



# **LATROBE CITY COUNCIL**

## **AGENDA FOR THE COUNCIL MEETING**

**TO BE HELD IN GIPPSLAND PERFORMING ARTS  
CENTRE, TRARALGON  
AT 6:00 PM ON  
24 FEBRUARY 2025  
CM614**

***Please note:***

*Opinions expressed or statements made by participants are the opinions or statements of those individuals and do not imply any form of endorsement by Council.*

*By attending a Council Meeting via audio-visual link those present will be recorded or their image captured. When participating in the meeting, consent is automatically given for those participating to be recorded and have images captured.*

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**1. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND**

*I would like to acknowledge that we are meeting here today on the traditional land of the Brayakaulung people of the Gunaikurnai nation and I pay respect to their elders past and present.*

*If there are other Elders present I would also like to acknowledge them.*

**2. APOLOGIES AND LEAVE OF ABSENCE**

**3. ADOPTION OF MINUTES**

**Proposed Resolution:**

**That Council confirm the minutes of the Council Meeting held on 16 December 2024.**

**4. DECLARATION OF INTERESTS**

**5. ACKNOWLEDGEMENTS**

*Councillors may raise any formal acknowledgements that need to be made at this time, including congratulatory or condolences.*

**6. PUBLIC PARTICIPATION TIME**

**Public Questions on Notice**

In Accordance with the Council Meeting Policy, members of the public can lodge a question on notice before 12noon on the Friday before the day of the Council meeting in order for the question to be answered at the meeting.

**Public Speakers**

An opportunity for members of the public to speak to an item on the agenda will be made available by necessary means. To participate, members of the public must have registered before 12noon on the day of the Council meeting.

# **NOTICES OF MOTION**

## 7. NOTICES OF MOTION

Item Number 7.1      24 February 2025

Community Health and Wellbeing

# 2025/02 SINGLE USE PLASTIC WATER BOTTLES

I, Cr Joanne Campbell, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday, 24 February 2025:

### **That Council:**

**Receive a report at a future Council Meeting in relation to the reinstatement of the supply of single use plastic water bottles at Latrobe City Council managed venues and events.**

Signed

Cr Joanne Campbell

Date

### COUNCILLOR STATEMENT

Following the phasing out of the use of single use plastic water bottles at Council venues, feedback has been received that there are a range of unintended consequences arising from this decision. It is therefore requested that Council officers bring a report back to Council outlining what the benefits of reinstating single use plastic water bottles would be.

### OFFICER COMMENT

*22.5.1 Whether the Notice of Motion, if passed, will have budget implications and, if so, what.*

The purchase of single use plastic water bottles would be met within existing Council budget. At key venues, such as Leisure, the water would be made available for purchase through the café.

*22.5.2 Whether the Notice of Motion, if passed, will impact on internal resources and, if so, how.*

If passed, the Notice of Motion will not have any impact on resources.

*22.5.3 How the Notice of Motion relates to the Council Plan and any relevant Council policies.*

Healthy:

Delivery of the objectives in Living Well Latrobe, our community's Municipal Public Health and Wellbeing Plan by promoting community safety, mental and physical health and activity, incorporating active design principles in open space, neighbourhood design and supporting community resilience. – Specifically, supporting community health and disease prevention initiatives and consider policy changes at Council that focus on:

- Reducing obesity
- Making healthy food choices easier
- Encourage increased water consumption

*22.5.4 How the Notice of Motion relates to work that has already been undertaken by Officers or Committees.*

Council currently provides refreshments for purchase through the cafes at our major venues. The availability of bottled water would be consistent with the offering.

**DECLARATION OF INTERESTS**

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

**Attachments**

Nil

## 2025/03 RECYCLABLE BOTTLE AND CANS SCHEME

I, Cr Adele Pugsley, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday, 24 February 2025:

### **That Council:**

**Receive a report at a future Council meeting on setting up a scheme to allow local not-for-profit community groups, that support children and children's causes, to collect recyclable bottles and cans from Council centres and leisure centres.**

Signed

Cr Adele Pugsley

Date

### COUNCILLOR STATEMENT

There are many not-for-profit community groups operating in Latrobe City that provide opportunities and support for young people. As fundraising becomes increasingly difficult for these groups, Council could provide the opportunity for groups to raise funds through the state government container deposit scheme by accessing the recycled drinks containers from Council's many facilities.

### OFFICER COMMENT

*22.5.1 Whether the Notice of Motion, if passed, will have budget implications and, if so, what*

It is not envisaged that there will be any budgetary impact if the motion is passed.

*22.5.2 Whether the Notice of Motion, if passed, will impact on internal resources and, if so, how.*

If passed there will be a staffing resourcing impact in developing and administering such a scheme. It is envisaged that the resource requirement would be minimal and any workload could be absorbed within existing resources.

*22.5.3 How the Notice of Motion relates to the Council Plan and any relevant Council policies.*

**Healthy:**

Delivery of the objectives in Living Well Latrobe, our community's Municipal Public Health and Wellbeing Plan by promoting community safety, mental and physical health and activity, incorporating active design principles in open space, neighbourhood design and supporting community resilience.

**Connected:**

Helping groups to connect young people facing barriers to opportunities in education, recreation, sport, culture and the community

*22.5.4 How the Notice of Motion relates to work that has already been undertaken by Officers or Committees.*

Supporting not-for-profit community groups with their financial sustainability aligns with on-going work that officers undertake to ensure that such groups are viable on an on-going basis.

**DECLARATION OF INTERESTS**

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

**Attachments**

Nil

## 2025/01 COLLECTION OF THE EMERGENCY SERVICES AND VOLUNTEERS FUND

I, Cr Dale Harriman, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday, 24 February 2025:

**That the Mayor, on behalf of Council, write to the Premier of Victoria and the Minister for Local Government requesting the State Government remove the requirement for Victorian Councils to collect the newly announced State Government Emergency Services and Volunteers Fund, with the collection of this fund to be managed directly by the State Revenue Office to ensure a more streamlined and efficient process for all parties involved.**

Signed

Cr Dale Harriman

18 February 2025

### COUNCILLOR STATEMENT

The recent announcement by the Victorian State Government to implement changes to replace the Fire Services Property Levy with the Emergency Services and Volunteers Fund, will create significant administrative complexity and divert resources from essential local government functions. The proposed changes will result in a 50% increase in the amount collected by Latrobe City Council. Whilst Council acknowledges the importance of adequate funding for emergency services, we believe it is not appropriate for Councils to act as the collection agency for this State Government state-wide tax.

### OFFICER COMMENT

In accordance with Section 22.5 of the *Governance Rules 2023*, a response is provided on the four items detailed in the rules.

*22.5.1 Whether the Notice of Motion, if passed, will have budget implications and, if so, what.*

Preparation of a letter will not have a budget implication.

*22.5.2 Whether the Notice of Motion, if passed, will impact on internal resources and, if so, how.*

Preparation of a letter will not have an impact on internal resources.



*22.5.3 How the Notice of Motion relates to the Council Plan and any relevant Council policies.*

The Notice of Motion relates to the Council Capabilities theme of the *Council Plan 2021-2025*.

*22.5.4 How the Notice of Motion relates to work that has already been undertaken by Officers or Committees.*

The Notice of Motion does not relate to any recent work undertaken by officers or committees.

#### DECLARATION OF INTERESTS

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

#### **Attachments**

Nil

## 2025/04 COMMUNITY SAFETY IN LATROBE CITY

I, Cr Sharon Gibson, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday, 24 February 2025:

### **That Council;**

- 1. Request from Victoria Police a report in relation to the operating hours and current level of resourcing available in each Police Station in Latrobe City.**
- 2. Advocate to the State Government to;**
  - a. Increase the hours of operations of the Moe Police station to a 24 Hour Station with the reception and counter open 24 hours.**
  - b. Address the inadequacies in the Justice system that contributes to repeat offending.**

Signed

Cr Sharon Gibson

18 February 2025

### **COUNCILLOR STATEMENT**

Councillors have received significant concerns from community members about safety in Moe CBD, particularly in and around the new Moe Skate Park. Whilst Council does play a strategic role in community safety, law enforcement is the responsibility of Victoria Police. In order to ensure that our community is able to feel safe, especially in and around our great community facilities, it is critical that they are supported by appropriate levels of police resourcing, including a police station that is open and staffed 24 hours a day.

### **OFFICER COMMENT**

*22.5.1 Whether the Notice of Motion, if passed, will have budget implications and, if so, what.*

There are no budget implications arising from the Notice of Motion.

*22.5.2 Whether the Notice of Motion, if passed, will impact on internal resources and, if so, how.*

The work required to be delivered can be achieved within existing work focus and utilising existing resources.

*22.5.3 How the Notice of Motion relates to the Council Plan and any relevant Council policies.*

The focus of the Notice of Motion aligns with the following aspects of the Council Plan:

Healthy

- Ensure health and wellbeing planning are at the centre of Council planning in promoting safe communities, positive mental and physical health programs, resilience and connection to natural and built environments.
- Partnering in whole of government response to equity issues in community.

Council's Municipal Public Health and wellbeing Plan also includes an action to:

- Work with the community and stakeholders to reduce incidence of family violence, men's violence against women, elder abuse and all forms of violence and abuse.

*22.5.4 How the Notice of Motion relates to work that has already been undertaken by Officers or Committees.*

This Notice of Motion aligns with current priorities of the Community Safety Team and the Latrobe City Community Safety Advisory Committee.

## DECLARATION OF INTERESTS

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## Attachments

Nil

# **STRATEGIC ITEMS FOR DECISION**

## 8. STRATEGIC ITEMS FOR DECISION

Item Number 8.1

24 February 2025

Regional City Strategy & Transition

# LATROBE CITY COUNCIL'S FEDERAL ELECTION STRATEGY

## PURPOSE

To seek Council's endorsement of the advocacy strategy for the 2025 Federal Election.

## EXECUTIVE SUMMARY

- The Federal Election is expected to take place between March and May 2025. In preparation, the Federal Election Strategy (The strategy) has been developed **Attachment 1**.
- The strategy has been developed to support Council to advocate in a coordinated and strategic way to optimise the opportunity of securing investment and support for endorsed priorities as part of the election process.
- The strategy includes both government relations and communications components.
- The government relations component includes a stakeholder map for government meetings and briefings and includes:
  - Victorian Senators;
  - Government Departments;
  - Ministers;
  - Shadow Ministers;
  - Local Members; and
  - Candidates across various political parties.
- The communications component includes the following tactics:
  - Media Releases, including releases for funding pledges;
  - Radio Ads;
  - Print Ads;
  - Social Media ;
  - Connect Magazine; and
  - Advocacy Website.

- The strategy is centred around 10 key priority projects. These projects were endorsed at the Council Meeting held on Monday, 1 July 2024 as part of the 2025/2026 Advocacy Agenda (The Advocacy Agenda) **Attachment 2**.
- The endorsement of The Advocacy Agenda supported the priority projects being used for the 2025/2026 State and Federal Budgets, the 2025 Federal delegation to Canberra and the 2025 Federal Election. The projects included as part of the Advocacy Agenda are as follows:
  - Latrobe New Energy Future;
  - Victorian Aerospace Technology Precinct;
  - Flood Recovery and Resilience;
  - Inter-Township Trail Network;
  - Residential Development Precincts;
  - Latrobe's Future of Education;
  - Traralgon Bypass;
  - Traralgon East West Link;
  - Moe Revitalisation Stage 3; and
  - Infrastructure Transformation.
- Following the Federal Election taking place, Officers will return to Council to report on the outcomes of the election campaign. Officers will then work with the Council to reset the priority projects for the next political cycle. This will include the 2026/27 Victorian State Budget and the 2026 Victorian State Election.

#### OFFICER'S RECOMMENDATION

**That Council endorse the Federal Election Strategy and approve the action plan to be implemented as part of the 2025 Australian Government election campaign.**

## BACKGROUND

It is anticipated that the Federal Election will be held between March and May 2025.

In preparation for this, Officers have prepared an advocacy strategy aimed at securing government investment to drive job creation and economic diversification.

The strategy focuses on advocating to secure funding for critical projects that have been ongoing priorities for the Council.

The strategy is centred around the priority projects endorsed at the Council Meeting held of July 1, 2024, as part of the Advocacy Agenda

The advocacy priorities listed in the Advocacy Agenda include:

- Latrobe New Energy Future;
- Victorian Aerospace Technology Precinct;
- Flood Recovery and Resilience;
- Inter-Township Trail Network;
- Residential Development Precincts;
- Latrobe's Future of Education;
- Traralgon Bypass;
- Traralgon East West Link;
- Moe Revitalisation Stage 3; and
- Infrastructure Transformation.

The Advocacy Agenda served as the foundation for the 2025/2026 State and Federal Budget Submissions, which were made in the final quarter of the 2024 and formed the basis for the 2024 and 2025 delegations to Canberra. These priority project have been communicated with the relevant government stakeholders, which is a critical component of best practise advocacy.

To further support Council's advocacy, a delegation to Canberra has been scheduled for 10 & 11 of February 2025. To date, Council has been successful in securing meetings with the following MPs and Ministers:

- Darren Chester;
- David Littleproud;
- Bridgette McKenzie;
- Dan Rapacholi;
- Tim Ayres;
- Peter Dutton;
- Russel Broadbent; and
- Ted O'Brien.

This delegation will position Council well to launch the strategy for the Federal election with the priority projects being well communicated with various political parties.

The strategy has two pillars, including a government relations campaign that is aimed at securing commitments from the relevant political parties and a communications campaign that has been designed to raise awareness within the community about the advocacy activities being undertaken by the Council.

## ANALYSIS

When drafting this strategy, Officers considered the political cycle, recognising how state and federal budgets, as well as the delegations to Canberra, can serve as a valuable tool to present Council priorities to elected officials and government departments. This approach helps position Council initiatives on the government's agenda well before the election campaign begins.

The table below provides a high-level overview of the government relations and communications plan outlined in the strategy.

This approach may be adjusted based on feedback from elected officials or changes in the media and political landscapes at the time.

### Federal Election Strategy Action Plan Overview

	<i><b>Timeline</b></i>	<i><b>Activity</b></i>	<i><b>Status</b></i>
<i><b>Planning</b></i>	<i>Jul – Aug 2024</i>	<i>Council endorses priorities. Meeting requests sent to local MPs and relevant Ministers.</i>	<i>Complete</i>
	<i>Sept – Oct 2024</i>	<i>Council Caretaker Period</i>	<i>Complete</i>
	<i>Feb – Mar 2025</i>	<i>Campaign material prepared. Delegation to Canberra</i>	<i>In Progress Complete</i>
<i><b>Campaign</b></i>	<i>Mar – May 2025</i>	<i>Council launches Advocacy Campaign Targeted meetings with local candidates and political parties where appropriate  Earned Media Opportunities/Media announcements &amp; Mayoral Interviews  Owned Media Opportunities  Paid Media – Advertising Campaign  Social media</i>	<i>In progress</i>



	<b>Timeline</b>	<b>Activity</b>	<b>Status</b>
<b>Reporting</b>	May - Jul 2025	Report back to Council on outcomes from the election.  Close the loop with community election.	Not yet started

### Government Relations Stakeholder Map

A comprehensive stakeholder mapping exercise has been undertaken. This document includes representation from various political parties, with Victorian Senators, Government Ministers and Shadow Ministers being targeted in the planning phase, before shifting focus to a more localised approach when the campaign commences.

Please refer to **Attachment 1** stakeholder map to view the list.

Additional stakeholders may be included as the campaign accelerates based on feedback from elected officials and or shifts in the political landscape.

### RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
FINANCIAL Failure to advocate for projects means the community could miss out on the project and or Council will need to fund it.	<b>Medium</b> <i>Unlikely x Moderate</i>	Council will continue to advocate for projects on behalf of the community.
STRATEGIC Council not having a strategy for the 2025 Federal Election	<b>Low</b> Unlikely x Minor	Council to endorse the Advocacy Strategy for the Federal Election allowing the campaign to commence.
STRATEGIC Community sentiment not supportive of the election strategy priorities	<b>Medium</b> Unlikely x Moderate	Priorities align with the Council Plan and Community Vision and are consistent with the projects that have been advocated for in previous campaigns.

RISK	RISK RATING	TREATMENT
<b>STRATEGIC</b> Failure to advocate in a strategic way will minimise Councils chances of securing funding at the election	<b>Low</b> Unlikely x Minor	Council will advocate in a consistent and organised way in line with the Federal advocacy strategy.

## CONSULTATION

Officers have consulted with the relevant internal business units when confirming the information of each priority project and the ask of government.

Additionally, Officers drafted the communications and engagement plan in consultation with the communications and engagement team.

## COMMUNICATION

A comprehensive communications plan has been incorporated into Action Plan of the strategy. Communications tools and tactics that will be used as part of this plan include:

- Marketing collateral;
- Media Releases, including releases for funding pledges;
- Radio Ads;
- Print Ads;
- Social Media;
- Connect Magazine; and
- Advocacy Website.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Gender**

Not applicable

### **Social**

If the advocacy outlined in this submission is successful it may have a positive impact on social outcomes with increased jobs available in the community.

### **Cultural**

Not applicable.

### **Health**

Not applicable.

### **Environmental**

Not applicable

### **Economic**

Securing commitments for the priority projects through the Australian Government Election processes will further support Latrobe City's ongoing transition through investment in jobs, the economy, and the liveability of the region.

### **Financial**

Securing funding from Government will enable the identified priority projects to proceed and reduce the financial burden on Council.

All communications activities will be funded through the 2024/25 advocacy budget.

### **Attachments**

1. Federal Election Strategy 2025
2. Advocacy Agenda 2025/26

# 8.1

## Latrobe City Council's Federal Election Strategy

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## Advocacy Strategy - 2025 Australian Government Election

### Objective

Latrobe City Council's advocacy strategy for the 2025 Australian Government election aims to secure essential investment that will drive job creation and economic diversification.

The Council's primary objective is to secure funding that will support key industries and create new employment opportunities, to mitigate the economic loss from industry closure.

The campaign will be guided by Councils endorsed advocacy priorities and build on Councils ongoing advocacy strategy.

The strategy for the Federal Election Campaign is not an isolated effort and it is part of a broader approach that has involved extensive consultation with government members over the past 12 months.

### Advocacy Projects

Council endorsed the advocacy priorities they would take to the 2025 Australian Government Election at the Council meeting on **1 July 2024**.

The projects include:

- ✓ Latrobe City's New Energy Future
- ✓ Latrobe Aerospace Technology Precinct at Latrobe Regional Airport
- ✓ Latrobe's Future of Education
- ✓ Inter-Township Trail Network
- ✓ Flood Recovery and Resilience
- ✓ Moe Revitalisation Project – Stage 3
- ✓ Traralgon Bypass
- ✓ Traralgon East-West Link
- ✓ Residential Development Precincts

### Advocacy Action Plan

Phase	Timeline	Activity	Purpose	Tools/Techniques	Delivery
Planning Phase	<b>July 2024</b> Planning Phase	Council endorses priorities	To provide the Council with a clear direction of the priority projects	<ul style="list-style-type: none"> <li>Council report</li> <li>Advocacy pack</li> <li>Individual project fact sheets</li> <li>Advocacy website updated</li> </ul>	Complete
	<b>August 2024</b>	Meeting requests sent to local MPs and relevant Ministers	Commence Parliamentary engagement and brief on LCC	<ul style="list-style-type: none"> <li>Meeting invitation</li> <li>Lettes/email and phone calls</li> <li>Briefing packs</li> </ul>	Complete
	<b>September - October 2024</b> <b>Council Caretaker Period</b>				
	<b>February 2025</b>	Campaign material prepared	Prepare collateral for Campaign launch	<ul style="list-style-type: none"> <li>Website banner.</li> <li>Print Ad</li> <li>Social media tiles</li> </ul>	Planning
	<b>February 2025</b>	Delegation to Canberra	Meeting with relevant MPs and Ministers to raise awareness regarding Councils endorsed advocacy priorities	<ul style="list-style-type: none"> <li>Meeting invitation letters</li> <li>Briefing notes</li> <li>Media release</li> <li>Linkedin post</li> </ul>	Complete
	<b>March - May 2025</b> <b>Council launches Advocacy Campaign</b>				

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	<b>March – May 2025</b>	Targeted meetings with local candidates and political parties where appropriate	Raise awareness and advocate for commitments	<ul style="list-style-type: none"> <li>Meeting invitation phone calls and emails</li> <li>Briefing notes</li> </ul>	Planning
	<b>March – May 2025</b>	Earned Media Opportunities/Media announcements & Mayoral Interviews	Drive clear asks and demonstrate the need for priorities with a call to candidates	<ul style="list-style-type: none"> <li>Media releases</li> <li>Media briefings</li> </ul>	Planning
	<b>March – May 2025</b>	Owned Media Opportunities	Increase communities' awareness of Councils advocacy priorities	<ul style="list-style-type: none"> <li>Funding pledge media releases.</li> </ul>	Planning
	<b>March – May 2025</b>	Paid Media – Advertising Campaign	Circulate Council's priorities to a wider audience	<ul style="list-style-type: none"> <li>Radio Ads</li> <li>Print Ads</li> </ul>	Planning
	<b>March – May 2025</b>	Social media	Build community knowledge of our priorities and encourage interaction with the campaign	<ul style="list-style-type: none"> <li>Social media</li> </ul>	Planning
<b>Reporting Phase</b>	<b>May - July 2025</b> <b>Reporting to Council &amp; Community</b>				
	<b>June – July 2025</b>	Report back to Council on election outcomes	Provide Council with an overview of the advocacy following the election	<ul style="list-style-type: none"> <li>Council report</li> </ul>	Commencing soon
	<b>June – July 2025</b>	Close the loop with community	Update the community on the success of the campaign	<ul style="list-style-type: none"> <li>Connect</li> </ul>	Commencing soon

- ❖ The timelines identified in this project plan are subject to change based on the election date being announced.

## Stakeholder Map

This stakeholder map has been developed to identify local candidates, key elected members, including Ministers, Shadow Ministers, and local representatives. It will be reviewed regularly to monitor for cabinet reshuffles.

At the time of writing this strategy the candidates for the Federal election had not yet been endorsed. The stakeholder's Ministerial portfolios are relevant to the time at writing the stakeholder map.

	Name	Portfolio	Project alignment	Comment
<b>Candidates</b>	Darren Chester (Gippsland)	Candidate	All	
	<i>Placeholder for future candidates</i>	Candidate	All	
	<i>Placeholder for future candidates</i>	Candidate	All	
	<i>Placeholder for future candidates</i>	Candidate	All	
	<i>Placeholder for future candidates</i>	Candidate	All	
	Mary Aldred (Monash)	Candidate	Transition & Energy Policy Moe Revitalisation, Stage 3	
<b>Local Members</b>	Darren Chester	Federal Member for Gippsland	All	
	Russell Broadbent	Federal Member for Monash	Transition & Energy Policy Moe Revitalisation, Stage 3	The federal seat of Monash covers a small portion of Latrobe City in the Monash area. Stakeholder engagement will only focus on projects that impact that electorate



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	Raff Ciccone	Federal Senator for Victoria (duty seat)	All	
<b>Victorian Senators</b>	Jess Walsh	Federal Senator for Victoria	All	
	Ralph Babet	Federal Senator for Victoria	All	
	Lisa Darmanin	Federal Senator for Victoria	All	
	Sarah Henderson	Federal Senator for Victoria	All	
	Steph Hodgins-May	Federal Senator for Victoria	All	
	Jane Hume	Federal Senator for Victoria	All	
	Bridget McKenzie	Federal Senator for Victoria	All	
	James Peterson	Federal Senator for Victoria	All	
	Jana Stewart	Federal Senator for Victoria	All	
	Lidia Thorpe	Federal Senator for Victoria	All	
	David Van	Federal Senator for Victoria	All	
<b>Government Ministers</b>	Anthony Albanese	Prime Minister for Australia	Transition & Energy Policy All	
	Chris Bowen	Minister for Climate Change and Energy	Transition & Energy Policy New Energy Future	

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	Tim Ayres	Assistant Minister for Future Made in Australia	New Energy Future Future Made in Australia Fund	
	Andrew Giles	Minister for Skills, and Training	Transition & Energy Policy New Energy Future Latrobe's Future of Education	
	Madeline King	Minister for Resources	Transition & Energy Policy New Energy Future	
	Kristy McBain	Minister for Regional Development, Local Government and Territories	All	
	Anthony Chisholm	Assistant Minister for Regional Development	All	
	Clare O'Neil	Minister for Housing	Residential Development Precincts	
	Catherine King	Minister for Infrastructure, Transport, Regional Development and Local Government	Latrobe Aerospace Technology Precinct at Latrobe Regional Airport Residential Development Precincts Flood Recovery and Resilience	

**LATROBE CITY  
COUNCIL**

			Traralgon Bypass Traralgon East-West Link Infrastructure Transformation Moe Revitalisation Stage 3	
	Murray Watt	Minister for Employment and Workplace Relations	Transition & Energy Policy	
	Jason Clare	Minister for Education	Latrobe's Future of Education	
<b>Opposition Shadow Ministers</b>	Peter Dutton	Leader of the Opposition	Transition & Energy Policy All	
	David Littleproud	Leader of the Nationals	Transition & Energy Policy All	
	Susan McDonald	Shadow Minister for Resources	Transition & Energy Policy New Energy Future	
	Jonathan Duniam	Former Assistant Minister for Forestry and Fisheries		
	Ted O'Brien	Shadow Minister for Climate Change and Energy	Transition & Energy Policy New Energy Future	
	Michael Sukka	Shadow Minister for Housing	Residential Development Precincts	
	Bridget McKenzie	Shadow Minister for Infrastructure, Transport, and Regional Development	Latrobe Aerospace Technology Precinct at Latrobe Regional Airport Residential Development Precincts	

LATROBE CITY  
COUNCIL

Departments			Flood Recovery and Resilience Traralgon Bypass Traralgon East-West Link Infrastructure Transformation Moe Revitalisation Stage 3	
	Senator Sarah Henderson	Shadow Minister for Education	Latrobe's Future of Education New Energy Future	
	Net Zero Economy Authority		Transition & Energy Policy New Energy Future	





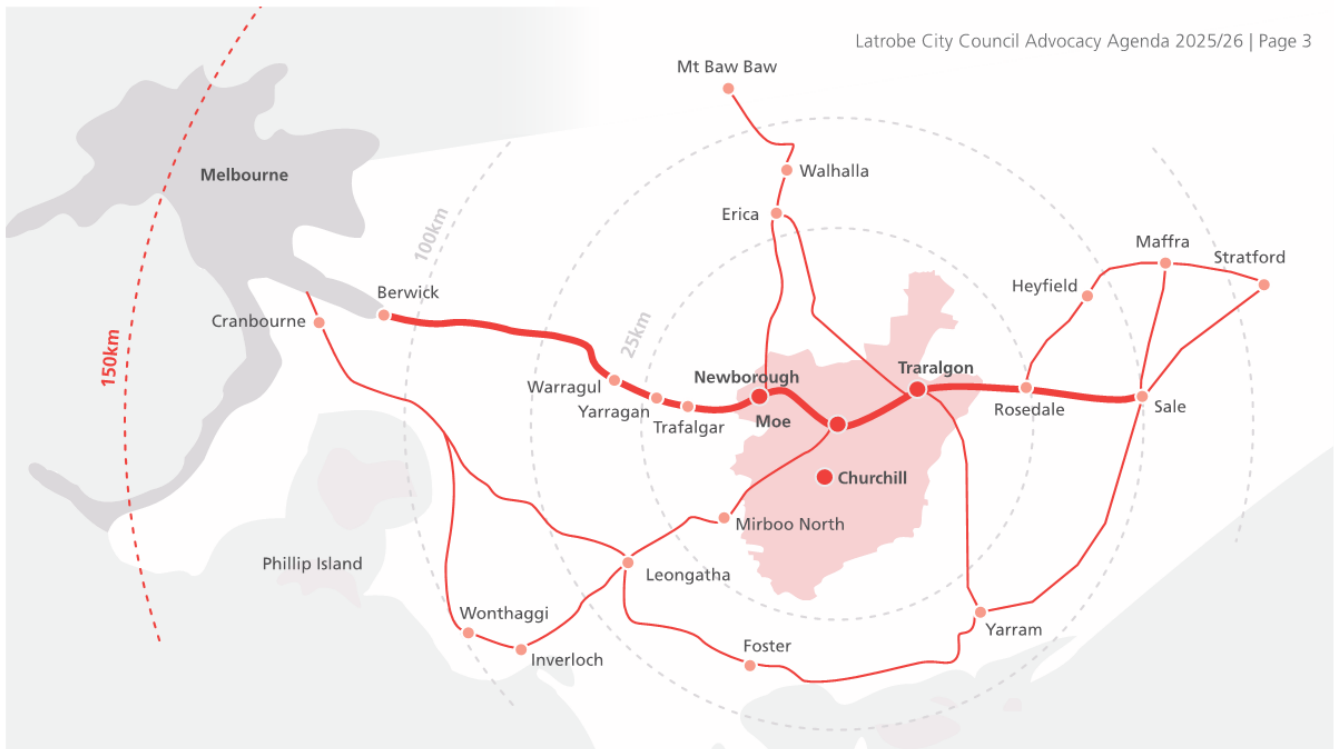


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**Latrobe City is one of Victoria's major Regional Cities. It is located 135 km east of Melbourne and has a population of approximately 75,500. The municipality comprises of several major urban centres, is the primary service and cultural centre for the Gippsland region, and hosts regional headquarters for government, private, and education entities.**

Latrobe City is undergoing a significant economic transition as it shifts towards a more sustainable and diverse economy. The region has long been known for its traditional industries, having served as Victoria's power generation centre for over 100 years. The global transition to cleaner energy sources to address climate change has seen the owner/operators of the region's power stations and mines announce their closure dates. The confirmation of these timelines has led to Latrobe City developing 'Our Transition' plan, which seeks to build on our strengths and support the region's economic transition and transformation. The plan supports the equitable diversification of Latrobe City's economic base and transition towards a low emission future through attracting investment, upskilling to meet needs, skilled workforce promotion, understanding future job opportunities, providing business support, and promoting Latrobe City.

Latrobe City businesses employ approximately 35,322 people. With a Gross Regional Product (GRP) valued at \$6.2 billion, Latrobe City makes a significant contribution to the Victorian economy.

Overall, electricity, gas, water, and waste services are the most valuable industries in Latrobe City, yielding over \$3.5 billion in regional output. Other important industries include healthcare, manufacturing, construction, rental, hiring and real estate services and social assistance.

With the upcoming closure of Yallourn Power station in 2028 and Loy Yang A Power Station in 2035, we have reached a critical point in our transition. While we appreciate the significant investments made by both state and federal governments, there is still more work to be done. This is why Council is seeking investments in key projects to support our community's prosperity.

We are committed to advocating for investments in crucial industries that will create new jobs and career pathways, support local businesses, and diversify our economy. Strategic investments from all levels of government will be essential to unlocking our potential as a strong, progressive, and fast-growing regional city.



To view our Transition Plan, scan the QR code.



LatrobeCity

# LATROBE CITY'S NEW ENERGY FUTURE

Invest in our new energy future to:

- Create new jobs and career pathways
- Support local investment and procurement.





## ADVOCACY AGENDA 25/26 PROPOSAL #1:

**LATROBE CITY'S  
NEW ENERGY FUTURE**

Latrobe City Council is calling on state and federal governments to guarantee the liveability of the city via an equitable transition to our new energy future.

Latrobe City Council is calling on both state and federal governments to guarantee our community is a beneficiary of the clean energy economy through investment that will drive opportunities in hydrogen and renewable energy, create jobs, and attract new industries to the region.

Academic experts recognise that economic diversification is one of the three best ways to grow a transitioning economy. With the Latrobe City at the forefront of the renewable energy transition and standing as the most heavily impacted municipality in Victoria, the time to act is now.

With the closure dates for the regions power stations and mines announced for 2028 and 2035, greater certainty regarding the future of the local workforce is critical. With access to transmission lines, freight networks, a skilled workforce and ample industrial land, Latrobe City is primed to lead this transformative shift.

With the shift to Net Zero a key priority for state and federal governments, Latrobe City Council stands ready to continue to be the epicentre for the energy economy.

This is why we are calling on both the state and federal governments to introduce targeted measures to drive clean energy investment, support economic recovery, and facilitate jobs. We want to work with all levels of government, prioritising investment in areas such as renewable energy generation and hydrogen. This will support our economy to diversify and ensure sustained economic prosperity for our community now and into the future.

**We are calling for:**

- ✓ A localised job quota within the renewable energy sector, including at the State Electricity Commission (SEC) in Morwell.
- ✓ Development of new renewable energy generation and transmission infrastructure in Latrobe City.
- ✓ Latrobe City to be classified as a Renewable Energy Hub.
- ✓ Latrobe City to be the home of the Wind and Hydrogen Worker Training Centres.
- ✓ Latrobe City to be the home of the SEC Centre of Excellence.
- ✓ Blue and green hydrogen pathways and supply chains in the region.
- ✓ Government support for net zero uses of lignite
- ✓ Ensure policy frameworks exist to maximise local procurement and job opportunities.
- ✓ Removal of the Coal Overlays.
- ✓ A comprehensive audit of existing energy workforce and development of a localised jobs and skills plan for Latrobe City.
- ✓ Ongoing government funding for CarbonNet.
- ✓ Government support for the Hydrogen Energy Supply Chain (HESC) and its commercialisation in Latrobe City.
- ✓ Fast track approvals to realise the \$41bn investment in Offshore Wind.
- ✓ Develop community benefit sharing schemes in partnership with local government and stakeholders.



**Latrobe***City*

# LATROBE AEROSPACE TECHNOLOGY PRECINCT AT LATROBE REGIONAL AIRPORT

Invest in the Victorian Centre for Advanced Air Mobility (AMM) at Latrobe Regional Airport to:

- Diversify our economy
- Create new industries





## ADVOCACY AGENDA 25/26 PROPOSAL #2:

# LATROBE AEROSPACE TECHNOLOGY PRECINCT AT LATROBE REGIONAL AIRPORT

Latrobe City Council is calling on state and federal governments to invest in Australia's only Integrated Advanced Air Mobility Ecosystem to diversify our economy and create new industries.

Latrobe City Council is calling on both state and federal governments to partner with us and invest in the development of the Latrobe Aerospace Technology Precinct (Precinct).

Established in 2024 at the Latrobe Regional Airport, this state-of-the-art hub is the first of its kind in Australia. Launched in partnership with Invest Victoria, this strategically positioned Precinct was designed with a vision to generate investment and technological advancements in emerging zero-emissions industries, particularly Advanced Air Mobility (AAM) and other eco-friendly aviation initiatives that offer significant economic, environmental, and industrial benefits.

With sustainable aviation and technologies being a key priority of the federal government's policy agenda, Council stands ready to house investment in emerging industries.

This is why we are calling on both state and federal governments to partner with us and build a dedicated AAM facility that will support small-scale manufacturing, research, and development, and be a 'launchpad' for startups.

This purpose-built facility will underpin Australia's first fully integrated AAM ecosystem, facilitating economic diversification while generating employment opportunities and paving the way for a new industry workforce. It will enhance access to local Science, Technology, Engineering and Mathematics (STEM) jobs, foster innovation among startups and enable new zero-emissions capabilities across various sectors such as logistics, emergency services, and passenger transport.

Our proposal for the Precinct also aims to activate council-owned commercially zoned land by extending a taxiway, facilitating development, providing access to land for the niche aviation market, and importantly generate hundreds of jobs.

## We are calling for:

- ✓ State and federal governments to partner with us to drive investment at the Latrobe Regional Airport.



LatrobeCity

# RESIDENTIAL DEVELOPMENT PRECINCTS

Invest in trunk infrastructure to:

- Unlock Latrobe City's growth
- Support more people into housing.





## ADVOCACY AGENDA 25/26 PROPOSAL #3:

# RESIDENTIAL DEVELOPMENT PRECINCTS

Latrobe City Council is calling on state and federal governments to invest in the establishment of a trunk infrastructure fund to boost housing supply and create more jobs closer to home.

Latrobe City Council is calling on both state and federal governments to establish an infrastructure fund to tackle the current challenges in delivering trunk infrastructure in regional developments to drive residential growth.

As one of Victoria's four Regional Cities, Latrobe City provides an exceptional quality of life. It offers access to top-tier sporting facilities, a world-class performing arts centre, diverse retail opportunities, educational institutions like TAFE Gippsland and Federation University, and established public transportation via the Gippsland train line.

Housing affordability in Latrobe City also stands out compared to neighbouring municipalities, with median house prices ranging from \$338K to \$480K, significantly lower than the \$665K median price in adjacent areas. This makes Latrobe City a logical choice for supporting population growth.

With housing availability a key priority for both state and federal governments, Council stands ready to play a vital role by providing access to land and new affordable homes.

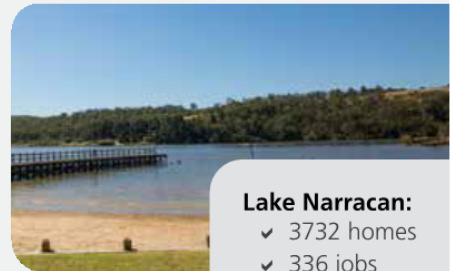
Our proposal for a trunk infrastructure fund would aim to support the initial upfront delivery of crucial infrastructure, including sewerage, gas, electricity, and arterial road connections, to fast-track development. Developers would replenish the fund as lots become available, ensuring its continuous use for future developments.

The introduction of the fund would empower communities in Latrobe City to activate housing developments faster, tackling the root problem of housing supply.

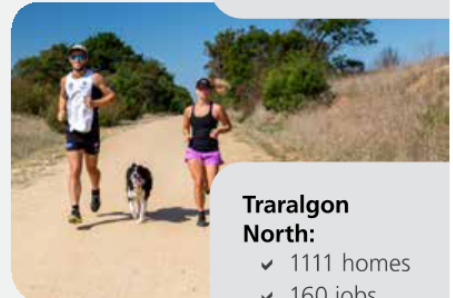
Council has been proactive in completing the required planning scheme amendments to ensure land is suitably zoned and have three shovel ready developments ready for trunk infrastructure.

## We are calling for:

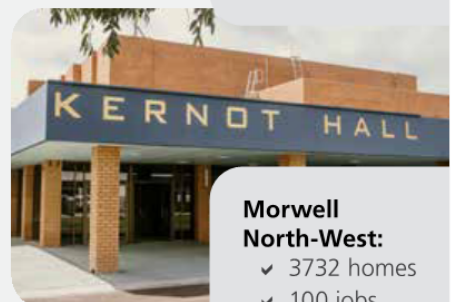
- ✓ An initial investment of \$35 million to kick start a rolling trunk infrastructure fund that will deliver housing in three key locations.

**Lake Narracan:**

- ✓ 3732 homes
- ✓ 336 jobs

**Traralgon North:**

- ✓ 1111 homes
- ✓ 160 jobs

**Morwell North-West:**

- ✓ 3732 homes
- ✓ 100 jobs

LatrobeCity

# LATROBE'S FUTURE OF EDUCATION

Invest in our educational providers to:

- Create educational pathways
- Support more people into jobs.



## ADVOCACY AGENDA 25/26 PROPOSAL #4:

# LATROBE'S FUTURE OF EDUCATION

Latrobe City Council is calling on state and federal governments to increase funding for our educational providers to create education pathways that will boost jobs and skills.

Latrobe City Council is calling on both state and federal governments to invest in our educational providers to help more people get into jobs.

With the closure dates for the regions power stations and mines announced for 2028 and 2035, we need investment in jobs and education that will support our community to transition.

With the state government investing heavily into Latrobe Regional Health and supporting the recruitment and training of over 17,000 nurses statewide Latrobe City stands ready to be part of the training program.

This is why Council is now partnering with Latrobe Regional Health and Federation University to call on both levels of government to invest in a Health and Education Hub at Latrobe Regional Health.

This exciting initiative will not only provide invaluable training and employment opportunities for nursing and allied health students it will also inject new vitality into our local economy. By diversifying our economic landscape and enhancing educational prospects, we can attract and retain talented individuals within our vibrant community.

We are also calling on the state government to establish the SEC Centre of Excellence and the Wind and Hydrogen Worker Training Centres in Latrobe City. These centres represent a significant leap towards sustainable energy practices and economic prosperity and will further support our transition by helping to reposition the Latrobe City as a Renewable Hub Energy Hub.

## We are calling for:

- ✓ A comprehensive audit of existing energy workforce and development of a localised jobs and skills plan for Latrobe City.
- ✓ Latrobe City to be the home of the Wind and Hydrogen Worker Training Centres.
- ✓ Latrobe City to be the home of the SEC Centre of Excellence.
- ✓ Funding boost for health sector training.
- ✓ Health Education Hub.





**Latrobe***City*

# INTER-TOWNSHIP TRAIL NETWORK

Invest in our tourism economy to:

- Attract new tourism industries
- Increase visitation.





## ADVOCACY AGENDA 25/26 PROPOSAL #5:

**INTER-TOWNSHIP  
TRAIL NETWORK**

Latrobe City Council is calling on both state and federal governments to invest in our tourism economy to attract new industries, increase visitation and provide more attractions locally.

Latrobe City Council is calling on both state and federal governments to invest in an inter-township walking and cycling trail to bolster our visitor economy.

Nestled in the heartland of Gippsland, Latrobe City boasts a vibrant community surrounded by breathtaking bushland, serene waterfalls, picturesque lakes, and sprawling national parks, making it an exceptional destination for visitors.

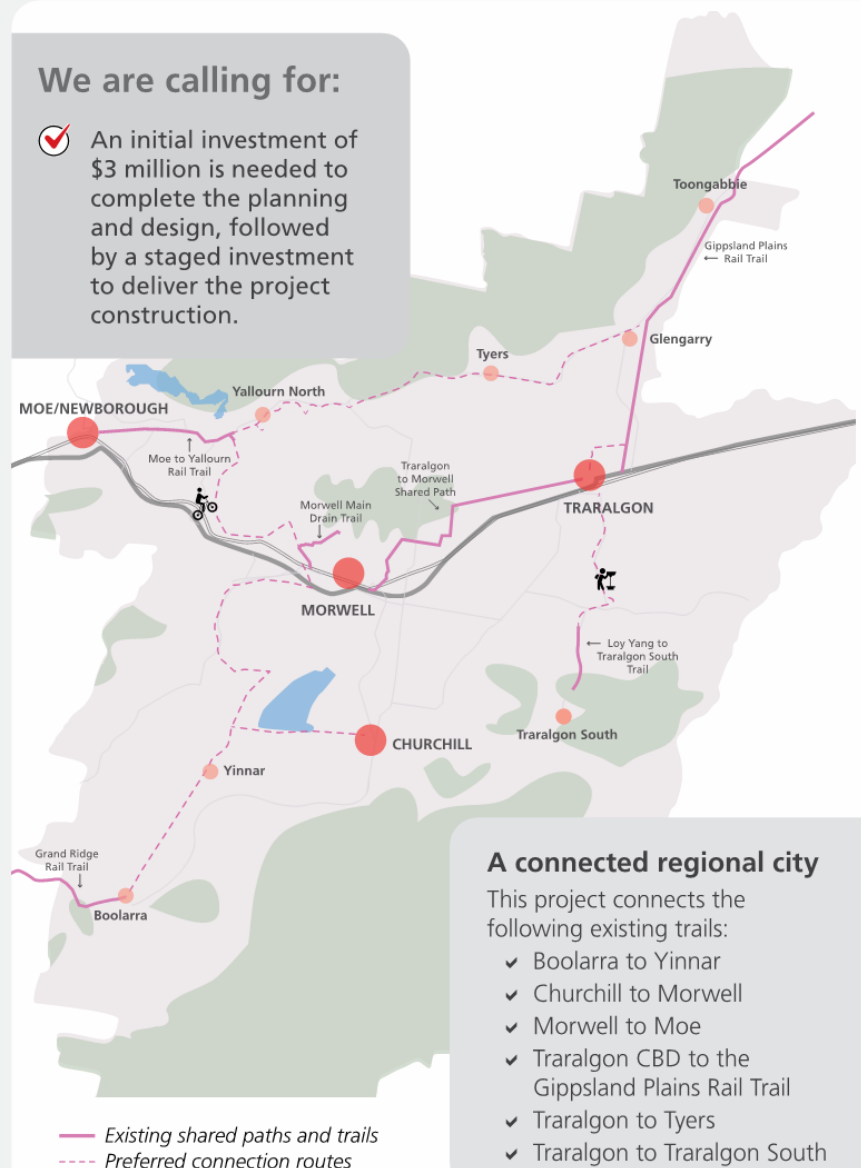
We need large-scale investment in new industries, including tourism offerings, to diversify our economy and ensure the prosperity of our community now and into the future.

This is why we have devised an ambitious plan to establish a network of trails between townships, spanning across Latrobe City and beyond. These trails will be accessible via the Gippsland train line, enabling visitors of all abilities to explore our stunning municipality.

By incorporating the significant Haunted Hills Mountain Bike Path and elements of rail heritage, these trails will offer a diverse range of experiences. From leisurely rides suitable for young families and beginners, to challenging off-road mountain bike trails and long-distance routes catering to seasoned riders, our trail network will appeal to all cyclists.

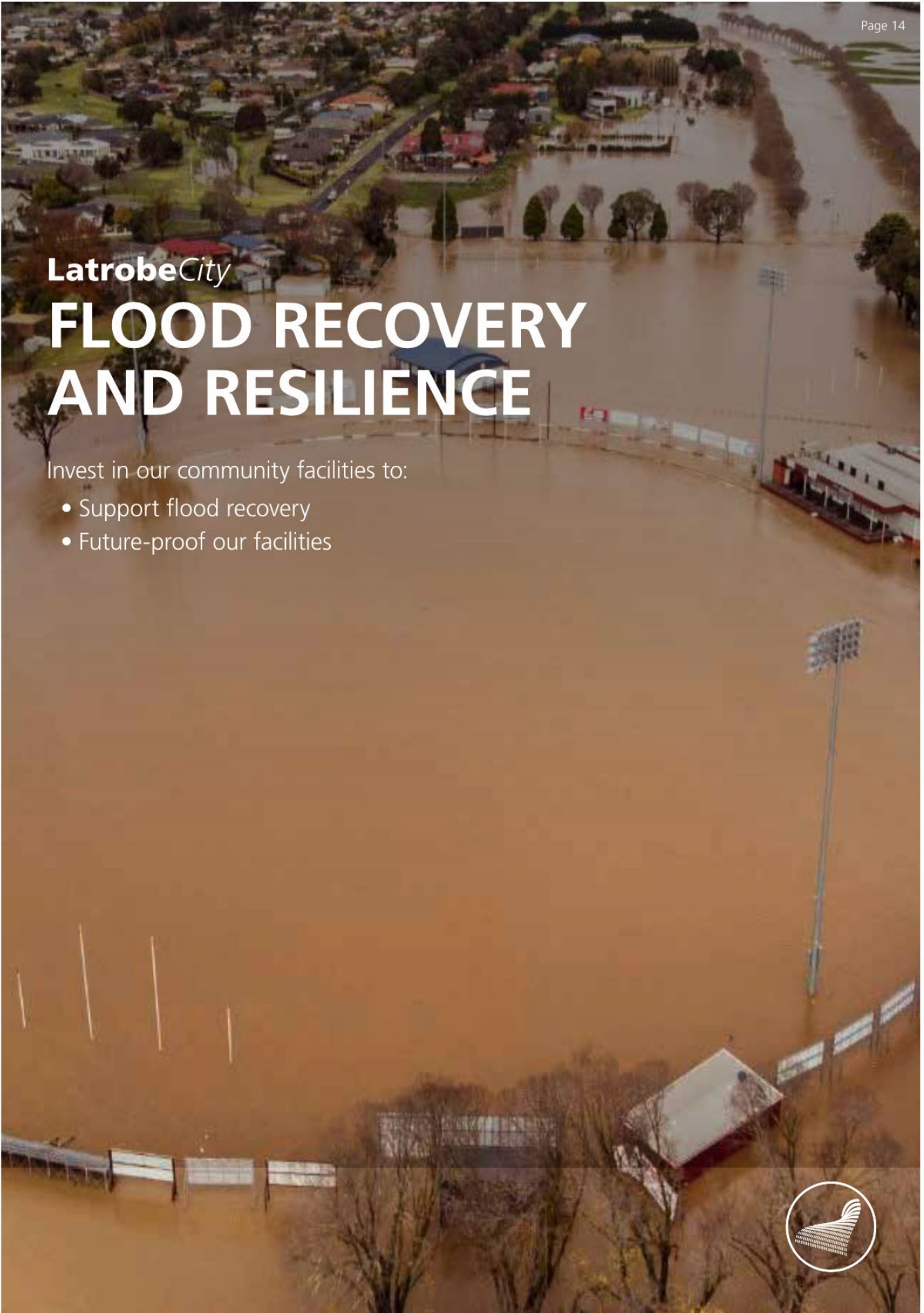
**We are calling for:**

- ✓ An initial investment of \$3 million is needed to complete the planning and design, followed by a staged investment to deliver the project construction.

**A connected regional city**

This project connects the following existing trails:

- ✓ Boolarra to Yinnar
- ✓ Churchill to Morwell
- ✓ Morwell to Moe
- ✓ Traralgon CBD to the Gippsland Plains Rail Trail
- ✓ Traralgon to Tyers
- ✓ Traralgon to Traralgon South



**Latrobe***City*

# FLOOD RECOVERY AND RESILIENCE

Invest in our community facilities to:

- Support flood recovery
- Future-proof our facilities



## ADVOCACY AGENDA 25/25 PROPOSAL #6:

**FLOOD RECOVERY  
AND RESILIENCE**

Latrobe City Council is calling on the federal government to invest in the Traralgon Recreation Reserve and Glenview Park to support flood recovery, future-proof our facilities, and mitigate future flood events.

Council is calling on the federal government to partner with the Victorian State Government and Council to construct a new multi-use pavilion at Traralgon Recreation Reserve and a new multi-use sports hall at Glenview Park.

In June 2021, Victoria faced a severe weather event that resulted in widespread flooding across Latrobe City. Traralgon Creek experienced a peak of almost six metres of flood waters, exceeding major flood levels by nearly 1.5 metres, affecting over 100 buildings. This was the largest flooding of Traralgon Creek in living memory, leaving devastating impacts on the community.

The destruction resulted in many buildings home to user groups at the Traralgon Recreation Reserve being completely destroyed.

We know how important it is to provide safe, inclusive, and welcoming sports, recreation, and leisure facilities and how they play an important part in a well-balanced lifestyle.

The benefits associated with participating in sports and physical activity are clear, including physical and mental health, social interaction, personal enjoyment and achievement, community involvement, community resilience, and opportunities to express community pride.

This is why we are committed to advocating to rebuild two facilities to house the impacted user groups, including a brand-new multi-use pavilion at Traralgon Recreation Reserve and a multi-use sports hall at Glenview Park.

We understand what success can look like when all levels of government work together. We are grateful for the state governments commitment of \$4.75 million to these important works and are now calling on the federal government to match it.

**We are calling for:**

- ✓ An investment of \$4.75 million for the federal government to build a multi-use pavilion at Traralgon Recreation Reserve and a multi-use sports hall at Glenview Park.

**Preparations complete****Traralgon  
Recreation Reserve  
Multi-use Pavilion**

- ✓ Concept design
- ✓ 3D renders
- ✓ Cost plan
- ✓ Tender drawing
- ✓ Shovel ready

**Glenview Park  
Multi-use Sports  
Hall**

- ✓ Concept design
- ✓ 3D renders
- ✓ Cost plan
- ✓ Tender drawing
- ✓ Shovel ready



Images are 3D renders of concept plans only. Costs are Council's working estimates.



# LatrobeCity TRARALGON BYPASS

Invest in the Traralgon Bypass to:

- Improve road safety and connectivity
- Mitigate future flood events.



## ADVOCACY AGENDA 25/25 PROPOSAL #7:

# TRARALGON BYPASS

Latrobe City Council is calling on state and federal governments to invest in road infrastructure to get our community home safely and reduce congestion on our road network.

Latrobe City Council is calling on both the state and federal governments to invest in the Traralgon Bypass as a crucial step in addressing local traffic congestion and safety issues.

The Traralgon Bypass was recognised as a priority many years ago. It aims to divert heavy vehicles and through traffic away from the increasingly busy town centre.

As the largest town in a road freight-dependent region, we need a safe and efficient link to accommodate Gippsland's growing communities.

Extensive groundwork conducted by VicRoads in the 2000s included preliminary road designs and assessments covering various aspects such as flora, fauna, economics, land use, and cultural heritage. These efforts led to the formal inclusion of the bypass route in the Latrobe Planning Scheme in 2009, along with a subsequent commitment of \$1.4 million by the state government in 2017 for bypass planning.

Further planning endeavours facilitated by Regional Roads Victoria involved community feedback on route preferences and interchange locations. The resulting study comprehensively analysed the economic, environmental, social, and traffic impacts of the proposed bypass. However, progress has been hindered by concerns regarding the proximity of the bypass to the Loy Yang mine and potential implications for rehabilitation efforts. With the scheduled closure of the Loy Yang mine now confirmed for 2035, we are calling on the federal government to prioritise this project.

The Traralgon Bypass is integral to the industry's needs and is highlighted as the highest priority in the Gippsland Freight Infrastructure Master Plan commissioned by Regional Development Australia.

We are confident that this project aligns with the priorities of the federal government to deliver infrastructure that improves productivity and resilience.

## We are calling for:

- ✓ The state and federal governments to partner with us to commit to a delivery timeline for the Traralgon Bypass.





LatrobeCity

# TRARALGON EAST-WEST LINK

Invest in the Traralgon East-West Link to:

- Enhance the connectivity of the Traralgon community
- Improve road safety and reduce traffic congestion.





## ADVOCACY AGENDA 25/26 PROPOSAL #8:

# TRARALGON EAST-WEST LINK

Latrobe City Council is calling on state and federal governments to invest in road infrastructure that will support our growing population and growing towns.

Latrobe City Council is calling on both state and federal governments to invest in a Traralgon East-West Link to improve liveability and connectivity for our community.

As Traralgon continues to grow, we need investment in road infrastructure that will future-proof the road network, alleviating congestion and improving safety around the city centre.

The Traralgon East-West Link will divert traffic away from the Princes Highway and provide the community with an efficient and logical route to commute across town without the need to go via the city centre.

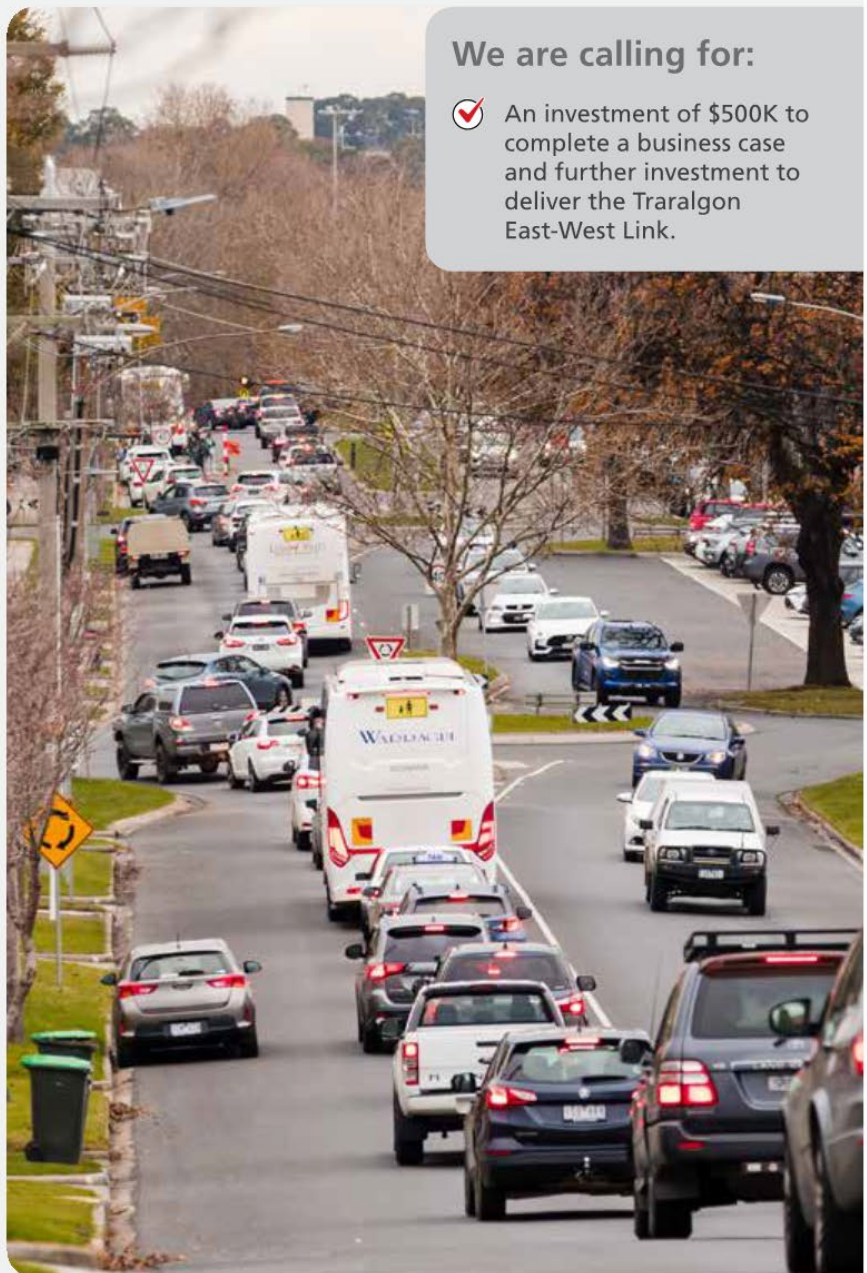
Presently, there are no viable east-west connections to the north of Traralgon, meaning commuters are required to travel via the city centre. This creates safety issues in and around the town centre and pushes traffic onto the already busy and congested Princes Highway.

This is why we have created a plan to support traffic from the east to the west of Traralgon.

This project paves the way for the continued growth of Traralgon as a vital regional centre with a focus on enhancing the connectivity of our community.

## We are calling for:

- ✓ An investment of \$500K to complete a business case and further investment to deliver the Traralgon East-West Link.



**Latrobe***City*

# MOE REVITALISATION PROJECT STAGE 3

Invest in the Moe Revitalisation Project to:

- Enhancing the visual aesthetics of Moe
- Creating an inviting environment for local businesses to grow.





## ADVOCACY AGENDA 25/26 PROPOSAL #9:

# MOE REVITALISATION PROJECT STAGE 3

Latrobe City Council is calling on state and federal governments to invest in our precincts to continue creating safe and vibrant towns where our businesses and community can thrive.

Latrobe City Council is calling on both state and federal governments to invest in Stage 3 works for the Moe Revitalisation Project to enhance the vitality of the town and boost community pride.

Moe is a vibrant mix of residential, commercial, and industrial, with shops, cafés, restaurants, and a range of parks and recreational areas.

With numerous schools, employment opportunities, active community organisations, and inclusive events for people of all ages, Moe is a great place to live, work, and play. This is why Council has created a comprehensive plan to make the Moe township even better.

Our commitment is to enhance the vitality of the town centre. The plan seeks to build on the success of Stages 1 and 2 of the Revitalisation Project by creating a shared-use zone, commuter car park, beautification works, and street lighting.

This project will enhance the streetscape to better accommodate businesses, commuters, and pedestrians, while providing the community with a safe shared-use space to host events.

We are confident this project aligns with state and federal governments priorities to deliver transformative precincts that support the development of thriving and liveable towns.

## We are calling for:

- ✓ **\$7.5 million to complete the detailed design and delivery of Stage 3 for the Moe Revitalisation Project.**

### Stage 3 will deliver

- ✓ **Redevelopment of Moore Street**  
Create a shared use zone.
- ✓ **Construction of a commuter car park**  
We aim to add easier parking for commuters, thereby improving accessibility and safety to the town centre.

- ✓ **Beautification works**  
Enhancements such as tree planting, installation of quality street furniture, brick paving, and the addition of arched canopies elevate the space's aesthetics and appeal.

- ✓ **Creation of a u-turn**  
A designated u-turn will allow for road closure in the shared use space to facilitate a safe and inclusive event space.
- ✓ **Safety measures**  
Increased public lighting and signage in the commuter car park to enhance safety and boost visitation at adjacent amenities such as shops and the skate park



LatrobeCity

# INFRASTRUCTURE TRANSFORMATION

Invest in our rail infrastructure to:

- Boost efficiencies of our Freight Network
- Transport workers to and from jobs.



## ADVOCACY AGENDA 25/26 PROPOSAL #10:

# INFRASTRUCTURE TRANSFORMATION

Latrobe City Council is calling on both state and federal governments to invest in integrated, well-planned public transport infrastructure to boost efficiencies of our freight network, transport workers to and from jobs, and bring visitors to our region.

Latrobe City Council is calling on both state and federal governments to invest in our rail infrastructure and services to improve the accessibility and reliability of the Gippsland train line and expand our rail freight opportunities.

Providing safe, fast, and reliable public transport is vital to local communities. It supports access to essential health, education, and professional services, transports workers to and from jobs, and attracts visitors to our region.

However, public transport does not always provide the support our community needs.

Current services fail to provide good connectivity between Latrobe City and Melbourne, impacting our municipality's ability to access larger centres, attract and retain a new population and workforce, and boost our visitor economy.

A standard train trip from Traralgon to Flinders Street, Melbourne is approximately 2 hours and 15 minutes, double the commute of other regional cities.

Providing express services and duplicating the train line is part of the solution.

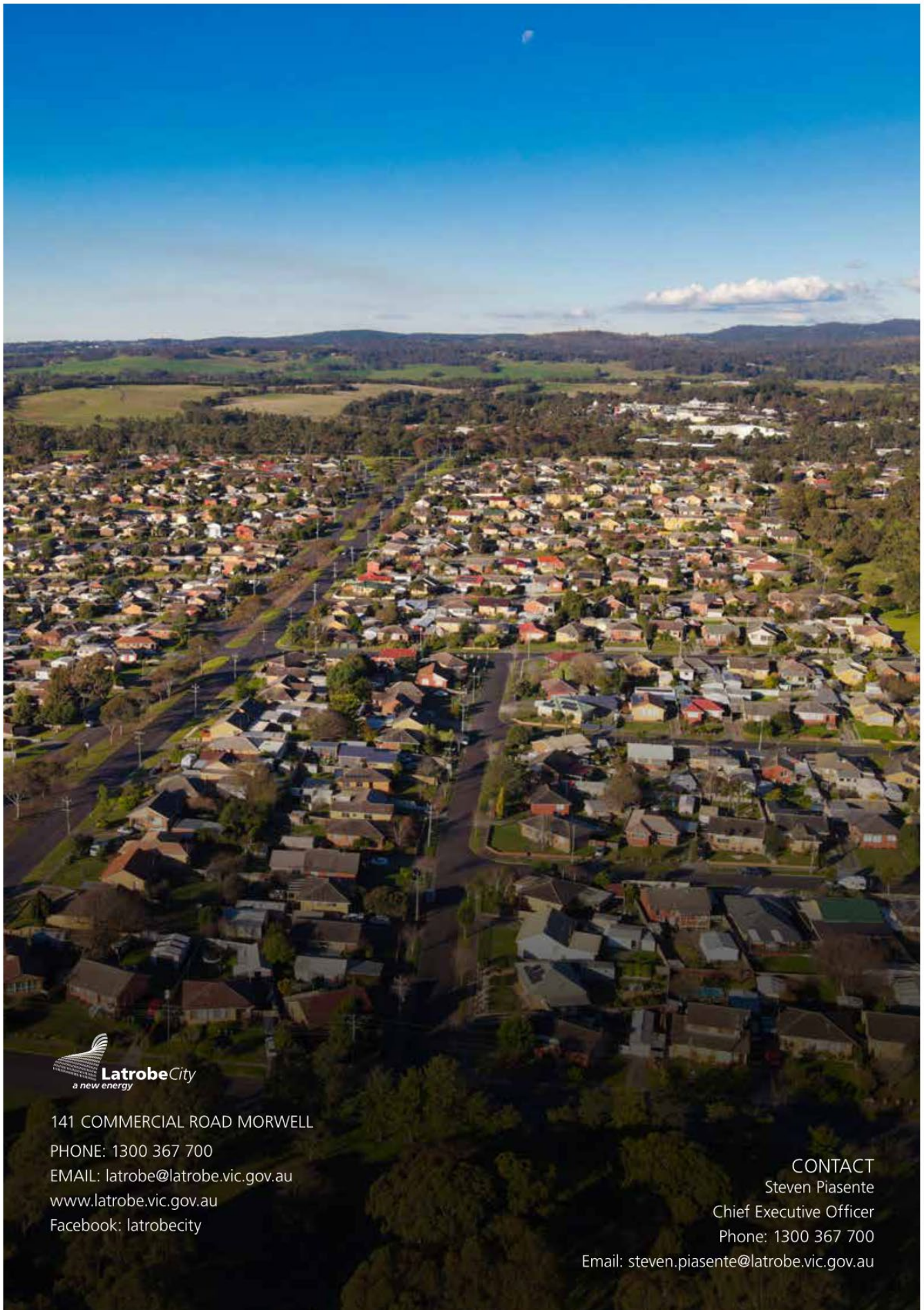
This investment will not only diversify our economy but also expand our freight offerings, enhance the functionality of our existing freight infrastructure, and improve the safety of our road network. It is a step towards creating more jobs and fostering economic growth in our region.

Further government investment in several important projects is needed to reduce the community's resilience on vehicle use.

## We are calling for:

- ✓ **Improved passenger services**  
To deliver fast efficient and reliable services.
- ✓ **Infrastructure upgrades**  
Duplicate tracks and bridges between Bunyip and Longwarry to enable more reliable service provision.
- ✓ **Track upgrades**  
Progressively upgrade the track between Traralgon, Sale and Bairnsdale to enhance connectivity.
- ✓ **Freight passing loop**  
Develop a freight passing loop at Sale or Wurruk to promote efficiency.
- ✓ **Northern track upgrades**  
Upgrade the northern tracks to improve travel times and extend track duplication to Morwell.
- ✓ **Protect freight routes**  
Upgrade and maintain routes from Gippsland to Melbourne Ports and Intermodal Hubs, ensuring future demand is met. This includes preserving freight service 'slots' on the Gippsland train line.
- ✓ **Intermodal freight hub**  
Establish a dedicated intermodal freight hub to serve Gippsland businesses utilising the Gippsland train line.





141 COMMERCIAL ROAD MORWELL

PHONE: 1300 367 700

EMAIL: [latrobe@latrobe.vic.gov.au](mailto:latrobe@latrobe.vic.gov.au)

[www.latrobe.vic.gov.au](http://www.latrobe.vic.gov.au)

Facebook: [latrobecity](https://www.facebook.com/latrobecity)

**CONTACT**

Steven Piasente

Chief Executive Officer

Phone: 1300 367 700

Email: [steven.piasente@latrobe.vic.gov.au](mailto:steven.piasente@latrobe.vic.gov.au)

## SALES PROCESS UPDATE - 59-91 PHILIP PARADE, CHURCHILL (HAZELWOOD HOUSE)

### PURPOSE

To provide Council with an update on the sale process for the property at 59-91 Philip Parade, Churchill known as Hazelwood House, and seek Council endorsement to discontinue the current sales process and proceed to demolish all of the buildings and structures at the property.

### EXECUTIVE SUMMARY

- In September 2022, following an Expression of Interest (EOI) campaign, Quantum Support Services (Quantum) were chosen as the preferred purchaser of Hazelwood House and negotiations for the sale began.
- In November 2023, Quantum Support Services formally withdrew from the sales process, citing difficulty securing funding for the purchase.
- On 8 April 2024, Council resolved to sell Hazelwood House on an 'as-is, where-is' basis via a publicly advertised EOI campaign conducted by a real estate agent. This campaign generated wide interest; however zero conforming offers and three non-conforming offers were received.
- On 5 August 2024 Council resolved to sell Hazelwood House on an 'as-is where is' basis via private treaty, again this generated wide interest however no conforming offers.
- Currently the holding costs are approximately \$1,200 per week including rates, fire services levy, utilities, security and ground maintenance. These holding costs are increasing, whilst the value of the asset reduces.

### OFFICER'S RECOMMENDATION

#### That Council:

1. **Discontinues the sale process for the property at 59-91 Philip Parade Churchill, being the land described as Lot 5 on PS 309824F contained in Certificate of Title Volume 10351 Folio 487; and**
2. **Approves the demolition of all buildings and structures at 59-91 Philip Parade, Churchill and return the property to a greenfield site, with the costs associated with the site remediation to be funded from future sale proceeds.**

## BACKGROUND

At the Council Meeting held on 5 September 2022, Council resolved to sell 59-91 Philip Parade, Churchill known as Hazelwood House to Quantum at market value with restrictions on the future use of the site.

After lengthy negotiations, Quantum withdrew from the sale process in November 2023 citing financial uncertainties, restrictive use conditions stalling third party finance and concerns with the building condition.

Since the Quantum Services withdrawal was made public, Council has unsuccessfully attempted to sell the property via a variety of different methods. In May 2024, the property was made available for sale via an EOI process conducted by local Real Estate Agent Wilson Property. Despite receiving five separate offers, no offers were conforming with Council's terms of 'as is where is'.

In August 2024 following the unsuccessful EOI process, Council resolved to sell the property via Private Treaty enabling Wilson Property to place a price on the property to engage potential buyers and provide some clarity to the market as to the asking price. No acceptable offers have been received via this process.

Consistent feedback received from potential purchasers in relation to the property include:

- The size of the building - building was considered too small and end of life for an aged care provider when Council originally purchased the site from Benatas in April 2020.
- There are unknown rectification works, compounded with significant damage sustained from a water leak in early 2022. The building requires significant investment to either operate as an aged care facility again or be repurposed for an alternative use. The unknown costs of the building rectification works have reduced interest in the site.

## ANALYSIS

### **Holding Costs**

The Holding Costs for the property are approximately \$1,200 a week including the rates, fire services levy, utilities, grounds maintenance and security.

In order to reduce the risk of vandalism and squatters at the site as well as fire prevention the grounds and surrounds of the building are still being maintained. The large vacant block adjacent to the buildings also requires regular slashing to reduce fire load and risks. In addition to maintaining the gardens and surrounds, the property is on nightly security monitoring.

The building still requires utilities to be connected to enable security system to be active and prevent mould within the building.

### **Quietness of the local market**

Advice from the Real Estate agents is that the market for commercial properties has slowed significantly in the past 18 months. This has been partially attributed to the interest rate remaining higher than previous years, and a decreasing demand for existing assets over greenfield sites.

### Demolition of Hazelwood House

After a series of ongoing but unsuccessful sales campaigns, the next step for the site is to proceed to demolition and site remediation to a greenfield site. This would remove the current risks of the site and dramatically reduce the ongoing holding costs of the asset.

#### RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
<b>COMPLIANCE</b> The demolition works are completed without appropriate approvals	<b>Low</b> Unlikely x Minor	A procurement process to appoint a suitably qualified contractor who will be required to comply with all relevant legislation and regulations will be undertaken.
<b>FINANCIAL</b> The ongoing financial burden of this asset	<b>Medium</b> Unlikely x Moderate	The holding costs of the property are approximately \$1,200 per week.
<b>STRATEGIC</b> The reputational risk of not being able to sell the property, and allocate the proceeds to projects within the Churchill and District community	<b>Medium</b> Unlikely x Moderate	There is significant community interest in the site.  However, it will increase the potential market interested in purchasing the property.

#### CONSULTATION

Officers will contact the Churchill Lions Club, in relation to the rose garden that was installed by Churchill Lioness Club and provide them with an opportunity to remove the roses prior to demolition.

#### COMMUNICATION

Council will prepare a media release to update the community on the future of Hazelwood House.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.



## APPENDIX 1 IMPACT ASSESSMENT

### **Gender**

Not Applicable.

### **Social**

Not Applicable.

### **Cultural**

Not Applicable.

### **Health**

Not Applicable.

### **Environmental**

Not Applicable.

### **Economic**

The future sale of the property will unlock residential zoned land in Churchill, which may lead to housing development opportunities.

### **Financial**

Current holding costs of approximately \$60,000 per year are being incurred; including rates and fire services levy, utilities, security and ground maintenance. The site remediation costs will be funded through the future proceeds of sale.

### **Attachments**

Nil

# REVIEW PROCESS FOR GOVERNANCE RULES

## PURPOSE

To present information to Councillors on the process required to amend the Governance Rules, pursuant to the Council resolution of 16 December 2024, and provide benchmarking results for the proposed alterations contained in the resolution.

## EXECUTIVE SUMMARY

- Section 60 of the *Local Government Act 2020* (Act) requires councils to develop, adopt and keep in force Governance Rules (Rules) with respect to the conduct of Council and delegated committee meetings. The current Rules were adopted by Council at its 2 October 2023 Meeting.
- At the Council Meeting on 16 December 2024, the following resolution was passed (Resolution):

*That Council receive a report at a future Council Meeting in relation to a review of the Governance Rules detailing the process to be undertaken to amend the Governance Rules to incorporate changes to Section 22 (Notices of Motion) and Section 67 (Petitions) as detailed in **Attachment 1**.*

Attachment One referred to in the Resolution is included as Attachment 1 to this report.

- The process for amendment of the Rules is set out in the Act, with further guidance provided by Council's Community Engagement Policy. A detailed outline of the process has been included in the Background section of this report.
- While a Council resolution is not required for officers to commence a review of the Rules, one is needed to release a draft with proposed amendments for public consultation.
- Community engagement is a mandatory part of the process. To maximise use of resourcing that would be required to conduct consultation and assess feedback, it is the opinion of officers that it would be beneficial to consider incorporating a broader review of the Rules into any further action on this Resolution, including the Election Period Policy, and consider the timing of any consultation to be in line with the proposed future Model Governance Rules to be provided to Councils in December 2025.
- Officers have conducted benchmarking for the potential amendments set out in **Attachment 1**. The full results of that benchmarking are provided at **Attachment 2**, with a summary in the Analysis section of this report below.

- Since the Resolution was made, Council has received advice from Local Government Victoria (LGV) that Model Governance Rules are intended to be provided to Victorian councils in December 2025. LGV has indicated that the Rules will not be mandatory, but will be considered best practice. As that matter is at an early stage, the likely content is currently unknown.

#### OFFICER'S RECOMMENDATION

**That Council notes this report.**

## BACKGROUND

### Content of Rules

Council's current Governance Rules were adopted on 2 October 2023 following a public consultation process in accordance with the Act.

During the consultation process, there was no feedback received from the community regarding petition requirements in the Rules, however some responses included references to Notices of Motion.

The feedback on the Notices of Motion provisions were around removing the Chief Executive Officer's ability to refer matters through other mechanisms where considered appropriate, involvement of the Chief Executive Officer (CEO) more broadly and removing the requirement for Councillors to discuss their Notices of Motion with other Councillors at Briefings. The Rules were passed without changes to Notice of Motion provisions, although alterations were made to other aspects following consideration of the community feedback.

A petition was subsequently received by Council which was considered at the 8 April 2024 Council Meeting. The petition, containing 102 valid signatures, requested amendment of the Rules to remove the word limit and the requirements around mandatory use of the Council hardcopy petition template or online e-petition platform. Council resolved to retain the existing petition framework at that time.

A Notice of Motion was brought to the Council Meeting of 5 August 2024 seeking the same alterations as the petition. The motion was not passed.

As part of the above, there has been contemporary advice given by officers that is relevant to the alterations set out in the Resolution, as follows:

- Notice of Motion:
  - Background and justification from a Councillor on their Notice of Motion that it supports informed and transparent decision making.
  - Requiring an officer comment and statement better informs decision making and improves governance through greater accountability and transparency. The alignment for Notices of Motion with Council's legislated responsibilities assists to demonstrating accountability and promotes community confidence in the Council actions.
  - The intent of the ability of the CEO to refer matters to operational service processes, Councillor Briefings or workshops is not to remove or limit the ability of Councillors to raise matters via a Notice of Motion; the aim is to improve the process in dealing with those that are submitted, including greater clarity as to their implications, while providing alternate avenues for dealing with the matters raised, if appropriate.
  - While the CEO has power to reject or refer certain Notices of Motion, the Rules require collaboration with the relevant Councillor before arriving at a final decision.

- Petition:
  - The 250 word limit aims to support clear communication of the action required of Council, a petitioner being able to understand what they are signing and ensures the text can be included on each page of a hardcopy petition.
  - The use of Latrobe City's e-petition facility protects petitioner engagement with Council, with legislated privacy and personal information security in place. A platform able to be used as a comparison, Change.org, does not adhere to Australian privacy legislation and confirms on their website that personal information may be shared with third parties, or used and disclosed as deemed necessary or appropriate by the platform.

### Amendment Process

Section 60(4) of the Act requires councils to follow a process of community engagement when amending the Rules. The Act and its regulations do not provide any further requirements; the Rules are not one of the Council documents where deliberative engagement is mandatory.

Accordingly, Council is guided by its Community Engagement Policy and the Community Engagement Principles in the Act in determining appropriate community engagement. Any engagement process needs to ensure participants are fully informed and supported, and that participants are representative of the impacted persons/groups.

Since the Rules became a requirement under the Act, Council has conducted three community engagement processes, the first for establishment and two amendment reviews.

For all three processes, public consultation was undertaken through making the draft document available for open ended feedback over a four-week period. The first two processes did not elicit any responses, however the last process received 25.

