LATROBE CITY COUNCIL

AGENDA FOR THE COUNCIL MEETING

TO BE HELD IN MOE TOWN HALL AND VIA AUDIO-VISUAL LINK AT 6:00 PM ON 28 JULY 2025 CM623

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 30 June 2025 and Unscheduled Council Meeting held on 14 July 2025.

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 Governance Rules, 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 28 July 2025 Regional City Planning and Assets

2025/08 ILLEGAL DUMPING CLEANUP ORDER - SUPPORT TO MOORABOOL SHIRE COUNCIL

I, Cr Dale Harriman, hereby give notice of my intention to move the following motion at the Council Meeting to be held on 28 July 2025:

That Council:

1. **expresses its strong support for Moorabool Shire Council in relation to the recent Victorian Civil and Administrative Tribunal (VCAT) decision that requires Moorabool Shire Council to cover the full cost of the clean-up of illegally dumped industrial waste on land under its management by an operator known to the Environment Protection Authority (EPA);**
2. **notes with significant concern the broader implications of the VCAT decision for all Victorian councils managing public land, including the potential for significant and unfair financial burden on local communities for illegal activities outside their control;**
3. **endorses the following motion to be tabled at the next Municipal Association of Victoria (MAV) State Council meeting;**
   - **3.1. calls on the Municipal Association of Victoria (MAV) to:**
     - **a) publicly support Moorabool Shire Council in its response to the VCAT decision; and**
     - **b) advocate to the Victorian Government for urgent policy reform that clarifies and shifts the financial responsibility for illegal dumping on public land away from councils to the perpetrators; and**
4. **writes to the Minister for Environment outlining Council's position, that the EPA has discretion under Section 294 of the Environment Protection Act to undertake this cleanup and that funds secured through the Victorian Waste Levy should be used to fund the clean-up.**

Signed

Cr Dale Harriman

23 July 2025

Attachments

Nil

2025/09 EARLY CHILD CARE EDUCATION AND CARE REFORMS

I, Cr Steph Morgan, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday, 28 July 2025:

That Council:

1. advocate for reforms to the Early Childhood Education and Care (ECE&C) sector that address ongoing issues regarding child safety, staffing, and quality of care and education by calling on the Victorian and Commonwealth Governments to:

1.1. ensure child safety by:

1.1.1. reforming Working with Children Checks (WWCC) through the establishment of a standardised national WWCC system and a centralised national WWCC database;

1.1.2. increasing educator to child ratio requirements and funding services at levels to ensure these costs are not incurred by families;

1.1.3. better resourcing regulatory bodies to ensure services are maintaining a safe environment and quality care and learning through:

a) proactive monitoring and assessment of services,

b) more frequent compliance checks on site at services, and

c) stronger enforcement of consequences for failing to meet requirements;

1.1.4. mandating ongoing training for:

a) all staff in child safe standards and mandatory reporting, and

b) all educators in accredited safe sleep and rest practices with a requirement for refresher courses;

1.2. enable greater public provision of early childhood education and care by developing strategies and providing funding that will ensure the ongoing viability and sustainable delivery of council-run ECE&C services;

1.3. invest in a strong long-term workforce across the sector to ensure quality care and education by developing long-term strategies that attract quality educators, support their training and ongoing professional development, and increase their retention across the sector; and

2. endorses the above motion to be tabled at the next Municipal Association of Victoria (MAV) State Council meeting.

Signed
Cr Steph Morgan
23 July 2025

Attachments
Nil

STRATEGIC ITEMS FOR DECISION

8. STRATEGIC ITEMS FOR DECISION

Item Number 8.1 28 July 2025 Regional City Planning and Assets

DRAFT VICTORY PARK PRECINCT MASTER PLAN

PURPOSE

To present the draft Victory Park Precinct Master Plan and seek endorsement to release it for community feedback.

EXECUTIVE SUMMARY

- To support recommendations within Council's Public Open Space Strategy and Play Space Strategy, the draft Victory Park Precinct Master Plan (the draft Plan) has been developed.
- The draft Plan provides future direction for development of the precinct which is inclusive of Eric Taylor Reserve, Doorty Park, Newman Park, Victory Park and Bert Thompson Reserve.
- Officers recently engaged with the Victory Park Precinct Advisory Committee and the Traralgon 1st Scouts Group to incorporate their feedback into the draft Plan. The changes requested were in relation to:
    - The number of trees proposed to be planted;
    - Clarifying Traralgon 1st Scouts Group title boundary and removing their land from any proposed upgrade within the revised draft Plan;
    - Retaining turning circle near the sound shell in Victory Park;
    - Heritage Tree impacts; and
    - Retaining the rose gardens and Bicentennial Garden.
- The draft Plan was provided to the Victory Park Advisory Committee for final review with subsequent adjustments made to the document, and an email sent to the committee outlining these changes.
- The community engagement plan aims to maximise community feedback by running a six week Have Your Say campaign, promotion across multiple channels, facilitating an information session and additional targeted stakeholder engagement.

OFFICER'S RECOMMENDATION

That Council:

1. **endorses the draft Victory Park Precinct Master Plan at Attachment 1 to be released for community feedback;**
2. **gives notice that the draft Victory Park Precinct Master Plan will be made available for review at Council Headquarters, Service Centres and on Council's website; and**
3. **invites written submissions from the public to be received by no later than 5pm 9 September 2025.**

BACKGROUND

The draft Plan at **Attachment 1** has been developed in response to recommendations provided in the Public Open Space Strategy 2013 and Play Space Strategy 2016.

The Draft Plan include the following open spaces:

- Eric Taylor Reserve;
- Doorty Park;
- Newman Park;
- Victory Park; and
- Bert Thompson Reserve.

The draft Plan identifies the future development and use of these spaces.

ANALYSIS

The draft Plan has been prepared to provide strategic direction for future development of Victory Park, Newman Park, Doorty Park, Eric Taylor Reserve and Bert Thompson Reserve. The need for significant improvements at Newman Park was the trigger for this master plan to be developed. Newman and Victory Park are aged, with little to no development occurring at these sites in over 15 years. Newman Park is one of four regional play spaces, and the last in the municipality to undergo planning works required for an upgrade.

Planning passive space that is relevant to community needs is highly important. Regional play spaces should draw visitors from outside the municipality for the experience they provide.

The draft Plan has strong alignment with the objectives and strategic direction of the Council Plan 2025 - 2029:

- Promote Latrobe City as a Regional City with a focus on work, investment, visitation and liveability.
- Develop well planned and maintained infrastructure and assets that underpin services and improve liveability, and community connection. Create vibrant city centres with high levels of presentation and urban amenity.
- Support improved physical and mental health through a range of programs and partnerships.

The draft Plan was designed with consideration of Healthy by Design principles as well as Crime Prevention Through Environmental Design (CPTED) Principles. Some of the key improvements identified in the draft Plan are:

- Improvements to pedestrian experience on walking tracks, through simple realignments and landscaping, improving the safety for users.

- Significant improvements to the Newman Park play space, re-designing the space to improve visitor experience to a regional standard.
- Revitalising the dog park site to a gathering space with shade, seating and other supporting infrastructure.
- Ecological restoration of the Traralgon Creek.
- Relocation of toilet blocks for improved accessibility and safety in accordance with the Latrobe City Council Public Toilet Plan.

Actions identified in the draft Plan have been categorised into sites and prioritised at high, medium and low. The actions have been costed and the largest project, Newman Park, staged in a strategic manner, so that if the full amount of funding required to deliver project cannot be obtained at once, works can be funded and delivered in a staged approach.

Project	Estimated Cost (as at 2023)
NEWMAN PARK	$4,138,875
Stage 1	$877,685
Stage 2a	$600,241
Stage 2b	$612,612
Stage 3	$1,009,422
Stage 4a	$664,505
Stage 4b	$374,410
VICTORY PARK & DOORTY PARK	$1,858,500
ERIC TAYLOR RESERVE	$1,311,000
BERT THOMPSON RESERVE	$1,536,200

Some of the actions identified within the draft Plan could be carried out over a period of time through general maintenance activities. However, the larger actions will require external funding to be explored.

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
SERVICE DELIVERY Increased maintenance levels required to deliver outcomes identified.	**Medium** *Possible x Minor*	When presenting the plan for endorsement following consultation, ensure ongoing maintenance costs and resourcing impacts are clearly defined.
FINANCIAL Total cost of projects within the draft Plan is significant and therefore may need to be delivered in stages and over several years.	**Medium** *Possible x Minor*	When consulting with the community, make it clear that this plan may take many years and stages to be fully delivered. It is unlikely that the whole masterplan will be delivered at once or within a short period of time.
STRATEGIC All sites are high profile within Latrobe City - without plans ad hoc development can occur.	**Medium** *Possible x Minor*	The draft Plan will guide future development and decision making for the sites.

CONSULTATION

Prior to the design of the draft Plan, initial input was sought from the following stakeholders:

- Victory Park Precinct Advisory Committee;
- Traralgon Community Development Association Inc;
- Traralgon Secondary College students;
- Traralgon and District Historical Society; and
- West Gippsland Catchment Management Authority.

Significant feedback was provided during the public consultation period for the Municipal Early Years Plan regarding play spaces that informed the Newman Park component of the draft Plan.

Should the draft Plan be approved for public consultation, the timeframes for consultation will be during August/September 2025. Targeted feedback with key stakeholders will be sought in person where possible and the below communication table details how the draft Plan will be publicised to reach the broader community.

Schedule Activity	Description
Social Media Posts and Stories	Organic posts across Council social channels • When Have Your Say goes live • When results from Have Your Say are received
Latrobe Valley Express – Noticeboard	Feature banner/small image with QR code to Have Your Say
Have Your Say Survey	Accept submissions on Have Your Say page
Flyer	Promote Have Your Say on A4 flyer. Send flyer to schools to include in their newsletter Hard copies of the draft Plan placed at the Traralgon Library and Service Centre
Corflutes	Place corflute sign at Park with QR code to Have Your Say page
Media Release	Announce launch of Have Your Say page and encourage submissions
Screens – Leisure & Libraries	Promote Have Your Say page on screens at Council facilities where families, parents, children are present
Information Session	Facilitate an information session

COMMUNICATION

The draft Plan will be distributed on Council's Have Your Say page and via Social Media seeking feedback from the community. See **Attachment 2**, Communications and Engagement Plan for full details.

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* is required as the draft Plan will have a significant and direct impact on the community. This will be undertaken by officers before seeking endorsement on the final document.

Social

The draft Plan identify improvements for facilitating social interaction and cohesion through a re-design of social settings, infrastructure and landscaping. The development of the draft Plan considered CPTED Principles with the use of clear sight lines and improved amenity with the intention of increase in site activation, therefore improving the overall safety of the spaces.

Cultural

The draft Plan provides a range of accessible passive spaces therefore making the sites appropriate for use by anyone.

Health

The draft Plan has been designed with the intent of providing appropriate embellishments to encourage people to exercise, socialise, relax, rest, play and be outside which all contribute to health and wellbeing.

The draft Plan shows an improved path network that would support active transport such as walking and cycling. Significant play space improvements are shown that would benefit all children within the community with a range of equipment and play experiences designed to assist with cognitive function, motor skills, coordination, balance and confidence.

Environmental

The draft Plan identifies the need for ecological restoration of the creek and its surrounds and aligns with the work and consultation undertaken on the draft Traralgon Creek Management Plan.

The draft Plan shows some path realignments and beautification works that would see walking tracks closer to natural environment, intending to improve the user experience. Interpretive signage is intended for along the waterway to increase public education of the environmental significance.

Economic

The sites are within a couple of minutes of the CBD and public transport, and it is known that a regional play space, when developed appropriately, will attract visitors from outside of the municipality, with flow on effects of spending locally.

Financial

The financial costs associated with delivering the actions identified in the draft Plan are significant.

The actions have been site specifically categorised with low, medium and high priority tasks which are costed.

Newman Park is considered the highest priority of the actions and has been staged in a successional manner should funding not be available to deliver it all at once.

If the draft Plan is endorsed, officers would start seeking funding through external funding applications as well as Council capital budget, budget surplus bids to deliver the works.

The draft Plan seeks to minimise the maintenance burden through smarter design and layout treatments that currently exist at the site, however, additional maintenance resources will be required, including an increase to ongoing operating budgets due to the landscaping/horticultural improvements identified within the plan.

Attachments

1. Draft Victory Park Precinct Master Plan
2. Communications and Engagement Plan

8.1

Draft Victory Park Precinct Master Plan

1 Draft Victory Park Precinct Master Plan 19

2 Communications and Engagement Plan 35



VICTORY PARK PRECINCT MASTER PLAN 2025

Traralgon Victoria

Date: 14 July 2025 Revision: H Prepared for: Latrobe City Council by Yonder Landscape Architecture

LATROBE CITY COUNCIL

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Project: Victory Park Precinct Master Plan 2025
Commissioned by: Latrobe City Council
Prepared by Yonder Landscape Architecture, PO Box 1198, Albury NSW 2640 Australia ABN 68 437 343 209

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STATUS	DATE	BY	CHECKED	REVISION
Client review	05.05.23	LL/FS	FS/TW	B
Client review	08.05.23	LL/FS	FS/TW	C
Client review	18.07.23	TW/FS	FS	D
Issue for consultation	13.01.25	TW/FS	FS	E
Amended for consultation	05.06.25	FS	TW	F
Amended for consultation	25.06.25	FS	TW	G
Amended for consultation	14.07.25	FS	TW	H

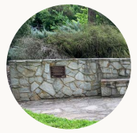
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SITE QUALITIES



Original park signage



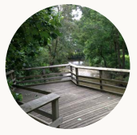
Black Saturday Bushfire Memorial Garden



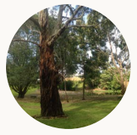
Heritage footbridge



Significant and iconic trees



Places to view the creek



Remnant vegetation

DESIGN STATEMENT

The Victory Park Precinct Master Plan seeks to provide an aspirational and practical vision which sensitively balances future activation of the precinct, while protecting its unique natural character.

The Master Plan has three over-arching objectives; activation, ecological restoration and connection to place.

The design aims to heighten the unique site qualities of the natural creek landscape, the established trees and parkland character and the various destinations within the site. It provides for improved access to and around the reserve.

The Master Plan also proposes a new regional destination playspace for Newman Park.

ACTIVATION

Improved access to the individual parks and reserves, as well as connections to and between these spaces, improved facilities and amenity.

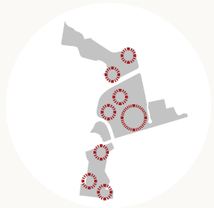
ECOLOGICAL RESTORATION

Protection and enhancement of existing remnant vegetation areas and restoration of the original vegetation communities, coupled with weed eradication and enhanced maintenance.

CONNECTION TO PLACE

Story-telling, education and connection through interpretive signage, artistic interventions, events and community connection to the landscape.

MASTER PLAN PRINCIPLES



ACTIVATE KEY DESTINATIONS through improved facilities and experiences such as play, recreation and community gathering



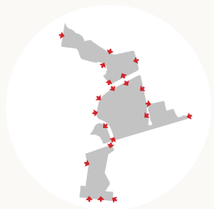
CREATE A PARKLANDS PRECINCT through visual and spatial connection of the separate reserve land parcels



RESTORE ECOLOGICAL SYSTEMS through weed removal and revegetation connecting remnant throughout the riparian zone



IMPROVE VISUAL EXPERIENCE for pedestrians and motorists from the adjacent roads and spaces



IMPROVE ENTRIES including pedestrian access and arrival experience



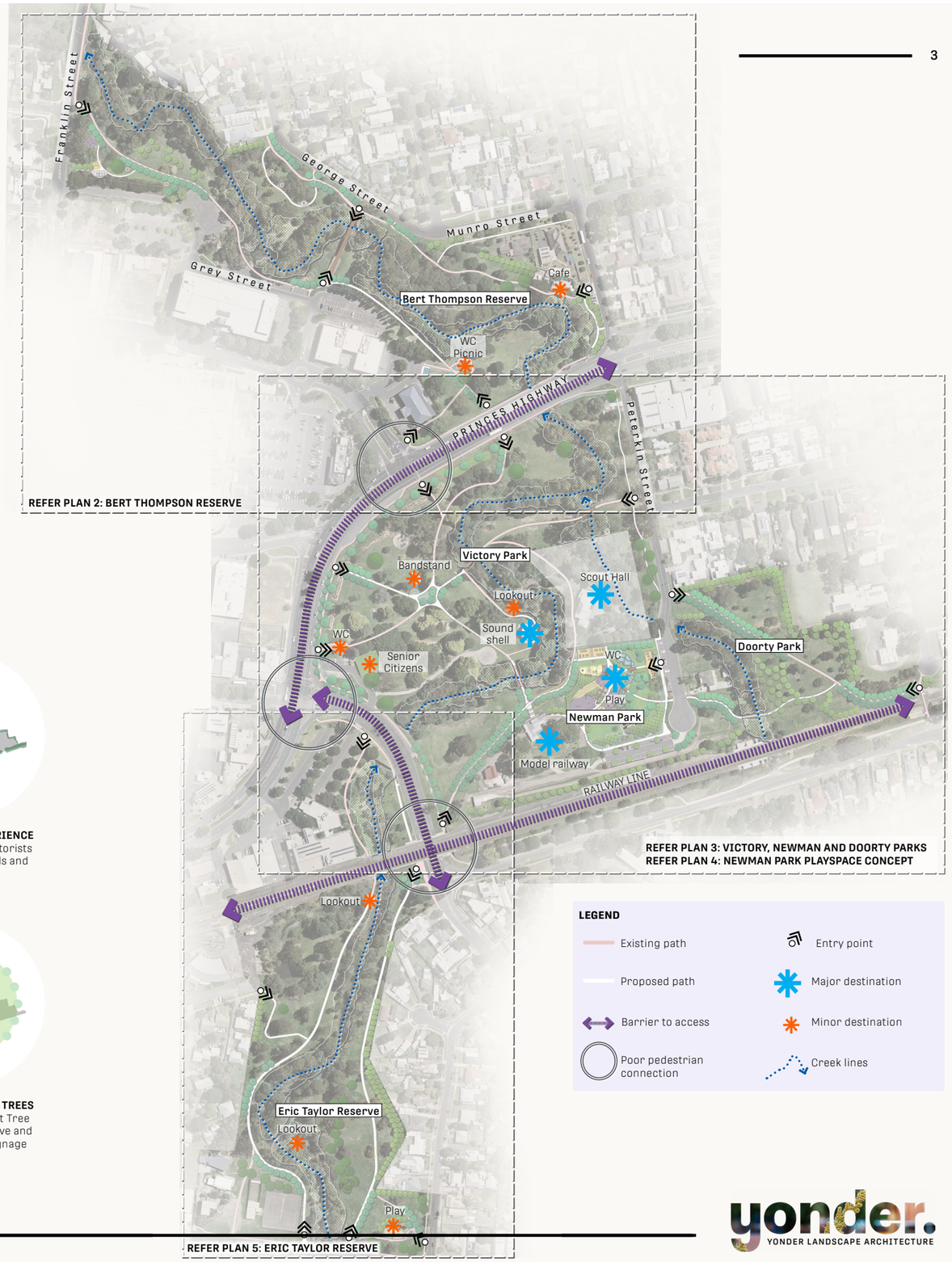
CREATE LOOPS + LINKS by connecting trails and paths, and associated way-finding



CONNECTION TO COUNTRY by collaborating with Traditional Owners through detailed design and delivery



PROTECT SIGNIFICANT TREES through the Significant Tree Register and interpretive and plant identification signage



VICTORY PARK PRECINCT MASTER PLAN 2025 **CONTEXT**

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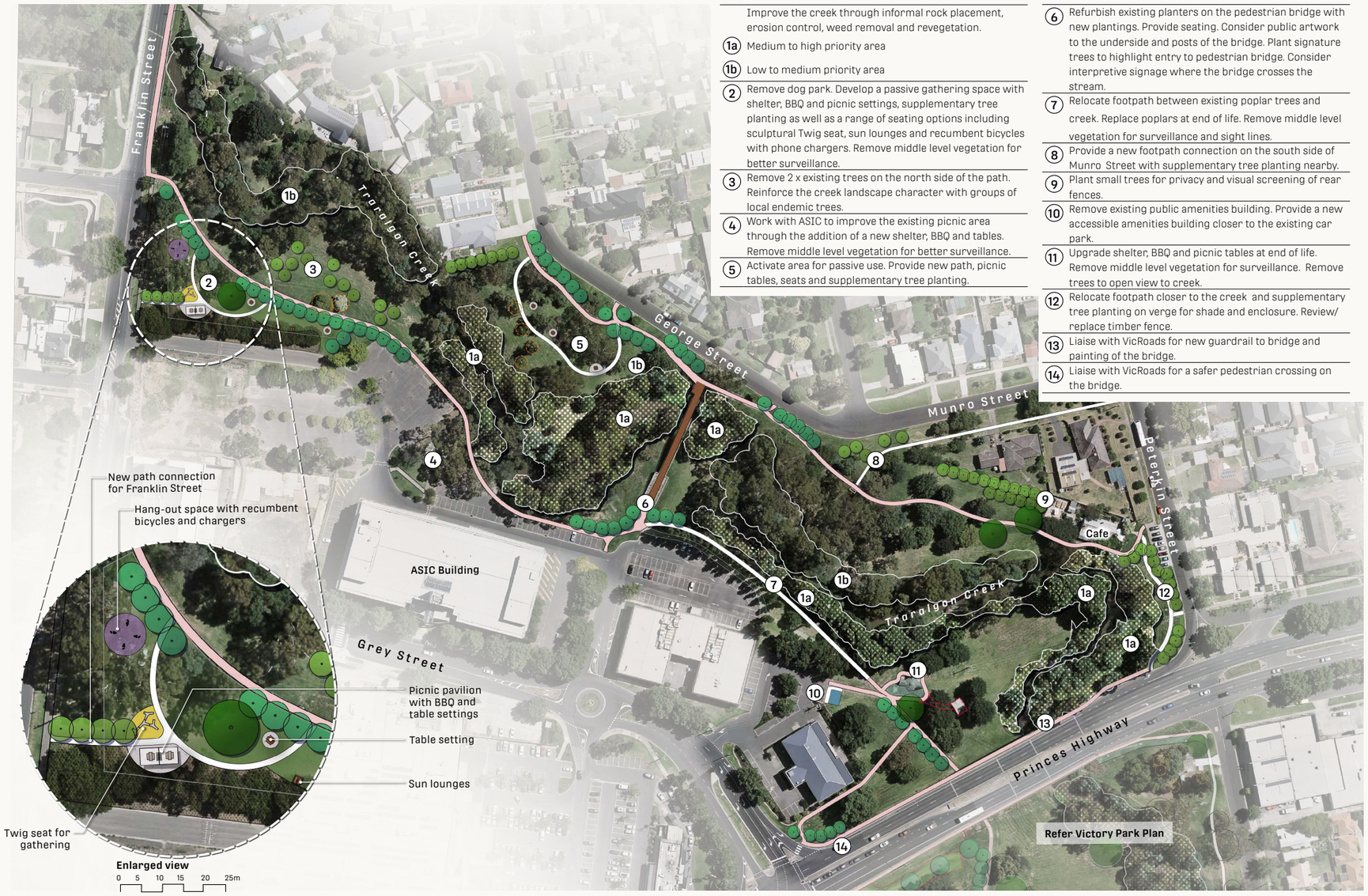












KEY RECOMMENDATIONS

- Improve the creek through informal rock placement, erosion control, weed removal and revegetation.
- (1a) Medium to high priority area
- (1b) Low to medium priority area
- (2) Remove dog park. Develop a passive gathering space with shelter, BBQ and picnic settings, supplementary tree planting as well as a range of seating options including sculptural Twig seat, sun lounges and recumbent bicycles with phone chargers. Remove middle level vegetation for better surveillance.
- (3) Remove 2 x existing trees on the north side of the path. Reinforce the creek landscape character with groups of local endemic trees.
- (4) Work with ASIC to improve the existing picnic area through the addition of a new shelter, BBQ and tables. Remove middle level vegetation for better surveillance.
- (5) Activate area for passive use. Provide new path, picnic tables, seats and supplementary tree planting.
- (6) Refurbish existing planters on the pedestrian bridge with new plantings. Provide seating. Consider public artwork to the underside and posts of the bridge. Plant signature trees to highlight entry to pedestrian bridge. Consider interpretive signage where the bridge crosses the stream.
- (7) Relocate footpath between existing poplar trees and creek. Replace poplars at end of life. Remove middle level vegetation for surveillance and sight lines.
- (8) Provide a new footpath connection on the south side of Munro Street with supplementary tree planting nearby.
- (9) Plant small trees for privacy and visual screening of rear fences.
- (10) Remove existing public amenities building. Provide a new accessible amenities building closer to the existing car park.
- (11) Upgrade shelter, BBQ and picnic tables at end of life. Remove middle level vegetation for surveillance. Remove trees to open view to creek.
- (12) Relocate footpath closer to the creek and supplementary tree planting on verge for shade and enclosure. Review/ replace timber fence.
- (13) Liaise with VicRoads for new guardrail to bridge and painting of the bridge.
- (14) Liaise with VicRoads for a safer pedestrian crossing on the bridge.



LEGEND

EXISTING

- Tree to be removed
- Demolition
- Path

PROPOSED

- Formal tree planting
- Informal tree planting
- Specimen tree planting
- Creek rehabilitation: Medium - high priority
- Creek rehabilitation: Low -medium priority
- New grass area (path / garden bed removal)
- Path

General note

Provide in-ground up-lighting to new feature trees and selected trees along path ways.

VICTORY PARK PRECINCT MASTER PLAN 2025 **BERT THOMPSON RESERVE**

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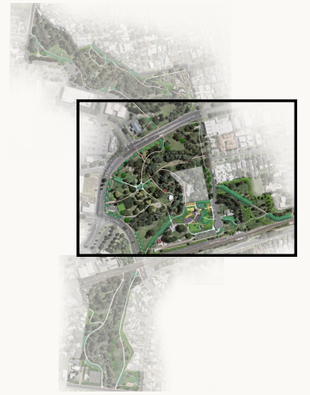
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KEY RECOMMENDATIONS

	Improve the creek through informal rock placement, erosion control, weed removal and revegetation.
1a	Medium to high priority area
1b	Low to medium priority area
2	Improve the pedestrian experience under the bridge. Consider public art and hard surfacing. Remove steps.
3	Retain and protect existing Hawthorn tree which has a heritage overlay. Acknowledge the site of the original homestead and garden with interpretive signage and seating.
4	Improve the frontage to Princess Highway. Maintain rose gardens and Bicentennial garden feature, and retain open space for community events
5	Straighten path and provide entry arbour, site identification signage and feature trees to enhance the entry to the park from the CBD.
6	Improve accessibility around rotunda. Refurbish rotunda.
7	Re-configure path network to create a central node with signature tree planting, way-finding signage and potential seating. Consider carving existing tree stump into a musical themed artwork within a feature garden bed.
8	Retain and protect Black Saturday Bushfires remembrance garden.
9	Create a significant tree walk. Install plant identification markers to significant trees and other interesting / iconic specimens.
10	Provide ornamental boulevard style trees to enhance Princes Highway.
11	Investigate the relocation of the Senior Citizens Centre.
12	Retain existing vehicle access track and turning circle off Monomeath car park for emergency and maintenance access.
13	Investigate condition of lookout structure. Upgrade materials as required. Retain existing position and form.
14	Remove existing bridge and provide new footbridge in the same location over Traralgon Creek. Provide a connection to the Model Railway entrance. Add tree planting along paths leading to new steps and foot bridge.
15	Provide wide steps to highlight entry to Model Railway. Include way-finding and interpretive signage.
16	Re-configure path network to enable access for all. Provide embankment planting to stabilise bank.
17	Provide shade trees within the existing car park.
18	Area not included in the Master Plan.
19	Create a new path and footbridge over Doorty Creek to connect to Newman Park.
20	Create a footpath winding through single eucalyptus and connect to existing footpaths. Add tree planting.
21	Provide feature fence and garden bed to screen pumping station, and incorporating site identifier sign.
22	Provide a new footbridge over Doorty Creek and footpath to Peterkin Street with tree planting.
23	Create an open circular grass area by removing single trees and planting more trees.



LEGEND

EXISTING

- Path
- Tree to be removed
- Demolition

PROPOSED

- Formal tree planting
- Informal tree planting
- Specimen tree planting
- Creek rehabilitation: Medium - high priority
- Creek rehabilitation: Low - medium priority
- New grass area (path / garden bed removal)
- Path

General note

Provide in-ground up-lighting to new feature trees and selected trees along path ways.

VICTORY PARK PRECINCT MASTER PLAN 2025 **VICTORY, NEWMAN + DOORTY PARKS**

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LATROBE CITY COUNCIL





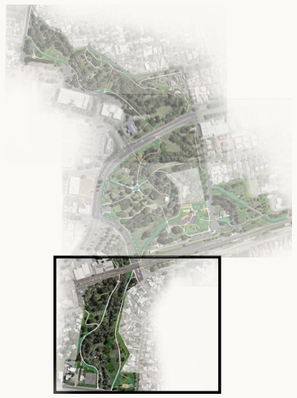


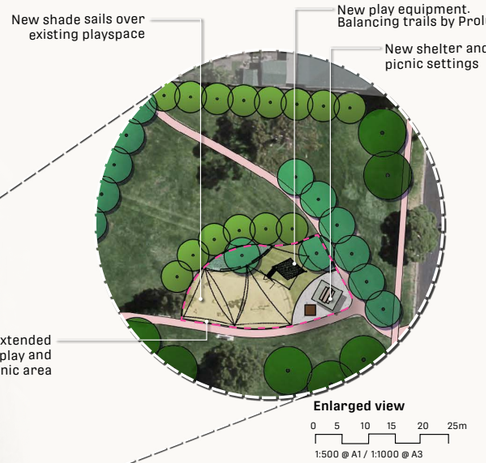




KEY RECOMMENDATIONS

	Improve the creek through informal rock placement, erosion control, weed removal and revegetation.
1a	Medium to high priority area
1b	Low to medium priority area
2	Improve guard rail. Provide way-finding signage.
3	Investigate pedestrian crossing across Whittakers Road to Victory Park.
4	Upgrade to shared path (2.5m width)
5	Plant small trees for privacy and visual screening of rear fences.
6	Activate area for passive use. Replace old/diseased trees and create an open grass space.
7	Expand existing playspace to include play items for older children, shade sails, shelter and seating.
8	Provide spectator seating adjacent to the tennis courts.
9	Plant large shade trees to screen the rear of the rifle club building and car park.
10	Investigate condition of lookout structure. Upgrade materials as required. Retain existing position and form.
11	Provide a new 2m wide footpath, in a less steep formation.
12	Provide bollards at the end of Queens Parade to control vehicular movment.
13	Consider public artwork to the underside of the bridge for improved pedestrian experience.
14	Undertake key tree planting along path.





LEGEND

EXISTING

- Path
- Tree to be removed

PROPOSED

- Formal tree planting
- Informal tree planting
- Specimen tree planting
- Creek rehabilitation: Medium - high priority
- Creek rehabilitation: Low - medium priority
- New grass area (path / garden bed removal)
- Path

General note

Provide in-ground up-lighting to new feature trees and selected trees along path ways.

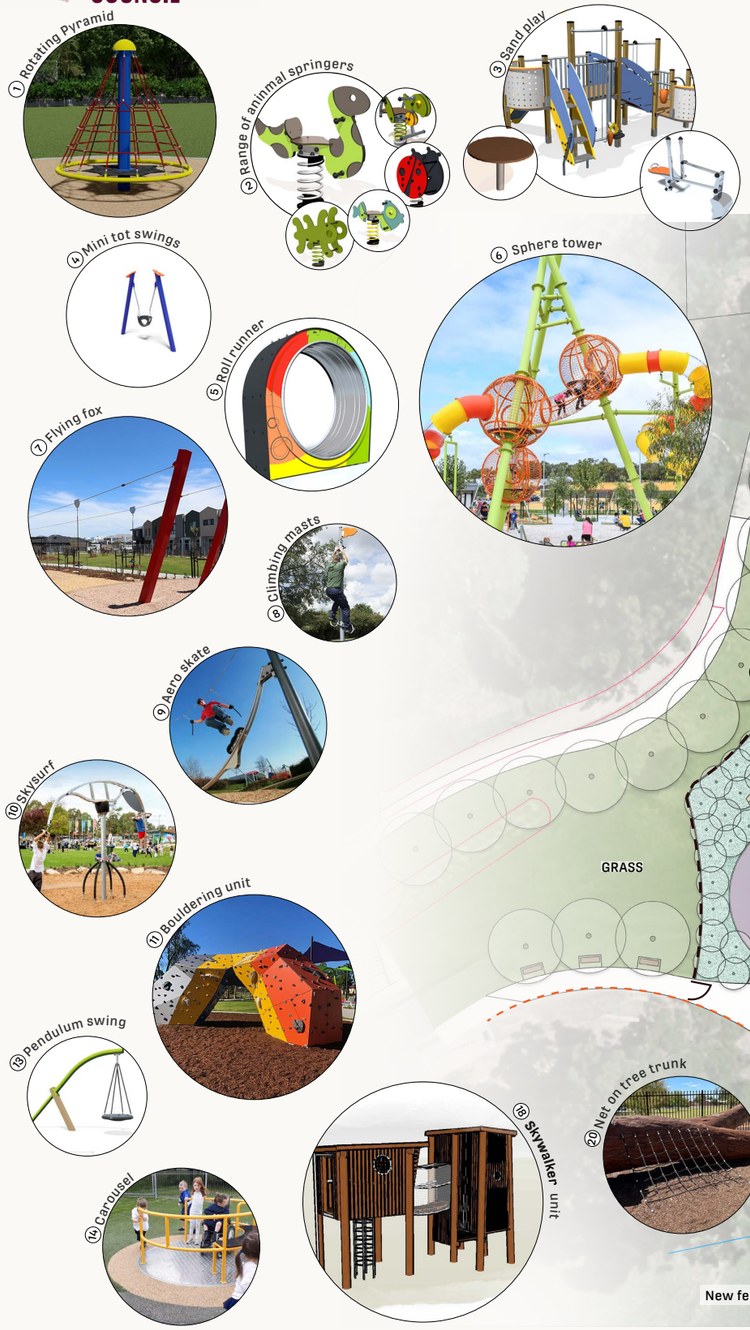
VICTORY PARK PRECINCT MASTER PLAN 2025 **ERIC TAYLOR RESERVE**

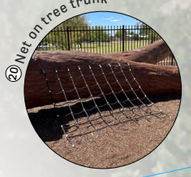
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yonder. YONDER LANDSCAPE ARCHITECTURE

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DESIGN THEME
Traralgon's natural and man-made landforms. Wooded hills to the north and south, and the three sections of Traralgon Creek running north south bisected by Franklin Street, the Princes Highway and Shakespeare Street.





LEGEND

- Existing tree to be retained
- Existing fence
- Proposed tree
- Rubber softfall
- Organic softfall
- Artificial turf
- Concrete paving
- Coloured concrete to water play
- Low planting in mulch
- Grass
- Boardwalks
- Shelter
- Table setting
- Barbecue
- Pizza oven
- Seating
- Seating wall
- Boulders
- Fence & gate

1	Rotating Pyramid by Proludic	11	Titan Bouldering unit by Industrial by nature
2	Springers (5 No.) by Proludic	12	Trampolines (3 No.) by Proludic
3	Sand play unit, sand table, sand digger by Proludic	13	Pendulum swing by Proludic
4	Mini-tot swings (2 No.) by Moduplay	14	Carousel by Proludic
5	Roll runner by Proludic	15	Swings with cradle seats, assisted seat and flat seats by Proludic
6	Uniplay sphere tower by Uniplay	16	Concrete slide by lyPa
7	Flying fox by Proludic	17	Bridge with chimes (2 No.) by lyPa
8	Climbing masts (3 No.) by Proludic	18	Skywalker unit by lyPa
9	Aero skate by Proludic	19	Stepped log by lyPa
10	Skysurf by Proludic	20	Net on tree trunk by lyPa

VICTORY PARK PRECINCT MASTER PLAN 2025 **NEWMAN PARK PLAYSPACE**

0 2 4 6 8 10 1:250 @ A1 1:500 @ A3

yonder. YONDER LANDSCAPE ARCHITECTURE









VICTORY PARK PRECINCT MASTER PLAN 2025 **NEWMAN PARK PLAYSPACE ARTISTIC IMPRESSIONS**

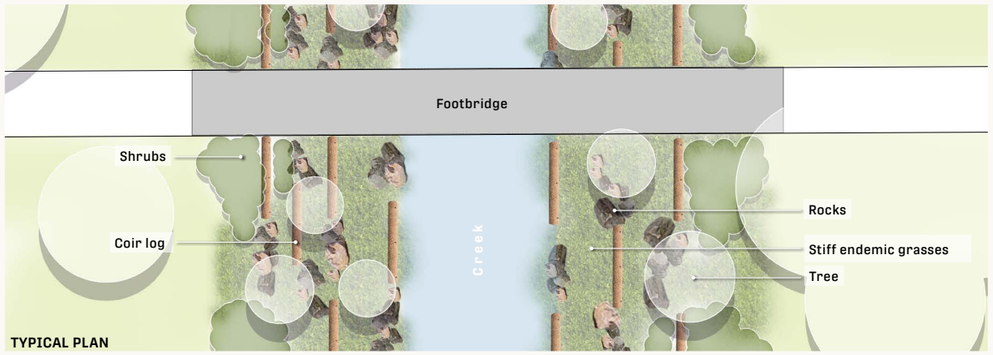
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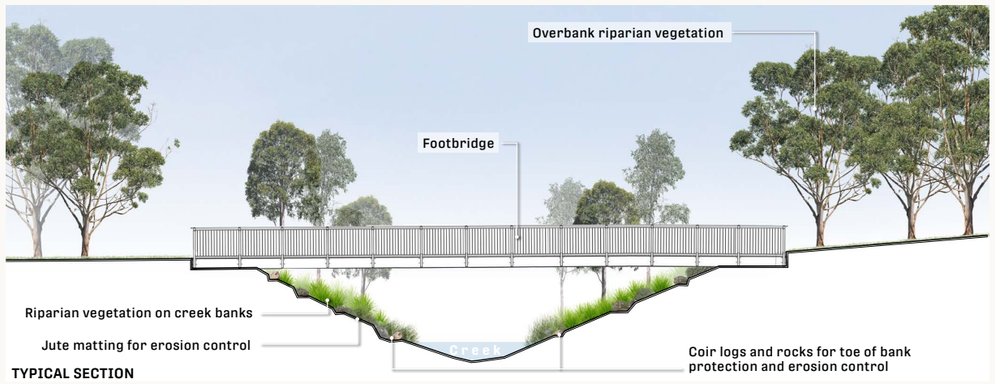


VICTORY PARK PRECINCT MASTER PLAN 2025 **NEWMAN PARK PLAYSPACE ARTISTIC IMPRESSIONS**

yonder. YONDER LANDSCAPE ARCHITECTURE



TYPICAL PLAN



TYPICAL SECTION

Notes

Background

Council shares responsibility of managing the creek with the relevant catchment management authority.

Useful Reference Documents

- Victorian Waterway Management Program
- Invasive Plants and Animals Policy Framework
- Technical Guidelines for Water Way Managements

Suggested planning steps

- Check for interested parties to assist.
- Check channel stability.
- Setting priorities and break into manageable areas.
- Assess material and equipment options.
- Select appropriate weed control practices.
- Select and develop treatment options.
- Impacts on fauna and flora.
- Detail design and cost estimate of preferred treatment option.
- Obtain approvals and permits.

Suggested advice for detail design

- Ensure that large weed removal does not reduce the vegetative roughness of the waterway.
- Investigate whether large weed root systems can be used for erosion control.
- Ensure timing of weed removal sits adjacent to re-vegetation.
- Avoid non-vegetated solutions for stabilisation.
- Avoid mat-forming grasses.
- Use stiff grasses which are locally endemic.
- Place rocks with native vegetation throughout on steeper bank slopes.
- Ensure there is overbank riparian vegetation.
- Ensure there is a suitable balance between upper (canopy), middle and lower storey plants.
- Ensure that creek bends (outside and inside) have suitable bank slopes to cope with erosion and add more rock stabilisation (seek engineering advice).
- Ensure that the creek has a good ratio of gravel and rock along the base of the creek (seek engineering advice).
- Consider varied plant species for both the northern and southern banks due to the overshadowing of the northern bank.
- Consider protection of the toe of bank.
- Consider benching of slope for future maintenance safety (1.5m wide).
- Consider jute mesh and/or hydraulic-applied erosion control blankets. Rocks can be used as anchors as well as metal pins/ barbed plastic pins, etc. Do not use plastic reinforced mats.

Plant Palette

TREES

Allocasuarina littoralis	Black Sheoak
Eucalyptus bridgesiana s.l.	But But
Eucalyptus macrorhyncha	Red Stringybark
Eucalyptus muelleriana	Yellow Stringybark
Eucalyptus ovata	Swamp Gum
Eucalyptus polyanthemos	Red Box
Eucalyptus radiata s.l.	Narrow-leaf Peppermint

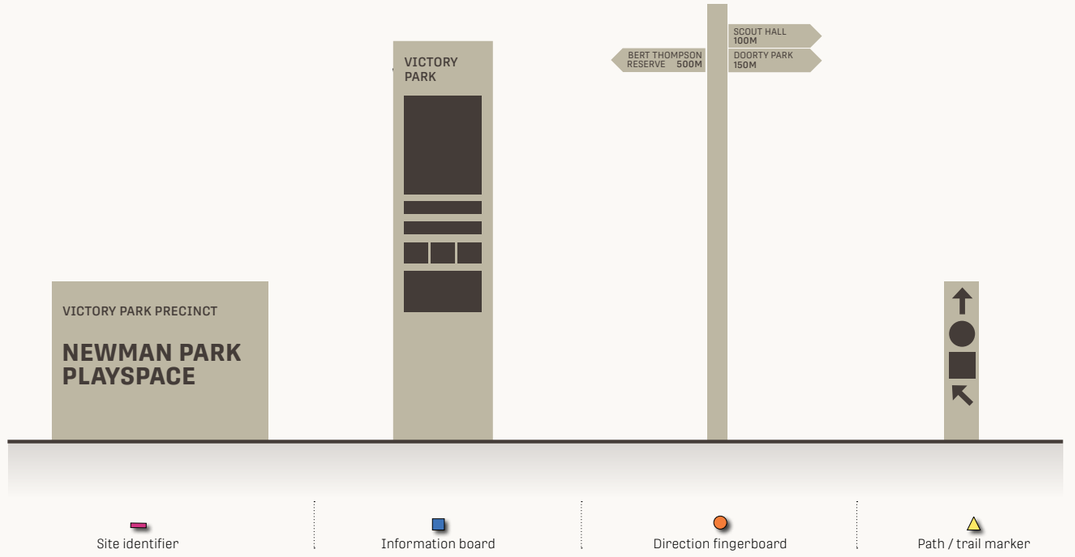
UNDERSTOREY

Acacia implexa	Lightwood
Acacia mearnsii	Black Wattle
Acacia melanoxylon	Blackwood
Acaena novae-zelandiae	Bidgee-widgee
Acrotriche serrulata	Honey-pots
Allocasuarina littoralis	Black Sheoak
Astroloma humifusum	Cranberry Heath
Banksia marginata	Silver Banksia
Bossiaea prostrata	Creeping Bossiaea
Bursaria spinosa	Sweet Bursaria
Carex appressa	Tall Sedge
Coprosma quadrifida	Prickly Currant-bush
Cyperus lucidus	Leafy Flat-sedge
Dichondra repens	Kidney-weed
Entolasia marginata	Bordered Panic
Exocarpos cupressiformis	Cherry Ballart
Gahnia radula	Thatch Saw-sedge
Gonocarpus tetragynus	Common Raspwort
Hibbertia riparia	Erect Guinea-flower
Hydrocotyle hirta	Hairy Pennywort
Hypericum gramineum	Small St John's Wort
Juncus procerus	Tall Rush
Kunzea ericoides	Burgan
Lepidosperma elatius	Tall Sword-sedge
Lepidosperma laterale	Variable Sword-sedge
Leptospermum continentale	Prickly Tea-tree
Leptospermum lanigerum	Woolly Tea-tree
Lomandra filiformis	Wattle Mat-rush
Lomandra longifolia	Spiny-headed Mat-rush
Melaleuca ericifolia	Swamp Paperbark
Melaleuca parvistaminea	Rough-barked Honey-myrtle
Microlaena stipoides var. stipoides	Weeping Grass
Opercularia varia	Variable Stinkweed
Oxalis corniculata s.l.	Yellow Wood-sorrel
Phragmites australis	Common Reed
Phyllanthus hirtellus	Thyme Spurge
Pimelea humilis	Common Rice-flower
Platylobium obtusangulum	Common Flat-pea
Poa australis spp. agg.	Tussock Grass
Poranthera microphylla	Small Poranthera
Pteridium esculentum	Austral Bracken
Senecio minimus	Shrubby Fireweed
Themeda triandra	Kangaroo Grass
Tricoryne elatior	Yellow Rush-lily
Wahlenbergia gracilis s.l.	Sprawling Bluebell
Xanthorrhoea minor ssp. lutea	Small Grass-tree

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WAY-FINDING SIGNAGE PLAN N nts



WAY-FINDING



Music in the park	Traditional owner stories	Flora and fauna, past and present	Botanical curiosities	Homestead and holdings
Explore the role of music for community gathering and connection.	Celebrate the significance of the Traralgon Creek to the Brayakaulung people of the Gunaikurnai nation.	Acknowledge flora and flora that is and once was.	Identify significant trees and other iconic and interesting plants.	Reflect on the original properties and any tangible remains.

