Australia Pty Ltd, to prepare an Aboriginal and Historical Heritage Assessment (AHHA) for a proposed residential subdivision, Cross's Road, Traralgon, Victoria (Latrobe City Council) (Map 1). IGB Australia Pty Ltd is proposing to subdivide the land into approximately 300 residential allotments with associated utilities and infrastructure. The study area is approximately 80 ha in size and is bounded by Cross's Road to the south, Tyers Road to the west and private land to the north and east (Map 2).

Methods

The assessment included both background (desktop) research and survey. Background research included a review of relevant heritage databases using a 2 km radius search area to determine the known Aboriginal and historical heritage sites in and around the study area. A review was also conducted of relevant archaeological reports and heritage studies including a desktop due diligence assessment conducted specifically for the study area (Heritage Insight 2010).

The scope of works for this assessment included a ground survey of part of the study area- Lot 1 PS424148, 240 Cross's Road, Traralgon. On the basis of the due diligence report by Heritage Insight (a report on Lots 2 and 3 PS343525 only), survey of the remainder of the study area was not part of the scope of works. The ground survey consisted of four participants, which included two representatives of the Registered Aboriginal Party (RAP) for the area, the Gunaikurnai Land and Waters Aboriginal Corporation (GLWAC), walking 5 m apart over the entire land parcel.

Results

The background research indicated that there has been ten Aboriginal archaeological sites previously recorded within a 2 km radius of the study area (Map 5), and that there have been nine historical archaeological sites previously recorded within a 2 km radius of the study area (Map 5). No Aboriginal or historical sites were located in the study area. The background research concluded that isolated artefacts and artefact scatters were the types of Aboriginal sites most likely to occur within the study area and domestic, farming and pastoral sites were the types of historical sites most likely to occur within the study area.

Lot 1 PS424148 was surveyed on 19 April 2011 by Ecology and Heritage Partners Pty Ltd Archaeologists/Cultural Heritage Advisors Mollie Harbour and Jo Verducci, with Lloyd Hood and Adrian Dow representing the GLWAC.

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One Aboriginal place – 240 Cross's Road AS (8221-0182 [VAHR]) – was located on the eastern side of the 240 Cross's Road property, just below the northern ridgeline (Map 7). One of the artefacts was located on the flat ground beside the effluent dam. The location of the artefact scatter was an area of increased ground surface visibility (GSV), partially due to the runoff from the effluent dam directly above the site. A total of 30 stone artefacts were identified during the survey (two quartz and 28 silcrete) and the boundary of the visible site extent was recorded using Global Positioning System (GPS). One of the silcrete artefacts identified was a core; the remainder were flakes and debitage (Map 7).

SUMMARY OF MANAGEMENT RECOMMENDATIONS from page 47

Aboriginal Cultural Heritage

Recommendation 1

One previously unrecorded Aboriginal site was identified on the Stockdale property (Part of Lot 1 PS424148, 240 Cross's Road, Traralgon) during the survey (Map 7).

Under the *Aboriginal Heritage Act 2006*, an Aboriginal site is an area of cultural heritage sensitivity and triggers the need for a CHMP. As a surface survey has been conducted, subsurface testing will be required to determine the full extent, nature and significance of the site. Consequently a complex CHMP will be required for this property. The complex assessment should target the areas of Aboriginal cultural heritage likelihood identified during the survey (Map 7), with particular emphasis on the rise and ridgeline in the northern section of the property and the slight rises along the eastern property boundary and the south western side of the property, although some subsurface testing should also be conducted in the other landforms.

Recommendation 2

The desktop assessment (see also Heritage Insight 2010) indicates that there are no identified areas of cultural heritage sensitivity within the study area under the *Aboriginal Heritage Act 2006*. Consequently a mandatory CHMP is not required for the remainder of the study area. However, the ridge landform along the northern boundary of the Stockdale property continues into the Saunders property to the west (Lots 2 and 3 PS343525) and partially into Lot 6 LP126409 to the east. The presence of Aboriginal cultural heritage on this ridgeline, as shown by the site identified during the current survey and the presence of two previously recorded sites (Maryvale Cemetery 1 [VAHR 8121-0038] and Cemetery Road 1 [VAHR 8121-0039]) on the same landform to the west of the study area, strongly suggests contiguous use of the ridgeline by Aboriginal people in the past. It is recommended that, prior to any development works proceeding, that further assessment in the form of a field survey be conducted in the areas of the study area that were not surveyed during the current assessment. Survey should be conducted in the following properties:

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- Part of Lot 2 PS424148; Parish of Traralgon; County of Buln Buln;
- Part of Lot 2 PS343525; Parish of Traralgon; County of Buln Buln;
- Lot 3 PS343525; Parish of Traralgon; County of Buln Buln; and
- Lots 1 to 13 LP126409, Parish of Traralgon; County of Buln Buln.

The survey may be conducted as part of an additional AHHA. However, it is recommended that the survey be conducted as part of a voluntary CHMP.

Historical Heritage

Recommendation 1

No historic sites were identified within the study area during the survey, therefore no further historical investigation is recommended.

Recommendation 2

As survey of the remainder of the study area was not conducted during this assessment it is recommended that survey of the remaining land parcels be conducted prior to the implementation of any development works.


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Acknowledgements

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- IGB Australia Pty Ltd; and
 - Travis Reid (CPG Australia Pty Ltd) for project and site information.
 - Gunaikurnai Land and Waters Aboriginal Corporation for assistance in the field, cultural heritage information and evaluation of the report.
 - Aboriginal Affairs Victoria.
 - Heritage Victoria.
-

PROTOCOLS FOR HANDLING SENSITIVE INFORMATION

Some of the information contained within this Aboriginal and Historical Heritage Assessment (AHHA) is culturally sensitive. Before releasing the contents of this AHHA to the public, permission should be sought from the relevant authorities and communities.

Cover Photos: Background- View north from crest of hill; Top Right- View north, showing NW boundary of study area; Middle Left- Silcrete core from site (VAHR); Drainage channel running along northern boundary line, facing N- (photos by Ecology and Heritage Partners Pty Ltd)

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1 INTRODUCTION

1.1 Background and Scope of Works

Ecology and Heritage Partners Pty Ltd was commissioned by CPG Australia Pty Ltd, on behalf of IGB Australia Pty Ltd, to prepare an Aboriginal and Historical Heritage Assessment (AHHA) for the proposed residential subdivision at Cross's Road in Traralgon, Victoria, Victoria (Latrobe City Council) (Map 1, Page 51).

The project brief agreed upon by Ecology and Heritage Partners Pty Ltd and the Client is as follows:

- Review the relevant heritage databases (e.g. Victorian Aboriginal Heritage Register [VAHR] at Aboriginal Affairs Victoria [AAV], Local Government Heritage Overlays, Heritage Victoria Inventory and Register, National Trust and other relevant available literature;
- Provide a brief review of land use for the study area;
- Conduct a site assessment by a qualified Cultural Heritage Advisor to identify any Aboriginal and/or historical cultural heritage within the study area;
- Identify and provide a series of maps as required showing any Aboriginal and/or historical archaeological heritage or areas likely to contain Aboriginal and/or historical cultural heritage;
- Provide information in relation to any implications of Commonwealth and State environmental legislation and Government policy associated with the proposed development;
- Discuss any opportunities and constraints associated with the study area;
- Liaise with the key stakeholders, including the Registered Aboriginal Party (RAP) for the study area – the Gunaikurnai Land and Waters Aboriginal Corporation, local government and AAV; and
- Production of an AHHA report.

1.2 Location of Study area

The study area is located in Traralgon, Victoria (Latrobe City Council). The study area is approximately 80 ha in size and is bounded to the south by Cross's Road, by Tyers Road to the west, to the north by private agricultural land holdings and to the east by smaller rural landholdings fronting the western arm of Riverslea Boulevard (Map 2, Page 52).

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The cadastral details of the study area are as follows:

- Part of Lot 1 PS424148; Parish of Traralgon; County of Buln Buln (240 Cross's Road, Traralgon);
- Part of Lot 2 PS424148; Parish of Traralgon; County of Buln Buln (80 Ashworth Drive, Traralgon);
- Part of Lot 2 PS343525; Parish of Traralgon; County of Buln Buln (150 Tyers Road, Traralgon);
- Lot 3 PS343525; Parish of Traralgon; County of Buln Buln (150 Tyers Road, Traralgon); and
- Lot 1 LP126409, Parish of Traralgon; County of Buln Buln (120 Cross's Road, Traralgon);
- Lot 2 LP126409, Parish of Traralgon; County of Buln Buln;
- Lot 3 LP126409, Parish of Traralgon; County of Buln Buln (35 Ashworth Drive, Traralgon);
- Lot 4 LP126409, Parish of Traralgon; County of Buln Buln (45 Ashworth Drive, Traralgon);
- Lot 5 LP126409, Parish of Traralgon; County of Buln Buln;
- Part of Lot 6 LP126409, Parish of Traralgon; County of Buln Buln (75 Ashworth Drive, Traralgon);
- Lot 7 LP126409, Parish of Traralgon; County of Buln Buln (60 Ashworth Drive, Traralgon);
- Lot 8 LP126409, Parish of Traralgon; County of Buln Buln (50 Ashworth Drive, Traralgon);
- Lot 9 LP126409, Parish of Traralgon; County of Buln Buln (40 Ashworth Drive, Traralgon);
- Lot 10 LP126409, Parish of Traralgon; County of Buln Buln (30 Ashworth Drive);
- Lot 11 LP126409, Parish of Traralgon; County of Buln Buln (20 Ashworth Drive, Traralgon);
- Lot 12 LP126409, Parish of Traralgon; County of Buln Buln (16 Ashworth Drive, Traralgon); And
- Lot 13 LP126409, Parish of Traralgon; County of Buln Buln.



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The three main topographic features of the study area are:

1. The unnamed drainage channel that bisects the study area, commencing near the southern boundary and flowing north eastwards to enter the larger floodplain to the north of the study area. It commences as two first order drainage lines near the southern boundary, at Cross's Road, and merges near the centre of the Stockdale property into a single drainage line and exits the study area along the north eastern boundary. The geography of the drainage line also creates a series of slopes of varying gradients. A second drainage line runs between and parallel to Ashworth Drive and Riverslea Drive, commencing near Cross's Road and flowing north to join the first drainage line on Lot 7 LP126409.
2. A long ridge line that follows the northern boundary of the study area finishing at the confluence of the drainage lines with the large floodplain to the north.
3. A spur with a northerly aspect that is located between the headwaters of the two main drainage lines.

The study area has been used for dairy farming, and has been almost completely cleared of canopy vegetation, except in the riparian corridor of the creek near the north eastern boundary. There are farm building complexes located on a spur ridge at the northern side of the study area, which is accessed by a long driveways from Cross's Road and Tyers Road bisecting the properties. Residential developments have taken place along the Ashworth Drive estate on most of the allotments (Map 2, Page 52).

1.3 Proposed Activity

IGB Australia Pty Ltd is proposing to rezone the land for residential subdivision. Ultimately the development will subdivide the land into approximately 300 residential allotments.

The existing creek line will be largely maintained with wetlands developed adjacent to the creek.

Under the Latrobe City Planning Scheme the study area is zoned as follows:

- Residential Zone 1 (R1Z), including the majority of the study area;
- Rural Living Zone 3 (RLZ3), properties fronting Ashworth Road;
- Public Use Zone 1 (PUZ1), currently confined to Lot 13 LP 126409; and
- Farming Zone land is located (FZ) the north western and north eastern corners.

This zoning sets out requirements which must be met by any development within the study area. The specific requirements which must be met by any development within the study area are described in Appendix 5.

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1.4 Name of Client

This report has been commissioned by CPG Australia Pty Ltd (ABN: 55 050 029 635) on behalf of the developer IGB Australia Pty Ltd (ABN: 12 146 318 603).

1.5 Name of Cultural Heritage Advisor

This report was prepared by Ecology and Heritage Partners Pty Ltd Archaeologists/Cultural Heritage Advisors Rick Bullers, Anna Tuechler and Mollie Harbour. The quality assurance review was undertaken by Ecology and Heritage Partners Pty Ltd Director/Principal Heritage Advisor Oona Nicolson. The field work was undertaken by Ecology and Heritage Partners Pty Ltd Archaeologists/Cultural Heritage Advisors Jo Verducci and Mollie Harbour. Mapping was provided by Ecology and Heritage Partners Pty Ltd GIS Officers, Drew Hutchinson and Amanda Feetham.

Oona Nicolson

Oona Nicolson is a Director and the Principal Heritage Advisor at Ecology and Heritage Partners Pty Ltd. She is a heritage specialist with over 14 years experience in the archaeological consulting sector, working in Victoria, South Australia, New South Wales, and Tasmania. Oona regularly appears before VCAT and independent panels as an Expert Witness in the areas of Aboriginal and historical heritage. Oona has extensive experience in over 500 projects with a wide variety of clients.

Oona's skills include project management, peer reviews, background research and due diligence assessments, archaeological survey, sub surface testing and salvage excavation, Aboriginal and non-Aboriginal site identification, recording and photography, site significance assessment, development of recommendations to mitigate the impact of development upon Aboriginal and non-Aboriginal historical heritage, flaked stone artefact and historical artefact recording and interpretation, communication and consultation with regulatory bodies (AAV and HV), clients, landowners, RAPs and community representatives, preparation of conservation management plans, expert witness statements, Permits and Consents to Disturb for Heritage Victoria, Historical Heritage Assessments and desktop, standard and complex Aboriginal CHMPs. Her formal qualifications and memberships include:

- Bachelor of Arts (Honours in Archaeology) – High Distinction (First Class), Flinders University of South Australia (1996).
- Bachelor of Arts (Australian Archaeology and Australian Studies), Flinders University of South Australia (1995).
- Maritime Archaeology Certificate: Part 1 (Part 2 pending), AIMA and NAS (U.K.).

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- Australian Association of Consulting Archaeologists Inc. (Full Member and 2010 Chairperson of Victorian Chapter).
- Victorian Planning and Environmental Law Association.

Rick Bullers

Rick Bullers has worked as a heritage consultant since 2007, and has managed numerous Aboriginal and historic heritage projects for a variety of clients and developments within Victoria, NSW and SA. Projects include heritage assessments and/or excavations for linear construction projects such as pipelines, sewerage lines and transmission lines, large area heritage assessments for Greenfield developments (e.g. residential subdivision and mining operations), as well as cultural heritage assessments and cultural heritage management plans for large Department of Defence sites.

Rick has experience in a variety of tasks, including project management, peer reviews, background research and due diligence assessments, archaeological survey, sub-surface testing and salvage excavation, Aboriginal and non-Aboriginal site identification, recording and photography, site significance assessment, development of recommendations to mitigate the impact of development upon Aboriginal and non-Aboriginal historical heritage, flaked stone artefact and historical artefact recording and interpretation, communication and consultation with regulatory bodies (AAV and HV), clients, landowners, RAPs and community representatives, preparation of conservation management plans, Historical Heritage Assessments and desktop, standard and complex Aboriginal CHMPs. His formal qualifications include:

- Bachelor of Applied Science Conservation and Park Management), University of South Australia (1994).
- Graduate Diploma of Maritime Archaeology, Flinders University (2005).
- Master of Maritime Archaeology, Flinders University (2006).

Jo Verduci

Jo has worked as a heritage consultant since 2008, and has managed numerous archaeological projects for a variety of clients and developments within Victoria, including residential and commercial developments, water and sewerage pipelines and proposed wind farms. She also has archaeological field experience Bronze Age Minoan culture and is currently completing her PhD.

Jo has experience in a variety of tasks, including project management, archaeological survey, sub surface testing and salvage excavation, Aboriginal and non-Aboriginal site identification, recording and photography, site significance assessment, flaked stone artefact recording, communication and consultation with clients, landowners and Aboriginal RAP and

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community representatives, and preparation of desktop, standard and complex Aboriginal CHMPs. Her formal qualifications include:

- PhD Candidate, Classics and Archaeology, University of Melbourne (current).
- Master of Arts, Classics and Archaeology, University of Melbourne, Vic (2008).
- Postgraduate Diploma in Classics and Archaeology, University of Melbourne, Vic (2004).
- Graduate Diploma in Classics and Archaeology, University of Melbourne, Vic (2002).
- Bachelor of Arts (Fashion), RMIT University, Vic (1991).

Mollie Harbour

Mollie is a qualified archaeologist with over 4 years of practical experience working in Victorian Aboriginal cultural heritage management. Her Honours thesis from LaTrobe University involved the examination of Victorian Aboriginal massacre site information, and an update of these archives. Mollie was employed by AAV as part of an Indigenous Cadetship program from 2007 until 2010, and from the end of 2009 was a Heritage Project Officer in AAV's Barwon-Grampians Ballarat office until 2011.

Mollie has experience in a variety of tasks including: project management; archaeological surveying; recording; photography; Aboriginal and non-Aboriginal site identification; flaked stone artefact recording and interpretation; sub surface testing. She has conducted background research; communication and consultation with regulatory bodies (AAV), heritage consultants and their sponsors, landowners, RAPs and community representatives; and has evaluated numerous Aboriginal CHMPs. Her formal qualifications include:

- Honours in Archaeology, LaTrobe University, Victoria (2009).
- Bachelor of Arts in Archaeology and History, LaTrobe University, Victoria (2008).
- Bachelor of Arts in Archaeology, Anthropology and History, University of Melbourne, Carlton, VIC. (Transferred Bachelor of Arts degree to LaTrobe University), Victoria (2007).

Anna Tuechler

Anna Tuechler is an archaeologist and cultural heritage advisor at Ecology and Heritage Partners Pty Ltd. Anna has worked in a variety of roles over several different projects, including developments such as housing estates, proposed wind farms, and large infrastructure projects.



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Anna has experience in a variety of tasks, including the identification of Aboriginal and historic cultural heritage through archaeological survey, sub-surface testing and salvage excavation, photography, conducting background research and assisting in the preparation of standard and complex heritage assessments. Her formal qualifications are:

- Bachelor of Archaeology (Honours) (First Class), La Trobe University, Vic (2010).
- Bachelor of Archaeology, La Trobe University, Vic (2009).

1.6 Consultation with Aboriginal Parties

Registered Aboriginal Party

The Registered Aboriginal Party (RAP) for the study area is the Gunaikurnai Land and Waters Aboriginal Corporation (GLWAC). GLWAC was contacted early in the project to notify that an activity was proposed for the study area but, since there were triggers for a CHMP under the *Aboriginal Heritage Act 2006*, the assessment would be conducted in the form of an AHHA. GLWAC was invited to take part in the field survey, and they supplied two representatives to assist the Ecology Partners staff and provide advice on any known cultural heritage issues for the study area. During the survey Aboriginal cultural heritage was identified within the study area and two areas of Aboriginal cultural heritage likelihood were also identified. The survey participants agreed that, due to the presence of Aboriginal cultural heritage, a mandatory CHMP (including complex assessment) is required prior to the proposed development commencing. The GLWAC representatives agreed that the results of this AHHA may be used to fulfil the requirements of the standard assessment component of the CHMP.

The following representatives of the GLWAC participated in consultation in relation to the assessment, including participation in the field survey conducted on 19 April 2011:

- Barry Kenny;
- Lloyd Hood; and
- Adrian Dow.

The details of all consultation undertaken in relation to the assessment are presented below (Table 1).


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Table 1: Consultation in Relation to the Assessment

Date	Participants	Details of Consultation
31.03.2011 – 04.04.2011	Rick Bullers (CHA) Ecology and Heritage Partners Pty Ltd; Barry Kenny GLWAC.	Email Request for two representatives to attend survey. Barry responded on 04.04.2011 stating that he will have two representatives available.
04.04.2011 – 05.04.2011	Rick Bullers (CHA) Ecology and Heritage Partners Pty Ltd; Barry Kenny & Lloyd Hood GLWAC.	Email Sent preliminary maps of the study area to Barry on 04.04.11 including a map of the proposed meeting location, suggesting a meeting on site at 8.30 am on the morning of 19.04.11. Received a call from Lloyd Hood on 05.04.11 requesting information on the project. CHA advised that a mandatory CHMP was not triggered at this stage (no areas of cultural heritage sensitivity) so initially, the survey would form part of an AHHA. Also emailed Lloyd the maps sent the previous day to Barry but also including an ACHRIS search map showing sites within 2 km of the study area.
19.04.2011	Jo Verducci, Mollie Harbour Ecology and Heritage Partners Pty. Ltd; Lloyd Hood, Adrian Dow GLWAC.	Project Inception Meeting held on site, prior to the field survey.
19.04.2011	Jo Verducci, Mollie Harbour Ecology and Heritage Partners Pty. Ltd; Lloyd Hood, Adrian Dow GLWAC.	Field survey Following the identification of one previously unrecorded Aboriginal site and two areas of Aboriginal cultural heritage likelihood, all participants agreed that subsurface testing as part of a mandatory CHMP is required. All survey participants agreed that the results of this AHHA may form the standard assessment component of the CHMP.

Native Title

The study area lies within territory over which GLWAC has lodged two Native Title claimant applications with the National Native Title Tribunal (tribunal file numbers VC 97/4 and VC 09/1). The determination for VC 97/4 found that Native Title exists in parts of the determination area, and the second tribunal (VC 09/1) fully approved the determination area. However the study area comprises privately owned land, therefore Native Title has been extinguished.

1.7 Notice of Intention to Survey to Heritage Victoria

A Notice of Intention to Conduct an Archaeological Survey was submitted to Heritage Victoria (HV) on 30 March 2011. A written response to this notice was sent by HV to Ecology and Heritage Partners Pty Ltd on 31 March 2011 (Appendix 1). The HV reference number for this project is 3936.



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1.8 Report Review and Distribution

Copies of this CHMP will be lodged with the following organisations:

- IGB Australia Pty Ltd;
- CPG Australia Pty Ltd;
- Gunaikurnai Land and Waters Aboriginal Corporation;
- Aboriginal Affairs Victoria; and
- Heritage Victoria.

1.9 Heritage Legislation

An overview of the *Aboriginal Heritage Act 2006*, the *Commonwealth Native Title Act 1993*, the *Victorian Planning and Environment Act 1987* and the *Commonwealth Environmental Protection and Biodiversity Conservation Act 1999* and the *Victorian Heritage Act 1995* is included in Appendix 2. This legislation is subordinate to the *Victorian Coroner's Act 2008* in relation to the discovery of human remains.



2 BACKGROUND REVIEW

The desktop assessment includes research into information relating to Aboriginal and historical cultural heritage in or associated with the study area.

2.1 Environmental Context

Environmental factors influence how land may have been used in the past. This section reviews the environmental context of the study area to gain an understanding of environmental factors relevant to Aboriginal cultural heritage.

2.1.1 Geographic region

The study area forms a part of the Gippsland Plain Bioregion (Map 3, Page 53). This geographic region is relevant to any Aboriginal cultural heritage that may be present within the study area. The desktop assessment has been undertaken in relation to the Gippsland Plain Bioregion (DPI 2011a).

2.1.2 Geomorphology and landforms

The Gippsland Plains are characterised by low lying coastal and alluvial plains with gently undulating terrain dominated by barrier dunes, floodplains and swampy flats. The current activity lies within an area of low relief with few incised streams across the landscape and are composed of Neogene and Early Quaternary alluvial and fluvial sediments originating from the Eastern Uplands and following the Kosciuszko Uplift (DPI 2011b).

The study area is situated within the geomorphic unit of High Terraces and Fans – Gippsland, on a plain above the flood plain of the Morwell River and its tributaries. The plain contains Pleistocene non-marine alluvial sediments. The landform pattern is generally one of low relief, and includes the floodplain of the Morwell River.

The crest of the escarpment slope on overlooking the Latrobe River along the northern boundary of the study area would have been an ideal place to establish camp sites to access the resources of the plains grassland and the Latrobe River floodplain and is considered to be of high archaeological sensitivity. Aboriginal cultural material is commonly found on similar landforms throughout Gippsland and Victoria.

2.1.3 Geology and soils

The land on the northern boundary is part of the Latrobe River floodplain and is characterised by Holocene deposits of alluvium comprising fine textured unconsolidated deposits of gravel, sand and silt (DPI 2011b). These are non-marine deposits laid down by ancient watercourses. The remainder of the study area is within the Haunted Hills Gravel geological landform, a formation known to have supplied pre-contact Aboriginal people with a variety of raw stone materials.

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The soils of the floodplains and swampy flats of the Gippsland Plain are predominantly earths, and plain yellow and grey texture contrast soils (Hydrosols), whilst the soil types associated with the upper units of this region are predominantly texture contrast soils (Dermosols and Chromosols) (DPI 2011b).

The soils of the High Terraces and Fans – Gippsland geomorphic unit are geologically recent and show little soil profile development. They are duplex soils comprising dark grey to greyish brown clay loams to sandy and silty loams.

2.1.4 Vegetation

Under the Department of Sustainability and Environment's (DSE) Ecological Vegetation Classes (EVCs) the soils of the floodplains and swampy flats of the Gippsland Plain Bioregion would have historically supported vegetation classified as Plains Grassy Woodland (EVC 55) and Swamp Scrub/Riparian Scrub (EVC 53). The swampy vegetation classes would have comprised 10% of the study area, whilst the latter comprises the bulk of the study area on the Haunted Hills formation. The drainage lines in the east of the property was characterised by Swampy Riparian Scrub.

The Plains Grassy Woodland vegetation class would have consisted of large trees such as Gippsland Red-gum (*Eucalyptus tereticornis*) and River Red-gum (*Eucalyptus camaldulensis*), as well as smaller shrubs such as Burgan (*Kunzea ericoides*) and Common Rice-flower (*Pimelea humilis*), and an abundance of herbs such as Small St. John's Wort (*Hypericum gramineum*) and Grassland Wood-sorrel (*Oxalis perennans*) (DSE 2011a).

The Swamp Scrub/Riparian Scrub vegetation class would have consisted of large trees such as Woolly Tea-tree (*Leptospermum lanigerum*) and Swamp Paperbark (*Melaleuca ericifolia*), as well as containing shrubs such as Prickly Currant-bush (*Coprosma quadrifida*) and Prickly Tea-tree (*Leptospermum continentale*), herbs such as Australian Gipsywort (*Lycopus australis*) and Spotted knotweed (*Persicaria praetermissa*), and graminoids such as Common Tussock Grass (*Poa labillardierei*) (DSE 2011a).

The Floodplain Riparian Woodland vegetation class would have consisted of several species of large trees, including River Red-gum (*Eucalyptus camaldulensis*) and Swamp Gum (*Eucalyptus ovata*), and also would have included shrubs such as Sweet Bursaria (*Bursaria spinosa* ssp. *spinosa*) and Tree Violet (*Hymenanthera dentata* s.l.), as well as herbs such as Scrub Nettle (*Urtica incisa*) and Hairy Knotweed (*Persicaria subsessilis*) (DSE 2011a).

These types of vegetation would have been utilised by Aboriginal people in the area for the creation of weapons and vessels, and would have supported a range of game that could be hunted for food.

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2.1.5 Climate

The climate of Traralgon is characterised by warm summers and cool winters; temperatures range between an average maximum of 26.5°C and minimum of 12.8°C in February to an average maximum 13.6°C and minimum 3.6°C in July. Rainfall varies between a maximum of 77.4 mm in September and minimum of 40.4 mm in February, with annual average rainfalls of 727.1 mm (BOM 2011).

2.1.6 Land use history

The name Traralgon is derived from the Aboriginal 'tarralgon', meaning river of little fishes (TDHS 1995). In 1840, explorer Count Strzelecki noted the fine land in the area. Edward Hobson who, with his brother Edmund Hobson, took up a large holding in the Rosebud area. He was very impressed with the country in the vicinity of the junction of the Traralgon Creek and the Latrobe River. Edmund Hobson took up a run of 19,000 acres which covered all of the area of Traralgon and out to Wade's Creek in the west, and to about the spot where Refair is today. The southern boundary was the edge of the hills. He made his brother Edward his overseer (Blake 1977; Cuthill 1970; Thompson and Court 1976). The study area was once a part of this Traralgon run.

In April 1844, Edward constructed a hut down near the mouth of the Traralgon Creek, and this was the first building to be erected in the district. Edward lived on the Traralgon run until the early 1850s when he returned to the Mornington Peninsula area. Edmund Hobson died suddenly in 1848, and the run was administered by his Trustees, J.H.N. Castle and J.R. Murphy. In 1853, James Castle applied to have the run split in two, divided by the Traralgon Creek. It was then known as the East and West Traralgon runs and the lease was put up for sale. Edward purchased the West Traralgon run, which covered the area from the Traralgon Creek to Wade's Creek, and Turnbull purchased the East Traralgon run, from the Creek to his boundary. In 1851, Edward sold the West Traralgon run to James Purves. In 1854, James Purves sold the West Traralgon run to Duncan Campbell. Duncan and his brother built a home on the present site of "Traralgon Park", later to become the home of another Campbell family who were also to play a large part in the development of the town (Spreadborough and Anderson 1983; LCC 1977).

In 1858, Campbell built a hotel on the rise immediately to the west of the Traralgon Creek and situated right on the main track. He called it the Travellers' Rest, and for sixty years it served the people of the district as Post Office, store, Court House and Church. It was demolished in 1914 to make way for the present Traralgon Hotel. Not long after Campbell built his hotel, gold was discovered in Gippsland on the Tanjil. As Traralgon was on the direct route to the gold fields it soon began to grow. Amendments to the Colonial Land Act saw the subdivision of land and increasing settlement in the area (Cuthill 1970; Thompson and Court 1976; Huffer 1979).

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Wattle bark stripping was also important in Traralgon as it had been elsewhere in Gippsland and Western Port. Wattle bark from Black Wattle, Silver Wattle and Honeysuckle was one of Gippsland's earliest industries. In the 1880s there were a number of tanneries in Moe. The main occupation of the area was dairying and remained so until the 1930s (Cuthill 1970).

By the late 1880s Traralgon was the economic centre for the region and well established. The railway station was the focus of much of this activity including horses being sent to India as remounts, bark for tanneries, red gum and other milled timber. The building of the railway from Sale to Drouin commenced in 1874, and this provided much work for labourers, sawmillers and sleeper cutters. When the line to Maffra was built some years later, the repair shops and Locomotive Depot were moved from Sale to Traralgon. They remained in service until the 1960s and provided hundreds of jobs over the years. In the Depression years they were the main source of employment in the town. By the late 1870s a number of shops and other businesses had been established in the area (LCC 1977).

After World War II the town of Traralgon began to grow rapidly following the establishment of numerous other industries in the town, including the Great Eastern Brickworks and Gippsland Cement. By the late 1950s development of the urban sector was moving much faster than that of the rural sector. Eventually, in 1961, the Borough of Traralgon was created. Traralgon became a City in 1964 (TDHS 1995; Cuthill 1970).

The main occupation of the settlers in the area was dairying. In the early 1890s, the first creameries were set up. Very soon all of the little settlements had their own butter factories; Traralgon had two. For nearly seventy years, the farming sector was the backbone of Traralgon's economy. In 1936, Australian Paper Mills decided to establish a Pulp and Paper mill at Maryvale, about 8 km west of Traralgon. Wood was obtained from the mountain forests to the north-west, and this provided more work for timber cutters and carters (Cuthill 1970; Thompson and Court 1976; TDHS 1995).

Up until recently, Lot 1 PS424148 and the neighbouring property to the west have been used for farming purposes. Lot 1 PS424148 is currently being utilised for dairying and grazing purposes. A drainage channel has been cut, and it runs parallel along the northern boundary of the property. A second drainage line runs off the northern drainage channel, flowing through the eastern portion of the study area to a cement drain in the south of the study area. Several buildings have been erected on the hill crest, including a house, sheds, an effluent dam, and a milking shed and cattle yard. The Ashworth Drive allotments have been developed for thirteen residential dwellings and a public recreation reserve.

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2.2 Aboriginal Context

This section reviews the Aboriginal context of the study area and includes an examination of historical and ethnohistorical sources, previously recorded Aboriginal archaeological site types and locations in the geographic region of the study area, and previous archaeological studies undertaken in the area. Together, these sources of information can be used to formulate a predictive site statement concerning what types of sites are most likely to occur in the study area, and where these are most likely to occur.

2.2.1 History and ethnohistory

Archaeological evidence suggests that Aboriginal peoples had occupied all of Australia's environmental zones by 40,000 years BP. The oldest dated archaeological site in Victoria occurs at Keilor in Melbourne. Charcoal from a hearth excavated in 1973 has been dated to 31,000 years BP (uncalibrated) (Flood 1995: 286). More recently, Richards *et. al.* (2007) obtained dates from the Box Gully site of 32,000 years BP (calibrated). However, as this date is calibrated, it should be noted that the uncalibrated age of the Box Gully site is approximately 27,000 years BP.

The Gippsland region of eastern Victoria extends from Cape Patterson in the west to the Snowy River in the east and inland to the Great Dividing Range (Wesson 2000: 1). The word Gunai literally translates as 'man', and the terms Gunai and Kurnai are generally accepted by modern day Aboriginal people (Wesson 2000: 17). The Aboriginal people of Gippsland were isolated by their geographic location and this impacted on relationships with neighbouring groups (Wesson 2000: 17). One enduring conflict between the Gunai and neighbours to the west, north and east is recorded and Wesson refers to boundaries as being jealously guarded as these frontiers were deemed sacred (Wesson 2000: 7).

The Gippsland Aboriginal people were divided into five named clans: the *Brataualung*, *Briakalung*, *Brabralung*, *Tatungalung*, and the *Krowatungalung*. Each clan divided further into several local descent groups. The study area lies within the traditional lands of the *Brayakaulung* people, who occupied the Latrobe, Thompson, Avon and Macalister River valleys. The southern boundary of their traditional land occurs along the Strezlecki Ranges. The study area falls within the land once owned by the *Bunjil Kraura/ Woollum Woollum* (Wesson 2000: 22). Little specific ethnographic information about this clan is available. However, records of other *Kurnai* clans can be referred to in order to obtain a general idea of how they lived and land use patterns.

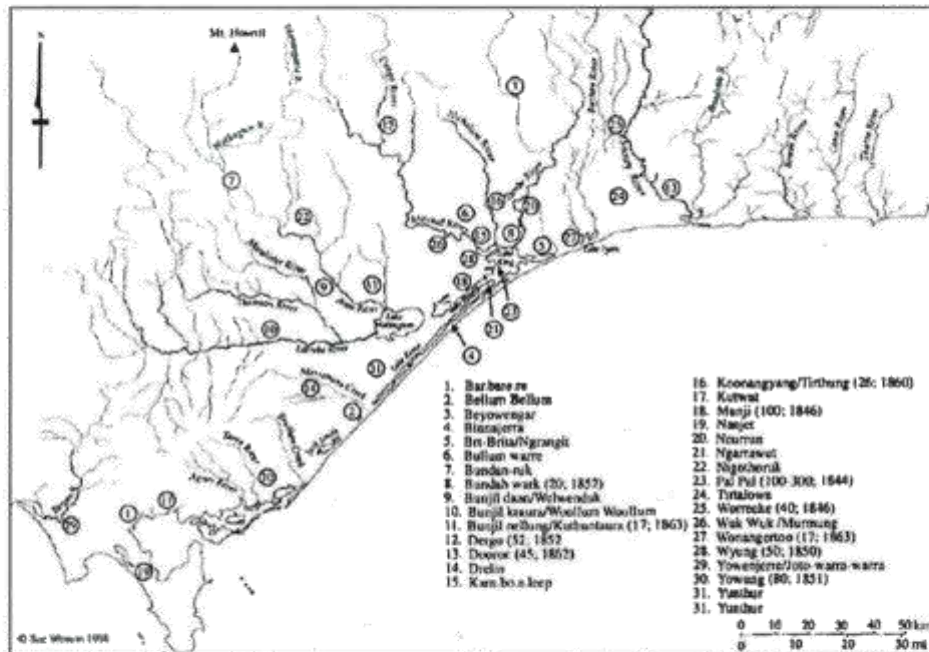


Figure 1: Gippsland named groups (Wesson 2000: 22)

The Gunai country was resource rich and was characterised by large rivers to the east and a system of lake and morasses fed by these and Aboriginal identity was closely linked to these rivers. There were large expanses of heath to the south west and extensive mountain ranges in the north, east, west and south west. Present day roads in the area often follow the route of a network of pathways that formerly intersected the country. Aboriginal people in the Gippsland region harvested water fowl, fish, kangaroo, possum, wombat, reptiles, root vegetables, leafy vegetables, fruits and berries and constructed canoes, rugs, artefacts and decorative apparel using timbers, stones, leathers, ochres, seeds and feathers (Wesson 2000: 17).

The *Brayakaulung* people probably depended on the rivers, wetlands and plains of the region for most of their resources. The seasonal reliability of these resources would have provided incentive for occupation of areas along and adjacent to the La Trobe River during periods of abundance. John Bulmer's¹ accounts (Bulmer Papers 11/11 1833-1913) indicate that the *Kurnai* focused their exploitation on the Gippsland Lakes and waterways, with groups moving in an annual migration pattern.

¹ John Bulmer was a missionary to Aborigines at Lake Tyers from 1862 until his death in 1913.

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In spring, activity focused on coastal wetland resources of fish and waterfowl. In summer occupation was mostly by the coast, when apart from occasional hunting forays by men into the hinterland, shellfish and fish provided the staple diet. Fishing played a significant role in utilising the riverine, estuarine and lacustrine resources, with men using spears and both sexes using nets. Women apparently exclusively used fishing lines and bone fish hooks. During winter, fishing along the coast was less reliable, and groups would move inland to occupy inland river systems and flood plain areas (Morgan 1987: 17).

It is considered by Wesson (2000: 17) that, as with other areas of Australia, in Gippsland land ownership was based on local descent groups with a group of people responsible for the care and maintenance of the region. These understandings of the areas were very broad and it was not until 1904 that Howitt first recorded stories of land-owning groups such as swan-egging rights at Lake Kurlip and Raymond Island (Wesson 2000: 18).

The establishment of whaling stations on Wilsons Promontory from 1828 and farms from the 1830s onward decreased GunaiKurnai population to a mere 200 by the 1860s (Keen 2004:9 based on Howitt). The Gunai clans had lost access to land and resources that were the central components of their cultural life. The effects of disease, dispossession, inter-tribal conflict, alcohol and conflict with Europeans combined to dramatically reduce the Gunai population. Conflict between the two groups occurred mainly in response to pressure placed on traditional Indigenous food resources by dispossession of their land.

Between 1851 and 1886 the government became increasingly involved in the lives of Aboriginal people (Thompson 1985). After this period, some of the remaining clan members moved north into the mountains away from pastoral settlements. Other remaining clan members moved to the Ramahyuck Aboriginal Mission Station, established in 1863 for Aboriginals from the western district and run by the Rev. Friedrich Hagenauer. The mission was situated on the shores of Lake Wellington near the mouth of Avon River. By the 1860s, the majority of the remaining GunaiKurnai were living at the Lake Tyers Mission and Ramahyuck Mission (Keen 2004: 9 based on Howitt 1904). In 1908 Ramahyuck mission was closed, and all the inhabitants were relocated to the Lake Tyers Aboriginal Mission Station. John Bulmer was the manager of Lake Tyers mission from 1861 to 1908. He reported to state government officials and his detailed letters to ethnographers Curr, Smyth, Howitt and Matthews formed much of the basis for their information regarding Gippsland and Omeo Aboriginal people (Wesson 2000: 5).

Descendants of the *Kurnai* tribe now live throughout Gippsland region and are represented by the Gunaikurnai Land and Waters Aboriginal Corporation, who hold RAP status under the Victorian Aboriginal Heritage Act 2006, and Native Title rights under the Commonwealth Native Title Act.


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2.2.2 Oral history

Consultation with GLWAC did not identify any specific oral traditions associated with the study area.

2.2.3 Database searches

The following database searches were conducted:

2.2.3.1 Victorian Aboriginal Heritage Register

A search of the Victorian Aboriginal Heritage Register (VAHR) was conducted on 31 March 2011 for sites within a 2 km radius of the study area. Searching an area with this radius ensured that a relevant and representative sample of information was obtained.

Ten sites are located within a 2 km radius; four isolated artefact and six artefacts scatter sites, three of which are also collection sites. There are no sites within the study area (Map 5, Page 55). A summary of the relevant Aboriginal archaeological sites appears below (Table 2).

Two of these sites, Maryvale Cemetery 1 (8121-0038 [VAHR]), Cemetery Road 1 (8121-0039 [VAHR]), occur immediately to the west of the current study area.

Table 2: Summary of Previously Identified Aboriginal Sites within 2 km of the Study Area

VAHR Site Number	Report Number	Site Name	Site Type	Artefact Qty	Within Study area?
8121-0038	011	Maryvale Cemetery 1	Artefact Scatter	Not Specified	No
8121-0039	011	Cemetery Road 1	Artefact Scatter	8	No
8121-0107	011	Scrubby Lane Pines 1	Artefact Scatter	Not Specified	No
8121-0293	3896	GWF 5	Artefact Scatter	3	No
8221-0129	3896	GWF 2	Isolated Artefact	1	No
8221-0130	3896	GWF 6	Artefact Scatter	2	No
8221-0144	11174	Windsor Park, Traralgon 1	Artefact Scatter	1	No
8221-0150	11174	Windsor Park, Traralgon 2	Artefact Scatter Object Collection	9	No
8221-0151	11174	Windsor Park, Traralgon 3	Isolated Artefact Object Collection	1	No
8221-0152	11174	Windsor Park, Traralgon 4	Isolated Artefact Object Collection	1	No

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2.2.3.2 Local Council

The study area is located within the Latrobe City Council and is governed by the Latrobe City Planning Scheme. Planning schemes set out policies and provisions for the use, development and protection of land.

The Heritage Overlay of the Latrobe City Planning Scheme was examined. No Aboriginal heritage places listed on the Heritage Overlay are present within the study area (Map 5, Page 55).

2.2.4 Previous Aboriginal archaeological investigations

Regional and localised archaeological investigations have established the general character of Aboriginal sites located within the same geographic region as the study area. This information, together with environmental context, histories of land use and historical and ethnohistorical, can be used to form the basis for a site prediction statement.

A summary of relevant archaeological investigations is provided below (Table 3), and some of the more relevant investigations are discussed below.

The most relevant investigation for the study area is a recent desktop assessment conducted by Heritage Insight (2010). This assessment included the Lots 2 and 3 PS343525 of the current study area. The assessment found that there is no requirement for a mandatory CHMP within the study area because there were no identified areas of cultural heritage sensitivity. However, the assessment did recommend that further archaeological survey be carried out, particularly along the ridgeline and escarpment along the northern boundary (this has partially occurred during the current study). The assessment identified this ridgeline as having Aboriginal cultural heritage likelihood². It further recommended that a voluntary CHMP be prepared to offset the identified risk that Aboriginal cultural heritage will occur in the study area.

Wesson and Beck (1981) undertook a large scale study across a 107 km² research area, located to the southwest of the current study area. This assessment identified 132 new Aboriginal archaeological sites within their study area, three of which are located within 2 km of the current study area: artefact scatters Maryvale Cemetery 1 (8121-0038 [VAHR]), Cemetery Road 1 (8121-0039 [VAHR]) and Scrubby Lane Pines 1 (8121-0107 [VAHR]).

² In this report distinction is made between the terms **Aboriginal cultural heritage sensitivity**, which is an area identified in the *Aboriginal Heritage Act 2006* and triggers the need for a CHMP, and **Aboriginal cultural heritage likelihood**, which is an archaeologist's expert opinion of archaeological potential based on landforms present and extent of significant ground disturbance.

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Wesson and Beck noted that ground surface visibility at the time of their assessment was not good, and therefore further sites with better subsurface preservation may be present in the region. It should also be noted that Maryvale Cemetery 1 (8121-0038 [VAHR]) and Cemetery Road 1 (8121-0039 [VAHR]) both occur immediately to the west of the current study area on contiguous landforms (i.e. the sites occur on the same ridgeline that runs across the northern boundary of the study area).

Murphy and Rymer (2007) undertook a standard and complex assessment for a pipeline alignment which runs through Traralgon, and part of which lies within 2 km to the south of the current study area. This investigation identified a great number of previously recorded sites in the vicinity of their study area, as well as identifying five new Aboriginal sites within their study area itself. Of these new sites, one is located within 2 km of the current study area: GWF 2 (8221-0129 [VAHR]). This site is an isolated surface flaked stone artefact, and later subsurface testing in the vicinity of the site did not uncover any further artefacts associated with GWF 2 (8221-0129 [VAHR]). Murphy and Rymer note that there is some potential for further sites to be located in the general area near where GWF 2 (8221-0129 [VAHR]) was identified, although their own testing of the immediate area did not identify further material.

A summary of all archaeological reports relevant to the geographical region of the study area appears below (Table 3).

Table 3: Aboriginal Archaeological Reports Relevant to the Study Area

Author, Date, AAV Report #	Description and Location	Results
Wesson, J. and Beck, W. 1981 #011	An archaeological survey was undertaken for a large area of land to the southwest of the current study area.	A total of 132 new Aboriginal archaeological sites were identified during the survey, three of which are located within 2km of the current study area: Maryvale Cemetery 1 (8121-0038 [VAHR]), Cemetery Road 1 (8121-0039 [VAHR]) and Scrubby Lane Pines 1 (8121-0107 [VAHR]). These sites are all stone artefact scatters, and the majority of all the sites located during their survey comprised stone artefact scatters or isolated stone artefacts.
Rhodes, D. and duCros, H. 1998 #1320	An archaeological study was undertaken for the Greater Melbourne area, focusing on the waterways and floodplains landforms.	The waterways and associated plains were investigated across a wide area, and potential for archaeological sites based on the landform and previously recorded sites in the area.
Long, A. et al 1999 #709	Preliminary archaeological assessment of the Loy Yang Power property, south east of Traralgon.	Seven previously recorded Aboriginal archaeological sites were inspected, and three new isolated artefact sites were identified (8221-0081/0083 VAHR). Four previously recorded scarred trees were inspected; only two were determined to be of Aboriginal origin (8221-0006, 0015 VAHR), while one was natural (8821-0014 VAHR), and one was no longer extant (8221-0016 VAHR). Two previously recorded scarred trees could not be relocated.
Huys, S. 2001 #2065	An archaeological assessment was undertaken for the proposed alignment of an optical fibre cable near Traralgon, part of which is located within 2 km west of the current study area.	No new sites were identified during the assessment, although one area of potential was identified along the banks of the La Trobe River. It was also noted that sites in the vicinity of the alignment tended to be located along or near to waterways of the area.

Author, Date, AAV Report #	Description and Location	Results
Ellender, I. 2002 #2425	A re-appraisal of the ethnographies of south Gippsland.	Territorial boundaries are reconstructed through a re-appraisal of ethnographic literature. This paper looks at the change in ownership of the Yowenjerre country through conquest of one Aboriginal group by another. It looks at the spiritual significance of Wilson's Promontory.
Murphy, A. and Rymer, T. 2007 #3977	A cultural heritage assessment was undertaken for a water station and pipeline alignment which runs across a large area, part of which passes less than 2 km south of the current study area.	Five new Aboriginal sites were identified during the survey, one of which is located within 2 km of the current study area; GWF 2 (8221-0129[VAHR]). Other sites in the area were noted as being present near the alignment of current or prior waterways.
Murphy, A. and Rymer, T. 2007 #4058	A sub-surface testing program was undertaken for a water station and the alignment of a water pipeline which runs across a large area, part of which passes less than 2 km south of the current study area.	Sub surface testing of the sites located during the survey indicated that the artefact scatters along this alignment were of a low density and of low scientific significance. Each site tested also displayed a great deal of prior disturbance.
Murphy, A. and Owen, D. 2008 #10449	A complex CHMP was prepared for a proposed subdivision less than 2 km to the east of the current study area.	One previously recorded Aboriginal site was identified within their study area; GWF 2 (8221-0129[VAHR]). Excavation carried out around the established boundaries of this site identified three additional stone artefacts associated with the site, and the site boundary was amended accordingly. The site was not to be impacted by the proposed works.
Patton, K. and Schlitz, M. 2008 #10277	A complex CHMP was prepared for works associated with the replacement of a bridge less than 2 km east of the current study area.	Neither the survey nor the complex testing of the area identified any new Aboriginal archaeological sites, and no previously recorded sites were located within their study area.

Author, Date, AAV Report #	Description and Location	Results
Murphy, A. and Owen, D. 2010 #11174	A complex CHMP was undertaken for a proposed residential subdivision located less than 2 km east of the current study area.	Two new Aboriginal sites were identified during the standard assessment: Windsor Park Traralgon 1 (8221-0144[VAHR]) and Windsor Park Traralgon 3 (8221-0151[VAHR]), and a further three sites were identified during subsurface testing: Windsor Park Traralgon 2 (8221-0150[VAHR]), Windsor Park Traralgon 3 (8221-0151[VAHR]) and Windsor Park Traralgon 4 (8221-0152[VAHR]). Windsor Park Traralgon 1 (8221-0144[VAHR]) was identified south of their study area, and all sites identified are within 2 km of the current study area.
Heritage Insight Pty Ltd 2010	A desktop due diligence assessment was made of Lots 2 and 3 PS343525, within the current study area.	No previously unrecorded Aboriginal sites occur in the study area and no identified areas of cultural heritage sensitivity occur. A mandatory CHMP is not required, however a voluntary CHMP and/or further archaeological survey was recommended.

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2.2.5 Aboriginal archaeological site prediction statement

The review of the previously recorded Aboriginal archaeological sites and previous archaeological investigations indicates that the most likely site types that may occur in the study area are stone artefacts scatters and isolated artefacts, and the previous studies in the general area have indicated that Aboriginal sites are most likely to be found close to the alignment of current or past waterways. The following site prediction statement has been formulated from the review of previous assessments. The statement presented is based on a site type approach.

Stone Artefact Scatters

Stone tools were made by hitting one piece of stone, called a core, with another called a 'hammerstone', often a pebble. This would remove a sharp fragment of stone called a flake. Both cores and flakes could be used as tools. New flakes were very sharp, but quickly became blunt during use and had to be sharpened again by further flaking, a process called 'retouch'. A tool that was retouched has a row of small flake scars along one or more edges. Retouch was also used to shape a tool.

Not all types of stone could be used for making tools. The best types of stone are rich in silica, hard and brittle. These include quartzite, chert, flint, silcrete and quartz. Aboriginal people quarried such stone from outcrops of bedrock, or collected it as pebbles from stream beds and beaches. Many flaked stone artefacts found on Aboriginal sites are made from stone types that do not occur naturally in the area. This means they must have been carried over long distances.

Stone tools are the most common evidence of past Aboriginal activities in Australia. They occur in many places and are often found with other remains from Aboriginal occupation, such as shell middens and cooking hearths. They are most common near rivers and creeks. It is easier to find them where there is limited vegetation or where the ground surface has been disturbed, for example by erosion.

Artefact scatters are the material remains of past Aboriginal people's activities. Scatter sites usually contain stone artefacts, but other material such as charcoal, animal bone, shell and ochre may also be present. No two scatters are exactly the same.

Artefact scatters can be found wherever Aboriginal occupation has occurred in the past. Aboriginal campsites were most frequently located near a reliable source of fresh water, so surface scatters are often found near rivers or streams where erosion or disturbance has exposed an older land surface.

Stone artefact scatters are considered likely to occur in the study area.

www.ehpartners.com.au**Isolated Artefacts**

Isolated artefacts are stone tools which occur singly and may occur anywhere in the landscape. Surface isolated artefacts may be indicative of further sub surface archaeological deposits. This site type can be found anywhere within the landscape, however, they are more likely to occur within contexts with the same favourable characteristics for stone artefact scatter sites.

Isolated artefacts are considered likely to occur in the study area.

Scarred Trees

Aboriginal people caused scars on trees by removing bark for various purposes. The scars, which vary in size, expose the sapwood on the trunk or branch of a tree. Scarred trees are found all over Victoria, wherever there are mature native trees, especially box and red gum. They often occur along major rivers, around lakes and on flood plains.

Scarred Trees are considered unlikely to occur in the study area.

Aboriginal Burials

Aboriginal burials are normally found as clusters of human bones eroding from the ground, or exposed during ground disturbance. Aboriginal customs for honouring and disposing of the dead varied greatly across Victoria, but burial was common. Aboriginal burial sites normally contain the remains of one or two people, although cemeteries that contain the remains of hundreds of people buried over thousands of years have been found. Sometimes the dead person was buried with personal ornaments and artefacts. Charcoal and ochre are also often found in burial sites.

Although Aboriginal burials are quite rare in Victoria, they have been found in almost every kind of landscape, from coastal dunes to mountain valleys. They tend to be near water courses or in dunes surrounding old lake beds. Many burials have been found on high points, such as dune ridges, within surrounding flat plains. They are often near or within Aboriginal occupation sites such as oven mounds, shell middens or artefact scatters.

Aboriginal burials are considered unlikely to occur in the study area.

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2.2.6 Aboriginal desktop assessment - conclusions

The desktop assessment has indicated that there are Aboriginal sites in the vicinity of the study area, although no sites have previously been recorded within the study area itself. The predominant sites in the area are flaked stone artefact scatters and isolated artefacts found in proximity to permanent and ephemeral waterways. It is considered likely that the study area contains some of these site types, and a standard assessment should be undertaken to determine the presence or absence of surface sites, and to identify any areas of subsurface potential.

2.3 Historical Context

The section reviews the historical context of the study area and includes an examination of historical and ethnohistorical sources, previously recorded historical archaeological site types and locations in the geographic region of the study area, and previous archaeological studies undertaken in the area. Together, these sources of information can be used to formulate a predictive site model concerning what types of sites are most likely to occur in the study area, and where these are most likely to occur.

2.3.1 History

Traralgon's origins date from the early pastoral period, when Edward Hobson occupied the Traralgon run in 1844. An accommodation house near Traralgon Creek provided shelter for travellers on the route between Melbourne and Sale. The town was surveyed in 1858 and a census in 1861 revealed there were 36 residents.

Construction of the railway line between Sale and Melbourne, which was completed in 1879, was a major impetus to the town's development. Traralgon became a centre for the region, where dairying and saw milling were developing as major industries and the town eventually became a legal, administrative and educational centre. In the 1880s four brickyards were operating, substantial public buildings were constructed in the town and new subdivisions provided land for housing. A railway line from Traralgon to Stratford was built.

Traralgon's importance as a railway town increased when it became a service depot in 1903. Many railway workers moved into cottages in the Queen's Parade (formerly Railway Parade) area. APM's decision in the 1930s to build a paper pulp mill near Traralgon had a significant impact on the town. Staff housing was also built. A group of six houses the APM built for staff is in Kay, Clarke and Grey Streets.

Significant heritage sites document Traralgon's development. For example, the Star Hotel, built in 1875, shows the accommodation provided for travellers before the railway line had been completed. Houses set high on land subdivided in the 1880s, just to the west of the town centre, reflect the prosperity and growth that Traralgon experienced in the 1880s, as do the imposing court house and post office in Franklin Street.

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There are the cottages in and around Queen's Parade built for railway workers and two railway stations (facing each other from each side of the track), built almost ninety years apart. They demonstrate the continuing importance of the railways to Traralgon. The many APM estates built for its workers reveal the influence APM has had on the town and employees' lives. In the town centre, the Laytons building in Franklin Street (built as a department store in the early twentieth century) has recently been restored to reveal its façade of Edwardian arches and windows (Context 2005).

2.3.2 Database searches

2.3.2.1 Victorian Heritage Register

The Victorian Heritage Register (VHR), established by the *Victorian Heritage Act 1995*, provides the highest level of statutory protection for historical sites in Victoria. Only the State's most significant historical sites are listed on the Victorian Heritage Register.

A search of the Victorian Heritage Register for information relating to the study area was undertaken. The study area and the surrounding 2 km of land were investigated. There is one site listed on the VHR within 2 km of the study area:

- H2135 – Azarole Hawthorn Tree

This site is not located within the study area itself (Map 5, Page 55).

2.3.2.2 Victorian Heritage Inventory

The Victorian Heritage Inventory, established by the *Victorian Heritage Act 1995*, provides the statutory protection for all historical archaeological sites, areas or relics, and private collections of relics, in Victoria. Sites listed on the Heritage Inventory are not of State significance but are usually of regional or local significance.

A search of the Victorian Heritage Inventory for information relating to the study area was undertaken. The study area and the surrounding 2 km of land were investigated. There are two sites listed on the VHR within 2 km of the study area:

- HI 8221-0017 – George Bolton Eagle Grave
- HI 8221-0018 – Mary Ann Smythe Grave
- HI 8121-0005 – Driffield 5

None of these sites are located within the study area itself (Map 5, Page 55).



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2.3.2.3 Local Council

The study area is located within the Latrobe City Council and is governed by the Latrobe City Council Planning Scheme. Planning schemes set out policies and provisions for the use, development and protection of land.

The Heritage Overlay of the Latrobe City Council Planning Scheme was examined. There are four sites listed on the Heritage Overlay within 2 km of the study area:

- HO92 – Traralgon Old Cemetery;
- HO26 – Glengarry West State School No. 4426;
- HO135 – The Bluff Causeway Bridge; and
- HO137 – Sandbank Reserve.

None of these sites are located within the study area itself (Map 5, Page 55).

2.3.2.4 National Trust Register

The National Trust of Australia (Victoria) is an independent, not-for-profit organisation that classifies a number of heritage places. Listing on the National Trust Register (NTR) does not impose any statutory protection, however often National Trust listings are supported by the local council Planning Scheme.

The study area and the surrounding two kilometres of land were investigated. There is one site which holds a 'File Only' listing on the NTR within 2 km of the study area:

- B4957 – Cemetery Gatehouse.

There are no sites listed on the NTR within the study area itself (Map 5, Page 55).

2.3.2.5 National, Commonwealth and International Heritage Lists

The Australian Government Department of the Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) maintains the National Heritage List (NHL), a register of exceptional natural, Aboriginal and historical heritage places which contribute to Australia's national identity. The DSEWPC also maintains the Commonwealth Heritage List (CHL), a register of natural, Aboriginal or historical heritage places located on Commonwealth land which have Commonwealth heritage values.

A place can be listed on one or both lists, and placement on either list gives the place statutory protection under the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act 1999).

The World Heritage List (WHL) lists cultural and natural heritage places which are considered by the World Heritage Council to have outstanding universal value.


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In addition, the DSEWPC also maintains the Register of the National Estate (RNE) which is a list of natural, Indigenous and historic heritage places throughout Australia. Following amendments to the *Australian Heritage Council Act 2003*, the RNE was frozen on 19 February 2007, which means that no new places can be added, or removed. However, the Register will continue as a statutory register until February 2012. During this transition period items listed on the RNE must continue to be considered during approvals processes.

Listings on the NHL, CHL, WHL and RNE are accessed via the Australian Heritage Database (AHD), managed by DSEWPC.

The study area and the surrounding 2 km of land were investigated. There were no sites listed on the NHL, CHL, WHL or RNE within 2 km of the study area (Map 5, Page 55).

A summary of the relevant historical archaeological sites appears below (Table 4 and Map 5, Page 55).

Table 4: Summary of Previously Identified Historical Sites within 2 km of the Study Area

Register and Site Number	Site Name	Site Type	Within Study area?
VHR 2135	Azarole Hawthorn Tree	Botanical	No
VHI 8121-0005	Driffield 5	Infrastructure	No
VHI 8221-0017	George Bolton Eagle Grave	Religious	No
VHI 221-0018	Mary Ann Smythe Grave	Religious	No
HO26 Heritage Overlay	Glengarry West State School No. 4426	Educational	No
HO92 Heritage Overlay	Traralgon Old Cemetery	Religious	No
HO135 Heritage Overlay	The Bluff Causeway Bridge	Infrastructure	No
HO137 Heritage Overlay	Sandbank Reserve	Public	No
B4957 National Trust	Cemetery Gatehouse	Building	No

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2.3.3 Previous historical archaeological investigations

Regional and localised archaeological investigations have established the general character of historical sites located within the same geographic region as the study area. This information, together with the information gathered in Section 2.3.2, can be used to form the basis for a site prediction statement.

Previous archaeological investigations undertaken within Traralgon have identified a variation of historical site types that may occur within the region.

Long et al (1999) recorded four historical sites during a survey of the Loy Yang Power property, including three historical farming selections and the site of the relocated rural township of Traralgon South. It was considered likely that subsurface deposits could reveal further information about the historic locations.

Clark and Thomson's (2000) survey for the Traralgon Bypass, stage 1, identified a brick sheep dip; however this site was destroyed and d-listed during the construction.

Clark (2001) identified one new historic site during a survey for proposed works on the Princes Highway East. This site was composed of a scatter of historical artefacts within a rail reserve. This site was destroyed and d-listed during the construction.

Rhodes' (2003) desktop assessment and field survey for optic fibre cable installations between Melbourne and Traralgon identified one previously recorded site in Traralgon: the Traralgon Engine Shed and Turntable (H1979). Two new sites associated with rail infrastructure were also recorded: a Timber-Lined Pit (H8021-0020) and Railway Sidings (D8121-0041).

A summary of archaeological reports relevant to the geographical region of the study area appears below (Table 5).

Table 5: Archaeological Reports Relevant to the Historical Heritage of the Study Area

Author, AAV Report No.	Date	Location and Description	Results
Long, A. et al #709	1999	Preliminary archaeological assessment and field survey of the Loy Yang Power property, south east of Traralgon.	Four historical sites were recorded, comprising three selections and the site of a relocated rural township (Traralgon South) (H 8221-0002/0005), which dates to the late 19 th century. Each location had little or no surface remains of heritage value, but did have the potential to reveal information about the origin and character of the sites in subsurface deposits.
Clark, V. and Thomson, M. #1055	2000	Field survey for the proposed Traralgon Bypass (stage 1), Princes Highway, Traralgon. Includes 9 km of proposed road from the interchange of the existing Princes Freeway and Princes Drive.	One historic archaeological place was recorded (D 8221-0006). These historical ruins were destroyed during the bypass construction. The site comprised a brick pit, which was a sheep dip.
Clark, V. and Amorosi, L. #1287	2002	Field survey and subsurface testing for the proposed Traralgon Bypass (stage 2), from Traralgon Creek Road, south of Traralgon, to the Princes Highway to the east of the town.	No historic archaeological sites were identified.
Clark, V. #1288	2001	Field survey for the proposed works on the Princes Highway East, between Traralgon and Flynn.	One historic archaeological site was identified (H 8221-0011). This site is a scatter of historical artefacts found on the east side of Barrs Lane in a rail reserve. No traces of a structure were found. The artefact scatter was destroyed during the proposed works.
Clark, V. #1843	2004	Results of the assessment for the proposed Traralgon Bypass (stage 3), south of Traralgon, to the Princes Highway to the east of the town.	Previous investigations (stages 1 and 2) were carried out to look at alignment options to the west of Traralgon Creek Road, and East of Traralgon Creek road. An additional survey was carried out during stage three, but no new sites were identified.

Author, AAV Report No.	Date	Location and Description	Results
Rhodes, D. #1959	2003	Desktop and field survey assessment for the installation of optic fibre communications cable along the rail corridor from Melbourne to Traralgon.	Between Melbourne and Traralgon, six historic heritage places have been previously identified: Flinders St Railway Station Complex (H1083/ HO649), Malvern Railway Station (H1575/ HO103), Caulfield Railway Station Complex (H1665/ HO078), Clayton Railway Station (H1867/HO3), Warragul Railway Station (H1598/ HO119) and Traralgon Engine Shed and Turntable (H1979). Two new sites were recorded during the field survey: Timber-Lined Pit (H8021-0020) and Railway Sidings (D8121-0041). The first is located on the west bank of the Bunyip River, while the second is located near Yallourn.
Murphy, A. #2471	2006	Survey of 1086 hectares, between Traralgon and Morwell, for proposed Mountain View Development, Traralgon.	No historic archaeological sites had been previously recorded within the study area, and none were identified during the field survey.

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2.3.4 Historical Archaeological Site Prediction Statement

The review of the previously recorded historical archaeological sites and previous archaeological investigations indicates that the most likely site types in the study area are domestic, farming and pastoral sites. Whilst a number of historic rail infrastructure sites have been identified within 2 km of the study area, it is highly unlikely that such sites will be located within the study area. The following site prediction statement has been formulated from the review of previous assessments. The statement presented is based on a site type approach.