The increased response rate during the most recent amendments, together with the petition presented to Council last year indicate higher community interest in the Rules at this time. This should be considered in planning any appropriate community engagement process for a review of the Rules.

Given the process requires resourcing and must take place over a reasonable period of time, it is the opinion of officers that any review process to be undertaken in relation to the Resolution should be used as an opportunity to complete a broader examination of the Rules. This would allow matters such as the review of the Election Period Policy, which must be done at least once per Council term, to be managed at the same time and so make best use of the resources needed.

Officers can commence a review of the Rules when considered necessary. However, a Council Resolution endorsing the draft document with amendments to be released for community engagement is required.

## Model Governance Rules

The Independent Broad-based Anti-corruption Commission released its report into Operation Sandon in 2023, which was an investigation into alleged corrupt conduct involving councillors and developers in Melbourne's south-east. One of the recommendations of the report was that the Victorian government introduce Model Governance Rules containing certain requirements.

On 31 December 2024, Victorian councils received a bulletin from LGV advising that it expects to be in a position to publish the Model Governance Rules by December 2025. LGV has more recently provided advice that the Model Rules will not be mandatory, but will be considered best practice such that adoption will be encouraged. Consultation will be undertaken with councils throughout 2025, with targeted consultation expected in April/May, and formal consultation on the draft Model Rules in October to December.

Likely content of the draft Rules is not available at this time. However, officers anticipate more information in that regard will be available once consultation begins.

## ANALYSIS

Officers have conducted benchmarking on the matters raised as potential changes to the Rules, using the Rules of the other Gippsland councils, the other regional cities and the two documents considered best practice by the Local Government Inspectorate, namely City of Casey and Mornington Peninsula Shire.

The results are summarised as follows.

### Petitions:

- Petition word limit: Council's Rules were the only reviewed document with a word limit.
- E-petition platforms: only one other council required use of their own platform. The other councils did not restrict platforms, with one exception where petitions are not in the Governance Rules at all, they each required the addresses of those signing petitions as part of validity requirements. This would appear to mean a platform such as Change.org may be problematic, as it only requires signatories to supply their city, country and postcode.

### Notices of Motion:

- Notice of Motion to include background and justification from Councillor: Council's Rules were the only reviewed document with this requirement, although officers can confirm there are councils not included in the review that have this requirement, as it was introduced following previous benchmarking where the requirement was identified as an option. It is also part of the broader requirement of including a report in the agenda to accompany the Notice of Motion, and should be considered in that context.

- CEO may refer the Notice of Motion to another process: half of the other councils reviewed had similar provisions in relation to operational service processes, no other councils included Briefings or workshops.
- Notice of Motion to be accompanied by information from officers in the agenda: there was a variety of ways of dealing with this matter:
  - three required it;
  - two allowed it at the discretion of the CEO;
  - one did not allow it but permitted the CEO to have officers provide additional information to all Councillors before publication of the agenda. Two of the councils requiring the additional information also had this provision;
  - one only allowed for it if the matter raised in the Notice of Motion had to be dealt with urgently; and
  - three councils had no reference to it.
- Notice of Motion must call for a report if it commits Council to certain unbudgeted expenditure: there were a variety of approaches for this issue:
  - five councils required this, at amounts of \$10,000, \$20,000 and \$100,000 as well any unbudgeted expenditure and any significant unbudgeted expenditure;
  - one council was recommended only, but for any unbudgeted expenditure. It should be noted that the CEO was able to reject a Notice of Motion if it committed Council to significant unbudgeted expenditure;
  - one council did not have this requirement but did require a Notice of Motion to call for a report if it was committing Council to a contract, which was also a feature of a number of other Rules reviewed; and
  - three councils did not have this requirement.
- Notice of Motion must call for a report if it creates or amends a Council Policy: four councils had this requirement, with another council having the requirement for amendment only, and a further council including it as recommended. The other four councils did not have this requirement.

A table setting out the full details of the benchmarking is at **Attachment 2**.

## RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
<b>COMPLIANCE</b> Failure to undertake sufficient public consultation on amendment of the Rules may result in Council not meeting its legislative community engagement obligations under the <i>Local Government Act 2020</i> .	<b>Low</b> <i>Unlikely x Minor</i>	If a review of the Rules proceeds, ensure that adequate community consultation is undertaken in accordance with Council's Community Engagement Policy.
<b>STRATEGIC</b> Failure to undertake sufficient public consultation on amendment of the Rules may result in adoption of Rules that do not align with community expectations.	<b>Low</b> <i>Unlikely x Minor</i>	If a review of the Rules proceeds, ensure that adequate community consultation is undertaken in accordance with Council's Community Engagement Policy.

## CONSULTATION

Officers would conduct appropriate public consultation in compliance with the requirements of the Act as part of any review of the Rules.

## COMMUNICATION

There are no communication requirements associated with this report. Any review of the Rules would involve communication with Councillors and officers as that moved forward, and the final adopted version made available online.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.



## APPENDIX 1 IMPACT ASSESSMENT

### **Gender**

A Gender Impact Assessment (GIA) under the Gender Equality Act 2020 would be conducted as part of any review of the Rules.

### **Social**

Ensuring that the Governance Rules reflect current legislative requirements and practice provides the community with an understanding of the processes of Council and also the opportunities to engage in decision making.

### **Cultural**

Not applicable.

### **Health**

Not applicable.

### **Environmental**

Not applicable.

### **Economic**

Not applicable.

### **Financial**

If a review of the Governance Rules is to be undertaken, there could be costs associated with undertaking community engagement. These costs would be accommodated within existing budgets.

### **Attachments**

1. Appendix to 16 December 2024 Resolution
2. Benchmarking Governance Rules

## 8.3

### Review Process for Governance Rules

1	Appendix to 16 December 2024 Resolution .....	69
2	Benchmarking Governance Rules .....	74

## **Attachment One – Governance Rules Excerpt**

### **Division 4 – Motions and Debate**

#### **21 Councillors may propose Notices of Motion**

21.1 A Councillor may submit a Notice of Motion to the Chief Executive Officer for a matter to be listed on a meeting agenda.

21.2 A Notice of Motion cannot be accepted by the Chair unless it has been listed on the agenda for the meeting at which it was proposed to be moved or unless it is accepted by Council as urgent business.

#### **22 Notice of Motion**

22.1 A Notice of Motion must:

22.1.1 be in writing;

22.1.2 be signed and dated by the Councillor (including by electronic means);

22.1.3 include a statement setting out the justification and background of the notice of motion;

22.1.4 be raised for discussion at a Councillor Briefing Session by the Councillor who is proposing to move it, at least seven days prior to the Council meeting at which it is proposed to be moved; and

22.1.5 be lodged with the Chief Executive Officer by 10:00am six days before the next scheduled Council meeting to allow inclusion in the agenda in accordance with Sub-Rule 13.1;

22.1.6 relate to the objectives, role and functions of Council as outlined in the Act.

22.2 The Chief Executive Officer must reject a Notice of Motion which:

22.2.1 does not relate to the objectives, roles and function of Council as outlined in the Act;

22.2.2 is vague or unclear in intention;

22.2.3 is identical or substantially similar to a Notice of Motion or a rescission motion that has been considered by the Council and lost in the preceding six months;

22.2.4 is defamatory, discriminatory or offensive;

22.2.5 may be prejudicial to any person or Council;

22.2.6 is outside the powers of Council;

22.2.7 relates to an operational service request;

22.2.8 relates to a matter that can be handled under delegation;

22.2.9 is a Notice of Motion submitted during the Election period; or

22.2.10 is a matter subject to a Council decision making process which has commenced but is not yet complete.

22.3 If the Chief Executive Officer rejects a Notice of Motion under Sub-Rule 22.2, the Chief Executive Officer must, in writing, inform the Councillor who lodged the Notice of Motion of that rejection and the reasons for it within 24 hours of receiving the Notice of Motion. The Chief Executive Officer will collaborate with the Councillor to develop

revised wording to the draft Notice of Motion to facilitate compliance with the requirements for Notices of Motion under these rules. The Councillor may submit a revised Notice of Motion within 24 hours of being informed of the rejection.

~~22.4 The Chief Executive Officer may reject and refer any Notice of Motion to one or more of the following:~~

~~22.4.1 the Council's operational service request process;~~

~~22.4.2 Council officers to prepare a report for consideration at the next reasonably practicable Councillor Briefing Session;~~

~~22.4.3 a Councillor out of session Workshop;~~

~~if it relates to a matter that the Chief Executive Officer determines is more appropriately addressed in one of those ways.~~

~~22.5 Once a Notice of Motion is lodged, the Chief Executive Officer will arrange for an Officer comment to accompany the agenda item which will include setting the Councillors justification and background relevant to the Notice of Motion, including, but not limited to:~~

~~22.5.1 whether the Notice of Motion, if passed, will have budget implications and, if so, what;~~

~~22.5.2 whether the Notice of Motion, if passed, will impact on internal resources and, if so, how;~~

~~22.5.3 how the Notice of Motion relates to the Council Plan and any relevant Council policies; and~~

~~22.5.4 how the Notice of Motion relates to work that has already been undertaken by Officers or Committees.~~

22.6 Once lodged with the Chief Executive Officer a Notice of Motion may be withdrawn by, no later than two business days before the meeting at which it was to be considered, the Councillor who lodged the Notice of Motion submitting written advice to the Chief Executive Officer that it is to be withdrawn.

22.7 Subject to Sub-Rule 22.9 a Notice of Motion must call for a Council report if the Notice of Motion:

22.7.1 substantially affects the level of Council services;

~~22.7.2 commits the Council to expenditure in excess of \$5,000 and that has not been included in the adopted budget;~~

~~22.7.3 establishes or amends a Council policy; or~~

22.7.4 commits the Council to any contractual arrangement,  
as determined by the Chief Executive Officer.

22.8 Where a Notice of Motion is likely to commit Council to significant expenditure not included in the adopted budget then the Notice of Motion must only call for referral to and for Council's consideration as part of its future year's annual budget and public submission process.

22.9 The Chief Executive Officer may designate a Notice of Motion to be confidential in accordance with the Act, in which case the Notice of Motion will be confidential unless the Council resolves otherwise.

22.10 The full text of any Notice of Motion accepted by the Chief Executive Officer must be included in the agenda.

22.11 The Chief Executive Officer must cause all Notices of Motion to be numbered, dated and entered in the Notice of Motion register in the order in which they are received.

22.12 Except by leave of Council, each Notice of Motion before any meeting must be considered in the order in which they were entered in the Notice of Motion register under Sub-Rule 22.12.

22.13 The motion moved must not be substantially different to the motion published in the agenda, however, it may be amended by resolution of the Council.

22.14 If a Councillor who has given a Notice of Motion is absent from the meeting or fails to move the motion when called upon to do so by the Chair, any other Councillor may move the motion.

22.15 If a Notice of Motion is not moved at the meeting at which it is listed, it lapses.

### **67. Petitions**

67.1 The community has the right to lobby Council and can do so through petitioning. For a petition from the community to be considered valid, accepted and presented to a Council meeting on its own merits, the requirements in Sub-Rules 67.2 to 67.4 must be met:

67.2 A petition must be:

67.2.1 in the prescribed template format (attached to these Governance Rules at Appendix One);

67.2.2 addressed to Latrobe City Council;

67.2.3 refer to a matter on which Latrobe City Council has the power to act;

67.2.4 state the reasons for petitioning Latrobe City Council;

67.2.5 contain a request for action by Latrobe City Council;

67.2.6 be signed by at least ten people (must not be in pencil);

67.2.7 not relate to a matter under consideration through a current submission/objection process (e.g. through the Act or the *Planning and Environment Act 1987*).

67.3. The terms of the petition must:

67.3.1 be placed at the top of every page;

67.3.2 not contain any alterations;

67.3.3 not exceed 250 words;

67.3.4 not be illegal and must not promote illegal acts; and

67.3.5 language must not be objectionable or inflammatory in nature.

67.4 Only paper-based petitions (in the prescribed format) or e-petitions that are submitted through an approved Council e-petition facility that meet the above criteria will be accepted.

67.5 Submitting your petition

67.5.1 Paper-based petitions should be forwarded by mail with the details of the head petitioner or other nominated person for follow up, to:

Latrobe City Council

PO Box 264

Morwell VIC 3840

or delivered in person to any Latrobe City Council customer service centre during business hours.

67.5.2 E-petitions can be forwarded in accordance with the criteria specified by Council for that facility.

67.6 Once received, officers will provide written acknowledgement of receipt, and undertake an initial assessment against the criteria specified in these Rules to ensure that it complies prior to being presented to the next available Council meeting.

67.7 Where the petition does not meet the specified criteria, the following will apply:

67.7.1 If the subject matter relates to a current submission process (e.g. through the Act or the Planning and Environment Act 1987), the petition will be considered as a submission/objection to that process;

67.7.2 Any other matter it will be considered as general correspondence and not presented to Council;

and the head signatory or other nominated person notified accordingly.

67.8 A petition that meets the criteria will be listed for tabling at the next available Council meeting with the following information

67.8.1 The terms of the petition;

67.8.2 The number of signatures.

67.9 No discussion or debate will be entered into when a petition is being tabled, however, if the petition relates to an operational matter, Council must refer the petition to the Chief Executive Officer for consideration. If this occurs, a further report to Council is not required.

67.10 Follow up of Petition

67.10.1 Once tabled, the petition is forwarded to the appropriate Divisional General Manager for action. A report is then presented to a subsequent Council meeting, which will include officers' recommended response for Councils consideration.

67.10.2 Officers may contact the head petitioner or other nominated person as appropriate to clarify any of the issues raised in the petition.

67.10.3 The head petitioner will be advised in writing of the outcome of the request contained in the petition within a reasonable timeframe.

67.10.4 It is the responsibility of the head signatory to advise other signatories of the outcome.



**Appendix One: Petition Template**

**Petition to the Latrobe City Council**

**Insert subject heading: e.g. Support for New Development**

We, the undersigned (insert *residents, property owners, concerned citizens, club members etc.*) wish to inform the Latrobe City Council of (briefly *explain your concern.*)

We ask that the Latrobe City Council (explain the action you would like the Council to take).

Name (Print)	Address (minimum of residential locality must be specified)	Signature

## Governance Rules – Benchmarking Results

### Casey, Bendigo, Ballarat, Geelong, South Gippsland

Matter	Latrobe	Casey	Bendigo	Ballarat	Geelong	South Gippsland
<b>Petition word limit</b>	250	None	None	None	None	None
<b>E-petition platforms</b>	Latrobe platform only	At discretion of Councillors.  Must contain name and residential address of each signatory.	No limitations on platform.  Must contain name and address.	No limitations on platform.  Must contain name and address.	No limitations on platform.  Must contain name and address.	No limitation on platform.  Must contain name and residential address.
<b>NOM to include background and justification statement from Cr</b>	Yes	No	No	No	No	No
<b>CEO may refer NOM to another process</b>	Yes  - Operational service request - Officer report for briefing - Out of session workshop	No	No	Yes  Operational service request	Yes  Operational service request	No

## Governance Rules – Benchmarking Results

### Casey, Bendigo, Ballarat, Geelong, South Gippsland

Matter	Latrobe	Casey	Bendigo	Ballarat	Geelong	South Gippsland
<b>NOM to be accompanied by information from officers in agenda</b>	Yes  - Relevance to budget - Internal resources - Council Plan/policies - Work already undertaken	No  But CEO has option to arrange for officers to provide comments on NOM to Councillors before publication of agenda.	Yes, at the discretion of the CEO  - Risk - Financial - Other considerations	No	Only if the matter to be considered by the NOM is urgent.  Implications of NOM.	Yes, at the discretion of the CEO.  - Contextual - Risk management
<b>NOM must call for report if commits Council to certain unbudgeted expenditure</b>	Yes  Over \$5,000	Recommended for any unbudgeted expenditure.  CEO can reject NOM if it commits Council to significant unbudgeted expenditure.	No	Yes  Over \$20,000	Yes  Over \$100,000	Yes  Significant unbudgeted expenditure
<b>NOM must call for report if creates or amends Council policy</b>	Yes	Recommended	No	Yes	Yes	Yes for changes to policy only.  Establishment of new policy not a permitted NOM.

## Governance Rules – Benchmarking Results

### Baw Baw, Wellington, Bass Coast, East Gippsland, Mornington Peninsula

Matter	Latrobe	Baw Baw	Wellington	Bass Coast	East Gippsland	Mornington Pen.
<b>Petition word limit</b>	250	None	None	None	None	N/A  Petitions not addressed in Rules.
<b>E-petition platforms</b>	Latrobe platform only	Baw Baw platform only	At discretion of CEO.  Must contain name and address.  Will not be presented if signatures false or misleading.	No limitation on platform. Must contain name and residential address.	At discretion of CEO.  Must contain name and address.  Will not be presented if signatures false or misleading.	N/A  Petitions not addressed in Rules.
<b>NOM to include background and justification statement from Cr</b>	Yes	No	No	No	No	No
<b>CEO may refer NOM to another process</b>	Yes  - Operational service request - Officer report for briefing - Out of session workshop	No	Yes  Operational service request	No	Yes  Operational service request	Yes  Relates to day to day management of Council by the CEO.

## Governance Rules – Benchmarking Results

### Baw Baw, Wellington, Bass Coast, East Gippsland, Mornington Peninsula

Matter	Latrobe	Baw Baw	Wellington	Bass Coast	East Gippsland	Mornington Pen.
<b>NOM to be accompanied by information from officers in agenda</b>	Yes  - Relevance to budget - Internal resources - Council Plan/policies - Work already undertaken	No	Yes  - Policy - Financial - Resourcing  CEO also has option to arrange for officers to provide comments on NOM to Crs before publication of agenda.	No	Yes  - Policy - Financial - Resourcing  CEO also has option to arrange for officers to provide comments on NOM to Crs before publication of agenda.	Yes  - Legal - Policy - Financial - Resourcing
<b>NOM must call for report if commits Council to certain unbudgeted expenditure</b>	Yes  Over \$5,000	No	No – but is a requirement for committing Council to a contract.	No	Yes  Any unbudgeted expenditure	Yes  Over \$10,000
<b>NOM must call for report if creates or amends Council policy</b>	Yes	No	Yes	No	Yes	No

# REVIEW OF PUBLIC TRANSPARENCY POLICY

## PURPOSE

To present the revised Public Transparency Policy to Council for adoption.

## EXECUTIVE SUMMARY

- Section 57 of the *Local Government Act 2020* (Act) requires Council to adopt and maintain a Public Transparency Policy (Policy).
- The Policy has been reviewed to ensure the Policy is compliant with the Act. The draft Policy is provided at **Attachment 1**.
- Local Government Victoria (LGV) recently advised that it will be introducing a mandatory Model Transparency Policy (Model Policy) to apply to all councils. The Model Policy is expected to be released in July 2025. If there is an ability to add or create addenda to that document, it is the intention of officers to undertake a more in-depth review at that time.
- The Policy is presented to Council Meeting for adoption.

## OFFICER'S RECOMMENDATION

### That Council:

1. **Adopts the Public Transparency Policy 2025, with any previous versions superseded; and**
2. **Makes the Policy available on Council's website.**



## BACKGROUND

The Policy was adopted in September 2020 and gives effect to the Public Transparency Principles outlined in section 58 of the Act. It assists the community in accessing public information and supports Council in facilitating open and transparent operations.

While due for review in August last year, given the timing of the 2024 Local Government Elections, the four-year review timeframe for the Policy was extended so it could be considered in the new Council term.

In December 2024, Council received a bulletin from LGV advising that it will be publishing a Model Transparency Policy (Model Policy) for application to all Victorian councils, with an expected timeframe of July 2025.

The Model Policy is being produced in response to the 2023 Independent Broad-based Anti-Corruption Commission special report on Operation Sandon, being an investigation into allegations of corrupt conduct involving councillors and developers in Melbourne's south-east. Recommendation 22 in the report was that the Victorian Government *'develops and publishes a Model Transparency Policy specifying minimum standards for council openness and transparency.'*

Consultation with councils on the Model Policy will be undertaken. However, further information on how and when that will take place is not yet available. It is also unknown whether there will be opportunity to add further content to the Model Policy, or alternatively if the document will be standard across all councils in the same manner as the Model Councillor Code of Conduct. Officers anticipate more information on these matters will be available once consultation begins.

It is recognised that there is the potential for crossover in this matter with the feasibility review for a potential transparency hub being undertaken by officers, pursuant to a May 2024 Council resolution. That more complex piece of work remains ongoing, and a report with options is expected to be presented to Councillors in the first quarter of 2025.

## ANALYSIS

With the introduction of the Model Policy is imminent and no information available yet on its contents and practical application, officers are of the opinion it would not be advisable to make significant changes to the existing Policy at this time.

Accordingly, officers have reviewed the Policy for legislative compliance and general clearness of content, but have not conducted benchmarking or other more detailed review activities. Officers have determined that the Policy is compliant, and the only changes required are administrative in nature, for increased clarity. Given the Policy is required to be reviewed every four years, it will be presented to the Council Meeting to be held on 24 February 2025 for adoption.

As part of the compliance review process, officers have confirmed the Policy is in line with Council's Freedom of Information Part II Statement required to be published under the *Freedom of Information Act 1982*, which sets out in further detail what information is available to the public.

#### RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
<b>COMPLIANCE</b> Failure to comply with legislative requirements due to outdated or inaccurate policies.	<b>Medium</b> <i>Possible x Minor</i>	Undertake scheduled reviews and update policy to ensure it accurately reflects legislation.
<b>SERVICE DELIVERY</b> Lack of clear direction in service delivery due to outdated or inaccurate policies.	<b>Medium</b> <i>Possible x Minor</i>	Undertake scheduled reviews and update policy to ensure it remains consistent with and supports service delivery.
<b>STRATEGIC</b> Adopted policies are not reviewed and updated to reflect the strategic direction of Council.	<b>Medium</b> <i>Possible x Minor</i>	Undertake scheduled reviews and update policy to ensure it continues to be consistent with the strategic direction of Council.

#### CONSULTATION

No consultation has been conducted for the review of this Policy as the updates are administrative only.

In the event the LGV Model Policy includes an ability to have additional content or addenda specific to individual councils, officers intend to conduct an in-depth review, and if appropriate community engagement will be undertaken within that process.

#### COMMUNICATION

Once adopted, the Policy will be made available on Council's website.

#### DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Gender**

A Gender Impact Assessment (GIA) has been completed as required under the *Gender Equality Act 2020* for all reviewed policies where there is a significant and direct impact on the community. The review indicated that further accessibility information could be provided in the Policy which has been included.

### **Social**

A comprehensive Policy that reflects current legislative requirements and practice supports community access to information, through facilitating understanding of available information and methods of access.

### **Cultural**

Not applicable.

### **Health**

Not applicable.

### **Environmental**

Not applicable.

### **Economic**

Not applicable.

### **Financial**

Not applicable.

### **Attachments**

1. Public Transparency Policy 2025

## 8.4

### Review of Public Transparency Policy

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# Public Transparency Policy

Version no 2.

Approval date: February 2024

Review date: January 2029





## Document control

<b>Responsible GM</b>	Tim Ellis	
<b>Division</b>	Regional City Strategy and Transition	
<b>Last updated (who and when)</b>	Coordinator Council Business	2025

Document history		
Authority	Date	Description of change
Council	7 September 2020	Adoption of Policy
Council	24 February 2025	Incorporation of administrative revisions and accessibility details
<b>References</b>	Refer to section 8 and 9 of this policy	
<b>Next review date</b>	January 2029	
<b>Published on website</b>	Yes	
<b>Document reference no.</b>	TBA	

## 1. Background

This Policy fulfils Council's requirement to adopt and maintain a public transparency policy under section 57 of the *Local Government Act 2020* (the Act), that gives effect to the *Public Transparency Principles* outlined in section 58 of the Act.

## 2. Objectives

The objectives of Council's Public Transparency Policy are to:

1.1 Give effect to the public transparency principles contained in section 58 of the Act as follows:

- Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act;
- Council information must be publicly available unless:
  - the information is confidential by virtue of this Act or any other Act; or
  - public availability of the information would be contrary to the public interest;
- Council information must be understandable and accessible to members of the municipal community;
- Public awareness of the availability of Council information must be facilitated;

1.2 Describes the ways in which Council information is to be made publicly available; and

1.3 Specify which Council information must be publicly available.

The Policy is an integral part of how Council will achieve the *overarching governance principles* contained in section 9 of the Act.

### 3. Scope

This Policy applies to Councillors and Council Staff

## 4. Principles of management

### 4.1 Decision Making at Council Meetings

- Will be undertaken in accordance with the Act and the Governance Rules including by way of public participation at Council Meetings.
- Will be conducted in an open and transparent forum, unless in accordance with the provisions in the Act and Governance Rules.
- Council will carefully consider and will minimise confidential reports and only close meetings to the public in accordance with the Act.
- Will be informed through community engagement, in accordance with Council's Community Engagement Policy as set out in section 55 and 56 of the Act.
- Will be made fairly and on the merits, and where any person whose rights will be directly affected by a decision of the Council, that person will be entitled to communicate their views and have their interests considered.

### 4.2 Public Notices

- Council operates under various Acts, and other Acts also include specific public notice or consultation requirements for councils.
- These include, for example, notices about planning permits under the *Planning and Environment Act 1987* and notices of road discontinuance under the *Road Management Act 2004* prior to making a decision.
- These public notices will be found on our website from time to time.

### 4.3 Publicly Available Information on Council's Website

Council will make available as a minimum on its website the following:

- Overview of the organisation and services including the Executive Management Team and organisation structure;
- Public tender opportunities and recently awarded contracts (within three months);
- Career information including reasons to work at Council and how to apply;
- Open Council Meeting Agendas and Minutes from 2008 onwards;
- Current Council adopted policies;
- A selection of Council adopted strategies;
- Governance Rules;

- Local Laws;
- Council adopted procedures that are required to be publicly available;
- The Model Councillor Code of Conduct;
- Register of Election campaign donations; and
- Corporate documents including Council Plan, Budget, Strategic Resources Plan and Annual Report.

Some of these documents may be available on display at Council's Libraries and Council's Service Centres.

#### 4.4 Information to be Provided on Request

- Operational strategies not available on Council's website;
- Information provided as part of a previous public consultation process;
- Template assessment documents for grants, tenders and expressions of interest;
- Open Council Meeting Agendas and Minutes from prior to 2008 where available;
- Historical Council adopted policies, Local Laws and Council adopted procedures where available;
- Reporting from Committees to Council;
- Submissions made by Council;
- Audit and Risk Committee Performance Reporting;
- Terms of reference or charters for Committees;
- Register of gifts, benefits and hospitality offered to Councillors or Council Staff;
- Register of travel undertaken by Councillors or Council Staff;
- Register of Conflicts of Interest disclosed by Councillors or Council Staff;
- Registers of donations and grants made by Council;
- Register of leases and licences;
- Register of Delegations;
- Register of building permits;
- Register of all occupancy permits and temporary approvals and amendments;
- Register of Authorised officers;
- Summary of Personal Interest Returns; and
- With respect to the *Planning & Environmental Act 1987* a Register containing:
  - all applications for permits;
  - all decisions and determinations relating to permits;
  - all applications for certificates of compliance under part 4A of that Act;
  - all decisions and determinations relating to those certificates of compliance;

- any decision made under section 97F of that Act of which the responsible authority is notified;
- under section 97G of that Act;
- any correction or amendment of which the responsible authority is notified under section 97K of that Act;
- prescribed information in respect of all applications referred to Council under sections 55 and 57C of that Act; and
- a copy of each agreement made under section 173 of that Act including indicating any amendments made.

#### 4.5 Social Media

Council will use social media as a way to share, promote and highlight Council activities and operations, in accordance with Council's Social Media Policy.

#### 4.6 Publications

Council publishes a range of newsletters, reports and handbooks for residents, businesses and visitors to council. These documents can be downloaded from the website or call Council for a copy. Some of these publications are available at Council's Libraries and Service Centres.

#### 4.7 Right to information

Information published on our website can be viewed or downloaded free-of-charge. Otherwise, an individual will be informed about any copying fees or charges should they request a hardcopy document be provided to them.

Sections 4.1 to 4.8 of this Policy should be read in conjunction with section 4.9 below titled, 'Information Not Available'.

#### 4.8 Access to Information

- Information will be made available in a suitable way including on the Council website, Council's Libraries and Council's Service Centres, or by request.
- Consideration will be given to accessibility and cultural requirements in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.
- Consideration will be given to confidentiality in accordance with the Act and public interest where appropriate.
- Council will respond to requests for information in alignment with the Act including the Public Transparency Principles, and this policy.

#### 4.9 Information not Available

Some Council information may not be made publicly available. This will only occur if the information is confidential information by virtue of the Act or another Act, if its release would be contrary to the public interest, or in compliance with the *Privacy and Data Protection Act 2014*.

“Confidential information” is defined in section 3 of the Act. It includes the types of information listed in the following table.

Type of Information	Description
Council business information	Information that would prejudice the Council's position in commercial negotiations if prematurely released.
Security information	Information that is likely to endanger the security of Council property or the safety of any person if released.
Land use planning information	Information that is likely to encourage speculation in land values if prematurely released.
Law enforcement information	Information which would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person if released.
Legal privileged information	Information to which legal professional privilege or client legal privilege applies.
Personal information	Information which would result in the unreasonable disclosure of information about any person or their personal affairs if released.
Private commercial information	Information provided by a business, commercial or financial undertaking that relates to trade secrets or that would unreasonably expose the business, commercial or financial undertaking to disadvantage if released.
Confidential meeting information	Records of a Council or Delegated Committee meeting closed to the public under the Act to consider confidential information.
Internal arbitration information	Confidential information relating internal arbitration about an alleged breach of the Model Councillor Code of Conduct.
Councillor Conduct Panel confidential information	Confidential information relating to a Councillor Conduct Panel matter.
Information prescribed by regulation	Information prescribed as confidential information by regulations made under the Act.
Confidential information under the 1989 Act	Information that was confidential information for the purposes of section 77 of the <i>Local Government Act 1989</i> .

The Council may decide, in the interests of transparency, to release information to the public even though it is confidential under the Act. However, this will not happen if release is contrary to law or if releasing the information is likely to cause harm to any person or is not in the public interest to do so.

Where information is not confidential, and not already available, Council will apply the principles of public interest with consideration also of the resources required to respond to the request.



#### 4.10 Public Interest

In accordance with the Act, Council is not required to make information publicly available if the release would be contrary to the public interest. Council may refuse to release information if it determines that the harm likely to be created by releasing the information will exceed the public benefit in being transparent.

When considering possible harm from releasing information, the Council will only concern itself with harm to the community or members of the community. Potential harm to the Council will only be a factor if it would also damage the community, such as where it involves a loss of public funds or prevents Council from performing its functions.

Information that might be withheld because it is contrary to the public interest may include:

- internal working documents that have not been approved or submitted to Council, especially where their release may mislead the public without further context.
- directions to Council staff regarding negotiations in contractual or civil liability matters, where release may damage the Council's capacity to negotiate the best outcome for the community.
- correspondence with members of the community, where release may inappropriately expose a person's private dealings.

#### 4.11 Freedom of Information Applications

The *Freedom of Information Act 1982* (FOI Act) gives individuals the right to apply for access to documents that Council holds. Council is committed to, where possible, proactive and informal release of information in accordance with the FOI Act and the Professional Standards issued by the Office of the Victorian Information Commissioner. More information can be found at [www.ovic.vic.gov.au](http://www.ovic.vic.gov.au).

A list of available information is provided in the Part II Statement published on Council's website in accordance the FOI Act.

Council is also required to make some information available for a specified fees and processes under other pieces of legislation. These are provided through processes outside of this Policy.

If an individual is unable to find the information required, they are encouraged to contact Council for assistance.

#### 4.12 Non-Compliance with this Policy

If a person wishes to question a decision about the release of information, this should be raised directly with the officer handling the matter in the first instance. Where the person is not satisfied and would like to contest the decision, this can be reported to Council's Governance Team via email on [egovernance@latrobe.vic.gov.au](mailto:egovernance@latrobe.vic.gov.au) or via phone on 1300 367 700.

If not satisfied with Council's response, the concerns can be raised directly with the Victorian Ombudsman's office on (03) 9613 6222 or via the website – [www.ombudsman.vic.gov.au](http://www.ombudsman.vic.gov.au).

#### 4.13 Accessibility

We are committed to ensuring our information is accessible to everyone. Tell us if you have specific communication needs or barriers and we can assist you through:

- National relay service (nrs)
  - Phone: 1800 555 660
  - Fax: 1800 555 690
  - SMS: 0416 001 350
  - TTY: 1800 555 630
  - Email: [helpdesk@relayservice.com.au](mailto:helpdesk@relayservice.com.au)
  - Online: <https://accesshub.gov.au/about-the-nrs/nrs-helpdesk/enquiries>
  - Chat: <https://nrschat.nrscall.gov.au/nrs/helpdeskchat>
  - Video: <https://nrschat.nrscall.gov.au/nrs/contactus>
- Teletypewriter (tty) users phone 133 677 then ask for 1300 367 700.
- Speak and listen users, phone 1300 555 727 then ask for 1300 367 700.
- Internet relay users connect to the nrs then ask for 1300 367 700.
- Tis (translating and interpreting service) on 131 450.
- Talking with you if you have trouble reading or writing.
- Communicating with another person acting on your behalf.

You can also speak directly to a frontline staff member at the following locations:

HQ Service Centre:	141 Commercial Road, Morwell, Vic 3840
Moe Library Service Centre:	1-29 George Street, Moe, Vic 3825
Traralgon Library Service Centre:	34-38 Kay Street, Traralgon, Vic 3844
Churchill Library Service Centre:	9-11 Philip Parade, Churchill, Vic 3842
Morwell Library Service Centre:	63-65 Elgin Street, Morwell, Vic 3840

## 5. Accountability and responsibility

Accountability and responsibility for this policy is outlined below.

### 5.1 Council

- Responsibility to ensure this Policy is consistent with Latrobe City Council Strategic Direction and other Latrobe City Council Policy
- Responsibility for the decision to approve this Policy by Council Resolution

### 5.2 Chief Executive Officer

- Overall responsibility for compliance with this policy
- Overall responsibility for enforcing accountability
- Overall responsibility for providing resources
- Overall responsibility for performance monitoring

### 5.3 General Manager

- Responsibility for compliance with this policy
- Responsibility for enforcing accountability
- Responsibility for providing resources
- Responsibility for performance monitoring

### 5.4 Manager

- Develop frameworks and procedures in compliance with this policy
- Enforce responsibilities to achieve compliance with frameworks and procedures
- Provide appropriate resources for the execution of the frameworks and procedures

### 5.5 Employees, Contractors and Volunteers

- Participate where required in the development of frameworks and procedures in compliance with this policy.
- Comply with frameworks and procedures developed to achieve compliance with this policy.

## 6. Evaluation and Review

This Policy will be reviewed on request of Council, in the event of significant change in the Executive 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).

This Policy has been reviewed against and complies with section 13 of the *Charter of Human Rights and Responsibilities Act 2006*, as this Policy aligns with and provides for the protection of an individual's right not to have their privacy unlawfully or arbitrarily interfered with. It is also in line with section 18 which recognises a person's right to participate in the conduct of public affairs.

## 7. Related Documents

*Governance Rules*

*Charter of Human Rights and Responsibilities Act 2006*

*Freedom of Information Act 1982 and Part II Statement*

*Local Government Act 2020*

*Local Government Act 1989*

*Privacy and Data Protection Act 2014*

*Equal Opportunity Act 2010*

Regional City Strategy and Transition

Approved: 24/02/2025 | Review: 31/01/2029

## MORWELL CBD COMMUNITY SAFETY

### PURPOSE

To provide Councillors with an update on community safety and economic impacts in the Morwell CBD and to seek endorsement of two projects aimed at improving community safety, comprising advocacy and the *Community Connectors* program.

### EXECUTIVE SUMMARY

- A Motion was raised at the September 2023 Council meeting as follows:

*‘That Council remove the seating and tables in front of Manny’s Market in Commercial Road, Morwell as soon as practicable due to unacceptable behaviour from some of those who congregate there and the negative impact this is having on local businesses and customers’.*

Council resolved to defer consideration of the Motion, with a report to be provided to the December 2023 Council Meeting. Due to an administrative oversight no report was brought, and this report now seeks to provide an update on issues noted in the Motion, actions undertaken in the intervening period, along with a proposed future approach responsive to current issues.

- The Morwell CBD experiences significant challenges in relation to economic growth, community safety and wellbeing. Current political, community and business stakeholders have expressed a strong interest in addressing these issues.
- Officers have been working to improve community safety as part of their business-as-usual work. Activities undertaken are largely in response to community concerns and are targeted at managing current behaviours rather than addressing drivers of behaviours. Current actions include:
  - Establishing an internal working group to coordinate efforts in the Morwell CBD;
  - Coordinating joint foot patrols by Council’s Local Laws and Morwell Police;
  - Convening the Latrobe City Community Safety Advisory Committee;
  - Liaising with Advance Morwell and the broader business community;
  - Implementing a CBD presentation blitz; and
  - Strategic relocation of street furniture.

- Officers identified several future actions as the ‘next steps’ to the work undertaken above. These actions are targeted towards reducing and preventing anti-social behaviour and are longer-term in nature. These include:
  - Implementing the *Community Connectors* program;
  - Advocating for the completion of Morwell Railway Station Stage two;
  - Community education campaigns;
  - Public space activations;
  - Signage promoting use of free public infrastructure;
  - Investigating creating CCTV ‘safe’ zones at the transport hub;
  - Installation of music and public art;
  - *Opportunity Awaits* – shop vacancy reduction initiatives; and
  - Business District Improvement Development.
- In addition to the business-as-usual work outlined above, officers propose two immediate actions, aimed at further addressing community safety issues. They are:
  - Advocating and seeking funding for the *Community Connectors* program which would see two community outreach workers installed at, or near, the Morwell Transit Hub to support community members **Attachment 1**.
  - Advocating for the completion of Morwell Railway Station Stage Two, particularly allowing access to public areas.

## OFFICER'S RECOMMENDATION

### That Council:

1. **Endorse the allocation of \$150,000 from the Council Support Package (Sports Legacy and Activation) funds as follows:**
  - a. **\$60,000 to be utilised from the \$250,000 previously allocated to Morwell CBD Economic Development and Placemaking Initiatives;**
  - b. **\$90,000 to be allocated from the unallocated balance of funding of \$895,000;**
2. **Endorse officers to seek funding for the Community Connectors program and advocate for the completion and opening of Morwell Railway Station Stage Two; and**
3. **Note the strategic temporary relocation of street furniture in Commercial Road, Morwell, and further relocations to occur, including that of furniture currently located outside Manny’s Market.**



## BACKGROUND

Community safety is influenced by a range of factors, especially health and wellbeing, anti-social behaviour / criminal activity and the economic environment. The Morwell CBD experiences significant challenges in relation to economic growth, community safety and health and wellbeing (data outlined in **Attachment 1**). Council officers and Councillors receive regular correspondence from community members, local businesses and agencies, and Members of Parliament seeking Council action in response to these issues.

A Motion was raised by Cr Harriman at the September 2023 Council meeting as follows:

*‘That Council remove the seating and tables in front of Manny’s Market in Commercial Road, Morwell as soon as practicable due to unacceptable behaviour from some of those who congregate there and the negative impact this is having on local businesses and customers’.*

Council resolved to defer consideration of the Motion, with a report to be provided to the December 2023 Council Meeting. Due to an administrative oversight no report was brought.

This report seeks to provide an update on issues noted in the Motion, an update on work undertaken in the intervening period, along with potential future actions responsive to current issues, acknowledging that improving Morwell’s CBD is complex and therefore requires commitment from a range of agencies and tiers of government in implementing a breadth of actions with both immediate response and longer-term preventive aims.

### Current Actions

Officers have been working to improve community safety as part of their business-as-usual work. Activities undertaken are largely in response to community concerns and are targeted at managing current behaviours rather than addressing drivers of behaviours. The table below provides a summary.

Activity	Lead	Outcomes
Establishing an internal working group to coordinate efforts and share information in relation to the Morwell CBD	Community Health and Wellbeing	<ul style="list-style-type: none"><li>• Information shared about specific locations/behaviours causing community concern.</li><li>• Review of potential actions Council could undertake.</li><li>• Targeted relocation of portable street furniture</li><li>• Development of <i>Community Connectors</i> project.</li></ul>

Activity	Lead	Outcomes
Joint patrols with Victoria Police in particular areas of community concern	Local Laws	<ul style="list-style-type: none"> <li>In late 2024, Local Laws completed five planned joint patrols with Morwell police in the CBD, resulting in 13 infringements being issued. These patrols are set to resume.</li> </ul>
Convening the Latrobe City Community Safety Advisory Committee in partnership with Victoria Police	Active Communities and Partnerships	<ul style="list-style-type: none"> <li>Information sharing between agencies managing offending and antisocial behaviour in Morwell CBD.</li> <li>Feedback on potential actions to be undertaken by Council and identification of partnership opportunities.</li> </ul>
Liaison with Advance Morwell and business community	Business Development	<ul style="list-style-type: none"> <li>Information sharing about barriers to economic improvement and identification of locations of concern to business community and customers.</li> <li>Feedback on potential actions that could be undertaken by Council and identification of partnership opportunities.</li> </ul>
CBD Presentation Blitz	City Presentation	<ul style="list-style-type: none"> <li>Commenced December 2024</li> <li>Weekly/fortnightly frequency (pending time of year).</li> <li>Focus on: <ul style="list-style-type: none"> <li>Improved visual amenity within Council's largest CBD's (Moe, Morwell and Traralgon)</li> <li>Litter removal</li> <li>Footpath debris removal</li> </ul> </li> </ul>

Activity	Lead	Outcomes
		<ul style="list-style-type: none"> <li>○ Weed removal within garden beds.</li> </ul>
Strategic movement of street furniture	City Presentation	<ul style="list-style-type: none"> <li>• Periodic reconfiguration of street furniture in isolated areas which aims to improve pedestrian movement and safety and support business operators.</li> <li>• Outcomes and/or benefits to be analysed over time.</li> <li>• NB: This action is more difficult for any furniture that is mechanically fixed in place to prevent tampering, and/or powered with phone chargers, requiring greater resourcing to safely remove.</li> </ul>

### Future Actions

Officers have identified several future actions as the 'next steps' to the work undertaken above. These activities are targeted towards prevention and reducing anti-social behaviour and are longer-term in nature, as outlined in the table below.

Council officers specifically recommend the progression of the following:

- Advocating and seeking funding for a social outreach program, *Community Connectors*, which would see two community outreach workers installed at, or near, the Morwell Transit Hub (Railway and Bus stations) to support community members.
- Secondly, advocating to the Victorian Government to complete the Morwell Railway Station Stage Two development, including allowing access to public areas created under the project.

Activity	Lead	Anticipated Outcomes
<i>Community Connectors</i> Program	Active Communities and Partnerships	<ul style="list-style-type: none"> <li>• Increased perception of safety.</li> <li>• Reduced offending and antisocial behaviour.</li> <li>• Improved access to social support services for community members</li> </ul>

Activity	Lead	Anticipated Outcomes
		<p>experiencing disadvantage.</p> <ul style="list-style-type: none"> <li>Flow on effect in supporting business activity in the CBD</li> </ul> <p><i>*Outlined in detail below</i></p>
Advocacy to complete Morwell Railway Station Stage Two	Strategy and Advocacy Advisor	<ul style="list-style-type: none"> <li>Increased perception of safety through amenity of space and passive surveillance.</li> </ul> <p><i>*Outlined in detail below</i></p>
Community education campaigns	Active Communities and Partnerships/ Communications and Marketing	<ul style="list-style-type: none"> <li>Promotion of business and social infrastructure to improve foot traffic and access to services.</li> <li>Promotion of low or no cost events, activities and public places to improve social connection and foot traffic.</li> <li>Education campaigns about social disadvantage, and how community members can improve social connection and safety.</li> </ul>
Public space activations (e.g., events, temporary infrastructure for public engagement)	Active Communities and Partnerships / Business Development	<ul style="list-style-type: none"> <li>Reduced antisocial behaviour and increased social connection.</li> <li>Increased foot traffic and retail spend.</li> <li>Increased perceptions of community safety.</li> </ul>
Signage promoting use of public infrastructure	Active Communities and Partnerships / Business Development	<ul style="list-style-type: none"> <li>Promotion of low or no cost events, activities and public places to improve social connection and foot traffic.</li> </ul>
Investigate creating CCTV 'safe zones' within transport hub	Active Communities and Partnerships	<ul style="list-style-type: none"> <li>Increased perceptions of community safety.</li> <li>Increased foot traffic and retail spend.</li> </ul>
Installation of music to	Active Communities	<ul style="list-style-type: none"> <li>Reduced antisocial behaviour and</li> </ul>

Activity	Lead	Anticipated Outcomes
deter community gathering in areas impacting business	and Partnerships / City Assets	<p>increased social connection.</p> <ul style="list-style-type: none"> <li>Increased foot traffic and retail spend.</li> <li>Increased perceptions of community safety.</li> </ul>
<i>Opportunity Awaits</i> – shop vacancy reduction initiatives	Business and Industry Development	<ul style="list-style-type: none"> <li>Newly created business engagement in vacant shops in Morwell CBD.</li> <li>Increase the number of retail and food vendors in the Morwell CBD.</li> <li>Increased worker engagement with small business in the Morwell CBD.</li> </ul>
Business Improvement District Development – collaboration project outlining a support initiative to establish business improvement districts	Business and Industry Development	<ul style="list-style-type: none"> <li>Create events and marketing opportunities to support worker engagement with retail and food outlets.</li> <li>Increase visitation to the Morwell CBD.</li> </ul>

## ANALYSIS

### ***Community Connectors Program***

The *Community Connectors Program* is a community outreach program which would deploy two trained community practitioners to the Morwell Transit Hub in Commercial Road. The program aims to address communities' critical wellbeing needs and mitigate antisocial behaviours. It will achieve this by referring those experiencing social disadvantage to support services, de-escalating conflicts and building the capacity of staff serving the area. An overall project plan is available in **Attachment 1**.

This program was successfully piloted by Metro Trains, in collaboration with South East Community Links, at the Dandenong Train Station from July 2023 to June 2024. The pilot program employed two Community Connectors whose role was to provide direct support and advice to community members and coordinate referrals to local services for drug and alcohol, mental health, homelessness and family violence support. The program has highlighted a range of impacts including:

- Improved safety and enhanced community wellbeing and a decrease of anti-social behaviour incidents.



- Improved allocation of resources, as the Community Connectors often provided immediate responses which required less intervention from police and Authorised Officers. The Community Connectors used a different approach to managing issues including connecting with a person's family.
- Direct support to community members with 3,347 direct engagements. These included engagements relating to mental health, alcohol and other drugs, distress and emergency relief.
- Increased community safety with de-escalation of 54 incidents.
- 188 referrals to 12 different community services.

Implementing the *Community Connectors Program* with sufficient time for the community to benefit is anticipated to take two years from the time of receiving funding. The anticipated total project cost is \$550,000. It will require the following roles:

- A Project Officer employed temporarily by Latrobe City Council three (3) days per week for up to one (1) year to establish the project - \$100,000;
- Two Community Practitioners employed full time by a community service organisation for two (2) years. More scoping work and project planning to be completed to identify the specific timelines that these roles will need to be employed, however it is anticipated that these roles will be employed part-time, 3-4 days per week - \$400,000.

Additionally, it is anticipated that \$50,000 will be required for the identified community service that would deliver the project to undertake their own detailed project scoping and planning.

To commence the partnership and scoping works, Officers recommend the allocation of \$150,000 from the Council Support Package (Sports Legacy and Activation) funds, by the utilisation of \$60,000 previously allocated to the Morwell CBD Economic Development and Placemaking Initiatives project, and an allocation of \$90,000 from the currently unallocated balance of \$895,000. The remaining \$400,000 would then be sought from State Government, in partnership with local organisations (e.g. Victoria Police) to pilot two community practitioners for a period of two years.

Given recent State Government attention in relation to safety in the Morwell CBD, it is anticipated that having a project plan developed and ready to implement will provide a sound advocacy platform and be attractive to decision-makers.

It is noted that the Mid Valley Shopping Centre, outside of the Morwell CBD, has also attracted community safety concerns. While not currently scoped into the project plan, officers continue to monitor data on the area in order to consider potential inclusion at a future stage.

## ***Morwell Railway Station Stage Two***

In addition to activating the Morwell Transit Hub, short term priority should be given to opening up public spaces developed at the Morwell Railway Station. The ongoing closure of walkways and green spaces, as well as poor upkeep of the site is contributing to poor perceptions of community safety as well as encouraging community to gather in front of retail premises. It is understood that ongoing delays in the function of the railway line are unlikely to be resolved by advocacy, however it is not clear to the community why the amenity of the space is not available for public use.

### **Business Feedback and CBD Street Furniture**

Following direct engagement with several business owners in the Morwell CBD, including Manny's Market, there has been a significant amount of feedback from businesses about community safety and disruptive incidents in the CBD that appear to be having an impact on business performance. Key concerns include:

- Physical altercations, theft, property damage and antisocial behaviour;
- Staffing challenges with some staff resigning, which has been reported as a result of CBD issues;
- Customers advising that they feel unsafe when visiting the CBD, leading to reduced foot traffic and negatively impacting trade;
- Community members seeking refuge in shopfronts advising that they feel unsafe;
- Business owners reporting that social issues tend to escalate after 12pm, particularly around the bus stop, Tarwin Street and Legacy Place; and
- Vacancy rates are currently 20.7%, with feedback from real estate agencies indicating that it is hard to attract new businesses due to the social issues impacting economic performance of the CBD.

While officers recognise that moving street furniture does not impact the drivers of anti-social behaviours, temporary movement and reconfiguration can result in disrupting current patterns of anti-social behaviour, moving community members away from areas where businesses are directly impacted. Council officers have recently moved some relocatable street furniture and will progress strategically relocating other furniture, including that outside Manny's Market. Any movement would be designed as a temporary measure, with outcomes observed, while longer term actions are implemented.

## RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
<b>SERVICE DELIVERY</b> Decreased economic performance in Morwell CBD impacting business development and community safety strategic objectives.	<b>High</b> Likely x Moderate	Council commits to programs and advocacy to improve drivers of safety concerns and works with local stakeholders to encourage business development.
<b>FINANCIAL</b> Council is expected to commit ongoing to funding additional community safety project officers or provide financial support to businesses.	<b>Medium</b> Unlikely x Moderate	Seeking funding for longer-term projects to address drivers of antisocial and unsafe behaviours, such as <i>Community Connectors</i> .
<b>FINANCIAL</b> Council is not successful in attracting external funding for the Community Connectors program	<b>Medium</b> Possible x Moderate	Council commits to funding the Community Connectors program internally.
<b>STRATEGIC</b> Negative media attention if Council is not seen to be addressing Morwell CBD Safety concerns, or that Council has made commitments prior to receiving funding to deliver.	<b>Medium</b> Possible x Moderate	Council has prepared a clear statement outlining project and advocacy priorities to communicate and respond to media and stakeholder enquiries.
<b>STRATEGIC</b> Decreased economic performance in Morwell CBD impacting business development and community safety strategic objectives.	<b>High</b> Likely x Moderate	Council commits to programs and advocacy to improve drivers of safety concerns and works with local stakeholders to encourage business development.

## CONSULTATION

Officers sought direct feedback from business operators in the Morwell CBD and continually liaise with a range of partners, including Morwell Police.

Regular information is shared through officers representing the business community and state government agencies through the Latrobe City Community Safety Advisory Community and engagements with Advance Morwell.

Minister Shing held a 'Morwell Community Safety Roundtable' meeting in April 2024 which was attended by the CEO and officers. To date there has not been action arising from this meeting, however Minister Shing's office has confirmed that a report is forthcoming.

## COMMUNICATION

The public prominence of community safety concerns in the Morwell CBD is likely to require ongoing communication with the public and stakeholders to ensure those interested understand their concerns are being heard and Council is working to address them.

Following Council's consideration of this report, a range of messaging will be developed. This will include information to the community on what work has been occurring as well as advocacy specific to the Morwell Railway Station Stage Two development direct to relevant decision-makers.

Advocacy and funding submissions in relation to the *Community Connectors* project are also most relevant to decision-makers, however key stakeholders and potential project partners such as members of the Latrobe Community Safety Advisory Committee or Advance Morwell will be informed. Should funding be received for *Community Connectors*, broader community messaging would be undertaken.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Gender**

A Gender Impact Assessment under the *Gender Equality Act 2020* will be completed on *Community Connectors* project following approval. Gendered experiences of community safety have been considered to date, particularly data gathered from the 2021 YourGround survey. The survey identified particular locations of concern in Latrobe, including a large number of submissions for the Morwell Transit Hub.

### **Social**

Community safety concerns are in large part driven by social disadvantage. The *Community Connectors* program aims to support community to access social services. Data gathered which identifies the need for the project demonstrates that Latrobe City residents rank 4<sup>th</sup> highest in the state for not feeling valued by society and that 16% of residents live in poverty.

### **Cultural**

People from culturally and linguistically diverse backgrounds may perceive greater risks to safety than the general community. *Community Connectors* will have skills to communicate with culturally diverse communities.

### **Health**

Social and health issues are often linked, and Morwell's CBD serves as a hub across Gippsland for a large number of health and social support services. The *Community Connectors* program aims to support greater access to such services, overall improving the health outcomes of community members. Data gathered which identifies the need for the project demonstrates that 20% of Latrobe residents have high or very high levels of mental distress and are 43% more likely than the Victorian average to have a mental health condition.

### **Environmental**

There are no environmental sustainability impacts of either project. Both the advocacy and *Community Connectors* project aim to create a more socially inclusive and sustainable community environment, both built and civic.

### **Economic**

Without detailed analysis, there is likely to be an opportunity cost of Council not progressing any community safety measures outside current means. For example, it is likely that retail economic performance in the Morwell CBD will continue to decline, along with foot-traffic and the passive surveillance that enables.



## **Financial**

The anticipated total project cost is \$550,000, broken down as below, with no funding being sought from Council.

- Latrobe City Council Project Officer - \$100,000.
- Subcontracted Community Practitioners - \$400,000.
- Subcontracted project scoping - \$50,000.

To commence the partnership and scoping works, Officers are seeking funding of \$150,000 from the unallocated \$895,000 Council Support Package (Sports Legacy and Activation) funds. The remaining \$400,000 would be sought from State for Federal Government.

Should there be a lack of success in receiving external funding, it is anticipated that a request will be made to Council to provide funding internally. This can be scoped further and a report provided to Council requesting further funding if required.

Other actions and activities outlined in the body of this report are being delivered through adopted operating budgets.

## **Attachments**

1. Community Connectors Program

# 8.5

## Morwell CBD Community Safety

1	Community Connectors Program .....	106
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# Community Connectors

Morwell Transit Hub Pilot Program



## Executive summary

**Community Connectors** is a community outreach model piloted in 2023-24 at the Dandenong Railway Station to increase the safety and wellbeing of passengers and staff.

The program deploys trained community practitioners, known as Community Connectors, to mitigate antisocial behaviour and address critical community wellbeing needs. The Community Connectors will foster positive interactions and spaces, refer those experiencing social disadvantage to support services, de-escalate conflicts and build the capacity of staff serving the area.

The particular focus of the practitioners can be tailored to the local context. The below proposal outlines how the model could be implemented in the Morwell CBD, with the objectives of:

- Increasing community perceptions of safety.
- Decreasing incidence of offending and antisocial behaviours.
- Reduce risk-factors for offending or behaviours leading to poor perceptions of safety.

## Background

The Morwell Transit Hub, comprising of the railway station and bus stop, is centrally located on Commercial Road and Princes Drive within Morwell's CBD. It provides critical access to transportation for Latrobe City residents and draws people from outside the municipality to access Gippsland's centrally located support services. The transit hub is widely utilised across community cohorts, including those experience disadvantage, providing both private and public routes.

Given its central location, the Morwell Transit Hub attracts significant usage for transportation, but also serves an important gathering function for community members, given its proximity to other amenities (public bathrooms, town squares, retail and service provision). Additionally, the site of the Morwell bus stop and associated Legacy Place is a gathering place of cultural significance for Aboriginal and Torres Strait Islander Peoples.

Real and perceived community safety is an ongoing issue of importance for Latrobe residents and is reflected in Council's strategic documents such as the Council Plan and Municipal Public Health and Wellbeing Plan. In particular, the Morwell CBD experiences high rates of offending as compared to Latrobe's other CBD in Traralgon and Moe, which is increasing over time. Community members and local businesses also regularly report concerns about the CBD including antisocial behaviour, alcohol and other drug use, loitering, noise and physical or verbal altercations. These experiences are mirrored in Latrobe City employee interactions, for example at the Morwell Library.

Overall, these experiences have a detrimental impact on perceptions of safety and utilisation of the CBD. In addition to negative impacts on social cohesion and connection, economic activity has declined due to a reduction of foot traffic and negative perceptions of the shopping district. A number of local businesses have also reported that community safety issues are affecting staff retention, location of shopfronts and further investment in the town.

Contributing to these behaviours and outcomes is the disproportionately high levels of disadvantage experienced by Latrobe residents, especially those living in Morwell. According to the Relative Socio-Economic Disadvantage Index (SEIFA), Morwell is ranked in the top 1% of disadvantage within the state. In line with this statistic, municipal level data shows high or very high rates of mental distress (20%), low levels of community trust and low levels of feeling valued by society, as well as higher risk of alcohol, smoking, drug and gambling related harm.

Latrobe City recognises that a multifaceted approach is required to address systemic challenges to community safety and undertakes a body of work to address community safety issues through business-as-usual services. This includes joint patrols between Local Laws and Victoria Police, development and maintenance of city assets, or liaison between local organisations through the Latrobe Community Safety Advisory Committee. It further commits to developing a suite of

activations through to place-make in both economic and social terms. However, the Community Connectors model provides a unique opportunity to address the drivers of undesirable community outcomes.

## Project Objectives, Methods, Evaluation Indicators

An initial review of the local area data has identified three focus areas for the Community Connectors Pilot in the Morwell CBD context.

Objective	Methods	Indicators
Increase community perceptions of safety	Presence of Community Connection Practitioners. Community education campaign.	Increase foot traffic. Increase perceived safety (survey).
Decrease incidence of offending and antisocial behaviours	De-escalating incidents. Increasing passive surveillance. Upskilling community members and transit staff. Supporting service networking and liaison.	Decrease incidence of offences in Morwell CBD. Decrease community and business reports of antisocial behaviour (survey, analysis of contact with Council). Reduction in public drinking incidents. Reduction Latrobe City employee OHS reports of criminal or antisocial behaviour.
Reduce risk-factors for offending or behaviours leading to poor perceptions of safety	Supporting service referrals. Supporting service networking and liaison.	# referrals to support services. Increase transport usage. Increase perceived safety (survey).

## Project Scope, Timeline & Deliverables

Timeline	Deliverable	Detail
1 – 6 months	Recruit project officer.	<ul style="list-style-type: none"> <li>Latrobe City project officer recruited at Band 5, three (3) days per week.</li> <li>Convene service agency and partnership meetings.</li> <li>Identify longer-term funding sources.</li> <li>Deliver community activations.</li> </ul>
	Contract community organisation to design Community Connectors for Morwell context.	<ul style="list-style-type: none"> <li>Develop social support needs analysis, evaluation plan.</li> <li>Identify Community Connector Practitioner resourcing (e.g. key times and days).</li> <li>Deliver project workshops/training with community and stakeholders.</li> </ul>



		<ul style="list-style-type: none"> <li>Build relationships with local support services and identify formal partners.</li> </ul>
6 – 12 months	Secure funding to deliver Morwell Community Connector model.	<ul style="list-style-type: none"> <li>Advocate to State and/or Federal government, local partners or philanthropic organisations.</li> <li>Project scoping and agreement negotiations.</li> <li>Execute funding agreement.</li> </ul>
12 – 34 months	Appoint lead community organisation to deliver Morwell Community Connector program.	<ul style="list-style-type: none"> <li>Tender and contracting processes.</li> <li>Recruitment of x2 Community Connector Practitioners.</li> <li>Formalising partnership agreements.</li> <li>Undertaking evaluation.</li> </ul>
34 – 36 months	Program review.	<ul style="list-style-type: none"> <li>Finalise and present evaluation.</li> <li>Embedding project / seeking further funding opportunities.</li> </ul>

## Partnership

While the organisation responsible for the Dandenong Community Connectors project is likely to bring specialist expertise to the Morwell iteration, local partners will be required to ensure its success. Further discussions are required to establish external organisational capacity to participate in the project, however critical partners include Victoria Police, V-Line, Latrobe Valley Buslines, and VicTrack.

As referral plays an important role in the Community Connector Practitioners work, local agencies such as Headspace, The Wes, Orange Door, Community Housing Limited, and the Mental Health and Wellbeing Local are likely to be engaged in some capacity. Further, the business community, as represented by Advance Morwell and the Latrobe City Business Chamber will be consulted at all stages of the project to identify opportunities for collective impact.

## Budget

Expense	Source	Amount
Project Officer	Sports Legacy – <i>to be confirmed.</i>	\$100,000
Consultant – Project Scoping	Sports Legacy – <i>to be confirmed.</i>	\$50,000
Consultant – Project Wages		\$400,000
<b>Total</b>		<b>\$550,000</b>

## Council Contributions

As noted above, Latrobe City undertakes work to improve community safety. This work will occur alongside Community Connectors, representing a large, ongoing investment in and commitment to the objectives of this project.

## Financial Sustainability

Community Connectors is proposed as a pilot. Delivery of the model beyond the pilot period, in the proposed form would continue to incur practitioner wages. It is anticipated that that the project



officer role would only be required to establish the work. Ongoing commitments to liaison, networking or project oversight could either be absorbed into the Community Safety Officer role, or developed into a permanent role alongside other community needs e.g. responses to homelessness. Delivery of the pilot will also enable review of potential efficiencies in the proposed model (e.g. fewer hours required each week) or shared resourcing opportunities with partners.

# **STATUTORY PLANNING**

## 9. STATUTORY PLANNING

Item Number 9.1

24 February 2025

Regional City Planning and Assets

# CONSIDERATION OF SUBMISSIONS TO AMENDMENT C143 (PUBLIC ACQUISITION OVERLAY)

## PURPOSE

For Council to consider submissions received to Planning Scheme Amendment C143 Public Acquisition Overlay (the Amendment) and consideration of next steps in the Amendment process.

## EXECUTIVE SUMMARY

- Amendment C143 (the Amendment) proposes to apply the Public Acquisition Overlay (PAO) to 23 properties across Newborough (11 properties), Morwell (11 properties) and Traralgon (1 property).
- The PAO is being applied to reserve the parts of the 23 properties which have been identified in the Morwell North West Development Contributions Plan, Traralgon North Development Contributions Plan, and Lake Narracan Development Contributions Plan as being required for road widenings, intersection upgrades, stormwater treatment infrastructure or active open space reserve.
- Exhibition occurred between 21 November 2024 and 23 December 2024. As part of exhibition, direct notification was provided to affected landowners, agencies, authorities, real estate agents, planning consultations, prescribed Ministers and local members.
- A total of 7 submissions were received from:
  - Landowners (submission 1 and 4);
  - Interested parties (submission 5 and 7); and
  - Authorities and agencies (submission 2, 3 and 6).
- There are:
  - three submissions which support the Amendment or request assurances which can be provided.
  - two submissions which object or request changes to the Amendment which cannot be supported.
  - two submissions which do not object to the Amendment.

## OFFICERS RECOMMENDATION

### **That Council:**

- 1. Having formally considered all written submissions received to Amendment C143 notes the issues raised by the submissions and the officer's response to those issues, as outlined in Attachment 2;**
- 2. Requests the Minister for Planning appoint a planning panel to consider submissions received for Amendment C143, in accordance with Part 8 of the *Planning and Environment Act 1987*;**
- 3. Refers submissions to the planning panel appointed by the Minister for Planning;**
- 4. Endorses the officer's response to the issues raised by submissions, as the basis for Council's submission to the planning panel; and**
- 5. Advises those persons who made written submissions to Amendment C143 of Council's decision.**

## BACKGROUND

At the 6 May 2025 Council Meeting, Council resolved:

*That Council:*

1. *Endorse the draft Site Assessment Documents, provided at Attachment 6, for Public Exhibition as part of Amendment C143;*
2. *Request Authorisation from the Minister for Planning to prepare and Exhibit Amendment C143 to the Latrobe Planning Scheme, in accordance with section 8A of the Planning and Environment Act 1987;*
3. *Prepare Amendment C143 to the Latrobe Planning Scheme to apply the Public Acquisition Overlay in favour of Latrobe City Council to give effect to the Site Assessment Documents, generally in accordance with the documentation provided at Attachments 4, 5, 6, 7 and 8, subject to Ministerial Authorisation; and*
4. *Place Amendment C143 on Public Exhibition in accordance with the requirements of Section 19 of the Planning and Environment Act 1987, subject to Ministerial Authorisation.*

A request for authorisation to the Minister for Planning was lodged on 9 May 2024.

On 1 July 2024 the Minister for Planning authorised Council to prepare and exhibit Amendment C143 with the following conditions:

- *Amend the Schedule to Clause 45.01 Public Acquisition Overlay so that the purpose of the acquisition for PAO3 is Drainage/Open Space Reserves.*
- *Revise the Explanatory Report in accordance with the recommended changes provided by Department of Transport & Planning (DTP) officers.*
- *Where only part of a lot/parcel is affected by the amendment revise all documentation to state “part of” where necessary and include the title details in the Mapping Reference table.*
- *Revise Site Assessment Reports to reference either Open Space/Drainage Reserves or Road Projects in their title, headers and footers.*
- *Provide an Attachment to either the exhibited Explanatory Report or as a Supporting Document which clearly shows the application of the PAO overlaid on each affected property.*
- *Notice be given to Head of Transport Services, DTP (attention to Kate Stapleton, Director Planning & Heritage Practice) and the West Gippsland Catchment Management Authority.*

- *As the land is within Recognition and Settlement Agreement area give notice to the applicable traditional owner group.*

Council satisfied the conditions by updating the amendment documentation as specified in the conditions above and by including Kate Stapleton - Director Planning & Heritage Practice, the West Gippsland Catchment Management Authority, and Gunaikurnai Land and Waters Aboriginal Corporation were included in the mailing list for notice of Exhibition of Amendment C143 which were sent the week of the 18 November 2024.

Amendment C143 was placed on exhibition from 21 November 2024 – 23 December 2024.

For the purposes of this report, 'the Act' means the *Planning and Environment Act 1987*.

## ANALYSIS

Details regarding the exhibition process and outcomes are provided in the *communication* and *consultation* sections below.

Seven submissions were received including two late submission (see **Attachment 1** for a copy of all submissions). The key issues raised in submissions are outlined in *Public Submissions* section below and in the Summary of Submissions table at **Attachment 2**.

There are two outstanding objections which remain to Amendment C143. Section 22 of the Act requires Council to consider all submissions received to Amendment C143 during the exhibition process. Council may also consider a late submission (submission 6 and 7).

Having considered the submissions received for Amendment C143, council officers consider that submissions 4 and 5 cannot be resolved through changes to the Amendment C143, and therefore recommends Council request the Minister for Planning to appoint a planning panel to consider submissions. All submissions, including submissions supporting Amendment C143 and submissions which officers consider to be resolved through the consideration of submissions, will be referred to the planning panel.



## RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
<b>COMPLIANCE</b> Without land acquisition abilities, Council will not be in a position to fulfill its responsibilities as the delivering agency for the DCPs.	<b>High</b> <i>Likely x Major</i>	Proceed with Amendment C143 as proposed.
<b>FINANCIAL</b> Council is subject to landowner requirements if purchasing via public sale or private agreement.	<b>Medium</b> <i>Unlikely x Major</i>	Proceed with Amendment C143 as proposed.  Determine compensation in accordance with the <i>Land Acquisition and Compensation Act 1986</i> .
<b>STRATEGIC</b> If Council cannot acquire the land, Council will not be able to deliver the identified DCP projects. This could result in: <ul style="list-style-type: none"> <li>• A reputational decline with developers.</li> <li>• Reduced number of development applications</li> <li>• Overall decline in development activity.</li> <li>• Worsening of housing affordability.</li> <li>• Reduced ability to reach any housing targets the Victorian Government may set.</li> </ul>	<b>High</b> <i>Possible x Major</i>	Proceed with Amendment C143 as proposed.  Acquire land as necessary once C143 is adopted into the Latrobe Planning Scheme.

RISK	RISK RATING	TREATMENT
<b>FINANCIAL</b> Council agreeing to do further work to review any background report is not within the current budget and may not yield any alternative options.	<b>High</b> <i>Possible x Major</i>	Proceed with the Amendment C143 as proposed.
<b>FINANCIAL</b> Enlarging the PAO to land currently not identified as required by the background documents could open Council up to additional compensation claims.	<b>Medium</b> <i>Unlikely x Major</i>	Proceed with the Amendment C143 as proposed.

## CONSULTATION

During the Exhibition process Council:

- Council received 10 landowner telephone and/or HQ front counter enquiries;
- Council received seven submissions to Amendment C143;
- Three people attended the consultation sessions held on 3 December 2024 and 5 December 2024;
- Two meetings were organised outside consultation sessions; and
- Council received 83 visits to the Have Your Say page and 44 visits to the Amendment C143 webpage.

### Public Submissions

Following public exhibition seven written submissions were received by Council in response to Amendment C143. Section 22 of the Act requires that Council consider all submissions to Amendment C143 received during the public exhibition process. Council may also consider late submissions.

A summary of the key issues and comments raised in submissions that have been received by Council in response to Amendment C143 is provided below.

Amendment C143 Submissions	
Support	3
Requests changes (not supported)	1
Object	1
Not opposed	2
Total Submissions	7

Two late submissions were received (submissions 6 and 7). Submission 6 did not oppose the amendment and submission 7 supported.

The three submissions which support the amendment (submission 1, 2 and 7) support the amendment because it will provide surety that key growth area supporting infrastructure (in particularly drainage) could and would be delivered.

Submission 4 raised concerns around the fact they believe the background reports to the DCP did not properly consider the logic of the proposed drainage reserve as their property is cut in two by the drainage reserve and that one of the parcels will not have any road frontage. They also raised the concern their property was unfairly burdened by having to provide a drainage reserve on their property.

Council officers have not been able to resolve submission 4. Council officers do believe the background reports and DCP have adequately considered development viability. Council officers consider the property to not be unfairly burdened as a waterway exists on the property already in the approximate location of the proposed PAO. Setting aside of land for waterway reserves is a standard outcome of the planning scheme.

Submission 5 requested the PAO be enlarged on 23 Jason Street and 77 Ashley Avenue Morwell and provided a concept subdivision as justification for the change. Enlarging the PAO would create an inconsistency between the overlay and the endorsed Morwell North West DP and DCP. Council officers do not support the change because:

- a) No evidence of engagement with or consent to the change by 77 Ashley Avenue has been provided;
- b) The change is counter to the approved drainage strategy and endorsed DP;
- c) No alternative drainage strategy to support the change has been provided or approved by Latrobe City Council; and

- d) Applying the PAO not in accordance with the documents which support the amendment, opens up the Acquiring Authority to unnecessary risks associated with compensation at the time the PAO is removed from the land in the future if no acquisition occurred.

A detailed summary of submissions is provided at **Attachment 2**.

## COMMUNICATION

Amendment C143 was subject to the prescribed processes in accordance with the public notices and consultation requirements of section 19 of the Act.

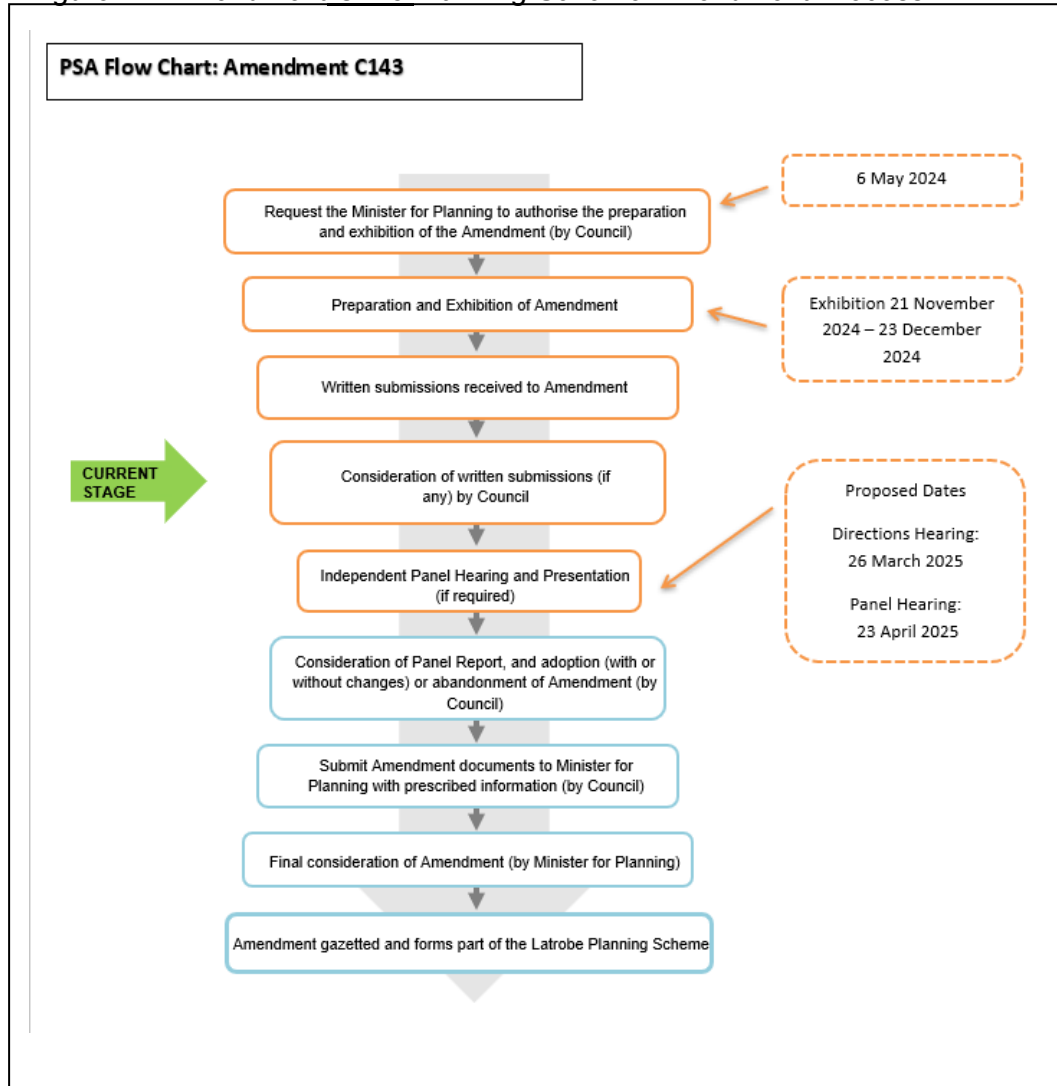
As part of the exhibition of Amendment C143 the following activities were undertaken:

- Amendment C143 documents were placed on Latrobe City Council's website;
- Have Your Say page was created;
- 36 notification letters were sent to affected owner and occupiers;
- 42 notification letters/emails were sent to agencies, public authorities and Ministers believed to be materially affected by Amendment C143 or prescribed under the Act;
- Six notification emails and letters were sent to Ministers and local members of parliament believed to be materially affected by the Amendment prescribed under the Act;
- Notices placed in the Latrobe Valley Express on the 20 November 2024 and 4 December 2024;
- Notice placed in the Government Gazette on 21 November 2024;
- Social Media Post on 3 December 2024;
- Two, all day consultation sessions held on 3 December 2024 (in Newborough) and 5 December (in Morwell) 2024; and
- Information placed at service centre and libraries in Morwell, Moe, Traralgon and Churchill.

## Legal and Compliance

The planning scheme amendment process is shown in Figure 1 below, which identifies the current stage Amendment C136 is at in the process.

Figure 1 – Amendment C143 Planning Scheme Amendment Process



Council, as a planning authority, has a number of duties and powers, which are listed at Section 12 of the Act. Under Section 12(2) Council must have regard to:

- The Minister's directions;
- The Victoria Planning Provisions;
- Any strategic plan, policy statement, code or guideline which forms part of 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 in Amendment C143.
- Any social and economic effects.

Section 22 of the Act requires that Council consider all submissions received to Amendment C143 during the public exhibition process. Council may consider late submissions. Once Council has considered the submissions, section 23 requires Council to:

- change Amendment C143 in the manner requested by a submission;
- refer the submission(s) to a planning panel appointed under Part 8 of the Act; or
- abandon Amendment C143 or part of Amendment C143.

The recommendations of this Council Report are in accordance with Sections 23 of the Act.

#### DECLARATION OF INTERESTS

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

#### SUPPORTING DOCUMENTS

Nil



## APPENDIX 1 IMPACT ASSESSMENT

### **Gender**

A Gender Impact Assessment (GIA) is required under the *Gender Equality Act 2020* to be conducted on all new and reviewed programs, services, and policies, where there is a significant and direct impact on the community. A GIA has not been undertaken in this case, as this report relates to consideration of public submissions rather than directly to a program, service or policy.

### **Social**

Adopting the Amendment C143 will facilitate the delivery of three major residential growth areas which will see an additional 3,700 lots in Moe-Newborough, 1,280 lots in Morwell and, 1,111 lots in Traralgon. The delivery of this housing is critical to easing the housing pressures the Latrobe community are currently experiencing.

None of the submissions raised any social concerns of the Amendment.