STORY-TELLING

VICTORIA PARK PRECINCT MASTER PLAN **WAY-FINDING & STORY-TELLING SIGNAGE**

yonder. YONDER LANDSCAPE ARCHITECTURE

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Bespoke picnic pavilion & table settings



Standard Latrobe City Council furniture



Lookout



Accessible BBQ



Footbridge



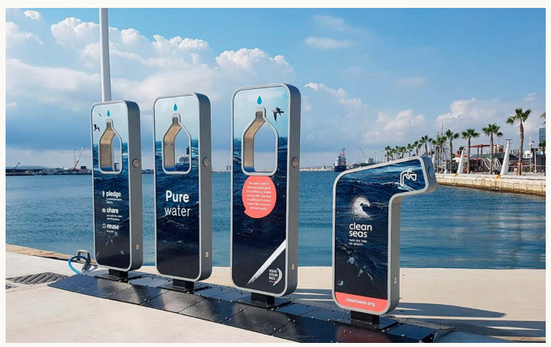
Lighting



Bin enclosure



Bicycle stand



Drinking fountain

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COSTS AND PRIORITIES

The tables to the right provides an indication of likely overall project costs for the recommendations proposed for each reserve, and should be read in conjunction with the accompanying master plans. Newman Park has been costed separately in more detail. The costs have been formulated based on current industry rates, current as of 2023, and the team's experience with past projects of a similar nature. The level of detail is broad given it is a master plan, however it does provide an indication of the anticipated order of costs for the purposes of feasibility and funding.

Each recommendation has also been prioritised as:
high (immediate - 3 years)
medium (3 - 7 years)
low (7 years +)

Note that anticipated order of costs do not allow for GST, any internal Council costs, contingency allowances or market escalation, irrigation, detailed design, and operating costs including maintenance has also not been included.

VICTORY PARK AND DOORTY PARK

	Recommendation	Priority	Amount (ex GST)
1	Undertake staged removal of all exotic trees and woody weed removal, erosion control and revegetate with appropriate local species to Traralgon Creek.		
a	Medium to high priority area	high	$ 240,000.00
b	Low to medium priority area	medium	$ 156,000.00
2	Improve the pedestrian experience under the bridge. Consider public art and hard surfacing. Remove steps.	high	$ 150,000.00
3	Acknowledge the site of the original homestead and garden with interpretive signage and seating.	low	$ 35,000.00
4	Improve the frontage to Princes Highway. Remove rose gardens and Bicentennial garden feature and install turf.	medium	$ 15,000.00
5	Straighten path and provide entry arbour, site identification signage and feature trees to enhance the entry to the park from the CBD.	medium	$ 57,000.00
6	Improve accessibility around rotunda. Refurbish rotunda.	medium	$ 55,000.00
7	Re-configure path network to create a central node with signature tree planting, way-finding signage, potential seating and sculptural element.	medium	$ 85,000.00
8	Retain and protect Black Saturday Bushfires Remembrance Garden.	high	
9	Create a significant tree walk. Install plant identification markers to significant trees and other interesting / iconic specimens.	medium	$ 50,000.00
10	Provide ornamental boulevard style trees to enhance Princes Highway.	high	$ 37,000.00
11	Investigate the relocation of the Senior Citizens Centre.	low	
12	Retain existing vehicle access track and turning circle off Monomeath car park for emergency and maintenance access.	high	
13	Investigate condition of lookout structure. Upgrade materials as required. Retain existing position and form.	high	$ 250,000.00
14	Remove existing bridge and provide new footbridge in the same location over Traralgon Creek that connects to the Model Railway entrance. Add tree planting along paths leading to new steps and foot bridge.	low	$ 285,000.00
15	Provide wide steps to highlight entry to Model Railway. Include way-finding and interpretive signage.	medium	$ 55,000.00
16	Re-configure path network to enable access for all. Provide embankment planting to stabilise bank.	high	$ 25,000.00
17	Provide shade trees within the existing car park.	high	$ 4,500.00
18	Area not included in the Master Plan.		$ -
20	Create a new path and footbridge to connect to Newman Park.	medium	$ 45,000.00
21	Create a footpath winding through single eucalyptus and connect to existing footpaths. Add tree planting.	high	$ 18,500.00
22	Provide feature fence and garden bed to screen pumping station.	high	$ 47,000.00
23	Provide a new footbridge over Doorty Creek, and footpath to Peterkin Street with tree planting.	medium	$ 75,000.00
24	Create an open circular grass area by removing single trees and planting more trees.	low	$ 80,000.00
	Wayfinding signage		$ 93,500.00
	Site identifier		
	Information board		
	Direction fingerboard		
	Path / trailer marker		
	TOTAL		$1,858,500.00

ERIC TAYLOR RESERVE

	Recommendation	Priority	Amount (ex GST)
1	Undertake exotic trees and woody weed removal, erosion control and revegetate with appropriate local species.		
a	Medium to high priority area	high	$165,000.00
b	Low to medium priority area	medium	$300,000.00
2	Improve guard rail. Provide way-finding signage.	low	$ 60,000.00
3	Investigate pedestrian crossing across Whittakers Road to Victory Park.	high	
4	Upgrade to shared path (2.5m width)	medium	$ 125,000.00
5	Plant small trees for privacy and visual screening of rear fences.	high	$ 25,000.00
6	Activate area for passive use. Replace old/diseased trees and create an open grass space.	high	$ 152,000.00
7	Expand existing playspace to include play items for older children, shade sails, shelter and seating.	medium	$ 160,000.00
8	Provide spectator seating adjacent to the tennis courts.	high	$ 15,000.00
9	Plant large shade trees to screen the rear of the rifle club building and car park.	high	$ 2,000.00
10	Investigate condition of lookout structure. Upgrade materials as required. Retain existing position and form.	high	$ 150,000.00
11	Provide a new 2m wide footpath, in a less steep formation.	medium	$ 20,000.00
12	Provide bollards at the end of Queens Parade to control vehicular movment.	medium	$ 7,500.00
13	Consider public artwork to the underside of the bridge for improved pedestrian experience.	low	$ 100,000.00
14	Undertake key tree planting along path	high	$ 10,000.00
	Wayfinding signage		$19,500.00
	Site identifier		
	Information board		
	Direction fingerboard		
	Path / trailer marker		
	TOTAL		$1,311,000.00

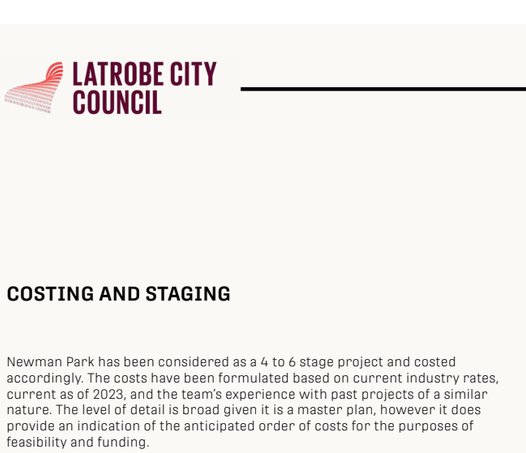
BERT THOMPSON RESERVE

	Recommendation	Priority	Amount (ex GST)
1	Improve the creek through informal rock placement, weed removal, erosion control and revegetation.		
a	Medium to high priority area	high	$315,000.00
b	Low to medium priority area	medium	$225,000.00
2	Remove dog park. Develop a passive gathering space with shelter, BBQ and picnic settings, supplementary tree planting as well as a range of seating options including sculptural Twig seat, sun lounges and recumbent bicycles with phone chargers. Remove middle level vegetation for better surveillance.	medium	$ 229,200.00
3	Remove 2 x existing trees on the north side of the path. Reinforce the creek landscape character with groups of local endemic trees.	medium	$ 6,500.00
4	Work with ASIC to improve the existing picnic area through the addition of a new shelter, BBQ and tables. Remove middle level vegetation for better surveillance.	low	$ 50,000.00
5	Activate area for passive use. Provide new path, picnic tables, seats and supplementary tree planting	medium	$ 55,000.00
6	Refurbish existing planters on the pedestrian bridge with new plantings. Provide seating. Consider public artwork to the underside and posts of the bridge. Plant signature trees to highlight entry to pedestrian bridge. Consider interpretive signage where the bridge crosses the stream.	high	$ 40,000.00
7	Relocate footpath between existing poplar trees and creek. Replace poplars at end of life. Remove middle level vegetation for surveillance and sight lines.	medium	$ 35,000.00
8	Provide a new footpath connection on the south side of Munro Street with supplementary tree planting nearby.	medium	$ 26,000.00
9	Plant small trees for privacy and visual screening of rear fences.	high	$ 6,000.00
10	Remove existing public amenities building. Provide a new accessible amenities building closer to the existing car park.	low	$ 300,000.00
11	Upgrade shelter, BBQ and picnic tables at end of life. Remove middle level vegetation for surveillance. Remove trees to open view to creek.	low	$ 75,000.00
12	Relocate footpath closer to the creek and supplementary tree planting on verge for shade and enclosure. Review/replace timber fence. Remove woody and weedy trees at the creek to open views.	high	$ 120,000.00
13	Liaise with VicRoads for new guardrail to bridge and painting of the bridge.	high	
14	Liaise with VicRoads for a safer pedestrian crossing on the bridge.	high	
	Wayfinding signage		$ 53,500.00
	Site identifier		
	Information board		
	Direction fingerboard		
	Path / trailer marker		
	TOTAL		$1,536,200.00

COSTING AND STAGING

Newman Park has been considered as a 4 to 6 stage project and costed accordingly. The costs have been formulated based on current industry rates, current as of 2023, and the team's experience with past projects of a similar nature. The level of detail is broad given it is a master plan, however it does provide an indication of the anticipated order of costs for the purposes of feasibility and funding.

Note that anticipated order of costs do not allow for GST, any internal Council costs, contingency allowances or market escalation, irrigation, detailed design, and operating costs including maintenance has also not been included.



STAGING PLAN

STAGE 1

Item	Description	Unit	Rate	Qty	Amount (ex GST)	Summary (ex GST)
	NEWMAN PARK - Stage 1					
1	Preliminaries (5%)					$41,608.82
	Site protection, DBYD and underground services identification and documentation, construction environmental management plan, setting out, liaison with Superintendent, etc.					
2	Demolition					$15,000.00
	Remove existing playground equipment and surfacing	item			$ 10,000.00	
	Remove and grub select existing trees	item			$ 5,000.00	
3	Earthworks					$17,500.00
	Sediment control				$ 2,500.00	
	Stripping of existing topsoil and stockpile				$ 5,000.00	
	Cut and fill				$ 10,000.00	
2	Concrete works					$82,850.00
	Footpaths - 2.0 metres wide	sq.m	130.00	505	$ 65,650.00	
	Curved seating wall 4.4m long	sq.m	450.00	6	$ 2,700.00	
	Curved seating wall 7.1m long	sq.m	450.00	10	$ 4,500.00	
	Paving adjacent to furniture	sq.m	200.00	50	$ 10,000.00	
3	Little Kid's Play					$92,924.20
	Proludic Rotating pyramid R48-1PY-702	item			$ 13,324.65	
	Springers - Snake J820, Fish J821, Hopper J833, Frog J867, Ladybug J869	item			$ 9,132.91	
	Proludic Sand table J120	item			$ 719.36	
	Proludic Hawaii sand play J33108	item			$ 33,177.28	
	Proludic Little swings J3960	No.	2,093.80	2	$ 4,187.60	
	Proludic Sand digger J5014	item			$ 5,432.40	
	Concrete edging	l.m	80.00	45	$ 3,600.00	
	Drainage	l.m	30.00	45	$ 1,350.00	
	Sand softfall	sq.m	125.00	176	$ 22,000.00	
4	Big Kid's Play					$303,617.30
	Flying fox	item			$ 56,672.16	
	Sky surf	item			$ 25,346.65	
	Climbing masts	No.	6,829.77	3	$ 20,489.31	
	Aero skate	item			$ 15,160.33	
	Double swing sets x3	item			$ 17,328.85	
	Freight all play equipment in Stage 1	item			$ 16,750.00	
	Install all play equipment including travel and accommodation	item			$ 21,250.00	
	Boulders	No.	200.00	8	$ 1,600.00	
	Concrete edging	l.m	80.00	47	$ 3,760.00	
	Drainage	l.m	30.00	47	$ 1,410.00	
	Rubber softfall	sq.m	250.00	400	$ 100,000.00	
	Organic softfall	sq.m	90.00	265	$ 23,850.00	
5	Furniture					$218,500.00
	Large platform seat	No.	6,500.00	1	$ 6,500.00	
	Standard table settings	No.	5,000.00	2	$ 10,000.00	
	Standard seating	No.	3,000.00	3	$ 9,000.00	
	Shelter 4.0 x 4.5m	No.	20,000.00	1	$ 20,000.00	
	Shelter 3.0 x 3.0m	No.	15,000.00	1	$ 15,000.00	
	Shade sails	No.	20,000.00	6	$ 120,000.00	
	Fencing	l.m	300.00	60	$ 18,000.00	
	Pedestrian gates	No.	20,000.00	1	$ 20,000.00	
6	Soft works					$21,785.00
	Shrub beds	sq.m	70.00	24	$ 1,680.00	
	Mulch only beds	sq.m	25.00	335	$ 8,375.00	
	Native tree planting - 1.0 metre high	No.	120.00	54	$ 6,480.00	
	Deciduous tree planting - 2.0 metre high	No.	350.00	3	$ 1,050.00	
	Deciduous tree planting in southern car park	No.	600.00	7	$ 4,200.00	
7	Lighting	item				$75,000.00
8	Irrigation					$5,000.00
	Drip irrigation to trees in mulched beds	item			$ 5,000.00	
9	Consolidation and Defects Liability Period	item				$3,900.00
	TOTAL					$877,685.32

STAGE 2a

Item	Description	Unit	Rate	Qty	Amount (ex GST)	Summary (ex GST)
	NEWMAN PARK - Stage 2a					
1	Preliminaries (5%)					$28,497.20
	Site protection, DBYD and underground services identification and documentation, construction environmental management plan, setting out, liaison with Superintendent, etc.					
2	Demolition					$27,000.00
	Remove existing furniture, playground equipment and surfacing	item			$ 15,000.00	
	Remove existing concrete paving				$ 12,000.00	
3	Earthworks					$12,500.00
	Sediment control				$ 2,500.00	
	Stripping of existing topsoil and stockpile				$ 5,000.00	
	Minor cut and fill				$ 5,000.00	
4	Concrete works					$59,350.00
	Footpaths - 2.0 metres wide	sq.m	130.00	415	$ 53,950.00	
	Paving	sq.m	200.00	27	$ 5,400.00	
5	Entry pavilion with public amenities and picnic facilites and including the following:					$147,000.00
	Pavilion	item			$ 120,000.00	
	Signage	item			$ 5,000.00	
	Table settings	No.	5,000.00	2	$ 10,000.00	
	Barbecue	No.	12,000.00	1	$ 12,000.00	
	Accessible public amenities	item				
	Changing Places restrooms	item				
	Hand washing facilities	item				
6	Water play					$91,204.00
	Plumbing including controller, electrical connection, water pump and filter	item			$ 40,000.00	
	Water play equipment including hand pump with reservoir, water sluice gates and puddle plug	item			$ 25,000.00	
	Contrast concrete paving	sq.m	200.00	50	$ 10,000.00	
	Concrete edging	l.m	80.00	98.8	$ 7,904.00	
	Artifical turf - mounded	sq.m	75.00	68	$ 5,100.00	
	Boulders	No.	200.00	16	$ 3,200.00	
7	Furniture					$116,000.00
	Standard table settings	No.	5,000.00	3	$ 15,000.00	
	Shelter 3.0 x 3.0m	No.	15,000.00	3	$ 45,000.00	
	Shade sails	No.	20,000.00	2	$ 40,000.00	
	Fencing	l.m	300.00	32	$ 9,600.00	
	Double gates	No.	4,000.00	1	$ 4,000.00	
	Pedestrian gates	No.	1,200.00	2	$ 2,400.00	
8	Soft works					$35,390.00
	Grass	sq.m	20.00	520	$ 10,400.00	
	Shrub beds	sq.m	70.00	325	$ 22,750.00	
	Native tree planting - 1.0 metre high	No.	120.00	7	$ 840.00	
	Deciduous tree planting - 2.0 metre high	No.	350.00	4	$ 1,400.00	
9	Lighting	item				$75,000.00
10	Irrigation					$6,500.00
	Drip irrigation for trees	item			$ 1,500.00	
	Spray irrigation for grass	item			$ 5,000.00	
11	Consolidation and Defects Liability Period	item				$1,800.00
	TOTAL					$600,241.20

STAGE 2b

Item	Description	Unit	Rate	Qty	Amount (ex GST)	Summary (ex GST)
	NEWMAN PARK - Stage 2b					
1	Preliminaries (3-5%)					$29,086.30
	Site protection, DBYD and underground services identification and documentation, construction environmental management plan, setting out, liaison with Superintendent, etc.					
2	Demolition					$25,000.00
	Remove existing furniture including signage, barbecues, seating and shelters				$ 15,000.00	
	Remove existing concrete paving				$ 10,000.00	
3	Earthworks					$12,500.00
	Sediment control				$ 2,500.00	
	Stripping of existing topsoil and stockpile				$ 5,000.00	
	Minor cut and fill				$ 5,000.00	
4	Concrete works					$9,261.00
	Curved seating wall 9.4m long	sq.m	450.00	12.58	$ 5,661.00	
	Paving	sq.m	200.00	18	$ 3,600.00	
5	Splash pad					$393,625.00
	Plumbing including controller, electrical connection, water pump, filter, chlorinator and spray nozzles	Allow			$ 200,000.00	
	Aquatic play equipment	Allow			$ 150,000.00	
	Contrast concrete paving	sq.m	200.00	158.8	$ 31,760.00	
	Contrast concrete edging	l.m	150.00	79.1	$ 11,865.00	
6	Furniture					$110,000.00
	Standard table settings	No.	5,000.00	2	$ 10,000.00	
	Shelter 3.0 x 3.0m	No.	10,000.00	2	$ 20,000.00	
	Shade sails	No.	20,000.00	4	$ 80,000.00	
7	Soft works					$14,840.00
	Grass	sq.m	20.00	560	$ 11,200.00	
	Native tree planting - 1.0 metre high	No.	120.00	7	$ 840.00	
	Deciduous tree planting - 2.0 metre high	No.	350.00	8	$ 2,800.00	
8	Lighting	item				$10,000.00
9	Irrigation					$6,500.00
	Drip irrigation for trees				$ 1,500.00	
	Spray irrigation for grass				$ 5,000.00	
10	Consolidation and Defects Laibility Period	item				$1,800.00
	TOTAL					$612,612.30

VICTORY PARK PRECINCT MASTER PLAN **PRELIMINARY COSTING AND STAGING NEWMAN PARK**

yonder. YONDER LANDSCAPE ARCHITECTURE



STAGING PLAN

STAGE 3

Item	Description	Unit	Rate	Qty	Amount (ex GST)	Summary (ex GST)
	NEWMAN PARK - Stage 3					
1	Preliminaries (5%)					$ 47,943.94
	Site protection, DBYD and underground services identification and documentation, construction environmental management plan, setting out, liaison with Superintendent, etc.	item				
2	Demolition					$19,250.00
	Remove existing rose bed	item			$ 750.00	
	Disconnect and remove existing public amenities	item			$ 10,000.00	
	Remove existing concrete paving	item			$ 5,000.00	
	Remove and grub select existing trees	item			$ 3,500.00	
3	Earthworks					$17,500.00
	Sediment control	item			$ 2,500.00	
	Stripping of existing topsoil and stockpile	item			$ 5,000.00	
	Cut and fill	item			$ 10,000.00	
4	Concrete works					$120,135.00
	Footpaths - 2.0 metres wide	sq.m	130.00	202	$ 26,260.00	
	Paving	sq.m	200.00	245.5	$ 49,100.00	
	Steps to railway entrance 7.0 metres wide	sq.m	450.00	99.5	$ 44,775.00	
5	Central play					$486,913.85
	Uniplay Sphere tower	item			$ 375,888.00	
	Roll runner	item			$ 27,225.85	
	Freight all play equipment in Stage 3	item			$ 20,000.00	
	Install all play equipment including travel and accommodation	item			$ 6,950.00	
	Drainage	l.m	30.00	45	$ 1,350.00	
	Rubber softfall	sq.m	250.00	222	$ 55,500.00	
6	Picnic pavilion with:					$186,000.00
	Shelter	item			$ 110,000.00	
	Pizza ovens	No.	8,000.00	2	$ 16,000.00	
	Barbecues	No.	15,000.00	2	$ 30,000.00	
	Standard table settings	No.	5,000.00	2	$ 10,000.00	
	Long table settings	No.	10,000.00	2	$ 20,000.00	
7	Furniture					$21,980.00
	Standard seating	No.	3,000.00	3	$ 9,000.00	
	Fencing on edging	l.m	400.00	7.7	$ 3,080.00	
	Fencing	l.m	300.00	29	$ 8,700.00	
	Pedestrian gates	No.	1,200.00	1	$ 1,200.00	
8	Soft works					$25,100.00
	Grass	sq.m	20.00	1010	$ 20,200.00	
	Deciduous tree planting - 2.0 metre high	No.	350.00	14	$ 4,900.00	
9	Lighting	item				$75,000.00
10	Irrigation					$7,000.00
	Drip irrigation for trees	item			$ 2,000.00	
	Spray irrigation for grass	item			$ 5,000.00	
11	Consolidation and Defects Laibility Period	item				$2,600.00
	TOTAL					$1,009,422.29

STAGE 4a

Item	Description	Unit	Rate	Qty	Amount (ex GST)	Summary (ex GST)
	NEWMAN PARK - Stage 4a					
1	Preliminaries (5%)					$31,519.29
	Site protection, DBYD and underground services identification and documentation, construction environmental management plan, setting out, liaison with Superintendent, etc.	item				
2	Demolition					$17,500.00
	Remove existing playgound equipment and surfacing				$ 7,500.00	
	Remove existing concrete paving				$ 10,000.00	
3	Earthworks					$12,500.00
	Sediment control	item			$ 2,500.00	
	Stripping of existing topsoil and stockpile	item			$ 5,000.00	
	Minor cut and fill	item			$ 5,000.00	
4	Concrete works					$6,833.00
	Footpaths - 2.0 metres wide	sq.m	130.00	26.1	$ 3,393.00	
	Paving	sq.m	200.00	9	$ 1,800.00	
	Culverts at swale crossings - stone beaching	sq.m	200.00	8.2	$ 1,640.00	
5	Kid's play					$241,937.73
	Proludic Carousel J2409	item			$ 20,472.00	
	Proludic Pendulum swing J444	item			$ 18,147.73	
	Proludic Trampolines x3 R34-ETP-010	No.	9,706.00	3	$ 29,118.00	
	Allowance for freight of Proludic items to Traralgon. Including secure shipping container on site	item			$ 3,250.00	
	Allowance for install Including travel and accommodation	item			$ 9,750.00	
	Blade Recreation Bouldering unit - Titan	item			$ 89,570.00	
	Allowance for install of Titan bouldering unit	item			$ 7,800.00	
	Concrete edging	l.m	80.00	59.5	$ 4,760.00	
	Drainage	l.m	30.00	50.5	$ 1,515.00	
	Organic softfall	sq.m	90.00	89	$ 8,010.00	
	Rubber softfall	sq.m	250.00	198.1	$ 49,525.00	
6	Water play					$103,768.00
	Plumbing including controller, electrical connection, water pump and filter				$ 40,000.00	
	Water play equipment including hand pump with reservoir, water sluice gates and puddle plug	item			$ 25,000.00	
	Contrast concrete paving with concrete edging	sq.m	200.00	50.5	$ 10,100.00	
	Concrete edging	l.m	80.00	73.10	$ 5,848.00	
	Platform deck	item			$ 15,120.00	
	Artificial turf	sq.m	100.00	29	$ 2,900.00	
	Boulders	No.	200.00	24	$ 4,800.00	
7	Furniture					$149,965.50
	Standard table settings	No.	5,000.00	1	$ 5,000.00	
	Standard seating	No.	3,000.00	2	$ 6,000.00	
	Shelter 3.0 x 3.0m	No.	15,000.00	1	$ 15,000.00	
	Shade sails	No.	20,000.00	5	$ 100,000.00	
	Lypa bridges with chimes over culverts	No.	8,982.75	2	$ 17,965.50	
	Fencing	l.m	300.00	20	$ 6,000.00	
8	Soft works					$38,381.50
	Grass	sq.m	20.00	1,154.70	$ 23,094.00	
	Mulch only beds	sq.m	25.00	127.50	$ 3,187.50	
	Shrub beds	sq.m	70.00	90.00	$ 6,300.00	
	Native tree planting - 1.0 metre high	No.	120.00	25	$ 3,000.00	
	Deciduous tree planting - 2.0 metre high	No.	350.00	8	$ 2,800.00	
9	Lighting					$50,000.00
10	Irrigation					$9,500.00
	Drip irrigation for trees				$ 2,000.00	
	Spray irrigation for grass				$ 7,500.00	
11	Consolidation and Defects Laibility Period	item				$2,600.00
	TOTAL					$664,505.02

STAGE 4b

Item	Description	Unit	Rate	Qty	Amount (ex GST)	Summary (ex GST)
	NEWMAN PARK - Stage 4b					
1	Preliminaries (3-5%)					$17,643.38
	Site protection, DBYD and underground services identification and documentation, construction environmental management plan, setting out, liaison with Superintendent, etc.	item				
2	Demolition					$55,000.00
	Remove existing furniture including shelters and, table settings and seating				$ 30,000.00	
	Remove existing playgound equipment and surfacing				$ 15,000.00	
	Remove existing concrete paving				$ 7,500.00	
	Remove and grub select existing trees				$ 2,500.00	
3	Earthworks					$12,500.00
	Sediment control	item			$ 2,500.00	
	Stripping of existing topsoil and stockpile	item			$ 5,000.00	
	Minor cut and fill	item			$ 5,000.00	
4	Concrete works					$1,982.50
	Footpaths - 2.0 metres wide	sq.m	130.00	15.25	$ 1,982.50	
5	Forest nature play					$149,677.52
	Lypa Skywalker L002600	item			$ 97,683.00	
	Lypa concrete slide 1800mm high L000202	item			$ 14,005.38	
	Lypa stepped logs L002300	No.	4,042.88	2	$ 8,085.76	
	Cut log steppers	No.	350.00	9	$ 3,150.00	
	Lypa Hill Climb L003700 (net on tree trunk)	item			$ 10,954.38	
	Drainage	l.m	30.00	40	$ 1,200.00	
	Concrete edging	l.m	80.00	86.30	$ 6,904.00	
	Organic softfall	sq.m	90.00	85.5	$ 7,695.00	
6	Furniture					$45,500.00
	Shade sails	No.	20,000.00	1	$ 20,000.00	
	Fencing	l.m	300.00	85	$ 25,500.00	
7	Soft works					$30,707.50
	Mulch only beds	sq.m	25.00	945.50	$ 23,637.50	
	Native tree planting - 1.0 metre high	No.	120.00	56	$ 6,720.00	
	Deciduous tree planting - 2.0 metre high	No.	350.00	1	$ 350.00	
8	Lighting					$50,000.00
9	Irrigation					$7,500.00
	Drip irrigation for trees				$ 7,500.00	
10	Consolidation and Defects Laibility Period	item				$3,900.00
	TOTAL					$374,410.90


LATROBE CITY
COUNCIL
yonder.
YONDER LANDSCAPE ARCHITECTURE

Communications and engagement plan template

Step 1: Complete template from Background through to Key messages. The Communications and Engagement team will work with you to detail the activities and draft content.

Step 2: Send completed template to the Comms Helpdesk and request a time to catch up with relevant team members.

Step 3: Meet with the Comms team to discuss the Communications and Engagement plan and plan comms activities and content.

Please visit the **Communications and Marketing intranet page for timeframes.**

Background/why/purpose			
The draft Victory Park Masterplan is going to Council in July for endorsement to release to the community for feedback. Need to run a HYS campaign to receive community feedback.			
Who	**What/outcome**	**Timeline/key dates**	**Budget**
List your target audience and stakeholders (internal and external) **Target audience** • Children, young people and families • Broader community **Key stakeholders** Internal • Family Services • Active & Liveable Communities	Seek feedback on the draft master plan	This is going to Council 28 July 2025. 6 week HYS, Noticeboard & Social media from **29 July 2025**	Do you have budget? If so, how much? Could probably allocate some for paid socials $50-100 *ROSP team would pay for core flute sign/s to be placed onsite

External • Victory Park Precinct Advisory Committee • Traralgon Community Development Association • Traralgon 1st Scouts Group • Lions Club • People with Disability (DAICEG)				
Key messages				
Main key message	The draft Victory Park Precinct Master Plan has been developed to provide future direction for development of the precinct which is inclusive of Eric Taylor Reserve, Doorty Park, Newman Park, Victory Park and Bert Thompson Reserve			
Key messages	Some key improvements identified in the draft Plan are: • Improvements to pedestrian experience on walking tracks, through simple realignments and landscaping, improving the safety for users. • Significant improvements to the Newman Park play space, re-designing the space to improve visitor	The total cost of projects within the draft Plan is significant and therefore may need to be delivered in stages and over several years, and supported by seeking external funding opportunities.		Add a supporting key message. It should be specific and crucial to the success of your messaging.

	experience to a regional standard. • Revitalising the dog park site to a gathering space with shade, seating and other supporting infrastructure. • Ecological restoration of the Traralgon Creek. • Relocation of toilet blocks for improved accessibility and safety in accordance with the Latrobe City Council Public Toilet Plan			
Call to action	Planning open space that is relevant to community needs is highly important. This is your opportunity to provide your feedback and input.			Is there something specific people need to do?
Supporting points				• What other information is helpful for people to know that tells the story? • Where can they find more information?

Schedule of activities and draft content				
Activity	**Description**	**Draft content**	**Dates**	**Cost**
Have Your Say	6 week campaign Survey for feedback	- Feedback / comment - Attachments (photos / files) - It would be good to ask for age group / gender so we understand who is providing feedback (with option to leave blank) - Name and contact – only if they want to be followed up / contacted with more info etc	**From 29th July**	
Social Media Post	Run a Social Media campaign	4-6 posts over the 6 weeks to promote HYS When results from HYS are received		
Noticeboard	Advertise HYS	1 write up in Noticeboard during first week to advertise HYS Plus media release – announce HYS and encourage submissions		
Flyer	- To promote HYS to schools to put in newsletter - Could we also get a design for a core flute sign or banner that could be placed onsite	QR Code that links to HYS		

TV screens libraries, leisure and HQ)	Promote on TV screens	Promote HYS on screens at Council facilities where children, young people and families are present		

Available channels to define activities

These must be discussed with the Communications and Marketing team prior to deciding on channels.

No cost	Cost (requires budget from responsible team)
• Media Release • Express noticeboard ad • Express noticeboard strip ad • Mayor's message • Organic social media (Facebook, Instagram, LinkedIn, Twitter/X) • Flyer design • Poster design • Postcard design • Brochure design • e-newsletter article • Website: new page or update • Website event listing • Website banner • Billboard • TV screens (libraries, leisure and HQ) • The Lowdown (internal facing) • Engagement: Have Your Say page (template will be provided)	• Radio ad ($1000 plus GST) • Express half page ad ($1320 inc. GST) • Express full page ad ($2420 inc. GST) • Paid social media • Flyer (print) • Poster (print) • Postcard (print) • Brochure (print) • SMS alerts • VMS board (cost TBC, organised through Engineering) • Letter drop • Stickers • Fridge magnets • Connections Magazine article (cost TBC, time sensitive) • LVE public notice (cost TBC) • Gazette public notice (cost TBC)

• Facebook event	

LATROBE CITY COUNCIL'S SUBMISSION TO INFRASTRUCTURE VICTORIA'S 30- YEAR STRATEGY

PURPOSE

To endorse Council's submission to Infrastructure Victoria's 30 - Year Strategy

EXECUTIVE SUMMARY

- On 9 May 2025, Council submitted a formal response – **Attachment 1** to infrastructure Victoria's 30-Year Strategy (Strategy).
- Infrastructure Victoria is an independent advisory body for the Victorian State Government, responsible for researching infrastructure issues and providing strategic advice. The Strategy outlines a long-term pipeline of projects and policies in housing, energy, transport, and social infrastructure to guide recommendations for future government investment.
- Council's submission was prepared using a mandatory template provided by Infrastructure Victoria, which limited Council's ability to include advocacy priorities beyond the defined scope and addressed the following key priorities:
    - Expanded educational opportunities;
    - Financial sustainability;
    - Flood resilience;
    - Improved public transport;
    - Removal of coal overlays; and
    - Traralgon Bypass.
- A draft version of Council's submission was circulated to Councillors via email on 2 May 2025 for feedback and input.
- Public consultation on The Strategy opened on 4 March 2024 and closed on 28 April 2025. Council officers successfully secured an extension to 9 May 2025 to account for the Easter holiday period.
- Due to the tight timeframe, Council officers were unable to present Councils submission for endorsement prior to the closing date.

OFFICER'S RECOMMENDATION

That Council endorses Council's submission to infrastructure Victoria 30-Year Strategy.

BACKGROUND

Infrastructure Victoria is an independent advisory body that provides expert advice to the Victorian State Government on infrastructure issues. As part of its role, the organisation conducts research and develops long-term strategies to guide government investment. One of its key responsibilities is preparing and updating Infrastructure Victoria's 30-Year Strategy (Strategy), which outlines a pipeline of projects and policies in critical areas such as housing, energy, transport, and social infrastructure. The Strategy is reviewed and updated every 3 to 5 years.

As part of the Strategy development process, Infrastructure Victoria invited feedback from stakeholders, including local governments, on a series of proposed recommendations. Public consultation for the latest Strategy began on 4 March 2025 and concluded on 28 April 2025. However, Council officers successfully secured an extension until 9 May 2025 to accommodate the Easter holiday period. A written response to the recommendations was submitted as per the extension deadline on 9 May 2025 - **Attachment 1.**

Unlike typical government consultations, the Strategy required responses to follow a strict, approved template. This limited Council's ability to incorporate additional advocacy priorities outside of the scope defined by the template. Nevertheless, participating in this consultation aligns with Council's broader advocacy efforts particularly in advocating for the removal of redundant coal overlays and progressing the Traralgon Bypass.

ANALYSIS

Councils' submission to The Strategy focused on key areas that could be incorporated into the proposed recommendations, and include:

- Expanded educational opportunities;
- Financial sustainability;
- Flood resilience;
- Improved public transport;
- Removal of coal overlays; and
- Traralgon Bypass.

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
STRATEGIC Failure to advocate for infrastructure priorities may lead service gaps and poor planning outcomes for the Latrobe City community.	**Low** *Possible x Minor*	Council will continue to advocate for improved Infrastructure outcomes for the Latrobe City community.

CONSULTATION

Officers consulted with the relevant internal business units when preparing this submission. A draft version of Council's submission was circulated to Councillors via email on 2 May 2025 for feedback and input. No community consultation is required as part of this report.

COMMUNICATION

No communications are planned as part 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

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

1. Latrobe City Council's Submission to Infrastructure Victoria's 30-Year Strategy

8.2

Latrobe City Councils Submission to Infrastructure Victorias 30- Year Strategy

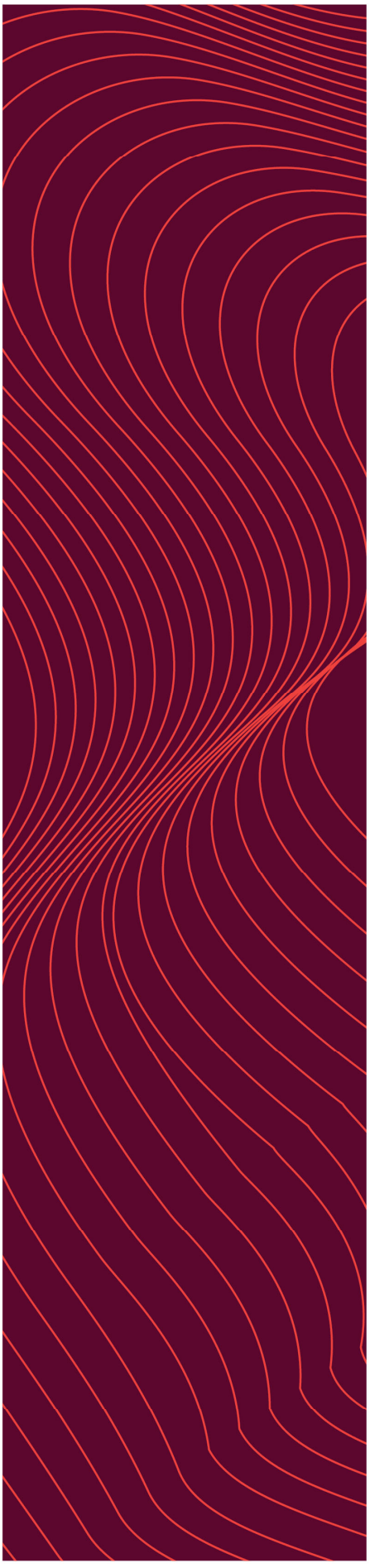
1 Latrobe City Councils Submission to Infastructure Victorias 30-Year Strategy 46

LATROBE CITY COUNCIL

Latrobe City Council Submission to:

Infrastructure Victoria 30 - Year Strategy

May 2025



Introduction

Latrobe City Council welcomes the opportunity to contribute to Infrastructure Victoria's 30-Year Strategy and appreciates the consultative approach to inform the state's long-term infrastructure planning.

Located 135 kilometres east of Melbourne, Latrobe City is home to **77,606** residents and plays a pivotal role in the Gippsland region's economy. With an annual economic output of **$13.7 billion** and more than **35,000 jobs**, almost **30 per cent** of all regional employment, Latrobe City is a major economic and employment hub for Gippsland and the Victorian economy more broadly.[1]

The city boasts access to high-quality education providers, including TAFE Gippsland and Federation University, a strong health precinct, and a range of recreational, retail, and cultural amenities, enhancing its reputation as one of Victoria's four key regional cities.

Latrobe City is serviced by the Gippsland rail line, offering established but limited public transport connectivity. Housing affordability is also a notable strength, with median house prices ranging from **$330K to $480K**, significantly more affordable than neighbouring municipalities, where median prices reach **$665K**. This affordability presents a major opportunity for population attraction and economic transformation. [2]

For over 100 years, Latrobe City has underpinned Victoria's electricity generation, but the impending closure of Yallourn Power Station (2028) and Loy Yang A (2035) represents one of the most significant economic and land use transitions in Victoria's history. These closures will have far-reaching social, economic, and environmental impacts on the community and require strategic infrastructure investment and strong intergovernmental coordination and support to ensure the Latrobe City economy continues to thrive.

Given the scale and impact of the region’s energy transition, it is essential that the Strategy explicitly acknowledges the closure of Latrobe City’s coal mines and power stations. These changes will profoundly shape the region’s future, and Infrastructure Victoria has a critical role to play in ensuring this economic transformation supports a prosperous, resilient, and equitable future for the Latrobe City community.

Submission

Council supports in full or in part several recommendations of the draft that are aimed at improving access to housing, jobs, services, and educational opportunities. These include expanding social housing supply, facilitating kindergarten infrastructure investment, improving school planning and delivery, expanding TAFE and skills training, enhancing regional public transport, and rezoning land to unlock housing and employment potential. Notably, we propose the incorporation of **inclusionary zoning** and removal of **redundant coal overlays** to support development in areas such as Area H. These changes will significantly assist in Latrobe’s growth and economic diversification, ensuring future prosperity.

Council also highlights the need for safer local streets for children and calls for planning that includes adequate school drop-off zones and buffers for childcare centres. Additionally, Council fully supports updated flood mapping and recommend the **Traralgon Bypass and retarding basin** be identified as critical infrastructure for climate resilience.

In support of Council’s detailed feedback (attached), Council puts forward two additional key recommendations to strengthen Infrastructure Victoria's 30-Year Strategy and ensure it adequately responds to the unique challenges and opportunities facing Latrobe City.

[1] Latrobe City Economic Snapshot 2023/24
[2] Remplan -Latrobe Demographic and Community Insights

Council Recommendations

Recommendation 1: Recognise the requirement for mine rehabilitation as part of the strategy.

Council strongly advocates for Infrastructure Victoria to formally recognise the rehabilitation of declared mine land in Latrobe City as a priority within the 30-Year Infrastructure Strategy. The scale and complexity of mine rehabilitation demands long-term planning, clear governance, and dedicated investment well beyond short-term remediation measures.

The ongoing uncertainty around post-closure land uses and the extended rehabilitation timelines continue to raise concern within the Latrobe City community. Given the significant and lasting implications for Gippsland's economy, environment, and community wellbeing, mine rehabilitation must be treated as a critical part of future infrastructure development and all visionary planning.

Council recommends that Infrastructure Victoria:

a. Formally recognise mine rehabilitation in Latrobe City as part of the 30-year strategy.
b. Provide ongoing support for Mine Land Rehabilitation Authority to ensure strong regulatory oversight and continuity.
c. Mandate progressive rehabilitation practices to enable timely, staged outcomes that support environmental sustainability and future land use.
d. Preserve opportunities for appropriate, future economic use of remaining brown coal resources when aligned with the public interest.
e. Address land tenure challenges by exploring options such as government ownership or consolidated land titles to support long-term landform stability and public benefit.

This recommendation is essential to ensure that Gippsland's post-mining transition is supported by robust infrastructure planning, delivering sustainable outcomes for generations to come.

Recommendation 2: Shift from a city-centric approach to a balanced strategy with adequate investment for Regional Victoria, including Gippsland.

Council strongly advocates for a shift from the current city-centric focus of the 30-Year Strategy to a more balanced approach that ensures Regional Victoria, particularly Gippsland, receives adequate infrastructure investment. This should include prioritising key road, rail and water projects that enhance connectivity, support economic development, facilitate land activation, and foster population retention in the region.