Domestic Sites

Evidence of domestic occupation may include structural remains or ruins of homesteads and/or outbuildings, domestic rubbish dumps or bottle dumps, wells or underground storage tanks.

Domestic sites are considered a possibility within the study area.

Farming Sites

Evidence of farming may include fence lines, dams, water channels, plantings or terracing.

Farming sites are considered a possibility within the study area.

Pastoral Sites

Breeding of livestock and dairying may be evidenced by the remains of stockyards, stables, barns and holding pens.

Pastoral sites are considered a possibility within the study area.



3 FIELD ASSESSMENT AND RESULTS

At the request of the client, field survey was limited to survey of the Stockdale property (Lot 1 PS424148). The other properties within the study area were assessed by desktop research only.

3.1 Survey

The standard assessment includes the ground survey of Lot 1 PS424148 to detect the presence of Aboriginal cultural heritage in or associated with the study area.

Lot 1 PS424148 was surveyed on 19 April 2011 by Ecology and Heritage Partners Pty Ltd Archaeologists/Cultural Heritage Advisors Mollie Harbour and Jo Verducci, with Lloyd Hood and Adrian Dow representing the RAP for the study area, the GLWAC.

3.1.1 Methodology

The survey took the form of a pedestrian survey in which four participants walked 2 m apart across the entire study area (Map 6, Page 56). No mature native trees are located within the study area. No caves, cave entrances or rock shelters are present within the study area. A summary of the archaeological survey attributes appears in Appendix 3.

3.1.2 Limitations of the survey

As stated above, survey was limited to one property within the study area (Lot 1 PS424148). No visual inspection or survey of the remainder of the study area was conducted.

Ground surface visibility (GSV) was, on average, 5% across the study area with occasional increased visibility under the tree line on the western boundary, and on the far eastern and far western portions of the hill crest where erosion has occurred. The eastern half of the floodplain paddocks was flooded, providing zero GSV.

The two north eastern paddocks were not surveyed due to flooding. In the south eastern paddock, boggy ground prevented us from surveying an identified area of marshland. Waterlogged ground was encountered throughout the paddocks located on the floodplain, as well as the lower sloped ground to the south. Other areas that were inaccessible during the survey included an effluent dam, vehicle parking areas, the three building sites and milking shed/yard, and an artificial drainage channel in the centre of the far eastern paddock.

3.1.3 Results of the survey

Six different landforms were identified during the survey of 240 Cross's Road, Traralgon, varying from marshy low-lying drainage channels, to rises towards the northern and north eastern boundaries (Map 7, Page 57).

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1. On the western side of the property, facing north, lies a gentle rise (Plate 1). This rise begins from the northern fence line of paddock four. The rise suddenly falls into a steep descent at the northern fence line of paddock six, and becomes a flat floodplain at the edge of the northern drainage channel.
2. A ridgeline runs east-west along the northern end of the property (directly behind the effluent dam and milking shed/yard), with a steep bank descending to the floodplain directly north of the property (Plate 2).
3. A gentle rise is located along the south eastern fence line, spanning approximately 300 m north to south and approximately 50 m east to west.
4. A very gentle rise is located on the south western side of the property, measuring approximately 100 x 100 m. The rise is located south of a large drain pipe that extends west, from beneath the driveway.
5. The south eastern portion of the study area encompasses a low lying marsh area, lying directly east of the driveway (Plate 3). The marsh area results from the confluence of an artificial drainage channel, and large drainage pipe, and a manmade drainage channel that runs from east to west across the central eastern portion of the property. This marshy area covers approximately 250 x 50 m. Recent heavy rains meant that the marsh was partly underwater and extremely boggy underfoot during the ground survey.
6. A floodplain lies in the northern section of the study area, spanning the property from west to east along the northern boundary line, and extends approximately 50 m south, to the base of the steep ridgeline bank (Plate 4). A manmade drainage channel lies directly north of the property. This floodplain was waterlogged, and in some parts under water due to recent flooding of the drainage channel, during completion of the ground survey.

Weather conditions on the day of the ground survey were overcast with periods of light rain and slight winds.

The dominant vegetation of the study area comprised a grass ground cover with heavy weed growth in the marshy low-lying areas in the south. Approximately 20% of the study area had zero visibility due to waterlogged, marshy or weedy conditions that resulted from poor surface water drainage. At the confluence of the drainage channels on the eastern side of the property the drainage channel running east to west is creek-like in nature, and featured heavy tree, blackberry and weed growth on both banks.

Disturbance within the study area includes the large drainage pipe that opens into the south eastern paddock (east of the driveway), which comes from the direction of Cross's Road (Plate 3). A second large drainage pipe is located west of the drive way (approximately half way up the driveway), extending to just inside the western portion of the study area. A driveway has been constructed down the centre of the property, leading to the farm building complex (entailing milking yards, herding pens, residential house, garage and a white storage shed) on the centre of the hill crest to the north.

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The farm building complex has a series of heavily disturbed vehicle and animal tracks, leading to the northern gates on the ridge of the hill (Plates 6-8). An effluent dam (approximately 25 x 50 m) to the east of the herding pens has been dug into the hill crest, with slightly raised banks (Plate 9). Periodically, the dam overflows and the runoff is carried down the steep bank to the northern floodplain.

3.1.3.1 Aboriginal cultural heritage

One Aboriginal place was identified in the survey area:

- 240 Cross's Road AS (8221-0182 [VAHR]).

This site was located on the eastern side of the property, just below the northern ridgeline (Plate 10). Only one of the artefacts was located on the flat ground beside the effluent dam. The location of the artefact scatter was an area of increased GSV, partially due to the runoff from the effluent dam directly above the site. Thirty stone artefacts were identified (two quartz and 28 silcrete) and their coordinates recorded by a Differential GPS. One of the silcrete artefacts identified was a core; the remainder were flakes and debitage. During the survey Lloyd Hood (GLWAC) advised that a silcrete quarry exists less than half an hour drive from the property, in a national park near Tyers (Tyers Park). Additionally, silcrete outcrops can be found on flats in bush land across the region.

As predicted prior to the survey, the rise and ridgeline in the northern section of the property are culturally significant and contain Aboriginal cultural material. As this landform would have overlooked the floodplains below, it is a likely area for usage in the past. GLWAC representatives confirmed this during the ground survey assessment. As a result, a complex subsurface assessment is required, targeting the rise in the north of the study area, and the slight rises along the eastern property boundary and the south western side of the property. It was determined that approximately 20% of the low lying swampy areas of the study area are unsuitable for testing due to the high water content of the soils. This percentage may increase following heavy rains.

The site is discussed further in Section 3.2

3.1.3.2 Historical heritage

Two historic pavement features were identified in the survey area, on the main driveway leading into the farm (Plates 11 to 12). The pavement feature consists of two stone paving features appearing out of the eroded gravel driveway surface. The two features are located approximately 5-10 m apart, and are comprised of two different stone layout patterns. Feature 1 has two regular square layouts of stones bordered by small irregularly shaped stones, while the second has a regular square layout of stones. Stone Feature 1 is approximately 2 m in length, and 1 m wide; Stone Feature 2 is approximately 1 m in length and 1 m wide. The function of the stone features is unclear- they may have been a road surface of some kind.

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Based on advice from Heritage Victoria (Appendix 6), it was decided that registering the stone features as a historic site was not necessary, unless evidence could be found to suggest the features are a significant historic site.



Plate 1: View of Study area facing NE from SW corner, showing gentle rise.



Plate 2: View of Study area facing NW, showing crest of hill with flagged artefacts from 240 Cross's Road AS (8221-0182 [VAHR]).



Plate 3: View of study area facing SW, showing drain and marsh area.



Plate 4: View of study area facing SW, showing flooded paddock at base of hill.



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Plate 5: View of study area facing NE, showing Northern side of hill with erosion.



Plate 6: View of study area facing E, showing driveway, building and rubbish.



Plate 7: View of milking shed east of house, facing east from top of hill crest.



Plate 8: View NE from road on top of hill crest, west of house.



Plate 9: View NE from top of slope where 240 Cross's Road AS (8221-0182 [VAHR]) is located.



Plate 10: Artefact from 240 Cross's Road AS (8221-0182 [VAHR]).



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Plate 11: View of 240 Cross's Road Stone Feature 1



Plate 12: View of 240 Cross's Road Stone Feature 2

3.2 Aboriginal Archaeological Sites

One Aboriginal archaeological site is present within the study area:

- 240 Cross's Road AS (8221-0182 [VAHR]) (Map 7, Page 57).

3.2.1 240 Cross's Road AS (8221-0182 [VAHR])

3.2.1.1 Location of 240 Cross's Road AS (8221-0182 [VAHR])

Primary Grid Coordinate: GDA 94, Zone 55, E 456587, N 5774269.

- Lot 1 PS424148; Parish of Traralgon; County of Buln Buln (240 Cross's Road, Traralgon)

3.2.1.2 Extent of 240 Cross's Road AS (8221-0182 [VAHR])

240 Cross's Road AS (8221-0182 [VAHR]) is located on the eastern side of the property, just below the northern ridgeline (Map 9, Plan 1 and Plates 13-14). One artefact was located on flat ground beside the effluent dam. The artefact scatter was found within an area of increased GSV.

3.2.1.3 Nature of 240 Cross's Road AS (8221-0182 [VAHR])

240 Cross's Road AS (8221-0182 [VAHR]) consists of a stone artefact scatter on the northern ridgeline. One artefact was located on flat ground beside the effluent dam. The artefact scatter was found within an area of increased GSV, partially due to the runoff from the effluent dam directly above the site. Thirty stone artefacts were identified (two quartz and 28 silcrete). One silcrete core was present; the remainder were flakes and debitage.

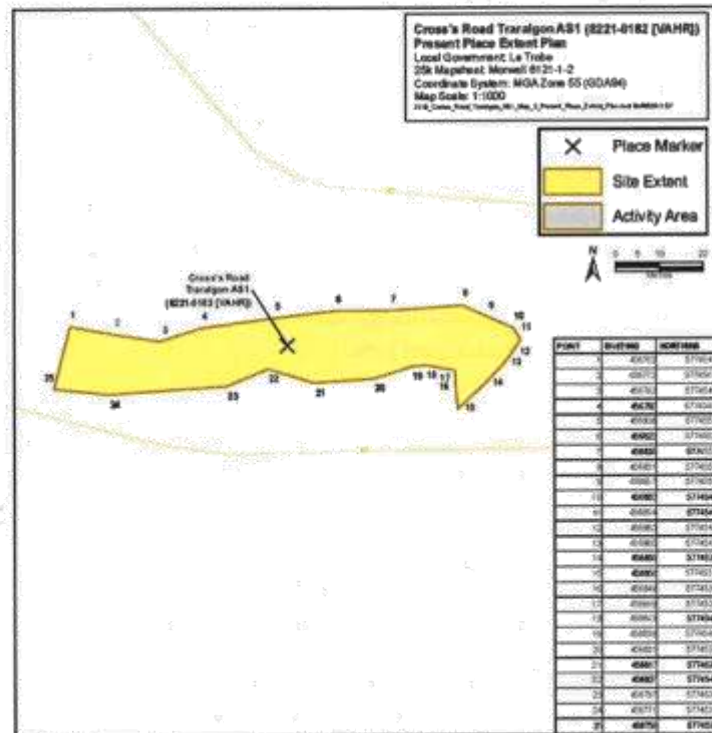
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3.2.1.4 Significance of 240 Cross's Road AS (8221-0182 [VAHR])

As predicted prior to the survey, the rise and ridgeline in the northern section of the property are culturally significant and contain Aboriginal cultural material. As this landform would have overlooked the floodplains to the north, it is a likely area for usage in the past. GLWAC representatives confirmed this during the ground survey assessment. The site has been used in the past for making stone tools, as illustrated by the identification of a core, stone flakes and flaking debitage. During the survey Lloyd Hood (GLWAC) advised that a silcrete quarry exists less than half an hour drive from the property, in a national park near Tyers (Tyers Park). Additionally, silcrete outcrops can be found on flats in bush land across the region. This information ties the artefact scatter to local raw materials.


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As the site represents various stages in the production of stone tools, possibly using local raw materials, it is considered to be site of medium scientific significance. All Aboriginal cultural sites are of cultural significance to the GLWAC.



Plan 1: Extent of 240 Cross's Road AS (8221-0182 [VAHR])



Plate 13: View of 240 Cross's Road AS (8221-0182 [VAHR]) facing North



Plate 14: Artefacts from 240 Cross's Road AS (8221-0182 [VAHR])

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4 MANAGEMENT RECOMMENDATIONS

This section provides a summary of the recommendations made in relation to the Aboriginal and historical heritage values of the study area. For Aboriginal cultural heritage the following recommendations explain whether a Cultural Heritage Management Plan (CHMP) under the *Aboriginal Heritage Act 2006* will or will not be required. It should also be noted that the properties are owned by different entities and development will be conducted by more than one developer. Consequently recommendations for CHMPs may be provided on a property by property basis.

For this study area, in areas where it is considered that a mandatory CHMP *is* required, this will be because those areas contain an identified area of cultural heritage sensitivity under the *Aboriginal Heritage Act 2006* and/or an identified area of Aboriginal likelihood as assessed during surface survey. In areas where it is considered that a voluntary CHMP is required, this will be because those properties are considered likely to have landforms that have Aboriginal cultural heritage likelihood (archaeological sensitivity).

A summary table of the recommendations is provided at the end of this section (Table 6).

4.1 Aboriginal Cultural Heritage

Recommendation 1

One previously unrecorded Aboriginal site was identified on the Stockdale property (Part of Lot 1 PS424148, 240 Cross's Road, Traralgon) during the survey (Map 7).

Under the *Aboriginal Heritage Act 2006*, an Aboriginal site is an area of cultural heritage sensitivity and triggers the need for a CHMP. As a surface survey has been conducted, subsurface testing will be required to determine the full extent, nature and significance of the site. Consequently a complex CHMP will be required for this property. The complex assessment should target the areas of Aboriginal cultural heritage likelihood identified during the survey (Map 7), with particular emphasis on the rise and ridgeline in the northern section of the property and the slight rises along the eastern property boundary and the south western side of the property, although some subsurface testing should also be conducted in the other landforms.

Recommendation 2

The desktop assessment (see also Heritage Insight 2010) indicates that there are no identified areas of cultural heritage sensitivity within the study area under the *Aboriginal Heritage Act 2006*. Consequently a mandatory CHMP is not required for the remainder of the study area. However, the ridge landform along the northern boundary of the Stockdale property continues into the Saunders property to the west (Lots 2 and 3 PS343525) and partially into Lot 6 LP126409 to the east.

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The presence of Aboriginal cultural heritage on this ridgeline, as shown by the site identified during the current survey and the presence of two previously recorded sites (Maryvale Cemetery 1 [VAHR 8121-0038] and Cemetery Road 1 [VAHR 8121-0039]), strongly suggests contiguous use of the ridgeline by Aboriginal people in the past. It is recommended that, prior to any development works proceeding, that further assessment in the form of a field survey be conducted in the areas of the study area that were not surveyed during the current assessment. Survey should be conducted in the following properties:

- Part of Lot 2 PS424148; Parish of Traralgon; County of Buln Buln;
- Part of Lot 2 PS343525; Parish of Traralgon; County of Buln Buln;
- Lot 3 PS343525; Parish of Traralgon; County of Buln Buln; and
- Lots 1 to 13 LP126409, Parish of Traralgon; County of Buln Buln.

The survey may be conducted as part of an additional AHHA. However, it is recommended that the survey be conducted as part of a voluntary CHMP.

4.2 Historical Heritage

Recommendation 1

No historic sites were identified within the study area during the survey, therefore no further historical investigation is recommended.

Recommendation 2

As survey of the remainder of the study area was not conducted during this assessment it is recommended that survey of the remaining land parcels be conducted prior to the implementation of any development works.

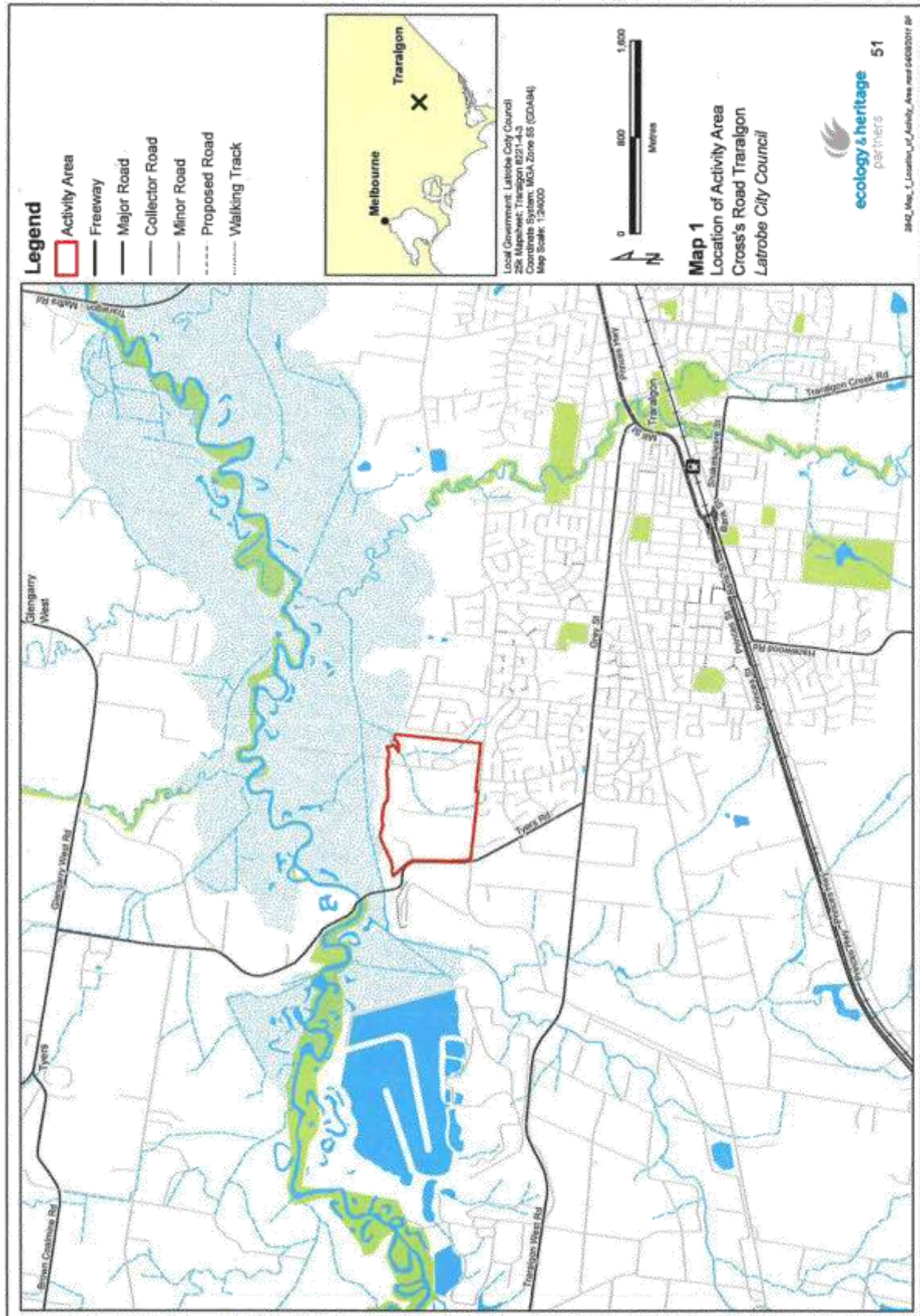
Table 6: Summary of Management Recommendations

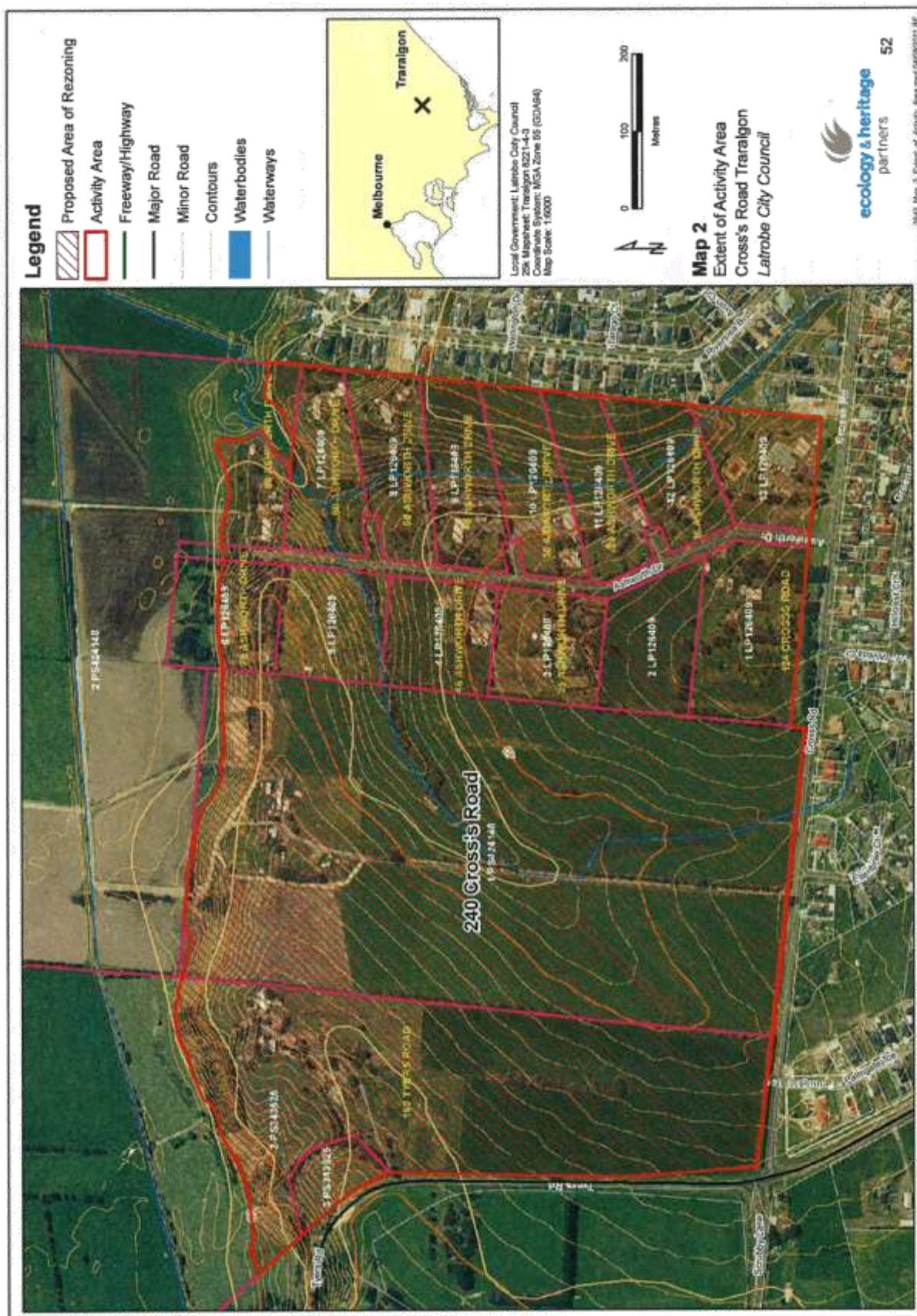
Property Identifier	Address	Aboriginal Cultural Heritage		Historical Heritage		
		Mandatory CHMP Required	Voluntary CHMP Recommended	Further Historical Assessment Required	Consent Required	Further Survey Recommended
Part of Lot 1 PS424148	240 Cross's Road, Traralgon	Yes		No	No	No
Part of Lot 2 PS424148	80 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Part of Lot 2 PS343525	150 Tyers Road, Traralgon	No	Yes	Yes	No	Yes
Lot 3 PS343525	150 Tyers Road, Traralgon	No	Yes	Yes	No	Yes
Lot 1 LP126409	120 Cross's Road, Traralgon	No	Yes	Yes	No	Yes
Lot 2 LP126409		No	Yes	Yes	No	Yes
Lot 3 LP126409	35 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 4 LP126409	45 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 5 LP126409		No	Yes	Yes	No	Yes
Part of Lot 6 LP126409	75 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 7 LP126409	60 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 8 LP126409	50 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 9 LP126409	40 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 10 LP126409	30 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 11 LP126409	20 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 12 LP126409	16 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 13 LP126409		No	Yes	Yes	No	Yes

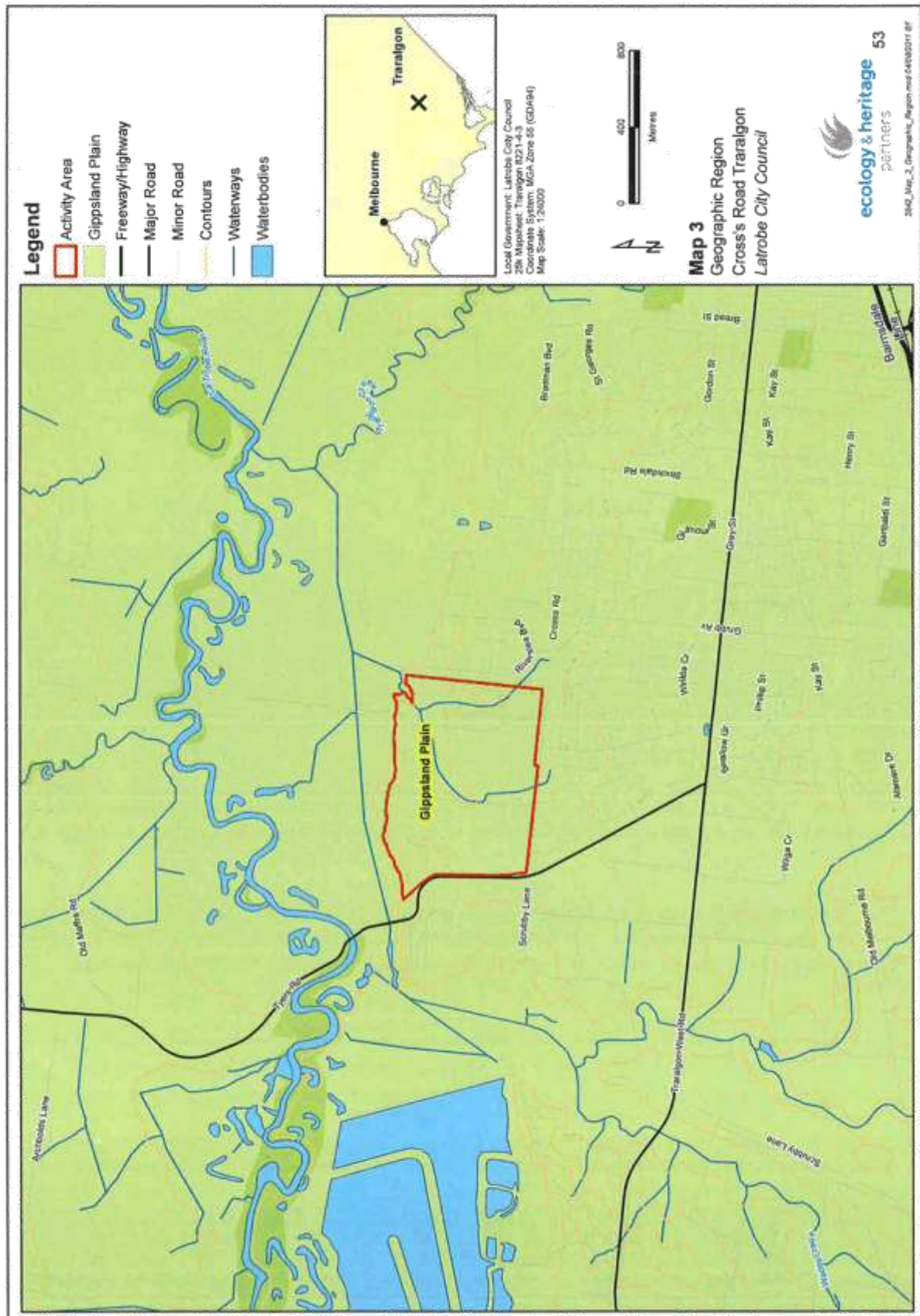


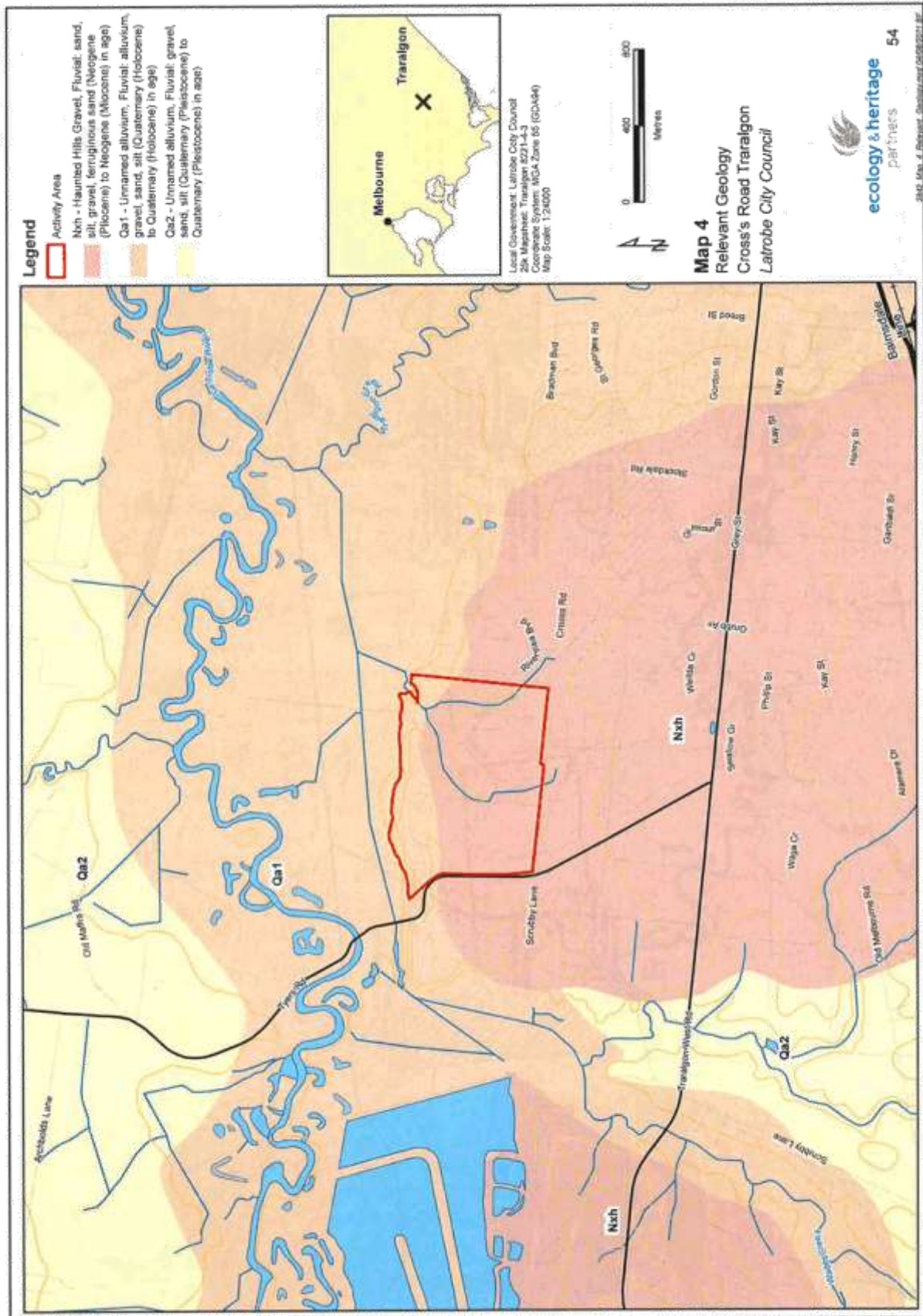
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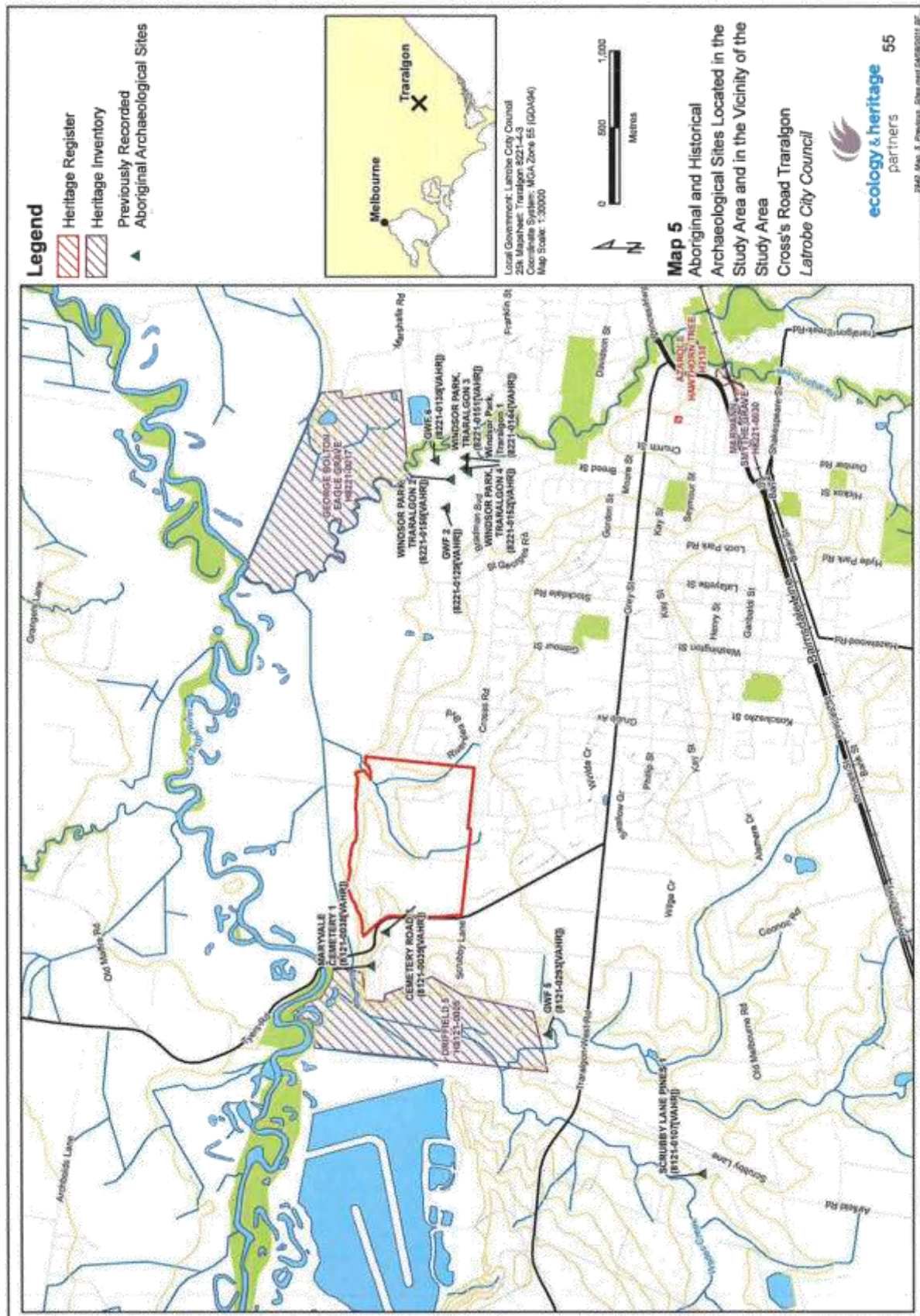
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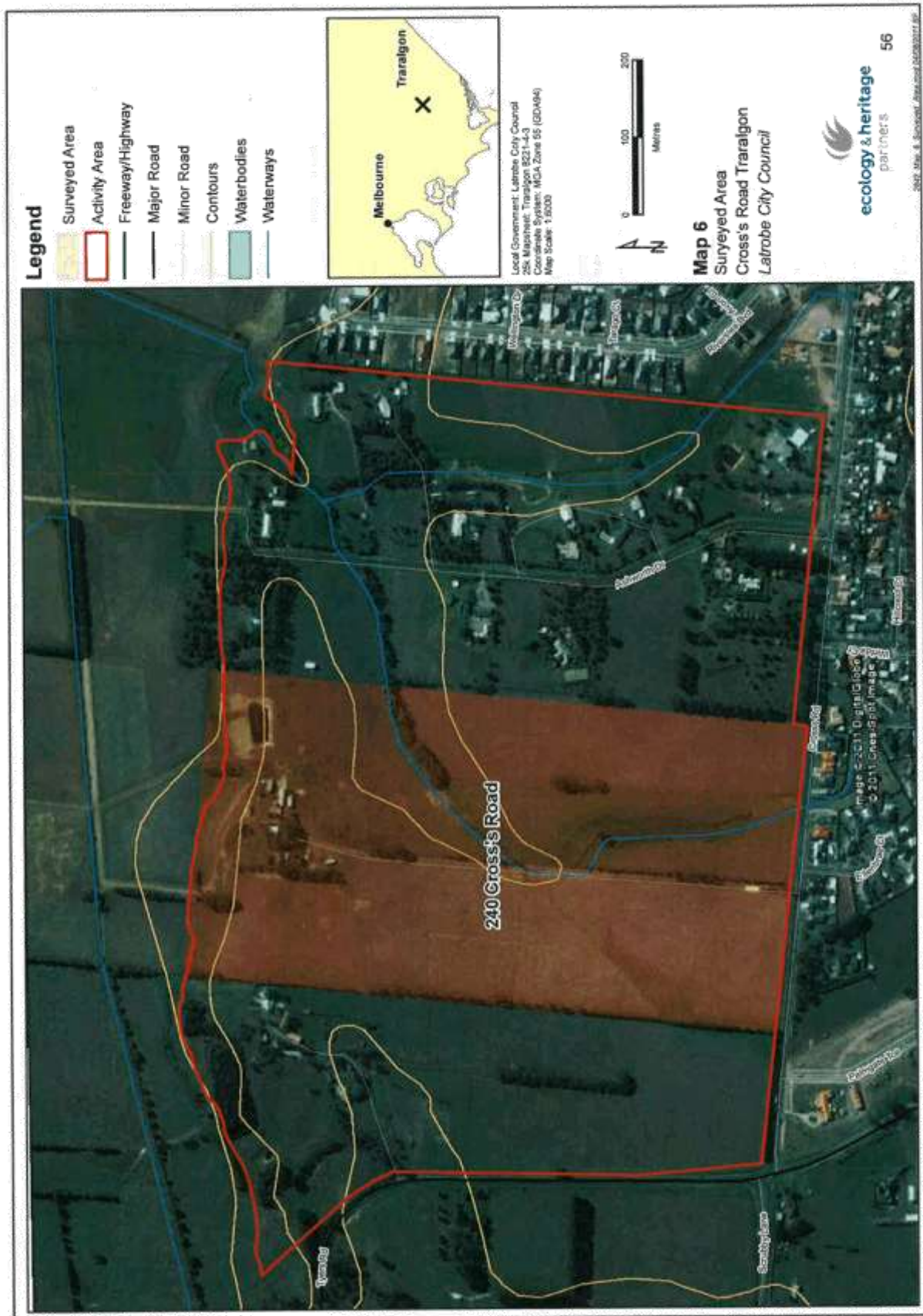


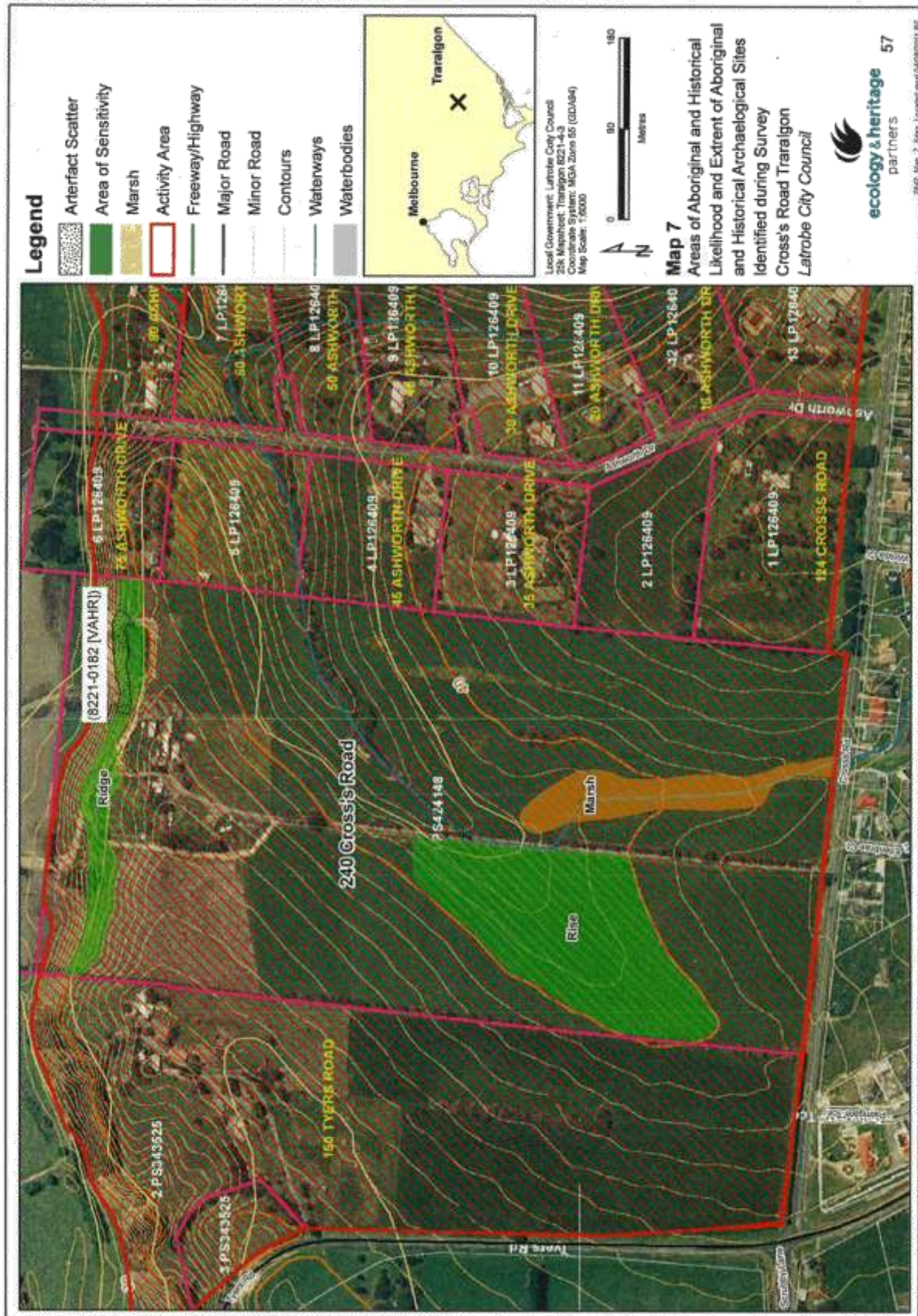














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APPENDICES


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Appendix 1 - Notice of Intention to carry out an Archaeological Survey

NOI Form

Notice of Intention to carry out an Archaeological Survey

1. Details of notifier

Name Rick Buller

Email rbuller@ecologypartners.com.au

Company Ecology Partners Pty Ltd

Postal address P.O. Box 298 Brunswick Vic

Postcode 3056

Telephone (Business Hours) 9942 1411 Facsimile 9381 0700

Commissioning agent CPC Australia Pty Ltd

2. Survey location

Notice is given that the above-named person intends to undertake a survey of historical archaeological sites in the area delineated on the attached map. (If more space is required attach additional material)

Name and address of site Cross Road, Traralgon

Lot 1 Pt 424148

Area adjacent to the roads on the attached maps

The survey area is located on the following 1:100,000 map sheet/s:

Map number 8221-4-3 Map name Traralgon 1:25000

3. Dates of survey

It is intended that the survey will be conducted between the following dates:

From 16 April 2011 to 19 April 2011



Signature [Signature] Date 30 3 / 2011

Assistance

If you require assistance to complete this form, please telephone (03) 8644 8600.
This form should be lodged by post or fax with Heritage Victoria, GPO Box 2392, Melbourne 3001, Fax: (03) 8644 8611.


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HV Response

 Department of Planning and Community Development	
Ref: 10015848-02 31 March, 2011 Rick Bullers Ecology Partners Pty Ltd PO Box 298 BRUNSWICK VIC 3056	PO Box 2392 Melbourne 3001 Level 4, 55 Collins Street Melbourne 3000 Telephone (03) 8644 8900 Facsimile (03) 8644 8811 www.heritage.vic.gov.au
Dear Mr Bullers,	
RE: PROPOSED SURVEY	
Thank you for forwarding the completed Notice of Intent to Carry Out an Archaeological Survey form advising of your intent to conduct historical archaeological survey at the below site. All future correspondence, including the final reports, must quote the project number listed below.	
3936	CROSS ROAD, TRARALGON
Section 131 of the <i>Heritage Act 1995</i> requires that copies of all documentation resulting from a survey or investigation must be lodged with Heritage Victoria for management, reference and archival purposes (in the form of site cards and archaeology reports). Comprehensive documentation provides the basis for appropriate management of Victoria's historical archaeological resource. Please note that site cards can now be submitted electronically in most cases.	
The technical guide <i>Guidelines for Conducting Historical Archaeological Surveys</i> provides details on the statutory processes and required documentation in conducting a survey, completing a Heritage Inventory Site Card and producing the archaeology report. Any incomplete, inaccurate or illegible documentation will be returned for appropriate completion. As detailed in the technical guide, a report must be submitted even if no new historical archaeological sites have been located during the course of the survey or desktop study. Site cards are due within one month of the completion of an archaeological survey. Archaeology reports are due from the archaeology consultant within one year of the date of completion of the archaeological survey.	
In accordance with Section 132 of the <i>Heritage Act</i> , this office must be notified if a historical archaeological site or relic is identified during a survey. This a requirement for all surveys, including those commissioned for Aboriginal cultural heritage investigations.	
Should you have any queries or require any further assistance please call Anne-Louise Muir, Acting Heritage Victoria Archaeologist, on (03) 8644 8901.	
Yours sincerely	
	
Jim Gard'ner Executive Director HERITAGE VICTORIA	

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Appendix 2 - Heritage Legislation

A2.1 Victorian *Aboriginal Heritage Act 2006*

The *Aboriginal Heritage Act 2006* protects Aboriginal cultural heritage in Victoria. A key part of the legislation is that Cultural Heritage Management Plans (CHMPs) are required to be prepared by Sponsors (the developer) and qualified Cultural Heritage Advisors in accordance with the *Aboriginal Heritage Act 2006* and the accompanying *Aboriginal Heritage Regulations 2007*. A CHMP is the assessment of an area (known as a 'study area') for Aboriginal cultural heritage values, the results of which form a report (the CHMP) which details the methodology of the assessment and sets out management recommendations and contingency measures to be undertaken before, during and after an activity (development) to manage and protect any Aboriginal cultural heritage present within the area examined.

The preparation of a CHMP is mandatory under the following circumstances:

- If the *Aboriginal Heritage Regulations 2007* require a CHMP to be prepared (s. 47);
- If the Minister of Aboriginal Affairs Victoria requires a CHMP to be prepared (s. 48); or
- If an Environmental Effects Statement is required by the Environmental Effects Act 1978 (s. 49).

The *Aboriginal Heritage Regulations 2007* require a CHMP to be prepared:

- If all or part of the proposed activity is a 'high impact activity'; and
- If all or part of the study area is an area of 'cultural heritage sensitivity'; and
- If all or part of the study area has not been subject to 'significant ground disturbance'.

The preparation of a CHMP can also be undertaken voluntarily. Having an Approved CHMP in place can reduce risk for a project during the construction phase by ensuring there are no substantial delays if sites happen to be found. Monitoring construction works is also rarely required if an approved CHMP is in place.

Approval of the CHMPs is the responsibility of either DPCD (AAV) or the Registered Aboriginal Parties. They will be examining the CHMPs in detail with key points including:

- Addressing whether harm to heritage can be avoided or minimised;
- All assessments (including test excavations) must be completed before management decisions are formulated; and



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- Survey and excavation must be in accordance with proper archaeological practice and supervised by a person appropriately qualified in archaeology.

There are three types of CHMPs that may be prepared. These are:

- Desktop;
- Standard; and
- Complex.

A desktop CHMP is a literature review with fieldwork. If the results of the desktop show it is reasonably possible that Aboriginal cultural heritage could be present in the study area, a standard assessment will be required.

A standard assessment involves literature review and a ground of survey the study area. Where the results of ground survey undertaken during a standard assessment have identified Aboriginal cultural heritage within the study area, soil and sediment testing using an auger no larger than twelve centimetres in diameter may be used to assist in defining the nature and extent of the identified Aboriginal cultural heritage (Regulation 59(4)).

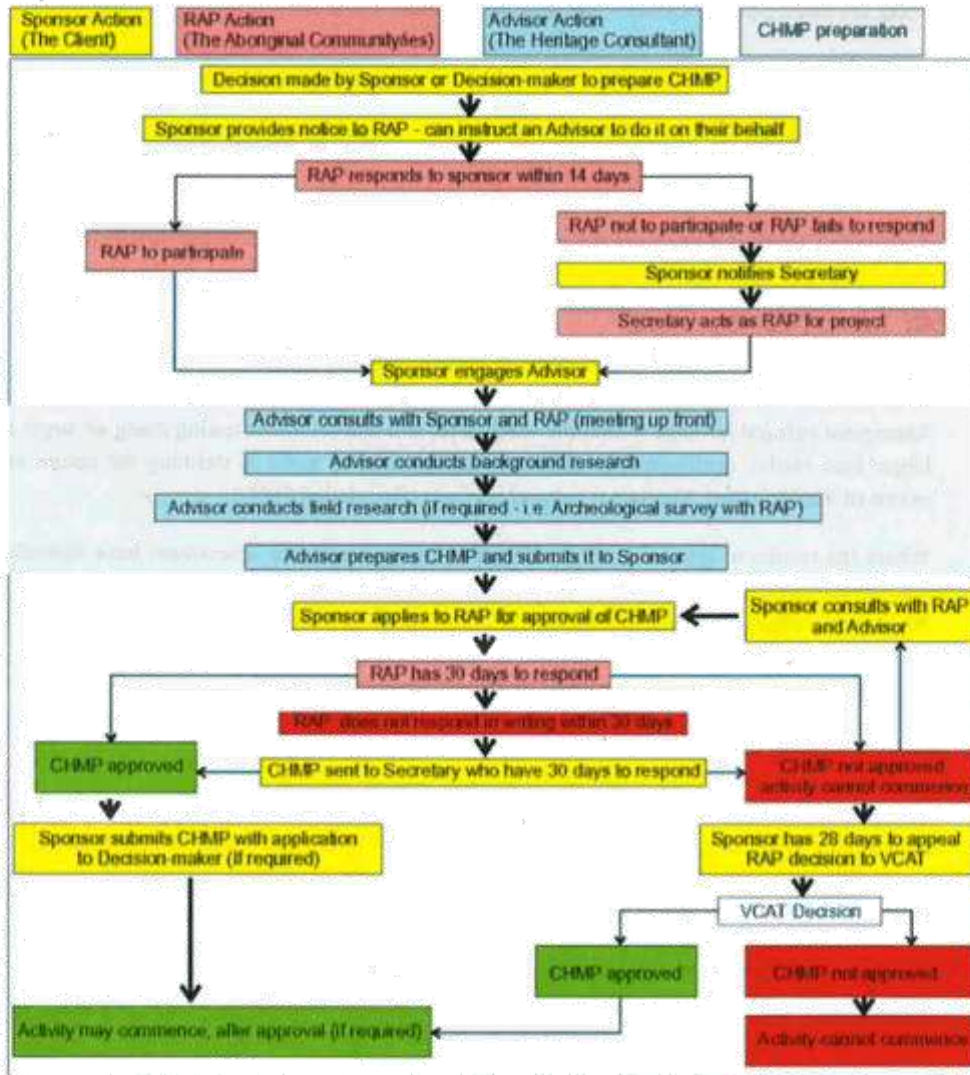
Where the results of ground survey undertaken during a standard assessment have identified Aboriginal cultural heritage within the study area or areas which have the potential to contain Aboriginal cultural heritage sub surface, a complex assessment will be required. A complex assessment involves a literature review, a ground of survey, and sub surface testing. Sub surface testing is the disturbance of all or part of the study area or excavation of all or part of the study area to uncover or discover evidence of Aboriginal cultural heritage (Regulation 62(1)).

It is strongly advised that for further information relating to heritage management (e.g. audits, stop orders, inspectors, forms, evaluation fees, status of RAPs and penalties for breaching the Act) Sponsors should access the Aboriginal Affairs Victoria website (<http://www.aboriginalaffairs.vic.gov.au/>).

The following flow chart also assists in explaining the process relating to CHMPs.

ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN PROCESS

Key:



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A2.2 Commonwealth Native Title Act 1993

Native Title describes the rights and interests of Aboriginal and Torres Strait Islander people in land and waters, according to their traditional laws and customs. In Australia, Aboriginal and Torres Strait Islander people's rights and interests in land were recognised in 1992 when the High Court delivered its historic judgment in the case of *Mabo v the State of Queensland*. This decision overturned the legal fiction that Australia upon colonisation was *terra nullius* (land belonging to no-one). It recognised for the first time that Indigenous Australians may continue to hold native title.

Native Title rights may include the possession, use and occupation of traditional country. In some areas, native title may be a right of access to the area. It can also be the right for native title holders to participate in decisions about how others use their traditional land and waters. Although the content of native title is to be determined according to the traditional laws and customs of the title holders, there are some common characteristics. It may be possessed by a community, group, or individual depending on the content of the traditional laws and customs. It is inalienable (that is, it cannot be sold or transferred) other than by surrender to the Crown or pursuant to traditional laws and customs. Native Title is a legal right that can be protected, where appropriate, by legal action.

Native Title may exist in areas where it has not been extinguished (removed) by an act of government. It will apply to Crown land but not to freehold land. It may exist in areas such as:

- Vacant (or unallocated) Crown land;
- Forests and beaches;
- National parks and public reserves;
- Some types of pastoral leases;
- Land held by government agencies;
- Land held for Aboriginal communities;
- Any other public or Crown lands; and/or
- Oceans, seas, reefs, lakes, rivers, creeks, swamps and other waters that are not privately owned.

Native Title cannot take away anyone else's valid rights, including owning a home, holding a pastoral lease or having a mining lease. Where native title rights and the rights of another person conflict, the rights of the other person always prevail. When the public has the right to access places such as parks, recreation reserves and beaches, this right cannot be taken away by Native Title. Native Title does not give Indigenous Australians the right to veto any



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project. It does mean, however, that everyone's rights and interests in land and waters have to be taken into account.

Indigenous people can apply to have their native title rights recognised by Australian law by filing a native title application (native title claim) with the Federal Court. Applications are required to pass a test to gain certain rights over the area covered in the application. The Native Title Tribunal (NNTT) was established to administer application processes. Once applications are registered, the NNTT will notify other people about the application and will invite them to become involved so all parties can try to reach an agreement that respects everyone's rights and interests. If the parties cannot agree, the NNTT refers the application to the Federal Court and the parties argue their cases before the Court.

As a common law right, native title may exist over areas of Crown land or waters, irrespective of whether there are any native title claims or determinations in the area. Native Title will therefore be a necessary consideration when Government is proposing or permitting any activity on or relating to Crown land that may affect native title³.

A2.3 Victorian Planning and Environment Act 1987

All municipalities in Victoria are covered by land use planning controls which are prepared and administered by State and local government authorities. The legislation governing such controls is the *Planning and Environment Act 1987*. Places of significance to a locality can be listed on a local planning scheme and protected by a Heritage Overlay (or other overlay where appropriate). Places of Aboriginal cultural heritage significance are not often included on local government planning schemes.

A2.4 Commonwealth Environmental Protection and Biodiversity Conservation Act 1999

The *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides a national framework for the protection of heritage and the environment and the conservation of biodiversity. The EPBC Act is administered by the Australian Government Department of Sustainability, Environment, Water, Population and Communities (SEWPaC). The Australian Heritage Council assesses whether or not a nominated place is appropriate for listing on either the National or Commonwealth Heritage Lists and makes a recommendation to the Minister on that basis. The Minister for the Environment, Water, Heritage and the Arts makes the final decision on listing. SEWPaC also administers the Register of the National Estate.

The objectives of the EPBC Act are:

³ The information in this section was taken from the Department of Sustainability and Environment, Fact Sheet on Native Title, 2008.

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- to provide for the protection of the environment, especially those aspects of the environment that are matters of national environmental significance;
- to promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources;
- to promote the conservation of biodiversity;
- to provide for the protection and conservation of heritage;
- to promote a cooperative approach to the protection and management of the environment involving governments, the community, land-holders and indigenous peoples;
- to assist in the cooperative implementation of Australia's international environmental responsibilities;
- to recognise the role of indigenous people in the conservation and ecologically sustainable use of Australia's biodiversity; and
- to promote the use of indigenous peoples' knowledge of biodiversity with the involvement of, and in cooperation with, the owners of the knowledge.

A2.5 Victorian Coroner's Act 2008

The Victorian *Coroner's Act 2008* requires the reporting of certain deaths and the investigation of certain deaths and fires in Victoria by coroners to contribute to the reduction of preventable deaths. Of most relevance to heritage is the requirement for any "reportable death" to be reported to the police (s. 12[1]). The *Coroner's Act 2008* requires that the discovery of human remains in Victoria (s. 4[1]) of a person whose identity is unknown (s. 4[g]) must be reported to the police.


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Appendix 3 - Archaeological Survey Attributes

ABORIGINAL CULTURAL HERITAGE PLACE ASSESSMENT:

ARCHAEOLOGICAL SURVEY AND EXCAVATION ATTRIBUTES FORM

Project Name: Residential Subdivision, Stockdale Property, Cross's Road, Traralgon, Victoria

Author/Consultant: Rick Bullers

Cultural Heritage Management Plan #: N/A

Cultural Heritage Permit #: N/A

Survey Attributes

Survey Date: 19.04.2011

Ground Surface Visibility: 7%

Actual Survey Coverage (m²): 290,000

Effective Survey Coverage (m²): 2

Survey Spacing (m): 2 m

Transect Width (m): 8 m Number in Crew: 4

Landform: Floodplain, gentle slope, spur ridge.

Vegetation: Grass pasture, remnant native vegetation, introduced tree and weed species.

Disturbance: Effluence dam, building complex, driveway, drainage channels and drain pipes.

Survey Method	Survey Design	Sample	Survey Type
<input checked="" type="checkbox"/> Pedestrian	<input type="checkbox"/> Opportunistic	<input checked="" type="checkbox"/> Area	<input checked="" type="checkbox"/> Surface
<input type="checkbox"/> Remote sensing (specify)	<input type="checkbox"/> Random	<input type="checkbox"/> Transect	
	<input checked="" type="checkbox"/> Systematic	<input type="checkbox"/> Locality	
	<input type="checkbox"/> Stratified	<input type="checkbox"/> Haphazard	
	<input type="checkbox"/> Other	<input type="checkbox"/> Other	

Excavation method

Excavation Date:

Area Excavated:

Excavation Spacing (m):

Transect Width (m):

Number in Crew:

Test Trench Size (m):

Depth (m):

Excavation Method	Excavation Design	Sample
<input type="checkbox"/> Manual	<input type="checkbox"/> Uncontrolled	<input type="checkbox"/> Area
<input type="checkbox"/> Mechanical	Excavation	<input type="checkbox"/> Transect
<input type="checkbox"/> Auger	(e.g. shovel pit)	<input type="checkbox"/> Locality
	<input type="checkbox"/> Monitoring	<input type="checkbox"/> Haphazard
	<input type="checkbox"/> Controlled	<input type="checkbox"/> Other
	Excavation	
	<input type="checkbox"/> Opportunistic	
	<input type="checkbox"/> Random	
	<input type="checkbox"/> Systematic	
	<input type="checkbox"/> Stratified	
	<input type="checkbox"/> Other	



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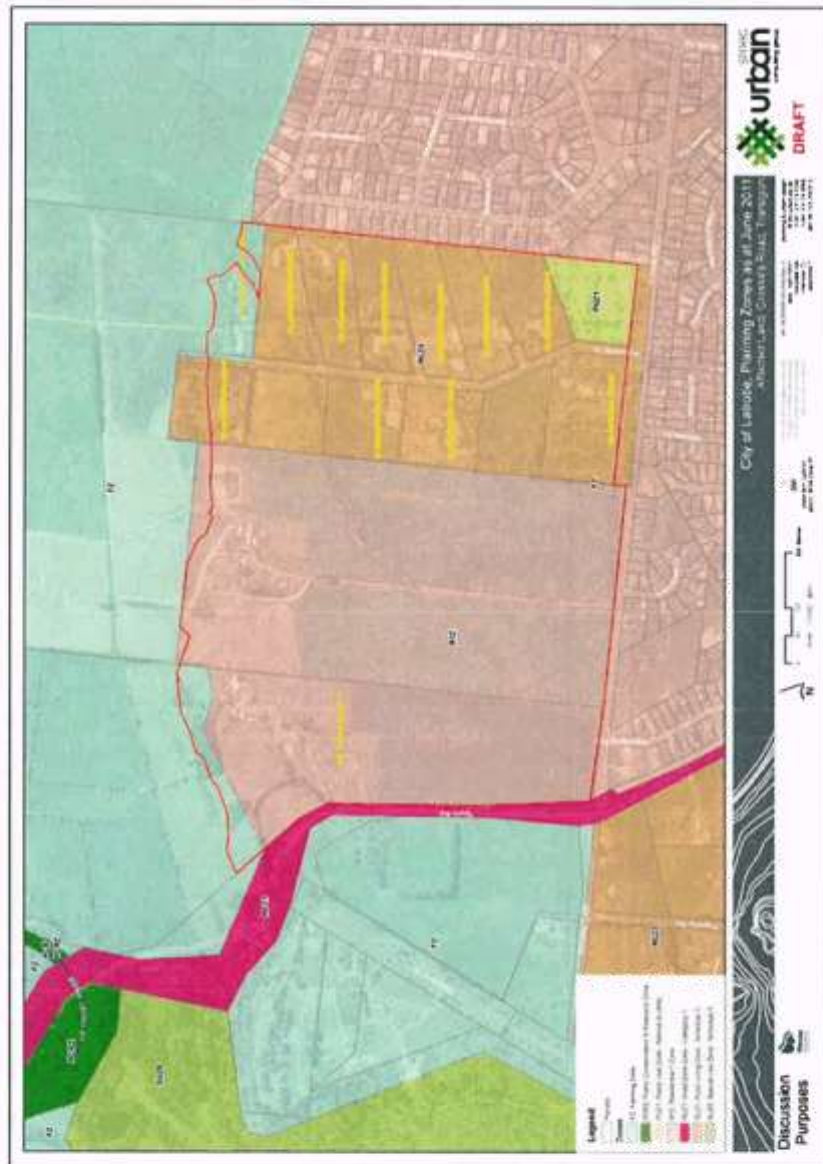
Appendix 4 – Site Gazetteer

Table A5.1: Site Gazetteer

Site Name	Site Number	Primary Grid Coordinate (GDA 94, Zone 55)	Site Type	Landform	Cultural Heritage Significance
240 Cross's Road AS	VAHR 8221-0182	E 456587 N 5774269	Artefact Scatter	Ridgeline overlooking floodplain	Medium

Appendix 5 – Latrobe City Council Planning Scheme Zoning

Current Zoning Map



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Appendix 6 – Heritage Victoria Correspondence regarding possible Historic Site

From: Mollie Harbour <mharbour@ehpartners.com.au>
To: "Jeremy Smith (Heritage Victoria)" <jeremy.smith@dpcd.vic.gov.au>
Date: 28/07/2011 12:14 PM
Subject: query regarding possible site

Hi Jeremy,

Whilst doing a survey on Cross's Rd in Traralgon, I came across these two stone features on a driveway, and I'm after your opinion on whether or not these would be classed as a site.