### **Cultural**

Amendment C143 is seeks to make possible the delivery of infrastructure required under documents previously adopted by Council. Cultural implications were considered at the time of the adoption of each DCP.

None of the submissions raised cultural concerns regarding Amendment C143.

### **Health**

Amendment C143 is seeks to make possible the delivery of infrastructure required under documents previously adopted by Council. Any health implications were considered at the time of the adoption of each DCP. The next appropriate time to consider the health implication is when Council is considering beginning the compulsory acquisition process for a project.

No submissions raised concerns regarding health and the Amendment.

### **Environmental**

Any environmental impacts of the proposed projects were considered at the time of the DCP being first adopted by Council. Environmental impacts can be considered on a project-by-project basis as part of Council resolving to undertake compulsory acquisition processes as further design details for the project would have been developed to inform the acquisition.

No submissions raised environmental concerns regarding the Amendment.

### **Economic**

Proceeding with the Amendment will allow Council to achieve the improvements to the economy which justified the original adoption of the three DCPs.

No submissions raised economic impacts of the Amendment.

## **Financial**

Multiple submissions did raise financial concerns. Most concerns related to the private sectors ability to acquire land under the PAO and act of development planning permits. Council officers have been able to resolve the concerns of one of these submissions. The concerns of submission 4 and 5 are unresolved.

The changes requested by submission 4, if supported, would have significant financial implications for Council's finances and require changes to business planning to minimise those implications.

Advice from councils engineering team suggests the alternative alignment proposed in submission 4 would cost more and thus increase the cost to all developers in the precinct due to the project being DCP funded. Increasing the cost of DCP projects may make the precinct financially less viable in the current high construction cost environment.

The change of submission 5 would also have Financial implications if it resulted additional compensation if no compulsory acquisition was ever undertaken on the affected properties.

The financial implications of any specific acquisition will be considered before Council resolves to commence formal proceedings.

## **Attachments**

1. Combined Submissions
2. Summary of Submissions Table

# 9.1

## Consideration of Submissions to Amendment C143 (Public Aquisition Overlay)

1	Combined Submissions .....	125
2	Summary of Submissions Table .....	170

## Submission 1A

Afternoon Stewart!

Thanks for your email.

Please accept the existing submission in relation to this matter.

Thanks

Regards,

Buildcap

This document has been made available for the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose.

By taking a copy of this document you acknowledge and agree that you will only use this document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

From: Stewart Saunders

Sent: Friday, November 22, 2024 5:07 pm

Subject: RE: Att Strategic Planning - Exhibition Submission- Amendment C143

Hi

Council has recommenced exhibition of Amendment C143 and we can now accept submissions.

Would you like to Council to accept your submission made on the 9 September or would you like to make a new submission?

Regards,

**Stewart Saunders**  
Senior Urban Growth Planner

Phone: (03) 5128 5751  
Mobile: 0424 803 498  
[Stewart.Saunders@latrobe.vic.gov.au](mailto:Stewart.Saunders@latrobe.vic.gov.au)



Sent: Thursday, September 12, 2024 2:45 PM

Subject: RE: Att Strategic Planning - Exhibition Submission- Amendment C143

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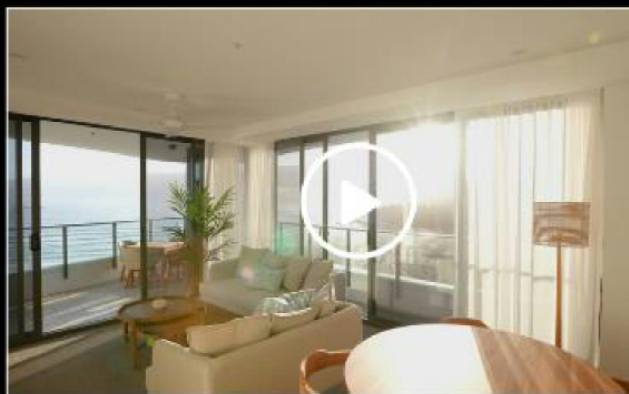
Thanks Stewart all noted !



• [buildcap.com.au](https://buildcap.com.au)

**Office:** 10 James Street, Windsor VIC 3181

**Postage:** Postage PO Box 1138, 71 Chapel Street, Windsor VIC 3181



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bc. x



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**From:** Stewart Saunders <[Stewart.Saunders@latrobe.vic.gov.au](mailto:Stewart.Saunders@latrobe.vic.gov.au)>

**Sent:** Wednesday, 11 September 2024 3:59 PM

**Subject:** RE: Att Strategic Planning - Exhibition Submission- Amendment C143

Good afternoon [REDACTED]

Thank you for your email. At this point in time Council cannot accept your submission due to Amendment C143 having been withdrawn from public exhibition on the 16 August 2024 on the advice of the Department of Transport and Planning and Councils own legal advice. We will keep your submission in our records and contact you when we recommence public exhibition after the completion of the October Council elections. Once we recommence exhibition, you will be able to remake your submission if you so desire.

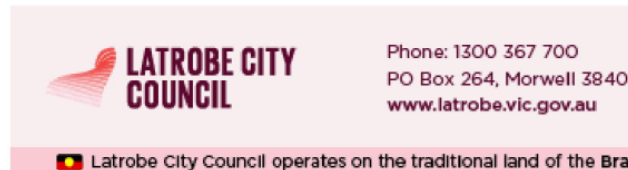
Notice of the withdrawal of the Amendment was sent via mail on the 16 August 2024. If Buildcap did not receive a letter, please let me know and I can email a copy to you for your records.

If you would like to discuss the situation further, you are welcome to call me via either my phone or mobile below. I can generally advise that Council would not seek to use the PAO to delay private parties attempts to deliver developments generally in accordance with the Morwell North West Development Plan.

Thank you,

**Stewart Saunders**  
(he/him)  
Senior Urban Growth Planner

Phone: (03) 5128 5751  
Mobile: 0424 803 498  
[Stewart.Saunders@latrobe.vic.gov.au](mailto:Stewart.Saunders@latrobe.vic.gov.au)



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**Sent:** Monday, September 9, 2024 9:47 AM

**To:** [latrobe@latrobe.vic.gov.au](mailto:latrobe@latrobe.vic.gov.au)

**Subject:** Att Strategic Planning - Exhibition Submission- Amendment C143

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Morning Latrobe,

Please see below submission on behalf of Buildcap Heritage P/L, the developer of Heritage Place Estate (Lot H, Heritage Boulevard Morwell)

- Buildcap Heritage are supportive of Amendment C143 however, on the provision that the Gazettal of the Amendment does not prohibit or delay the developer reaching commercial agreement in the interim with their neighbouring property to develop the drainage asset that straddles both properties (that is otherwise the subject of PAO3)
- If a legally binding Commercial Agreement is reached with parties withing the PAO, it would be unnecessary for Council to acquire the land (post Gazettal) In otherwise, the PAO should only be acted on if necessary to support the procurement of land for drainage (and therefore support development)
- Buildcap Heritage recommend that the PAO linework is clarified with the subject property owners prior to finalisation of the Amendment to confirm that the extent best reflects the size, shape and geography of the future drainage asset.

Please contact me on the undersigned if you wish to discuss my submission. Meanwhile, I look forward to following the Amendment's progress.

Regards,

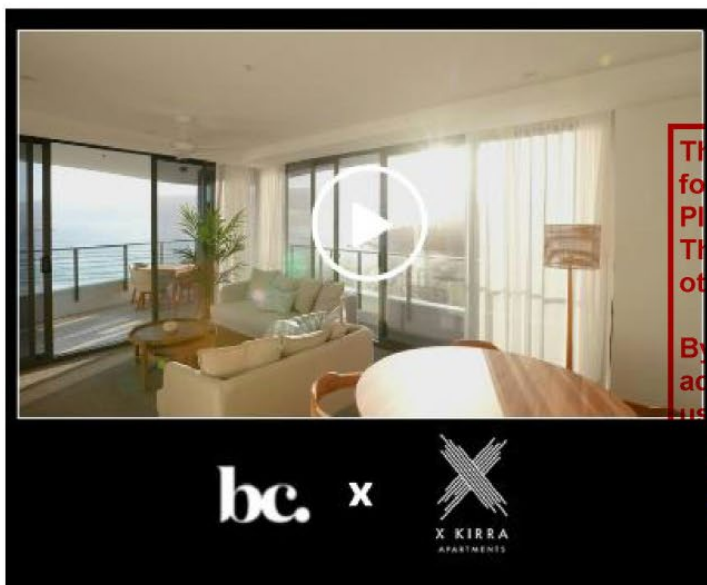




[buildcap.com.au](http://buildcap.com.au)

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**Postage:** Postage PO Box 1138, 71 Chapel Street, Windsor VIC 3181



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## Submission 1B

**From:** [REDACTED]  
**To:** [Stewart Saunders](#)  
**Subject:** RE: Amendment C143 - response to submission  
**Date:** Monday, 3 February 2025 2:00:48 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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Hi Stewart,  
Apologies for my delay in responding (I've had travel to two states in the last fortnight)  
In any case, I confirm that your response of the 19/12/2024, resolves our concerns and therefore we can support the amendment as proposed.  
Anything further please let me know.

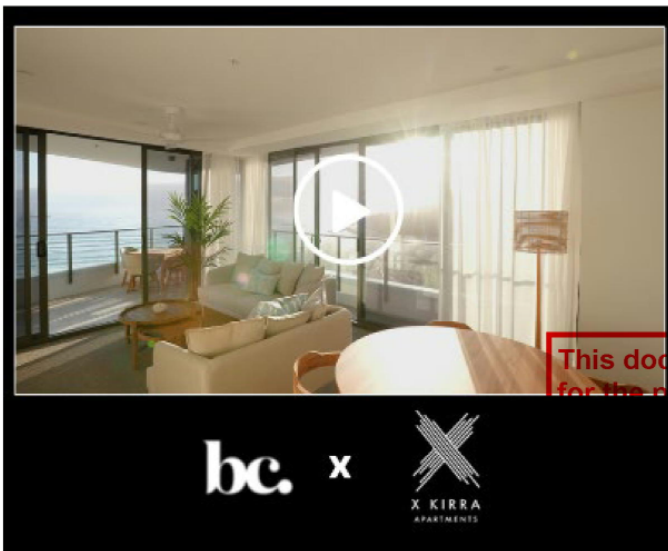
[REDACTED]



• [buildcap.com.au](https://buildcap.com.au)

**Office:** 127 High Street, Prahran VIC 3181

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**From:** Stewart Saunders <Stewart.Saunders@latrobe.vic.gov.au>

**Sent:** Wednesday, 22 January 2025 10:02 AM

**To:** [REDACTED]

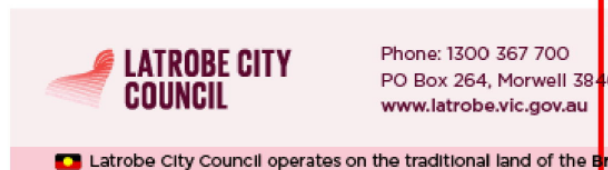
**Subject:** RE: Amendment C143 - response to submission

I am following up the advice I sent via email on the 19 December 2024. Can you please confirm in writing by Friday 24 January 2025 if my response satisfied the concerns raised in your submission? A clear statement that your submission is now 'resolved and in support', 'resolved and withdrawn' or 'submission remains unchanged' would be appreciated. If you still have concerns, you are welcome to call me on (03) 5128 5751.

Regards,

**Stewart Saunders**  
Senior Urban Growth Planner

Phone: (03) 5128 5751  
Mobile: 0424 803 498  
[Stewart.Saunders@latrobe.vic.gov.au](mailto:Stewart.Saunders@latrobe.vic.gov.au)



**From:** Stewart Saunders

**Sent:** Thursday, December 19, 2024 11:05 AM

**To:** [REDACTED]

**Subject:** Amendment C143 - response to submission

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Please find attached councils response to your submission to Amendment C143 in which we have attempted to resolve the concerns raised in your submission.

I will be on leave from the 20 December and returning to the office on the 6 January. I will be able to answer any response to the attached letter when I return. If you would like a response before then, please ensure your response is sent to [latrobe@latrobe.vic.gov.au](mailto:latrobe@latrobe.vic.gov.au), so that one of my colleagues can respond in my absence. I note, Latrobe City Council will be closed from the 25 December and reopening on the 2 January.

I hope the attached letter satisfactorily resolves the concerns raised in your submission.

Sincerely,

**Stewart Saunders**  
Senior Urban Growth Planner

Phone: (03) 5128 5751  
Mobile: 0424 803 498  
[Stewart.Saunders@latrobe.vic.gov.au](mailto:Stewart.Saunders@latrobe.vic.gov.au)



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## Submission 2

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**From:** "West Gippsland Catchment Management Authority"  
**Sent:** Wed, 11 Dec 2024 13:21:56 +1100  
**To:** latrobe@latrobe.vic.gov.au  
**Subject:** WGCMA response for Latrobe Planning Scheme Amendment C143 Morwell Vic 3840 Our ref: WGCMA-F-2024-00629  
**Attachments:** WGCMA-F-2024-00629-02.pdf

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Dear [REDACTED]

Response issued for Latrobe Planning Scheme Amendment C143 Morwell Vic 3840.

Your Ref: C143

Regards

**Planning Administration**

West & East Gippsland Catchment Management Authority  
16 Hotham Street (PO Box 1374), Traralgon 3844  
For any queries please contact;  
Office Phone: 1300 094 262

[www.wgcma.vic.gov.au](http://www.wgcma.vic.gov.au) Stay informed, [sign up to our mailing list](#).



*I respectfully acknowledge the Traditional Owners of the Country upon which I work; their Elders past, present and future.*

West Gippsland Catchment Management Authority, 16 Hotham Street Traralgon and Corner Young & Bair Streets Leongatha | PO Box 1374 Traralgon 3844 | 1300 094 262 for standard call cost | [westgippy@wgcm.vic.gov.au](mailto:westgippy@wgcm.vic.gov.au) | [www.wgcma.vic.gov.au](http://www.wgcma.vic.gov.au)

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WGCMA Ref: WGCMA-F-2024-00629  
Document No: 2  
Date: 11 December 2024

[REDACTED]  
[REDACTED]  
Latrobe City Council

Dear [REDACTED]

**Regarding:** Planning Scheme Amendment C143

I refer to your correspondence received at the West Gippsland Catchment Management Authority ('the Authority') on 21 November 2024 in relation to Latrobe Planning Scheme Amendment C143 relating to the Public Acquisition Overlay (PAO).

The Authority understands that the amendment seeks to introduce the PAO to parts of 23 properties to facilitate the delivery of the Lake Narracan Precinct Structure Plan & Development Contribution Plan, the Morwell North West Development Plan & Development Contribution Plan and the Traralgon North Development Plan & Development Contribution Plan.

The Overlay will facilitate the delivery of projects associated with drainage, road construction and open space in a timely manner.

The Authority **supports** the amendment.

Should you have any queries, please do not hesitate to contact [REDACTED] on [REDACTED] or email [REDACTED]. To assist the Authority in handling any enquiries please quote **WGCMA-F-2024-00629** in your correspondence with us.

Yours sincerely,

[REDACTED]  
[REDACTED]  
[REDACTED]

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Traralgon Office 16 Hotham Street, Traralgon VIC 3844 | Leongatha Office Corner Young & Bair Streets, Leongatha VIC 3953  
Call 1300 094 262 | Email [westgipps@wgcm.vic.gov.au](mailto:westgipps@wgcm.vic.gov.au) | Website [www.wgcm.vic.gov.au](http://www.wgcm.vic.gov.au)  
PO Box 1374, Traralgon VIC 3844 | ABN 88 062 514 481

We acknowledge and pay our respects to the Traditional Owners of the region, the Gunaikurnai, Bunurong, Boonwurrung and Wurundjeri Peoples and pay our respects to Elders past, present and emerging.

Document Set ID: 2739855  
Version: 1, Version Date: 11/12/2024

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**OFFICIAL****Definitions**

1. **AEP** as Annual Exceedance Probability is the likelihood of occurrence of a flood of given size or larger occurring in any one year. AEP is expressed as a percentage (%) risk and may be expressed as the reciprocal of ARI (Average Recurrence Interval).

Please note that the 1% probability flood is not the probable maximum flood (PMF). There is always a possibility that a flood larger in height and extent than the 1% probability flood may occur in the future.

2. **AHD** as Australian Height Datum is the adopted national height datum that generally relates to height above mean sea level. The elevation is in metres.
3. **ARI** as Average Recurrence Interval is the likelihood of occurrence, expressed in terms of the long-term average number of years, between flood events as large as, or larger than, the design flood event. For example, floods with a discharge as large as, or larger than, the 100 year ARI flood will occur on average once every 100 years.
4. **Finished Floor Level** is the level of the top layer of the floor. This is the layer of floor that you will see and walk on.
5. **Flood Resistant Materials** are materials used in building construction that are capable of withstanding direct and prolonged contact with floodwaters without sustaining significant damage. Some examples of this are concrete, metal, brick and some timber. Avoid using materials like carpet, plaster and some timber.
6. **Nominal Flood Protection Level** is the minimum height required to protect a building or its contents, which includes a freeboard above the 1% AEP flood level.

**Disclaimers**

1. The area referred to in this letter as the 'proposed development location' is the land parcel(s) that, according to the Authority's assessment, most closely represent(s) the location identified by the applicant. The identification of the 'proposed development location' on the Authority's GIS has been done in good faith and in accordance with the information given to the Authority by the applicant(s) and/or the local government authority.
2. While every endeavour has been made by the Authority to identify the proposed development location on its GIS using VicMap Parcel and Address data, the Authority accepts no responsibility for, or makes no warranty regarding, the accuracy or naming of this proposed development location according to its official land title description.
3. No warranty is made as to the accuracy or liability of any studies, estimates, calculations, opinions, conclusions, recommendations (which may change without notice) or other information contained in this letter and, to the maximum extent permitted by law, the Authority disclaims all liability and responsibility for any direct or indirect loss or damage which may be suffered by any recipient or other person through relying on anything contained in or omitted from this letter.
4. This letter has been prepared for the sole use by the party to whom it is addressed, and no responsibility is accepted by the Authority regarding any third-party use of the whole or of any part of its contents. Neither the whole nor any part of this letter or any reference thereto may be included in any document, circular or statement without the Authority's written approval of the form and context in which it would appear.
5. The flood information provided represents the best estimates based on currently available information. This information is subject to change as new information becomes available and as further studies are carried out.

**OFFICIAL**

6. Please note that land levels provided by the Authority are an estimate only and should not be relied on by the applicant. Prior to any detailed planning or building approvals, a licensed surveyor should be engaged to confirm the above levels.
7. The flood information provided in this letter is generally more up to date than the Flood Overlay (FO) or Land Subject to Inundation Overlay (LSIO). This is because the Authority continually updates its flood information whenever new information becomes available. The overlays mentioned above are maintained by Council and are often out of date (by years in some areas).

## Submission 3

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**From:** "Planning and Environment Assessment (DEECA) (DEECA)"  
**Sent:** Thu, 12 Dec 2024 13:44:25 +1100  
**To:** "latrobe@latrobe.vic.gov.au" <latrobe@latrobe.vic.gov.au>  
**Subject:** OFFICIAL: DEECA submission - Am C143latr  
**Attachments:** 7135dpr.pdf

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Mark Safe

Report

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Dear [REDACTED]

Please find attached DEECA's submission to this exhibited planning scheme amendment.

Any queries please contact me by email at [REDACTED]

Kind regards



Planning Services (Central East)  
DEECA Planning and Environment Assessment  
Regions, Environment, Climate Action and First Peoples  
Department of Energy, Environment and Climate Action  
M: [REDACTED] E: [REDACTED]



We acknowledge Victorian Traditional Owners and their Elders past and present as the original custodians of Victoria's land and waters and commit to genuinely partnering with them and Victoria's Aboriginal community to progress their aspirations.

OFFICIAL





## Department of Energy, Environment and Climate Action

Ref: 7135

Latrobe City Council  
141 Commercial Road  
MORWELL VIC 3840

By email: [latrobe@latrobe.vic.gov.au](mailto:latrobe@latrobe.vic.gov.au)

Dear [REDACTED]

**REFERENCE NUMBER: AM C143LATR**  
**PROPOSAL: PUBLIC ACQUISITION OF LAND**  
**ADDRESS: LAND LOCATED IN THE LAKE NARRACAN PRECINCT**  
**STRUCTURE PLAN, MORWELL NORTH WEST**  
**DEVELOPMENT PLAN AND TRARALGON NORTH**  
**DEVELOPMENT PLAN**

Thank you for your correspondence of 21 November 2024 pursuant to Section 19 of the *Planning and Environment Act 1987*.

Council has given the Department of Energy, Environment and Climate Action (DEECA) notice of a proposed planning scheme amendment that seeks to:

- insert Planning Scheme map numbers 24PAO, 25PAO, 30PAO, 50PAO, 71PAO, and 76PAO to apply the Public Acquisition Overlay (PAO2 or PAO3) to 23 properties;
- amend the Schedule to Clause 45.01 (Public Acquisition Overlay) to make Latrobe City Council the acquiring authority for the:
  - PAO2 with the purpose of the acquisition 'Road projects'
  - PAO3 with the purpose of the acquisition 'Drainage / Open space reserves'
- amend the schedule to Clause 72.03 – *What does this planning scheme consist of?* to list 24PAO, 25PAO, 30PAO, 50PAO, 71PAO, and 76PAO.
- amend the schedule to Clause 74.01 – *Application of zones, overlays and provisions* to outline how the Public Acquisition Overlay implements the Municipal Planning Strategy.

Applying the PAO to identified land will ensure infrastructure projects can be delivered, when they are required, to support residential development.

The properties affected by this amendment are:

- ■ Thompsons Road, Newborough (lot 1 LP142353) apply PAO2
- ■ Thompsons Road, Newborough (lot 2 LP142353) apply PAO2
- ■ Thompsons Road, Newborough (lot 6 LP157245) apply PAO2
- ■ Hayes Road, Newborough (lot 1 LP126050) apply PAO2

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- Links Road, Newborough (lot 2 PS636142) apply PAO2
- [REDACTED] Thompsons Road, Newborough (lot 1 TP594736) apply PAO2
- [REDACTED] Thompsons Road, Newborough (lot 1 TP248759) apply PAO2
- [REDACTED] Thompsons Road, Newborough (lot 3E PP3273) apply PAO2
- [REDACTED] Thompsons Road, Newborough (lot 3H PP3273) apply PAO2
- [REDACTED] Thompsons Road, Newborough (lot 1 TP582048) apply PAO2
- [REDACTED] Thompsons Road, Newborough (lot 2 TP582048) apply PAO2
- [REDACTED] John Field Drive, Newborough (lot 34 LP121048) apply PAO2 & PAO3
- [REDACTED] Latrobe Road, Morwell (lot 70E PP3072) apply PAO3
- [REDACTED] Latrobe Road, Morwell (lot 70D PP3072) apply PAO3
- [REDACTED] Latrobe Road, Morwell (lot 70C PP3072) apply PAO3
- [REDACTED] Latrobe Road, Morwell (lot 70B PP3072) apply PAO3
- [REDACTED] English Street, Morwell (lot 70L PP3072) apply PAO3
- [REDACTED] English Street, Morwell (lot 1 TP211967) apply PAO3
- [REDACTED] English Street, Morwell (lot 14 LP11865) apply PAO3
- [REDACTED] English Street, Morwell (lot 70H PP3072) apply PAO3
- [REDACTED] Jason Street, Morwell (lot 1 PS404523) apply PAO3
- [REDACTED] Ashley Avenue, Morwell, (lot 19 LP111605) apply PAO3
- Heritage Boulevard, Morwell (lot H PS739559) apply PAO3
- [REDACTED] Glendale Road, Traralgon (lot 1 PS329021) apply PAO3

DEECA has considered the above application and do not oppose the amendment.

If you have any queries regarding this matter, please contact [REDACTED] on [REDACTED] or at [REDACTED].

Yours sincerely

[REDACTED]

[REDACTED]

Planning Services (Central East)  
DEECA Planning and Environment Assessment

12/12/2024

## Submission 4a

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**From:** [REDACTED]  
**Sent:** Sun, 22 Dec 2024 19:05:21 +1100  
**To:** "latrobe@latrobe.vic.gov.au" <latrobe@latrobe.vic.gov.au>  
**Cc:** [REDACTED]  
**Subject:** Strategic Planning Amendment C143  
**Attachments:** Proposed design Morwell North West DP.pdf

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## Amendment C143 Public Acquisition Overlay (POA)

Hi team

RE: [REDACTED]

While we are in favour of the future development outlined in the North West Development Plan, we wish to formally object to Amendment C143 to the Latrobe Planning Scheme, which proposes to apply a Public Acquisition Overlay (PAO) to our property at [REDACTED]

The current Latrobe City plans to facilitate necessary infrastructure developments, including stormwater management systems, will significantly impact our property. Specifically, the proposed drainage reserve will divide our property into two sections, creating an awkward and unusable rear lot with no road access.

Upon reviewing the Morwell North-West DCP Drainage Report, it appears the drainage design was primarily based on the existing drain without sufficient consideration of current land ownership or property boundaries. This approach fails to adequately address the adverse effects on landowners like us.

We strongly recommend that you seek expert advice and engage a qualified hydrologist to review the Morwell North-West DCP Drainage Report. We propose relocating the drainage reserve to the eastern boundary of our property to prevent the division of the land and mitigate the negative impact on its functionality.

Additionally, it is arguable that the extent of the land designated as 'encumbered' appears to serve a precinct-wide function, benefiting other landowners while disproportionately affecting us.



We request that this matter be reviewed and revised to ensure a fair and equitable outcome for all parties.

Thank you for considering our concerns. We look forward to your response.

Please see attached amended drawings.

Best regards

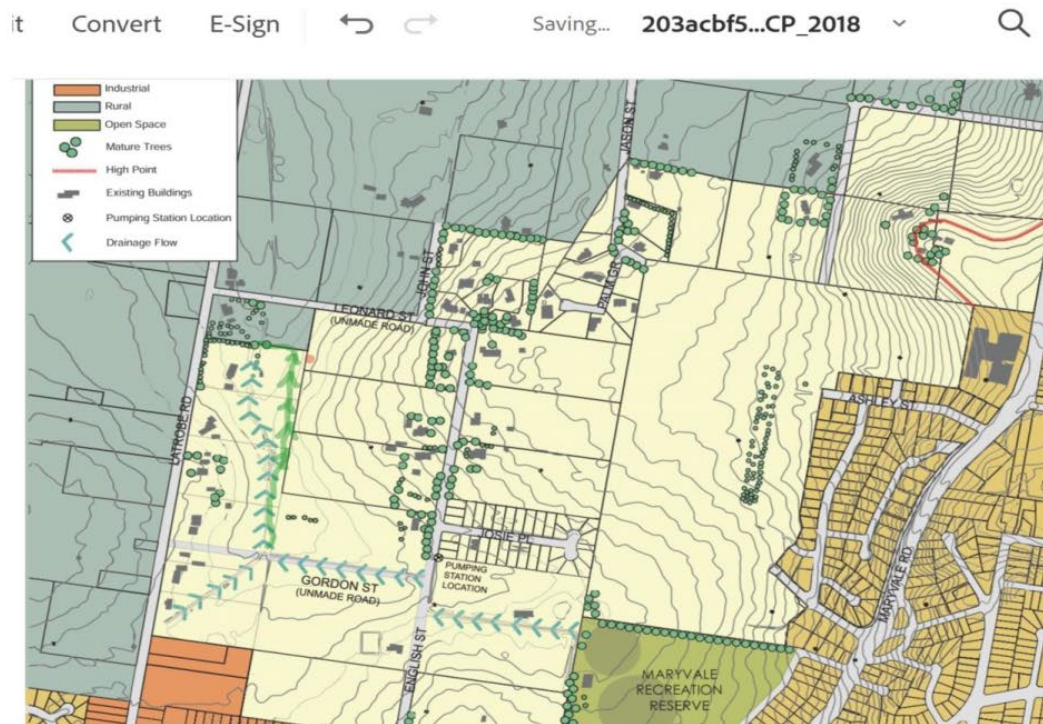


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Existing design – CH 03 WR\_02 Wetland to Ch 03 impacting [REDACTED]



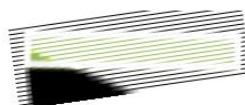
Consider the following changes – moving to the boundary, flow to remain the same



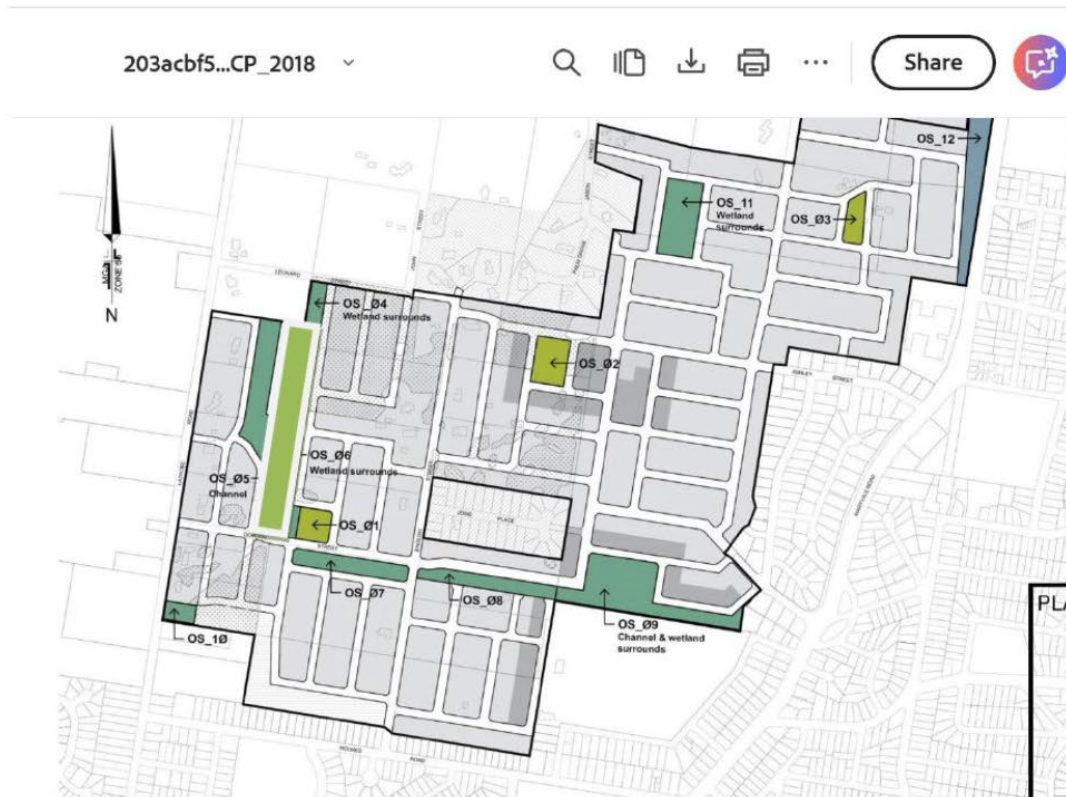
Existing



To: Adapting Light Green below:







## Submission 4b

**From:** [REDACTED]  
**To:** [Stewart Saunders](#)  
**Subject:** Amendment C143 - Council response to Submission  
**Date:** Tuesday, 11 February 2025 12:40:45 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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Hi Stewart

Thanks for providing a response to our submission.

Before we meet next week can you please answer the following questions:

**Compensation:**

How will the compensation amount be determined, and what methodology will be used for valuation?

What specific "loss" and "inconvenience" factors will be considered in compensation?

**Property Access & Usability:**

Who is responsible for ensuring that the physical vehicle crossing is built and maintained?

What guarantees can the Council provide that the rear lot will remain accessible and developable in the future?

Would there be any additional costs to the property owner in maintaining or upgrading this access?

**Drainage Reserve & Development Plan:**

*(DCP levy be significantly increased)* Can a cost-benefit analysis be conducted to compare the proposed drainage plan vs. the alternative alignment?

Would Council consider financial support or incentives for the property owner if the rear lot is deemed less viable for development?

**Future Development & Legal Considerations:**

If the rear lot remains undeveloped for a long period, are there any legal obligations or restrictions imposed on the landowner?

Would the property owner have any say in the timing of compulsory acquisition, or is it set by the Council?

Are there any opportunities to negotiate additional compensation beyond land value, considering the long-term impact on property usability?

I look forward to your reply.

Best Regards

[REDACTED]  
[REDACTED]

**From:** Stewart Saunders <Stewart.Saunders@latrobe.vic.gov.au>  
**Sent:** Monday, 10 February 2025 5:01 PM  
**To:** [REDACTED]  
**Subject:** Amendment C143 - Council response to Submission

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Thank you for making a submission to Amendment C143. I have created the below table based on what I understand to be the key points raised by your submission. I have then provided a detailed response to each point which I hope resolves the issue. Please let me know if there are any other points which you would like a response to.

Points raised in submission	Council Officer Response
Significantly impacted and unfairly burdened by drainage infrastructure which serves a precinct-wide function to the benefit of others.	<p>Officers accept that the Development Plan (DP) and Development Contributions Plan (DCP) do set significant impacts and burdens for your property. These are a result of the fact drainage reserves and stormwater systems are gravity-based systems, whose location is dictated by getting the correct grades to ensure water can freely drain without pumps. This usually means locating the drainage reserves at natural low points in the landscape. The natural low point in the precinct runs south to north through your property in the approximate location of the current drain.</p> <p>Placing the drainage reserve anywhere else on the property will require significant earthworks to re-shape the property, and the wider precinct, to ensure stormwater can freely drain to the drainage reserve by gravity, and then down the drainage reserve out of the precinct.</p> <p>Council included a DCP to share the burden of infrastructure costs equally across all properties as land use could not always be arranged to share the burdens. The DCP provides a financial mechanism to collect money from lesser burdened properties to refund those which are heavily burdened.</p> <p>However, officers do acknowledge the mechanism is only of benefit to a property when they develop their land. If landowners do not intend to develop, no compensation is available unless compulsory acquisition occurs. Council officers are intending to acquire this drainage reserve through compulsory acquisition. As part of the acquisition process, the Acquiring Authority (Latrobe City Council) will be required to negotiate and pay compensation in accordance with the process defined by the <i>Land Acquisition and Compensation Act 1986</i>.</p> <p>This compensation is likely to be far larger than any under the DCP as it is required to take into consideration the value of the land being acquired and the impact of 'loss' and 'inconvenience' amongst other factors.</p> <p><u>The Compensation Negotiation Process</u> Generally, the compensation process set by the Act and the <i>Land Acquisition and Compensation Regulations 2021</i> specifies that the Acquiring Authority (Latrobe City Council) can only make two offers, the second of which</p>

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	<p>is in response to a counteroffer by the claimant (you). If the Acquiring Authorities second offer is not accepted, the negotiation is referred to the Victorian Civil and Administrative Tribunal (VCAT) for a hearing and a determination.</p>
<p>The proposed PAO will divide our property in two creating a rear lot with no road access.</p>	<p>The PAO has been located in accordance with the Morwell North West Development Plan (DP) and Development Contributions Plan (DCP). These plans located the drainage reserve in this spot because it is the natural low point of the land. Council officers acknowledge that by locating the drainage reserve at the natural low point, it does split the property in two.</p> <p>For short term purposes, road access can be created by one of the three scenarios listed below. Note, all expenses associated with creating new titles are carried by the Acquiring Authority at the time of the acquisition. Long term, the Development Plan envisages road access being provided from the land on English Street once it has been subdivided.</p> <p>Three scenarios for short term access.</p> <ol style="list-style-type: none"> <li>1. Creation of a reserve on title and designating the land east and west as two separate lots             <ol style="list-style-type: none"> <li>a. Right of way easement required for lot 2 across both reserve and lot 1 to provide road access.</li> <li>b. Physical access across reserve required to be constructed by and at expense of the Acquiring Authority.</li> </ol> </li> <li>2. Creation of a reserve on title and designating the land east and west as one lot.             <ol style="list-style-type: none"> <li>a. No road access required.</li> <li>b. Right of way easement required across drainage reserve required to provide legal access.</li> <li>c. Physical access across drainage reserve required to be constructed by and at expense of the Acquiring Authority.</li> </ol> </li> <li>3. Creation of easement on title for drainage .             <ol style="list-style-type: none"> <li>a. No additional lots created and no road access required to land at rear.</li> <li>b. Physical access across drainage reserve required to be constructed by and at expense of the Acquiring Authority.</li> </ol> </li> </ol> <p>Physical access to the rear land will be required regardless which of the above options is chosen. Therefore, as part of the terms of compensation, council would be required to ensure physical access is maintained to the land at the rear in the form of a vehicle capable crossing.</p>
<p>The rear lot proposed will be unusable</p>	<p>The lot at the rear will be approximately 50 metres x 110 metres with an area of approximately 1.26 acres. 1.26</p>



	<p>acres is approximately double the size of the current vineyard on the property. With access provided by the Acquiring Authority at the time of acquisition/construction of the drainage reserve, officers do not consider it to be unusable.</p> <p>Long term the DP has located the drainage reserve to ensure the rear area of the property is suitably dimensioned for standard residential development. A parcel of 50 metres x 110 metres can theoretically be divided into 6 lots 18 metres wide by 35 metres deep fronting a road reserve of 15 metres wide.</p>
Insufficient consideration of current lot boundaries and land ownership.	<p>Officers are aware that the pre-development lot boundaries can have a significant impact on when infrastructure can happen, and the pattern development will occur in. It is preferable to contain drainage assets, due to their expensive and land hungry nature, to large properties which can carry the cost of delivering them. However, ultimately a drainage asset does have to work with the natural fall of the land and unfortunately, the existing lots in the lower lying areas are smaller than ideal. Therefore, to manage costs and development viability it was decided to closely follow the natural low point as this minimises the number of properties involved, and the cost of the earthworks required.</p> <p>As stated above, the design of the DP does consider how the land either side of the drainage reserve will be developed and makes sure that the drainage reserve is appropriately sized to ensure the land either side is of developable dimensions.</p>
Request Council to review the Morwell North-West DCP Drainage Report to investigate relocating the drainage reserve to the eastern (rear) boundary of the property.	<p>Council officers have discussed the practicalities of this proposed change with our engineers and the West Gippsland Catchment Management Authority (WGCMA). The following conclusions were reached:</p> <ul style="list-style-type: none"> <li>i. The proposed route is technically possible as the land still does generally fall in the correct directions (north).</li> <li>ii. The WGCMA are open to considering the alternative alignment but would require a new stormwater study to identify the impacts of the design (flooding, earthworks required etc).</li> <li>iii. The scale of earthworks required would be significantly increased because the channel would not sit at the natural low point but higher. This means the low point would need to be filled in (west of the new alignment) to ensure stormwater can freely drain by from the Latrobe Road area to the drainage reserve. Earthworks would also be required on the east side to regrade the ground into the waterway at an appropriate angle.</li> <li>iv. Increasing the scale of the earthworks will increase the cost of the project. Because the</li> </ul>

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	<p>cost of each DCP project is shared by the precinct, the increased cost of the project would see the DCP levy be significantly increased. Whilst not quantifiable at this time, the scale of the increase could make development in the precinct cost prohibitive resulting in no development.</p> <p>v. The land take may be no smaller under your proposed alternative because updated strategy would have to consider the current regulatory environment. Since the last drainage review in 2016/17, stormwater strategies are now required to consider climate change and the likely water patterns in a climate change future. Most studies are showing significantly higher flows needing to be conveyed in the future which would require a larger channel.</p> <p>Whilst council officers agree considering other options is good in an ideal process, it is not considered necessary for this amendment as the studies are under 10 years old and therefore not due for further review.</p>
--	--

Ultimately the development of a growth area has to balance environmental outcomes, development economics and urban design outcomes. Council officers sincerely believe that applying the PAO and undertaking compulsory acquisition can result in the best outcome for you and the wider growth area.

I look forward to discussing your submission in person at our meeting on Monday 17 February 2025. If you have any questions or need to contact me to reschedule the meeting, please call me or email me via the details below.

Regards,

**Stewart Saunders**  
Senior Urban Growth Planner

Phone: (03) 5128 5751  
Mobile: 0424 803 498  
[Stewart.Saunders@latrobe.vic.gov.au](mailto:Stewart.Saunders@latrobe.vic.gov.au)



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20 Henry Street  
PO Box 461  
Pakenham  
VIC 3810

ABN: 25 006 181 344  
PHONE: 03 5941 4112  
EMAIL: mail@nobelius.com.au  
WEB: www.nobelius.com.au

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Submission 5A 19<sup>th</sup> December 2024

Statutory Planning  
Latrobe City Council  
141 Commercial Road, Morwell 3840

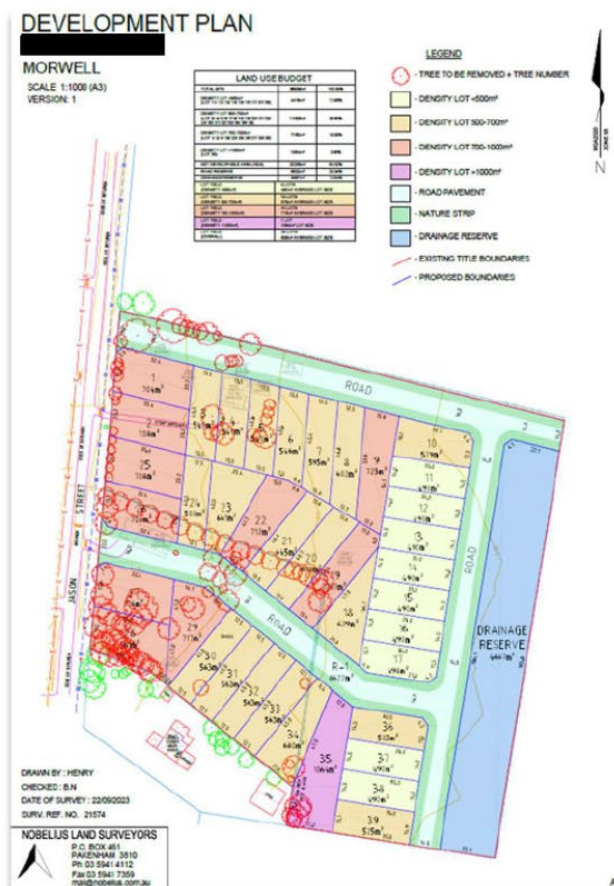
Dear Sir/Madam,

**Proposal:** Submission on Amendment C143- Public Acquisition Overlay on the site for drainage basin the area requires

**Address:** [REDACTED]

This submission has the purpose of providing feedback on Amendment C143. We propose a change to the extent of the proposed POA3 that has the purpose of providing a drainage outfall path and attenuation from the surrounding parcels on and through our subject site of [REDACTED].

We have designed a proposed development plan for [REDACTED] which we have provided below, showing the perimeter road separating the proposed residential and farmland to the North + perimeter road around the proposed drainage Reserve + road connectivity to the land to the East:



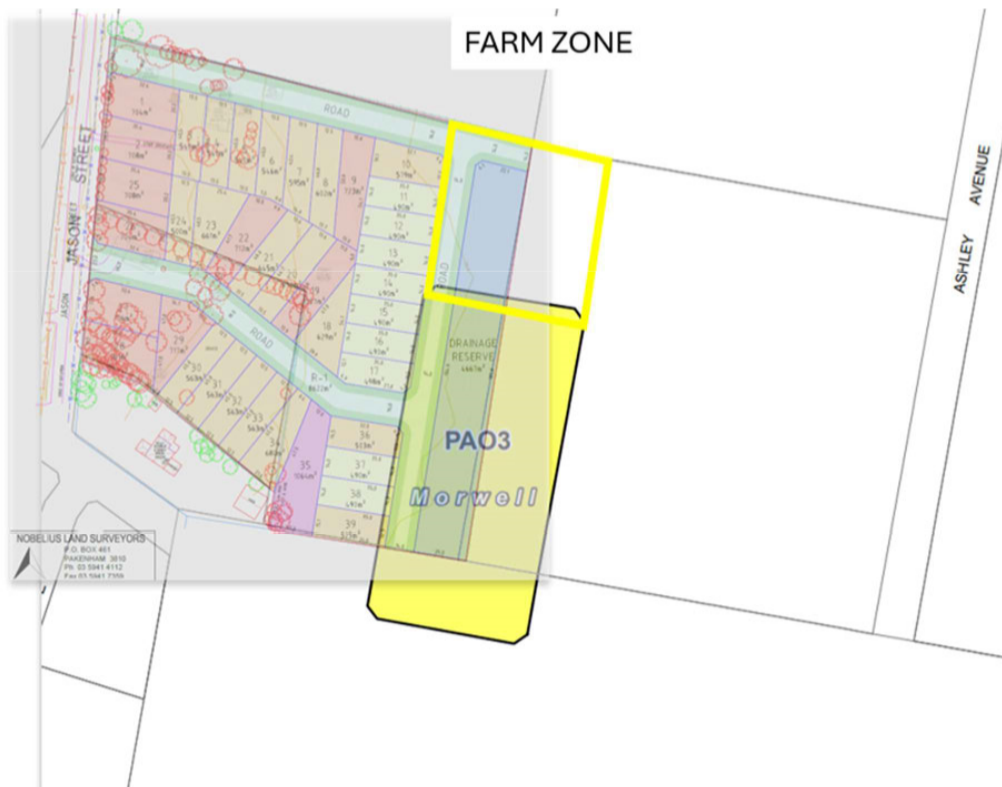
Please note that this plan has not been endorsed by council, however we anticipate lodgement in the next 3 months.

The development plan shows the subdivision of the land into 39 parcels plus proposed road access & a drainage reserve to facilitate drainage of the surrounding properties.

As you will note the drainage reserve extends to the perimeter road, which we have proposed adjacent to the northern boundary.

Perimeter roads that have the purpose of providing separation from bushfire prone vegetation (as advised by figure 1 page 6 in the Design Guidelines Settlement Planning at the Bushfire Interface) should envelop all land required for drainage associated with WR-04<sup>1</sup> to ensure maximum separation of residential land use from vegetated land employed for the purpose of drainage. Our Development Plan provides evidence of this design preference, ensuring the residential land mitigates the risk posed by bushfire.

Given the drainage of these sites flow to the north/north west, we propose the PAO3 be extended all the way to the northern boundary of our subject site and the parcel to the East (7 [REDACTED] [REDACTED]) as per the yellow outlined square in the graphic below:



The benefit of this revision/inclusion is that this will provide the landowners of [REDACTED] and [REDACTED] more flexibility when working through the detailed design of the wetlands/flood basin, as opposed to getting to a situation where more land is required, but the PAO doesn't extend over it (easier to over-extend the PAO now and use less at the time of acquisition).

<sup>1</sup> <https://www.latrobe.vic.gov.au/sites/default/files/2024-08/Morwell%20North%20West%20DCP%20WR04%20Review%202017%20WaterTech.pdf>

We look forward to the opportunity to provide further feedback.

If any further information is required, or if there are any questions regarding the submitted information, please do not hesitate to contact me at [planning@nobelius.com.au](mailto:planning@nobelius.com.au) or call 5941 4112.

Yours faithfully,



*MUrbPlanEnv, BA Geog (Hons), GradCert BFire, BPAD Level 1 & 2*



## Submission 5B

**From:** [REDACTED]  
**To:** [Stewart Saunders](#)  
**Cc:** [REDACTED]  
**Subject:** RE: Amendment C143 - submission response  
**Date:** Wednesday, 22 January 2025 7:33:54 AM  
**Attachments:** [image003.png](#)  
[image004.png](#)  
[image005.png](#)

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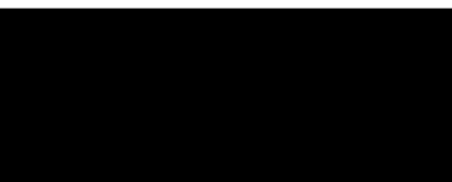
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Hi Stewart,  
Thanks for the detailed response on this one.  
My formal response is **submission remains unchanged**.

The 2 concerns I have with your response is:

1. *'The Acquiring Authorities power to compulsorily acquire land is limited to the extent of the PAO on the property. If Latrobe City Council needed to acquire an area larger than the PAO, we would have to negotiate this purchase as part of the compensation terms'*  
in my opinion this is short sighted and could lead to our client (or either neighbour) getting stuck. If more/different land is required from a neighbouring parcel but the neighbour refuses to negotiate with Council, then it's ultimately the developer who goes first that will have to compromise and be unduly burdened. This is the main point of our submission, and I don't feel like your response addresses this. I'm asking you/Council to increase the PAO area which then put Council in the situation of negotiating backwards (need less and compensate less), should they find themselves in the unlikely position of needing to acquire land.
2. *'For the PAO to be applied, council officers believe the overlay must be consistent with the documents which provide the strategic justification for the amendment.'*  
The strategic documents are now outdated and lacking (nothing relating to bushfire policy). Shouldn't they be updated?



**P.** 1300 NOBELIUS  
**E.** [REDACTED]  
**W.** [www.nobelius.com.au](http://www.nobelius.com.au)  
**M.** 0419 355 837

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**From:** Stewart Saunders <Stewart.Saunders@latrobe.vic.gov.au>

**Sent:** Thursday, 16 January 2025 2:17 PM

**To:**

**Cc:**

**Subject:** Amendment C143 - submission response

Thank you for your submission to Latrobe City Councils Amendment C143. On the 14 January 2025 I had a phone call with your Senior Town Planner regarding your submission. I am writing this email as a record of our discussion and to hopefully resolve your submission.

Your submission requests that the extent of the Public Acquisition Overlay (PAO) on 23 Jason Street and 77 Ashley Avenue be extended to the northern boundary of these properties. Your justification for this is:

- That drainage of these sites generally flows in the north/north west direction which is consistent with the enlarged area;
- That the enlarged area would result in more flexibility when working through the detailed design for either property;
- Enlarging the area would avoid a situation where more land is required than the PAO covers; and
- Changing the shape of the PAO is a result of developing a subdivision concept which address bushfire policy in the Latrobe planning scheme.

Having discussed the submission with your Senior Town Planner, I advise the following:

- In the instance of the properties in question, Councils primary intent for applying the PAO is to ensure we have a fair and prudent process to acquire the land for the wetland (WR\_04) as specified in the Morwell North West Development Plan (the DP) if the development industry has been unable to negotiate purchase and requests Latrobe City Council to exercise its powers of acquisition under the overlay. WR\_04 is a project in the Morwell North West Development Contributions Plan (the DCP) that council are willing to allow developers to deliver as part of a subdivision permit as a 'Works in Kind'. Applying the PAO does not change this. It is still councils preference



that most of the infrastructure items in the DCP be delivered by developers as part of their developments where it is feasible to do so.

- Applying the PAO will introduce a permit referral to Latrobe City Council as they are the specified Acquiring Authority for the land. Council would be a determining referral authority. As a determining referral authority, Council would have the ability to require the permit be refused if it was reasonably believed that granting the permit would make it harder to deliver WR\_04. If a permit application proposes to deliver WR\_04, then provided your proposed design satisfies the requirements of the DP and DCP, council would have no reason to refuse the permit under the PAO. Any decision or advice made by Latrobe City Council as the Acquiring Authority, will not be made by the planner assessing the permit. It will be made by a different area of council.
- The Acquiring Authorities power to compulsorily acquire land is limited to the extent of the PAO on the property. If Latrobe City Council needed to acquire an area larger than the PAO, we would have to negotiate this purchase as part of the compensation terms. The terms of Compensation are not negotiated until an Acquiring Authority formally notifies landowners of their intention to acquire. Latrobe City Council has not made such a notice. As above, the PAO does not prevent permits being proposed which would deliver WR\_04 to a different design provided the Acquiring Authority can be satisfied the proposed design is still fit for purpose.
- Ultimately, any permit application in the Development Plan Overlay will be judged on how generally in accordance with the DP it is and, where other permit have already been approved, whether it connects appropriately. Your design proposes an alternative street network to that in the DP. You have advised this is in an attempt to address bushfire policy which has been included in the planning scheme after the adoption of the DP. I believe this is a reasonable reason to diverge from the DP, as the protection of life prevails above all else in the scheme. However, it is not appropriate to advise as part of responding to your submission, how 'generally in accordance' with the DP or other policy your proposed layout is. I will advise that the property to the south of 23 Jason Street has an approved permit for subdivision, permit 2011/116.
- Because you proposed change is derived from a subdivision design which has not been assessed or approved by Council, your proposed change cannot be supported. For the PAO to be applied, council officers believe the overlay must be consistent with the documents which provide the strategic justification for the amendment. These documents are the Morwell North West Development Plan and Development Contributions Plan and their background strategies.

I hope that the above information has addressed your submission to the point your concerns have been answered. Can you please respond to this email by Friday 24 January 2025 and confirm if the status of your submission is; 'submission remains unchanged', 'resolved and withdrawn' or, 'now support'. If you still have concerns, you are welcome to call me on (03) 5128 5751.

Sincerely,

**Stewart Saunders**  
Senior Urban Growth Planner

Phone: (03) 5128 5751  
Mobile: 0424 803 498  
[Stewart.Saunders@latrobe.vic.gov.au](mailto:Stewart.Saunders@latrobe.vic.gov.au)

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## Submission 5C

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**From:** [REDACTED]  
**To:** [Stewart](#)  
**Cc:** [REDACTED]  
**Subject:** RE: Amendment C143 - submission response  
**Date:** Thursday, 6 February 2025 12:02:56 PM  
**Attachments:** [image003.png](#)  
[image004.png](#)  
[image005.png](#)

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Hi Stewart,

As mentioned by phone recently I don't believe this PAO is going to resolve the issue you foresee and it will only lead to further confusion and negotiation.

My advice is to either amend the reports and come up with a more accurate/informed area to apply the overlay to (if oversizing isn't an option as you've outlined), or don't waste your time at this stage and invest that into trying to resolve the issue if it arises when the properties are to be developed.

Regards

[REDACTED]  
[REDACTED]

**P.** 1300 NOBELIUS  
**E.** [REDACTED]  
**W.** [www.nobelius.com.au](http://www.nobelius.com.au)  
**M.** [REDACTED]



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**From:** Stewart [REDACTED]  
**Sent:** Friday, 31 January 2025 10:59 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Amendment C143 - submission response

Thank you, [REDACTED] for your response and our conversation on Tuesday 28 January 2025.

Sorry for the delay getting this to you. Below is our response to the points raised in your email.

Your concerns to Council previous response	Council officer response
<p><i>'The Acquiring Authorities power to compulsorily acquire land is limited to the extent of the PAO on the property. If Latrobe City Council needed to acquire an area larger than the PAO, we would have to negotiate this purchase as part of the compensation terms'</i></p> <p>in my opinion this is short sighted and could lead to our client (or either neighbour) getting stuck. If more/different land is required from a neighbouring parcel but the neighbour refuses to negotiate with Council, then it's ultimately the developer who goes first that will have to compromise and be unduly burdened. This is the main point of our submission, and I don't feel like your response addresses this. I'm asking you/Council to increase the PAO area which then put Council in the situation of negotiating backwards (need less and compensate less), should they find themselves in the unlikely position of needing to acquire land.</p>	<p>Oversizing the PAO may open Latrobe City Council up to compensation claims that are not triggered under the proposed PAO. Under the <i>Land Acquisition and Compensation Act 1986</i> (the Act), a landowner is eligible for compensation if a PAO is applied to their property and then removed without the land ever being acquired by the Acquiring Authority. The compensation would reflect the loss experienced by the landowner because the use of their land was restricted while the PAO was in effect. I understand that the areas in play are not of significant size, but they are still large enough for a risk to have been identified by Council.</p> <p>Council is unlikely to get stuck in negotiating additional land (if it is deemed to be required at the time of acquisition) because the Act and the <i>Land Acquisition and Compensation Regulations 2021</i> set out the process and timeframes acquisition has to be completed in. In the process, the Acquiring Authority (Latrobe City Council) can only make two offers, the second of which is in response to a counteroffer. If the Acquiring Authorities second offer is not accepted, the negotiation is referred to the Victorian Civil and Administrative Tribunal (VCAT) for determination. At VCAT, Council would outline why the additional land is required and why the offer is fair and in accordance with the Act and Regulations. VCAT will then make a determination on the compensation payable and the terms of that compensation. VCAT may not agree the additional land take is acceptable, but council officers believe such that the risk of such a decision is a preferable risk to the risk the PAO may end up on land never required for a drainage reserve.</p> <p>It is not justified to change the size of the PAO on 23 Jason Street and 77 Ashley Avenue as:</p> <ol style="list-style-type: none"> <li>No evidence of engagement with or consent to the change by 77 Ashley Avenue has been provided, yet the change would have implications for their property;</li> <li>The change is counter to the approved</li> </ol>



	<p>drainage strategy and endorsed DP;</p> <p>c. No alternative drainage strategy to support the change has been provided; and</p> <p>d. Applying the PAO not in accordance with the documents which support the amendment, opens up the Acquiring Authority to unnecessary risks associated with compensation at the time the PAO is removed from the land in the future.</p> <p>Latrobe City Council's preferred process for land to be transferred to them is through the planning permit and certification process. It is not their preference to undertake compulsory acquisition. By undertaking Amendment C143, Council is not intending to discourage developers from acquiring the land necessary to deliver their subdivision. Rather, the PAO is a backup option for Council to facilitate development if the development industry is unable to acquire the land necessary for the identified DCP projects.</p>
<p><i>For the PAO to be applied, council officers believe the overlay must be consistent with the documents which provide the strategic justification for the amendment.'</i></p> <p>The strategic documents are now outdated and lacking (nothing relating to bushfire policy). Shouldn't they be updated?</p>	<p>Regarding drainage, council officers believe the documents are not old enough to be out of date. Council undertook a review of the drainage study for WR-04 in 2016-17. This report did identify changes to the design which were implemented in the 2018 update of the Development Plan.</p> <p>The amended Morwell North West DP was considered to meet the requirements of Development Plan Overlay Schedule 1 (DPO1) to be endorsed in 2018.</p> <p>The Development Plan Overlay clause 43.04 (DPO) only requires that a Development Plan must:</p> <ul style="list-style-type: none"> <li>• Meet the requirements of Clause 56 (for a residential development);</li> <li>• Describe the land to which the plan applies;</li> <li>• Describe the proposed use and development of each part of the land; and</li> <li>• Any other requirements specified for the plan in a schedule to this overlay.</li> </ul> <p>DPO1 does not specify any requirements relating to meeting state or local policy.</p> <p>No where is it specified that a DP must be</p>

consistent with the policy of the scheme.

There are a range of reasons why a subdivision application may not match with a DP. That is why the DPO allows a permit to be granted provided it justifies that the design is 'generally in accordance' with the endorsed DP. If this justification is not achieved, the scheme is clear the permit must not be granted.

If you think it better that Council should not apply the PAO, please advise this in your response.

I hope that the above information has addressed your submission to the point your concerns have been answered. Can you please respond to this email by COB Wednesday 5 February 2025 and confirm if the status of your submission.

Regards,

Stewart [REDACTED]

Phone: (03) 5128 5751

Mobile: [REDACTED]



From: [REDACTED]  
 Sent: Wednesday, January 22, 2025 7:34 AM  
 To: Stewart [REDACTED]  
 Cc: [REDACTED]  
 Subject: RE: Amendment C143 - submission response

**⚠️ EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe. ⚠️**

Hi Stewart,  
 Thanks for the detailed response on this one.  
 My formal response is **submission remains unchanged**.

The 2 concerns I have with your response is:

1. *'The Acquiring Authorities power to compulsorily acquire land is limited to the extent of the PAO on the property. If Latrobe City Council needed to acquire an area larger than the PAO, we would have to negotiate this purchase as part of the compensation terms'* in my opinion this is short sighted and could lead to our client (or either neighbour) getting stuck. If more/different land is required from a neighbouring parcel but the neighbour refuses to negotiate with Council, then it's ultimately the developer who goes first that will have to compromise and be unduly burdened. This is the main point of our submission, and I don't feel like your response addresses this. I'm asking you/Council to increase the PAO area which then put Council in the situation of



negotiating backwards (need less and compensate less), should they find themselves in the unlikely position of needing to acquire land.

2. *For the PAO to be applied, council officers believe the overlay must be consistent with the documents which provide the strategic justification for the amendment.'*

The strategic documents are now outdated and lacking (nothing relating to bushfire policy). Shouldn't they be updated?

Regards

[REDACTED]

[REDACTED]

P. 1300 NOBELIUS

E. [REDACTED]

W. [www.nobelius.com.au](http://www.nobelius.com.au)

M. [REDACTED]

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From: Stewart [REDACTED]

Sent: Thursday, 16 January 2025 2:17 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: Amendment C143 - submission response

Dear [REDACTED]

Thank you for your submission to Latrobe City Councils Amendment C143. On the 14 January 2025 I had a phone call with your Senior Town Planner [REDACTED] regarding your submission. I am writing this email as a record of our discussion and to hopefully resolve your submission.

Your submission requests that the extent of the Public Acquisition Overlay (PAO) on 23 Jason Street and 77 Ashley Avenue be extended to the northern boundary of these properties. Your justification for this is:

That drainage of these sites generally flows in the north/north west direction which is

- consistent with the enlarged area;
- That the enlarged area would result in more flexibility when working through the detailed design for either property;
- Enlarging the area would avoid a situation where more land is required than the PAO covers; and
- Changing the shape of the PAO is a result of developing a subdivision concept which address bushfire policy in the Latrobe planning scheme.

Having discussed the submission with your Senior Town Planner, I advise the following:

- In the instance of the properties in question, Councils primary intent for applying the PAO is to ensure we have a fair and prudent process to acquire the land for the wetland (WR\_04) as specified in the Morwell North West Development Plan (the DP) if the development industry has been unable to negotiate purchase and requests Latrobe City Council to exercise its powers of acquisition under the overlay. WR\_04 is a project in the Morwell North West Development Contributions Plan (the DCP) that council are willing to allow developers to deliver as part of a subdivision permit as a 'Works in Kind'. Applying the PAO does not change this. It is still councils preference that most of the infrastructure items in the DCP be delivered by developers as part of their developments where it is feasible to do so.
- Applying the PAO will introduce a permit referral to Latrobe City Council as they are the specified Acquiring Authority for the land. Council would be a determining referral authority. As a determining referral authority, Council would have the ability to require the permit be refused if it was reasonably believed that granting the permit would make it harder to deliver WR\_04. If a permit application proposes to deliver WR\_04, then provided your proposed design satisfies the requirements of the DP and DCP, council would have no reason to refuse the permit under the PAO. Any decision or advice made by Latrobe City Council as the Acquiring Authority, will not be made by the planner assessing the permit. It will be made by a different area of council.
- The Acquiring Authorities power to compulsorily acquire land is limited to the extent of the PAO on the property. If Latrobe City Council needed to acquire an area larger than the PAO, we would have to negotiate this purchase as part of the compensation terms. The terms of Compensation are not negotiated until an Acquiring Authority formally notifies landowners of their intention to acquire. Latrobe City Council has not made such a notice. As above, the PAO does not prevent permits being proposed which would deliver WR\_04 to a different design provided the Acquiring Authority can be satisfied the proposed design is still fit for purpose.
- Ultimately, any permit application in the Development Plan Overlay will be judged on how generally in accordance with the DP it is and, where other permit have already been approved, whether it connects appropriately. Your design proposes an alternative street network to that in the DP. You have advised this is in an attempt to address bushfire policy which has been included in the planning scheme after the adoption of the DP. I believe this is a reasonable reason to diverge from the DP, as the protection of life prevails above all else in the scheme. However, it is not appropriate to advise as part of responding to your submission, how 'generally in accordance' with the DP or other policy your proposed layout is. I will advise that the property to the south of 23 Jason Street has an approved permit for subdivision, permit 2011/116.
- Because you proposed change is derived from a subdivision design which has not

been assessed or approved by Council, your proposed change cannot be supported. For the PAO to be applied, council officers believe the overlay must be consistent with the documents which provide the strategic justification for the amendment. These documents are the Morwell North West Development Plan and Development Contributions Plan and their background strategies.

I hope that the above information has addressed your submission to the point your concerns have been answered. Can you please respond to this email by Friday 24 January 2025 and confirm if the status of your submission is; 'submission remains unchanged', 'resolved and withdrawn' or, 'now support'. If you still have concerns, you are welcome to call me on (03) 5128 5751.

Sincerely,

Stewart [REDACTED]

Phone: (03) 5128 5751

Mobile: [REDACTED]



\*\*\*\*\*

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Morwell 3840 Victoria Australia

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P.O. Box 264  
Morwell 3840 Victoria Australia

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Submission 6

**Patron: Her Excellency Professor the Honourable Margaret Gardner AC, Governor of Victoria**

CFA Fire Risk, Research and Community Preparedness  
8 Lakeside Drive Burwood East Vic 3151  
Email: firesafetyreferrals@cfa.vic.gov.au

**CFA Ref: 27000-82362-140985**

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27 December 2025

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[REDACTED]  
Latrobe City Council  
PO BOX 264  
**MORWELL VIC 3840**

Dear [REDACTED]

**Proposal: C143latr**

Thank you for providing CFA notice of C143latr in accordance with Section 19 of the *Planning and Environment Act 1987*.

CFA has reviewed C143latr and understands the amendment seeks to introduce a Public Acquisition Overlay within the Precinct Structure Plan boundaries of Lake Narracan, Morwell North West and Traralgon North for the purposes of road and drainage infrastructure.

CFA offer no further comment on the proposed planning scheme amendment.

CFA welcome the opportunity to continue discussions regarding this and other proposals within Latrobe City. If you wish to discuss this matter in more detail, please do not hesitate to contact me on 9262 8672.

Yours sincerely,

CFA Fire Risk, Research and Community Preparedness



## Submission 7

***We support it on the basis that it will provide some surety to our client/landowner and ensure any required acquisition happens in a timely manner. We note in relation to our clients land, the acquisition is very much needed to provide certainty and clarity for our client and to ensure Council ends up with the land required to provide for critical infrastructure required to make the PSP area function and integrate with existing built-up areas.***

Regards,



NBAgroup

NBA Group Pty Ltd   
[www.nbagroup.com.au](http://www.nbagroup.com.au)

**OFFICES:**

63-65 Wellington Park Way, Sale 3850  
156 Commercial Road, Morwell 3840

**MAIL TO:**

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## Amendment C143 Public Acquisition Overlay

### Summary of Submissions and Planning Comment Table

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No	Date submission received
1(a)	Buildcap Heritage Pty Ltd	Support with assurances	<p>Buildcap Heritage Pty Ltd (Buildcap) are the developers of Heritage Place Estate (planning permit 2011/116/C).</p> <p>Summary of issues raised in submission:</p> <ul style="list-style-type: none"> <li>a) Concerned that the gazettal of the Amendment would delay their process to reach commercial agreements to acquire land required for wetland project WR_04 from neighbouring properties.</li> <li>b) Council should only act on the Public Acquisition Overlay (PAO) once applied to the property if Buildcap cannot reach a commercial agreement to acquire the land.</li> <li>c) The extent of PAO to be applied for WR_04 should be reviewed prior to implementing into the scheme. This is to ensure it is in the correct location.</li> </ul> 	<ul style="list-style-type: none"> <li>a) Officers do not intend for the Amendment to prevent the development industry from reaching commercial agreements to facilitate development. Officers preference is for the development industry to deliver Development Contributions Plan projects, such as WR_04, where it is financially viable.</li> <li>b) This amendment does not start the acquisition process. The decision to start the acquisition process will be made by the Council separately and would only come about if it became plainly obvious to Council that acquiring the land is required to ensure approved planning permits can be acted on. It could be considered 'plainly obvious' if the development industry has made a request for Council to undertake acquisition.</li> <li>c) Council has located the PAO based on the design which has been adopted by Council. This is the design proposed by the Morwell North-West DCP Drainage – WR04 Drainage Review, July 2017, by Parossien Grant &amp; Associates Pty Ltd. We are unlikely to alter the location of the PAO unless Council approves updated design drawings for this wetland (prepared by Council or a private party). Council has not undertaken this process as it is outside the remit of the amendment and outside the funds available for this project. As required by the Land Acquisition and Compensation Act 1986, Council will prepare more detailed construction designs and surveyed drawings before commencing any compulsory acquisition processes. Council would then seek to acquire the land required for the</li> </ul>	No	22/11/2024



Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No	Date submission received
				updated design. Council can attempt to acquire any additional land through negotiating compensation as part of the compulsory acquisition process for the land under the PAO.		
1(b)	Buildcap Heritage Pty Ltd	Support	Satisfied with Councils assurances provided on the 19/12/2024	Submission of support noted.	No	03/02/2025
2	West Gippsland Catchment Management Authority (WGCMA)	Support	No issue – supports the amendment as it will facilitate the delivery of projects associated with drainage, road construction and open space in a timely manner.	Submission of support noted.	No	11/12/2024
3	Department of Energy, Environment and Climate Action (DEECA)	Do not object	DEECA have considered the amendment and do not oppose it.	Submission of not opposing noted.	No	12/12/2024
4(a)	Landowner	Objection	a) Location of the PAO will separate the property in two “creating an awkward and unusable rear lot with no road access.” b) Proposed location of drain [to be protected by the PAO] appears to have been based on using the location of the existing drain without sufficient consideration of land ownership or property boundaries. This has resulted in the awkward small parcel without road access. c) Drainage reserve appears to serve a “precinct-wide function, benefiting other landowners while disproportionately affecting us.” d) Request Council to review the Morwell North-West DCP Drainage Report to investigate relocating the drainage reserve to the eastern (rear) boundary of the property.	a) Council officers acknowledge that the location of the waterway would split the property in two if Council acquired the drainage reserve as a ‘reserve on title’. Council officers have discussed with the submitter in meetings prior to this submission that Council could acquire the drainage reserve as an ‘easement on title’ rather than a ‘reserve on title’. Some form of physical crossing of the drainage would also be provided to maintain access to the rear of the property.  Council officers have also advised that the intricacies of acquisition are not dealt with at the planning scheme stage. We have advised that if the Amendment is implemented, Latrobe City has the right to compulsory acquire the land within the PAO, however we still have to negotiate the exact area of acquisition and the compensation. It is not in accordance with the <i>Land Acquisition and Compensation Act 1986</i>	No	22/12/2024





Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No	Date submission received
				<p>for Council to determine the compensation and exact area of acquisition at this step in the compulsory acquisition process.</p> <p>b) Council officers have advised the submitter that whilst the location does look awkward and seems to ignore existing boundaries, it actually is the opposite. The location of the drainage reserve was set as part of the Development Plan (whose purpose is to determine the best location of infrastructure such as drainage reserves to facilitate development). The Development Plan contains policy that streets should form the interface with drainage reserves, not the side or rear fences. The location of the drainage reserve has thus been determined by projecting a standard density lot (of approximately 35 metres deep) and road reserve (15m wide) from the eastern property boundary. Council officers consider that the small awkward lot, which is 50m x 110m, would be to be further subdivided into 6 lots (18m x 35m). The further subdivision would likely occur once the land at 65 or 75 English Street has developed as road access would then be available.</p> <p>c) By its nature the drainage reserve does serve a wider precinct function and benefit others in the precinct while constraining the development potential of those with the waterway on their land. The purpose of the drainage reserve is to carry stormwater away from the precinct to the Morwell River. The size of the flows in a high-flow event are anticipated to be too large for a pipe to handle, therefore a vegetated channel</p>		



Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No	Date submission received
				<p>was chosen. The vegetated channel also cleans the stormwater before it joins the wider river network as required by State policy in the Latrobe Planning Scheme. A pipe cannot achieve this.</p> <p>Because the drainage reserve benefits the whole precinct, the cost of constructing the drainage project is part of the Morwell North West Development Contributions Plan (DCP). This means whoever constructs the drainage reserve is entitled to a payment/credit from Council equivalent to the cost specified in the DCP. The submitters are not proposing to build the drainage channel so they cannot realise the credit.</p> <p>d) The proposed change has been discussed with council's engineers and the West Gippsland Catchment Management Authority (WGCMA). The following conclusions were reached:</p> <ul style="list-style-type: none"> <li>i. The proposed route is still possible as the correct slope could in theory be achieved, however it would be achieved at a much higher cost due to significantly increased earthworks required.</li> <li>ii. The scope of earthworks required would be significantly increased because the channel would not sit at the bottom of the valley but on the side. This means the valley bottom would need to be filled in (west of the new alignment) and additional cutting would be needed on the east side of the alignment to grade the current ground level down to the channel. Additional fill and cut works are required to ensure all stormwater can drain by</li> </ul>		





Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No	Date submission received
				<p>gravity to the drainage reserve. The change would significantly increase the scope of works and result in the project to affecting more landowners than it currently does. Because the cost of each DCP project is shared by the precinct, the increased cost of the project would see the DCP levy increase too.</p> <p>iii. The WGCMA are open to considering the alternative alignment but would require a new stormwater study and flood study to identify the impacts of the design.</p>		
4(b)	Landowner	Objection	<p>In response to written response provided by officers on 10 February 2025, additional questions were asked of Council regarding:</p> <p><b>Compensation:</b></p> <p>How will the compensation amount be determined, and what methodology will be used for valuation?</p> <p>What specific "loss" and "inconvenience" factors will be considered in compensation?</p> <p><b>Property Access &amp; Usability:</b></p> <p>Who is responsible for ensuring that the physical vehicle crossing is built and maintained?</p> <p>What guarantees can the Council provide that the rear lot will remain accessible and developable in the future?</p> <p>Would there be any additional costs to the property owner in maintaining or upgrading this access?</p>	<p>Most of the requested information relates to the acquisition process which will occur if the PAO is applied to the property and therefore is not a consideration relevant to the planning scheme amendment process.</p> <p>Council officers are not in the position to answer all questions relating to the compensation process and what compensation can cover as we are not specialists in the acquisition process. Officers have recommended that the submitter seek their own advice from a suitably qualified professional experienced in compensation under the public acquisition overlay.</p> <p>The following advice can be provided:</p> <p><b>Compensation:</b></p> <p>Council officers cannot advise the exact process as it is not our area of expertise.</p> <p>Councils first offer will be based on our understanding of the impact the acquisition will have on the property and owners. A landowner can include a range of other impacts in their</p>		



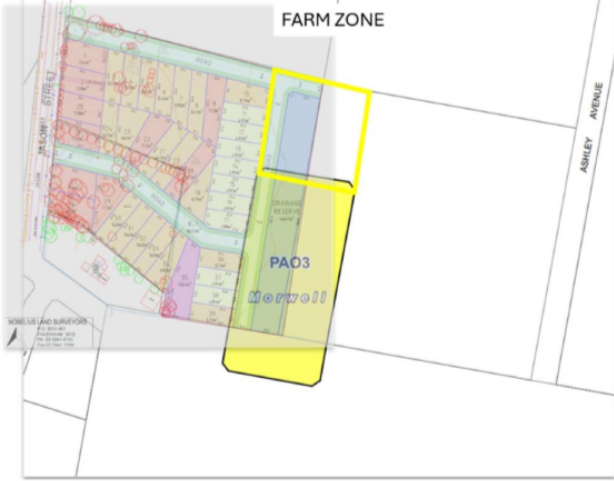
Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No	Date submission received
			<p><b>Drainage Reserve &amp; Development Plan:</b></p> <p><i>(DCP levy be significantly increased)</i> Can a cost-benefit analysis be conducted to compare the proposed drainage plan vs. the alternative alignment?</p> <p>Would Council consider financial support or incentives for the property owner if the rear lot is deemed less viable for development?</p> <p><b>Future Development &amp; Legal Considerations:</b></p> <p>If the rear lot remains undeveloped for a long period, are there any legal obligations or restrictions imposed on the landowner?</p> <p>Would the property owner have any say in the timing of compulsory acquisition, or is it set by the Council?</p> <p>Are there any opportunities to negotiate additional compensation beyond land value, considering the long-term impact on property usability?</p>	<p>counteroffer which they believe should be compensated. Professional advice should be sought by the landowner to ensure their counteroffer is in accordance with the <i>Land Acquisition and Compensation Act 1986</i>.</p> <p><b>Property Access &amp; Usability:</b></p> <p>Council is likely to be responsible for maintaining the vehicle crossing as it will be across a drainage reserve which Council is responsible for. The terms of the access, maintenance, etc will be negotiated as part of the Compulsory Acquisition Process. Council officers are not authorised to come to agreements on behalf of Latrobe City Council at this time.</p> <p><b>Drainage Reserve &amp; Development Plan:</b></p> <p>The submitter is welcome to submit a cost-benefit analysis as part of their submission. Council officers have not undertaken a formal cost-benefit analysis. Officers are not in a position to quantify the costs of the benefits identified.</p> <p>Financial support or incentives would be the compensation payable if compulsory acquisition were undertaken.</p> <p><b>Future Development &amp; Legal Considerations:</b></p> <p>Officers expect there would be no legal obligations or restrictions imposed on the owner to develop their rear land.</p> <p>It is up to the Acquiring Authority to determine when they want to start Compulsory Acquisition. Once the Acquiring Authority has issued its <i>Notice of Intention to Acquire</i>, the legislation specifies the Acquisition must be completed before the notice expires. Notices are valid for 6 months. The terms</p>		



Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No	Date submission received
				<p>of compensation and when the acquiring authority can enter the property can take longer to resolve.</p> <p>Land value is the basic component of any Compulsory Acquisition compensation. The terms 'loss' and 'inconvenience' can mean many things and were used in our original advice as broad terms. Council and the landowner can make two offers each, after this, the Victorian Civil and Administrative Tribunal will determine the compensation after a hearing.</p>		
5(a)	Nobelius Land Surveyors	Change requested	<p>Nobelius Land Surveyors (Nobelius) have designed a subdivision layout for properties 23 and 29 Jason Street. The design has not been submitted to Council for planning approval yet, but Nobelius advise in their submission that a planning permit application is expected to be lodged within three months (i.e. March 2025).</p> <p>Change requested:</p> <p>a) Extend the PAO to the northern boundary of 23 Jason Street (left property) and 77 English Street (right property).</p> <p>Reason for change:</p> <ol style="list-style-type: none"> <li>1. Drainage in this area flows north/northwest.</li> <li>2. Increasing the size of the PAO will increase flexibility for 23 Jason Street and 77 English Street when designing the stormwater asset to be located within PAO3.</li> <li>3. It would be easier and thus better to oversize the PAO now, rather than having to negotiate the purchase of more land at the time of acquisition if the wetland could not be accommodated.</li> </ol>	<p>a) Council officers preferred method for Council to acquire the drainage reserve is through subdivision permits. We will only undertake compulsory acquisition if it becomes necessary to acquire the land to facilitate the completion of permits which have been granted but have stalled due to being unable to acquire the drainage reserve by private agreement. For Council to undertake compulsory acquisitions in this instance, we would first require a request from the development industry for Latrobe City Council to use our powers of compulsory acquisition conveyed under the PAO.</p> <p>The applying of the PAO as proposed by the Amendment does not prevent the development industry from proposing designs which do not align with the PAO. Ultimately any subdivision proposed needs to be generally in accordance with the Development Plan as under the Development Plan Overlay, Council is required to refuse any permit which is not generally in accordance. The term 'generally in accordance' allows Council to grant permits which do not exactly follow the DP. This could include a</p>	No	19/12/2024





Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No	Date submission received
				<p>change in shape or location provided justification is made for why the proposed outcome still performs just as well as the original design.</p> <p>Because council has not assessed the proposed subdivision design and its support stormwater strategy, officers do not believe we have the strategic justification for changing the shape of the PAO.</p> <p>This advice was communicated via phone on the 14/01/2025.</p> <p>This advice was communicated via email on the 16/01/2025.</p>		
5(b)	Nobelius Land Surveyors	Change requested	<p>Not satisfied with council officers response provided on the 16/01/2025.</p> <p>Outstanding concerns are that:</p> <ul style="list-style-type: none"> <li>a) Not making the PAO for WR-04 larger as proposed in their original submission is short-sighted as it means Council may not be able to acquire additional land because the landowner has the ability to refuse. This could mean the developer who goes first must compromise and therefore be unduly burdened; and</li> <li>b) Strategic documents (the Development Plan and Drainage Strategy) are outdated and lacking some policy areas in the scheme – i.e. bushfire is not addressed in the Development Plan. These documents should be updated before proceeding with the amendment.</li> </ul>	<p>Council officers still do not support the proposed change because:</p> <ul style="list-style-type: none"> <li>a) It is true Council cannot compulsorily acquire land not under the PAO but it is unlikely they will cause negotiations to get stuck if the landowner refuses. An Acquiring Authority (Latrobe City Council) has the opportunity to make two offers of compensation as part of their attempt to compulsory acquire land. In this offer, Council can include additional land not under the PAO. This would normally happen if it was identified that the compulsory acquisition would create an awkward or unacceptably small parcel or if the design of the infrastructure had evolved to require slightly more land. The landowner can in their counteroffer refuse to sell the additional land requested by Council. If Councils second offer is not accepted, then the negotiation is required to be referred to</li> </ul>	No – unless the only outstanding submission.	22/01/2025



Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No	Date submission received
				<p>the Victorian Civil and Administrative Tribunal (VCAT) for determination. At VCAT, Council would make our case on why the additional land is necessary to be acquired and why our terms are fair and in accordance with the <i>Land Acquisition and Compensation Act 1986</i>. Council may be unsuccessful but that is a risk which is more appropriately considered when Latrobe City Council is considering whether or not to start compulsory acquisition.</p> <p>Oversizing a PAO is not risk free. Under the <i>Land Acquisition and Compensation Act 1986</i> a landowner is entitled to compensation where a PAO was applied to their property and then removed with no acquisition having occurred. This compensation reflects the owners restricted ability to use their land while the PAO was in the planning scheme. As council officers are yet to review or approve an alternative drainage strategy we cannot determine if we would likely need the additional land proposed to be included in the overlay by this submission. Based on the lack of justification and increased risk the proposed change would make, council officers believe it not appropriate to change the PAO.</p> <p>b) Council officers believe the documents are not old enough to be out of date. Council undertook a review of the drainage study for WR-04 in 2016-17. This report identified changes to the design which were</p>		

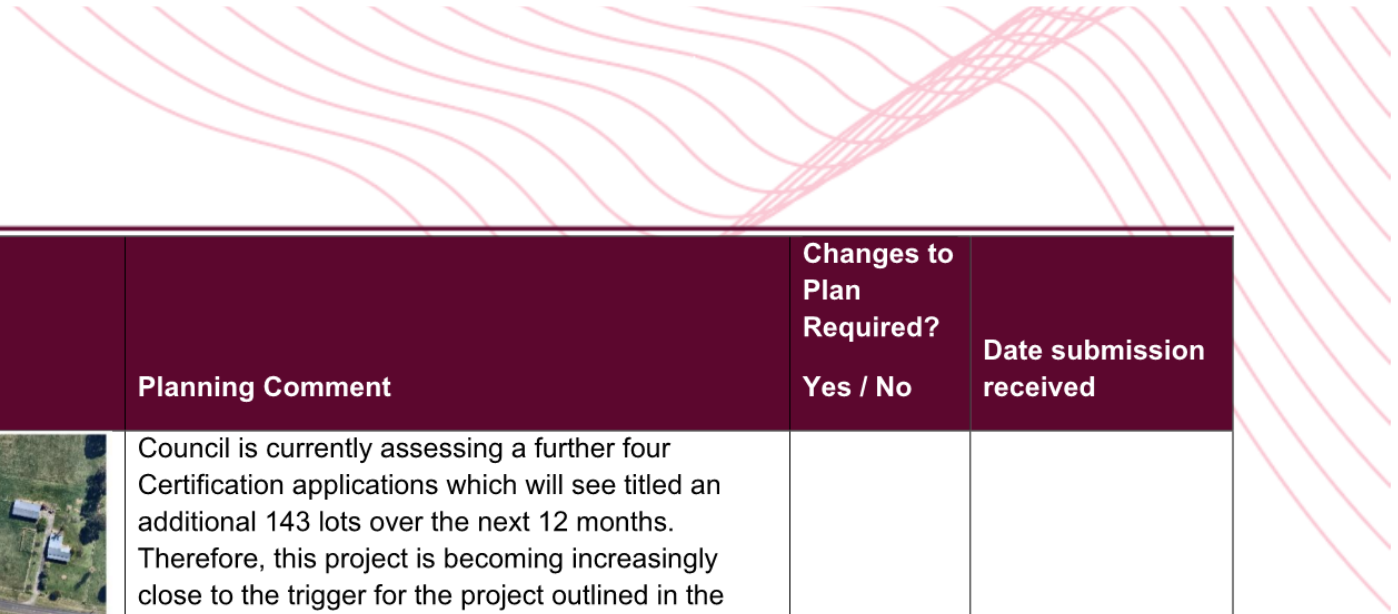




Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No	Date submission received
				<p>implemented in the 2018 update of the Development Plan.</p> <p>The Development Plan Overlay clause 43.04 (DPO) only requires that a Development Plan must:</p> <ul style="list-style-type: none"> <li>- Meet the requirements of Clause 56 (for a residential development);</li> <li>- Describe the land to which the plan applies;</li> <li>- Describe the proposed use and development of each part of the land; and</li> <li>- Any other requirements specified for the plan in a schedule to this overlay.</li> </ul> <p>DPO1 does not specify any requirements relating to meeting state or local policy.</p> <p>No where is it specified that a DP must be consistent with the policy of the scheme. The amended Development Plan is consistent with the requirements of the DPO as otherwise it would not have been approved.</p> <p>If the submission cannot be resolved but all other submissions are, council officers are open to removing this PAO from Amendment C143 as a post exhibition change. Council officers are open to this because it was always intended for Amendment C143 to facilitate development if the developers could not acquire the land. As one of the three properties involved is actively subdividing and its owner made a submission seeking assurances the Amendment would not delay their development, officers are confident that this asset will not need Council assistance to acquire the land.</p>		



Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Plan Required? Yes / No	Date submission received
				Before such a change is made, the views of submission 1 (the party actively subdividing) should be sought. If they do not object to the removal of the PAO, then it should be actively considered.		
5(c)	Nobelius Land Surveyors	Change requested	<p>Does not believe the PAO is going to resolve the issues foreseen by Council and will lead to further confusion and negotiation.</p> <p>Requested Changed</p> <ul style="list-style-type: none"> <li>- Further design the wetland to refine the area the PAO should be applied to; or</li> <li>- Don't apply the PAO for WR_04</li> </ul>	<p>As set out in the planning comment to 5(b), officers believe the PAO will not result in further confusion or further negotiation.</p> <p>As stated in 5(b), council officers are confident that the PAO can be applied as proposed based on the drainage strategy prepared to date. The compulsory acquisition process will require further detailed design to be completed before acquisition can occur. If additional land is required after the detailed design, then this can be acquired as part of the terms of compensation.</p> <p>Officers are willing to consider removing WR_04 from the Amendment if all other submissions are resolved.</p>	No	6/02/2025
<b>Late Submissions</b>						
6	CFA	Do not object	No issue – understands the amendment is to facilitate development in three existing growth areas.	Submission of not opposing noted.	No	27/12/2024
7	NBA Group	Support	NBA Group are acting on behalf of the owners of 1 Thompsons Road, Newborough.	<p>This land is located in the Lake Narracan DCP and is required for intersection project IN-02. IN-02 will see Thompsons Road become the fourth leg of the Old Sale Road – Haigh Street roundabout. The DCP indicates that this project is required once 250 new dwellings are approved west of Broad Way (a new collector road central to the precinct) or when there are 400 turning movements at the existing intersection on Old Sale Road.</p> <p>94 lots have been titled west of the proposed Broad Way which means 94 houses could be built.</p>	No	15/01/2025

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# PLANNING PERMIT APPLICATION 2024/171 USE OF LAND FOR DOMESTIC ANIMAL HUSBANDRY (5 DOGS)

## PURPOSE

To provide Council with an assessment of planning application 2024/171 for the use of land for domestic animal husbandry for five dogs at 59 Main Street, Toongabbie (PC 165937) against the provisions of the Latrobe Planning Scheme (Scheme).