Council recommends that Infrastructure Victoria:

a. Increase investment in regional transport infrastructure, including upgrades to the Gippsland rail line for both freight and passenger services and road networks including the Traralgon Bypass, to support economic diversification and improve accessibility to regional centres.
b. Ensure that Regional Victoria, including Latrobe City, is adequately considered in infrastructure planning, with specific projects designed to address the economic and social challenges presented by the energy transition.
c. Align investment in regional infrastructure with long-term plans to create sustainable, thriving communities across Regional Victoria, not just in metropolitan areas.
d. Expand on the current circular economy pillar to incorporate regional opportunities including the proposed waste to energy station at Opal. This recommendation is crucial to ensure that regional communities like Latrobe City are not left behind as the state moves forward with its long-term infrastructure planning.

Conclusion

Council acknowledges the importance of Infrastructure Victoria's 30-Year Strategy in shaping long-term infrastructure decisions across the state. However, we are concerned that the current draft does not adequately address the transformational economic and land use impacts resulting from the imminent closures of the Yallourn and Loy Yang A power stations and associated mines, arguably one of the most significant transitions in Victoria's history. These events present both major risks and critical opportunities.

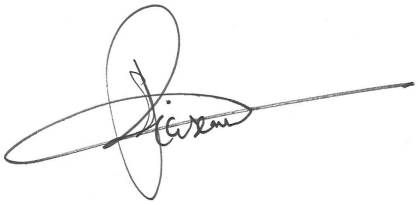
Council urges Infrastructure Victoria to play a leadership role by explicitly recognising **mine rehabilitation** as part of the Strategy. This includes supporting a coordinated and well governed approach that ensures appropriate long-term planning, regulation oversight and sustained investment in mine rehabilitation to secure environmental stability and enable future land use outcomes.

In addition, Council also calls for a shift away from a city-centric focus toward a **balanced approach** that delivers meaningful infrastructure investment across all Regional Victoria, particularly in Gippsland, where this investment is essential to enabling economic diversification and long-term resilience.

Council's recommendations aim to strengthen the Strategy by ensuring it more effectively responds to the unique challenges facing Latrobe City and capitalises on the region's significant potential for growth. We respectfully request that these priorities be formally incorporated into the final version of Strategy.

Thank you for consulting with Council on this matter. Should you require further information about this submission please do not hesitate to get in contact with Shae Hansen our Senior Strategy and Advocacy Advisor on 0459 847 411 or Shae.Hansen@latrobe.vic.gov.au.

Yours Sincerely,



Steven Piasente
Chief Executive Officer

INFRASTRUCTURE VICTORIA

Submission form: Victoria's draft 30-year infrastructure strategy

Your details

Name:	
Organisation (if applicable):	Latrobe City Council
Position (if applicable):	
Email:	Shae.hansen@latrobe.vic.gov.au
Phone:	0459 847 411

About you

Please tell us which best describes you:

☐ Victorian resident

☐ Victorian business owner/operator

☐ Industry professional

☐ Community organisation representative

X Local government representative

☐ State government representative

☐ Researcher

☐ Other (please specify): Click or tap here to enter text.

Your focus areas

Select the topics or regions you are providing feedback on (select all that apply):

Topics	Regions
X Across sectors	X Regional Victoria
X Circular economy	☐ Urban growth areas
X Cities	☐ Melbourne
X Climate change	
X Community infrastructure	
X Education	
X Energy	
X Freight	
X Health	
X Housing	
X Infrastructure for Victoria's First Peoples	
X Transport	
X Water	

Your feedback

Victorians have good access to housing, jobs services and opportunities.

Topic/area:	Victorians have good access to housing, jobs services and opportunities
Recommendation name:	Build more social housing
Recommendation number:	1
1. Do you support this topic or recommendation?	In part
2. Tell us why	The Latrobe City area has 2152 social and affordable dwellings. In 2024, Council undertook Planning Scheme Amendment C136 which highlighted a need of over 3,000 new social and affordable dwellings to meet current demand. This figure represents 75% of the Council's projected future dwelling stock. Fulfilling the shortfall in social and affordable dwellings realistically poses challenges due to criteria related to proximity to amenities such as public transport and retail services.
3. Share any supporting evidence or examples	As below
4. Include proposed changes and improvements	Officers would like to see inclusionary zoning incorporated into the Planning Scheme that would establish triggers enabling developers to deliver social housing. For example, the Baldwin Road development in Traralgon North was rezoned in 2023 for residential housing and is in close proximity to services and amenities so would be well placed to benefit from the inclusionary zoning.

Topic/area:	Victorians have good access to housing, jobs services and opportunities
Recommendation name:	Facilitate markets and invest in kindergarten infrastructure
Recommendation number:	2
5. Do you support this topic or recommendation?	Yes
6. Tell us why	As the level of government closest to the community, local Council's play a crucial role in delivering essential services and infrastructure. However, our financial sustainability is increasingly challenged by a range of factors beyond Council's direct control. Capital works including building renewals and maintenance cost of

	Kindergarten Infrastructure is one of the contributing factors that is putting downward pressure on the Council budget.
7. Share any supporting evidence or examples	A desktop analysis conducted in October of 2024 by Council Officers indicated that at least twenty new kindergarten rooms would be needed to meet the Victorian State Governments reform requirements. Of these twenty rooms/facilities, five had already been developed or were under construction at the time the analysis was run. While the Victorian State Government have previously covered the construction costs, expenses related to furnishing, fit-outs, annual maintenance, and utilities have not been factored in. At time of running the report Council was projected to incur the following costs: o Furnishing and fit outs: $1.8 million (with $600K already funded) o Annual maintenance for additional facilities $150k annually o Increased utility costs $60K annually. It is understood that the Victorian State Government has contributed approximately $9.5 million to date, with an additional $22.5 million required to fund the construction for the entire roll out.
8. Include proposed changes and improvements	Council encourages Infrastructure Victoria (IV) to expand on this recommendation and encourage the Victorian State Government to work with the private sector and local Government to establish a fair model for kindergartens that includes the construction costs, renewals expenses related to furnishing, fit-outs, annual maintenance, and utilities.

Topic/area:	Victorians have good access to housing, jobs services and opportunities
Recommendation name:	Plan and deliver expanded new schools
Recommendation number:	3
9. Do you support this topic or recommendation?	Yes
10. Tell us why	Latrobe City's land is heavily restricted from a planning perspective with flood overlays, industrial zoned land, pipeline easements, regional outfalls, separation distances guidelines, SRO and ESO1 making it challenging to find suitable pockets of land for schools.
11. Share any supporting evidence or examples	Traralgon East being a prime example of these difficulties.
12. Include proposed changes and improvements	The system for selecting land for future school use is inefficient and individual developers are responsible for identifying school sites. Part of the solution being recommended by Council Officers is that the Victorian State Government should acquire land earlier in the process and pay market value to the landowners. Regional Plans should also be developed, and acquisition overlays implemented that are consistent with the Victorian Government's school site selection criteria. Suitable school sites should also include allowances for school pick-up and drop-off areas within the school grounds. Relying on side streets is unacceptable and often unsafe with surrounding streets often becoming double-parked. Additionally, when school sites are selected, plans should be established for active transport so that children can walk or ride bikes to school safely.

Topic/area:	Victorians have good access to housing, jobs services and opportunities
Recommendation name:	Expand TAFE in Melbourne's growth areas and some large regional centers (Including Latrobe)
Recommendation number:	4
13. Do you support this topic or recommendation?	Yes
14. Tell us why	Increasing educational attainment and attracting new population is a key priority for Council. Research shows that population growth is one of the most effective ways to support a transitioning economy. Approximately 70% of individuals who study locally tend to remain in the area after completing their education. Additionally, expanded educational opportunities can help significantly improve employment outcomes. Currently the unemployment rate in Latrobe City sits at 5.3% with Youth unemployment is at a concerning 14% which is significantly

	higher than other Regional Cities. [1] Additionally, with the closure of Yallourn and Loy Yang A Power Station and Mine scheduled for 2028 and 2035 investment in skills and training is vital to help retrain the existing workforce and to provide pathways to employment for the remaining population. With the Victorian State Government projecting 59,000 jobs in the Renewable Energy Sector, the clean energy workforce presents a significant opportunity for the local community, boosting employment and driving economic output. Expanded educational opportunities in Latrobe City will equip residents with essential skills for emerging industries, such as offshore wind and hydrogen production, ensuring that Latrobe City remains a key player in Victoria's new energy landscape and providing local jobs both now and in the future.
15. Share any supporting evidence or examples	The Victoria State Government has projected 59,000 jobs in the renewable energy sector strategic investment in the expansion of TAFE Gippsland and delivering the wind and hydrogen worker training centers local could help address some of the unemployment issues. With over 3,000 fossil fuel workers in the Gippsland region and two-thirds based in Latrobe City, the suitability and benefits of the Latrobe City area location is obvious. Establishing these centers in Latrobe City and implementing local job quotas within the renewable energy sector, the government can provide young people with clear pathways to future employment opportunities. This approach would encourage them to study, work, and ultimately build their careers in the region.
16. Include proposed changes and improvements	Council encourages IV to expand on this recommendation and encourage the Victoria State Government to establish the Wind and Hydrogen Worker Training Centers in Latrobe City. Additionally, Council encourages TAFE Gippsland to consider investment at the Tafe site in Yallourn.

Topic/area:	Victorians have good access to housing, jobs services and opportunities
Recommendation name:	Rezone locations near existing infrastructure for more home choices.
Recommendation number:	7
1. Do you support this topic or recommendation?	Yes
2. Tell us why	Council has sufficient zoned land to meet the housing target of 13,000 dwellings set by the Victorian State Government. [2] Achieving this target will support a population increase to 100,000 by

1 Remplan - Latrobe Demographic and Community Insights

2 https://www.planning.vic.gov.au/planforvictoria/housing-for-all-victorians/housing-targets.

	2051 which is consistent with Councils priority to drive population growth to support the economic diversification of the economy. Council, however, has the desire to open more land to support additional housing and employment precincts but require support from the Victorian State Government to rezone land.
3. Share any supporting evidence or examples	The Latrobe City area currently has 43,000 hectares of land currently constrained by ESO1, SRO, and SUZ1 zones that prohibit development. (Map attached) Area H is a large portion of that constrained land and connects Morwell to Traralgon south of the Highway it is unique as unlike a large part of the land in the Latrobe City area it is not subject to flooding or bushfires making it a prime location for future development. Additionally, its proximity to residential areas and Latrobe Regional Hospital makes it unsuitable for mining. Therefore, removing the coal overlay is the sensible thing to do. As mentioned throughout this submission population attraction and retention is a top priority for Council as evidence suggests it will support the economic diversification of the economy, something that is critically needed with the closure of Yallourn and Loy Yang A mine and power station fast approaching.
4. Include proposed changes and improvements	Council encourages IV to include a special recommendation for the Victorian State Government to remove the redundant Coal overlays located within the Latrobe City Planning Scheme, to open more land for housing and employment and to support the economic diversification of the Latrobe City economy.

Topic/area:	Victorians have good access to housing, jobs services and opportunities
Recommendation name:	Extend metropolitan trains and run more services in Melbourne's west
Recommendation number:	11
5. Do you support this topic or recommendation?	In part
6. Tell us why	Transport infrastructure is critical to provide a prosperous economy and thriving community.
7. Share any supporting evidence or examples	Current services fail to provide good connectivity between Latrobe City and Melbourne, impacting the municipality's ability to access larger centers, attract and retain new population and workforce and boost the visitor economy.

	A standard train trip from Traralgon to Flinders Street station in Melbourne is approximately 2 hours and 15 minutes double the commute time of other regional cities. Fright opportunities are also constrained.
8. Include proposed changes and improvements	Council encourages IV to expand the scope of this recommendation to include improved services for the Gippsland Train line.

Topic/area:	Victorians have good access to housing, jobs services and opportunities
Recommendation name:	Run more bus and coach services in Regional Victoria
Recommendation number:	12
1. Do you support this topic or recommendation?	Yes
2. Tell us why	Bus services do not keep pace with growth and lag behind infrastructure development, causing issues with traffic congestion in and around growing communities, including growing areas in Regional Victoria. When development occurs there is no clear timeline for when new bus services will be delivered, often resulting in bus stops being built that are out of service for many years. Additionally, some smaller regional townships are not serviced by buses at all. Running more bus services will improve connectivity and access for the community.
3. Share any supporting evidence or examples	For example, Tyres, Glengarry, and Toongabbie all growing small towns in Latrobe, are not currently serviced by local buses. Additionally, local services to key infrastructure such as Latrobe Regional Health and retail trade presidents are not always direct or efficient.
4. Include proposed changes and improvements	Council is supportive of IV recommendation to run more bus services in Regional Victoria and encourage them to expand the scope of the recommendation requesting the Victorian State Government establish individual bus plans of all regional communities.

Your feedback

Victorians are healthy and safe.

Topic/area:	Victorians are healthy and safe.
Recommendation name:	Make local streets safer for children and communities
Recommendation number:	14
5. Do you support this topic or recommendation?	In part
6. Tell us why	Making local streets safer for children and communities is an objective Council supports. While Council understand IV desire to reduce speed limit to 30km on local streets, starting in places that children often visit including around schools, playgrounds, childcare centers and kindergartens, Council emphasis that this is not a strategy that should be implemented in isolation or in lue of other road safety approaches.
7. Share any supporting evidence or examples	
8. **Include proposed changes and improvements**	Council encourages IV to recommend that the Victorian State Government include suitable school drop off zones and car parking sites inside of School property to improve safety. Council also encourages further consideration of planning regulations regarding the placement of childcare centers to ensure they are situated in areas that have adequate industrial buffers to avoid conflicts with freight requirements. For example, childcare centers should not be located next to heavy mechanics, which typically have high traffic.

Your feedback

Victoria is resilient to Climate Change and other future risk.

Topic/area:	Victoria is resilient to Climate Change and other future risk
Recommendation name:	Use new flood maps to revise planning schemes.
Recommendation number:	28
1. Do you support this topic or recommendation?	Yes
2. Tell us why	Council Officers advise that they are up to date with current flood mapping.

3. Share any supporting evidence or examples	Current emergency management systems that support the flooding events of Traralgon Creek are insufficient. On average the town suffers from a significant flooding event every 7 years. Building the Traralgon Bypass and incorporating a retarding basin, will help future-proof the township from future flood events. The Traralgon Bypass has been formally included in the Latrobe Planning Scheme with Regional Roads Victoria completed preliminary works on the economic, environmental, social and traffic impacts of delivery. Progress on the project was hindered due to the proximity to Loy Yang mine, however with the closure scheduled for 2035 Council encourages progress to be made to support the delivery of this project.
4. Include proposed changes and improvements	Council recommends that IV expand on this current recommendation and include a list of Infrastructure projects that will enable climate resilience including the Traralgon Bypass and the proposed retarding basin. Additionally, Council recommends that a funding stream be made available to support the re-build of Infrastructure projects following natural disasters which would support projects such as Councils Flood Recovery Project to be delivered sooner.

Your feedback

Victoria has high productivity and circular economy.

Topic/area:	Victoria has high productivity and circular economy.
Recommendation name:	Prepare and publish infrastructure sector plans to shape Victoria's cities
Recommendation number:	35
1. Do you support this topic or recommendation?	Yes
2. Tell us why	Council supports IV recommendation to require each department that owns infrastructure to develop an infrastructure sector plan, based on a set of agreed assumptions particularly for services such as Gippsland Water, who often fall short of the funding required to deliver essential infrastructure services to activate land for future development.
3. Share any supporting evidence or examples	
4. Include proposed changes and improvements	Council encourages IV to expand on the current recommendations and include the establishment of long-term funding models for services such as Gippsland Water.

	Funding clarity will allow the departments to not only develop the plans but also implement and deliver the infrastructure.

Topic/area:	Victoria has high productivity and a circular economy.
Recommendation name:	Reform infrastructure contributions
Recommendation number:	36
5. Do you support this topic or recommendation?	Yes
6. Tell us why	Infrastructure contributions need to have a fair funding model that can activate development while protecting the financial sustainability of the local government sector.
7. Share any supporting evidence or examples	
8. Include proposed changes and improvements	Council recommends that IV expand on this recommendation to include a requirement for the local government sector to be a key stakeholder in the development of the reform.

Topic/area:	Victoria has high productivity and circular economy
Recommendation name:	Use modern traffic control technology for efficient and safe journeys
Recommendation number:	40
1. Do you support this topic or recommendation?	Yes
2. Tell us why	Currently, there are thirteen sets of traffic lights across Traralgon, and they are not smart technology. This causes lengthy delays and traffic congestion.
3. Share any supporting evidence or examples	A prime example is the intersections at Park Lane and Bank Street. This area would benefit significantly from smart traffic technology that adapts in real-time to actual traffic conditions, helping to clear congestion more effectively rather than relying on static speed reductions like the 30km/h limit. Modern smart traffic lights offer a proactive solution to keep Traralgon moving while we wait for a proper bypass.
4. Include proposed changes and improvements	

Topic/area:	Victoria has high productivity and circular economy
Recommendation name:	Make rail freight competitive, reliable and efficient. .
Recommendation number:	41
5. Do you support this topic or recommendation?	Yes
6. Tell us why	Developing and publishing a 30-year integrated rail freight network plan, alongside a funded 10-year rail freight maintenance program, will stimulate growth in sectors such as manufacturing, agriculture, and retail by improving access to markets.
8. Include proposed changes and improvements	Council recommends that IV expand this recommendation to consider freight services that can support faster and more efficient passenger operations on the Gippsland train line. In addition, Council requests that any required maintenance or upgrades to the Gippsland train line be prioritized to support the region's economic diversification.

Declaration

X I agree to Infrastructure Victoria's privacy collection statement.

X I give permission for Infrastructure Victoria to publish my submission on its website:

☐ with my name **or**
x anonymously (identifying personal information will be redacted, Council name can be published,

☐ I do not give permission for Infrastructure Victoria to publish my submission.

☐ I would like to receive updates from Infrastructure Victoria about the strategy and our research program (about six emails a year).

Signature:	
Date:	9/05/2025

Need help?

Contact us on 03 7005 9500 or email enquiries@infrastructurevictoria.com.au.

ECONOMIC DEVELOPMENT MEMBERSHIP RENEWALS

PURPOSE

To seek Council endorsement of economic development memberships for renewal, removal, replacement and uptake for the 2025/2026 financial year.

EXECUTIVE SUMMARY

- Council has been long-standing members of, and participates in, several industry-specific organisations to support Economic Development advocacy activities. To ensure greater transparency and broader understanding or these organisations and why Council are members, this report has been prepared for Councillors.
- Council holds current memberships of the following organisations which are due for review:
    - Rail Freight Alliance;
    - South East Australian Transport Strategy (SEATS);
    - National Timber Council Australia;
    - Timber Towns Victoria;
    - Australia China Business Council;
    - Regional Activators Alliance (RAA); and
    - South East Melbourne Manufacturers Alliance (SEMMA).
- Officers have strategically reviewed Council's current memberships, and upon considering their cost, relevance to our economic development and benefit to our region, propose to replace one membership and dispense with one other as below:
    - Regional Activators Alliance (RAA) – no longer maintain the membership; and
    - Australia China Business Council – replace with the Australia Japan Business Council of Victoria (AJBCV).

OFFICER'S RECOMMENDATION

That Council:

1. **renews the following memberships for the 2025/2026 year:**
    a) **Rail Freight Alliance;**
    b) **Timber Towns Victoria;**
    c) **South East Melbourne Manufacturers Alliance (SEMMA);**
    d) **South East Australian Transport Strategy (SEATS);**
    e) **National Timber Council Australia;**
2. **does not renew the following memberships for the 2025/2026 year:**
    a) **Australia China Business Council;**
    b) **Regional Activators Alliance (RAA); and**
3. **takes up new memberships of the following organisation for the 2025/2026 year:**
    a) **Australia Japan Business Council of Victoria (AJBCV).**

BACKGROUND

Listed below are the organisations which Council currently supports with membership. These memberships have been considered to align with Council's strategic priorities and economic development objectives.

Officers contacted representatives from each of the organisations at the six-month and 12-month marks asking for the following:

1. a list of projects and activities for the past six and 12 months that have impacted Latrobe City;
2. specific projects or activities each organisation will be working on over the next 12 months which will impact Latrobe City; and
3. their membership fee for the 2025/2026 financial year.

Below is an outline of each current membership, feedback on their previous and future advocacy activities, and an officer's comment on whether Council should renew or dispense the membership.

Rail Freight Alliance

Membership period runs from July to June	Annual membership for 2025/2026 is $8,400 + GST

Rail Freight Alliance (RFA) has been operating for over the last 20 years and is seen as the go-to organisation for Rail Freight in Victoria. The Alliance represents 23 Victorian municipalities and holds an executive position on the Melbourne to Brisbane Inland Rail Alliance.

The objectives of Rail Freight Alliance are aligned with the current Council Plan, where transport infrastructure to improve movement between Latrobe City and Melbourne have been highlighted as important priority areas.

Relevant Rail Freight Alliance activities over the past 12 months have included:

- quarterly meetings;
- engagement with individual member councils;
- provision of support to member councils where requested;
- attendance at relevant industry meetings;
- policy Research into the new RFA Policy Statement; and
- advocacy work with the Victorian Freight Task which will see freight movements triple by 2050. This is based on the theory that regional areas cannot continue to rely on road transport to access markets.

Based on the information above, officers consider that Council benefits from its Rail Freight Alliance membership and recommends it be renewed.

South East Australian Transport Strategy – SEATS

Membership period runs from September to August	Previous annual membership is $7,390 plus GST

SEATS embraces south-east NSW, eastern Victoria and the Australian Capital Territory and works toward improving transport infrastructure to improve the efficiency of the transport network across the south-eastern region of Australia.

Although SEATS did not respond to any correspondence requesting updates on their recent activities and future plans which impact Council, renewal of this membership is recommended.

National Timber Councils Association

Membership period runs from July to June	Previous annual membership is $2,500 plus GST

No membership or activity information has been received by this organisation. Despite this, as the recognised National Timber Association representing Councils in four states Officers recommend renewal for another 12 months.

Timber Towns Victoria (TTV)

Membership period runs from July to June	Annual membership for 2025/2026 is $2,750 plus GST

Timber Towns Victoria represents the interests of municipal councils in relation to forestry on both public and private land.

Timber Towns Victoria activities over the past 12 months have included:

- a submission to the Alpine Ash Forests construction, and maintenance requirements, and establish funding priorities to ensure our rural and regional road network is fit for purpose and meet the needs of all road users;
- advocacy into the "*Review of the impacts of sustainable harvesting, non-harvest management and wildfire on net carbon emissions from Australian native forestry"*;
- advocacy in relation to illegal logging; and
- guest speaker events with a variety of renowned, industry-specific, speakers.

Considering the current activity within the industry and Council's support of the ongoing transition and community impact, officers recommend this membership be renewed for a further 12 months. Officers further recommend this membership be reviewed again prior to any subsequent renewals.

Australia China Business Council

Membership period runs from July to June	Previous annual membership is $1,831.50 plus GST

Council has held membership of the Australia China Business Council (ACBC) for several years and have always benefited from the mutual relationship.

Council will be able to maintain informal relationships with China.

Officers conclude a membership with the *Australia Japan Business Council of Victoria (AJBCV)* would benefit Council with more investment opportunities and recommends Council *replace* the ACBC membership with that of the AJBCV.

Regional Activators Alliance (RAA)

Membership period runs from July to June	Previous annual membership is $5,000 plus GST

Regional Activators Alliance (RAA) is part of the Regional Australia Institute and aim to promote the value of regional Australia by building bridges between metropolitan and regional areas.

Over the past 12 months this membership has benefited and supported the transition work being completed by the Economic Development team, allowing them to take advantage of research and assistance. However, with transition work now being aligned with the upcoming Economic Development Strategy, officers consider that this membership is no longer required.

South East Melbourne Manufacturers Alliance (SEMMA)

Membership period runs from July to June	Annual membership for 2025/2026 is $1,193 plus GST

SEMMA is an independent body that represents the interests of manufacturers within the South East Melbourne region. This membership benefits Council's work with supporting and growing the manufacturing sector and complements the work being done with the Latrobe City Industry Alliance.

Total membership for the past years is 234 members.

Activities over the past 12 months included:

- hosting of a range of networking and educational events;
- a focus on legislation changes; and
- release of the *Blueprint for Manufacturing*, which will shape activities for the next 12 months.

The objectives of SEMMA align with the Council Plan with a focus on value-added advanced technology and manufacturing.

Proposed Replacement Membership

Officers recommend replacing the Australia China Business Council with a membership to the Australia Japan Business Council of Victoria:

Australia Japan Business Council of Victoria (AJBCV)

Membership period runs from July to June	Annual membership for 2025/2026 year is $1,500.

The AJBCV's objective is to promote and increase business opportunities and strengthen ties between Australia and Japan for the benefit of Members as well as the broader community.

Membership benefits include access to strong connections with the Japanese government, major companies, and economic networks within Japan, along with links to other successful commercial ventures. Regular activities, events and conferences occur throughout the year which benefit members by enabling active engagement with organisations with shared objectives.

Officers consider it would benefit Council to establish a 12-month membership to the AJBCV.

Summary of officer's Membership Recommendations for 2025/2026

Membership	Recommendation
Rail Freight Alliance	Renew for 2025/2026
South East Australian Transport Strategy (SEATS)	Renew for 2025/2026
National Timber Council Victoria	Renew for 2025/2026
Timber Towns Victoria	Renew for 2025/2026
Australia China Business Council	Replace with the Australia Japan Business Council of Victoria.
Regional Activators Alliance (RAA)	No longer maintain
South East Melbourne Manufacturers Alliance (SEMMA)	Renew for 2025/2026
Australia Japan Business Council of Victoria (AJBCV)	Begin new membership

ANALYSIS

While there is an allocation of budget that allows for the full suite of memberships to be retained, upon strategic review, officers have identified that there are several memberships that offer minimal impact and benefit to Latrobe City, and our economic development aspirations.

A summary of membership costs is listed below, with the subsequent proposal for membership renewal in 2025/26:

Organisation	Previous Membership Costs ($) plus GST	Proposed Membership Costs for 2025/2026 ($) plus GST
Rail Freight Alliance	5,900	5,900
South East Australian Transport Strategy	7,390	7,390
National Timber Councils Association	2,500	2,500
Timber Towns Victoria	2,500	2,750
Australia China Business Council (ACBC)	1,831.50	0
Regional Activators Alliance (RAA)	5,000	0
South East Melbourne Manufacturers Alliance (SEMMA)	1,136	1,193
Australia Japan Business Council of Victoria (AJBCV)	N/A	1,500
TOTAL	$26,257.50	$21,233

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
FINANCIAL Council not receiving value for money from the memberships	**Medium** *Likely x Minor*	Annual review into memberships. Greater participation with member organisations to ensure value for money.
STRATEGIC Potential for an adverse reputational impact should Council determine not to continue with any membership	**Medium** *Possible x Minor*	Detailed correspondence with any group where it has been decided not to proceed with membership clearly outlining the reasons behind the decision not to renew.

CONSULTATION

Consultation with representatives of member organisations took place prior to this report being written.

COMMUNICATION

There are no key communication priorities required as a result 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

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

The Latrobe City ratepayers and community benefit widely from targeted memberships by enabling Councillors and officers to be kept abreast of relevant business and economic development trends.

Cultural

There are no known impacts on cultural values or belief systems related to this report.

Health

There are no known impacts on health outcomes for the general community, or for specific cohorts, related to this report.

Environmental

There are no known impacts of this report on environmental sustainability.

Economic

Renewal of recommended memberships subject to this report will support advocacy and progress of economic development across the municipality.

Financial

The membership renewals, along with proposed new memberships outlined in this report are fully funded within the BAU budget and do not require any reallocation of funds.
The proposals outlined in this report do not impact on any other Council departments.
There are no significant financial implications resulting from this report.

Attachments

Nil

STATUTORY PLANNING

PLANNING SCHEME AMENDMENT C143 (PUBLIC ACQUISITION OVERLAY) - CONSIDERATION OF PANEL RECOMMENDATIONS AND ADOPTION OF AMENDMENT

PURPOSE

To present to Council the recommendations of the Planning Panel Report for Amendment C143 (Public Acquisition Overlay) and outline the next steps for the adoption of the Planning Scheme Amendment.

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 part(s) of 23 properties which have been identified in the Lake Narracan Precinct Structure Plan (PSP) and Development Contributions Plan (DCP), Morwell North West Development Plan (DP) and DCP, and Traralgon North DP and DCP, as required for road widenings, intersection upgrades, stormwater treatment infrastructure or active open space reserve.
- Public Exhibition of the Amendment occurred between 21 November 2024 and 23 December 2024.
- 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).
- Submission 4 and 5 objected to the Amendment.
- A Planning Panel Hearing (the Panel Hearing) was held on 20 May 2025 to consider all submissions made to the Amendment.
- Submitter 4, was the only party other than Council to speak at the Panel Hearing.

- The Panel Report for Amendment C143 was received on 5 June 2025 **Attachment 1**, recommending that *"Amendment C143 be adopted as exhibited".* The report concluded the Amendment was;
    - well founded;
    - strategically justified; and
    - the location and extent of the PAO as exhibited is appropriate and justified.

OFFICER'S RECOMMENDATION

That Council having considered the Planning Panel report at Attachment 1 and the Panel recommendations for Amendment C143:

1. **endorses the officer's response to the issues and recommendations as outlined in Attachment 2 - Amendment C143 '*Panel Recommendations and Planning Officer Comment';***
2. **adopts Amendment C143 in accordance with section 29 of the *Planning and Environment Act 1987* as exhibited, without changes, as reflected in the final Amendment C143 documentation provided at Attachment 3,4,5 and 6;**
3. **submits adopted Amendment C143 , together with the prescribed information, to the Minister for Planning for approval in accordance with Section 31 of the *Planning and Environment Act 1987;* and**
4. **advises those persons who made written submissions to Amendment C143 of Council's decision.**

BACKGROUND

Council initiated the Amendment to identify land in the Latrobe Planning Scheme which is required for 12 Development Contributions Plan projects. 23 properties are impacted by the amendment with:

- 11 properties in the Lake Narracan PSP and DCP area (Newborough);
- 11 properties in the Morwell North West DP and DCP area; and
- One property in Traralgon North DP and DCP area.

DCPs aim to equitably share the cost of infrastructure required to service new growth areas and to compensate landowners where land is required for a project. Most largescale subdivisions will deliver DCP projects on behalf of Council. Ultimately though, it is Latrobe City Councils responsibility to deliver DCP projects where the development industry cannot.

These 12 projects had been identified by Council officers as being needed in the next 10 years to sustain the supply of new housing in Latrobe. The identified projects address stormwater treatment, intersection and road improvements, and the provision of active open space facilities.

The delivery of the identified projects is considered to be at risk as they require land which is currently privately owned. Based on prior engagement, council officers understand that the owners of the 23 identified properties have either no intention to develop or little intention to develop in a timely manner.

Applying the PAO provides Council the option to – at a future time – compulsorily acquire the identified land. Applying the PAO does not prevent the development industry from delivering projects on Councils behalf and it does not prevent Council purchasing land by private agreement.

Compulsory acquisition process is defined and governed by the *Land Acquisition and Compensation Act 1986* (LAC Act). The LAC Act regulates compulsory acquisition and ensures issue such as compensation and access can be resolved in a fair manner for all parties.

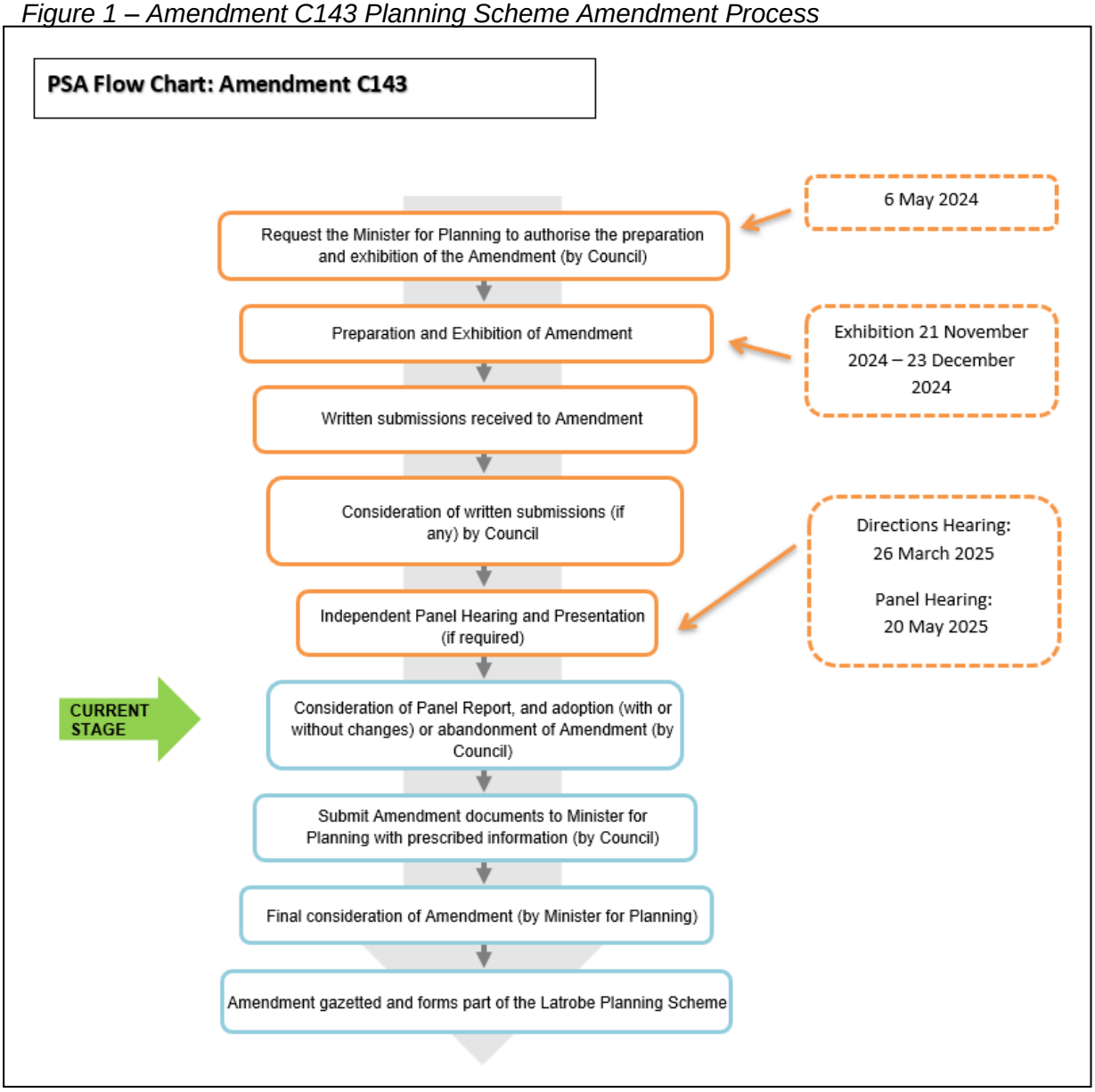
The following steps have been undertaken with the Amendment:

- The Minister of Planning authorised Council to undertake the Amendment on 1 July 2024.
- Exhibition occurred for a 1 month period between 21 November 2024 and 23 December 2024, seven submissions were received. Two submissions (submission 4 and 5) objected to the amendment. Both submissions related to land in the Morwell North West DCP.
- Consideration of all submissions was undertaken by the Council at the 24 February 2025 Council Meeting. At the meeting Council resolved to request a Planning Panel to consider all Submissions as the two objecting submissions were unable to be resolved.

- The Amendment was referred to Planning Panels Victoria (PPV) on the 28 February 2025.
- On the 5 March 2025, PPV notified Council and all submitters of the appointment of a Planning Panel to consider the Amendment. PPV also sought expressions of interest for those who wished to speak at the Panel Hearing. Latrobe City Council and submitter 4 (an objector to the Amendment) were the only parties who requested to speak.
- The Panel Hearing was held on the 20 May 2025.
- A site visit to 150 Latrobe Road (the land in question regarding submission 4) also occurred on the 20 May 2025 before the Panel Hearing. The site visit was attended by the owner of the property, the Panel Chair Sarah Raso, and a Latrobe City Council officer.

The planning scheme amendment process is shown in Figure 1 below, which identifies the current stage Amendment C143 is at.

Figure 1 – Amendment C143 Planning Scheme Amendment Process



ANALYSIS

The Panel Report was received on 5 June 2025 **Attachment 1**. The Panel concluded that Amendment C143 is:

- well founded;
- strategically justified; and
- the location and extent of the PAO as exhibited is appropriate and justified.

One recommendation was provided by the Panel:

- that Latrobe Planning Scheme Amendment C143 be adopted as exhibited.

In preparing their report the Panel has considered the Amendment documents, all written submissions, and the submissions made in person at the Panel Hearing. No changes to the Amendment or further work were recommended in response to submissions 4 and 5 which objected to the Amendment.

Submitter 4 sought the relocation of the PAO from a position which, as proposed in the Amendment, dissects through the land "*creating an awkward and unusable rear lot with no road access*". Their submission stated that:

- the proposed location of the drainage infrastructure and therefore the PAO, appears to have been established using the location of the existing drain without sufficient consideration of land ownership or property boundaries;
- this has resulted in an awkward small land parcel without road access; and
- the drainage reserve serves a "*precinct-wide function, benefiting other landowners while disproportionately affecting us".*

The Panel agreed with Councils position that:

- The changes sought by submitter 4 would result in an outcome that is inconsistent with the strategic intent identified in the Morwell North West DP&DCP;
- The changes proposed by submitter 4 would have consequential impacts on other land parcels and those land holders have not had an opportunity to comment on the changes sought;
- While the location of the PAO is not ideal given it dissects the property (rather than following the title boundary), changing its location at this point in time would have significant implications for the drainage infrastructure which is planned to be built on the land;
- No evidence was produced to indicate whether a relocated drainage reserve is possible or what the potential costs might be;
- The subdivision layout in the Morwell North West DP&DCP has been appropriately managed to reflect the location of the drainage reserve dissecting the property location;

- While the land remains undeveloped, there are options open to both the landowner and Council when the acquisition occurs, such as acquiring the drainage reserve as an easement on title, rather than a reserve on title; and
- That regardless of the acquisition option chosen, Council will ensure that a physical crossing of the drainage infrastructure is provided so the landowner's smaller parcel of land does not end up landlocked.

The Panel also did not agree with submitter 5, which requested to enlarge the PAO on 23 Jason Street and 77 Ashley Avenue to provide greater flexibility when designing the future wetland asset proposed for the site. The Panel agreed with Councils position that:

- The changes proposed by submitter 5 would have consequential impacts on other land parcels and those land holders have not had an opportunity to comment on the changes sought;
- No evidence was produced to indicate that additional space is needed; and
- It is not ideal to apply a PAO to an area larger than what is technically required as under Part 5 of the LAC Act, a landowner can apply to be compensated for the PAO which has been applied to their land and then later removed with no acquisition having occurred.

As Latrobe City Council has received a copy of the Panel Report, under part 4(6)(b) of *Ministerial Direction 15 – The Planning Scheme Amendment Process*, the Planning Authority (Latrobe City Council) must make a decision to adopt or abandon the Amendment within 40 business days of the date it received the Panel Report.

Section 27(1) of the Act requires Council to consider the panel's report before deciding whether to adopt Amendment C143. Section 29(1) of the Act enables Council after complying with the relevant sections of the Act, to adopt Amendment C143 or part of it with or without changes.

Council officers recommend that Council proceed in accordance with the Panels recommendations **Attachment 2**, and adopt Amendment C143 as exhibited and that Council proceed to lodging the Amendment with the Minister for Planning for adoption into the Latrobe Planning Scheme.

The final Amendment C143 documentation for Council's adoption is provided at **Attachment 3, 4, 5 and 6**.

RISK ASSESMENT

RISK	RISK RATING	TREATMENT
COMPLIANCE Without land acquisition abilities, Council may not be in a position to fulfill its responsibilities as the delivering agency for the DCPs. This means some DCP projects may become undeliverable and critical infrastructure required to support residential development will be absent.	**High** *Likely x Major*	Proceed with Amendment C143 as proposed.
STRATEGIC Not adopting the Panel's recommendation will mean Council may not be able to deliver the identified DCP projects. This could result in: ● Council being unable to acquire the land required to deliver DCP projects which are required to support housing growth. ● A reputational decline with developers. ● Reduced number of development applications. ● Overall decline in development activity. ● Worsening of housing affordability. Reduced ability to reach housing targets the Victorian Government has set.	**High** *Possible x Major*	Proceed with Amendment C143 as recommended by the Panel. Acquire land reserved under the PAO as necessary once C143 is adopted into the Latrobe Planning Scheme.

CONSULTATION

As a result of the Planning Panels Victoria process:

- One person attended the panel hearing as a spectator;
- One submitter presented at the Panel hearing; and
- No expert witnesses presented at the Panel hearing none were called.

COMMUNICATION

All submissions were notified of the Planning Panels Victoria process and given an opportunity to present their submission. This notification was undertaken by Planning Panels Victoria on the 5 March 2025.

The panel hearing was held in person on the 20 May 2025 with spectators able to attend in person and online.

The hearing was held in at Kernot Hall, 50-70 Princes Drive, Morwell.

All submitters to the Amendment were provided a digital copy of the Planning Panel Report on 5 June 2025. The Report is available to the general public via Council's webpage for the Amendment and in hardcopy format at all Council Service Centres.

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

Implementing the Amendment into the Latrobe Planning Scheme has the potential to maintain the planned supply of new residential estates in Latrobe which facilitate the delivery of new homes.

Cultural

Not applicable.

Health

Not applicable.

Environmental

Not applicable.

Economic

Implementing the Amendment into the Latrobe Planning Scheme has the potential to maintain the planned supply of new residential estates in Latrobe which facilitate the delivery of new homes.

Financial

The application of the PAO as per Amendment C143 does not require Council to acquire land for infrastructure until the Council believes it is the right time.

If the Amendment is adopted by Council, Council will be required to pay a fee of $546.30 to the State Government when the Amendment is lodged with the Minister for Planning for final approval. This fee is required under Section 35 of the Planning and Environment Act 1987. The fee has been planned for within the 2025/26 Strategic Planning Teams budget.

Attachments

1. Amendment C143 Planning Panel Report
2. Amendment C143 Planning Panel Recommendations and Officer Comment
3. Amendment C143 Proposed Ordinance for Adoption
4. Amendment C143 Proposed Maps for Adoption
5. Amendment C143 Site Assessment Reports for Adoption
6. Amendment C143 Instruction Sheet and Explanatory Report for Adoption

9.1

Planning Scheme Amendment C143 (Public Acquisition Overlay) - Consideration of Panel Recommendations and Adoption of Amendment

1 Amendment C143 Planning Panel Report 82
2 Amendment C143 Planning Panel Recommendations and Officer Comment 100
3 Amendment C143 Proposed Ordinance for Adoption 101
4 Amendment C143 Proposed Maps for Adoption 108
5 Amendment C143 Site Assessment Reports for Adoption 113
6 Amendment C143 Instruction Sheet and Explanatory Report for Adoption 165

Planning Panels Victoria

Latrobe Planning Scheme Amendment C143latr

Panel Report

Planning and Environment Act 1987

5 June 2025

VICTORIA State Government

How will this report be used?

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether to adopt the Amendment.
[section 27(1) of the *Planning and Environment Act 1987* (the PE Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the PE Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the PE Act]

Planning Panels Victoria acknowledges the Wurundjeri Woi Wurrung People as the traditional custodians of the land on which our office is located. We pay our respects to their Elders past and present.