It is two sections of stone paving; the second is about 3 m south of the first. There are no landform features to explain why they are there, and no other visible features to hint at what they features are.

Mollie Harbour

Heritage Advisor

E mharbour@ehpartners.com.au

<http://www.ehpartners.com.au/images/signature/logo.jpg>

Natural and Cultural Heritage Consultants

MELBOURNE GEELONG
420 Victoria St, Brunswick VIC 3056 PO Box 8048, Newtown VIC 3220
PH (03) 9940 1411 F (03) 9381 0700 PH (03) 5221 8122 F (03) 5221 2780



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Archived: Tuesday, 30 August 2011 12:14:55 PM
From: Jeremy.Smith@dpcd.vic.gov.au
Sent: Sunday, 28 August 2011 10:46:58 AM
To: Mollie Harbour
Subject: Re: query regarding possible site
Importance: Normal
Attachments: [ATT00001.jpg](#); [ATT00002.jpg](#)

Hi Mollie,

Sorry it has taken me a while to respond - I've been on leave for a month.

I've looked at the images, and think that the features you've identified would probably not be classed as a site unless there was supporting historical information to support the location of a significant structure (such as homestead, toll booth, gatehouse etc) in that area.

It may simply be part of the road surface, a gate installation, or a crossing point.

So unless some other evidence comes to light, by recommendation would be that a Heritage Inventory record is not required.

Under the terms of the heritage Act there is actually blanket protection for all historical archaeological sites. So, if during disturbance, significant archaeological remains were exposed in this area, they would be protected under the Act, even if the site had not been added to the Inventory.

Please let me know if you'd like to discuss this further.

regards

Jeremy.

Jeremy Smith Senior Archaeologist

Heritage Victoria

Department of Planning and Community Development

Level 4, 55 Collins Street, Melbourne, VIC 3000

T: 03 8644 8946 | F: 03 8644 8951 | Email: Jeremy.smith@dpcd.vic.gov.au

www.dpcd.vic.gov.au


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Appendix 7 – Glossary

Items highlighted in ***bold italics*** in the definition are defined elsewhere in the glossary.

AAV	Aboriginal Affairs Victoria. A division of DPCD responsible for management of Aboriginal cultural heritage in Victoria.
Aboriginal cultural heritage likelihood	an area assessed by a Cultural Heritage Advisor as having potential for containing either surface or subsurface Aboriginal archaeological deposits. This term is used in this report to differentiate between <i>legislated areas of cultural heritage sensitivity</i> and areas considered by an archaeologist to be sensitive.
Aboriginal site	a location containing Aboriginal cultural heritage, e.g. <i>artefact scatter, isolated artefact, scarred tree, shell midden</i> , whether or not the site is registered in the <i>VAHR</i> , cf. <i>Aboriginal cultural heritage place</i> .
Angular fragment	an artefact which has technologically diagnostic features but has no discernible ventral or dorsal surface and hence is unidentifiable as either a flake or a core
Area of cultural heritage sensitivity	an area specified as an area of cultural heritage sensitivity in Division 3 or Division 4 of Part 2 of the <i>Aboriginal Heritage Regulations 2007</i> .
Artefact scatter	stone artefact scatters consist of more than one stone artefact. Activities associated with this site type include stone tool production, hunting and gathering or domestic sites associated with campsites. Stone artefacts may be flakes of stone, cores (flakes are removed from the stone cores) or tools. Some scatters may also contain other material such as charcoal, bone, shell and ochre.
Assemblage	the name given to encompass the entire collection of artefacts recovered by archaeologists, invariably classified into diagnostic items used to describe the material culture.
Backed	when one margin of a flake is retouched at a steep angle, and that margin is opposite a sharp edge. The steep margin is formed by bi-polar or hammer and anvil knapping. Also used to describe artefacts with backing, e.g. backed artefact.
Backed artefact	a class of artefact employed by archaeologists to describe artefacts which are backed. Sometimes divided into Elouera, Bondi Point, Microlith and Geometric.



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Bipolar	a flaking technique where the object to be reduced is rested on an anvil and struck. This process is identified by flakes with platform angles close to 90 degrees as well as apparent initiation from both ends. Some crushing may also be visible.
Burials	Aboriginal communities strongly associate burial sites with a connection to country and are opposed to disturbance of burials or their associated sites. General considerations for the presence of burial sites are the suitability of Sub surface deposits for digging purposes; with soft soil and sand being the most likely. They are more likely near water courses or in dunes near old lake beds or near the coast. Burials are often located near other sites such as oven mounds, <i>shell middens</i> or <i>artefact scatters</i> .
Chert	a cryptocrystalline siliceous sedimentary stone.
CHMP	Cultural Heritage Management Plan. A plan prepared under the <i>Aboriginal Heritage Act 2006</i> .
Core	an artefact which has technologically diagnostic features. Generally this class of artefact has only negative scars from flake removal, and thus no ventral surface, however, for the purposes of this research core has been employed to encompass those artefacts which were technically flakes but served the function of a core (ie. the provider of flakes).
Cortex	the weathered outer portion of a stone, often somewhat discoloured and coarser compared with the unweathered raw material.
Decortications	the process of removing cortex from a stone (generally by flaking).
Deep ripping	the ploughing of soil using a ripper or subsoil cultivation tool to a depth of 60 cm or more (see <i>significant ground disturbance</i>).
DPCD	Department of Planning and Community Development. The Victorian State Government department, of which <i>AAV</i> is a part, responsible for management of Aboriginal cultural heritage in Victoria.
Earths	a term used to describe great soil groups such as Red Earths or Black Earths. The term also refers to gradational soils with an earthy fabric in their B horizons (subsoils).
Flake	an artefact which has technologically diagnostic features and a ventral surface.
High impact activity	an activity specified as a high impact activity in Division 5 of Part 2 of the <i>Aboriginal Heritage Regulations 2007</i> .
HV	Heritage Victoria. A division of DPCD responsible for management of historical heritage in Victoria.


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Isolated finds or artefacts	isolated finds refer to a single artefact. These artefacts may have been dropped or discarded by its owner once it was of no use. This site type can also be indicative of further Subsurface archaeological deposits. These site types can be found anywhere within the landscape, however, they are more likely to occur within contexts with the same favourable characteristics for stone artefact scatter sites.
Manuport	an object which has been carried by humans to the site.
Oriented length	dimension measured according to the following criteria: The length of the flake from the platform, at 90° to force indicators such as ring-crack, bulb of percussion, force ripples and striations, to the opposing end. Where there were an insufficient number of features present to take this measurement, such as when the flake was broken, this variable was not recorded (sometimes referred to as percussion length).
Oriented thickness	dimension measured at 90° and bisecting the oriented width dimension. This was done from the ventral surface to the dorsal surface (sometimes referred to as percussion thickness).
Oriented width	dimension measured at 90° and bisecting the oriented length dimension. This was done from one margin to the other. As this measurement and oriented thickness, both rely on oriented length, these were not recorded where the oriented length was not recorded (sometimes referred to as percussion width).
Procurement	the process of obtaining raw material for reduction.
Quarries	stone quarries were used to procure the raw material for making stone tools. Quarries are rocky outcrops that usually have evidence of scars from flaking, crushing and battering the rock. There may be identifiable artefacts near or within the site such as unfinished tools, hammer stones, anvils and grinding stones.
Quartz	a crystalline form of silica.
RAP	Registered Aboriginal Party. An Aboriginal organisation with responsibilities relating to the management of Aboriginal cultural heritage for a specified area of Victoria under the <i>Aboriginal Heritage Act 2006</i> .
Raw material	the kind of stone the artefacts were manufactured from.
Reduction	the process of removing stone flakes from another piece of stone. Generally this is performed by striking (hard hammer percussion) one rock with another to remove a flake.
Registered cultural heritage place	An Aboriginal site recorded in the <i>VAHR</i> , cf. <i>Aboriginal site</i> .



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Retouch	retouch is when a <i>flake</i> is removed after the manufacture of the original flake. This sequence can be observed when a flake scar is present and encroaches over the ventral surface and thus must have been made after the initial flake removal. Recorded whether retouch was absent or present on the artefact.
Rock shelter	a concave area in a cliff where the cliff overhangs; or a concave area in a tor where the tor overhangs; or a shallow cave, where the height of the concave area is generally greater than its depth.
Scarred trees	it is known that the wood and bark of trees have been used for a variety of purposes, such as carrying implements, shield or canoes. The removal of this raw material from a tree produces a 'scar'. The identification of a scar associated with Aboriginal custom as opposed to natural scarring can be difficult. The scar should be of a certain size and shape to be identifiable with its product; the tree should also be mature in age, from a time that Aboriginal people were still active in the area.
Significant ground disturbance	disturbance of topsoil or surface rock layer of the ground or a waterway by machinery in the course of grading, excavating, digging, dredging or <i>deep ripping</i> , but does not include ploughing other than <i>deep ripping</i> .
Silcrete	a silicified sedimentary stone, often with fine inclusions or grains in a cryptocrystalline matrix. Because of the nature of the grains in silcrete (a hindrance in knapping/flaking predictability) the stone is sometimes heat treated. This exposure to heat can be identified by the presence of pot-lidding as well as a 'lustre' to the stone which is otherwise absent in the stones' natural state. Exposure to sufficient heat homogenises the stone matrix and improves the knapping (flake path) predictive potential (Crabtree & Butler 1964; Mandeville & Flenniken 1974; Purdy 1974; Domanski & Webb 1992; Hiscock 1993; Domanski <i>et al.</i> 1994). Similar to indurated mudstone, it has also been demonstrated that silcrete from the Hunter Valley often turns a red colour after being exposed to heat (Rowney 1992; Mercieca 2000).
Stone arrangements	stone arrangements are places where Aboriginal people have deliberately positioned stones to form shapes or patterns. They are often known to have ceremonial significance. They can be found where there are many boulders, such as volcanic areas and are often large in size, measuring over five metres in width.
Taphonomy	the study of the processes (both natural and cultural) which affect the deposition and preservation of both the artefacts and the site itself.



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Technology	a form of artefact analysis which is based upon the knapping/ manufacturing process, commonly used to subsequently infer behaviour patterns, cultural-selection and responses to raw material or the environment.
Texture contrast soils	also known as <i>Duplex soils</i> ; soils with a sharp contrast between the A horizon (topsoil) and B horizon (subsoil); often characterised by a sandy or loamy topsoil with a sharp clear boundary to a clay subsoil.
Thumbnail scraper	a conceptual class of artefact employed to describe small rounded retouched flakes with steep margins (based on the classification by Mulvaney & Kamminga 1999).
VAHR	Victorian Aboriginal Heritage Register. A register of Aboriginal cultural heritage places maintained by <i>AAV</i> .
VHI	Victorian Heritage Inventory. A register of places and objects in Victoria identified as historical archaeological sites, areas or relics, and all private collections of artefacts, maintained by <i>HV</i> . Sites listed on the VHI are not of State significance but are usually of regional or local significance. Listing on the VHR provides statutory protection for that a site, except in the case where a site has been "D-listed".
VHR	Victorian Heritage Register. A register of the State's most significant heritage places and objects, maintained by <i>HV</i> . Listing on the VHR provides statutory protection for that a site.



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INDICATIVE PLANTING SCHEDULE	
This indicative planting schedule promotes Indigenous and native plant species of the area and is based on the 'Indigenous Plants of Launceston City'	
BOTANICAL NAME	COMMON NAME
STREET TREES	
<i>Eucalyptus mannifera</i> 'Little Spotty'	Little Spotty
<i>Corymbia maculata</i> 'Sail'	Spotted Gum
<i>Eucalyptus leucocylon</i> 'Rosa'	Pink Flowering Yellow Gum
<i>Pyrus calleryana</i> 'Chanticleer'	Callery Pear
SHRUBS AND GRASSES	
<i>Acacia aphylla</i>	Leafless Rock Wattle
<i>Acacia cognata</i> 'River Cascade'	Acacia 'River Cascade'
<i>Angicatanthus</i> 'Big Red'	Kangaroo Paw
<i>Angicatanthus</i> 'Bush Dawn'	Kangaroo Paw
<i>Angicatanthus</i> 'Bush Rebel'	Kangaroo Paw
<i>Angicatanthus</i> 'Rampaging Roy Slaven'	Kangaroo Paw
<i>Angicatanthus</i> 'Lila Queen'	Kangaroo Paw
<i>Callistemon</i> 'Great Balls of Fire'	Dwarf Bottlebrush
<i>Carex appressa</i>	Tall Sedge
<i>Cotyledon orbiculata</i> 'Silver Waves'	Silver Pig's Ear
<i>Crocos exaltata</i> 'Edna Walling Crocos'	Crocos cultivar
<i>Dianella formosa</i> 'Tared'	Dianella cultivar
<i>Dianella caerulea</i> 'Little Jew'	Dianella cultivar
<i>Elchea nodosa</i>	Knobby Club Rush
<i>Grevillea</i> 'Gold Fever'	Grevillea cultivar
<i>Grevillea</i> 'Jubilee'	Grevillea cultivar
<i>Grevillea</i> 'Pink Parfait'	Grevillea cultivar
<i>Isopogon armatus</i>	Rose Cone Flower
<i>Kalanchoe pumila</i> 'Quicksilver'	Kalanchoe Quicksilver
<i>Leptocarpus obovatum</i> 'Lemon Ball'	Dwarf Tea Tree
<i>Leucophaea laevis</i> 'dwarf'	Dwarf Cushion Bush
<i>Lomandra confertifolia</i> 'Wingana'	Lomandra cultivar
<i>Lomandra longifolia</i> 'Tanker'	Mat Rush cultivar
<i>Lomandra</i> 'Silver grass'	Lomandra cultivar
<i>Molotrus</i> 'Little Red'	Dwarf Narrow leaf paper bark
<i>Oxydanthus multiflorus</i>	Sweet Morning Iris
<i>Philotheca myoporoides</i> 'Winter Rouge'	Wax Flower cultivar
<i>Pinelea ferruginea</i> 'Magenta Mat'	Rice Flower
<i>Pteris rosea</i> 'Snow Cloud'	Rose Rampion cultivar
<i>Prostanthera cuneata</i>	Alpine mint bush
<i>Xerochrysum</i> 'Sundara White'	Paper Daisy
GROUND COVERS	
<i>Adiantum cuneatum</i> 'Coral Carpet'	Coral Carpet cultivar
<i>Brachyotum angustifolia</i> 'Mauve Delight'	Grassland Daisy
<i>Casuarina glauca</i> 'Cushin II'	Dwarf Casuarina
<i>Dieris perfoliata</i>	Prostrate
<i>Emmophila glabra</i> 'dwarf'	Dwarf Rosemary Grevillea
<i>Goodenia ovata</i> 'Golden Cover'	Goodenia prostrate
<i>Grevillea</i> 'Tandara'	Grevillea cultivar
<i>Grevillea</i> 'Wingana 'Mount Tanderbil'	Prostrate Woolly Grevillea
<i>Hardenbergia</i> 'Edna Walling Snow White'	Snow White Happy Wanderer
<i>Hardenbergia violacea</i>	Happy Wanderer
<i>Scaevola alba</i> 'Mauve Clusters'	Small Fruited Fan Flower cultivar
<i>Sedum maderense</i> 'Blue Chalk Sticks'	Chalk Sticks
Repeats Planting for Drainage Corridor Areas	

A minimum of 3 plants of the same species to be planted	
<i>Carex appressa</i>	Tall Sedge
<i>Carex breviculmis</i>	Short Stem Sedge
<i>Carex inversa</i>	Knob Sedge
<i>Carex lepidocaulis</i>	Rush Sedge
<i>Eleocharis acuta</i>	Common Spike-sedge
<i>Eleocharis parviflora</i>	Small Spike-sedge
<i>Juncus amabilis</i>	Yellow Rush
<i>Juncus flavidus</i>	Gold Rush
<i>Juncus subsecundus</i>	Finger Rush
<i>Lomandra app</i>	Mat Rush
<i>Peristichia subseriata</i>	Brittle Water pepper
<i>Poa app</i>	Tussock Grass
<i>Pyroseris gibbosa</i>	Billy Buttons
<i>Scheuchzeria palustris</i>	Common Bog-sedge
<i>Triglochin procumbens</i>	Floating Pond-weed
BANK PLANTING 200mm above NWL	
<i>Acrostichum novae-zelandiae</i>	Sedges Wedges
<i>Dampiera stricta</i>	Blue Dampiera
<i>Dichondra repens</i>	Kidney Weed
<i>Dianella revoluta</i> var <i>revoluta</i>	Black Arthur Flax Lily
<i>Erastria nylana</i> ssp <i>nylana</i>	Nodding Starbush
<i>Lomandra longifolia</i> var <i>longifolia</i>	Spike-headed Mat Rush
<i>Mentha australis</i>	River Mint
EPHEMERAL MARSH 0-200mm below MWL	
<i>Carex bichenoviana</i>	Notched Sedge
<i>Carex lepidocaulis</i>	Basket Sedge
<i>Cressida helmsii</i>	Swamp Cressida
<i>Eleocharis acuta</i>	Common Spike-sedge
<i>Juncus flavidus</i>	Gold Rush
<i>Juncus subsecundus</i>	Finger Rush
Revegetation AND Open Space Planting	
TREE PLANTING	
<i>Angophora costata</i>	Smooth Barked Apple
<i>Allocasuarina littoralis</i>	Black Sheoak
<i>Acacia dealbata</i>	Silver Wattle
<i>Acacia ligulata</i>	Lightwood
<i>Acacia myrsina</i>	Black Wattle
<i>Eucalyptus camaldulensis</i>	River Red Gum
<i>Eucalyptus laevis</i>	Forest Red Gum
<i>Eucalyptus ovata</i>	Swamp Gum
<i>Eucalyptus polyanthemus</i>	Red Box
MEDIUM SHRUBS	
<i>Bursaria spinosa</i> ssp <i>spinosa</i>	Sweet Bursaria
<i>Indigofera australis</i>	Austral Indigo
<i>Ocotea integrifolia</i>	Tree Everlasting
<i>Conzattia stricta</i>	White Tea Tree
SHRUBS AND GRASSES	
<i>Carex breviculmis</i>	Short Stem Sedge
<i>Lomandra filiformis</i>	Wattle Mat Rush
<i>Poa app</i>	Tussock Grass
<i>Themeda triandra</i>	Kangaroo Grass



Transport and Traffic Impact Assessment Report

Cross's Road, Traralgon

For: 150B Property Pty Ltd c/o SMEC Urban
DECEMBER 08, 2011



Project Name:	Transport and Traffic Impact Assessment Report – Cross's Road, Traralgon
Project Number:	3004714.2
Report for:	150B Property Pty Ltd c/o SMEC Urban

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1 INTRODUCTION

1.1 Background

SMEC Australia Pty Ltd has been engaged by 150B Property Pty Ltd to prepare a Transport and Traffic Impact Assessment Report for the proposed residential subdivision of approximately 15.2 hectares of land at Cross's Road, Traralgon. The purpose of this report is to support the development plan and planning permit application.

1.2 Aim of this Report

This report aims to investigate and assess the following:

- Access arrangements to the proposed site; and
- Impact of traffic generated by the proposed development.

1.3 Report Structure

The transport and traffic impact assessment for this proposal covers the following five stages:

- Proposed Development
- Existing Conditions Assessment
- Transport Assessment
- Traffic Impact Assessment
- Internal Road Network Review.

1.4 References

The following references were used to assist in the preparation of this report:

- Austroads Guide to Traffic Management, Part 12: Traffic Impacts of Development
- Austroads Guide to Traffic Management, Part 3: Traffic Studies and Analysis
- Austroads Guide to Road Design, Part 4A: Unsignalised and signalised Intersections
- RTA Guide to Traffic Generating Developments, Version 2.2, October 2002
- Traffic Engineering and Management, K W Ogden and S Y Taylor, 1996
- Latrobe Planning Scheme, Particular Provisions – Clause 56.06
- Latrobe City Council Design Guidelines, Version 3.1, August 2003
- Latrobe City Council Population and Household Forecasts 2006 (dated 16/08/10).

2 PROPOSED DEVELOPMENT

2.1 Site Location

The subject site is located at 150 Tyers Road on the north-east corner of Tyers Road and Cross's Road in Traralgon, Victoria. The site is situated approximately 3.5km north-west of the Traralgon town centre.

The site is bounded by Cross's Road to the south, Tyers Road to the west, land zoned as Farming Zone (FZ) to the north, and land zoned as Residential 1 Zone (R1Z) to the east. Refer to Figure 1 for the site location.

The site covers an area of approximately 15.2 hectares.



Figure 1: Locality plan (image reproduced with permission from Melways Pty Ltd)

2.2 Site Plan and Constraints

This transport and traffic impact assessment is based on developing the site with a proposed lot yield of 117 residential lots at full development, comprising of 107 standard density lots and 10 large lots. Vehicular access is proposed off Cross's Road with permeable road connections to the adjacent development.

The constraints of the development area are shown in Figure 2. They consist of transmission and water easements through the northern part of the site. These constraints provide restrictions to the developable area and the proposed subdivision layout plan.



Figure 2: Site plan (CPG, version 1, dated 07/12/11)

3 EXISTING CONDITIONS ASSESSMENT

3.1 Existing Road Network

An inspection of the proposed development site, Cross's Road, Tyers Road and Ashworth Drive was undertaken on Wednesday 29 September 2010, between the hours of 11am and 12pm.

3.1.1 Cross's Road

Cross's Road, between Tyers Road and Riverslea Boulevard, is a sealed two-lane, two-way undivided rural road.

West of Wirilda Crescent, Cross's Road consists of an 8.0m wide carriageway made up of two 4.0m wide traffic lanes. Kerb and channel is present along the southern edge of the carriageway adjacent to the residential properties, while an open drain is present on the northern edge of the carriageway.

East of Wirilda Crescent, Cross's Road consists of an 8.0m wide carriageway made up of two 2.8m wide traffic lanes, a 1.9m wide parking lane along the southern edge of the carriageway and a 0.5m sealed shoulder on the northern edge of the carriageway.

Footpaths are provided at Cross's Road/ Wirilda Crescent and continue east along the southern edge of the carriageway adjacent to the residential properties.

The road alignment is straight with a gentle incline from Tyers Road to a crest at Wirilda Crescent. Refer to Photo 1 and Photo 2.

The posted speed limit on Cross's Road is 60km/h.



Photo 1: Cross's Road, looking east from Tyers Road



Photo 2: Cross's Road, looking west from Riverslea Boulevard

3.1.2 Tyers Road

Tyers Road to the north of its intersection with Cross's Road, is a sealed two-lane, two-way undivided rural road.

The road consists of a 6.0m wide carriageway made up of two 3.0m wide traffic lanes. The carriageway widens to 9.0m, and is made up of two 4.5m traffic lanes in the vicinity of the Cross's Road intersection. An unsealed shoulder and grassed verge of varying width, and open drain are present on both sides of the carriageway. Footpaths are not present.

The road alignment is flat and generally straight with a gentle bend to the right and a sharp bend to the left, northbound. The safe intersection sight distance on both approaches to Tyers Road complies with the Austroads Guidelines. Refer to Photo 3 and Photo 4.

The posted speed limit on Tyers Road is 100km/h.



Photo 3: Tyers Road, looking south from Cross's Road



Photo 4: Tyers Road, looking north from Cross's Road

3.1.3 Ashworth Drive

Ashworth Drive is a sealed two-lane, two-way undivided rural road. It provides connectivity to Cross's Road to the south and is truncated to the north.

The road consists of a 4.5m wide carriageway. An unsealed shoulder and grassed verge of varying width, and open drain are present on both sides of the carriageway. Footpaths are not present. The safe intersection sight distance on both approaches to Cross's Road complies with the Austroads Guidelines. Refer to Photo 5 and Photo 6.

The horizontal alignment of Ashworth Drive varies with a sharp bend to the left followed by moderate bend to the right, northbound.

There is no posted speed limit on Ashworth Drive.



Photo 5: Ashworth Drive, looking west along Cross's Road



Photo 6: Ashworth Drive, looking west along Cross's Road

3.2 Traffic Volumes

3.2.1 Mid-block Traffic Counts

VicRoads provided traffic volumes on Tyers Road to the north of Cross's Road, dated January 2010. Refer to Table 1.

Table 1: 2010 traffic volumes on Tyers Road

	Northbound	Southbound	Total	% Heavy Vehicles
Tyers Road, north of Cross's Road				
24 hour weekday average (veh/day)	1200	1300	2500	-
PM peak hour (3-4pm) (veh/hour)	128	113	277 (0.11 PHF*)	-

* PHF = Peak Hour Factor

Latrobe City Council provided traffic volumes at the following locations dated March 2004:

- Cross's Road, 70m west of Wirilda Crescent
- Cross's Road, 300m east of Tyers Road.

Note that the traffic volumes on Cross's Road may pre-date the existing residential development located to the south of Cross's Road. Therefore these recorded traffic volumes would not be indicative of the current daily traffic volumes on Cross's Road.

In 2004, the highest 5-day average number of vehicles recorded during this survey along Cross's Road was approximately 548 vehicles westbound and 496 vehicles eastbound with an average peak hour factor of 0.112 and 0.115 in the AM and PM peak hours, respectively.

In order to estimate the current 24-hour weekday average volumes on Cross's Road, the existing PM peak hour factor of 0.115 was applied to the current PM peak hour volumes. Note that the current PM peak hour volume has been taken from the intersection turning movement counts as detailed in Section 3.2.3 below.

Referring to the traffic count data supplied by council, the PM peak hour is the critical peak period. Therefore, this assessment will analyse the impacts during the PM peak.

A summary of the projected 2010 traffic volumes for all vehicles on Cross's Road is provided in Table 2.

Table 2: Projected 2010 traffic volumes on Cross's Road

	Eastbound	Westbound	Total	% Heavy Vehicles
Cross's Road, approaching Wirilda Crescent				
24 hour weekday average (veh/day)	1113	887	2000	-
PM peak hour** (3-4pm) (veh/hour)	128	102	230 (0.115 PHF)	-

** Calculated from the intersection turn counts

3.2.2 Existing Road Capacity

The one-way midblock capacity of a traffic lane on an undivided road with interrupted traffic flow is 900 vehicles per hour (source: Austroads Guide to Traffic Management Part 3: Traffic Studies and Analysis, Section 5.2).

Referring to Table 2, the highest one-way peak hour volume on Cross's Road, west of Wirilda Crescent, is 128 vehicles during the PM peak for the eastbound direction. Therefore, Cross's Road is currently operating at only 14% of its theoretical capacity during the PM peak.

The highest one-way peak hour volume on Tyers Road, north of Cross's Road, is 128 vehicles during the PM peak for the northbound direction. Therefore, Tyers Road is also currently operating at only 14% of its theoretical capacity during the PM peak.

3.2.3 Intersection Turning Movement Counts

Intersection turning movement surveys were conducted by Sky High Pty Ltd on Wednesday 13 October 2010 between the hours of 3pm and 6pm. Turning movement counts were undertaken at the following intersections:

- Cross's Road/ Tyers Road
- Cross's Road/ Wirilda Crescent
- Cross's Road/ Riverslea Boulevard.

Figure 3, Figure 4 and Figure 5 show the traffic volumes on each approach to the intersections during the PM peak hour.

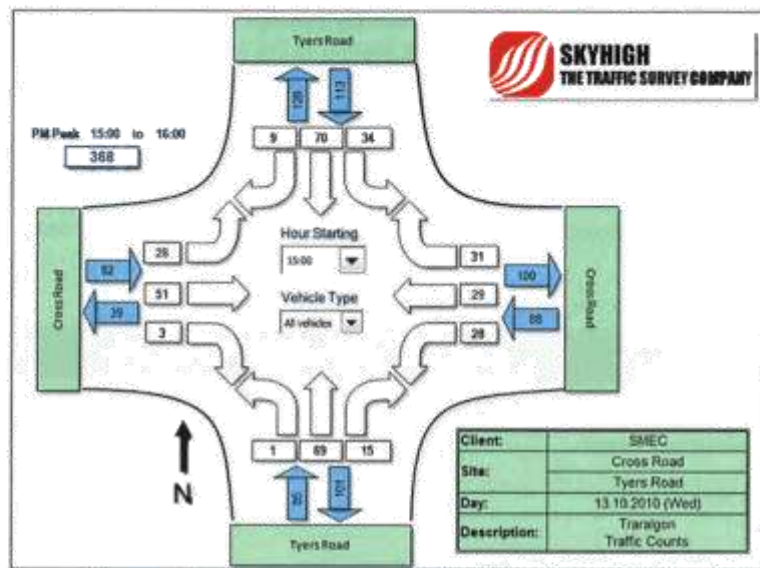


Figure 3: Traffic volumes at Cross's Road/ Tyers Road during PM peak

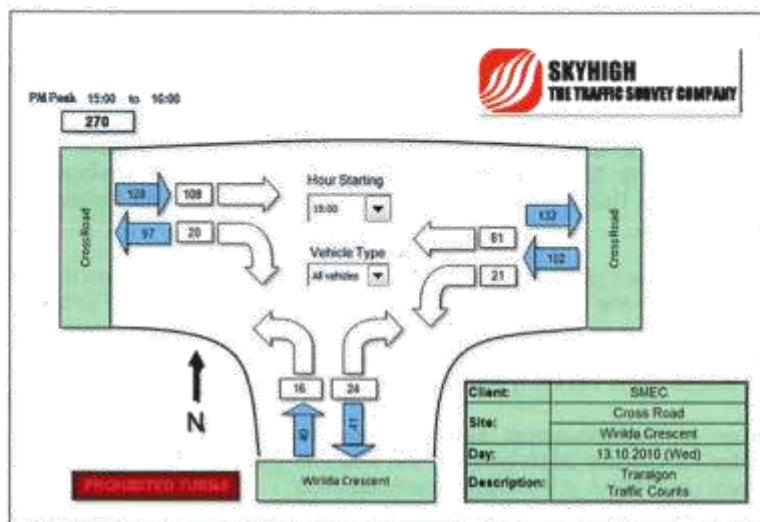


Figure 4: Traffic volumes at Cross's Road/ Wirilda Crescent during PM peak

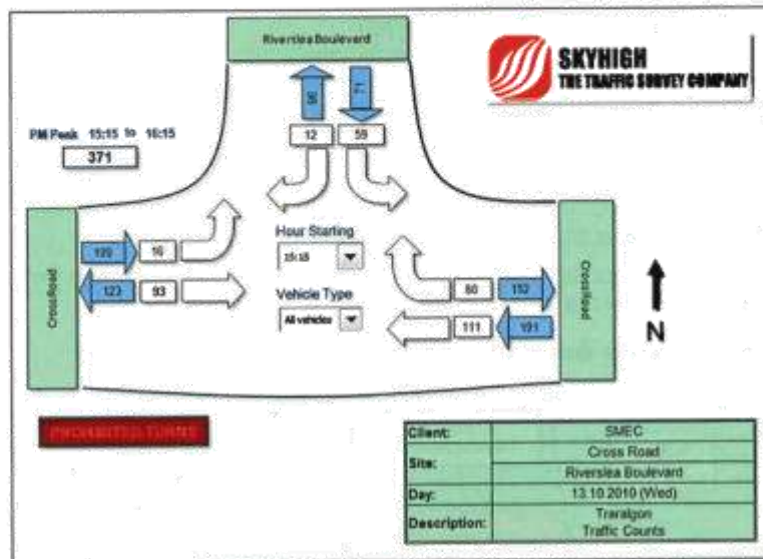


Figure 5: Traffic volumes at Cross's Road/ Riverslea Boulevard during PM peak

3.3 Casualty Accident Statistics

VicRoads' Crashstats database indicates that four casualty crashes have been recorded along the subject sections of Cross's Road and Tyers Road in the five-year period between January 2005 and December 2009.

Three of the crashes occurred along Tyers Road, just north of the Cross's Road intersection. The crash types involved a head-on collision (not overtaking), a vehicle losing control on Tyers Road, and a vehicle hitting an object on the carriageway. All crashes resulted in other injury.

One crash occurred at the Scrubby Lane/ Tyers Road intersection, just north of Cross's Road. The crash involved a right turning vehicle from Scrubby Lane colliding with a right turning vehicle from Tyers Road. The crash resulted in serious injury.

4 TRANSPORT ASSESSMENT

4.1 Subject and Future Sites

It is proposed to develop the subject site and the adjacent land to the east in two stages as follows. Refer also to Figure 6.

- Stage 1 – Subject Site and Eastern Development Site constructed
- Stage 2 – Subject Site, Eastern Development Site and Future Eastern Development Site fully constructed

This assessment will be undertaken for the full development scenario.

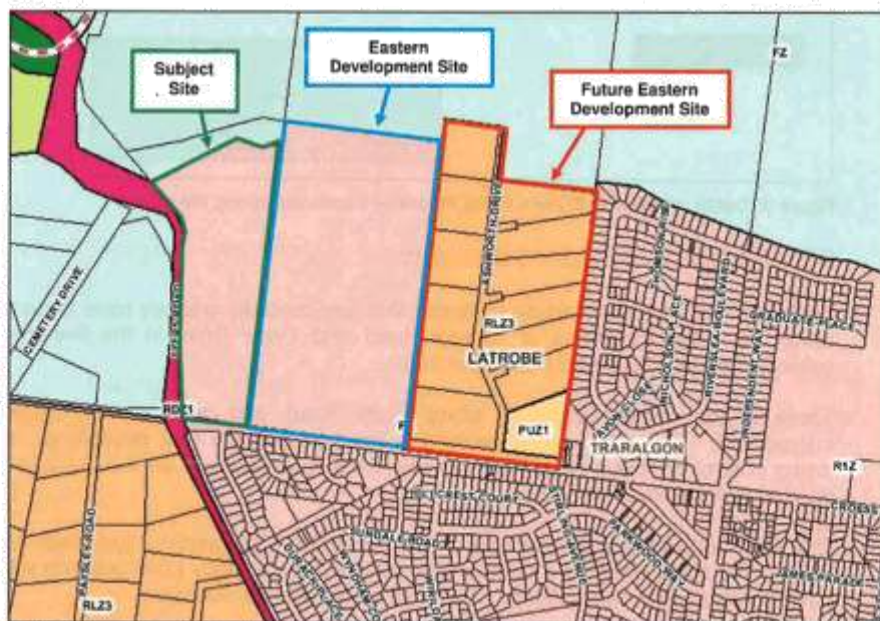


Figure 6: Land use plan (source: <http://services.land.vic.gov.au/maps/pmo>)

4.1.1 Subject Site

The subject site has a total lot yield of 117 lots. This is made up of 107 standard density lots and 10 large lots.

4.1.2 Eastern Development Site

The eastern development site comprises approximately 31.4 hectares and is zoned for residential use. The site has a proposed total lot yield of 293 lots. This is made up of 259 standard density lots, 11 large lots and 23 integrated lots.

4.1.3 Future Eastern Development Site

The future eastern development site comprises approximately 30.4 hectares and is zoned for residential use. The site has a proposed total lot yield of 247 lots. This is made up of 242 standard density lots and 5 large lots.

4.2 Traffic Generation Rates

The RTA Guide to Traffic Generating Developments, Version 2.2, October 2002 has been used to source the traffic generation rates for the development area. Given that a residential subdivision is proposed, the traffic generation rates for dwelling houses and medium density buildings are appropriate.

The following Table 3 is an extract from the RTA Guide:

Table 3: Land use traffic generation rates

Land Use	Traffic Generation Rates	
	Daily Vehicle Trips	Peak Hour Vehicle Trips
Residential		
Dwelling houses (standard density and large lots)	9 per dwelling	0.85 per dwelling
Medium density residential flat building (integrated lots)	<u>Up to 2 bedrooms</u>	
	4-5 per dwelling	0.4-0.5 per dwelling
	<u>3 bedrooms or more</u>	
	5-6.5 per dwelling	0.5-0.65 per dwelling

Assuming an average of 2.3 bedrooms for the medium density housing lots, the following traffic generation rates will apply to this dwelling type:

- 5 daily vehicle trips per dwelling
- 0.5 peak hour vehicle trips per dwelling.

4.3 Traffic Generation

Stage 1 of the development will generate approximately 3,598 vehicle trips per day and 342 peak hour trips. With the future development site, approximately 5,821 vehicle trips per day and 552 peak hour trips will be generated. Table 4 shows a detailed breakdown.

Table 4: Site traffic generation

Development Site	No. of Lots	Proposed Daily Vehicle Trips	Proposed Peak Hour Vehicle Trips
Subject Site			
Conventional Density Housing	117	1,053	100
Eastern Development Site			
Conventional Density Housing	270	2,430	230
Medium Density Housing	23	115	12
Sub-Total	410	3,598	342
Future Eastern Development Site			
Conventional Density Housing	247	2,223	210
Total Traffic Generation	657	5,821	552

4.4 Traffic Distribution

The generated traffic volumes from the full development area have been distributed to Cross's Road and Tyers Road. The percentage of traffic distributed to these roads is based on the traffic distribution pattern of the existing residential area entering Riverslea Boulevard.

The existing traffic volumes entering Riverslea Boulevard show that 83% of vehicle trips were generated from Cross's Road east (Traralgon town centre), 5% generated were from Tyers Road south and Wirilda Crescent, 8% were generated from Scrubby Lane west, and 4% were generated from Tyers Road north.

As the subject site is located towards Tyers Road, it is assumed that fewer vehicles will access the development from Cross's Road east and more vehicles will access the development from Tyers Road south. Therefore, the generated traffic volumes produced by the proposed development will be distributed to the surrounding road network as follows:

- 62% of traffic will be generated to/ from the east
- 26% of traffic will be generated to/ from the south
- 8% of traffic will be generated to/ from the west
- 4% of traffic will be generated to/ from the north.

Refer to Figure 7 for the percentage distribution of traffic volumes distributed to the surrounding road network:

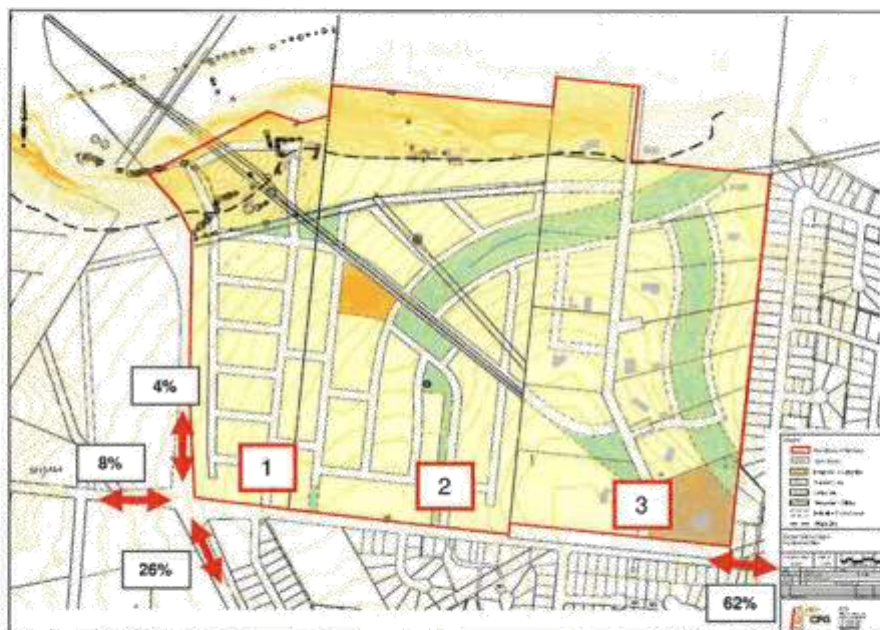


Figure 7: Percentage distribution of traffic volumes distributed to surrounding road network

The total trips generated by the full development have been proportioned to each access point as follows; 18% to Access Point 1, 45% to Access Point 2 and 37% to Access Point 3, refer to Figure 8. A higher percentage of trips have been assigned to Access Point 2 as the majority of the dwellings are aligned with this access point.

Based on the percentage of vehicle trips assigned to each access point, the directional traffic distribution has been estimated for vehicles entering and exiting the development area.

As the majority of vehicle trips originate from the east, the proportion of traffic generated from the east is higher at Access Points 2 and 3 when compared to Access Point 1. Access Point 2 has a lower proportion of vehicles travelling east when compared to Access Point 3 as it is assumed that vehicles will utilise Tyers Road to access the site.

Refer to Figure 8 for the percentage distribution of traffic volumes generated from the full development area.

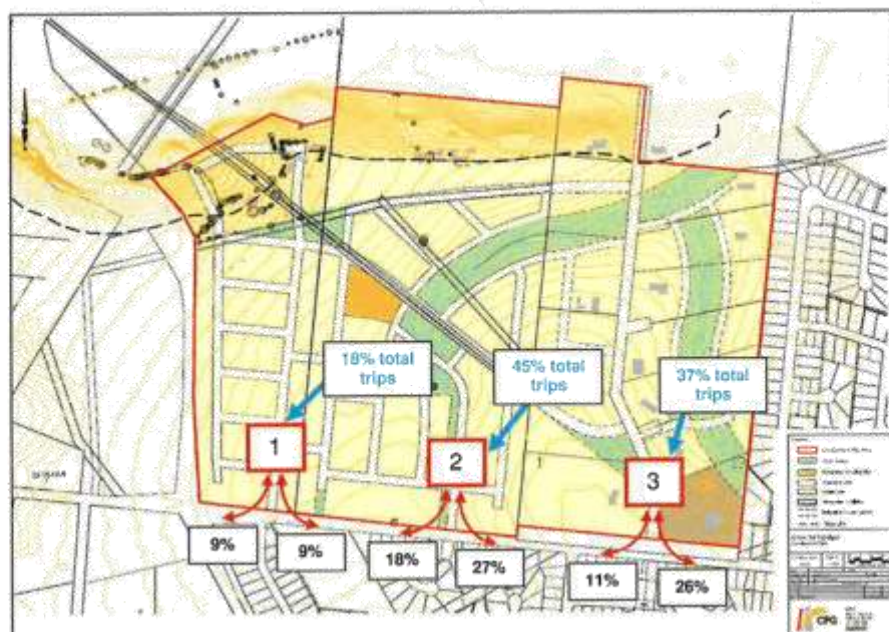


Figure 8: Traffic distribution at full development

4.5 Traffic Assignment

From the traffic generation and traffic distribution assumptions outlined above, traffic has been assigned to Cross's Road at full development. Table 5 summarises the predicted PM peak hour traffic movements at all existing and future access points along Cross's Road.

Table 5: Peak hour vehicle movements accessing the proposed development site

Intersection	PM Peak		
	Total Peak Hour Vehicle Trips	Out	In
Access Point 1: Cross's Road/ Future Road	100	40	60
Access Point 2: Cross's Road/ Future Road	248	99	149
Access Point 3: Cross's Road/ Ashworth Drive	204	82	122
Total	552	221	331

Note: Based on the directional split of 40% exit and 60% enter the development during the PM peak

As stated above, it is estimated that the existing eastbound traffic volume on Cross's Road will grow to 172 vehicle trips in the future year. Therefore, the maximum peak hour traffic volume on Cross's Road directly east of the Tyers Road intersection would be 298 vehicles.

As a result, the eastbound traffic lane on Cross's Road would operate at 33% of its capacity during the PM peak hour.

Given that 62% or 205 vehicles are expected to enter the site from Cross's Road, east approach, and that the existing westbound traffic volume on Cross's Road is estimated to grow to 137 vehicle trips in the future year, the maximum peak hour traffic volume on Cross's Road directly east of the site would be 342 vehicles.

As a result, the westbound traffic lane on Cross's Road would operate at 38% of its capacity during the PM peak hour.

5.2.2 Impact on Tyers Road

Assuming that the site is fully developed in a 20 year timeframe and using a compounded growth rate of 1.5%, the expected northbound and southbound traffic volumes on Tyers Road in the PM peak hour will be as follows:

- 172 northbound vehicle trips on Tyers Road
- 152 southbound vehicle trips on Tyers Road.

Assuming that 4% of generated vehicle trips exit the site and turn right onto Tyers Road, there would be an additional 9 vehicles travelling in a northbound direction along Tyers Road.

As stated above, it is estimated that the existing northbound traffic volume on Tyers Road will grow to 172 vehicle trips in the future year. Therefore, the maximum peak hour traffic volume on Tyers Road directly north of the Cross's Road intersection would be 181 vehicles.

As a result, the northbound traffic lane on Tyers Road would operate at 20% of its capacity during the PM peak hour.

Given that 4% or 13 vehicles are expected to enter the site from Tyers Road, north approach, and that the existing southbound traffic volume on Tyers Road is estimated to grow to 152 vehicle trips in the future year, the maximum peak hour traffic volume on Tyers Road directly north of the Cross's Road intersection would be 165 vehicles.

As a result, the southbound traffic lane on Tyers Road would operate at 18% of its capacity during the PM peak hour.

5.3 Access Point Assessment

Based on the site plan, two new access points to the development area are shown on Cross's Road; one to the east of Palmgate Terrace and one to the east of Ellenbrae Court. Both intersections would form a staggered T-junction with 'give way' control on the minor approach.

The existing alignment of Cross's Road at these locations is straight and flat. The safe intersection sight distance on both approaches to both intersections is greater than 250m which complies with the Austroads Guidelines. Refer to Photo 7 and Photo 8.



Photo 7: Cross's Road at proposed Access Point 1, looking east



Photo 8: Cross's Road west of proposed Access Point 2, east of Ellenbrae Court

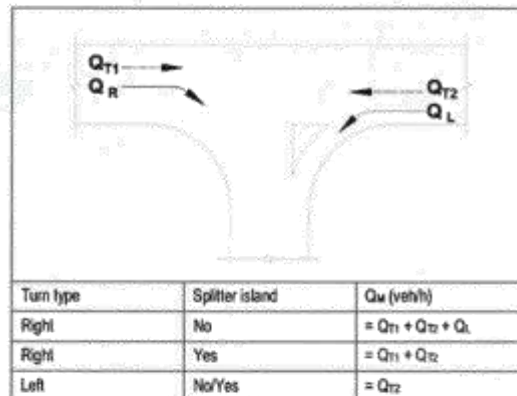
The site plan also shows an access point to the development area at the existing Cross's Road/ Ashworth Drive intersection. This intersection forms a T-junction with 'give way' control on the minor approach.

The existing alignment of Cross's Road at this location is straight and flat. The safe intersection sight distance on both approaches to both intersections is greater than 250m which complies with the Austroads Guidelines. Refer to Photo 5 and Photo 6 in Section 3.1.3 of this report.

5.4 Intersection Turn Warrants Assessment

Warrants for turn treatments are set out in Section 4.8 of the Austroads Guide to Road Design, Part 4A: Unsignalised and Signalised Intersections. These warrants apply to major road turn treatments for basic, auxiliary lane and channelised layouts.

Figure 4.9 of the Austroads guide has been used to assess if turn treatments are required at the proposed access points on Cross's Road. The values of the following traffic volume parameters; Q_M , Q_L and Q_R , are calculated using Figure 4.10 of the Austroads guide, as shown below.



Refer to Appendix A for this assessment and Table 6 for a tabulated breakdown of the PM peak turn movements at the proposed Cross's Road intersections with the development site access points.

Table 6: Turn treatment assessment at proposed access points on Cross's Road

Major Road	Existing Intersection Layout	Through Movement (Q_M)	Turn Movement (Q_L or Q_R)	Treatment Required (Yes/No)	Turn Treatment
PM Peak					
Access Point 1: Cross's Road/ Future Road	-	268	$Q_L = 30$	Yes	Auxiliary left (short)
	-	459	$Q_R = 30$	Yes	Channelised right (short)
Access Point 2: Cross's Road/ Future Road	-	228	$Q_L = 60$	Yes	Auxiliary left (short)
	-	440	$Q_R = 89$	Yes	Channelised right
Access Point 3: Cross's Road/ Ashworth Drive	Basic left	217	$Q_L = 37$	No	Basic left
	Basic right	510	$Q_R = 85$	Yes	Channelised right
Cross's Road/ Wirilda Crescent	Basic left	225	$Q_L = 56$	Yes	Auxiliary left (short)
	Basic right	511	$Q_R = 58$	Yes	Channelised right
Tyers Road/ Cross's Road	Basic left	94	$Q_L = 59$	No	Basic left
	Basic right	246	$Q_R = 106$	Yes	Channelised right (short)

Figure 10 and Figure 11 show the typical basic and auxiliary left turn treatments for a rural road. Figure 12 shows the typical channelised right turn treatment for a rural road.



Figure 10: Rural basic left turn treatment

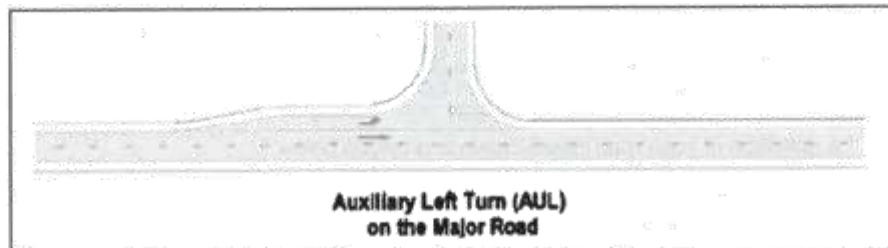


Figure 11: Rural auxiliary left turn treatment

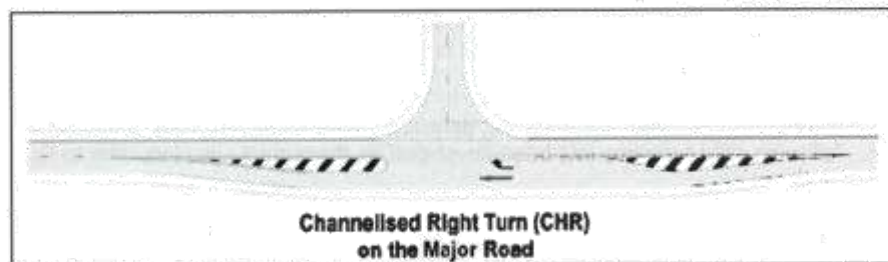


Figure 12 : Rural channelised right turn treatment

6 INTERNAL ROAD NETWORK REVIEW

6.1 Road Hierarchy

The Latrobe Planning Scheme has been used to determine the road hierarchy for the proposed development site. The following Table 7 is an extract from Clause 56.06 of the Planning Scheme.

Table 7: Classification of urban roads

Classification	Traffic Volume (vehicles per day)
Access Lane	300
Access Place	300 – 1,000
Access Street – Level 1	1,000 – 2,000
Access Street – Level 2	2,000 – 3,000

A definition of each road classification is provided below:

- **Access Lane** – A side or rear lane principally providing access to parking on lots with another street frontage.
- **Access Place** – A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.
- **Access Street** – A street providing local residential access where traffic is subservient, speed and volume are low, and pedestrian and bicycle movements are facilitated.

Based on the road classification definitions and expected daily traffic volumes, the following road hierarchy has been developed for the current site plan, refer to Figure 13.



Figure 13: Road hierarchy concept plan

6.2 Road Cross Sections

Clause 56.06 of the Latrobe Planning Scheme sets out the road cross section configuration for each road type. Table 8 provides a summary of the cross section requirements for the road types proposed in the road hierarchy for the site.

Table 8: Street widths, parking provisions and speed

Street Type	Carriage-way Width [^]	Parking Provision Within Street Reservation	Minimum Verge Width (includes footpath)	Footpath Provision	Cycle Path Provision	Target Speed – (km/h)
Access Lane	5.5m	None	None	None	None	10
Access Place	5.5m	1 hard standing verge space per 2 lots OR On carriageway, one side	7.5m total width (for services provide 3.5m one side and 2.5m other)	1.5m wide, minimum offset of 1m from kerb	None	15
Access Street – Level 1	5.5m	1 hard standing verge space per 2 lots	4m each side	1.5m wide both sides, minimum offset of 1m from kerb	Shared zone	30
Access Street – Level 2	7m-7.5m	Both sides	4.5m each side	1.5m wide both sides, minimum offset of 1m from kerb	Shared zone	40

[^] Carriageway width is measured from kerb invert to kerb invert.

~ Target speed is the desired speed at which motorists should travel.

7 FINDINGS

The following findings are based on the assessment of the proposed access arrangements and the impact of traffic generated by the Cross's Road/ Tyers Road development in Traralgon.

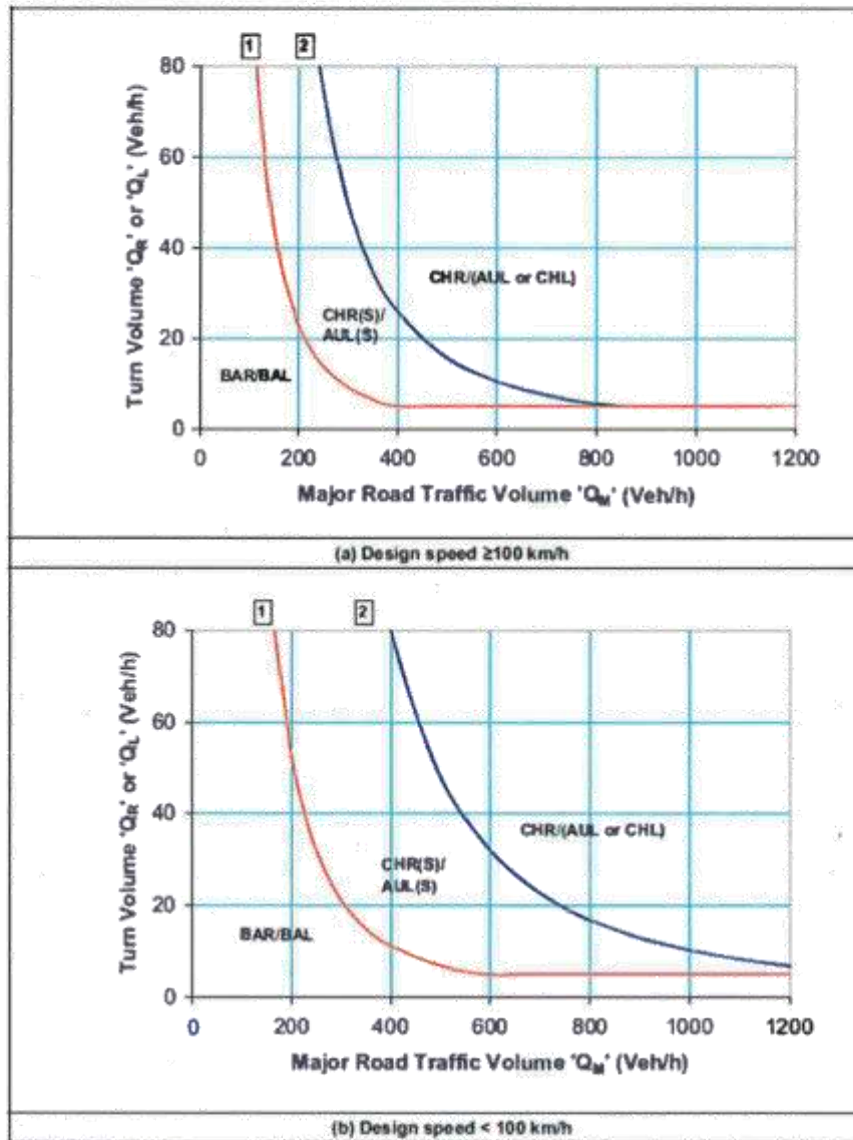
- The full development site is expected to generate approximately 5,821 vehicle trips per day, including 552 trips in the peak hour.
- In order to estimate the future year external traffic volumes, a 1.5% compounded annual growth factor has been added to the existing traffic volumes.
- A directional split of 40% exit and 60% enter the development during the PM peak has been used to undertake the traffic assessment.
- The mid-block assessment indicates that the eastbound and westbound traffic lanes on Cross's Road would operate at 33% and 38% of their capacity, respectively, when the site is fully developed in 20 years time.
- The mid-block assessment indicates that the northbound and southbound traffic lanes on Tyers Road would operate at 20% and 18% of their capacity, respectively, when the site is fully developed in 20 years time.
- The proposed access point locations on Cross's Road are suitable. The safe intersection sight distance on both approaches to the access points comply with the Austroads Guidelines.
- The intersection turn warrant assessments of Access Points 1 and 2 indicate that auxiliary left and channelised right turn treatments are required on Cross's Road at these intersections.
- The intersection turn warrant assessment of Access Point 3 indicates that a basic left and channelised right turn treatment is required on Cross's Road at this intersection.
- The intersection turn warrant assessment of Cross's Road/ Wirilda Crescent indicates that an auxiliary left and channelised right turn treatment is required.
- The intersection turn warrant assessment of Tyers Road/ Cross's Road indicates that a basic left and channelised right turn treatment is required.
- The cross sections for the road types proposed in the road hierarchy for the site are to comply with Clause 56.06 of the Latrobe Planning Scheme.

8 CONCLUSION

Based on the site visit and this transport and traffic impact assessment, we are of the opinion that Cross's Road, Tyers Road and the surrounding road network can sustain further residential development at the subject site.

Our assessment shows that both Cross's Road and Tyers Road can sustain the generated traffic from the subject site when fully developed in 20 years time.

Therefore, there are no traffic and transport reasons as to why the residential subdivision of the subject site should not be granted.

APPENDIX A – TURN WARRANTS ASSESSMENT

Source: Andri and Troutbeck (2008).

Planning and Environment Act 1987

LATROBE PLANNING SCHEME

AMENDMENT C93

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 amendment has been made at the request of The Planning Group (TPG) on behalf of the landowners at 50 Ashworth Drive, Traralgon.

Land affected by the amendment

The amendment applies to land comprising a total of nine (9) parcels located on or adjacent to Ashworth Drive, Traralgon (see Figure 1). The land is already covered by Development Plan Overlay Schedule 5 – Residential Growth Areas (DPO5) and is part of the Cross's Road Residential Precinct Development Plan (CRDP).



Figure 1 Outline of subject land rezoned

What the amendment does

The amendment has rezoned land located within the Rural Living Zone – Schedule 3 to a General Residential Zone.

Strategic assessment of the amendment**Why is the amendment required?**

The amendment was required to provide the opportunity to assist in accommodating the projected population growth for Traralgon. It will allow future permit applications to be made to develop the land in accordance with the State Planning Policy and Local Planning Policy Frameworks and, more particularly, in accordance with the Traralgon Structure Plan and the endorsed Cross's Road Residential Precinct Structure Plan. Within the Traralgon Structure Plan (included at Clause 21.05 of the Scheme), the land was identified 'future residential'. At its Ordinary Council Meeting on 17 September 2012, Latrobe City Council endorsed the CRDP which seeks to provide an integrated vision for coordinated development of all properties affected by the DPO5. Furthermore, the rezoning will facilitate the long term development of the land in accordance with the Development Plan.

Amendment C87 - Traralgon Growth Areas Review (TGAR)

Traralgon Growth Areas Review (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, the Traralgon-Morwell Corridor, Glengarry and Tyers up to the year 2051.

TGAR forecasts population growth in Traralgon to 2051, identifying the need for approximately 11,500 extra dwellings based on a high growth scenario. Current estimates suggest approximately 5,500 vacant lots in Traralgon taking into account infill development, endorsed development plans (including the subject land) and land identified as future residential in the current Traralgon Structure Plan. Rezoning of the subject land will assist in meeting some of the demand for residential land in Traralgon.

Amendment C56

A previous planning scheme amendment C56 undertaken by the Minister for Planning in May 2011, sought to rezone land at 150 Tyers Road and 240 Cross's Road, Traralgon. Although identified as future residential within the Traralgon Structure Plan, the land at Ashworth Drive (subject land) remained Rural Living Zone. The Minister for Planning excluded Ashworth Drive, Traralgon from the amendment C56 to allow it to undergo a standard planning scheme amendment process, which is what this amendment C93 does.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objectives set out in Section 4 of the *Planning and Environment Act 1987* in providing for the fair, orderly, economic and sustainable use and development of land.

The objectives of planning in Victoria are (*inter alia*):

- To provide for the fair, orderly, economic and sustainable use and development of land.
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- 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.
- To facilitate development in accordance with the objectives set out in the points above.
- To balance the present and future interests of all Victorians.

The amendment implements the objectives of the *Planning and Environment Act 1987* (the Act) by contributing to the land supply in Traralgon to efficiently and effectively meet the community needs now and into the future.

The Traralgon Structure Plan and CRDP have both been through an extensive public consultation process ensuring that the public and key agencies have considered in detail the suitability of the site for urban development, as well as considering a layout for the area. The CRDP creates a framework for a high quality urban environment which meets the needs of the community and provides access to relevant infrastructure and community services.

How does the amendment address any environmental, social and economic effects?

The subject land is within the Township Boundary as set out in the Traralgon Structure Plan and is contiguous with existing urban development. The land represents a logical extension to existing urban development, proximate to local community infrastructure, to provide additional residential living opportunities to the community in an accessible location.

Environmental EffectsDrainage

An integrated stormwater management strategy is proposed for the entire Development Plan area. Conveyance of stormwater is required through three properties on the subject land,

however, the extent of stormwater to be conveyed through these properties does not warrant on-site retardation.

The CRDP has considered drainage through the preparation of the Drainage Strategy. The Tyers rising main passes through the subject land and its protection has also been considered.

Native Vegetation

It is considered that the rezoning of the land will have minimal impact on the environmental values of the site. An Ecological Assessment was prepared as part of the preparation of the CRDP and acknowledges that the subject land includes scattered exotic and native vegetation around existing buildings and along road and water frontages. The CRDP encourages the design of future subdivisions to manage any identified native vegetation. This has included protection of native vegetation along waterways and removing some native vegetation in other areas.

Waterway Buffer

Two designated waterways enter at Cross's Road, and one waterway enters near 45 and 55 Ashworth Drive, leaving the site through 60 Ashworth Drive. The second waterway passes through the rear of properties on the east side of Ashworth Drive. The waterways merge on 60 Ashworth Drive. There are approximately 30 metre buffer distances proposed from these two designated waterways required by the CRDP.

A Waterway Management Plan is required to demonstrate the protection of waterways and minimise maintenance.

Social and Economic Effects

The amendment has considered the social and economic effects that may be caused by the amendment.

The future development of the subject land will complete the missing link in the Development Plan area and will facilitate the provision of integrated services such as road connections, bike and pedestrian links and public open space areas.

The future development of the land will provide opportunities for new housing development to assist in affordable housing and choice within the area and therefore economic effects of the amendment are expected to be positive. There will be some additional job creation throughout the residential subdivision and dwelling construction stage of the precinct, and additional expenditure resulting from the population increase in the area. It is expected that

once the land is made available for residential development, housing demand will increase and in turn a positive benefit will be provided to the town through the building industry and increased population accessing local businesses and services.

Amenity

The subject land features opportunities that have influenced the design response underpinning the CRDP. For example, one opportunity identified is the preservation of existing buildings to encourage improved amenity for land owners on the subject land.

Service Industry

It has been identified that two service industries (i.e. truck storage business) are currently operating on the subject land. Consideration of the transition of these industries over time may need to be undertaken.

Contamination

Based on existing truck storage business uses, an assessment of potentially contaminated land has been undertaken. The assessment has concluded that based on the history of the land use on the land, it is apparent that existing uses represent a 'low' potential for contamination in Table 2 of the General Practice Note *Potentially Contaminated Land June 2005*. Therefore, the uses fall under 'Category C' where the general duty under section 12 and section 60 of the *Planning and Environment Act* applies, and the application of an Environmental Audit Overlay or environmental audit/assessment is not required.

The Environment Protection Authority (EPA) has been contacted to confirm whether any Certificates and Statement of Environmental Audit have been issued for the land or if the land appears on the EPA Priority Sites Register. It has been confirmed that neither Certificates nor Statement of Environmental Audit have been issued for the land and the sites in Ashworth Drive (subject land) do not appear on the EPA Priority Sites Register.

Cultural Heritage

An Aboriginal and Historical Heritage Assessment was prepared as part of the preparation of the CRDP and the assessment found no Aboriginal or historical sites on the site.

Amendment C87 - Traralgon Growth Areas Review (TGAR)

TGAR forecasts population growth in Traralgon to 2051, identifying the need for approximately 11,500 extra dwellings based on a high growth scenario. Current estimates suggest approximately 5,500 vacant lots in Traralgon taking into account infill development,

endorsed development plans and land identified as future residential in the current Traralgon Structure Plan.