## EXECUTIVE SUMMARY

- The subject site is located in the Toongabbie township in the Neighbourhood Residential Zone Schedule 5 (NRZ5) and is not subject to any overlays.
- It is proposed to use the land for domestic animal husbandry comprising the keeping of five dogs on the site.
- A planning permit is required to keep more than two dogs on site in the Neighbourhood Residential Zone Schedule 5 (NRZ5).
- Three of the dogs are used for breeding and showing purposes and three litters of puppies are expected per year. The dogs are housed in the dwelling on the site overnight and are kept in the rear yard in enclosures during the day.
- As the use is already being conducted on the site the applicant is seeking retrospective approval.
- Following advertising of the application, six objections were received with the following concerns raised:
  - Noise from the continual uncontrolled barking of dogs;
  - Barking of dogs restricts use of outside areas of property and impacts amenity;
  - The barking of dogs at the site makes dogs on neighbouring properties bark;
  - Land is zoned residential and is not appropriate for the use;
  - History of complaints to local laws over dogs barking and number of dogs at the property;
  - Oscar's Law was put in place to stop puppy farming;
  - Five dogs are being applied for, but litters of puppies will vastly increase this number; and
  - Property is being used as a business.

- Twelve submissions of support were also received from customers of the applicant. The submissions detailed the quiet nature of the dogs when visiting the site, their support from the applicant when they purchased a dog, and the good breeding of the dogs.
- Council's Local Laws team has been dealing with complaints regarding noise from the dogs and the number of dogs on the site since 2019 and has recently refused to issue the applicant with a Keeping of Animals (KOA) permit due to noise complaints, unregistered dogs, and exceeding the maximum number of dogs permissible on the site.
- Having assessed the proposal against the relevant provisions of the Scheme and the objections and letters of support, it is considered that the proposal is generally inconsistent with the relevant objectives and decision guidelines of the Scheme. The proposal is considered to be an incompatible use in a residential area due to the detrimental impact the noise from the dogs has on the amenity of the area.

#### OFFICER'S RECOMMENDATION

**That Council issues a Notice of Decision to Refuse to Grant a Permit for clause 32.09-2 use of land for domestic animal husbandry at 59 Main Street, Toongabbie (PC 165937), on the grounds set out in Attachment 1 to this report.**



## BACKGROUND

### Subject Site

The subject site is located on the northern side of Main Street in Toongabbie and is a long rectangular lot of 2,898 square metres with a width of 20 metres and a depth of 144 metres, shown in in figure 1 below.



**Figure 1: Subject site (Source: ArcGIS dated February 2024)**

The site is located on the eastern side of the Toongabbie township in an established residential area and is surrounded by dwellings on varying lot sizes on all abutting boundaries. To the south across Main Street is a large lot developed with a dwelling located in the Low Density Residential Zone and the Toongabbie Recreation Reserve.

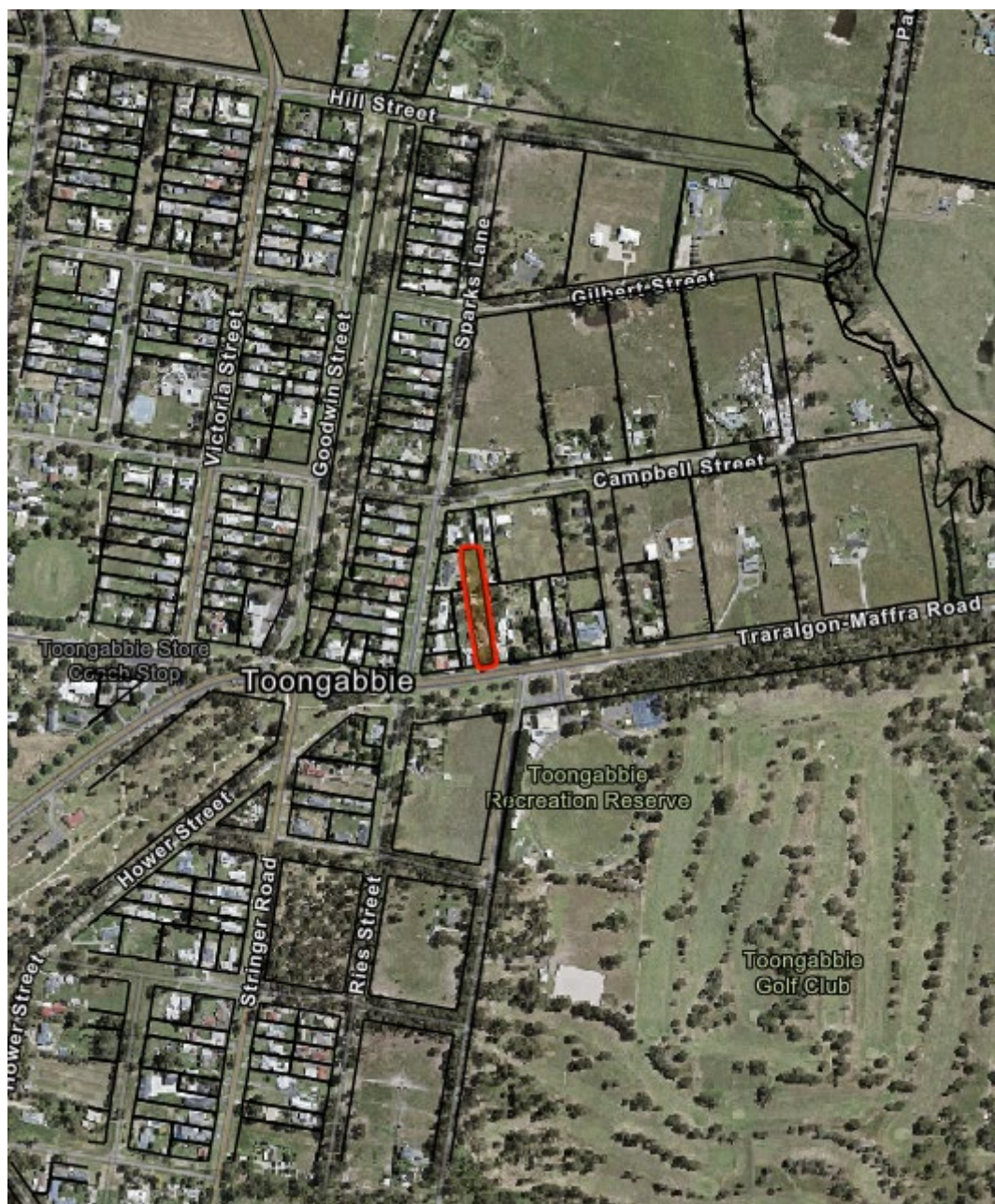


It has been developed with a single storey brick dwelling set back approximately 23 metres from the site frontage, and has shedding located at the rear of the dwelling towards the middle of the site. The shedding is used for firewood, storage and a workshop. A fenced dog enclosure is located close to the rear of the dwelling near the western boundary and a fenced courtyard also used as a dog enclosure is located on the eastern side of the dwelling between the dwelling and the side boundary. The rear 50 metres of the site is fenced off and is grassed.

Vehicle access to the site is from Main Street via a gravel crossover and driveway located at the eastern end of the site frontage.

An aerial image of the subject site can be shown in Figure 1.

An aerial image of the subject site in the context of the Toongabbie township can be seen below in Figure 2.



*Figure 2: Subject site within the Toongabbie township (Source: ArcGIS dated February 2024)*

## Site History

The applicant had held a Keeping of Animals (KOA) permit since September 2011, which is no longer in place. A KOA is a permit issued by Council's Local Laws team when a property owner wishes to keep more than two dogs. A KOA can allow up to five dogs on a property in a residential zone and is granted for the life of the animal. The applicable local law states that a permit holder for the keeping of animals "*must ensure that the animals do not create a nuisance or danger to neighbours or other persons*".

Local Laws has advised in the period from 2017 to 2024 twelve registered complaints have been received from nearby residents in relation to barking dogs and the number of dogs being kept at the subject site. As a result, the applicant has received either infringement notices or formal notices to comply from Local Laws for a number of offences (principally non-registration of dogs offences) for breaching the Domestic Animals Act 1994.

On three separate occasions Local Laws found the number of dogs permitted by the KOA had been exceeded. The applicant's KOA application has been refused a number of times due to the impact on the amenity of surrounding properties and regular breaches of conditions. The applicant does not have a current KOA permit as Local Laws has refused to issue one due to the history of offending.

Local Laws has provided a summary of activities on the site from 2017 to 2024 which can be found at **Attachment 2**. This attachment is confidential.

## Proposal

It is proposed to use the land for domestic animal husbandry with the keeping of five dogs. The application is being made in retrospect with a history of the site being used for this purpose as discussed. Domestic animal husbandry is defined in the Scheme as "*land used to keep, breed, board or train domestic animals*".

The main points of the application are:

- The applicant has advised that a total of five dogs would be kept on the site at any one time and that three of the dogs would be used for breeding purposes.
- The dogs sleep in the dwelling and therefore no kennels are proposed to be constructed for the use.
- It is proposed that there would be a maximum of three litters of puppies per year.
- The daily routine comprises of the dogs being let outside into the yard at 6:00 am for toileting and are then put into the courtyard area for feeding where they stay until around 8:30 am when they are put into the enclosure. The dogs go into the dwelling at 6:00 pm and are let out briefly for toileting before bedtime.
- In the summer months the dogs are outside for a longer period of time in the evenings.
- If the weather is "wet, hot, stormy or extreme in any way" the dogs are indoors.
- When no one is home, three dogs are kept indoors and two are outside in the courtyard area.

- When puppies are for sale, interested parties are invited on a Sunday afternoon between 1:00 pm and 5:00 pm to view them in the front garden. The number of attendees depends on the number of puppies but there would generally be three to five groups of between five and eight people who would attend.
- Some puppies are sold to interstate or overseas buyers who would not attend the site.
- Puppies are either collected from the site or from a collection point in Melbourne.
- Dog waste is managed by a daily collection of faeces which is kept in a lined wheelie bin and taken to the tip for disposal when three quarters full. The courtyard is power washed every two days when there are puppies.

The plans and supporting documentation for the proposal can be found at **Attachment 3** of this report.

## CONSULTATION

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

Following advertising of the application, six submissions in the form of written objections and 12 submissions of support were received. A copy of the objections can be viewed at **Attachment 4** to this report and a map showing the location of objectors can be viewed at **Attachment 5**. A copy of the submissions of support can be viewed at **Attachment 6**.

The main issues raised in the objections can be summarised as

- Noise from the continual uncontrolled barking of dogs.
- Barking of dogs restricts use of outside areas of property and impacts amenity.
- The barking of dogs at the site makes dogs on neighbouring properties bark.
- Land is zoned residential and is not appropriate for the use.
- History of complaints to local laws over dogs barking and number of dogs at the property.
- Oscars Law was put in place to stop puppy farming.
- Five dogs are being applied for but litters of puppies will vastly increase this number.
- Property is being used as a business.

The concerns raised by the objectors are discussed in the Detailed Assessment at **Attachment 7** to this report.

## ANALYSIS

### **Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF)**

The relevant direction and policy contained in the MPS and PPF of the Latrobe Planning Scheme have been considered as part of the assessment of this application. State and local planning policy provide clear direction that amenity and human health are to be protected from uses with adverse off-site impacts which includes noise. This can be achieved by avoiding locating incompatible uses in areas that would be impacted by such uses and avoiding or minimising adverse off-site impacts through land use separation, siting, building design and operational measures.

The domestic animal husbandry use that is being conducted from the site has been shown to be incompatible with the adjoining residential properties with multiple complaints of noise from barking dogs over the last five years. The site is located within an established residential area in a small town and directly abuts five other residential properties. The proposal would see the dogs continue to be outdoors for the majority of the day with the number of dogs temporarily increased three times a year with the addition of puppies. The applicant has not offered to change the current operations of the use through measures such as limiting the outdoor time of the dogs, actively managing the barking, or housing the dogs in structures with sound proofing. While these measures could be made conditions of a permit, the applicant's lack of compliance with her KOA permits in the past does not give officers confidence that planning permit conditions would be adhered to.

The proposal would have a detrimental impact on the surrounding residential properties because of noise and is therefore not considered to be a compatible use in the residential area of Toongabbie.

### **Zone**

The subject site is within the Neighbourhood Residential Zone Schedule 5 which allows *“educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations”*.

Under the zone, a planning permit is required to keep more than two dogs on a property.

The decision guidelines of the zone include decision guidelines for non-residential use and development. The proposal has been assessed against these guidelines with the following comments made:

- The proposed use is incompatible with the residential use of the land and surrounding properties due to amenity impacts from the noise of barking dogs.
- The use serves somewhat of a local need and is not considered to be on a large scale but it is evident that the keeping of dogs at this site is currently causing considerable amenity impacts to the residents of the adjoining properties. This is demonstrated by the six objections received and the complaints made to Local Laws over the past five years.



- Some traffic would be generated by the proposal but this would be infrequent and acceptable in this context. There is space for one or two visitors' cars on the site and car parking on the street and over the road at the recreation reserve if required.

## **Particular Provisions**

### Clause 52.06 Car Parking

Table 1 at Clause 52.06-5 sets out car parking requirements for uses listed in the table. When a use of land is not specified in the table, before a new use commences, car parking spaces must be provided to the satisfaction of the responsible authority. The use of the land for domestic animal husbandry is not listed in the table therefore the provision of car parking is to the satisfaction of Council. As discussed, visits to the site from people purchasing puppies would be infrequent with three litters per year and should not put an undue load on the combined availability of car parking on the site, on the street and at the recreation reserve. The provision of car parking for the use is considered to be acceptable

## **Summary**

A full assessment of the application against the provisions of the Scheme is at **Attachment 8** to this report. The assessment indicates there is no strategic justification for the use as:

- community amenity and human health are adversely impacted by noise emissions from the barking of dogs as evidenced by complaints to Local Laws over the past five years and the six objections received.
- the applicant has not proposed to reduce the impact on the health of the occupants of surrounding residential properties from noise exposure through land use separation, siting, building design and/or operational measures as the dogs are outdoors from 6:00 am to 6:00 pm daily in enclosures that are in close proximity to the adjoining properties. As such, the use is considered to be incompatible with adjoining and nearby land uses.

It is recommended the application be refused subject to the grounds at **Attachment 1** to this report.

## RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
<b>STRATEGIC INCLUDING REPUTATIONAL)</b> Approving an application which is inconsistent with the Latrobe Planning Scheme risking reputational damage on Council's decision making and loss of decision making powers.	<b>Medium</b> <i>Possible x Minor</i>	The proposal has been considered against the Latrobe Planning Scheme and it is considered to be inconsistent with the relevant provisions and should therefore be refused.
<b>FINANCIAL</b> Refusing the application and the applicant seeking review of the decision at VCAT	<b>High</b> <i>Likely x Moderate</i>	To manage and limit the potential risk, the recommendation has been considered against the requirements of the NRZ5, Planning Policy Framework and Municipal Planning Strategy, and relevant Particular Provisions. The recommendation to refuse is considered to be consistent with the Latrobe Planning Scheme.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## Attachments

1. Attachment 1 Grounds of refusal
2. Attachment 2 Local Laws summary (Published Separately)

*This attachment is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. Personal information about applicant's activities.*

3. Attachment 3 Plans and supporting documentation
4. Attachment 4 Copy of objections (Published Separately)

*This attachment is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the Local Government Act*

*2020, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. Contains personal information of objectors.*

5. Attachment 5 Map of objectors (Published Separately)

*This attachment is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. Contains personal information of objectors.*

6. Attachment 6 Copies of submissions of support (Published Separately)

*This attachment is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. Contains personal information of supporters.*

7. Attachment 7 Detailed assessment of objections

8. Attachment 8 Planning scheme assessment

## 9.2

### **Planning permit application 2024/171 Use of land for domestic animal husbandry (5 dogs)**

<b>1</b>	<b>Attachment 1 Grounds of refusal .....</b>	<b>193</b>
<b>3</b>	<b>Attachment 3 Plans and supporting documentation .....</b>	<b>194</b>
<b>7</b>	<b>Attachment 7 Detailed assessment of objections .....</b>	<b>198</b>
<b>8</b>	<b>Attachment 8 Planning scheme assessment .....</b>	<b>199</b>

**2024/171 59 Main Street, Toongabbie****Grounds of Refusal**

1. The proposal is inconsistent with the relevant clauses of the Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF) of the Latrobe Planning Scheme including:
  - a) Clause 13.05-1S Noise Management
  - b) Clause 13.07-1S Land Use Compatibility

as the use is considered to be incompatible with adjoining residential uses due to noise.
2. The proposal is inconsistent with the purpose and decision guidelines of the Neighbourhood Residential Zone Schedule 5 as the noise from barking dogs has the potential to impact the amenity of adjoining properties and surrounding area and would therefore be inappropriately located in a residential area.



Re: Planning Permit  
59 Main St  
Toongabbie 3856  
Victoria

To the planning department at Latrobe City Council,

We are seeking a planning permit in order to be able to keep 5 dogs and breed Australian Shepherds.

I am a Dogs Victoria member (Registered number 300056309) and my main interest is showing my dogs and breeding in order to continue the bloodlines and add to my show team. I am an active member of Dogs Victoria, take their code of ethics seriously and I'm a passionate supporter and promotor of pedigree dogs as pets.

We currently have five dogs; four Australian Shepherds and a Finnish Lapphund. They are our pets and companions and three of them are currently active in the dog show scene, with the two older ones (both aged 11) being retired and living out their final years as our pets.

Our dogs live and sleep inside our home, we have no kennel buildings and do not intend to build any. Our puppies are born in the house and raised inside, with increasing amounts of time spent outdoors in a gated courtyard area as they get older and more active. They sleep inside the house every night and are brought in by night fall.

The sale of our puppies is conducted from our home with any interested parties coming on an appointed day, all at the same time. We have ample space for visitor parking in our driveway and out the front of our house along the roadside. The puppies start leaving here here at 8 weeks of age and the whole litter is usually gone by 10 weeks of age.

Our dog waste is managed by a daily collection of faeces and depositing it in a lined wheelie bin. When the bin is 3/4 full, the bag is taken to the local tip for disposal. When we have puppies here, our courtyard area is power-washed every couple of days.

Over the last five years we have spent a lot of time and money adapting our property to reduce the noise the dogs make. They have no view of the road or neighbouring properties therefore no visual stimuli to cause them to bark. We have limited their access to the boundary fence on one side of our property in order to reduce their impact on our neighbours, and also installed cameras which we can log into any time we are away from the property and view the dogs activities. We are confident that the dogs make little noise and are not a nuisance to the community. Our fencing is secure and the dogs are unable to escape into the neighbourhood.

The dogs are rarely left alone as Rick is retired and Gayle works from home 7/10 days per fortnight. All the dogs are currently registered with Latrobe City.

Please note: We will not be undertaking any works on our property, all buildings indicated on the provided site plan are existing and there will be no changes to any of them.

Please consider our request favourably.

Kind regards,

Gayle and Rick Knowles

Latrobe City  
Planning department  
Application number 2024/171



Dear Janet,

In response to your request for further information for our planning permit application:

1. How many litters of puppies would be born per calendar year?

In the past I have had 1-2 litters per year, in 2023 I had 3 litters and this year I've had none. If there is to be a limit, I would like to have the option for 3 litters per year in the future, although I may not always have this amount.

2. What hours are the dogs outside?

The dogs are let out when we get up at 6am, they toilet on the grass and they are then locked in the courtyard area for their breakfast and they stay there until around 8.30am when they are then let back into the yard. The two old dogs are inside quite a lot, and as we're home most of the time and the dogs are our companions, they are in and out on an ad-hoc basis, depending on what we're doing. They are all inside before 6pm and they stay inside until morning aside from a quick toilet visit outside before bed.

This might vary slightly in the summer as the days get longer and we are outside in the evenings, then the dogs will be with us but we're all back in the house well before dark. They are never outside overnight.

If the weather is wet, hot, stormy or extreme in any way they are all inside the house. When we leave the house for a period of time, for shopping etc, three are inside and two are locked in the courtyard area.

3. How many customers are on site at any one time?

This depends on the amount of puppies I have for sale and the amount of local enquiries I have. By local I mean within Victoria.

Whenever I have puppies for sale, I choose an afternoon when the puppies are old enough to be handled (around 6-7 weeks) and invite all interested people to come and visit. The visit is by invitation only, and they are not advised of our address until they confirm their attendance. This stops random drop-ins.

The visits are always conducted on a Sunday afternoon between 1-5pm, there is only one afternoon where I make myself and the puppies available for these group visits per litter. At the most there would be 3-5 groups of people here at any one time, so around 5-8 people, and often less than that (they tend to come in pairs or small family groups, stay for an hour or so then leave) and we congregate in the front garden where they can meet the puppies and discuss their suitability with me.

A percentage of my puppies are sold to interstate or overseas buyers and these people never visit our home.

If I have a small litter (I've had litters of 1, 2 and 4 puppies) then obviously the amount of people visiting is vastly reduced and for 1 or 2 puppies it's unlikely I'd have more than one person at a time here.

The puppies are usually not collected from our home as a lot of my puppy buyers come from the metro area and I will take the puppies to them and meet them at the Dogs Victoria grounds in Skye or Bulla for pick up.

4. How many car parking spaces are available for customers on the site and on the street?

We have space for 3-4 cars in our driveway aside from our own cars and another 3 out on the street. Across the road is a grass verge with unlimited parking and some people choose to park there.



5. What hours do customers attend property?

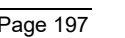
See response 3. I limit their visits to one afternoon per litter between 1-5pm on a Sunday afternoon. This would happen, at the most, three times per year. Occasionally there will be someone who can't attend on the day and will come at another appointed time, but always on a weekend afternoon between 1-5pm. Most people only come here once, unless they are very local to us then they may arrange another visit at our convenience.

6. Please also find included the amended site plan showing where the dogs are located when outside. They are limited to the courtyard area and the yard immediately adjoining the house. They have no access to the yards at the rear of the property which are securely fenced and gated. The front garden has no front boundary fence and the dogs are only ever in this area on leash, being led to or from the car or their walks.

I hope this provides you with sufficient information to progress our application.

Kind regards,

Gayle Knowles



**59 Main Street, Toongabbie****Detailed assessment of objections**

- *Noise from the continual uncontrolled barking of dogs.*
- *Barking of dogs restricts use of outside areas of property and impacts amenity.*
- *The barking of dogs at the site makes dogs on neighbouring properties bark.*
- *History of complaints to local laws over dogs barking and number of dogs at the property.*

The proposal has been assessed against the relevant provisions of the Latrobe Planning Scheme. The assessment has concluded that the use is incompatible with residential use due to the noise from barking dogs impacting the amenity of surrounding properties.

- *Land is zoned residential and is not appropriate for the use.*

Domestic animal husbandry is a permit required use in the Neighbourhood Residential Zone Schedule 5 with up to 5 animals allowed with a planning permit.

- *Oscar's Law was put in place to stop puppy farming.*

Legislation has been put in place in Victoria to prevent puppy farming. The Oscar's Law website ([oscarlaw.com](https://oscarlaw.com)) lists the legislative changes include banning the sale of animals in pet shops unless they are from a registered shelter, rescue group or pound, limiting the number of females that breeders can breed from to 10, mandatory health checks for breeding females, and implementation of a pet exchange register. It appears the application aligns with these laws as far as the number of females is concerned. No comment can be made on the other laws as they are not relevant to this application.

- *Five dogs is being applied for but litters of puppies will vastly increase this number.*

The proposed keeping of 5 dogs and 3 litters of puppies per year could result in a significant number of dogs located on the site until the puppies are sold and taken to their new homes.

- *Property is being used as a business.*

As discussed, the proposal is a permit required use in the Neighbourhood Residential Zone and therefore can operate with a permit if one is granted.



**2024/171 59 Main Street, Toongabbie****Full assessment of the application against the provisions of the Latrobe  
Planning Scheme****Planning Policy Framework**

The relevant policy contained in the MPS and PPF of the Latrobe Planning Scheme has been considered as part of the assessment of this application as follows:

- *Clause 13.05-1S Noise Management*
- *Clause 13.07-1S Land Use Compatibility*

**Clause 13.05-1S Noise Management**

The objective of the clause is “*to assist the management of noise effects on sensitive land uses*”.

Strategies:

- *Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions.*
- *Minimise the impact on human health from noise exposure to occupants of sensitive land uses (residential use, child care centre, school, education centre, residential aged care centre or hospital) near the transport system and other noise emission sources through suitable building siting and design (including orientation and internal layout), urban design and land use separation techniques as appropriate to the land use functions and character of the area.*

Policy guidelines

Consider as relevant:

- *The noise requirements in accordance with the Environment Protection Regulations under the Environment Protection Act 2017.*

**Clause 13.07-1S Land Use Compatibility**

The objective of the clause is “*to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts*”.

### Strategies

- *Ensure that use or development of land is compatible with adjoining and nearby land uses.*
- *Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.*
- *Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.*
- *Protect commercial, industrial and other employment generating uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.*

### Assessment

The EPA Noise Control Guidelines (Publication 1254.2 May 2021) (Guidelines) is a guide *“to be used by municipal officers to assist in the resolution of complaints or to avert a possible noise nuisance”*. (pg. 4). Section 4 of the Guidelines refers to dog kennels. This term is not defined in the Guidelines or the Environment Protection Act 2017 so the ordinary meaning of the term can be used which in general is a place where people take their dogs to be cared for while they are away. The proposed use does not fit this definition however this section of the Guidelines is useful as a guide to determine the best approach in reducing the barking of dogs.

The Guidelines state:

*The problems caused by the perpetual barking of dogs has been known to exist at distances as far as 500 m from the actual source. The following criteria for dog kennels have therefore been assembled to limit both the physical stimuli to the dogs and the outbreak of noise from the kennels.*

The criteria are listed below with a comment next to them regarding the proposed use.

<i>The kennels should be located at least 500 m from residential areas.</i>	The site is located within a residential area and has 5 dwellings abutting it to the north, east and west with an additional 3 properties in close proximity.
<i>Some fully enclosed or acoustically baffled kennels should be available to house</i>	Dogs are either outside during the day or inside the dwelling

<i>particularly noisy animals, at a ratio of 1:15.</i>	overnight. The dwelling is brick which would provide some acoustic insulation overnight. No known if the animals are “particularly noisy”.
<i>Electronic masking noise devices should be provided to reduce audible stimuli to the dogs.</i>	Not discussed in the applicant’s submission.
<i>Kennels should be constructed to visually screen stimuli such as other dogs, animals, traffic or passers-by.</i>	Dogs are kept at the rear of the property except when potential purchasers visit the site and the puppies are viewed at the front of the property.
<i>Access to kennels should be restricted solely to staff.</i>	Only the owners access the rear of the property.
<i>Feeding of the dogs should be restricted to the daytime hours of 7 am – 6 pm.</i>	The application states that the dogs are let outside for toileting at 6 am and then fed in the courtyard.
<i>Exercise of the dogs may only be performed between the hours of 9 am and 5 pm.</i>	Dogs are outside between 6 am and 6 pm with longer hours in the evening during daylight saving.
<i>A responsible person must be available on site 24 hours per day.</i>	Owners say dogs are “rarely left alone”.
<i>Kennels should be constructed of such a material so as to provide an appropriate reduction in the emission of noise. Materials such as masonry and cement sheeting would provide a suitable structural basis.</i>	Dogs sleep inside the dwelling.
<i>The kennels should be positioned so as to utilise the ability of the topography to reduce noise.</i>	Site is relatively flat.

In summary, the site is located in a residential area where it abuts 5 residential properties and is in close proximity to 3 others, and the dogs are outside for a longer period of time than recommended (between 6 am and 6 pm with longer hours in the evening during daylight saving compared to the 'exercise hours' of 9 am to 5 pm and 'feeding hours' of 7 am to 6 pm). The dwelling appears to insulate the noise of the dogs overnight.

It is noted that the application is for 5 dogs with 3 litters proposed each year. The litters will significantly increase the number of dogs on the site for up to 6 months of the year depending if the litters occur concurrently or not and taking into consideration the development of puppies from birth to 8 weeks of age when they are generally sold and taken away from the premises.

Given the above it is considered that the proposal does not meet the above clause of the Scheme as:

- community amenity and human health are adversely impacted by noise emissions from the barking of dogs as evidenced by complaints to Local Laws over the past 5 years and the 6 objections received.
- the applicant has not proposed to reduce the impact on the health of the occupants of surrounding residential properties from noise exposure through land use separation, siting, building design and/or operational measures as the dogs are outdoors from 6 am to 6 pm daily in enclosures that are in close proximity to the adjoining properties. As such, the use is considered to be incompatible with adjoining and nearby land uses.

### **Neighbourhood Residential Zone Schedule 5**

#### **Purpose**

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To recognise areas of predominantly single and double storey residential development.*
- *To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

#### **Decision guidelines**

*Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:*

General

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of this zone.*
- *The objectives set out in the schedule to this zone.*

*Toongabbie Residential Area*

- *To reinforce the spacious character and 'rural' feel of existing residential areas through generous setbacks and no or low open style front fences.*
- *To encourage new development to have regard to the existing street pattern and strengthen vistas and views to distinctive natural and heritage features.*
- *To avoid siting garages, carports and outbuildings in front of the predominant wall of the front facade of the dwelling and encourage walls constructed on the boundary to be set back behind the predominant front façade line.*
- *To provide adequate space for vegetated front gardens that include canopy trees and maintain the landscape character of streetscapes by retaining significant trees on private land, wherever possible.*
- *To maximise the use of permeable surfaces for driveways and car parking areas, where practical.*
- *Any other decision guidelines specified in a schedule to this zone.*
- *The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*

Non-residential use and development*In the local neighbourhood context:*

- *Whether the use or development is compatible with residential use.*
- *Whether the use generally serves local community needs.*
- *The scale and intensity of the use and development.*
- *The design, height, setback and appearance of the proposed buildings and works.*
- *The proposed landscaping.*
- *The provision of car and bicycle parking and associated accessways.*
- *Any proposed loading and refuse collection facilities.*



- *The safety, efficiency and amenity effects of traffic to be generated by the proposal.*

### **Assessment**

In response to the non-residential use and development decision guidelines the following assessment has been made:

- The use is incompatible with residential use as discussed due to the noise from barking dogs impacting the amenity of adjoining properties.
- The use has the potential to serve a local community need although it is noted that many of the purchasers of the puppies do not come from the local area.
- The scale and intensity of the use appears to be small however 5 dogs and 3 litters of puppies per year could result in a significant number of dogs located on the site until the puppies are sold and taken to their new homes.
- There is adequate provision of car parking on the site and on the street adjacent to the site.
- Refuse is collected by the applicant and disposed of at the tip.
- There would be minimal safety, efficiency and amenity effects from any traffic generated by the proposal.

The use of the land for domestic animal husbandry for 5 dogs is considered to be incompatible with the surrounding use of the land for residential purposes as discussed.

## UPDATE ON PROGRESS OF STRATEGIC WORK FOR 5483 AND 5495 PRINCES HIGHWAY, TRARALGON (KNOWN AS HOLLYDALE)

### PURPOSE

To provide an update on the progress for rezoning 5483 and 5495 Princes Highway, Traralgon (otherwise known as the Hollydale site) and next steps considering recent advice received from the consultant representing the landowner of the Hollydale site.

### EXECUTIVE SUMMARY

- At the 16 December 2024 Council Meeting, Council resolved to abandon Amendment C144 (Traralgon West Development Plan Overlay), progress with two separate rezoning processes for 5483 and 5495 Princes Highway, Traralgon (known as Hollydale) and 280a Princes Street, Traralgon (Traralgon Golf Club) and that the funds are to be re-allocated from the Traralgon West project to undertake the work.
- On 17, 21 January and 5 February 2025 advice was received from Beveridge Williams acting on behalf of Stable Property Group (owner of the Hollydale site) stating their client wishes to proceed with a proponent led Planning Scheme Amendment to rezone the land and apply a Development Plan Overlay.
- This is not in accordance with the Council resolution of 16 December 2024. Therefore, Councillors have two options to consider being:
  1. Re-affirm the Council resolution as of 16 December 2024 and provide advice to Beveridge Williams that this is to be a Council-led process; or
  2. Place the Council led process on hold for 6 months to allow time for the proponent led process to be lodged and provide a further report to Council to determine next steps.
- Officers' recommendation will be to proceed with option 2 as this provides the opportunity for shorter timeframes, avoids duplicating work and unnecessary costs.
- Officers are progressing with undertaking the necessary strategic work for the Traralgon Golf Club to justify a rezoning of the land from Rural Living to a more suitable zone based on its current use.

## **OFFICER'S RECOMMENDATION**

### **That Council:**

- 1. Places on hold for a period of six months all necessary planning work for the preparation of a Planning Scheme Amendment to facilitate the rezoning of the land at 5483 and 5495 Princes Highway, Traralgon (known as Hollydale), being progressed pursuant to Council resolution of 16 December 2024 (the Original Resolution), to allow for the lodgement of a proponent led process in its place;**
- 2. Requests a report be presented at a July 2025 Councillor Briefing to provide an update on the proponent led process and next steps;**
- 3. Continues to undertake the necessary planning work, as a matter of urgency, for the preparation of a Planning Scheme Amendment to facilitate the rezoning of the land at 280A Princes Street, Traralgon (Traralgon Golf Course), being progressed pursuant to the Original Resolution; and**
- 4. Reallocates \$250,000+GST from the Traralgon West Development Plan budget to facilitate the work identified under points 2 and 3 of this resolution and confirms that the reallocation of \$420,000+GST from the said budget under the Original Resolution is not required due to the change in circumstances.**

## BACKGROUND

At the 16 December 2024 Council Meeting, Council resolved:

- 1 *Abandons Amendment C144 in accordance with Section 23 of the Planning and Environment Act 1987 for the following reasons:*
  - a. *As it is not in the interest of the whole community. As represented numerous times in the media, at the Council Meeting and with submissions.*
  - b. *Developing the golf course will make the Bank Street Railway crossing and intersection hazardous to all road users.*
  - c. *Will result in the loss of the Traralgon Golf Club*
  - d. *The local area will experience the loss of the liveability of their neighbourhood.*
- 2 *Advises the Minister for Planning in accordance with Section 28 of the Planning and Environment Act 1987 to inform her of Council's decision to abandon Amendment C144.*
- 3 *Advises those persons who made written submissions to Amendment C144 of Council's decision.*
- 4 *Undertake all necessary strategic planning work, as a matter of urgency, for the preparation of two separate planning scheme amendments to facilitate the rezoning of the land at:*
  - a. *280A Princes Street, Traralgon (Traralgon Golf Course) to a more appropriate zone given its current use as a golf course; and*
  - b. *5483 and 5495 Princes Highway, Traralgon (known as Hollydale) to a mix of General Residential and Commercial 1 Zoning.*
- 5 *Reallocate \$420,000+GST from the existing Traralgon West Development Plan budget to undertake the work identified under point 4 of this resolution.*  
[emphasis added].

Officers have completed the following to action the Council Resolution:

- Notified submitters of the Council Resolution on 18 December 2024;
- Notified the Minister for Planning on 19 December 2024 of the abandonment of the Amendment;
- Placed a notice on the project website outlining the reasons for the abandonments of the Amendment in accordance with Section 28 of the Planning and Environment Act 1987;
- Sent notification to Dartmouth Consulting on 9 January 2026 cancelling contract LCC – 850 for the Traralgon West Development Plan and Development Contribution Plan;

- Prepared updated tender documents to commence work for the Hollydale site which was sent to procurement on 13 January 2025;
- Prepared project brief and commencement of procurement process for the golf course rezoning;
- Processed final invoice for contract LCC – 850 on 22 January 2025; and
- Notified landowners in the Traralgon West Precinct on 10 January 2025 that the Traralgon West Development Plan and Development Contribution Plan process was concluded.

On the 17 January 2025 officers received advice from Beveridge Williams who act on behalf of Stable Property Group for the Hollydale site that their client:

*After speaking with the client, he agrees that a proponent led planning scheme amendment is likely the most efficient process and accordingly, he has instructed Beveridge Williams to the prepare and lodge a Planning Scheme Amendment request to rezone the site from the Farming Zone to the General Residential Zone and Commercial 1 Zone.*

This advice from Beveridge Williams was updated on 21 January 2025 to clarify that their client:

*want to pursue a combined Planning Scheme Amendment that encompasses the rezoning and subdivision of the Hollydale site.*

This advice from Beveridge Williams was further updated on 5 February 2025 to clarify that:

*After discussing the potential timeframes associated with a combined rezoning / planning permit application vs a straight planning scheme amendment, the client has reconsidered their position moving forward.*

*Our client has advised that he would like us to lodge a Planning Scheme Amendment request to rezone the land and apply a DPO Schedule to the entire site. The client would like us to lodge this request with Council in the next 2-3 weeks.*

*We suggest that the above approach will allow for the rezoning of the site in a timely manner while also providing Council, the developer and the community with a level of certainty about its future use and development.*

If this proponent led Planning Scheme Amendment process was to be lodged it would duplicate the Council led process as per the December 2024 resolution.

There is no proposed changed to the Traralgon Golf Club and the strategic work required to justify a Planning Scheme Amendment to rezone land to a more suitable zone is continuing in accordance with the Council resolution on 16 December 2024.



## ANALYSIS

There are two options for Councillors in considering this advice and next steps:

1. Re-affirm the Council resolution as of 16 December 2024 and provide advice to Beveridge Williams that this is to be a Council-led process; or
2. Place the Council led process on hold for 6 months to allow time for the proponent led process to be lodged and provide a further report to Council to determine next steps.

Both options will end with the same outcome, which is a Planning Scheme Amendment to rezone the land at 5483 and 5495 Princes Highway, Traralgon.

Option 1 could take up to 2.5 years to complete the strategic work and Planning Scheme Amendment process. It is estimated that this will cost between \$300,000 - \$350,000 to complete.

Option 2 may have shorter timeframes due to most of the documents already being prepared by Beveridge Williams (detailed timelines cannot be provided until the application is lodged). It is estimated that \$100,000 - \$200,000 would be required for option 2 as Council officers will not need to prepare documents, however, they may need to peer review some reports depending on advice back from referral agencies and authorities.

Option 2 will also require the applicant to pay fees associated with the Planning Scheme Amendment under the Part 3 Planning and Environment Act 1987 (regulation 6). Council officer recommendation is to proceed with option 2 as this provides an opportunity for shorter timeframes.

## RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
<b>COMPLIANCE</b> The advice from Beveridge Williams is and if the proponent led Amendment is lodged it will contrary to the Council Resolution on 16 December 2025.	<b>High</b> Likely x Moderate	Council resolution is required if Council would like the option for the landowner to pursue a proponent led Planning Scheme Amendment.
<b>STRATEGIC</b> Landowners in the Traralgon West Precinct are disappointed with the progression of 5483 and 5495 Princes Highway, Traralgon as a standalone Amendment.	<b>High</b> Almost Certain x Moderate	Submissions can be made through the Planning Scheme Amendment process once exhibited and these concerns can be considered through this process.

## CONSULTATION

No consultation is required as part of the preparation of this report.

## COMMUNICATION

No communication is required as part of the preparation of this report.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Gender**

Not applicable.

### **Social**

Not applicable.

### **Cultural**

Not applicable.

### **Health**

Not applicable.

### **Environmental**

Not applicable.

### **Economic**

Not applicable.

### **Financial**

Option 2 will require the proponent to be responsible for all fees associated with the Planning Scheme Amendment. This will reduce the financial impact on Council.

Funds will still be required if any reports are required to be peer reviewed, however, this cost is likely to be \$100,000 - \$150,000 less compared to option 1.

### **Attachments**

Nil

# **CORPORATE ITEMS FOR DECISION**

## 10. CORPORATE ITEMS FOR DECISION

Item Number 10.1     24 February 2025

Organisational Performance

# 2024/2025 MID YEAR BUDGET REVIEW

### PURPOSE

To present Councillors with the 2024/25 full year forecast financial position following the mid-year budget review.

### EXECUTIVE SUMMARY

- A mid-year review is undertaken each year to compare how the organisation is tracking against the adopted budget and consider the need/requirement to prepare a revised budget.
- In accordance with Section 95 of the *Local Government Act 2020*, as Council is not intending to make a variation to the declared rates or charges, undertake new borrowings not already included in the budget or make a change to the budget that the Council considers should be the subject of community engagement, a revised budget is not required to be prepared.
- The review indicates the full year forecast position is expected to exceed the adopted budget position, with a forecast full year surplus position of \$2.8 million (on a cash budget basis).
- This surplus is largely as a result of the decision to not proceed in the current year with road rehabilitation projects at Stratton Drive Traralgon and Kirk Street Moe which equates to \$2.3 million.
- These roads were identified for road rehabilitation based on road asset condition data collected four years earlier and following a physical inspection of the roads in recent months it is considered that they do not require full road rehabilitation this year.
- Projects totalling \$0.4 million are proposed to be funded from the mid-year surplus position, plus an allocation to the Capital Works Reserve of \$1.5 million and the remaining balance being an interim allocation to the Transition Reserve of \$0.9 million.

### OFFICER'S RECOMMENDATION

**That Council receive and note the mid-year budget review and approve the allocation of funding to the following projects and reserves:**

- 1. Latrobe Leisure UV Disinfectant Units at Leisure Centres - \$240,000;**
- 2. Co2 bulk tanks at all Leisure Centres and outdoor pools - \$150,000;**
- 3. Capital Works Reserve - \$1,541,000; and**
- 4. Transition Reserve - \$904,000.**



## BACKGROUND

Throughout December and January of each financial year the organisation undertakes a detailed examination of all operating and capital income and expenditure budget items, year to date actual income/expenditure and forecast income/expenditure for the financial year. The focus of the review is to identify permanent differences between year-to-date results and forecast income/expenditure against the Adopted Budget and determine whether there is a requirement to prepare a revised budget in accordance with the requirements of the *Local Government Act 2020* (Act).

The Act requires that a revised budget be prepared if Council intends to make a variation to the declared rates or charges, undertake to borrow funds that have not been previously approved in the budget or wish to make a change to the budget that Council considers should be the subject of community engagement.

## ANALYSIS

Following the budget review, the full year forecast position is expected to exceed the adopted budget position, with a forecast full year surplus position of \$2.8 million (on a cash budget basis). This surplus is largely a result of the decision not to proceed in the 24/25 capital works renewal program with road rehabilitation projects at Stratton Drive Traralgon and Kirk Street Moe equating to \$2.3 million. These projects were identified through desktop condition assessment data but upon physical inspection it was identified that the works were not required. There was insufficient time to design and complete alternative projects at this time.

The forecast variances to the Adopted Budget are identified in the Income Allocation Statement **Attachment 1**.

In accordance with Section 95 of the Act, there is no requirement for a revised budget as none of the three criteria identified in the Act exist.

Given the forecast surplus of \$2.8 million, it is recommended that the funds are allocated in the following manner:

- Priority OH&S related projects totalling \$0.4 million
- \$1.5 million be reserved and utilised to fund capital renewal projects in the 25/26 budget.
- The remaining funds are to be transferred as an interim allocation to the Transition Reserve of \$0.9 million in accordance with Council's resolution to allocated 50% of any year-end surplus to the transition reserve.

	<b>\$'000s</b>
<b>Forecast Surplus 2024/2025</b>	<b>2,835</b>
<b>Less proposed allocations</b>	
Latrobe Leisure UV Disinfectant Units at Leisure Centres	240
Latrobe Leisure Co2 bulk tanks at all Leisure Centres and outdoor pools	150
<i>Sub-Total</i>	390
Less Capital Works Reserve	1,541
Less interim allocation to Transition Reserve	904
<b>Total proposed allocations</b>	<b>2,835</b>
<b>Net Forecast Surplus 2024/2025</b>	<b>0</b>

A summary of each project recommended for funding is provided at **Attachment 2**.

#### RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
COMPLIANCE Non-compliance with the <i>Local Government Act 2020</i> .	<b>Low</b> <i>Rare x Insignificant</i>	Council is meeting legislative requirements through the CEO declaring that a revised budget is not necessary.
SERVICE DELIVERY Excess funding is not being used in the most effective manner to enhance services	<b>Low</b> <i>Unlikely x Minor</i>	Council prioritises projects to ensure best community outcomes.
FINANCIAL Council is unable to achieve forecast position	<b>Low</b> <i>Unlikely x Minor</i>	There is always a risk of unforeseen circumstances, contingency is provided through conservative allocation of the forecast result.

#### CONSULTATION

The development of the mid-year forecast position was based on collaborative consultation across the organisation to identify permanent budget differences and develop a list of projects that could be considered for funding as part of the mid-year process.

## COMMUNICATION

Not applicable.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Gender**

Not applicable.

### **Social**

Not applicable.

### **Cultural**

Not applicable.

### **Health**

Not applicable.

### **Environmental**

Not applicable.

### **Economic**

Not applicable.

### **Financial**

This report relates to the forecast full year surplus position against the adopted budget resulting from the mid-year review, the proposed allocations are within the identified forecast surplus, therefore there are no short term financial implications associated with the report.

Careful consideration has been applied when arriving at the forecast surplus position, noting that this is a forecast, and future unforeseen items may impact on the final year end result, therefore a level of conservatism is required.

A balanced/cautious approach has also been applied when compiling the list of proposed projects to be funded from the forecast surplus. It is proposed that given the majority of the surplus has been generated from the capital works program that a portion of these funds should be reemployed back into the 2025/26 capital works budget. An interim allocation of funds is also proposed to be allocated to the transition reserve.

### **Attachments**

1. Attachment 1 - Income Allocation Statement
2. Attachment 2 - Project Listing

# 10.1

## 2024/2025 Mid Year Budget Review

1	Attachment 1 - Income Allocation Statement.....	219
2	Attachment 2 - Project Listing .....	222



## 24/25 INCOME ALLOCATION STATEMENT

For The Quarter Ended 31 December 2024

		FULL YEAR			
	Note	Mid Year Forecast	Adjusted Budget	Variance fav/(unfav)	Variance fav/(unfav)
		\$'000	\$'000	\$'000	%
<b>Income</b>					
Rates and charges	1	95,349	95,226	123	0.1%
Statutory fees & fines	2	2,865	2,758	106	3.9%
User fees	3	13,149	12,270	879	7.2%
Grants - Operating	4	34,913	32,218	2,695	8.4%
Grants - Capital	5	27,292	26,588	704	2.6%
Contributions - Monetary	6	1,271	107	1,164	1086.9%
Other income	7	5,351	3,462	1,889	54.6%
<b>Total income</b>		<b>180,189</b>	<b>172,629</b>	<b>7,560</b>	<b>4.4%</b>
<b>Expenses</b>					
Employee costs	8	(67,908)	(67,164)	(744)	(1.1%)
Materials and services	9	(51,840)	(50,796)	(1,044)	(2.1%)
Utilities	10	(3,963)	(3,371)	(592)	(17.6%)
Other Expenditure	11	(5,334)	(5,150)	(184)	(3.6%)
<b>Total expenses</b>		<b>(129,045)</b>	<b>(126,481)</b>	<b>(2,564)</b>	<b>(2.0%)</b>
<b>Funds Available</b>					
		<b>51,145</b>	<b>46,148</b>	<b>4,996</b>	<b>10.8%</b>
<b>Other Income / (Expenses)</b>					
Capital Works expenditure	12	(68,865)	(69,248)	383	0.6%
Landfill Construction/Rehabilitation	13	(8,091)	(7,833)	(258)	(3.3%)
Debt Servicing Principal	14	(2,217)	(2,217)	0	(0.0%)
Borrowing Costs	15	(414)	(407)	(7)	(1.6%)
Transfer from / (to) reserve	16	25,680	29,895	(4,215)	(14.1%)
Interest Income	17	5,598	4,400	1,198	27.2%
<b>Total Other Income/(Expense)</b>		<b>(48,310)</b>	<b>(45,410)</b>	<b>(2,899)</b>	<b>6.4%</b>
<b>Surplus / (deficit)</b>					
		<b>2,835</b>	<b>738</b>	<b>2,097</b>	<b>100.0%</b>

**INCOME ALLOCATION STATEMENT OVERVIEW**

The "Income Allocation Statement" (IAS) shows how the annual income is allocated to the various expenditure categories. The statement incorporates the "Adjusted Budget" which represents the 2024/25 budget adopted by Council on 3 June 2024 adjusted for items carried forward from the 2023/24 financial year and known changes in the financial year timing and level of government grants funding.

The "Adjusted Budget" projected a "cash surplus" of \$0.7M which represents unallocated additional Roads to Recovery funding \$0.5M and Victoria Grants Commission Financial Assistance Grants (FAGS) funding \$0.2M. The "Mid Year Forecast" currently projects a \$2.8M cash surplus.

**NOTES TO THE INCOME ALLOCATION STATEMENT****1. Rates and charges \$0.1M Favourable**

Higher than expected waste services charges received for new services which will be offset by the costs of providing these additional services.

**2. Statutory fees and fines \$0.1M Favourable**

Minor variance.

**3. User fees \$0.9M Favourable**

Minor variance.

**4. Grants - operating \$2.7M Favourable**

Forecast Natural disaster funding for August 24 Emergency Trees Works on Affected Roads \$1.3M.

Unbudgeted Local Development Strategy Program funding forecasted to be received \$0.7M- a recently announced program funded by state government, and Council Support Package funding \$0.7M.

**5. Grants - capital \$0.7M Favourable**

Mainly due to changes in timing of recognition of grants for multi year projects e.g. GRISS increase in projected expenditure in the current financial year \$1.2M and Mathison Park Playspace projected decrease \$0.6M. Note capital grants recognition is in line with expenditure on the project rather than actual receipt of grant monies.

**6. Contributions - monetary \$1.2M Favourable**

Higher than expected receipt of developer contributions including Lake Narracan & Traralgon North Developer contribution schemes \$0.8M, Public Open Space contributions \$0.2M, Street Trees \$0.1M and other Infrastructure contributions \$0.1M.

**7. Other income \$1.9M Favourable**

The favourable variance is primarily due to the receipt of energy efficiency rebates in relation to LED street lighting upgrades \$0.7M, unbudgeted insurance claim proceeds \$0.6M, container deposit scheme income \$0.1M and higher than expected interest on rates & charges \$0.4M.

**8. Employee costs (\$0.7M) Unfavourable**

The additional salaries and wages are mainly associated with a higher than budgeted Enterprise Bargaining Agreement (EBA) increase.

**9. Materials and services (\$1.0M) Unfavourable**

The unfavourable variance is mainly due to unbudgeted expenditure incurred as a result of the August 2024 Storm event cleanup \$1.3M which is expected to be recouped through Natural Disaster grant funding arrangements.

**10. Utilities (\$0.6M) Unfavourable**

Mainly due to increased gas costs at GRAC due to the Geothermal system being offline while waiting for parts to repair the underground pump.

**11. Other expenses (\$0.2M) Unfavourable**

The unfavourable variance is mainly due to unexpended community grants funds carried forward from the 2023/24 financial year which are to be distributed in 2024/25 \$0.4M, together with Kindergarten Inclusion Support program grants \$0.1M and Business Development grants \$0.1M.

**NOTES TO THE INCOME ALLOCATION STATEMENT****12. Capital Works expenditure \$0.4M Favourable**

While overall a favourable variance is recognised, the variance actually consists of a number of material favourable and unfavourable variances. The decision not to proceed with road rehabilitation works at Stratton Drive Traralgon and Kirk Street Moe following physical inspections found the works unwarranted, has resulted in a forecast favourable expenditure variance of \$2.7 million.

The favourable variance has been offset by unfavourable expenditure variances relating to additional funding from Capital and Operating grants, interest income on grant funds and reserves received for the Regional City Carpark Fund \$0.4 million, Sports Legacy works at GRISS \$1.27 million, Council Support Package Fund, drainage rectification works \$0.4 million and the purchase of land at Montane Estate.

**13. Landfill Construction/Rehabilitation (\$0.3M) Unfavourable**

The unfavourable variance is to be funded from the Landfill reserve for rehabilitation.

**14. Debt Servicing Principal \$0.0M Favourable**

No variance

**15. Borrowing costs (\$0.0M) Unfavourable**

No variance

**16. Transfer from / (to) reserve (\$4.2M) Unfavourable**

Increase funding expected to be carried forward to future years/ Council reserves. e.g. Landfill & other waste services \$1.2M, increased developer contributions \$0.8M, Local Development Strategy Program \$0.6M and capital works carry forwards \$1.1M.

**18. Interest Income \$1.2M Favourable**

The favourable variance is primarily due to higher than expected interest rate yields and additional cash holdings on council investments as a result of unexpected grant funds advanced for major projects that were not anticipated when the budget was developed.

**Project Listing - Mid Year Review - 2024/25**

Project Title	Amount	Opportunity	Remedy
Latrobe Leisure UV Disinfectant Units at Leisure Centres - Morwell x 3 - Moe/Newborough x 2 - Churchill x 1	\$ 240,000	Replace the use of chlorine as the main disinfectant in heated pools to UV disinfectant. The issue of using chlorine in swimming pools is that the chlorine reacts very rapidly with nitrogen compounds in the water. This creates problematic chlorine by-products such as mono-, di-, and trichloramines. Especially trichloramines (NCI3) have significant negative effects, irritating the eyes, nose, throat, as well as bronchial tubes. Latrobe City Council continues to use chlorine as the method of disinfection for our heated pools which while effective is considered old technology.	UV technology is a globally accepted solution for water disinfection and combined chlorine removal, being able to solve the complex challenge of creating healthy swimming pool environments free of chlorine by-products. The improved technological and design-related configurations throughout the years have made UV a viable OPEX and CAPEX solution for swimming pools of all sizes. Benefits include: <ul style="list-style-type: none"> <li>• Healthy pool environment</li> <li>• Less water consumption</li> <li>• Reduced operation costs</li> <li>• Reduced carbon footprint</li> <li>• Provides much more reliable service to our community (Less pool closures)</li> </ul>
Latrobe Leisure Co2 bulk tanks at all Leisure Centres and outdoor pools	\$ 150,000	Replace hand mixing and manual handling of acid to control PH levels in Council run pools. Current methods of controlling the potential of hydrogen (PH) are risky, unsafe, and outdated. Staff currently mix acid manually, which can easily cause burns to skin and eyes. There is also great potential for incorrect mixing ratios which drastically and negatively affects the pool chemistry. Including creating problems with plant and service provisions.	Installation of bulk Co2 tanks that are filled by a truck, eliminating any requirement for manual handling or manually mixing acid. The Benefits include: <ul style="list-style-type: none"> <li>• Lower maintenance and repair costs - CO2 is less corrosive than mineral acids on pools and pool equipment.</li> <li>• Lower operating costs from reduced chlorine consumption.</li> <li>• Safer handling with no chemicals involved, avoiding injuries like burns to skin and acid splashes in eyes.</li> <li>• More environmentally friendly.</li> <li>• Provides much more reliable service to our community (Less pool closures)</li> </ul>

## REGIONAL COMMUNITY SPORTS INFRASTRUCTURE FUND - ROUND TWO

### PURPOSE

To seek Council endorsement to make funding applications to Round Two of the State Government's Regional Community Sports Infrastructure Fund.

### EXECUTIVE SUMMARY

- The Regional Community Sports Infrastructure Fund (the Fund) is administered by Sport and Recreation Victoria (SRV) and open to Local Government Authorities (LGAs) in rural and regional Victoria to deliver new and upgraded community sports infrastructure.
- Round Two opened on 28 October 2024 with four funding streams available and proposed applications noted below:
  - Women and Girls Facilities (up to \$1 million, 4:1 co-contribution)
    - No application
  - All Abilities (up to \$1 million, 4:1 co-contribution)
    - Ronald Reserve, Morwell – Lift installation
  - Community Facilities (up to \$1 million, 4:1 co-contribution)
    - No application
  - Planning (up to \$40,000, 4:1 co-contribution)
    - Large Town Recreation Reserve Master Plans
  - Indoor Stadiums and Aquatic Facilities (up to \$3 million , 3:1 co-contribution)
    - No application
- If an application is successful, co-contribution(s) will need to be funded by Council. Only the projects that have existing budget allocations are proposed for an application this funding round.
- Council was successful in the previous round of the Community Facilities stream receiving \$1 million to deliver a new multi-use pavilion at Gaskin Park, Churchill. Those funding agreements requires Council to fund an estimated \$2 million in the 2025/2026 Financial Year to deliver the project.
- Candidate projects have been identified from; the Recreation Needs Assessment; opportunistically where programmed capital renewal funding could

be leveraged to deliver an improved outcome; and Officer identified strategic need.

- The identified project under the All Abilities stream is a re-submission to install a lift to the social rooms and first floor upgrades at Ronald Reserve, Morwell. The estimated project cost is \$1,332,973 with a Council contribution required of \$332,973. An existing allocation included in the 2024/2025 Building Renewal Budget can provide this co-funding.
- The next project priority under the Recreation Needs Assessment is the construction of new changerooms for Netball and Tennis at the Yinnar Recreation Reserve, which could sit under the Women and Girls Facilities stream. The project cost is estimated at \$1,471,700 with a Council contribution required of \$471,700 which is currently unfunded, and an application is not proposed.
- Officers also propose an application to the Planning Stream to review and update the large town Recreation Reserve Master Plans. The project is estimated to cost \$53,075, with a Council contribution required of \$13,075. This would consolidate the work to update the 10 Existing Master Plans to reflect contemporary community demand, as some date back to 2008, and enhance applications for external funding to support their future upgrade. This co-contribution can be accommodated within existing budgets allocations.
- Grant applications must be submitted by 17 March 2025 and projects completed within 24 months of execution of a Grant Agreement.

#### OFFICER'S RECOMMENDATION

**That Council endorse the following funding applications to be submitted to Round Two of the Regional Community Sports Infrastructure Fund:**

- 1. Pavilion Lift and First Floor Upgrades at Ronald Reserve, Morwell; and**
- 2. Large Town Recreation Reserve Master Plans**



## BACKGROUND

The Regional Community Sports Infrastructure Fund (the Fund) is administered by Sport and Recreation Victoria (SRV) and open to Local Government Authorities (LGA's) in rural and regional Victoria to deliver new and upgraded community sports infrastructure. The Fund aims to increase and promote opportunities so Victorians can participate in ways that suit them and is targeted towards individuals and communities who participate less.

Council received \$1 million under Round One in July 2024 to deliver a new multi-use pavilion at Gaskin Park Churchill, with a Council co-contribution of \$2,039,025.

Round Two opened 28 October 2024 with the same funding streams available as Round One, plus an additional Planning stream as tabled below:

Funding Stream	Number of applications	Maximum total grant amount / co-contribution
Women and Girls Facilities	Unlimited applications seeking a total of up to \$1 million per LGA	Up to \$1 million / co-contribution ratio of \$4:\$1 (SRV:Council)
All Abilities Infrastructure	Unlimited applications seeking a total of up to \$1 million per LGA	Up to \$1 million / co-contribution ratio of \$4:\$1 (SRV:Council)
Community Facilities	Unlimited applications seeking a total of up to \$1 million per LGA	Up to \$1 million / co-contribution ratio of \$4:\$1 (SRV:Council)
Planning	One application per LGA	Up to \$40,000 / co-contribution ratio of \$4:\$1 (SRV:Council)
Indoor Stadiums and Aquatic Facilities	One application per LGA for a single project or up to two applications for major aquatic facilities where each individual grant request is more than \$1 million	Up to \$3 million / co-contribution ratio of \$3:\$1 (SRV:Council)

## ANALYSIS

When determining the projects to put forward for funding, Council Officers reviewed projects against the eligibility criteria of the program, as well as the priorities detailed in Council's current Recreation Needs Assessment. **Attachment 2** shows the progress to date across the Pavilions listed in that assessment.

Three projects have been identified and are outlined in the following table:

Funding Stream	Project	Estimated Cost	Priority Reason
Women and Girls Facilities	Construct new changerooms for netball and tennis at Yinnar Recreation Reserve	Total project: \$1,471,700 Council's contribution: \$471,700	Next pavilion priority on Recreation Needs Assessment, no current funding.
All Abilities	Pavilion lift and first floor upgrades at Ronald Reserve, Morwell	Total project: \$1,332,973 Council's contribution: \$332,973	Co-contribution can be allocated from 2024/2025 Building Renewal budget (for the same project)
Planning	Review and update the large town recreation reserve master plans	Total project: \$53,075 Council's contribution: \$13,075	Strongest project to put forward for this stream to give Council best chance of securing the full grant amount available. Co-contribution to be allocated from existing budgets.

The Yinnar Recreation Reserve project is the next priority on the Recreation Needs Assessment however Officers were unable to identify surplus funds for the co-contribution that would be required for this project.

Ronald Reserve (pavilion lift and first floor upgrades) is not listed in the current Recreation Needs Assessment, however internal upgrades to the first floor of the Ronald Reserve Pavilion forms part of a planned Building Renewal project with \$330,000 included in the 2024/2025 Budget.

Therefore, officers recommend taking advantage of this funding opportunity to expand the renewal scope of works by using the existing funds to cover the co-contribution and provide dignified access through provision of a lift which aligns with funding stream.

A similar application was submitted in the last round of SRV funding and was not successful. Should this application be unsuccessful again, the renewal project is anticipated to proceed to address the immediate condition-based need of the facility.

The completed plans for the lift upgrade, that are not included in the Building Renewal project, will continue to inform consideration of future internal and external funding opportunities.

Two additional projects that were considered for applications in the fund were the redevelopment of the social club rooms at Baillie Reserve, Tyers and the changerooms at Northern Reserve, Newborough.

Redevelopment of the social club rooms at Baillie Reserve, Tyers has preliminary plans prepared and has not been recommended for an application because it is not listed on the Recreation Needs Assessment. The social room building has been assessed as condition five (very poor) and does need to be replaced in the future. Whilst the club have funded designs which could inform an application, if successful the co-contribution for this project would likely be similar to Gaskin Park at \$2-3 million, which is currently unfunded.

The fourth Pavilion priority project on the Recreation Needs Assessment is changerooms at Northern Reserve, Newborough. It is considered a higher priority than the redevelopment of the Baillie Reserve social club rooms as provision of adequate changerooms directly impact community access to sports, whereas social rooms are ancillary to sport access. However, this project is not 'shovel ready', therefore does not align with the funding guidelines.

Officers propose an application to the Planning Stream to review and update the large town recreation reserve master plans. The project is estimated to cost \$53,075, with a Council contribution required of \$13,075. This proposed Recreation Reserve Master Plan work will review the following 10 existing plans and turn them into 28 reserve specific plans:

- Catterick Crescent Reserve Master Plan - last updated in 2015;
- Maryvale Reserve Master Plan - last updated in 2015;
- Moe Newborough Outdoor Recreation Plan - includes 7 facilities and last updated in 2015;
- Morwell Outdoor Recreation Plan - includes 8 facilities and last updated in 2008;

- Gaskin Park Master Plan - last updated in 2011;
- Soccer Facilities Plan - completed in 2008;
- Tennis Plan - completed in 2008;
- Moe Tennis Needs Assessment - completed in 2014;
- Morwell Recreation Reserve Precinct Master Plan - last updated in 2014; and
- Traralgon Outdoor Recreation Plan - includes 11 facilities and last updated in 2014.

The age of these plans mean that they have been prepared to legacy guidelines and do not reflect contemporary community demands. This disconnect is an impediment to seeking external grant funding as the endorsed masterplan may not reflect an application today - for an example we have locations where gridiron is planned but the demand has waned.

In consideration of co-funding obligations from the previous round of SRV funding, only the projects that have existing budget allocations are proposed to apply for this funding round (Ronald Reserve and Recreation Reserve Master Plans).

#### RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
<b>COMPLIANCE</b> Not meeting Council's obligations under the <i>Gender Equality Act 2020</i> and the <i>Disability Discrimination Act 1992</i> .	<b>Medium</b> <i>Possible x Moderate</i>	Upgrading Council facilities with improved access for women and girls and people with disability will ensure Council's obligations under the Gender Equality Act and the Disability Discrimination Act are being met.
<b>SERVICE DELIVERY</b> Inability for officers to deliver the project within required timeframe, or an adverse impact on the overall Capital Works Program.	<b>Low</b> <i>Unlikely x Insignificant</i>	Council Officers will plan and prepare to deliver these projects alongside local contractors in line with existing Building Renewal Program and Major Projects forecasting.

RISK	RISK RATING	TREATMENT
<b>FINANCIAL</b> Budget not available for the delivery of the projects, or issues delivering the projects within budget.	<b>Medium</b> <i>Possible x Minor</i>	Should application(s) be successful, capital costs will be required to be factored into a future capital works program.  Cost estimates for the applications are based on recent designs and quotes, including a 10% contingency fee.
<b>STRATEGIC</b> User groups do not have access to modern, accessible and welcoming community sports infrastructure.	<b>Medium</b> <i>Possible x Minor</i>	The delivery of these projects will improve accessibility and amenity of Council reserves to increase participation and improve community liveability.

## CONSULTATION

Extensive consultation has occurred with user groups and relevant stakeholders (including SRV and the State Sporting Associations) during the current Recreation Needs Assessment and, more recently, on the concept designs.

## COMMUNICATION

Should the funding applications be successful, clubs will be advised and a detailed communications and engagement plan will be delivered on the larger projects to ensure the local community have the opportunity for further input.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Gender Impact Assessment**

A Gender Impact Assessment under the *Gender Equity Act 2020* has been undertaken in preparation of this report. There are no major negative impacts or outcomes, however positive impacts for women and girls and people with a disability are noted due to the facility upgrades.

### **Social**

New, upgraded and improved facilities can lead to increased participation in community sport and active recreation and improved social outcomes for the whole community.

### **Cultural**

Funding priority will be given to projects that provide strongest participation outcomes for groups that participate less, including Aboriginal people and culturally and linguistically diverse communities. Under SRV Grant Agreements, clubs will be encouraged to focus on increasing participation for these groups through the requirement to develop a Participation Plan.

### **Health**

New, upgraded and improved facilities can lead to increased participation in community sport and active recreation and improved health and wellbeing outcomes for people that participate less including women and girls and people with a disability.

### **Environmental**

If any applications are successful, Environmentally Sustainable Design Principles will be considered for each project.

### **Economic**

If the projects were to be completed there may be an increased opportunity for the facilities to be used for larger sporting events. Improved amenities may encourage population growth to the municipality.

### **Financial**

The co-contributions for Ronald Reserve can be covered by the existing 2024/25 Building Renewal Budget and the Recreation Reserve Masterplans co-contribution can be allocated from existing budgets.

### **Attachments**

1. Regional Community Sports Infrastructure Fund (Round Two) Guidelines
2. Recreation Needs Assessment Pavilion Projects



# 10.2

## Regional Community Sports Infrastructure Fund - Round Two

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# Regional Community Sports Infrastructure Fund – Round 2

Guidelines



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### Acknowledgement Of Country

We acknowledge the traditional Aboriginal owners of country throughout Victoria, their ongoing connection to this land and we pay our respects to their culture and their Elders past, present and future.

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## Message from the Minister

Providing modern, accessible and welcoming community sports infrastructure is critical to ensuring more Victorians participate in sport and recreation.

And we want more Victorians accessing the many benefits that participation has to offer, particularly in rural and regional Victoria where community sport and recreation plays a significant role in our state's liveability.

That's why as the Minister for Community Sport I am pleased to announce Round 2 of the *Regional Community Sports Infrastructure Fund* is now open for applications.