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the PE Act

Latrobe Planning Scheme Amendment C143latr

5 June 2025

Sarah Raso, Chair

Planning Panels Victoria

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Planning Panels Victoria

Glossary and abbreviations

Council	Latrobe City Council
DTP	Department of Transport and Planning
LAC Act	*Land Acquisition and Compensation Act* 1986
Morwell DP	Morwell North West Development Plan
Morwell DCP	Morwell Development Contributions Plan
PE Act	*Planning and Environment Act 1987*
PAO	Public Acquisition Overlay
PAO2	Public Acquisition Overlay Schedule 2
PAO3	Public Acquisition Overlay Schedule 3

Planning
Panels
Victoria

Overview

Amendment	
The Amendment	Latrobe Planning Scheme Amendment C143latr
Brief description	Application of the Public Acquisition Overlay to parts of 23 properties across Newborough, Morwell and Traralgon
Planning Authority	Latrobe City Council
Authorisation	1 July 2024 with conditions
Exhibition	21 November to 23 December 2024
Submissions	Number of Submissions: 7

Panel process	
The Panel	Sarah Raso
Directions Hearing	Online, 25 March 2025
Panel Hearing	In person at Kernot Hall, 50-70 Princes Drive, Morwell, 20 May 2025
Site inspections	Accompanied, 20 May 2025
Parties to the Hearing	Latrobe City Council, represented by Stewart Saunders Tony Salvatore
Citation	Latrobe PSA C143latr [2025] PPV
Date of this report	5 June 2025

Planning Panels Victoria

Executive summary

Latrobe Planning Scheme Amendment C143latr (the Amendment) seeks to apply the Public Acquisition Overlay to parts of 23 properties across three growth areas, Newborough, Morwell and Traralgon. The Amendment will allow for the acquisition of land required for public purposes including road and drainage infrastructure and active open space.

Key issues raised in submissions included application of the Public Acquisition Overlay, including concerns about its alignment, extent and implications.

The Amendment applies the Public Acquisition Overlay in accordance with the relevant Precinct Structure Plan, Development Plans and Development Contributions Plans. This approach is strategically justified and will help facilitate the timely delivery of intersection, road widening, drainage and active open space projects. Changes sought by submitters to the location or extent of the Public Acquisition Overlay are inconsistent with this strategic intent and would have consequential impacts on other land parcels whose owners have not had an opportunity to comment on the changes sought.

More specifically, submitter 4 sought the relocation of the Public Acquisition Overlay from a position which, as proposed, dissects through the relevant land, to a position which follows the title boundary. While this alignment is logical from a subdivision perspective, changing the location of the Public Acquisition Overlay at this point in time would have significant implications for the drainage infrastructure which is planned to be built on the land and follow the natural drainage line. No evidence was produced to indicate whether a relocated drainage reserve is possible or what the potential costs might be.

The Panel concludes:

- the Amendment is well founded and strategically justified
- the location and extent of the PAO as exhibited is appropriate and justified.

Recommendation

Based on the reasons set out in this Report, the Panel recommends that Latrobe Planning Scheme Amendment C143latr be adopted as exhibited.

1 Introduction

1.1 The Amendment and subject land

The Amendment seeks to apply the Public Acquisition Overlay to part of:

- 11 properties in the Lake Narracan Growth Area (Figure 1)
- 11 properties in the Morwell North West Growth Area (Figure 2)
- one property in the Traralgon North Growth Area (Figure 3).

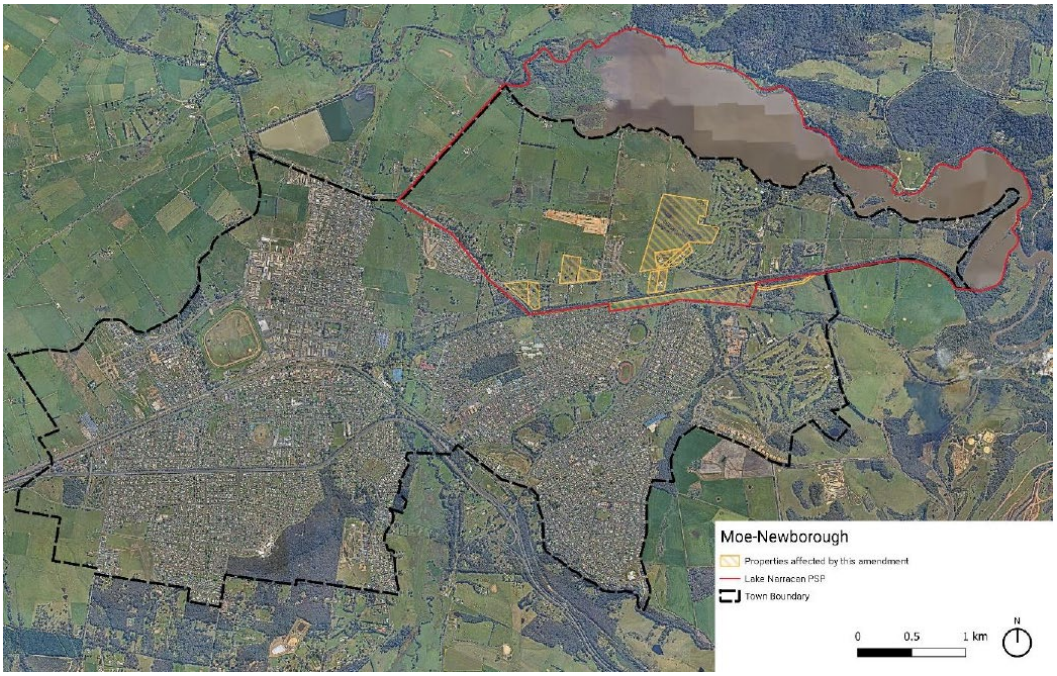
Latrobe City Council (Council) is the Planning Authority.

The Amendment will allow for the acquisition of land required for public purposes including road and drainage infrastructure and active open space identified in the Lake Narracan Precinct Structure Plan and Development Contribution Plan, the Morwell North West Development Plan (Morwell DP) and Development Contribution Plan (Morwell DCP), and the Traralgon North Development Plan and Development Contributions Plan.

Specifically, the Amendment proposes to:

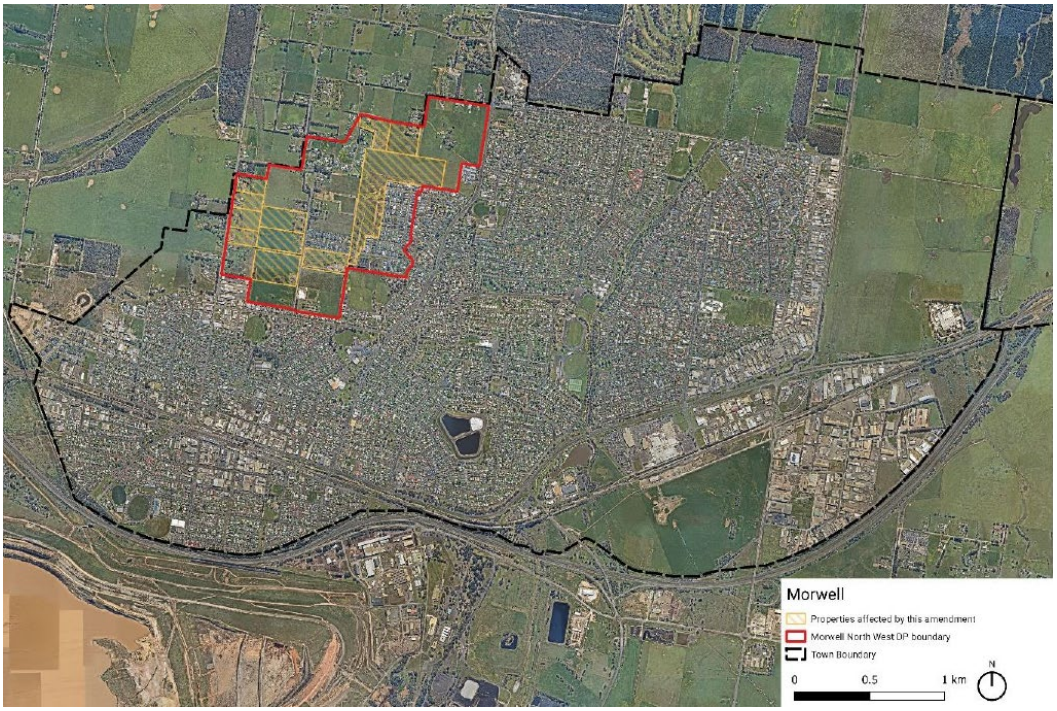
- insert Planning Scheme Maps 24PAO, 25PAO, 30PAO, 50PAO, 71PAO, and 76PAO to apply the Public Acquisition Overlay Schedule 2 (PAO2) and Public Acquisition Overlay Schedule 3 (PAO3)
- amend the Schedule to Clause 45.01 (Public Acquisition Overlay) to make Council the acquiring authority for the:
  - PAO2 for the purpose of the 'Road Projects' acquisition
  - PAO3 with the purpose of the 'Drainage / Open Space Reserves' acquisition
- amend the schedule to Clause 72.03 – What does this planning scheme consist of? to reference 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 (PAO) implements the Municipal Planning Strategy.

Figure 1 Lake Narracan Growth Area



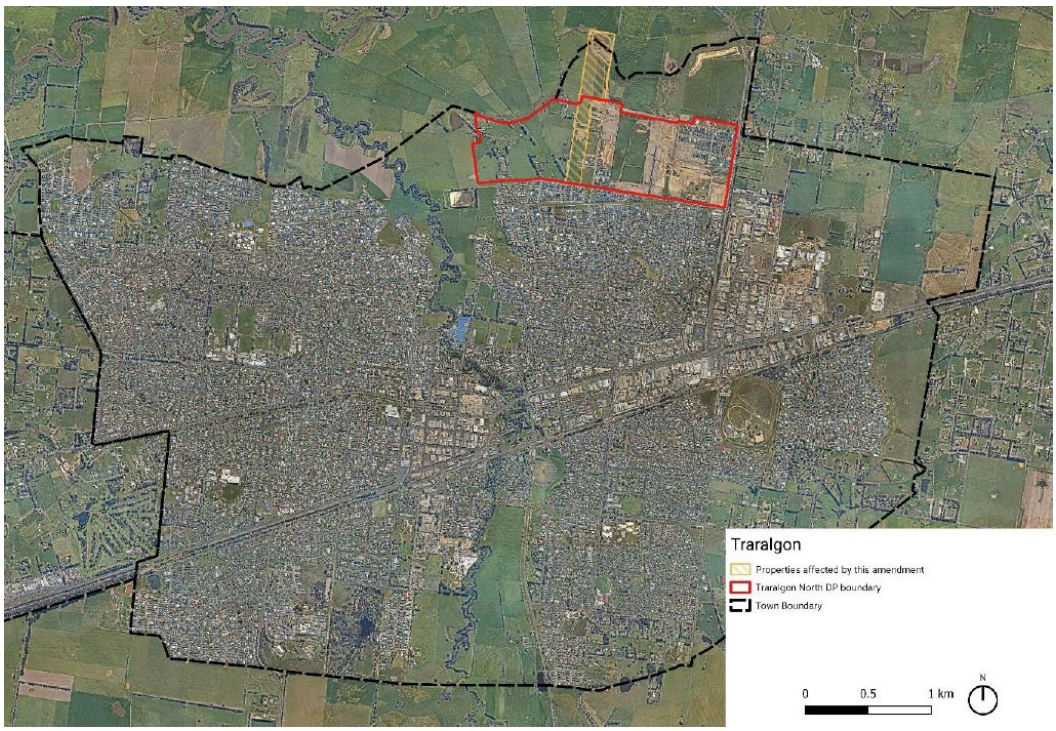
Source: Explanatory Report

Figure 2 Morwell North West Growth Area



Source: Explanatory Report

Figure 3 Traralgon North Growth Area



Source: Explanatory Report

1.2 Background

Table 1 Chronology of events

Date	Event
1 July 2024	Minister authorised the preparation of the Amendment subject to conditions
21 Nov to 23 Dec 2024	Amendment exhibited
24 February 2025	Council resolved to appoint a Planning Panel
25 March 2025	Directions Hearing
20 May 2025	Panel Hearing

1.3 Procedural issues

The Panel was appointed on 4 March 2025. Due to an availability issue the Panel was reconstituted on 13 May 2025 with Sarah Raso replacing Lisa Kendle.

1.4 The Panel's approach

Key issues raised in submissions included application of the PAO, including concerns about its alignment, extent and implications.

Some submissions raised matters which are outside the remit of the Panel, including issues relating to the process and timing of land acquisition and compensation once the PAO is in place. The Panel has not dealt with these issues.

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from its site visit, and submissions and other material presented to it during the Hearing. It has reviewed a large volume of material and has had to be selective in referring to the more relevant or determinative material in the Report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Strategic issues
- Public Acquisition Overlay.

2 Strategic issues

2.1 Planning context

Table 2 Planning context relevant to the Amendment

	Relevant references
Victorian planning objectives	- section 4(1)(d) of the PE Act
Municipal Planning Strategy	- Clause 2
Planning Policy Framework	- Clauses 11.01-1l (Moe-Newborough), 11.01-1L (Morwell) - Clause 13.06-1S (Air quality management) - Clauses 14.02-1S (Catchment planning and management), 14.02-2S (Water quality) - Clause 18.01-1S (Land use and transport integration), 18.01-2S (Transport system), 18.01-2R (Transport system-Gippsland), 18.02-4S (Roads) - Clauses 19.03-1S (Development and infrastructure contribution plans), 19.03-2S (Infrastructure design provision), 19.03—3S (Integrated water management)
Other planning strategies and policies	- Plan Melbourne Outcome 4, Direction 4.4, Policies 4.4.1 and 4.4.4
Planning scheme provisions	Lake Narracan Growth Area: - Urban Growth Zone Schedule 1 - Public Parks and Recreation Zone - Public Acquisition Overlay Schedule 2 and 3 - Development Contributions Overlay Schedule 1 Morwell North West Growth Area - General Residential Zone Schedule 3 - Development Plan Overlay Schedule 1 - Floodway Overlay Traralgon North Growth Area - General Residential Zone Schedule 3 - Development Plan Overlay Schedule 7
Ministerial directions	- Ministerial Direction 11 (Strategic Assessment of Amendments)
Planning practice and advisory notes	- Planning Practice Note 46: Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments - Guide to Victoria's Planning System (Chapter 6: Acquisition and Compensation)

2.2 Strategic justification

(i) Issue

The issue is whether the Amendment is strategically justified.

(ii) Background

A planning scheme may designate land as being reserved for a public purpose. Land reserved for future compulsory acquisition is identified by including the land in a PAO.

The objectives of the PAO include "*to reserve land for a public purpose and to ensure that changes to the use and development of land do not prejudice the purpose for which the land is to be acquired*".

The PAO indicates that, for the purpose of the *Land Acquisition and Compensation Act* 1986 (LAC Act), any land included in the overlay is reserved for a public purpose. This satisfies the requirement in section 5 of the LAC Act that an authority cannot commence to acquire the land "*unless the land has been first reserved by or under a planning instrument for a public purpose"*.

To facilitate development in the Lake Narracan, Morwell North West, and Traralgon North growth areas, land is required for public purposes including road infrastructure, drainage infrastructure and active open space. This infrastructure is identified in the Lake Narracan Precinct Structure Plan and Development Contributions Plan, the Morwell DP and Morwell DCP, and the Traralgon North Development Plan and Development Contributions Plan.

All three growth areas are at differing stages of development. Approximately 9.2 per cent of private properties in Lake Narracan have subdivision approval and are in some state of development, 12.2 per cent of properties in Morwell North West either have subdivision approval or have a permit application for subdivision under assessment, and 75 per cent of properties in Traralgon North have subdivision approval and are in some state of development.

The planning permit and subdivision processes have not been able to secure all the necessary public land identified in the relevant Development Contribution Plans in a timely manner. Therefore, a formal acquisition process is required to secure the land necessary to deliver three intersection projects, two road widening projects, nine drainage projects and two active open space projects.

(iii) Discussion and conclusion

The application of the PAO has been informed by the three Development Contributions Plans, the relevant Development Plans and Precinct Structure Plan for each growth area.

To facilitate the timely delivery of three intersection projects, two road widening projects, nine drainage projects and two active open space projects, a PAO is necessary. The LAC Act requires land to be first reserved in a planning scheme before compulsory acquisition can occur (noting there are some exemptions). The PAO is the appropriate tool to facilitate this.

Applying the PAO to land, reserves the land in the planning scheme and allows for a compulsory acquisition process to be undertaken by the Acquiring Authority (Council) at a future date.

Council explained that each of these projects is critical to the ongoing development of the key development areas and that a future acquisition would be required. The key projects which the PAO will ultimately facilitate will lead to the timely delivery and completion of three key growth areas within the Latrobe region.

The Panel concludes that the Amendment:

- is supported by, and implements, the relevant sections of the Planning Policy Framework
- is consistent with the relevant Ministerial Directions and Practice Notes
- is well founded and strategically justified

- should proceed subject to addressing the more specific issues raised in submissions.

3 Public Acquisition Overlay

3.1 Application of the Public Acquisition Overlay

(i) The issue

The issue is whether the proposed location of the PAO is appropriate and justified.

(ii) Submissions

A number of submitters sought changes to the location, or extent of the PAO.

Submitter 4 sought the relocation of the PAO from a position which, as proposed, dissects through the land "*creating an awkward and unusable rear lot with no road access*". It submitted:

- the proposed location of the drainage infrastructure (subject to the PAO) appears to have been established using the location of the existing drain without sufficient consideration of land ownership or property boundaries
- this has resulted in an awkward small land parcel without road access
- the drainage reserve serves a "*precinct-wide function, benefiting other landowners while disproportionately affecting us*".

Figure 4 Submitter 4 land (red arrow) showing proposed drainage flow and PAO line and preferred drainage flow and PAO line (hand drawn in green)



Source: Submitter 4 submission to Council

Council did not support moving the PAO as sought and highlighted that doing so would be inconsistent with the background strategic work, principally the Morwell DP and Morwell DCP. Council submitted:

- the changes sought would impact six other properties, three of which are not presently subject to the proposed PAO and have not been notified in relation to the Amendment
- no evidence had been produced to justify the relocation of the drainage asset.

Council indicated that the changes proposed by submitter 4 had been discussed with its own engineers, and also the West Gippsland Catchment Management Authority. It referred to the following advice received:

> 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.
>
> 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 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.
>
> The West Gippsland Catchment Management Authority are open to considering the alternative alignment but would require a new stormwater study and flood study to identify the impacts of the design.

Submitter 5 wanted to extend the area of the PAO so that it aligned with the northern boundary of two land parcels. It submitted that increasing the size of the PAO would increase the flexibility to design the relevant stormwater asset and subdivision layout. Council indicated that the PAO will not prevent the consideration of alternative designs for the development contributions infrastructure which do not align the PAO land area and there is a legislative process in place for this situation.

(iii) Discussion

The Amendment applies the PAO in accordance with the relevant Precinct Structure Plan, Development Plans and Development Contributions Plans. The Panel has already concluded that this approach is strategically justified and sees no reason to depart from this position.

More specifically, the Amendment as it relates to submissions 4 and 5, seeks to reserve land which has been identified in the Morwell DP for drainage infrastructure.

The land appears as 'Drainage Reserve (Encumbered)' on the maps within the Morwell DP. Page 3 of the Morwell DP states that the purpose of this development plan is to:

> … provide direction to ensure a logical subdivision pattern across separate allotments to achieve an outcome that is best for the growth area as a whole.
>
> The plan identifies where roads, parks, wetlands and physical infrastructure should be located, without prejudice. That is, the Development Plan is based on best practice design that is responsive to topography, drainage, vegetation and the location of key land uses, to ensure land is reserve for these purposes and not lost in favour of maximising individual Development interests.

The changes sought by submitters 4 and 5 would result in an outcome that is inconsistent with the strategic intent identified in the Morwell DP. Equally, as Council identified, the changes proposed would have consequential impacts on other land parcels and those land holders have not had an opportunity to comment on the changes sought.

In relation to submitter 4, changing the location of the PAO and consequently the drainage infrastructure, would have significant flow on effects. While the location of the PAO is not ideal given it intersects the property (rather than following the title boundary), changing its location at this point in time would have significant implications for the drainage infrastructure which is planned to be built on the land. No evidence was produced to indicate whether a relocated drainage reserve is possible or what the potential costs might be. The proposed drainage infrastructure is located to follow the existing natural drainage line on the land. Indeed, page 9 of the Morwell DP acknowledges that one of the constraints facing the DP is the natural location of the main north-south drainage line and the impact on development potential for affected properties. The subdivision layout has been appropriately managed to reflect this location.

While the land remains undeveloped, there are options open to both the landowner and Council when the acquisition occurs, such as acquiring the drainage reserve as an easement on title, rather than a reserve on title. Council would equally need to ensure that a physical crossing of the drainage infrastructure is provided so the landowner's smaller parcel of land does not end up landlocked in the event it remains undeveloped[1].

In relation to submitter 5, it is not ideal to apply a PAO to a larger parcel of land than what is technically required. Part 5 of the LAC Act allows a landowner to be compensated for the PAO which has been applied to their land and then later removed with no acquisition. The compensation payable would reflect the landowners restricted ability to use their land while the PAO is in place. The Panel therefore agrees with Council that it would be irresponsible for Council to apply the PAO to land that is unlikely to be acquired. If additional land is required, there is still flexibility in the acquisition process under the LAC Act for this to occur.

(iv) Conclusion

The Panel concludes the location and extent of the PAO as exhibited is appropriate and justified and should not be amended.

3.2 Other issues

(i) Private agreements

Two submitters were concerned the application of the PAO would interfere with or delay a permit holder's ability to come to their own commercial arrangements to acquire land for development contribution projects.

Council confirmed that it is still Council's intention that the infrastructure items are delivered by developers/landowners and application of the PAO will not interfere with this process. Council explained the PAO was being applied to ensure that a "*fair and prudent process*" to acquire land is in place should private arrangements not materialise. The Panel concurs with this approach.

(ii) Age of strategic documents

Submitters 4 and 5 took issue with the age of the Morwell DP, Morwell DCP and a relevant Drainage Study, and suggested the PAO areas should be revisited as a result. Council indicated that while the Morwell DP and DCP were first adopted by Council in 2010, the Morwell DP is

[1] As required by section 43(2) of the LAC Act.

intended to provide for approximately 25 years of land supply and therefore has a design life of at least 25 years. Council said it reviews all strategic planning documents every ten years to identify changes in policy and if intended outcomes are being achieved. Council advised the:

- Morwell DP and Morwell DCP were last reviewed in 2016/2017
- updates were adopted in 2018
- next ten year review will be due around 2028.

Council submitted:

- the Morwell DP and Morwell DCP and the relevant Drainage Study were of an appropriate age to be used as background documents to this Amendment
- it was satisfied the Morwell DP is still relevant to sufficiently guide orderly development
- no evidence had been produced to demonstrate the drainage study was no longer relevant or its assumptions were outdated.

The Panel agrees and sees no reason to delay the application of the PAO in such circumstances.

Appendix A Document list

No	Date	Description	Presented by
	2025		
1	5 Mar	Directions Hearing letter	Planning Panels Victoria (PPV)
2	26 Mar	Panel Directions and Hearing Timetable (version 1)	PPV
3	16 Apr	Part A submission with attachments: 3a - Properties affected by the Amendment 3b -Directions and timetable 3c - Table of relevant planning permits 3d – Explanatory Report 3e - Completed strategic assessment 3f - Letter of authorisation 3g – Submissions 3h - Summary of submissions 3i – Attachment 2 to 24 February 2025 Council Minutes	Council
4	28 Apr	Part B submission with attachments: 4a – Drainage strategy 2017 4b – Main catchment drainage strategy 2016 4c – Morwell submissions map	Council
5	29 Apr	Submission	Submitter 4
6	29 Apr	Panel correspondence – rescheduled site inspection	PPV
7	7 May	Hearing Timetable (version 2)	PPV
8	14 May	Panel correspondence – panel reconstitution	PPV
9	20 May	Part B presentation	Council
10	20 May	Part C presentation	Council

Amendment C143 (Public Acquisition Overlay)

Response to Panel Recommendations Table

In accordance with Section 27 of the *Planning and Environment Act 1987,* Council must consider the Panel Report to decide what alterations should be made to Latrobe C143 – Public Acquisition Overlay. In accordance with Section 31 of *Planning and Environment Act 1987,* and Regulation 9(e) of the *Planning and Environment Regulations 2016* if a planning authority decides not to accept a panel's recommendation, it must give its reasons for this when it submits the adopted amendment to the Minister. The following outlines the response to the panel recommendations:

Changes made in Response to the Panel Report Recommendations			
PANEL RECOMMENDATION	**COUNCIL OFFICERS RESPONSE**	**CHANGES MADE TO THE AMENDMENT**	**RELATED SUBMISSIONS**
1. The Panel recommends that Latrobe Planning Scheme Amendment C143latr be adopted as exhibited.	Council officers support the recommendations of the Panel.	N/A	N/A

LATROBE PLANNING SCHEME

02/11/2017
C100

SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

1.0 Public acquisition

~~06/06/2019~~ ~~--/--/----~~
~~C116latr~~Proposed C143latr

PS map ref	Acquiring Authority	Purpose of acquisition
PAO1	VicRoads	Road acquisition.
PAO2	Latrobe City Council	Road projects
PAO3	Latrobe City Council	Drainage / Open Space Reserves
PAO4	Gippsland Water	Water and / or sewerage infrastructure

LATROBE PLANNING SCHEME

13/12/2018
C104latr

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0 Maps comprising part of this planning scheme:

~~21/12/2023~~ ~~C121latr~~Proposed C143latr

- 1, 1BMO
- 2, 2LSIO-FO, 2BMO
- 3, 3BMO
- 4, 4BMO
- 5, 5HO, 5LSIO-FO, 5BMO
- 6, 6HO, 6LSIO-FO
- 7, 7LSIO-FO
- 8, 8HO, 8LSIO-FO
- 9, 9LSIO-FO
- 10, 10LSIO-FO
- 11, 11BAO, 11ESO, 11LSIO-FO, 11BMO
- 12, 12BAO, 12ESO, 12BMO
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LATROBE PLANNING SCHEME

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LATROBE PLANNING SCHEME

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LATROBE PLANNING SCHEME

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- 135, 135BMO

LATROBE PLANNING SCHEME

28/05/2021
C122latr

SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

1.0 Application of zones, overlays and provisions

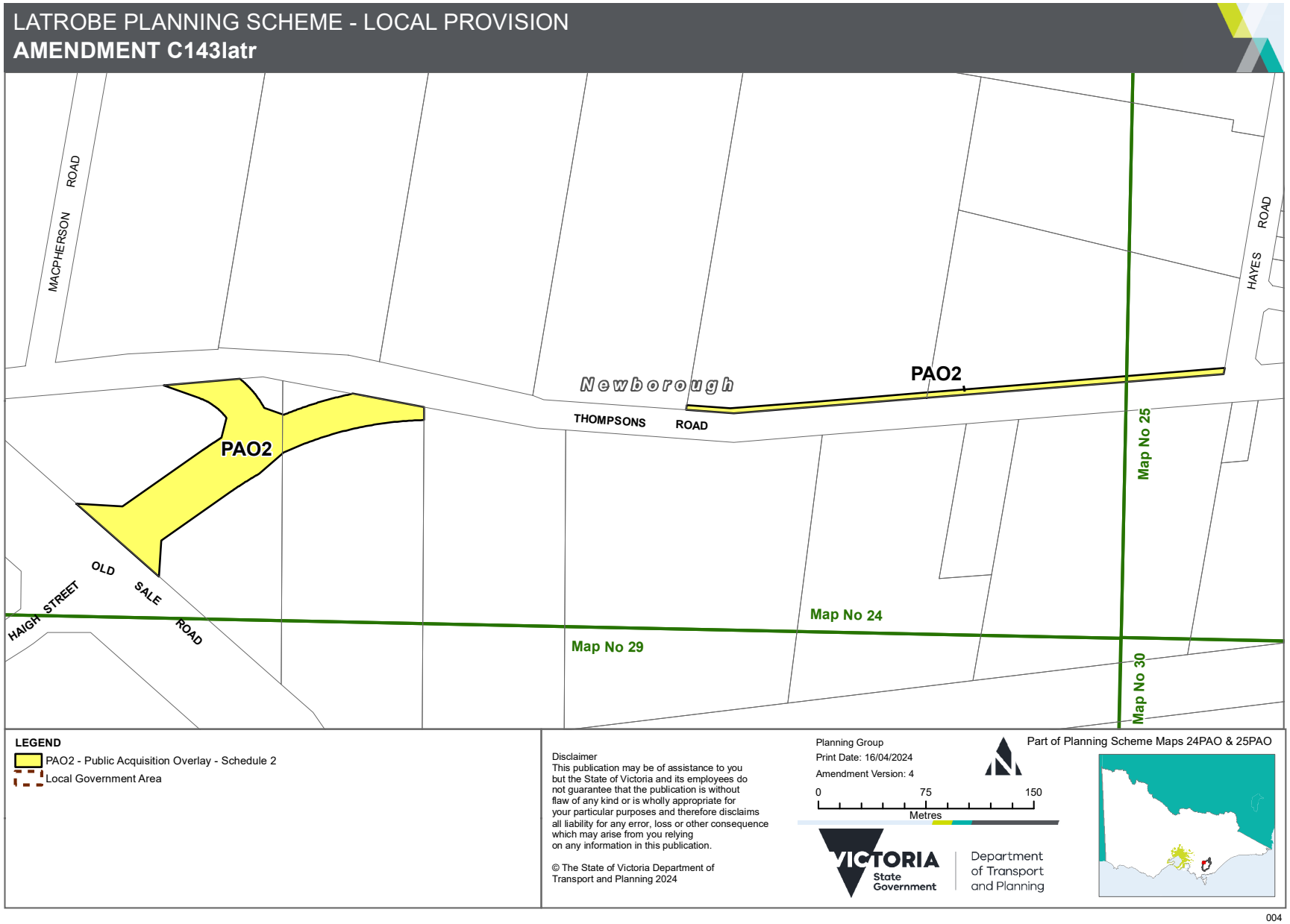
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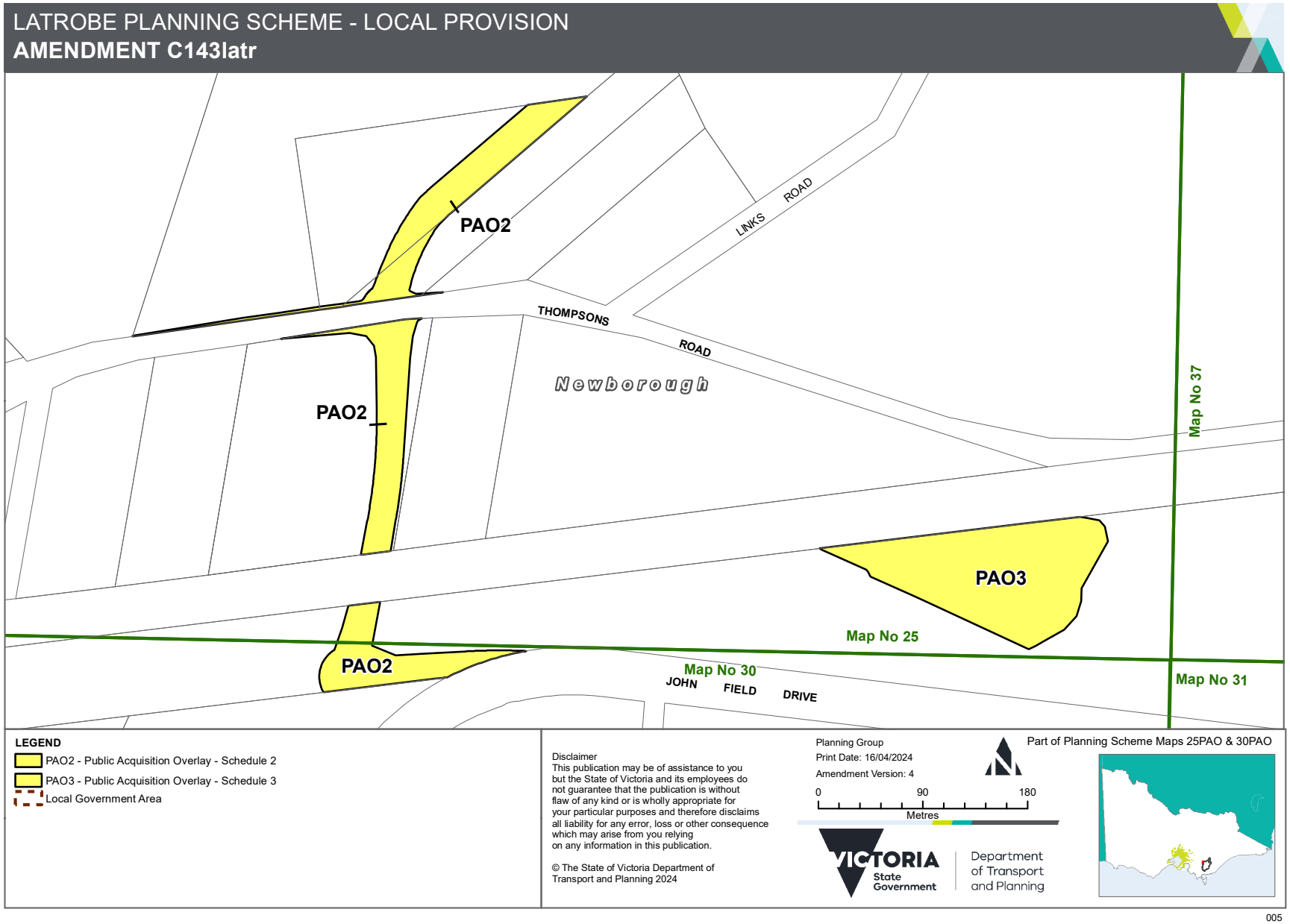
This planning scheme applies the following zones, overlays and provisions to implement the Municipal Planning Strategy and the objectives and strategies in Clauses 11 to 19:

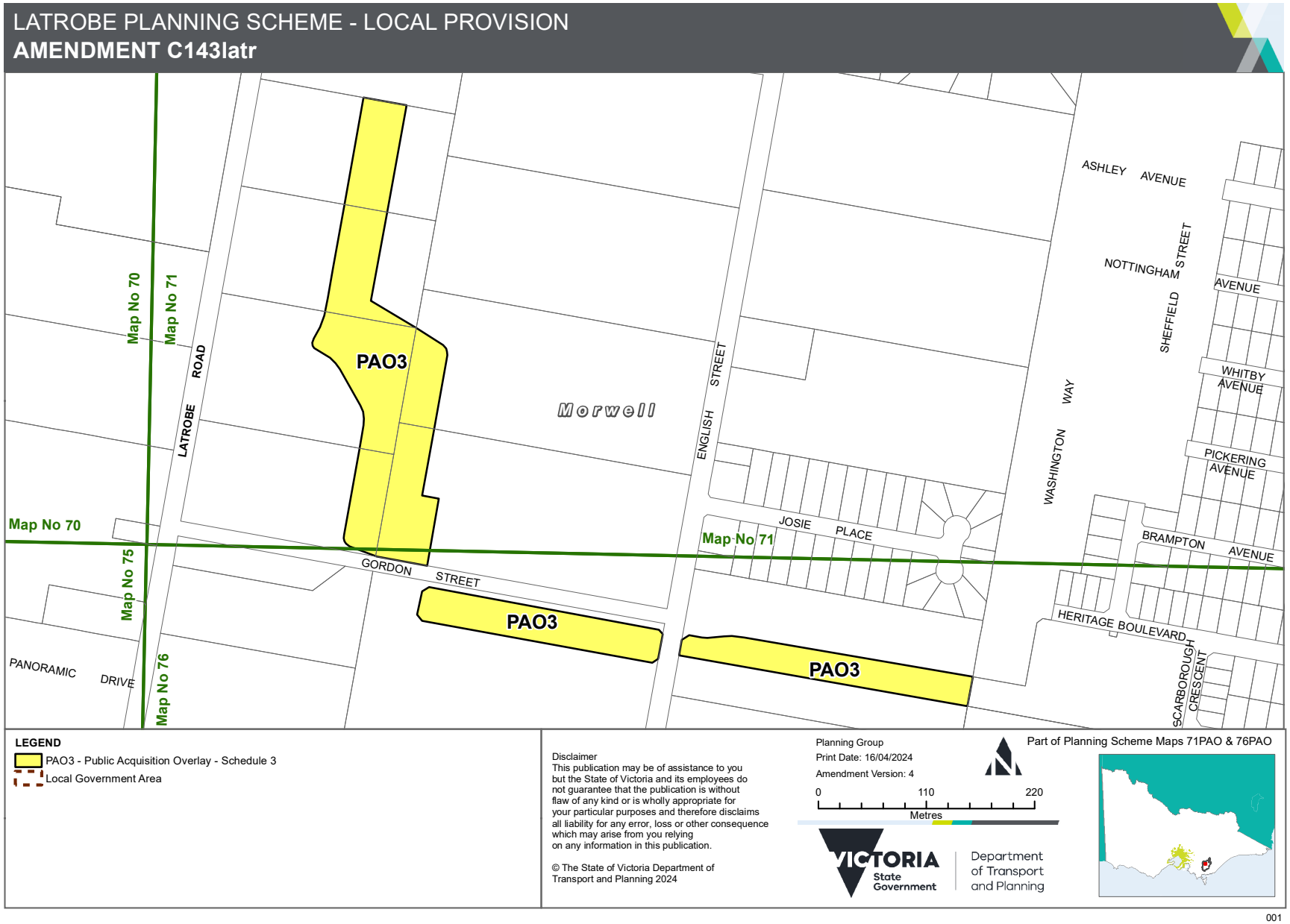
- Activity Centre Zone to the Traralgon and Morwell Activity Centres.
- General Residential Zone, Neighbourhood Residential Zone or the Residential Growth Zone to existing residential areas as identified in the Housing Framework Plans.
- General Residential Zone – Schedule 1 in main towns.
- General Residential Zone – Schedule 4 in small/district towns to 'Future Local Activity Centre or Neighbourhood Activity Centres' when they have been established.
- Urban Growth Zone to land where a precinct structure plan has been prepared or where a strategy has been prepared which identifies that the land is suitable for future urban development.
- Mixed Use Zone to:
  - areas close to town centres with potential for complementary residential, commercial and industrial activities.
  - local and neighbourhood activity centres in the larger urban centres.
- Township Zone generally to small and district towns, particularly the town centres.
- Low Density Residential Zone to larger residential lots on the fringes of the towns that are not within urban growth corridors.
- Industrial 1 Zone to main industrial estates.
- Industrial 3 Zone to light industrial and service industrial areas, and as a buffer between residential areas and the Industrial 1 Zone areas.
- Commercial 1 Zone to principal shopping and principal office areas excluding the Traralgon Activity Centre.
- Commercial 2 Zone to the peripheral sales areas.
- Farming Zone Schedule 1 to commercial agricultural areas.
- Farming Zone Schedule 2 to mixed farming areas.
- Rural Living Zone to areas committed to rural residential type use, including areas in Jeeralang, Yinnar South, Toongabbie, Glengarry, Tyers, Hazelwood North, Hazelwood South, Callignee and Moe South.
- Public Acquisition Overlay to land identified for infrastructure by an Acquiring Authority.
- Public Park and Recreation Zone to public open space areas.
- Schedule to Public Park and Recreation Zone to provide sign requirements for public open space areas based on Latrobe's open space hierarchy.
- Public Conservation and Resource Zone to scenic, natural feature and conservation reserves, State, Regional and National parks, public forest areas and the like.
- Special Use Zone – Schedule 1 over Category A coalfields.
- Special Use Zone – Schedule 2 over the car sales yards along the Princes Highway in Traralgon.
- Special Use Zone – Schedule 3 to the Gippsland Heritage Park in Moe.
- Special Use Zone - Schedule 7 to the Latrobe Regional Airport.