The CRDP will create approximately 677 lots, of which approximately 264 lots will be created by the amendment C93, which enables the potential development of 264 lots subject to further assessment at subdivision stage.

Does the amendment address relevant bushfire risk?

The amendment will not increase the risk of life, property, community infrastructure and the natural environment from bushfire. Grassfire risk is experienced by the land from the North, but future development of the land will mitigate this risk.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with Ministerial Direction - The Form and Content of Planning Schemes under section 7(5) of the *Planning and Environment Act 1987*.

The amendment is consistent with Ministerial Direction No. 1 – Potentially Contaminated Land as specified in the 'contamination' section of this report.

The amendment is consistent with Ministerial Direction 11 – Strategic Assessment of Amendments through the discussion provided in this Explanatory Report.

The amendment process has complied with Ministerial Direction No. 15 – The Planning Scheme Amendment Process.

The amendment is consistent with Ministerial Direction No 16 - Residential Zones insofar as the amendment seeks to apply the new General Residential Zone to the subject land, consistent with the Traralgon Structure Plan.

How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?

State Planning Policy Framework

Relevant to the re-zoning of the subject land are the following clauses from the State Planning Policy Framework (SPPF):

- **Clause 11 - Settlement**

"Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure."

This amendment is consistent with Clause 11 by providing land for settlement in an area that is provided with utility, urban and social services. The Traralgon Structure Plan and CRDP have designated the subject land as being suitable for future residential use. The amendment will improve the supply of residential land in this area. In particular, the amendment addresses State Planning Policy by allowing future development to provide for a diversity of dwelling types, increased housing choice and affordability.

- **Clause 13 - Environmental Risks**

Clause 13 nominates that *"planning should adopt a best practice environmental management and risk management approach which aims to avoid or minimise environmental degradation and hazards. Planning should identify and manage the potential for the environment, and environmental changes, to impact upon the economic, environmental or social well-being of society"*.

Management strategies for the environmental risks identified by the CRDP will be implemented with the subsequent subdivision of the subject land.

- **Clause 14 - Natural Resource Management**

Clause 14 nominates that *"planning is to assist in the conservation and wise use of natural resources including energy, water, land, stone and minerals to support both environmental quality and sustainable development."*

One of the strategies of Clause 14 is to *"ensure that the State's agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes of land use."*

The subject land is rural living and already lost to agriculture so will not result in fragmentation of agricultural land.

- **Clause 15 - Built Environment and Heritage**

"Planning should ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value".

"Planning should achieve high quality urban design and architecture that:

- o Contributes positively to local urban character and sense of place.*
- o Reflects the particular characteristics, aspirations and cultural identity of the community.*
- o Enhances liveability, diversity, amenity and safety of the public realm.*
- o Promotes attractiveness of towns and cities within broader strategic contexts.*
- o Minimises detrimental impact on neighbouring properties.*

The subject land is well located to utilise existing infrastructure and community facilities resulting in a more sustainable and integrated community. An Aboriginal and Historical Heritage Assessment was provided as part of the CRDP and did not identify any issues.

The amendment seeks *"to create urban environments that are safe, functional and provide good quality with a sense of place and cultural identity"*. Planning and Responsible Authorities are to ensure good urban design is promoted, and that development (and redevelopment) contributes to the community by improving safety, diversity and choice and responds to its context in terms of urban character.

This amendment is expected to have a positive impact as the future development of the land will provide opportunities for new housing development, will assist in affordable housing and choice within the area, in accordance with the CRDP.

• **Clause 16 - Housing**

This Clause encourages the promotion of housing markets that meets community needs. Planning and Responsible Authorities are to facilitate an increase in the supply of housing in existing and growth urban areas, which is of good quality design and integrated within infrastructure and services.

The amendment provides opportunities for new housing development to assist in affordable housing and choice within the area.

The subject land is the last remaining parcels of land to be rezoned as part of the Development Plan.

• **Clause 18 - Transport**

Clause 18 nominates that *"planning should ensure an integrated and sustainable transport system that provides access to social and economic opportunities, facilitates economic*

prosperity, contributes to environmental sustainability, coordinates reliable movements of people and goods, and is safe."

A traffic impact assessment has been prepared as part of the CRDP to determine the impact of development on adjoining streets/roads, intersection locations and treatments and internal road hierarchy.

The existing layout, road hierarchy and intersection treatments to adjoining roads are considered acceptable.

- **Clause 19 - Infrastructure**

Clause 19 nominates that *"planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely."*

The subject land is already serviced by nearby community infrastructure and the subject land's future development will deliver a logical outcome to finalising the integration across the CRDP area.

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment supports the strategic direction sought by the LPPF in providing for residential use and development consistent with the objectives and outcomes sought in Clause 21.05 Main Towns.

Local Planning Policy Framework

Relevant to the re-zoning of the subject land are the following clauses from the Local Planning Policy Framework (LPPF):

- **Clause 21.03 - Natural Environment Sustainability**

One of the objectives of Clause 21.03 is *"To protect and improve water quality and river health."*

The amendment is consistent with Clause 21.03 as an Ecological Assessment has been prepared as part of the CRDP, to ensure the protection of indigenous flora and fauna on the subject land.

The Development Plan provides approximately 30 metre buffer distances to protect the two designated waterways.

- **Clause 21.04 - Built Environment Sustainability**

Clause 21.04 sits alongside Clause 21.05 in setting-out the overall land use framework for the smaller and larger settlements within the Latrobe region, as a 'networked city'. Whilst providing opportunities for each town to "...grow in its own right and maintain a 10 to 15 year urban land supply...". The policy further states that:

"Central to the concept of the networked city is acceptance by the community that higher order services and facilities (such as an art gallery or civic centre) that are provided in only one location can benefit the whole community and not just the town in which they are located. This should continue as the roles of towns evolve over time in response to changing social and economic influences..."

The role of the smaller settlements is to provide important diversity of housing and lifestyle as well as to be rural service centres."

The Policy goes on to state that due to "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 Policy cautions against unnecessary urban expansion and rural subdivision, and seeks to contain urban development within distinct boundaries. There is to be a clear distinction between each urban settlement, facilitating the self-containment and identity of each settlement.

The amendment is consistent with the objectives of Clause 21.04, by building upon a part of the existing township of Traralgon that is within the established settlement boundary as part of an integrated network of urban areas that maximises the use of existing infrastructure.

- **Clause 21.05 - Main Towns**

This Clause sets out the Structure Plans for the 'Main Towns' within the overall 'networked city' of Latrobe. This includes Traralgon at Clause 21.05-6 and the Traralgon Structure Plan. The subject land is identified on the Structure Plan as being within 'Area 1 - Future Residential'. The land is adjacent to the boundary on the north-western extent of the township, abutting an existing floodplain area to the north, an area denoted as 'existing residential opportunity' (east) and a further area similarly denoted as 'future residential' (west), as set out in Figure 2 below.



Figure 2 Extract from Traralgon Structure Plan showing location of the subject land.

With respect to residential land use, the accompanying policy states, amongst other things:

- *"Investigate flooding impact upon land designated as having existing or future residential opportunities in the structure plan; and
Where appropriate, mitigate flooding and encourage residential development within Areas 1, 11, and 12."*

This proposal seeks to implement the endorsed development plan (Cross's Road Residential Precinct Development Plan), integrating conventional residential and acknowledging environmental constraints of the subject land. The land related to this amendment is the last remaining parcel to be rezoned as part of the Development Plan.

• **Clause 21.08 - Liveability**

This Clause seeks *"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"* and includes a number of strategies to achieve this.

Relevant to the proposal are the following issues associated with liveability, as identified in the policy:

- *The main towns of Latrobe City are experiencing growth. As these towns continue to grow, new residential development is located further from town centres, and therefore access to services and community facilities is reduced.*
- *New residential development on the fringe of expanding main towns within Latrobe City are at risk of being disconnected from community services and facilities without walkable access to local hubs.*

To address these issues, Council seeks (*inter alia*):

- *To provide for walkable neighbourhoods, ensuring public transport, shops, public open space and mixed-use community centres are close to all dwellings.*
- *To promote physical activity and walkability in all towns by ensuring all dwellings are within close walking distance of a community centre.*

This amendment is consistent with Clause 21.08 by providing for future residential development in a location well serviced by existing social and recreational services and infrastructure.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions by applying a reformed residential zoning to the land consistent with Amendments V8 and V100 which introduced the Residential Growth, General Residential and Neighbourhood Residential Zones into the Victorian Planning Provisions.

Appropriate Victoria Planning Provisions are utilised. The amendment has considered and is consistent with the following Victorian State Government Practice and Advisory Notes:

- Practice Note 7 – Vegetation Protection in Urban Areas
- Practice Note 23 – Applying the Incorporated Plan and Development Plan Overlays
- Practice Note 30/Ministerial Direction No.1 – Potentially Contaminated Land
- Practice Note 46 – Strategic Assessment Guidelines
- Practice Note 78 – Applying the Residential Zones
- Advisory Note 34 – *Transport Integration Act 2010*
- Advisory Note 48 / Ministerial Direction No. 15 – The Planning Scheme Amendment Process
- Advisory Note 50 – Reformed Residential Zones

How does the amendment address the views of any relevant agency?

The views of relevant agencies were considered as part of the approval of the CRDP which includes the subject land. The amendment rezones land to allow for residential development consistent with the approved development plan and the Latrobe Planning Scheme Traralgon Structure Plan. None of the relevant agencies that have been consulted has raised any objection to the proposal.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is considered to be consistent with the objectives of the *Transport Integration Act 2010* as the rezoning facilitates an urban framework where future residents will have access to public transport services throughout the Latrobe Valley, and a transport system which enables residents to travel safely and efficiently on public transport. The CRDP has already considered transport issues in relation to its general subdivision layout design.

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 a negligible impact on the resource and administrative costs of the responsible authority. The amendment, if approved will result in a permit application to provide for the subdivision and development of the land due to the endorsed development plan already in place for the subject land. It is not considered that this application will have significant impact on the resource and administrative costs of the responsible authority, and this is an efficient means of land development.

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 Environment, Land, Water and Planning website at www.dtpli.vic.gov.au/publicinspection .

Planning and Environment Act 1987

Panel Report

**Latrobe Planning Scheme Amendment C93
Ashworth Drive, Traralgon**

4 May 2016

Planning and Environment Act 1987

Panel Report pursuant to Section 25 of the Act

Latrobe Planning Scheme Amendment C93

Ashworth Drive, Traralgon

4 May 2016

A handwritten signature in blue ink, appearing to read 'Warwick Horsfall'.

Warwick Horsfall, Chair

A handwritten signature in blue ink, appearing to read 'Henry Turnbull'.

Henry Turnbull, Member

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List of Abbreviations

CRDP	Cross's Road Development Plan
DELWP	Department of Environment, Land, Water and Planning
DTPLI	Department of Transport, Planning and Local Infrastructure (former)
EPA	Environment Protection Authority
GRZ	General Residential Zone
LPPF	Local Planning Policy Framework
MSS	Municipal Strategic Statement
SPPF	State Planning Policy Framework

Executive Summary

Amendment C93 seeks to rezone approximately 25 hectares of land held in 12 allotments with frontage to Ashworth Drive, Traralgon from Rural Living Zone – Schedule 3 to General Residential Zone. The Amendment was proposed by one of the landowners with Council taking the opportunity to seek a rezoning of all 12 lots on the basis that such a proposal would be consistent with the future use of the land as depicted in the Traralgon Structure Plan.

The exhibition and notification of the Amendment in August and September 2015 drew 21 submissions of which 13 were in objection. The issues raised in the submissions included the demand and supply of residential land in Traralgon, stormwater and drainage, cost of urban infrastructure, traffic, heritage, buffer to the Australian Paper Mill, amenity and impact on Council rates. As all of these issues could not be resolved, Council requested the appointment of a Panel to consider the submissions.

The Panel is satisfied that the Amendment is consistent with the broader and specific planning policy framework for Traralgon and the subject land respectively. The Panel has given significant weight to the depiction of the subject land in the adopted Traralgon Structure Plan that is embedded within the Municipal Strategic Statement of the Latrobe Planning Scheme. The Panel acknowledges that this is a clear statement of Council's preference for the future use of the subject land. The preparation of a Development Plan for Cross's Road area was also of assistance to the Panel by informing it of specific development matters relating to the subject land's future development.

The Panel was concerned however as to the suitability of the northern portion of the subject land for urban residential development, given its susceptibility to inundation. For this reason, this area is recommended for exclusion from the Amendment.

In reaching its recommendation, the Panel has considered all written submissions, as well as submissions presented to it during the Hearing. It has also been assisted by the information provided to it, as well as its observations of the subject land.

Based on the reasons set out in this Report the Panel recommends:

- 1. Amendment C93 to the Latrobe Planning Scheme be adopted as exhibited with the exclusion of Lots 5, 6 and 7 in PS126409.**

1 Introduction

1.1 Panel process

Latrobe Planning Scheme Amendment C93 (the Amendment) was prepared by the Latrobe City Council (the Council) as the Planning Authority. As exhibited, the Amendment proposes to rezone approximately 25 hectares of land held in 12 allotments located on, or adjacent to, Ashworth Drive, Traralgon from Rural Living – Schedule 3 to General Residential.

The Amendment was prepared at the request of the APP Corporation (formerly The Planning Group) on behalf of Steve and Gayle Wood (the Proponent) being owners of one of the allotments. The request was endorsed by Council on 13 April 2015 with a recommendation to seek authorisation, from the Department of Environment, Land, Water and Planning (DELWP), to proceed. The Amendment was subsequently authorised by DELWP on 7 July 2015.

The Amendment was placed on public exhibition between 6 August and 18 September 2015, with 21 submissions received, of which 13 were in objection for various reasons.

At its meeting of 26 October 2015, Council resolved to refer the submissions to a Panel. As a result, a Panel to consider the Amendment was appointed under delegation from the Minister for Planning on 1 December 2015 and comprised Warwick Horsfall (Chair) and Henry Turnbull.

A Directions Hearing in relation to the Amendment was held at Traralgon on 28 January 2016. Prior to the Directions Hearing, the Panel Chair undertook an unaccompanied inspection of the subject site and surrounds from publically accessible locations.

The Panel then met in the offices of Council in Morwell on 10 March 2016 to hear Council, the Proponent and submitters on the Amendment. Those in attendance at the Panel Hearing for all or some of the hearing are listed in Table 1.

Table 1 Parties to the Panel Hearing

Party	Represented by
Latrobe City Council (as the Planning Authority)	Shannon Davies, Senior Strategic Planner and Jason Pullman, Coordinator Strategic Planning, Latrobe City Council
Steve & Gayle Wood (as the Proponents)	Julie Katz of the APP Corporation (formerly The Planning Group)
Gordon Arthur	
Peter Rehfisch & Gillian Murray	Gillian Murray
Ralph Brown	Peter Dell
Robert Piper	
Tim & Sue Rankcom	Tim Rankcom
Terry Miller	

1.2 The proposal

(i) The subject area

The Amendment applies to land described as Lots 1-12 on PS126409 in Ashworth Drive, Traralgon as depicted in Figure 1 (the subject land). The Panel accepts the following description in the Proponent's presentation to the hearing as an acceptable representation of the subject land:

The subject site consists of twelve (12) parcels located within the Rural Living Zone - Schedule 3 (RLZ3) (see below) varying in size from 2-3ha each.

The site totalling some 29.4 ha is located on the northern side of Cross's Road, Traralgon. The site sits on the north-western precinct of Traralgon, wedged between existing and emerging residential neighbourhoods and farmland to the north.

The land is used for a variety of purposes including:

- Agribusiness*
- Grazing*
- Residential/rural living*
- Trucking businesses.*

The site is fairly flat with a local highpoint located within the property at 60 Ashworth Drive, and a ridgeline extending across the north of the site in an east-west direction through the adjacent properties to the west.

An existing waterway that at times has been known to flood traverses the land generally in a north-south direction within the properties located on the eastern side of Ashworth Drive. This waterway connects to another lesser drainage line which traverses the site in a south-west direction towards Cross's Road. It allows for approximately 30m buffer distance from these two designated waterways as required in the Cross's Road Development Plan.

There is some scattered exotic and native vegetation located in proximity to existing buildings and along road frontages, plus a limited number of remnant River Red Gums.

The precinct is accessed via Ashworth Drive a formed bitumen road which runs north from a T-intersection at Cross's Road which forms the southern boundary of the precinct.

Land to the east, west and south is within the General Residential Zone - Schedule 1 (GRZ1) and land to the north is within the Farming Zone.

The site is located on the northern boundary of existing Traralgon (see below).

The land is affected by the Development Plan Overlay - Schedule 5 (DP05) for Residential Growth Areas. This includes both the subject site and emerging development to the west.



Figure 1 Land to which the Amendment applies
Source: Amendment Explanatory Report

(ii) Amendment description

The Amendment proposes to rezone the subject land from Rural Living Zone – Schedule 3 to General Residential.

The purpose of the Amendment is to facilitate urban residential development in accordance with the future planning for Traralgon as expressed in the Municipal Strategic Statement (MSS) of the Latrobe Planning Scheme (the planning scheme).

1.3 Background to the proposal

The Amendment was first initiated by the Proponents in late 2013 with a view to permitting the subdivision of their land (Lot 8) into two lots. Following a meeting with Council officers, a preference was expressed for all of the land in Ashworth Drive to be rezoned for residential development at an urban density, as this was Council's strategic intention. In March 2014 the Proponents engaged with other landowners in Ashworth Drive to ascertain their support for Council's preferred outcome. In the Proponent's application to Council in January 2015 it was stated that "*local residents of Ashworth Drive were generally supportive of the proposed planning scheme amendment*" and again in their submission to the Panel,

the Proponent reiterated that *“there was a majority of owners who would support a rezoning”*.

In April 2015 Council endorsed their officer’s recommendation to commence the rezoning of all the land in Ashworth Drive to the General Residential Zone.

1.4 Issues dealt with in this report

The Panel considered all written submissions, as well as submissions presented to it during the Hearing. It has also been assisted by the information provided to it as well as its observations of the subject land. Having regard for this, the Panel considers the following issues as requiring a response in its report:

- Demand and supply of residential land in Traralgon
- Stormwater and drainage for the subject land (current and future)
- Cost and provision of urban infrastructure
- Traffic and interaction with Cross’s Road
- Heritage significance and influence of the Arthur residence
- Impact of buffer to the Australian Paper Mill at Maryvale
- Landowner support for the Amendment
- Amenity impacts for existing residents from urban residential development
- Impact of rezoning on rates (cost to existing residents).

2 Planning context

Council provided a response to the Strategic Assessment Guidelines by referencing part of the Explanatory Report to the Amendment.

The Panel has reviewed the policy context of the Amendment and made a brief appraisal of the relevant zone and overlay controls and other relevant planning strategies. References to clauses in this section of the report relate to the Latrobe Planning Scheme.

2.1 Policy framework and strategic planning

(i) State Planning Policy Framework

The operation of the State Planning Policy Framework is stated at clause 10 as:

The purpose of State policy in planning schemes is to inform planning authorities and responsible authorities of those aspects of State planning policy which they are to take into account and give effect to in planning and administering their respective areas. The State Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities.

Within this context, the following State Policies are considered relevant to the Amendment:

Supply of urban land (Clause 11.02-1)

The objective of this policy is to ensure there is an adequate supply of land for residential purposes. A minimum fifteen years supply is stated as one of the strategies to achieve this objective.

The supply of residential land in Traralgon is identified as an issue for the Amendment and is addressed in Section 3 of this report.

Planning for growth areas (Clause 11.02-2)

The objective of this policy is to have urban growth serviced by “efficient and effective infrastructure”. The subject land is relatively accessible to transport corridors and can be provided with all urban infrastructure such as water, sewerage, gas and electricity.

Structure planning (Clause 11.02-3)

The objective of this policy is to cater for growth in a forward planned environment. The future growth for Traralgon is adequately expressed in the Traralgon Structure Plan (the structure plan) and detailed in the Cross’s Road Development Plan (CRDP).

Urban growth (Clause 11.02-4)

The objective of this policy is to ensure that future development is appropriately sequenced. In some ways, the subject land is ‘infill’ rather than ‘greenfield’ development because it is surrounded on three sides by established and developing urban land and prevented from northerly expansion by the buffer to the Maryvale Paper Mill. In this sense, sequencing of development does not require intense interrogation.

Open space planning (Clause 11.03-1)

The objective of this policy is to match the provision and location of open space with the needs of the community. The Panel considers this objective is satisfied by the CRDP.

Regional settlement networks (Clause 11.05-1)

The objective of this policy is to promote growth in Victoria's regional centres. Traralgon is identified in the Regional Victoria Settlement Framework as part of 'Latrobe City', which is deemed to be a 'Regional City' within which the growth strategy is to 'facilitate major growth'. The Amendment is consistent with this.

Gippsland regional growth (Clause 11.08)

The objective of this policy is to grow a diverse economy, provide for a healthy environment, encourage sustainable communities and provide for infrastructure in the Gippsland Region, which extends eastwards from Westernport Bay to the NSW border. Within the broad general context of this policy, the Amendment is considered to be consistent.

Location of residential development (Clause 16.01-2)

The objective of this policy is to locate housing in areas that have good access to commercial and community services. Whilst the subject land is located on the fringe of Traralgon, it is accessible to the town centre. The Amendment is considered to be consistent with this policy as the subject land is in effect already within the urban area of Traralgon with access to all urban services and infrastructure.

Rural residential development (Clause 16.02-1)

One of the strategies of this policy is to:

Ensure land is only zoned for rural living or rural residential development where it:

- *Is located close to existing towns and urban centres, but not in areas that will be required for fully serviced urban development.*
- *Can be supplied with electricity and water and good quality road access.*

This policy supports the change in zoning proposed by the Amendment as the subject land is in an area strategically identified for fully serviced urban development and therefore, in a policy context at least, unsuited to the current Rural Living Zone.

Water supply, sewerage and drainage (Clause 19.03-2)

The objective of this policy is to plan for the provision of this infrastructure. The accessibility of the subject land to this infrastructure indicates consistency with this policy.

(ii) Local Planning Policy Framework

Those aspects of the LPPF that are directly relevant to the Amendment are addressed in this section.

The Amendment doesn't contradict the overall 'vision' for the Shire expressed at clause 21.02, although having regard to the number of objectors to the proposal within the Ashworth Drive community, it might not be considered 'harmonious'. The *Latrobe City Strategic Land Use Framework Plan* included in this clause shows the subject land as within

the town boundary and references the *Traralgon Structure Plan* that has the subject land designated as 'future residential'.

Clause 21.03-7 addresses flooding for which one of the objectives is "*to minimise the potential for loss of life, risk to health and damage to property*". One of the strategies to achieve this objective is "*discourage urban or rural residential development on areas subject to regular flooding*". There are two watercourses/drainage lines traversing the subject land. The extent to which flooding occurs in these areas has not been fully investigated although anecdotal evidence was presented to the Panel suggesting that localised flooding does occur following major rainfall events.

Council's vision for 'built environment sustainability' in Clause 21.04 includes "*to develop clear directions and strategies through consultation with the community ensuring sustainable and balanced development*". The clause states that it is Council policy to "*maintain a 10 to 15 year urban land supply*" for all towns, including Traralgon. In addition, "*future housing growth should be encouraged in future residential areas as designated in the relevant local structure plans*".

The Proponent submitted to the Panel that a 2009 assessment by Essential Economics of the supply of residential land in the municipality concluded that there was a shortage in Traralgon. Specifically the assessment determined there was between five and seven years supply of urban residential land and as little as three to four years of land available for development. The assessment recommended that if the land shown as 'future residential' in the structure plan were to be made available (i.e. rezoned) then the desired 15 year supply horizon for Traralgon would be re-established.

At the hearing, Council advised the Panel that it estimated the current supply of land shown on the structure plan for urban residential land in Traralgon was in the vicinity of 12 years. Council advised that the demand for new dwellings in Traralgon was in the vicinity of 260 per annum.

Clause 21.05 deals with the 'main towns' in the municipality and acknowledges that the majority of growth is accounted for by Traralgon. It is an objective "*to facilitate development in accordance with the specific Town Structure Plan attached to this clause*" and that the strategy to achieve this objective includes "*encourage consolidation of urban settlement within the urban zoned boundaries in accordance with the adopted structure plans*". This clearly indicates to the Panel that it is Council's intention to rely upon the structure plan as the 'road map' for future development in the town.

Specifically for Traralgon, strategies under Clause 21.05-6 include:

- *Investigate flooding impact upon land designated as having existing or future residential opportunities in the structure plan.*
- *Where appropriate, mitigate flooding and encourage residential development within Areas 1, 11, and 12¹.*

These clauses offer more support for the future development of the subject land for urban residential purposes, but require consideration for any potential flooding.

¹ Area 1 includes the subject land.

The Panel notes there are no Local Policies under clause 22 of the planning scheme.

(iii) Other strategic influences

Amendment C56 to the planning scheme was undertaken by the Minister for Planning at the request of Council. The purpose of this amendment was to address a shortage of land supply for residential development, particularly in Traralgon. It proposed the inclusion of the subject land but it was ultimately excluded prior to gazettal in May 2011 due to local objection.

The CRDP was approved by Council in September 2012 and covered an area of 76 hectares, including the subject land. It has been prepared in accordance with the extensive requirements of Schedule 5 of the Development Plan Overlay (DPO5). Council submitted that in preparing the CRDP it had been subjected to a rigorous consultation process, including with the residents of Ashworth Drive.

The *Traralgon Growth Areas Review* in 2013 identified a similar area of future residential land in the structure plan as a 'first stage greenfield site'.

The current structure plan was prepared in 2007 and introduced into the planning scheme in 2010 as part of Amendment C62. The structure plan designates the subject land as 'future residential'. A reviewed structure plan is currently part of another amendment (C87) but this has not yet been adopted by Council. The designation of the subject land remains the same in this reviewed document.

2.2 Planning scheme provisions

(i) Zones

The subject land is currently zoned Rural Living. The Amendment seeks to change the zoning to General Residential. This is the appropriate zone to develop land for general urban residential purposes and is the correct zone for the future development of Ashworth Drive.

(ii) Overlays

A small portion of the subject land along the northern boundary is within the Floodway Overlay (FO). The Land Subject to Inundation Overlay (LSIO) is applied to the southern edge of the FO for an additional distance of approximately 75 metres. These overlays are in recognition of the Latrobe River floodplain to the north of the subject land. It is noted that there are two additional minor watercourses within the subject land that are not covered by either flooding overlay.

The Development Plan Overlay has been applied to all of the subject land, for which the requirements of Schedule 5 – Residential Growth Areas need to be met. No development of the land can occur until a Development Plan is prepared to the satisfaction of Council, and adopted.

2.3 Ministerial Directions and Practice Notes

The Panel is satisfied that the Amendment meets the relevant requirements of the following Ministerial Directions and associated Practice Notes (where applicable):

- The Form and Content of Planning Schemes (s7(5))
- No 1 Potentially Contaminated Land
- No 11 Strategic Assessment of Amendments
- No 15 The Planning Scheme Amendment Process.

2.4 Discussion

The Panel concludes that the Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Framework in the planning scheme.

Further, the Panel also concludes that the Amendment is well founded and is strategically justified subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

3 Issues

This section of the report addresses the issues raised in submissions where relevant to consideration of the Amendment.

3.1 Drainage and flooding

(i) Submissions

The West Gippsland Catchment Management Authority (WGCMA) supports the Amendment subject to specific development controls being applied at the time of subdivision. The WGCMA notes that the northernmost lot in Ashworth Drive (Lot 6 in Figure 1) will be constrained for development by flooding expressed by both the FO and LSIO.

In its presentation to the Panel, Council noted that a Drainage Strategy was prepared in November 2011 as part of the CRDP. This strategy was undertaken in consultation with WGCMA and the authority's requirements for the future development of the land were incorporated in the Development Plan (e.g. 30 metre wide buffers to the two watercourses within the subject land). Further consultation with the WGCMA will need to be undertaken as part of the planning permit process in the future. Based on WGCMA's response, Council submitted that the effect of flooding on the northern part of the subject land can be scrutinised when an application for subdivision is made. This is also the position adopted by the Proponents at the hearing.

Two submitters from the adjoining estate to the east submitted that there is insufficient room to accommodate stormwater between their rear boundary and future development on the subject land. A submitter from within the subject land expressed concern that the drainage easement will be inadequate to cater for the increased stormwater run-off generated by future development. It was suggested that a better solution would be to pipe all stormwater underground to reduce the size of the drainage easements required above ground.

(ii) Discussion

The Panel notes that the Drainage Strategy for the Cross's Road precinct includes the subject land in Ashworth Drive. This strategy has been endorsed by the WGCMA, which the Panel considers to be the relevant independent authority on matters pertaining to drainage and flooding. The strategy has also been formulated having regard for the Development Plan prepared for the area.

The two drainage lines identified within the subject land converge within Lot 7 at the northern end of the subject land (see Figure 1). With 60 metre wide buffers straddling these drainage lines, this lot is severely constrained for development at an urban scale. It is likely that in a major rainfall event this lot would be at risk of inundation, and no evidence was presented to the Panel that would suggest otherwise. Lot 6 is also substantially constrained through the application of the FO and LSIO stemming from the influence of the Latrobe River flood plain. The lot adjoining this on the southern side (Lot 5) is constrained by one of the drainage lines with its associated 60 metre buffer. The Panel notes that the owners of these three lots all object to the Amendment.

The Panel considers that the issue of drainage and flooding has in the main, been adequately investigated as part of the Amendment via preparation of the Development Plan. However, the constraints associated with the east-west drainage line traversing Lots 5 and 7 represent an impediment for development. It is noted that the owners of these two lots as well as the owner of Lot 6 to the north closer to the Latrobe River flood plain all object to the Amendment. This goes some way to making the case for excluding these three lots from the General Residential Zone and retaining them in the Rural Living Zone.

(iii) Conclusion

The issues raised in regard to drainage and flooding supports modification of the proposed Amendment by excluding three lots at the northern end of the subject land.

The Panel recommends lots 5, 6 and 7 be excluded from the Amendment.

3.2 Cost of infrastructure

(i) Submissions

A number of the objecting submitters raised issues related to the cost of infrastructure and development, including:

- the small size of the individual holdings make the cost of development non-viable
- residents being forced to contribute to others' infrastructure, even though they themselves were not intending to develop or use the services
- the high cost of providing flood-free access to the land on the east side of Ashworth Drive, east of the waterway
- the cost of waterway rectification protection works from increased flows from adjacent development.

(ii) Discussion

The Panel agrees that the fragmented land holding makes normal residential development more difficult and generally more expensive.

While submitters claimed potential developers had told them that it was too expensive to create small parcels, there was no formal evidence in this regard. The Panel accepts however that the small lots could present problems for orderly development if not undertaken in a coordinated fashion.

The Panel notes that the CRDP has been structured in such a way as to allow vehicular access to lots even if the land holdings were developed separately. Accordingly, the Panel can identify many opportunities for partial development that would not require significant new major infrastructure but would rather, add-on and extend adjacent services.

During the hearing, Mr Pullman stated that *"the horse had bolted as far as infrastructure contributions were concerned."* The Panel agrees that resident contributions would not occur unless a further development contributions scheme were initiated, but this idea was dismissed by Council.

The cost of extending infrastructure to service development would be a cost to the individual developer. The piecemeal development that could occur may present problems in terms of the standard and extent of infrastructure provided, as the CRDP will rely on services being made available to the adjacent allotments. This may well require the initial developer meeting additional costs that cannot be recouped when subsequent development is undertaken by their neighbour. Such a situation would occur for example, with the provision of the floodway crossings to service the land to the east of the waterway east of Ashworth Drive. While the CRDP shows the access route straddling the boundaries of adjacent lots, it is likely that one owner would seek to develop before the other (or may try and 'wait out' their neighbour).

In relation to the increased water flows within the watercourse in the north of the subject land across Lot 7, Council representatives noted that there was a drainage scheme associated with the development of the land to the west of the subject site and that it was not appropriate for there to be increased run-off. Mitigating measures would be the responsibility of the developers of the western land.

(iii) Conclusion

The Panel acknowledges the submitters' concerns regarding the cost of development and the difficulties presented by the fragmented ownership. The role of this Panel is not however, to make an assessment of the practicality of implementing the CRDP or to resolve any future development contribution issues.

The Panel believes that the fragmented ownership is likely to retard development of the area for typical residential allotments, partially due to a lack of economies of scale, access to infrastructure and associated costs.

The possible delay in development however, is not a reason to reject the rezoning, and while the Panel notes there will be some cost and apportionment issues to be dealt with in the future, it is satisfied that they will be able to be resolved.

3.3 Traffic

(i) Submissions

VicRoads did not object to the proposed Amendment but requested that a revised Transport and Traffic Impact Assessment Report (TIAR) be required as part of any future planning permit application for subdivision of the subject land. A TIAR was previously prepared as part of the Development Plan for the precinct in 2012. Council considered that a revised TIAR is not necessary.

(ii) Discussion

The proposed rezoning is consistent with the CRDP, which was informed by a detailed TIAR.

While the proposed rezoning is now a separate amendment, it forms part of CRDP and the traffic impacts were assessed at the time of the CRDP's adoption.

The report to Council in September 2012 recommending adoption of the CRDP included the following in relation to traffic and transport:

The Development Plan is supported by a Traffic and Transport Impact Assessment, which has been undertaken to determine the likely impact of the development on adjoining streets and roads, intersection locations and treatments and the internal road hierarchy of the site.

The key findings of the assessment were that:

- When fully developed the site would be expected to generate approximately 5,821 vehicle trips per day, including 552 trips in the peak hour.*
- The impact of additional trips on the capacity of Cross's Road and Tyers Road would be acceptable.*
- The location of proposed access points onto Cross's Road would be suitable.*
- Each of the intersections onto Cross's Road should provide an auxiliary left turn and channelized right turn treatment.*
- The Cross's Road reserve width needs localised widening by 2.4m to accommodate the proposed intersection treatments into 150 Tyers Road and 240 Cross's Road.*
- The mid-block assessment indicates that the eastbound and westbound traffic lanes on Cross's Road would operate at 33% and 38% of their capacity, respectively and the northbound and southbound traffic lanes on Tyers Road would operate at 20% and 18% of their capacity, respectively when the site is fully developed.*
- In order to estimate the future year external traffic volumes, a 1.5% compounded annual growth factor has been added to the existing traffic volumes.*
- The proposed access point locations on Cross's Road are suitable and the safe intersection sight distances on both approaches comply with the Austroads Guidelines.*

The proposed Development Plan has been assessed by Council's Infrastructure Development Department and VicRoads. Both considered that the Development Plan represented an acceptable outcome for the site and surrounding road network.

The Panel sees the subject area as an infill situation that will rely on existing and proposed road infrastructure as has already been assessed and accepted by VicRoads.

(iii) Conclusion

The Panel does not consider the issue of traffic warrants modification or refusal of the proposed Amendment and an additional TIAR is not considered necessary to assess the traffic impacts arising from the future development of the land.

3.4 Heritage

(i) Submissions

The owner of a restored older residence on Lot 1 (see Figure 1) raised concerns that the heritage value of the property may be detrimentally affected by the future development of the subject land for urban residential purposes. The detriment could involve being 'engulfed' by houses or through demolition to maximise the development potential of the land. The submitter requested that the rezoning of the land should be deferred for 10 years.

Council advised the Panel that the Latrobe Heritage Study did not assess the property for consideration as a heritage item under the Heritage Overlay (HO). The residence is also not included in the Victorian Heritage Register. Consequently, the residence has no formal heritage status in terms of the current planning regime applicable to Lot 1.

(ii) Discussion

The residence on Lot 1 is currently sited on 3.1 hectares of land with a maintained garden occupying approximately half of that area. It is set well back from the current boundaries of the lot. With these dimensions there is ample opportunity for the dwelling and all or part of its garden to be contained within a lot of appropriate proportions if the land is rezoned. Obviously this is at the discretion of the landowner at the time but there remains the opportunity for the heritage of the property to be protected from higher density development, both from within the lot itself and other land in Ashworth Drive.

The Panel notes the property is acknowledged within the Development Plan in that it "*may have heritage value and significance of these should be further investigated as part of a planning permit application. The site is suitable for community uses and such activities should be encouraged in future use, management and development of the site*" (page 19). The future status and use of this property is not a matter for the Panel to contemplate.

(iii) Conclusion

The Panel does not consider the issue of heritage, particularly with regard to the property at Lot 1, warrants modification or refusal of the proposed Amendment.

3.5 Buffer to Australian Paper Mill at Maryvale

(i) Submissions

In response to notification, the EPA submitted to Council that the Amendment was not supported, on the grounds that part of the subject land was situated within the default five kilometre buffer for the type of industrial activity undertaken by the Australian Paper Mill at Maryvale (the mill). Council noted that under the EPA guidelines, recommended separation distances between a potentially offensive source and sensitive receivers can be varied if justified by a detailed study of site conditions. The reduced distance then becomes the Adjusted Amenity Buffer.

(ii) Discussion

Amendment C87 to the planning scheme related to implementation of the *Traralgon Growth Areas Review*. The June 2015 Panel report on this amendment addressed in some detail the issue of the buffer around the mill. That Panel concluded that *"while it has some concerns about various aspects of the modelling as outlined above, the implementation of a non-radial of the shape depicted by the CALPUFF modelling is justified"*. After considering a number of options as to the definition of the buffer, that Panel recommended that it be based on the non-radial *"10 odour unit buffer modelled by GHD"*. By this definition, all of the subject land would be outside of the Adjusted Amenity Buffer for the mill. That Panel report noted that the mill had no objection to all areas within the town boundary of Traralgon being excluded from the Adjusted Amenity Buffer. Council advised at the hearing for Amendment C87 that the EPA had indicated support for the Adjusted Amenity Buffer but that *"it was not official"*.

In its submission to Amendment C93 in September 2015, the EPA acknowledged the agreed Adjusted Amenity Buffer for the mill but noted that *"Council are yet to adopt any documentation that recognises the 'Adjusted Urban Amenity Buffer' in its planning scheme."* This is a reference to Council not yet having adopted the recommendations of the Panel for Amendment C87, although it was the position supported by Council's representatives at the Panel hearing for Amendment C93 as well as the proponent.

The EPA did not request to be heard at the Panel hearing and thus unfortunately were unable to contribute to any discussion on this issue. In the absence of the EPA, the Panel is accepting of the location of the Adjusted Amenity Buffer as recommended by the Panel to Amendment C87.

(iii) Conclusion

The issue of the odour buffer to the mill alone does not warrant modification or refusal of the proposed Amendment. However, other issues leading to the retraction of the proposed zoning from the northern end would further distance intensive future urban residential development from the mill. This would reduce, albeit slightly, the number of future residents at risk of odour impacts if the buffer were exceeded.

3.6 Majority landowner objection**(i) Discussion**

This is not an issue raised in submissions but one raised by the Panel. There are 12 independent landowners within the area to which Amendment C93 applies. Of these, eight lodged objecting submissions to the Amendment. This is despite claims by the Proponent that there was general acceptance of the proposal amongst Ashworth Drive landowners. Three landowners supported the Amendment and one did not submit.

As all lots are approximately two hectares in area (the exception is Lot 1 at 3.1 hectares) the proportion of objection to support (73%) across the 11 submitters is more or less the same for land area as it is for number of landowners. Given there is a substantial majority in objection, there is a question as to whether or not this is grounds alone for abandoning the Amendment, regardless of the planning merits of the proposal.

The justification for any amendment involving rezoning lies principally with strategic planning. The current *Traralgon Structure Plan* was prepared in 2007 and introduced to the planning scheme in 2010 as part of Amendment C62. Whilst the Panel isn't aware of the process undertaken in preparing this structure plan, it is assumed it involved a detailed analysis of constraints and opportunities relating to the future development of Traralgon. Council advised at the Panel hearing that the structure plan was subjected to a public exhibition process and community consultation, including with authorities. The adopted structure plan designates the subject land as 'future residential', which is to the Panel a statement of clear intent by Council that it is required for the future urban residential development of Traralgon.

It can be argued therefore that the 'die was cast' for the future of the subject land at the time of the structure plan in 2007 and its inclusion in the MSS in 2010. In other words, the time for debating the merits of the subject land being developed for urban residential purposes was when the structure plan was being prepared. Consequently the current Amendment could be viewed as simply the means of giving effect to an adopted strategic plan through a change in zoning via the planning scheme.

The Panel is aware that a reviewed structure plan is currently part of another amendment (C87) that has not yet been adopted by Council. The designation of preferred future land use on the subject land remains the same in this reviewed document.

The Panel is empathetic to the objectors and their being in the majority as landowners within the subject land. However, unless there are unforeseen issues arising from the Amendment process that were not considered or have changed since the time of the structure plan preparation or its review, the Panel considers that the adopted strategic position of Council should prevail.

(ii) Conclusion

The issue of majority landowner objection alone does not warrant modification or refusal of the proposed Amendment. However, other issues leading to the amendment of the proposed zoning from the northern end would at least better meet the concerns of three of the objectors.

3.7 Amenity (lifestyle)

(i) Submissions

This was a common issue raised by a number of submitters to the Amendment both from within and adjoining the subject land. Council summarised these amenity concerns in their presentation to the Panel as follows:

- *Dwellings in the adjoining estate of Riverslea Boulevard would lose the rural outlook if Ashworth Drive was to be intensively developed.*
- *Landowners purchased land in Ashworth Drive for the lifestyle and intensification around the precinct will negatively impact on the current lifestyle.*
- *Truck businesses exist in the area that will be impacted if new residents were to be located in Ashworth Drive.*

- *The area is currently considered liveable, quiet, sociable with no vandalism or disturbance of any kind.*
- *Increased noise due to the construction phase.*
- *There would be privacy issues for properties abutting Ashworth Drive.*
- *Landowners were informed by the developer of Riverslea Boulevard that Ashworth Drive would not be developed.*

Council contended that the future development of the subject land for urban residential purposes was established with the preparation of the structure plan in 2007. The inclusion of the structure plan in the planning scheme in 2010 in effect made the preferred future use of the land Council policy. The adoption of the Development Plan in 2012 provided further confirmation of this position. This is also the contention of the proponent.

Council makes the point that existing transport businesses within Ashworth Drive will be permitted to continue under the proposed zoning courtesy of existing use 'rights'. In addition, residential privacy issues can be addressed through the assessment and approvals process for subdivision and development.

(ii) Discussion

The overall concern of submitters within the subject land in raising this issue is the change to the current semi-rural environment enjoyed by residents that will be brought about by an intensification of residential development. It is true that the current residential environment will change with the density of developed envisaged by applying the General Residential Zone. This change will be significant with the current permissible density being 1 dwelling per 2 hectares, and the equivalent density under the General Residential Zone being in the vicinity of 20 to 25 dwellings for each 2 hectares.

The seven objecting submissions from outside of the subject land emanate from the western side of Riverslea Boulevard. The rear boundary of these properties adjoins the subject land and currently offers residents of these lots a semi-rural aspect to the north west. It is the loss of this aspect through development of the subject land for urban residential purposes that mostly concerns these residents as well as the proximity of new housing. The Panel cannot comment on claims by some submitters from the adjoining estate that the developer and/or his real estate agent indicated the subject land would not be developed at an urban density.

The Panel's response to submissions based on this issue is the same as that by Council in that the subject land has been designated for future urban residential development since 2007. As the Panel commented earlier, the time for debating the merits of this designation was then rather than at the rezoning stage of the process. The Panel notes that it is a held principle in planning law that 'no-one owns a view'.

(iii) Conclusion

The issue of amenity does not warrant modification or refusal of the proposed Amendment.

3.8 Rates

(i) Submissions

Some submitters from within the subject land object to the Amendment on the basis that the resulting increase in land value will be reflected in an increase in rates.

The Proponent submitted at the hearing that a potential increased in rates *"is not a consideration under the planning scheme"* and in any case *"the land has been identified for growth since 2007 and the current rating according to valuation processes takes into account its future potential for development"*.

Council's view on this issue is similar to the Proponent but also makes the point that *"changing property values (either rising or decreasing) are often the subject of objection of planning scheme amendments, however, it is difficult to single out one matter as the reason for property values changing."*

(ii) Discussion

The Panel agrees that this issue is not a planning consideration. It is noted however, that whilst there is maybe a chance that there would be some increase in rates, this can be offset by the corresponding increase in the value of the asset.

(iii) Conclusion

The issue of rates does not warrant modification or refusal of the proposed Amendment.

4 Conclusion and recommendation

Having considered all written submissions, as well as submissions presented to it during the Hearing, the Panel is satisfied that the Amendment is justified subject to the exclusion of a portion of the subject land at the northern end of Ashworth Drive. Consequently, the Panel recommends:

- 1. Amendment C93 to the Latrobe Planning Scheme be adopted as exhibited with the exclusion of Lots 5, 6 and 7 in PS126409.**

Appendix A Submitters to the Amendment

No.	Submitter
1	Department of Environment, Land, Water & Planning
2	Gippsland Water
3	VicRoads
4	West Gippsland Catchment Management Authority
5	EPA Victoria
6	Ralph Brown
7	Heather Rowe on behalf of Ralph Brown
8	Steven & Gayle Wood
9	NJ & NF Bransgrove Pty Ltd
10	Six landowners within the subject land (Murray, Blackwood, Arthur, Lowe, Miller, Piper, Rankcom & Maloney)
11	Gordon & Sauni Arthur
12	David & Diane Grant
13	Tim & Sue Rankcom
14	Terry Miller
15	Frances Foster
16	Sharafat Malek & Farhana Rahman
17	Emma & Jon Standen
18	Rob Piper
19	Megan & Travis Day
20	Janne & Charlie Speirs
21	Onibokun family

Appendix B Document list

No.	Date	Description	Presented by
1	10 Mar 16	Photographs of Open Day	Gordon Arthur
2	10 Mar 16	Council presentation	Latrobe City Council
3	10 Mar 16	Attachments to presentation	Latrobe City Council
4	10 Mar 16	Submission on behalf of Mr & Mrs Wood	Julie Katz – APP
5	10 Mar 16	Submission of Gillian Murray	Gillian Murray
6	10 Mar 16	Submission on behalf of Mr Brown	Peter Dell
7	10 Mar 16	Submission of Robert Piper	Robert Piper
8	10 Mar 16	Submission of Mr & Mrs Rankcom	Tim Rankcom
9	10 Mar 16	Photograph of localised flooding	Terry Miller
10	10 Mar 16	Photograph of localised flooding	Terry Miller
11	10 Mar 16	Submission of Terry Miller	Terry Miller
12	10 Mar 16	Odour contour map for paper mill	Latrobe City Council
13	10 Mar 16	APM submission to C87	Latrobe City Council
14	10 Mar 16	EPA submission to C87	Latrobe City Council

**14.2 ECONOMIC DEVELOPMENT ENGAGEMENT PLAN QUARTERLY
REPORT****General Manager****City Development****For Decision****PURPOSE**

This report provides Council with a progress report on the Economic Development Engagement Plan.

EXECUTIVE SUMMARY

Council has adopted an Economic Development Engagement Plan to improve information sharing and communication with investors and the business community.

In order to track progress towards achievement of the range of initiatives within the Plan, a report outlining work completed during the previous period is prepared on a quarterly basis.

Highlights for the April to June 2016 period include:

- The adoption of the Economic Development Strategy 2016 – 2020. The Strategy has generated significant interest from government and industry;
- The facilitation of the Defence Benchmarking Program, Growing Gippsland Business Program and “Decisions that Drive Profits” Group Business Program. These programs will provide intensive assistance to 24 businesses with business planning and benchmarking activities;
- A successful delegation to China in support of efforts by Federation University to attract international student, as a result of this delegation a memorandum of understanding for student and teacher exchange has been signed;
- The commencement of the Engineering Hall of Fame and Intensive Agribusiness projects, outlined within the Economic Development Strategy;
- The first Latrobe City Business Roundtable, which provided nine local businesses the opportunity to engage directly with Councillors regarding the issues and opportunities facing their businesses; and
- Adoption of Live, Work Latrobe Stage one background reports and adoption of key components of the Traralgon Growth Areas Review.

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MOTION

Moved: Cr Gibbons

Seconded: Cr White

That Council receives and notes the Economic Development Engagement Plan Quarterly Report.

CARRIED UNANIMOUSLY

DECLARATION OF INTEREST

No officer declared a conflict of 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 – 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.

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

Theme 1: Job creation and economic sustainability

- Actively pursue long term economic prosperity for Latrobe City, one of Victoria's four major regional cities
- Actively pursue further diversification of business and industry in the municipality
- Actively pursue and support long term job security and the creation of new employment opportunities in Latrobe City

Strategic Direction – Job creation and economic sustainability

- Provide incentives and work proactively to attract new businesses and industry to locate in Latrobe City.
- Assist existing small and medium enterprises to expand and sustain employment opportunities.
- Work in partnership with business, industry and government to create new jobs and investment in Latrobe City.
- Provide timely and targeted infrastructure to support economic growth and the marketability of Latrobe City to industry and investors.

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- Promote and support the development and economic return of the tourism and events sector.
- Maximise access to Federal and State Government funds for jobs creation.
- Enhance community and business confidence in the future of the local economy.
- Promote research and development for new products and processes to exploit the significant coal resource of the Latrobe Valley.

BACKGROUND

Council has adopted a range of Key Performance Indicators (KPIs) and targets for the Chief Executive Officer (CEO).

Under the strategic direction of Economic Sustainability, Council has determined a Key Performance Indicator is to “facilitate the economic development of Latrobe City by improving communications between planners, economic development staff and industry, investors, businesses and other relevant stakeholders”. The target milestone for this key performance indicator is to:

‘Develop an engagement plan with Council staff, investors, business and industry leaders to improve information sharing and active communication completed by the end of September 2015’.

At its Ordinary Meeting of 26 October 2015, Council resolved the following:

That Council:

1. *Approves the 2015/16 Economic Development Engagement Plan to improve information sharing and active communication with Council staff, investors, government, business and industry leaders.*
2. *Receives quarterly reports during the 2015/16 financial year on the activities of the Economic Development Engagement Plan, and*
3. *Receives a report in September 2016 detailing the annual results of the Economic Development Engagement Plan.*

This report provides Councillors with an overview of economic development engagement activities from April to June 2016.

KEY POINTS/ISSUES

The Economic Development Engagement Plan provides an overview of the activities to be undertaken between Council staff, investors, government and business and industry leaders to support Economic Development in Latrobe City.

The Economic Development Engagement Plan Quarterly Report (attachment one) details the range of engagement activities undertaken from April to June 2016. Highlights for the period include:

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- The adoption of the Economic Development Strategy 2016 – 2020. The Strategy has generated significant interest from government and industry;
- The facilitation of the Defence Benchmarking Program, Growing Gippsland Business Program and “Decisions that Drive Profits” Group Business Program. These programs will provide intensive assistance to 24 businesses with business planning and benchmarking activities;
- A successful delegation to China in support of efforts by Federation University to attract international student, as a result of this delegation a memorandum of understanding for student and teacher exchange has been signed;
- The commencement of the Engineering Hall of Fame and Intensive Agribusiness projects, outlined within the Economic Development Strategy;
- The first Latrobe City Business Roundtable, which provided nine local businesses the opportunity to engage directly with Councillors regarding the issues and opportunities facing their businesses; and
- Adoption of Live, Work Latrobe Stage one background reports and adoption of key components of the Traralgon Growth Areas Review.

Activities planned for this quarter include:

- The Gippsland Small Business Festival, which will feature a range of skill development and networking events across the region;
- Continued engagement with Ingham’s regarding opportunities for broiler farming in Latrobe City;
- Forums for local businesses including a Transport Forum, Call Centre Forum, Developer Forum, Manufacturing Network session and Small Business Training Sessions; and

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 AND RESOURCES IMPLICATIONS

The activities outlined in this report were accommodated within the 2015/16 City Development budget with the exception of new activities or projects to be explored. These activities will be the subject of separate reports for Council’s consideration if additional budget is required.

INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

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Internal departments within Latrobe City, including Economic Development, Regional Strategy, Statutory Planning, Future Planning, Latrobe Regional Airport, Tourism, Infrastructure Planning and Recreation were engaged in the development of this engagement plan. Regular update meetings will be conducted in the delivery of the plan as activities are undertaken and issues arise for consideration.

Details of Community Consultation / Results of Engagement:

This report outlines a plan for engagement with the Latrobe City investor, government and business sectors of the community. Its results will be proactively monitored and reported on periodically to Council

OPTIONS

Council has the following options:

1. Note the Economic Development Engagement Plan Quarterly Report.
2. Seek further information regarding the Economic Development Engagement Plan Quarterly Report.

CONCLUSION

The Economic Development Engagement Plan provides a framework for Council's engagement with industry. The Quarterly Report demonstrates the progress made towards achievement of the range of actions identified within the Engagement Plan.

SUPPORTING DOCUMENTS

Nil

Attachments

1. Economic Development Engagement Plan Quarterly Report

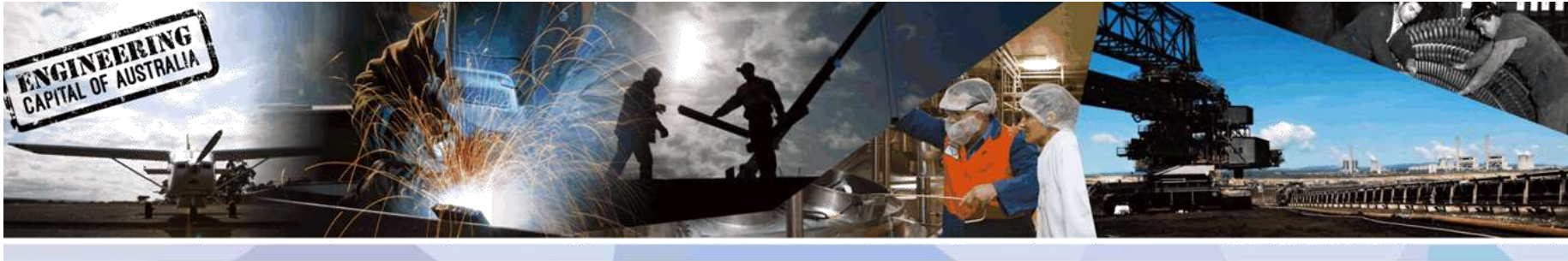
14.2

Economic Development Engagement Plan Quarterly Report

1	Economic Development Engagement Plan Quarterly Report	353
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ACTIVITY	AUDIENCE	FREQUENCY	STATUS
COMMUNICATIONS			
E newsletter – Planning information (e.g. VCAT outcomes, statistics, etc.)	Developers Consultants	Quarterly	The newsletter is distributed to 70 planning consultants and local developers. The next newsletter will be distributed in July.
E Newsletter – business information	All businesses in LCC	Monthly	Distributed each month to 1,150 subscribers. The newsletter features information on training opportunities, local events and Council projects relevant to the small business community.
Business Connect Newsletter	All businesses in LCC	Quarterly	Completed and distributed to 3,000 subscribers. The Newsletter features economic development highlights from the preceding quarter.
Social media business engagement via LinkedIn.com	Opt-in business interaction via social media	Daily/As needed	Program commenced in September 2015. Between April and June there were 5,722 views of the Latrobe City Profile. There has been a total of 22,712 views of the Latrobe City profile to date.



WORKSHOPS/FORUMS			
Developers Forum	Developers Consultants Investors	Quarterly	A Developer Forum was held on 2 June 2016. The forum was attended by 30 people and included updates on Strategic and Statutory planning projects and statistics.
Special Workshops (e.g. MSS)	Developers	As Needed	Not required from April to June.
Project Related Workshops	Developers Investors Consultants	As Needed	One workshop with a consultant was held in relation to Development Contribution implementation. Two inception meetings were held with consultants in relation to Live Work Latrobe Stage 2 and Public Open Space Planning Scheme Amendment.
Industry Breakfasts	Businesses Industry Councillors	Six-monthly	Not required from April to June.



ACTIVITY	AUDIENCE	FREQUENCY	STATUS
Parliamentarian Briefing	State and Federal Parliamentarians	As	Ongoing.
Industry Roundtables	Businesses Industry Councillors	Quarterly	The first Industry Roundtable was held on 30 May and was attended by nine businesses. Issues and opportunities discussed included the marketing of the municipality and access to skilled labour.
Call Centre Industry Forum	Existing call centre management	Six-monthly	A Call Centre Forum was held on 6 June, six local call centre providers attended. The Forum included a presentation from Sustainability Victoria and discussion regarding opportunities for local call centres to work in a more collaborative manner.
ADVOCACY			
Victorian and Australian Government Industry Tours	Relevant Departmental officers	Six-monthly	An Industry Tour was held on 4 May 2016. The tour was attended by seven state government representatives and three from the Chinese consulate. Attendees toured Latrobe Regional Airport, Mahindra, Energy Australia, the Gippsland Logistics Precinct and Australian Paper.
Canberra Delegations	Federal Parliamentarians	At least six-monthly	No action undertaken from April to June. The next delegation is scheduled for late 2016.



Securing our Future Publication	State and Federal Parliamentarians	As Needed	To be reviewed in line with Economic Development Strategy.
Submissions	State and Federal Government	As Needed	Two submissions were prepared in relation to the 30 Year Infrastructure Plan and Regulatory Impact Statement Planning and Subdivision Fees
Site visits and meetings with key businesses and industries	State and Federal Government Parliamentarians	As Needed	From April to June meetings have been conducted with Australian Paper, AGL Loy Yang, Carter Holt Harvey, Energy Australia, GippsAero Mahindra, Safetech, Centrelink Call Centre.
MEETINGS			
Regular meetings (proactive approach to development)	Developers Consultants Investors	Regular (as needs)	From April to June, nine meetings were held including meetings with NBA Group, Hansen Partnership and Beveridge Williams
Targeted industry meetings with key stakeholders	Developers Consultants Investors	One per person per year	From April to June six meetings with Government Agencies and referral authorities were held.



Internal Meetings	Economic Development Statutory Planning	Quarterly	Ongoing.
Personal Meetings with large businesses	Large Businesses	Annual	Meetings have been held with AGL Loy Yang Australian Paper, GippsAero, Federation University, Federation Training and the Centrelink Call Centre.
Attend Business Associations/Chambers	Small Businesses	Six-monthly	<p>From April to June 2016, officers attended the following Business Group meetings:</p> <p>Morwell Traders – 2 Committee for Moe – 1 Traralgon Chamber – 1</p> <p>Officers have also commenced a monthly meeting with the abovementioned Chambers and the Latrobe City Business Tourism Association. Three meetings were conducted between April – June 2016.</p>



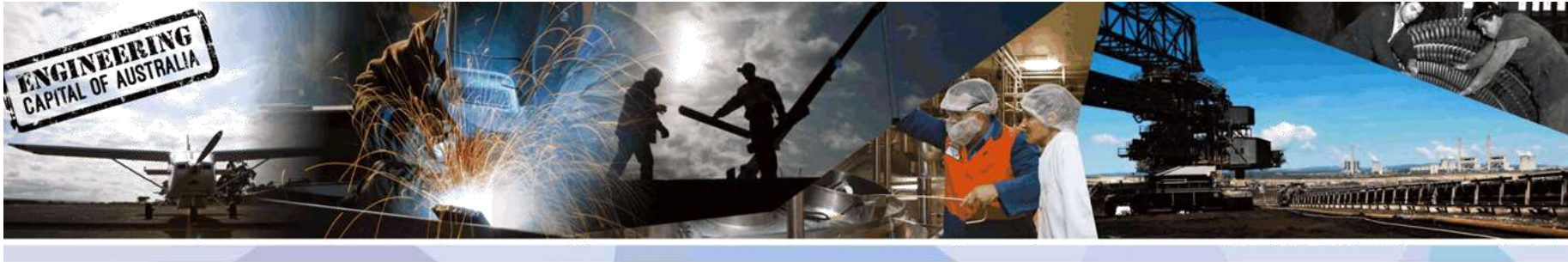
Project Facilitation (e.g. business & Vic Roads)	Businesses Developers	As Needed	Ongoing. Nine meetings were held. This includes meetings with VicRoads, Gippsland Water, NBA Group, Australian Paper, EPA and WGCMA in relation to progressing Development Plans and Planning Scheme Amendments.
Development Assessment Team (e.g. residential subdivisions)	Infrastructure Development, Recreation, Finance, Statutory Planning, Future Planning and Property	Monthly	Two meetings were held.
Liaison with government departments	Key government departments	Continually	Ongoing. Continual contact with Department of Economic Development, Jobs, Transport and Resources, specifically Regional Development Victoria and Department of Environment, Land, Water & Planning.
Quarterly Meetings with Government departments (e.g. Vic Roads, Gippsland Water, WGCMA, RDV)	Key government departments Executive & officer level	Quarterly	Three quarterly meetings were held with VicRoads, Gippsland Water and WGCMA.



Advisory Committee Meetings (e.g. Gippsland Carbon Transition Committee, Timber Umbrella Group and Industry Forum)	Internal and external Committee Member	Quarterly	The Industry Forum last met in June 2015. A follow up meeting has been held with the Chair. The Timber Umbrella Group met on 20 May 2016. The Gippsland Carbon Transition Committee last met on 25 February 2016. The next meeting is scheduled for 6 July 2016.
Education Provider meetings – meetings on specific opportunities including councillor presentations and council engagement	Federation University, Monash University, Federation Training	Six-Monthly or as required	Currently providing assistance and attending meetings related to the Tech School project. Two liaison meetings were also held with Federation University and one with Federation Training.
Airport Meetings	Airport Tenants	Monthly	Monthly meetings have been held with the Airport Community Committee.



DELEGATIONS			
Outbound Trade Delegations	Sister Cities in conjunction with cultural exchanges and business opportunities. Other cities/countries where opportunity presents	At least Annually to take advantage of cultural exchanges and business opportunities.	Officers partnered Federation University on a delegation to China to explore opportunities for international student attraction to Federation University. As a result of this delegation, a Memorandum for student and teacher exchange was signed.
Inbound Delegations	Sister Cities	Annually	No action was required from April – June.
Inbound Delegations	Other countries	As Needed	Latrobe City participated in a delegation to China in support of Federation University. The delegation was successful in securing a Memorandum of Understanding for teacher and student exchange was signed.



PROJECTS			
Develop a program for targeted engagement with Top 20 businesses in collaboration with state government	Top 20 businesses	Project	Commenced.
Deliver "Streamlining Business Interaction" project to simplify applications and internal referrals for new and existing businesses within Latrobe City.	Business investment enquiries/opportunities	Project	Commenced.
Investigate viability of developing a "shop-front" presence for Economic Development to provide better access to small business	Small business enquiries	Project	Initial feasibility assessment complete. Project not included in 16/17 budget.

14.3 LATROBE CITY COUNCIL SUBMISSION TO INFRASTRUCTURE VICTORIA'S 30-YEAR STRATEGY OPTIONS PAPER

General Manager

City Development

For Decision

PURPOSE

The purpose of this report is to inform Council of the Initial Submission made to Infrastructure Victoria's 30-Year Strategy Options Paper, entitled *All Things Considered* (the Paper), and to seek Council endorsement for the Submission.

EXECUTIVE SUMMARY

The Paper was released in May 2016 and provides potential directions for the provision of infrastructure within Victoria for the coming 30 years. This Paper is the second stage in a three stage consultation process; it follows the Foundation Paper, which Latrobe City Council commented on in March 2016.

Due to the tight timeframes in which submissions were required, (a period of 4 weeks) an initial submission from officers was lodged on 1 July 2016. An extension was requested to allow for the council report cycle process and endorsement from Council however only a short extension was granted. The limited timeframe did not allow for appropriate consultation with the Latrobe City community.

Infrastructure Victoria has been advised that the Submission is currently not formally endorsed, and that Council has the right to amend the Submission if warranted.

Infrastructure Victoria will consult two citizen juries through the engagement process for the Paper. The designated rural jury will be conducted in Shepparton. At this time it is not proposed that the same opportunity will be provided to Gippsland residents.

The Paper's infrastructure options endeavour to plan for current and future needs by encouraging better use of existing assets, changing behaviour/managing demand, and expanding/building new assets.