The Fund is a game-changer for regional Victoria with 26 new infrastructure projects sharing in \$20 million from the first round, kick-starting a brighter future for sport and recreation across rural and regional Victoria.

Round 2 sees the Fund extend its support with the addition of Planning to the program's suite of streams which include Indoor Stadiums and Aquatic Facilities, Women and Girls Facilities, Community Facilities, and All Abilities Infrastructure.

There are grants of up to \$5 million available to develop and upgrade multi-sport indoor courts and indoor aquatic recreation centres, up to \$3 million to develop and upgrade outdoor aquatic facilities, up to \$1 million available for women and girls' facilities, pavilions and multi-sport precincts, up to \$1 million available to ensure facilities are accessible for people with disability and up to \$40,000 to help with the development of facility and municipal plans. Applicants may now also request up to \$50,000 to deliver a complementary All Abilities Participation Initiative alongside applications from all infrastructure streams.

The Fund is designed to respond to the unique challenges and opportunities of Victoria's rural and regional communities – including addressing long-term participation barriers for people who participate less. The Fund's strong maximum grant amounts and funding ratios are designed to bring forward shovel-ready infrastructure projects and considers the current infrastructure delivery challenges.

Better community sports infrastructure allows sports clubs, facility managers and community organisations to welcome more people, create more participation opportunities and bring communities together creating a real buzz, boosting social connections, while supporting local economies.

I urge Local Government Authorities and Alpine Resorts Victoria to work with their communities to apply for funding and kick start shovel ready projects and new initiatives that can make a real difference to people's lives.

The Fund builds on more than \$2.3 billion invested by the Victorian Government in community sport and active recreation infrastructure since 2014.

The Value of Community Sport and Active Recreation Infrastructure Report (2020), commissioned by Sport and Recreation Victoria put an annual value of more than \$7 billion on the economic, social and health benefits of community sport and active recreation infrastructure in Victoria.

Along with social and health benefits, the Fund will target projects that provide clear benefits to women and girls and people with disability. These benefits will lead to further economic outcomes for local communities by creating jobs for planners, architects, engineers, project managers, builders, carpenters, plumbers, electricians, facility managers and operational staff. Sourcing local materials will also enable many more Victorian businesses to thrive.

I look forward to seeing new and exciting projects come to life through Round 2 of the Fund.



**THE HON ROS SPENCE MP**  
Minister for Community Sport

# 1. The Regional Community Sports Infrastructure Fund

## 1.1. About the Regional Community Sports Infrastructure Fund

The Regional Community Sports Infrastructure Fund (the Fund) is a Victorian Government competitive investment program, open to Local Government Authorities in rural and regional Victoria and Alpine Resorts Victoria, to deliver new and upgraded community sports infrastructure.

The Fund will also ensure facilities are accessible and participation initiatives are organised to welcome more people with disability to community sport and active recreation through the All Abilities stream.

The Fund promotes partnerships between the Victorian Government, Local Government Authorities, Alpine Resorts Victoria, Regional Sports Assemblies, sporting clubs and associations, schools, educational institutions, community organisations and disability service providers.

The Fund aims to increase and promote opportunities so Victorians can participate in ways that suit them and is targeted towards individuals and communities who participate less. This aligns with the strategic directions identified in [Active Victoria 2022-2026](#). A strategic framework for sport and recreation in Victoria.

Sport and Recreation Victoria (SRV) administers the fund which is underpinned by the Department of Jobs, Skills, Industry and Regions' priorities of driving a strong and resilient economy that benefits all Victorians. It does this by creating more opportunities for people through jobs and skills, supporting businesses and industries to grow and prosper, and building vibrant communities and regions.

## 1.2. Outcomes

The Fund reflects the Victorian Government's commitment to securing the many benefits of participating in sport and active recreation. This includes supporting Victorians, particularly those individuals and communities who participate less, to achieve better health, wellbeing, social, and economic outcomes through the construction, programming and activation of community sport and active recreation infrastructure.

The Fund will invest in projects in rural and regional Victoria that can demonstrate commitment to the following outcomes:

- provides additional participation opportunities through the development of multi-use community sport and active recreation infrastructure
- increased participation opportunities for people with disability and other individuals and groups who participate less, including socio-economically disadvantaged communities
- provides equitable and inclusive participation opportunities for women and girls in community sport and active recreation
- increased local economic activity
- ensure Victoria has modern, accessible and welcoming places and spaces for sport and active recreation
- providing new active recreation opportunities through the appropriate design and usage of community sport and active recreation infrastructure.



### 1.3. Investment Priorities

Priority will be given to projects that:

- provide the strongest participation outcomes for groups that participate less in community sport and active recreation including women and girls, people with disability, Aboriginal Victorians, culturally and linguistically diverse (CALD) communities, people from LGBTIQA+ communities, and economically disadvantaged communities as identified in [Active Victoria 2022-2026](#)
- are supported by complementary initiatives, policies and practices that demonstrate a sustained commitment to gender equality and broader inclusion
- support communities experiencing socio-economic disadvantage. In particular, projects that support suburbs and towns within the 2 most disadvantaged deciles in Victoria as per the [Australian Bureau of Statistics Index of Relative Socio-Economic Disadvantage, 2021](#)
- support communities in areas of need that have experienced natural disasters (for example, flood, bushfires and drought) or communities experiencing strong population growth or significant change in circumstances (for example, economic challenges)
- demonstrate multi-use, shared and integrated facilities including those on school land that can ensure long-term community access. Please see [Section 3.6](#) for information regarding facilities on school land
- demonstrate economic uplift in the form of job creation during construction and operation, non-government investment and local event attraction.



## 2. Eligibility

### 2.1. Eligible Applicants

Only rural and regional Victorian Local Government Authorities (LGAs) and Alpine Resorts Victoria (ARV) are eligible to apply to the Regional Community Sports Infrastructure Fund (the Fund).

Rural and regional Victoria is defined as the 48 local government areas set out in Schedule 2 of the *Regional Development Victoria Act 2002*, including alpine resort areas.

In line with the Victorian Government's Fair Access Policy Roadmap, LGAs and ARV must have an acceptable gender equitable access and use policy (or equivalent) in place to be considered eligible for funding from the Program.

LGAs that do not currently have an acceptable gender equitable access and use policy (or equivalent) in place are not eligible for the Program and need to consult with their SRV representative.

LGAs/ARV must discuss potential project/s with their Sport and Recreation Victoria representatives to receive feedback on eligible projects before submitting their application/s.

Regional Sports Assemblies, sport and recreation clubs, sporting associations and leagues, educational institutions, community organisations, disability service providers, businesses and individuals cannot directly apply to the Fund.

**Local clubs, committees of management and organisations are advised to contact their LGA or ARV if they wish to express interest, seek support or be involved as a partner in applications to the Fund.**

### 2.2. Eligible Applications

#### 2.2.1. Infrastructure Applications

To be eligible for funding, applications must:

- ensure the project scope and funding request adhere to the relevant funding stream requirements
- be able to demonstrate that the infrastructure project will be completed within 24 months of execution of a Grant Agreement with the Department of Jobs, Skills, Industry and Regions (for successful projects)
- exclude activities listed in [Section 7](#)
- be submitted (including all supporting documentation) by **5:00 pm on Monday 17 March 2025**.

**Each individual infrastructure project requires a separate application. Bundled projects will be deemed ineligible.**

Stages of a larger facility development may seek support from the Fund, providing the stage addresses the assessment criteria and meets all other eligibility requirements. For a staged project, please provide information on the delivery of any future stages, including timelines.

#### 2.2.2. All Abilities Participation Initiative Requests

To be eligible for funding, requests must:

- accompany an infrastructure application to the Indoor Stadiums and Aquatic Facilities stream, Community Facilities stream, Women and Girls Facilities stream or the All Abilities Infrastructure stream
- be delivered within 24 months of the completion of the infrastructure project
- demonstrate an intent to be delivered via a co-design approach through the establishment of relationships with organisations. This includes but is not limited to local disability service providers, Regional Sport Assemblies, State Sport and Active Recreation Bodies, State Sporting Associations with experience in all abilities programs and Local Area Networks who support people with NDIS plans to be better connected with local sport and recreation communities.

## 3. Funding Opportunities

### 3.1. Funding Stream Details

Funding is available under the following streams:

Funding Stream	Indoor Stadiums and Aquatic Facilities	Community Facilities	Women and Girls Facilities	Planning	All Abilities Infrastructure	All Abilities Participation
Number of applications	One application per LGA/ARV	Unlimited but cannot exceed \$1 million in total across all applications per LGA/ARV	Unlimited but cannot exceed \$1 million in total across all applications per LGA/ARV	One application per LGA/ARV	Unlimited but cannot exceed \$1 million in total across all applications per LGA/ARV	One All Abilities Participation Initiative Request per infrastructure application (excluding applications to the Planning stream).
Maximum total grant amount per applicant	Up to \$5 million for Indoor Stadium or Indoor Aquatic Facilities  Or Up to \$3 million for Outdoor Aquatic Facilities	Up to \$1 million	Up to \$1 million	Up to \$40,000	Up to \$1 million	Up to \$50,000 per Participation Initiative Request





Funding Stream	Indoor Stadiums and Aquatic Facilities	Community Facilities	Women and Girls Facilities	Planning	All Abilities Infrastructure	All Abilities Participation
<p><b>Project types eligible for funding</b></p> <ul style="list-style-type: none"> <li>• New and/or redevelopment of multi-sport indoor courts at a new or existing indoor stadium</li> <li>• new or redeveloped indoor aquatic recreation facilities, including scope that increases participation and access to aquatic or recreation activities</li> <li>• new or redeveloped major outdoor aquatic recreation facilities of strategic importance and identified as a priority in a facility/ infrastructure strategy (requesting more than \$1 million) which may include water spaces, splash parks, new pool shells, concourses and change facilities, heated water, shade, ESD and accessibility improvements</li> <li>• spaces for gymnastics, calisthenics and dance can be supported only as part of a larger project that includes new or redeveloped multi-sport indoor courts.</li> </ul> <p><b>NOTE: Indoor Stadium applications that do not include the development/ redevelopment of a court will not be eligible in this stream.</b></p>	<ul style="list-style-type: none"> <li>• New and/or redevelopment of multi-sport indoor courts with/without lighting</li> <li>• LED sports lighting, including for active recreation</li> <li>• new and/or improved multi-sport training facilities</li> <li>• pavilion developments including change rooms and amenities</li> <li>• playspaces, skate parks, splash parks, and recreation hubs, upgrades to gymnastics, calisthenics and dance facilities, including fixed equipment</li> <li>• outdoor fitness stations/ equipment</li> <li>• walking/cycling trails particularly those easily accessible and linked to existing sports infrastructure</li> <li>• scoreboards and fixed equipment</li> <li>• minor outdoor aquatic recreation initiatives (requesting up to \$1 million).</li> </ul>	<ul style="list-style-type: none"> <li>• New and/or redeveloped sports fields and sports courts with/without lighting</li> <li>• LED sports lighting, including for active recreation</li> <li>• new and/or improved multi-sport training facilities</li> <li>• pavilion developments including change rooms and amenities</li> <li>• playspaces, skate parks, splash parks, and recreation hubs, upgrades to gymnastics, calisthenics and dance facilities, including fixed equipment</li> <li>• outdoor fitness stations/ equipment</li> <li>• walking/cycling trails particularly those easily accessible and linked to existing sports infrastructure</li> <li>• scoreboards and fixed equipment</li> <li>• minor outdoor aquatic recreation initiatives (requesting up to \$1 million).</li> </ul>	<p><b>Prioritised as part of this stream:</b></p> <ul style="list-style-type: none"> <li>• New or redevelopment/ refurbishment of existing change rooms for players and officials.</li> </ul> <p><b>Other projects may be funded with a lower priority:</b></p> <ul style="list-style-type: none"> <li>• new or redevelopment of existing sports fields</li> <li>• new or redeveloped outdoor courts</li> <li>• installing new LED or redevelopment of existing sports lighting</li> <li>• multi-sport precincts that include sports fields, sports courts, and pavilion/s</li> <li>• active recreation projects where women and girls are the primary beneficiary.</li> </ul>	<p>The stream provides support to undertake a range of specific facility and strategic planning projects that contribute to infrastructure readiness and/or the long-term direction of facility and open space.</p> <p><b>Facility Planning</b></p> <ul style="list-style-type: none"> <li>• facility planning activities supporting project readiness. This may include Designs (minimum schematic) and/or Quantity Surveyor and/or Technical or Specialised Reports (for example, Geotech, Turf analysis, Sustainability Report)</li> <li>• proposed facilities should be strategically significant and evidenced by master plans or strategic plans</li> <li>• single site planning only.</li> </ul> <p><b>Municipal Planning</b></p> <ul style="list-style-type: none"> <li>• strategic Planning for specific facility type/s such as playspaces, aquatic facilities, indoor stadiums</li> <li>• master planning across 3 or more sites</li> <li>• infrastructure and participation strategies for specific sports and/ or active recreation activities</li> <li>• feasibility studies for one or more significant projects.</li> </ul>	<p>Delivery of new or redevelopment of existing facilities that provide significant participation benefits to people with disability. Infrastructure should be accessible, permanent, compliant with standards and demonstrate Universal Design principles such as:</p> <ul style="list-style-type: none"> <li>• creating accessible entrances and doors</li> <li>• path of travel including door-widening and gate widening</li> <li>• creating accessible pathways and outdoor areas</li> <li>• installing accessible amenities</li> <li>• installing Changing Places as part of a larger accessibility project</li> <li>• installing wayfinding signage and compliant ramps</li> <li>• all abilities play spaces and upgrades to existing (must include clear new features and equipment for people with disability)</li> <li>• accessibility improvements to aquatic recreation facilities</li> <li>• new pavilions and other sport and recreation infrastructure that provide significant participation opportunities for people with disability.</li> </ul>	<p>Participation Initiatives must be delivered at the facility upgraded through the Regional Community Sports Infrastructure Fund.</p> <p>Applications may include any of the following to support program delivery:</p> <ul style="list-style-type: none"> <li>• purchase of sport or recreation equipment to support inclusive participation for people with disability</li> <li>• facility accessibility guides that provide accurate and convenient information about accessing venues, events and programs</li> <li>• training and education for staff to deliver the funded initiative. This may include supporting people with disability to volunteer or be employed within the initiative</li> <li>• translation and/or interpreting services</li> <li>• awareness raising campaigns and events which promote opportunities for ongoing participation/ engagement.</li> <li>• come and try membership options.</li> </ul>

3.2. Timelines

Applications Open	Applications Close	Outcomes Announced	Grant Agreement Execution
28 October 2024	17 March 2025	From July 2025	From July 2025

3.3. Funding Ratios

<p>Funding ratios apply to the Regional Community Sports Infrastructure Fund (the Fund) as outlined in the table below.</p> <p>Applicants must confirm matched funding consistent with the funding ratios for the applicable stream. Ratios are calculated using total project cost <b>(exclusive of GST)</b>.</p> <p>Applications may include project management fees of up to 7.5% of the total project cost <b>(exclusive of GST)</b>.</p>	<p>Applications must include contingency that is a minimum 10% of the total project cost <b>(exclusive of GST)</b>.</p> <p>Applicants cannot use other State Government funding, such as funding from Regional Development Victoria, as part of their local contribution throughout the delivery of the project.</p> <p>Local contributions may comprise of funding from other organisations including Local Government Authorities and Alpine Resorts Victoria, sport and recreation clubs, state sporting associations, schools, educational institutions, Federal Government, community organisations or in-kind support (limits apply to in-kind support).</p>
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LGAs and Alpine Resorts Victoria	Indoor Stadiums and Aquatic Facilities	Community Facilities, Women and Girls Facilities, Planning and All Abilities Infrastructure	All Abilities Participation Initiatives
Ballarat	SRV = \$2	SRV = \$3	Local contribution not required although encouraged
Greater Bendigo	Local = \$1	Local = \$1	
Greater Geelong			
Regional and Rural Victoria	SRV = \$3	SRV = \$4	Local contribution not required although encouraged
Alpine Resorts Victoria	Local = \$1	Local = \$1	

### 3.4. In-kind Contributions

An in-kind contribution is a contribution of a good or service other than money. Applications for infrastructure projects can claim in-kind expenses up to a maximum of 50% of the local contribution.

Local Government Authorities (LGAs) and Alpine Resorts Victoria (ARV) must approve and underwrite any in-kind contribution from third parties for each applicable application. Examples include voluntary labour, donated goods and donated services.

Applications that include in-kind contributions must provide:

- a completed [in-kind and voluntary support form](#)
- a letter from the LGA/ARV CEO that approves and underwrites any in-kind contributions.

In-kind contributions are not applicable for All Abilities Participation Initiatives.

### 3.5. Fair Access Policy Roadmap

All Victorian LGAs and ARV need to have acceptable gender equitable access and use policies (or equivalent) in place to be considered eligible to receive community sport infrastructure funding, reflecting the Victorian Government's Fair Access Policy Roadmap (the Roadmap). The Roadmap is embedding a statewide foundation to improve the access to, and use of, community sports infrastructure for women and girls.

Policies ensure that women and girls can fully participate in and enjoy the benefits of community sport, with fair opportunity and access to their local community sport facilities.

### 3.6. Facilities on School Land

LGAs and ARV are eligible to apply to the Fund for projects located on school land.

For projects on school land, applicants must provide a Community Joint Use Proposal which is completed by the applicant and the school and a letter from the Department of Education central office that endorses the project. Refer to [Section 6](#).

Projects on non-government school land are also eligible for funding and require a similar demonstration of commitment from both parties to ensure long-term community access is achieved under agreed terms.

### 3.7. Facilities on Crown Land

LGAs and ARV are eligible to apply to the Fund for projects located on Crown land.

Partnerships between LGAs/ARV, committees of management and other land managers for projects that support community sport and active recreation outcomes on Crown land are encouraged.



Courtesy of Warrumbungle City Council and Brand Architects



## 4. Funding Streams

### 4.1. Indoor Stadiums and Aquatic Facilities

The Indoor Stadiums and Aquatic Facilities stream supports new or redeveloped multi-sport indoor courts and indoor and outdoor aquatic leisure facilities. The stream accepts applications for significant upgrades to strategically important new and redeveloped infrastructure.

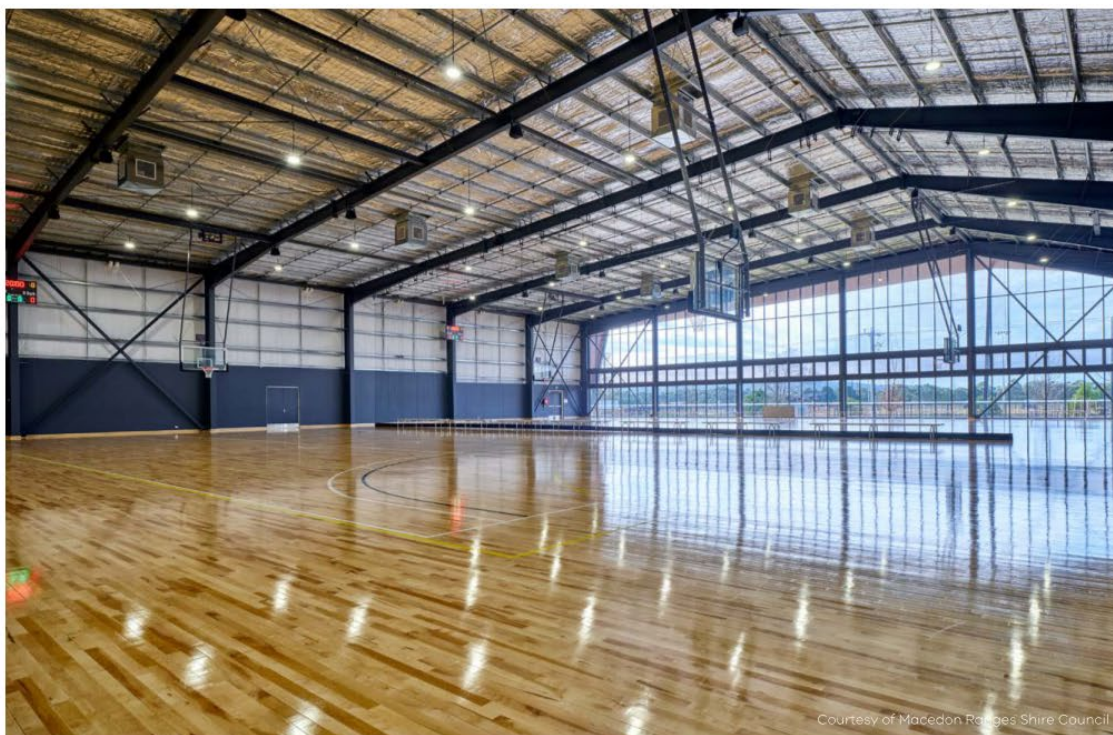
Refer to [Section 3.1](#) for a list of eligible projects under the Indoor Stadiums and Aquatic Facilities stream.

#### 4.1.1. Application Details

Applications must:

- allocate a minimum of 25% of the requested grant amount to components that will improve environmental sustainability such as electrification and energy (note: LED lighting is mandatory) and/or water efficiency to be eligible. This must be demonstrated with a specific ESD budget in the application
- demonstrate a commitment to implementing the Healthy Choices framework in the facility (excluding outdoor seasonal aquatic facilities). Further details are available in [Section 10](#)
- demonstrate the facility's strategic importance, as identified in LGA/ARV strategic documents.

Eligible applicants can also apply for up to \$50,000 to complement applications for infrastructure funding through this stream, to conduct participation initiatives for people with disability at the funded facility. Refer to [Section 4.6](#) for more information.



Courtesy of Macedon Ranges Shire Council



#### 4.1.2. Assessment Criteria

Criteria	Weighting	Questions
<b>Project Need and Readiness</b>	40%	<ol style="list-style-type: none"> <li>Why is the project needed? Note: the suburb where the project is located will be considered, in accordance with the Australian Bureau of Statistics Index of Relative Socio-Economic Disadvantage, 2021 and in-line with the Investment Priorities (as per <a href="#">Section 1.3</a>).</li> <li>Describe the project scope, including all components. Detail any Universal Design Principles and Environmentally Sustainable Design (ESD) initiatives.</li> <li>What project planning has been done to date? Outline what steps will be taken to finish the works within 24 months.</li> </ol>
<b>Project Outcomes</b>	30%	<ol style="list-style-type: none"> <li>Explain how the project will: <ul style="list-style-type: none"> <li>increase participation and/or support existing participation in community sport and active recreation. Please detail any current and future activities, programs and activations that will result from the project</li> <li>improve participation for those individuals and communities that participate less in community sport and active recreation (as per <a href="#">Section 1.3</a>).</li> </ul> <p>Where applicants have identified delivery of an All Abilities Participation Initiative, explain how the project will:</p> <ul style="list-style-type: none"> <li>partner and co-design with local disability service providers and networks</li> <li>support sustainable participation of people with disability.</li> </ul> </li> <li>Summarise the economic activity the project will produce throughout the planning, construction, and operation of the new or re-developed facility.</li> </ol>
<b>Consultation and Engagement</b>	20%	<ol style="list-style-type: none"> <li>Detail: <ul style="list-style-type: none"> <li>the consultation and engagement that has occurred with the local community and other stakeholders for the project</li> <li>any further consultation and engagement that will occur for the project.</li> </ul> <p>Evidence must be provided of community consultation and its findings and/or outcomes where there is any impact of the proposed project on residential or community amenity.</p> <p>Evidence must include:</p> <ul style="list-style-type: none"> <li>how the local community has been consulted/informed about the proposed project (for example, on site consultation, letter box drop, social media posts)</li> <li>local community consultation findings and outcomes of any engagement (community consultation report, summary of resident feedback, recent master plan).</li> </ul> <p>A further guidance note related to this requirement is available at the <a href="#">SRV website</a>.</p> </li> </ol>
<b>Facility Operation</b>	10%	<ol style="list-style-type: none"> <li>Demonstrate appropriate feasibility, business and management planning to support operational and financial sustainability of the facility.</li> <li>Detail how the <a href="#">Healthy Choices</a> framework will be implemented at the indoor stadiums and indoor aquatic facility.</li> <li>Detail how ESD elements will improve the operating efficiency of the facility and reduce carbon omissions.</li> </ol>

## 4.2. Community Facilities

The Community Facilities stream supports the development of a broad range of new or redevelopment of existing community sport and active recreation infrastructure.

Refer to [Section 3.1](#) for a list of eligible projects under the Community Facilities stream.

### 4.2.1. Application Details

Aquatic projects must allocate a minimum of 25% of the requested grant amount to components that will improve energy and/or water efficiency and environmental sustainability. This must be demonstrated with a specific ESD budget in the application.

Eligible applicants can also apply for up to \$50,000 to complement applications for infrastructure funding through this stream, to conduct participation initiatives for people with disability at the funded facility. Refer to [Section 4.6](#) for more information.

### 4.2.2. Assessment Criteria

Criteria	Weighting	Questions
<b>Project Need and Readiness</b>	40%	<ol style="list-style-type: none"> <li>Why is the project needed? Note: the suburb where the project is located will be considered, in accordance with the Australian Bureau of Statistics Index of Relative Socio-Economic Disadvantage, 2021 and in-line with the Investment Priorities (as per <a href="#">Section 1.3</a>).</li> <li>Describe the project scope, including all components. Detail any Universal Design Principles and Environmentally Sustainable Design (ESD) initiatives.</li> <li>What project planning has been done to date? Outline what steps will be taken to finish the works within 24 months.</li> </ol>
<b>Project Outcomes</b>	40%	<p><b>This question does not apply to scoreboards and fixed equipment projects.</b></p> <ol style="list-style-type: none"> <li>Explain how the project will: <ul style="list-style-type: none"> <li>increase participation and/or support existing participation in community sport and active recreation, including achievement of multi-use outcomes. Please detail any current and future activities, programs and activations that will result from the project</li> <li>improve participation for those individuals and communities that participate less in community sport and active recreation (as per <a href="#">Section 1.3</a>).</li> </ul> </li> </ol> <p>Where applicants have identified delivery of an All Abilities Participation Initiative, explain how the project will:</p> <ul style="list-style-type: none"> <li>partner and co-design with local disability service providers and networks</li> <li>support sustainable participation of people with disability.</li> </ul> <p><b>This question applies to scoreboards and fixed equipment projects only.</b></p> <ol style="list-style-type: none"> <li>Explain how the project will: <ul style="list-style-type: none"> <li>support volunteer efforts, participant safety, participant, or visitor experiences</li> <li>support under-represented groups and/or disadvantaged communities.</li> </ul> </li> </ol> <p>Where applicants have identified delivery of an All Abilities Participation Initiative, explain how the project will:</p> <ul style="list-style-type: none"> <li>partner and co-design with local disability service providers and networks</li> <li>support sustainable participation of people with disability.</li> </ul>

Criteria	Weighting	Questions
Consultation and Engagement	20%	<p>6. Detail:</p> <ul style="list-style-type: none"> <li>the consultation and engagement that has occurred with the community and other stakeholders for the project</li> <li>any further consultation and engagement that will occur for the project.</li> </ul> <p>Evidence must be provided of local community consultation and its findings and/or outcomes where there is any impact of the proposed project on residential or community amenity.</p> <p>Evidence must include:</p> <ul style="list-style-type: none"> <li>how the local community has been consulted/informed about the proposed project (for example, on site consultation, letter box drop, social media posts)</li> <li>local community consultation findings and outcomes of any engagement (community consultation report, summary of resident feedback, recent master plan).</li> </ul> <p>A further guidance note related to this requirement is available at the <a href="#">SRV website</a>.</p>



### 4.3. Women and Girls Facilities

The Women and Girls Facilities stream supports the development of new and/or redevelopment of existing infrastructure that enables more women and girls to participate in sport and active recreation.

Refer to [Section 3.1](#) for a list of eligible projects under the Women and Girls Facilities stream.

#### 4.3.1. Application Details

Priority will be given to applications that identify initiatives, policies and practices that demonstrate a sustained commitment to gender equality.

As per [Section 3.1](#), new or redevelopment/refurbishment of existing change rooms for players and officials will be prioritised as projects through this stream.

**Applications that do not sufficiently demonstrate existing women and girls' participation are not eligible for funding from this stream.** A sustained commitment to gender equality could include:

- A demonstrated equal use of facilities for both men's and women's teams
- deliberate actions resulting in equal representation of women on the club committee
- initiatives specifically targeting additional women and girls to participate in playing and coaching
- club officials having completed gender equality training
- a gender equality strategic plan.

Eligible applicants can also apply for up to \$50,000 to complement applications for infrastructure funding through this stream, to conduct participation initiatives for people with disability at the funded facility. Refer to [Section 4.6](#) for more information.

#### 4.3.2. Assessment Criteria

Criteria	Weighting	Questions
<b>Project Need and Readiness</b>	40%	<ol style="list-style-type: none"> <li>1. Why is the project needed? Note: the suburb where the project is located will be considered, in accordance with the Australian Bureau of Statistics Index of Relative Socio-Economic Disadvantage, 2021 and in-line with the Investment Priorities (as per <a href="#">Section 1.3</a>).</li> <li>2. Describe the project scope, including all components. Detail any Universal Design Principles, Environmentally Sustainable Design (ESD) initiatives and alignment to the Female Friendly Sport Infrastructure Guidelines.</li> <li>3. What project planning has been done to date. Outline what steps will be taken to finish works within 24 months.</li> </ol>
<b>Project Outcomes</b>	40%	<ol style="list-style-type: none"> <li>4. Explain how the project will: <ul style="list-style-type: none"> <li>• increase participation and/or support existing participation of women and girls in community sport and active recreation. Please detail any current and future activities, programs and activations that will result from the project</li> <li>• support existing and proposed initiatives, policies and/or practices that support gender equality</li> <li>• improve participation for women and girls from communities that participate less in community sport and active recreation (as per <a href="#">Section 1.3</a>).</li> </ul> </li> </ol> <p>Where applicants have identified delivery of an All Abilities Participation Initiative, explain how the project will:</p> <ul style="list-style-type: none"> <li>• partner and co design with local disability service providers and networks</li> <li>• support sustainable participation of people with disability</li> </ul>

Criteria	Weighting	Questions
Community and Stakeholder Engagement	20%	<p>5. Detail:</p> <ul style="list-style-type: none"> <li>The consultation and engagement that has occurred with the local community and other stakeholders for the project</li> <li>Any further consultation and engagement that will occur for the project.</li> </ul> <p>Evidence must be provided of community consultation and its findings and/or outcomes where there is any impact of the proposed project on residential or community amenity.</p> <p>Evidence must include:</p> <ul style="list-style-type: none"> <li>How the local community has been consulted/informed about the proposed project (for example, on site consultation, letter box drop, social media posts)</li> <li>Local community consultation findings and outcomes of any engagement (community consultation report, summary of resident feedback, recent master plan).</li> </ul> <p>A further guidance note related to this requirement is available at the <a href="#">SRV website</a>.</p>



## 4.4. Planning

The Planning stream supports a range of specific facility and strategic planning projects that contribute to infrastructure readiness and/or the long-term direction of facility and open space. These projects are independent, consultative and improve sport and active recreation coordination to meet demand.

Refer to [Section 3.1](#) for a list of eligible projects under the Planning stream.

### 4.4.1. Application Details

As per [Section 3.1](#), applicants may submit one Facility Planning or one Municipal Planning project. Priority will be given to planning projects benefitting those individuals and communities who participate less (as per [Section 1.2](#)).

### 4.4.2. Assessment Criteria

Criteria	Weighting	Questions
<b>Project Need and Readiness</b>	50%	<p>1. Why is the planning project needed?</p> <p><b>Facility Planning projects:</b> will need to address how the proposed facility addresses a gap in single or multi-use infrastructure provision and the planning supports project readiness.</p> <ul style="list-style-type: none"> <li>Confirm the project scope can be delivered within budget and the programs timeframe.</li> </ul> <p>Note: the suburb where the project is located will be considered, in accordance with the Australian Bureau of Statistics Index of Relative Socio-Economic Disadvantage, 2021 and in-line with the Investment Priorities (as per <a href="#">Section 1.3</a>).</p>
<b>Project Outcomes</b>	30%	<p>2. How will the planning project result in infrastructure delivery, system improvements, investment prioritisation, policy, management, or programmatic changes that improve the health, social and economic wellbeing of the community?</p> <p>Note: Facility Planning applications will specifically need to identify how the proposed works will develop documentation to ensure infrastructure project readiness.</p> <p>3. Explain how participation of those individuals and communities who participate less will be benefit through the completed planning project</p>
<b>Consultation and Engagement</b>	20%	<p>4. Detail:</p> <ul style="list-style-type: none"> <li>The consultation and engagement that has occurred with the local community and other stakeholders for the project</li> <li>Any further consultation and engagement that will occur for the project</li> <li><b>Facility Planning projects:</b> will need to detail all relevant consultation in the Project Management Framework including for individuals and communities who participate less</li> <li><b>Municipal Planning projects:</b> will need to detail consultation and engagement in the draft project brief methodology. This should include reference to those individuals and communities who participate less, stakeholders and project partners.</li> </ul>

## 4.5. All Abilities Infrastructure

The All Abilities Infrastructure stream provides support to deliver accessible and universally designed sport and active recreation infrastructure that directly improves access and participation opportunities for regional Victorians with disability. The stream also supports the development of sustainable programs at the funded facilities to create new pathways for participation.

Refer to [Section 3.1](#) for a list of eligible projects under the All Abilities Infrastructure stream.

### 4.5.1. Application Details

Funding will support the delivery or new or redevelopment of existing community sport and active recreation infrastructure to ensure facilities are compliant with standards, demonstrate Universal Design Principles and increase participation opportunities for people with disability.

**An Access Audit that demonstrates need for the required upgrades is strongly desired where an upgrade to existing infrastructure is proposed.**

Eligible applicants can also apply for up to \$50,000 to complement applications for infrastructure funding through this stream, to conduct participation initiatives for people with disability at the funded facility.

### 4.5.2. Assessment Criteria

Criteria	Weighting	Questions
<b>Project Need and Readiness</b>	40%	<ol style="list-style-type: none"> <li>Why is the project needed? Note: the suburb where the project is located will be considered, in accordance with the Australian Bureau of Statistics Index of Relative Socio-Economic Disadvantage, 2021 and in-line with the Investment Priorities (as per <a href="#">Section 1.3</a>).</li> <li>Describe the project scope, including all components and their consistency with the Access Audit (where applicable). Detail any Universal Design Principles and Environmentally Sustainable Design (ESD) initiatives.</li> <li>What project planning has been done to date? Outline what steps will be taken to finish the works within 24 months.</li> </ol>
<b>Project Outcomes</b>	40%	<ol style="list-style-type: none"> <li>Explain how the project will: <ul style="list-style-type: none"> <li>increase community sport and active recreation participation opportunities for people with disability</li> <li>improve opportunities for people with disability that also identify as belonging to other groups that participate less in community sport and active recreation (as per <a href="#">Section 1.3</a>).</li> </ul> </li> </ol> <p>Where applicants have identified delivery of an All Abilities Participation Initiative, explain how the project will:</p> <ul style="list-style-type: none"> <li>partner and co-design with local disability service providers and networks</li> <li>support sustainable participation of people with disability.</li> </ul>

Criteria	Weighting	Questions
Consultation and Engagement	20%	<p>5. Detail:</p> <ul style="list-style-type: none"> <li>co-design activities, including consultation and engagement that has occurred with the local community and other stakeholders for the project (particularly people with disability and/or organisations supporting people with disability)</li> <li>any further consultation and engagement that will occur for the project.</li> </ul> <p>Evidence must be provided of community consultation and its findings and/or outcomes where there is any impact of the proposed project on residential or community amenity.</p> <p>Evidence must include:</p> <ul style="list-style-type: none"> <li>how the local community has been consulted/informed about the proposed project (for example, on site consultation, letter box drop, social media posts)</li> <li>local community consultation findings and outcomes of any engagement (community consultation report, summary of resident feedback, recent master plan).</li> </ul> <p>A further guidance note related to this requirement is available at the <a href="#">SRV website</a>.</p>



## 4.6. All Abilities Participation Initiatives

Eligible applicants to all infrastructure streams (excluding the Planning stream) may request additional funding of up to \$50,000 to conduct participation initiatives for people with disability at the funded facility, for up to 2 years.

Initiatives should endeavour to:

- create opportunities for long-term and sustainable participation initiatives
- support new and additional activities for people with disability (not replacing existing funding or programs)
- provide entry level participation opportunities including social and unstructured sport and recreation opportunities
- use co-design of initiatives to ensure programs meet the needs and interests of people with disability
- support partnership approaches with organisations including but not limited to local disability service providers, Regional Sport Assemblies, State Sport and Active Recreation Bodies, State Sporting Associations with experience in all abilities programs and Local Area Networks who support people with NDIS plans to be better connected with local sport and recreation communities
- be listed and promoted through [AAA Play website](#).

### 4.6.1. Application Information

To apply for All Abilities Participation Initiative funding, applicants will be required to provide the following information alongside their infrastructure application by submitting an All Abilities Participation Initiative Proposal:

- requested funding amount (up to \$50,000)
- outline of activities/programs proposed to be delivered and why they are needed
- target groups
- delivery partner/s
- timelines for delivery.

#### **In-principle letters of commitment from delivery partners including local clubs are mandatory.**

Consideration of All Abilities Participation Initiative funding will be determined by an assessment of the infrastructure application. Further consideration will also be given to the:

- the stream the infrastructure application is submitted to. Priority will be given to applications to the All Abilities Infrastructure stream
- proposed participation benefits for people with disability, including the number of beneficiaries
- the scale of the infrastructure funding request relative to the participation funding requested
- range of potential partners.

Successful grant recipients will be required to complete a detailed Participation Initiative Delivery Plan upon the commencement of construction of their infrastructure project. The Plan will outline:

- detail on the initiatives to be delivered
- timelines for delivery
- confirmation of involvement and support from delivery partners including **mandatory evidenced involvement of a local disability service provider**
- opportunities for program sustainability beyond the program delivery period
- detailed expenditure cost estimates and funding proposed for allocation to delivery partners
- final budget and confirmation of any other funding required to deliver the program/initiative.



## 5. Supporting Documentation

The table below outlines the mandatory and desired supporting documentation for each funding stream. Please submit all mandatory documentation with your application to ensure eligibility and demonstrate project readiness. Desired supporting documentation is not a requirement however it will further demonstrate project readiness, if applicable.

The quality of the documentation will be assessed in conjunction with LGA/ARV responses to the assessment criteria for the funding stream. Refer to [Section 6](#) for instructions about how to submit supporting documentation for your application.

Supporting Documentation	Indoor Stadiums and Aquatic Facilities	Community Facilities	Women and Girls Facilities	Planning	All Abilities Infrastructure
<b>Project Management Framework</b>	Mandatory	Mandatory	Mandatory	Mandatory	Mandatory
Site specific plan/aerial map clearly showing the location of proposed facilities.	Mandatory	Mandatory	Mandatory	Mandatory for Master Plans only	Mandatory
Site specific schematic plans developed with stakeholder input including clear dimensions, measurements and scale. The plans should support compliance against relevant State Sporting Association Facility Guidelines. (Not applicable for modular construction projects). <b>Note:</b> High level concept plans, hand drawn plans, generic plans or plans from previous projects will not be accepted. Scoreboards and Fixed Equipment projects should provide at a minimum of clear product specifications and a concept plan.	Mandatory	Mandatory	Mandatory	Not applicable	Mandatory
For prefabricated/modular construction projects: Detailed area schedule.	Mandatory if applicable	Mandatory if applicable	Mandatory if applicable	Not applicable	Mandatory if applicable
Lighting plans including lux charts, pole locations and footings that are site specific (where lighting is requested in the project scope). Where a project is proposing to retain existing lighting poles, a report from an engineer or other suitable expert evidencing that these poles are structurally sound must be provided. Applications should also advise whether a power upgrade will be required onsite, or if the current power is suitable for the new lighting.	Mandatory if applicable	Mandatory if applicable	Mandatory if applicable	Not applicable	Mandatory if applicable

Supporting Documentation	Indoor Stadiums and Aquatic Facilities	Community Facilities	Women and Girls Facilities	Planning	All Abilities Infrastructure
<p>Project costings:</p> <p>All costings provided should clearly detail and match the scope items outlined in the application.</p> <ul style="list-style-type: none"> <li>If total project cost is \$1 million or over (<b>excluding GST</b>): Quantity survey, tender price or independent qualified expert report that clearly identifies all items within the project scope (no more than 6 months old).</li> <li>If total project cost is under \$1 million (<b>excluding GST</b>): Quotes or internal cost estimates (no more than 6 months old).</li> </ul> <p><b>Note:</b> Where multiple quotes are provided, please provide a cover page/costings summary of the quotes/costings that equals the total project cost.</p>	Mandatory	Mandatory	Mandatory	Mandatory	Mandatory
<p>Evidence confirming funding required to finish the project:</p> <ul style="list-style-type: none"> <li>Letter from CEO confirming the applicant's funding commitment to the project and commitment to underwrite cost escalations to deliver the scope outlined in the application. This provides further confidence that the project can proceed. Please also provide a Council Resolution if available.</li> </ul> <p><b>In addition to the above, SRV also requires:</b></p> <ul style="list-style-type: none"> <li>where funding is from another government department, evidence of this funding through letter or funding agreement must be provided</li> <li>where funding from clubs/ organisations is indicated: <ul style="list-style-type: none"> <li>a letter from that organisation's authorised officer, stating the funding amount committed</li> <li>current bank statement/s demonstrating the funding amount is held by the organisation.</li> </ul> </li> </ul>	Mandatory	Mandatory	Mandatory	Mandatory	Mandatory



Supporting Documentation	Indoor Stadiums And Aquatic Facilities	Community Facilities	Women And Girls Facilities	Planning	All Abilities Infrastructure
<u>In-kind and voluntary labour support form</u>	Mandatory if applicable	Mandatory if applicable	Mandatory if applicable	Mandatory if applicable	Mandatory if applicable
<u>Schedule of Use</u>	Mandatory	Mandatory except for active recreation projects	Mandatory except for active recreation projects	Not applicable	Mandatory except for active recreation projects
<u>Fair Play Code Form</u> for Tenants from all clubs and/or associations that are tenants of the facility and benefiting from the project.	Mandatory	Mandatory except for active recreation projects	Mandatory except for active recreation projects	Not applicable	Mandatory except for active recreation projects
Letters of support from organisations that clearly indicate how the group is involved with or benefits from the project.	Mandatory	Mandatory	Mandatory	Mandatory	Mandatory
Letter of commitment and intent for Participation Initiatives	Mandatory if applicable	Mandatory if applicable	Mandatory if applicable	Not applicable	Mandatory if applicable
Evidence of community and stakeholder consultation where there is any impact of the proposed project on residential or community amenity. Evidence must include: <ul style="list-style-type: none"> <li>how the local community has been consulted/informed about the proposed project (for example, on site consultation, letter box drop, social media posts)</li> <li>consultation findings and outcomes of any engagement (community consultation report, summary of resident feedback, recent master plan).</li> </ul>	Mandatory	Mandatory	Mandatory	Not applicable	Mandatory
For projects on private land: <ul style="list-style-type: none"> <li>A legally binding land-use agreement.</li> </ul>	Mandatory if applicable	Mandatory if applicable	Mandatory if applicable	Not applicable	Mandatory if applicable
For projects on school land: <ul style="list-style-type: none"> <li>An executed Joint Use Agreement, or a completed Community Joint Use Proposal</li> <li>A letter from the Department of Education central office that indicates endorsement for the project. Applicants requesting this letter should email: <a href="#">Department of Education</a>.</li> </ul>	Mandatory if applicable	Mandatory if applicable	Mandatory if applicable	Not applicable	Mandatory if applicable

Supporting Documentation	Indoor Stadiums and Aquatic Facilities	Community Facilities	Women and Girls Facilities	Planning	All Abilities Infrastructure
For projects on Crown land: <ul style="list-style-type: none"> <li>A letter of support from the land owner.</li> </ul>	Desired	Desired	Desired	Not applicable	Desired
Gender Impact Assessment	Desired	Desired	Desired	Desired	Desired
<b>Project Governance Framework</b>	Mandatory	Desired	Desired	Mandatory	Mandatory
For Planning Projects <ul style="list-style-type: none"> <li><b>Facility Planning:</b> a Request for Quote and/or Project Proposal</li> <li><b>Municipal Planning:</b> a Comprehensive Draft Project Brief outlining the scope, methodology and key deliverables.</li> </ul>	Not applicable	Not applicable	Not applicable	Mandatory	Not applicable
Environmentally Sustainable Design report(s) and associated budget	Mandatory	Mandatory for aquatic facilities.  Desired for other project types.	Desired	Not applicable	Desired
Facility Management Plan	Mandatory	Desired	Desired	Not applicable	Desired
Access audit	Desired	Desired	Desired	Not applicable	Desired
Evidence of current facility condition (for example, photos of current facility)	Desired	Desired	Desired	Not applicable	Desired
Business or feasibility planning documents	Desired	Desired	Desired	Desired	Desired
Soil/Geotechnical assessments	Desired	Desired	Desired	Not applicable	Desired

## 6. Application Process and Closing Date

Step	Action Required
<b>1. Confirm eligibility</b>	<p>Confirm you are an eligible applicant and meet other eligibility requirements (Guidelines <a href="#">Section 2</a>).</p> <p>Confirm your project is eligible under a Regional Community Sports Infrastructure Fund stream.</p> <p>Confirm grant amount sought is within the Sport and Recreation Victoria funding limits (Guidelines <a href="#">Section 3.1</a>).</p> <p>Confirm the funding ratio for the relevant stream (Guidelines <a href="#">Section 3.4</a>).</p>
<b>2. Contact Sport and Recreation Victoria</b>	<p>LGAs/ARV must discuss project ideas with their Sport and Recreation Victoria representative/s prior to applying.</p> <p>LGAs/ARV will be provided with:</p> <ul style="list-style-type: none"> <li>high-level design feedback including alignment with relevant sporting guidelines</li> <li>guidance on the development of proposals that have merit, that align with the Fund objectives and that are ready to proceed.</li> </ul>
<b>3. Prepare Application and Supporting Documents</b>	<p>LGAs/ARV to prepare applications by addressing all assessment criteria and submitting all mandatory supporting documents for the relevant stream.</p> <p>The preparation and submission of applications are at the cost of the applicant.</p>
<b>4. Submit application by the closing date</b>	<p>Eligible applicants must complete the application form (including responses to the assessment criteria for the relevant stream) via <a href="#">Sport and Recreation Victoria's website</a> by <b>5:00 pm on Monday 17 March 2025</b>.</p> <p>An application must address all assessment criteria as per the relevant stream. Claims made against each criterion must be substantiated with evidence.</p> <p>Applications submitted after the closing date may not be considered eligible unless an extension has been requested and approved in writing by Sport and Recreation Victoria before the closing date. Approval will only be granted under exceptional circumstances (for example, significant technology disruptions or impacts from natural disasters).</p>

Step	Action Required
5. Submit supporting documents by closing date	<p>Email all supporting documents to <a href="mailto:communityinfrastructure@sport.vic.gov.au">communityinfrastructure@sport.vic.gov.au</a> by <b>5:00 pm on Monday 17 March 2025</b>.</p> <p><b>Please ensure all supporting documents are clearly named (for example, Plans – Project Name, Costs – Project Name) and the file names are not too long otherwise they can become corrupt.</b></p> <p>Zip all supporting documents into one compressed folder. Please see instructions below on how to zip files into a compressed folder.</p> <p>Quote your project name in the subject line of your email.</p> <p>If documentation is not provided at the time of application, Sport and Recreation Victoria reserves the right to deem the application ineligible.</p> <p>Please email <a href="mailto:communityinfrastructure@sport.vic.gov.au">communityinfrastructure@sport.vic.gov.au</a> if you experience any issues with emailing your supporting documentation.</p> <p>Compressing files into a compressed folder: Select all files using your mouse, then right click, select Send to and then select Compressed (zipped) folder. This will prompt a Save window allowing you to save all selected files into one compressed folder.</p> <p>The size limit of an email varies between 20mb to 30mb. If your documents combined exceed this, you will need to split them into separate compressed folders and email them separately (for example, Part 1 – Project Name, Part 2 – Project Name).</p>





## 7. Types of activities that will not be funded

- Facilities where little or no public access is available.
- Facilities without a primary purpose of community sport or active recreation.
- Projects that do not meet relevant sport or Australian Standards (for example, lighting projects). Facilities that do not comply with the relevant sport standard must seek exemption from the relevant sporting organisation and supply appropriate evidence to be supported by the Fund.
- The replacement of like-for-like surfaces (for example, synthetic surface replaced by a similar synthetic surface) are ineligible for funding. To be eligible for funding the application will need to demonstrate that additional uses are proposed and/or a multi-purpose element is being introduced. Exceptional circumstances may be considered where significant safety or compliance issues are evident, and an activity will not continue to be conducted as a result. Applicants will need to provide a condition audit or other technical evidence demonstrating the safety or compliance issue.
- The purchase of land (in general, the land on which the facility development is proposed will be municipal property, a Crown reserve, land owned by a public authority, private land with public access rights or land held for public purposes by trustees).
- Requests for retrospective funding, where projects have started construction or are finished prior to the execution of a Grant Agreement (construction includes, but is not limited to demolition, site clearing, earthworks, building works and any form of early works).
- Buildings or equipment considered temporary or not permanent in nature or intended use for projects funded through the infrastructure streams.
- Metal halide lighting (only LED lighting systems will be funded).
- Upgrading or redeveloping kitchens or public toilet facilities, except as part of a larger project that meets the objectives of the relevant Fund stream.
- Requests for ongoing operational costs such as, but not limited to, salaries, electricity, water, asset maintenance and other utilities.
- Routine or cyclical maintenance works.
- Purchasing or maintaining recreation, entertainment, sporting, lifesaving or any other equipment (except as part of facility fit out, or for accessibility equipment part of an All Abilities Participation Initiative Proposal).
- Projects previously funded by Sport and Recreation Victoria unless applicants can demonstrate additional or new uses resulting in increased participation/programming outcomes.
- Repair of facilities damaged by vandalism, fire or other natural disasters where the damage can be fully covered by insurance. The Fund may consider supporting applications where the scope includes elements that are not covered by insurance, or for amounts exceeding the value insured.
- In general, areas designated as licensed areas within a proposed facility will not be eligible for funding. The Department of Jobs, Skills, Industry and Regions may consider applications where a restricted club license is proposed or in place, provided that the restricted license does not interfere with the facility's other amenities or services, such as childcare or access by young people.
- **For Indoor Stadiums:** applications that do not include the development/redevelopment of a court will not be eligible.
- **For Facility Planning:** other pre-planning documents (for example, Cultural Heritage Management Plan, Facility Asset Audits) or specific facility business case, advocacy documents or management plans. Projects that deliver concept plans (please refer to the [Section 11](#)).
- **For Municipal Planning:** single site master plans.
- Tenant clubs that have failed to resolve a breach of the Fair Play Code.
- Applications for bundled projects where the one single application proposes to deliver multiple projects that will occur at different sites.
- Applications where the project beneficiary receives revenue directly from Electronic Gaming Machines will not be prioritised.

## 8. Assessment Process

Only eligible applications submitted by eligible applicants will be assessed and considered for funding by Sport and Recreation Victoria. Please refer to [Section 2](#) for eligibility requirements and [Section 6](#) for details about the application process.

Sport and Recreation Victoria reserves the right to not assess an application should insufficient information be provided, including responses to assessment criteria and mandatory supporting documentation.

Sport and Recreation Victoria reserves the right to negotiate a lower than requested funding amount for submitted applications.

Applications will be considered against the assessment criteria by Sport and Recreation Victoria staff and then reviewed by a Moderation Panel. The Moderation Panel will also consider the Investment Priorities outlined at [Section 1.3](#) and in each stream before making recommendations to the Minister. Consideration will also be given to ensuring an equitable distribution of funding across Victoria, including across rural, and regional, communities.

Sport and Recreation Victoria will also consider an applicant's past performance and the organisation's capacity to deliver projects on time. Compliance with past Grant Agreements and the number and duration of overdue milestones (including acquittal and outcomes reports) for existing projects will also be considered, along with live projects with significant budget shortfalls.

Sport and Recreation Victoria reserves the right to recommend applications be funded from other streams that demonstrate comparable community benefits.

**Decisions regarding funding by the Minister for Community Sport are final and no further correspondence shall be entered into regarding such decisions.**

Local Government Authorities and Alpine Resorts Victoria are invited to seek feedback from Sport and Recreation Victoria on unsuccessful applications.

## 9. Conditions that apply to funding

### 9.1. Grant Agreements

Successful applicants must enter into a Grant Agreement with the Department of Jobs, Skills, Industry and Regions early in the 2025-26 Financial Year (expected by 31 August 2025).

The Grant Agreement will include reference to the following:

- the facility tenant club/s are expected to adhere to the Fair Play Code or related state sporting association Code of Conduct. More information can be found at Fair Code Play
- recipients may seek timing and/or scope variations for funded projects. Consideration of variations may lead to changes in deliverables, milestones, grant amount and payments
- Local Government Authorities (LGAs) and Alpine Resorts Victoria (ARV) must inform the participating organisation/s, where applicable, of all funding arrangements and obligations in relation to the grant allocation. This includes ensuring the funded project does not start prior to the execution of the Grant Agreement
- acknowledgement and Ministerial event requirements.

An LGA/ARV Officer must be designated to manage the project and provide information to the Department of Jobs, Skills, Industry and Regions according to the following key reporting requirements:

- a Project Management Framework must be completed and submitted for all applications. Dates within the Project Management Framework will inform Grant Agreement milestones for successful projects
- LGAs/ARV must secure Sport and Recreation Victoria's endorsement of key documents such as schematic plans and architectural/planning briefs prior to works commencing. Projects must not start or be tendered until endorsement is provided. Sport and Recreation Victoria may not make milestone payments if endorsement is not secured in a timely manner
- LGAs/ARV must provide project acquittal documentation as required
- LGAs/ARV are expected to guarantee the cash flow payments towards works where a community organisation is providing funding contributions for a project



- LGAs/ARV must contribute information on activity outcomes for use in outcomes reporting, program evaluation reviews or the Department of Jobs, Skills, Industry and Regions' publications, 12 months after project acquittal.

A Participation Plan may be required for some applications funded. This will form part of the Grant Agreement. This will include details on how groups that participate less will be engaged and their participation facilitated.

Successful applicants receiving **All Abilities Participation Initiative** funding will enter into a separate Grant Agreement for this funding, including milestones specific to the initiative.

## 9.2. Acknowledging the Victorian Government's support and promoting success

Successful applicants are required to acknowledge the Victorian Government's support through the Regional Community Sports Infrastructure Fund. Acknowledgement guidelines form part of the Grant Agreement and include the requirement that all activities acknowledge Victorian Government support through logo presentation on any activity-related publications, media releases, social media posts, and promotional material, and/or placing a Victorian Government endorsed sign at the site of infrastructure activities.

Details of requirements for funded projects are available in the [Sport and Recreation Victoria: Community Sports Infrastructure Acknowledgement and Publicity Guidelines](#).

Successful applicants may be required to contribute information on activity outcomes for use in program evaluation reviews or the Department of Jobs, Skills, Industry and Regions' marketing materials.

## 9.3. Payments

Payments will be made conditional upon:

- the Grant Agreement having been signed by both parties
- milestones having been achieved to the Department of Jobs, Skills, Industry and Regions' satisfaction including provision of required/ requested information and reports to the satisfaction of the Department of Jobs, Skills, Industry and Regions
- other terms and conditions of funding continue to be met.

A minimum of 5% of the grant will be paid upon financial acquittal of the infrastructure projects.

Payments advanced prior to completion are subject to refund if the Project is not performed in accordance with the Grant Agreement.

## 9.4. Privacy

The Department of Jobs, Skills, Industry and Regions is committed to protecting your privacy. Any personal information about you or a third party in your application will be collected for the purposes of administering your grant application and informing the public of successful applications.

To be able to administer your grant application effectively and efficiently, we may need to disclose your personal information to State and Commonwealth Government departments and external experts, such as members of assessment panels, for the purposes of assessment, consultation, and reporting. If there is an intention to include personal information about third parties in your application, please ensure they are aware of, and consent to the contents of this privacy statement.

Any personal information about you or a third party will be collected, held, managed, used, disclosed or transferred in accordance with the provisions of the *Privacy and Data Protection Act 2014* (Vic) and other applicable laws.

The Department of Jobs, Skills, Industry and Regions is committed to protecting the privacy of personal information. Enquiries about access to personal information, or for other concerns regarding the privacy of personal information, can be emailed to [Department of Jobs, Skills, Industry and Regions' Privacy Unit](#). The department's privacy policy is also available by contacting the Department of Jobs, Skills, Industry and Regions' Privacy Unit.

## 10. Resources and Additional Information

Sport and Recreation Victoria has consolidated several helpful guidelines, tools and resources to assist with project and application development that can be found on [Sport and Recreation Victoria's website](#).

Resource	Supporting Information
Supporting documentation, forms and templates	<p>Templates, forms and factsheets to support applications can be found on <a href="#">Sport and Recreation Victoria's website</a>.</p> <p>These include but are not limited to:</p> <ul style="list-style-type: none"> <li><a href="#">Schedule of Use</a></li> <li><a href="#">Project Management Framework</a></li> <li><a href="#">Project Governance Framework</a></li> </ul>
Universal Design	<p>The concept of Universal Design is to make the built environment more usable to as many people as possible, at little or no additional cost. <a href="#">Sport and Recreation Victoria's Design for Everyone Guide</a> incorporates the Universal Design principles approach to best practice facility design.</p>
Environmentally Sustainable Design	<p>The inclusion of Environmentally Sustainable Design components is mandatory for all Aquatic projects. All other projects are encouraged to consider Environmentally Sustainable Design. This should be demonstrated with a specific Environmentally Sustainable Design budget in the application. It is good practice to incorporate Environmentally Sustainable Design initiatives in all projects where possible.</p> <p>A fact sheet on <a href="#">Environmentally Sustainable Design Guidelines</a> is available.</p>
Female Friendly Sport Infrastructure Guidelines	<p>The <a href="#">Female Friendly Sport Infrastructure Guidelines</a> provide information and advice on how to deliver more gender equitable environments. The Guidelines have relevance to all funding streams.</p>
Fair Access Policy	<p>The <a href="#">Fair Access Policy Roadmap</a> aims to develop a statewide foundation to improve the access to, and use of, community sports infrastructure for women and girls. From 1 July 2024, all Victorian councils will need to have gender equitable access and use policies in place to be considered eligible to receive infrastructure funding. These policies will ensure that women and girls can fully participate in and enjoy the benefits of community sport, with fair opportunity and access to their local facilities.</p>
Gender Impact Assessments	<p>The <i>Gender Equality Act 2020</i> requires certain organisations, including Local Government Authorities, to do Gender Impact Assessments so that all new policies, programs and services and those up for review, that directly and significantly impact the public, benefit all Victorians. Further information to help understand if a Gender Impact Assessments is required, can be found at <a href="#">Gender Equality Commission</a>.</p>
Healthy Choices	<p><a href="#">Healthy Choices</a> is a framework for improving availability and promotion of healthier foods and drinks in community settings. Healthy Choices is part of the Victorian Government's commitment to promote healthy food and drink options in a range of public settings including sport and recreation. Sport and recreation organisations can use the framework to provide consistent health promoting messages.</p>
Fair Play Code	<p>All facility tenant club(s) are expected to adhere to the <a href="#">Fair Play Code</a> or related state sporting association Code of Conduct. A <a href="#">Fair Play Code Form for Tenants</a> should be completed by all tenant organisations.</p>
Cultural Heritage Management Plans (Aboriginal Heritage Regulations 2018)	<p>This tool is used and completed to determine if a <a href="#">Cultural Heritage Management Plan</a> is required for the project.</p>
Future proofing community sport and recreation facilities: a road map for climate change management for the sport and recreation facilities sector	<p>The <a href="#">guide</a> is designed to support community sports clubs in understanding their impact on the environment and to empower, equip and motivate them to take action and change behaviours within their clubs.</p>

## 11. Glossary

Term	Definition
<b>All Abilities</b>	All Abilities refers to the inclusion of people with disability.
<b>Access audit</b>	An access audit is an assessment that rates a building for useability and accessibility for a wide range of users, including people with disability. It identifies barriers or potential barriers to people with disability accessing a building and using services inside and around the building.
<b>Changing Places</b>	Changing Places facilities are larger than standard accessible toilets, with extra features and more space to meet the needs of people with disability and their carers. Each Changing Places facility has a height adjustable, adult-sized changing bench, a tracking hoist system, and space for 2 people either side of a peninsula toilet.
<b>Concept Plan</b>	A concept plan serves as a starting point in the site development process.  It provides preliminary drawings that convey the concept of the project but with insufficient detail to provide a basis for project costing.
<b>Commencement of Works</b>	The undertaking of any project activities that contribute to the physical construction of new infrastructure or upgrades, improvements, refurbishment of existing infrastructure as outlined in the application and supporting information. This includes, but is not limited to, site clearing, earthworks, building works and any form of early works.
<b>Geotechnical Report</b>	A geotechnical report is a site analysis undertaken by a geotechnical engineer. The document communicates ground conditions including soil, rock and groundwater.
<b>Lux Charts/ Lighting Plans</b>	Detailed plans that outline the lux (illumination) that will be exhibited across the court/ field/pitch. These requirements are sport specific.
<b>Participation</b>	Participation is defined as engaging, coaching, officiating or volunteering in a sport or active recreation activity.
<b>Participation Initiative Delivery Plan</b>	The Participation Initiative Delivery Plan will provide a detailed plan for the development and delivery of the All Abilities Participation Initiative. The Participation Initiative Delivery Plan will include the program/s to be delivered, timelines for delivery, delivery partners and budget on some of the key information.
<b>Participation Plan</b>	A document populated prior to project finish demonstrating how participants, including under-represented groups will be engaged and their participation facilitated.
<b>Quantity Surveyor (QS) Report</b>	A Quantity Surveyor report is a cost plan estimating construction costs completed by a qualified Quantity Surveyor and based on plans that are at least at a schematic level.
<b>Schematic Plan</b>	Refers to scaled and labelled drawings produced by a professional designer or architect of an agreed development option. These plans are used to identify the project scope in sufficient detail to enable accurate project costings.

**These guidelines are subject to changes at the discretion of the Minister for Community Sport.**

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1 Spring Street, Melbourne.

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and Regions. October 2024

Available at Sport and Recreation Victoria's [website](https://www.sport.vic.gov.au)

[sport.vic.gov.au](https://sport.vic.gov.au)



Pavilion – Projects

Reserve	User Group	Project Description	Comments	Score
1. Gaskin Park Reserve	Churchill JFC, Churchill Football Club, Churchill CC, Churchill Baseball Club	Replace existing changeroom facilities with a new Multi-use pavilion servicing all users of Oval 1 and Oval 2	COST ESTIMATE (2023): \$2 - 3 Million	82
2. Yinnar Recreation Reserve	Yinnar Tennis, Yinnar Netball	Construct Changerooms for netball and tennis	COST ESTIMATE (2023): \$500,000	59
3. Toners Lane Reserve	Morwell Baseball Club	Upgrade pavilion to include changerooms and social space for Baseball.	COST ESTIMATE (2023): \$1 Million	57
4. Northern Reserve Newborough	Newborough JFC. Newborough FNC	Replace existing main pavilion with a new changeroom and social room pavilion.	COST ESTIMATE (2023): \$2 - 3 Million	55
5. Harold Preston Reserve Traralgon	Traralgon City, Traralgon Olympians, Traralgon Little Athletics	Upgrade eastern pavilion to provide additional and female friendly changerooms, as well as suitable public amenities.	COST ESTIMATE (2023): Scope TBC	44
6. Boolarra Memorial Park	Boolarra FNC, Jeeralang Boolarra Cricket Club	Upgrade - Indoor Training Facility (hanger)	COST ESTIMATE (2023): \$500,000	42
7. Maskrey Reserve Traralgon	Pax Hill Tennis Club	Upgrade Toilet Facility	COST ESTIMATE (2023): \$200,000	41
8. Duncan Cameron Memorial Park	Traralgon Rover CC, Southside JFC	Upgrade Pavilion to provide additional changerooms	COST ESTIMATE (2023): Scope TBC	40
9. Maryvale Reserve Morwell	Latrobe Cricket Club, LV Umpires	Upgrade existing pavilion to suitably provide for all users.	COST ESTIMATE (2023): Scope TBC	37
10. Crinigan Rd South	Fortuna 60 FC	Upgrade Changerooms	COST ESTIMATE (2023): Scope TBC	34
11. Toongabbie Recreation Reserve	Cricket Club	Renovate Changerooms	COST ESTIMATE (2023): \$200,000	32
12. Ronald Reserve	Morwell East FNC	Upgrade Morwell East FNC Pavilion	COST ESTIMATE (2023): Scope TBC	28
13. Kevin Lythgo Reserve	Traralgon Baseball Club	Upgrade Pavilion	COST ESTIMATE (2023): \$500,000	28

## CHIEF EXECUTIVE OFFICER EMPLOYMENT MATTERS COMMITTEE - EXTENSION OF INDEPENDENT MEMBER & CHAIR APPOINTMENT

### PURPOSE

To seek an extension to the appointment of Mr Kelvin Spiller as independent member and chair of the Chief Executive Officer (CEO) Employment Matters Committee (Committee) for the period of one year, in accordance with the recommendation of the Committee.

### EXECUTIVE SUMMARY

- The Committee Terms of Reference 2021 (TOR) requires the composition of the Committee to include an independent person (Section 3.1.4), who is suitably qualified and can assist the Committee to perform its role as detailed in the TOR.
- Appointment of a suitably experienced independent member and chair that possesses the key knowledge, skills and qualifications is critical to ensuring the working relationship between Council and the CEO is managed and developed, and provides a consistent, fair and transparent framework for employment matters relating to the CEO.
- The independent member and chair supports the Committee's role to report to Council and provide appropriate advice, information and feedback on relevant matters in order to facilitate decision making by Council in relation to the discharge of its responsibilities including CEO performance objectives/monitoring and review process.
- Based on the performance of Mr Spiller since his appointment including his support and guidance to Committee members and the CEO, extension of his appointment is recommended by the Committee.

### OFFICER'S RECOMMENDATION

**That Council extend the appointment of Mr Kelvin Spiller as independent member and chair of the Chief Executive Officer Employment Matters Committee for the period 1 March 2025 to 28 February 2026, at the rate as specified in Confidential Attachment 1.**



## BACKGROUND

The Committee convenes on a quarterly basis to, among other things, review progress of delivery of the objectives and actions contained within the CEO KPIs and discuss any challenges that may impact outcomes. The Committee then undertakes a formal annual review of CEO performance scored against the CEO KPIs.

Following an expression of interest process, the Committee recommended Council appoint Mr Spiller for a period of two years, with an option for (up to) a further two year term by mutual agreement between the Mr Spiller and Council. Council resolved to appoint Mr Spiller at the 7 February 2022 Council Meeting for a period of two years, with two one year extensions. The first extension was exercised in February 2024 until 28 February 2025, with the final extension (if enacted) ending on 28 February 2026.

The Committee consists of four councillors plus an independent chair (Mr Kelvin Spiller). The Committee comprises Mayor, Cr Harriman, Deputy Mayor, Cr Gibson, Cr Howe and Cr Lund. The Committee most recently met on 4 February 2025 to discuss, among other things, the reappointment of Mr Spiller.

## ANALYSIS

The independent member and chair supports the Committee's role to report to Council and provide appropriate advice, information and feedback on relevant matters in order to facilitate decision making by Council in relation to the discharge of its responsibilities including CEO performance objectives/monitoring and review process.

The Committee TOR requires the composition of the Committee to include an independent person (Section 3.1.4), who is suitably qualified and can assist the Committee to perform its role as detailed in the TOR.

Mr Spiller has satisfactorily performed this role since appointment and the Committee supports the extension of Mr Spiller's term until February 2026 (being the final term of Mr Spiller's appointment) to ensure continuity and stability within the Committee during the first year of the new Council term.

## RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
COMPLIANCE	N/A	N/A
SERVICE DELIVERY	N/A	N/A
FINANCIAL	N/A	N/A
STRATEGIC	N/A	N/A

## CONSULTATION

Undertaken via the Committee.

## COMMUNICATION

Not applicable.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Gender**

Not applicable.

### **Social**

Not applicable.

### **Cultural**

Not applicable.

### **Health**

Not applicable.

### **Environmental**

Not applicable.

### **Economic**

Not applicable.

### **Financial**

Not applicable.

### **Attachments**

#### 1. CEO EMC (Published Separately)

*This attachment is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. as the information relates to the CEO's performance criteria and commercial information..*

# REQUEST TO EXECUTE LATROBE CITY TRUST DEED

## PURPOSE

To present a Trustee Deed of Appointment and Removal for the Latrobe City Trust to Council for adoption.

## EXECUTIVE SUMMARY

- At the 16 December 2024 Ordinary Council Meeting it was resolved to appoint Councillor Gibson, Councillor Potter and Councillor Harriman as Trustees of the Latrobe City Trust (Trust).
- Pursuant to the Trust Deed, appointment of Trustees to the Trust must be confirmed by an instrument in writing.
- Former Councillors Dan Clancey and Melissa Ferguson can be removed as Trustees of the Trust at the same time as the above appointments are confirmed by a Deed of Appointment.
- A Deed of Appointment and Removal of Trustees has been prepared and is now presented to Council for consideration.

## OFFICER'S RECOMMENDATION

### That Council:

- 1. Adopts the Deed of Appointment and Removal of Trustees for the Latrobe City Trust and reaffirms the appointment of the following individuals as Trustees of the Trust:**
  - a) The Mayor of the Day**
  - b) The Chief Executive Officer of the Day**
  - c) Councillor Sharon Gibson**
  - d) Councillor Leanne Potter; and**
  - e) Councillor Dale Harriman.**
- 2. Removes Dan Clancey and Melissa Ferguson as Trustees of the Latrobe City Trust.**
- 3. Authorises the Chief Executive Officer to sign and seal the Deed of Appointment and Removal of Trustees for the Latrobe City Trust.**

## BACKGROUND

The Latrobe City Trust (formerly the La Trobe Shire Trust) was settled by Loy Yang Power Management Pty Limited in 1999 to raise funds and encourage local philanthropy to support individuals and communities across Latrobe City through the distribution of grants.

Under the Trust Deed, Council can appoint Trustees to the Trust but must do so by an instrument in writing. Accordingly, appointments can be formalised by endorsement, signature and sealing of a Deed of Appointment of Trustees.

When the Trust was established by La Trobe Shire Council in 1998, it resolved to appoint the Mayor of the Day, Chief Executive Officer of the Day and, for limited Trustee terms, three specific community members. The appointments of the Mayor of the Day and CEO of the Day remain in place.

Taking into account the December 2024 resolution, there will be four Trustees, noting one of the Trustees appointed, Dale Harriman, is also the current Mayor of Council. This does not pose an issue as the Trust Deed does not require a minimum or maximum number of Trustees. In practice, no more than five Trustees have been appointed at any one time.

The Trust Deed requires that Trustees be of sound mind and sound financial position. It does not stipulate any appointment process beyond the requirement for an instrument in writing, nor does it limit the length of terms for Trustees.

With no set term given, the appointments are able to be reviewed annually in line with the Councillor Committee appointments.

The Deed of Appointment can also cover removal of Trustees. Two other Trustees, former Councillors Dan Clancey and Melissa Ferguson, were appointed in 2023 as part of Councillor Committee appointments.

## ANALYSIS

A Deed is required to give effect to the appointment of the named Councillors and removal of former Councillors.

## RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
<b>SERVICE DELIVERY</b>  The Trust is unable to carry out its functions because it does not have appropriate Trustees.	<b>Low</b>  Unlikely x Minor	Endorsement of the Deed of Appointment and Removal of Trustees.

RISK	RISK RATING	TREATMENT
<b>FINANCIAL</b>  Funds of the Trust are unable to be managed effectively because it does not have appropriate Trustees.	<b>Low</b>  Unlikely x Minor	Endorsement of the Deed of Appointment and Removal of Trustees.

## CONSULTATION

Consultation has not been required. Trustee appointments were resolved at the December 2024 Council Meeting. The Deed is an updated version of a previous Deed, reviewed by the Trust and approved by Council during appointment of Trustees in 2023. Amendments have been made to reflect the new appointments and removals.

## COMMUNICATION

The revised Deed of Appointment will be provided to banks when investing money into Term Deposits.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.



## APPENDIX 1 IMPACT ASSESSMENT

### **Gender**

A Gender Impact Assessment (GIA) under the *Gender Equality Act 2020* has not been conducted as this matter does not involve a program, service or policy with a significant and direct impact on the community.

### **Social**

Reviewing and maintaining Trustees for the Trust assists in ensuring the benefits the Trust provides to the community are able to continue in an effective manner.

### **Cultural**

Not applicable.

### **Health**

Not applicable.

### **Environmental**

Not applicable.

### **Economic**

Not applicable.

### **Financial**

There are no costs incurred by changes to Trustee appointments.

### **Attachments**

1. Draft - 2025 Latrobe City Trust Deed of Appointment and Removal

# 10.4

## Request to Execute Latrobe City Trust Deed

1	Draft - 2025 Latrobe City Trust Deed of Appointment and Removal.....	275
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## **Latrobe City Council**



## **Latrobe City Trust**

### **DEED OF APPOINTMENT AND REMOVAL**

**THIS DEED OF APPOINTMENT AND REMOVAL** is made the                      day of  
2025

BY:

**Latrobe City Council** the municipal offices of which are situate at 141 Commercial Road, Morwell in the State of Victoria.

**WHEREAS:**

- A. The La Trobe Shire Trust ("the Trust") was established by a Deed of Trust on 22 April 1999, pursuant to a resolution of La Trobe Shire Council of 04 May 1998.
- B. By Deed of Amendment made 29 October 2002 the name of the Trust was amended to "Latrobe City Trust".
- C. The Deed of Trust provides at Clause 14(1) that:  
"The municipality shall be entitled by instrument in writing at any time and from time to time:
  - a) to remove any Trustee hereof;
  - b) to appoint any additional Trustee or Trustees;
  - c) to appoint a new Trustee or Trustees in the place of any Trustee who resigns his Trusteeship or ceases to be a Trustee by operation of law".
- D. At a Council Meeting on 4 May 1998, when La Trobe Shire Council resolved to establish the Trust, it also resolved to appoint the Mayor of the Day and Chief Executive Officer of the Day as Trustees of the Trust along with three other individuals who are no longer Trustees of the Trust.
- E. **SHARON GIBSON** was appointed as a Trustee of the Trust on 6 February 2023, reaffirmed at the Council Meeting on 1 May 2023 and confirmed in a signed and sealed Deed of Appointment.
- F. At the Council Meeting on 16 December 2024, Latrobe City Council resolved to appoint **LEANNE POTTER** and **DALE HARRIMAN** as Trustees of the Trust and continue the appointment of **SHARON GIBSON**. This was reaffirmed at the Council Meeting on 24 February 2025. The term of each Trustee was unlimited with no expiry date.
- G. At the Council Meeting on 24 February 2025, Latrobe City Council also resolved to remove Dan Clancey and Melissa Ferguson as Trustees of the Trust.

1. The Latrobe City Council as the successor of the La Trobe Shire Council pursuant to clause 14(1) of the Deed of Trust appoints the following persons as Trustees of the Trust, commencing on 24 February 2025:
  - (a) **DALE HARRIMAN**; and
  - (b) **LEANNE POTTER**.
2. It is acknowledged that **SHARON GIBSON** remains a Trustee of the Trust.
3. The term of each Trustee referred to in clauses 1 and 2 of this Deed shall continue until that Trustee is removed by Council.
4. The following Trustees are removed as Trustees of the Trust:
  - (a) **DAN CLANCEY**; and
  - (b) **MELISSA FERGUSON**.

**SIGNED and SEALED** for and on behalf)  
of **LATROBE CITY COUNCIL** by )  
Steven Piasente pursuant to Instrument )  
of Delegation dated 4 May 2023 )  
in the presence of: )

Chief Executive Officer

Witness Signature

Witness Name

# LATROBE REGIONAL AIRPORT: COMMITTEE REVIEW

## PURPOSE

To provide Councillors with proposed Terms of Reference (ToR) for the Latrobe Regional Airport (LRA) Committee that will change the Committee to an Advisory Committee and to seek approval to conduct an Expression of Interest (EOI) process to appoint new Community Committee members.

## EXECUTIVE SUMMARY

- The Committee at the LRA currently operates as a Community Asset Committee. The ToR were adopted at a Council Meeting on 12 April 2021.
- Since establishment, the Committee has provided advice to Council on operational management issues at the airport and requests, via officers.
- In September 2024, all the existing Community Committee Members terms of appointment expired and have not been replaced.
- With the need to appoint new Committee Members officers have taken the opportunity to review the activities of the Committee and whether the current ToR reflect the Committee's role. The review identified that the Committee provides advice to Council and does not directly deliver projects.
- It is recommended that the Committee become an Advisory Committee to better reflect the activities undertaken by Committee Members. It will also provide clarity to new members about the role of the Committee.
- The attached draft ToR will change the Committee to an Advisory Committee **Attachment 1**.
- Authority is also sought to conduct an EOI process to appoint seven Community Committee members – 3 for a two year term and 4 for a four year term. A further Council Report will be presented with details of the proposed Committee members for endorsement. The EOI form is attached **Attachment 2**.