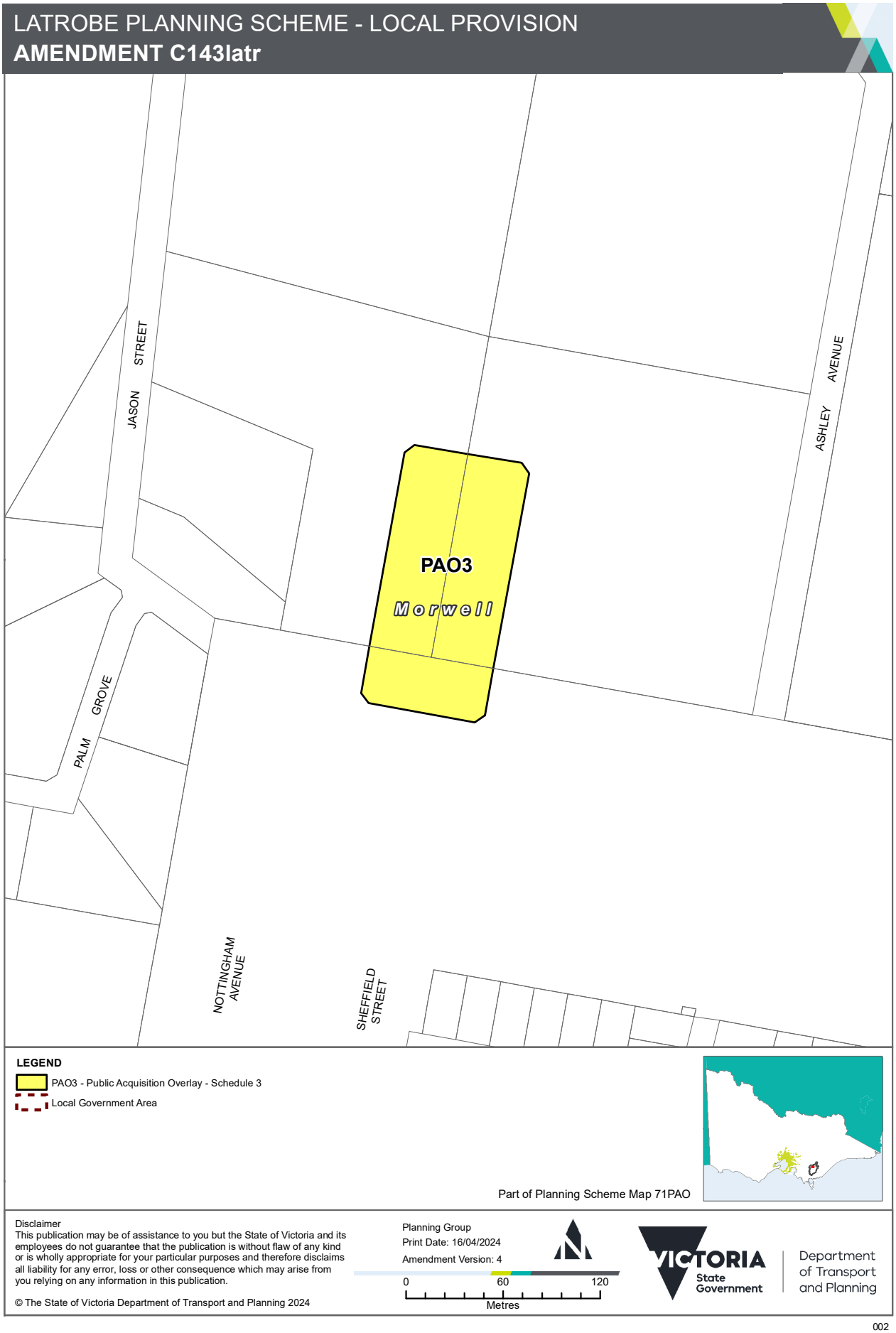
LATROBE PLANNING SCHEME

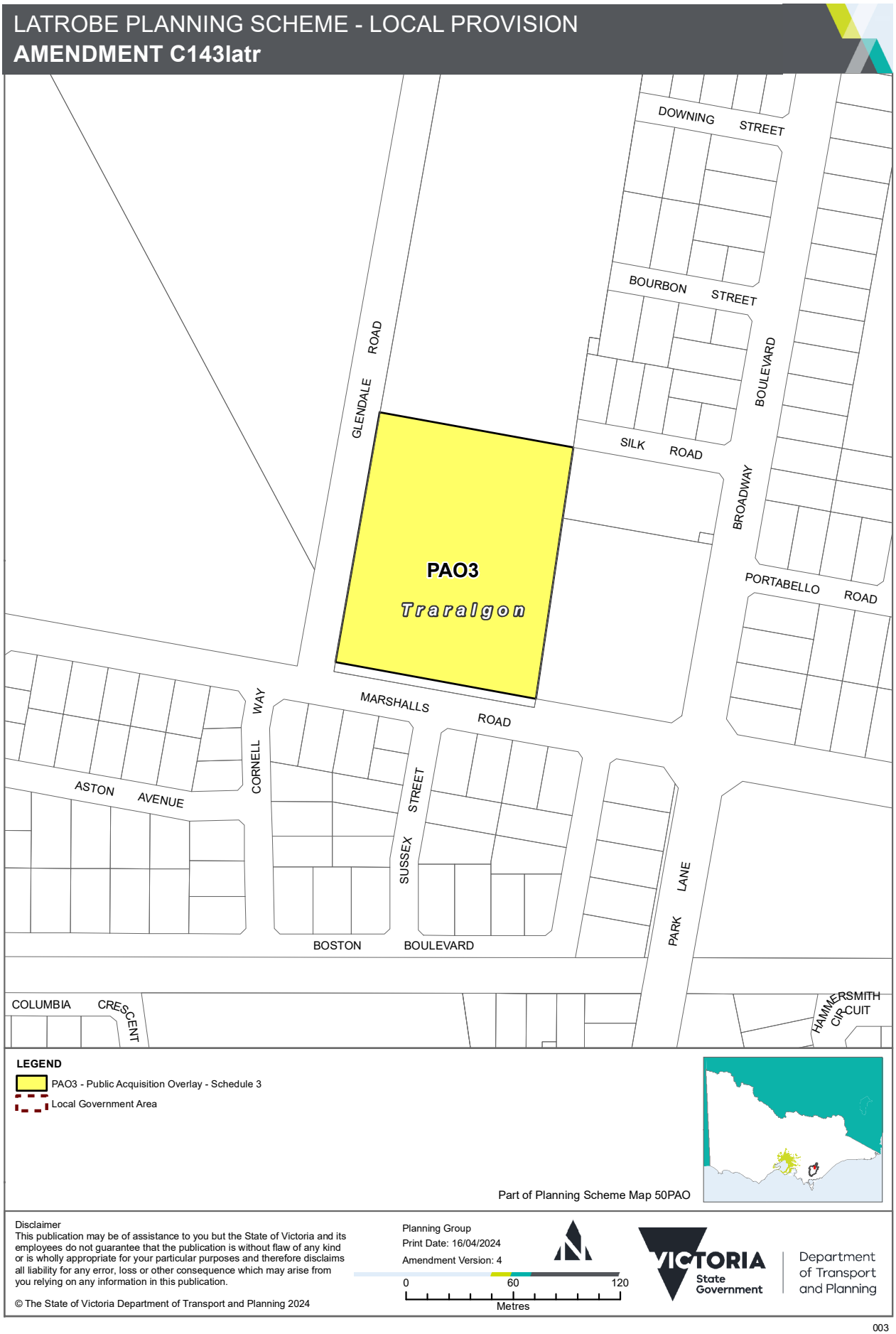
- Development Plan Overlay and or Development Contribution Plan Overlay (including development contribution plans) to future urban growth areas and large undeveloped tracts of land requiring infrastructure, social services, recreation and open space coordination.
- Design and Development Overlays to:
  - areas requiring specific design solutions.
  - to ensure the safe operations of the Latrobe Regional Airport.
- Environmental Significance Overlay to:
  - areas where amenity buffers for coal, heavy industry or other identified uses are required to manage amenity issues and land use conflicts.
  - protect sites, areas and corridors of environmental significance.
- Heritage Overlay to heritage places and precincts.
- Land Subject to Inundation to floodprone areas as identified by the West Gippsland Catchment Management Authority.
- Floodway Overlay to floodprone areas as identified by the West Gippsland Catchment Management Authority.
- Bushfire Management Overlay to bushfire hazard level 2areas where there is potential for extreme bushfire behaviour, consistent with state hazard criteria and mapping.
- Buffer Area Overlay to the notification area of licensed pipelines as identified by Energy Safe Victoria.
- Airport Environs Overlay - Schedule 1 and Schedule 2 to areas impacted by aircraft noise generated by the Latrobe Regional Airport.
- State Resource Overlay – Schedule 1 Gippsland Brown Coalfields to Category B and C areas to identify the balance of the Gippsland coalfields located within the municipality.
- Schedule to Public Open Space Contribution and Subdivision to fund the provision of open space through subdivision levy contributions that are proportionate to the needs of any intensified use resulting from subdivision.


LATROBE PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C143latr
MACPHERSON ROAD
HAYES ROAD
Newborough
PAO2
THOMPSONS ROAD
PAO2
Map No 25
OLD SALE ROAD
HAIGH STREET
Map No 24
Map No 29
Map No 30
LEGEND
PAO2 - Public Acquisition Overlay - Schedule 2
Local Government Area
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Department of Transport and Planning
Part of Planning Scheme Maps 24PAO & 25PAO
004


LATROBE PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C143latr
PAO2
PAO2
PAO2
PAO3
LINKS ROAD
THOMPSONS ROAD
Newborough
Map No 37
Map No 25
Map No 30
Map No 31
JOHN FIELD DRIVE
LEGEND
PAO2 - Public Acquisition Overlay - Schedule 2
PAO3 - Public Acquisition Overlay - Schedule 3
Local Government Area
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VICTORIA State Government
Department of Transport and Planning
Part of Planning Scheme Maps 25PAO & 30PAO
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LATROBE PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C143latr
PAO3
Morwell
Map No 70
Map No 71
Map No 75
Map No 76
LATROBE ROAD
ENGLISH STREET
GORDON STREET
JOSIE PLACE
ASHLEY AVENUE
NOTTINGHAM STREET
AVENUE
SHEFFIELD WAY
WASHINGTON
WHITBY AVENUE
PICKERING AVENUE
BRAMPTON AVENUE
HERITAGE BOULEVARD
SCARBOROUGH CRESCENT
PANORAMIC DRIVE
LEGEND
PAO3 - Public Acquisition Overlay - Schedule 3
Local Government Area
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VICTORIA State Government
Department of Transport and Planning
Part of Planning Scheme Maps 71PAO & 76PAO
001


LATROBE PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C143latr
JASON STREET
ASHLEY AVENUE
PAO3
Morwell
PALM GROVE
NOTTINGHAM AVENUE
SHEFFIELD STREET
LEGEND
PAO3 - Public Acquisition Overlay - Schedule 3
Local Government Area
Part of Planning Scheme Map 71PAO
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VICTORIA State Government
Department of Transport and Planning
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LATROBE PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C143latr
DOWNING STREET
BOURBON STREET
GLENDALE ROAD
BOULEVARD
SILK ROAD
BROADWAY
PAO3
Traralgon
PORTABELLO ROAD
MARSHALLS ROAD
CORNELL WAY
ASTON AVENUE
SUSSEX STREET
PARK LANE
BOSTON BOULEVARD
COLUMBIA CRESCENT
HAMMERSMITH CIRCUIT
LEGEND
PAO3 - Public Acquisition Overlay - Schedule 3
Local Government Area
Part of Planning Scheme Map 50PAO
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Site Assessment: Public Acquisition Overlay 2 (Road Projects)

Latrobe City Council July 2024

1.0 Summary

Latrobe City Council, like most councils in Victoria, has experienced a significant increase in development activity since 2020 and the Covid-19 Pandemic. Much of this activity is occurring in our three main growth areas which are each covered by a Development Contribution Plan (DCP). These DCPs aim to equitably share the cost of infrastructure required to service the growth areas. Whilst the DCP outlines land and projects required to facilitate the delivery of the growth areas, it does not provide a mechanism for Council, as the Delivering Authority of the DCPs, to acquire the land should development not occur in a timely and orderly manner.

This Amendment proposes to resolve this issue by amending the *Schedule to clause 45.01 Public Acquisition Overlay* (PAO) in the Latrobe Planning Scheme to introduce PAO2. PAO2 names Latrobe City Council as the *Acquiring Authority* and that the purpose of acquisition is for road projects. The Amendment will also apply PAO2 to part of 11 properties (12 parcels) in Newborough which are subject to the Lake Narracan Precinct Structure Plan (PSP) and Development Contribution Plan (DCP). The application of PAO2 in the Lake Narracan growth area will facilitate the delivery of three (3) intersection projects and two (2) road widening projects.

1.1 Subject Land

The subject land is located north-east of the urban area of Moe-Newborough and comprises thirteen (13) parcels of land in the Lake Narracan DCP. The address, DCP Property Identifier and the relevant DCP Project the acquisition is being made for, are identified in Table 1. All parcels are in private ownership with a range of development intentions. Figure 1 locates the properties within the township of Newborough. Figure 2 locates where the PAO is proposed to be applied to each property and the DCP project identifier.

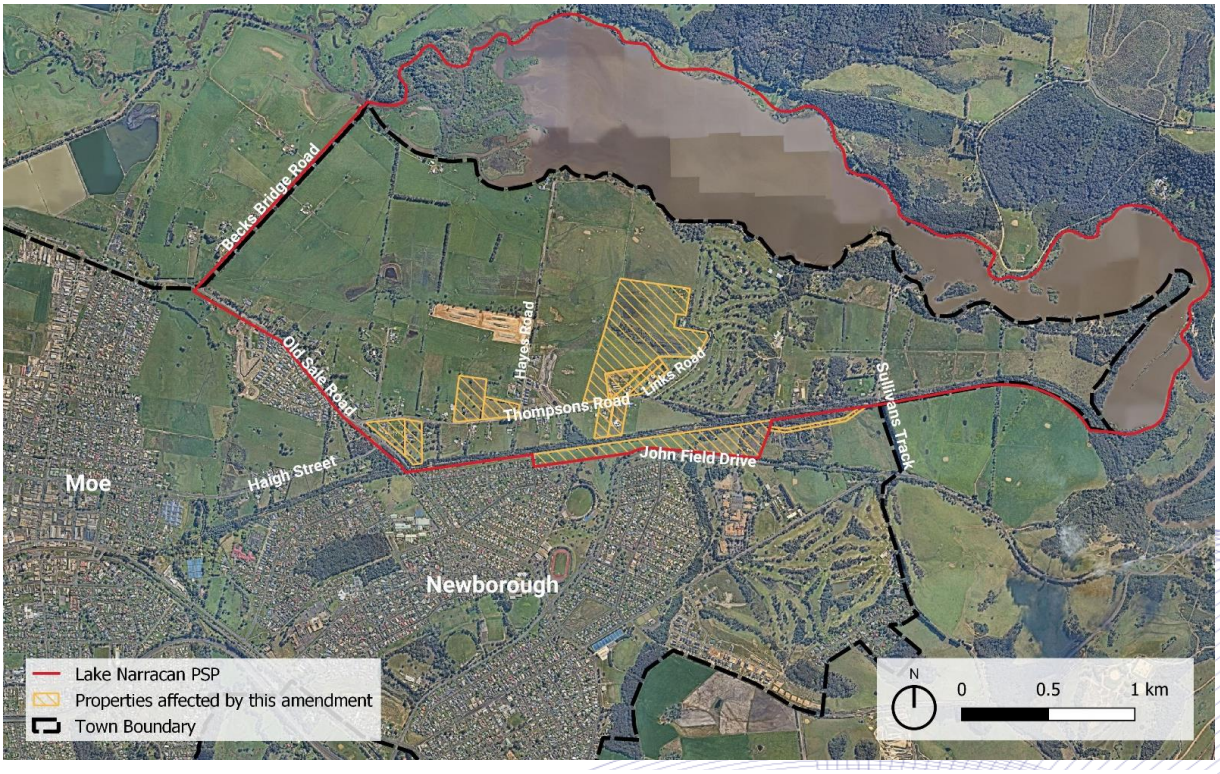


Figure 1: Location of affected properties in Newborough.

Table 1 Properties proposed to have PAO2 applied (to part of).

Property Details	Development Contribution Plan (DCP)	DCP Property Identifier	DCP Project Identification
1 Thompsons Road, NEWBOROUGH – 1\LP142353	Lake Narracan	48	IN-02
3 Thompsons Road, NEWBOROUGH – 2\LP142353	Lake Narracan	49	IN-02
10 Thompsons Road, NEWBOROUGH – 6\LP157245	Lake Narracan	29	RD-01
5 Hayes Road, NEWBOROUGH – 1\LP126050	Lake Narracan	31	RD-01
Links Road, NEWBOROUGH – 2\PS636142	Lake Narracan	33	RD-02
18 Thompsons Road, NEWBOROUGH – 1\TP594736	Lake Narracan	37	RD-02
18 Thompsons Road, NEWBOROUGH – 1\TP248759	Lake Narracan	36	RD-02 & IN-04
20 Thompsons Road, NEWBOROUGH – 3E\PP3273	Lake Narracan	38	IN-04
22 Thompsons Road, NEWBOROUGH – 3H\PP3273	Lake Narracan	39	IN-04
25 Thompsons Road, NEWBOROUGH – 1\TP582048	Lake Narracan	61	IN-04
25A Thompsons Road, NEWBOROUGH – 2\TP582048	Lake Narracan	62	IN-04
710 John Field Drive, NEWBOROUGH – 34\LP121048	Lake Narracan	66	IN-05



Figure 2: Location of proposed PAO in Newborough and facilitated projects.

1.2 Current Zone

The land is currently zoned Urban Growth Zone Schedule 1 (UGZ1)(Figure 3). This Schedule enforces the Lake Narracan Precinct Structure Plan. Clause 2.2 of Schedule 1 outlines the *applied zone provisions*. The use of applied zones ensures development is assessed under the ultimate zone intended for the land once the growth area is delivered. Table 2 outlines the *applied zone provisions* currently in UGZ1 clause 2.2. The current zone was adopted into the scheme by Amendment C86 which was gazetted on 17 December 2015.

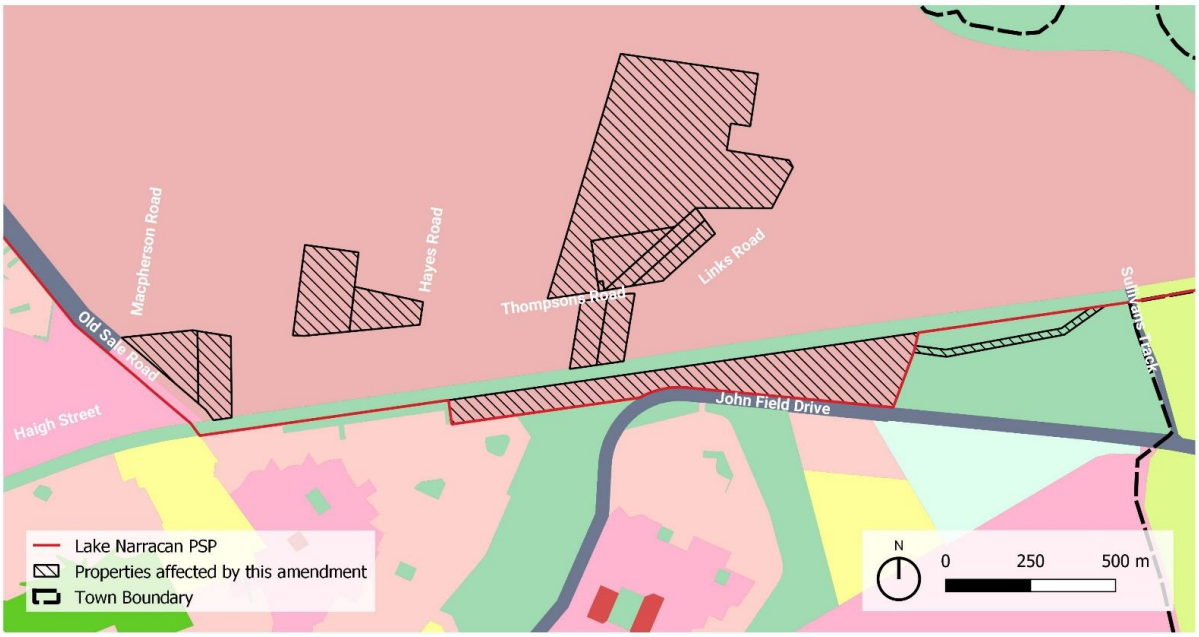


Figure 3: Current Zone of affected properties.

Table 2: Applied zone provisions in UGZ1.

Land use/ Development (Carried out or proposed) generally in accordance with the precinct structure plan applying to the land.	Applied zone provisions
Village Centre	Clause 34.01 – Commercial 1 Zone
Arterial road	Clause 36.04 – Transport Zone 2
Connector street	Clause 36.04 – Transport Zone 3
Land or any lot wholly contained within, 200 metres distance from a village centre	Clause 32.07 – General Residential Zone 1
All other land	Clause 32.08 schedule 1 – General Residential Zone 3

1.3 Current Overlays

One overlay affects the subject land, Development Contribution Plan Overlay Schedule 1. This Schedule was specifically created to implement the Lake Narracan Development Contribution Plan (DCP). The schedule allows Council to collect contributions as outlined in the Lake Narracan DCP without the need for entering into a section 173 agreement. The Development Contribution Plan Overlay was adopted into the scheme by Amendment C86 which was gazetted on 17 December 2015.



Figure 4: Current overlays on affected land.

2.0 History

2.1 Lake Narracan Precinct Structure Plan, Development Contribution Plan and Native Vegetation Precinct Plan

On 11 July 2012 the State Government released *The Latrobe Valley Industry and Employment Roadmap*, which responded to a submission by Latrobe City. This submission, amongst other things, requested assistance in planning Latrobe's growth areas. The roadmap responded by identifying Strategic Direction 6: Enhancing Liveability, New Planning Support for Regional Growth Areas. This direction aimed to accelerate structure planning of new growth areas in regional councils to facilitate land supply and ensure sufficient supply of housing in regional areas.

Council and the Metropolitan Planning Authority (MPA), then Growth Areas Authority (GAA), first reviewed the strategic viability of a growth area on the banks of Lake Narracan in 2013. The GAA's report, published in August 2013, acknowledged that Moe-Newborough was growing but that the planning scheme identified sufficient supply to meet state policy regarding land supply. To ensure the town maintained adequate supply, the report advised that it would be better to plan the growth area now rather than later. It argued

that beginning planning early would help ensure that the negative impacts of a land supply shortage would be avoided.

At the November 2013 Ordinary Council Meeting Council resolved to undertake preliminary community consultation from 11 November 2013 to 13 December 2013. This consultation informed a background report on the growth area prepared by the MPA. The background report identifies a range of opportunities and restrictions including landscape and character, servicing and infrastructure requirements, and environmental factors. The MPA published their background report on Lake Narracan in June 2014.

Council and the MPA undertook public consultation on the draft Lake Narracan PSP, DCP and NVPP from the 1 August 2014 to 29 August 2014. The final documents were adopted by Council at the 15 December 2014 Ordinary Council Meeting.

2.2 Rezoning to Residential

The current zone was implemented into the Latrobe Planning Scheme by Amendment C86. At the 15 December 2014 Ordinary Council Meeting, Council resolved to request the Minister for Planning to prepare a Planning Scheme Amendment under Section 20(4) of the Planning and Environment Act 1987 to implement the Lake Narracan PSP into the Latrobe Planning Scheme. Section 20(4) of the Planning and Environment Act 1987 allows the Minister for Planning to undertake amendment without exhibition or notification. Council requested this due to the extensive consultation undertaken while preparing the Lake Narracan PSP and associated documents.

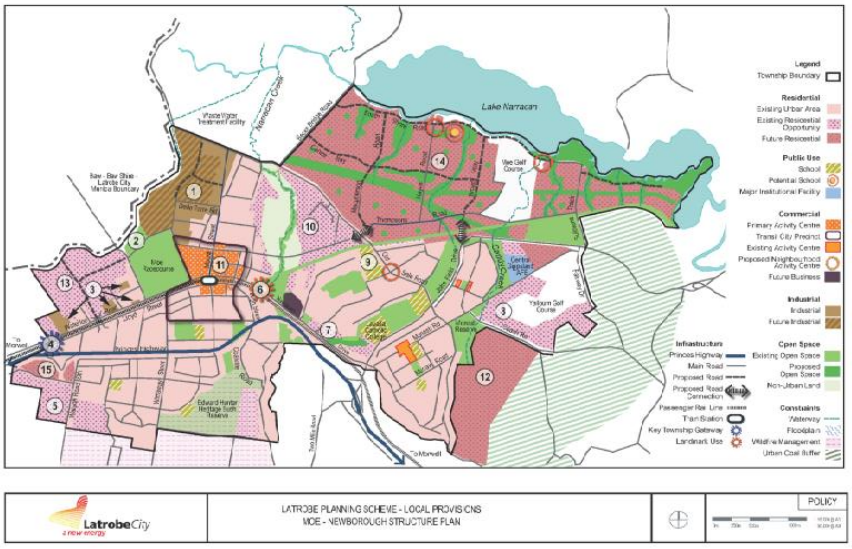


Figure 5: Moe-Newborough Town Structure Plan adopted by Amendment C86.

Amendment C86 rezoned all the land within the Lake Narracan PSP to Urban Growth Zone Schedule 1, applied the Development Contribution Plan Overlay Schedule 1, and updated the Moe-Newborough Town Structure Plan (Figure 5). Amendment C86 was gazetted on the 17 December 2015.

Prior to Amendment C86, the properties were zoned a mix of Residential 1, Rural Living 6, and Farming Zone, see Table 3 below. This zoning reflected the Moe-Newborough Town Structure Plan prior to Amendment C86 (Figure 6) which designated the land north of the Moe-Yallourn Rail Trail and north of Old Sale Road, as being outside the town of Moe-Newborough. 710 John Field Drive was within the town boundary as it is south of the rail trail. It was therefore previously zoned Residential 1 but undeveloped at the time of the amendment.

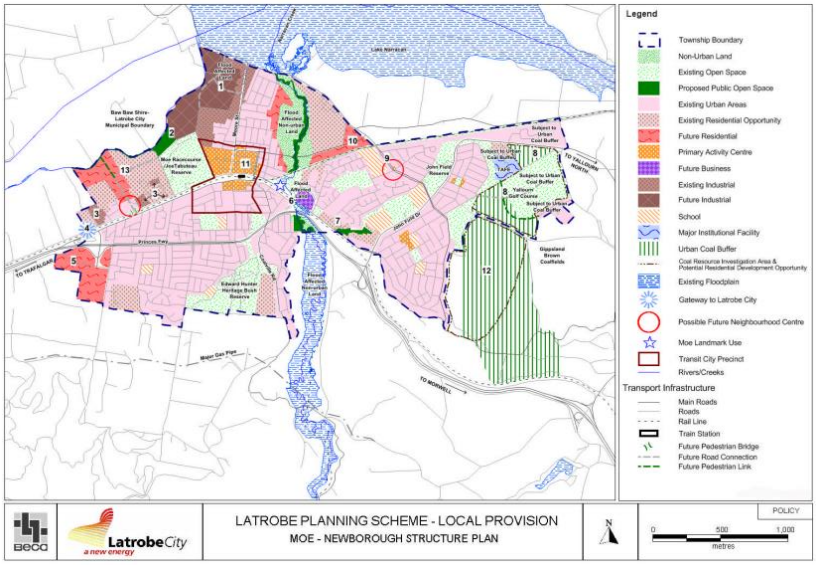


Figure 6: Moe-Newborough Town Structure Plan prior to Amendment C86.

Prior to Amendment C86, clause 21.05 identified that residential growth should be accommodated in areas 5, 10 and 13 of the Town Structure Plan and to resolve issues with the Environmental Significance Overlay to allow residential growth in areas 8 and 12. With the exception of area 12, the areas identified for growth were all within the then town boundary. Moe-Newborough had limited opportunities to grow the town boundary due to a range of environmental factors and State objectives in the Planning Scheme. The Environmental Significance Overlay defines the eastern edge of Newborough. This overlay is designed to keep urban development a safe distance from Yallourn Coal Mine and power stations. The southern edge is defined by hilly terrain which is heavily vegetated with native vegetation. This area, if developed, would be exposed to significant fire hazard, and require significant loss of native vegetation. Expansion westward can be accommodated but is limited due to the close proximity of the municipal boundary to Moe and the hilly terrain to the south. Expansion north west is not possible due to the town already abutting the municipal boundary and floodplain. Clause 21.05 (Municipal Strategic Statement – Main Towns) contained written policy to maintain a non-urban break between Moe and neighbouring settlements to the west in Baw Baw Shire. North east in contrast, is relatively flat cleared farmland gently sloping down to Lake Narracan, with native vegetation confined to the banks of the lake and distinct patches. Therefore, growth north east towards Lake Narracan was identified as the only practical option for Moe-Newborough to grow. The concept of lakeside living was also seen as a major selling point with the potential to introduce a unique lifestyle to Latrobe City. This unique lifestyle would be further enhanced by the fact that the Moe Golf Club already existed on the banks of Lake Narracan.

Table 3: Zone of affected properties prior to Amendment C86.

Property	Zone prior to Amendment C86 (17 December 2015)
1 Thompsons Road, NEWBOROUGH – 1\LP142353	Rural Living Zone – Schedule 6
3 Thompsons Road, NEWBOROUGH – 2\LP142353	Rural Living Zone – Schedule 6
10 Thompsons Road, NEWBOROUGH – 6\LP157245	Rural Living Zone – Schedule 6
5 Hayes Road, NEWBOROUGH – 1\LP126050	Rural Living Zone – Schedule 6
Links Road, NEWBOROUGH – 2\PS636142	Farming Zone
18 Thompsons Road, NEWBOROUGH – 1\TP594736	Farming Zone
18 Thompsons Road, NEWBOROUGH – 1\TP248759	Farming Zone
20 Thompsons Road, NEWBOROUGH – 3E\PP3273	Farming Zone
22 Thompsons Road, NEWBOROUGH – 3H\PP3273	Farming Zone
25 Thompsons Road, NEWBOROUGH – 1\TP582048	Rural Living Zone – Schedule 6
25A Thompsons Road, NEWBOROUGH – 2\TP582048	Rural Living Zone – Schedule 6
710 John Field Drive, NEWBOROUGH – 34\LP121048	Residential 1 Zone

2.2 Development Activity in the precinct

Historically, development activity in the precinct has been low. Council received two staged multi-lot subdivision permit applications in 2016, these permits were granted in December 2016 (670 residential lots) and June 2018 (314 residential lots). A third multi-lot staged subdivision was received in 2021 and granted in May 2022 (316 residential lots). The first lots titled under these permit approvals were issued in September 2022. Council currently has 5 stages (203 residential lots in total) undergoing approval with more expected to be lodged over the next 12 months. Council Officers are aware of at least three properties whose owners are likely to apply for development permits in the next 12 months. Council Officers are also aware of three properties on the market being advertised based on their subdivision potential. Council Officers have handled multiple enquiries from prospective purchasers seeking to understand the planning requirements of the land. The current state of activity in the precinct is displayed in Figure 7.

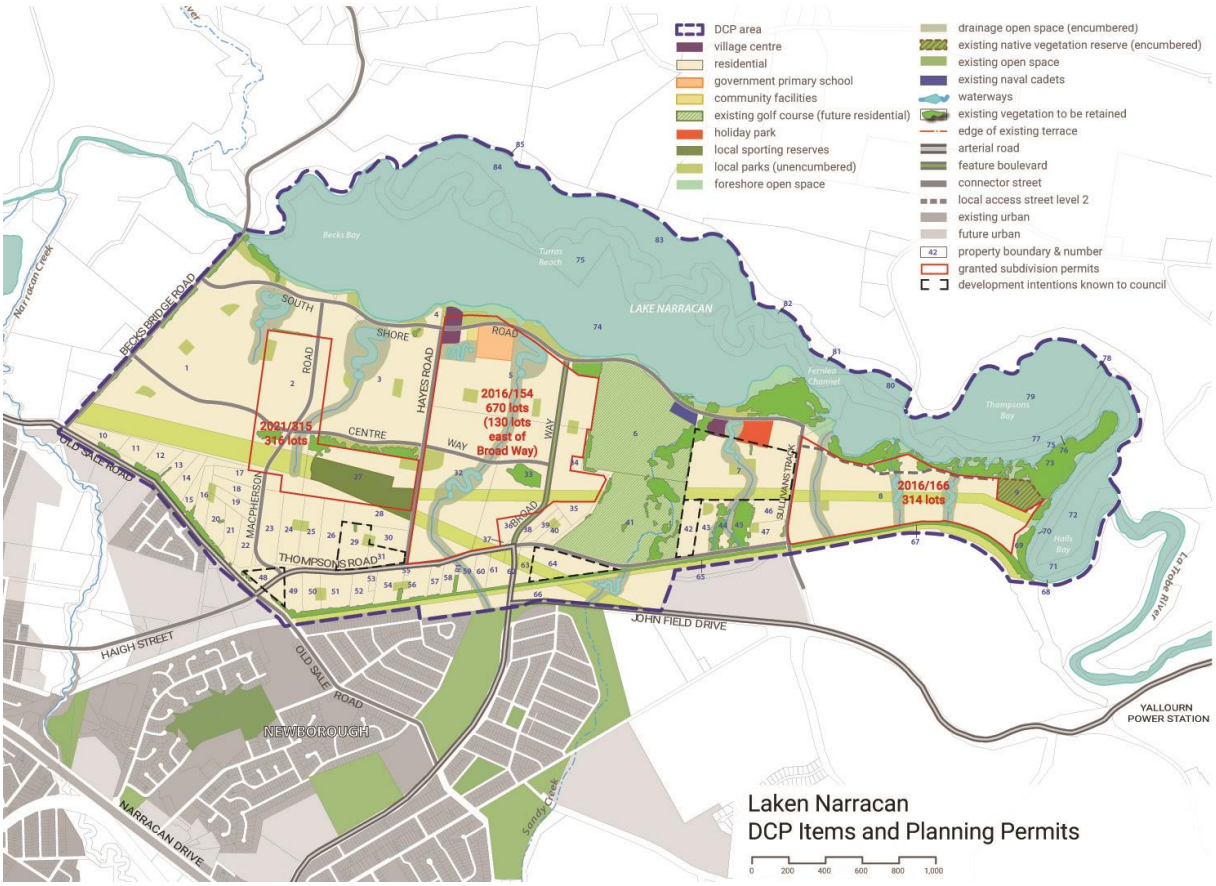


Figure 7: Development activity as of January 2024.

2.3 Property Titles

All property titles listed in Table 1 were reviewed to identify any restrictions on title which would/or may conflict, prevent, or detrimentally affect the acquisition of land via a PAO. Only one property was identified as having a restriction which may pose an issue - 2\PS636142.

2\PS636142 contains a Section 173 agreement requiring the payment of development contributions to Latrobe City Council in accordance with the Development Contribution Schedule contained within the agreement. This agreement is a result of a condition in permit 2016/154 (see Figure 7 above for extent of permit). This agreement does contain the transfer of land for DCP project RD-02 but only at the time of subdivision of the relevant stage. Acquiring at the time of subdivision is Councils preferred option. However, it is prudent, given RD-02 forms part of a key arterial road for Moe-Newborough and the growth area, that a secondary means to acquire the land is in place should the delivery of development under 2016/154 stall.

3.0 Proposed Change

The proposal is to amend the Latrobe Planning Scheme by:

- Introducing PAO2 into the Schedule to Clause 45.01 PUBLIC ACQUISITION OVERLAY, naming Latrobe City as the acquiring authority for this number, and specifying the purpose of acquisition as for 'Road projects.'
- Applying PAO2 to part of the 11 properties, listed in Table 1, spread across maps 24, 25 and 30.
- Altering the schedule to Clause 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF? to reference PAO2 on maps 24, 25 and 30.
- Altering the schedule to Clause 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS to outline how the Public Acquisition Overlay implements the Municipal Planning Strategy.

The location of PAO2 on each property can be seen in Figure 8 and Figure 9 below.

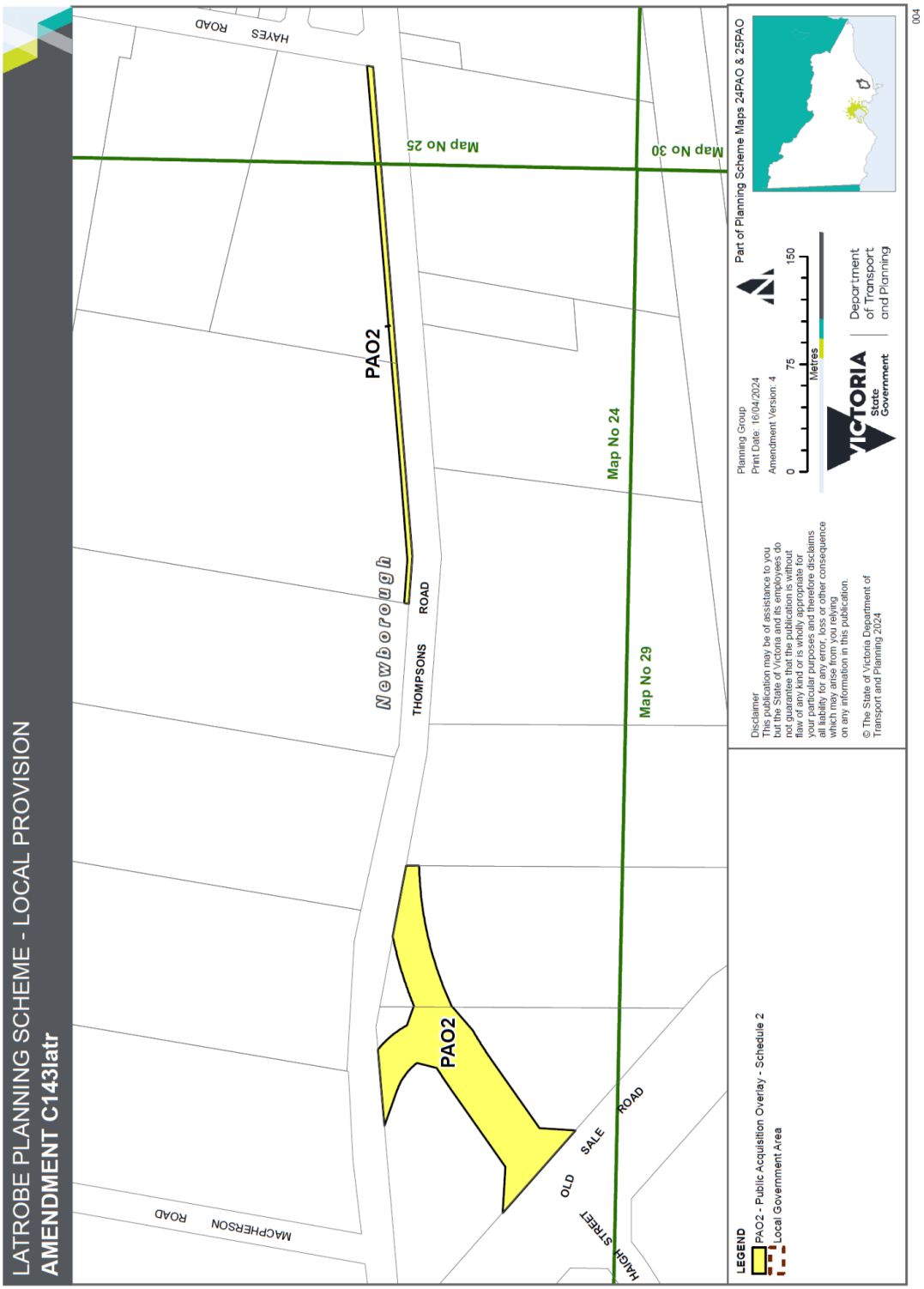


Figure 8: Extent of PAO required for DCP projects IN-02 and RD-01.

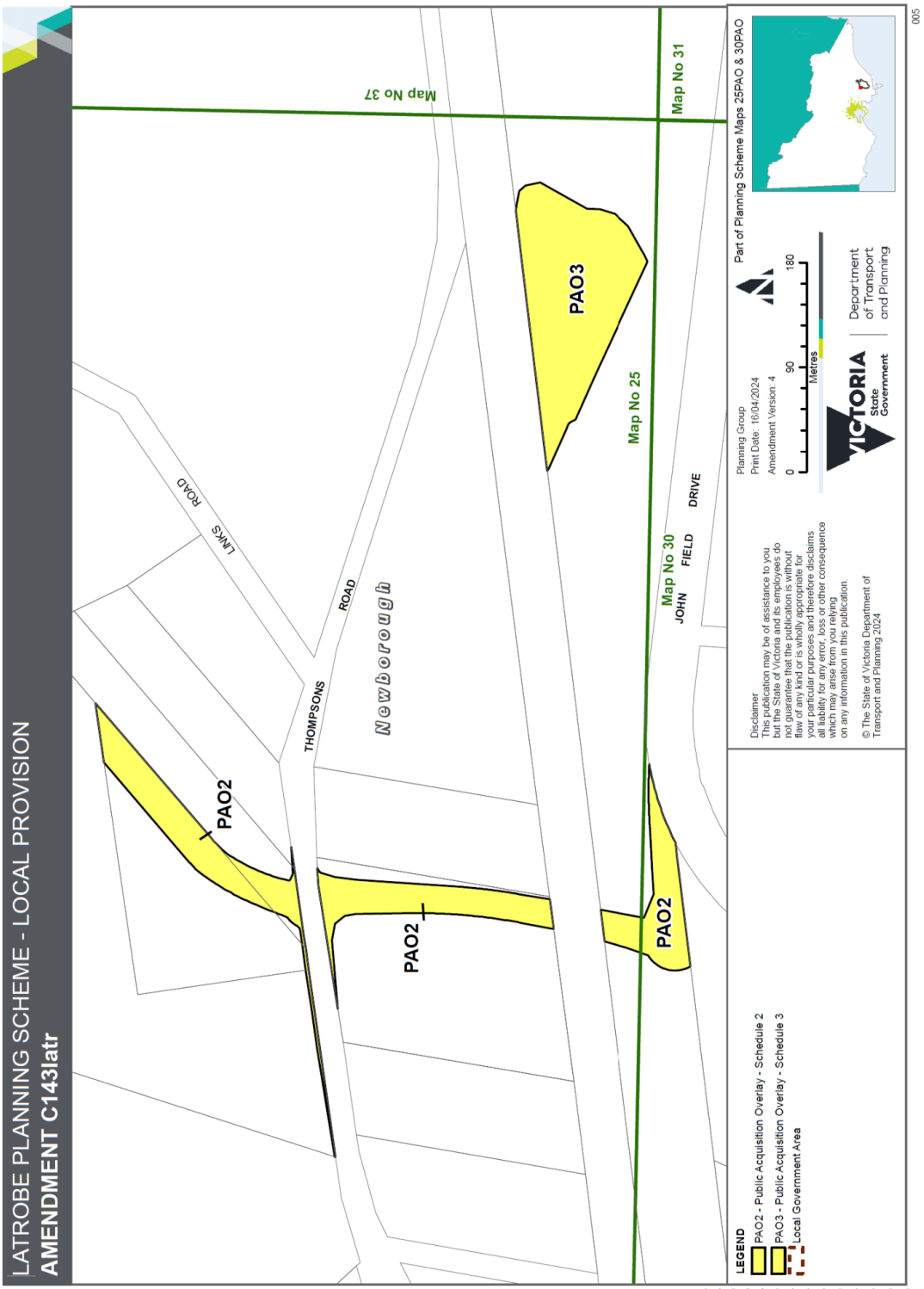


Figure 9: Extent of PAO required for DCP projects IN-04, IN-05 and RD-02.

4.0 Relevant Policy

4.1 Lake Narracan Precinct Structure Plan and Development Contribution Plan

The Lake Narracan PSP and Lake Narracan DCP are each an incorporated document in the Latrobe Planning Scheme – Clause 81. As these documents are incorporated documents, they must be addressed like any other requirement in the scheme if triggered.

Lake Narracan PSP and DCP were prepared by the Metropolitan Planning Authority (MPA), now Victoria Planning Authority (VPA), in partnership with Latrobe City Council, agencies and authorities, and the local Moe-Newborough community. The PSP covers approximately 604 hectares of land along the banks of Lake Narracan. The PSP is bounded by Lake Narracan to the north and east, Becks Bridge Road and Old Sale Road along the west and Moe – Yallourn Rail Trail and John Field Drive along the south. The PSP primarily provides for residential development and is estimated to accommodate 3,723 dwellings. The PSP will also provide for 3000 square metres of commercial land across two 'village centres', 33.148 hectares of public open and recreation space, 104.388 hectares of restored waterways and habitat, and a school and a community hub. The PSP provides a significant population increase to the Moe-Newborough town. By significantly expanding the local population the PSP aims to improve the commercial viability of the Moe Activity Centre and, by extension, improve local employment opportunities.

The DCP allows Latrobe, as the nominated collecting authority, to collect a Development Infrastructure Levy towards 36 projects and a Community Infrastructure Levy towards a further five (5) projects. These projects are spread across seven categories: Intersections, roads, culverts, open space, community facilities, wetlands, and waterways. These projects are key to ensuring the new urban area will have a high liveability standard. The natural environment will also be improved through the provision of new wetlands and upgraded waterways which will improve the quality of water running into Lake Narracan and the greater Latrobe River system. The collecting authority is then required to spend the collected contributions as described in the DCP as and when the DCP identifies a project will be triggered. Most projects are triggered at the time of subdivision. Other projects have specific indicative triggers outlined in the DCP.

Costs in the DCP have been calculated on the basis of 337.66 developable hectares which will yield 3,723 dwellings. Costs in the DCP are reviewed annually with updated costs and levies published to Councils website in accordance with the Planning and Environment Act 1987 and relevant State Government guidelines.

It is proposed to apply PAO2 to thirteen properties in Newborough as Council Officers have come to the belief that five road projects are nearing their indicative trigger (see Table 4). Current subdivision approvals mean that 444 lots have been approved east of Broad Way, and 856 lots west of Broad Way. To date, only 32 lots west of Broad Way have had titles issued, with zero titles issued to the east, therefore dwelling approvals are not at the indicative trigger.

Whilst the number of titles issued is still low, most of the land identified for acquisition is not yet subject to a planning permit (with the exception of property 36). This means that should no further new applications be received, Council will not be able to take ownership of the required land through the subdivision process. Therefore, it is appropriate, and in accordance with the aims of the DCP, that Council provide alternative means to acquire the land identified in the DCP to ensure infrastructure can be built when required. Applying PAO2 to the identified properties provides this alternative means.

Table 4: DCP project description as per the Lake Narracan DCP.

DCP Project Identification	Description of the project	Indicative provision trigger
IN-02	Purchase of land from property 23, 48 and 49 and construction of realigned Thompsons Road to link to existing Old Sale Road roundabout and construction of unsignalised T intersection at Macphersons Road.	The approval of 250 new dwellings west of Broad Way or 400 turning movements at the existing intersection of Thompsons Road and Old Sale Road
IN-04	Purchase of land from property 36, 38, 39, 61 and 62 and construction of arterial standard roundabout and Broad Way approach.	The approval of 650 new dwellings east of Broad Way
IN-05	Purchase of land from property 66 and construction of arterial standard roundabout, connections to existing John Field Drive and Broad Way approach.	The approval of 650 new dwellings east of Broad Way
RD-01	Purchase of land adjacent from property 29 and 31 for widening of Thompsons Road and construction of 24.0m wide 2 lane arterial boulevard.	At time of subdivision
RD-02	Purchase of land adjacent from property 32, 33 and 37 for widening of Thompsons Road and construction of 24.0m wide 2 lane arterial boulevard.	At time of subdivision

4.2 Guide to Victoria's Planning System (Chapter 6: Acquisition and Compensation) and relevant legislation

The *Guide to Victoria's Planning Scheme* is a document published by the State Government which outlines administrative procedures and technical interpretations of the Planning and Environment Act, functions and requirements of planning schemes and other supporting Acts. Chapter 6 specifically outlines:

- who can compulsorily acquire land;
- when compulsory acquisition is allowed;
- how to compulsorily acquire land;
- when compensation is required; and how it is to be calculated; and
- when and how to use the Public Acquisition Overlay.