Latrobe City's submission is formulated around the argument that substantial infrastructure is necessary to solidify Latrobe City as one of Victoria's four major regional cities. Particular focus was given to the importance of infrastructure investment required to support the successful transition away from a brown coal economy, as well as the critical role of the State Government in the provision of state-level infrastructure and service investment.

The Submission requested support from Infrastructure Victoria in delivering key projects for supporting transition and growth, including:

- Gippsland rail passenger service improvements;
- Improve the efficiency of freight supply chains to Gippsland; and,

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- Princes Highway upgrades and land stability.

The Initial Submission to the 30-Year Strategy Options Paper is available on Infrastructure Victoria's website.

<http://yoursay.infrastructurevictoria.com.au/all-things-considered/submissions>

If Councillors have further comments an opportunity exists for these to be included as an addendum to the Submission and sent to Infrastructure Victoria.

Latrobe City will also be given the opportunity to provide a submission to the next stage in the process- the Draft Strategy.

MOTION

Moved: Cr White
Seconded: Cr Gibbons

That Council endorses the *Infrastructure Victoria 30 - Year Strategy - Submission to Options Paper – Latrobe City Council – July 2016.*

For: Crs Rossiter, White, O'Callaghan, Middlemiss and Gibbons

Against: Crs Sindt, Kam and Harriman

CARRIED

DECLARATION OF INTEREST

No officer declared a conflict of 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

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

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Latrobe City Council Plan 2013 - 2017

Theme and Objectives

Theme 1: Job Creation & Economic Sustainability

Objectives:

To actively pursue further diversification of business and industry in the municipality.

To enhance community and business confidence in the future of the local economy.

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

Objectives:

To promote and support a healthy, active and connected community.

Theme 4: Advocacy for & consultation with our community.

Objectives:

To strengthen the profile of Latrobe City as one of Victoria's four major regional cities

To work in partnerships with all levels of governments to ensure Latrobe City is well supported, resourced and recognised as one of Victoria's four major regional cities

Theme 5: Planning for the future

Objectives:

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

Strategic Direction – Planning for the future

To plan and coordinate the provision of key services and essential infrastructure to support new growth and opportunities.

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

To strengthen our region by actively leading and encouraging partnerships with other local governments, industry and community agencies.

In making a submission to the Paper, Council will be actively meeting these directions and objectives that are outlined within the Latrobe Council Plan.

BACKGROUND

Infrastructure Victoria is an independent statutory authority (the Authority) that provides advice and guidance in regard to the State's infrastructure needs and priorities. The 30-Year Strategy is formulated around the Authority's core objective to improve social, economic, and environmental outcomes for Victoria. The Strategy considers all sectors, including transport, health, information and communication technology, cultural, education, water, justice, agriculture, and energy.

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The 30-Year Strategy aims to meet Victoria's infrastructure needs over the short, medium, and long-term. The Strategy has four stages; the Paper provides the second step towards the Final Strategy. The four stages are as follows: Foundation Paper; Options Paper; Draft Strategy; and Final Strategy.

Latrobe City Council has already taken the opportunity to comment on the Foundation Paper in March 2016, and will be provided the chance to make a submission to the Draft Strategy. Consideration of Options Paper submissions will influence the direction of the Draft strategy. The same process will be employed to revise the Draft Strategy, and subsequently deliver the Final Strategy. The Draft Strategy is expected to be available from September 2016, and the Final Strategy is proposed to be released by the end of 2016.

Latrobe City's submission will be considered by two citizen juries, one from metropolitan Melbourne and the other from rural Victoria. The juries will provide a report of recommendations in late July 2016. Infrastructure Victoria will consider these reports in the formulation of the Draft Strategy.

At this time direct consultation with the Latrobe community is not envisioned by Infrastructure Victoria.

The Submission aligns with the theme *of advocacy for and consultation with our community* within the *Council Plan 2013-2017*.

KEY POINTS/ISSUES

Infrastructure Victoria's 30-Year Strategy Options Paper (the Paper):

The Paper is predominantly metropolitan focused with limited projects proposed for regional Victoria. Housing, and the associated infrastructure, to supply population growth is located around Melbourne's peripheries- little attention has been given to the decentralisation of population to regional areas.

Regional bus upgrades have been proposed as an option for Latrobe Valley, but 'further development' is considered necessary for the Gippsland-Pakenham rail shuttle. Potential options were also considered for providing access to jobs and services in regional and rural areas (see Chapter 12 of the Paper); however these are chiefly confined to centralised health services, increase bus services/upgrades, and improving transport/service logistics through technology.

The Paper seeks to address some of the challenges and opportunities that result from transitioning to a lower carbon future. There are limited options provided for government intervention, however a focus has been given to providing financial incentives, changing user behaviour, and the development of new assets to influence the matter (see Chapter 18 of the Paper).

Potential options include green energy alternatives, energy storage infrastructure, and electric vehicles. An option that is considered to need further consideration, and will have a substantial impact on Latrobe City, is

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“setting an end date for the extension of brown coal licences to allow long-term withdrawal of these licenses and provide clear signal for industry.”

Latrobe City Council Submission to Infrastructure Victoria (the Submission):

The Submission provided the following key strategic positions for Infrastructure Victoria in the preparation of infrastructure needs for the Gippsland region, and Latrobe City’s role at its centre:

To support coordinated and sustained efforts to transition Latrobe City and the region through anticipated changes in energy and coal resource utilisation;

- To support the recognition of Latrobe City as one of Victoria’s four major regional cities; and,
- To acknowledge the importance of state infrastructure and service investment required to meet Latrobe City’s critical role in the Gippsland region now and into the future.

The Submission advocates for an improved Gippsland rail passenger service, with particular note given to Latrobe City’s involvement in developing a Rail Needs Advocacy document, by Gippsland Local Government Network. The Rail Needs Advocacy document advances the concept of a dedicated line from Gippsland to Melbourne, which the Submission promotes as a key opportunity for Infrastructure Victoria.

The Submission also advocates for freight supply chains, it provides reference to a number of key documents including; *The Latrobe Valley and East Gippsland Rail Freight and Supply Chain Task Assessment*, and the *Gippsland Freight Strategy 2013* as documents that should be considered.

Key to local future infrastructure needs are the further upgrades to the Princes Highway, with particular reference to land stabilisation. The importance of the Princes Highway to local and national economies is also highlighted.

Key infrastructure and service investment areas identified within the Initial Submission include:

- Transport infrastructure;
- Wastewater infrastructure sequencing and innovation;
- Responding to increasing pressure on the health system;
- Better access to high quality education;
- Water security and opportunities from energy market transition;
- Leveraging tourism from natural assets; and,
- Climate change – opportunities and threats.

The Initial Submission is available online, or as an attachment. It sets out the direction of potential infrastructure within the municipality, referencing

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Council strategies and projects. The Submission outlined Council's actions regarding the subjects discussed within the Paper.

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 AND RESOURCES IMPLICATIONS

There are no direct financial implications in regard to the decision made for this report.

The financial implications concerning the Funding and Financing sections of the Paper can be read in the attached Submission.

INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Internal consultation was completed through the collection of officer comments in relation to the Paper. Divisions were approached for localised knowledge around the Strategy's topic areas, consultation was sought from:

- Infrastructure;
- Planning;
- Community Development;
- Recreation;
- Community Health and Wellbeing;
- Economic Development; and,
- Finance.

External consultation has not been completed by council officers due to the tight timelines of providing feedback. An extension of a fortnight had been granted to Latrobe City to enable adequate time for internal consultation and the formulation of a response, however, the time was inadequate for the completion of any community engagement.

It is noted that the Paper is a public document, available on Infrastructure Victoria's website, any community member or group can make a submission. These can be viewed at:

<http://yoursay.infrastructurevictoria.com.au/all-things-considered/submissions>

**ORDINARY COUNCIL MEETING MINUTES
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Options available to Council are as follows:

1. That Council having considered the Submission, endorses the Submission; or,
2. Endorses the Submission and provide additional comments; or,
3. Decide to not endorse the submission and withdraws the submission for consideration.

The recommendation within this report is in line with the approach outlined in Option 1.

CONCLUSION

The Latrobe City Council submission to Infrastructure Victoria's 30-Year Strategy Options Paper is centred around advocacy for solidifying Latrobe City as one of Victoria's four major regional cities; and the associated infrastructure and service investments required.

The Submission also provides detailed comments in response to the Paper.

The Latrobe City Council submission will be considered in the Paper consultation process and a Draft Strategy will be available for comment in September 2016

SUPPORTING DOCUMENTS

Infrastructure Victoria 30-Year Strategy Options Paper.

<http://yoursay.infrastructurevictoria.com.au/all-things-considered>

Attachments

1. Infrastructure Victoria 30-Year Strategy - Submission to Options Paper - Latrobe City Council Submission - July 2016

14.3

Latrobe City Council Submission to Infrastructure
Victoria's 30-Year Strategy Options Paper

1 Infrastructure Victoria 30-Year Strategy - Submission to
Options Paper - Latrobe City Council Submission - July
2016..... 371

Infrastructure Victoria 30-Year Strategy

Submission to Options Paper

Latrobe City Council Submission

June 2016

*"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"*

(Latrobe2026, the Community Vision for Latrobe Valley.)

**LEADING
OUR COMMUNITY,
ADVANCING
OUR REGION**





EXECUTIVE SUMMARY

Major project investment identified by the State should lever the inherent advantage that Latrobe City has in regional Victoria due to its proximity to Melbourne. Latrobe City's role as Gippsland's Regional City centre and the unique mix of industrial, agricultural and natural environments which are yet to be fully realised.

Latrobe City Council is also of the view that significant investment in critical infrastructure upgrades will play a central role in addressing the opportunities and threats which are to be faced by Latrobe City in relation to the future energy market.

Latrobe City has the opportunity to again become a reference point for government and industry representatives. The resulting recognition of Latrobe City's Major Regional City status within such institutions will, to greater and lesser degrees, influence both the municipality's and the region's future. There is an expectation that this thinking should cascade down to regional priority setting by Infrastructure Victoria and resultant state government funding. The key functions of Victoria's four Major Regional Cities, in attracting and servicing Victoria's growing population, will need to be supported by processes that facilitate coordinated planning between all levels of government.

It must, however, be acknowledged that Latrobe City's historical narrative is not one of gradual evolution, rather, of reaction to outside intervention on a major scale. That is - the establishment of the power industry and relocation of workers; the deregulation of the power industry and sometimes pervasive negative impact on local people; and the amalgamation of shire councils. Most recently, interventions such as the demonisation of brown coal, introduction of a carbon price, and the drafting of 'transition' plans and road maps by state and commonwealth governments all recognised that Latrobe City is in transition.

As in history, bold policy and major infrastructure investments will be required to support this transition, however the local community must be afforded greater opportunities to participate in this process than what has previously been provided.

Considering the above, Latrobe City Council respectfully requests the support of Infrastructure Victoria in acknowledging the following key strategic positions in their consideration of infrastructure needs for the Gippsland region and Latrobe City's role as its centre:

- A. Support coordinated and sustained efforts to transition Latrobe City and the region through anticipated changes in energy and coal resource utilisation.**
- B. Support the recognition of Latrobe City as one Victoria's four major regional cities.**
- C. Acknowledge the importance of state infrastructure and service investment required to meet Latrobe City's critical role in the region now and in the future.**

This submission aims to draw attention to the need for provision of state and regional infrastructure and services necessary to enhance Latrobe City's role as Gippsland's Regional City. This submission also draws on a range of Council endorsed strategies, such as Stage 1 of the 'Live Work Latrobe' project and the *Economic Development Strategy*.

The support provided by both federal and state governments for the recently completed Moe Service Centre and Library. As well as the State Government funding commitment to support arts education and events through the Creative Precinct in Traralgon are such examples. Both of these infrastructure projects are having a significant impact upon the trajectory of Latrobe City and the Gippsland region community.

Latrobe City Council welcomes the opportunity to make this submission to the Options Paper of Infrastructure Victoria's 30-Year Strategy.



INTRODUCTION

Latrobe City understands that Infrastructure Victoria was established in late 2015 as an independent statutory authority to provide expert advice and guidance to decision making on Victoria's infrastructure needs and priorities with three key roles:

1. Prepare a 30-year infrastructure strategy for Victoria
2. Provide advice to the Victorian Government on infrastructure matters
3. Publish research on infrastructure matters

The priorities of Infrastructure Victoria are likely therefore to sit at the strategic state level. On this basis, the future infrastructure needs and opportunities identified and supported by Latrobe City Council within this submission are provided in this context.

This submission is set out in the following five sections with attachments:

1. Executive Summary
2. Introduction
3. Strategic priorities to be acknowledged
4. Infrastructure needs to support transition and growth
5. State Financing

Latrobe City respectfully requests that it be involved in the engagement process for the upcoming Draft Strategy and any relevant further discussions within the infrastructure planning sphere.

It is noted that due to the tight timeframes in which submissions were required, this submission has been prepared by Council Officers and has not been formally endorsed by Council resolution. Council may therefore require the opportunity to provide an addendum to this submission, following a Councillor briefing session to be held 25 July 2016.

Should the Committee have any questions regarding this submission, please contact Jason Pullman, Coordinator Strategic Planning via phone 5128 6151 or email Jason.Pullman@latrobe.vic.gov.au. Alternatively, you may contact Nathan Misiurka, Senior Strategic Planner via phone 5128 5499 or email: nathanmi@latrobe.vic.gov.au.



STRATEGIC PRIORITIES TO BE ACKNOWLEDGED

Latrobe City Council respectfully requests the support and partnership of Infrastructure Victoria in acknowledging the following key strategic positions in its consideration of infrastructure needs for Gippsland and Latrobe City's role as the regional centre.

A. Support coordinated and sustained efforts to transition Latrobe City and the region through anticipated changes in energy and coal resource utilisation.

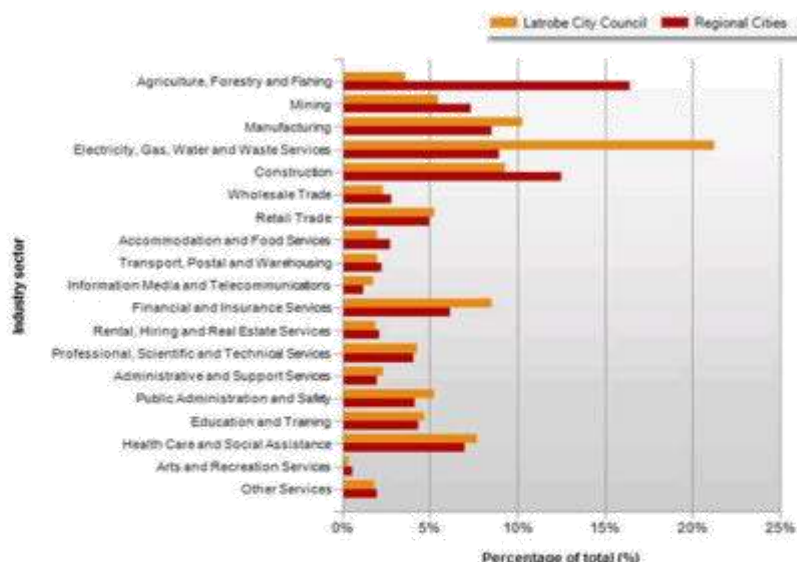
Latrobe City is uniquely placed in the Victorian economy. With 85% of the state's power generation occurring in the region, brown coal electricity generation accounts for around 20% of Latrobe City's Gross Regional Product.

Traditionally recognised as the heart of Victoria's electricity industry, today a range of other sectors contribute to the Latrobe City's economy. The future however appears to be very different, with the three coal fired energy generators potentially ceasing operations in relatively close succession from 2032 (Yallourn 2032, Hazelwood 2033 and Loy Yan 2048). It has been identified that effective solutions to the rehabilitation of the associated coal mining operations will be required, with each mine presenting unique rehabilitation and transition challenges.

Significant shifts in world energy markets and changing environmental standards are impacting the broader region. Recognising the potential restructure of the power generation sector and preparing for a transition to a lower carbon economy are both important and exciting for Latrobe City.

The diversity of industries in Latrobe City can be overstated by statistics, which does not necessarily capture the full picture. Employment generated by the power generation industry directly results in employment in other parts of the Latrobe City economy. Regional modelling suggests that each job in Latrobe City's energy sector generates an additional four to five local jobs in the broader regional economy, with approximately 20% of all jobs are directly or indirectly tied to the electricity sector.

Value added by industry sector, Latrobe City Council and Regional Cities 2011
(ANZSIC 2006 - Latest industry classification)





The reduction of existing power industry suppliers will create a need to retrain and redeploy the workforce. Council has developed a range of policies and actions to ensure that we are ready for a low carbon future, highlighting programs and new infrastructure investment opportunities.

Given that grid infrastructure already exists in the Eastern Victoria (in contrast to the constraint it poses in western Victoria), it is reasonable to promote the location of new-age energy investment for Gippsland.

A significant amount of work has already been done at a Regional level in regard to adjusting to a carbon-constrained future. Council's Economic Development Strategy has developed a number of policies aimed at supporting the transition from the region's economic reliance on coal fired power stations. The strategies include investment action activities for the renewable energy sector.

As outlined in its policy *Positioning Latrobe City for a Low Carbon Emission Future (April 2010)* Latrobe City Council supports the sustainable use of brown coal as an energy source and will continue to support generators, clean coal researchers and government agencies to develop clean coal energy pilot plants and associated research facilities in Latrobe City. Latrobe City seeks to ensure that its economy and community continue to prosper and, with the appropriate transition mechanisms in place, supported by important state infrastructure and service investment. With this investment and collaborative infrastructure planning, it believes that both climate change mitigation and economic growth can be achieved.

This submission is prepared in an environment of uncertainty surrounding future coal mining and energy sectors; with council awaiting clear direction from the Victorian State Government regarding future coal developments and associated land use planning policy, the Hazelwood Mine fire inquiry and the consideration of a AGL's submission to Amendment C87 Traralgon Growth Areas Review (which highlighted landslip and subsidence concerns resulting from open cut mining to both future and existing urban areas).

While the broader community understands the economic importance of the coal resource, council advises there is a degree of sensitivity about existing and future land use conflicts and the associated community health and safety concerns resulting from coal mining operations. Latrobe City Council holds the strong view that the consideration of the coal resource policy and related infrastructure planning should not occur without appropriate engagement with the Latrobe City community.

This view is emphasised by recent events including mine collapses and the Hazelwood mine fire. State policy for the future of coal mining and utilisation will therefore significantly influence the sustainability and liveability of the Latrobe City community and region, requiring careful management of range of matters.

Latrobe City Council expects that future opportunities for brown coal will therefore be largely dependent on projects that are technically sound, commercially viable and socially acceptable. Although many of the proposals are still only at concept or pilot phase, the potential development of the brown coal resource would promote a sizeable expansion of the region's manufacturing sector as well as present major opportunities for the construction, engineering and transport sectors. The infrastructure requirements which may result from a successful proposal would be of national significance and require the support from all levels of government.

Should a coal derivatives export industry be developed and supporting infrastructure investments be made available, the consequent increase in employment opportunities would be expected to stimulate significant population growth within Latrobe City and Gippsland.



B. Support the recognition of Latrobe City as one Victoria's four major regional cities

Recognition and acceptance by all levels of government and the broader community of the status as a "Major Regional City", particularly as one of four Regional Cities in Victoria, will also likely assist Latrobe City Council and the broader Gippsland community in leveraging benefits associated with this status, such as regionally significant infrastructure and investment.

Gippsland Regional Growth Plan 2015

Gippsland is home to over 260,000 people, with the population growing at a faster rate (1.5% per annum) than regional Victoria as a whole (1.3% per annum) (VIF 2015).

The 2015 GRGP identifies that the region has aspirations to diversify from a coal region to a region that produces low emissions energy resources and technology; and from an agricultural commodities region to a region that increasingly value-adds to its commodities for domestic and export markets. The GRGP also recognises Latrobe City's importance to Gippsland, as the Major Regional City, seen as a collective urban system or 'networked city' comprising the main towns of Traralgon, Morwell, Churchill and Moe.

The GRGP seeks to promote the continued growth for Latrobe City as the Regional City of Gippsland, as follows:

"As Gippsland's regional city, Latrobe City will be a focal point for growth, infrastructure and service investment. Growth will be planned in a way that integrates the four centres so that they function as a single urban system. This will provide a focus for future regional investment and support continued growth in the Princes Highway corridor, including the regional centres of Warragul, Sale and Bairnsdale.

To establish a connected regional city, planning across the four centres will allow for the right type of growth in the right locations for residential, industrial and commercial development. Efficient and reliable transport between the four centres will be critical to ensure access and connectivity.

Latrobe City – Gippsland's Regional City

Population projections suggest a population growth rate of 0.7% from approximately 74,360 to approximately 85,300 in 2031. The past 15 years there has also seen positive change in the employment profile across the four major cities of Ballarat, Bendigo, Geelong, and Latrobe.

More recently however, trend information shown in the following table indicates a slowing of jobs growth in Latrobe City, reducing from 37,152 to 33,565 during the 2010 to 2014 period (a decrease of 9.65%).

	Latrobe (C)		Ballarat (C)		Greater Bendigo (C)		Greater Geelong (C)	
2000-2004	7,740	31.40%	-3,379	-8.23%	6,649	19.20%	7,396	9.50%
2005-2009	2,443	7.53%	5,139	12.99%	6,971	17.01%	15,480	17.32%
2010-2014	-3,587	-9.65%	3,030	6.65%	4,962	10.24%	-7,608	-7.21%
2000-2014	8,919	36.19%	7,529	18.34%	18,760	54.16%	19,973	25.65%

Source: Department of Employment, Small Area Labour Markets Australia

Note: Average annual number of persons employed in the 12 months to December.

In comparison, the number of jobs in the City of Ballarat increased by 6.65%, Greater Bendigo by 10.24% and City of Greater Geelong decreased by 7.21%.

Our aim is to see comparable growth achieved for Latrobe City compared with Victoria's Major Regional Cities. This objective to be supported by:

- Working with the Gippsland Local Government Network (GLGN) to identify the strategic investment priorities for the region (presently focusing on the provision of much needed passenger and rail freight improvements to Melbourne and ports).



- Through the development of the Latrobe City Council Economic Development Strategy, and in conjunction with key stakeholders, exploring ways in which the unique mix of skills and infrastructure within the municipality may deliver future benefit in a transitioning energy economy.
- Seeking state and federal government strategic investment in critical infrastructure and services in Gippsland.
- The completion of necessary strategic planning to accommodate long term growth within and around Latrobe City's four main towns.

The municipality has benefited from its association with energy production, owing to the State Significant brown coal resources. Recognising the potential restructure of the power generation sector and preparing for a transition to a lower carbon economy are both important and exciting for Latrobe City.

Other major contributors to Latrobe City's economy include forestry, pulp and paper, food production, agriculture, manufacturing, retail and health services. The success of these industries is strengthened by an established network of electricity infrastructure, accessible rail and road links to Melbourne, as well as larger freight networks across the State and Australia.



C. Acknowledge the importance of state infrastructure and service investment required to meet Latrobe City's critical role in the region now and in the future.

Investment in higher order regional infrastructure by state and federal governments is paramount to attracting and retaining population growth, drive business and industry investment and resultant employment growth. This being particularly relevant to Latrobe City and Gippsland, as the State transitions itself to low carbon economy.

The Gippsland Regional Growth Plan acknowledges that 'historically, growth has occurred without adequate consideration of infrastructure needs which can frequently result in existing infrastructure being inadequate or undersized'. It further notes, 'the major constraints that appear common across to most Gippsland local government areas is the availability of funding for existing and new infrastructure'.

The Implications of Population Growth on Infrastructure and Resources in Regional Cities (Essential Economics 2012) identified the need to ensure infrastructure updates (including community infrastructure) occur sequential with development. The report identified that strong population projections (under any of the growth scenarios), require significant additional infrastructure and resources in Regional Cities to support population expansion, business growth, employment and liveability.

These requirements include additional infrastructure and resources for: utilities (water, gas, electricity); public transport (rail, bus); land development (residential, industrial); communications (broadband); health (hospital beds, emergency services); education (schools, TAFE, university); social (kindergarten, childcare, aged care); community needs (libraries, arts, recreation); and waste services (kerbside collections).

As articulated in the current Infrastructure Victoria 30 year plan, there is a well-defined nexus between land use planning and the provision of infrastructure. A clearer understanding of what Latrobe City's role at the Victorian, regional and local level will assist land use planning and support opportunities to expand regionally significant social and community infrastructure investment.

This will be an ongoing consideration for future work undertaken by Council and future engagement with Infrastructure Victoria.



INFRASTRUCTURE NEEDS TO SUPPORT TRANSITION AND GROWTH

An overview of key infrastructure needs and investments essential to the transition and growth of Latrobe City and the Gippsland region is provided for consideration by Infrastructure Victoria.

- Transport infrastructure (passenger and freight)
- Wastewater infrastructure sequencing and innovation
- Responding to increasing pressure on health services
- Better access to high quality education
- Water security and opportunities from energy market transition
- Leveraging tourism from natural assets
- Climate change – opportunities and threats

Transport Infrastructure (passenger and freight)

Road and rail links are the Gippsland region's main connectors to Melbourne, commercial ports and other states.

The Gippsland Regional Growth Plan notes "efficient transport connections are needed to provide access to services and employment across Gippsland as well as inter-regional destinations. As the region's population continues to grow and change, it is important to plan transport infrastructure projects to promote enhanced connectivity, capitalise on economic opportunities and monitor the demand and the viability of providing additional public transport services."

The *Gippsland Transport Strategy 2008-2020*, developed by the Gippsland Local Government Network (GLGN), identifies five major challenges facing the development of transport projects in the Gippsland region:

- The movement of project cargo in and export cargo out (e.g. as a consequence of major coal and energy projects).
- Carbon pricing and the rising cost of fuel.
- Urban encroachment on western Gippsland.
- Competing demands on rail services from increasing passenger demand and an increased freight task moving by rail.

Gippsland rail passenger service improvements

Providing the necessary transport system changes and investments in infrastructure will be critical if the Gippsland regions strengths and competitive advantages are to be fully realised.

The V/Line train services are a key element of the public transport mix for Gippsland. V/Line data for Gippsland notes that there were 2,003,752 trips for the 2013/14 financial year, which was up from 1,893,156 in the previous year. It is believed that significant upgrades are required to enable the expansion and faster passenger services on the corridor between Sale, Traralgon and Melbourne.

There are already serious congestion and capacity issues on peak hour V/Line trains, and there is an urgent need for additional carriages, services and improved reliability. Many of the people moving into region are commuting to the city for work each day and this will exacerbate this need (Gippsland Regional Plan).

Opportunities for local V/Line connections to be introduced between Warragul and Sale would offer support greater accessibility to health, retail, government and other services located within Latrobe City's main towns. In this regard, the work currently being undertaken as part of the Bendigo Metro Rail offer an interesting example of rail improvements which enhance Regional Cities within Victoria.



Latrobe City is currently heavily involved in a study by Gippsland Local Government Network (GLGN), which advances the concept of a regional rail link that would provide a dedicated line from Gippsland to Melbourne- similar to those available to Bendigo and Ballarat. Latrobe requests the Infrastructure Victoria participate and support the exploration of this opportunity.

Improve the efficiency of freight supply chains to Gippsland

The private siding east of Morwell Railway Station runs to the Australian Paper intermodal facility at Maryvale, near Traralgon. Council advises that Australian Paper currently moves an estimated 2250,000 tonnes per annum of product by rail from its siding to Melbourne for domestic and export purposes. This is the biggest non grain freight commodity volume on the Victorian rail system.

The Latrobe Valley and East Gippsland Rail Freight and Supply Chain Task Assessment identified significant opportunities for further bulk commodities from the region should the utilisation of water, land and mineral assets of Latrobe City and the broader Gippsland region be expanded. This would generate a significant freight task to support emergent export markets; potentially limited only by the extent of the supporting transport infrastructure network.

Improving the efficiency of the Gippsland railway as a conduit to ports and logistic centres is an important consideration for Latrobe City and the economic development in the region.

The development of the *Gippsland Freight Strategy (2013)* identifies a range of actions that will facilitate the efficient movement of the Gippsland freight reinforcing the GLGN and Victorian Government's directions for growing regional freight, as stated in the *Transport Solutions Framework 2010-11*, *Gippsland Regional Plan 2010* and included within the *Gippsland Regional Growth Plan* and the *Victorian Freight and Logistics Plan*.

Improvements to the Gippsland Regional Rail Link will be essential for the growth of the region. The close connection to prime agricultural land, a skilled workforce, and the Port of Melbourne makes it vital that trade is not deprived by insufficient rail infrastructure linking these assets.

Latrobe City has been influential in the development of the Gippsland Logistics Precinct, which is expected to enhance rail related freight trade and services to Melbourne. The project has the full support of rail authorities, and state and local governments. The 64 hectare Precinct includes a rail siding and a master plan to develop a logistics hub that will mix rail and non-rail freight supply chains.

Latrobe City requests that Infrastructure Victoria:

- **Consider the rail upgrades necessary to increase and provide faster passenger services on the corridor between Sale, Traralgon and Melbourne.**
- **Consider opportunities for local V/Line connections to be introduced between Warragul and Sale, similar to that announced as part of the Bendigo Metro Rail.**
- **Opportunities to participate and support the exploration of improvements to the Gippsland rail line as conduit between ports and Gippsland.**

Princes Highway upgrades and land stability

The Princes Highway is the main transport 'spine' of Gippsland, supporting key regional industries and the major regional centre of Latrobe City, Warragul, Sale and Bairnsdale. Average traffic volumes on the Princes Highway, between Pakenham and Traralgon vary between 15,000 and 25,000 vehicles per day (vpd), with traffic volumes between Traralgon and Bairnsdale varying between 5,000 and 10,000 vpd (Gippsland Freight Strategy 2013).

The critical role that the Princes Highway plays in contributing to the national economy is recognised through its inclusion on the Commonwealth Government's National Network. The *Melbourne-Sale Corridor Strategy* is a reflection of the shared strategic priorities of the Commonwealth and Victorian Governments for the long term development (20-25 year) of this important corridor (Gippsland Freight Strategy 2013).



Land has also been reserved for a future Traralgon bypass, with the Amendment C42 to the Latrobe Planning Scheme approved in June 2009.

Landslips which occurred on the northern batter of the Hazelwood Mine in 2014 saw the closure of the Princes Highway, with traffic being diverted through the Morwell township. This issue reinforces the importance of the Princes Highway and the impact that damage to critical infrastructure can have on a region.

Latrobe City requests that Infrastructure Victoria:

- *Identify recommended timeframes for the future investment in the Princess Highway Traralgon Bypass.*
- *Acknowledge the importance of the Princes Highway and support efforts and investment to mitigate at future closures resulting from mining operations.*
- *Encourage the provision of active transport paths and lanes when building or upgrading infrastructure such as arterial roads and freeways.*

Wastewater infrastructure sequencing and innovation

Greater regulation and direction is supported in this sphere; with particular consideration of the challenges which arise in the coordination of key infrastructure funding and sequencing required across various government agencies.

With significant constraints such as coal resources and floodplains already significantly impacting growth opportunities in Latrobe City, the additional impediment of delayed infrastructure provision by state agencies and authorities presents significant challenges to the community and economic development.

A key area of concern within the Latrobe City community regarding state government wastewater infrastructure investment and sequencing is expanded upon below.

Both funding and regulatory arrangements currently governing the provision of wastewater infrastructure have proved to be insufficient and are significantly impacting on new development and investment opportunity within the municipality.

Since 2004 Latrobe City Council has undertaken significant urban growth area planning across large and small townships; completing structure plans which subsequently enabled residential land releases across the municipality in 2014. Council has also been active in the preparation of Development Plans, Development Contribution Plans and Precinct Structure Plans to plan for and fund growing community infrastructure needs.

Whilst this work has been undertaken in consultation with all relevant authorities and agencies, growth opportunities across each of the main towns has been delayed, and in some instances prevented due the absence of critical sewer infrastructure. Therefore the growth of townships in Latrobe City is at present, determined not by market demand or Council planning policy, rather is inadvertently being regulated by the water authorities' willingness and ability to provide critical infrastructure. Examples of this occurrence are expanded upon below.

Morwell North West Precinct

The Morwell North West Development Plan was adopted by Council in 2010 (covering an area of approximately 142 hectares and comprising 70 individually owned allotments), has the opportunity to be developed for an estimated 1000 new homes. The area is well serviced by other facilities including, active reserves, collector roads, public transport and schools.

Development of stage 1 has commenced with planning permits being issued for approximately 400 lots. However to enable growth to continue beyond 300 new dwellings, existing sewer infrastructure requires an estimated \$1.5 million upgrade.

Despite participating in Structure Planning for Morwell since 2007, Gippsland Water have advised that their Infrastructure Sequencing Plans identify that the development of the Morwell North West area is 10 years out of sequence, and therefore they would not consider any infrastructure upgrades within 5 years. Further, due to the fragmentation and size of allotments within the area, the water authorities 'first developer pays' model is not considered a workable alternative.



The inability to access sewerage infrastructure has therefore halted development of the precinct and deferred the expected benefits to existing and new retail opportunities which may be activated within the nearby Morwell activity centre.

Lake Narracan Precinct

The Lake Narracan Precinct Structure Plan covers 604 hectares of land comprising 85 existing individual allotments and will enable the development of approximately 3788 new dwellings. The Plan offers a range of commercial, tourism and recreational opportunities to the north of the Moe / Newborough township. The precinct structure plan was prepared in partnership with the Melbourne Planning Authority.

To enable development to occur within the precinct, significant upgrades to both sewer and water to services is now required; however the \$4-5 million cost of this infrastructure is cost prohibitive under the water authorities current 'first developer pays' model.

Tyers wastewater health risk:

Latrobe City Council has over several years explored a range of solutions to mitigate high e-coli levels found within the Tyers township curb side drains and the local waterway; establishing a working group and funding independent investigations into an alternative and sustainable small town sewerage solution. Despite this effort, state regulators and servicing authorities have been unwilling to provide support to the construction or ongoing maintenance and monitoring of alternatives.

The acknowledgement of alternative sewerage solutions to conventional wastewater management is considered necessary in resolving many of the cost challenges in servicing existing and new settlement growth; whilst establishing local water re-use opportunities.

Consideration of research to support new policy regulation for unconventional sewerage options, or other forms of support for investment in innovative technologies in response to the wastewater servicing challenges of large and small towns in rural and regional areas should be explored and supported by state policy and authorities.

Latrobe City requests that Infrastructure Victoria:

- ***Support a review of current policy and funding arrangements governing the provision of wastewater infrastructure to support growth of regional cities.***
- ***Acknowledge the wastewater servicing challenges experienced in regional Victoria and limitations this places on urban growth.***
- ***Support the development of new policy and regulation to enable the establishment and management of unconventional wastewater infrastructure.***

Responding to increasing pressure on health care

As the centre for health services to the broader Gippsland region, Latrobe City is served by some of the best medical facilities, services and health related professionals in regional Victoria. Facilities include Latrobe Regional Hospital, Maryvale Private Hospital, Latrobe Community Health Services and numerous medical providers. In 2016, Latrobe Regional Hospital is undergoing further expansion, whilst a new dental venture is beginning at Churchill, in conjunction with Latrobe Community Health Service and Federation University.

Across the broader region, the health sector presently generates the largest number of jobs in Gippsland. The 'Residential Care and Social Assistance Services' sector – which includes aged care services - contributes more than 4,700 of the health sector jobs and has grown from 2,600 jobs since 2001 or by 180% (Census 2011). As the region's population grows, the demand for health services will increase, as too will health related employment. Further, the aging population may provide emerging opportunities for health, as well as aged care facilities to meet the future needs of the Gippsland region.

Latrobe City's major health facilities will need to continue to expand, to meet an increasing demand which would see further increases in health related employment as well as a number of jobs during construction. The location of such services and facilities should be considered alongside land use planning ensuring these occur in appropriate locations and meet the future needs of residents. *The Traralgon Growth Areas Review (TGAR)* identifies opportunities for a



future employment precinct within proximity to the regional hospital (and airport), and will need to be supported by appropriate infrastructure.

Ageing population

Demographic forecasts suggest a significant trend towards an aging population. Victoria in the Future (VIF) 2015 age-based population projections, which are included in Figure 2, highlight a significant aging of Latrobe City's population over the coming 15 years.

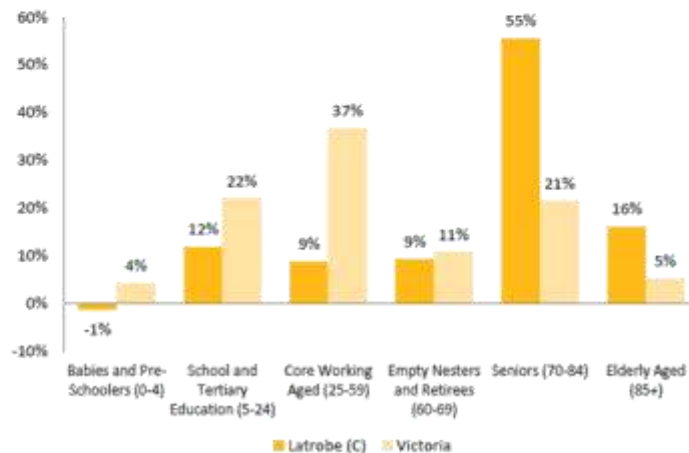


Figure 2: Share of Projected Population Growth by Age Cohort – Selected Locations, 2016-2031

Source: Victoria in the Future 2015, Department of Environment, Land, Water and Planning

Approximately 70% of Latrobe City's growth is focussed on seniors and elderly aged cohorts (70+ years) and this compares to just 26% growth in these cohorts across the State over the period. In contrast, just 9% of population growth is expected to occur in Latrobe City's core working aged groups (25-59 years) compared to the State average of 37% over the 2016-2031 period.

2015 VIF household data shows a significant shift towards lone person and couples without children households, which is consistent with an ageing population with 'single person' and 'couple only' representing 76% of households. Latrobe City Council is currently in the process of developing the Positive Ageing Strategy and Plan, which will guide Council in advocacy and making decisions that affect older members of the community. While the expansion of health related services will be essential, greater investment in supporting services will be equally as critical.

Recent consultations with older residents undertaken as part of the development of the *Positive Ageing Strategy* has identified the requirement for improved public transport options across smaller settlements to enable aged residents to access a range of services (i.e. health services); whilst remaining within their homes, neighbourhoods and communities (which often are an essential source of informal, secondary health care and social support).

Projections show that Traralgon is expected to have a relatively well balanced growth pattern (more akin with State growth patterns), whereas all other townships are heavily focussed on growth across the seniors (70-84 years) and elderly aged (85+ years).

The impact of Latrobe City's aging population should not however be considered in isolation of the broader Gippsland community. Latrobe City is presently the centre of a range of public and private health services, and it is expected that the service needs of the aging population will increase demand on these services. Acknowledging Latrobe City's role as Gippsland's Regional city and the growing infrastructure and health service needs must therefore also be considered.



The increase demand for health services in Latrobe City provides opportunities for both employment generation and education training. The most recent employment data shows that the Health Care and Social Assistance Industry is the largest employer in the municipality supporting approximately 4,050 jobs.

Latrobe City requests that Infrastructure Victoria:

- *Acknowledge the significance and impact of Gippsland's aging population on the health and services provided by Latrobe City to the region; and the associated employment generating opportunity this provides.*
- *Support future investment and expansion of health infrastructure and services in Latrobe City to ensure Latrobe City is positioned to respond to growing demand.*

Provide better access to housing for the most vulnerable

Some parts of Latrobe City are the subject of multigenerational social disadvantage. Opportunities to support and improve outcomes for these communities need to be considered through future strategy.

The *Dropping off the Edge Report 2015* undertaken by Jesuit and Catholic Social Services identifies Morwell as one seven towns in Victoria suffering from a "complex web" of disadvantage at disproportionately high levels. The report found that areas of Morwell, Moe and Churchill had remained disadvantaged for long periods, demonstrating symptoms of persistent disadvantage occurring through second and third generations.

Further, the report identified that some segments of the community had high unemployment and interaction with the criminal justice system, low levels of education, high levels of child maltreatment, family violence and mental health problems.

Again, future strategic work must seek to capture opportunities for supporting shifts against reoccurring disadvantage such as greater investment in community and social services, coupled with other initiatives more likely to be required at a higher level such as supporting community and social infrastructure, protecting and encouraging employment generating land uses, transport and accessibility and general community amenity.

Latrobe City ranked as the 7th most disadvantaged community across the state based on Socio Economic Indexes for Areas (SEIFA) measures, with a score of 940 in the 2011 Census. When compared to the other four regional cities, Latrobe City (940) ranked the most disadvantaged, followed by Ballarat (981), Bendigo (983) and Geelong (993).

Social Housing

Latrobe City has significant social housing stock, with significant proportion of the population benefiting from the service. Latrobe City supports the use of policy and regulation to ensure underutilised assets are appropriately managed to meet social housing demands. Latrobe City strongly supports additional government-funded, built and managed public housing stock; and any increase in social housing stock would be welcomed regardless of its source.

However, a more diverse approach to social housing and 'social rental' opportunities need to be investigated in order to meet the demand and needs of future participants.

Latrobe City is in agreement that Social housing tenant transition to private stock (i.e. SHP2) is unlikely to make a significant contribution. If this Option is to be progressed in the future significant consideration needs to be given to ensure housing security for those within the program. A safety net program will need to be established to support the tenants and ensure that they do not become homeless once transitioned to the private rental model.

However, a more holistic approach is also needed to address demand for housing affordability and access with solutions other than increased amount of social housing, such as the exploration of 'social rental' opportunities and other family support and assistance service needs.

The development of the Latrobe City Housing Strategy during 2016, coupled with the 2016 Victorian government review of the new residential zones, is expected to assist council in finding the right balance between provision of affordable and diverse housing choice, whilst preserving the character and amenity of existing townships.

It is however noted that the Victorian planning system doesn't currently specifically require a quota of social housing to be provided within new residential subdivisions and it is therefore difficult for local government to require social housing to be provided by developers.



Accommodation for people with disabilities

There is currently a significant shortage of residential accommodation for people with disabilities. This is demonstrated by the extensive waiting list for those reliant on these types of services. Increasing the availability of housing support services for those with a disability will improve their quality of life and health outcomes.

Latrobe City requests that Infrastructure Victoria:

- **Support greater investment in the provision of social housing and associated services.**
- **Acknowledge the need and support a revision of relevant policy to better plan, fund and integrate social housing with existing and new communities.**

Improve access to high-quality education

The diverse range of educational levels within the municipality mean that those without the ability, or opportunity, to voice their needs are often not catered for, or provided with long-term educational resources with a trend of limited program security as was seen with recent TAFE closures.

Presently within Latrobe City, 27% of residents hold diploma or above qualifications, compared to an average of 40% for Victoria. In contrast 29% of Latrobe residents hold certificate qualifications, compared to 20% for Victoria, evidence that many local workers are skilled through industry apprenticeships (especially more mature workers) and other on-the-job specialist training which is not generally reflected in the ABS educational statistics.

With Latrobe City's direction to be the "engineering capital", we should be pushing to be included in the concept of "enable the growth of a highly skilled, digitally connected workforce through infrastructure". The growth in high-end engineering will be benefited by excellent digital connections.

Approximately 20% of Latrobe City residents have not completed Year 10 schooling, which is well above the average of around 15% for Greater Geelong, Greater Bendigo and Ballarat.

Latrobe City contains numerous opportunities for education, with Federation University, Federation Training, TAFE and Apprenticeships Group Australia all being located within the municipality. These education opportunities not only support local employment, community wellness and further education, but provide a base for innovation and research, which is of direct relevance to other industry sectors, particularly as Latrobe City industries work towards a low carbon future.

The evolution of the Latrobe City's coal and energy generation industries and the emergence of new manufacturing, engineering and processing opportunities would be enhanced by the continued collaboration between education providers and local industry to provide new and existing workers with newly emerging and desirable skill sets.

Latrobe City is in the process of investigating how to transition away from our coal dependant past. However, with such a specialised workforce it is an imperative to have established educational programs available to assist with the retraining and redeployment of industry workers.

In responding to this shift, promoting and establishing new education opportunities is considered central to the economic transition of the local economy. Several educational initiatives are already underway these include a State Government funded Tech School in Morwell; the Innovation Precinct also in Morwell, which is a project driven by Federation University; and a super primary school to be located within Latrobe City.

There is an opportunity for education providers to work closely with local industry to meet industry demands for a skilled workforce, with providers offering a variety of courses ranging from apprenticeships in trades, transport and logistics, to tertiary qualifications in business, engineering, mechatronics and environmental science. Matching local education opportunities with local employment opportunities provides the potential for a beneficial nexus.

Latrobe City requests that Infrastructure Victoria:

- **Promote the establishment of improved secondary and tertiary education opportunities within Latrobe City.**
- **Support future investment in education services necessary to assist with the retraining and redeployment of energy and mining industry workers.**



Water security and opportunities from energy market transition

Latrobe City is fortunate to be located in an area that has high annual rainfall, water security is therefore not so much of a concern as in other areas. This is acknowledged Latrobe has a large amount of water in storage facilities for the use of the coal industry. This water will become free for natural release or for alternative industries as we transition away from coal energy.

The Gippsland Region Sustainable Water Strategy (2011) sets out long-term plans to secure each region's water future, identifying threats to water availability and identifying policies and actions to help water users, water corporations and catchment management authorities manage and respond to those threats over the next 50 years.

The Strategy suggests that Gippsland is well placed to meet its water supply needs through the development and implementation of each regional urban water authority's water supply demand strategies; whilst acknowledging that technological developments, land use change and market fluctuations will play a major part in the ability of major industrial customers to reduce water consumption to support long term sustainability of water resources and enable alternative users to leverage from the reallocation of water assets in the future.

In this regard it is noted that the recent closure of Energy Brix in Morwell has resulted in a significant amount of unallocated water now being available for other industry and commercial uses. This demonstrates the interdependencies and opportunities which may result from changes in energy production and coal sector technologies and associated adjustments to existing resource allocations, such as water and associated opportunities for new industry to utilise this resource if made available.

It is noted that current coal mining operations are a significant user of surface water and groundwater. The current planned "pit water body" landform proposed as part of the possible long term rehabilitation of coal mines in Latrobe City will require significant, on-going, access to Gippsland's highly sought after water resources, noting no licences have been granted for this water. Consequently a better understanding will be required of the relationship between water use and impacts across the Gippsland region to inform any future request for on-going water allocations required as part of possible mine rehabilitation.

Rivers throughout the area are considered to be in moderate health however the health in the Latrobe River fluctuates in different areas. The continued protection and enhancement of river health, water quality and environmental flows and wetland habitats will continue to be imperative for the responsible management and long-term sustainability of water resources in the region.

Latrobe City requests that Infrastructure Victoria:

- **Support Latrobe City Council and other authorities in identifying infrastructure and investment requirements to ensure opportunities for new industry to utilise water resources to be made available as a result of forecast closures of energy generators within Latrobe City.**

Leveraging tourism from natural assets

Latrobe City is located within the Gippsland Plains bioregion. Some threatened and vulnerable species exist within the municipality, and of particular note is the Strzelecki Koala, which is a genetically unique koala native to the local region, as well as the Gippsland Red Gum. Latrobe City Council is involved in protecting and improving habitat for identified species.

Latrobe City Council is currently involved in a number of projects to minimise biodiversity loss and to protect these habitats; whilst supporting the extensive tourism opportunities which exist within and surrounding Latrobe City.

Strzelecki Ranges conservation benefiting tourism.

The Core and Links project is an agreement to permanently protect over 23,000 hectares of native vegetation within the Strzelecki Ranges. The area consists of four sections of native vegetation and plantation, which are known as the Cores. The Cores are linked through similarly populated vegetation corridors (the Links). The vegetation network provided by this project allows for vegetated land corridor extending from Tarra-Bulga National Park to Gunyah-Gunyah Rainforest Reserve.

Linking corridors are essential for the movement and survival of native species. By securing these linkages and the long-term security of habitats species within the Strzelecki Ranges are provided protected movement and greater resilience to shocks such as bushfire.



The recent opening of the full Grand Strzelecki Walking Track provides demonstrates the opportunity for increased tourism leveraging from the area. The Track runs from Billys Creek in to Tarra-Bulga National Park a total of 110 kilometres, which is almost entirely within the municipality.

Investment in tourism infrastructure, to leverage off natural assets like this, is considered to be a key opportunity in supporting the transition of the Latrobe City and Gippsland economies.

Latrobe City requests that Infrastructure Victoria:

- **Support investment in tourism infrastructure to better leverage from Latrobe City and Gippsland's natural environment attractions.**

Climate Change opportunities and threats

Latrobe City acknowledges that climate change is real and can impact the community. There is research underway to better understand the potential risks and opportunities arising from climate change in Gippsland, including impacts to agriculture and tourism. In terms of supporting the region's resilience, key considerations for the region include:

- As commodities shift over time, impacted by climate change and potential economic shifts, what effect might this have on the supporting industries and freight within the region?
- What land use implications might these changes have?
- What implications might these potential changes have on the settlements in the region? (Draft Gippsland Regional Growth Plan- Background Report).

The GRGP identifies the following implications of climate change on the local economy:

- implications for water supply and reliability, within and outside the region, due to reduced rainfall and increased bushfire frequency and intensity
- increased water demand
- shorter drier winters impacting alpine environments and reducing snow cover
- damage to infrastructure, industries and agriculture from severe weather events and environmental hazards
- potential increase in erosion and reduction in water quality
- pressures on natural ecosystems
- implications for communities, such as human health, energy use, housing needs and service provision (Draft Gippsland Regional Growth Plan- Background Report)

Planning for climate change and building in a climate change resilience approach will assist Latrobe City and others to mitigate climate change impacts, particularly the impacts of more extreme weather. Changes associated with climate change suggest that Latrobe City in the future will be hotter and drier, with an increased bushfire risk and intensity of heavy rainfall, which could lead to increased flooding.

Economic diversification may also occur to include other commodities and industries, including those related to national action to reduce greenhouse gas emissions, such as carbon farming, renewable energy production or other new industries.

While recognising the significant changes and challenges faced by climate change, as above, climate change in Latrobe City may present positive opportunities for agriculture. The Agriculture Industry Transformation Project (AIT-G Project), undertaken by the Gippsland Local Government Network, the Department of Primary Industries and Melbourne University has developed mathematical models for 20 agricultural and forestry commodities and looked at likely yields under climate change scenarios

It is also noted that Latrobe City coal mines are part of the State's Critical Infrastructure, and Latrobe City plays a key role in the protection of this asset for both Victoria and interstate (e.g. provision of gas and electricity).

Latrobe City requests that Infrastructure Victoria:

- **Acknowledge and support investments in infrastructure to better leverage from emergent opportunities in agriculture and other technologies likely to result from a changing climate.**
- **Acknowledge and support efforts of major industry and Latrobe City Council to mitigate increasing risks to critical energy and mine infrastructure resulting from a changing climate.**



FUNDING AND FINANCING

Changes to State Government funding will have a significant affect upon Latrobe City. In the past four years an average of 16% of our annual capital spend is provided by State Government funding. Details regarding funding allocations are provided at Attachment 2.

It can be said that Council will most likely have difficulty funding new infrastructure into the future given the introduction of rate capping. While it is accepted that councils have the ability to apply the Essential Services Commission (ESC) for a higher annual rate increase, however this is unlikely to be acceptable to the ratepayer. The ESC is likely to force councils into taking on higher levels of debt to fund such projects into the future, which will further restrict Council's ability to maintain existing infrastructure. Increased debt servicing costs will also cause strain on Local Government Authorities.



ATTACHMENTS

- Attachment 1- TABLE OF COUNCIL OFFICER COMMENTS
- Attachment 2- STATE FINANCING PROVIDED TO LATROBE CITY

Attachment 1- Infrastructure Victoria	Chapter 1- Address infrastructure demands in areas with high population growth	Chapter 2- Address infrastructure challenges in areas with low or negative growth	Chapter 3- Respond to increasing pressure on health care, particularly due to ageing	Chapter 4- Enable physical activity and participation	Chapter 5- Provide spaces where communities can come together
Changing Behaviour, Managing Demand	N/A	N/A	<p>HCP- Support. Consideration needs to also be given to accommodation during treatment- more facilities such as Rotary Centenary House (Transigon). The Companion Program needs to align with HCP.</p> <p>HCP- Support in Principal. However age range should be amended to be 25-30 due to the age when people are settled. Alternatively between 45-50 is shown to be suitable for improving health outcomes as a result of realising old age.</p> <p>PHC- Support in Principal. Although very dependent upon quality/training of practitioner. There needs to be more training/focus on human connection. Software licensing costs can be prohibitive.</p>	<p>BVA- Latrobe City will need substantial enabling infrastructure upgrades to ensure safety. Education and public perception is key to ensure the municipality is compatible with this policy approach.</p> <p>ALR- Strong Support, aligns with health by Design and Crime Prevention Through Environmental Design projects. Further information and opportunities to retrofit areas of high community demand/ settlement would be encouraged. Attention needs to be given to street width, enabling easy access and egress with cars parked on both sides of road.</p>	N/A
Better Use	<p>CPS- Given that the planning system is currently centralised with delegated power provided to Local Governments the necessary changes needed to achieve this will be substantial without great changes to the delivery of outcomes.</p> <p>LBS- Strong Support.</p> <p>UDC- Support.</p>	<p>CSS1- Support. Whole community use creates greater community ownership and increases resource use.</p> <p>CSS2- Support. Although calendar should be divided into Regions to reduce local event clashes.</p> <p>JCS/PTA/SIP- Strong Support. JCS and PTA need to be well connected and planned. JCS will be heavily dependant upon good transport links and reasonable service scheduling.</p>	<p>ACM- Strong Support. Focus needs to be given to older people who do have the financial capacity to get into such facilities.</p> <p>HAP- Strongly Support.</p> <p>HCD- Support. Good for non-critical cases. Palliative Care in the Home needs to also be extended. Focus also needs to be given to rehabilitation.</p>	<p>ALP/BWP1/RFC- Strong Support. However there is a need for more data on informal and incidental recreation, as well as research into improved access to facilities in public and work places, not just that of sporting facilities. Lack of public seating and toilets need to be understood as barriers for older people exercising.</p>	<p>CSS1- Support. Whole community use creates greater community ownership and increases resource use.</p> <p>CSS2- Support that something needs to be done. This seems to be a very bureaucratic way of managing the issue. The calendar should be divided into Regions to reduce local event clashes.</p> <p>CSU- Public liability insurance needs to be considered.</p>
New and Expanded Assets	The New and Expanded Assets are very metro focused.	CSR/HCA- Strong support.	<p>HAC- Support.</p> <p>HCS- Support. Focus needs to be given to whole of life planning for the cost of facilities.</p>	<p>BWP2/BWP3- Strong support. There is a need to connect townships in rural areas to larger towns, as well as smaller settlements with small towns. Joining communities and providing safe and alternative access avenues, with opportunities for increased physical activity.</p>	CPC- Support. Linking bike and walking paths is a State-wide problem.
Other Options	OLI- Support that this project has been filtered out.	N/A	No Comment.	OLI- Support that this project has been filtered out.	OLI- Support that this project has been filtered out.
Needing Further Research/ Development	<p>CSR/SIP/WWS- Strong Support. OWM- Support in Principal. The current evidence is that processing organic waste is too expensive. Estimated costings signify approx. \$30-80 per tonne (with local processing plant). GFS- Support. Provided that it does not place unnecessary financial burden upon developers and takes into account potential issues with sequencing, such as cooperation of landholders and their development ideas for an area.</p>	N/A	No Comment.	Need to make sure that emerging sports and non-traditional sports are well catered for, and that infrastructure enables greater female participation. Also that these are available for accessing 24/7 and are furnished with lighting etc. eg SKB parks. Reconsider the purpose of street lighting – it currently is focused mostly on the roadside verges near where cars travel and not well positioned to support foot traffic / footpaths.	CIM/CSR/GFS- Strong Support.

Attachment 1- Infrastructure Victoria	Chapter 6- Improve accessibility for people with mobility challenges	Chapter 7- Provide better access to housing for the most vulnerable Victorians	Chapter 8- Address expanded demand on the justice system	Chapter 9- Provide access to high-quality education infrastructure to support lifelong learning	Chapter 10- Meet growing demand for access to economic activity in central Melbourne	Chapter 11- Improve access to middle and outer metropolitan major employment centres
Changing Behaviour, Managing Demand	N/A	SHS1- Agree.	N/A	TAF- Support. Funding for TAFE's are very important to the local economy. In Gippsland Federation Training is proposing and aviation related development to complement its existing programs.	N/A	No Comment
Better Use	PTA- See Chapter 2 response. SCC- Agree	AHR/PHR/SHD1/SHG/SHS3/SHT- Support. SHS2- Agree. However more diverse approaches to this issue need to be investigated.	CSC/JCS/MPW- Support.	ECE2/WEL- Strong Support. There is a movement to provide move education availability and options within Latrobe City. However this comes on the back of many facility closures. STE/SCU1- Support. Similar projects are underway between Federation University and local high schools.	EOC- Strong Support. Decentralisation is a very important strategy to for regional areas.	No Comment
New and Expanded Assets	PTV- Agree	SHA- Support.	N/A	SSS- Strong Support.	RRE1- Support. Need better integration between V/Line and Metro. If timetables were better coordinated there would be more opportunities for freight movements. TSC- Support. Very important for Traralgon, Morwell and Moe	MTN- Support. It is important for getting workers in and around major towns (eg. apprentices).
Other Options	RFP- Support. There is a shortage of residential accommodation for people with disabilities.	SHP2- Support. Consideration needs to be given to support programs to ensure that tenants do not become homeless after the transition to the private sector.	N/A	No Comment	No Comment	No Comment
Needing Further Research/ Development	CIM- See Chapter 5 res.	SA/HRA/PHG/SHF/SCP/SHP1- Support. AHC- Agree. GOM- Strong Support. An increase in social housing would be welcomed regardless of its source.	CMD/IHS/IJP/IDG/MJC/JDP/JFV/JSD/NMP/NWP/PSS- Support	GFS/LLH/SLP- Strong Support	BDL- Support. Very significant for industry. GPR- Support. Important for supplying transport for workforces. RRS- Support.	BDL- See Chapter 10.

Attachment 1- Infrastructure Victoria	Chapter 12- Improve access to jobs and services for people in regional and rural areas	Chapter 13- Improve the efficiency of freight supply chains	Chapter 14- Manage threats to water security, particularly in regional and rural areas	Chapter 15- Manage pressures on landfill and waste recovery facilities	Chapter 16- Help preserve natural environments and minimise biodiversity loss
Changing Behaviour, Managing Demand	No Comment.	No Comment.	N/A	HWD- Highly contentious in placed where trials have been conducted- issues arise surrounding security of bin weight and neighbours adding waste to nearby bins. However produces potential to encourage green waste and recycling through costs- potential for intentional contamination to ensure less cost if subsidised. LLI- Support in Principal. No good promoting recycling until there are sustainable markets providing a return on investment for reprocesses- currently too expensive. RMU- Support. A typical building site has one skip bin- mandatory disposal at C & D Material Recovery Facilities.	N/A
Better Use	SIP- Support. Will simplify proposals and development.	No Comment.	N/A	N/A	HCL- Strong Support.
New and Expanded Assets	AST- Support. Critical for regional areas.	HPF/PMM/RHU- Support.	TWR- Strong Support. Potential uses of such water need to be understood within the municipality. LCC currently contains a waste water facility treating water for Australian Paper Mill. RWW- Support.	N/A	RFL- Support. Attention needs to be given to movement of native species outside of corridors if desired- threat of flood etc.
Other Options	N/A	No Comment.	N/A	EWS/LOC- In general terms it costs \$160 per tonne to landfill against \$600 per tonne to process.	No Comment.
Needing Further Research/ Development	RRG- Support. Gippsland has missed out on the standisation. Will be important for GLP if it eventuates.	No Comment.	RTA/RTH/SRH- Support	FWL- Support. Planning decisions adopted at a local government level must not be overturned by VCAT, i.e., Cardinia example. OWM- Support in Principal. The current evidence is that processing organic waste is too expensive. Estimated costings signify approx. \$50-80 per tonne (with local processing plant).	

Attachment 1- Infrastructure Victoria	Chapter 17- Improve the health of waterways and coastal areas	Chapter 18- Transition to lower carbon energy supply and use	Chapter 19- Improve the resilience of critical infrastructure	Funding and financing
Changing Behaviour, Managing Demand	N/A	EDM1- Support. <i>Important for business advancement.</i> EDM2- Support. <i>Provided it supports business costs.</i>	No Comment.	Changes to State Government funding will have a significant affect upon Latrobe City. In the past four years an average of 16% of our annual capital spend is provided by State Government funding. It can be said that Council will most likely have difficulty funding new infrastructure into the future given the introduction of rate capping. While it is accepted that councils have the ability to apply the Essential Services Commission (ESC) for a higher annual rate increase, however this is unlikely to be acceptable to the ratepayer. The ESC is likely to force councils into taking on higher levels of debt to fund such projects into the future, which will further restrict Council's ability to maintain existing infrastructure. Increased debt servicing costs will also cause strain on Local Government Authorities.
Better Use	RWN- Strong Support. <i>Attention needs to be given to potential risks, such as that posed by unsuitable development in floodplains that may now become exposed, and the associated potential risks of deviation said flows to protect dwellings.</i>	WSE- Support. <i>Complements renewable energy targets and Latrobe City's transitioning economy.</i>	No Comment.	
New and Expanded Assets	RFI- Support. <i>Attention needs to be given to movement of native species outside of corridors if desired- threat of flood etc.</i> WIR- Strong Support. <i>Provided adequate research is conducted to ensure no adverse impact on native species.</i>	N/A	HPF/PMM/RHU- Support.	
Other Options	N/A	No Comment.	No Comment.	
Needing Further Research/ Development		BCL- Oppose. <i>This would preclude non power generation uses of coal</i> ESI/GPS/IPS/LSE/OWE/ TWE- Support. NPC- Oppose. <i>Countries with many years of experience in nuclear power are moving to other forms of power.</i> NCP- Support. <i>Provided that the project is in Hastings.</i>	No Comment.	