## OFFICER'S RECOMMENDATION

### **That Council:**

- 1. Adopt the new Terms of Reference for the Latrobe Regional Airport Advisory Committee; and**
- 2. Authorise Council Officers to conduct an Expression of Interest process to enable the appointment of seven community committee members; and**
- 3. Receive a further report with the proposed community committee members for endorsement.**

## BACKGROUND

The LRA has had a Committee of Management for more than 30 years. With the introduction of the Local Government Act 2020, the Committee was restructured to be a Community Asset Committee and new ToR were prepared. These Terms of Reference were adopted at a Council Meeting on 12 April 2021.

As part of the change to a new Committee, all Community Committee members terms of appointment were extended until September 2024.

The Committee meets every six weeks and discusses day to day operational matters with Officers. Advice is provided to officers, who refer the advice to the appropriate sections within Council. The Committee does not conduct any business directly, such as entering into agreements.

With the need to appoint new Community Committee members, officers have taken the opportunity to review the activities of the Committee and whether the current Terms of Reference reflect the Committee's role. The review identified that the activities of the Committee are advisory and are better reflected in the Terms of Reference for an Advisory Committee.

New draft ToR have been prepared to change the structure of the Committee to an Advisory Committee.

There is also a need to appoint new Community Committee members. The new draft terms have included provision for staggered appointment terms initially, being 3 members appointed for two years and four members appointed for four years. Subsequently, all terms will be four years. Staggering the initial terms will ensure that there is always Committee members participating which will ensure continuity.

## ANALYSIS

The LRA Community Asset Committee (CAC) was established following the introduction of the Local Government Act 2020. Prior to the changes in 2021, the Committee had acted more autonomously with a Sub Delegation by the CEO.

Since the change to a CAC, the Committee's role has become more advisory than delivering projects and implementing decisions. This has caused confusion and frustration amongst some of the long serving Committee members who think they still have the delegated powers.

By changing to an Advisory Committee, the new ToR will provide clarity as to the role of the Committee members. It should also help to enable members to focus on the strategic development of the airport rather than the operational requirements. This will also help to attract Community Committee members who can provide business and strategic guidance.

## RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
<b>COMPLIANCE</b> Not meeting compliance requirements for regulatory authorities	<b>Low</b> Unlikely x Moderate	Clear delineation between Committee and Council roles, through the Terms of Reference
<b>STRATEGIC</b> Not having a Committee at the airport.	<b>Medium</b> Unlikely x Minor	New Committee will be appointed following an EOI process

## CONSULTATION

Officers have undertaken the review and development of the new Terms of Reference.

If supported by Council, an EOI will be undertaken to appoint new Community Committee Members. This process will provide information to the community about the Committee.

## COMMUNICATION

Communication will be via the EOI process.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Gender**

A Gender Impact Assessment (GIA) has not been undertaken on this report, however a GIA will be undertaken on associated documentation prior to distribution.

### **Social**

There are no known social impacts by this report

### **Cultural**

There are no known cultural impacts by this report

### **Health**

There are no known health impacts by this report

### **Environmental**

There are no known environmental impacts by this report.

### **Economic**

The airport is a significant asset owned by Council and generates economic activity through the businesses that operate on the precinct and by businesses traveling into Latrobe City. The advice provided by the Committee can have an economic impact.

### **Financial**

The Committee provides input to the budget prepared by Council Officers. The revenue and expenditure are monitored internally and Officers act in accordance with Council policies and procedures

### **Attachments**

1. Latrobe Regional Airport Advisory Committee Terms of Reference
2. Expression of Interest Form

# 10.5

## Latrobe Regional Airport: Committee Review

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# Latrobe Regional Airport Advisory Committee

## *Terms of Reference*



February 2025





## CONTENTS:

1.    **Establishment of the Committee**
2.    **Objectives**
3.    **Membership**
  - Composition of the Committee
  - Length of appointment
  - Selection of members and filling of vacancies
  - 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 Latrobe Regional Airport Advisory Committee (hereinafter referred to as “the Committee”), is a formally appointed Advisory Committee of Latrobe City Council established for the purposes of providing advice to Council.
- 1.2. The membership of this Committee and these Terms of Reference will be adopted by resolution of Latrobe City Council at a 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. To achieve the set Objectives the Committee will:
  - 2.3.1 Provide advice to Council on:
    - (a) the general management and improvement of the Airport;
    - (b) issues that may impact the Airport’s operating licence and compliance with legislation and standards applying to the operation of airports and airport safety;
    - (c) strategies to increase jobs and investment in the airport; and
    - (d) any other matters the Committee wishes to bring to the attention of Council.
  - 2.3.2 Assist in policy, strategy and other relevant document review or development processes for the Airport as required from time to time.
  - 2.3.3 Perform other activities related to this Terms of Reference as requested by the Council.

## 3 Membership

### Composition of the Committee

#### 3.1 Membership

The Committee will comprise of up to eleven members appointed by the Council being:



- 3.1.1 One Latrobe City Councillor; who will also be Chairperson of the Committee;
- 3.1.2 One Latrobe City Officer, namely the Manager Economic Investment and Transition, or equivalent role as may exist from time to time.
- 3.1.3 One representative of the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC), where GLaWAC chooses to nominate a representative;
- 3.1.4 President, Latrobe Valley Aero Club; and
- 3.1.5 Up to seven independent members of the community appointed via an expression of interest process.
- 3.2 The Committee may invite a person to attend meetings of the Committee in an advisory capacity and without any right to exercise a vote in relation to a matter to be determined by the Committee.
- 3.3 The appointment of the independent members must be as described in clause 3.6.
- 3.4 No person may be or act as a member of the Committee until endorsed by Council.
- 3.5 The Commercial & Operations Manager of the Airport, or equivalent role as may exist from time to time, will act as Secretary of the Committee and provide administrative support but is not a Committee member.
- 3.6 Expression of Interest Process - Independent Committee Members
  - 3.6.1 A public notice calling for expressions of interest for Committee Members must be published in a newspaper not less than sixty days prior to the expiration of the members' current term of office;
  - 3.6.2 Written nominations for a position as a Committee Member must be received (including full name and address) within fourteen days of the publication of the notice;
  - 3.6.3 Council reserves the right to appoint a person as an independent member of the Committee whose name has not been submitted through the above process.
- 3.7 Qualifications for Committee - General
  - 3.7.1 Except with the prior approval of the Council, a person cannot be appointed to the Committee unless such person has:



- (a) attained the age of eighteen years; and
- (b) resides, or owns property, or works within the municipality OR has an aviation commitment to the airport.

3.7.2 A person appointed as a member of the Committee must possess skills and experience which will make a material contribution to the management and development of the Airport.

3.7.3 All Committee members must be prepared to comply with Conflict of Interest provisions in the *Local Government Act 2020* and the procedures for disclosure of a conflict of interest set out in the Governance Rules of Latrobe City Council;

3.7.4 Committee members must complete an Expression of Interest Form to qualify to be a member of the Committee.

#### Length of appointment

- 3.8 For the initial appointment of members to the Committee following its establishment, each member may be appointed for a period of either four years or two years from the date that their appointment is endorsed by Council. Whether a member is appointed for two or four years is at the absolute discretion of Council.
- 3.9 For all appointments subsequent to those under Clause 3.8, all members of the Committee will hold office for a period of four years from the date that their appointment is endorsed by Council.
- 3.10 A member of the Committee is eligible for re-nomination at the expiration of their term of office.
- 3.11 All terms of office are subject to Clause 3.13.

#### Selection of members and filling of vacancies

- 3.12 Latrobe City Council shall determine the membership of the Committee based on expressions of interest received.
- 3.13 Where a vacancy on the Committee occurs through retirement, resignation, death, incapacity or loss of qualification, the Committee will within one month of this occurring, advise the Council and nominate a suitable person, if identified and available, to Council for appointment to the vacancy for the period remaining of the original tenure.
- 3.14 Where a vacancy is filled in this way, the appointment shall be limited to the remainder of the period of the original appointment.



- 3.15 Notwithstanding anything else contained herein, the Council may at any time terminate the office of any or all of the members of the Committee.

#### Attendance at meetings

- 3.16 All Committee members are expected to attend each meeting.
- 3.17 If any Committee member misses two consecutive meetings of the Committee without submitting a formal apology prior to the meeting, the member may at the discretion of Latrobe City Council have their term of office revoked.
- 3.18 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

- 3.19 All resignations from members of the Committee are to be submitted in writing to the General Manager of the division managing the Airport, Latrobe City Council, PO Box 264, Morwell VIC 3840.

### **4 Proceedings**

#### Chair

- 4.1 The Councillor member of the Committee shall Chair the meetings.
- 4.2 If the Councillor is unavailable, they will delegate to the Councillor appointed by Council as the alternate Councillor member of the Committee.
- 4.3 If the alternate Councillor is unavailable or no alternate Councillor has been appointed, the Councillor will nominate a replacement from the current membership of the Committee to Chair the meeting.

#### Meeting schedule

- 4.4 The Committee must meet at least every two months on the dates the Chairperson appoints with the first meeting of the Committee to be held within one month of the Committee's appointment.
- 4.5 The Secretary must distribute a notice of the meeting to all members of the Committee at least seven clear days prior to the meeting and advise the Council of any Committee meetings.
- 4.6 Additional meetings may be held on an as-needs basis and will be called by the Chair:
- (a) at the discretion of the Chair;
  - (b) at the request of the Latrobe City Officer member; or





- (c) on the Chair receiving a written request from three Committee members.

#### Meeting procedures

- 4.7 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).
- 4.8 Members are expected to comply with the confidential information provisions contained in the *Local Government Act 2020* and must treat all information they receive as confidential unless otherwise advised. Members must not use confidential information other than for the purpose of performing their function as a member of the Committee.
- 4.9 If a member has a general or material conflict of interest as defined in the *Local Government Act 2020* regarding an item to be considered or discussed by the Committee, the member must disclose this to the Chair if they are attending the meeting.
- 4.9.1 Once a declaration of either general or material conflict of interest has been made, the member must leave the room and remain outside until the conclusion of the relevant discussion. The time of leaving the meeting room and the time of their return must be recorded in the minutes or notes of the meeting.
- 4.10 All recommendations, proposals and advice must be directed through the Chair.

#### Quorum

- 4.11 A majority of the members constitutes a quorum.
- 4.12 If at any Committee meeting a quorum is not present within thirty minutes after the time appointed for the meeting, the meeting shall be deemed adjourned.

#### Voting

- 4.13 A motion before a meeting of the Committee is to be determined as follows:
- 4.13.1 Each member of the Committee who is entitled to vote is entitled to one vote;
- 4.13.2 Unless otherwise prohibited by the *Local Government Act 2020*, each member of the Committee present must vote. Abstaining from a vote where the member is eligible to vote, will be considered a vote against the motion;





4.13.3 Unless the procedures of the Committee otherwise provide, voting must be by show of hands;

4.13.4 The motion is determined by a majority of the vote;

4.13.5 If there is an equality of votes the Chair has a second vote.

4.14 Notwithstanding the above voting procedure, majority and minority opinions will be reflected in the Committee minutes.

#### Minutes of the Meeting

4.15 The Secretary of the Committee or other Latrobe City Council Officer nominated by the Secretary shall take the minutes of each Committee meeting.

4.16 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).

4.17 Relevant reports or a summary of the relevant reports considered in the meeting must be incorporated in relation to resolutions recorded in the minutes.

4.18 The Chair must submit the Minutes of a Committee meeting to the next meeting of the Committee for confirmation. If the minutes are confirmed the Chair at the meeting must sign the minutes and certify that they have been confirmed.

4.19 The minutes shall be stored in the Latrobe City Council corporate filing system (currently Ci Anywhere electronic document and records management system).

4.20 A copy of the minutes shall be distributed to all Committee members (including alternative representatives) within seven working days of the meeting.

#### Reports to Council

4.21 With the approval of the Chair, an Annual Report will be presented to Council on the Committee's progress towards the objectives included in this Terms of Reference.

4.22 Reports to Council should reflect a consensus of view. Where consensus cannot be reached, the report should clearly outline any differing points of view.



- 4.23 Reports to Council will be co-ordinated through the General Manager of the division managing the Airport.

## **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 Clause 2 are demonstrated to have been met, whichever occurs first.
- 5.2 A review of the Committee will take place annually and reported in the Annual Report. The Terms of Reference will reviewed at least once every four years.
- 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 an advisory committee only and has no executive powers nor does it have any delegated decision making or financial authority.
- 6.2 Failure to comply with the provisions outlined in this Terms of Reference may result in termination of the Member's appointment at the discretion of Council.
- 6.3 The Committee must comply with any Council Policy applying to public relations, communications and use of social media.
- 6.4 No alteration to these Terms of Reference or the schedules shall be effective unless first approved by Council.



## Appendix 1: Agenda Template



### AGENDA

#### [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)

#### AGENDA ITEMS

No.	Item	Responsible Officer	Attachment
1.	Welcome & introduction	Chair	N/a
2.	Apologies	All	
3.	Declarations of Interest	All	
	<i>Members of the Committee are to declare any Conflicts of interest or any interests in matters listed on the agenda</i>		
4.	Confirmation of Minutes		
	<i>Confirmation of the previous minutes of the meeting.</i>		
5.	Matters arising from previous meeting	All	
	<i>Review of action progress from previous meetings</i>		
6.	Reports/Items for Consideration		
	<i>Matters being presented for discussion in accordance with the terms of reference</i>		
	•		
	•		
7.	General Business		
	•	All	
	•		
8.	Next Meeting	Chair	



## Appendix 2: Minutes Template



<b>MINUTES</b> <b>[Name] Advisory Committee Minutes</b>  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 >			
No.	Item	Responsible Person	Timeframe
1.	Present		
2.	Apologies		
3.	Interest Disclosures		
<p><i>Members of the Committee declare any Conflicts of interest or Interests 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>&lt;Name&gt; <u>Time</u> left 00:00am/pm, Time returned 00:00am/pm</p> <p>&lt;Name&gt; <u>Time</u> left 00:00am/pm, Time returned 00:00am/pm</p> <p>&lt;Name&gt; <u>Time</u> left 00:00am/pm, Time returned 00:00am/pm</p>			



<b>4.</b>	<b>Confirmation of Minutes</b>		
	<i>That the minutes of the meeting held on [Date] of the [Name] Advisory Committee be confirmed.</i>		
<b>5.</b>	<b>Matters arising from previous meeting</b>		
	<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"><li>•</li></ul> 2. Item Heading Action(s): <ul style="list-style-type: none"><li>•</li></ul>		
<b>6.</b>	<b>Items for Consideration</b>		
	<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"><li>•</li></ul> 2. Item Heading Action(s): <ul style="list-style-type: none"><li>•</li></ul> 3. Item Heading Action(s): <ul style="list-style-type: none"><li>•</li></ul>		
<b>7.</b>	<b>General Business</b>		
	<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"><li>•</li></ul>		



	2. Item Heading Action(s): <ul style="list-style-type: none"> <li>•</li> </ul>		
<b>Next Meeting:</b> <Provide details of the next meeting date, time and location>.			



**LATROBE CITY  
COUNCIL**

# Latrobe Regional Airport Advisory Committee

## Expression of Interest

Please register my Expression of Interest in becoming a community representative on the Latrobe Regional Airport Advisory Committee.

<b>Name:</b>		
<b>Address:</b>		
<b>Email:</b>		
<b>Mobile</b>		
<b>Q 1</b>	I confirm that I am eligible for the Committee as I am over 18 years of age <b>AND</b> Reside or own property or work within Latrobe City Council OR has an aviation commitment to the airport	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>Q 2</b>	I am willing to comply with the Conflict of Interest provisions in the Local Government Act 2020 and the procedures for disclosure of a conflict of interest set out in the <a href="#">Governance Rules</a> of Latrobe City Council.	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>Q 3</b>	Why do you want to join the Committee?	
<b>Q4</b>	What relevant skills and experience do you bring to the role?	



---

**LATROBE CITY  
COUNCIL**

<b>Q 5</b>	<b>What length of Term do you wish to nominate for?</b>  <b>Two Years</b> .....
	<b>Four Years</b> .....
	<b>* Please note that it is at the absolute discretion of Council to appoint a member for two or four years</b>

**Signed****Date**

## TOURISM AND MAJOR EVENTS ADVISORY COMMITTEE RECOMMENDATIONS – FEBRUARY 2025

### PURPOSE

To present the recommendation from the Tourism and Major Events Advisory Committee and seek Council approval for the 2025 – 2027 Gippsland New Energy Conference, through the major events attraction budget.

### EXECUTIVE SUMMARY

- At its meeting held on 5 February 2025, the Tourism and Major Events Advisory Committee (TAMEAC) recommended funding support for the 2025 – 2027 Gippsland New Energy Conference.
- This event can be funded from the Major Event Attraction budget and, as a result, there are no budget implications.
- The projected economic impact for the event is \$663,423, with a return on investment per dollar spend of \$33:1.
- This major event has been reviewed and considered by officers based on an assessment prepared outlining economic benefit, community engagement, return on investment and benefit to the local community. Details of the assessment are provided in **Attachment 1**.

### OFFICER'S RECOMMENDATION

**That Council adopts the recommendation of the Tourism and Major Events Advisory Committee and authorises officers to enter into a suitable agreement to fund the 2025 – 2027 Gippsland New Energy Conference for \$20,000 per year, for 3 years through the annual major events attraction budget.**

## BACKGROUND

### 2025 – 2027 Gippsland New Energy Conference

The Gippsland New Energy Conference (GNEC) is Gippsland's premier platform for advancing the region's energy transition. With over 800 participants expected, including young and emerging leaders, the conference will bring together experts from diverse sectors such as TAFE Gippsland, Federation University, and the Gippsland Offshore Wind Alliance (GOWA). The event will feature keynote addresses, panel discussions, interactive workshops, and exhibitions, covering topics like offshore wind, hydrogen, community energy projects, workforce training, and the circular economy. Building on the success of GNEC24, the 2025 conference aims to foster collaboration, drive community engagement, support industry growth, and position Gippsland as a leader in Australia's renewable energy transition.

Event	Council Contribution	Economic Impact (estimated per year)	Return on Investment (estimated per year)
2025 – 2027 Gippsland New Energy Conference 8 – 10 September 2025	\$20,000 per year, for 3 years.	\$663,423	\$33:\$1

## ANALYSIS

As indicated in the event assessment, the event organiser has requested \$40,000 in funding for the event. However, after considering the identified key issues and benefits outlined in event assessment **Attachment 1**, officers have recommended a funding amount of \$20,000. This level of funding is not expected to impact the viability of the event.

## RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
COMPLIANCE Major event doesn't meet safety or regulatory requirements.	<b>Low</b> <i>Unlikely x Minor</i>	All events supported by Council are required to submit and have approved an event permit where applicable.

RISK	RISK RATING	TREATMENT
<b>FINANCIAL</b> Opportunity cost of lost economic benefit from this major event if not supported.	<b>Low</b> <i>Unlikely x Minor</i>	Use of the major event assessment process and review by Council officers and TAMEAC.
<b>STRATEGIC</b> Major event negatively impacts on the reputation of Latrobe City Council as an events destination.	<b>Low</b> <i>Unlikely x Minor</i>	TAMEAC consideration of event proposals and assessments. Strict oversight of operations and arrangements by Council officers.

## CONSULTATION

Consultation has occurred with internal stakeholders to determine support of this major event. Further, the event proposal and assessment was presented to TAMEAC for consideration and recommendation.

## COMMUNICATION

The event has extensive marketing and community engagement activities associated with its delivery. These are managed in conjunction with officers from Latrobe City Council.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Gender**

Given the event is not a Council managed event a Gender Impact Assessment under the *Gender Equity Act 2020* will not be completed.

### **Social**

The opportunity to host this major event is expected to enhance and boost civic pride and Latrobe's reputation as a premiere events destination.

### **Cultural**

This major event will be promoted to all backgrounds and various community groups to encourage a diverse mix of delegates.

### **Health**

Hosting major events provides the opportunity for the local community to experience high profile events which have an impact on overall community health and wellbeing.

### **Environmental**

The event will be held in accordance with sustainable practices that recognise and respect the local environment.

### **Economic**

An economic impact has been undertaken and assessed based on their economic benefit, return on investment and benefit to the local business community. This event offers an excellent economic benefit to the municipality.

### **Financial**

Event funding is to be covered under the Major Event Attraction Budget 2025/26.

### **Attachments**

1. 2025 - 2027 Gippsland New Energy Conference, Major Event Assessment



# 10.6

## Tourism and Major Events Advisory Committee Recommendations – February 2025

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# TAMEAC Major Events Funding Assessment Form

2025 – 2027 Gippsland New Energy  
Conference



EVENT ASSESSMENT			
<b>Date proposal received:</b>	9 December 2024		
<b>Application assessed by:</b>	Jess Middlemiss		
EVENT CONTACT DETAILS			
<b>Contact Name:</b>	Darren McCubbin	<b>Title/Position:</b>	CEO
<b>Email:</b>	Darren.mccubbin@gccn.org.au	<b>Phone:</b>	0419587572
<b>Organisation:</b>	Gippsland Climate Change Network	<b>ABN</b>	45 7910 7267 6
<b>Address</b>	1 Monash Way, Morwell. 3840		
EVENT DETAILS & DELIVERABLES			
<b>Event:</b>	2025 – 2027 Gippsland New Energy Conference		
<b>Event date:</b>	8 – 10 September 2025		
<b>Event description:</b> <small>Please provide detailed event description including the who, what, where, when?</small>	<p>The Gippsland New Energy Conference (GNEC), hosted by the Gippsland Climate Change Network (GCCN) in partnership with the Gippsland Energy Taskforce, industry leaders, government representatives, educators, and community groups, is Gippsland's premier event for driving the region's energy transition. Over 850 participants, including young people and emerging leaders are expected to attend, representing a diverse range of sectors.</p> <p>Key contributors include TAFE Gippsland, Federation University, Latrobe City business groups, and members of the Gippsland Offshore Wind Alliance (GOWA).</p> <p>The conference will feature keynote addresses, panel discussions, interactive workshops, and engaging exhibitions. Topics will span offshore wind, hydrogen, community energy projects, workforce training, supply chain development, and the circular economy. The event aims to foster collaboration, strengthen community engagement, support industry growth, and position Gippsland as a leader in Australia's renewable energy transition.</p> <p>The conference is planned for September 8–10, 2025, utilising the Gippsland Performing Arts Centre (GPAC) in Traralgon, as well as the Little Theatre/Town Hall precinct, Macfarlane Burnet Room, and the outdoor surrounds. Building on the overwhelming success of GNEC24, the 2025 conference will set an even higher benchmark for innovation and regional impact.</p>		
<b>Is the event new or existing?</b>	<input type="checkbox"/> New Event <input checked="" type="checkbox"/> Existing Event: How long has your event been running for? 3 years		
<b>Purpose/Aims/Objectives:</b>	<p>GNEC25 is designed to accelerate Gippsland's transition to a renewable energy future while fostering regional economic growth. The conference serves as a catalyst for local businesses, industry leaders, government representatives, educators, and the community to collaborate on opportunities within the emerging renewable energy sector.</p> <p><b>Aims</b></p> <ul style="list-style-type: none"> <li>• <b>Empower Local Businesses:</b> Equip local businesses with the knowledge, tools, and connections to adapt and thrive in renewable energy supply chains.</li> </ul>		

	<ul style="list-style-type: none"> <li>• <b>Promote Regional Leadership:</b> Position Gippsland as a hub for renewable energy innovation, development, and investment.</li> <li>• <b>Foster Collaboration:</b> Encourage partnerships among local businesses, education providers, government, and community groups to drive sustainable growth.</li> <li>• <b>Educate and Inspire:</b> Provide actionable insights and best practices to help stakeholders seize opportunities within the energy transition.</li> <li>• <b>Support Workforce Development:</b> Highlight training pathways and career opportunities to meet the demands of new energy industries.</li> </ul> <p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>• <b>Develop Local Supply Chains:</b> Highlight supply chain opportunities for Gippsland businesses, helping them adapt, repurpose, or scale their operations to meet the demands of renewable energy projects like offshore wind and hydrogen.</li> <li>• <b>Facilitate Business Connections:</b> Create networking opportunities between local businesses and major project proponents to foster collaborations and partnerships.</li> <li>• <b>Provide Targeted Education:</b> Deliver sessions focused on procurement processes, supply chain management, and technological advancements, enabling businesses to better understand and align with industry requirements.</li> <li>• <b>Support Business Transformation:</b> Showcase successful examples of Gippsland businesses pivoting to support renewable energy projects, inspiring others to follow suit.</li> <li>• <b>Enhance Regional Capability:</b> Work with partners like TAFE Gippsland and Federation University to ensure local businesses have access to workforce training, upskilling programs, and resources to meet industry standards.</li> <li>• <b>Attract Investment:</b> Demonstrate the readiness of Gippsland's businesses and workforce to attract further investment into the region's renewable energy ecosystem.</li> </ul>
Benefit/Outcomes:	<p><b>Economic and Business Growth</b></p> <ul style="list-style-type: none"> <li>• Strengthened local supply chains through increased engagement with renewable energy projects.</li> <li>• Opportunities for Gippsland businesses to repurpose and adapt for emerging industries, driving regional investment and job creation.</li> <li>• Boost to local hospitality businesses, hotels, and service providers, benefiting from the influx of over 800 delegates attending the conference.</li> <li>• Creation of procurement pipelines between local suppliers and major renewable energy projects.</li> </ul> <p><b>Workforce and Skills Development</b></p> <ul style="list-style-type: none"> <li>• Clearer pathways for local training and employment in renewable energy sectors.</li> <li>• Development of new education programs and upskilling opportunities aligned with industry requirements.</li> </ul>



**Community Engagement and Social License**

- Increased community understanding and support for renewable energy initiatives.
- Enhanced transparency around opportunities and challenges of the energy transition.
- Adoption of community benefit-sharing models with local groups receiving tangible benefits from renewable energy companies.

**Networking and Collaboration**

- Strengthened connections between government, industry, education providers, and community groups to foster long-term collaboration.
- Expanded networks for local businesses seeking entry points into renewable energy supply chains.
- Opportunity for high profile leaders and politicians of all parties to come to the region and engage in a conversation about regional development.
- Encouragement of circular economy principles and innovative energy solutions in Gippsland.

**Regional Advocacy and Capacity Building**

- Improved infrastructure planning and advocacy for regional energy initiatives.
- Conference outcomes contributing to policy refinements for renewable energy, workforce development, and local supply chain growth.
- Positioning Gippsland as a national leader in renewable energy innovation and development.

**Tourism and Hospitality Impact**

- Significant economic uplift for local hospitality businesses, including hotels, restaurants, cafes, and transport providers, through the hosting of delegates, speakers, and exhibitors.
- Increased demand for local services during the event, providing a short-term boost and showcasing the region's capacity to host large-scale events.

**EVENT BUDGET**

Please outline your event budget in the income and expenditure tables below, including details of other funding that you have applied for, whether it has been confirmed or not.

INCOME		EXPENDITURE	
Latrobe City Council	\$40,000	Event Operations	\$202,000
Additional Grants / Sponsorship	\$130,000	Venue Hire	\$40,000
Team Entry / Ticket Sales	\$133,500	Marketing and Promotion	\$8,000
In-kind	\$10,000	Administration	\$75,000
Applicants Contribution	\$40,000	Infrastructure	\$28,500
<b>TOTAL</b>	<b>\$353,500.00</b>	<b>TOTAL</b>	<b>\$353,500.00</b>

EVENT GRADING		
Estimated economic benefit to Latrobe Valley	ROI	Rating
<b>Projected economic impact:</b> \$663,423.84  This figure is based on the 2024 event economic impact produced by the Latrobe City Council Business Development team. The events economic impact template was used to produce this economic impact, therefore figures are consistent.  Return on investment: <ul style="list-style-type: none"> <li>\$16:\$1 (based on requested \$40K investment)</li> <li>\$33:\$1 (based on recommended \$20K investment)</li> </ul>	Up to \$10	<input type="checkbox"/> 1
	\$11 – \$19	<input type="checkbox"/> 2
	\$20 +	<input checked="" type="checkbox"/> 3
Event Term – commitment to hosting event in Latrobe City		
1 year only – annual event and/or agreement is for 1 year		<input type="checkbox"/> 1
2 years		<input type="checkbox"/> 2
3 years +		<input checked="" type="checkbox"/> 3
Event budget		
Event budget supplied	Poor	<input type="checkbox"/> 1
	Good	<input checked="" type="checkbox"/> 2
	Excellent	<input type="checkbox"/> 3
Does the event have budget for promotion and marketing opportunities to showcase Latrobe City and beyond? (Please select one)		
None allocated		<input type="checkbox"/> 0
Latrobe City Only		<input type="checkbox"/> 1
Gippsland		<input type="checkbox"/> 2
Intrastate		<input type="checkbox"/> 3
Interstate		<input checked="" type="checkbox"/> 4
In addition to the above, does the event provide opportunity to market and promote Latrobe City as a tourist destination through the events existing and established marketing channels? i.e. membership data base, TV / live streaming digital media other.		
The Gippsland New Energy Conference will market and promote Latrobe City as a tourist destination through its established and highly effective marketing channels.  Last year, the event garnered substantial national and international attention, showcasing the region's unique appeal and capabilities. This included: <ul style="list-style-type: none"> <li><b>Extensive Media Coverage:</b> National newspapers and television prominently featured the conference, highlighting Latrobe City's role as a leader in the renewable energy transition.</li> <li><b>Social Media Reach:</b> The strategic use of social media platforms, including Facebook and LinkedIn, engaged a wide audience, generating significant interest in the region.</li> <li><b>Delegate Advocacy:</b> Positive feedback and testimonials from attendees, including industry leaders, government representatives, and international delegates, amplified Latrobe City's profile as a vibrant and innovative destination. Many delegates shared their experiences globally, showcasing the region's attractions and hospitality.</li> </ul>		<input checked="" type="checkbox"/> Yes (1) <input type="checkbox"/> No (0)



<ul style="list-style-type: none"> <li>• <b>Digital Media:</b> The conference utilized digital marketing campaigns, live streaming, and an active online presence to ensure maximum visibility.</li> </ul> <p>Building on this success, the 2025 event will continue to promote Latrobe City as a destination of choice for energy innovation, business opportunities, and tourism. The conference's marketing efforts will emphasise the region's excellent venues, local attractions, and outstanding hospitality, encouraging both professional and leisure visitors to explore what Latrobe City has to offer.</p>	
<b>Is there a proposed community engagement plan / content? If yes, is there any intent to engage / collaborate with schools, CALD community members, or outreach communities? Expand:</b>	
<p>The conference features a comprehensive Inclusion and Accessibility Plan, ensuring that all participants feel welcome, respected, and able to engage fully. Speakers and facilitators are thoroughly briefed on inclusive behaviour and practices, creating a supportive and respectful environment for all attendees.</p> <p>Key initiatives include:</p> <ul style="list-style-type: none"> <li>• <b>Youth Engagement:</b> A significant number of youth passes are distributed to encourage young people to attend the conference and engage with industry leaders.</li> <li>• <b>Youth Summit:</b> Running alongside the conference, the Youth Summit focuses on connecting key industry groups with younger people, highlighting pathways into renewable energy careers. The Summit fosters meaningful engagement with local schools and educational institutions, inspiring the next generation to take part in Gippsland's energy transition.</li> <li>• <b>Community Outreach:</b> The conference actively reaches out to CALD communities and other underrepresented groups, providing opportunities for participation and ensuring their perspectives are included in discussions about Gippsland's future.</li> <li>• <b>Collaborative Programs:</b> Partnerships with local schools, TAFE Gippsland, and Federation University ensure targeted outreach and participation opportunities for students and educators, helping to bridge gaps in access to industry networks.</li> </ul> <p>These efforts underline the conference's dedication to fostering diversity, equity, and inclusion, making it a platform that represents and benefits the entire Gippsland community.</p>	<input checked="" type="checkbox"/> Yes (1) <input type="checkbox"/> No (0)
<b>Calendar/market fit for Latrobe City Calendar of Events</b>	
No conflicting events.	<b>Poor</b> <input type="checkbox"/> 1
	<b>Good</b> <input type="checkbox"/> 2
	<b>Excellent</b> <input checked="" type="checkbox"/> 3
<b>Are there other activities/programs included in the proposal that have not been mentioned previously? If so, please provide details:</b>	
Bus trips to local industry and local government sites.	
<b>Please provide details on any other activities, programs or information and any further information below in regard to this event application</b>	
This is an industry led conference however around 100 free passes were distributed last year to key community and business groups to encourage people to learn and see value from the renewables industry. It is supported by all the main energy companies; Alinta, AGL and Energy Australia as well as all offshore wind proponents.	
<b>Grading guide: 0 – 6 = GOOD, 7 – 12 = V GOOD, 13 and above = EXCELLENT</b>	
<b>Score</b>	<b>17/20</b>

STRATEGIC GOALS / FOCUS	
Does the event support the following strategic goals:	
Adding to our region's Economic prosperity	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Being complementary to community members and groups	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Increasing the regions image and visibility	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
IDENTIFY KEY ISSUES / BENEFITS	
Issues:	<ul style="list-style-type: none"> <li>• Cost to host</li> <li>• Resources to host</li> <li>• Some contentious topics which can split community (ie Nuclear)</li> <li>• Potential centralised location for protests linking to new energy developments</li> </ul>
Benefits:	<ul style="list-style-type: none"> <li>• Highlights Latrobe as a leader in the New Energy Transition.</li> <li>• Helps bridge the old into the new, sending a positive message to the community that Latrobe is taking the right steps in moving forward.</li> <li>• Economic benefit to region in hosting</li> <li>• Paints a positive picture of Latrobe for new investors</li> <li>• Utilisation of GPAC facility</li> <li>• Support for existing and emerging businesses in Latrobe through either local spend, or localised opportunity that comes through new energy</li> <li>• Supports advocacy efforts to state/federal governments to deliver a just transition for our region.</li> <li>• Attracts international guests, key government officials and key local stakeholders.</li> </ul>
RECOMMENDATION	
<p>Taking the above application into consideration, it is recommended to proceed with this proposal.</p> <p><b>Recommended funding allocation: \$20,000 per year for 3 years.</b></p> <p>These recommendations align with the <b>Latrobe City Events &amp; Tourism Strategy 2024 – 2028:</b></p> <ol style="list-style-type: none"> <li><b>1. Building visitor awareness and local pride and advocacy in the destination.</b></li> <li><b>2. Growing and sustaining our competitiveness as an events destination.</b></li> <li><b>3. Maximising economic and social outcomes from events and the visitor economy.</b></li> <li><b>4. Fostering connections and partnerships.</b></li> </ol> <p><b>It also supports the Latrobe City Council Plan 2021 - 2025 objectives:</b></p> <ol style="list-style-type: none"> <li><b>1. Creative</b> <ul style="list-style-type: none"> <li>• Develop a program of innovative, publicly accessible projects aimed at celebration of Latrobe City and its community.</li> <li>• Promote economic growth and job creation through events and recreation related tourism capitalising on our arts, cultural and sporting facilities.</li> </ul> </li> <li><b>2. Connected</b> <ul style="list-style-type: none"> <li>• Facilitate appropriate urban growth, industry diversification, liveability, and connectivity throughout Latrobe City.</li> <li>• Promote ongoing community engagement activities and work in partnership with our community focusing on promoting leadership, resilience, creative and forward-thinking initiatives.</li> <li>• Promote our role as Gippsland's Regional City to support economic growth and events programming, cultural events and recreation and sporting attractions.</li> <li>• Connect people facing barriers to opportunities in education, recreation, sport, culture, and the community.</li> </ul> </li> </ol>	

## MUNICIPAL ASSOCIATION OF VICTORIA - SUBSTITUTE DELEGATE

### PURPOSE

To recommend that Council appoint a substitute delegate to the Municipal Association of Victoria (MAV).

### EXECUTIVE SUMMARY

- As part of the Council Committee appointments made at the December 2024 Council Meeting, Councillor Sharon Gibson was appointed as Council's delegate (representative) to the MAV.
- Council is also required to appoint a Councillor as a substitute delegate, which was not included in the resolution at the December 2024 Council Meeting.
- Councillor Campbell is the sole nominee for the substitute delegate position.

### OFFICER'S RECOMMENDATION

#### **That Council:**

- 1. Notes the appointment of Councillor Gibson as Council's MAV delegate on 16 December 2024; and**
- 2. Appoints Councillor Campbell to be Council's MAV substitute delegate and advises MAV accordingly.**

## BACKGROUND

The MAV is a legislated body for Victorian local councils, of which Council is an ongoing member.

In accordance with Rule 7.1 of the MAV:

*A participating member council must appoint one of its councillors as a delegate and one of its councillors as a substitute delegate to the Association.*

At the 16 December 2024 Council Meeting, as part of the Council Committee Appointments, Councillor Gibson was appointed as Council's delegate (representative) to the MAV.

Council is also required to appoint a substitute delegate. This appointment was not included in the resolution at the 16 December 2024 Council Meeting.

Councillor Campbell is the sole nominee for the substitute delegate role.

## ANALYSIS

To ensure that Council fulfills the requirements of the MAV Rules, it is necessary to appoint a Councillor as a substitute delegate.

## RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
COMPLIANCE Failure to comply with requirements of the MAV Rules.	<b>Low</b> <i>Rare x Insignificant</i>	Appointment of Council's substitute delegate to the MAV.

## CONSULTATION

Consultation is not required for this matter.

## COMMUNICATION

Once the substitute delegate has been appointed by Council, MAV will be notified.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Gender**

A Gender Impact Assessment (GIA) under the Gender Equality Act 2020 has not been conducted as this matter does not involve a program, service or policy with a significant and direct impact on the community.

### **Social**

Not applicable.

### **Cultural**

Not applicable.

### **Health**

Not applicable.

### **Environmental**

Not applicable.

### **Economic**

Not applicable.

### **Financial**

Not applicable.

### **Attachments**

Nil

## COMMUNITY ENGAGEMENT UPDATE - PROPOSED LONG-TERM LEASE FOR A CALLIGNEE TELECOMMUNICATIONS TOWER

### PURPOSE

To present the submissions received from the community consultation process undertaken as part of the proposed long-term lease for a telecommunications tower in Callignee.

### EXECUTIVE SUMMARY

- In May 2024, Council resolved to advertise its intention to enter into a long-term lease with Amplitel for the installation of a telecommunications tower located on part of Crown Folio Volume 11792 Folio 64 identified as Tower 1, **Attachment 1**.
- The Community Consultation was conducted between 6 May - 6 June 2024 and 39 submissions were received in relation to the proposed lease at Callignee, **Attachment 2**.
- There were 18 submissions in support of the proposed lease and 20 opposed to the proposal and 1 submission requesting a meeting.
- For those in favour of the proposal, safety in an emergency was the major reason for supporting the proposed lease.
- Those against the proposal sited health concerns, proximity to community facilities and the impact to the visual amenity of the proposed location as some of the main concerns.
- Officers requested Amplitel provide a response to the concerns raised by the community, **Attachment 3**.



## **OFFICER'S RECOMMENDATION**

### **That Council:**

- 1. Having considered the submissions received, and in accordance with Section 115 of the Local Government Act 2020, proceeds to enter into a lease with Amplitel Pty Ltd, on the proposed lease terms outlined below:**
  - a. Proposed Tenant: Amplitel Pty Limited as trustee for the Towers Business Operating Trust ABN 75 357 171 746;**
  - b. Premises Lease area of 100 square metres of reserve Crown land known as Neaves Road, Callignee (as detailed in Attachment 1);**
  - c. Permitted Use: Use, inspection, construction, installation, replacement, operation, maintenance, alteration, repair, upgrade, access to and from and removal of the facility for telecommunications and communications purposes on the Premises and the Land in accordance with the Lease;**
  - d. Term: 20 years;**
  - e. Rental: \$15,000 per annum plus GST;**
  - f. Rent Review: Adjusted annually by 3%;**
  - g. Outgoings: All outgoings including utility services, rates, taxes, public liability insurance, building and contents insurances to be payable by the Tenant;**
  - h. Repairs and Maintenance: all building maintenance and repairs shall be the responsibility of the Tenant;**
  - i. Special condition: Amplitel to fund and install two new 45,000 litre sized water tanks at a site agreed by the Callignee CFA; and**
- 2. Authorises the Chief Executive Officer to execute all documents necessary to enter into the lease agreement with the Proposed Tenant.**

## BACKGROUND

In relation for a proposed lease for a telecommunication tower at the Neaves Road, Callignee, at the Council Meeting held on Monday, 6 May 2024, Council resolved, in part, to:

1. Pursuant to section 115 of the Local Government Act 2020, advertises its intention to enter into a lease with Amplitel Pty Ltd (the tenant) for a telecommunications tower located on part of Crown Folio Volume 11792 Folio 64 identified as Tower 1;
2. Agree to consider any submissions received pursuant to Section 55 of the Local Government Act 2020 at a future Council Meeting;
3. Subject to the above recommendations and provided no submissions are received, agree to enter into a new lease with Amplitel Pty Ltd, on the proposed lease terms outlined below:
  - a. Proposed Tenant: Amplitel Pty Limited as trustee for the Towers Business Operating Trust ABN 75 357 171 746;
  - b. Demised Premises: Lease area of 100 square metres of reserve Crown land known as Neaves Road, Callignee;
  - c. Permitted Use: Use, inspection, construction, installation, replacement, operation, maintenance, alteration, repair, upgrade, access to and from and removal of the facility for telecommunications and communications purposes on the Premises and the Land in accordance with the Lease;
  - d. Term: 20 years;
  - e. Rental: \$15,000 plus GST;
  - f. Rent Review: Adjusted annually by 3%; and
  - g. Outgoings: All outgoings including utility services, public liability insurance, building and contents insurances to be payable by the Tenant.

The tower is proposed to be in Callignee adjacent to the CFA building. The land required **Attachment 1** is Crown land with Latrobe City Council as the appointed Committee of Management.

The lease would be for an area of approximately 100 square metres, being part of the Public Recreation Reserve situated at Neaves Road Callignee, also known as Crown Allotment 2003, Township and Parish of Callignee.

The proposed tower would be 30m high as required by the State Government's metrics for a tower in this area. As a condition of the agreement, Amplitel will also fund the purchase and installation of 2 new 45,000 litre water tanks to the Callignee CFA.

Given the requested length of the lease is 20 years, in accordance with Section 115 of the *Local Government Act 2020*, Council has now completed the required community engagement process.

## ANALYSIS

The community consultation campaign was conducted between 6 May - 6 June 2024 in accordance with Council's community engagement policy. The campaign generated significant interest in the matter with members of the community both supportive and opposed to the proposal.

Those that supported the telecommunications tower sighted the benefits of an increased telecommunications network in the region in case of an emergency.

There were a number of submissions that opposed the tower, focussing on such things as health concerns, proximity to community facilities and the impact to the visual amenity

In order to adequately address the concerns raised by the community, Officers requested that Amplitel provide a response to the concerns the community raised **Attachment 3**.

Amplitel's response provides sufficient justification on the safety of the towers to public health as well as providing insight into the other concerns raised, with all proposed infrastructure complying with the current Australian safety standards in relation the emitting of radio frequencies.

In relation to the visual impact of the tower, Amplitel have offered to minimise impact by painting the structure a specific colour and screening the compound to Council's requirements. These would be addressed in the required planning permit, should Council agree to a lease.

Upon the balance of community safety against the community's concerns, Officers recommend proceeding with the proposed lease with Amplitel.

## RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
<b>SERVICE DELIVERY</b> The replacement of the lights at the ground impacting on user groups	<b>Low</b> <i>Unlikely x Moderate</i>	After consultation the location of the lights will be altered to meet the needs of the user group.
<b>FINANCIAL</b> Poor financial return for the impact on our property assets.	<b>Low</b> <i>Unlikely x Minor</i>	The land will be leased subject to market valuations and reviewed accordingly on regular intervals throughout the lease.
<b>STRATEGIC</b> A reputational risk if not engaging strongly with the community.	<b>Medium</b> <i>Unlikely x Moderate</i>	The effected user has been provided their feedback and this has been considered for the new location.

## CONSULTATION

The community consultation process generated a total of four submissions. The process was completed as per Council's Community Engagement Policy, as required for compliance with the *Local Government Act 2020*.

This process commenced on 6 May and concluded on 6 June 2024.

Activities included:

- A public notice published in the Latrobe Valley Express (22 May 2024);
- Calls for submissions via the Have your Say platform on Council's website; and
- A social media post directing interested parties to make a submission.

## COMMUNICATION

Direct communication with each of the parties who provided a submission have been provided opportunity to attend the Council Meeting to speak to their submission. Each party will be provided an update on the matter following the Council meeting.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Gender**

Not applicable.

### **Social**

The increase in access to stable telecommunication services will provide benefits across the community.

### **Cultural**

Not applicable.

### **Health**

Not applicable.

### **Environmental**

Not applicable.

### **Economic**

This infrastructure will enable any benefits gained from a long-term lease to be returned to the community through Council spending. There will be additional initial investments negotiated that could add value to the directly impacted community groups as well that will be of value as well.

### **Financial**

The estimated return for a single telecommunications tower in the market today is approximately \$15,000 indexed at approximately 3% this will add \$400,000 over the life of the agreement per lease.

All outgoings (insurances and utility costs) will be passed on to the tenant.

The lease would not impact on the zoning of either land parcels, therefore no windfall gains tax implications.

However, the change of use may incur a minor land tax obligation. Any costs incurred through the execution of the lease will be covered by the financial returns of the lease.

## **Attachments**

1. Proposed Telecommunications Tower Location
2. Community Consultation Responses (Published Separately)

*This attachment is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. Personal details are contained within public submissions and are required to remain confidential.*

3. Amplitel Response to Community Consultation responses



# 10.8

## Community Engagement Update - Proposed Long-Term Lease for a Callignee Telecommunications Tower

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**LATROBE CITY  
COUNCIL**

## Attachment 1 – Proposed Tower Location

Telecommunications tower compound would be located on part of Crown Folio Volume 11792 Folio 64 identified the yellow square.





Josh Graham  
Coordinator Property Operations  
Latrobe City Council

*Via email:*

Dear Josh,

**Response to Community Submissions in relation to the proposed Telecommunications Facility at 438 Old Callignee Road, Callignee, VIC 3844.**

Thank you for the opportunity to respond to the concerns and issues raised by local residents as a result of Latrobe's public consultation on the proposed lease between Amplitel and Council in relation to the deployment of a Telecommunications Facility.

The proposed facility has been funded by Telstra and the Victorian Government through the Connecting Victoria Program (CVMP). Telstra have been awarded funding to deploy this proposed facility within the parameters of this project. Further information on the CVMP Program is contained at [Attachment 2](#).

**Summary of Submissions**

Overall Council received 39 public submissions in response to the proposal.

- 20 of the responses were against the proposal.
- 18 of the responses were in favour of the proposal.
- 1 response requested for a Town meeting to discuss the proposal.

Of the 20 responses received which were not in favour of the proposal the issues raised were:

1. Health concerns relating to Electromagnetic Energy (EME)
2. Location close to Residential Areas, Community Facilities (community hall, play group and playground), Siting and Alternative locations
3. Children and the ARPANSA Standard
4. Property Values
5. Visual Impact
6. Potential impact to flora and fauna (from EME).
7. Victorian Planning Scheme Restrictions (Amendment VC226: Telecommunications facilities- & proximity to residences).
8. Community disruption (creating tension within a small community)
9. Impacts on Farmers and the CFA/emergency services in relation to the installation of the new water tanks.

A response is provided below to each of the concerns raised:



### **Amplitel/ Telstra Response**

#### **1. Health and Electromagnetic Energy (EME)**

We want to assure you that Telstra places a very high importance on EME safety. Telstra also acknowledge that some people are genuinely concerned about the possible health effects from EME and are committed to addressing those concerns responsibly.

All of Telstra's mobile base stations are designed to comply with the relevant Australian safety standard called RPS S-1 or Radiation Protection Series – S1 (Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz). RPS S-1 is set by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and is based on the safety guidelines recommended by the International Commission on Non-Ionizing Radiation Protection (ICNIRP) and is regulated by the Australian Communications and Media Authority (ACMA).

The ARPANSA Standard is very conservative and include large reduction factors, protects all people including children exposed to radiofrequency EME in the frequency range 100 kHz to 300 GHz and covers frequencies used for 5G, including mmWave bands.

Telstra's engineers conduct a thorough EME compliance assessment as part of the base station design. For each base station, an Environmental EME Report is prepared by Telstra and can be accessed by members of the public via the Radio Frequency National Site Archive (RFNSA) at [www.rfnsa.com.au](http://www.rfnsa.com.au).

A copy of this report is attached. The maximum EME levels are calculated at 3.64% of the ARPANSA Standard. The standard allows for up to 100%.

#### **What do the experts say about 5G and health?**

We understand that some people have concerns about EME exposure and 5G's impact on human health. Telstra relies on the expert advice from the ARPANSA for overall assessments of health and safety impacts. ARPANSA's advise that there is no substantiated scientific evidence that radiofrequency technologies that operate within national and international safety standards cause health effects.

ARPANSA's position is:

*"Based on current research there are no established health effects that can be attributed to the low RF EME exposure from mobile phone base station antennas."*

<https://www.arpansa.gov.au/understanding-radiation/radiation-sources/more-radiation-sources/mobile-phone-base-stations>

The current position of the WHO is available in the Online Q&A (updated 21 February 2020) the WHO state:



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*“Studies to date provide no indication that environmental exposure to RF fields, such as from base stations, increases the risk of cancer or any other disease.”*

<https://www.who.int/news-room/q-a-detail/what-are-the-health-risks-associated-with-mobile-phones-and-their-base-stations>

Some submissions have referenced American Standards or stated that Government EME standards have not changed in 20 years.

However, ICNIRP recently undertook an extensive review of the available scientific evidence and research on EME and health. As a result, new ICNIRP Guidelines were published on 11 March 2020 with a focus on the overall depth of research and safety of the guidelines. We encourage you to read the ICNIRP [media release](#), [FAQ](#) and [Differences](#) documents.

The RPS S-1 ARPANSA EME standard:

- protects all people including children
- is very conservative and includes large reduction factors
- covers all RF EME frequencies including those used by 5G and future technologies
- was developed after a thorough review of all relevant scientific literature in conjunction with ICNIRP and an extensive public consultation process.

To read more about RPS S-1 Standard please [click here](#).

## **2. Location close to Residential Areas, Community Facilities, Siting and Alternative locations**

Telstra’s proposed facility is located centrally within Callignee to maximise coverage. This will ensure that the community will receive the greatest benefits from the proposed facility. It can be demonstrated that the proposed facility complies with the Australian Safety Standard by a large margin and therefore relocation is not warranted.

Specifically, Telstra’s radio frequency engineers have advised:

*The new Callignee site will offer 4G+5G coverage as it meets the requirements set under the State funded Connecting Victoria Mobile Program, enhancing signal strength in the Callignee area according to Telstra's desktop assessment.*

*Users in the vicinity of the Callignee area can expect significant improved data throughput and signal quality. The site will also provide enhanced coverage to the Callignee Hall and to many local roads such as Old Callignee Road, which will ultimately benefit residents, businesses, farms, and any other mobile users in the area. Signal strength is dependent on the terrain, the traffic area, signal coverage and the location, and as such there might be slight variation from the desktop analysis.*

Connectivity is critical during natural disasters, especially bushfires and storms, power outages and health emergencies. Enhanced connectivity can bring more jobs, innovation, and investment to an



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area, ensure community safety, bring greater tourism, and boost business productivity and the local economy.

We recognise the sensitivity associated with proposals in some areas and we try hard to strike a balance between providing services and minimising our impact on the community and the local environment. Distances at which infrastructure must be sited from community sensitive locations based on an arbitrary distance does not necessarily reflect a precautionary approach. For example, infrastructure sited further from a sensitive area may need to operate at greater power to provide mobile phone coverage and may result in higher exposures in the area.

Once a call is connected both mobile phones and their base stations are designed to operate at the lowest levels to make a quality call and avoid network interference. Base stations are constantly adapting their output levels depending on the number of calls they are handling and how far away the handsets are from them. Therefore, the further a base station is built from residences and where people are using their devices, the more power it needs to keep customers in the vicinity connected, which could actually increase exposures in that area – the very thing such approaches are trying to avoid. In most circumstances the best location to build a base station in order to minimise emissions is closest to where the service is required, including near community facilities and residential areas.

Regulations to protect the public from RF EME exposure from telecommunications facilities do not set any distance requirements between the facility and other land uses such as residences, schools or hospitals.

### 3. Children and the ARPANSA Standard

The [ICNIRP Guidelines](#) are based on careful analysis of the scientific literature and are designed to offer protection for all ages, including children and pregnant women, against identified health effects of EME with a large in-built safety margin. You can read the [Frequently Asked Questions](#) to confirm the ICNIRP Guidelines cover all people including children and cover the frequencies used for all mobile technologies including 5G.

The ARPANSA EME standard RPS S-1 protects all people including children.

### 4. Property Values

To work effectively, base stations need to be located near to the people who are accessing this technology. Property valuation is a complex issue, with fluctuations in price being subject to several factors. Many of these are subjective, and may be as diverse as aspect, views, condition of the property, local amenity and access to services, including high quality communications. Since the mid-1990s, thousands of telecommunication facilities have been installed throughout Australian metropolitan and regional areas. During this period, property values have continued to increase, showing no clear signs of deterioration as a result of the location of communications facilities. Telstra is not aware of any credible evidence that directly links the siting of telecommunications facility to a decrease in property prices.





### 5. Visual Impact

The location of the proposed facility benefits from tall surrounding native vegetation. This will limit medium and long-range views of the facility. A visual impact statement has been provided at Attachment 1 for further consideration. Additional design treatments and colours can be implemented to further reduce visibility such as painting the structure pale eucalypt and installing specific fencing to Council's satisfaction.

Visual impacts are assessed during the Planning Permit application, and these impacts must be balanced against the general policy support within the Planning Scheme for the widespread provision of quality, modern telecommunications infrastructure and the wider community benefit from the development of a comprehensive telecommunications network.



VIEW FROM NEAVES ROAD LOOKING SOUTH WEST SHOWING APPROXIMATE LOCATION OF PROPOSED FACILITY (RED ARROW)

### 6. Flora and fauna EME effects

With respect to possible effects of RF EME on flora and fauna, in 2019 Telstra asked ARPANSA for their response on the issue of possible effects on flora and fauna. They replied, *"There is no established evidence that EME exposure from wireless telecommunications sources is harmful to flora or fauna. It should be remembered that many of the studies investigating human health are performed in the laboratory on animals and plant cells."*

In regard to the ARPANSA 2020 Safety Standard RPS S-1, ARPANSA has written *"... existing studies on the effects of low-level RF EME exposure on plants and animals indicate that the exposure limits set within the Standard are adequate in providing protection to the environment."* See <https://www.arpansa.gov.au/regulation-and-licensing/regulatory-publications/radiation-protection-series/codes-and-standards/rpss-1-qa>



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#### **7. Victorian Planning Scheme Restrictions (Amendment VC226: Telecommunications facilities- & proximity to residences).**

Federal and State Legislation does not restrict the placement of Telecommunications Facilities in residential areas or locations close to dwellings and community locations. Specifically, Amendment VC226 sought to enable more efficient deployments of Telecommunications Facilities in recognition of the growing importance of digital connectivity.

There are no restrictions under this Amendment or Clause 52.19 in the placement of Telecommunications Facilities in relation to residential dwellings or zones. Telecommunications Facilities are an as of right use in all zones of the planning scheme, including all residential zones.

Amendment VC226 actually removed the requirement for *public notice and review* for the majority of applications for a Telecommunications Facility. The reference to distances of 100m to a residential zone or a dwelling in separate ownership at Clause 52.19 outlines where public notice and review applies to a planning application. It does not restrict the placement of a Telecommunications Facility within these areas, but rather requires that the public are notified.

This proposal is also exempt from public notice and review as it is funded by the State of Victoria (52.19-3).

Please refer to the following documents for further clarification:

Amendment VC226 Telecommunications facilities Planning Advisory Note 80 January 2023

[https://www.planning.vic.gov.au/data/assets/pdf\\_file/0033/650688/pan80-amendment-vc226-telecommunications-facilities-january-2023.pdf](https://www.planning.vic.gov.au/data/assets/pdf_file/0033/650688/pan80-amendment-vc226-telecommunications-facilities-january-2023.pdf)

*Why was the change needed?*

*Telecommunications services are vital for supporting economic, social and safety outcomes across Victoria. The technology that supports these services is constantly advancing, at the same time as demand for improved services increases. Regulatory frameworks must evolve to support these changing needs. Before Amendment VC226, the telecommunications planning provisions had not changed significantly in almost 20 years. The provisions were complex, describing obsolete technology and practices which made them difficult to apply. By simplifying the provisions, exempting more facilities from planning requirements, and broadening the description of facilities, the changes make it easier to deploy, upgrade and deliver telecommunications facilities. The changes also support the operation of critical telecommunications facilities used for emergency warnings during bushfires and floods. Facilities will be able to be quickly deployed, upgraded or reinstated. Page 2*

#### 52.19 -3 Telecommunications Facility





<https://planning-schemes.app.planning.vic.gov.au/Latrobe/ordinance/52.19>

To work effectively, Telecommunications Facilities need to be located where people live, work and commute. The Victorian Planning Scheme recognises this by exempting many types of Telecommunications Facilities and exempting the requirements for public notice and review in many instances.

**8. Community disruption (creating tension within a small community)**

Should a decision be made by Council to support the proposed leasing arrangements, a planning permit application will be lodged with Latrobe Council for further assessment under the provisions of the Latrobe Planning Scheme.

Prior to lodgement, Telstra will undertake a community consultation program which will include a community information session where experts will be on hand to address community concerns, particularly about EME, Siting and the community benefit this site will provide.

We trust this session will allay any local community tension and misinformation about Telecommunications Facilities.

**9. Impacts on Farmers and the CFA/emergency services in relation to the installation of the new water tanks.**

The provision of (2) water tanks will provide community benefit in the form of additional water storage for the local CFA. We note that several (individual) submissions were received from CFA volunteers supporting the proposal.

A new facility at 438 Old Callignee Road, Callignee will provide added coverage and capacity to the network to ensure the local community can continue to rely on the network for mobile telephony, internet, search and rescue, receive emergency text alerts and to make critical calls to Triple Zero emergency services.

We trust that you will find the information about this proposal informative. We note the significant community support for the proposal evidenced in the submissions to Council. Telstra and Amplitel are also committed to addressing the concerns raised by some residents prior to any planning permit application being lodged.

Yours sincerely

Emily Wardlaw  
Director Planning Services  
Acquirecomm



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**Attachments**

- Attachment 1 Visual Impact Statement
- Attachment 2 CVMP Overview
- Attachment 3 Telstra 5G fact Sheet

**Website Links:**

[EME, 5G and you](#)

[Mobile phone base stations and health](#)

[Safety of 5G technology](#)

[5G Radiofrequency RF EMF](#)

<https://www.health.gov.au/news/safety-of-5g-technology>

[ICNIRP Guidelines](#)

<https://www.arpansa.gov.au/understanding-radiation/radiation-sources/more-radiation-sources/mobile-phone-base-stations>

<https://www.who.int/news-room/q-a-detail/what-are-the-health-risks-associated-with-mobile-phones-and-their-base-stations>

[Frequently Asked Questions](#)

[www.rfnsa.com.au](http://www.rfnsa.com.au)

[https://www.planning.vic.gov.au/\\_data/assets/pdf\\_file/0033/650688/pan80-amendment-vc226-telecommunications-facilities-january-2023.pdf](https://www.planning.vic.gov.au/_data/assets/pdf_file/0033/650688/pan80-amendment-vc226-telecommunications-facilities-january-2023.pdf)

<https://planning-schemes.app.planning.vic.gov.au/Latrobe/ordinance/52.19>



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# **URGENT BUSINESS**

## 11. URGENT BUSINESS

Business may be admitted to the meeting as urgent business in accordance with clause 17 of the Governance Rules, by resolution of the Council and only then if it:

- 17.1 Relates to or arises out of a matter which has arisen since distribution of the agenda; and
- 17.2 Cannot reasonably or conveniently be deferred until the next Council meeting.



# **REPORTS FOR NOTING**

## 12. REPORTS FOR NOTING

Item Number 12.1     24 February 2025

Organisational Performance

# QUARTERLY BUDGET REPORT - DECEMBER 2024

### PURPOSE

To provide Council with the financial results for the first half of the 2024/2025 financial year in accordance with the provisions of Section 97(1) of the *Local Government Act 2020* (Act).

### EXECUTIVE SUMMARY

- This report meets the requirements of the Act to present a quarterly budget report to Council as soon as practicable after the end of each quarter of the financial year.
- The report shows that Council overall is operating within the parameters of its adopted budget with most variances relating to carry forward funds from the previous year and the timing of revenue and expenditure within the current financial year.
- The "Income Allocation Statement" currently projects a \$2.8 million cash surplus.
- Council seeks to achieve a balanced budget based on a cash basis and the surplus amounts shown in the Income Allocation Statement is largely as a result of the decision to not proceed in the current year with road rehabilitation projects at Stratton Drive Traralgon and Kirk Street Moe which equates to \$2.3 million.
- The "Comprehensive Income Statement" report forecasts a Surplus result for the full financial year of \$16.3 million which is an unfavourable variance of \$13.7 million to the adopted budget, mainly associated with expenditure relating to funding carried forward from the previous financial year and a reduction in expected capital grants, with details of all variances included in the Comprehensive Income Statement commentary.
- The "Balance Sheet" shows that Council maintains a strong liquidity position with \$170.2 million in current assets compared to \$21.6 million current liabilities (a liquidity ratio of 7.9:1).
- Based on the results of the first six months of the financial year, the Chief Executive Officer (CEO) has determined that a revised budget is not required as none of the three criteria for the preparation of a revised budget under section 95 of the Act exist.
- The report is provided for Council's information.

### OFFICER'S RECOMMENDATION

**That Council receive and note the Budget Report for the Quarter ended 31 December 2024, prepared in accordance with the requirements of the Local Government Act 2020.**

## BACKGROUND

Under Section 97(1) of the Act, as soon as practicable after the end of each quarter of the financial year, the CEO must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public. This report ensures compliance with this legislative requirement.

## ANALYSIS

The attached report, as at 31 December 2024, is provided for the information of Council and the community. The financial report compares budgeted income and expenditure with actual results as at the end of the first quarter of the financial year. The key issues of note are:

- The Income Allocation Statement currently forecasts a "cash surplus" of \$2.8 million which is largely as a result of the decision to not proceed in the current year with road rehabilitation projects at Stratton Drive Traralgon and Kirk Street Moe which equates to \$2.3 million
- The "Comprehensive Income Statement" report forecasts a Surplus result for the full financial year of \$16.3 million which is an unfavourable variance of \$13.7M to the adopted budget, mainly resulting from expenditure of funding carried forward from the previous financial year and a reduction in expected capital grants, with details of all variances included in the Comprehensive Income Statement commentary.
- The "Balance Sheet" shows that Council maintains a strong liquidity position with \$170.2 million in current assets compared to \$21.6 million current liabilities (a liquidity ratio of 7.9:1).
- The budgeted cash & investments at the beginning of the year was \$79.9 million, the actual opening balance was \$100.3 million. The additional \$20.4 million was largely the result of higher than anticipated surplus funds and carry forward funding for capital and operational projects and programs. Additional net cash inflows of \$7.1 million have been received over the first two quarters mainly as a result of advanced government grants received that have yet to be spent.
- The "Statement of Capital Works" shows that as at the 31 December 2024 Council had spent \$22.2 million on capital works mostly on Infrastructure projects \$15.3 million (including Roads projects \$5.5 million), Plant & Equipment \$2.5 million and Property (buildings) \$4.3 million. Full year forecasted capital expenditure is \$71.3 million compared to the budget of \$68.6 million. The increase is mainly due to funds carried forward from 2023/24 partially offset by an overall reduction in capital expenditure relating to the forecast decrease in capital grants mainly due to a review of the timing of recognition of grants funds for major multi year projects.

- The “Financial Performance Ratios’ indicate that Council remains within the industry expected ranges.

Further details on these and other variations are provided in **Attachment 1**.

The CEO has determined that based on the results of the first six months of the financial year a revised budget is not required as none of the three criteria for the preparation of a revised budget under section 95 of the Act exist as follows;

- there is no requirement to vary the declared rates or charges; and
- there is no requirement to undertake any new borrowings that have not been approved in the budget; and
- there are no changes proposed to the budget that, in Management’s opinion, should be the subject of community engagement.

#### RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
COMPLIANCE Non-compliance with the requirements of the <i>Local Government Act 2020</i> .	<b>Low</b> <i>Unlikely x Minor</i>	Timely presentation of report

#### CONSULTATION

Not applicable.

#### COMMUNICATION

Not applicable.

#### DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Gender**

Not applicable.

### **Social**

Not applicable.

### **Cultural**

Not applicable.

### **Health**

Not applicable.

### **Environmental**

Not applicable.

### **Economic**

Not applicable.

### **Financial**

A strong financial position allows Council to adapt and respond to challenges as they arise.

### **Attachments**

1. Quarterly Budget Report - December 2024

# 12.1

## Quarterly Budget Report - December 2024

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# Quarterly Budget Report

## December 2024

**Quarterly Budget Report**  
**December 2024**

**Contents**

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- Comprehensive Income Statement (CIS)	6
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- Statement of Cash Flows	12
- Statement of Capital Works	13
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## **December 2024 Quarterly Budget Report Summary**

The attached report provides the overall outcomes to the end of the first half of the 2024/25 financial year together with forecasted year end results compared to budget. The key issues of note are:

- The "Income Allocation Statement" reports a mid year forecasted cash surplus of \$2.8M, which is a \$2.1M favourable variance to the Adjusted Budget. The "Adjusted Budget" incorporates funding that has been carried forward from the 2023/24 financial year and changes in government grants funding both in financial year timing and funding amounts.
- The "Comprehensive Income Statement" report forecasts a Surplus result for the full financial year of \$16.3M, which is an unfavourable variance of \$13.7M to the adopted budget. The variance is mainly resulting from expenditure relating to carried forward projects from the previous financial year and a reduction in expected capital grants. Details of all variances included in the Comprehensive Income Statement are included in the provided commentary.
- The "Balance Sheet" shows that Council maintains a strong liquidity position with \$170.2M in current assets compared to \$21.6M current liabilities (a liquidity ratio of 7.9:1).
- The "Statement of Cash Flows" shows that Council has \$107.4M in Cash and Financial assets (i.e. investments). The level is higher than anticipated due to carry forward funds from previous financial years including capital works, reserves funds and government grants advanced earlier than expected.
- The "Statement of Capital Works" shows a forecast expenditure of \$71.3M compared to the budget of \$68.6M.
- The "Financial Performance Ratios" indicate that Council remains within the industry expected ranges.

Under the provisions of the *Local Government Act 2020 Section 97 (1) (the Act)*, as soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public.

## 24/25 INCOME ALLOCATION STATEMENT

For The Quarter Ended 31 December 2024

	Note	YEAR TO DATE				FULL YEAR			
		Actual	Forecast	Variance	Variance	Mid Year	Adjusted	Variance	Variance
		\$'000	Mid Year \$'000	fav/(unfav) \$'000	fav/(unfav) %	Forecast \$'000	Budget \$'000	fav/(unfav) \$'000	fav/(unfav) %
<b>Income</b>									
Rates and charges	1	95,101	95,091	11	0.0%	95,349	95,226	123	0.1%
Statutory fees & fines	2	1,511	1,439	72	5.0%	2,865	2,758	106	3.9%
User fees	3	6,771	6,949	(178)	(2.6%)	13,149	12,270	879	7.2%
Grants - Operating	4	27,227	26,514	714	2.7%	34,913	32,218	2,695	8.4%
Grants - Capital	5	29,520	28,700	820	2.9%	27,292	26,588	704	2.6%
Contributions - Monetary	6	1,214	1,219	(4)	(0.4%)	1,271	107	1,164	1086.9%
Other income	7	3,740	3,500	240	6.9%	5,351	3,462	1,889	54.6%
<b>Total income</b>		<b>165,085</b>	<b>163,411</b>	<b>1,674</b>	<b>1.0%</b>	<b>180,189</b>	<b>172,629</b>	<b>7,560</b>	<b>4.4%</b>
<b>Expenses</b>									
Employee costs	8	(31,837)	(32,176)	339	1.1%	(67,908)	(67,164)	(744)	(1.1%)
Materials and services	9	(22,790)	(23,233)	443	1.9%	(51,840)	(50,796)	(1,044)	(2.1%)
Utilities	10	(1,647)	(1,774)	127	7.1%	(3,963)	(3,371)	(592)	(17.6%)
Other Expenditure	11	(2,287)	(2,153)	(134)	(6.2%)	(5,334)	(5,150)	(184)	(3.6%)
<b>Total expenses</b>		<b>(58,561)</b>	<b>(59,336)</b>	<b>775</b>	<b>1.3%</b>	<b>(129,045)</b>	<b>(126,481)</b>	<b>(2,564)</b>	<b>(2.0%)</b>
<b>Funds Available</b>		<b>106,524</b>	<b>104,076</b>	<b>2,448</b>	<b>2.4%</b>	<b>51,145</b>	<b>46,148</b>	<b>4,996</b>	<b>10.8%</b>
<b>Other Income / (Expenses)</b>									
Capital Works expenditure	12	(22,718)	(21,952)	(766)	(3.5%)	(68,865)	(69,248)	383	0.6%
Landfill Construction/Rehabilitation	13	(2,091)	(2,107)	16	0.8%	(8,091)	(7,833)	(258)	(3.3%)
Debt Servicing Principal	14	(1,101)	(1,101)	-	0.0%	(2,217)	(2,217)	0	(0.0%)
Borrowing Costs	15	(216)	(222)	6	2.5%	(414)	(407)	(7)	(1.6%)
Transfer from / (to) reserve	16	22,480	22,466	14	0.1%	25,680	29,895	(4,215)	(14.1%)
Interest Income	17	3,117	3,105	12	0.4%	5,598	4,400	1,198	27.2%
<b>Total Other Income/(Expense)</b>		<b>(530)</b>	<b>188</b>	<b>(718)</b>	<b>(381.8%)</b>	<b>(48,310)</b>	<b>(45,410)</b>	<b>(2,899)</b>	<b>6.4%</b>
<b>Surplus / (deficit)</b>		<b>105,994</b>	<b>104,264</b>	<b>1,730</b>	<b>1.7%</b>	<b>2,835</b>	<b>738</b>	<b>2,097</b>	<b>100.0%</b>

**INCOME ALLOCATION STATEMENT OVERVIEW**

The "Income Allocation Statement" (IAS) shows how the annual income is allocated to the various expenditure categories. The statement incorporates the "Adjusted Budget" which represents the 2024/25 budget adopted by Council on 3 June 2024 adjusted for items carried forward from the 2023/24 financial year and known changes in the financial year timing and level of government grants funding.

The "Adjusted Budget" projected a "cash surplus" of \$0.7M which represents unallocated additional Roads to Recovery funding \$0.5M and Victoria Grants Commission Financial Assistance Grants (FAGS) funding \$0.2M. The "Mid Year Forecast" currently projects a \$2.8M cash surplus.

**NOTES TO THE INCOME ALLOCATION STATEMENT - Year to Date and Full Year Variances****1. Rates and charges**

**Year to Date -** **\$0.0M Favourable**

Minor variance.

**Full Year -** **\$0.1M Favourable**

Higher than expected waste services charges received for new services which will be offset by the costs of providing these additional services.

**2. Statutory fees and fines**

**Year to Date -** **\$0.1M Favourable**

Minor variance.

**Full Year -** **\$0.1M Favourable**

Minor variance.

**3. User fees**

**Year to Date -** **(\$0.2M) Unfavourable**

Minor variance.

**Full Year -** **\$0.9M Favourable**

Minor variance.

**4. Grants - operating**

**Year to Date -** **\$0.7M Favourable**

Earlier than expected timing of invoice raised for Local Development Strategy Program \$0.5M.

**Full Year -** **\$2.7M Favourable**

Forecast Natural disaster funding for AUG 24 Emergency Works Trees on Affected Roads \$1.3M.

Unbudgeted Local Development Strategy Program funding forecasted to be received \$0.7M- a recently announced program funded by state government, and Council Support Package funding \$0.7M.

**5. Grants - capital**

**Year to Date -** **\$0.8M Favourable**

Earlier than expected timing of receipt for Sports Legacy grant for Gippsland Regional Indoor Sport Stadium (GRISS) project \$0.7M.

**Full Year -** **\$0.7M Favourable**

Mainly due to changes in timing of recognition of grants for multi year projects e.g. GRISS increase in projected expenditure in the current financial year \$1.2M, Mathison Park Playspace projected decrease \$0.6M. Note capital grants recognition is in line with expenditure on the project rather than actual receipt of grant monies.

**NOTES TO THE INCOME ALLOCATION STATEMENT - Year to Date and Full Year Variances****6. Contributions - monetary**

**Year to Date -** (\$0.0M) Unfavourable

No variance.

**Full Year -** \$1.2M Favourable

Higher than expected receipt of developer contributions including Lake Narracan & Traralgon North Developer contribution schemes \$0.8M, Public Open Space contributions \$0.2M, Street Trees \$0.1M and other Infrastructure contributions \$0.1M.

**7. Other income**

**Year to Date -** \$0.2M Favourable

Minor variance.

**Full Year -** \$1.9M Favourable

The favourable variance is primarily due to the receipt of energy efficiency rebates in relation to LED street lighting upgrades \$0.7M, unbudgeted insurance claim proceeds \$0.6M, container deposit scheme income \$0.1M and higher than expected interest on rates & charges \$0.4M.

**8. Employee costs**

**Year to Date -** \$0.3M Favourable

Minor percentage variance mainly due to staff vacancies in the first quarter.

**Full Year -** (\$0.7M) Unfavourable

The additional salaries and wages are mainly associated with a higher than budgeted Enterprise Bargaining Agreement (EBA) increase.

**9. Materials and services**

**Year to Date -** \$0.4M Favourable

Minor timing variance.

**Full Year -** (\$1.0M) Unfavourable

The unfavourable variance is mainly due to unbudgeted expenditure incurred as a result of the August 2024 Storm event cleanup \$1.3M which is expected to be recouped through Natural Disaster grant funding arrangements.

**10. Utilities**

**Year to Date -** \$0.1M Favourable

Minor timing variance.

**Full Year -** (\$0.6M) Unfavourable

Mainly due to increased gas costs at GRAC due to the Geothermal system being offline while waiting for parts to repair the underground pump.

**11. Other expenses**

**Year to Date -** (\$0.1M) Unfavourable

Minor variance.

**Full Year -** (\$0.2M) Unfavourable

The unfavourable variance is mainly due to unexpended community grants funds carried forward from the 2023/24 financial year which are to be distributed in 2024/25 \$0.4M, together with Kindergarten Inclusion Support program grants \$0.1M and Business Development grants \$0.1M.



**NOTES TO THE INCOME ALLOCATION STATEMENT - Year to Date and Full Year Variances****12. Capital Works expenditure****Year to Date - (\$0.8M) Unfavourable**

Relates to minor timing variances across numerous projects.

**Full Year - \$0.4M Favourable**

While overall a favourable variance is recognised, the variance actually consists of a number of material favourable and unfavourable variances. The decision not to proceed with road rehabilitation works at Stratton Drive Traralgon and Kirk Street Moe following physical inspections found the works unwarranted, has resulted in a forecast favourable expenditure variance of \$2.7 million.

The favourable variance has been offset by unfavourable expenditure variances relating to additional funding from Capital and Operating grants, interest income on grant funds and reserves received for the Regional City Carpark Fund \$0.4 million, Sports Legacy works at GRISS \$1.27 million, Council Support Package Fund, drainage rectification works \$0.4 million and the purchase of land at Montane Estate.

**13. Landfill Construction/Rehabilitation****Year to Date - \$0.0M Favourable**

Minor variance.

**Full Year - (\$0.3M) Unfavourable**

The unfavourable variance is to be funded from the Landfill reserve for rehabilitation.

**14. Debt Servicing Principal****Year to Date - \$0.0M Nil Variance**

Minor variance.

**Full Year - \$0.0M Favourable**

No variance

**15. Borrowing costs****Year to Date - \$0.0M Favourable**

No variance

**Full Year - (\$0.0M) Unfavourable**

No variance

**16. Transfer from / (to) reserve****Year to Date - \$0.0M Favourable**

No variance

**Full Year - (\$4.2M) Unfavourable**

Increase funding expected to be carried forward to future years/ Council reserves. e.g. Landfill & other waste services \$1.2M, increased developer contributions \$0.8M, Local Development Strategy Program \$0.6M and capital works carry forwards \$1.1M.

**18. Interest Income****Year to Date - \$0.0M Favourable**

No variance

**Full Year - \$1.2M Favourable**

The favourable variance is primarily due to higher than expected interest rate yields and additional cash holdings on council investments as a result of unexpected grant funds advanced for major projects that were not anticipated when the budget was developed.