Who can compulsorily acquire land?

The Land Acquisition and Compensation Act 1986 defines that only Authorities can compulsorily acquire land. In this Act, an Authority is defined as a person or body authorised under the special Act to acquire land. The special Act is not a specific Act, rather it is a clause in either an Act or regulation which states

that the Act or regulation is the special Act for the purposes of the Land Acquisition and Compensation Act 1986.

Section 172(3) of the Planning and Environment Act 1987 designates the Planning and Environment Act 1987 as the special Act for the purposes of the Land Acquisition and Compensation Act 1986. It also states that both the Minister for Planning and the responsible authority can be the Authority under the Land Acquisition and Compensation Act 1986.

What land can be compulsorily acquired?

Section 172(1) of the Planning and Environment Act 1987 states that:

> *"The Minster for Planning or the responsible authority may compulsorily acquire–*
>
> *(a) any land which is required for the purposes of any planning scheme even if the scheme or an amendment to the scheme including the requirement has not been adopted or approved by the relevant planning authority or approved by the Minister; or*
>
> *(b) any land which—*
>
> > *(i) is used for any purpose not in conformity with, whether or not actually prohibited by, the planning scheme; or*
> >
> > *(ii) is vacant and unoccupied—*
>
> *if in the opinion of the Minister or the responsible authority to achieve the proper development of any area in accordance with the planning scheme it is desirable that the use should not be continued or (as the case requires) that the land should be put to appropriate use; or*
>
> (c) any land in an area in respect of which a declaration under subsection (2) is in force."

Subsection 2 is for when the Governor in Council (Governor of Victoria) has issued a notice in the Government Gazette to declare an area where it is desirable for the Minister for Planning or a responsible authority to compulsorily acquire land.

Latrobe City Council is the responsible authority for the Latrobe Planning Scheme and therefore can under section 172 acquire land for the purposes of the planning scheme. This report outlines that the projects identified are for the purpose of the planning scheme as they are part of an incorporated document in the Latrobe Planning Scheme (Lake Narracan DCP). Therefore, it is appropriate to identify the land for compulsory acquisition to ensure proper development as per the planning scheme.

Latrobe City Council is not proposing to act under Section 112 of the Local Government Act 2020. Section 112 nominates the Local Government Act 2020 as a special Act and allows Councils to compulsorily acquire land for the purposes of performing its functions i.e., the provision of stormwater systems or local roads. Whilst this report does identify the acquisition of land for road projects, these projects are required because of the planning scheme. Acting under Section 112 would be appropriate if Council desired to expand an existing wetland or road to aid its normal functions.

How to compulsorily acquire land

The Land Acquisition and Compensation Act 1986 outlines the process to legally compulsorily acquire land. If the process is not followed the acquisition is not legal.

Before compulsory acquisition can begin, the land must first be reserved "under a planning instrument for public purposes" (Section 5 (1)). The Guide specifies that the practical meaning of this section is that the Public Acquisition Overlay (PAO) has been applied to the relevant land. The Victorian Planning Provisions

(VPP) contain a number of options to identify land for public purposes i.e. Public Use Zone, however they can only be applied when the land is owned by a public authority. The PAO is one of two tools in the VPP which can reserve land for a public purpose where the land is privately owned. The other tool is an Infrastructure Contributions Plan (ICP). The projects Council has identified are not part of an ICP and therefore the only tool available is the Public Acquisition Overlay.

Regulation 6 of the Land Acquisition and Compensation Regulations specifies two exemptions where land is not required to be reserved before beginning. These are:

> *"(a) land to be acquired for a road widening or the deviation of a road if the land is only part of an allotment and-*
>
> > *(i) the area of the land to be acquired is less than 10 per cent of the total area of the allotment; and*
> >
> > *(ii) the total value of the interest to be acquired is less than 10 per cent of the value of the unencumbered freehold interest in the total area of the allotment;*
>
> *(b) land over which an easement is to be acquired if the acquisition of that easement will not reduce the value of the unencumbered freehold interest in the allotment by more than 10 per cent."*

4.3 Municipal Planning Strategy

Clause 2.03-1 Settlement

Clause 2.03-1 outlines municipal policy relating to settlements. In this clause Moe-Newborough is identified as one of four primary population centres in Latrobe and identified for further growth. The proposed change will facilitate the delivery of residential subdivisions. This is in accordance with the aims identified in the clause whereby the proposal 'supports' both residential growth and the creation of a peri-urban lifestyle option near Melbourne. Thereby supporting the aim of clause 2.03-1 to encourage residential growth in the four primary population centres.

Clause 2.03-6 Housing

Clause 2.03-6 notes that Latrobe aspires to a population of 100,000 by 2050. Lake Narracan PSP contributes to the significant supply of residential land needed to accommodate 100,000 people. The Lake Narracan DCP identifies the projects listed in Table 4 as being critical to the delivery of the growth area. Therefore an amendment which facilitates the delivery of housing is in accordance with 2.03-6.

Clause 2.03-9 Infrastructure

Clause 2.03-9 specifically discusses development infrastructure and how Council should seek to coordinate the delivery of infrastructure. An objective of this clause is to seek to "align development with the delivery of key infrastructure…". The proposal meets this objective as it seeks to reserve the land such that Council can acquire the land when it is required by development in the precinct. Without this proposal, Council will not be able to acquire the land in a timely manner when development in the precinct necessitates it.

4.4 Planning Policy Framework

Clause 11 Settlement

At a high level, clause 11 outlines that planning's purpose is to *"facilitate sustainable development that takes full advantage of existing settlement patterns…".* Lake Narracan is a natural extension of the northern fringe of Moe-Newborough. The PSP is designed to extend Haigh Street and John Field Drive into the growth area as the primary routes into Moe and Newborough respectively. By using existing primary routes, the growth takes full advantage of existing road hierarchy. IN-02 will directly feed Thompsons Road into Haigh Street for onward travel to the Moe activity centre, while IN-04 and IN-05 will provide direct access to the many sports facilities in Newborough.

Clause 11.01-1L Moe-Newborough

Under clause 11.01-1L is the Moe-Newborough Town Structure Plan. This plan outlines a variety of objects and strategies (both visually and in writing). The road links which the application of the PAO will facilitate, are identified in the Town Structure Plan. This means the provision of these links must be considered under any change to policy in the scheme or permit application. The application of the PAO will ensure that these road alignments are protected until such time as they are needed.

Clause 13.06-1S Air quality management

This clause is aimed at improving air quality through good planning. This Amendment is in line with two of the strategies identified in this clause:

- Integrating transport and land use planning to improve transport accessibility and connections
- Providing infrastructure for walking, cycling and public transport.

The Lake Narracan PSP and DCP were designed in consultation with the relevant road and public transport agencies of the time thus ensuring that the transport provisions made in the PSP and DCP are proportional to the development expected and any existing transport patterns. This is in accordance with point one.

The PSP specifies which roads are to be bus capable, of which Thompsons Road and Broad Way are designated.

The projects facilitated by this proposal will also add road connections to improve accessibility – IN-04 and IN-05 linking Thompsons Road south to John Field Drive. This link is a missing connection which is likely to be heavily utilised once the growth area is developed.

Clause 18.01-1S Land use and transport integration

This clause requires land use planning and transport planning to improve access to social, cultural and economic options. Suggested strategies which relate to the proposal include:

- *Protect planned transport infrastructure from encroachment or detriment that would impact deliverability or future operation* – applying the PAO will achieve this as any development within the overlay will require a planning permit.
- *Plan land use and development to allow for the ongoing improvement and development of the State Transport System in the short and long term* – the PSP and DCP were prepared in consultation with the relevant road authority. Thus, planned improvement was considered at that time on the advice of the road authority. The PSP contains requirements which will see Thompsons Road rebuilt to a profile befitting a key movement corridor in an urban area.

- *Plan movement networks and adjoining land uses to minimise disruption to residential communities and their amenity* – the network identified in the PSP will ensure through traffic is separated from urban streets. The intersections facilitated by this proposal will be key to achieving this in practice.
- *Plan the timely delivery of transport infrastructure and services to support changing land use and associated transport demands* – the DCP outlines the timely delivery of infrastructure, but it does little to empower Council to collect land required for DCP projects from landowners uninterested in developing. The proposal will allow Council to compulsorily acquire land, in accordance with the Land Acquisition and Compensation Act 1986, thus ensuring transport infrastructure can be delivered when necessary.
- *Plan improvements to public transport, walking and cycling networks to coordinate with the ongoing development and redevelopment of urban areas* – the road and intersection projects facilitated by the proposal will all result in dedicated walking and cycling infrastructure through the provision of bike lanes and footpaths. Due to the current rural nature of the growth area, this infrastructure is not present.

Clause 18.01-2S Transport system

This clause requires the development of efficient, and reliable transport networks and to integrate land use planning and transport planning to improve access to social cultural and economic options. Suggested strategies which relate to the proposal include:

- *Facilitates the efficient, coordinated and reliable movement of people and goods at all times* – the projects facilitated by the proposal have been identified by the DCP because without the projects, the scale of development proposed in the PSP will result in significant negative impacts to the reliability of transport in Moe-Newborough.
- *Improves connectivity and facilitates the growth and development of regional Victoria* – the road network made possible by the proposal will improve east-west and north-south movements within Moe-Newborough. The improved connections to central Moe and the sports fields of Newborough will improve the growth area's attractiveness referencing its development potential.

Clause 18.01-2R Transport system - Gippsland

This clause specifically states to support timely improvements to the road and public transport networks in Gippsland as population growth occurs. The proposal is central to achieving this aim. Without the proposal, Council may be challenged to deliver projects identified in the DCP as they would not have the right to compulsorily acquire land.

Clause 18.02-4S Roads

The clause speaks to achieving an efficient and safe road network. The key relevant strategy is:

- *Improve cross-town arterial links in outer suburbs and growth areas, including circumferential and radial movement to facilitate access to jobs and services* – IN-02 will realign an intersection to make a direct route into central Moe from the growth area, IN-04 and IN-05 will create a direct access route into Newborough. RD-01 and RD-02 are required to accommodate the road cross-section specified in the PSP. This cross-section was designed in consultation with the relevant roads authority at the time. The PAO is required so that Council can compulsorily acquire the land when required.

Clause 19.03-1S Development and infrastructure contributions plans

This clause aims to ensure the timely provision of planned infrastructure to communities through the use and implementation of DCPs. Council has prepared a DCP and is seeking to implement the infrastructure contained in it when it is identified as necessary. However, some infrastructure is located on land yet to receive development permission. Therefore the application of the proposal will allow Council to acquire the necessary land when planned infrastructure is required.

4.5 Clause 45.01 Public Acquisition Overlay

Clause 45.01 outlines four key purposes of the Public Acquisition Overlay.

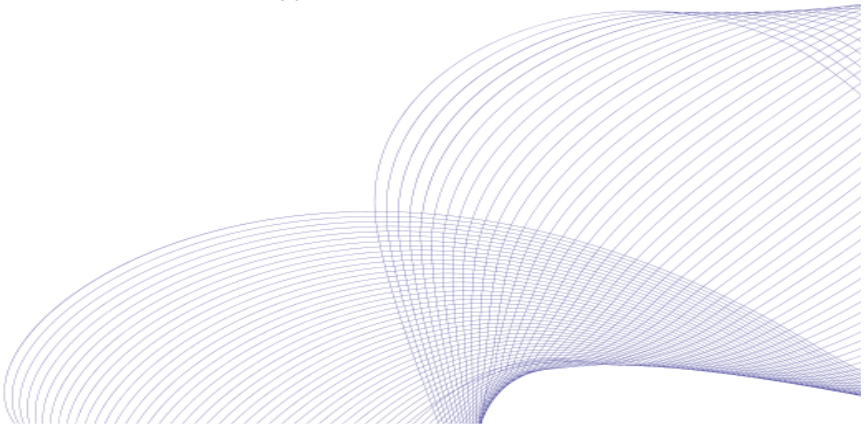
- *To implement the Municipal Planning Strategy and the Planning Policy Framework* – how the proposal achieves this has been outlined in sections 4.3 and 4.4.
- *To identify land which is proposed to be acquired by a Minister, public authority or municipal council* – this proposal seeks to amend the scheme such that the land required for road projects in the Lake Narracan DCP is shown clearly by the use of the PAO on the land.
- *To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired* – the application of the PAO now while land in the precinct is still relatively undeveloped, will minimise the loss landowners experience when land is acquired as the PAO will provide a clear expectation that no development is to occur on the affected land.

5.0 Interest and Advice

The proposal to apply the Public Acquisition Overlay to facilitate the identified DCP projects in Lake Narracan has come from Council Officer concerns, not from a private party, nor state authority or agency. Council is seeking to apply the PAO to protect the land required for DCP projects. It is not seeking to deliver the projects at this stage.

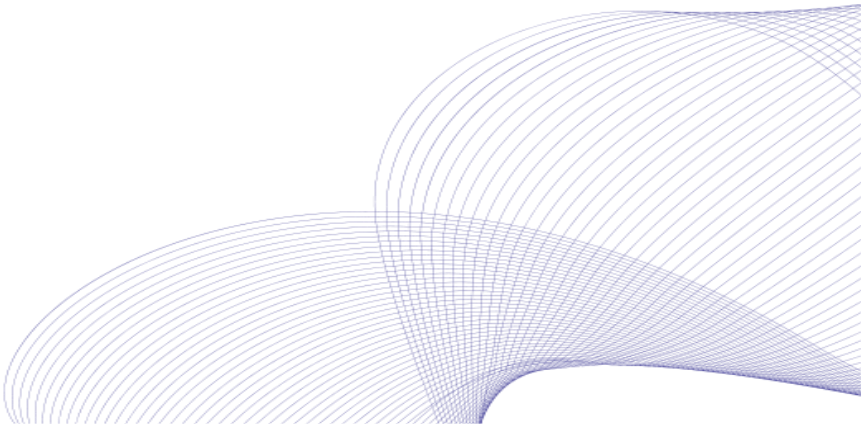
Council Officers are aware that the proposal will likely generate significant interest from multiple landowners within the growth area. This is because of the large number of rural lifestyle properties (1-4ha in size and desirably close to central Moe) allowed under the previous zoning along Thompsons Road. Managing this interest will be a key task during the amendment process to ensure all submitters understand why the proposal is required, the limited scope of the amendment, their rights under the *Land Acquisition and Compensation Act 1986* and the requirements placed on an acquiring authority.

The DCP projects were designed in consultation with Regional Roads Victoria's predecessor. Their advice informed the size and design of intersections. Functional designs were prepared by GTA Consultants to inform the figures in the DCP. The proposed land to be affected aligns with the designs prepared by GTA Consultants. Regional Roads Victoria's predecessor provided consent to the designs contained within the DCP provided that any relevant project or permit was referred to them. Council intends to refer any project facilitated by the proposal to Regional Roads Victoria for their approval.



6.0 Recommendation

This report identifies that the proposal to apply the Public Acquisition Overlay to the required parts of 11 properties in Newborough for the purposes of reserving land for road and intersection projects identified in the Lake Narracan DCP is in accordance with relevant objectives, strategies and provisions outlined in the Latrobe Planning Scheme and is in accordance with relevant State Government guidelines. It is therefore recommended that the proposal be adopted by Latrobe City Council as a planning scheme amendment and that Council seeks the authorisation from the Minister for Planning to prepare and exhibit an amendment to implement the proposal.



Site Assessment: Public Acquisition Overlay 3 (Drainage / Open Space Reserves)

Latrobe City Council July 2024

1.0 Summary

Latrobe City Council, like most councils in Victoria, has experienced a significant increase in development activity since 2020 and the Covid-19 Pandemic. Much of this activity is occurring in our three main growth areas which are each covered by a Development Contribution Plan (DCP). These DCPs aim to equitably share the cost of infrastructure required to service the growth areas. Whilst the DCP outlines land and projects required to facilitate the delivery of the growth areas, it does not provide a mechanism for Council, as the Delivering Authority of the DCPs, to acquire the land should development not occur in a timely and orderly manner.

This Amendment proposes to resolve this issue by amending the *Schedule to clause 45.01 Public Acquisition Overlay* (PAO) in the Latrobe Planning Scheme to introduce PAO3. PAO3 names Latrobe City Council as the *Acquiring Authority* and that the purpose of acquisition is for open space reserves. The Amendment will also apply PAO3 to parts of 13 properties in Newborough, Morwell and Traralgon which are respectively subject to the Lake Narracan Precinct Structure Plan (PSP) and Development Contribution Plan (DCP), Morwell North West Development Plan (DP) and Development Contribution Plan, and the Traralgon North Development Plan and Development Contribution Plan. The application of PAO3 in these growth areas will facilitate the delivery of critical stormwater infrastructure in Newborough and Morwell and an active open space reserve (sports field) in Traralgon.

1.1 Subject Land

The subject land comprises 13 parcels of land spread across three towns in Latrobe – Newborough, Morwell and Traralgon. All land is part of a DCP which Latrobe City Council (the Council) has adopted. The location of the affected land can be found in Figure 1(Newborough), Figure 2 (Morwell), and Figure 3 (Traralgon). All parcels are in private ownership with a range of development intentions. The parcels affected are listed in Table 1 below. Detailed maps of the proposed extent of PAO to be applied can be found in Figure 4 (Newborough), Figure 6 (Morwell), and Figure 5 (Traralgon).

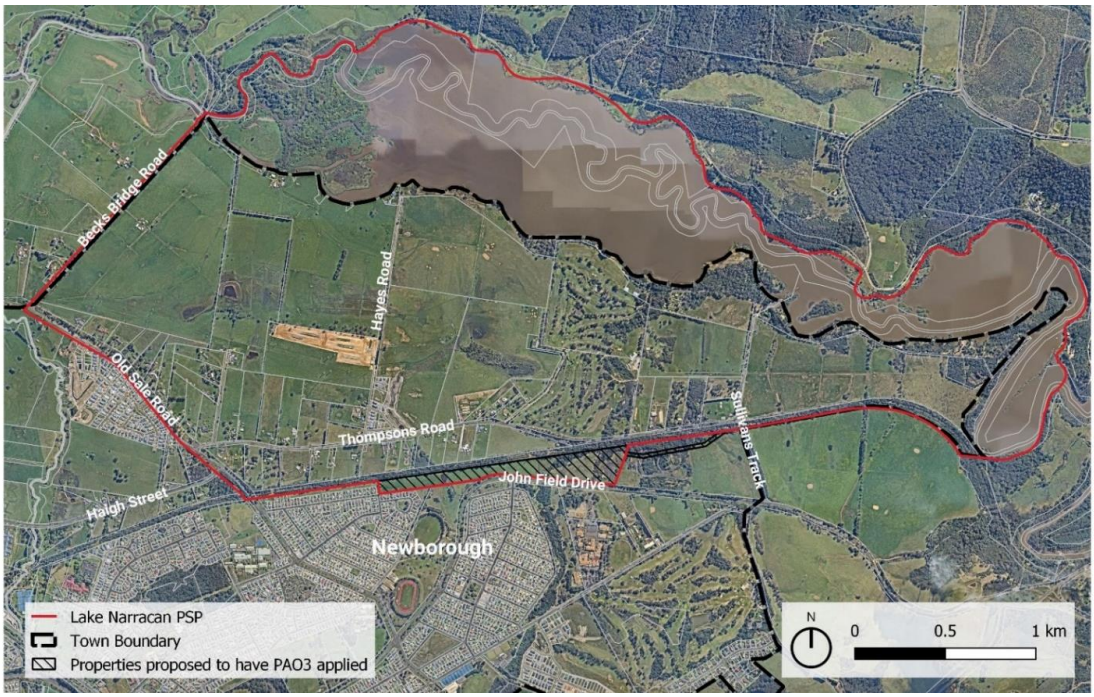


Figure 1: Location of affected properties in Newborough.

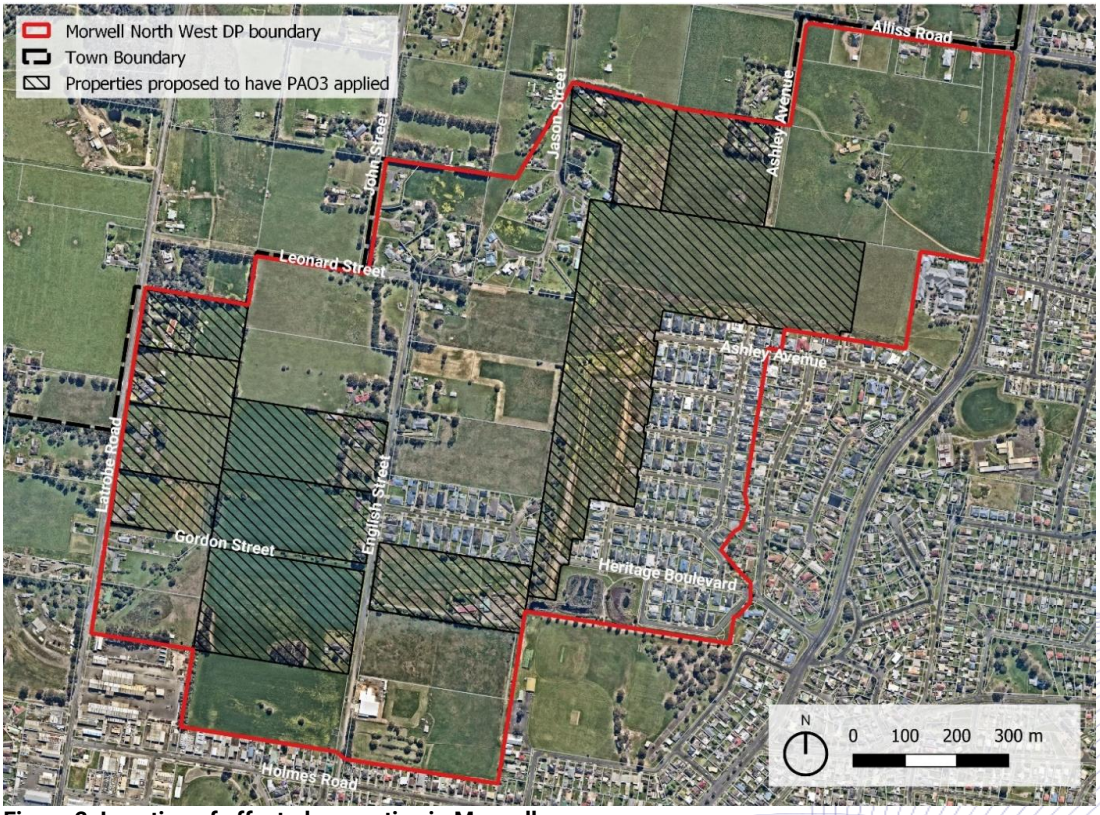


Figure 2: Location of affected properties in Morwell.



Figure 3: Location of affected properties in Traralgon.

Table 1: Properties proposed to have PAO3 applied (to part of).

Property Details	Development Contribution Plan (DCP)	DCP Property Identifier	DCP Project Identification
710 John Field Drive, NEWBOROUGH – 34\LP121048	Lake Narracan	66	WL-09
130 Latrobe Road, MORWELL - 70E\PP3072	Morwell North West	4	CH-03
140 Latrobe Road, MORWELL - 70D\PP3072	Morwell North West	3	CH-03 WR-02
150 Latrobe Road, MORWELL - 70C\PP3072	Morwell North West	2	CH-03 WR-02
160 Latrobe Road, MORWELL - 70B\PP3072	Morwell North West	1	CH-03 CV-03
25 English Street, MORWELL - 70L\PP3072	Morwell North West	12	CH-04
40 English Street, MORWELL - 1\TP211967	Morwell North West	17	CH-05
55 English Street, MORWELL - 14\LP11865	Morwell North West	11	CH-03
65 English Street, MORWELL - 70H\PP3072	Morwell North West	10	WR-02
23 Jason Street, MORWELL - 1\PS404523	Morwell North West	19	WR-04
77 Ashley Avenue, MORWELL - 19\LP111605	Morwell North West	20	WR-04
Heritage Boulevard, MORWELL - H\PS739559	Morwell North West	22	WR-04
50 Glendale Road, TRARALGON - 1\PS329021	Traralgon North	9	DI-LA-2 DI-OS-1

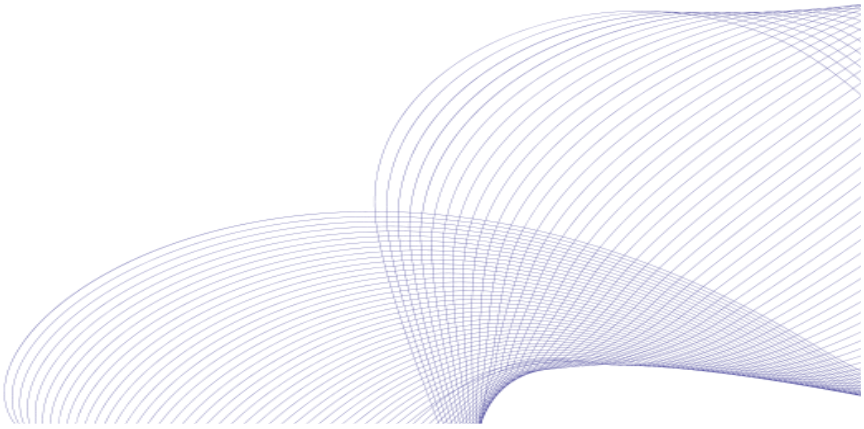




Figure 4: Location of proposed PAO in Newborough and facilitated projects.

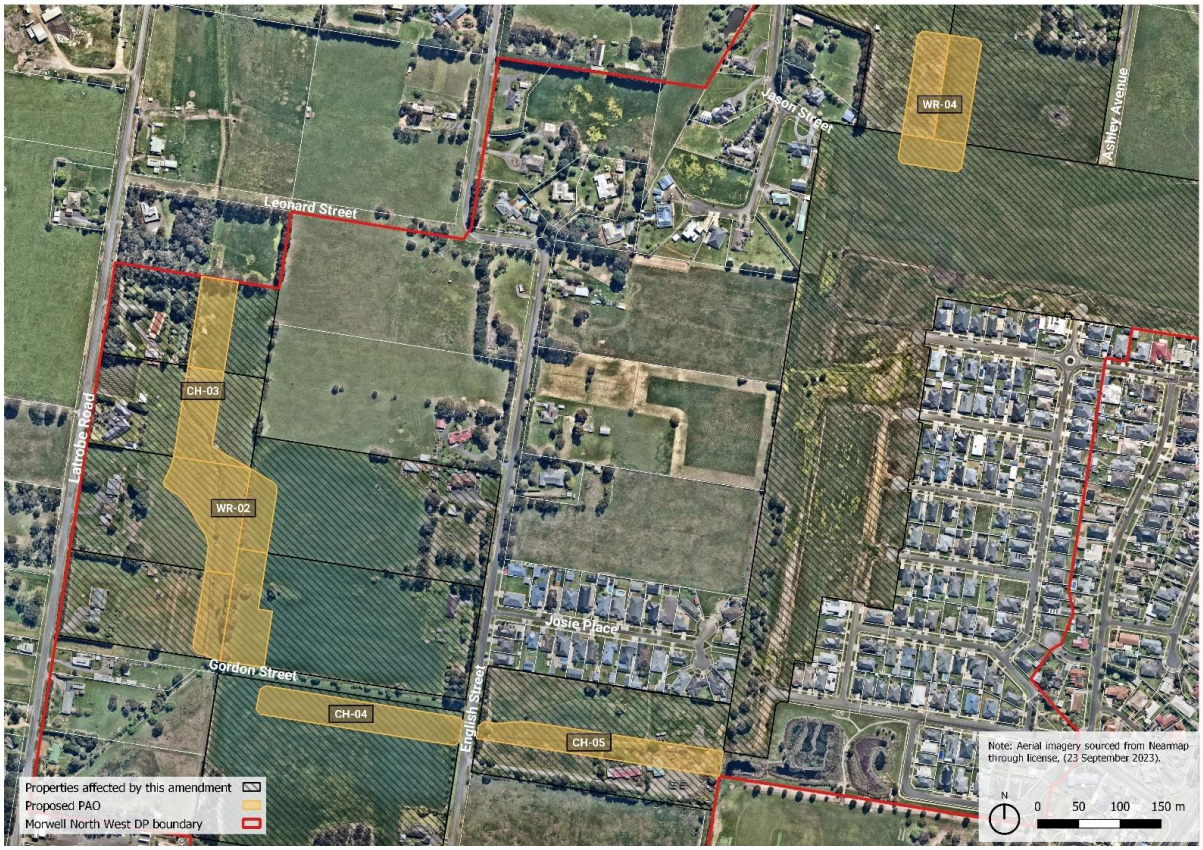


Figure 6: Location of proposed PAO in Morwell and facilitated projects.



Figure 5: Location of proposed PAO in Traralgon and facilitated projects.

1.2 Current Zone

1.2.1 Lake Narracan current zone

The land is currently zoned Urban Growth Zone Schedule 1 (UGZ1)(Figure 7). This Schedule enforces the Lake Narracan Precinct Structure Plan. Clause 2.2 of Schedule 1 outlines the *applied zone provisions*. The use of applied zones ensures development is assessed under the ultimate zone intended for the land once the growth area is delivered. Table 2 outlines the *applied zone provisions* currently in UGZ1 clause 2.2. The current zone was adopted into the scheme by Amendment C86 which was gazetted on 17 December 2015.

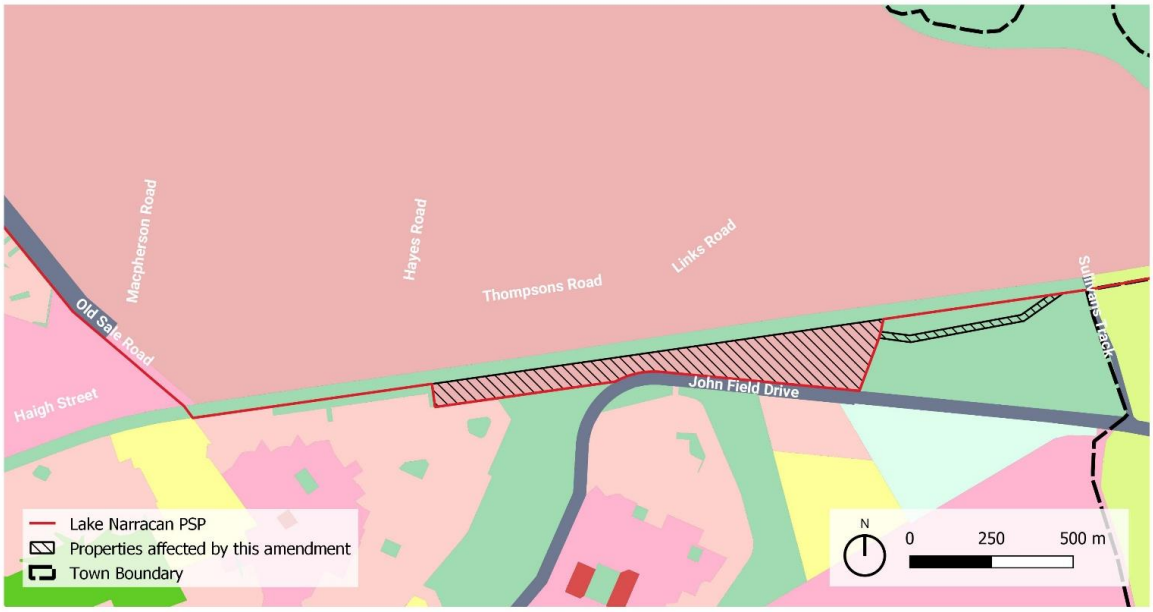


Figure 7: Current Zone of affected properties.

Table 2: Applied zone provisions in UGZ1.

Land use/ Development (Carried out or proposed) generally in accordance with the precinct structure plan applying to the land.	Applied zone provisions
Village Centre	Clause 34.01 – Commercial 1 Zone
Arterial road	Clause 36.04 – Transport Zone 2
Connector street	Clause 36.04 – Transport Zone 3
Land or any lot wholly contained within, 200 metres distance from a village centre	Clause 32.07 – General Residential Zone 1
All other land	Clause 32.08 schedule 1 – General Residential Zone 3

1.2.2 Morwell North West current zone

The land is currently zoned General Residential Zone Schedule 3 (GRZ3) (see Figure 8 below). GRZ3 is Latrobe City's preferred zone for residential growth areas. The current zone was adopted into the scheme by Amendment C105 which was gazetted on 21 November 2019.

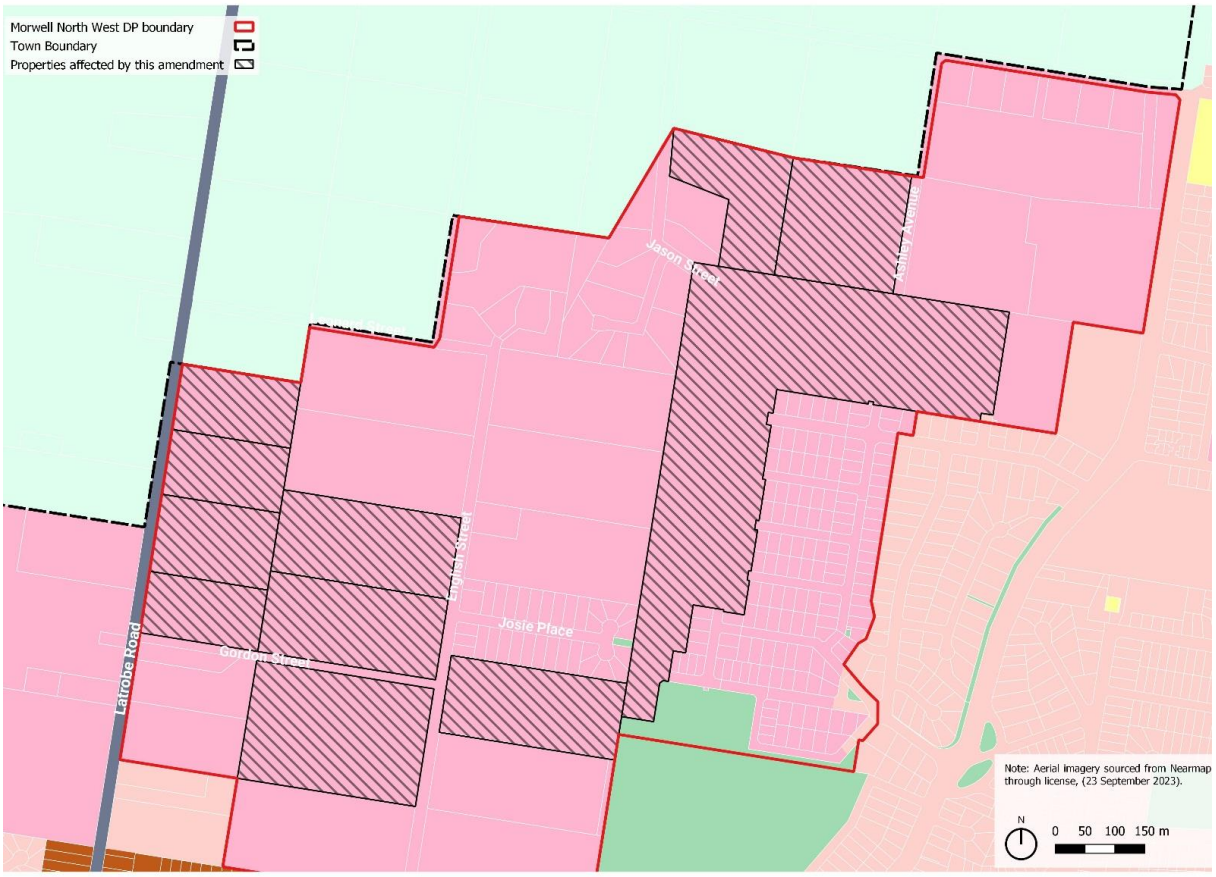


Figure 8: Current Zone of affected properties.

1.2.3 Traralgon North current zone

The land is currently zoned General Residential Zone Schedule 3 (Figure 9). GRZ3 is Latrobe City's preferred zone for residential growth areas. The current zone was adopted into the scheme by Amendment C105 which was gazetted on 21 November 2019.

The land to the north of the DP was rezoned to residential, from Farming Zone, by amendment C138 on 18 October 2023. This amendment created a new growth area separate to the Traralgon North Development Plan.

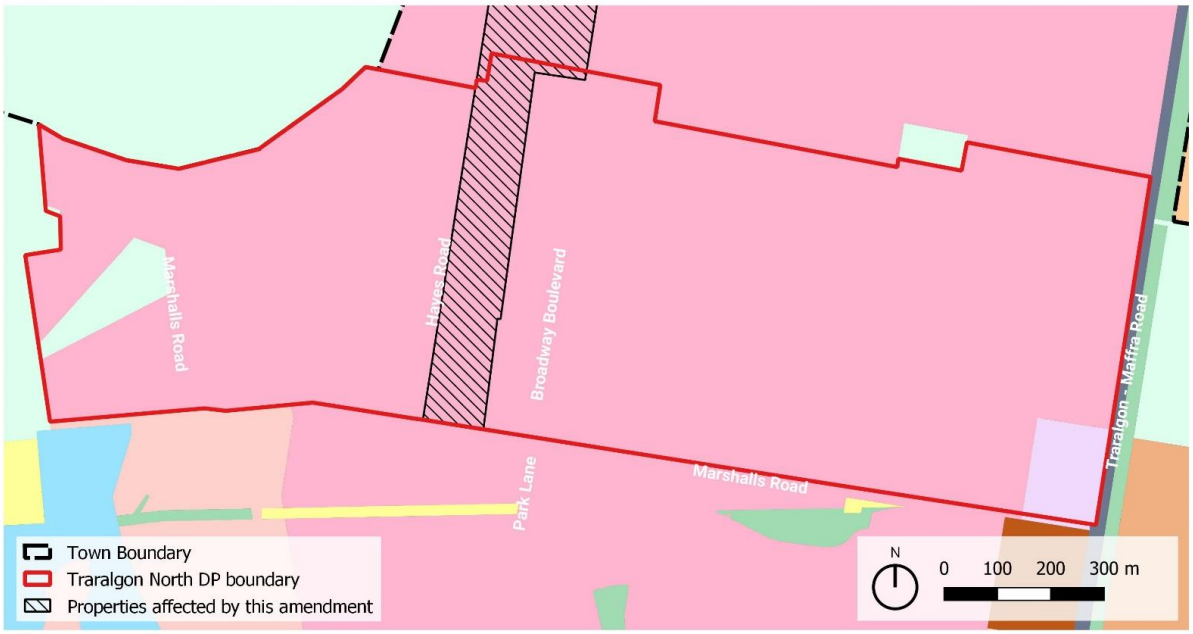


Figure 9: Current Zone of affected properties.

1.3 Current Overlays

1.3.1 Lake Narracan current overlays

One overlay affects the subject land, Development Contribution Plan Overlay Schedule 1. This schedule was specifically created to implement the Lake Narracan Development Contribution Plan (DCP). The schedule allows Council to collect contributions as outlined in the Lake Narracan DCP without the need for entering into section 173 agreements. The Development Contribution Plan Overlay was adopted into the scheme by Amendment C86 which was gazetted on 17 December 2015.

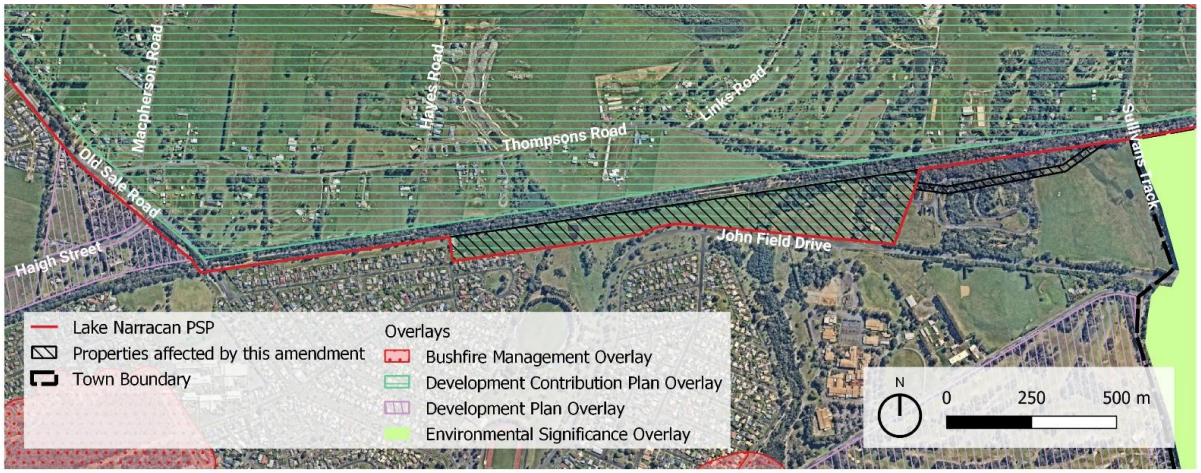


Figure 10: Current Overlays on affected properties.

1.3.2 Morwell North West current overlays

One overlay affects the subject land, Development Plan Overlay Schedule 1. This schedule was specifically created to implement the Morwell North West DP and DCP. A specific schedule was considered necessary to tailor the DP and DCP to the particular constraints of this growth area. The schedule allows Council to collect contributions as outlined in the Morwell North West DCP via section 173 agreements (to be entered into at the time of subdivision permits being written).

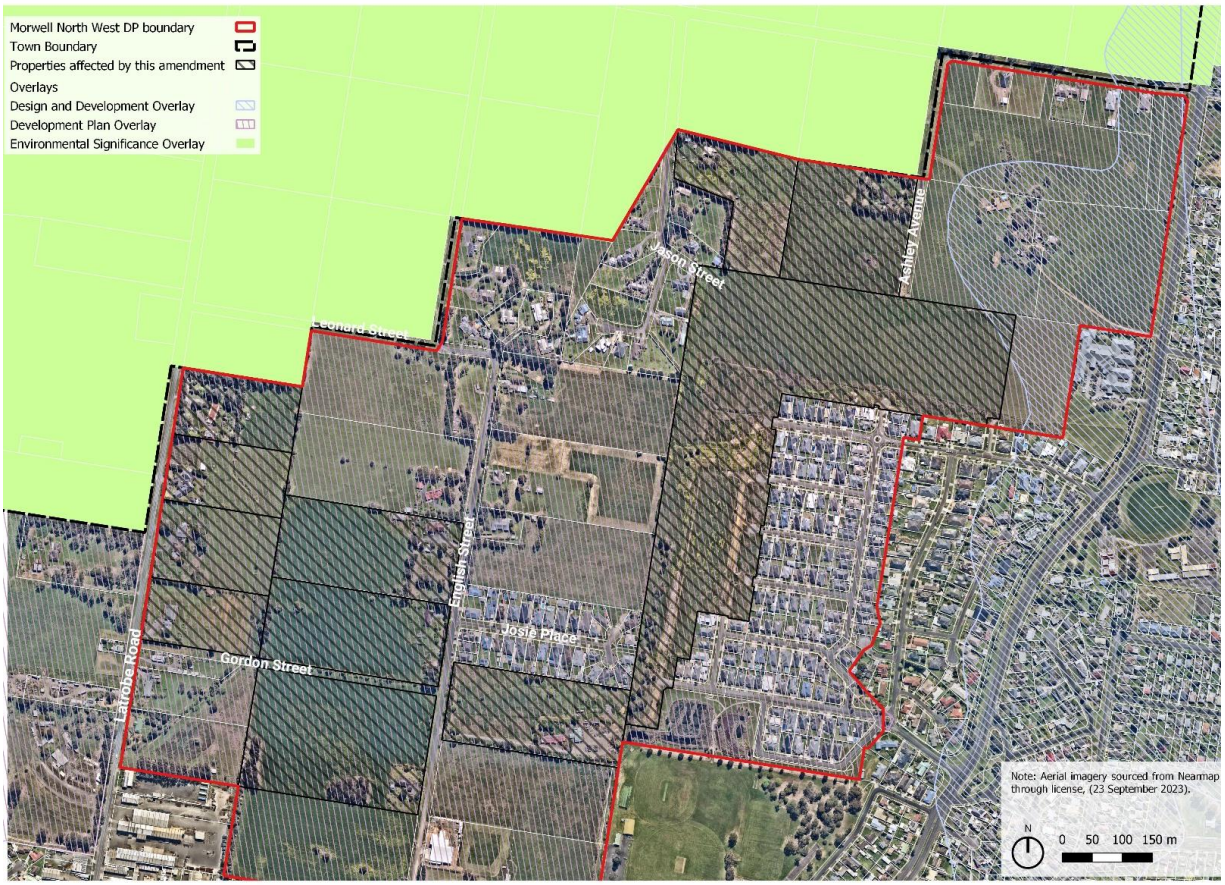


Figure 11: Current overlays on affected properties.