Attachment 2- State Financing Provided to Latrobe City

Year	Project	Grant Amount (\$)	Total Capital Expenditure
2015/16	C0486 - Traffic & Pedestrian Safety Program	12,200	
2015/16	C0547 - Hazelwood Pondage Caravan Park Wastewater Upgrade Project	1,000,000	
2015/16	C0604 - Moe Rail Precinct Revitalisation Project	2,000,000	
2015/16	C0607 - Newman Park, Traralgon - Access track & Carpark	19,000	
2015/16	C0642 - Traralgon Olympians Change Pavilion - Harold Preston	5,000	
2015/16	C0643 - Traralgon Court House Upgrades	180,000	
2015/16	C0651 - Morwell Park Oval Drainage	50,000	
2015/16	C0655 - Heavy Industrial Park Road Infrastructure Construction	1,748,974	
2015/16	C0664 - Yinnar ARC Upgrade Works	8,070	
2015/16	C0665 - Nation Building Blackspot Program <i>(Federal funding managed by State)</i>	506,000	
2015/16	C0673 - Crinigan Bushland Reserve Redevelopment	3,737	
2015/16	C0674 - Boolarra Railway Park Upgrade	84,000	
2015/16	C0684 - Natural Disaster - Flood Aug 2015 Summerfield Track	125,721	
2015/16	C0686 - Traralgon Tennis Show Court	750,000	
2015/16	C0691 - Mathison Park Offstreet Carpark	53,000	
2015/16	C0699 - Howitt St, Traralgon Shared Path Link	20,000	
2015/16	C0702 - Morwell Library Front Entrance Reconstruction	140,000	
2015/16	N0552 - Traralgon City Soccer - Lighting project	5,000	
2015/16	C0641 - Morwell Rose Garden Tourism Shelter	1,412	
2015/16	N0551 - Gippsland Heritage Walk - Kemot Hall Lake, Morwell	4,000	
2015/16	N0553 - Upgrade of the Moe Tennis Complex	36,000	
2015/16	N0660 - Moe Netball Lighting Project	5,000	
2015/16	N0674 - Morwell Streetscape Beautification Project	15,000	
2015/16	N0689 - Duncan Cameron Park Oval: Surface Re-Development	50,000	
2015/16 Total (forecast)		6,822,114	57,310,236
2014/15	C0581 - Growing Aerospace Manufacturing at LRA	740,000	
2014/15	C0589 - Agnes Brereton Reserve, Traralgon Pavilion Upgrade - Design	45,000	
2014/15	C0604 - Moe Rail Precinct Revitalisation Project	750,000	
2014/15	C0629 - Taxi Rank at Churchill Town Centre	59,182	
2014/15	C0641 - Morwell Rose Garden Tourism Shelter	11,023	

2014/15	C0642 - Traralgon Olympians Change Pavilion - Harold Preston	45,000	
2014/15	C0648 - TEDAS Pavilion	10,000	
2014/15	C0656 - Agnes Brereton Reserve pavilion	5,000	
2014/15	C0664 - Yinnar ARC Upgrade Works	72,630	
2014/15	C0671 - Tyers Public Hall Upgrade	56,000	
2014/15	C0673 - Crinigan Bushland Reserve Redevelopment	135,971	
2014/15	C0504 - Desmond St Drainage - March Storm Event	36,000	
2014/15	C0637 - Morwell Town Common Carpark	22,785	
2014/15	C0559 - Major Flood Recovery Works - March 2011	532,747	
2014/15	C0584 - Major Flood Recovery Works	538,619	
2014/15	C0637 - Morwell Town Common Carpark	102,215	
2014/15	C0604 - Moe Rail Precinct Revitalisation Project	1,000,000	
2014/15	C0617 - Morwell Town Common AAA Playground	22,270	
2014/15	C0674 - Boolarra Railway Park Upgrade	56,000	
2014/15	C0482 - Jumbuk Rd from Junction Rd to Jumbuk Hall (Timber Haulage)	319,938	
2014/15	C0665 - Nation Building Blackspot Program (Federal funding managed by State)	825,600	
2014/15	N0448 - Traralgon Sth Red Hill Rd/Michelle Boulevard Walking track	660	
2014/15	N0555 - LC Sports and Entertainment Stadium - Irrigation System	5,000	
2014/15	N0599 - Yallourn North Bowling Club Synthetic Green	10,000	
2014/15	N0660 - Moe Netball Lighting Project	45,000	
2014/15	N0674 - Morwell Streetscape Beautification Project	135,000	
2014/15	N0579 - Bus Shelter - Philip Parade Churchill	35,101	
2014/15 Total		5,616,741	34,924,948
2013/14	C0482 - Jumbuk Rd from Junction Rd to Jumbuk Hall (Timber Haulage)	84,103	
2013/14	C0521 - Skate & BMX Plan : Morwell, construct district skate park	70,000	
2013/14	C0541 - Wright Street Footbridge - Traralgon	400,000	
2013/14	C0573 - LR Airport Facilities Expansion (Civil Works)	163,258	
2013/14	C0579 - Moe Outdoor Pool Upgrade – Building Works	1,145,800	
2013/14	C0581 - Growing Aerospace Manufacturing at LRA	575,725	
2013/14	C0584 - Major Flood Recovery Works	998,361	
2013/14	C0586 - CCTV Traralgon Entertainment Precinct	27,800	
2013/14	C0607 - Newman Park, Traralgon - Access track & Carpark	171,000	
2013/14	C0617 - Morwell Town Common AAA Playground	100,000	
2013/14	C0641 - Morwell Rose Garden Tourism Shelter	16,165	
2013/14	N0448 - Traralgon Sth Red Hill Rd/Michelle Boulevard Walking track	23,090	

2013/14	N0518 - Yallourn North Town Oval: Change rooms and toilet facilities	34,000	
2013/14	N0622 - Gaskin Park, Churchill Lighting Upgrade	90,000	
2013/14	C0625 - Safety Imp Black Spot- Old Sale Rd - Haigh Newb <i>(Federal funding managed by State)</i>	406,000	
2013/14	C0626 -Safety Imp Black Spot- Commerical Road, Morwell <i>(Federal funding managed by State)</i>	36,000	
2013/14	C0627 - Safety Imp Black Spot - Becks Bridge Rd <i>(Federal funding managed by State)</i>	26,600	
2013/14	C0628 - Safety Imp Black Spot - Traralgon Creek Road <i>(Federal funding managed by State)</i>	26,600	
2013/14 Total		4,394,502	28,156,525
2012/13	C0436 - Moe Community Hub Living Libraries	160,000	
2012/13	C0504 - Desmond Street Drainage	99,502	
2012/13	C0522 - Traralgon South Skate and BMX Plan	30,000	
2012/13	C0523 - Skate & BMX Plan : Yinnar, construct skate park	95,000	
2012/13	C0534 - LR Airport Facilities Expansion (Building)	1,021,627	
2012/13	C0551 - Gippsland Heritage Walk - Kernot Hall Lake, Morwell	126,000	
2012/13	C0554 - NTRP:Tyers Soccer Clubrooms	20,000	
2012/13	C0573 - LR Airport Facilities Expansion (Civil Works)	315,115	
2012/13	C0581 - Growing Aerospace Manufacturing at LRA	300,000	
2012/13	C0586 - CCTV Traralgon Entertainment Precinct	117,000	
2012/13	C0482 - Jumbuk Rd from Junction Rd to Jumbuk Hall (Timber Haulage)	436,421	
2012/13	C0535 - Safety Improvement works-Switchback Rd Blackspot <i>(Federal funding managed by State)</i>	179,923	
2012/13	C0576 - Safety Improvement works-Moe Sth Road Blackspot <i>(Federal funding managed by State)</i>	36,500	
2012/13	C0577 - Safety Improvement works- Creamery Rd Blackspot <i>(Federal funding managed by State)</i>	194,000	
2012/13	N0475 - Southern Towns ORP - Pavilion Upgrade Boolarra	6,000	
2012/13	N0490 - Boolarra MultiPurpose Centre refurbishment-Bushfire recovery	349,375	
2012/13	N0516 - Morwell Rec Plan: Pegasus Soccer Club Lighting Upgrade	3,809	
2012/13	N0518 - Yallourn North Town Oval: Change rooms and toilet facilities	306,000	
2012/13	N0519 - Glengarry Tennis & Netball Court Resurfacing	25,823	
2012/13	N0549 - MRPR - Underground Power Lines	977,500	
2012/13	N0599 - Yallourn North Bowling Club Synthetic Green	80,000	
2012/13 Total		4,851,754	29,725,940

INFRASTRUCTURE AND RECREATION

15. INFRASTRUCTURE AND RECREATION**15.1 LATROBE CITY TREE MANAGEMENT STRATEGY 2016-2021****General Manager****Infrastructure and Recreation****For Decision****PURPOSE**

The purpose of this report is to present to Council for adoption the Latrobe City Tree Management Strategy which has been developed to provide strategic direction for the management of Council's street and parkland trees.

EXECUTIVE SUMMARY

The Latrobe City Tree Management Strategy identifies key goal areas and actions to improve the management of Latrobe City Council's urban tree population.

Latrobe City Council has not previously had an overall tree management strategy to provide strategic direction and consistency in the short and long term management of its street and parkland trees.

The aim of the Tree Management Strategy is to:

- Recognise the value of trees as an important community asset within the urban environment.
- Tie any existing tree related documents together under the one umbrella.
- Enable consistent decision making on tree related issues.
- Manage risks associated with trees.
- Demonstrate a commitment to community engagement in relation to tree management.
- Demonstrate the Council's commitment to the protection and retention of trees within Latrobe City.

It is recommended that Council adopt the Tree Management Strategy, and this is to be used as a reference by Councillors and staff in the development and implementation of future tree related strategies, policies, plans and procedures.

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

RECOMMENDATION

That Council adopts the Latrobe City Tree Management Strategy 2016-2021.

Moved: Cr Harriman

Seconded: Cr Kam

That Council adopts the Latrobe City Tree Management Strategy 2016-2021 with the following changes on page 7 of the report Tree selection and planting:

1. Point 1 to read, "Prepare a masterplan to guide future planning for tree planting across Latrobe City after consultation with the community and a report being brought to Council;
2. Point 2 be changed to develop a preferred species list after consultation with the community and a report being brought to Council; and
3. Point 3 be deleted.

AMENDMENT TO THE MOTION

Moved: Cr Kam

Seconded: Cr Middlemiss

That Council adopts the Latrobe City Tree Management Strategy 2016-2021 with the following changes on page 7 of the report Tree selection and planting:

1. Point 1 to read, "Prepare a masterplan to guide future planning for tree planting across Latrobe City after consultation with the community and a report being brought to Council;
2. Point 2 be changed to develop a preferred species list after consultation with the community and a report being brought to Council;
3. Point 3 be deleted; AND
4. Point 4 conduct an annual review of the suitable tree species list and place it out for public consultation.

**THE AMENDMENT BEING CARRIED UNANIMOUSLY, AND
THEREFORE BECOMES THE MOTION**

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

MOTION

Moved: Cr Harriman
Seconded: Cr Kam

That Council adopts the Latrobe City Tree Management Strategy 2016-2021 with the following changes on page 7 of the report Tree selection and planting:

- 1. Point 1 to read, 'Prepare a masterplan to guide future planning for tree planting across Latrobe City after consultation with the community and a report being brought to Council';**
- 2. Point 2 be changed to 'Develop a preferred species list after consultation with the community and a report being brought to Council';**
- 3. Point 3 be deleted; and**
- 4. Point 4 to read, 'Conduct an annual review of the suitable tree species list and place it out for public consultation'.**

For: Crs Rossiter, White, Sindt, O'Callaghan, Middlemiss, Kam and Harriman

Against: Cr Gibbons

CARRIED

DECLARATION OF INTEREST

No officer declared a conflict of 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

ORDINARY COUNCIL MEETING MINUTES

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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

Latrobe City Council has not previously had a tree management strategy to provide strategic direction and consistency in the short and long term management of its street and parkland trees.

This has led to the ad-hoc development of various documents, policies and plans used by Latrobe City Council staff to guide direction and decision making when dealing with tree related issues. Some of these documents are still in draft format and have yet to be approved and/or adopted.

Also as part of the MAV Insurance Audit into Roads, Pathways and Trees Management Compliance Review, dated 7 December, 2015, this review identified that there was a need to undertake a full audit of Council's tree inventory (including location) and finalise all Council documentation for the management of trees.

The Tree Management Strategy would be utilised to connect all of these tree related documents under the one umbrella and assist with creating future tree related policies, frameworks and plans, as well as redefining tree management practices.

The following is a list of current tree related documents utilised by staff:

- *Latrobe City Tree Management Framework (Draft) 2015*
- *Latrobe City Annual Electric Line Clearance Management Plan 2015*
- *Latrobe City Tree Root Management Procedure (Draft) 2015*
- *Latrobe City Road Management Plan 2013- 2017*
- *Latrobe City Suitable Street Tree Species List (Draft)*
- *Latrobe City Significant Tree Register (Draft)*

When Council Officers undertake works on trees, there still will be a requirement to undertake works under Council Policy 11 POL-4, Tree Work Notification Policy, which provides a detailed process for notification of significant tree, works prior to the works occurring.

KEY POINTS/ISSUES

The main issue for Council is providing adequate resourcing for the effective maintenance and management of its street and parkland trees. In 1996/1997 Council carried out a detailed audit of urban street and parkland trees throughout the municipality. The survey indicated there was a total of 68,000 urban trees (38,300 in streets and 29,700 in urban parks and reserves).

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

The Latrobe City Tree Management Strategy identifies key areas to improve the management of Latrobe City Council's urban tree populations.

Latrobe City Council has not previously had an overall tree management strategy to provide strategic direction and consistency in the short and long term management of its street and parkland trees.

This strategy will significantly impact the way that teams in the field work into the future and direct continuous improvement in tree management. This will allow Council to obtain the best value for in future tree management

RISK IMPLICATIONS

Council has a duty of care in tree management and tree maintenance to reduce the level of risk to the public and property. The risk associated with trees is a combination of the condition of the tree and the use around and in the vicinity of the tree.

Council trees need to be inspected and assessed to determine their potential for public risk; with trees in high risk or high use areas requiring more frequent inspections. Council currently has several planned programmed tree risk inspections and cycles.

Council acknowledges that all trees have an inherent risk which must be managed effectively. The strategy identifies how Council will reduce the risk to the public through the effective management of these important community assets.

FINANCIAL AND RESOURCES IMPLICATIONS

Currently, all financial and resources of providing the service are covered by recurrent budgets and tree maintenance programs.

INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Internal consultation was carried out with Council officers that this strategy could affect. Their input was sort during the draft document stages. Their input and comments were noted and/or included in this final document.

Details of Community Consultation / Results of Engagement:

Community consultation was not sort as this is an internal Council operational document.

OPTIONS

Council now has the following options in relation to this report:

1. That Council adopt the Latrobe City Tree Management Strategy to provide strategic direction for the future management of Council's street and parkland trees, and rural roadside vegetation
2. That Council doesn't adopt the Latrobe City Tree Management Strategy.

**ORDINARY COUNCIL MEETING MINUTES
01 AUGUST 2016 (CM487)****CONCLUSION**

This Tree Management Strategy is needed as the overarching document to provide strategic direction for the management of street and parkland trees for the future of this great City.

The Tree Management Strategy can be adopted without any changes to recurrent budgets and current resourcing levels.

SUPPORTING DOCUMENTS

Nil

Attachments

1. Latrobe City Tree Management Strategy 2016-2021

15.1

Latrobe City Tree Management Strategy 2016-2021

1	Latrobe City Tree Management Strategy 2016-2021	405
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Tree Management Strategy 2016-2021





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LATROBE CITY COUNCIL TREE MANAGEMENT STRATEGY

PURPOSE

The Tree Management Strategy is an overarching document that is intended to provide strategic direction for the efficient and effective management of trees on Council owned or managed land including street and open space trees.

In addition to this Strategy, the management of Council's tree population must be carried out in accordance with the following related documents which provide more detailed information for use by staff and guides decision making when dealing with tree related issues.

- ***Latrobe City Tree Management Framework (Draft) 2015***
- ***Latrobe City Annual Electric Line Clearance Management Plan 2015***
- ***Latrobe City Tree Root Management Procedure (Draft) 2015***
- ***Latrobe City Road Management Plan 2013- 2017***
- ***Latrobe City Suitable Street Tree Species List***
- ***Latrobe City Significant Tree Register***
- ***Council Policy 11 POL-4, Tree Work Notification Policy***

OBJECTIVES

The objectives of this strategy are to:

- Recognise the value of trees as an important community asset within the urban environment.
- Bring together any existing tree related documents together under the one umbrella.
- Enable consistent decision making on tree related issues.
- Manage risks associated with trees.
- Demonstrate a commitment to community engagement in relation to tree management.
- Demonstrate the Council's commitment to the protection and retention of trees within Latrobe City

STRATEGIC DIRECTION

The strategic is in line with the following Council policies and strategies:

- Latrobe 2026; Natural Environment – *In 2026, Latrobe Valley enjoys a beautiful natural environment that is managed and protected with respect to ensure a lasting legacy for future generations.*
- Latrobe City Council Plan 2013 – 2017; Theme 2 Objective – *To enhance the visual attractiveness and liveability of Latrobe City.*
- Latrobe City Open Space Policy.
- Latrobe City Natural Environment Sustainability Strategy 2014-2019.



LATROBE CITY COUNCIL TREE MANAGEMENT STRATEGY

TREE MANAGEMENT

Council is responsible for the care and management of all trees in public areas including streets, parklands, reserves and rural local roadsides. Street trees require intensive management due to their growing environment and community expectations for amenity, functionality and safety. According to Council's street tree inventory there are approximately 70,000 trees in public urban parks and streets. The inventory has not been updated since 1996 and therefore is of limited value today.

The following are some of the services provided in the management and maintenance of Council's trees:

- Annual risk inspections of trees at Council facilities.
- Periodic inspection of street and park trees.
- Powerline clearance.
- Canopy pruning to maintain height clearance over footpaths and roads.
- Formative and structural pruning
- Rural roadside pruning.
- Deadwood removal.
- Tree planting and watering.

Council's Supervisor Arborist, assisted by the Team Leader Tree Maintenance, deals with the day-to-day tree management activities. Annual tree maintenance programs are contracted out to experienced tree maintenance contractors, with the in-house maintenance team undertaking reactive works, other planned programs and rural roadside pruning.

Council acknowledges that trees require good planning and appropriate maintenance to provide aesthetic, environmental and ecological benefits to the community. This will be achieved through but not restricted to the following:

- Public areas including streets and roadsides to be planted with trees consistent with Council's Suitable Street Tree Species list.
- Providing adequate resources to ensure the tree population is maintained in a healthy and safe condition.
- Continue the inspection and maintenance of street trees under the annual Block Pruning Program.
- Continue performing the annual Tree Risk Inspection at Council facilities program.
- Continue the inspection and maintenance of rural roadside trees under the annual Rural Road Pruning Program.
- Submit the Latrobe City Annual Electric Line Clearance Management Plan to Energy Safe Victoria each year.



LATROBE CITY COUNCIL TREE MANAGEMENT STRATEGY

- Continue the inspection and pruning of trees under the Annual Powerline Pruning Program.

COMMUNITY CONSULTATION

Most residents highly value street trees in their street, and also have an interest in street and parkland trees in their local area. This can present challenges for Council on issues relating to tree management when the focus is on an individual tree or a group of trees.

Council will place an emphasis toward informing, consulting and where appropriate involving the community in tree management. This will be achieved through but not restricted to the following:

- Ensure the community is informed about all major projects involving tree removal, tree planting and other major tree management programs. (except where emergency works are required).
- Provide advance information regarding tree maintenance works via letter box drops to affected local residents, interest groups and surrounding community.
- The Ward Councillors shall receive a copy of information distributed.
- Increase community knowledge about the benefits of street and parkland trees within the urban environment through the City's web page and the local media.
- Seek opportunities to encourage community involvement in tree management.

TREE PROTECTION

Trees have the potential to live for many generations but are vulnerable to changes in their local environment. Trees need to be protected from the detrimental impact that new developments, construction works and other activities could have on their health.

Australian Standards 4970-2009, Protection of Trees on Development Sites provides land managers, arborists, builders, contractors and planners with tree management guidelines for the proper care and protection of trees retained and integrated into construction projects.

Council has a Significant Tree Register which identifies any trees of state or local importance growing within the municipality. Some of these trees are growing on private property. The purpose of Council's Significant Tree Register is to identify and recognise the importance of significant trees in the Latrobe City area, and ensure their protection for future generations.

Council acknowledges that trees are a valuable community asset requiring protection through a combination of planning controls, enforcement and education. This will be achieved through but not restricted to the following:

- Where Council trees could be affected by any works, Council's Supervisor Arborist is to be consulted during the planning or design stage.



LATROBE CITY COUNCIL TREE MANAGEMENT STRATEGY

- Council will use the Australian Standards AS 4970-2009, Protection of Trees on Development Sites as guidance for the protection and preservation of trees during all stages of a development or construction project.
- Conditions related to Development Applications will be used to ensure that, where appropriate, established trees are protected through all stages of a proposed development.
- Regular monitoring of development and construction sites to ensure adherence with approved tree protection plans.
- Promote community awareness of the Significant Tree Register and ensure it is easily available to the public, both in hard copy and on Council's web site.
- Develop individual protection plans for those trees on the Latrobe City Significant Tree Register.

TREE RISKS

The risk associated with trees is a combination of the condition of the tree and the use around and in the vicinity of the tree. Council has a duty of care to reduce the level of risk to the public and property.

The response by Council to damage caused by trees will vary according to the nature and extent of the damage. The most commonly reported damage is those caused by tree roots.

Council trees need to be inspected and assessed to determine their potential for public risk; with trees in high risk or high use areas requiring more frequent inspections. Council currently undertakes tree risk inspections in accordance with the schedules contained in Latrobe City Tree Management Framework (Draft) 2015.

Council acknowledges that all trees have an inherent risk which must be managed effectively. This will be achieved through but not restricted to the following:

- All Council trees reported as being unsafe or hazardous by the public or identified as being of concern by staff are to be inspected by an appropriately qualified and experienced Arborist.
- All trees that are to come under the control of Council are to be assessed by a qualified and experienced arborist for their suitability for retention and to identify any remedial works required to bring them up to a good and safe condition prior to handover.
- Identify and manage potential tree risks to the satisfaction of Council's insurer.
- Tree maintenance generated through the tree risk inspection process will be recorded and scheduled for works.



LATROBE CITY COUNCIL TREE MANAGEMENT STRATEGY

TREE PRUNING

Pruning is an essential component of the management of Council's tree asset. Once trees are established, pruning is the key maintenance process to keep individual trees in a safe and visually appealing condition. The pruning of trees should be minimised as trees look more appealing when left to form their natural shape.

Council acknowledges that trees should only be pruned to achieve specific goals. This will be achieved through but not restricted to the following:

- Council trees to be pruned in accordance with the Australian Standard for Tree Pruning, AS 4373 (2007).
- Continuing the urban street tree pruning program, with each tree being visited and pruned as necessary at least once every two years.
- Continuing the ten year cyclic rural roadside pruning program.
- Individual trees may be pruned as necessary in response to customer requests from residents, Council staff or other parties.
- Pruning of Council owned trees is not permitted by anyone other than Council staff or Council engaged contractors.
- Maintain public safety through the removal of structurally unsound limbs.
- Maintain tree health through the removal of dead or diseased material.
- Maintain prescribed clearances from services.
- Maintain prescribed clearances from roads, footpaths and driveways.
- Ensure traffic safety and visibility of road signs.
- Minimise future work requirements through the removal of potential problems at an early stage.

Where private trees overhang Council property, footpaths or roadways the tree is regarded as the owner's responsibility and therefore onus is on the owner to prune the branches when requested. An order for the pruning of overhanging branches can be issued under Council's by-laws.



LATROBE CITY COUNCIL TREE MANAGEMENT STRATEGY

TREE SELECTION AND PLANTING

As most trees in the streets and parks of Latrobe City will occupy their planting sites for many years, a careful considered selection of site and tree species is vital.

Council's Suitable Street Tree Species List was developed to ensure trees are selected to suit the site conditions, including proximity to infrastructure like overhead power lines, drains, and footpaths.

Council acknowledges the selection of appropriate trees for urban street planting is critical for successful establishment and well managed streetscape. This will be achieved through but not restricted to the following actions:

- Prepare a masterplan to guide future planning for tree planting across Latrobe City.
- Council's Parks, Gardens & Playgrounds team will ensure that the species selected for planting is from the preferred suitable species list and appropriate for the location.
- The effects of climate change to be considered when selecting tree species for planting. Native trees are drought tolerant and often require less maintenance.
- Conduct an annual review of the Suitable Tree Species List and update as necessary.
- Council's Supervisor Arborist shall be consulted on species suitability where there is any departure from preferred species selection.
- Continue to encourage community participation in tree planting programs to promote ongoing stewardship.
- All Council development projects incorporate planting of new trees in conformance with Council's Suitable Street Tree Species List.
- Tree planting by private developers and others in land that will become the responsibility of Council must be done in consultation with and to the satisfaction of Council.
- Where appropriate no more than two different tree species generally to be used in any one street.



LATROBE CITY COUNCIL TREE MANAGEMENT STRATEGY

PEST AND DISEASE MANAGEMENT

Trees are subject to a range of pests and diseases.

When pests and diseases occur that could affect the immediate or long term survival of Council owned and managed trees, Latrobe City will react appropriately.

There is a significant population of Elm trees within Latrobe City that require special protection. Council is committed to saving the Elm tree population by maintaining an annual Elm Leaf Beetle control program. This consists of soil injection and bark banding treatments. This will ensure Elm trees within Latrobe City are maintained for future generations.

Council acknowledges the need to minimise the threat that pests and diseases can have on the tree population. This will be achieved through but not restricted to the following actions:

- Develop specific control programs where appropriate for major pests and diseases likely to affect trees under the control of Council.
- Monitor Council's tree population to enable timely and appropriate responses when pest and disease outbreaks compromise the immediate or long-term survival of the tree/s.
- Council will undertake to notify owners of privately owned trees of pest and disease outbreaks so that the owner may take action as required.

TREE REMOVAL

Trees can take many years to develop fully and once removed cannot be quickly replaced.

Removal of any tree has the potential to create a great deal of conflict as trees often instil very emotive feelings, both for and against removal.

Trees are mainly removed for the following reasons:

- Tree threatening to cause significant property damage. (Either to private or Council owned property).
- Tree causing significant interference to services or mains i.e. Power lines, water and sewer pipes, kerb and pavements.
- Tree causing problems for pedestrians and/or motorists.
- Council or other public authorities require the removal of trees to facilitate the construction of new infrastructure.
- Tree being storm damaged or having failed in part due to shedding limbs.
- Tree is dying, diseased or dead.



LATROBE CITY COUNCIL TREE MANAGEMENT STRATEGY

The Latrobe City will seek to avoid tree removal wherever possible. This will be achieved through but not restricted to the following actions:

- Council will investigate all tree management options prior to the recommendation for tree removal.
- Council will only remove trees that are not suitable for their location and for which risk minimisation strategies will not be successful.
- Review insurance claims in accordance with advice from Council's insurer and assess the removal and replacement of trees that pose an unacceptable risk.

The strategy should be reviewed every five years in line with the review of the Latrobe City Tree Management Framework (Draft) 2015.

Approved by:	
Date approved:	
Review date:	

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

15.2 PROVISION OF TEMPORARY CHANGE FACILITIES AT SPORTING RESERVES

General Manager

Infrastructure and Recreation

For Decision

PURPOSE

The purpose of this report is to present Council with the feedback received from sporting clubs and peak sporting bodies in relation to the proposal for temporary or modular change facilities at sporting reserves.

EXECUTIVE SUMMARY

This report details the feedback and submissions received by Council about the proposal for the purchase or lease of temporary change facilities at recreation reserves in Latrobe City.

Council officers have investigated a number of options for temporary change facilities to address the lack of change facilities for girls and women.

Council received nine (9) submissions/feedback following an email that was sent to all Council sporting user groups and peak bodies. The feedback provided highlighted a number of issues relating to temporary change facilities, including the cost, the need to comply with specific sports facility guidelines and the temporary nature of the facilities.

Anecdotally, there has been an increase in female participation in some of the major sporting codes in Australia. As an example, AFL, Soccer and Cricket are experiencing strong demand by girls and women.

However until a thorough assessment of current participation is undertaken, there is insufficient evidence to make an informed decision about what the priorities are for Council to address the need and identify future recreation projects and determine the need for temporary facilities.

The Latrobe City Recreation Needs Assessment will provide the evidence on current participation levels for all active sport and recreation activities in Latrobe City. The Recreation Needs Assessment will establish what the current demand is, future demand and analyse this data through future demographic information. The Recreation Needs Assessment is to be completed by the end of the current financial year.

A decision on whether temporary facilities are required at a particular reserve should be deferred until the Recreation Needs Assessment has established current participation levels, future sporting and active recreation trends and mapped the demand on a sport by sport basis.

Council will have the opportunity to consider the allocation of funding for temporary facilities during the development of the 2017/18 Latrobe City Council budget.

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MOTION

Moved: Cr Kam
Seconded: Cr Harriman

That Council:

1. **Defers consideration of purchasing or leasing temporary change facilities until the Latrobe City Recreation Needs Assessment is completed.**
2. **Consider providing a funding allocation as part of the development of the 2017/18 budget for the installation of temporary facilities in that year.**

For: Crs Rossiter, Sindt, Kam and Harriman

Against: Crs White, O'Callaghan, Middlemiss and Gibbons

CARRIED ON THE CASTING VOTE OF THE CHAIR

DECLARATION OF INTEREST

No officer declared a conflict of 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 - Recreation

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

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

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

BACKGROUND

There has been a great deal of focus in both the community and the media about providing sporting facilities that empower women and girls to participate in active sport and active recreation activities.

Historically, sporting facilities have been developed for men and boys, unless they were specific female only sports such as Netball.

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The need to provide facilities for girls and women is not a new issue but it was not identified in any Latrobe City Council master plan or strategy until 2014.

Anecdotally, there has been an increase in female participation in some of the major sporting codes in Australia. AFL, Soccer and Cricket are experiencing strong demand by girls and women.

Cricket Victoria advised recently that Gippsland has more than 3000 girls and women playing cricket across the Gippsland region. The AFL has been experiencing strong demand in female participation, with the Gippsland Galaxy playing in the Victorian Women Football League, and increasing participation in junior and junior elite programs. Football (Soccer) is leading the charge in female participation. During 2015, 335 girls and women played football (soccer) in the Latrobe Valley. Female participation contributes 28% of the total players.

As a response to try and address the inequity of change facilities that cater for girls and women, Council officers have investigated a number of options for temporary or modular change facilities that could be leased or purchased outright to provide temporary or low cost change facilities at Latrobe City Council sporting reserves with insufficient facilities for players and umpires or referees.

A report was presented to the Ordinary Council meeting on 23 May 2016 detailing two temporary change facility options available for Council to consider.

Option 1 – AFL Preferred Unisex Change Room Facility

The AFL has developed a partnership with Royal Wolf Australasia, the largest container solution business servicing Australia and New Zealand. Royal Wolf have an extensive range of equipment for hire and sale.

The AFL concept is the conversion of 4 X 20HC containers into a unisex change room and amenity facility. Three of the containers can become interconnected change rooms with bench seats and hooks. The fourth container is serviced by three (3) showers and two (2) toilet cubicles and will be connected via a personal door.

Option 1 pricing

PRICE	CHANGE 1	CHANGE 2	CHANGE 3	ABLUTION
Purchase*	\$19,565	\$20,849	\$23,442	\$28,418
Container Price	\$3618	\$3618	\$3618	\$3618
Total*	\$23,183	\$24,467	\$27,060	\$32,036
Hire rate per day (2 year minimum term)	\$19 per day (\$13870 for 2 year term)	\$17 per day (\$12410 for 2 year term)	\$19 per day (\$13870 for 2 year term)	\$22 per day (\$16060 for 2 year term)

Prices are subject to final engineered drawings.

* Sale prices are exclusive of 10% GST.

* Hire Rates are exclusive of 10% GST and 12.5% Theft & Damage Waiver

* Delivery price is subject to location.

* Installation price is subject to site inspection.

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- * Production lead time is approximately 20 working days from final engineered drawings signed by client.
- * Purchase payment terms are 30% deposit and balance payable prior to delivery.
- * Credit Application required for hire agreements.

To purchase outright three change facilities (1,2 & 3) and an ablution block is estimated to cost \$106,746 plus GST and the cost of delivery and installation.

Option 2 – Ausco Modular units

Option 2 (below) provided by Ausco is the equivalent product (in size and quality) to the Royal Wolf option above. Ausco provide a number of configuration options, such as toilet/shower modules, All Abilities toilet modules, change facility modules and complete pre-fabricated sporting facilities. The ablution (shower/toilet) unit shown below is a unisex module with both urinals and pans for toilet facilities and showers.

These units can be purchased, placed on site, and then removed and relocated as required once a permanent change facility has been purchased and constructed. Alternatively they could also be hired, placed on site, and then removed and relocated as required.

To purchase two Ausco change facility units and toilet/shower unit and water tanks is \$68,220 plus GST.

Following the presentation of this information in a report to the Ordinary Council meeting held on the 23 May 2016, Council resolved the following:

MOTION

Moved: Cr Gibson

Seconded: Cr Harriman

That Council:

- 1. Endorses the public exhibition of the two options for temporary unisex module change facilities to community groups, reserve user groups and stakeholders as well as sporting organisations and peak sporting bodies for a period from 24 May 2016 to 24 June 2016.*
- 2. A report is prepared detailing the feedback and submissions received during the public exhibition period and provided to the Ordinary Council meeting to be held on 1 August 2016.*
- 3. Advises the nominees for the Female Friendly Facilities Advisory Committee that the committee will not proceed, and thank them for their time and nomination, and advise them that they will be consulted directly during the public exhibition period.*

CARRIED UNANIMOUSLY

KEY POINTS/ISSUES

Council officers contacted all Latrobe City Council user groups and peak sporting organisations by email on Tuesday 24 May 2016. Each user group or peak sporting body were provided with the two options identified

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in background section of this report and asked to review the options and provide their feedback to Council by the 24 June 2016.

The table below details the feedback/submissions that Council has received during the public exhibition period.

Table 1.

	Stakeholder	Comments
1	Netball Victoria	<ul style="list-style-type: none"> Temporary facilities need to be in line or close to Netball Victoria's preferred designs for facilities
2	Morwell Football Netball Club	<ul style="list-style-type: none"> Believes that the Royal Wolf option provides for a great temporary facility for the Netball facility
3	Football Federation Victoria	<ul style="list-style-type: none"> Provided an alternative provider of temporary change facilities – Park Sheds These temporary facilities have been constructed in NSW for football (Soccer)
4	Morwell Junior Football Club	<ul style="list-style-type: none"> Supports either option for temporary facilities as long as it is a temporary measure The club states that anecdotally, female participation has declined at the club due to the lack of facilities The Morwell Junior Football Club has a Youth Girls team in Gippsland.
5	Moe Olympic Soccer Club	<ul style="list-style-type: none"> The club is interested in temporary facilities
6	Pax Hill Tennis Club	<ul style="list-style-type: none"> The club supports option 2 (Ausco). Given that the modules are temporary, there is a need to minimise the cost associated with the proposal Both options are very expensive
7	Morwell Cricket Club	<ul style="list-style-type: none"> The club are interested in a temporary facility until the proposal multi-use pavilion for cricket/netball is constructed at Morwell Recreation Reserve.
8	Traralgon Football Netball Club	<ul style="list-style-type: none"> The club would be grateful for either of the two options, but prefer the Royal Wolf option. The club has offered to assist with the onsite establishment of the modules (plumbing, electrical works etc.)
9	AFL Gippsland	<ul style="list-style-type: none"> Would like any temporary facility to be as close to AFL preferred facility guidelines as possible. Happy to provide feedback on specific designs developed

The feedback provided in the above table highlights a number of themes to be considered with the proposal for temporary change facilities.

Facility guidelines

Most major peak sporting bodies, such as the AFL, Netball Victoria, Cricket Victoria, Football Federation Victoria, Tennis Australia etc. have

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developed guidelines for the development and upgrade of facilities, including change facilities.

Both Netball Victoria and AFL Gippsland have highlighted the need for any upgrade to facilities or the construction of new facilities, including temporary facilities have regard to the specific sport's facility guidelines.

Facility guidelines have been developed by the major sporting codes in response to increased demand for quality and appropriate facilities for all participants. The guidelines provide for a minimum standard and are usually established on the basis of the following sporting hierarchy:

- Local level;
- Regional; and
- State level facilities.

Facilities that cater for all participants, including female players and officials are not necessarily separate facilities.

All new or upgraded change facilities, whether temporary or permanent should be developed to be 'unisex' by removing urinals and open showers and replacing them with toilet cubicles and shower cubicles that allow showering and changing in privacy. This is and has been Councils policy for some years.

It should be noted there are other facility elements that help make a welcoming facility and club environment for female participants. These include cleanliness of the change, shower and toilet areas, provision of external pavilion and car park lighting to provide additional safety and security during and after training and night matches. These elements should also be front of mind when considering new or upgraded facilities, including temporary facilities.

Temporary facilities

A number of submissions mentioned that they were supportive of the temporary change facilities, as long as they intend to be temporary.

A major risk in installing a temporary facility or building is that the facility becomes an unattractive permanent fixture at a reserve. Examples of this can currently be seen at the Morwell Recreation Reserve and Morwell East Football Netball Club, with temporary ATCO huts that are used by the both clubs either for female participants or umpires being almost a permanent fixture at both venues for many years.

Cost implications

The cost of providing temporary change facilities was raised in the feedback provided to Council. The submitter has made a comparison between the costs of providing a temporary change facility compared to the cost of constructing a residential dwelling. This is not good comparison due to the difference in use and quality of fittings that need to be part of a high use, high maintenance public development compared to a low use, low maintenance residential development.

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However, there is a significant cost in providing temporary change facilities. This should be weighed against the cost of providing a permanent solution on a case by case basis before a decision is made to purchase or lease a temporary facility.

Programming of sporting fixtures

There are very few examples of reserves in Latrobe City where there is no change facilities provided. Whilst the quality and quantity of these facilities require addressing, there are still change facilities at most Council managed reserves for participants to use.

Council will continue to work with sporting users and peak bodies such as Netball Victoria, AFL Gippsland and Football Federation Victoria to ensure that fixtures are reflective of the facilities that are available at a particular reserve and that fixtures are reviewed to ensure that the programming of sporting matches and events doesn't add or increase issues with access to change facilities for sports involving girls and women.

Identifying the need for facilities

At the 7 December 2015 Ordinary Council meeting, Council endorsed the design of a range of recreation projects, including a number of sporting pavilions. These design projects are as follows:

Table 2

Reserve	Design Project	Stakeholder/s	Sport
Burrage Reserve * Newborough	Upgrade to the existing pavilion	Newborough Yallourn United Soccer Club	Football (Soccer)
Monash Reserve Newborough	New pavilion	Moe Netball Association Adrenalin Paintball Newborough Tennis Club	Netball Paintball Tennis
Traralgon South Recreation Reserve	Upgrade to existing pavilion	CATS Cricket Club Traralgon South Badminton Club	Cricket Badminton
Ronald Reserve Morwell	Upgrade to existing pavilion	Morwell East Football Netball Club	Football Netball
Morwell Recreation Reserve	New pavilion	Morwell Football Netball Club Morwell Cricket Club Gippsland Power	Netball Cricket Football
Harold Preston Reserve Traralgon	Upgrade to existing pavilion	Traralgon Little Athletics Club Traralgon City Soccer Club	Athletics Football (Soccer)
Flynn Recreation Reserve	New Hall	Flynn Community Flynn Recreation Reserve Committee of Management	Badminton Tennis
Catterick Crescent Reserve Traralgon	New pavilion	Traralgon Imperials Cricket Club Cumberland West Junior Football Club	Cricket Football (junior only)
Hazelwood South Reserve	New pavilion	Churchill United Soccer Club	Football (Soccer)

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*This project has been submitted as an Expression of Interest to the 2017/18 Community Sports Infrastructure Fund

Other than the design for a new hall at the Flynn Recreation Reserve, all the design projects from *Table 2* are incorporating 'unisex' change facilities into the design to provide for all participants, including female participation.

Following a recent audit of reserves in Latrobe City the following reserves were identified as having inadequate facilities to support female participation, and in some circumstances, to support general participation in the sport being played at the reserve. These reserves are:

Reserve	Stakeholder/s	Sport
Burrage Reserve Newborough*	Newborough Cricket Club Moe Newborough Baseball Club	Cricket Baseball
Traralgon Recreation Reserve & Showgrounds	Traralgon Football Netball Club	Netball Football
George Bates Reserve Yallourn North	Yallourn Yallourn North Football Netball Club	Football Netball
Crinigan Road South Reserve Morwell	Fortuna 60 Soccer Club St Vincent's Cricket Club	Football (Soccer) Cricket
Hazelwood South Reserve	Churchill United Soccer Club	Football (Soccer)
Apex Reserve Traralgon	Pax Hill Junior Football Club Police Boys Football Club Traralgon Central Cricket Club	Football (junior) Cricket
Duncan Cameron Reserve Traralgon	Southside Junior Football Club Traralgon Rovers Cricket Club	Football (junior) Cricket
Kevin Lythgo Reserve Traralgon	Traralgon Baseball Club	Baseball
Northern Reserve Morwell	Morwell Junior Football Club	Football (Junior)
Maryvale Reserve Morwell	Gippsland Gladiators Latrobe Cricket Club Latrobe Valley Umpires Association	Grid Iron Cricket Football (Umpiring)
Moe Olympic Park	Moe United Soccer Club	Football (Soccer)
Ronald Reserve Morwell	Pegasus Soccer Club	Football (Soccer)
Yinnar Recreation Reserve+	Yinnar Football Netball Club Yinnar Cricket Club Yinnar Tennis Club	Football Cricket Netball Tennis
Moe Botanic Gardens	Moe Tennis Club	Tennis
Ronald Reserve	Morwell Tennis Club	Tennis
Traralgon Recreation Reserve & Showgrounds	Traralgon Football Netball Club (existing change facilities)	Football Netball Cricket
Morwell Recreation Reserve	Morwell Football Netball Club (existing change facilities)	Football Cricket
Gaskin Park Reserve#	Churchill Football Netball Club	Football Netball Bowls
Toners Lane Reserve	Morwell Baseball Club Twin City Archery Club Morwell Dog Obedience Club Gippsland Historical Automobile Club Morwell Pony Club	Baseball Equestrian Dog Obedience Car stuff Archery

*This project is subject to design for an upgrade to facilities at the pavilion during 2016/17.

+This project has been subject to detailed design during 2015/16 and is shovel ready.

#This project has been subject to design during the 2013/14 and is shovel ready.

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As the information above indicates, there are a significant number of facilities in Latrobe City that require an upgrade to change facilities.

Some of these facilities only have two change rooms to cater for all participants, both males and females. Some facilities do not have unisex umpire change facilities. Some facilities have multiple change facilities however because of the number of grounds or pitches at a facility, this is inadequate for their current participation numbers.

Recreation Needs Assessment

This project commenced in July 2016. The purpose of the project is to:

“To assess and document the current and future sport and active recreation needs of the Latrobe City community to draw together and prioritise impending infrastructure projects emanating from a range of existing plans and strategies.”

The project objectives are to:

- Review all Latrobe City Council recreation plans and strategies
- Determine the status of projects identified in the recreation plans and strategies.
- Identify all user groups/stakeholders of Latrobe City recreation facilities, including:
 - Recreation reserves & associated facilities
 - Traralgon Indoor Sports Stadium
 - Indoor Leisure facilities
 - Outdoor pools
- Identify all sports and active recreation pursuits that are active within the municipality.
- Identify trends and needs in regard to sport and active recreation within the municipality.
- Including mapping of all current sport and active recreation provision in Latrobe City.
- Analyse population and demographic changes that will impact on the provision of sports and active recreation facilities with Latrobe City.
- Document existing demand and issues for sport and active recreation within the current population.
- Compile current participation data for the identified sport and recreation activities across the municipality. Compare this with the Australian Sport and Recreation participation data.
- Analyse community future demand that may impact on levels of participation in sport and active recreation in Latrobe City.
- Develop a funding policy for projects identified through the Recreation Needs Assessment

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The final report will provide an evaluation matrix tool that will allow Council to prioritise projects, and deliver a four year implementation plan identified through the Recreation Needs Assessment project.

Until a thorough assessment of current participation is undertaken, there is currently insufficient evidence regarding Latrobe City specific participation data to make an informed decision about what the priorities are for future recreation projects and determine the need for temporary facilities.

The Latrobe City Recreation Needs Assessment will provide information on current participation levels in Latrobe City for all active sport and recreation activities. The Recreation Needs Assessment will establish what the current demand is, future demand and analyse this data through future demographic information.

The Recreation Needs Assessment will provide Council with a way to prioritise investment in recreation projects based upon solid evidence of demand and future participation.

It is recommended that a decision on whether temporary facilities are required at a particular reserve should be deferred until the Recreation Needs Assessment has established current participation levels, future sporting and active recreation trends and mapped the demand on a sport by sport basis.

Preparing for the 2017/18 Latrobe City Council budget

Preparation for the 2017/18 budget will commence in late 2016, whilst the Recreation Needs Assessment is being developed.

Draft recommendations for priority projects identified through the development of the Recreation Needs Assessment will be available prior to consideration of the draft budget in May 2017.

There is an opportunity for Council to consider a nominal allocation of funding towards the purchase of temporary change facilities. There is similar to the allocation made in the 2016/17 Latrobe City Council budget for the possible purchase of the Latrobe City Sports & Entertainment Stadium.

RISK IMPLICATIONS

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

A primary risk for Council relates to allocating funding for temporary facilities without consideration of the most appropriate priorities. Council lacks information and data about current participation and demand levels across a range of sporting activities participated in the municipality. This work will be undertaken as part of the Recreation Needs Assessment.

A major risk in installing a temporary facility or building is that the facility becomes an unattractive permanent fixture at a reserve. Examples of this can currently be seen at the Morwell Recreation Reserve and Morwell East Football Netball Club, with temporary ATCO huts that are used by the both clubs either for female participants or umpires being almost a permanent fixture at both venues for many years.

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FINANCIAL AND RESOURCES IMPLICATIONS

The cost of purchasing or leasing temporary modules to use as change facilities is significant, as indicated in the background section of this report.

The 2016/17 Latrobe City Council budget has been adopted by Council. There is no discretionary funding available for the purchase or leasing of modular change facilities.

Following liaison with Sport and Recreation Victoria, there are no external funding opportunities available to Council to provide external funding for this type of purchase.

The Recreation Needs Assessment is a jointly funded project, with \$70,000 funded by Latrobe City Council and \$30,000 in funding provided through the Community Sports Infrastructure Fund – Planning by the Department of Sport and Recreation Victoria.

There is an opportunity for Council to consider a nominal allocation of funding towards the purchase of temporary change facilities. There is similar to the allocation made in the 2016/17 Latrobe City Council budget for the possible purchase of the Latrobe City Sports & Entertainment Stadium.

INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Council officers contacted all Latrobe City Council user groups and peak sporting organisations by email on Tuesday 24 May 2016. Each user group or peak sporting body were provided with the two options identified in background section of this report and asked to review the options and provide their feedback to Council by the 24 June 2016.

Details of Community Consultation / Results of Engagement:

The table below details the feedback/submissions that Council received during the public exhibition period.

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Table 1.

	Stakeholder	Comments
1	Netball Victoria	<ul style="list-style-type: none"> Temporary facilities need to be in line or close to Netball Victoria's preferred designs for facilities
2	Morwell Football Netball Club	<ul style="list-style-type: none"> Believes that the Royal Wolf option provides for a great temporary facility for the Netball facility
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5	Moe Olympic Soccer Club	<ul style="list-style-type: none"> The club is interested in temporary facilities
6	Pax Hill Tennis Club	<ul style="list-style-type: none"> The club supports option 2 (Ausco). Given that the modules are temporary, there is a need to minimise the cost associated with the proposal Both options are very expensive
7	Morwell Cricket Club	<ul style="list-style-type: none"> The club are interested in a temporary facility until the proposal multi-use pavilion for cricket/netball is constructed at Morwell Recreation Reserve.
8	Traralgon Football Netball Club	<ul style="list-style-type: none"> The club would be grateful for either of the two options, but prefer the Royal Wolf option. The club has offered to assist with the onsite establishment of the modules (plumbing, electrical works etc.)
9	AFL Gippsland	<ul style="list-style-type: none"> Would like any temporary facility to be as close to AFL preferred facility guidelines as possible. Happy to provide feedback on specific designs developed

OPTIONS

Council have the following options:

- Defer the purchase or lease of temporary facilities for recreation reserves until the priorities of the Recreation Needs Assessment is finalised.

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2. Not defer the purchase or lease of temporary facilities for recreation reserves until the priorities of the Recreation Needs Assessment is finalised.

CONCLUSION

A number of options for temporary change facilities have been developed by Council and presented to Latrobe City Council reserve user groups, stakeholders and peak sporting bodies for feedback and comments.

Council received nine (9) submissions following the public exhibition period, which highlighted a number of issues.

Latrobe City Council has identified that a significant number of facilities do not currently provide unisex or female friendly change facilities for sporting users at a range of Council reserves.

Council has commenced the Latrobe City Council Recreation Needs Assessment, which will detail current participations levels and demand for all sport and active recreation in Latrobe City along with current and future demographics and future recreation trends.

The Recreation Needs Assessment will review all current projects identified in Council's master plans and strategies based upon the participation and demand data. An implementation plan will then be developed to identify and prioritise future recreation projects.

It is recommended that any decision to purchase temporary change facilities be deferred until the Recreation Needs Assessment is finalised and considered further during the 2017/18 budget process.

SUPPORTING DOCUMENTS

Nil

Attachments
Nil

COMMUNITY SERVICES

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16. COMMUNITY SERVICES

The meeting adjourned at 7.45 pm.

The meeting resumed at 8.08 pm.

16.1 TARWIN STREET POP UP PARK - REVISION

General Manager

Community Services

For Decision

PURPOSE

The purpose of this report is to seek an extension to the duration of the Tarwin Street Pop Up Park and the temporary partial closure of Tarwin Street, Morwell until 31 March 2017.

EXECUTIVE SUMMARY

At the ordinary Council Meeting of 16 November 2015, Council approved a six month road closure of the northbound lane of Tarwin Street for 30 metres South of Commercial Road for the installation of a pop up park as per the project agreement. The road was closed off on Tuesday 9 February 2016 and works commenced to activate the space. The space has evolved with community and trader input. Council has since extended the duration of the Park to 8 August 2016 to make use of the full amount of time of the temporary partial road closure.

Consistent data collected and feedback from local community members and traders indicates that a majority are very supportive of the Park and would like to see it continued. Even throughout winter, park utilisation has continued and is booked for a future community event in early August. At a recent 50 Mile Farmer's Market event, it was observed that the Park seemed more popular than the market itself with a range of people using the space, listening to a brass band and enjoying consumption of their food purchases.

Due to this feedback and other factors, it is therefore suggested that the Park remain in place until 31 March 2017, whereupon there is the option of being dismantled and returned to its former state. As the original road closure was only for a stated period of six months, and people were invited to make submissions based on this, Council is required to follow the necessary steps under the *Local Government Act 1989* to further exercise its power to keep the road closed.

The additional eight and a half months provides an opportunity to build on the community's ownership and activation of the space and to realise the benefits from the current infrastructure investment in the Park.

The proposed additional period of operation is able to be achieved by temporary staff within the Community Services Division. Currently, Council is pursuing a range of possible funding options to enhance Council's activation of the Park. Latrobe City Council has requested extended Mine Fire Recovery funding from the Department of Health and Human Services

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to support additional engagement activities. This may also include continued development of the Park as a community led space. Also, VicHealth is open to discussions regarding both in-kind and financial support to the Park with a view to long-term sustainability as a separate submission proposal. This would enable increased operational activity to develop a transition plan with the community.

The transition plan for the Park would include increased community ownership; to shift from an events activity site to a community meeting place; and deliver decreasing operational costs.

MOTION

Moved: Cr Middlemiss
Seconded: Cr O'Callaghan

That Council:

1. **Extends the duration of the Tarwin Street Pop Up Park until 31 March 2017.**
2. **Publish a Public Notice in the Latrobe Valley Express on 4 August 2016, advising the community that Council intends to exercise its powers under clause 10(1)(c) of Schedule 11 of the *Local Government Act 1989* to maintain the closure of the northbound lane of Tarwin Street, Morwell, from Commercial Road for a distance of approximately 30 metres south of Commercial Road and of their rights to make a submission under section 223 of the *Local Government Act 1989*;**
3. **Consider any submissions received in relation to the proposed closure of Tarwin Street until 31 March 2017 as part of a final decision on the closure of Tarwin Street at the Ordinary Council Meeting to be held on Monday 12 September 2016.**

For: Crs Rossiter, White, Sindt, O'Callaghan, Middlemiss and Harriman

Against: Crs Kam and Gibbons

CARRIED

MOTION

Moved: Cr Gibbons
Seconded: Cr Kam

That Council grants an extension of time to Cr Christine Sindt.

CARRIED UNANIMOUSLY

DECLARATION OF INTEREST

No officer declared a conflict of 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

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

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

Strategic Direction: Promote and support opportunities for people to enhance their health and wellbeing.

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

Theme 4: To advocate for and support cooperative relationships between business, industry and the community.

Strategic Direction: Actively encourage and support initiatives that promote social inclusion and diversity within our community.

Theme 5: Planning for the future

Strategic Direction: To provide a well-planned, connected and liveable community

BACKGROUND

In April 2015, Latrobe City Council submitted a funding application to VicHealth for a Community Activation Program. The application outlined the proposed partial closure of Tarwin Street for a pop up park with the intent that this project be the catalyst for permanent change to the Tarwin Street area.

The Objectives of the funding were to:

- Increase opportunities for physical activity among the inactive and less active;
- Showcase and create pathways toward engaging with physical activity through creative means;
- Strengthen social connections and mental wellbeing;
- Build a collective movement for active arts participation across Victoria;

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VicHealth advised Latrobe City Council in May 2015 that the application for funding under VicHealth's Community Activation Program was successful.

At the ordinary council meeting of November 16, 2015 Council resolved:

That Council exercise its powers under clause 10(1) of Schedule 11 of the Local Government Act 1989 to temporarily close the northbound lane of Tarwin Street, Morwell, from Commercial Road for a distance of approximately 30 metres south of Commercial Road for a six month period.

Tarwin Street was temporarily closed from Tuesday 9 February 2016 and the activation of the space commenced. During this period, verbal communication continued with the traders about the look and use of the Park and what to expect over the coming months.

Since its activation in February there have been a total of 89 scheduled activities and events held in the Park. Of the 89, 72 have been planned activities including lunch time yoga, story time for children, parents and bubs fitness classes and ready steady go kids, a program designed to get kids moving and more active.

During the 72 planned activities, a total of 515 community members have participated from across the municipality and beyond. Incidental and informal usage of the Park has also been significant.

There have also been 17 major events held in the Park including workshops and performances from the Australian Ballet, Arts Centre Melbourne and Circus Oz with a further 755 community members participating in these events. Tarwin Park movie nights have also been successful with 218 people in attendance over three nights.

Surveys and questionnaires were completed at a number of events and daily activities to gain additional insight into what the community members and traders wanted from the space, this in turn lead to more events and some local traders choosing to open weekends that they would normally be closed.

The Park has been accepted so well into the community over the last five months that traders and community members are now expressing feedback and comments about the life of the Park and its continuation in the Tarwin Street space.

After being activated on 9 February 2015, the Park was advertised to close on 14 June 2016, well within the six month road closure period. In the Councillor Briefing on May 30, 2016 Council were informed of the decision to extend the Park until August 8, 2016 utilising the full period of the initial Tarwin Street road closure approval period. This decision was taken in direct response to positive stakeholder feedback, particularly from traders and community members.

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KEY POINTS/ISSUES

Reasons for Extension:

The activation of Tarwin Park has produced many community benefits and met the goals established by VicHealth, demonstrating its success. As part of Latrobe City Council's obligations in receiving the VicHealth funding, there has been significant data gathered throughout the duration of the project as well as reflection workshops and surveys with key internal and external stakeholders.

The key elements gleaned from this collective work and observations indicate the following:

- Community ownership of the space has been continually growing since it was established in early February 2016. This is evidenced by the responses from community surveys, anecdotal feedback to staff from traders and community members, and ongoing enquiries from organisations and groups about the possibility of using the space.
- The Park is a great showcase of how increased pedestrian use of an area can lead to economic and community gains, which can potentially inform other similar measures in the municipality. It successfully challenges peoples traditional views on what should be expected in a road environment.
- Opportunity exists to link park activities with other initiatives and emerging projects and programs e.g. Homelessness week, Community Music Victoria's "StreetSounds".
- Support from nearby traders who on a daily basis continue to take ownership of the Park through management of resources such as seating, umbrellas and games remains strong.
- Among the strengths of the Park, as identified as part of the VicHealth required reflection and review process, is that the Park has continued to evolve and change, making it more attractive to users and a point of interest.
- An extension to the duration of the Park will enable the benefit of the investment in infrastructure such as the shade and the turf to be fully realised, particularly during spring and summer.
- The timing of the extension is likely to coincide and align with the Future Morwell plans for the redevelopment of the CBD area including Tarwin Park.
- The Park complements the monthly 50 mile market that takes place in the vicinity of the Park in the same section of Tarwin Street.
- Survey data (see attachments A & B) from users of the Park has indicated that there is a strong base on which to build further participation in the Park and increase the wellbeing and health benefits:
 - 45% of people indicated that their physical activity increased from using the Park

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- 77% of traders in Morwell would like to see the duration of the Park extended with 69% wanting to see the Park become a permanent feature in Tarwin Street.
- 54% of the community were able to get to know other community members as a direct result of activities and events held at the Park.
- Activities held in the Park include:
 - Tarwin Park Launch and Working Bee Event
 - 'Out There' with the Australian Ballet
 - Melbourne Active Arts: All Day Fritz, Valanhga Khoza, Nicky Bomba and Dig Deep & Massive Fam 'Fresh Take' workshop
 - Circus Connect 'Circus Oz'
 - Giant Games in the Park
 - Ready Steady Go Kids
 - Movie Nights
 - Embrace Fitness Classes
 - Latrobe Leisure Family Friendly Fitness Classes
 - Art in the Park
 - Yoga
 - Painting activities with Berry Street Students
 - Team Latrobe Fun Run
 - Heart Foundation Walk
 - EW Tipping 'Cosmic Chickens'
 - Storytime in the Park
 - Pop Up Skate Park
 - Harmony Day – Organised by Latrobe City
 - Berry Street Event 'Out with the Kids'
 - Soon to be held, Quantum homelessness information session.

REQUIREMENTS FOR EXTENSION

Section 207 of the *Local Government Act 1989* describes the powers that Council has over traffic, stating:

*"Subject to the **Road Safety Act 1986** and any regulations made under that Act, but without limiting any other powers of a Council as a road authority, the powers include the specific traffic management powers set out in Schedule 11."*

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The following clause under Schedule 11 of the *Local Government Act 1989* that specifically relates to the closure of Tarwin Street for this project states:

10. Power to place obstructions or barriers on a road temporarily

(1) A Council may block or restrict the passage or access of vehicles on a road by placing and maintaining any temporary barrier or other obstruction on the road—

(c) for a genuine traffic diversion experiment.

(2) A Council must not exercise this power given to it under subclause (1)(c) unless it has considered a report from the Roads Corporation concerning the exercise of the power.

In addition, Section 207A of the *Local Government Act 1989* details the ability for people to make submissions under section 223 (right to make submission), stating:

“A person may make a submission under section 223 on the proposed exercise of any power under—

(b) clauses 9, 10(1)(c), 11 and 12 of Schedule 11”

Summarising the above sections, schedules and clauses, Council needs to do the following under the *Local Government Act 1989* to allow Tarwin Street to remain closed for this project:

- Publish a Public Notice that advises members of the public of the intention to temporarily close this northbound section of Tarwin Street, and that they have the right to make a submission in regards to the proposal for at least 28 days, as per section 223 of the *Local Government Act 1989*;

As VicRoads has previously given support for this when the road was first closed, and this was not conditional on the road being closed for only six months, no further report from the Roads Corporation needs to be considered.

RISK IMPLICATIONS

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

In relation to the road closure, there is a small risk that Council receives objections to the road remaining closed during a further consultation period, should Council wish to continue with the closure as recommended.

However, as the previous submission period received no submissions, and there is general support for the Park, this risk is not considered significant.

The existing Risk Management Plan for the operation of the Tarwin Park will continue to be reviewed on a regular basis and updated where necessary. However, it has been identified that there is a change to the

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look of the traffic management signage to improve its effectiveness to fit in with the duration of the period of extension.

A detailed plan for the pack up and removal of the Park and associated work plan has been developed to ensure the site is restored safely to its original state following its closure, whatever date is set.

Initially, the Park was advertised to close on 14 June 2016, well within the six month road closure period. At the Council Briefing on 30 May 2016, Councillors were informed of the decision to extend the Park until 8 August 2016, thus utilising the full six-month Tarwin Street road closure approval period. Therefore any decision related to an extension of the closure period needs to be made on 1 August 2016 to enable effective communication to occur and continuous operation of the Park.

FINANCIAL AND RESOURCES IMPLICATIONS

The proposed additional period of operation until 31 March 2017 is able to be achieved by temporary staff within the Community Services Division. Currently, Latrobe City Council is negotiating with the Department of Health and Human Services for access to further funds. Also, VicHealth is offering both in-kind and financial support to the Park with a view to long-term sustainability as a separate submission proposal. This would enable increased operational activity to develop a transition plan with the community.

INTERNAL/EXTERNAL CONSULTATION

Apart from the statutory consultation requirements under Sections 207 and 223 of the *Local Government Act 1989* in relation to the temporary road closure, a variety of consultation with stakeholders has occurred as part of the Tarwin Street Project, including:

- Council Officers have visited individual businesses that are directly impacted by the Tarwin Street Project and road closure, with traders remaining positive regarding the proposal.
- Council Officers have held individual meetings with the following groups and organisations, all of which have advocated their continuing support for the Tarwin Street Project:
 - Traders Group
 - Advance Morwell
 - Future Morwell
 - Re-Activate Latrobe Valley
 - 50-Mile Market.

Upon approval to commence the process to retain the Tarwin Street closure, further consultation with the above groups and the general community will be undertaken, encouraging them to make a submission under Section 223 to be considered as part of the final decision to close the road at the Ordinary Council Meeting on 12 September 2016.

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Council may choose to:

1. Leave the temporary Pop Up Park in place while the statutory requirements to close the road are fulfilled and the final determination on the closure is made on 12 September, 2016.
2. Dismantle the site on 8 August 2016 and cease the Park's operation.

CONCLUSION

The Tarwin Street Pop Up Park has been a highly visible and successful initiative of Latrobe City Council, which has been strongly supported by traders, local organisations and community members. It has had a positive impact on increasing the wellbeing of the community and physical activity.

The popularity of the Park has continued to grow and a potential extension to the duration of the Park until the end of March 2017 would enable further development of a sustainable model and increase community ownership.

At this stage, there is no plan to continue the Park beyond March 2017. However, it would enable the opportunity to further test the viability of the site and consider redevelopment options to support local businesses in Morwell CBD as part of the Future Morwell Urban Design planning.