**COMPREHENSIVE INCOME STATEMENT**

For The Quarter Ended 31 December 2024

		YTD Actual	YTD Budget	Variance YTD Act/Bud fav/(unfav)	Variance YTD Act/Bud fav/(unfav)	Variance Type (P)ermanent/ (T)iming	Full Year Forecast	Adopted Budget	Variance Adopted Budget /Forecast fav/(unfav)	Variance Full Year Bud/Forecast fav/(unfav)
	NOTE	\$'000	\$'000	\$'000	%		\$'000	\$'000	\$'000	%
<b>INCOME</b>										
Rates and charges	1	95,101	94,956	146	0.2%	P	95,349	95,226	123	0.1%
Statutory fees and fines	2	1,511	1,304	207	15.9%	T	2,865	2,758	106	3.9%
User fees	3	6,771	5,969	802	13.4%	P	13,149	12,270	879	7.2%
Grants - operating	4	27,235	20,970	6,265	29.9%	P	34,920	28,898	6,022	20.8%
Grants - capital	5	29,512	19,165	10,348	54.0%	T	27,284	36,246	(8,962)	(24.7%)
Contributions - monetary	6	1,214	38	1,177	3123.7%	P	1,271	90	1,181	1306.4%
Contributions - non monetary	7	0	0	0	0.0%	P	5,000	5,000	0	0.0%
Other income	8	6,191	3,672	2,519	68.6%	P	9,703	6,845	2,858	41.8%
<b>TOTAL INCOME</b>		<b>167,536</b>	<b>146,073</b>	<b>21,464</b>	<b>14.7%</b>		<b>189,542</b>	<b>187,333</b>	<b>2,208</b>	<b>1.2%</b>
<b>EXPENSES</b>										
Employee costs	9	31,856	32,068	212	0.7%	T	67,993	65,288	(2,705)	(4.1%)
Materials and services	10	25,163	22,921	(2,242)	(9.8%)	P	58,239	47,629	(10,611)	(22.3%)
Depreciation	11	17,842	16,903	(939)	(5.6%)	P	35,400	33,530	(1,870)	(5.6%)
Amortisation - intangible assets	12	476	476	0	0.0%	P	944	944	0	0.0%
Depreciation - right of use assets	13	72	73	1	0.8%	P	145	159	14	8.9%
Borrowing costs	14	188	183	(6)	(3.1%)	T	363	363	0	0.0%
Finance costs - leases	15	28	22	(6)	(28.0%)	P	51	44	(7)	(15.2%)
Net loss/ (gain) on disposal of property, infrastructure, plant and equipment	16	(583)	(583)	0	(0.0%)	P	5,000	5,000	0	0.0%
Other expenses	17	2,172	1,833	(339)	(18.5%)	T	5,123	4,407	(716)	(16.2%)
<b>TOTAL EXPENSES</b>		<b>77,215</b>	<b>73,896</b>	<b>(3,319)</b>	<b>(4.5%)</b>		<b>173,259</b>	<b>157,364</b>	<b>(15,894)</b>	<b>(10.1%)</b>
<b>SURPLUS (DEFICIT) FOR THE YEAR</b>		<b>90,321</b>	<b>72,177</b>	<b>18,144</b>	<b>25.1%</b>		<b>16,283</b>	<b>29,969</b>	<b>(13,686)</b>	<b>(45.7%)</b>

COMPREHENSIVE INCOME STATEMENT OVERVIEW

The surplus and deficit amounts shown in the Comprehensive Income Statement year to date and full year budget columns are largely a result of capital grants and non-cash items. Ideally a surplus result would be generated to enable Council to invest in new assets, upgrade and expand existing assets, and repay borrowings. On a cash basis Council budgets for a break even result, with any cash remaining at year end required to meet current and future liabilities together with current commitments. Therefore any variances to budget in the operating result are generally caused by changes in levels of grants and monetary contributions for capital works, and expenditure that is funded from revenue that has been received in a previous financial year together with variances in non-cash items (e.g. loss on disposal of property, infrastructure, plant and equipment).

The "Comprehensive Income Statement" report forecasts a surplus result for the full financial year of \$16.3M which is a unfavourable variance of \$13.7M to the original budget. This result is due to a number of variances with a forecasted increase in income of \$2.2M and additional expenses of \$15.9M. The decreased income is mainly a result of expected reductions in capital grants (\$9.0M) due to updated financial timing of the recognition of grants for major multi year projects such as Regional Car Parks Fund projects, Gippsland Logistics Precinct, Traralgon Indoor Multi Sports Hall and the Multi Use Pavilion at Traralgon Rec Reserve. This has been partially offset by additional unbudgeted operating grants for Natural Disaster Recovery from the February & August 24 storm events, the Sports Legacy & Activation Council Support Package Fund (CSPF), together with higher than expected funding for Preschools and Victoria Grants Commission Financial Assistance Grants (FAGS). The forecasted additional expenses are a result of funding carried forward relating to works funded but not completed in 2023/24, together with expenditure associated with unbudgeted government operating grants to be received in 2024/25.

NOTES TO THE COMPREHENSIVE INCOME STATEMENT - Year to Date and Full Year Variances

1. Rates and charges

**Year to Date - \$0.1M Favourable**

Additional waste services charges received for new services which will be offset by the costs of providing these additional services.

**Full Year - \$0.1M Favourable**

Additional waste services charges received for new services which will be offset by the costs of providing these additional services.

2. Statutory fees and fines

**Year to Date - \$0.2M Favourable**

Favourable variance in Planning permits \$0.1M and fines from Legal Proceeding \$0.1M.

**Full Year - \$0.1M Favourable**

Favourable variances in Planning permits \$0.1M and fines from Legal Proceeding \$0.1M expected to be partially offset by various unfavourable variances including parking fines and building approvals.

3. User fees

**Year to Date - \$0.8M Favourable**

Favourable variances to date are mainly due to higher than expected fees received to date for landfill gate fees \$0.4M, child care fees \$0.4M and subdivision supervision fees \$0.1M, partially offset by unfavourable variance in Creative Arts \$0.1M.

**Full Year - \$0.9M Favourable**

Favourable variances to date are mainly due to higher than expected fees received to date for landfill gate fees \$0.5M, childcare fees \$0.2M, Latrobe Leisure \$0.1M and subdivision supervision fees \$0.1M, partially offset by unfavourable variance in Creative Arts \$0.1M.

4. Grants - operating

**Year to Date - \$6.3M Favourable**

The favourable variance is mainly due to the receipt of unbudgeted grants for Sports Legacy & Activation Council Support Package Fund (CSPF) \$2.4M, Natural Disaster Recovery for the February 24 storm event \$1.6M, Latrobe City Business Capability \$0.7M, together with earlier than expected timing of Victoria Grants Commission Financial Assistance Grants (FAGS) \$1.0M and Family Services grants \$0.3M.

**Full Year - \$6.0M Favourable**

The favourable variance is mainly due to the receipt of unbudgeted grants for Sports Legacy & Activation Council Support Package Fund (CSPF) \$1.7M, Natural Disaster Recovery for the February 24 storm event \$1.6M and August 24 event \$1.3M, Latrobe City Business Capability \$0.7M, Morwell Park Pre School playground \$0.2M together with higher than expected Victoria Grants Commission Financial Assistance Grants (FAGS) \$0.3M.

**NOTES TO THE COMPREHENSIVE INCOME STATEMENT - Year to Date and Full Year Variances****5. Grants - capital****Year to Date - \$10.3M Favourable**

The favourable variance is mainly due to the receipt of grant funding that was not known when the budget was developed including Regional Sports Infrastructure Program projects at Ted Summerton Reserve \$4.5M, and Gippsland Regional Indoor Sports Stadium (GRISS) \$2.9M, along with Traralgon Railway Conservation Reserve Large Dam rehabilitation \$0.7M, Gaskin Park Multi-use pavilion \$0.6M, Landslip remediation \$0.3M, Glengarry Flood Mitigation \$0.3M and Sports Lighting Upgrades at Toners Lane Reserve \$0.2M and Gaskin Park Oval 2 \$0.2M.

**Full Year - (\$9.0M) Unfavourable**

The unfavourable variance is due to the expected timing of recognition of Regional Car Parks Fund \$10.3M, Gippsland Logistics Precinct \$4.4M, Multi Use Pavillion Traralgon Rec Reserve \$2.3M, Traralgon Indoor Multi Sports Hall \$0.6M and Mathison Park playspace upgrade \$0.4M. Receipt of these grant funds was budgeted in the current year but is now expected to be recognised in the 2025/26 financial year based on current projections of the construction of these projects. These variances have been partially offset by favourable variances totalling \$9.0M including additional Roads to Recovery funding \$0.5M and unbudgeted grants for the Nation Building Blackspot Program \$2.3M, Gippsland Regional Indoor Sports Stadium (GRISS) \$1.8M, Glengarry Pre School refurbishment \$0.9M, Traralgon Railway Conservation Reserve Large Dam rehabilitation \$0.7M, Local Roads and Community Infrastructure Program (LRCI4) \$0.8M, Regional Sports Infrastructure Program projects at Ted Summerton Reserve \$0.4M and other various grants.

**6. Contributions - monetary****Year to Date - \$1.2M Favourable**

Higher than expected receipt of developer contributions including Lake Narracan & Traralgon North Developer contribution schemes \$0.8M, Public Open Space contributions \$0.2M, Street Trees \$0.1M and other Infrastructure contributions \$0.1M.

**Full Year - \$1.2M Favourable**

Higher than expected receipt of developer contributions including Lake Narracan & Traralgon North Developer contribution schemes \$0.8M, Public Open Space contributions \$0.2M, Street Trees \$0.1M and other Infrastructure contributions \$0.1M.

**7. Contributions - non monetary****Year to Date - \$0.0M Nil Variance**

No variance.

**Full Year - \$0.0M Nil Variance**

No variance to date, to be assessed in last quarter of financial year.

**8. Other income****Year to Date - \$2.5M Favourable**

The favourable variance is primarily due to higher than expected interest rate yields and additional cash holdings on council investments as a result of unexpected grant funds advanced for major projects that were not anticipated when the budget was developed \$0.8M, together with the receipt of energy efficiency rebates in relation to LED street lighting upgrades \$0.7M, unbudgeted insurance claim proceeds \$0.5M, various reimbursements \$0.2M, container deposit scheme income \$0.1M and higher than expected interest on rates & charges \$0.1M.

**Full Year - \$2.9M Favourable**

The favourable variance is primarily due to higher than expected interest rate yields and additional cash holdings on council investments as a result of unexpected grant funds advanced for major projects that were not anticipated when the budget was developed \$1.2M, together with the receipt of energy efficiency rebates in relation to LED street lighting upgrades \$0.7M, unbudgeted insurance claim proceeds \$0.6M, container deposit scheme income \$0.1M and higher than expected interest on rates & charges \$0.4M.

**9. Employee costs****Year to Date - \$0.2M Favourable**

Minor percentage variance mainly due to staff vacancies in the first quarter.

**Full Year - (\$2.7M) Unfavourable**

The additional salaries and wages is mainly associated with funding carried over from previous years and unbudgeted government grant funding to be received in the current year relating to Family Services programs \$1.3M and Emergency Management/Community Recovery \$0.2M, together with a higher than budgeted Enterprise Bargaining Agreement increase.

**NOTES TO THE INCOME STATEMENT - Year to Date and Full Year Variances****10. Materials and services****Year to Date - (\$2.2M) Unfavourable**

The unfavourable variance is mainly related to unbudgeted cleanup works associated with the August storm event which will largely be recouped from Natural disaster grants \$1.3M and other expenditure related to unbudgeted government grants and funding carried forward from previous years.

**Full Year - (\$10.6M) Unfavourable**

The unfavourable variance is mainly due to unbudgeted expenditure incurred as a result of internal and external funding carried forward from previous years and 2024/25 government grants not known when the budget was developed including Family Services programs \$1.5M, August Storm event cleanup \$1.3M, Active Communities & Partnerships \$1.7M, Emergency Management \$0.4M, Traralgon West Development Plan \$0.7M, City Assets \$0.6M, Sustainability and Environment \$0.3M, Branding campaign \$0.7M, Centre for Automotive Futures Business Case \$0.4M, insurance premiums \$0.2M, Sports Legacy & Activation funded programs \$0.4M, Council Plan \$0.2M.

**11. Depreciation****Year to Date - (\$0.9M) Unfavourable**

The unfavourable variance is mainly as a result of the increased valuations in Recreational assets in the previous financial year leading to increased depreciation expenses that were not known when the budget was developed.

**Full Year - (\$1.9M) Unfavourable**

The unfavourable variance is mainly as a result of the increased valuations in Recreational assets in the previous financial year leading to increased depreciation expenses that were not known when the budget was developed.

**12. Amortisation - intangible assets****Year to Date - \$0.0M Favourable**

No variance

**Full Year - \$0.0M Nil Variance**

No variance

**13. Depreciation - right of use assets****Year to Date - \$0.0M Favourable**

Minor variance.

**Full Year - \$0.0M Favourable**

No variance

**14. Borrowing costs****Year to Date - (\$0.0M) Unfavourable**

Minor variance.

**Full Year - \$0.0M Favourable**

No variance

**15. Finance costs - leases****Year to Date - (\$0.0M) Unfavourable**

Minor variance.

**Full Year - (\$0.0M) Unfavourable**

No variance

**16. Net (gain) / loss on disposal of property, infrastructure, plant and equipment****Year to Date - \$0.0M Favourable**

No variance

**Full Year - \$0.0M Nil Variance**

No variance

**17. Other expenses****Year to Date - (\$0.3M) Unfavourable**

The unfavourable variance is mainly due to earlier than expected payment of community grants.

**Full Year - (\$0.7M) Unfavourable**

The unfavourable variance is mainly due to unexpended community grants funds carried over from the 2023/24 financial year to be distributed in 2024/25 \$0.4M, together with Kindergarten Inclusion Support program grants \$0.2M and Business Development grants \$0.1M.

**BALANCE SHEET**

As at 31 December 2024

	Notes	Current Balance \$'000s	Opening Balance 01/07/24 \$'000s	Movement for Year to Date \$'000s		Notes	Current Balance \$'000s	Opening Balance \$'000s	Movement for Year to Date \$'000s
<b>CURRENT ASSETS</b>					<b>CURRENT LIABILITIES</b>				
Cash and Cash Equivalents	1	9,666	5,339	4,327	Trade and Other Payables	5	713	12,592	(11,880)
Trade and Other Receivables	2	60,057	4,884	55,172	Trust Funds and Deposits		6,607	6,308	299
Other Financial Assets	1	97,728	95,000	2,728	Contract and Other Liabilities	6	0	11,101	(11,101)
Other Assets	3	2,771	4,739	(1,968)	Provisions - Employee Benefits		11,195	11,767	(572)
					Provisions - Landfill	7	1,925	3,884	(1,959)
					Interest-bearing Liabilities	8	1,116	2,217	(1,101)
					Lease Liabilities		63	132	(69)
<b>Total Current Assets</b>		<b>170,222</b>	<b>109,963</b>	<b>60,259</b>	<b>Total Current Liabilities</b>		<b>21,619</b>	<b>48,002</b>	<b>(26,383)</b>
<b>NON CURRENT ASSETS</b>					<b>NON CURRENT LIABILITIES</b>				
Trade and Other Receivables		1	1	0	Provisions - Employee Benefits		1,362	1,362	0
Other Financial Assets		2	2	0	Provisions - Landfill		14,851	14,851	0
Property, Infrastructure, Plant and Equipment	4	1,507,406	1,503,178	4,227	Interest-bearing Liabilities		14,771	14,771	0
Right-of-use assets		1,076	1,148	(72)	Lease Liabilities		1,083	1,083	0
Intangible Assets		915	1,391	(476)					
<b>Total Non-Current Assets</b>		<b>1,509,401</b>	<b>1,505,722</b>	<b>3,679</b>	<b>Total Non-Current Liabilities</b>		<b>32,067</b>	<b>32,067</b>	<b>0</b>
<b>TOTAL ASSETS</b>		<b>1,679,622</b>	<b>1,615,684</b>	<b>63,938</b>	<b>TOTAL LIABILITIES</b>		<b>53,685</b>	<b>80,069</b>	<b>(26,383)</b>
					<b>NET ASSETS</b>		<b>1,625,937</b>	<b>1,535,616</b>	<b>90,321</b>
					<b>EQUITY</b>				
					Current Year Surplus/(Deficit)		90,321	7,172	83,150
					Accumulated Surplus		882,030	875,736	6,293
					Reserves		653,586	652,708	878
					<b>TOTAL EQUITY</b>		<b>1,625,937</b>	<b>1,535,616</b>	<b>90,321</b>



**BALANCE SHEET OVERVIEW**

The Balance Sheet shows that Council maintains a strong liquidity position with \$170.2M in current assets compared to \$21.6M current liabilities (a liquidity ratio of 7.9:1).

**NOTES TO THE BALANCE SHEET - Year to Date Movement**

<b>1. Cash and Cash Equivalents/Other Financial Assets</b>	<b>\$7.1M Increase</b>
The overall increase is mainly due to grant funds advanced to Council for major projects and a 75% advance of the annual Financial Assistance Grants (FAGS).	
<b>2. Trade and Other receivables</b>	<b>\$55.2M Increase</b>
Mainly due to the annual rates notices being raised in the first quarter which is normal practice. This amount will continue to reduce as rate payments are received over the remainder of the year in line with the full payment and quarterly instalment due dates.	
<b>3. Other Assets</b>	<b>(\$2.0M) Decrease</b>
Mainly due to prepayments and accrued revenue as at 30 June 2024 having now been reversed/received in the current financial year.	
<b>4. Property, Infrastructure, Plant and Equipment</b>	<b>\$4.2M Increase</b>
Mainly due to capital works expenditure exceeding depreciation over the first half of the year.	
<b>5. Trade and Other Payables</b>	<b>(\$11.9M) Decrease</b>
Mainly due to amounts that were outstanding to suppliers as at 30 June 2024 being paid/recognised in the current financial year.	
<b>6. Contract and Other Liabilities</b>	<b>(\$11.1M) Decrease</b>
Mainly due to amounts that were received in advance as at 30 June 2024 having now been recognised in the current financial year.	
<b>7. Provisions - Landfill</b>	<b>(\$2.0M) Decrease</b>
Reflects landfill rehabilitation expenditure over the first half of the year.	
<b>8. Interest-bearing Liabilities</b>	<b>(\$1.1M) Decrease</b>
Reflects loan principal repayments over the first half of the year.	

**STATEMENT OF CASH FLOWS**

For the Quarter ended 31 December 2024

	YTD Cash Flow	Adopted Budget Annual Cashflow		YTD Cash Flow	Adopted Budget Annual Cashflow	
	\$'000s	\$'000s		\$'000s	\$'000s	
	Inflows (Outflows)	Inflows (Outflows)		Inflows (Outflows)	Inflows (Outflows)	
CASH FLOWS FROM OPERATING ACTIVITIES			CASH FLOWS FROM FINANCING ACTIVITIES			
Rates and charges	41,755	95,125	Finance costs	(187)	(363)	
Statutory fees & fines	1,421	2,758	Proceeds from borrowings	0	0	
User fees	6,765	12,270	Repayment of borrowings	(1,101)	(2,217)	
Grants - operating	27,135	28,922	Interest paid - lease liability	(28)	(44)	
Grants - capital	20,085	36,336	Repayment of lease liabilities	(69)	(147)	
Contributions - monetary	1,214	90	Net Cash Flows from Financing Activities	(1,385)	(2,771)	
Interest received	2,883	4,400				
Trust funds and deposits taken/(repaid)	299	103	Net Increase/(Decrease) in cash held	4,327	(855)	
Other receipts	1,521	2,446				
Net GST refund/(payment)	(135)	3,800	Cash & cash equivalents at beginning of year	5,339	10,848	
Employee costs	(34,856)	(64,890)				
Materials & services	(35,695)	(52,429)	Cash & cash equivalents at end of period	9,666	9,993	
Short-term, low value and variable lease payments	(90)	(148)				
Other payments	(2,082)	(4,400)				
Net cash from operating activities	30,220	64,383				
CASH FLOWS FROM INVESTING ACTIVITIES			Summary of Cash & Investments	Current Balance	Current year Movement	Opening Balance
Payments for property, infrastructure, plant & equipment	(22,447)	(68,613)	Cash & Cash Equivalents	9,666	4,327	5,339
Proceeds from sale of property, plant & equipment	665	1,146	Other Financial Assets (Cash Investments)	97,728	2,728	95,000
Payments for investments	(67,728)	(125,000)	Total Cash & Investments	107,394	7,054	100,339
Proceeds from sale of investments	65,000	130,000				
Loans and advances made	0	0	Budgeted Opening Balance of Cash & Investments			79,880
Payments of loans and advances	1	0	Variance in Opening Balance			20,459
Net Cash Flows used in investing activities	(24,508)	(62,467)				

**STATEMENT OF CASH FLOWS OVERVIEW**

The budgeted cash & investments at the beginning of the year was \$79.9 million, the actual opening balance was \$100.3 million. The additional \$20.4 million was largely the result of higher than anticipated surplus funds and carry forward funding for capital and operational projects and programs. Additional net cash inflows of \$7.1 million have been received over the first two quarters mainly as a result of advanced government grants received that have yet to be spent.

**STATEMENT OF CAPITAL WORKS**

For The Quarter Ended 31 December 2024

		YTD Actuals	Full Year Forecast	% Spent of Forecast	Adopted Budget	Variance Adopted Budget / Adj Budget	Variance Adopted Budget / Adj Budget
	NOTE	\$'000	\$'000		\$'000	\$'000	%
<b>Property</b>							
Land	1	390	390	100%	0	(390)	100%
Buildings	2	3,879	13,950	28%	10,220	(3,730)	(37%)
Heritage buildings	3	54	89	61%	0	(89)	100%
<b>Total Property</b>		<b>4,323</b>	<b>14,429</b>	<b>30%</b>	<b>10,220</b>	<b>(4,209)</b>	<b>(41%)</b>
<b>Plant and Equipment</b>							
Plant, machinery & equipment	4	2,122	4,667	45%	3,458	(1,209)	(35%)
Fixtures, fittings & furniture	5	35	88	40%	0	(88)	100%
Computers & telecommunications	6	355	1,131	31%	600	(531)	(89%)
Artwork collection	7	14	18	78%	15	(3)	(17%)
<b>Total Plant and Equipment</b>		<b>2,526</b>	<b>5,904</b>	<b>43%</b>	<b>4,073</b>	<b>(1,831)</b>	<b>(45%)</b>
<b>Infrastructure</b>							
Roads	8	5,476	20,060	27%	18,501	(1,559)	(8%)
Bridges & culverts	9	122	240	51%	150	(90)	(60%)
Footpaths & cycleways	10	816	1,479	55%	1,330	(149)	(11%)
Drainage	11	912	3,541	26%	1,357	(2,184)	(161%)
Waste management	12	59	4,542	1%	3,075	(1,467)	(48%)
Parks, open space and streetscapes	13	630	2,701	23%	1,392	(1,309)	(94%)
Recreational, leisure & community facilities	14	714	3,144	23%	650	(2,494)	(384%)
Offstreet carparks	15	4,791	13,155	36%	22,980	9,825	43%
Other infrastructure	16	1,783	2,106	85%	4,874	2,768	57%
<b>Total Infrastructure</b>		<b>15,303</b>	<b>50,966</b>	<b>30%</b>	<b>54,309</b>	<b>3,343</b>	<b>6%</b>
<b>Total Capital Works expenditure</b>		<b>22,152</b>	<b>71,299</b>	<b>31%</b>	<b>68,602</b>	<b>(2,697)</b>	<b>(4%)</b>
<b>REPRESENTED BY;</b>							
New asset expenditure	17	9,673	25,056	38.6%	37,255	12,199	32.7%
Asset renewal expenditure	18	6,791	28,571	23.8%	24,054	(4,517)	(18.8%)
Asset expansion expenditure	19	0	0	0.0%	0	0	0.0%
Asset upgrade expenditure	20	5,688	17,673	32.2%	7,293	(10,380)	(142.3%)
<b>Total Capital Works expenditure</b>		<b>22,152</b>	<b>71,299</b>	<b>31.1%</b>	<b>68,602</b>	<b>(2,697)</b>	<b>(3.9%)</b>

**STATEMENT OF CAPITAL WORKS OVERVIEW**

As at the 31 December 2024 Council has spent \$22.2M on capital works mostly on Infrastructure projects \$15.3M (including Roads projects \$5.5M), Plant & Equipment \$2.5M and Property (buildings) \$4.3M. Full year forecasted capital expenditure is \$71.3M compared to the budget of \$68.6M. The increase is mainly due to funds carried forward from 2023/24 partially offset by an overall reduction in capital expenditure relating to the forecast decrease in capital grants mainly due to a review of the timing of recognition of grants funds for major multi year projects.

Note the total capital expenditure disclosed in the Statement of Capital Works varies from the Income Allocation Statement (IAS) Capital expenditure line item due to the IAS figure including projects that are capital in nature but do not meet Council's policy requirements for asset recognition/capitalisation together with the Landfill Construction/Rehabilitation line including some costs that are included in the Statement of Capital Works.

**NOTES TO THE CAPITAL WORKS STATEMENT - Full Year Forecast Variances****1. Land (\$0.4M) Increased Expenditure**

Purchase of land for drainage funded from reserves.

**2. Buildings (\$3.7M) Increased Expenditure**

Primarily due to expenditure that has carried forward from previous budget allocations and cash surpluses, including Solar Power generation installations \$1.0M, Morwell Depot upgrade \$0.4M and Building Renewal Program \$0.7M, together with unbudgeted grant funding announced since the budget was developed including Gippsland Regional Indoor Sports Stadium upgrade \$1.9M and Glengarry Pre School refurbishment \$0.9M. These variances are partially offset by multi year project expenditure budgeted in 24/25 now expected to be spent in the following financial year on Flood Recovery projects; Traralgon Indoor Multi Sports Hall \$1.8M and Multi Use Pavilion Traralgon Rec Res \$1.1M.

**3. Heritage buildings (\$0.1M) Increased Expenditure**

Funds carried forward from 2023/24 associated with the Traralgon Courthouse upgrades.

**4. Plant, machinery & equipment (\$1.2M) Increased Expenditure**

Mainly due to items of fleet and large plant that were budgeted in the previous year but as a result of delays in delivery times were not able to be received until the 2024/25 financial year. Funds have been carried forward to pay for these items.

**5. Fixtures, fittings & furniture (\$0.1M) Increased Expenditure**

Office furniture replacement expenditure related to funding carried forward from 2023/24.

**6. Computers & telecommunications (\$0.5M) Increased Expenditure**

Additional expenditure is mainly related to works carried forward from 2023/24 for public WiFi services and Latrobe Regional Gallery Digital Screens.

**7. Artwork Collection (\$0.0M) Increased Expenditure**

No variance.

**8. Roads (\$1.6M) Increased Expenditure**

Mainly relates to unbudgeted government funding announced for the Nation Building Blackspot Program \$2.4M, Marshalls Road Signalised Intersection \$0.8M and Landslip restoration works \$0.3M partially offset by works deferred to future years for Road Rehabilitation program \$1.3M and Gordon/English Street DCP works \$0.8M.

**9. Bridges & culverts (\$0.1M) Increased Expenditure**

Due to funds carried forward from 2023/24 to complete bridge and major culvert works.

**10. Footpaths & cycleways (\$0.1M) Increased Expenditure**

Mainly due to funding carried forward from the 2023/24 financial year to complete Footpath Rehabilitation Program works.

**11. Drainage (\$2.2M) Increased Expenditure**

Mainly due to timing of grants and carry forward funding for the Traralgon Railway Reserve Large Dam project \$1.0M, an unbudgeted government grant for Glengarry Flood Mitigation works \$0.3M and other carry forward works for drainage programs \$0.9M.

**NOTES TO THE CAPITAL WORKS STATEMENT - Full Year Forecast Variances****12. Waste management (\$1.5M) Increased Expenditure**

This mainly relates to works on the new landfill cell \$0.5M and Leachate Pond Construction at Hyland Highway Landfill \$1.0M funded from the landfill reserve.

**13. Parks, open space and streetscapes (\$1.3M) Increased Expenditure**

Mainly due to unbudgeted government grant funded projects and funding carried forward from 2023/24 including Sports Lighting for Toners Lane Reserve \$0.5M, Gaskin Park Oval 2 Lighting Upgrade \$0.3M, together with various renewal budgets \$0.4M that have been reclassified from operating to capital following the initial recognition of new asset classes not previously included in Council's asset registers.

**14. Recreational, leisure & community facilities (\$2.5M) Increased Expenditure**

Mainly due to unbudgeted government grant funding and funding carried forward from 2023/24 including Sports Legacy - Ted Summerton \$0.6M, GRAC Geothermal Pump Replacement \$0.4M, surface renewal \$0.1M, Gaskin Park Oval 2 Drainage upgrades \$0.6M and Council Support Package Fund projects \$0.8M.

**15. Offstreet carparks \$9.8M Decreased Expenditure**

Mainly related to the revised financial year timing of expenditure for multi year projects associated with the Regional Car Parks fund \$9.9M.

**16. Other infrastructure \$2.8M Decreased Expenditure**

Mainly related to the revised financial year timing of expenditure for multi year projects including Gippsland Logistics Precinct and Intermodal Freight Terminal.

**17. New asset expenditure \$12.2M Decreased Expenditure**

Mainly related to the revised financial year timing of expenditure for multi year projects associated with the Regional Car Parks fund \$9.9M and Gippsland Logistics Precinct \$2.9M, Traralgon Indoor Multi Sports Hall \$1.8M and Multi Use Pavilion Traralgon Rec Res \$1.1M. This is partially offset by increased expenditure related to funds carried forward from the 2023/24 financial year including Solar Power generation installations \$1.0M and Leachate Pond Construction Hyland Highway Landfill \$1.0M.

**18. Asset renewal expenditure (\$4.5M) Increased Expenditure**

Primarily due to funds carried forward from the 2023/24 financial year and additional unbudgeted government grants including the rehabilitation of Traralgon Railway Reserve Large Dam \$1.0M, Fleet and large plant replacement programs \$1.1M, building renewal programs \$0.7M, Depot Morwell upgrade \$0.4M, and landfill cell replacement \$0.5M.

**19. Asset expansion expenditure \$0.0M Nil Variance**

No current year projects.

**20. Asset upgrade expenditure (\$10.4M) Increased Expenditure**

Mainly due to unexpended funds carried over from the 2023/24 financial year and unbudgeted government grants including Nation Building Blackspot program \$2.4M, Gippsland Regional Indoor Sports Stadium upgrade \$1.9M, Glengarry Pre School refurbishment \$0.9M, Sports Lighting for Toners Lane Reserve \$0.5M, Geothermal pump replacement \$0.4M, Gaskin Park Oval 2 Drainage & Lighting Upgrades \$0.6M, Piped Systems Enhancement & Stormwater Quality Improvement \$0.4M, Landslip Betterment Works \$0.3M, Signalised Intersection-Maffra/Marshalls Rd \$0.8M and Council Support Package funding projects \$0.9M.

## LGPRF FINANCIAL PERFORMANCE RATIOS

As at 31 December 2024

### OVERVIEW

The final part of the report is the Financial Performance Ratios as per the Local Government Performance Reporting Framework (LGPRF). The results of the financial year to date show that Council is expected to remain within the expected ranges by the end of the financial year. Some of the ratios when measured part way through the year will fall outside the ranges in the year to date figures purely because they are designed to look at an annual result.

	\$'000s	Ratio at 31/12/24	Forecast at 30/06/25	Budget at 30/06/25	Financial Plan 2021- 2031 Projection at 30/06/25	Expected Range
<b>OPERATING POSITION</b>						
<b>Adjusted Underlying Result Indicator</b> (Indicator of the broad objective that an adjusted underlying surplus should be generated in the ordinary course of business. A surplus or increasing surplus suggests an improvement in the operating position)						
<b>Adjusted underlying surplus (or deficit)</b>						
<u>Adjusted net Surplus/(Deficit)</u>	60,426	43.9%	(9.5%)	(6.5%)	(4.7%)	-20% - +20%
Adjusted underlying revenue	137,641					
The ratio takes out the effect of once off capital grants & developer contributions.						
<b>Note:</b> The forecasted lower ratio of (9.5%) is mainly due to additional expenditure as a result of unspent 2023/2024 recurrent project and program expenditure which led to a greater than expected 'cash' surplus result at the end of the 2023/24 financial year together with government funding advanced to Council in 2023/24 that was budgeted in 2024/25						



	\$'000s	Ratio at 31/12/24	Forecast at 30/06/25	Budget at 30/06/25	Financial Plan 2021- 2031 Projection at 30/06/25	Expected Range
<b>LIQUIDITY</b>						
<b>Working Capital Indicator</b>						
(Indicator of the broad objective that sufficient working capital is available to pay bills as and when they fall due. High or increasing level of working capital suggests an improvement in liquidity)						
<b>Current assets compared to current liabilities</b>						
<u>Current Assets</u>	170,222	787.4%	228.1%	228.1%	204.0%	100% - 300%
Current Liabilities	21,619					
<b>Note:</b> Working capital is higher during the year annual rates revenue is recognised as a current asset as soon as the rates are generated in July each year. This gradually decreases throughout the year an council spends it budget allocations.						
<b>Unrestricted Cash Indicator</b>						
(Indicator that sufficient cash which is free of restrictions is available to pay bills as and when they fall due. High or increasing level of cash suggests an improvement in liquidity )						
<u>Unrestricted Cash</u>	7,424	27.8%	(20.1%)	(20.1%)	22.3%	0.0% - 200%
Current Liabilities	26,696					
<b>Note:</b> Unrestricted cash does not include funds held in term deposits with a maturity term of greater than 90 days. These deposits are managed to ensure they mature in time for payment runs and are available to meet liabilities when they fall due. The forecasted negative result is due to restricted items being held in term deposit investments i.e Financial Assets rather than cash.						

	\$'000s	Ratio at 31/12/24	Forecast at 30/06/25	Budget at 30/06/25	Financial Plan 2021- 2031 Projection at 30/06/25	Expected Range
<b><u>OBLIGATIONS</u></b>						
<b>Loans and borrowings Indicator</b>						
(Indicator of the broad objective that the level of interest bearing loans and borrowings should be appropriate to the size and nature of a council's activities. Low or decreasing level of loans and borrowings suggests an improvement in the capacity to meet long term obligations)						
<b>Loans and borrowings compared to rates</b>						
<u>Interest Bearing loans and borrowings</u>	16,439	17.3%	15.5%	15.5%	19.7%	0% - 50%
Rate Revenue	95,101					
<b>Loans and borrowings repayments compared to rates</b>						
<u>Interest &amp; principal repayments</u>	737	0.8%	2.7%	2.7%	3.6%	0% - 10%
Rate Revenue	95,101					

	\$'000s	Ratio at 31/12/24	Forecast at 30/06/25	Budget at 30/06/25	Financial Plan 2021- 2031 Projection at 30/06/25	Expected Range
<b>Indebtedness Indicator</b>						
(Indicator of the broad objective that the level of long term liabilities should be appropriate to the size and nature of a Council's activities. Low or decreasing level of long term liabilities suggests an improvement in the capacity to meet long term obligations)						
<b>Non-current liabilities compared to own source revenue</b> (to ensure Council has the ability to pay its long term debts & provisions)						
<u>Non Current Liabilities</u>	32,067	29.3%	23.3%	24.1%	18.7%	0% - 50%
Own Source Revenue	109,575					
Own Source Revenue excludes revenue which is not under the control of council (including government grants)						
<b>Asset Renewal Indicator</b>						
(Indicator of the broad objective that assets should be renewed as planned. High or increasing level of planned asset renewal being met suggests an improvement in the capacity to meet long term obligations)						
<u>Asset Renewal &amp; Upgrade Expenditure</u>	12,479	69.9%	130.6%	93.5%	68.9%	50%-100%
Depreciation	17,842					
Note: The forecast increase in this ratio is mainly a result of renewal & upgrade works carried forward from the previous financial year and/or funded from unbudgeted government grants. (refer to Statement of Capital Works Note 17 & 20 for more details)						

	\$'000s	Ratio at 31/12/24	Forecast at 30/06/25	Budget at 30/06/25	Financial Plan 2021- 2031 Projection at 30/06/25	Expected Range
<b><u>STABILITY</u></b>						
<b>Rates Concentration Indicator</b> (Indicator of the broad objective that revenue should be generated from a range of sources. High or increasing range of revenue sources suggests an improvement in stability)						
<b>Rates compared to adjusted underlying revenue</b>						
<u>Rate Revenue</u>	95,101	69.1%	60.3%	64.5%	62.6%	40% - 80%
Adjusted underlying revenue	137,641					
The ratio takes out the effect of once off capital grants & developer contributions.						
<b>Rates Effort Indicator</b> (Indicator of the broad objective that the rating level should be set based on the community's capacity to pay. Low or decreasing level of rates suggests an improvement in the rating burden)						
<b>Rates compared to property values</b>						
<u>Rate Revenue</u>	95,101	0.4%	0.4%	0.4%	0.6%	0.2% to 0.7%
property values (CIV)	21,523,508					

	\$'000s	Ratio at 31/12/24	Forecast at 30/06/25	Budget at 30/06/25	Financial Plan 2021- 2031 Projection at 30/06/25	Expected Range
<b>EFFICIENCY</b>						
<b>Expenditure Level Indicator</b>						
(Indicator of the broad objective that resources should be used efficiently in the delivery of services. Low or decreasing level of expenditure suggests an improvement in organisational efficiency)						
<b>Expenses per property assessment</b>						
<u>Total expenses</u>	77,215					
Number of property assessments	41	\$ 1,890	\$ 4,242	\$ 3,853	\$ 3,369	\$2000 - \$4000
<b>Note:</b> The forecast increase in expenses per assessment is mainly related to employee costs and materials and services expenditure funded from additional government funding and carry forward funds including clean up costs incurred from the August storm event.						
<b>Revenue Level Indicator</b>						
(Indicator of the broad objective that resources should be used efficiently in the delivery of services. Low or decreasing level of rates suggests an improvement in organisational efficiency)						
<b>Average general rate &amp; municipal charge per property assessment</b>						
<u>Total General Rates and Municipal Charges</u>	70,710					
Number of property assessments	41	\$ 1,731	\$ 1,731	\$ 1,731	\$ 2,235	\$800 - \$1,800

Thank you.



Phone 1300 367 700

Post PO Box 264, Morwell 3840

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

[www.latrobe.vic.gov.au](http://www.latrobe.vic.gov.au)



## CONTRACT VARIATIONS FOR THE PERIOD 1 OCTOBER 2024 - 31 DECEMBER 2024

### PURPOSE

To provide Council with a summary of contract variations approved during the period 1 October 2024 to 31 December 2024 in accordance with the requirements of the Procurement Policy.

### EXECUTIVE SUMMARY

- In accordance with Latrobe City Council's Procurement Policy 22-POL-14, Section 2.12 Contract Management, *contract variations are reported to Council on a quarterly basis.*
- Council has 223 active contracts and 8 (or 3.5%) of those active contracts have had variations during this quarter.
- Across these 8 contracts, 13 contract variations were approved in accordance with organisational delegations, during this quarter and 12 variations were within project budget.
- One variation is identified as being outside the original project budget, this relates to the construction of the signalised intersection at Traralgon-Maffra Road and Marshalls Road Traralgon.
- The variation to this contract is a cumulative result of;
  - additional interface elements being included and fully funded by Coles Supermarket (\$401,360);
  - work restrictions and additional works required by the Department of Transport and Planning; and
  - changes to the scope of works required by Gippsland Water.

### OFFICER'S RECOMMENDATION

**That Council receive and note the report on contract variations for the period 1 October 2024 to 31 December 2024.**

## BACKGROUND

In accordance with Latrobe City Council's Procurement Policy 22-POL-14, Section 2.12 Contract Management, *contract variations are reported to Council on a quarterly basis.*

## ANALYSIS

During the period 1 October 2024 to 31 December 2024, 13 contract variations were processed across 8 contracts. Contract variations were submitted for the following reasons and are detailed in the attachments.

Reason for Variation	Number of Variations	Comment (Refer Attachment 2 for Detail)
Design Omission/Error	1	<ul style="list-style-type: none"><li>• Building Surveyor requirement</li></ul>
Principal /Client Directed	12	<ul style="list-style-type: none"><li>• 6 value-add additional works</li><li>• 2 Service Authority requirements</li><li>• 4 scope adjustment</li></ul>
Total	13	

The table indicates that the majority of variations (approx. 92%) were Principal /Client Directed. Six of the variations relate to value-add additional works, where having additional works completed as part of the contract improved the overall project outcome. Four adjusted the original contract scope and three were in response to requirements of third parties such as Service Authorities or Building Surveyors. The details of each of these variations have been provided in **Attachment 2**.

## RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
COMPLIANCE Failure to comply with Council's Procurement Policy	<b>Low</b> <i>Possible x Insignificant</i>	Process created and documented to ensure report is prepared and submitted to Council for noting in a timely manner.
Strategic Perception that Council is not acting in a transparent manner	<b>Low</b> <i>Possible x Insignificant</i>	Present report summarising variations to contracts on a regular basis

## CONSULTATION

Not applicable

## COMMUNICATION

In accordance with *Council's Procurement Policy 22-POL-14* section 5.2

Communication, summary information relating to contracts awarded is published on Council's eTendering Portal.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Social**

Not applicable.

### **Cultural**

Not applicable.

### **Health**

Not applicable.

### **Environmental**

Not applicable.

### **Economic**

Not applicable.

### **Financial**

Variations to contracts are funded from within the project budget or if necessary, from within the overall adopted annual budget.

Variations are approved under delegation by the relevant Officer, as these variations relate to previous periods, there is no ramifications resulting from the adoption of this recommendation.

### **Attachments**

1. Attachment 1 - Variations Summary
2. Attachment 2 - Variations Detail

# 12.2

## Contract Variations for the period 1 October 2024 - 31 December 2024

1	Attachment 1 - Variations Summary .....	368
2	Attachment 2 - Variations Detail .....	369

Summary of Contracts with Variations between 01 Oct 2024 - 31 Dec 2024										
Contract Number	Award Date	Awarded By	Contract Title	Funding Source (Federal/State/Council)	Current Contract Value (at 1 Oct 2024)	No. Variations this Quarter	Total Variations this Quarter	Revised Contract Value	Variations as a % of Current Contract Value	
LCC-732	13-Apr-23	CEO (under delegation, via council resolution)	Traralgon Multi-Level Car Park Project	State Government Grant	\$ 5,265,348	1	\$ 28,149	\$ 5,293,497	0.53%	
LCC-798	6-Dec-23	Council	Gippsland Logistics Precinct Industrial Estate Development	State Government Grant	\$ 3,376,200	1	\$ 81,440	\$ 3,457,640	2.41%	
LCC-816	20-Dec-23	CEO (under delegation, via council resolution)	Construction of signalised intersection at Traralgon Maffra Road and Marshalls Road, Traralgon	Council / Developer Contribution Plan Funds	\$ 7,273,868	1	\$ 222,328	\$ 7,496,197	3.06%	
LCC-831	3-Sep-24	Council	Construction of Traralgon Recreation Reserve Multipurpose Pavilion	State Government Grant / Council Funded	\$ 6,178,965	2	\$ 3,634	\$ 6,182,599	0.06%	
LCC-840	8-Aug-24	Council	Construction of Park Lane Preschool	State Government Grant	\$ 1,249,490	3	\$ 24,383	\$ 1,273,874	1.95%	
LCC-848	14-Aug-24	CEO (under delegation, via council resolution)	Reconstruction of Loch Park Road, Traralgon - Stage 1	Federal Government Grant / Council Funded	\$ 1,149,155	1	\$ 251,110	\$ 1,400,265	21.85%	
LCC-849	21-Aug-24	CEO	Traralgon Tennis Court Resurfacing	Council Funded	\$ 197,288	2	\$ 29,598	\$ 226,887	15.00%	
LCC-855	7-Nov-24	CEO	Design & Construct Sports Lighting at Gaskin Park 2 Oval, Churchill	State Government Grant	\$ 212,880	2	\$ 8,748	\$ 221,629	4.11%	



Details of Contract Variations 01 Oct 2024 - 31 Dec 2024

Contract Number: LCC-732

Contract Title	Supplier Name	Date Approved	Variation Value	Within budget	Funding Source (Federal/State/Council)	Variation Type
Traralgon Multi-Level Car Park Project	Becon Constructions (Aust.) Pty Ltd	06-Oct-2024	\$ 28,149	Yes	State Government Grant	Principal/Client directed variation
Variation Title	Linemarking, Cleaning and Bracing Wrap					
Variation Reason	<p>Supply and install a reflective wrap to steel members where bracing has been installed adjacent to car parks. To be used as a visual aid/trigger to patrons using the car park.</p> <p>Level 2 (previous top deck) has significant silt and grit, dirt/wear, water spots following its exposure to the elements as an unsealed top deck over 10+ years. Proposed variation is to clean the entire Level 2 deck to ensure uniformity with areas that will need to be prepped/cleaned where new linemarking is required as part of Becon's realignment where clashes with new columns are.</p> <p>Supply and install linemarking to car parks on L2 to match the realignment works required by Becon where the clashes with new columns are. This will also ensure uniformity to the line marking that is worn and torn.</p>					

Contract Number: LCC-798						
Contract Title	Supplier Name	Date Approved	Variation Value	Within budget	Funding Source (Federal/State/Council)	Variation Type
Gippsland Logistics Precinct Industrial Estate Development	ACE Earthmoving (Victoria) Pty Ltd	08-Oct-2024	\$ 81,440	Yes	State Government Grant	Principal/Client directed variation
Variation Title	GLaMP additional infrastructure works					
Variation Reason	<p>This variation pertains to a number of additional items within the infrastructure scope of works but beyond the original contract. The additional works include i) in-ground infrastructure provision, such as conduits, pits to enable nbn future connection, ii) repair and reseal approx. 290m of Enterprise Drive once Stage 1A to provide temporary vehicle access to Lots 1 and 2, and iii) provide additional gravel all weather access track for heavy machinery access to install new transformer and two pole mounted substations by accredited contractors.</p> <p>These works are required to install infrastructure to relevant statutory authority and utility service owner requirements and standards in order to achieve 'Statement of Compliance' (SoC) for Stage 1A subdivision works. Securing all relevant statutory authority SoC is essential to achieve the release of land titles for Lot 1 and Lot 2, a precursor for activation of the site.</p>					

**Contract Number: LCC-816**

Contract Title	Supplier Name	Date Approved	Variation Value	Within budget	Funding Source (Federal/State/Council)	Variation Type
<b>Construction of signalised intersection at Traralgon Maffra Road and Marshalls Road, Traralgon</b>	Fowlers Asphaltting Pty Ltd	18-Oct-2024	\$ 222,328	No	Council Funded / Developer Contribution Plan Funds	Principal/Client directed variation

**Variation Title**

Variation to SP3-2 ROS Relocation to cover changes between tender issue vs. construction issue plans

**Variation Reason**

This intersection upgrade project was accelerated to coordinate infrastructure delivery with the supermarket site associated with the Traralgon North Development Plan. In coordination with Department of Transport and Planning (DTP) and Gippsland Water (GW), Issue for Tender plans were provided during the procurement process and this variation reflects the changes in finalising authority feedback for final construction. The final cost of the GW works on the Regional Outfall System has risen \$322,328 with project contingencies reducing this to a \$222,328 net variation.

Due to the nature and complexity of these works, Council has also engaged a GW Pre-Qualified Consultant to supervise specialist works and review all GW related variation claims to ensure they were fair and reasonable.

Significant costs have been incurred to deliver both an increased scope of Gippsland Water assets on the Regional Outfall System but also restrictions placed by DTP when completing the road crossing on Traralgon-Maffra Road.

The Development Contribution Plan (DCP) and Council \$7,094,837 budget allocated for the intersection has been utilised. It is noted that the contract was expanded \$401,360 to include road reserve interface elements with the supermarket site, on a reimbursement basis. Delivering the Traralgon-Maffra Road turning lane and Marshalls Road entrances to the supermarket site with the intersection works has increased the value of the contract but not the initial budgeted allocation of Council funds, as the proponent is providing the reimbursed funds for those elements. Delivery of these items together ensures an efficient and cohesive outcome for all parties.

Also included in the intersection works contract is the reconstruction and widening of Marshalls Road. This ensures a consistent modern road cross section of kerb, drainage, and pavement for Marshalls Road from Park Lane to Traralgon-Maffra Road. As the existing sections of Marshalls Road were in poor condition, and a gap was identified in the DCP scope, an allocation of funds from the Road Rehabilitation Program has been included to supplement the intersection budget to see consistent standards of kerb, drainage, and pavement construction delivered.

Contract Number: LCC-831						
Contract Title	Supplier Name	Date Approved	Variation Value	Within budget	Funding Source (Federal/State/Council)	Variation Type
<b>Construction of Traralgon Recreation Reserve Multipurpose Pavilion</b>	Langden Constructions Pty Ltd	16-Oct-2024	\$ 1,202	Yes	State Government Grant / Council Funded	Principal/Client directed variation
Variation Title	Power to Irrigation Panel					
Variation Reason	This variation is for a temporary power supply to the oval irrigation system during construction, the existing supply will be disconnected during demolition. A permanent supply will be included as part of the new building.					
<b>Construction of Traralgon Recreation Reserve Multipurpose Pavilion</b>	Langden Constructions Pty Ltd	16-Oct-2024	\$ 2,432	Yes	State Government Grant / Council Funded	Principal/Client directed variation
Variation Title	Time Lapse Camera					
Variation Reason	This variation is for the supply and installation of an onsite camera to capture still images for use in a timelapse video at the conclusion of the project. The camera can also be used as additional site security.					

<b>Contract Number: LCC-840</b>						
Contract Title	Supplier Name	Date Approved	Variation Value	Within budget	Funding Source (Federal/State/Council)	Variation Type
<b>Construction of Park Lane Preschool</b>	Langden Constructions Pty Ltd	22-Oct-2024	\$ 1,751	Yes	State Government Grant	Principal/Client directed variation
Variation Title	Electrical Revisions					
Variation Reason	This variation is for additional electrical works and includes alterations to the main switchboard (MSB), due to the addition of a Fire Indicator Panel (FIP). Extra wiring is also required from the MSB to the FIP location.					
<b>Construction of Park Lane Preschool</b>	Langden Constructions Pty Ltd	24-Oct-2024	\$ 2,843	Yes	State Government Grant	Principal/Client directed variation
Variation Title	Revised Demolition Scope					
Variation Reason	This variation is for additional demolition works to remove the existing shed and concrete slab. It has been determined that a new shed will provide a better outcome for the project, but this was not allowed for at tender.					
<b>Construction of Park Lane Preschool</b>	Langden Constructions Pty Ltd	10-Dec-2024	\$ 19,789	Yes	State Government Grant	Design Omission/Error
Variation Title	Fire Indicator Panel					
Variation Reason	This variation is for the supply and installation of the Fire Indicator Panel (FIP) connected to the smoke detectors throughout the building. This was requested by the Building Surveyor as part of NCC compliance and is a requirement of the Building Permit.					

<b>Contract Number: LCC-848</b>						
Contract Title	Supplier Name	Date Approved	Variation Value	Within budget	Funding Source (Federal/State/Council)	Variation Type
<b>Reconstruction of Loch Park Road, Traralgon - Stage 1</b>	Eastern Constructions Pty Ltd	14-Nov-2024	\$ 251,110	Yes	Federal Government Grant / Council Funded	Principal/Client directed variation
Variation Title	Drainage Design Changes from Tender to Construction & Addition of Full Length Footpath Reconstruction					
Variation Reason	<p>Variation Part 1 was a client directed variation to change the drainage alignment to avoid a clash with Telstra and Water Assets at the Kay St intersection. Moving Telstra and water assets is costly. Avoidance of the water and communication assets is the more cost-effective option. Further drainage change was to include a spoon drain to the footpath on the eastern side of the road to avoid stormwater runoff into private property.</p> <p>Variation Part 2 was also a client directed variation to address concerns regarding connecting new concrete works to existing footpath which are shallow in depth and without reinforcing. Connecting the spoon drain to the existing footpath had risk of causing damage to the existing footpath and would ultimately result in the footpath being replaced at time of construction. The footpath to the west side is of the same standard and likely to require maintenance and replacement over subsequent years. Replacing the footpath during this project results in less inconvenience to the residents, with the delivery of one project. The footpath works are also now eligible for funding under the Roads to Recovery program which has been a change that has been introduced since the original scoping of the project was carried out. This project is fully funded under the Roads to Recovery Federal funding.</p>					



Contract Number: LCC-849						
Contract Title	Supplier Name	Date Approved	Variation Value	Within budget	Funding Source (Federal/State/Council)	Variation Type
Traralgon Tennis Court Resurfacing	The Trustee for Pro Court Surfacing & Construction Unit Trust	18-Oct-2024	\$ 22,500	Yes	Council Funded	Principal/Client directed variation
Variation Title	Relocation of Net Posts on Showcourts					
Variation Reason	This was a client-directed variation to the scope to re-align the two showcourts at Traralgon Tennis Centre to meet the minimum court dimensions and runoffs for international matches. In the previous configuration, when hosting international level events, only one of the two show courts was able to be used at a time. By completing this re-alignment at the same time as the resurfacing allowed for the works to be completed in the most cost and time efficient manner possible. This variation was funded by Tennis Australia's National Court Rebate Scheme.					
Traralgon Tennis Court Resurfacing	The Trustee for Pro Court Surfacing & Construction Unit Trust	27-Nov-2024	\$ 7,098	Yes	Council Funded	Principal/Client directed variation
Variation Title	Cleaning of Courts 19-24					
Variation Reason	This was a client-directed variation to clean the remaining six hardcourts at the Traralgon Tennis Centre which had not been resurfaced as part of the project. While not looking particularly dirty prior to the works, once compared to the freshly resurfaced courts, the six courts (Courts 19-24) looked tired and in need of cleaning. By completing the courts annual clean as part of this project, it helps ensure that the venue is in its best condition possible ahead of the AGL Loy Yang International tournament in January. As the contractor was already on site, the works were able to be completed at a reduced rate compared to having the cleaning completed at another time.					

Contract Number: LCC-855						
Contract Title	Supplier Name	Date Approved	Variation Value	Within budget	Funding Source (Federal/State/Council)	Variation Type
<b>Design &amp; Construct Sports Lighting at Gaskin Park 2 Oval, Churchill</b>	The trustee for Contracting Kings Trust	22-Nov-2024	\$ 3,388	Yes	State Government Grant	Principal/Client directed variation
Variation Title	Pole Mounted Power Points					
Variation Reason	This variation is a result of the development of the design component of this Design and Construct contract. After finalising the lighting and electrical design, it was identified that there was capacity within the system to include double power points on each of the four lighting poles. Where possible, this is a standard inclusion across all LCC sports lighting projects. There was also capacity within the system to include a 3-phase outlet on the pole closest to the existing changerooms and stadium. An opportunity was identified to add a 3-phase connection at this location to serve future events held at the venue once the oval redevelopment is complete. The elements in this variation were known and allowed for within the project budget but could not be finalized until the lighting design was complete.					
<b>Design &amp; Construct Sports Lighting at Gaskin Park 2 Oval, Churchill</b>	The trustee for Contracting Kings Trust	22-Nov-2024	\$ 5,360	Yes	State Government Grant	Principal/Client directed variation
Variation Title	Strengthening of Poles for Future Lights					
Variation Reason	This variation is a result of an opportunity identified during the structural and lighting design of the project to strengthen the poles to allow for installation of two additional lights per pole in the future. The current project only has scope to install lights to AFL training standard only. The minor additional cost to strengthen the poles allows for the opportunity to potentially increase the AFL lighting to a higher standard in the future, or to improve lighting to the baseball pitch which co-shares the ground. The elements in this variation were known and allowed for within the project budget but could not be finalized until the structural and lighting design was complete.					

## GIPPSWIDE KERBSWIDE COLLABORATIVE PROCUREMENT - ORGANICS CONTRACT

### PURPOSE

To provide Councillors with an update on the finalisation of the Organics Waste Processing Contract as per the Council resolution on 3 October 2022.

### EXECUTIVE SUMMARY

- At the Council Meeting held on Monday, 3 October 2022, Council endorsed PineGro Products Pty Ltd (PineGro) as the preferred tenderer for the Gippswide Kerbside Procurement Project – Organics processing with a requirement to update Council when a contract was signed.
- At the same Meeting, Council delegated authority to the Chief Executive Officer (CEO) to sign the contract documents with PineGro and execute the award of contract, on the condition that pre-contractual negotiations are to the satisfaction of the CEO.
- Tender finalisation and award of contract to PineGro was signed by the CEO as per the delegated authority of Council on 20 December 2024.
- The Contract provides for processing of garden organic waste (GO) up to 1 July 2026 at the current facility at 300 Monash Way Morwell; and GO and food organic waste (FO) (collectively FOGO) from 1 July 2026 to 30 June 2041.
- The contract term is for a period of 15 years.
- The contract has been accepted based on the tender evaluation that was submitted to the Council Meeting held on Monday, 3 October 2022, with minor exceptions for clause amendments in the Conditions of Contract and Specifications for clarity and a CPI increase in the rates.
- The total value of the contract over 15 years is approximately \$16.7 million.

### OFFICER'S RECOMMENDATION

**That Council notes the report.**

## BACKGROUND

The Gippswide Kerbside Collaborative Procurement Project has been conducted by Recycling Victoria in conjunction with signatory Council officers and carried out with the utmost integrity and probity.

At the Council Meeting held on Monday, 3 October 2022, Council endorsed PineGro as the preferred tenderer and nominated Contractor of the Gippswide Kerbside RFT2021002 – Organics processing Contract for the provision of Council's kerbside organic (food organics and garden organics - FOGO) waste services. This was subject to pre-contract negotiations meeting all service requirements for Latrobe City Council and to provide an update to Council on the outcomes of contract including any significant changes.

Authority was delegated to the CEO to complete all required pre-contract negotiations with the preferred tenderer, subject to sufficient participating Gippsland Councils resolving to enter separate contracts with PineGro.

## ANALYSIS

The specification in the final contract are derived from final tender recommendations, with minor exceptions for clause amendments in the Conditions of Contract and Specifications for clarity and a CPI increase in the rates, with an operational commencement date of 1 July 2026.

Latrobe City Council signed a contract with PineGro on 20 December 2024. The contract term is for a period of 15 years, with up to three extensions of no more than 2 years each.

The Contract provides for processing of garden organic waste (GO) up to 1 July 2026 at the current facility at the Site; and GO and food organic waste (FO) (collectively FOGO) from 1 July 2026 to 30 June 2041 (i.e. 15 years).

As a result of the finalising of this contract, Pinegro will build a state of the art In-vessel Composting Facility (IVCF) at their current site at 300 Monash Way Morwell which will enable the composting of food organics in addition to garden organics, with lower emissions, and provide additional jobs for the local economy.

PineGro were the incumbent organics processing contractor and has completed a seamless transition for the residents and businesses of Latrobe City Council.

The contract is a schedule of rates contract, therefore, increases in the volume of waste directly influences the yearly expenditure as does CPI increases.

Each Council has in effect its own separate service contract but is obligated at times to act in a collaborative manner with the endorsed Contractors and those signatory councils. PineGro has signed contracts with Wellington Shire Council, Baw Baw Shire Council and South Gippsland Shire Council that will ensure efficiencies through economies of scale are realised.

The Organics Processing contract is the second of the four contracts being negotiated through the Gippswide Kerbside Collaborative Procurement group. The Collection and Haulage contract was signed in early 2024, and the Residual Waste contract and the Glass and Mixed Recycling contracts are still under negotiation. A further update on the on-going negotiations for the remaining two waste contracts will be provided to Council in the upcoming months.

#### RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
<b>COMPLIANCE</b> Waste contract obligations not adhered to.	<b>Low</b> <i>Unlikely x Minor</i>	Contract KPI's have been used to clearly identify and mitigate operational risks through monthly audits and reporting.
<b>SERVICE DELIVERY</b> Facility not constructed	<b>Medium</b> <i>Unlikely x Moderate</i>	PineGro are considered a well-established, highly experienced contractor with a strong local presence. Their capability and capacity to deliver the associated services has been well proven in the past, with compliance to State policies and contractual requirements as evidenced through service delivery under previous consecutive contracts for the Latrobe City Council. Contingencies have been built into the contract to ensure a clear path forward in the case of delays or failure to complete construction.
<b>FINANCIAL</b> Large financial outlays due to the length and cost of service contracts	<b>Low</b> <i>Unlikely x Minor</i>	A component of the tender evaluation process was to undertake a financial risk assessment on each of the participating tenderers. This was achieved through an assessment of the financial risk information provided within "Comprehensive Reports" purchased from illion Direct. PineGro scored highly against the criteria, representing a very low or minimal financial risk.

## CONSULTATION

There has been no specific public consultation on the Gippswide Kerbside Collaborative Procurement Project as the services tendered have been directed by State Government policy and are confidential with strict probity requirements associated to them.

## COMMUNICATION

Councillors have been briefed on the Gippswide Kerbside Collaborative Procurement Project on several occasions over recent years. Subsequent to the briefings provided and resulting from the Gippswide Kerbside tender processes, Council has endorsed Preferred Tenderers for:

- Provision of Food and Garden Organics Processing Services (October 2022) being PineGro Pty Ltd;
- Provision of Kerbside Collection and Transport Services (June 2023) being Cleanaway Pty Ltd;
- Provision of Residual Waste Processing Services (March 2024) being Maryvale consortium; and
- Provision of Glass and Mixed Recycling Processing Services (November 2022) being ReGroup Pty Ltd.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.



## APPENDIX 1 IMPACT ASSESSMENT

### **Gender**

A Gender Impact Assessment (GIA) under the *Gender Equity Act 2020* for waste services will be completed as part of the updated Waste Management Strategy, which is currently being developed.

### **Social**

Not applicable.

### **Cultural**

Not applicable.

### **Health**

Not applicable.

### **Environmental**

The diversion of food organics from landfill and the development of an In Vessel Composting Facility (IVCF) will provide an improvement in environmental outcomes in the form of lower emissions and greater resource recovery.

### **Economic**

The development of the IVCF will stimulate the local economy through the provision of local construction jobs and ensuring the on-going provision of jobs at the facility.

### **Financial**

The financial impacts of the contract were scrutinised during the tender process and the contract negotiations.

### **Attachments**

Nil

## COUNCIL PROCUREMENT POLICY - CEO DELEGATION

### PURPOSE

To provide a report to Council reviewing the approved delegation limits set out in Council's *Procurement Policy 2021* in accordance with Council's Notice of Motion from the December Council Meeting.

### EXECUTIVE SUMMARY

- At the December Council Meeting, the following Notice of Motion was carried:  
*That Council receive a report at a future Council Meeting in relation to a review of the procurement approval, contract award and contract variation delegations detailed in the Procurement Policy 2021 with the intention to reduce;*
  - a) *The level of delegation to the Chief Executive Officer to \$500,000;*
  - b) *The limits of delegation as detailed in the Procurement Policy 2021 for all Approving Officers by fifty percent (50%); and*
  - c) *Refer to the Audit & Risk Committee for consideration on points a and b*
- A movement in purchasing delegations which results in a 50% decrease to existing levels will result in additional administration for senior officers and Council with purchase requisition approvals increasing by over 56% for Managers and 116% for Council.
- Over the past four years, Latrobe City Council has awarded a total of 136 contracts. Based on this, decreasing the CEO's delegation to \$500,000 would result in an additional 16 contracts (19% increase) requiring Council approval.
- On average, the halving of delegations below the CEO level for contract variations will result in an additional 40% of variations requiring CEO approval.
- The Audit & Risk Committee considered the intent to decrease delegation limits and have subsequently raised questions and concerns.

### OFFICER'S RECOMMENDATION

**That Council receive and note the report entitled Council Procurement Policy - CEO Delegation.**

## BACKGROUND

At the December Council Meeting, the following Notice of Motion was carried:

*That Council receive a report at a future Council Meeting in relation to a review of the procurement approval, contract award and contract variation delegations detailed in the Procurement Policy 2021 with the intention to reduce;*

- a) The level of delegation to the Chief Executive Officer to \$500,000; and*
- b) The limits of delegation as detailed in the Procurement Policy 2021 for all Approving Officers by fifty percent (50%)*
- c) Refer to the Audit & Risk Committee for consideration on points a and b.*

## ANALYSIS

Latrobe City Council's Procurement Policy 2021 (attached) currently provides for the following delegations:

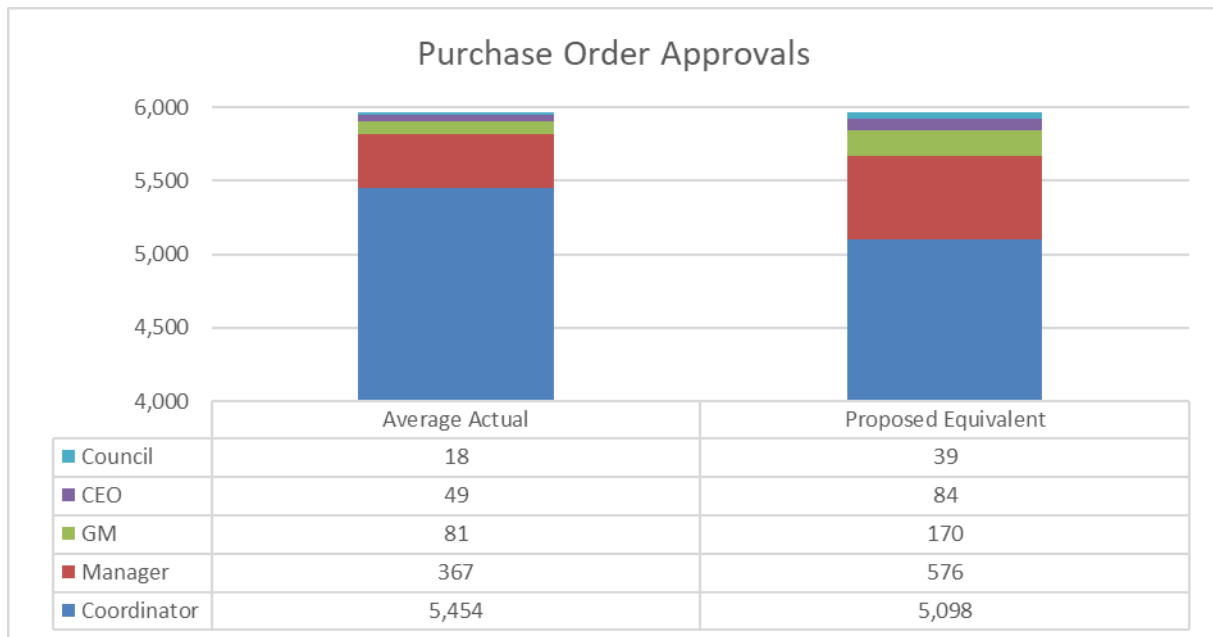
Approving Officer	PO Value	Contract Value	Contract Variations
Coordinator	< \$25k	Nil	< \$25k
Manager	\$25k - \$100k	Nil	\$25k - \$100k
GM	\$100k - \$250k	Nil	\$100k - \$250k
CEO	\$250k - \$1m	< \$1m	>\$250k
Council	> \$1m	> \$1m	

In accordance with the Notice of Motion the intention to reduce the limits of delegations would result in the below:

Approving Officer	PO Value	Contract Value	Contract Variations
Coordinator	< \$12.5k	Nil	< \$12.5k
Manager	\$12.5k - \$50k	Nil	\$12.5k - \$50k
GM	\$50k - \$125k	Nil	\$50k - \$125k
CEO	\$125k - \$500k	< \$500k	>\$125k
Council	> \$500k	> \$500k	

## ***Procurement Approval Delegations***

### **Purchase Orders (Average per year over the last 4 years)**

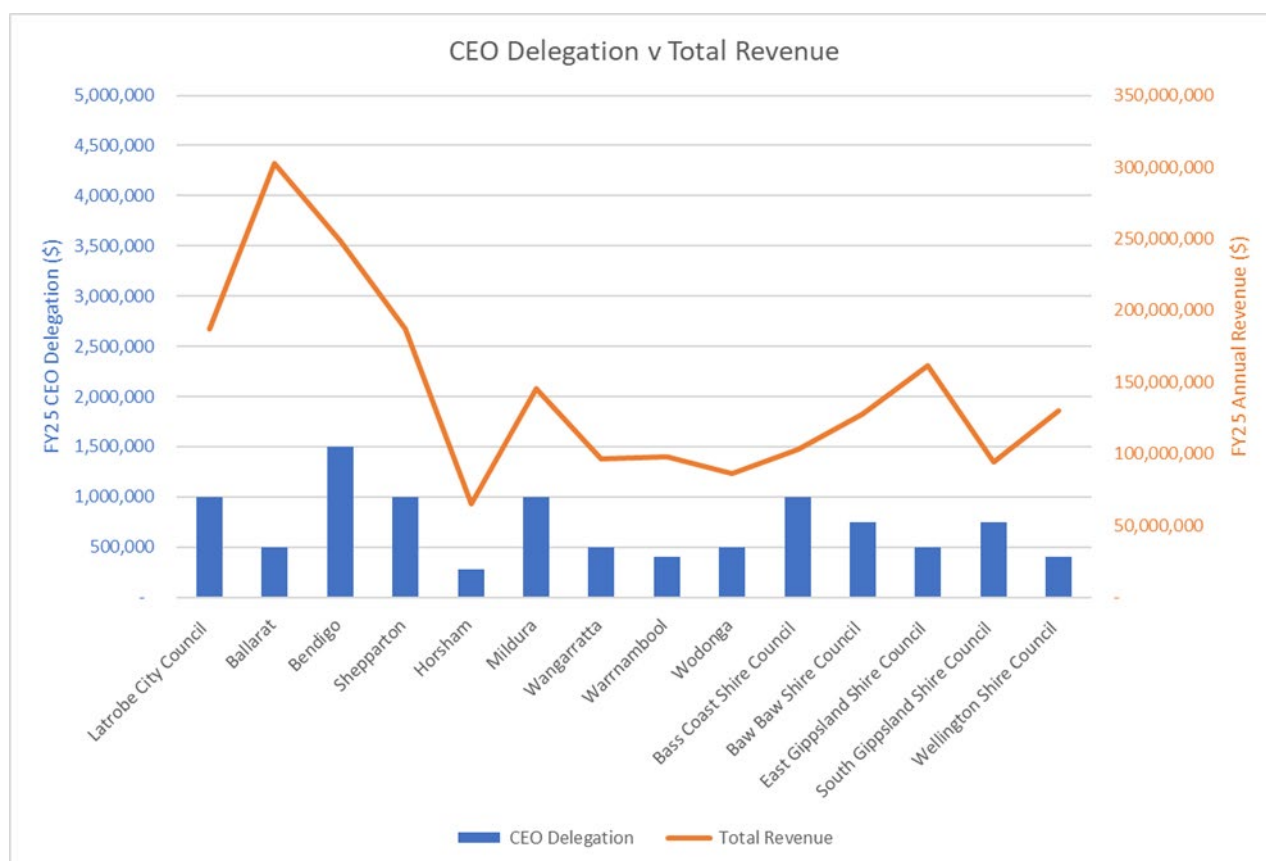


All purchase orders are required to be approved via a process that requires at least three Council officer's being involved in each purchase order raised. This includes the Procurement team undertaking a compliance review of every purchase requisition to ensure that it complies with the Procurement Policy.

A movement in purchasing delegations which results in a 50% decrease to existing delegation limits will result in additional administration for senior officers and Council with purchase requisition approvals increasing by between 56% - 109% for senior officers and 116% for Council.

In addition to reviewing the number of purchase orders, it may also be relevant to consider the size of a Council (revenue based) against the CEO delegation.

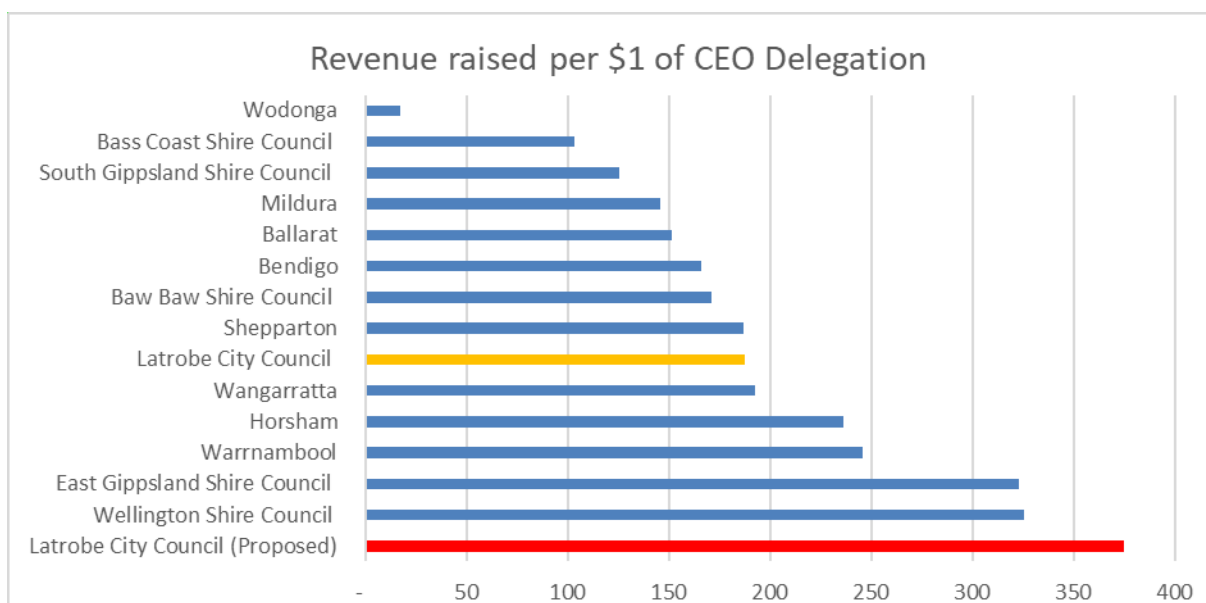
The following graph indicates in orange the Council's annual revenue based on the FY25 adopted budget and in blue is the CEO delegation limit.



The data indicates that Latrobe City Council's current CEO delegations for purchase orders is aligned with Shepparton, Mildura and Bass Coast; with Bendigo the only Council exceeding Latrobe's delegation at \$1.5M. Additionally it should be highlighted that the CEO of Ballarat has a delegation of \$0.5M, however there is in place a contract approval committee which has delegation levels up to \$2M.

In order to compare delegations when taking into consideration the overall revenue of the Council, the following graph has been created which identifies the amount of revenue generated per \$1 of CEO delegation. The lower the number the more delegation a CEO has in relative terms.

Latrobe City Council has a CEO delegation of \$1 million and annual revenue of \$187 million, therefore, for every dollar of delegation the Council generates \$187 revenue. Whereas Baw Baw who have a CEO delegation of \$0.75M generate \$171 revenue per dollar of delegation, meaning effectively the Baw Baw CEO has a greater real delegation than Latrobe.



Overall, Latrobe City Council currently sits in the middle when compared to other comparative Councils.

As a comparison, the intended reduction in CEO delegation is depicted in red which would mean that Latrobe City Council's CEO would have the least real delegation when compared to comparative Councils.

### ***Contract Award Delegations***

#### **Contracts Awarded (Average per year over the last 4 years)**





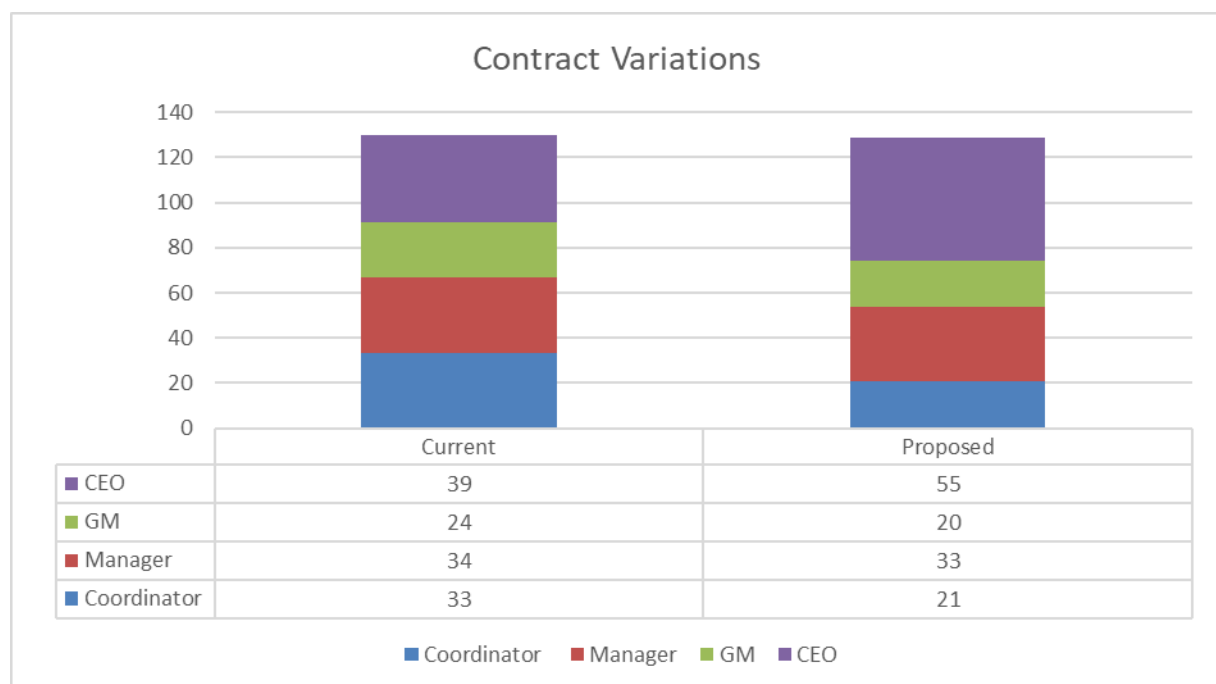
Over the past four years, Latrobe City Council has awarded a total of 136 contracts. Of these, 39 contracts were for less than \$500,000, 11 contracts were for values between \$500,000 and \$750,000 and 5 were for contracts where the value was between \$750,000 and \$1,000,000. The remaining 63 service contracts and 18 lump sum contracts that were greater than \$1,000,000, were approved by Council.