1.3.3 Traralgon North Current Overlays

Two overlays affect the subject land in Traralgon North, Development Plan Overlay Schedule 7 (DPO7) and Buffer Area Overlay Schedule 1 (BAO1)(see Figure 12 below).

DPO7 was specifically created to implement the Traralgon North DP and DCP. A specific schedule was considered necessary to tailor the DP, DCP and development conditions to the particular constraints of this growth area. The schedule allows Council to collect contributions as outlined in the Traralgon North DCP via section 173 agreements (to be entered into after a permit is granted but prior to commencement of the permitted development).

BAO1 applies to the northern areas of the subject land. A pipeline easement parallels the northern boundary of the Traralgon North DP. The BAO applies to an area 175 metres either side of the pipeline easement. BAO1 was introduced into the Scheme on 21 December 2023 by Amendment C121. The purpose of the

overlay is to identify areas where there is potential for off-site impacts or risks to human health, safety, or amenity and to restrict development rights to avoid creating new risks to health, safety or amenity. The land identified in this proposal is located on the southern boundary of the property and therefore not subject to BAO1.

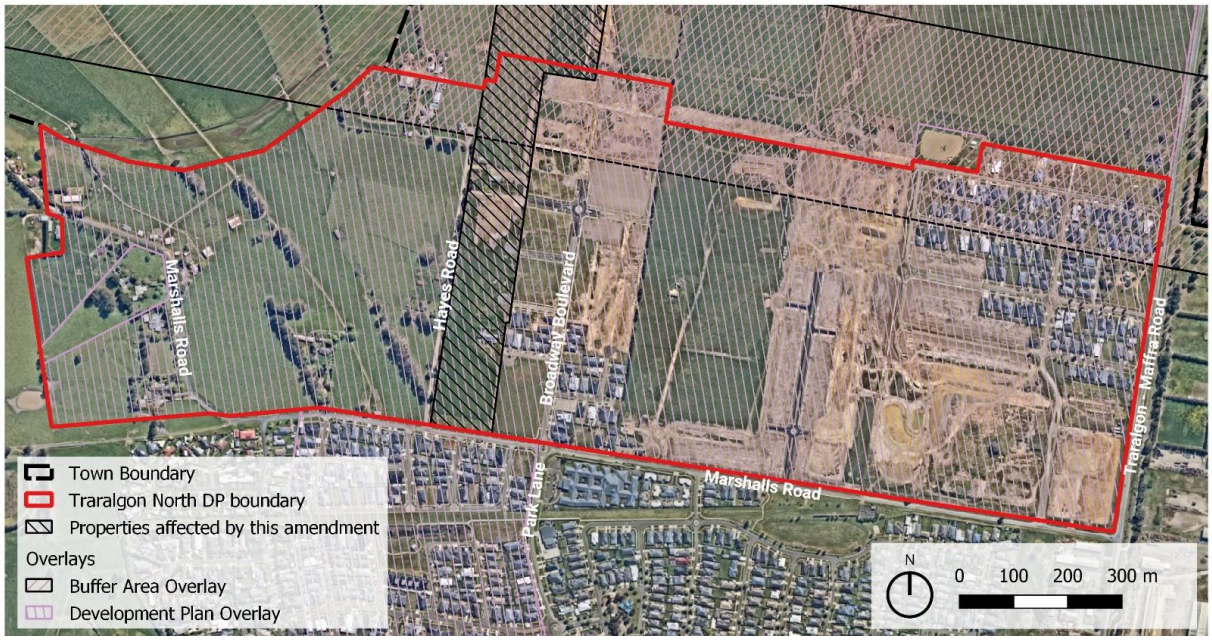


Figure 12: Current Overlays on affected properties.

2.0 History

2.1.1 Developing the Lake Narracan growth area and rezoning to residential

710 John Field Drive was first rezoned to residential on 5 May 2011 by Amendment C56. This Amendment was prepared by the Minister for Planning at the request of Latrobe City Council. It rezoned six sites identified as 'future residential' in the Churchill, Moe/Newborough, Morwell and Traralgon Town Structure Plans. At the time, land supply in Moe/Newborough was considered to be critically short as no new land had been rezoned since the *Residential and Rural Residential Land Assessment* (2009) identified that Moe / Newborough and Traralgon had a shortage of residential zoned lots for development.

In accordance with the General Practice Note *Ministerial Powers of Intervention in Planning and Heritage Matters (2004)* the Minister prepared Amendment C56 and adopted it without exhibition. The Amendment was not placed on exhibition as it was considered to be in the best interests of the Latrobe Valley to immediately increase residential land supply by rezoning land identified for future residential.

On 11 July 2012 the State Government released *The Latrobe Valley Industry and Employment Roadmap*, which responded to a submission by Latrobe City. This submission, amongst other things, requested assistance in planning Latrobe's growth areas. The roadmap responded by identifying Strategic Direction 6: Enhancing Liveability, New Planning Support for Regional Growth Areas. This direction aimed to accelerate structure planning of new growth areas in regional councils to facilitate land supply and ensure sufficient supply of housing in regional areas.

Council and the Metropolitan Planning Authority (MPA), then Growth Areas Authority (GAA), first reviewed the strategic viability of a growth area on the banks of Lake Narracan in 2013. The GAA's report, published in August 2013, acknowledged that Moe-Newborough was growing but that the planning scheme identified sufficient supply to meet state policy regarding land supply. To ensure the town maintained adequate supply, the report advised that it would be better to plan the growth area now rather than later. It argued that beginning planning early would help ensure that the negative impacts of a land supply shortage would be avoided.

At the time clause 21.05 identified that residential growth should be accommodated in areas 5, 10 and 13 of the Town Structure Plan and to resolve issues with the Environmental Significance Overlay to allow residential growth in areas 8 and 12 (see Figure 13). With the exception of area 12, the areas identified for growth were all within the then town boundary. Moe-Newborough had limited opportunities to grow the town boundary due to a range of environmental factors and State objectives in the planning scheme.

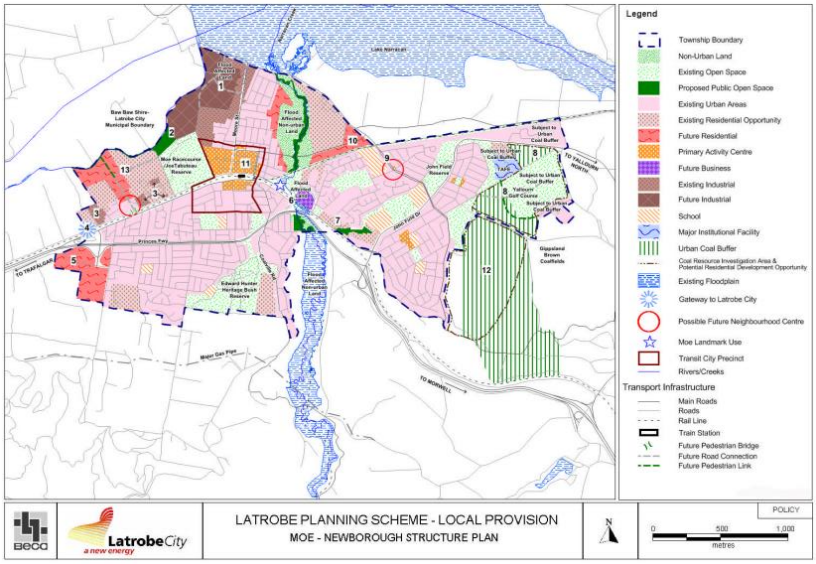


Figure 13: Moe-Newborough Town Structure Plan prior to Amendment C86.

The Environmental Significance Overlay defines the eastern edge of Newborough. This overlay is designed to keep urban development a safe distance from Yallourn Coal Mine and power stations.

The southern edge is defined by hilly terrain which is heavily vegetated with native vegetation. This area, if developed, would be exposed to significant fire hazard, and require significant loss of native vegetation. Expansion westward can be accommodated but is limited due to the close proximity of the municipal boundary to Moe and the hilly terrain to the south.

Expansion north west is not possible due to the town already abutting the municipal boundary and floodplain. Clause 21.05 (Municipal Strategic Statement – Main Towns) contained written policy to maintain a non-urban break between Moe and neighbouring settlements to the west in Baw Baw Shire.

North east in contrast, is relatively flat cleared farmland gently sloping down to Lake Narracan, with native vegetation confined to the banks of the lake and distinct patches. Therefore, growth north east towards Lake Narracan was identified as the only practical option for Moe-Newborough to grow. The concept of lake side living was also seen as a major selling point with the potential to introduce a unique lifestyle to Latrobe City. This unique lifestyle would be further enhanced by the fact that the Moe Golf Club already existed on the banks of Lake Narracan.

At the November 2013 Ordinary Council Meeting, Council resolved to undertake preliminary community consultation from 11 November 2013 to 13 December 2013. This consultation informed a background report on the growth area prepared by the MPA. The background report identifies a range of opportunities

and restrictions including landscape and character, servicing and infrastructure requirements, and environmental factors. The MPA published their background report on Lake Narracan in June 2014.

Council and the MPA undertook public consultation on the draft Lake Narracan PSP, DCP and NVPP from 1 August 2014 to 29 August 2014. The final documents were adopted by Council at the 15 December 2014 Ordinary Council Meeting.

At this meeting Council also resolved to request the Minister for Planning to prepare a Planning Scheme Amendment under Section 20(4) of the Planning and Environment Act 1987 to implement the Lake Narracan PSP into the Latrobe Planning Scheme. Section 20(4) of the Planning and Environment Act 1987 allows the Minister for Planning to undertake amendment without exhibition or notification. Council requested this due to the extensive consultation undertaken while preparing the Lake Narracan PSP and associated documents previously discussed.

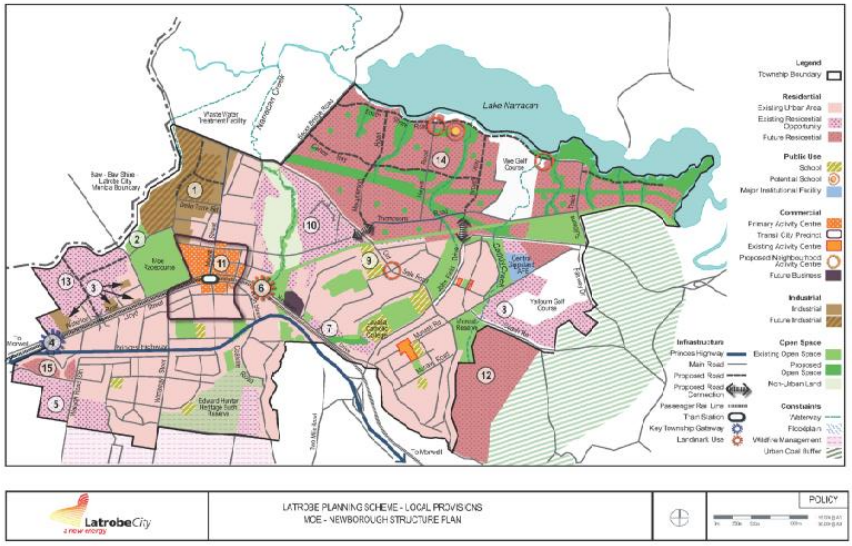


Figure 14: Moe-Newborough Town Structure Plan adopted by Amendment C86.

The current zone was implemented into the Latrobe Planning Scheme by Amendment C86. Amendment C86 rezoned all the land within the Lake Narracan PSP to Urban Growth Zone Schedule 1, applied the Development Contribution Plan Overlay Schedule 1, and updated the Moe-Newborough Town Structure Plan (Figure 14). Amendment C86 was gazetted on the 17 December 2015.

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2.1.2 Rezoning Morwell North West to residential and developing the DP

This precinct has been zoned for residential use since at least the 1988 planning scheme, with the 1981 scheme identifying the land as Rural zone. By the early 2000s a significant portion of the precinct remained undeveloped. To encourage development, Council prepared a development plan in 2006. Between April and May 2007, Council exhibited the draft development plan and proposed Development Plan Overlay Schedule 1 as part of Amendment C48. Due to objections received, the Amendment progressed to a planning panel in March 2008 with the report published in June 2008.

During the panel hearing, Council indicated the proposed development plan was to be revised due to limitations identified. The planning panel accepted this advice and provided their recommendation in relation to the proposed schedule. The panel report recommended the adoption of the schedule with the minor recommended changes contained within the panel report. C48 was gazetted on the 2 October 2008.

Council undertook 20 one-on-one consultation sessions with the landowners in November 2008 to workshop the proposed DP. Between November 2008 and August 2010, workshops were undertaken with

the various Council departments and referral authorities and agencies to further refine the DP. The revised Morwell North West Development Plan and Development Contribution Plan was presented to the 4 October 2010 Council Meeting and adopted.

The current zone (GRZ3) was adopted into the scheme as part of Amendment C105 on the 21 November 2019. This amendment resulted in significant alterations to the Municipal Policy Statement and zone application across Latrobe. These changes implemented the findings of the Housing Strategy, Industrial and Employment Strategy, and Rural Land Use Strategy prepared by Council as part of the *Live Work Latrobe* report. The *Live Work Latrobe* report and proposed amendment C105, were adopted by the Council at the 21 August 2017 Council Meeting.

2.1.3 Rezoning Traralgon North to residential and developing the DP

The area which comprises the Traralgon North DP was first zoned for residential use by Amendment C56 which was gazetted on the 5 May 2011. This amendment was undertaken by the Minister for Planning with the purpose to increase residential land supply for the municipality. It rezoned five areas in the municipality which were identified for future residential use on a town structure plan. In Traralgon, two areas were rezoned, areas 1 and 11, as identified on the Town Structure Plans (clause 21.05) at the time.

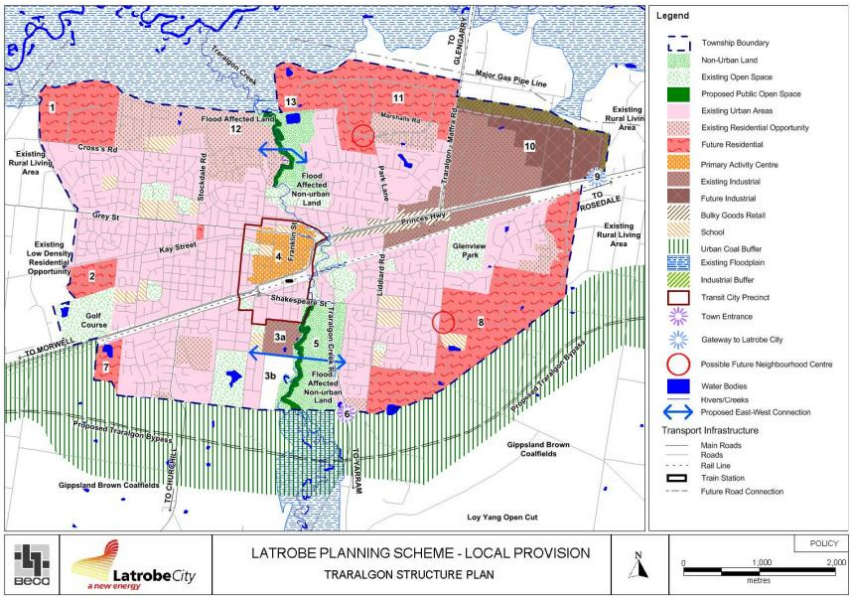


Figure 15: Traralgon Town Structure Plan prior to Amendment C56

The Minister for Planning approved the amendment under Section 20(5) of the Planning and Environment Act 1987. This means the Minister undertook limited consultation with the Planning Authority and affected landowners.

The amendment also applied Development Plan Overlay Schedule 5 to the rezoned land. This schedule required a development plan to be prepared for the growth area prior to any development being approved.

At the 7 October 2013 Council Meeting, the councillors authorised officers to endorse the Traralgon North Development Plan and Development Contribution Plan after Amendment C78 was gazetted. Amendment C78 was gazetted on the 21 November 2013, and the Traralgon North Development Plan and Development Contribution Plan were endorsed on the 29 November 2013. Amendment C78 removed DPO5 and applied DPO7. Through the process of preparing the DP, officers identified that development contributions would be required to ensure fair and orderly development of the precinct and that DPO5 did not allow for the collection of development contributions. DPO7 was proposed to provide a schedule specially tailored to the unique development conditions of Traralgon North and introduce a permit condition requiring a section 173 agreement to be entered into as part of any subdivision permit for the purpose of collecting development contributions.

The current zone (GRZ3) was adopted into the scheme as part of Amendment C105 on the 21 November 2019. This amendment resulted in significant alterations to the Municipal Policy Statement and zone application across Latrobe. These changes implemented the findings of the Housing Strategy, Industrial and Employment Strategy, and Rural Land Use Strategy prepared by Council as part of the *Live Work Latrobe* report. The *Live Work Latrobe* report and proposed amendment C105, were adopted by the Council at the 21 August 2017 Council Meeting.

2.2 Development Activity in the precincts

Residential development activity in Latrobe has generally increased since 2020 and the Covid-19 pandemic.

2.2.1 Lake Narracan PSP

Historically, development activity in the precinct has been limited. Council received two staged multi-lot subdivision permit applications in 2016 – within 12 months of the PSP being adopted into the scheme. These permits were granted in December 2016 (670 residential lots) and June 2018 (314 residential lots). A third multi-lot staged subdivision was received in 2021 and granted in May 2022 (316 residential lots). The first lots titled under these permit approvals were issued in September 2022. Council currently has 5 stages (203 residential lots in total) undergoing approval with more expected to be lodged over the next 12 months. Council Officers are aware of at least three properties whose owners are likely to apply for development permits in the next 12 months. Council Officers are also aware of three properties on the market being advertised based on their subdivision potential. Council Officers have handled multiple enquiries from prospective purchasers seeking to understand the planning requirements of the land. The current state of activity in the precinct is displayed in Figure 16.

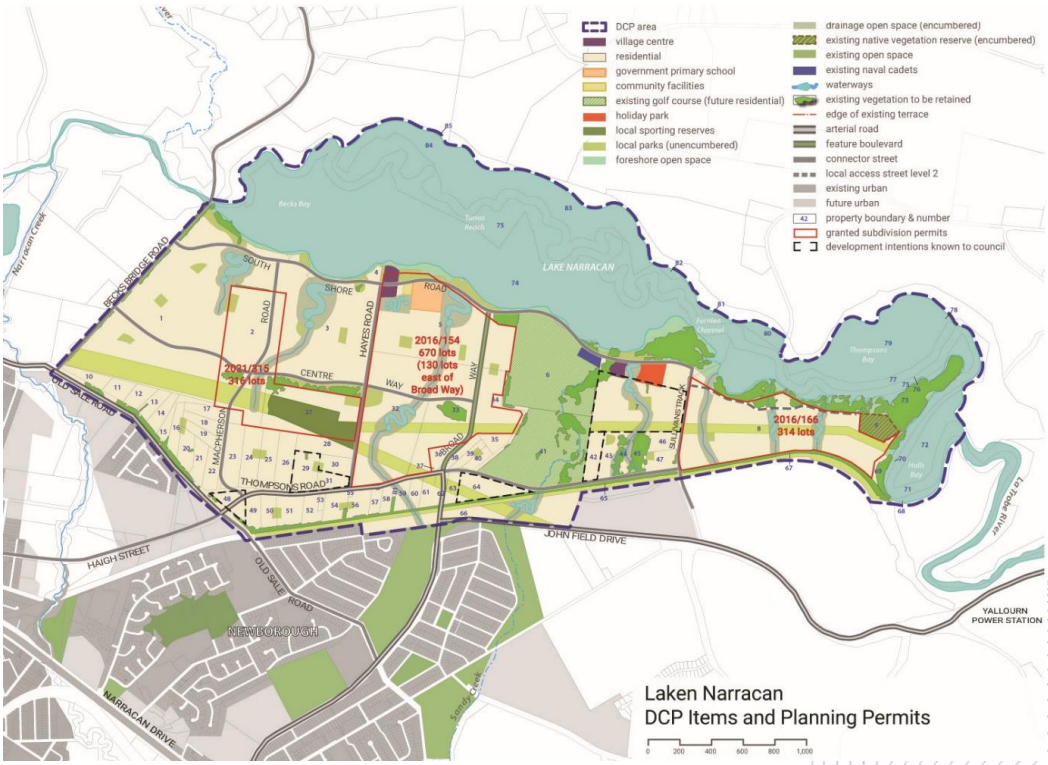


Figure 16: Development activity in Lake Narracan

2.2.2 Morwell North West DP

Development in the precinct has been very limited but since 2020, it has increased (see Figure 17). Currently there are two endorsed planning permits (granted in October 2011 and September 2021), with a yield of 288 and 14 residential lots respectively. The 2011 permit (2011/116) was of sufficient scale to be able to fund its own stormwater management infrastructure, in accordance with the DCP, and therefore did not require Council to acquire any land. Development under this permit did stall around 2016 due to issues around capacity of the sewer network, but in 2023 development restarted. The smaller permit is located in an area of the DP which is not subject to the DCP. This area was excluded at the time of preparing the DCP as it was considered lots in this area would have insufficient yield to justify collecting development contributions.

In 2023 the Victorian Health Building Authority completed an ambulance station at 10 English Street. Development contributions were provided as a cash payment. As this development did not take up all of the property, the State Government identified the remainder of the site as the preferred location for the 2026 Commonwealth Games athletes village. These games have since been cancelled and Latrobe City Council are waiting on advice from the State Government as to their intentions for the site.

Council is currently assessing a further two subdivision permits along English Street. Neither of these developments are of sufficient scale to deliver their own stormwater infrastructure and are therefore expected to provide cash contributions in accordance with the DCP.

To date Council has not seen any indication of land ownership consolidation or development intentions for the land identified to provide drainage infrastructure. Therefore, it is appropriate Latrobe City seek the ability to acquire all land required for stormwater infrastructure identified in the DCP via the PAO.

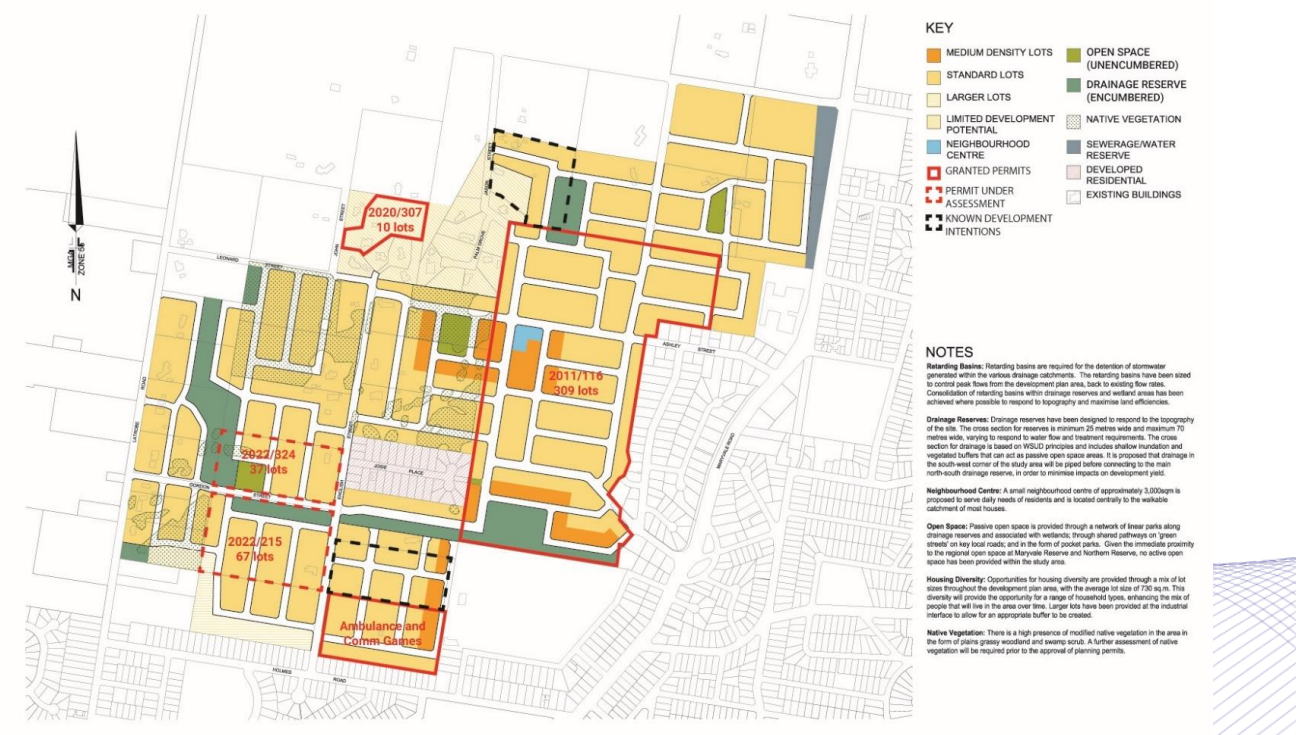


Figure 17: Development activity in Morwell North West

2.2.3 Traralgon North DP

Traralgon North has been one of Latrobe's most active precincts due to the limited number of growth fronts in Traralgon and the popularity of Traralgon as the commercial and cultural centre in the municipality. Since the adoption of the Traralgon North DP and DCP, Latrobe City have issued 10 subdivision permits totalling 790 new residential lots. The first permit for a multi-lot subdivision in the precinct was granted in June 2014 with the most recent permit granted in December 2023. Currently there are 11 stages undergoing the subdivision process which will create 303 lots.

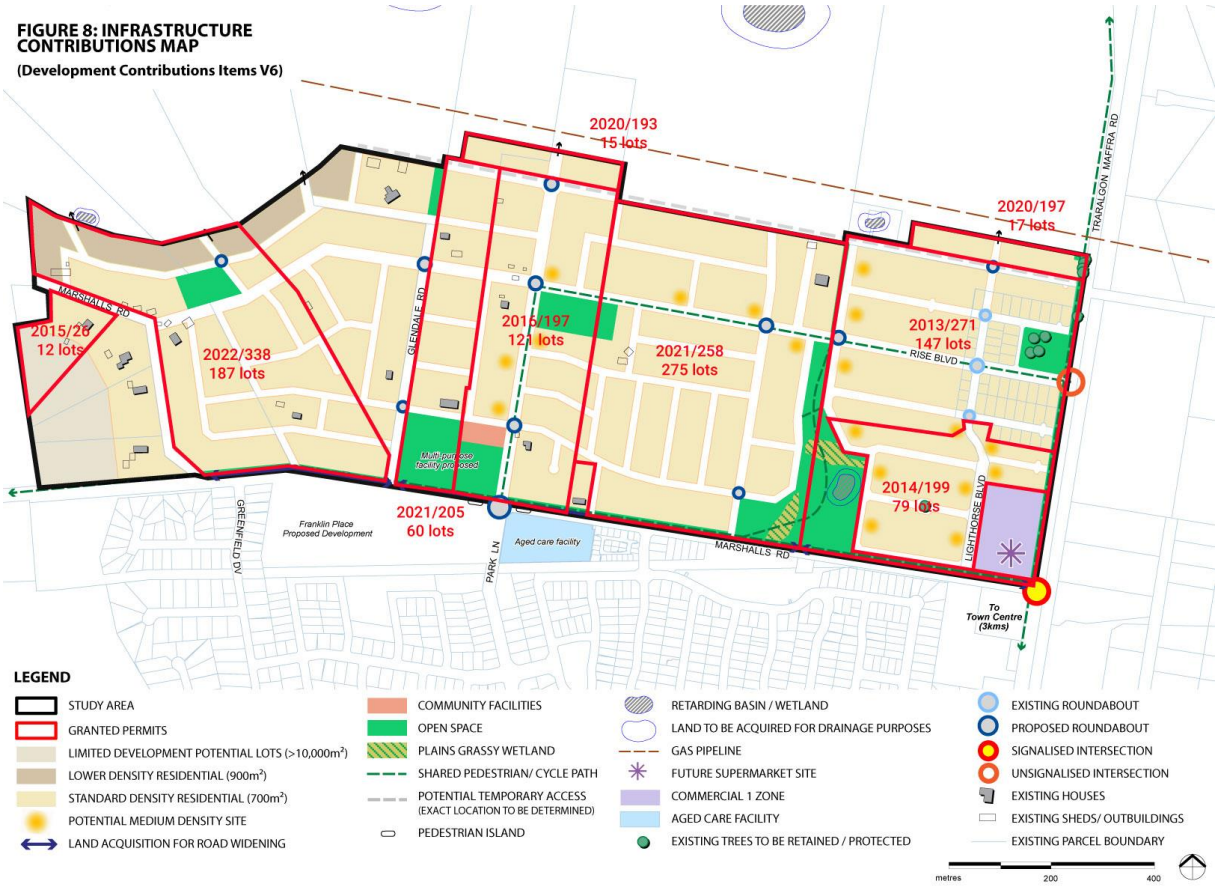


Figure 18: Development activity in Traralgon North

2.3 Property Titles

Having reviewed the property titles for the affected properties (listed in

Table 1), there are no restrictions on the property titles which would detrimentally affect the acquisition of land via a PAO.

55 English Street does contain a Section 173 agreement on title. This agreement relates to an expired planning permit for subdivision of the land. The agreement will be replaced by a revised agreement as part of its current application for a subdivision permit. This agreement relates to the payment of development contributions and the transfer of land for DCP projects. The application of the PAO will act as a fail-safe option to allow Council to acquire the required land should the permit not be granted or development fail to start if the permit is granted.

Heritage Boulevard is a large block currently in the process of subdividing. It has a Section 173 agreement on title entered into as part of its permit application. This S173 agreement does provide for the land identified in the PAO to be handed over to Latrobe. The land is identified in the agreement to be handed over in stage 11. The subdivision is currently up to stage 7. Council may require this land sooner if 23 Jason Street or 7 Ashley Street have permits granted, as they would be required to provide the wetland identified in the DCP. Therefore, it is appropriate for Council to apply a PAO to the land to allow Council to acquire all land required for the identified infrastructure.

The properties along Latrobe Road and 40 English Street contain easements on title in favour of Latrobe City Council for the purpose of drainage. These easements will be superseded by the acquisition of land under the PAO and accordingly removed from the titles at the time of acquisition.

23 Jason Street also has easements identified on title in favour of Latrobe City for the purpose of drainage. These easements would be reviewed as part of the issuing of new titles once the PAO has been applied to the land and Council has acquired the land.

50 Glendale Road also contains a Section 173 agreement for the purpose of payment of development contributions to Council as development occurs. The land project (DI-LA-2) is identified in this agreement as to be provided to Council at no cost during the first stage of construction. As development under this permit has not begun, Council considers it prudent to apply the PAO to acquire this land should development under this permit never begin.

3.0 Proposed Change

The proposal is to amend the Latrobe Planning Scheme by:

- Introducing PAO3 into the Schedule to Clause 45.01 PUBLIC ACQUISITION OVERLAY, naming Latrobe City as the acquiring authority for this number, and to specify the purpose of acquisition as for 'Drainage / Open Space Reserves.'
- Applying PAO3 to 13 properties, listed in Table 1, spread across maps 25, 50, 71 and 76.
- Altering the schedule to Clause 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF? to reference PAO on maps 25, 50, 71 and 76.
- Altering the schedule to Clause 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS to outline how the Public Acquisition Overlay implements the Municipal Planning Strategy.

The location of PAO3 on each property can be seen in Figure 19 (Lake Narracan), Figure 20 (Morwell North West), Figure 21 (Morwell North West) and Figure 22 (Traralgon North).

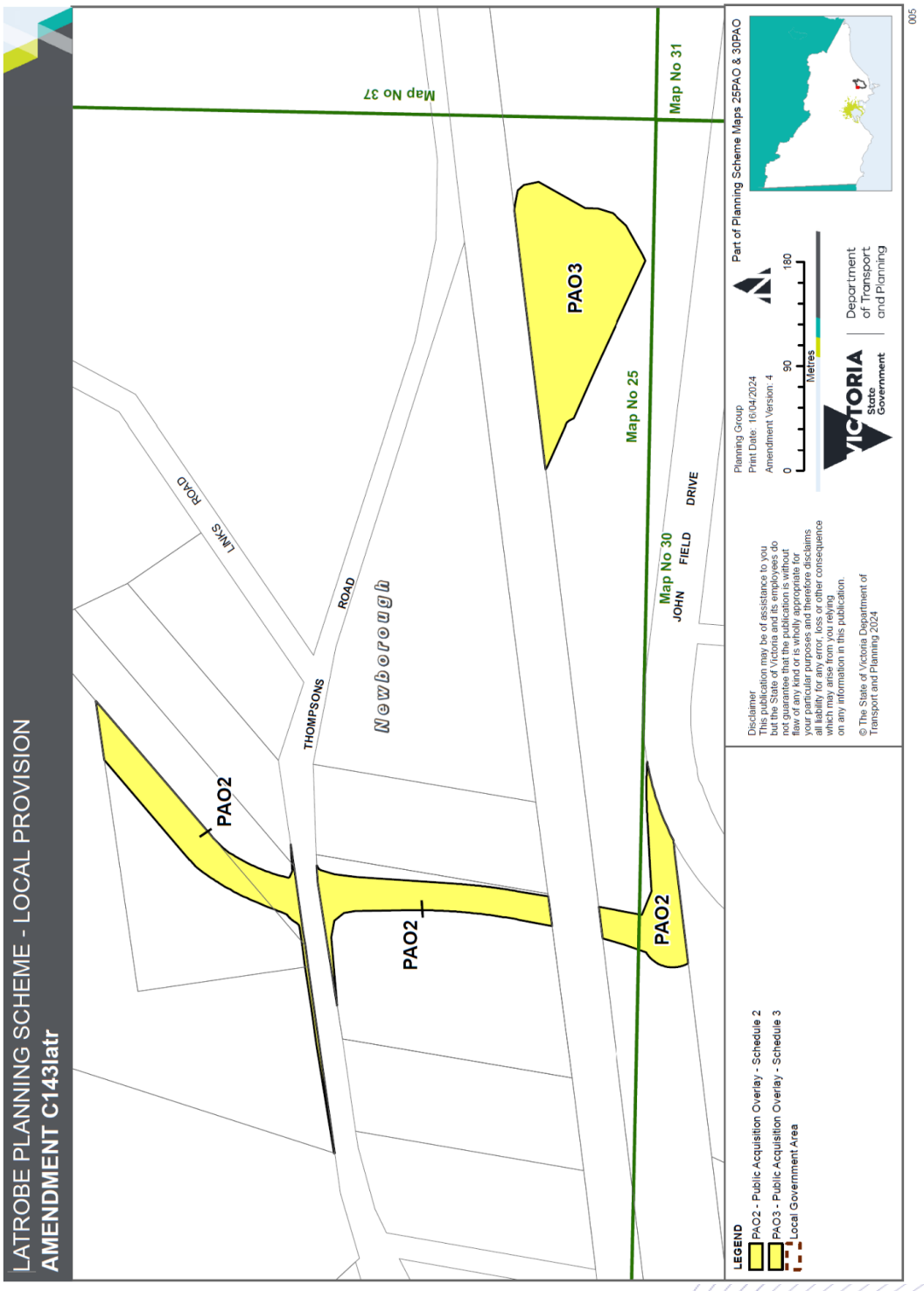


Figure 19: Extent of PAO required for DCP projects WL-09

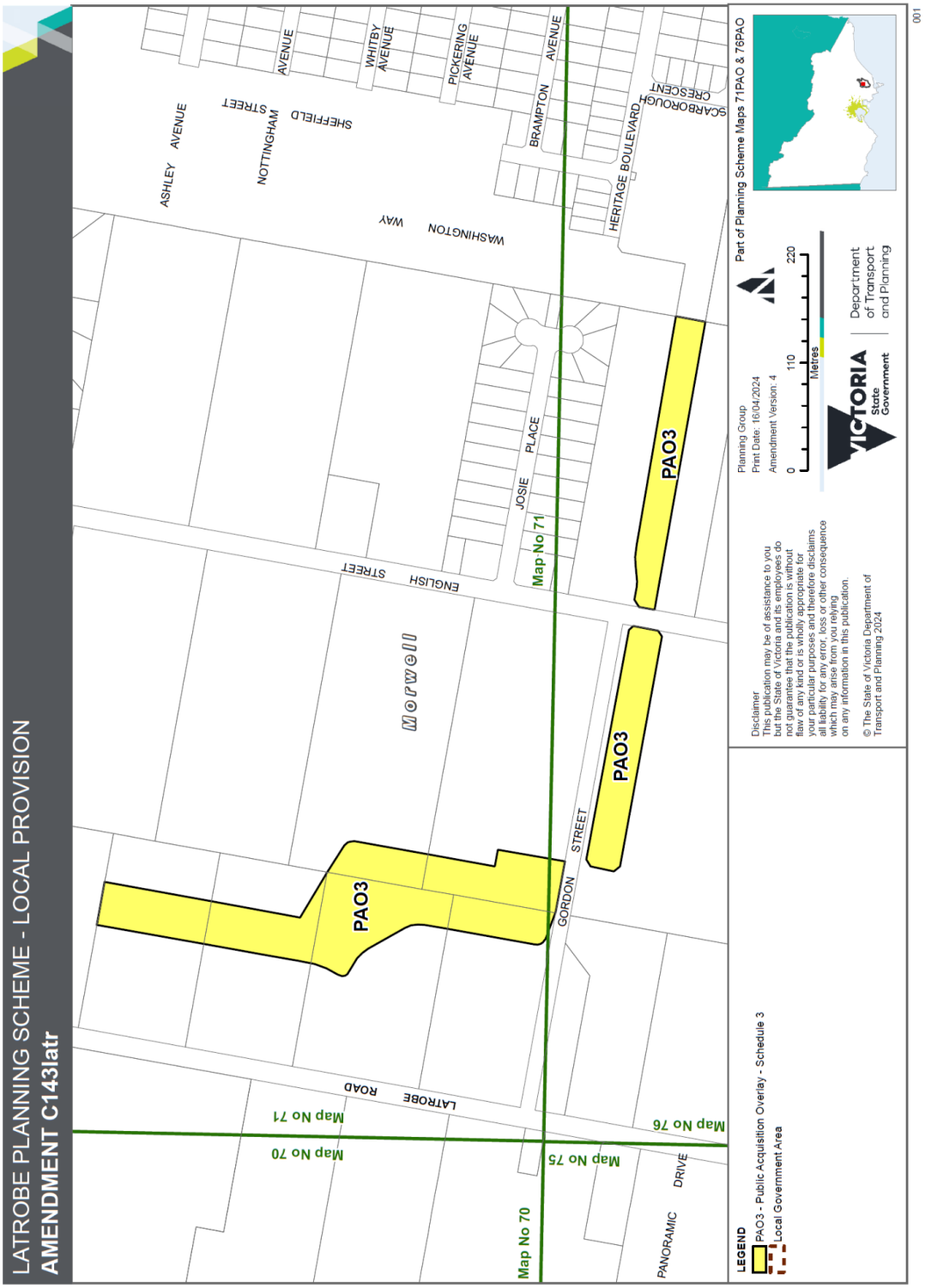


Figure 20: Extent of PAO required for DCP projects WR-02, CH-03, CH-04, CH-05, CV-01, CV-02 and CV-03.

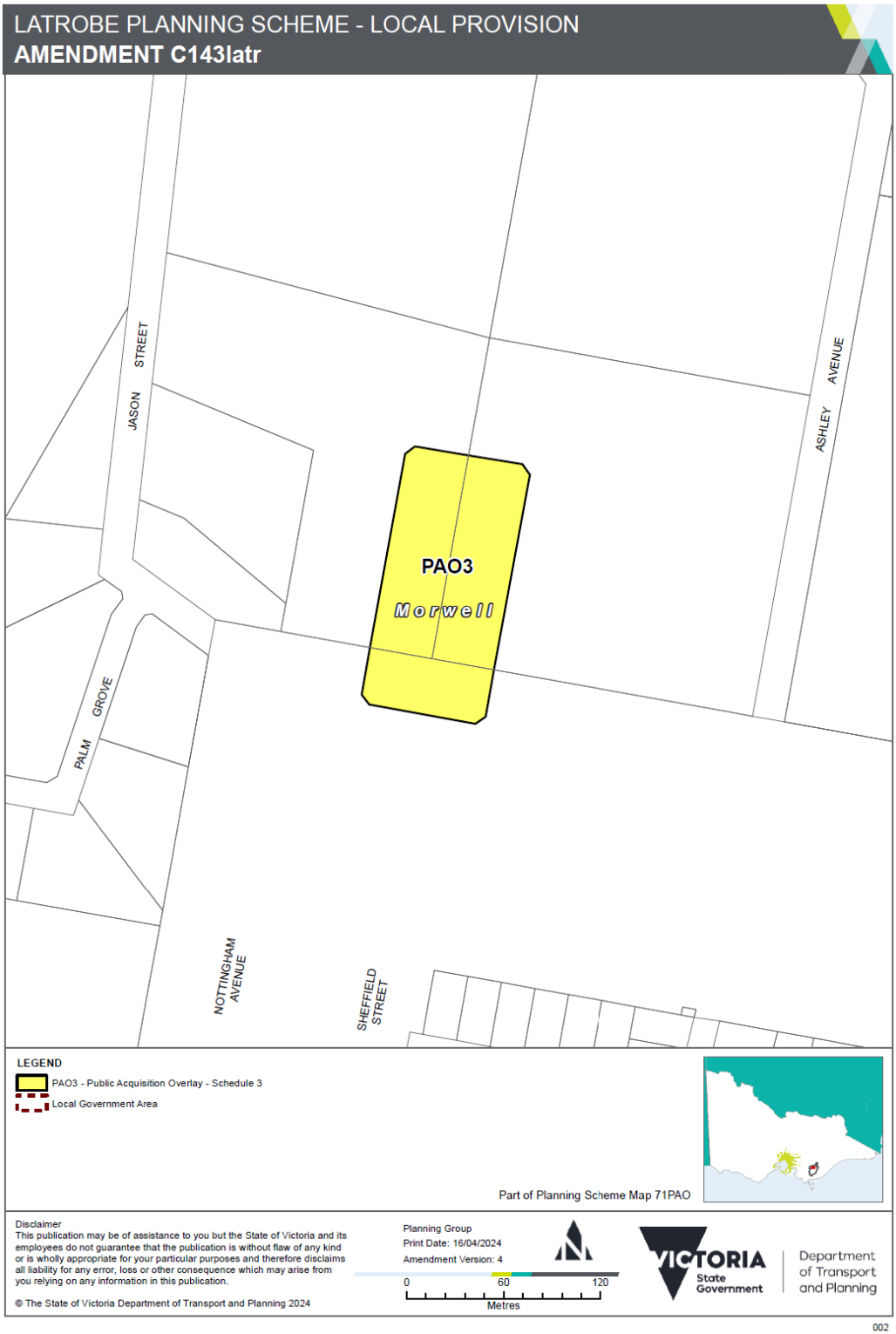


Figure 21: Extent of PAO required for DCP projects WR-04.