SUPPORTING DOCUMENTS

Nil

Attachments

1. Morwell Traders Have Your Say Analysis
2. Community Activation Responses
3. Images from the Pop Up Park

S.1

Tarwin Street Pop Up Park - revision

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Morwell Traders 'Have Your Say' on Tarwin Park

Conducted via Survey Monkey between 20/4/16 and 19/5/16

Question One: Do you believe Tarwin Park has directly influenced your business? (75 responses)

Yes	No
26 (34.67%)	49 (65.33%)

Selection of comments (14 in total):

'Negatively as there is no passing vehicle traffic as there should be'

'Unbelievably wonderful'

'Think it always looks untidy unless they are taking photos'

'I'm a bank so it does not impact my business'

'Very positive'

'We work with disadvantaged young people who don't feel as though it's for them. It also causes people to notice who enters our service'

Question Two: Has it had a positive or negative effect on your business? (75 responses)

Positive	Neutral	Negative
26 (34.67%)	43 (57.33%)	6 (8.00%)

Comments (7 in total):

'Things haven't changed'

'When things are happening in the park - it adds to the ambience of the street scene'

'There is no passing vehicle traffic to see our new business. We only located here on the grounds that the park would terminate in the middle of June'

'It made me feel happier at work'

'It has Mainly causes our clients to feel awkward especially when it's their first contact'

'Very positive'

'Blocked off street has not brought more people in to the CBD for the right reasons'

Question Three: Would you like to see the operation of Tarwin Park temporarily extended?(75 responses)

Yes	No
58 (77.33%)	17 (22.67%)

No additional comments

Question Four: Would you like to see Tarwin Park become a permanent feature? (75 responses)

Yes	No	Yes, but in a different location
52 (69.33%)	12 (16.00%)	11 (14.67%)

No additional comments

Question Five: Would you like to see the Park continue in a different location? If so, where? (75 responses)

I would like it to remain in Tarwin Street	Yes, I would like to see it pop up in a different space	No, I would rather the park be packed up and not pop up in another area	I would like to see more than one pop up park in the community
43 (57.33%)	19 (25.33%)	8 (10.67%)	12 (16.00%)

Comments (10 in total):

'On the opposite side of the road, on Commercial Rd'

'Legacy Park Morwell'

'Traralgon'

'I think in the centre of town is a good location - but not really fussed'

'Town Common'

'Different locations at different times'

'I don't know Morwell well enough but it would be great to give a different street a go and spread it around'

'Memorial site for Sir Stanley Savige'

'Near to Rose Garden'

'Out the front of Harvey Norman'

Question Six: As a trader, what do you think has worked well in the park? (75 responses – multiple choices available)

Fencing	Road Closure	Turf	Events and activities	Furniture	Shade	None of the above
12 (16.00%)	21 (28.00%)	26 (34.67%)	55 (73.33%)	25 (33.33%)	24 (32.00%)	6 (8.00%)

Selection of comments (9 in total):

'Road closure has caused some inconvenience'

'The park needs to be seen to being used - events and activities are important. Without them, I don't think the park would have had the same effect. Continuance (not too sure how it will go over the winter months) is a good thing. Additional seating and shades will be lovely in the warmer weather'

'There needs to be better signs, because people think the road is closed and are doing u turns and driving out on the wrong side'¹

'Colour'

'It has been an attractive addition to the streetscape'

Question Seven: What would you change about Tarwin Park? (75 responses – multiple choices available)

I wouldn't change the park at all	The location	The road closure	The cosmetics	The events and activities	The concept	Other (see below)
35 (46.67%)	14 (18.67%)	15 (20.00%)	14 (18.67%)	4 (5.33%)	1 (1.33%)	8 (10.67%)

Responses to "other, please specify":

'Expand it explore two way access to Tarwin Street via remodelling current access road from Commercial'

'Get rid of it'

'Put more plants and greenery'

'The advertising and getting the word out there more about it'

'No real ideas to add'

'The barricades obstructing the view of cars turn around'²

'The fencing could be improved. I would also like the bunting back or other overhead things happening'

'Would have more of the community involved so that those who are from more disadvantaged backgrounds can feel as though the park is for them as well'

¹ Traffic issues highlighted in this survey have been addressed by Council to improve visibility for vehicular and pedestrian traffic

² Barricades have been removed since this survey was completed

Question Eight: If Tarwin Park continues what could you or your business contribute/offer to the park? (74 responses)

Help with event organising	Help with maintenance	Set up or pack up	Week day activities	Weekend activities	Advertising	Participate in events as a community member only	All of the above	Other (see responses below)
3 (4.05%)	3 (4.05%)	2 (2.70%)	1 (1.35%)	2 (2.70%)	19 (25.68%)	9 (12.16%)	3 (4.05%)	7 (9.46%)

Responses to "other, please specify"

'If time permits'

'Would not like to be obliged to run park but prepared to help on my terms'

'Unsure'

'I have donated a gift to an event I would like to see it advertise that our shop is open when the park has music etc drawing in people from the community'

'Happy to help in whatever way I can. Would also like to run mini workshops there on Saturdays'

'Not sure'

'I'm an electronic tech & ready to help if anything I can do in this profession'

Question Nine: As a trader in Morwell what would you like to see in the space? (38 responses)

Responses have been grouped into the following categories:

No change – leave the park where it is and as it is	Reopen the road and return the car park spaces	More activities (music, buskers, classes, demonstrations etc.)	Increased number of market stalls	Park aesthetics (increased seating, permanent plants, boundary fencing, water fountain etc.)
9 (23.68%)	11 (28.94%)	9 (23.68%)	3 (7.89%)	6 (15.78%)

'Keep it a kid's playground and seats for the parents'

'Have the road reopened'

'The same but better fixtures, build on the concept'

'Seating'

'The park becoming permanent, so there can be more activities in the park'

'For it to continue to be activated. Classes, music, demonstrations, all the thing currently happening'

Summary

- ☐ More than one-quarter of respondents believe Tarwin Park has had a positive influence on their business, with only 8% considering it to be a negative influence on their business. The majority of respondents indicated a neutral response (57.33%).
- ☐ When asked if they would like to see Tarwin Park become a permanent feature, 69.33% of respondents stated 'yes', with a further 14.67% stating 'yes, but in a different location'. The most suggested alternate location is Legacy Place in Commercial Road, with other suggestions including the Rose garden, across from Harvey Norman, and the Town Common.
- ☐ Some traders had concerns about traffic management and suggested the road closure has caused some inconvenience. It should be noted that traffic issues have been addressed by Council to improve visibility for vehicular and pedestrian traffic, including the removal of some barriers.
- ☐ Traders in favour of Tarwin Park particularly like the greenery and bold colours.
- ☐ More than a quarter of traders who responded to the survey would be happy to provide advertising if the park continues to operate (25.68%).
- ☐ When asked what they would like to see in the space, respondents indicated a return of car park spaces and reopening of the road (28.94%, closely followed by providing more activities in the park (23.68%) or changing nothing about the park (23.68%). Enhancing the park's aesthetics was another popular category (15.78%) with suggestions such as increased seating, permanent plants, and a water/drinking fountain.

Attachment One: Questions asked in the Traders Have Your Say Survey

1. Do you believe Tarwin Park has directly influenced your business?
2. Has it had a positive or negative effect on your business?
3. Would you like to see the operation of Tarwin Park temporarily extended?
4. Would you like to see Tarwin Park become a permanent feature?
5. Would you like to see the Park continue in a different location? If so, where?
6. As a trader, what do you think has worked well in the park?
7. What would you change about Tarwin Park? (multiple choices available)
8. If Tarwin Park continues what could you or your business contribute/offer to the park?
9. As a trader in Morwell what would you like to see in the space?

**COMMUNITY ACTIVATION SURVEY
MAY 2016
RESPONSES**

Demographics

Age

Child(0-12)	Teen(13-17)	Adult(18-65)	Senior(over 65)	Total
6 (7.89%)	1 (1.32%)	56 (73.68%)	13 (17.11%)	76 (100%)

Gender

Male	Female
30 (39.47%)	46 (60.53%)

Q1. Did you use the space before the changes were implemented?

YES	NO	DID NOT ANSWER
22 (28.95%)	49 (64.47%)	5 (6.58%)

Q2. What attracted you to use the space once the changes were implemented?

EVENTS	SOCIAL ACTIVITIES	FITNESS ACTIVITIES	KIDS ACTIVITIES	RELAXING SPACE
57 (75%)	27 (35.53%)	12 (15.79%)	25 (32.89%)	18 (23.68%)

Please note that multiple answers were allowed.

The option of "Other" was provided and answers included music, movies, meeting new people and Nicky Bomba workshop.

Q3. Rate Your Experience

POOR	FAIR	GOOD	VERY GOOD	EXCELLENT	DID NOT ANSWER
0	0	11 (14.47%)	25 (32.89%)	37 (48.68%)	3 (3.96%)

Q4. Has your physical activity changed since you engaged with the space?

YES	SOMEWHAT	NO	DID NOT ANSWER
15 (19.74%)	19 (25%)	36 (47.37%)	6 (7.89%)

Q5. Did you get to know anyone else in the community from using the space?

YES	NO	DID NOT ANSWER
41(53.95%)	22(28.95%)	13(17.1%)

Q6. What would you like to see Latrobe City incorporate in this space before June 2016?

More fitness activities	23(30.26%)
More family activities	36(47.37%)
Different furniture	9(11.84%)
Different colour scheme	3(3.95%)
Music	54(71.05%)
Heating	17(22.37%)
DIY workshops	24(31.58%)
Disability activities	22(28.95%)
Seniors activities	23(30.26%)
Youth programs	19(25%)

Please note that multiple answers were allowed.

Q7. If this park was to continue as a community park what would you contribute?

Event organising	24(31.58%)
Fitness classes	11(14.47%)
Community workshops	16(21.05%)
DIY workshops	10(13.16%)
Furniture building	6(7.89%)
Community garden	21(27.63%)

Please note that multiple answers were allowed.

The option of "Other" was provided and answers included busking, music, tia chi drum clinic, movies for kids, event management and social media promotion.

Q8. I would like to receive more information on activities in Tarwin Park.

YES	NO	DID NOT ANSWER
46(60.53%)	19(25%)	11(14.47%)

Attachment

Community Activation Program Survey

Name

Email

Age

Child (0-12)

Teen (13-17)

Adult (18-65)

Senior (Over 65)

Gender

Male

Female

Gender Diverse

Postcode

Questions

The following questions are structured to create a beginning (what attracted you to the space), a middle (what happened when you were in the space) and an end (what changed as a result of using the space).

1. Did you use this space before the changes were implemented? (please circle) YES/ NO

2. What attracted you to use the space once the changes were implemented?
 - ☐ Events
 - ☐ Social Activities
 - ☐ Fitness Activities
 - ☐ Kids Activities
 - ☐ Relaxing Space
 - ☐ Other

3. Rate your experience:
 - ☐ Poor
 - ☐ Fair
 - ☐ Good
 - ☐ Very Good
 - ☐ Excellent

4. Has your physical activity changed since you engaged with the space?
(please circle) YES/ SOMEWHAT/ NO

5. Did you get to know anyone else in the community from using the space? (please circle) YES/ NO

6. What would you like to see Latrobe City incorporate in this space before June 2016?

Please tick your selection/s

- ☐ More fitness activities
- ☐ More family activities
- ☐ Different furniture
- ☐ Different colour scheme
- ☐ Music
- ☐ Heating
- ☐ DIY workshops
- ☐ Disability activities
- ☐ Seniors activities
- ☐ Youth programs

7. If this park was to continue as a community park what would you contribute?

Please tick your selection/s

- ☐ Event organising
- ☐ Fitness Classes
- ☐ Community workshops
- ☐ DIY Workshops
- ☐ Furniture building
- ☐ Community Garden
- ☐ Other:

8. I Would like to receive more information on activities in Tarwin Park? (please circle) YES/ NO









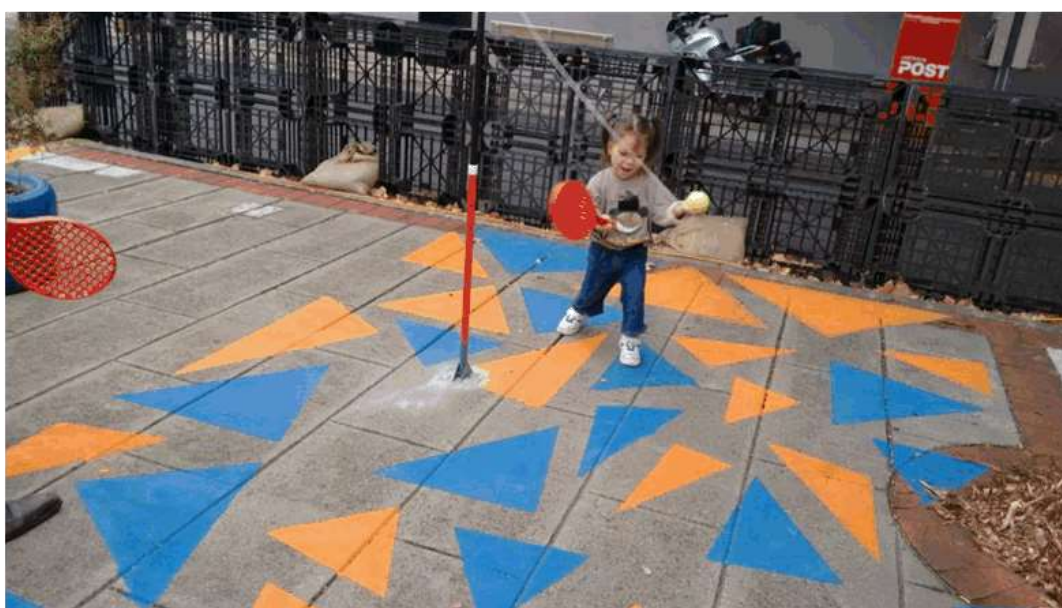






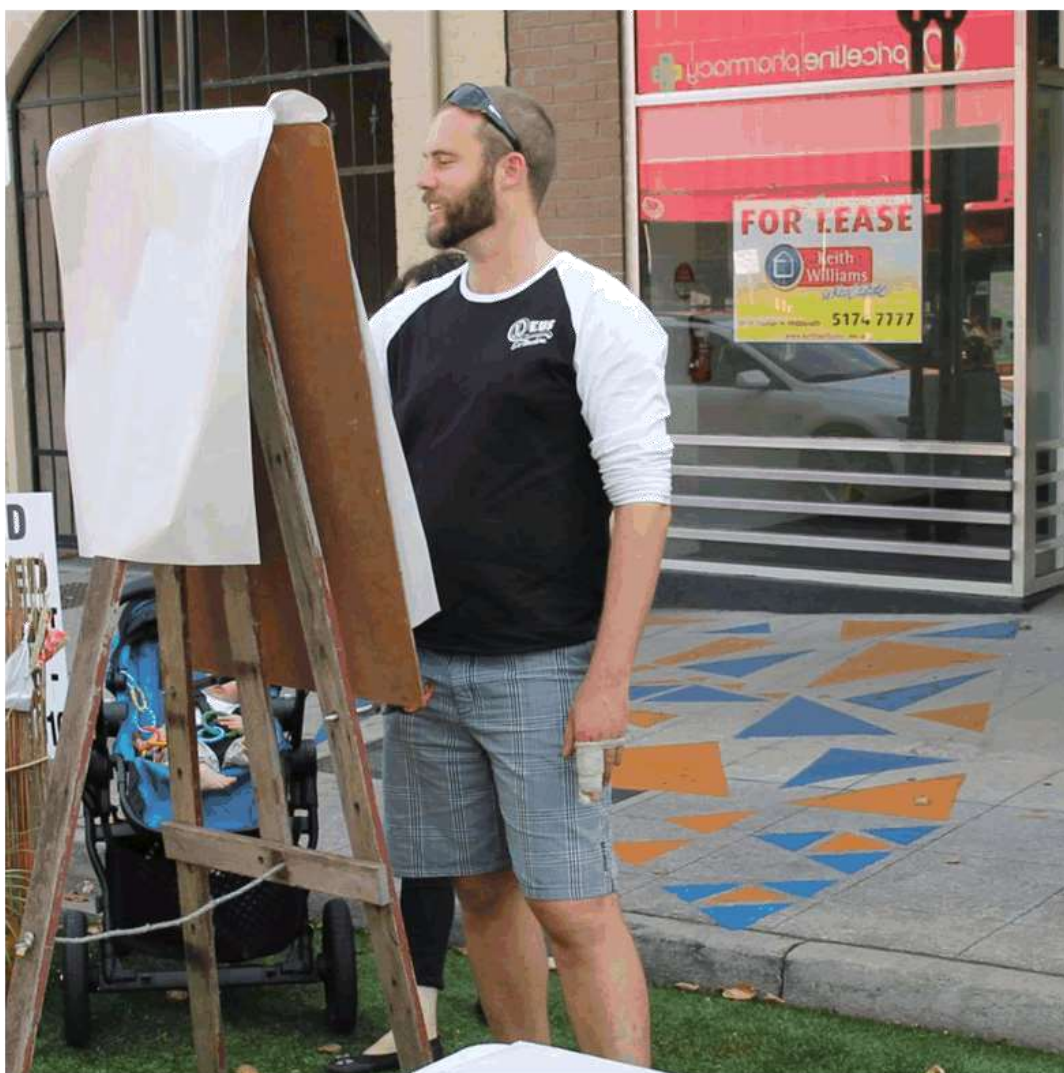
















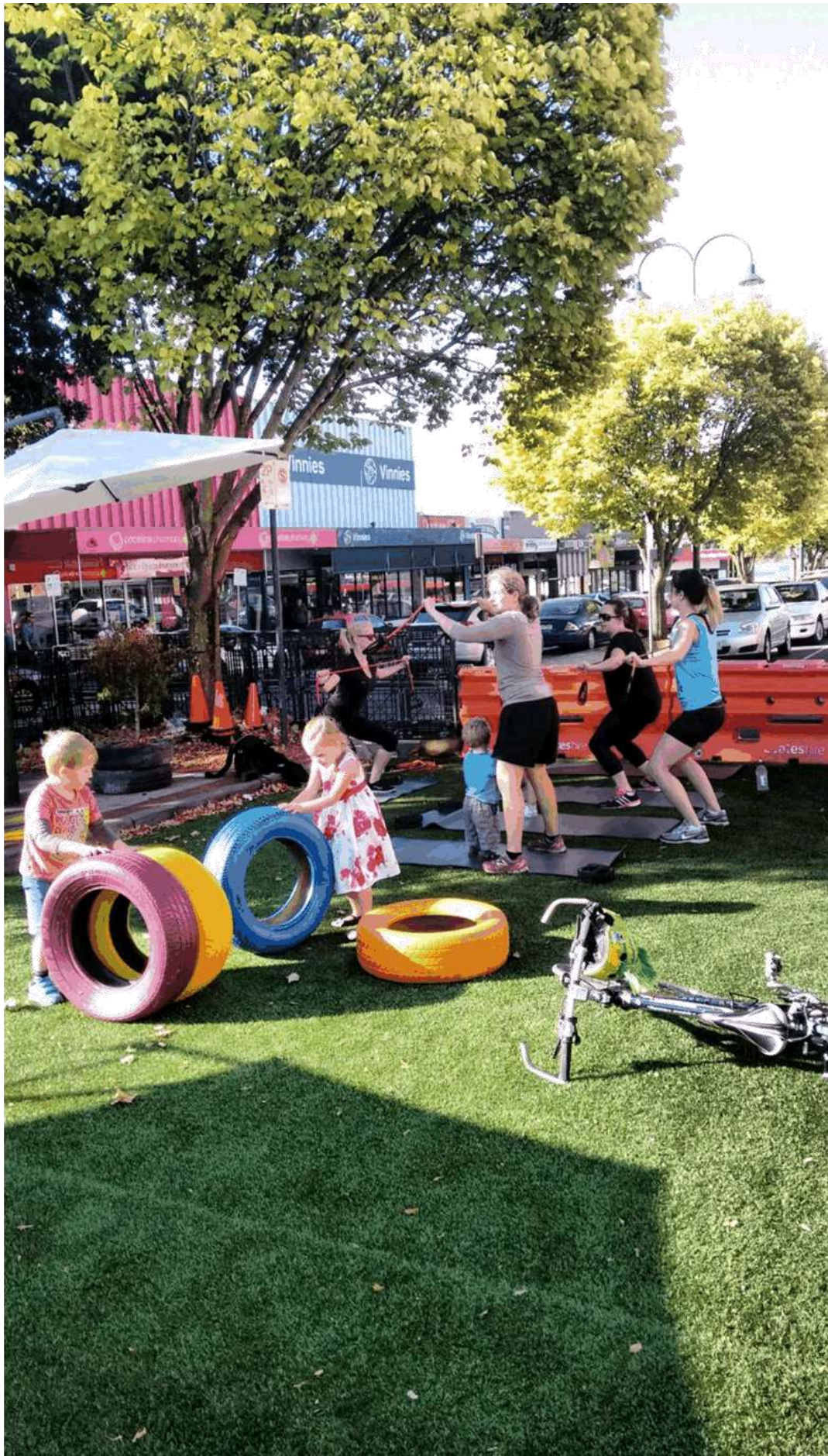


















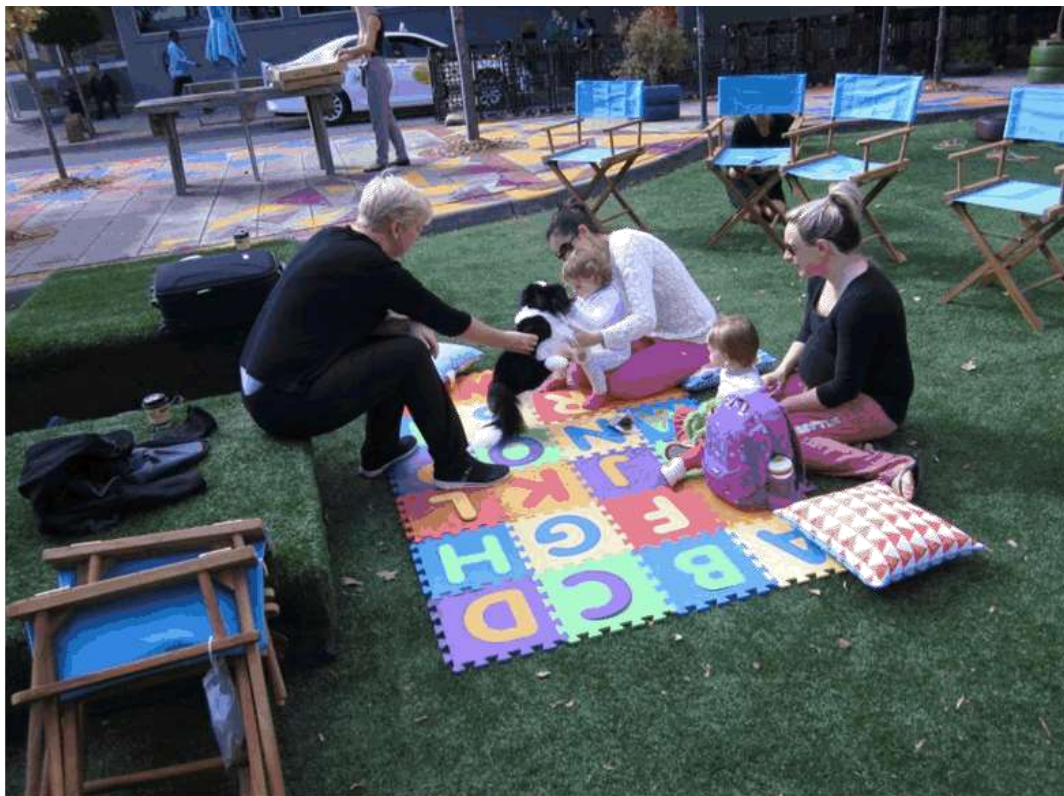


















ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

16.2 REQUEST FOR COUNCILLOR REPRESENTATIVE FOR THE CULTURAL DIVERSITY ADVISORY COMMITTEE

General Manager

Community Services

For Decision

PURPOSE

The purpose of this report is to request a replacement Councillor to fill the Councillor vacancy on the Cultural Diversity Advisory Committee.

EXECUTIVE SUMMARY

Membership of the Cultural Diversity Advisory Committee (CDAC) comprises 13 members, which includes 'up to two Councillors'. Cr Gibbons and Cr Kam have been the two Councillors represented on the Committee who share the role of Chair.

Cr Kam submitted her resignation from the Committee 14 July 2016. Cr Kam indicated that her resignation from the Committee was 'effective immediately'. In line with the adopted Terms of Reference (attachment 1), a replacement Councillor is sought to support the operation of this Committee.

RECOMMENDATION

That Council:

1. Acknowledges receipt of the resignation of Cr Kam from the Cultural Diversity Advisory Committee.
2. Nominates another Councillor to the Committee; and
3. Updates the Instrument of Delegation 2012 – 2016 Council Delegates and Committees accordingly.

MOTION

Moved: Cr Middlemiss

Seconded: Cr White

That Council:

1. **Acknowledges receipt of the resignation of Cr Kam and Cr Gibbons from the Cultural Diversity Advisory Committee.**
2. **Nominates Councillor Harriman to the Committee; and**
3. **Updates the Instrument of Delegation 2012 – 2016 Council Delegates and Committees accordingly.**

CARRIED UNANIMOUSLY

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DECLARATION OF INTEREST

No officer declared a conflict of 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 – Our Community

In 2026, Latrobe Valley is one of the most liveable regions in Victoria, known for its high quality health, education and community services, supporting communities that are safe, connected and proud.

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

Theme 4: advocacy for & consultation with our community.

To ensure effective two-way communication and consultation processes with the community in all that we do.

BACKGROUND

The CDAC was first established in 2004, and was originally known as the Cultural Diversity Reference Committee. It has continued to meet since then and at the expiration of each of the term of its members has reviewed its Terms of Reference and membership.

The latest review was undertaken in 2011 and the Terms of Reference were adopted by Council in 2012. During the review process the number of Councillor representatives was officially changed from one to two.

The objectives of the CDAC are:

- To provide advice to Council on issues for people from culturally diverse backgrounds accessing information, services and facilities.
- To provide advice to Council on issues relating to cultural diversity within the Latrobe City community.
- To receive reports on progress of the development and implementation of the Latrobe City Cultural and Linguistic Diversity Action Plan.
- To review the Cultural and Linguistic Diversity Action Plan and make recommendations to Council.
- To promote cultural diversity within the Latrobe City community.
- To provide networking, information sharing and partnership opportunities for committee members and invited guests.

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Membership of the committee comprises 13 people made up of the following:

- Up to two elected Councillors.
- Up to five representatives from culturally diverse social groups or ethnic associations within Latrobe City.
- Two community members (individuals) with an interest in cultural diversity.
- Two representatives from peak/major organisations who service and support Latrobe City's Culturally Diverse communities.
- Up to two co-opted members (maximum 12 month tenure).

The 'Quorum' for meetings is half plus one (1) of the voting members (taken to the next whole number).

The period of appointment of members is three years. This period was extended by Council to four years as part of the process for the review of Council Committees.

The Committee meets quarterly or more frequently if required. The next meeting of the Committee is scheduled on 10 August 2016.

Following the resignation of Cr Kam, received on 14 July 2016, effective immediately, there is a vacancy for a Councillor to be appointed to the Committee.

KEY POINTS/ISSUES

Cr Kam has submitted her resignation from the Cultural Diversity Advisory Committee on 14 July 2016, effective immediately.

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

There are no finance or resource implications associated with this report.

INTERNAL/EXTERNAL CONSULTATION

Engagement Method Used:

Nil

Details of Community Consultation / Results of Engagement:

Community engagement is not required as the appointment of a replacement Councillor to the CDCA is a Council decision.

OPTIONS

Council could choose to immediately fill the vacancy on the Cultural Diversity Advisory Committee left by the resignation of Kr Kam.

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Council could choose not to fill this vacancy as there is only one scheduled meeting of the Cultural Diversity Advisory Committee prior to the Council elections and membership of all Council Committees will be determined early in the term of the new Council.

CONCLUSION

A Councillor vacancy exists on the Cultural Diversity Advisory Committee due to Cr Kam's resignation from the Committee submitted on 14 July 2016, effective immediately. In order to maintain the appropriate governance levels to the Committee Council is requested to nominate a replacement Councillor to fill this vacancy.

SUPPORTING DOCUMENTS

Nil

Attachments

1. Current TOR Cultural Diversity Advisory Committee

16.2

Request for Councillor representative for the Cultural Diversity Advisory Committee

- 1 Current TOR Cultural Diversity Advisory Committee..... 489



Latrobe City
CULTURAL DIVERSITY ADVISORY COMMITTEE

Name

The group is known as the Latrobe City Cultural Diversity Advisory Committee.

Objectives

- To provide advice to Council on issues for people from culturally diverse backgrounds accessing information, services and facilities.
- To provide advice to Council on issues relating to cultural diversity within the Latrobe City community.
- To receive reports on progress of the development and implementation of the Latrobe City Cultural and Linguistic Diversity Action Plan.
- To review the Cultural and Linguistic Diversity Action Plan and make recommendations to Council.
- To promote cultural diversity within the Latrobe City community.
- To provide networking, information sharing and partnership opportunities for committee members and invited guests.

Membership

A 13 member Cultural Diversity Advisory Committee will comprise the following representatives:

- Up to two elected Councillors of Latrobe City
- Up to five representatives from culturally diverse social groups or ethnic associations within Latrobe City. ***The groups or association will be appointed to the Committee. Representatives are to be nominated by the social groups or ethnic associations on an annual basis to serve on the Committee. ***
- Two community members (individuals) with an interest in cultural diversity.
- Two representatives from peak/major organisations who service and support Latrobe City's culturally diverse communities.
- Up to two co-opted members.
- Latrobe City officers to be ex-officio non-voting members.

Period of Appointment

All members are appointed to the Committee by Council for a three year period. Co-opted members are appointed for a period of up to 12 months.

Selection of members and filling of vacancies

Positions on the Committee for representatives from “*culturally diverse social groups or ethnic associations*”, “*community members (individuals)*” and “*representatives from peak/major organisations*” with an interest in cultural diversity” will be filled through an advertised Expression of Interest process at the beginning of each three year period. Membership will be formally endorsed by Council.

The Committee may fill any vacancies that occur within the three year period of appointment. Where a vacancy is filled this way, the appointment will be limited to the remainder of the period of the appointment.

Attendance at meetings

Members are required to register a formal apology with Latrobe City officers.

Membership may be terminated where a member has not attended two consecutive meetings and no formal apology has been registered.

Termination of membership is at the discretion of the Committee.

Quorum

A quorum will be half plus one (1) of the voting members (taken to the next whole number).

Co-opted members

The Committee may from time to time co-opt up to two members for a maximum period of one year to contribute to its operations.

Invited guests

The Committee may from time to time invite guests to attend a meeting of the Committee to contribute to its operations.

Sub committees

The Committee may establish sub-committees or working groups as necessary to fulfil its purpose.

Delegations and responsibilities

Members are required to take appropriate actions to ensure they represent the views of the organisations, agencies, groups and communities that they represent.

Matters arising that require action prior to the next scheduled meeting of the Committee will be the responsibility of the Actioning Officer or committee member as identified in the minutes.

Chairperson/Executive Officer Support

An elected Councillor of Latrobe City Council will be Chairperson.

An officer of Latrobe City will provide executive officer support.

Frequency of meetings

The Committee will normally meet four times per calendar year, or more frequently as required.

Reporting

The Committee will report to Council through the Chair and to the community through reports on action in the Cultural and Linguistic Diversity Action Plan annual report received by Council.

Venue for Meeting

Meetings will normally take place at Latrobe City Corporate Headquarters, 141 Commercial Road Morwell.

Review

The Committee objectives and membership will be reviewed on a biennial basis.

The Latrobe City Cultural and Linguistic Diversity Action Plan will be formally reviewed and updated every four years.

CORPORATE SERVICES

17. CORPORATE SERVICES

17.1 PRESENTATION OF ADVISORY COMMITTEE TERMS OF REFERENCE FOR ADOPTION

General Manager

Corporate Services

For Decision

PURPOSE

This report presents to Council a proposal for the abolition of the Oldsmobile Management Committee as well as the adoption the following Advisory Committee Terms of Reference:

- Australia Day Advisory Committee
- Positive Ageing Advisory Committee
- Latrobe Regional Gallery Advisory Committee

EXECUTIVE SUMMARY

A review of Council Committees and their structures has been in progress. In July 2015 Council adopted a new template and policy, and a number of Committees have now undergone the review process.

After consultation with the committees, the following terms of reference are now provided for adoption by Council:

- Australia Day Advisory Committee
- Positive Ageing Advisory Committee
- Latrobe Regional Gallery Advisory Committee

The standard template has been used for each of the above Terms of Reference. However, they have been individualised in sections two and three.

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

MOTION

Moved: Cr White
Seconded: Cr Gibbons

That Council:

1. **Adopts the Terms of Reference for the**
 - a. **Australia Day Advisory Committee;**
 - b. **Positive Ageing Advisory Committee; and**
 - c. **Latrobe Regional Gallery Advisory Committee****with an effective date of 01 August 2016;**
2. **Notes that with the adoption of these Terms of Reference, that any previous versions, including the Latrobe Regional Gallery Constitution, are rescinded;**
3. **Abolishes the Oldsmobile Management Committee effective as of 01 August 2016; and**
4. **Notifies the Committees accordingly.**

CARRIED UNANIMOUSLY

DECLARATION OF INTEREST

No officer declared a conflict of 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 Objective - Governance

Latrobe City Council Plan 2013 - 2017

Theme

Theme 3: Efficient, effective and accountable governance

BACKGROUND

To assist Council in the delivery of a range of complex tasks, Committees are constituted to undertake specific delegated functions (Special Committees) or to provide expert advice on specific topics or projects (Advisory Committees). These Committees provide insight and information that Council may not otherwise receive either internally or externally. The role of a Committee is to inform and enhance, not replace the role or responsibilities of Council and individual Councillors.

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

At the Council Meeting held on 27 July 2015, Council resolved to adopt the *Establishment of Council Committee Policy* as well as a new Terms of Reference template for use through a review process of all Advisory Committees.

KEY POINTS/ISSUES

A significant improvement can be made to assist in engaging with the community by Council through the management of Council Committees. The template used in developing each of the new Terms of Reference for the Committees outlined, provides the minimum standards required in the terms of reference for an advisory committee and aligns with the adopted *Establishment of Council Committee Policy*.

Australia Day Advisory Committee

The Australia Day Advisory Committee reviewed the proposed Terms of Reference (attached) in March 2016, with the Committee recommending that Council adopt the proposed Terms of Reference.

The Latrobe City Australia Day Advisory Committee has been established to act as a conduit between the community and Council on all aspects relating to the general operations and management of Australia Day events in the municipality. It also makes recommendations to Council, in respect of funding and general operations of the event, in a manner that will enable Council to make informed and considered decisions.

It is proposed to make the following changes for the Committee (although part of the standard terms of reference):

- Committee to be a four year term
- Minimum three meetings per year
- Section 4.16 – to read 10 working days in line with Section 4.17.

Positive Ageing Advisory Committee

The Positive Ageing Advisory Committee is established as part of the Latrobe City Positive Ageing Plan, and assist with the promotion of the plan. Part of their role is to ensure that the needs of older people are taken into consideration when planning the delivery of services, as well as in developing and maintaining of open spaces, subdivisions, building and urban infrastructure.

The Positive Ageing Advisory Committee undertook a review of the Terms of Reference at their April 2016 meeting and have considered the objectives, and terms in detail. The committee has reviewed and agreed to the proposed changes.

The Committee has recommended that Council consider the proposed Terms of Reference for adoption.

Latrobe Regional Gallery Advisory Committee

The Latrobe Regional Gallery Advisory Committee currently has in place a Constitution as well as a Terms of Reference.

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

The Latrobe Regional Gallery Advisory Committee assists the Latrobe Regional Gallery (LRG) in an advisory capacity by:

- Participating in the acquisition of artworks program
- Informing and providing feedback with regard to opportunities and challenges relevant to Latrobe Regional Gallery activities
- Developing and promoting community awareness of, and participation in, the Gallery and its programs, including exhibitions and associated education and public programs throughout the municipality;

It is proposed to amalgamate these documents into one Terms of Reference (proposed attached). Changes have also been made as part of the review process and include the following:

- update to membership organisations to reflect current names
- removal of finance requirements
- addition of the ability to provide advice for public and urban art, in accordance with the Public and Urban Art Policy
- up to four Community members may be appointed by Council via an expression of interest process for a term of three years.

The committee has reviewed and agreed to the proposed changes. The changes have been incorporated into the standard Terms of Reference template (attached).

Oldsmobile Management Committee

A review has been completed against the Establishment of Council Committee Policy by officers, and the Oldsmobile Management Committee has been identified as redundant. It currently does not meet or have an adopted Terms of Reference, but still exists on records.

The Oldsmobile is currently managed by the Traralgon Historical Society, and it is recommended that an officer liaison is the most appropriate mechanism for supporting this function, which is the current practice.

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

There are no financial or resource implications with the continuance of the committees under new Terms of Reference, as support is already provided for within resources and budgets.

INTERNAL/EXTERNAL CONSULTATION

Benchmarking on committee structures has occurred within the local government sector. Engagement has occurred within the organisation and with Councillors and Committee members in regards to the review of each of the Terms of Reference tabled.

**ORDINARY COUNCIL MEETING MINUTES
01 AUGUST 2016 (CM487)****OPTIONS**

Council has the following options to consider:

1. Adopt the recommendation as presented; or
2. Do not adopt the recommendation as presented, but adopt an alternative.

CONCLUSION

Having undertaken a review process against the *Establishment of Council Committee Policy*, and consultation processes, the Terms of Reference are being presented to Council for adoption.

SUPPORTING DOCUMENTS

Establishment of Council Committee Policy

Attachments

1. Australia Day Advisory Committee Terms of Reference
2. Positive Ageing Advisory Committee Terms of Reference
3. Latrobe Regional Gallery Advisory Committee Terms of Reference

17.1

Presentation of Advisory Committee Terms of Reference for Adoption

- | | | |
|---|--|-----|
| 1 | Australia Day Advisory Committee Terms of Reference..... | 499 |
| 2 | Positive Ageing Advisory Committee Terms of Reference..... | 511 |
| 3 | Latrobe Regional Gallery Advisory Committee Terms of Reference | 523 |

Australia Day Advisory Committee

Terms of Reference



<Insert: Month/Year>





CONTENTS:

1. **Establishment of the Committee**
2. **Objectives**
3. **Membership**
 - Composition of the Committee
 - Length of appointment
 - Selection of members and filling of vacancies
 - Co-option of members
 - Attendance at meetings
 - Resignations
4. **Proceedings**
 - Chair
 - Meeting Schedule
 - Meeting procedures
 - Quorum
 - Voting
 - Minutes
 - Reports to Council
5. **Review of Committee and Duration of the Committee**
6. **Authority and Compliance Requirements**



1. Establishment of the Committee

- 1.1. The Australia Day Advisory Committee (hereinafter referred to as "the Committee"), is a formally appointed Advisory Committee of Latrobe City Council for the purposes of the *Local Government Act 1989*.
- 1.2. The membership of this Committee and these Terms of Reference will be adopted by resolution of Latrobe City Council at an Ordinary Council Meeting.

2. Objectives

- 2.1. The Committee's role is to report to the Council and provide appropriate advice, information and feedback on matters relevant to this Terms of Reference in order to facilitate decision making by the Council in relation to the discharge of its responsibilities.
- 2.2. The Committee is an advisory committee only and has no delegated decision making authority.
- 2.3. The Committee is established to:
 - 2.3.1. To provide an opportunity for a cross-functional Committee to be formed to further engage the community in both contributing to, and sharing in the success that Australia Day generates throughout our municipality each year.
 - 2.3.2. To provide high level guidance, recommendations and strategic direction to ensure that community needs and expectations are represented and met.
- 2.4. The Committee will carry out the following in order to achieve the objectives set:
 - 2.4.1. The Latrobe City Australia Day Advisory Committee is established to:
 - 2.4.1.1. Inform Council of its plans and liaise with the Council's Events Team to maximise the potential benefit of any activity to the community
 - 2.4.1.2. Identify and report to Council on an annual basis the success or otherwise of Council's annual Australia Day celebrations, identifying progress and achievements relating to the management and operation of the event, and recommendations for future years
 - 2.4.1.3. Make recommendations to Council, through the Chief Executive Officer, in respect of funding and general operations



of the event, in a manner that will enable Council to make informed and considered decisions.

2.4.1.4. Facilitate and act as a conduit between the community and Council on all aspects relating to the general operations and management of the event.

2.4.2. Policy and Strategy Development

2.4.2.1. Provide advice as part of a policy, strategy (or other relevant document) review or development processes as required from time to time.

2.4.3. Perform other activities related to this Terms of Reference as requested by the Council.

3. Membership

Composition of the Committee

3.1. The Committee shall comprise of a maximum of 16 members, being:

3.1.1. Up to two Councillors

3.1.2. Up to 10 Community representatives appointed via expression of interest process

3.1.3. Latrobe City Council Officers:

3.1.3.1. Coordinator of Events & International Relations

3.1.3.2. Senior Event Officer

3.1.4. Council Representatives

3.1.4.1. Youth Council

Length of appointment

3.2. Whilst a Committee shall be in place for as long as Latrobe City Council sees fit, the appointment of members shall be for a 4 year term as deemed appropriate by Council.

3.3. Prior to the expiration of each term, there will be a call for nominations for the next term. Current Committee members are able to re-nominate.

Selection of members and filling of vacancies

3.4. Latrobe City Council shall determine the original membership of a Committee based on expressions of interest received from members of the community and nominations received from organisations.



- 3.5. The Committee may fill any vacancies that occur within the determined 4 year period of appointment, subject to the approval of the General Manager of the relevant division and endorsement of Council. Where a vacancy is filled in this way, the appointment shall be limited to the remainder of the period of the original appointment.

Co-option of members

- 3.6. With the approval of the Chair, the Committee may invite other individuals to participate in the proceedings of the Committee on a regular or an occasional basis and including in the proceedings of any sub-committees formed.

Attendance at meetings

- 3.7. All Committee members are expected to attend each meeting.
- 3.8. A member who misses two consecutive meetings without a formal apology may at the discretion of Latrobe City Council have their term of office revoked.
- 3.9. A member who is unable to attend the majority of meetings during the year may at the discretion of Latrobe City Council have their term of office revoked.

Resignations

- 3.10. All resignations from members of the Committee are to be submitted in writing to the General Manager of the relevant division, Latrobe City Council, PO Box 264, Morwell VIC 3840.

4. Proceedings

Chair

- 4.1. The nominated Councillor shall Chair the meetings.
- 4.2. If the Councillor delegate is unavailable he/she shall delegate to the other nominated Councillor to chair the meeting.
- 4.3. If neither Councillor is available, the Chair may nominate a replacement from the current membership of the Committee to chair the meeting.

Meeting schedule

- 4.4. The Committee will determine its meeting schedule and times for each of the meetings. The duration of each Committee meeting should generally not exceed two hours.
- 4.5. Meetings of the Committee will be held a minimum of 3 times per year or as may be deemed necessary by Latrobe City Council or the Committee to fulfil the objectives of the Committee. Special meetings may be held on an as-needs basis.



Meeting procedures

- 4.6. Meetings will follow standard meeting procedures as established in any guidance material and outlined in these terms of reference for Advisory Committees provided (see appendix one for the agenda template).
- 4.7. All Committee meetings and records are considered confidential and may be designated as confidential in accordance with Section 77 of the Act.
- 4.8. All recommendations, proposals and advice must be directed through the Chair.

Quorum

- 4.9. A majority of the members constitutes a quorum.
- 4.10. If at any Committee meeting a quorum is not present within 30 minutes after the time appointed for the meeting, the meeting shall be deemed adjourned.

Voting

- 4.11. There will be no official voting process, although all members shall have equal voting rights. Majority and minority opinions will be reflected in Committee minutes.

Minutes of the Meeting

- 4.12. A Latrobe City Officer or authorised agent shall take the minutes of each Committee meeting.
- 4.13. The minutes shall be in a standard format including a record of those present, apologies for absence, adoption of previous minutes and a list of adopted actions and resolutions of the Committee (see appendix two for the minutes template).
- 4.14. Where this meeting is also considered an Assembly of Councillors under the *Local Government Act 1989*, an Assembly of Councillors record must also be submitted in accordance with those requirements.
- 4.15. The minutes shall be stored in the Latrobe City Council corporate filing system (currently LCMS electronic document and records management system).
- 4.16. The agenda shall be distributed a maximum of 10 working days in advance of the meeting to all Committee members, including alternative representatives.
- 4.17. A copy of the minutes shall be distributed to all Committee members (including alternative representatives) within 10 working days of the meeting.



Reports to Council

- 4.18. With the approval of the Chair, a report to Council may be tabled on the Committee's progress towards the objectives included in this Terms of Reference.
- 4.19. Reports to Council should reflect a consensus of view. Where consensus cannot be reached, the report should clearly outline any differing points of view.
- 4.20. Reports to Council will be co-ordinated through the General Manager of the relevant division that the Committee falls under.

5. Review of Committee and Duration of the Committee

- 5.1. The committee will cease to exist by resolution of the Council, or once the objectives at item 2.3 have been demonstrated that they have been met, whichever occurs first.
- 5.2. A review of the Committee will take place at least once every three years at which time the Terms of Reference will also be reviewed.
- 5.3. A review will be conducted on a self-assessment basis (unless otherwise determined by Council) with appropriate input sought from the Council, the CEO, all Committee members, management and any other stakeholders, as determined by Council.
- 5.4. The review must consider:
 - 5.4.1. The Committee's achievements
 - 5.4.2. Whether there is a demonstrated need for the Committee to continue, and
 - 5.4.3. Any other relevant matter.

6. Authority and Compliance Requirements

- 6.1. The Committee is a consultative committee only and has no executive powers nor does it have any delegated decision making or financial authority.
- 6.2. The Committee must comply with the Assembly of Councillor provisions provided for in the *Local Government Act 1989*.
- 6.3. Failure to comply with the provisions outlined in this Terms of Reference may result in termination of the Member's appointment.



Appendix 1: Agenda Template



[Name] Advisory Committee			
Meeting Day, XX Month Year			
Time Commencing: 00:00am/pm Expected Finish Time: 00:00am/pm			
Location: (include specific meeting room and address)			
NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.			
AGENDA ITEMS			
No.	Item	Responsible Officer	Attachment
1.	Welcome & Introduction	Chair	N/a
2.	Apologies	All	
3.	Conflicts of Interest	All	
	<i>Members of the Committee are to declare any Conflicts of interest in matters listed on the agenda</i>		
4.	Matters arising from previous meeting	All	
	<i>Review of action progress from previous meetings</i>		
5.	Items for Consideration		
	<i>Matters being presented for discussion in accordance with the terms of reference</i>		
	•		
	•		
	•		
	•		
6.	General Business		
	•		
	•	All	
	•		



Appendix 2: Minutes Template



[Name] Advisory Committee Minutes Meeting Day, XX Month Year Time Commenced: 00:00am/pm Finish Time: 00:00am/pm Location: (include specific meeting room and address) Meeting Chair: < Name >			
<small>NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.</small>			
No.	Item	Responsible Person	Timeframe
1.	Present		
2.	Apologies		
3.	Conflicts of Interest Disclosures		
	<p><i>Members of the Committee declare any Conflicts of interest in matters discussed at the meeting.</i></p> <p>The following members of the Committee declared a Conflict of Interest at the meeting and left the meeting whilst the matter was being discussed:</p> <p><Name> ,Time left 00:00am/pm, Time returned 00:00am/pm</p> <p><Name> ,Time left 00:00am/pm, Time returned 00:00am/pm</p> <p><Name> ,Time left 00:00am/pm, Time returned 00:00am/pm</p>		





[Name] Advisory Committee Minutes Meeting Day, XX Month Year Time Commenced: 00:00am/pm Finish Time: 00:00am/pm Location: (include specific meeting room and address) Meeting Chair: < Name >			
<small>NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.</small>			
No.	Item	Responsible Person	Timeframe
4.	Matters arising from previous meeting <i>List the item and action agreed and assign any follow up actions and expected timeframes</i> 1. Item Heading Action(s): <ul style="list-style-type: none"> • • 2. Item Heading Action(s): <ul style="list-style-type: none"> • • 		
5.	Items for Consideration <i>List the item and action agreed as per agenda and assign any follow up actions and expected timeframes</i> 1. Item Heading Action(s): <ul style="list-style-type: none"> • 2. Item Heading Action(s): <ul style="list-style-type: none"> • 3. Item Heading Action(s): <ul style="list-style-type: none"> • 		





[Name] Advisory Committee Minutes

Meeting Day, XX Month Year
Time Commenced: 00:00am/pm Finish Time: 00:00am/pm
Location: (include specific meeting room and address)

Meeting Chair: < Name >

NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.

No.	Item	Responsible Person	Timeframe
6.	General Business		
	<i>List the item and action agreed and assign any follow up actions and expected timeframes</i> 1. Item Heading Action(s): <ul style="list-style-type: none"> 2. Item Heading Action(s): <ul style="list-style-type: none"> 		

Next Meeting: <Provide details of the next meeting date, time and location>.



Positive Ageing Advisory Committee

Terms of Reference



May 2016





CONTENTS:

1. **Establishment of the Committee**
2. **Objectives**
3. **Membership**
 - Composition of the Committee
 - Length of appointment
 - Selection of members and filling of vacancies
 - Co-option of members
 - Attendance at meetings
 - Resignations
4. **Proceedings**
 - Chair
 - Meeting Schedule
 - Meeting procedures
 - Quorum
 - Voting
 - Minutes
 - Reports to Council
5. **Review of Committee and Duration of the Committee**
6. **Authority and Compliance Requirements**



1. Establishment of the Committee

- 1.1. The Positive Ageing Advisory Committee (hereinafter referred to as "the Committee"), is a formally appointed Advisory Committee of Latrobe City Council for the purposes of the *Local Government Act 1989*.
- 1.2. The membership of this Committee and these Terms of Reference will be adopted by resolution of Latrobe City Council at an Ordinary Council Meeting.

2. Objectives

- 2.1. The Committee's role is to report to the Council and provide appropriate advice, information and feedback on matters relevant to this Terms of Reference in order to facilitate decision making by the Council in relation to the discharge of its responsibilities.
- 2.2. The Committee is an advisory committee only and has no delegated decision making authority.
- 2.3. The Committee is established to:
 - 2.3.1. Fulfil the role of the Positive Ageing Advisory Committee as outlined in the Latrobe City Positive Ageing Plan and promote the Vision :- *All older people living in Latrobe City are recognised and valued and feel that they live in a safe, attractive city that provides them with the information, support and services they need to maintain a healthy lifestyle.*
 - 2.3.2. Assist in the promotion of the Positive Ageing Plan to the Latrobe City community.
 - 2.3.3. Through the Chair, inform Council on matters related to the needs of older people, which may affect their participation in community life.
 - 2.3.4. Advocate on areas related to the needs of older people.
- 2.4. The Committee will carry out the following in order to achieve the objectives set:
 - 2.4.1. Ensure the needs of older people are taken into consideration when planning delivery of services/service development, open spaces and subdivisions, building and maintaining urban infrastructure.
 - 2.4.1.1. The Committee will be consulted on and give input to:-
landscape design and open space/recreation strategies and plans, reviewing of asset management plans,



2.4.2. Policy and Strategy Development

2.4.2.1. Provide advice as part of a policy, strategy (or other relevant document) review or development processes as required from time to time.

2.4.3. Perform other activities related to this Terms of Reference as requested by the Council.

3. Membership

Composition of the Committee

3.1. The Committee shall comprise of thirteen members, being:

3.1.1. Up to two Councillors

3.1.2. Representatives, appointed by an expression of interest process, from each of the following sectors:

3.1.2.1. Up to three service agencies currently providing services to the aged community.

3.1.2.2. Up to three community groups that engage older members.

3.1.2.3. Up to four independent Community representatives with strong community networks.

3.1.3. One Latrobe City Council Officer.

Length of appointment

3.2. Whilst a Committee shall be in place for as long as Latrobe City Council sees fit, the appointment of members shall be for a two year term, renewable to a maximum of one (1) additional term, with the terms of appointment being staggered one year apart.

External members shall be appointed by a resolution of Council stipulating a term of one or two years. Members may be reappointed for a second term at Council's discretion but may not exceed a membership of more than four consecutive years in total.

3.3. Prior to the expiration of each term, there will be a call for nominations for the next term. Current Committee members are able to re-nominate.

Selection of members and filling of vacancies

3.4. Latrobe City Council shall determine the original membership of a Committee based on expressions of interest received from members of the community and nominations received from organisations.



- 3.5. The Committee may fill any vacancies that occur within the determined year period of appointment, subject to the approval of the General Manager of the relevant division and endorsement of Council. Where a vacancy is filled in this way, the appointment shall be limited to the remainder of the period of the original appointment.

Co-option of members

- 3.6. With the approval of the Chair, the Committee may invite other individuals to participate in the proceedings of the Committee on a regular or an occasional basis and including in the proceedings of any sub-committees formed.

Attendance at meetings

- 3.7. All Committee members are expected to attend each meeting.
- 3.8. A member who misses two consecutive meetings without a formal apology may at the discretion of Latrobe City Council have their term of office revoked.
- 3.9. A member who is unable to attend the majority of meetings during the year may at the discretion of Latrobe City Council have their term of office revoked.

Resignations

- 3.10. All resignations from members of the Committee are to be submitted in writing to the General Manager of the relevant division, Latrobe City Council, PO Box 264, Morwell VIC 3840.

4. Proceedings

Chair

- 4.1. The nominated Councillor shall Chair the meetings.
- 4.2. If the Councillor delegate is unavailable he/she shall delegate to the other nominated Councillor to chair the meeting.
- 4.3. If neither Councillor is available, the Chair may nominate a replacement from the current membership of the Committee to chair the meeting.

Meeting schedule

- 4.4. The Committee will determine its meeting schedule and times for each of the meetings. The duration of each Committee meeting should generally not exceed two hours.
- 4.5. Meetings of the Committee will be held monthly initially or as may be deemed necessary by Latrobe City Council or the Committee to fulfil the objectives of the Committee. Special meetings may be held on an as-needs basis.



Meeting procedures

- 4.6. Meetings will follow standard meeting procedures as established in any guidance material and outlined in these terms of reference for Advisory Committees provided (see appendix one for the agenda template).
- 4.7. All Committee meetings and records are considered confidential and may be designated as confidential in accordance with Section 77 of the Act.
- 4.8. All recommendations, proposals and advice must be directed through the Chair.

Quorum

- 4.9. A majority of the members constitutes a quorum.
- 4.10. If at any Committee meeting a quorum is not present within 30 minutes after the time appointed for the meeting, the meeting shall be deemed adjourned.

Voting

- 4.11. There will be no official voting process, although all members shall have equal voting rights. Majority and minority opinions will be reflected in Committee minutes.

Minutes of the Meeting

- 4.12. A Latrobe City Officer or authorised agent shall take the minutes of each Committee meeting.
- 4.13. The minutes shall be in a standard format including a record of those present, apologies for absence, adoption of previous minutes and a list of adopted actions and resolutions of the Committee (see appendix two for the minutes template).
- 4.14. Where this meeting is also considered an Assembly of Councillors under the *Local Government Act 1989*, an Assembly of Councillors record must also be submitted in accordance with those requirements.
- 4.15. The minutes shall be stored in the Latrobe City Council corporate filing system (currently LCMS electronic document and records management system).
- 4.16. The agenda shall be distributed at least 48 hours in advance of the meeting to all Committee members, including alternative representatives.
- 4.17. A copy of the minutes shall be distributed to all Committee members (including alternative representatives) within 10 working days of the meeting.



Reports to Council

- 4.18. With the approval of the Chair, a report to Council may be tabled on the Committee's progress towards the objectives included in this Terms of Reference.
- 4.19. Reports to Council should reflect a consensus of view. Where consensus cannot be reached, the report should clearly outline any differing points of view.
- 4.20. Reports to Council will be co-ordinated through the General Manager of the relevant division that the Committee falls under.

5. Review of Committee and Duration of the Committee

- 5.1. The committee will cease to exist by resolution of the Council, or once the objectives at item 2.3 have been demonstrated that they have been met, whichever occurs first.
- 5.2. A review of the Committee will take place at least once every three years at which time the Terms of Reference will also be reviewed.
- 5.3. A review will be conducted on a self-assessment basis (unless otherwise determined by Council) with appropriate input sought from the Council, the CEO, all Committee members, management and any other stakeholders, as determined by Council.
- 5.4. The review must consider:
 - 5.4.1. The Committee's achievements
 - 5.4.2. Whether there is a demonstrated need for the Committee to continue, and
 - 5.4.3. Any other relevant matter.

6. Authority and Compliance Requirements

- 6.1. The Committee is a consultative committee only and has no executive powers nor does it have any delegated decision making or financial authority.
- 6.2. The Committee must comply with the Assembly of Councillor provisions provided for in the *Local Government Act 1989*.
- 6.3. Failure to comply with the provisions outlined in this Terms of Reference may result in termination of the Member's appointment.



Appendix 1: Agenda Template



[Name] Advisory Committee			
Meeting Day, XX Month Year			
Time Commencing: 00:00am/pm Expected Finish Time: 00:00am/pm			
Location: (include specific meeting room and address)			
NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.			
AGENDA ITEMS			
No.	Item	Responsible Officer	Attachment
1.	Welcome & Introduction	Chair	N/a
2.	Apologies	All	
3.	Conflicts of Interest	All	
	<i>Members of the Committee are to declare any Conflicts of interest in matters listed on the agenda</i>		
4.	Matters arising from previous meeting	All	
	<i>Review of action progress from previous meetings</i>		
5.	Items for Consideration		
	<i>Matters being presented for discussion in accordance with the terms of reference</i>		
	•		
	•		
	•		
6.	General Business		
	•		
	•	All	
	•		



Appendix 2: Minutes Template



[Name] Advisory Committee Minutes Meeting Day, XX Month Year Time Commenced: 00:00am/pm Finish Time: 00:00am/pm Location: (include specific meeting room and address) Meeting Chair: < Name >			
<small>NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.</small>			
No.	Item	Responsible Person	Timeframe
1.	Present		
2.	Apologies		
3.	Conflicts of Interest Disclosures		
	<p><i>Members of the Committee declare any Conflicts of interest in matters discussed at the meeting.</i></p> <p>The following members of the Committee declared a Conflict of Interest at the meeting and left the meeting whilst the matter was being discussed:</p> <p><Name> ,Time left 00:00am/pm, Time returned 00:00am/pm</p> <p><Name> ,Time left 00:00am/pm, Time returned 00:00am/pm</p> <p><Name> ,Time left 00:00am/pm, Time returned 00:00am/pm</p>		





[Name] Advisory Committee Minutes

Meeting Day, XX Month Year
 Time Commenced: 00:00am/pm Finish Time: 00:00am/pm
 Location: (include specific meeting room and address)

Meeting Chair: < Name >

NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.

No.	Item	Responsible Person	Timeframe
4.	Matters arising from previous meeting		
	<p>List the item and action agreed and assign any follow up actions and expected timeframes</p> <p>1. Item Heading Action(s):</p> <ul style="list-style-type: none"> • <p>2. Item Heading Action(s):</p> <ul style="list-style-type: none"> • 		
5.	Items for Consideration		
	<p>List the item and action agreed as per agenda and assign any follow up actions and expected timeframes</p> <p>1. Item Heading Action(s):</p> <ul style="list-style-type: none"> • <p>2. Item Heading Action(s):</p> <ul style="list-style-type: none"> • <p>3. Item Heading Action(s):</p> <ul style="list-style-type: none"> • 		



[Name] Advisory Committee Minutes Meeting Day, XX Month Year Time Commenced: 00:00am/pm Finish Time: 00:00am/pm Location: (include specific meeting room and address) Meeting Chair: < Name >			
<small>NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.</small>			
No.	Item	Responsible Person	Timeframe
6.	General Business		
	<i>List the item and action agreed and assign any follow up actions and expected timeframes</i> 1. Item Heading Action(s): <ul style="list-style-type: none"> • 2. Item Heading Action(s): <ul style="list-style-type: none"> • 		
Next Meeting: <Provide details of the next meeting date, time and location>.			



Latrobe Regional Gallery Advisory Committee

Terms of Reference



<Insert: Month/Year>





CONTENTS:

1. **Establishment of the Committee**
2. **Objectives**
3. **Membership**
 - Composition of the Committee
 - Length of appointment
 - Selection of members and filling of vacancies
 - Co-option of members
 - Attendance at meetings
 - Resignations
4. **Proceedings**
 - Chair
 - Meeting Schedule
 - Meeting procedures
 - Quorum
 - Voting
 - Minutes
 - Reports to Council
5. **Review of Committee and Duration of the Committee**
6. **Authority and Compliance Requirements**



1. Establishment of the Committee

- 1.1. The LRG Advisory Committee (hereinafter referred to as "the Committee"), is a formally appointed Latrobe Regional Gallery Advisory Committee of Latrobe City Council for the purposes of the *Local Government Act 1989*.
- 1.2. The membership of this Committee and these Terms of Reference will be adopted by resolution of Latrobe City Council at an Ordinary Council Meeting.

2. Objectives

- 2.1. The Committee's role is to report to the Council and provide appropriate advice, information and feedback on matters relevant to this Terms of Reference in order to facilitate decision making by the Council in relation to the discharge of its responsibilities.
- 2.2. The Committee is an advisory committee only and has no delegated decision making authority.
- 2.3. The Committee maintains no bank accounts. It neither receives, nor disburses funds.
- 2.4. The Committee is established to:
 - 2.4.1. To research, advise and support the implementation of arts policies relevant to the Gallery.
 - 2.4.2. To ensure that arts management practice is in accordance with Council Arts strategy and with the highest possible arts industry standards, nationally.
- 2.5. The Committee will carry out the following in order to achieve the objectives set:
 - 2.5.1. Approve the acquisition of artworks in accordance with the acquisitions policy, as follows: The Arts Director/Senior Curator will recommend to the committee the acquisition of artworks into the permanent collection in accordance with the Collection Policy.
 - 2.5.2. Build partnerships which assist LRG in presenting exhibitions and programs of note, which have local and national relevance.
 - 2.5.3. Build Partnerships which support LRG in the provision of high quality facilities



- 2.5.4. Assist in the supplementation of Local State and Federal Government income by securing funds for LRG, from other (public and private sector) sources, for acquisitions and other special projects.
- 2.5.5. Inform and provide feedback with regard to opportunities and challenges relevant to Latrobe Regional Gallery activities.
- 2.5.6. Develop and promote community awareness of and participation in the Gallery and its programs, by promoting Latrobe Regional Gallery exhibitions and its associated education and public programs throughout the municipality;
- 2.5.7. Periodically review Council policy in relation to the Gallery, and to report to Council on items or areas which may impact on the successful operation of the Gallery and highest industry standards.
- 2.5.8. Policy and Strategy Development
 - 2.5.8.1. Provide advice as part of a policy, strategy (or other relevant document) review or development processes as required from time to time.
 - 2.5.8.2. The Committee shall act in an advisory capacity to the Committee determining Public and Urban Art Policy matters
- 2.5.9. Perform other activities related to this Terms of Reference as requested by the Council.

3. Membership

Composition of the Committee

- 3.1. The Committee shall comprise of up to ten members, (nominated or substituted representatives, with full voting rights from each of the below user groups/organizations), being:
 - 3.1.1. Up to two Councillors
 - 3.1.2. Representatives from each of the following sectors:
 - 3.1.2.1. Federation University (1) member
 - 3.1.2.2. Centre for Art & Design (1) member
 - 3.1.2.3. ARC Yinnar (1) member
 - 3.1.2.4. Friends of the Gallery (1) member



3.1.2.5. Community Representatives elected for a three year term (up to 4) members appointed by Council via an expression of interest process.

3.1.2.6. LRG Arts Director or Senior Curator (1).

Length of appointment

- 3.2. Whilst a Committee shall be in place for as long as Latrobe City Council sees fit, the appointment of members shall be for a term as deemed appropriate by Council.
- 3.3. In the event of a casual vacancy occurring mid-term, the Committee shall recommend a replacement to the Latrobe City Council, such replacement to serve the remaining period of tenure of the member being replaced
- 3.4. Prior to the expiration of each term, there will be a call for nominations for the next term. Current Committee members are able to re-nominate.

Selection of members and filling of vacancies

- 3.5. Latrobe City Council shall determine the original membership of a Committee based on expressions of interest received from members of the community and nominations received from organisations.
- 3.6. The Committee may fill any vacancies that occur within the determined year period of appointment, subject to the approval of the General Manager of the relevant division and endorsement of Council. Where a vacancy is filled in this way, the appointment shall be limited to the remainder of the period of the original appointment.
- 3.7. The Council reserves the right after consultation with the Committee, to restrict the powers of the Committee or to prohibit the exercise thereof and to disband any Committee at the time, should it be deemed necessary from any cause to do so.

Co-option of members

- 3.8. With the approval of the Chair, the Committee may invite other individuals to participate in the proceedings of the Committee on a regular or an occasional basis and including in the proceedings of any sub-committees formed.

Attendance at meetings

- 3.9. All Committee members are expected to attend each meeting.
- 3.10. A member who misses two consecutive meetings without a formal apology may at the discretion of Latrobe City Council have their term of office revoked.



- 3.11. A member who is unable to attend the majority of meetings during the year may at the discretion of Latrobe City Council have their term of office revoked.

Resignations

- 3.12. All resignations from members of the Committee are to be submitted in writing to the General Manager of the relevant division, Latrobe City Council, PO Box 264, Morwell VIC 3840.

4. Proceedings

Chair

- 4.1. The nominated Councillor shall Chair the meetings.
- 4.2. If the Councillor delegate is unavailable he/she shall delegate to the other nominated Councillor to chair the meeting.
- 4.3. If neither Councillor is available, the Chair may nominate a replacement from the current membership of the Committee to chair the meeting.

Meeting schedule

- 4.4. The Committee will determine its meeting schedule and times for each of the meetings. The duration of each Committee meeting should generally not exceed two hours.
- 4.5. Meetings of the Committee will be held monthly initially or as may be deemed necessary by Latrobe City Council or the Committee to fulfil the objectives of the Committee. Special meetings may be held on an as-needs basis.

Meeting procedures

- 4.6. Meetings will follow standard meeting procedures as established in any guidance material and outlined in these terms of reference for Advisory Committees provided (see appendix one for the agenda template).
- 4.7. All Committee meetings and records are considered confidential and may be designated as confidential in accordance with Section 77 of the Act.
- 4.8. All recommendations, proposals and advice must be directed through the Chair.