Service contracts are contracts where the expenditure over the life of the contract is unknown. There is a risk that the total expenditure under these contracts will exceed the CEO's delegation, therefore these service contracts are presented to Council.

Based on the previous four years, decreasing the CEO's delegation to \$500,000 would result in an additional 16 contracts (19% increase) requiring Council approval. This increase in the number of reports presented to Council may delay the execution of these contracts by a minimum of four weeks.

## ***Contract Variation Delegations***

### **Contract Variations (Average per year over the last 4 years)**



A decrease in the delegated authority of 50% for contract variations will result in the CEO being required to approve an additional 16 variations per year (40% increase) on average. The impact of this is an additional administration requirement of the CEO.

## ARC Commentary

As per the Notice of Motion, the intent to reduce the level of delegation to the CEO to \$500,000 and reduce all officer delegations limit by 50% was referred to Latrobe City Council's Audit and Risk Committee for consideration.

A summary of initial feedback from the Committee is:

- A further understanding is required of the proposed reduction in delegations in regard to what specific problem this is trying to resolve;
- Council has in place acceptable internal controls (aligned with the MAV Best Practice Procurement Guidelines);
- Will lead to hampering management in their ability to be an agile organisation; and
- With capital costs increasing significantly, the current delegations may be too low if anything.

## Impacts

Decreasing the CEO delegation to \$500,000 and reducing limits of delegation for all approving officers by 50% will have the following impacts:

- Additional administration for senior officers and Council with purchase requisition approvals increasing by between 56% - 109% for senior officers and 116% for Council;
- On average an additional 16 contracts per year (19% increase) will be required to be approved by Council; and
- The timing of Council meetings may lead to increased inefficiencies in procurement activities, as contract awards are often dependent on Council meeting schedules.

On average the halving of delegations below the CEO level for contract variations will result in an additional 40% of variations requiring CEO approval.

## RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
FINANCIAL Reduce CEO delegation to 500K results in the increase of confidential council reports	<b>Medium</b> (Possible x Moderate)	Delegations are set at a level that enables the CEO to efficiently delegate and approve contracts at a reasonable level.

<b>FINANCIAL</b> Reduce CEO delegation to 500K increases the duration from tender to award by 6-8 weeks	<b>Medium</b> (Unlikely x Moderate)	Delegations are set at a level that enables the CEO to efficiently delegate and approve contracts at a reasonable level.
<b>FINANCIAL</b> Reduce CEO delegation to 500K and the increased time from tender to award is seen as additional red tape by tendering contractors.	<b>Medium</b> (Possible x Moderate)	Delegations are set at a level that enables the CEO to efficiently delegate and approve contracts at a reasonable level.
<b>FINANCIAL</b> Reduction to all other Officers delegation by 50% creates longer time frames for approvals	<b>Medium</b> (Possible x Moderate)	Delegations are set at a level that enables the CEO to efficiently delegate and approve contracts at a reasonable level.
<b>FINANCIAL</b> Reducing the contract variation delegation by 50% for officers results in delays of approval and possible breach of contract	<b>High</b> (Possible x Major)	Prioritise the approvals of variations over other obligations to ensure that the contract is not breached and the best value is achieved. Update policy so that the superintendent can act in accordance with the contract if approvals are not obtained in the timeframes required by the contract.

## CONSULTATION

Latrobe City Council's Audit & Risk Committee were consulted as part of this report.

## COMMUNICATION

Not applicable.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Gender**

Not applicable.

### **Social**

Not applicable.

### **Cultural**

Not applicable.

### **Health**

Not applicable.

### **Environmental**

Not applicable.

### **Economic**

Not applicable.

### **Financial**

As detailed in the report, changes to the delegations will have an impact on approval and processing timeframes, which could lead to higher quoted costs or penalties for delays in approvals, particularly in relation to variations.

### **Attachments**

1. Procurement Policy

# 12.4

## Council Procurement Policy - CEO Delegation

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## Procurement Policy

Version 22 – POL – 14

Approval Date: 06 December 2021

Review Date: 30 June 2023





## Procurement Policy

### DOCUMENT CONTROL

Responsible GM	Greg Drumm	
Division	Organisational Performance	
Last Updated (who & when)	Matthew Rogers – Chief Financial Officer	2021
<b>DOCUMENT HISTORY</b>		
Authority	Date	Description of change
Council	22 August 2016	Policy reviewed, adopted by Council.
Council	03 April 2018	Amendments to purchase approval delegations, quotation requirements & contract variation approval requirements
Council	06 May 2019	Policy reviewed, amendments to petty cash and purchasing card clauses
Council	06 April 2020	Policy reviewed, no amendments
Council	06 December 2021	Policy reviewed. LGA 2020 compliant updates added. Obsolete legislative and policy references removed. .
References	<b>Legislative References</b> <ul style="list-style-type: none"> <li>Local Government Act 2020</li> <li>Competition and Consumer Act 2010</li> <li>Goods Act 1958</li> <li>New Tax System (Goods and Services Tax) Act 1999</li> <li>OHS Safety Act 2004</li> <li>National Environment Protection Council Act 1994</li> <li>Environment Protection Act 1970</li> <li>Environment Protection Act 2017</li> <li>National Competition Policy</li> <li>Competitive Neutrality Policy Victoria 2000</li> </ul> <b>Related Council Policies</b> <ul style="list-style-type: none"> <li>Purchasing Card Policy</li> <li>Grants Policy</li> <li>Gifts, Benefits and Hospitality Policy</li> <li>Fraud and Corruption Control Policy</li> </ul>	

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Responsible Division	Organisational Performance	Approved Date	06 December 2021	Review Date	30 June 2023
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## Procurement Policy

	<ul style="list-style-type: none"> <li>Fraud and Corruption Control Plan Wood Encouragement Policy</li> </ul> <p><b>Other Associated Documents</b></p> <ul style="list-style-type: none"> <li>Procurement Operational Policy</li> <li>Grants and Sponsorship Operational Policy</li> <li>Disposal of Assets Operational Framework</li> <li>Instrument of Delegations</li> <li>Conflict of Interest Guidelines</li> <li>Councillor Code of Conduct</li> <li>Employee Code of Conduct</li> <li>Occupational Health and Safety State and National Regulations</li> <li>OHS Purchasing of Goods</li> <li>Disability Action Plan</li> </ul>
Next Review Date	Prior to 1 January 2026
Published on website	Yes
Document Reference No	1380258

Latrobe City Council acknowledges the assistance of the Municipal Association Victoria through the provision of a Model Procurement Policy

Approved by Latrobe City Council

For further information about this document, please contact:

Danielle Cox  
 Coordinator Procurement  
 Latrobe City Council  
 Tel: (03) 5128 5450  
 Email: [Danielle.Cox@latrobe.vic.gov.au](mailto:Danielle.Cox@latrobe.vic.gov.au)

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## Procurement Policy

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## Procurement Policy

### 1. Principles

#### 1.1 Background

Latrobe City Council:

- Recognises:
  - Developing a procurement policy and adopting appropriate best practice contracting and procurement principles, policies, processes and procedures for all goods, services and works by Latrobe City Council, will enhance achievement of objectives. These objectives include sustainable and social procurement, bottom-line cost savings, supporting the local economy, achieving innovation and better services for communities.
  - The elements of best practice applicable to local government procurement incorporate:
    - Broad principles covering ethics, value for money, responsibilities and accountabilities;
    - Guidelines giving effect to those principles;
    - A system of delegations (i.e. the authorisation of officers to approve and undertake a range of functions in the procurement process); and
    - Procurement processes, with appropriate processes covering minor, simple procurement to high value, more complex procurement.
- Contracting, purchasing and contract management activities endeavour to:
  - Achieve value for money and quality in the acquisition of goods, services and works;
  - Support Latrobe City Council's corporate strategies, aims and objectives;
  - Take a long term strategic view of its procurement needs while continually assessing, reviewing and auditing its procedures, strategy and objectives;
  - Provide a robust and transparent audit trail which ensures that procurement projects are delivered on time, within cost constraints and that the needs of end users are fully met;
  - Are conducted, and are seen to be conducted, in an impartial, fair and ethical manner;

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## Procurement Policy

- Ensure that risk is identified, assessed and managed at all stages of the procurement process;
- Use strategic procurement practices and innovative procurement solutions to promote sustainability and Value for Money, in particular making use of collaboration and partnership opportunities; and
- Comply with legislation, corporate policies or other requirements, ensuring that all staff responsible for procurement and contract management are aware of and adhere to the legislative requirements, Latrobe City Council standards and best practice.

### 1.2 Scope

This Procurement Policy is made under Section 108 and 109 of the *Local Government Act 2020*, (the Act) which is the key legislative framework that regulates the process of all local government procurement in Victoria.

Section 108 and 109 of the Act requires Victorian councils to prepare, approve and comply with a Procurement Policy encompassing the principles, processes and procedures applied to all purchases of goods, services and works.

Latrobe City Council's Procurement Policy applies to all contracting and procurement activities and is binding upon Councillors, Council officers, temporary employees, contractors and consultants while engaged by Latrobe City Council.

#### 1.2.1 Other Acts and Policies

The *Competition and Consumer Act 2010* - protects businesses and its customers from unfair trading practices. Latrobe City Council officers are to ensure that they are operating fairly, transparently and competitively in the marketplace.

- The National Competition Policy - extends the Australian Consumer Law to councils and introduces Competitive Neutrality Policy.
- *Competitive Neutrality Policy Victoria 2000* - promotes efficient competition between public and private businesses operating in the same market.

#### 1.2.2 Procurement during Council Elections

The *Local Government Act 2020* stipulates that councils are prohibited from making certain prescribed decisions during an election period<sup>1</sup>. This includes a decision to enter into a contract that has a total value which exceeds the threshold amounts or 1% of

<sup>1</sup> Section 69 (b) of the Local Government Act 2020

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## Procurement Policy

Latrobe City Council's revenue from general rates, municipal charges and service rates and charges in the preceding financial year; in the preceding year, whichever is greater.

Any decision which does not follow this requirement is deemed to be invalid. Latrobe City Council is liable to pay compensation as a result of acting on a major policy decision made in contravention of the legislation. The decision also applies to special committees or persons acting under a delegation from Council.

### 1.3 Purpose

The purpose of this policy is to:

- Provide policy and guidance to the Council to allow consistency and control over procurement activities;
- Demonstrate accountability to rate payers;
- Provide guidance on ethical behaviour in public sector purchasing;
- Demonstrate how to apply best practice principles when purchasing; and
- Increase the probability of obtaining the right outcome when purchasing goods, services and works.

### 1.4 Integration with Council Strategy

This policy supports the following Strategic Objectives contained within *Latrobe 2026: The Community Vision for Latrobe Valley* and the *Council Plan 2017-2021*:

#### Latrobe 2026

##### 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.

##### Regulation and Accountability:

In 2026, Latrobe Valley demonstrates respect for the importance of rules and laws to protect people's rights outline obligations and support community values and cohesion.

#### Council Plan 2017 – 2021 Objective 6:

Ensure Council operates openly, transparently and responsibly

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## Procurement Policy

### Strategies:

- Enhance Council's engagement with the community to better understand the community's priorities.
- Develop Council's long term financial plan and asset management plan to ensure that Council remains financially sustainable.

## 1.5 Treatment of GST

All monetary values stated in this policy include GST except where specifically stated otherwise.

## 1.6 Definitions and Abbreviations

Term	Definition
The Act	<i>Local Government Act 2020</i> (as amended)
CEO	Chief Executive Officer
Commercial in Confidence	Information that, if released, may prejudice the business dealings of a party (for example discounts rebates, profits, methodologies and process information). It is information provided for a specific purpose that is not to be used for any other purpose than set out in the initial document.
Conflict of Interest	Refer to Division 2 of the <i>Local Government Act 2020</i> .
Contract Management	The process that ensures both parties to a contract that fully meet their respective obligations as efficiently and effectively as possible, in order to deliver the business and operational objectives required from the contract and in particular, to provide value for money.
Corporate Social Responsibility (CSR)	Corporate Social Responsibility is about taking positive action to demonstrate Latrobe City Council's commitment to the local community and environment on which it impacts.
The Council / Council	The Latrobe City Councillor's as the governing body
Council officers	Includes temporary, full-time and part-time Latrobe City Council employees, as well as contractors and consultants while engaged by Latrobe City Council.
Delegation	A power handed down by the Council or Chief Executive Officer in an instrument to enable a delegate to act on Council's behalf.

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## Procurement Policy

Term	Definition
Expression of Interest (EOI)	An invitation for potential suppliers to submit an EOI for the provision of the goods, services and works generally set out in the overview of requirements contained in the document. This invitation is not an offer or a contract. It is usually the first stage of a multi-stage procurement process.
e-Procurement	Refers to the use of electronic methods at any stage of the procurement process from identification of a requirement through to any contract management and possibly procured asset management. Electronic procurement is the undertaking of the procurement process stage by electronic methods.
GM	General Manager
MECC	Municipal Emergency Coordination Centre
MERC	Municipal Emergency Response Coordinator
MERO	Municipal Emergency Resource Officer
MRM	Municipal Recovery Manager
Probity	Within Local Government, the word "probity" is often used in a general sense to mean "good process." A procurement process that conforms to the expected standards of probity is one in which clear procedures that are consistent with Council's policies and legislation are established, understood and followed from the outset. These procedures need to consider the legitimate interests of suppliers and ensure that all potential suppliers are treated equitably.
Probity Advisor	Reviews dealings with tenderers and the evaluation panel at presentations and interviews. Probity advisors provide advice to the evaluation team and/or steering committee.
Probity Auditor	Reviews all processes and documentation throughout the procurement process and provides a report on their findings at the conclusion of the process.
Procurement	Procurement is the whole process of acquisition of external goods, services and works. This process spans the whole life cycle from initial concept through to the end of the useful life of an asset (including disposal) or the end of a service contract.
RERC	Regional Emergency Response Coordinator
SERC	State Emergency Response Coordinator

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## Procurement Policy

Term	Definition
Social Procurement	Social Procurement uses procurement processes and purchasing power to generate positive social outcomes in addition to the delivery of efficient goods, services and works.
Sustainability	Activities that meet the needs of the present without compromising the ability of future generations to meet their needs.
Tender Process	The process of inviting suppliers to submit a quotation by tender using public advertisement, followed by evaluation of submissions and selection of a successful bidder or tenderer.
Value for Money	Value for money in procurement is about selecting the supply of goods, services and works taking into account both cost and non-cost factors including: <ul style="list-style-type: none"> <li>• contribution to the advancement of Latrobe City Council's priorities;</li> <li>• non-cost factors such as fit for purpose, quality, service and support; and</li> <li>• cost-related factors including whole of life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods, services and works.</li> </ul>

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## Procurement Policy

## 2. Effective Legislative and Policy Compliance and Control

### 2.1 Ethics and Probity

#### 2.1.1 Requirement

Latrobe City Council's procurement activities shall be performed with integrity and in a manner able to withstand the closest possible audit scrutiny.

All staff involved in procurement should be skilled in probity fundamentals, their application and be familiar with Latrobe City Council's Conflict of Interest Guidelines.

#### 2.1.2 Conduct of Councillors and Council Officers

##### 2.1.2.1 General

Councillors and Council officers shall at all times conduct themselves in ways that are, and are perceived to be, ethical and of the highest integrity and will:

- Treat potential and existing suppliers with equality and fairness;
- Not seek or receive personal gain;
- Maintain confidentiality of Commercial in Confidence information such as competing suppliers information, pricing, specifications, quotations, tenders or any other sensitive information;
- Present the highest standards of professionalism and probity;
- Deal with suppliers in an honest and impartial manner that does not allow conflicts of interest;
- Invite quotations and tenders only where there is a clear intent to procure the goods, services and works in the near future;
- Not behave in a fraudulent or criminal manner as detailed in Latrobe City Council's Fraud and Corruption Control Policy and Fraud and Corruption Control Plan;
- Not use Latrobe City Council's purchasing system or purchasing card for the purchase of personal items;
- Provide all suppliers with the same information and equal opportunity;
- Be able to account for all decisions and provide feedback on them;

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## Procurement Policy

- Maintain fair, equitable and non-discriminatory procedures for addressing complaints and concerns raised by suppliers or members of the community regarding Latrobe City Council's procurement activities; and
- Report matters if they are concerned that improper conduct is being undertaken, this includes:
  - Corrupt conduct;
  - A substantial mismanagement of public resources;
  - A substantial risk to public health or safety; and
  - A substantial risk to the environment.

### 2.1.3 Procurement Activity Processes

All procurement activity processes shall be conducted in accordance with the requirements of this policy, Latrobe City Council's Procurement Operational Policy, Procurement Guidelines and any associated procedures, relevant legislation, relevant Australian Standards and the *Local Government Act 2020*.

### 2.1.4 Probity Advisors/Auditors

An independent probity advisor or auditor must be appointed in the following circumstances and provide a written report of results:

- If the procurement activity exceeds the probity excess limit of \$10M; or
- If the relevant General Manager or Chief Executive Officer requests the inclusion of a probity auditor or advisor.

### 2.1.5 Conflict of Interest

Councillors and Council officers will at all times adhere to the Latrobe City Council Conflict of Interest Guidelines.

### 2.1.6 Fair and Honest Dealing

All prospective contractors and suppliers must be afforded an equal opportunity to participate in a procurement activity.

Impartiality must be maintained throughout the procurement process so it can withstand public scrutiny.

The commercial interests of existing and potential suppliers must be protected.

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## Procurement Policy

Confidentiality of information provided by existing and prospective suppliers must be maintained at all times, particularly commercially sensitive material such as, but not limited to individual rates or prices, discounts, rebates, profit, manufacturing and product information.

### 2.1.7 Gifts and Hospitality

Councillors and Council officers will at all times adhere to the Gifts, Benefits and Hospitality Policy.

### 2.1.8 Disclosure of Information

Commercial in Confidence information received by Latrobe City Council must not be disclosed and must be stored in a secure location.

Councillors and council officers are to protect Commercial in Confidence information, by refusing to release or discuss the following:

- Allocated Council budgets for proposed procurement activities;
- Information disclosed by suppliers in tenders, quotations or during tender negotiations;
- All information that is Commercial in Confidence information; and
- Pre-contract information including but not limited to information provided in procurement activities or subsequently provided in pre-contract negotiations.

Discussion with potential suppliers during tender evaluations should not go beyond the extent necessary to resolve doubt on what is being offered by that supplier. At no stage should any discussion be entered into which could have potential contractual implications prior to the contract approval process being finalised.

Summary information relating to contracts entered into with an estimated expenditure which exceeds the tender thresholds set by Council and specified in this Policy will be published on Latrobe City Council's external website.

### 2.1.9 Non-Compliance

Non-compliance to the Procurement Policy or the Procurement Operational Policy will be recorded and actions will be taken as per the procedures detailed in the Procurement Operational Policy.

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## Procurement Policy

### 2.2 Governance

#### 2.2.1 Structure

Latrobe City Council shall:

- Establish formal procurement approvals and a delegations structure that will ensure accountability and auditability of all procurement decisions made over the lifecycle of all goods, services and works;
- Ensure that Latrobe City Council's procurement structure:
  - Obtains value for money;
  - Is flexible enough to purchase the diverse range of material, goods, works and services required by Council in a timely manner;
  - Ensures that prospective contractors and suppliers are afforded an equal opportunity to participate in procurement activities; and
  - Encourages competition.

#### 2.2.2 Standards

Procurement activities shall be carried out to the professional standards required by Local Government Best Practice Guidelines and in compliance with:

- *Local Government Act 2020*;
- Latrobe City Council's policies, operational policies and procedures;
- Latrobe City Council's Procurement Operational Policy;
- Councillor Code of Conduct;
- Latrobe City Council's Employee Code of Conduct;
- Occupational Health and Safety State and National Regulations; and

Other relevant legislative requirements such as but not limited to the *Competition and Consumer Act 2010*, *Goods Act 1958*, *New Tax System (Goods and Services Tax) Act 1999*, *OHS Safety Act 2004*, *Environment Protection Act 1970*, *Environment Protection Act 2017* and the *National Environment Protection Council Act 1994*.

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## Procurement Policy

### 2.2.3 Latrobe City Council Related Policies, Frameworks and Guidelines

Latrobe City Council's policies, operational policies and guidelines relating to procurement that must also be complied with are:

- Purchasing Card Policy;
- Grant Governance Policy;
- Instrument of Delegations;
- Sponsorship Policy;
- Fraud and Corruption Control Policy
- Fraud and Corruption Control Plan;
- Disposal of Assets Operational Framework;
- Conflict of Interest Guidelines;
- OHS Purchasing of Goods;
- Wood Encouragement Policy; and
- Disability Action Plan.

### 2.2.4 Methods

Latrobe City Council's standard methods for purchasing goods, services and works shall be by some or all of the following methods:

- Purchasing card;
- Purchase order following the quotation process in accordance with section 2.3.2.2;
- Under contract following a tender process;
- Using aggregated purchasing arrangements with other Councils, MAV Procurement, Procurement Australia, Victorian Government, the Construction Suppliers Register or other bodies; and
- Other arrangements authorised by the Council or the Chief Executive Officer on a needs basis as required by abnormal circumstances such as emergencies.

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## Procurement Policy

### 2.2.5 Responsible Financial Management

Responsible financial management shall be applied to all procurement activities.

To give effect to this principle, the availability of existing funds within an approved budget, or source of funds, shall be established prior to the commencement of any procurement activity for the supply of goods, services or works.

Council officers must not authorise the expenditure of funds in excess of their financial delegations.

Council officers must not disclose allocated procurement activity budgets to suppliers.

Latrobe City Council funds must be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the costs of the procurement process without compromising any of the procurement principles set out in this policy.

## 2.3 Procurement Processes and Thresholds

### 2.3.1 Process

Latrobe City Council's procurement processes are based on a number of principles:

- **Value for Money**

The benefits of the purchase are weighted against the costs necessary for the optimum result for Latrobe City Council and the local community. Latrobe City Council is not required to accept the lowest tender. Instead, Latrobe City Council is required to take into account issues of quality, cost, the accessibility of the service and other factors relevant to the overall objectives of the *Local Government Act 2020*.

Value for Money is often mistaken for meaning the lowest price, however, in terms of the contracting process, Value for Money requires Latrobe City Council to balance quality and price with as much transparency as is reasonably achievable. In this context price should take into account the whole life cost of the provision as far as is practicable. It follows that the delivery of Value for Money is dependent upon Latrobe City Council's priorities.

Achieving Value for Money also requires challenging the need for the procurement and the way in which the service may be reconfigured to achieve improvements in service delivery, comparing service provision options against all those available, consulting with key stakeholders and ensuring competition in the open market.

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## Procurement Policy

Achieving Value for Money for money must be the basis of all procurement decisions within Latrobe City Council.

Value for Money is the guiding principle of Council procurement decisions and is in according with the Act, Section 108(3b). Value For Money (VFM) seeks to make sound judgement procurement decisions based on more than least cost. For each goods, services or works opportunity, VFM considers aspects relevant financial and non-financial elements such as (but not limited to):

- Quality
- Longevity
- Fitness for purpose
- Operational costs
- Experience and performance history
- Flexibility, innovation and adaptation
- Whole of life costs including acquisition, decommissioning and disposal costs
- Environmental impact including recyclability or reuse considerations.
- Backup and Support systems
- Licencing, registering and training costs
- Legal costs
- Risk, security and safety considerations

The relevant aspects of each procurement are to be considered by each officer in making each procurement decision.

In a multi-quote and tendered opportunity, the relevant VFM elements form the assessment criteria and are weighted and scored as a quantitative means to determine the offer representing best value for money to Council. These criteria and their weighting are to be established and fixed prior to quotes and tenders being sought, are to be included in the quote/tender documentation, and then responses evaluated once all responses have been provided. The response evaluation is to be included with the recommendation to the final tender/contract approver.

### • Open and Fair Competition

All suppliers are treated fairly in an open and transparent manner and have access to the same information.

### • Accountability

Accountability in procurement means being able to explain and provide evidence on the process followed. The test of accountability is that an independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.

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## Procurement Policy

Therefore the processes by which all procurement activities are conducted will be in accordance with this Procurement Policy and associated Latrobe City Council's policies, operational policies and procedures. Additionally:

- All Council officers are required to comply with the Employee Code of Conduct and accordingly they must be able to account for all procurement decisions they have been involved in that were made over the lifecycle of all goods, services and works purchased by Latrobe City Council and provide feedback on them;
- All procurement activities are to leave an audit trail for monitoring and reporting purposes; and
- Councillors must not direct or influence Council officers in the exercise of any power in the performance of any procurement related duty or function.

- **Risk Management**

Strategies for managing risks associated with all procurement processes are in place and consistent.

- **Probity and Transparency**

All procurement processes must be conducted in a fair, honest and open manner, with the highest levels of integrity and in the public interest.

### 2.3.2 Minimum Spend Competition Thresholds

All Latrobe City Council procurement activities must comply with this policy and in accordance with Latrobe City Council's documented authorised delegations. The only exception to this is when a critical incident is declared invoking emergency incident procurement policies at 2.5.1.

Procurement activities must not be split into smaller amounts to circumvent the thresholds or financial delegate levels and must be calculated on total cost of ownership (options to extend the contract, contingency and travel or out of pocket expenses).

Latrobe City Council's minimum spend competition thresholds are listed below.

#### 2.3.2.1 Tenders

Purchase of all goods, services and works for which the estimated expenditure (total value of the contract including all extension options and any provisional sums) exceeds the tender thresholds set by Council and specified in this Policy as required by the *Local Government Act 2020* must be undertaken by public tender. There is no specific time limit applicable to the length of a contract which is subject to the thresholds.

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## Procurement Policy

Latrobe City Council may undertake a public tender process where the value of goods, services and works does not reach the threshold sums. These may be situations where a public tender is preferred or prudent, managing risk considerations are paramount, or there is a desire for greater transparency of the procurement.

An exemption can be obtained to not go to public tender. This must be endorsed by the Chief Executive Officer and Council. Exemptions from public tender must then be approved in accordance with Victorian Government Regulations.

A Procurement Plan must be completed and approved prior to tender

An evaluation panel is required for all publicly advertised procurement activities and must contain a minimum of three people. All evaluation panels will contain a member with relevant knowledge, an independent person (independent from the contract manager's team) and a representative from the Procurement Team.

All evaluation panel members must complete an individual conflict of interest declaration.

All tender documents must be created using Latrobe City Council's standard templates and the eTendering portal must be used.

Evaluation criteria and assigned weightings must be developed prior to advertising the procurement activity. Latrobe City Council's standard evaluation criteria consists of the following:

- Gateway Criteria – required to be met to proceed to the evaluation stage
- Mandatory Criteria – required for all tenders
- Discretionary Criteria – criteria from which the Contract Manager may select the relevant option depending upon the specifications

All evaluation criteria must be listed in the documentation; however criteria weightings will not be released.

If a briefing or site visit is required to support the procurement activity, the documentation is to specify whether these are to be compulsory or optional. All compulsory site visits will form part of the Gateway evaluation criteria.

Any additional information to be provided after the Procurement Plan has been released will be made available to all potential suppliers.

Any questions asked during the procurement activity process will be made available for all suppliers.

All publicly advertised procurement activities will be open for a minimum of 21 calendar days. A selected procurement activity will be open for a minimum of 7 calendar days.

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## Procurement Policy

All submissions must be submitted via the eTendering portal. Hardcopy submissions will not be accepted. If a hardcopy submission is received via post or courier, the submission will not be accepted and will be returned via post unopened.

Latrobe City Council will not accept late submissions; however an exception may exist where it can be substantiated that there was a Latrobe City Council system failure or interruption to the eTendering portal. The CEO or General Manager can accept a late submission where it can be determined this circumstance prevailed at the time of attempted lodgement.

The gateway criteria must be met by tenderers to be eligible for evaluation.

The evaluation panel has discretion to exclude any tenders from further evaluation at the Gateway stage if the price submitted is 15% higher than the total project budget for that tender.

A procurement team member will evaluate the mandatory and gateway criteria. All evaluation panel members will complete the evaluation against the discretionary criteria. A full evaluation to review and agree on a recommendation is completed with all evaluation panel members.

Price can be measured either by lump sum or schedule of rates.

The evaluation panel is required to score submissions from 0 – 5 against the evaluation criteria to allow a comparison of submissions. Reasons and justifications for scores given must be documented.

All recommendations to award a contract must be submitted for CEO or Council approval. The recommendation for goods or service contracts must include any options to extend the contract.

### 2.3.2.2 Quotations

Purchase of goods, services and works having a total valuation of less than the compulsory tender threshold and do not require a contract, may be undertaken using the procurement by quotation method as described in Table 1 below:

**Table 1**

Quote Requirements	
Quotations	
Less than \$1,000	Minimum one (1) verbal quotation
\$1,001 - \$5,000	Minimum one (1) written quotation

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\$5,001 - \$25,000	Minimum two (2) written quotations
\$25,001 - \$250,000	Minimum three (3) written quotations
<b>Tender</b>	
Greater than \$250,000	Public Tender process required

In addition to the quotation requirements above, quotations may be publicly advertised at the Council officer's discretion. This may occur when a field of potential suppliers hasn't been established, or an innovative approach is required, or the project has broad appeal that may attract keen prices.

### 2.3.2.3 Purchasing Cards

Purchasing cards are available and the preferred method, for low value purchases. They must be used in accordance with Latrobe City Council's Purchasing Card Policy and must not be used for personal use.

### 2.3.2.4 Petty Cash

A petty cash system operates to provide temporary cash advances for legitimate, urgent and operational business expenses.

The maximum cash advance is \$50 and must be authorised by the requesting officer's supervisor.

Petty Cash will only be used to reimburse business expenses in exceptional circumstances or where a delay in reimbursement will cause financial hardship.

### 2.3.2.5 Reimbursements

A reimbursement system operates to reimburse legitimate and operational business expenses incurred by employees on behalf of Latrobe City Council. Legitimate and operational business expenses are defined as expenses incurred that are essential to performing functions of the relevant business unit.

All reimbursement expenditure must adhere to quotation requirements and purchasing approval delegations prior to incurring any expenses.

The reimbursement facility should not be used for purchases that can reasonably be made in advance via the quotation processes.

All reimbursements must be undertaken in accordance with council's reimbursement procedure.

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### 2.3.2.6 Agency

Council may use the services of a third party agent to undertake a tender on its behalf. Where this engagement is determined Council will:

- Endorse the tender and contract specifications, conditions and other contract documentation before public tenders are called;
- Ensure proper procurement processes and procedures are in place;
- Make a decision to either accept one of the tenders or reject all tenders as allowed by the Act, including reviewing the evaluation panel's assessment of submissions and recommendation to select one tender or a panel of tenderers; and
- Exercise discretion in accepting one of the tenders and merely rely on the work undertaken by the agent.

### 2.3.2.7 Collaboration

In accordance with the Act, Section 108(3c), Council will seek to collaborate with other Councils and Public Bodies through the various networks including through the Gippsland Regional Procurement Excellence Network (RPEN) and the Gippsland GROW network. Other networks in which Council officers are engaged may also provide collaboration opportunities depending on the procurement opportunity being considered.

Collaboration will be sought where it can be demonstrated that the value for money proposition will be improved by the scaling up of the opportunity with the inclusion of other Councils and Public Bodies. Value For Money, in regards to collaboration, will consider the relative cost reductions for the scaling up of the opportunity in comparison to any additional costs incurred such as delays to accommodate timing differences between Councils, the multi-party contract management regime imposed, and the contractual complexities incurred such as handling of securities and early contract withdrawal by one or more parties. Collaboration will be sought by email request to the Procurement representative of each Gippsland RPEN member seeking their interest in collaborative participation. Relevant opportunities will also be communicated with the Gippsland GROW network.

In accordance with the Act, Section 109(2), each report to Council recommending entering into a procurement agreement, will include information relating to the opportunities for collaboration.

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## Procurement Policy

### 2.4 Delegation of Authority

#### 2.4.1 Requirement

Delegations define the limitations within which Council officers are permitted to work. Delegation of procurement authority allows specified Council officers to approve certain purchases, quotation, tender and contractual processes without prior referral to the Council. This enables council officers to conduct procurement activities in an efficient and timely manner whilst maintaining transparency and integrity.

#### 2.4.2 Delegations

##### 2.4.2.1 Council Officers

The following tables outline the authorised procurement delegations, identifying Council officers authorised to make procurement commitments in respect of goods, services and works on behalf of Latrobe City Council.

The delegations for all purchasing at Latrobe City Council are in accordance with Table 2:

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## Procurement Policy

Table 2

Procurement Approval Delegations	
Limit of Delegation	Approving Officer
Purchase Card	As delegated by CEO or delegate
Up to \$500	Supervisor or equivalent*
Up to \$25,000	Coordinator / Team Leader**
Up to \$100,000	Manager
Up to \$250,000	General Manager
Up to \$1,000,000	Chief Executive Officer
Greater than \$1,000,000	Council

\*for the approval of reimbursements only

\*\*delegation for Team Leaders with budget responsibility only

All procurements require the applicable approval prior to providing advice to potential suppliers. Council officers must not authorise the expenditure of funds in excess of their financial delegations. Council officers are not permitted to authorise expenditure which directly benefits them or they are the recipient of the goods, service and works.

To ensure segregation of duties, Latrobe City Council requires at least three different officers to be involved and responsible for an end to end procurement activity. No single officer is to have complete control over any procurement activity. The delegations to award a contract at Latrobe City Council are in accordance with Table 3:

Table 3

Contract Award Delegations	
Limit of Delegation	Power to Award
<\$1,000,000	Chief Executive Officer
>\$1,000,000	Council

Where a contract variation is required, approval must first be sought from the applicable approving officer. The approving officer has the delegation to sign all correspondence in relation to the variation.

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The delegations for contract variations at Latrobe City Council are in accordance with Table 4:

**Table 4**

Contract Variation Delegations (per contract)	
Cumulative value of variations	Approving Officer
Up to \$25,000	Coordinator / Team Leader
Up to \$100,000	Manager
Up to \$250,000	General Manager
Greater than \$250,000	Chief Executive Officer

Where the Cumulative value of all variations;

- **exceeds 10%** of the original contract value, endorsement must be sought from the General Manager or Chief Executive Officer
- **exceeds \$500,000** it must be approved by the Chief Executive Officer and a briefing note be submitted to Council for their noting only.

**Table 5**

Latent Conditions (as per Australian Standards) and Design Variations	
Limit of Delegation	Approving Officer
Up to project budget	Contract Superintendent or Representative
Over project budget	Council

### 2.4.2.2 Delegations Reserved for the Council

Commitments and processes which exceed the Chief Executive Officer's delegation must be approved by Council. See Tables 2, 3 and 4 for Council officer's delegations to approve purchasing, award contracts and approve contract variations.

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## Procurement Policy

### 2.5 Exemptions from Procurement Levels and Procedures

The delegations for endorsing and approving exemptions are in accordance with Table 6:

**Table 6**

Purchasing Exemption Delegations		
Value	Endorsed by	Approving officer
Up to \$25,000	Procurement Officer	Manager
Up to \$100,000	Coordinator Procurement; or Chief Financial Officer	General Manager
Up to \$250,000	Coordinator Procurement; or Chief Financial Officer	Chief Executive Officer
Greater than \$250,000	Chief Executive Officer	Chief Executive Officer

#### 2.5.1 Exemptions less than \$250,000 (below tender)

Acceptable justifications for exemptions below the tender threshold are specified in the Procurement Operational Policy.

#### 2.5.2 Exemptions greater than \$250,000 (above tender)

Exemptions for the above tender threshold are detailed in Table 7:

Exemptions from Tendering	
Exemption Name	Explanation and limitations
A contract made because of genuine emergency or hardship	<ul style="list-style-type: none"> <li>Where the Council has resolved that the contract must be entered into because of an emergency (e.g. to provide immediate response to a natural disaster, declared emergency, etc.)</li> </ul>
A contract made with, or a purchase from a contract made by, another government entity, government-owned entity or other approved third party	<ul style="list-style-type: none"> <li>This general exemption allows engagements: With another government entity or government owned entity. For example, Federal, State or Local Government or an entity owned by the Federal, State or Local Government; and/or</li> </ul>

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	In reliance on contracts and arrangements established by another government entity, local authority or local government group purchasing scheme, Municipal Association of Victoria (MAV) or National Procurement network members (e.g. Local Buy), Procurement Australia (PA).
Extension of contracts while Council is at market	<ul style="list-style-type: none"> <li>Allows Council to extend an existing contract where the procurement process to replace the contract has commenced, and where the tender process or negotiations will take or are taking longer than expected.</li> <li>This exemption may be used when the establishment of an interim short-term arrangement with an alternative supplier is considered not to be in the public interest, as it may be cost prohibitive and/or present a risk in the delivery of critical public services to the municipality</li> </ul>
Professional services unsuitable for tendering	<ul style="list-style-type: none"> <li>Insurance (incl. WorkCover)</li> <li>Legal Services (exempt under the Local Government (General) Regulations 2015).</li> </ul>
Information technology resellers and software developers	<ul style="list-style-type: none"> <li>Allows Council to renew software licenses and maintenance and support, or upgrade existing systems, where there is only one supplier of the software who holds the intellectual property rights to the software</li> </ul>
Regional Waste and Resource Recovery Groups	<ul style="list-style-type: none"> <li>Situations where a Regional Waste and Resource Recovery Group constituted under the <i>Environment Protection Act 1970</i> had already conducted a public tender for and on behalf of its member councils</li> </ul>

The CEO may approve ad-hoc exemptions in exceptional circumstances where it can be demonstrated that it is in the best interests of the community to do so.

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### 2.5.3 Critical Incidents

Emergency Management policies and processes are invoked when a relevant Incident Controller, State Emergency Response Coordinator (SERC), Regional Emergency Response Coordinator (RERC) or Municipal Emergency Response Coordinator (MERC) (if not already self-activated by the Municipal Emergency Resource Officer (MERO) / Municipal Recovery Manager (MRM)) contacts Council requesting Council assistance in relation to:

- An emergency within the meaning of the *Emergency Management Act 1986* and the *Emergency Management Act 2013*;
- Latrobe City Council's Municipal Emergency Management Plan being activated;
- An emergency impact that requires activation of Council resources through the MERO/MRM via the Municipal Emergency Coordination Centre (MECC);
- An incident that activates the Council's Business Continuity Plan;
- An incident that represents a serious threat to health, safety, security of person or property; or
- A situation that represents a serious or urgent disruption to Latrobe City Council services.

In recognition that full compliance with existing Latrobe City Council procurement policies may not support the requirements during a critical incident, an alternative procurement process is in place to operate during a critical incident. Critical incident procurement aims to accommodate urgent procurement needs whilst ensuring that procurement processes adopted are reasonable and conducted with appropriate consideration of the standard procurement principles. In the event of a critical incident being declared, the process for procuring goods, services and works is to:

- Take into account value for money, accountability and probity to the extent that they can be applied given the severity and urgency of the incident;
- Adopt minimum record keeping processes through the Crisisworks Emergency Management System for relief, response and recovery;
- Ensure records of all procurements and decisions are documented in Crisisworks and disclosure of the value of goods, services and works procured for the emergency are reported to Council upon request;
- Ensure a procurement team member is to be part of the Emergency Management team to manage all procurement activities; and

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- Ensure emergency incident approval processes are activated through the MERO via delegated authority of the Chief Executive Officer.

### 2.6 Public Advertising

All public procurement activities are to be published on Latrobe City Council's e-tendering portal to promote open and fair competition as specified in the *Local Government Act 2020*.

### 2.7 Internal Controls

Latrobe City Council will establish and maintain the Procurement Operational Policy which will detail the internal controls over procurement processes and will ensure:

- A minimum of three people are involved in and are responsible for a transaction end to end;
- Transparency in the procurement process;
- A clearly documented audit trail exists for procurement activities;
- Appropriate authorisations are obtained and documented; and
- Systems are in place for appropriate monitoring and performance measurement.

### 2.8 Risk Management

#### 2.8.1 General

Risk management is to be appropriately applied at all stages of procurement activities. This will be properly planned and carried out in a manner that will protect and enhance capability to prevent, withstand and recover from interruption to the supply of goods, services and works.

Risk management will be carried out in accordance with the stated requirements in the Risk Management Policy and the Guidelines for Occupational Health and Safety, Management of Contract and any Federal or State regulatory requirements.

#### 2.8.2 Supply by Contract

The provision of goods, services and works by contract potentially exposes risk.

Latrobe City Council will minimise its risk exposure by measures such as:

- Standardising contracts to include current, relevant clauses;

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- Requiring security deposits where appropriate;
- Referring specifications to relevant experts;
- Requiring contractual agreement before allowing the commencement of work;
- Use of or reference to relevant Australian Standards (or equivalent); and
- Effectively managing the contract including monitoring and enforcing performance.

### 2.9 Contract Terms

All contractual relationships must be documented in writing based on standard terms and conditions unless changes to this are supported by the Procurement and Governance teams.

The maximum contract term is not to exceed five years (initial period plus all extension options). Exceptions may be made in exceptional circumstances where there is a genuine economic reason to do so (e.g. the contract is linked to significant assets).

To protect the best interests of Latrobe City Council, terms and conditions must be settled in advance of any commitment being made with a supplier.

### 2.10 Endorsement

Council officers and Councillors must not endorse any products or services.

### 2.11 Dispute Resolution

All Council contracts shall incorporate dispute management and alternative dispute resolution provisions to minimise the potential for legal action.

### 2.12 Contract Management

The purpose of contract management is to ensure that Latrobe City Council, and where applicable its contractors, receive the goods, services and works provided to the required standards of quality and quantity as intended by the contract by:

- Establishing a system monitoring and achieving the responsibilities and obligations of both parties' under the contract;
- Providing a means for the early recognition of issues and performance problems and the identification of solutions;
- Goods, services and works have been completed to council officers satisfaction prior to payment occurring;

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- Contract variations are approved prior to any work commencing;
- Contract variations are reported to Council on a quarterly basis; and
- Adhering to Latrobe City Council's Risk Management Operational Framework and adhering to relevant Occupational Health and Safety Contractor Compliance Procedures.

All Council contracts are to include contract management requirements. Furthermore, contracts are to be proactively managed by the Council officer responsible for the delivery of the contracted goods, services and works to ensure Latrobe City Council receives value for money.

A Contract Superintendent will be appointed and delegated authority as assigned by Australian Standards for the purpose of directing latent conditions and design variations.

### 2.13 e-Procurement

e-Procurement is integral to the overall development of procurement processes and involves the use of electronic systems to acquire and pay for goods, services and works.

By utilising e-Procurement Latrobe City Council aims to:

- Reduce transaction costs;
- Increase supplier competition;
- Make processes more efficient;
- Improve management information and visibility of spend;
- Increasing control and consistency of processes; and
- Improve spend compliance.

For these reasons Latrobe City Council will only be accepting tender submissions electronically via the electronic Tender Box, unless otherwise approved prior to the closing time and date by the Coordinator Procurement. The electronic Tender Box is a free service.

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## Procurement Policy

### 3. Demonstrate Sustained Value

#### 3.1 Achieving Value for Money

##### 3.1.1 Requirement

Latrobe City Council's procurement activities will be carried out on the basis of obtaining value for money (as defined in 1.6 Definitions and Abbreviations and detailed in 2.3.1 Process – Value for Money).

This means minimising the total cost of ownership over the lifetime of the requirement, consistent with acceptable quality, reliability and delivery considerations. Lowest price is not the sole determinate of value for money.

##### 3.1.2 Approach

This will be facilitated by:

- Developing, implementing and managing procurement strategies that support the coordination and streamlining of activities throughout the lifecycle;
- Developing and implementing a variety of standard selection criteria and weightings. Criteria and weightings will be established at the beginning of a tendering process to ensure value for money is achieved;
- Effective use of competition;
- Using a schedule of rates and panel contract arrangements where appropriate;
- Identifying and rectifying inefficiencies in procurement processes;
- Placing emphasis on the procurement activity planning process;
- Developing more cost efficient procurement processes including appropriate use of e-solutions;
- Council officers responsible for providing procurement services or assistance within Latrobe City Council and providing competent advice in terms of available products and agreements;
- Working with suppliers to create relationships that are professional and productive, and are appropriate to the value and importance of the goods, services and works being acquired;
- Undertaking analysis of Council's category spending patterns; and

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- Ensuring procurement effort corresponds with risk and expected return.

### 3.1.3 Role of Specifications

Specifications used in quotations, tenders and contracts are to support and contribute to Latrobe City Council's Value for Money objectives by being written in a manner that:

- Ensures impartiality and objectivity;
- Clearly defines Latrobe City Council's requirements;
- Encourages the use of standard products;
- Encourages sustainability; and
- Eliminates unnecessarily stringent requirements.

### 3.2 Performance Measures and Continuous Improvement

Latrobe City Council will establish appropriate performance measures and reporting systems to monitor performance and compliance with procurement policies, procedures and controls which will be reported to Latrobe City Council's Senior Leadership Team and / or Executive Team.

Procurement procedures, practices and costs may be benchmarked externally.

The performance measurements developed will be used to:

- Highlight trend and exceptions where necessary to enhance performance;
- Improve the internal efficiency of the procurement process and where relevant the performance of suppliers; and
- Facilitate programs to drive improvement in procurement to eliminate waste and inefficiencies.

### 3.3 Corporate Social Responsibility

Corporate Social Responsibility is about taking positive action to demonstrate Latrobe City Council's commitment to the local community and the environment on which it impacts. This means maximising the benefits of the services we provide across the community and minimising the negative aspects of activities.

Latrobe City Council integrates Corporate Social Responsibility into its organisational policies and practices through social procurement, sustainability and diversity.

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## Procurement Policy

### 3.3.1 Social Procurement

Social Procurement is the process of generating positive social outcomes through the procurement of goods, services and works. Social Procurement generates positive outcomes by building on initiatives already undertaken by Latrobe City Council in enhancing sustainable and strategic procurement practices, further enabling procurement to effectively contribute towards building stronger communities and meeting the social objectives.

Social Procurement can effectively contribute to building stronger communities and meeting social objectives and in particular facilitating employment opportunities to target communities within the Latrobe City region,

Latrobe City Council is committed to Social Procurement by:

- Ensuring all procurement practices are sustainable and strategically aligned with wider Council objectives;
- Achieving greater value for money across the community through the use of effective procurement;
- Ensuring all businesses have the same opportunity to tender for Council contracts;
- Enhancing partnerships with other councils, suppliers and community stakeholders;
- Building and maintaining a strong community by exploring ways to generate local employment (particularly among disadvantaged residents) and further strengthening the local economy;
- Purchasing ethical and fair trade goods to support equitable, local, national and international trade; and
- Ensuring business meets its obligations to its employees under applicable industrial instruments and legislation.

### 3.3.2 Buy Local

#### 3.3.2.1 Local Suppliers

Latrobe City Council is committed to buying from local businesses where purchases can be justified against Value for Money grounds, while remaining compliant with the *Competition and Consumer Act 2010* and other fair trading legislation requirements.

Wherever practicable, Latrobe City Council will fully examine the benefits available through purchasing goods, services and works from suppliers within Latrobe City.

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To ensure that value for money is achieved through use of local suppliers when purchasing, Latrobe City Council shall:

- Encourage a 'buy local' culture within Council;
- Encourage local suppliers to participate in Council business by advertising in local newspapers and other means considered appropriate;
- Ensure that procurement policies and procedures do not disadvantage local suppliers;
- Ensure transparency in Council procurement practices;
- Encourage the use of local suppliers by contractors.

### 3.3.2.2 Local Economic Development

Latrobe City Council will also seek from prospective suppliers/contractors, where applicable, what economic contribution they will make to the Latrobe City region. Latrobe City Council will assign weighting percentage up to a maximum of 15% to this criteria element. The quotation or tender evaluation panel will determine the percentage applied to any procurement.

Such examples may include a supplier/contractor who:

- Engages and contracts with local suppliers
- Engages local sub-contractors
- Participates in apprenticeship schemes or employs apprentices when tendering for projects upon award
- Contributes to the financial, social and environmental wellbeing of the region
- Enables the expansion, growth and servicing of local businesses and contractors
- Uses existing local businesses

### 3.3.2.3 Social Contribution

A social enterprise is a revenue generating business with primarily social objectives that reinvest surpluses in the business or community, rather than being driven by the need to deliver profit to shareholders and owners. These organisations are commonly referred to as social benefit suppliers and include social enterprises, Australian Disability Enterprises, Fair Trade Businesses, Indigenous Businesses, and can include women-owned and minority-owned businesses.

Latrobe City Council will identify opportunities to work with social enterprises and other not for profit businesses in the Latrobe City region that deliver social outcomes as part of doing business, either directly or as part of our supply chain.

### 3.3.2.4 Indigenous Engagement

Latrobe City Council is committed to exploring opportunities in engaging local indigenous businesses for the delivery of goods, services or works.

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### 3.3.2.5 Social Employment

Latrobe City Council is committed to Social Procurement, effectively achieving social objectives and facilitating employment opportunities to target communities in the Latrobe City region via our procurement processes. Latrobe City Council will seek from prospective suppliers/contractors, where applicable, what employment contribution they will make to the Latrobe City region.

### 3.3.3 Sustainable Procurement

Latrobe City Council recognises it has an implicit role in furthering sustainable development, through its procurement of goods, services and works.

In addition, Latrobe City Council recognises the potential impact this spend has on the environment and where applicable will integrate sustainability, environmental and social issues into the procurement process. Latrobe City Council aims to achieve this by:

- Taking into account the need to minimise emissions and reducing the negative impacts of transportation when purchasing goods, services and works;
- Taking steps to minimise carbon dioxide and other greenhouse gas emissions through the detailed consideration of products and services procured;
- Considering the environmental performance of all suppliers and contractors, and encouraging them to conduct their operations in an environmentally sensitive manner;
- Considering the basic life cycle analysis of products to minimise the adverse effects on the environment resulting directly or indirectly from products;
- Selecting products and services that have minimal effect on the depletion of natural resources and biodiversity;
- Working more effectively with local suppliers to ensure they are encouraged to bid for Latrobe City Council's business in line with the Procurement Policy;
- Ensuring all relevant procurement activities contain sustainability specifications as appropriate to the product or service being procured;
- Comply with all Australian regulations and legislation and ensuring our suppliers do the same; and
- Training all Council officers on sustainability considerations within the procurement process.

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### 3.3.4 Diversity and Inclusion

Promoting equality through procurement can improve community relations, satisfaction among users, competition, value and the quality of public services, . It should be a consideration in every procurement activity and reflect corporate commitment to diversity and equal opportunities wherever possible.

Latrobe City Council recognises the importance of having a diverse supplier base that reflects the breadth of our clients and the Victorian community.

Diversity and inclusion in procurement can refer to diverse suppliers, for example indigenous, culturally diverse, disability or gender diverse suppliers or can refer to generic suppliers providing consideration of the needs of diverse groups.

Latrobe City Council's Procurement Policy looks at including diverse enterprises in procurement processes and Latrobe City Council's Disability Action Plan is considered to ensure procurement processes and decisions do not directly or indirectly discriminate against people with a disability.

### 3.3.5 Occupational Health and Safety

Latrobe City Council will undertake due diligence assessments on all suppliers to ensure compliance to legislative and business requirements. Latrobe City Council requires all contractors, service providers and volunteers to comply with all Occupational Health and Safety legislative requirements. These are mandatory requirements and non-compliance will disqualify prospective suppliers. Suppliers will be required to provide evidence of insurances in providing goods, services and works.

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## Procurement Policy

### 4. Apply a Consistent and Standard Approach

Latrobe City Council will provide effective and efficient commercial arrangements for the acquisition of goods, services and works.

#### 4.1 Standard Processes

Latrobe City Council will provide effective commercial arrangements covering standard products and provision of standard services to enable **Council officers** to source requirements in an efficient manner.

This will be achieved via a combination of the following:

- Use of Latrobe City Council's approved suppliers;
- Pricing where relevant;
- Processes, procedures and techniques;
- Tools and business systems (e.g. e-Procurement arrangements);
- Reporting requirements; and
- Application of standard contract terms and conditions.

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## Procurement Policy

### 5. Build and Maintain Supplier Relationships

Latrobe City Council recognises that in order to achieve sustainable value, appropriate relationships must be developed and maintained with suppliers.

#### 5.1 Developing and Managing Suppliers

Developing and managing suppliers is essential to achieving a competitive market capable of delivering Latrobe City Council services and works requirements. Latrobe City Council recognises the importance of effective and open working relationships with its suppliers and is committed to the following:

- Managing existing approved suppliers, to ensure the benefits are delivered;
- Maintaining approved suppliers compliance with Latrobe City Council's requirements for insurances, Occupational Health and Safety, etc.; and
- Developing new suppliers and improving the capability of existing suppliers where appropriate.

All suppliers have a responsibility to follow and comply with the principles outlined in Latrobe City Council's Supplier Code of Conduct, which should be read in conjunction with Latrobe City Council's Purchase Order Terms and Conditions.

#### 5.2 Communication

External communication is very important in ensuring a positive interest from potential suppliers. Latrobe City Council's website will be updated and provide:

- Information about Council and how to become an approved supplier;
- A list of open Public Procurement Activities;
- Summary information relating to contracts entered into with an estimated expenditure which exceeds the compulsory tender thresholds as per section 2.1.8;
- Purchase Order Terms and Conditions;
- Supplier Code of Conduct;
- Guidelines for "Doing Business with Latrobe City Council";
- Standard documentation used in the procurement process; and
- Links to other relevant sites.

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## Procurement Policy

### 6. Review Process

#### 6.1 Review

To ensure compliance with Section 108 of the *Local Government Act 2020*, this policy will be reviewed and updated at least once during each 4-year term of the Council, unless one of the following occurs first:

- Significant changes to legislation applicable to the subject matter of the policy
- Upon request of Council

Unless otherwise indicated, this policy will still remain applicable beyond the process review date until that review has been finalised by Council.

#### 6.2 Administrative Updates

It is recognised that from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include updating to the latest style/template for policy, a change to the name of a Council department or applicable responsible position, a change to the name of a Federal or State Government department and minor update to legislation which does not have material impact.

Any change or update which materially alters this document must be by decision of Council.

WARNING - uncontrolled when printed.

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Responsible Division	Organisational Performance	Approved Date	06 December 2021	Review Date	30 June 2023
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## PRESENTATION OF THE AUDIT AND RISK COMMITTEE MINUTES - 19 DECEMBER 2024

### PURPOSE

To present the Audit and Risk Committee (Committee) Minutes for the meeting held on 19 December 2024 as required under the *Audit and Risk Committee Charter*.

### EXECUTIVE SUMMARY

- The Committee is a statutory committee of the Council. The Committee held its last meeting on 19 December 2024.
- The Committee's purpose is to support Council in discharging its oversight responsibilities related to financial and performance reporting, risk management, fraud prevention systems and control, maintenance of a sound internal control environment, assurance activities including internal and external audit and Council's performance with regard to compliance with its policies and legislative and regulatory requirements.
- There were 24 reports provided within the meeting agenda, and resolutions made accordingly in line with its Charter, as summarised in this report and set out in full in the attached minutes.

### OFFICER'S RECOMMENDATION

**That Council receive and note the attached Audit and Risk Committee Minutes for the 19 December 2024 meeting.**



## BACKGROUND

At the meeting held on 19 December 2024, the Committee resolved the following:

<i>Item</i>	<i>Resolution</i>
Confirmation of Minutes	That the minutes of the Committee meetings held on 29 August 2024 and 19 September 2024 be confirmed and ratified as true and correct.
Minutes of Executive Risk Management Committee Meeting – 2 May 2024	That the Committee receives and notes the Agenda and Minutes from the ERMCM Meeting held on 31 October 2024.
Status of Actions Arising	That the Committee receives and notes the Status of Actions Arising Report.
VAGO Reports requested to be circulated	That the Committee receives and notes the VAGO November 2024 Local Government Status Report and the Final Management Letter
Internal audit - Update on Information Technology actions	That the Committee note the completion of the IT Audit actions and endorse transitioning to an annual operations report.
Quarterly Internal Audit Report - Internal audit status, follow up review and presentation of audit	That the Committee: <ol style="list-style-type: none"><li>1. Endorses the proposed scope for the Review of Tree Management CARRIED</li><li>2. Note the deferral of the Review of Customer Service Queries and Complaints</li><li>3. Receives and notes the findings and management responses contained in the Review of Financial Long Term Financial Plan and Follow up Review; and</li><li>4. Receives and note the Internal Audit Status Report.</li></ol>
Risk - Strategic Risk Register Presentation	That the Committee notes and receives the updated Strategic Risk Register.
Risk Management Quarterly Report – December 2024	That the Committee notes and receives the Quarterly Risk Management Report for December 2024.
Monitoring - Reporting on Internal Control Environment	That the Committee receives and notes the updates on the delivery and findings of the Internal Control Environment – Rolling Four Year Plan.

<i>Item</i>	<i>Resolution</i>
Monitoring - Review of the Effectiveness of the Risk Management Framework	That Committee: <ol style="list-style-type: none"> <li>1. Approve the proposed extensions to due dates in the Risk Management Plan 2024-26 and consolidation of actions.</li> <li>2. Note the 'Review of Effectiveness of the Risk Management Framework'</li> </ol>
Non compliance reporting	That the Committee: <ol style="list-style-type: none"> <li>1. Receives and notes the non-compliance reporting provided.</li> <li>2. Provides any feedback on the non-compliance reporting content and presentation.</li> </ol>
Fraud and Corruption Reporting	That the Committee receives and notes this report.
Annual Report of Councillor Expenses	That the Committee receive and review the expenses paid and/or reimbursed to Councillors and/or members of a delegated committee.
Draft Audit and Risk Committee Charter	That the Committee: <ol style="list-style-type: none"> <li>1. Endorse the Draft Audit and Risk Committee Charter to be presented to Council for adoption.</li> </ol>
VAGO, Ombudsman, Inspectorate and IBAC Reports	That the Committee receives and notes this report on VAGO, Victorian Ombudsman, IBAC, Victorian Inspectorate and other reports.
Audit Compliance Report – December 2024	That the Committee: <ol style="list-style-type: none"> <li>1. Receives and notes this report.</li> <li>2. Approves the extension to the audit action due dates as proposed in Attachment two.</li> </ol>
Latrobe City Council Workcover Profile	That the Committee receive and note the report.
Monitoring and Communicating: Staff Code of Conduct	That the Committee receives and notes this report.
Major Initiatives Performance Summary Report - Q1 2024/25	That the Committee note the Major Initiatives Performance Summary Report for Q1 2024/25.
Quarter 1 2024/25 People and Workcover Reports	That the Committee note the Quarterly People Report, Workcover Report and Lost Time Injuries Report for Q1 of the 2024/25 financial year.

<i>Item</i>	<i>Resolution</i>
Quarterly Budget Report - September 2024	That the Committee receives and notes the Quarterly Budget Report for the period ended 30 September 2024, prepared in accordance with the requirements of the <i>Local Government Act 2020</i> .
Investment Portfolio & Performance Report	That the Committee receive and note the report.
Reporting requirements - Audit and Risk Committee Workplan and Proposed Meeting Dates 2025	That the Committee: <ol style="list-style-type: none"> <li>1. Adopt the 2025 Audit and Risk Committee workplan</li> <li>2. Adopt the 2025 Audit and Risk Committee meeting dates</li> </ol>
Annual Committee Assessment Results	That the Committee: <ol style="list-style-type: none"> <li>1. Receives and notes the results of the self-assessment results</li> <li>2. Approve the CEO to report the results to Council.</li> </ol>

## ANALYSIS

All motions made at the meeting and their corresponding actions arising can be found in the full Minutes attached to this report.

## RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
COMPLIANCE Latrobe City Council practices are not compliant with legislation.	<b>Low</b> <i>Unlikely x Minor</i>	Ensure that the Audit and Risk Committee Minutes are tabled at the next possible Council Meeting.

## CONSULTATION

The draft minutes were provided to the Committee Chairperson for feedback.

## COMMUNICATION

The provision and circulation of the Minutes to Council provides reassurance and awareness as a communication loop back to Council as part of good governance practices.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Social**

Not applicable.

### **Cultural**

Not applicable.

### **Health**

Not applicable.

### **Environmental**

Not applicable.

### **Economic**

Not applicable.

### **Financial**

The Committee is managed through existing budget provisions. Recommendations and actions arising from the meeting are considered by management within the constraints of budget requirements.

### **Attachments**

1. Audit and Risk Committee meeting minutes 19.12.2024

# 12.5

## **Presentation of the Audit and Risk Committee Minutes - 19 December 2024**

- 1     Audit and Risk Committee meeting minutes 19.12.2024..... 440**



## **Audit and Risk Committee Meeting Minutes - 19 December 2024**

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I hereby designate that all matters in this agenda and any discussion about or arising from any such matters will remain confidential until:

- Council passes a resolution that the information is not confidential; or,
- a report on the matter has been released in a subsequent meeting agenda, minute's paper or is approved in writing by the Chief Executive Officer.

Steven Piasente, Chief Executive Officer

06 January 2025

**Nambur Wariga Meeting Room, Council Headquarters,**

**141 Commercial Road, Morwell**

Meeting commenced at 10:10 AM

### **Attendance**

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**Members:** David Kortum (Chairperson), John Purcell, Jane Watson  
Cr Joanne Campbell

**In Attendance:**

- Steven Piasente (CEO)
- Nathan Kearsley (General Manager Organisational Performance)
- James Rouse (Acting General Manager Community Health and Wellbeing)
- Jody Riordan (General Manager Regional City Assets and Planning)
- Tim Ellis (General Manager Regional City Strategy and Transition)
- Josh Wilson (Executive Manager Sports Legacy and Activation) (left meeting at 10.55am)
- Matthew Rogers (Manager Financial Support)





## **Audit and Risk Committee Meeting Minutes - 19 December 2024**

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- Lee Blashki (VAGO) (left meeting at 10.24am)
- Kapil Kukreja (HLB Mann Judd) (left meeting at 10.34am)
- Meldra Zenija Cifersone (HLB Mann Judd) (left meeting at 10.34am)
- Zoe Speck (Manager Governance)
- Paul Howard (Coordinator Audit, Risk and Compliance)
- Louise Van Der Velden (Senior Compliance Officer)
- Rebecca Obersby (Council Solicitor)
- Kaitlyn Boram (Governance Officer)

**Teleconference:** Cr Campbell, James Rouse, Tim Ellis, Josh Wilson, Lee Blashki, Kapil Kukreja, Meldra Zenija Cifersone, Zoe Speck

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### **IN CAMERA MEETING**

The Audit and Risk Committee met in camera from 9.45am to 10.00am, and at times consulted the External Auditor, Internal Auditor and Chief Executive Officer. (Cr Campbell an apology for the in camera.)

#### **1. OPENING AND WELCOME**

The Chairperson opened the meeting and welcomed all present.

#### **2. APOLOGIES**

Cr Leanne Potter and Travis Derricott (VAGO)

#### **3. DECLARATIONS OF INTEREST**

Nil.



## **Audit and Risk Committee Meeting Minutes - 19 December 2024**

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### **4. PROBITY QUESTIONS**

The Audit and Risk Committee Chair asked if the CEO was aware of any legislative non-compliance issues, any fraud incidents that have occurred or if there were any strategic risks been triggered since the last Audit and Risk Committee meeting.

The CEO responded no.

The Audit and Risk Committee Chair asked the Councillors:

- a. If there was any matter arising from the Council meetings that needed to be brought to the attention of the Committee
- b. If there was any feedback or direction required from Council relating to the Audit Committee members.

The Councillor responded by noting two Council meeting motions, regarding the CEO Delegation and Councillor Expenses, that will be circulated to the Audit & Risk Committee for review and comment.

The Audit and Risk Committee Chair then asked the auditor representatives if they were satisfied that their work had not been impeded.

The auditor representatives responded yes.

### **5. CONFIRMATION OF MINUTES**

#### **MOTION**

**Moved:** Jane Watson

**Seconded:** David Kortum

That the minutes of the Audit and Risk Committee meetings held on 29 August 2024 and 19 September 2024 be confirmed and ratified as true and correct.

#### **CARRIED**

#### **OUTCOME/ACTIONS ARISING:**

1. Recommendation agreed.



## **Audit and Risk Committee Meeting Minutes - 19 December 2024**

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### **6. ITEMS REFERRED BY THE COMMITTEE TO THIS MEETING FOR CONSIDERATION**

#### **6.1 Agenda & Minutes of Executive Risk Management Committee Meeting - 31 October 2024**

<b>RECOMMENDATION</b>
That the Audit and Risk Committee receives and notes the Agenda and Minutes from the ERM Council Meeting held on 31 October 2024.
<b>OUTCOME/ACTIONS ARISING:</b>
1. Recommendation agreed



### **7. STATUS OF ACTIONS ARISING**

#### **7.1 Status of Actions Arising**

<b>RECOMMENDATION</b>
That the Audit and Risk Committee receives and notes the Status of Actions Arising Report.
<b>OUTCOME/ACTIONS ARISING:</b>
1. Recommendation agreed



## **Audit and Risk Committee Meeting Minutes - 19 December 2024**

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### **8. EXTERNAL AUDIT**

#### **8.1 VAGO - Local Government Status Report November 2024 & Presentation of Final Management Letter 2023-24**

<b>RECOMMENDATION</b>
That the Audit and Risk Committee receives and notes the VAGO November 2024 Local Government Status Report and the Final Management Letter.
<b>OUTCOME/ACTIONS ARISING:</b>
1. Recommendation agreed



### **9. INTERNAL AUDIT**

#### **9.1 Update on Information Technology actions**

<b>RECOMMENDATION</b>
That the Audit and Risk Committee note the completion of the IT Audit actions and endorse transitioning to an annual operations report.
<b>OUTCOME/ACTIONS ARISING:</b>
1. General Manager Organisational Performance to provide information to the committee regarding staff training in relation to AI.



## Audit and Risk Committee Meeting Minutes - 19 December 2024

### 9.2 Quarterly Internal Audit Report - Internal audit status and presentation of audits and scopes

**MOTION**

**Moved:** David Kortum

**Seconded:** John Purcell

That the Audit and Risk Committee:

1. Endorses the proposed scope for the Review of Tree Management

**CARRIED**

2. Note the deferral of the Review of Customer Service Queries and Complaints
3. Receives and notes the findings and management responses contained in the Review of Financial Long Term Financial Plan and Follow up Review; and
4. Receives and note the Internal Audit Status Report.

**OUTCOME/ACTIONS ARISING:**

1. Point 1 of recommendation endorsed
2. Points 2, 3 & 4 of recommendation agreed

## 10. RISK

### 10.1 Strategic Risk Register Presentation

**RECOMMENDATION**

That the Audit and Risk Committee notes and receives the updated Strategic Risk Register.

**OUTCOME/ACTIONS ARISING:**

1. General Manager Regional City Planning and Assets to provide update regarding level of flood preparedness and the flood warning system.



## Audit and Risk Committee Meeting Minutes - 19 December 2024

### 10.2 Quarterly Risk Management Report - December 2024

**RECOMMENDATION**

That the Audit and Risk Committee notes and receives the Quarterly Risk Management Report for December 2024.

**OUTCOME/ACTIONS ARISING:**

1. Recommendation agreed

### 11. MONITORING

#### 11.1 Reporting on Internal Control Environment

**RECOMMENDATION**

That the ARC receives and notes the updates on the delivery and findings of the Internal Control Environment – Rolling Four Year Plan.

**OUTCOME/ACTIONS ARISING:**

1. Recommendation agreed.

#### 11.2 Review of the Effectiveness of the Risk Management Framework

**RECOMMENDATION**

That ARC:

1. Approve the proposed extensions to due dates in the Risk Management Plan 2024-26 and consolidation of actions.
2. Note the 'Review of Effectiveness of the Risk Management Framework'

**OUTCOME/ACTIONS ARISING:**

1. Recommendations agreed.





## **Audit and Risk Committee Meeting Minutes - 19 December 2024**

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### **11.3 Non compliance reporting**

#### **RECOMMENDATION**

That the ARC

1. Receives and notes the non-compliance reporting provided.
2. Provides any feedback on the non-compliance reporting content and presentation.

#### **OUTCOME/ACTIONS ARISING:**

1. Recommendations agreed.

### **11.4 Fraud and Corruption Reporting**

#### **RECOMMENDATION**

1. That the Audit and Risk Committee receives and notes this report.

#### **OUTCOME/ACTIONS ARISING:**

1. Recommendation agreed.
2. Revisit cross checking with Commonwealth Bank

### **11.5 Annual Report of Councillor Expenses**

#### **RECOMMENDATION**

That the Audit and Risk Committee receive and review the expenses paid and/or reimbursed to Councillors and/or members of a delegated committee.

#### **OUTCOME/ACTIONS ARISING:**

1. Recommendation agreed.



## **Audit and Risk Committee Meeting Minutes - 19 December 2024**

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### **11.6 Draft Audit and Risk Committee Charter**

#### **RECOMMENDATION**

That the Audit and Risk Committee:

1. Endorse the Draft Audit and Risk Committee Charter to be presented to Council for adoption.

#### **OUTCOME/ACTIONS ARISING:**

1. Recommendation agreed.

### **11.7 VAGO, Ombudsman, Inspectorate and IBAC Reports**

#### **RECOMMENDATION**

That the Audit and Risk Committee receives and notes this report on VAGO, Victorian Ombudsman, IBAC, Victorian Inspectorate and other reports.

#### **OUTCOME/ACTIONS ARISING:**

1. Recommendation agreed.

### **11.8 Audit Compliance Report - December 2024**

#### **RECOMMENDATION**

That the Audit and Risk Committee:

1. Receives and notes this report.
2. Approves the extension to the audit action due dates as proposed in Attachment two.

#### **OUTCOME/ACTIONS ARISING:**

1. Recommendations agreed.



## **Audit and Risk Committee Meeting Minutes - 19 December 2024**

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### **11.9 Latrobe City Council Workcover Profile**

<b>RECOMMENDATION</b>
That the Audit and Risk Committee receive and note the report.
<b>OUTCOME/ACTIONS ARISING:</b>
1. Recommendation agreed.



### **11.10 Monitoring and Communicating: Staff Code of Conduct**

<b>RECOMMENDATION</b>
That the Audit and Risk Committee receives and notes this report.
<b>OUTCOME/ACTIONS ARISING:</b>
1. Recommendation agreed.



## **12. PERFORMANCE REPORTING**

### **12.1 Major Initiatives Performance Summary Report - Q1 2024/25**

<b>RECOMMENDATION</b>
That the Audit and Risk Committee note the Major Initiatives Performance Summary Report for Q1 2024/25.
<b>OUTCOME/ACTIONS ARISING:</b>
1. Recommendation agreed.



## **Audit and Risk Committee Meeting Minutes - 19 December 2024**

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### **12.2 Quarter 1 2024/25 People and Workcover Reports**

#### **RECOMMENDATION**

That the Audit and Risk Committee note the Quarterly People Report, Workcover Report and Lost Time Injuries Report for Q1 of the 2024/25 financial year.

#### **OUTCOME/ACTIONS ARISING:**

1. Recommendation agreed.

### **13. FINANCE**

#### **13.1 Quarterly Budget Report - September 2024**

#### **RECOMMENDATION**

That the Audit and Risk Committee receives and notes the Quarterly Budget Report for the period ended 30 September 2024, prepared in accordance with the requirements of the *Local Government Act 2020*.

#### **OUTCOME/ACTIONS ARISING:**

1. Recommendation agreed.

#### **13.2 Investment Portfolio & Performance Report**

#### **RECOMMENDATION**

That the Audit and Risk Committee receive and note the report.

#### **OUTCOME/ACTIONS ARISING:**

1. Recommendation agreed.



## **Audit and Risk Committee Meeting Minutes - 19 December 2024**

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### **14. REPORTING REQUIREMENTS**

#### **14.1 Audit and Risk Committee Workplan and Proposed Meeting Dates 2025**

##### **RECOMMENDATION**

That the Audit and Risk Committee:

1. Adopt the 2025 Audit and Risk Committee workplan
2. Adopt the 2025 Audit and Risk Committee meeting dates

##### **OUTCOME/ACTIONS ARISING:**

1. Recommendation agreed
2. Coordinator Audit, Risk and Compliance to liaise with ARC members to determine alternative meeting dates for 2025.

#### **14.2 Annual Committee Assessment Results**

##### **RECOMMENDATION**

That the Audit and Risk Committee:

1. Receives and notes the results of the self-assessment results
2. Approve the CEO to report the results to Council.

##### **OUTCOME/ACTIONS ARISING:**

1. Recommendations agreed.

### **15. GENERAL BUSINESS**

There are no General Business reports tabled for this meeting.



## **Audit and Risk Committee Meeting Minutes - 19 December 2024**

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### **Next Meeting Date**

The next Audit and Risk Committee meeting is to be held on Thursday 13 March 2024 (Tentative).

**Meeting Closed at 12:11pm.**



### **13. QUESTIONS ON NOTICE**

Nil reports

# ITEMS FOR TABLING

## 14. ITEMS FOR TABLING

Item Number 14.1     24 February 2025

Regional City Strategy & Transition

# TABLING OF MOE OUTDOOR POOL PETITION

### PURPOSE

To present Council with a petition received requesting the Moe Outdoor Pool to be upgraded with heating facilities.

### EXECUTIVE SUMMARY

- Latrobe City Council (Council) has been presented with a petition **Attachment 1** containing 151 signatures. The details of the petition are as follows:
  - *Moe Outdoor Pool is a beautiful venue where our local community can enjoy recreational swimming, training for competition or swim with friends and family. However, the lack of heating at the pool limits the community's usage to between 30 November and 10 March, and only on days when the temperature is above 25 degrees.*
  - *We, the undersigned request that the Moe Outdoor Pool be upgraded with heating facilities to remove the constraints on opening times due to weather. The community of Moe will then have an outdoor aquatic venue with a comfortable temperature throughout the year. This will extend the useability of the facility for the enthusiastic swimmers, young and old, who are keen on using the pool for fitness. It will also support the facilitation of activities such as school swimming events and competitive race meets throughout the year.*
- This report is being presented to Council in accordance with Rule 67 of the Governance Rules, requesting that the petition lay on the table.
- The purpose of laying the petition on the table is to bring the petition to Council's attention, the terms of the petition and to allow time for a detailed report to be prepared for the consideration of Council.
- No debate or discussion will be entered into when the petition is tabled. However, this can occur when a report about the petition is brought back to Council.
- The petition will be referred to the General Manager Community Health and Wellbeing for assessment and analysis and a further report regarding this petition will be presented to a future Council Meeting.

## OFFICERS RECOMMENDATION

### That Council:

1. In accordance with the *Governance Rules*, agrees to lay the petition requesting:

*That the Moe Outdoor Pool be upgraded with heating facilities to remove the constraints on opening times due to weather. The community of Moe will then have an outdoor aquatic venue with a comfortable temperature throughout the year.*

*This will extend the useability of the facility for the enthusiastic swimmers, young and old, who are keen on using the pool for fitness. It will also support the facilitation of activities such as school swimming events and competitive race meets throughout the year, on the table and be presented at an upcoming Council Meeting; and*

2. Advises the head petitioner of this decision in relation to the petition.

## BACKGROUND

Council has been presented with a petition **Attachment 1** containing 151 signatures requesting:

- That the Moe Outdoor Pool be upgraded with heating facilities to remove the constraints on opening times due to weather. The community of Moe will then have an outdoor aquatic venue with a comfortable temperature throughout the year.
- This will extend the useability of the facility for the enthusiastic swimmers, young and old, who are keen on using the pool for fitness. It will also support the facilitation of activities such as school swimming events and competitive race meets throughout the year.

The 151 entries into the petition are compliant with the requirements of Council's *Governance Rules*.

In accordance with Council's *Governance Rules*, a petition is required to lie on the table unless it is an item of urgent business.

A report for decision on this petition will be presented at a future Council Meeting.

## DECLARATION OF INTERESTS

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## SUPPORTING DOCUMENTS

Nil

## Attachments

### 1. Moe Outdoor Pool Petition Submission (Published Separately)

*This attachment is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. Petition submission information includes personal details of those who have signed it.*

**MEETING CLOSED TO  
THE PUBLIC TO  
CONSIDER  
CONFIDENTIAL  
INFORMATION**



## **15. MEETING CLOSED TO THE PUBLIC TO CONSIDER CONFIDENTIAL INFORMATION**

Section 66 of the *Local Government Act 2020* enables Council to close the meeting to the public to consider *confidential information* as defined in that Act.

### **Proposed Resolution:**

**That Council pursuant to section 66(1) and 66(2)(a) of the *Local Government Act 2020* (the Act) close the Council Meeting to the public to consider the following items containing confidential information as defined in section 3(1) of the Act:**

- 15.1 Chief Executive Officer Employment Matters Committee - Extension of Key Performance Indicators**  
This item is confidential as it contains personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs (section 3(1)(f)). This ground applies because as the information relates to the CEO's performance criteria..
- 15.2 LCC-857 Construction of Cell 7, Highland Highway Landfill**  
This item is confidential as it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released (section 3(1)(a)) and private commercial information, being information provided by a business, commercial or financial undertaking that—
  - (i) relates to trade secrets; or
  - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage (section 3(1)(g)). These grounds apply because Releasing this information publicly and/or prematurely may prejudice the undertaking of this process and would release private commercial information of the tenderers that may cause disadvantage.
- 15.3 Strategic Land Consideration**  
This item is confidential as it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released (section 3(1)(a)). This ground applies because This report relates to potential land purchase and land sales, which must remain confidential.