Quorum

- 4.9. A majority of the members constitutes a quorum.
- 4.10. If at any Committee meeting a quorum is not present within 30 minutes after the time appointed for the meeting, the meeting shall be deemed adjourned.



Voting

- 4.11. There will be no official voting process, although all members shall have equal voting rights. Majority and minority opinions will be reflected in Committee minutes.
- 4.12. The Director of the Latrobe Regional Gallery does not have voting rights.

Minutes of the Meeting

- 4.13. A Latrobe City Officer or authorised agent shall take the minutes of each Committee meeting.
- 4.14. The minutes shall be in a standard format including a record of those present, apologies for absence, adoption of previous minutes and a list of adopted actions and resolutions of the Committee (see appendix two for the minutes template).
- 4.15. Where this meeting is also considered an Assembly of Councillors under the *Local Government Act 1989*, an Assembly of Councillors record must also be submitted in accordance with those requirements.
- 4.16. The minutes shall be stored in the Latrobe City Council corporate filing system (currently LCMS electronic document and records management system).
- 4.17. The agenda shall be distributed at least 48 hours in advance of the meeting to all Committee members, including alternative representatives.
- 4.18. A copy of the minutes shall be distributed to all Committee members (including alternative representatives) within 10 working days of the meeting.

Reports to Council

- 4.19. With the approval of the Chair, a report to Council may be tabled on the Committee's progress towards the objectives included in this Terms of Reference.
- 4.20. Reports to Council should reflect a consensus of view. Where consensus cannot be reached, the report should clearly outline any differing points of view.
- 4.21. Reports to Council will be co-ordinated through the General Manager of the relevant division that the Committee falls under.

5. Review of Committee and Duration of the Committee

- 5.1. The committee will cease to exist by resolution of the Council, or once the objectives at item 2.3 have been demonstrated that they have been met, whichever occurs first.



- 5.2. A review of the Committee will take place at least once every three years at which time the Terms of Reference will also be reviewed.
- 5.3. A review will be conducted on a self-assessment basis (unless otherwise determined by Council) with appropriate input sought from the Council, the CEO, all Committee members, management and any other stakeholders, as determined by Council.
- 5.4. The review must consider:
 - 5.4.1. The Committee's achievements
 - 5.4.2. Whether there is a demonstrated need for the Committee to continue, and
 - 5.4.3. Any other relevant matter.

6. Authority and Compliance Requirements

- 6.1. The Committee is a consultative committee only and has no executive powers nor does it have any delegated decision making or financial authority.
- 6.2. The Committee must comply with the Assembly of Councillor provisions provided for in the *Local Government Act 1989*.
- 6.3. Failure to comply with the provisions outlined in this Terms of Reference may result in termination of the Member's appointment.



Appendix 1: Agenda Template



[Name] Advisory Committee			
Meeting Day, XX Month Year			
Time Commencing: 00:00am/pm Expected Finish Time: 00:00am/pm			
Location: (include specific meeting room and address)			
NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.			
AGENDA ITEMS			
No.	Item	Responsible Officer	Attachment
1.	Welcome & introduction	Chair	N/a
2.	Apologies	All	
3.	Conflicts of Interest	All	
	<i>Members of the Committee are to declare any Conflicts of interest in matters listed on the agenda</i>		
4.	Matters arising from previous meeting	All	
	<i>Review of action progress from previous meetings</i>		
5.	Items for Consideration		
	<i>Matters being presented for discussion in accordance with the terms of reference</i>		
	•		
	•		
	•		
	•		
6.	General Business		
	•		
	•	All	
	•		



Appendix 2: Minutes Template



[Name] Advisory Committee Minutes Meeting Day, XX Month Year Time Commenced: 00:00am/pm Finish Time: 00:00am/pm Location: (include specific meeting room and address) Meeting Chair: < Name >			
NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.			
No.	Item	Responsible Person	Timeframe
1.	Present		
2.	Apologies		
3.	Conflicts of Interest Disclosures		
	<i>Members of the Committee declare any Conflicts of interest in matters discussed at the meeting.</i> The following members of the Committee declared a Conflict of Interest at the meeting and left the meeting whilst the matter was being discussed: <Name> ,Time left 00:00am/pm, Time returned 00:00am/pm <Name> ,Time left 00:00am/pm, Time returned 00:00am/pm <Name> ,Time left 00:00am/pm, Time returned 00:00am/pm		





[Name] Advisory Committee Minutes			
Meeting Day, XX Month Year			
Time Commenced: 00:00am/pm Finish Time: 00:00am/pm			
Location: (include specific meeting room and address)			
Meeting Chair: < Name >			
NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.			
No.	Item	Responsible Person	Timeframe
4.	Matters arising from previous meeting		
	<p>List the item and action agreed and assign any follow up actions and expected timeframes</p> <p>1. Item Heading Action(s):</p> <ul style="list-style-type: none"> • <p>2. Item Heading Action(s):</p> <ul style="list-style-type: none"> • 		
5.	Items for Consideration		
	<p>List the item and action agreed as per agenda and assign any follow up actions and expected timeframes</p> <p>1. Item Heading Action(s):</p> <ul style="list-style-type: none"> • <p>2. Item Heading Action(s):</p> <ul style="list-style-type: none"> • <p>3. Item Heading Action(s):</p> <ul style="list-style-type: none"> • 		





[Name] Advisory Committee Minutes Meeting Day, XX Month Year Time Commenced: 00:00am/pm Finish Time: 00:00am/pm Location: (include specific meeting room and address) Meeting Chair: < Name >			
<small>NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.</small>			
No.	Item	Responsible Person	Timeframe
6.	General Business <i>List the item and action agreed and assign any follow up actions and expected timeframes</i> 1. Item Heading Action(s): • 2. Item Heading Action(s): •		
Next Meeting: <Provide details of the next meeting date, time and location>.			



17.2 REVIEW OF COUNCIL POLICIES**General Manager****Corporate Services****For Decision****PURPOSE**

This report is to present for consideration of Council, the proposed Risk Management Policy, as well as the proposed rescission of the following Policies:

- Food Act Inspection and Registration Fees Policy;
- Food Act Penalty Infringement Policy; and
- Public Health and Wellbeing Penalty Infringement Notice Policy.

EXECUTIVE SUMMARY

Good governance principles establish that Council should determine its policy position and put in place a periodic review process. Council adopted a new *Council Policy Development Policy* at its meeting held on 29 February 2016. With the adoption of this policy, Council policy reviews have recommenced. This is the third report provided to Council since the program has recommenced.

A review process has been undertaken on the four policies, and it is recommended that the Risk Management policy is adopted, with the remaining three Policies abolished.

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

MOTION

Moved: Cr Harriman

Seconded: Cr White

That Council:

1. **Adopts the Risk Management Policy with an effective date of 01 August 2016 and makes this policy available to the public on Council's website; and**
2. **Rescinds the following policies effective from 01 August 2016 and removes these policies from circulation:**
 - a. **Food Act Inspection and Registration Fees Policy;**
 - b. **Food Act Penalty Infringement Policy; and**
 - c. **Public Health and Wellbeing Penalty Infringement Notice Policy.**

For: Crs Rossiter, White, Sindt, O'Callaghan, Middlemiss, Harriman and Gibbons

Against: Cr Kam

CARRIED

DECLARATION OF INTEREST

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

STRATEGIC FRAMEWORK

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

Latrobe 2026: The Community Vision for Latrobe Valley

Strategic Objectives - Governance

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

Theme 3: Efficient, effective and accountable governance

BACKGROUND

The Policy Review Table set out below lists all policies presented for consideration, identifying the status assigned to each policy and the revisions made (if any) under the following headings:

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

Statutory Review	Policy review is a statutory requirement
No change	No change to current policy
Title change	Amendment to existing policy title
Minor change(s)	Minor amendment within policy content to reflect the passage of time; enhance language and/or correct grammatical errors
Significant change(s)	Significant amendments within policy content
Superseded / obsolete	Existing policy no longer required and /or superseded by another document or policy
New	New policy developed

Adopted Policy Title	Statutory Review	No change	Title Change	Minor Change(s)	Significant Change(s)	Superseded / Obsolete	New
Risk Management Policy					X		
Food Act Inspection and Registration Fees Policy						X	
Food Act Penalty Infringement Policy						X	
Public Health and Wellbeing Penalty Infringement Notice Policy						X	

KEY POINTS/ISSUES

Risk Management Policy

The Risk Management policy has undergone significant revision, and has been provided to Audit and Risk Committee members for feedback.

In the revision of this policy, a range of Risk policies across the local and state government sector were benchmarked against. These were:

- Warrnambool City Council
- Boroondara City Council
- City of Greater Dandenong
- Maroondah City Council

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

- Bayside City Council
- Mildura Rural City Council
- Bass Coast Shire Council
- City of Port Phillip
- Coorong District Council South Australia
- Broken Hill City Council NSW
- Environment Protection Authority (EPA)
- VicTrack
- Department of Economic Development, Jobs, Transport and Resources

The Policy aims to embed risk management into the way we do business and the conduct of our operations to achieve our objectives.

Food Act Inspection and Registration Fees Policy

The Policy has been reviewed, and has been considered to duplicate legislative provisions and decisions made in the budget process, and on balance, is of an operational nature.

The majority of the policy duplicates requirements within the *Food Act 1984*. In addition, Council sets the fees for inspection and registration of food businesses within the budget processes. The fees set by Council are recommended by Council officers based on CPI and industry standards, and therefore, a separate Policy adopted by Council is not required. Any key element that is still considered to be required at a Policy level will be combined into the *Food Safety Services Management Policy* (which is currently under review).

Food Act Penalty Infringement and Public Health and Wellbeing Penalty Infringement Notice Policies

The above two Policies are considered to be obsolete. The process of issuing penalties and enforcement is detailed under the *Infringements Act 2006*. The *Infringements Act 2006* is quite explicit in regards to the boundaries required for each step of the infringement process, and therefore the Policies are seen to be unnecessary. The operational approach for infringements will be detailed within the Environmental Health Team's procedure manual.

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

There are no financial or resource implications in relation rescission of the policy as outlined in this report.

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

INTERNAL/EXTERNAL CONSULTATION

As part of the review process, most policies will require a form of consultation where there is significant change, or where there are sensitivities around the subject matter.

OPTIONS

Council has the following options:

1. To accept the officers recommendation; or
2. To not accept the recommendation and to provide an alternative position on each of the policies.

CONCLUSION

The reviews of the *Risk Management Policy*, *Food Act Inspection and Registration Fees Policy*, *Food Act Penalty Infringement Policy*, and the *Public Health and Wellbeing Penalty Infringement Notice Policy* have been completed. The Risk Management Policy has undergone significant revision, and is presented for adoption by Council. The remaining policies are recommended to be abolished due to their overlap with legislative provisions, other processes and the remaining provisions being of an operational nature.

SUPPORTING DOCUMENTS

Council Policy Development Policy

Food Act Inspection and Registration Fees Policy

Food Act Penalty Infringement Policy

Public Health and Wellbeing Penalty Infringement Notice Policy

Attachments

1. Proposed Risk Management Policy

17.2

Review of Council Policies

- 1 Proposed Risk Management Policy 541



Risk Management Policy

Version 7

Approval Date: Draft
Review Date: June 2016



Risk Management

Document Control

Responsible GM	Sarah Cumming	
Division	Corporate Services	
Last Updated (who & when)	Coordinator Risk	2016
DOCUMENT HISTORY		
Authority	Date	Description of change
CEO	30 June 2016	Policy rewrite
References	Refer to page 4 of this policy	
Next Review Date	30 June 2018	
Published on website	(Yes)	
Document Reference No		

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Page 2 of 4

Responsible Division	Corporate Services	Approved Date	(day, month, Year)	Review Date	(month & year)
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Risk Management

RISK MANAGEMENT POLICY

Background

Latrobe City Council recognises that risk exists in all aspects of its business. Risk management is an integral part of Council's strategic management and planning process and Council is committed to managing risk in order to achieve its vision, mission and services.

Objective

To embed risk management into the way we do business and the conduct of all of our operations to achieve our operational and strategic objectives.

Scope

This policy applies to the exercise, performance and discharge of all duties, functions and powers of Latrobe City Council.

Policy Principles

- Risk management contributes to the creation of sustainable value;
- Risk management is critical to the effective delivery of services and in achieving Council's operational and strategic objectives;
- [Council is committed to managing risk in accordance with the process set out in AS/NZS ISO 31000:2009; Risk management principles and guidelines \(the Standard\)](#)
- Council is required to be aligned [with the to its](#) risk management framework and management must consider risk in all decision making and business planning;
- Every employee, Councillor and other workplace participants are accountable and responsible for managing risk.

Policy Statement

Latrobe City Council is committed to effectively identifying and managing its organisational risk and will:

- maintain a risk management methodology that [is consistent with \(AS/NZS ISO 31000:2009\); and](#) contributes to sound risk detection and management practices and increases community confidence in Council's overall performance;
- ensure that the consistent and systematic application of risk management results in maximising community outcomes, managing uncertainty, minimising the impact of adverse events and effectively leveraging the benefit of opportunities;
- consistently reinforce risk identification and management as an integral factor to achieving strategic and operational objectives, build and maintain a positive risk culture, protect staff and business assets and safeguard financial sustainability into the future;
- understand its risk profile and makes informed decisions on setting risk tolerance levels; and;
- maintain a structured risk management framework that guides employees through the risk management process to enable the effective identification, analysis, evaluation, treatment, reporting, monitoring and communication of risk throughout the Council.

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Page 3 of 4

Responsible Division	Corporate Services	Approved Date	(day, month, Year)	Review Date	(month & year)
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Risk Management

Evaluation and Review

This policy will be reviewed on request of Council or in the event of significant change in the Executive ~~t~~Team, significant changes to legislation applicable to the subject matter of the policy or, ~~in any other case, during each Council term (generally four years); at a minimum biennially by the Audit & Risk Committee.~~

Related Documents

- Risk Management Framework and Strategy
- Fraud and Corruption Control Plan
- Business Continuity Plan
- OHS Policy

Reference Resources

- AS/NZS ISO 31000:2009 Risk management - Principles and guidelines.
- Local Government Act 1989.
- Occupational Health and Safety Act 2004

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Responsible Division	Corporate Services	Approved Date	(day, month, Year)	Review Date	(month & year)
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ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

17.3 ASSEMBLIES OF COUNCILLORS

General Manager

Corporate Services

For Information

PURPOSE

The purpose of this report is to present to Council the Assembly of Councillor forms submitted since the Ordinary Council Meeting held on 11 July 2016.

EXECUTIVE SUMMARY

The following Assemblies of Councillors took place:

Date	Assembly Details	In Attendance	Confidential	Conflicts of Interest Declared
12 May 2016	Traralgon CBD Safety Committee Meeting	Councillors: Cr Kam, Cr Rossiter Officers: Andrew Legge, Steve Tong	No	Nil
09 June 2016	Traralgon CBD Safety Committee Meeting	Councillors: Cr Kam, Cr Rossiter Officers: Andrew Legge, Steve Tong	No	Nil
04 July 2016	Public Presentation	Councillors: Cr Middlemiss, Cr Gibbons, Cr Harriman, Cr Kam, Cr White, Cr Rossiter, Cr Gibson Officers: Gary Van Driel, Steve Piasente, Phil Stone, Susan Gillett	Confidential under section 89(2)(d) contractual matters	Nil
04 July 2016	Councillor Briefing	Councillors: Cr Middlemiss, Cr Gibbons, Cr Harriman, Cr Kam, Cr White, Cr Rossiter, Cr Gibson Officers: Gary Van Driel, Sara Rhodes Ward, Phil Stone, Sarah Cumming, Steve Piasente, Susan Gillett	Confidential under section 89(2)(d) contractual matters	Gary Van Driel

ORDINARY COUNCIL MEETING MINUTES

01 AUGUST 2016 (CM487)

Date	Assembly Details	In Attendance	Confidential	Conflicts of Interest Declared
12 July 2016	Churchill & District Community Hub User Advisory Joint Committee Meeting	Councillors: Cr White Officers: Edith Heiberg, Carole Ayres, Susan Scarlett, Tessa Prestipino	No	Nil
13 July 2016	Rail Freight Working Group	Councillors: Cr Middlemiss, Cr Gibbons	Confidential under section 89 (2)(d) contractual matters	Nil
14 July 2016	Traralgon CBD Safety Committee Meeting	Councillors: Cr Rossiter Officers: Andrew Legge, Steve Tong	No	Nil
14 July 2016	Yinnar Community Centre Community Engagement Project	Councillors: Cr White Officers: Liam Bantock, Heather Farley, Debra Kealy, Sandy Bechaz	No	Nil
18 July 2016	Councillor Briefing	Councillors: Cr Middlemiss, Cr Gibbons, Cr Harriman, Cr Kam, Cr White, Cr Rossiter, Cr Gibson Officers: Gary Van Driel, Phil Stone, Sara Rhodes - Ward, Sarah Cumming, Steve Piasente, Amy Phillips, Matt Rogers	Confidential under section 89 (2)(h) any other matter which the Council or Special Committee considers would prejudice the Council or any person. (e) proposed developments (f) legal advice	Cr Gibbons Chief Executive Officer

**ORDINARY COUNCIL MEETING MINUTES
01 AUGUST 2016 (CM487)****RECOMMENDATION**

That Council receives and notes the Assemblies of Councillors records submitted which have been held within the period 12 May 2016 to 18 July 2016.

MOTION

Moved: Cr Kam
Seconded: Cr Middlemiss

That Council receives and notes the Assemblies of Councillors records submitted, which have been held within the period 12 May 2016 to 18 July 2016 subject to the report being amended to show that Cr Kam was not in attendance for the 14 July 2016 meeting of the Traralgon CBD Safety Committee.

CARRIED UNANIMOUSLY

DECLARATION OF INTEREST

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

Attachments

1. Traralgon CDB Safety Committee Meeting
2. Traralgon CBD Safety Committee Meeting
3. Public Presentations
4. Councillor Briefing
5. Churchill & District Community Hub Advisory & Joint Committee Meeting
6. Rail Freight Working Group
7. Traralgon CBD Safety Committee Meeting
8. Yinnar Community Centre Community Engagement Project
9. Councillor Briefing

17.3

Assemblies of Councillors

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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*}.

Assembly details:	Traralgon CBD Safety Committee Meeting
Date:	Thursday 12 May 2016
Time:	9.09 am to 10.01 am
Assembly Location:	Traralgon Police Station, Kay Street Traralgon

IN ATTENDANCE

Councillors:	<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
Officer/s:	Andrew Legge Steve Tong		
Matter/s and main topic/s discussed: <i>Provide dot points only, not the minutes of the meeting</i>	<ul style="list-style-type: none"> • Review the Terms of Reference • Review the 12 month Action Plan • Review Late Night Bus Service Stats • Seek clarification about skateboarding laws in multi-level parks. • LV Bus lines Report • Victoria Police Report • Traralgon Liquor Accord Report • Late Night Venus Report • Traralgon McDonalds report • Traralgon Community Development Association Inc Report 		
Confidential/ Not confidential	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)

Councillors:	<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
Officer/s:			



**Times that
Officers /
Councillors
left/returned to
the room:**

Completed by: Andrew Legge 19 July 2016
2015

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



Assembly of Councillors Record

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

Assembly details:	Traralgon CBD Safety Committee Meeting
Date:	Thursday 9 June 2016
Time:	9.00 am to 9.49 am
Assembly Location:	Traralgon Police Station, Kay Street Traralgon

IN ATTENDANCE

Councillors:	<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
Officer/s:	Andrew Legge Steve Tong		
Matter/s and main topic/s discussed: <i>Provide dot points only, not the minutes of the meeting</i>	<ul style="list-style-type: none"> • Review the Terms of Reference • Review the 12 month Action Plan • Investigate what signage is in place at the Traralgon Multi Level Car Park to prevent skateboarding • Traralgon TAXI Services report • LV Buslines Report • Victoria Police Report • Traralgon Liquor Accord Report • Late Night Venus Report • Stockland Plaze Report • 		
Confidential/ Not confidential	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)

Councillors:	<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
Officer/s:			



**Times that
Officers /
Councillors
left/returned to
the room:**

Completed by: Andrew Legge 19 July 2016
2015

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);

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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:

- (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 to the Governance Team for processing as soon as possible.

Assembly details:	Public Presentation
Date:	04 July 2016
Time:	5.00 pm finished 5.20 pm
Assembly Location:	Nambur Wargiga Room, Council Headquarters, Morwell

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr Christine Sindt Leave of absence	<input checked="" type="checkbox"/> Cr Graeme Middlemiss	<input checked="" type="checkbox"/> Cr Peter Gibbons
	<input checked="" type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Sandy Kam enter 5:11
	<input checked="" type="checkbox"/> Cr Darrell White	<input checked="" type="checkbox"/> Cr Michael Rossiter	<input checked="" type="checkbox"/> Cr Sharon Gibson via Phone
Officer/s:	Gary Van Driel, Steve Piasente, Phil Stone Susan Gillett		
Matters discussed:	Café Stellina – Lease matter - (d) Contractual matter		
<p>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

Record Completed by: Susan Gillett



Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Councillor Briefing
Date:	04 July 2016
Time:	6.00 pm
Assembly Location:	Nambur Wariga Room, Council Headquarters, Morwell

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr Christine Sindt Leave of absence	<input checked="" type="checkbox"/> Cr Graeme Middlemiss	<input checked="" type="checkbox"/> Cr Peter Gibbons
	<input checked="" type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Sandy Kam
	<input checked="" type="checkbox"/> Cr Darrell White	<input checked="" type="checkbox"/> Cr Michael Rossiter	<input checked="" type="checkbox"/> Cr Sharon Gibson Via phone
Officer/s:	Gary Van Driel, Sara Rhodes Ward, Phil Stone, Sarah Cumming, Steve Piasente, Susan Gillett		
Matters discussed:	Consideration Of Planning Panels Recommendations For Amendment C93 Ashworth Drive, Traralgon 2018 Commonwealth Games Queen's Baton Relay - (d) Contractual matters; Council Work For Department Of Corrections Kernot Lake - Status Of Water Health Options And Fountain Special Charge Schemes For The Sealing Of Rural Unsealed Roads - Update Capital Works Final Report 2015/16 Council Committees Project - Update Competency Matrix Project		
Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

**Conflict Of Interest Disclosures:**

Councillor / Officer making disclosure	Left Meeting: Yes / No
Gary Van Driel	Yes

Record Completed by: Susan Gillett



Assembly of Councillors Record

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

Assembly details:	Churchill & District Community Hub User_Advisory Joint Committee Meeting
Date:	Tuesday 12 July 2016
Time:	4.00pm
Assembly Location:	Churchill & District Community Hub meeting room, 9-11 Philip Parade, Churchill

IN ATTENDANCE

Councillors:	<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 checked="" type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
Officer/s:	Edith Heiberg – Manager Communications and Customer Relations Carole Ayres – EA Community Services Susan Scarlett – Early Education Teacher Churchill Preschool Tessa Prestipino – Coordinator Customer Relations		
Matter/s and main topic/s discussed: <i>Provide dot points only, not the minutes of the meeting</i>	Fire Drill/Evacuation Practice Feedback Fire Alarm quality Security screening in library Air lock door for front door Churchill Town Hall Usage Data/Centralised booking system Directional signs for Churchill Hub Financial Sustainability Review Report date due for public review		
Confidential/ Not confidential	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)

Councillors:	<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
Officer/s:			



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

Completed by: Carole Ayres, Executive Assistant Community Services 15 July, 2016

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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Brief Explanation:

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

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Section 80A(3)

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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*}.

Assembly details:	Rail Freight Working Group
Date:	13 July 2016
Time:	1.00 pm – 2.30 pm
Assembly Location:	Meeting Room 6, Latrobe City HQ

IN ATTENDANCE

Councillors:	<input type="checkbox"/> Cr Christine Sindt	<input checked="" type="checkbox"/> Cr Graeme Middlemiss	<input checked="" 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
Officer/s:	Gary Van Driel, Chief Executive Officer Donna Taylor, Coordinator Business Development		
Matter/s and main topic/s discussed: <i>Provide dot points only, not the minutes of the meeting</i>	\$10 Million Gippsland Logistics Precinct (GLP) Funding Commitment		
Confidential/ Not confidential	Are the matters considered confidential under the Local Government Act? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

CONFLICT OF INTEREST DISCLOSURES: (refer to page 2)

Councillors:	<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
Officer/s:			
Times that Officers / Councillors left/returned to the room:			

Completed by: Donna Taylor, Coordinator Business Development, 15 July 2016



Assembly of Councillors Record

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

Assembly details:	Traralgon CBD Safety Committee Meeting
Date:	Thursday 14 July 2016
Time:	9.00 am to 9.54 am
Assembly Location:	Traralgon Police Station, Kay Street Traralgon

IN ATTENDANCE

Councillors:	<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 checked="" type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
Officer/s:	Andrew Legge Steve Tong		
Matter/s and main topic/s discussed: <i>Provide dot points only, not the minutes of the meeting</i>	<ul style="list-style-type: none"> • Review the Terms of Reference • Review the 12 month Action Plan • Traralgon Multi Level Car Park Surface treatments to prevent skateboarding • CCTV signage in the Traralgon CBD • LV Buslines Report • Victoria Police Report • Traralgon Liquor Accord Report • Late Night Venus Report • 		
Confidential/ Not confidential	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)

Councillors:	<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
Officer/s:			



**Times that
Officers /
Councillors
left/returned to
the room:**

Completed by: Andrew Legge 19 July 2016
2015

Assembly of Councillors Record Explanation / Guide Notes
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Section 80A(3)

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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 to the Council Operations Team for processing as soon as possible.

Assembly details:	Yinnar Community Centre Community Engagement Project
Date:	14 July 2016
Time:	7.00 pm
Assembly Location:	Yinnar Primary School

In Attendance

Councillors: Arrival / Departure Time:	<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 checked="" type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
Officer/s:	Liam Bantock, Community Development Officer. Heather Farley, Acting Manager Healthy Communities. Debra Kealy, Yinnar Preschool Educator. Sandy Bechaz, Acting Team Leader Early Learning and Care.		
Matters discussed:	Report on the results of the public comment phase of the project. Steering Committee endorsement of the project report and option two 'Redeveloped Hall and New Preschool' as the preferred option of the community.		
Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No



Record Completed by: Liam Bantock, Community Development Officer



Guidance Notes for Completing Assembly of Councillor Records

Assembly of Councillors Local Government Act 1989 requirements:

Section 3 Definition

"An Assembly of Councillors (however titled) means 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 Council staff which considers matters that are intended or likely to be—

- (a) the subject of a decision of the Council; or*
- (b) subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee—*

but does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation;"

Section 80A – Written Record

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

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

The Chief Executive Officer must ensure that the written record of an assembly of Councillors is, as soon as practicable –

- (a) reported at an ordinary meeting of the Council; and*
- (b) incorporated in the minutes of that Council meeting"*

Section 80A – Conflict of Interest

"(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, at the time set out in subsection (4), disclose to the assembly that he or she has a conflict of interest and leave the assembly whilst the matter is being considered by the assembly.

- (4) A Councillor must disclose the conflict of interest either—*
 - (c) immediately before the matter in relation to which the Councillor has a conflict of interest is considered; or*
 - (d) if the Councillor realises that he or she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware that he or she has a conflict of interest."*

Additional Notes and Examples

Examples of an Assembly of Councillors include:

- Councillor Briefings; onsite inspections; meetings with residents, developers, other clients of Council; meetings with local organisations, Government Departments, Statutory Authorities

Provided:

- The meeting was planned;
- At least five Councillors and one Council Officer is present (excluding Advisory Committees)
- 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; and
- That the meeting was not a meeting of any other organisation.

Advisory Committee meetings require at least one Councillor to be in attendance in order to be classed as an Assembly of Councillors.



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Example only

Matters discussed:	1. Matter discussed 2. Matter discussed - confidential under Section 89(2)(e) proposed developments (Please choose the reason that applies) 3. Matter discussed
---------------------------	---

The Assembly of Councillors record will then be provided as a confidential attachment to the open Council report.

Confidential reasons:

- Personnel matters;
- The personal hardship of any resident or ratepayer;
- Industrial matters;
- Contractual matters;
- Proposed developments;
- Legal advice;
- Matters affecting the security of Council property
- Any other matter which the Council or Special Committee considers would prejudice the Council or any other person;

Leaving a Meeting

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Officer completing Assembly of Councillors record

Please insert your name, and title in the Record Completed By field

Any queries on whether a meeting forms an Assembly of Councillors, how to list a confidential item or any other question should be directed to the Governance Officer on 5128 5717 or egovernance@latrobe.vic.gov.au



Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

Assembly details:	Councillor Briefing
Date:	18 July 2016
Time:	6.00pm
Assembly Location:	Latrobe City Headquarters

In Attendance

Councillors: Arrival / Departure Time:	<input type="checkbox"/> Cr Christine Sindt	<input checked="" type="checkbox"/> Cr Graeme Middlemiss from 6.05pm	<input checked="" type="checkbox"/> Cr Peter Gibbons
	<input checked="" type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Sandy Kam
	<input checked="" type="checkbox"/> Cr Darrell White	<input checked="" type="checkbox"/> Cr Michael Rossiter	<input checked="" type="checkbox"/> Cr Sharon Gibson
Officer/s:	Gary Van Driel, Phil Stone, Sara Rhodes - Ward, Sarah Cumming, Steve Piasente, Amy Phillips, Matt Rogers - 6.00 pm - 7.00 pm		
Matters discussed:	<p>Tonights Presentations - Financial Sustainability Review - Section (h) Prejudice.</p> <p>Future Presentations</p> <p>Economic Development Engagement Plan Quarterly Report</p> <p>Great Forest National Park</p> <p>Pax Hill Tennis Club - Request for Loan from Council</p> <p>Latrobe City Municipal Early Years Plan 2016- 2020</p> <p>Plaques & Memorials on Public Infrastructure & Open Space Policy</p> <p>The New Local Government Act</p> <p>Review of Council Policies</p> <p>Proposed Chief Executive Officer Employment Matters Committee</p> <p>Outstanding Issues</p> <p>Strategic Issues for Future Briefings</p> <p>Future Morwell - section 89 (2) (e) (f)</p>		



Are any of the matters discussed, considered confidential under the *Local Government Act 1989*?

☒ Yes ☐ No

Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.

Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No
Cr Gibbons	Yes
Gary Van Driel	Yes

Record Completed by: Amy Phillips / Louise McKendry



Guidance Notes for Completing Assembly of Councillor Records

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URGENT BUSINESS

**ORDINARY COUNCIL MEETING MINUTES
01 AUGUST 2016 (CM487)****18. URGENT BUSINESS****18 INTRODUCTION OF URGENT BUSINESS****MOTION**

Moved: Cr Harriman

Seconded: Cr White

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

- 1. Extension of Time to Planning Permit 6180 - Development of a Two Storey Retail and Office Building with Associated Car Parking and Signage at 1-3 Franklin Street, Traralgon**

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

CARRIED UNANIMOUSLY

**ORDINARY COUNCIL MEETING MINUTES
01 AUGUST 2016 (CM487)****18.1 EXTENSION OF TIME TO PLANNING PERMIT 6180 -
DEVELOPMENT OF A TWO STOREY RETAIL AND OFFICE
BUILDING WITH ASSOCIATED CAR PARKING AND SIGNAGE
AT 1-3 FRANKLIN STREET, TRARALGON****General Manager****City Development****For Decision****PURPOSE**

The purpose of this report is to determine an extension of time request for Planning Permit Application 6180 for the development of a two storey retail and office building with associated car parking and signage at 1-3 Franklin Street, Traralgon (CP 161006).

EXECUTIVE SUMMARY

The applicant seeks an extension of time to Planning Permit 6180 for the development of a two storey retail and office building with associated car parking and signage at 1-3 Franklin Street, Traralgon (CP 161006). The permit was issued in 2006 and has been extended four times.

The development has commenced with some preliminary drainage works and the applicant is requesting an extension of time of 6 months to complete the development. The applicant has advised that the development has not progressed due to the economic climate over the past ten years including the inability to secure suitable tenants for the building.

Since the permit was issued, planning provisions for the site have changed including the zoning and overlay requirements. In particular, the site is now subject to the Parking Overlay which requires a cash in lieu payment to be made for car parking dispensation. In this instance, a cash in lieu payment of \$144,000 (to be indexed) would be required to be paid for the dispensation of 18 car parking spaces.

The planning provisions are considered to have undergone considerable change since the permit was issued ten years ago. The Parking Overlay has been implemented to financially assist Council in providing future car parking in Traralgon. The proposed development will place further stress on the current car parking situation and it is considered reasonable that the proponent pay for the requested dispensation. As such the extension of time for the planning permit should be refused.

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

MOTION

Moved: Cr Middlemiss
Seconded: Cr Harriman

That Council issues a refusal to the extension of time for the development of a two storey retail and office building with associated car parking and signage at 1-3 Franklin Street, Traralgon (CP 161006) on the following grounds:

- a) The proposal does not satisfy the tests set out in VCAT case *Kantor v Murrindindi Shire Council* (1997) [18 AATR 285].
- b) The proposal is inconsistent with key issues identified in the Municipal Strategic Statement at Clause 21.05-6 Specific Main Town Strategies - Traralgon.
- c) The proposal is inconsistent with Clause 45.09 Parking Overlay.
- d) The proposal is inconsistent with Clause 65 (Decision Guidelines).

For: Crs Sindt, Middlemiss, Harriman and Gibbons

Against: Crs Rossiter, White, O'Callaghan and Kam

LOST ON THE CASTING VOTE OF THE CHAIR

MOTION

Moved: Cr Sindt
Seconded: Cr White

That Council issues an Extension of Time to planning permit 6180 for 6 months for the development of a two storey retail and office building with associated car parking and signage at 1-3 Franklin Street, Traralgon (CP 161006).

For: Crs Rossiter, White, Sindt, O'Callaghan and Kam

Against: Crs Middlemiss, Harriman and Gibbons

CARRIED

DECLARATION OF INTERESTS

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

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

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 surroundings and which provides for connected and inclusive community.

Latrobe City Council Plan 2013 - 2017

Strategic Objectives – Built Environment

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

Theme and Objectives

Theme 5: Planning for the future

Strategic Direction

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

SUMMARY

Land:	1-3 Franklin Street, Traralgon, known as CP 161006
Proponent:	Stirloch Constructions
Zoning:	Commercial 1 Zone (C1Z)
Overlay	Parking Overlay – Precinct 1 Schedule (PO1)

A Planning Permit would be required as follows if the application was lodged as a 'fresh' application:

- Buildings and works in accordance with Clause 34.01 C1Z
- Reduction in car parking in accordance with Clauses 45.09 PO1 and 52.06 Car Parking; and

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

- Business identification signage in accordance with Clause 52.06 Advertising Signs

PROPOSAL

The application is for an extension of time to Planning Permit 6180. A copy of the planning permit is included in Attachment 1. The applicant is seeking an extension of time of 6 months to complete the development.

A copy of the endorsed plans is included in Attachment 2 and a site context plan is included in Attachment 3.

Subject Land:

The subject site is a prominent triangular shaped site in Traralgon with frontage to both Franklin Street and Princes Highway as well as to Service Street along its northern boundary. The site is vacant, is relatively flat and has an overall area of 1,690 square metres.

Surrounding Land Use:

North:	Retail premises
South:	Federation Training
East:	Grand Junction Hotel
West:	Retail premises

HISTORY OF APPLICATION

Planning Permit 6180 was issued on 2 August 2006 for the development of a two storey retail and office building with associated car parking and signage.

The original application was assessed under the relevant planning scheme controls at that time. The site was located in the Business 1 Zone and there were no overlays.

The permit has received four extensions of time as follows:

- 23 May 2008 – the permit was extended for two years with a commencement date of 2 August 2010.
- 8 November 2010 – the permit was given a further two years to commence and four years to complete. Therefore the development was required to commence by 2 August 2012 and complete by 2 August 2014.
- 30 August 2012 - the permit was given a further two years to commence and four years to complete. Therefore the development was required to commence by 2 August 2014 and complete by 2 August 2016.
- 30 January 2015 - the permit commencement was given a further year extension. Therefore the development had to commence by 2 August 2015 and complete by 2 August 2016.

The applicant has had plans endorsed as per Condition 1 of the permit and drainage plans approved by Council on 19 December 2014. Some initial drainage works occurred on the site prior to 2 August 2015 and as

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

such it is considered that development had commenced before the expiry date for commencement of the development.

KEY POINTS/ISSUES

Process for requesting an extension of time to a planning permit

As per Section 69 of *Planning and Environment Act 1987* 'before the permit expires or within 6 months afterwards, the owner or the occupier of the land to which it applies may ask the responsible authority for an extension of time'. This is to extend the date for commencement of an approved permit.

Further to this, the following is also provided 'The owner or occupier of land to which a permit for a development applies may ask the responsible authority for an extension of time to complete the development or a stage of the development'. The request must be made within 12 months of the expiry date for the development to be completed and the development must have been lawfully started before the permit expired.

It is considered that the development has lawfully commenced and as a result an extension of time request for the development completion date can be considered and Council have discretion to approve such a request.

It should be noted that it is the responsibility of the planning permit operator to ensure consistency with all relevant planning permit conditions including the expiry condition.

Assessment criteria for requests to extend planning permits

The application has been assessed against the tests found in VCAT case *Kantor v Murrindindi Shire Council* (1997) [18 AATR 285] which identifies relevant factors to assist in exercising discretion when extending a planning permit which are as follows:

Has there been a material change in planning policy since the original granting of the permit?

Local Planning Policy Change

There have been changes to planning policy in relation to car parking since the permit was granted. Clause 22.03 was a local policy in regard to car parking and allowed reductions and exemptions to particular uses under Clause 52.06. This policy is no longer in the Scheme.

The *Car Parking Framework Review Traralgon & Morwell* (August 2014), which formed the basis for the implementation of the Parking Overlay, is referred to in the Municipal Strategic Statement at Clause 21.05-6 and is a reference document in the Scheme.

Zoning Change

The zoning of the land has changed from Business 1 Zone to Commercial 1 Zone. The permit triggers have not changed as a result of the zoning change however as land use in the vicinity of the site has altered the application is no longer exempt from notification requirements specified in the zone.

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

Overlay Change

The Parking Overlay was introduced into the Latrobe Planning Scheme on 7 April 2016 and amended on 30 June 2016. The subject site is now subject to Parking Overlay - Precinct 1 Schedule. Under the provisions of the overlay, a permit may be granted to reduce the number of car parking spaces within the Traralgon Activity Centre Parking Precinct provided a financial contribution of \$8,000 per space (excluding GST) is made in lieu of the car parking reduction. Different car parking rates in Clause 52.06 Car Parking also apply as a result of the Parking Overlay.

For this development the car parking rate is calculated as follows:

Shop floor area of 1,454.18 square metres x 2.6 spaces/100 square metres of leasable floor area = 37.8 spaces

Office floor area of 346 square metres x 3 spaces/100 net floor area = 10.38 spaces.

Total spaces required = 48

Total spaces provided = 30

Shortfall = 18 spaces

Therefore a cash in lieu payment of \$144,000 is now applicable to the development. (It is noted that the \$8000 financial contribution for each car space is to be adjusted on 1 July each year in accordance with the relevant Building Price Index (Melbourne) in Rawlinson's Australian Construction Handbook. This adjustment has not been undertaken to date.)

It is also noted the original development waived 40 spaces under the car parking provisions at that time.

Particular Provisions Change

Clause 52.34 Bicycle Facilities would now be required to be addressed. A total of 5 bicycle spaces would be required to be provided on site for the development or a permit issued for this requirement to be waived.

Assessment of planning policy change

The planning controls affecting the site have undergone substantial change since the permit was issued. In particular, the Parking Overlay provisions that have been introduced into the Scheme to address future car parking needs as identified in the *Car Parking Framework Review August 2014* by Traffix Group. The Review formed part of the justification for the Parking Overlay as part of Planning Scheme Amendment C94. It concluded that forecasted future floor space in the Primary Activity Centre (PAC) of Traralgon indicates that new car parking will be required to be constructed in Traralgon to meet the future demands generated by the expected increase in floor area. The cash in lieu contributions will contribute to the construction of additional car parking in the PAC by Council in the future.

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

If an application was made today for the subject development, a condition of approval would require the payment of \$144,000 (to be indexed) to be made by the developer to Council. The proposed development will impact on the current stressed level of car parking in Traralgon and payment of this contribution is considered to be appropriate in this instance.

The other particular changes to the scheme with regard to policy, zoning, notification and bicycle provision also contribute to the decision that policy change has been too great since the permit was issued ten years ago and it is considered a fresh application should be made.

Does it appear the land owner is ‘warehousing’ the permit?

Given the complexity and magnitude of the application, it would be difficult to determine whether or not the applicant is warehousing the permit. The scale of the development is considered to be significant and it is understood that the developer has found the economic environment over the past ten years difficult to justify the commencement of the proposal. The developer was also focused on a larger development in Seymour Street which is now completed and is able to commit resources to the subject site.

Have there been any intervening circumstances bearing on the grant or refusal of the extension?

There have been no intervening circumstances since the permit was issued that would warrant a further extension of time to complete the development.

Whether the total lapse of time is excessive?

A total of ten years has elapsed since the permit was issued which is considered to be excessive. This is evident in the number of policy and zoning changes that have occurred since 2006 when the permit was issued as well as land use change in the vicinity of the site.

Is the time limit originally imposed on the permit adequate?

The permit allowed two years to commence the development and four years to complete which is considered to be an adequate time frame for a development of this size.

Whether there is an economic burden imposed on the land owner?

The landowner has obtained planning and building permits and has had drainage plans approved. Minor drainage and site works on site have occurred. These actions have taken place over the ten year life of the permit. The above costs are only a fraction of the overall cost of the development. Therefore it is considered that no economic burden has been imposed on the land owner at this stage.

Is it likely that a permit would be issued if a fresh application is made?

It is likely that a permit would issue should a fresh application be made however the permit would include the following conditions:

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

- Payment of \$144,000 (excluding GST)(to be indexed) in lieu of 18 car parking spaces.
- Provision of 5 bicycle spaces or the permit to include the waiver of 5 bicycle spaces.

Assessment

It is acknowledged that the subject site is in a prominent location in Traralgon and its development with the proposed two storey retail and office building is to be encouraged and supported by Council. However car parking in the Traralgon PAC has been identified as a significant issue which is to be addressed partially by the Parking Overlay for new development. The proposal seeks a dispensation of 18 car parking spaces. The payment for these spaces by the applicant would assist Council in constructing future car parking in Traralgon which would have an overall benefit to commercial activity in the area. The current permit would otherwise place a burden on the stressed car parking situation in the Traralgon PAC.

Other options open to the applicant

As outlined in the key point/issues section of this report, it is recommended that the request for an extension of time to the planning permit be refused.

The following are other options available to the applicant (other than VCAT proceedings):

- The applicant could request a concurrent extension of time and an amendment to the existing permit. Any such amended permit issued by council would need to include a condition ensuring compliance with Clause 45.09 Parking Overlay and associated payment in lieu of the reduction of car parking provision onsite. In properly exercising its powers as the Responsible Authority for the Scheme, it is considered that it is not open to Council to waive such a requirement.
- A new planning application for the same development application could be lodged for the site. Similar to aforementioned option a condition of any permit issued would include addressing the mandatory requirements of Clause 45.09 Parking Overlay

The second identified option would be considered the most appropriate option for the applicant and Council as it is consistent with written advice previously provided to the applicant on 9 December 2014. This advice stated that the previous request for an extension of time '*will be the final extension of time granted to this permit*'. This advice was provided at the time, given the significant lapse of time since the original issue of a permit coupled with the significant change in planning policy.

INTERNAL / EXTERNAL CONSULTATION

No internal or external consultation required. The original application was not advertised.

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

RISK IMPLICATIONS

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

Refusing the extension of time is considered to be the appropriate planning decision however it is noted that this could delay or possibly stop completely a development in a high profile site within the Traralgon Activity centre which has been vacant for a considerable time.

It is also noted however that granting a further extension of time ignoring the considerations of the Parking Overlay which has been implemented to financially assist Council in providing future car parking in Traralgon could be considered an inappropriate precedent for other similar development applications in the future.

FINANCIAL RESOURCES IMPLICATIONS

Additional resources or financial cost will only be incurred should the applicant appeal the refusal to extend the permit at the Victorian Civil and Administrative Tribunal (VCAT).

OPTIONS

Council has the following options in regard to this application:

1. Approve the extension of time to Planning Permit 6180 with the development to be completed in 6 months.
2. Refuse to extend Planning Permit 6180.

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

CONCLUSION

The proposal is considered to be:

- The proposal is inconsistent with key issues identified in the Municipal Strategic Statement at Clause 21.05-6 Specific Main Town Strategies - Traralgon.
- The proposal is inconsistent with Clause 45.09 Parking Overlay.
- The proposal is inconsistent with Clause 65 (Decision Guidelines); and
- The proposal does not satisfy the tests set out in VCAT case Kantor v Murrindindi Shire Council (1997) [18 AATR 285].

SUPPORTING DOCUMENTS

Nil

Attachments

1. Planning Permit 6180
2. Endorsed Plans
3. Subject Site Context

18.1

Extension of Time to Planning Permit 6180 - Development of a Two Storey Retail and Office Building with Associated Car Parking and Signage at 1-3 Franklin Street, Traralgon

1	Planning Permit 6180	587
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Planning and Environment Regulations 2005
S.R. No. 33/2005

FORM 4

Section 63 & 86

PLANNING PERMIT

Permit No.: 6180/XCOMM

Planning Scheme: Latrobe Planning Scheme

Responsible Authority: Latrobe City Council

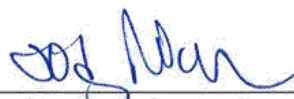
ADDRESS OF THE LAND: 1-3 Franklin Street, TRARALGON VIC 3844
Description: CP 161006

THE PERMIT ALLOWS: The development of a two storey retail and office building with associated parking and signage, in accordance with the endorsed plan(s)

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

DATE OF AMENDMENT	BRIEF DESCRIPTION OF AMENDMENT
23 May 2008	This Permit was granted an Extension of Time for Two (2) years in accordance with section 69 of the Planning and Environment Act 1987. The Permit will expire if the Development has not commenced by the 2 August 2010.
8 November 2010	This Permit was granted an extension of time for two (2) years in accordance with Section 69(2) of the Planning and Environment Act 1987. The Permit will expire if the development has not commenced by the 2 August 2012 or the development is not completed by 2 August 2014.
30 August 2012	This Planning Permit has been extended pursuant to Section 69 of the Planning and Environment Act 1987. The permit will now expire if the development does not commence by 2 August 2014, or is not completed by 2 August 2016.
30 January 2015	This Planning Permit has been extended pursuant to Section 69 of the Planning and Environment Act 1987. The permit will now expire if the development does not commence by 2 August 2015, or is not completed by 2 August 2016.

Date Issued: 2 August 2006



Signature for the Responsible Authority

Planning and Environment Regulations 2005
S.R. No. 33/2005

FORM 4

Section 63 & 86

PLANNING PERMIT

Permit No.: 6180/XCOMM

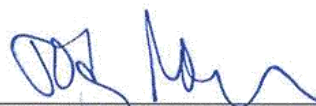
Planning Scheme: Latrobe Planning Scheme

Responsible Authority: Latrobe City Council

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Before the development starts, 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 with the application or some other specified plans but modified to show:
 - a) The removal of the 'feature light tower' and associated signage from the proposal.
 - b) A cross section diagram of building showing longitudinal grade of the accessway ramps from the laneway to the carpark.
2. The development as shown on the endorsed plans must not be altered without consent of the Responsible Authority.
3. Prior to the commencement of the development hereby permitted a site drainage plan must be submitted to Council's Subdivision Coordinator for approval. The plan must show a drainage scheme providing for conveying of the stormwater to the legal point of discharge. When approved, the plan will be endorsed and will then form part of the permit.
4. The amenity of the area must not be detrimentally affected by the development, 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.
5. The loading and unloading of goods from vehicles must only be carried out on the land.

Date Issued: 2 August 2006



Signature for the Responsible Authority

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Planning and Environment Regulations 2005
S.R. No. 33/2005**FORM 4**

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6. Outdoor lighting must be designed, baffled and located to the satisfaction of the responsible authority to prevent any adverse effect on adjoining land.
7. Refuse must be disposed of to the satisfaction of the Responsible Authority. Any large skips or bins must be screened from the public view to the satisfaction of the Responsible Authority and must not occupy or obstruct parking spaces required by this permit.
8. The site must be suitably landscaped and generally maintained in a clean and tidy state with the unused portion of the property must be kept drained, tidy and mown at all times to the satisfaction of the Responsible Authority.
9. The location and details of the signs shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.
10. Signs must not contain any flashing light.
11. All signs must be constructed to the satisfaction of the responsible authority and maintained to the satisfaction of the responsible authority.
12. Signs must not be illuminated by external lights except with the written consent of the responsible authority.
13. The approval contained in this permit for the signs shown on the endorsed plans expires fifteen years from the date of this permit.
(NOTE: This condition is a requirement of the State Government).
14. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Date Issued: 2 August 2006



Signature for the Responsible Authority

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Planning and Environment Regulations 2005
S.R. No. 33/2005**FORM 4**

Section 63 & 86

PLANNING PERMIT

Permit No.: 6180/XCOMM

Planning Scheme: Latrobe Planning Scheme

Responsible Authority: Latrobe City Council

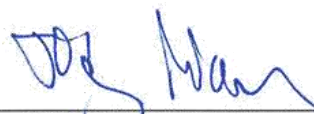
15. Prior to the commencement of works, the Council's Asset Protection Unit must be notified in writing, of any proposed building work (as defined by Council's Local Law No. 3 (2006)) at least 7 days before the building work commences, or materials or equipment are delivered to the building site by a supplier; and unless otherwise exempted by Council, an Asset Protection Permit must be obtained.
16. 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 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 three months afterwards.

- Note 1.** All buildings erected on this site must comply with the requirements of the Building (Interim) Regulations 2005, the Building Code of Australia 2005 and the Building Act 1993 and relevant municipal local laws.

END CONDITIONS

Date Issued: 2 August 2006



Signature for the Responsible Authority

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IMPORTANT INFORMATION ABOUT THIS NOTICE

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the *Planning and Environment Act 1987*.)

WHEN DOES A PERMIT BEGIN?

A permit operates:

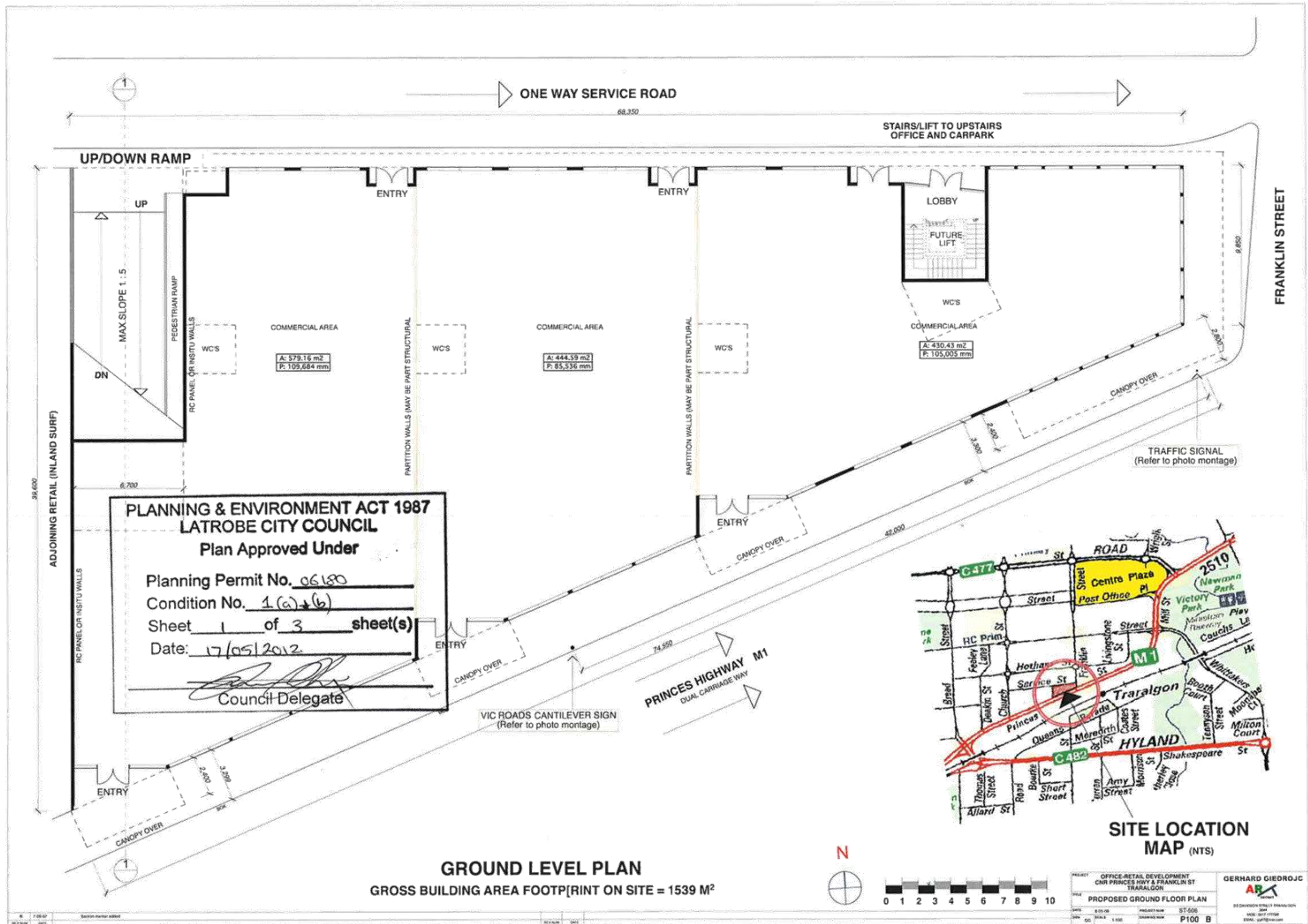
- ❖ from the date specified in the permit, or
- ❖ if no date is specified, from:
 - i. the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal, or
 - ii. the date on which it was issued, in any other case.

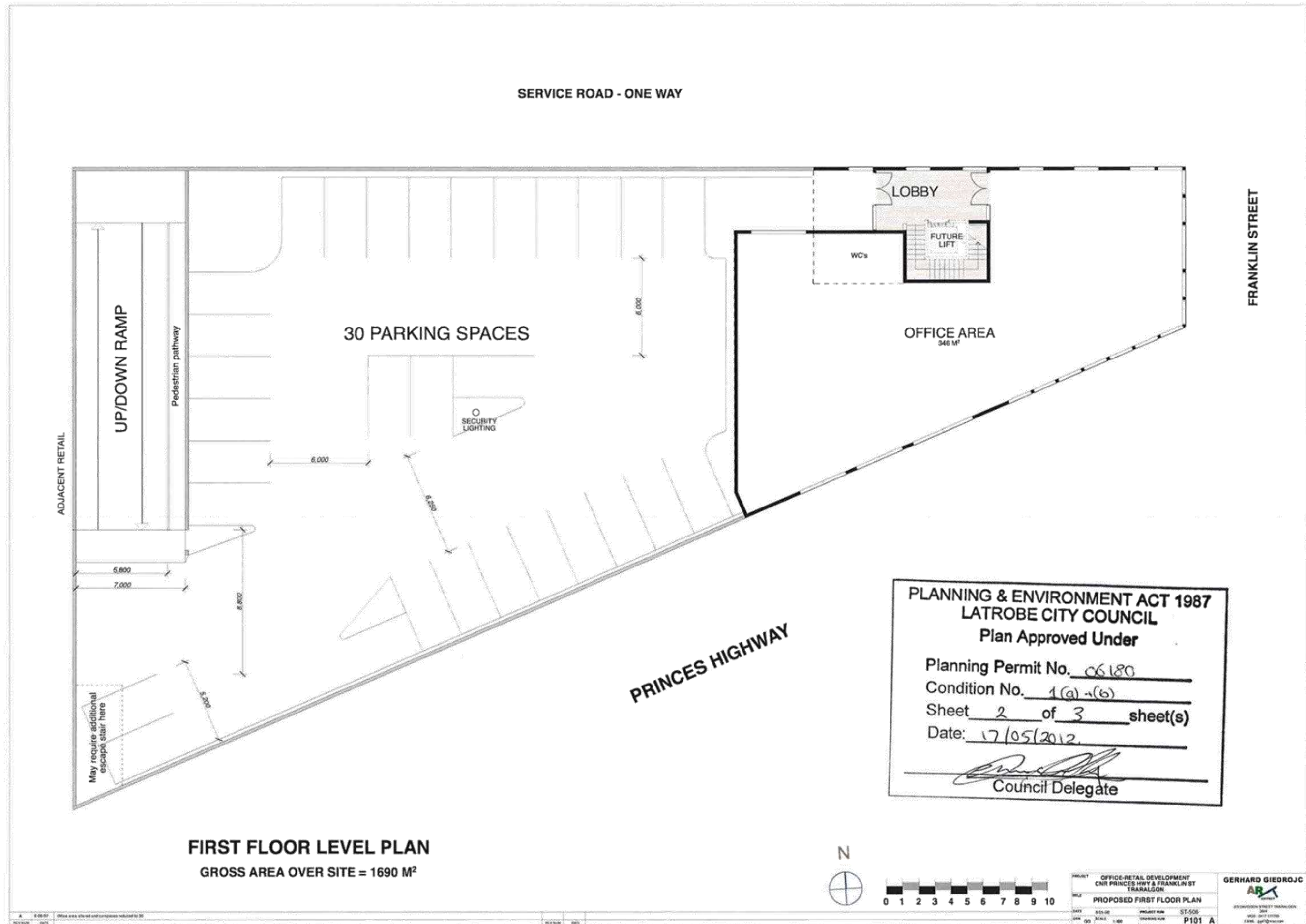
WHEN DOES A PERMIT EXPIRE?

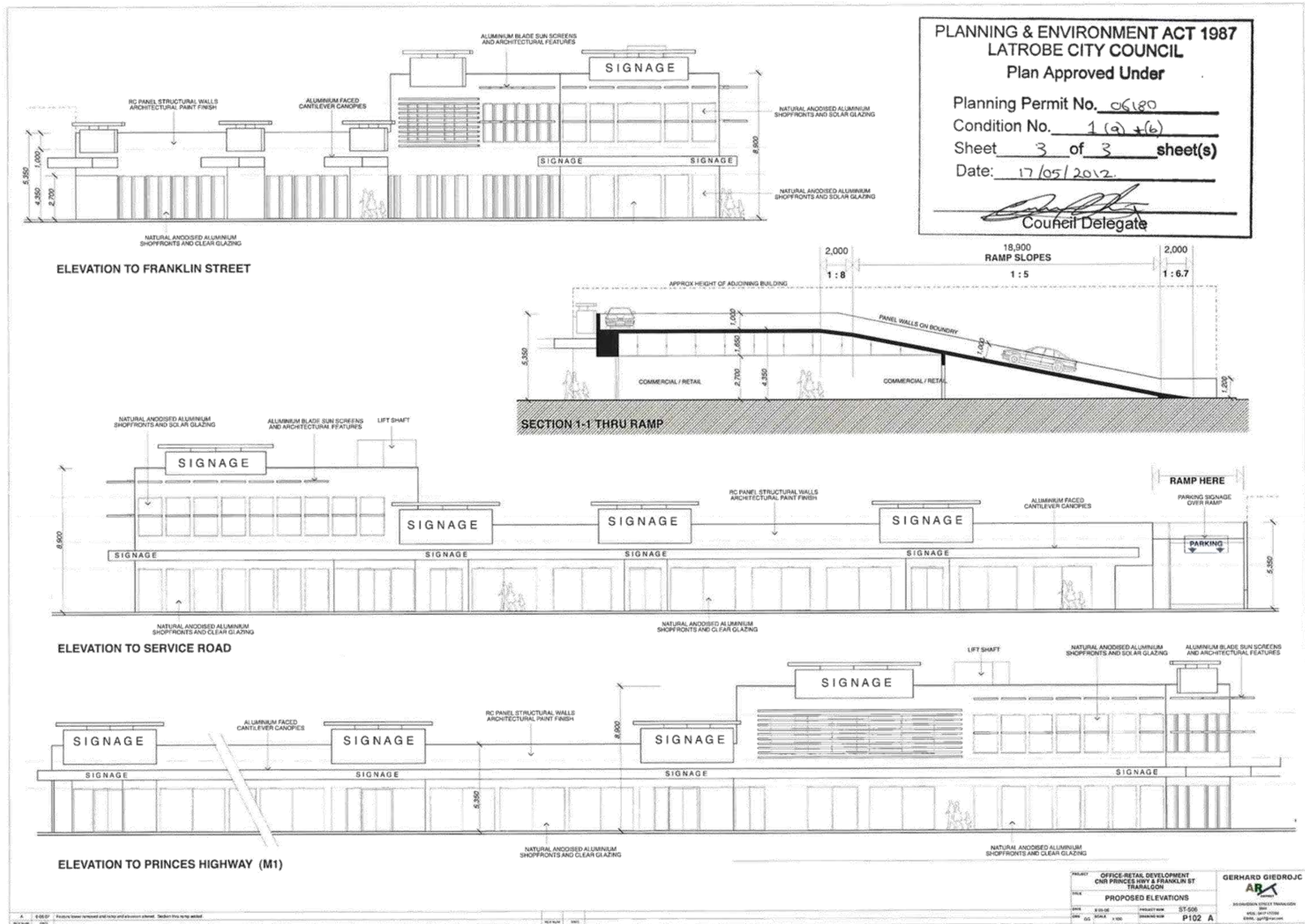
1. A permit for the development of land expires if:
 - ❖ the development or any stage of it does not start within the time specified in the permit, or
 - ❖ the development requires the certification of a plan of subdivision or consolidation under the *Subdivision Act 1988* and the plan is not certified within two years of the issue of the 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?

- ❖ The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal where, in which case no right of review exists.
- ❖ An application for review must be lodged within 60 days after the permit was issued, unless a Notice of Decision to Grant a Permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- ❖ 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 VCAT.









MEETING CLOSED TO THE PUBLIC

ORDINARY COUNCIL MEETING MINUTES 01 AUGUST 2016 (CM487)

19. 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.

MOTION

Moved: Cr White
Seconded: Cr Gibbons

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 1989* for the reasons indicated:

- 19.1 CONFIDENTIAL ITEMS HELD OVER**
Agenda item 19.1 *Confidential Items Held Over* 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)
- 19.2 APPOINTMENT OF COUNCIL REPRESENTATIVE TO SPORTS LOCAL WORKING GROUP**
Agenda item 19.2 *Appointment of Council Representative to Sports Local Working Group* 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)
- 19.3 GIPPSLAND LOGISTICS PRECINCT**
Agenda item 19.3 *Gippsland Logistics Precinct* is designated as confidential as it relates to proposed developments (s89 2e)
- 19.4 FUTURE MORWELL - CIRCUIT DESIGN PRELIMINARY ASSESSMENT**
Agenda item 19.4 *Future Morwell - Circuit Design Preliminary Assessment* is designated as confidential as it relates to proposed developments (s89 2e) and legal advice (s89 2f)

**ORDINARY COUNCIL MEETING MINUTES
01 AUGUST 2016 (CM487)**

- 19.5 LCC-308 PROVISION OF SECURITY SERVICES**
Agenda item 19.5 *LCC-308 Provision of Security Services* is designated as confidential as it relates to contractual matters (s89 2d)
- 19.6 LCC-318 2016/17 RESEALING OF MUNICIPAL ROADS WITHIN LATROBE CITY**
Agenda item 19.6 *LCC-318 2016/17 Resealing of Municipal Roads within Latrobe City* is designated as confidential as it relates to contractual matters (s89 2d)

CARRIED UNANIMOUSLY

The Meeting closed to the public at 8:55 pm.

The meeting re-opened to the public at 9:31 pm

There being no further business the meeting was declared closed at 9:31 pm.

I certify that these minutes have been confirmed.

Mayor: _____

Date: _____