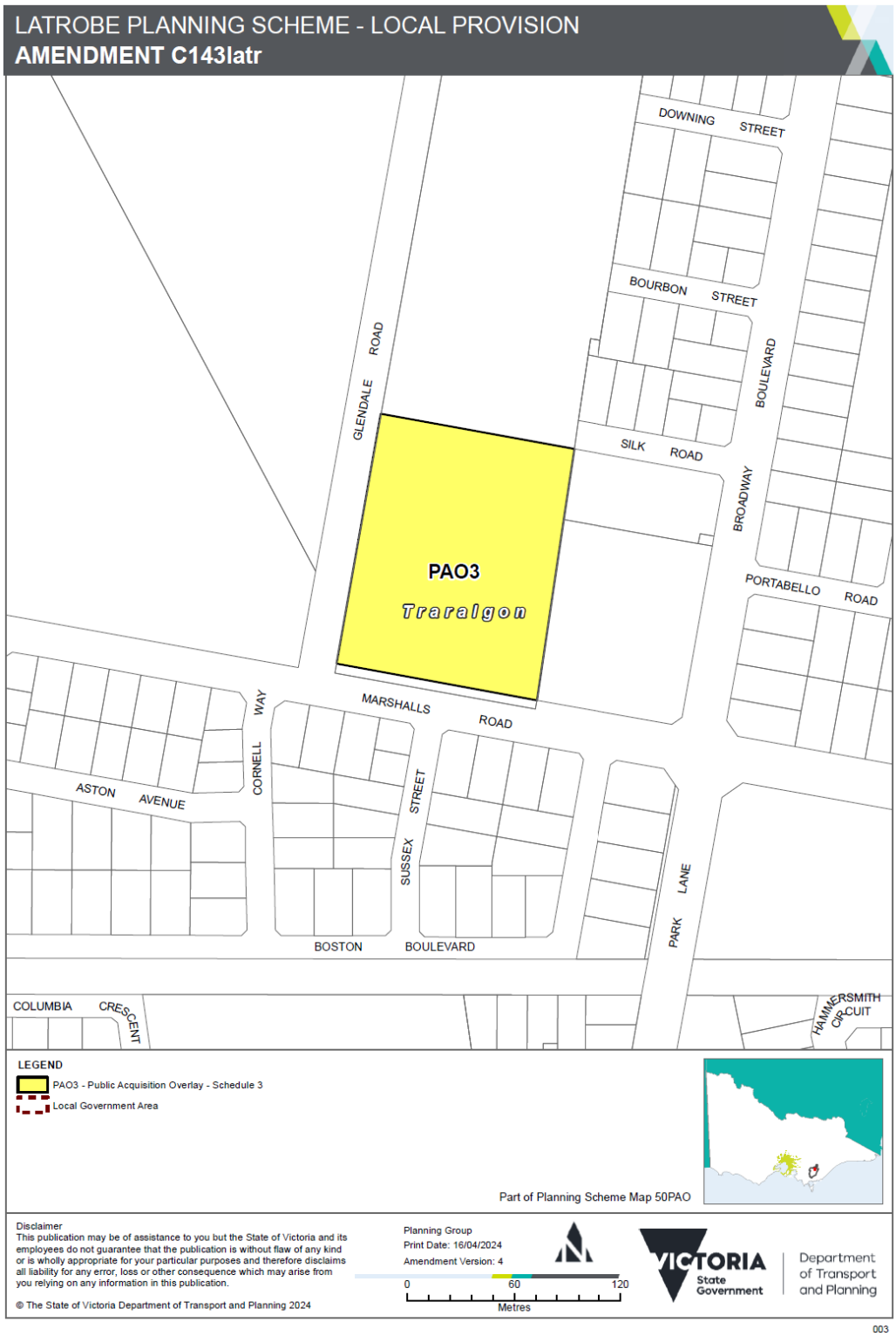


Figure 22: Extent of PAO required for DCP projects DI-LA-2 and DI-OS-1.

4.0 Relevant Policy

4.1 Lake Narracan Precinct Structure Plan and Development Contribution Plan

The Lake Narracan PSP and Lake Narracan DCP are each an incorporated document in the Latrobe Planning Scheme – Clause 72.04. As these documents are incorporated documents, they must be addressed like any other requirement in the scheme if triggered.

Lake Narracan PSP and DCP were prepared by the Metropolitan Planning Authority (MPA), now Victorian Planning Authority (VPA), in partnership with Latrobe City Council, agencies and authorities, and the local Moe-Newborough community. The PSP covers approximately 604 hectares of land along the banks of Lake Narracan. The PSP is bounded by Lake Narracan to the north and east, Becks Bridge Road and Old Sale Road along the west and Moe – Yallourn Rail Trail and John Field Drive along the south. The PSP primarily provides for residential development and is estimated to accommodate 3,723 dwellings.

The PSP will also provide for 3000 square metres of commercial land across two 'village centres', 33.148 hectares of public open and recreation space, 104.388 hectares of restored waterways and habitat, and a school and a community hub. The PSP provides a significant population increase to the Moe-Newborough town. By significantly expanding the local population the PSP aims to improve the commercial viability of the Moe Activity Centre and, by extension, improve local employment opportunities.

The DCP allows Latrobe, as the nominated collecting authority, to collect a Development Infrastructure Levy towards 36 projects and a Community Infrastructure Levy towards a further five (5) projects. These projects are spread across seven categories: Intersections, roads, culverts, open space, community facilities, wetlands, and waterways. These projects are key to ensuring the new urban area will have a high liveability standard.

The natural environment will also be improved through the provision of new wetlands and upgraded waterways which will improve the quality of water running into Lake Narracan and the greater Latrobe River system. The collecting authority is then required to spend the collected contributions as described in the DCP as and when the DCP identifies a project will be triggered. Most projects are triggered at the time of subdivision. Other projects have specific indicative triggers outlined in the DCP.

Costs in the DCP have been calculated on the basis of 337.66 developable hectares which will yield 3,723 dwellings. Costs in the DCP are reviewed annually with updated costs and levies published to Councils website in accordance with the Planning and Environment Act 1987 and relevant State Government guidelines.

Lake Narracan PSP and DCP incorporate eight wetlands sized and are located to clean stormwater generated by developments in the growth area. These wetlands are located on private land.

It is proposed to apply PAO3 to part of one property in Newborough as Council Officers have come to the belief that WL-09 will be required by development in the wider precinct.

Table 3: Lake Narracan DCP projects facilitated by PAO3.

Identifier	Item	Description
WL-09	Purchase land from property 66 (beyond 60m waterway corridor) and construction of stormwater quality treatment wetland.	Land area approximately 1.4ha.

4.2 Morwell North West Development Plan and Development Contribution Plan

Latrobe City Council approved the Morwell North West Development Plan and Development Contribution Plan on the 4 October 2010. The development plan estimates that the precinct will yield 1,280 new housing lots, 0.33 hectares of commercial land via a local activity centre, and 4.03 hectares of public open space.

The development plan contains within it a development contribution plan which is enforced by a requirement in DPO1 that planning permits for subdivision include a Section 173 agreement to provide for the collection of development levies in accordance with the development plan. The precinct is considered by Latrobe to be a highly fragmented area due to the smaller than ideal lot size (for greenfield development) and lack of ownership consolidation. Only properties which are considered to have sufficient subdivision potential to afford development levies have been included in the DCP (23 properties). Only three properties identified in the DCP are larger than 8 hectares. The 20 other properties are under 4 hectares, with 9 of these properties smaller than 3 hectares.

The DCP aims to share the cost of providing infrastructure in the precinct which, due to the smaller than ideal lot size, would have financial difficulty providing the required infrastructure. Key infrastructure identified in the DCP relate to road widening, intersection upgrades, and provision of new collector roads; wetlands and channels to implement a holistic stormwater management system for the growth area; and embellishments for new parks within the precinct.

The land identified for acquisition (Table 4) will accommodate the infrastructure required to treat stormwater generated by the subdivision of land within the precinct and convey this water to the Morwell River. To the best of Latrobe City's knowledge, six of the eight properties identified currently have no intention to subdivide. The other two properties identified (25 and 55 English Street) are currently going through the planning permit process for subdivision. However, their ultimate ability to act on their permits (if granted) is dependent on Latrobe City acquiring land downstream to accommodate the centralised stormwater infrastructure identified in the development plan. Council acquisition is the only feasible option to acquire the land as there is no single developer of sufficient scale which would have the funds capable to acquire the required land.

Table 4: Morwell North West DCP projects facilitated by PAO3.

Identifier	Item	Description
WR-02	Wetland/Retarding basin north of Gordon street.	Land area approximately 0.75ha.
WR-04	Wetland/Retarding basin east of Jason Street.	Land area approximately 0.52ha.
CH-03	Drainage channel, Low flow conveyance channel through basin WR-02. Inlet and outlet from WR-02.	Channel of 320m in length and average of 10m width.
CH-04	Drainage channel, conveyance of water from CH-05 to CH-03	
CH-05	Drainage channel, conveyance of water from existing wetland to CH-04	

4.3 Traralgon North Development Plan and Development Contribution Plan

Latrobe City Council endorsed the Traralgon North Development Plan and Development Contribution Plan on the 29 November 2013. The development plan covers a total area of 123.83 hectares and is designed to provide an estimated 1,111 new dwellings. The growth area will also provide 8.88 hectares of open space, 0.35 hectares of community facilities, and 1.97 hectares of commercial land in a neighbourhood activity centre.

The development plan contains within it a development contribution plan which is enforced by a requirement in DPO7 that planning permits for subdivision include a Section 173 agreement to provide for the collection of development levies in accordance with the development plan.

The DCP allows Latrobe, as the nominated collecting authority, to collect a Development Infrastructure Levy towards 28 projects and a Community Infrastructure Levy towards a further two projects. These projects are spread across six categories: roads & intersections, trails, open space, community facilities, drainage, and recouping DCP preparation costs. These projects are key to ensuring the new urban area will have a high liveability standard. The collecting authority is then required to spend the collected contributions as described in the DCP as and when DCP identifies a project will be triggered. Most projects are triggered at the time of subdivision or unless otherwise negotiated with Council.

Costs in the DCP have been calculated on the basis of 104.82 developable hectares which will yield 1,111 dwellings. Costs in the DCP are reviewed annually with updated costs and levies published to Councils website in accordance with the Planning and Environment Act 1987 and relevant State Government guidelines. The Community Infrastructure Levy is fixed at $900.00.

Table 5 identifies the projects which will be facilitated by the application of the PAO3. These projects are already part of an approved planning permit (2021/205). This permit was granted in December 2022, however no applications under this permit have been received. Council received half of the land required for the projects in Table 5 in September 2023 as this area was under a separate planning permit (2016/197). During the annual indexation process, Latrobe City Council's *Recreational and Open Space Team* advised that there is a high demand for a new active open space reserve in Traralgon and that they would like to utilise the reserve identified in Traralgon North DP. Council has therefore included these projects in the proposed amendment as a safeguard to ensure Council can acquire the land if development has not started on 2021/205 by the time the amendment is gazetted.

Table 5: Traralgon North DCP projects facilitated by PAO3

Identifier	Item	Description
DI-LA-2	Active Open Space reserve	Land question for Active Open Space. Approximately 1.586Ha
DI-OS-1	Active Open Space reserve	Improvements to the Active Open Space reserve to Councils specification.

4.4 Guide to Victoria's Planning System (Chapter 6: Acquisition and Compensation) and relevant legislation

The *Guide to Victoria's Planning Scheme* is a document published by the State Government which outlines administrative procedures and technical interpretations of the Planning and Environment Act, functions and requirements of planning schemes and other supporting Acts. Chapter 6 specifically outlines:

- who can compulsorily acquire land;
- when compulsory acquisition is allowed;
- how to compulsorily acquire land;
- when compensation is required; and how it is to be calculated; and
- when and how to use the Public Acquisition Overlay.

Who can compulsorily acquire land?

The Land Acquisition and Compensation Act 1986 defines that only Authorities can compulsorily acquire land. In this Act, an Authority is defined as a person or body authorised under the special Act to acquire land. The special Act is not a specific Act, rather it is a clause in either an Act or regulation which states that the Act or regulation is the special Act for the purposes of the Land Acquisition and Compensation Act 1986.

Section 172(3) of the Planning and Environment Act 1987 designates the Planning and Environment Act 1987 as the special Act for the purposes of the Land Acquisition and Compensation Act 1986. It also states that both the Minister for Planning and the responsible authority can be the Authority under the Land Acquisition and Compensation Act 1986.

What land can be compulsorily acquired?

Section 172(1) of the Planning and Environment Act 1987 states that:

> *"The Minister for Planning or the responsible authority may compulsorily acquire–*
>
> *(a) any land which is required for the purposes of any planning scheme even if the scheme or an amendment to the scheme including the requirement has not been adopted or approved by the relevant planning authority or approved by the Minister; or*
>
> *(b) any land which—*
>
> > *(i) is used for any purpose not in conformity with, whether or not actually prohibited by, the planning scheme; or*
> >
> > *(ii) is vacant and unoccupied—*
>
> *if in the opinion of the Minister or the responsible authority to achieve the proper development of any area in accordance with the planning scheme it is desirable that the use should not be continued or (as the case requires) that the land should be put to appropriate use; or*
>
> (c) any land in an area in respect of which a declaration under subsection (2) is in force."

Subsection 2 is for when the Governor in Council (Governor of Victoria) has issued a notice in the Government Gazette to declare an area where it is desirable for the Minister for Planning or a responsible authority to compulsorily acquire land.

Latrobe City Council is the responsible authority for the Latrobe Planning Scheme and therefore can, under section 172, acquire land for the purposes of the planning scheme. This report outlines that the projects

identified are for the purpose of the planning scheme as they are part of an incorporated document in the Latrobe Planning Scheme (Lake Narracan DCP). Therefore, it is appropriate to identify the land for compulsory acquisition to ensure proper development as per the planning scheme.

Latrobe City Council is not proposing to act under Section 112 of the Local Government Act 2020. Section 112 nominates the Local Government Act 2020 as a special Act and allows Councils to compulsorily acquire land for the purposes of performing its functions i.e., the provision of stormwater systems or local roads. Whilst this report does identify the acquisition of land for road projects, these projects are required because of the planning scheme. Acting under Section 112 would be appropriate if Council desired to expand an existing wetland or road to aid its normal functions.

How to compulsorily acquire land

The Land Acquisition and Compensation Act 1986 outlines the process to legally compulsorily acquire land. If the process is not followed the acquisition is not legal.

Before compulsory acquisition can begin, the land must first be reserved "under a planning instrument for public purposes" (Section 5 (1)). The Guide specifies that the practical meaning of this section is that the Public Acquisition Overlay (PAO) has been applied to the relevant land. The Victorian Planning Provisions (VPP) contain a number of options to identify land for public purposes i.e. Public Use Zone, however they can only be applied when the land is owned by a public authority. The PAO is one of two tools in the VPP which can reserve land for a public purpose where the land is privately owned. The other tool is an Infrastructure Contributions Plan (ICP). The projects Council has identified are not part of an ICP and therefore, the only tool available, is the Public Acquisition Overlay.

Regulation 6 of the Land Acquisition and Compensation Regulations specifies two exemptions where land is not required to be reserved before beginning. These are:

> *"(a) land to be acquired for a road widening or the deviation of a road if the land is only part of an allotment and-*
>
> > *(i) the area of the land to be acquired is less than 10 per cent of the total area of the allotment; and*
> >
> > *(ii) the total value of the interest to be acquired is less than 10 per cent of the value of the unencumbered freehold interest in the total area of the allotment;*
>
> *(b) land over which an easement is to be acquired if the acquisition of that easement will not reduce the value of the unencumbered freehold interest in allotment by more than 10 per cent."*

4.5 Municipal Planning Strategy

Clause 2.03-1 Settlement

Clause 2.03-1 outlines municipal policy relating to settlements. In this clause Morwell is identified as one of four primary population centres in Latrobe and identified for further growth. The proposed change will facilitate the delivery of residential subdivisions thereby supporting the aim of clause 2.03-1 to encourage residential growth in the four primary population centres.

Clause 2.03-6 Housing

Clause 2.03-6 notes that Latrobe aspires to a population of 100,000 by 2050. Lake Narracan PSP contributes to the significant supply of residential land needed to accommodate 100,000 people. The Lake

Narracan DCP, Morwell North West DCP and, Traralgon North DCP identify the projects, listed in Table 1, as being critical to the delivery of these growth areas. Therefore an amendment which facilitates the delivery of these growth areas facilitates housing and thus is in accordance with 2.03-6.

Clause 2.03-9 Infrastructure

Clause 2.03-9 highlights that development in Latrobe is constrained by many *infrastructure assets* which need to be protected from development which would compromise their efficient functioning. Stormwater infrastructure is critical to the good functioning of growth areas and, due to being a gravity-based system which often uses the natural topography, have limited locations where they can go. As the location in Morwell North West has been defined through the adoption of the development plan, the planned alignment needs to be protected to ensure it can be delivered cost effectively when required.

2.03-9 also seeks to direct the planning of open space networks. Whilst the primary purpose of the reserves identified to be acquired is for stormwater treatment and conveyance, they do have a secondary purpose of providing vegetated open space and habitat. The bulk of the PAO proposed to be applied in this area will form a key linear corridor of green space through the precinct.

4.6 Planning Policy Framework

Clause 11 Settlement

At a high level, clause 11 outlines that planning's purpose is to *"facilitate sustainable development that takes full advantage of existing settlement patterns…".* Morwell North West is a natural extension of the northern fringe of Morwell which seeks to define a finer grain within the existing road and lot network currently present. It also seeks to take advantage of existing topography when planning the alignment of stormwater infrastructure. Therefore, the proposed change is in accordance with clause 11 as it seeks to protect land identified in a development plan which is in accordance with clause 11.

Clause 11.01-1L Morwell

Under clause 11.01-1L Morwell has a defined Town Structure Plan. In this plan, the land proposed to have the PAO applied is identified as 'future public open space.'

Clause 14.02-1S Catchment planning and management

This clause is aimed at protecting and restoring waterways and catchments. The main catchment in the precinct is proposed to follow a natural drainage line which is currently little more than a swale drain. Under the DP and DCP, this drainage line is proposed to be upgraded and revegetated to the satisfaction of the local catchment management authority. This revegetation will result in the restoration of the waterway within the precinct and improved water quality within the wider catchment.

Clause 14.02-2S Water quality

Clause 14.02-2S objective is to protect water quality by ensuring appropriate siting of development and ensuring any land use which could discharge potentially contained runoff into waterways manages and minuses the runoff. The proposed stormwater treatment which will be delivered on the land acquired via this PAO will manage and minimise runoff from subdivision development and treat that runoff to the standards required by the local waterway catchment management authority.

Clause 19 Infrastructure

The key aim of clause 19 is to ensure social and physical infrastructure is planned in a way such that is efficient, equitable, accessible and timely. The application of the PAO3 is key to ensure that the stormwater treatment infrastructure is provided in a timely manner.

Clause 19.03-1S Development and infrastructure contributions plans

This clause aims to ensure the timely provision of planned infrastructure to communities through the use and implementation of DCPs. Council has prepared a DCP and is seeking to implement the infrastructure contained in it when it is identified as necessary. However, some infrastructure is located on land yet to receive development permission. Therefore, the application of the proposal will allow Council to acquire the necessary land when planned infrastructure is required.

Clause 19.03-2S Infrastructure design and provision

The objective of this clause is to *"provide timely, efficient and cost-effective development infrastructure that meets the needs of the community".* Relevant strategies identified in the scheme are to *"provide an integrated approach to the planning and engineering design of new subdivision and development".* The proposed change is critical to achieving this integration as the DP is designed based on a precinct wide stormwater system. Council needs to acquire this land to facilitate the delivery of the stormwater system at the time of development. By acquiring the land now, Council will be prepared to provide the land for stormwater treatment when developments want to deliver infrastructure.

Clause 19.03-2L Infrastructure design and provision

This clause directs Council to ensure development in urban areas are connected to mains utilities including stormwater. At this point in time, this cannot be achieved because Council does not have the appropriate means to acquire the land identified to accommodate stormwater infrastructure. The change proposed will allow Council to acquire the land require when it is required.

Clause 19.03-3S Integrated water management

This clause identifies the management of stormwater through on-site measures and developer contributions as a key strategy to achieve the objective of the clause. Applying the change proposed will allow Council to acquire the land for the necessary stormwater infrastructure which will allow us to minimise stormwater impacts downstream and improve water quality in the area through natural filtration systems (wetlands).

4.7 Clause 45.01 Public Acquisition Overlay

Clause 45.01 outlines four key purposes of the Public Acquisition Overlay.

- *To implement the Municipal Planning Strategy and the Planning Policy Framework* – how the proposal achieves this has been outlined in sections 4.3 and 4.4.
- *To identify land which is proposed to be acquired by a Minister, public authority or municipal council* – this proposal seeks to amendment the scheme such that the land required for active reserves and drainage projects in the Lake Narracan DCP, Morwell North West DCP, and Traralgon North DCP is shown clearly by the use of the PAO on the land.
- *To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired* – the application of the PAO now while land in the precincts is still relatively undeveloped, will minimise the loss landowners experience when

land is acquired as the PAO will provide a clear expectation that no development is to occur on the reserved land.

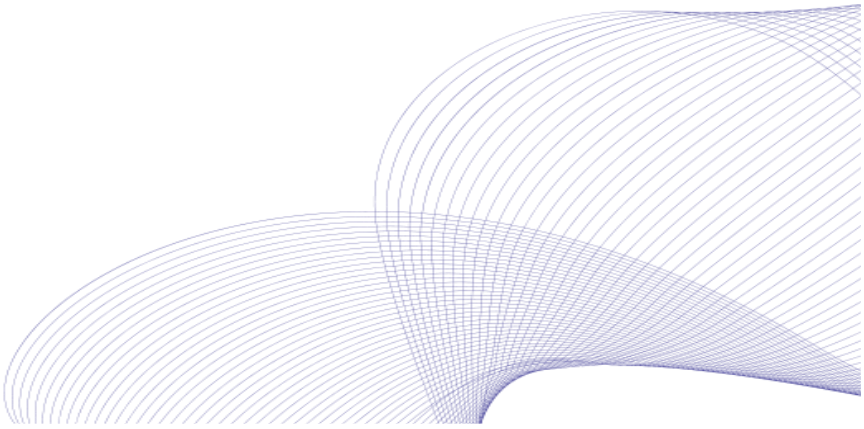
5.0 Interest and Advice

West Gippsland Catchment Management Authority (WGCMA) is the relevant Catchment Management Authority in the area. Advice was sought from the WGCMA as part of the initial DP approval process completed in 2010. Further advice was sought as part of the DP review which was completed in 2018. One of the key focuses for the review was the adequacy of the proposed stormwater infrastructure which was identified as under sized. The review increased the size of stormwater infrastructure and updated the DCP accordingly. Due to WGCMA approval being attained as part of the endorsement and review of the DP, no further advice is considered necessary by Council Officers as the application of the PAO to the land will not change the endorsed SWMS. Rather it will facilitate its further delivery. The WGCMA will be further consulted at the time of construction of the proposed waterways and wetland, once the land has been acquired by Council.

No other authority is considered relevant to the proposed change.

6.0 Recommendation

This report identifies that the proposal to apply the Public Acquisition Overlay to the required parts of 13 properties in Newborough, Morwell and Traralgon for the purposes of reserving land for active reserves and drainage projects identified in the Lake Narracan DCP, Morwell North West DCP, and Traralgon North DCP is in accordance with relevant objectives, strategies and provisions outlined in the Latrobe Planning Scheme and is in accordance with relevant State Government guidelines. It is therefore recommended that the proposal be adopted by Latrobe City Council as a planning scheme amendment and that Council seeks the authorisation from the Minister for Planning to prepare and exhibit an amendment to implement the proposal.



Planning and Environment Act 1987

Latrobe Planning Scheme

Amendment C143latr

Instruction sheet

The planning authority for this amendment is the Latrobe City Council.

The Latrobe Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 5 attached map sheets.

Overlay Maps

1. Insert Planning Scheme Map Nos. 24PAO, 25PAO, 30PAO, 50PAO, 71PAO, and 76PAO in the manner shown on the 5 attached maps marked “Latrobe Planning Scheme, Amendment C143latr”.

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

2. In **Overlays** – Clause 45.01, replace the Schedule with a new Schedule in the form of the attached document.

3. In **Operational Provisions** – Clause 72.03, replace the Schedule with a new Schedule in the form of the attached document.

4. In **Operational Provisions** – Clause 74.01, replace the Schedule with a new Schedule in the form of the attached document.

End of document

Planning and Environment Act 1987

Latrobe Planning Scheme

Amendment C143latr

Explanatory Report

Overview

The amendment applies the Public Acquisition Overlay to part(s) of 11 properties in the Lake Narracan growth area, part of 11 properties in the Morwell North West growth area, and part of 1 property in the Traralgon North growth area. The Public Acquisition Overlay will only be applied to part of these properties as per the maps for this amendment. The amendment will allow Latrobe City Council to compulsorily acquire land to facilitate the delivery of the Lake Narracan Precinct Structure Plan & Development Contribution Plan (DCP), Morwell North West Development Plan & Development Contribution Plan, and the Traralgon North Development Plan & Development Contribution Plan. The amendment makes minor changes to Clause 72.02 – *What does this scheme consist of?* to include reference to the Public Acquisition Overlay on maps 24, 25, 30, 50, and 71. The amendment also makes minor changes to Clause 74.01 – *Application of zones, overlays and provisions* to outline how the Public Acquisition Overlay implements the Municipal Planning Strategy.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Latrobe City Council website at https://www.latrobe.vic.gov.au/Property/Development/Planning_Scheme_Amendments/Current_Planning_Scheme_Amendments.

and

The amendment is available for public inspection, free of charge, during office hours at the following places:

Latrobe City Council

Corporate Headquarters

141 Commercial Road, Morwell

Office hours: 9am to 5pm, Monday to Friday

Churchill Service Centre

9-11 Philip Parade, Churchill

Office hours: 10am to 4.30pm, Monday and Friday

Moe Service Centre

1-29 George Street, Moe

Office hours: 8.30am to 5.15 Monday to Friday & 9am to 12noon Saturday

Traralgon Service Centre

34-38 Kay Street, Traralgon

Office hours: 8.30am to 5.15pm Monday to Friday & 9am to 12noon Saturday

The amendment can also be inspected free of charge at the Department of Transport and Planning website at http://www.planning.vic.gov.au/public-inspection or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

Details of the amendment

Who is the planning authority?

This amendment has been prepared by the Latrobe City Council, which is the planning authority for this amendment.

The amendment has been made at the request of Latrobe City Council.

Land affected by the amendment

The Amendment applies to part of 11 properties in the Lake Narracan growth area (Figure 1), part of 11 properties in the Morwell North West growth area (Figure 2), and part of 1 property in the Traralgon North growth area (Figure 3).

A mapping reference table is attached at Attachment 1 to this Explanatory Report. Attachment 2 to this Explanatory Report contains a map of each title with the PAO overlaid.

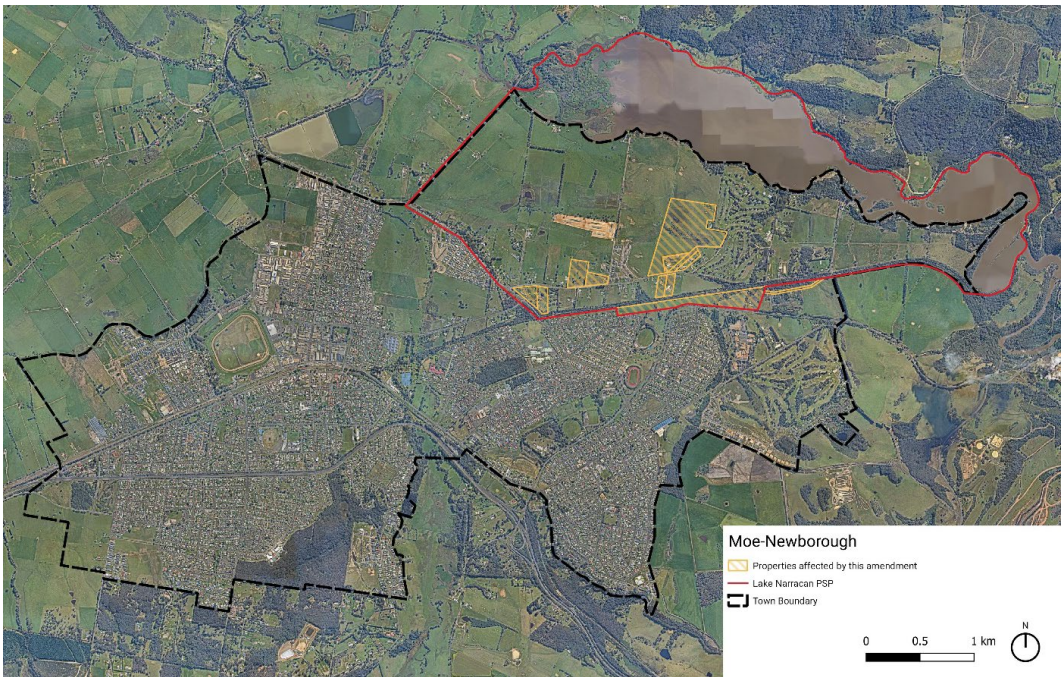


Figure 1: Lake Narracan growth area

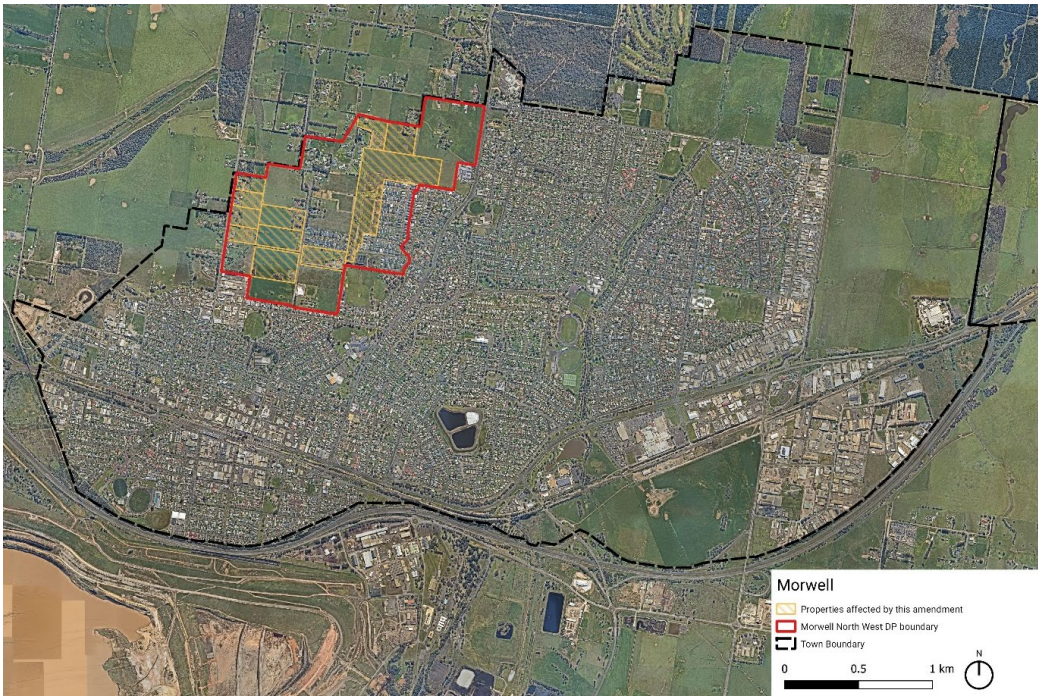


Figure 2: Morwell North West growth area

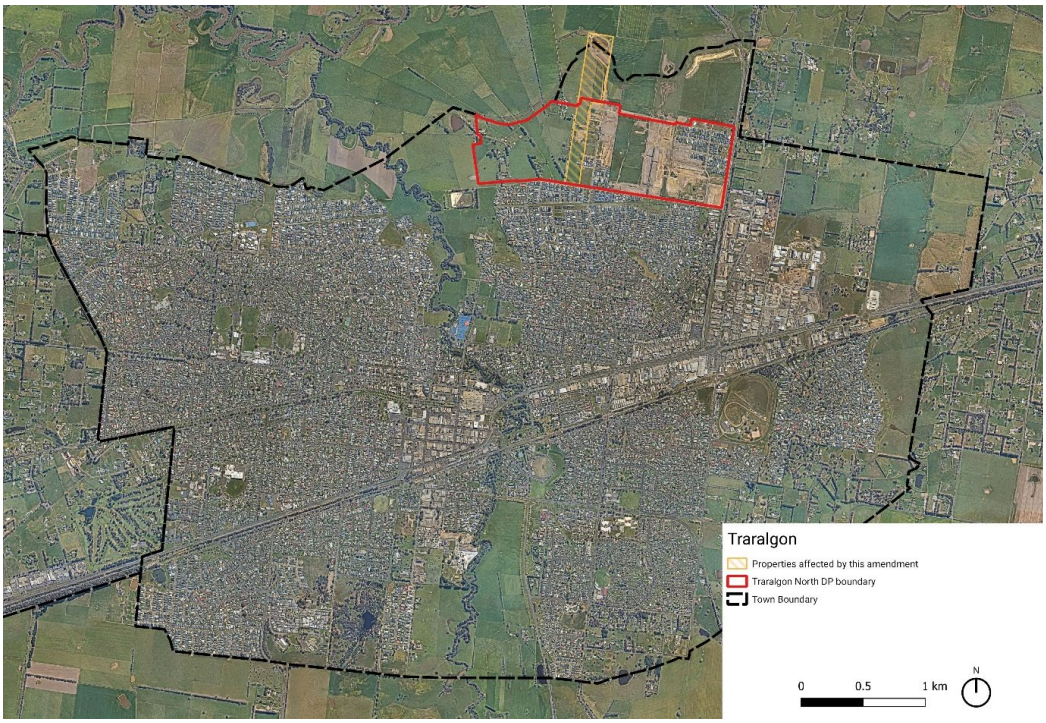


Figure 3: Traralgon North growth area

What the amendment does

The amendment applies the Public Acquisition Overlay to part of 23 properties to advance the acquisition of land required for public purposes including road infrastructure, drainage infrastructure and active open space identified in the Lake Narracan Precinct Structure Plan & Development Contribution Plan, Morwell North West Development Plan & Development Contribution Plan, and the Traralgon North Development Plan & Development Contribution Plan.

Specifically, the amendment makes the following changes:

Overlay Maps

- Inserts Planning Scheme Map No.s 24PAO, 25PAO, 30PAO, 50PAO, 71PAO, and 76PAO to apply the Public Acquisition Overlay (PAO2 or PAO3) to the 23 identified properties.

Planning Scheme ordinance

- Amends 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 as ‘Road Projects’
  - Latrobe City Council as the acquiring authority for the PAO3 with the purpose of acquisition ‘Drainage / Open Space Reserves.’

- Amends the schedule to Clause 72.03 – *What does this planning scheme consist of?* to reference 24PAO, 25PAO, 30PAO, 50PAO, 71PAO, and 76PAO.
- Amends the schedule to Clause 74.01 – *Application of zones, overlays and provisions* to outline how the Public Acquisition Overlay implements the Municipal Planning Strategy.

Strategic assessment of the amendment

Why is the amendment required?

To facilitate development in the Lake Narracan, Morwell North West, and Traralgon North growth area, land is required for public purposes including road infrastructure, drainage infrastructure and active open space. This infrastructure is identified in the Lake Narracan Precinct Structure Plan (PSP) and Development Contributions Plan (DCP), Morwell North West Development Plan (DP) and DCP, or the Traralgon North DP and DCP. Lake Narracan PSP and DCP are incorporated documents in the Latrobe Scheme which were introduced by Amendment C86. The Morwell North West DP and DCP are endorsed under Development Plan Overlay Schedule 1. The Traralgon North DP and DCP are endorsed under Development Plan Overlay Schedule 7. Whilst they are not incorporated or background documents in the scheme, they are documents which the scheme required to be prepared. Therefore, Latrobe City Council is still required to act in general accordance with them.

All three growth areas are at differing stages of development. Approximately 9.2% of private properties in Lake Narracan PSP have subdivision approval and are in some state of development. 12.2% of properties in Morwell North West either have subdivision approval or have a permit application for subdivision under assessment. 75% of properties in Traralgon North have subdivision approval and are in some state of development.

The planning permit and subdivision processes have not been able to secure all the necessary public land identified in the relevant DCP in a timely manner. Therefore, a formal acquisition process is required to secure the land necessary to deliver high priority projects.

To facilitate the timely delivery of 3 intersection projects, 2 road widening projects, 9 drainage projects and 2 active open space projects, a Public Acquisition Overlay is necessary.

Applying the Public Acquisition Overlay to land, reserves the land in the planning scheme and allows for a compulsory acquisition process to be undertaken by the identified Acquiring Authority (Latrobe City Council) to be initiated at a future date.

Each of these projects is critical to the ongoing development of these key development areas and the application of the public acquisition overlay (PAO) to 23 properties will facilitate the land acquisition for these critical projects. The PAO will

cover part of the identified properties, reflecting the planned location of the necessary infrastructure.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria pursuant to Section 4 of the *Planning and Environment Act 1987* by providing for the fair, orderly and sustainable development of land. The amendment seeks to enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community and will ensure an efficient and safe working, living and recreational environment for all in the community.

How does the amendment address any environmental, social and economic effects?

The Lake Narracan PSP, Morwell North West DP, and Traralgon North DP were developed through extensive research and consultation to ensure that the identified growth areas could meet all likely needs that future residents would likely have. Together the PSP/DP and their respective DCP provide a plan to create a considered and well-planned approach to the development of new residential communities in Latrobe which considered environmental, social and economic effects in their design.

The intent of preparing DCPs was to ensure that the infrastructure required to service the new communities is provided in a timely manner and will meet the communities needs and expectations.

Environmental

The amendment does not pose any new impact on the environment. Environmental impacts of DCP projects were considered by Latrobe City Council at the time the DCPs were adopted by Council. Construction work to deliver DCP projects following the land acquisition, will be undertaken as per Councils national construction standards with an appropriate environmental management and construction management plan in place.

Social

Implementing the Amendment into the Latrobe Planning Scheme has the potential to maintain the planned supply of new residential estates in Latrobe which facilitate the delivery of new homes.

Economic

Implementing the Amendment into the Latrobe Planning Scheme has the potential to maintain the planned supply of new residential estates in Latrobe which facilitate the delivery of new homes.

Any land acquisition made possible under this Amendment undertaken in accordance with the *Land Acquisition and Compensation Act 1986* to ensure a fair and equitable process for all parties occurs and that a fair compensation is provided.

Does the amendment address relevant bushfire risk?

The amendment does not increase the risk to life, property, community infrastructure or the natural environment. The amendment only seeks to apply the Public Acquisition Overlay to properties that are critical to the provision of road infrastructure, drainage, and open space in key development areas.

The amendment secures land required for infrastructure which underpins the ultimate delivery of Latrobe's growth areas. By unlocking key pieces of land, the amendment will ultimately result in reduced fire risk in the area as farming land is converted into an urban environment over time. Bushfire risks associated with subdivisions is addressed through the planning permit process.

Views of the relevant fire authority

The amendment was referred to the Country Fire Authorities (CFA). They did not request changes and did not object to the amendment.

Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

The amendment is consistent with *Ministerial Direction The form and content of Planning Schemes* as it makes changes to the scheme that utilises the relevant templates and structuring that are specified in this direction..

The amendment is consistent with the *Ministerial Direction 11 Strategic Assessment of Amendments* under Section 12(2) of the Act. An assessment of the planning scheme amendment has been made against the guidelines and details have been provided within this explanatory report.

The amendment has been consistent with the *Ministerial Direction 15 The Planning Scheme Amendment Process* under Section 12(2) of the Act by meeting timeframes set out by this direction. Where timeframes have not been possible to meet, exemptions have been sought.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

Clause 11.01-1L Moe-Newborough: The location of the overlay is in accordance with relevant identified directions in the town structure plan

Clause 11.01-1L Morwell: The location of the overlay is in accordance with relevant

identified directions in the town structure plan

Clause 13.06-1S Air quality management: The amendment supports the provision of open space and an improved road network which will facilitate public transport, walking and cycling options.

Clause 14.02-1S Catchment planning and management: The amendment will allow Council to acquire land around waterways and identified stormwater treatment infrastructure. Without the amendment Council may not be able to acquire the land and therefore stormwater treatment will likely not be able to be provided.

Clause 14.02-2S Water quality: The DCPs identify stormwater infrastructure to ensure water entering natural waterways is clean. Without the amendment certain developments in Morwell North West and Lake Narracan may not be able to adequately treat stormwater before it enters waterways.

Clause 18.01-1S Land use and transport integration: The amendment supports the provision improved transport network which will facilitate public transport, walking and cycling options and major road realignments as identified in the DCPs.

Clause 18.01-2S Transport system: The amendment facilitates the delivery of road projects identified in DCPs as being required to avoid negative impacts to the existing transport networks.

Clause 18.01-2R Transport system – Gippsland: The amendment facilitates the delivery of road projects identified in DCPs which will be of particular benefit to the Gippsland road network.

Clause 18.02-4S Roads: The amendment facilitates development and projects which will overall result in an upgrade of the roads on the edge of town which were historically of a lower standard due to being located in non-urban areas.

Clause 19.03-1S Development and infrastructure contributions plans: This amendment is the logical next step to action three DCPs prepared in accordance with Minister Direction for Development Contribution Plans.

Clause 19.03-2S Infrastructure design and provision: This amendment seeks to reserve land to ensure it can be provided in a timely and cost-effective manner if the planning permit and subdivision processes fail to do so.

Clause 19.03-2L Infrastructure design and provision: This amendment will allow Council to provide the drainage infrastructure identified in DCPs when development activity in the growth areas require it. Without this amendment certain properties within the Morwell North West and Lake Narracan growth areas won’t be able to connect to the proposed drainage system.

Clause 19.03-3S Integrated water management: This amendment seeks to allow Council to acquire land identified for centralised drainage infrastructure in the DCPs. Without this centralised infrastructure, development may not be able to meet the required treatment standards for stormwater.

The future land acquisitions will be subject to the provisions of the *Land Acquisition and Compensation Act 1986*.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment is consistent with the following clauses of the MPS;

- Clause 2.03-1 as it will facilitate development in existing growth areas identified within the Planning Scheme.
- Clause 2.03-6 as it will facilitate the delivery of housing in the municipality.
- Clause2.03-9 as it seeks to protect the delivery of future infrastructure and ensure coordinated open space networks and drainage infrastructure can be delivered as planned.

The Lake Narracan PSP and DCP, Morwell North DP and DCP, and Traralgon North DP and DCP have already been endorsed by Council as documents which are in accordance with the Municipal Planning Strategy. The amendment is the logical extension of the actions outlined in the DCP and is therefore in accordance with the Municipal Planning Strategy.

Does the amendment make proper use of the Victoria Planning Provisions?

Use of the PAO is the appropriate Victoria Planning Provision to acquire land that has been identified as being needed for a public purpose. The purpose of the overlay is as follows:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify land which is proposed to be acquired by a Minister, public authority or municipal council.*
- *To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.*
- *To designate a Minister, public authority or municipal council as an acquiring authority for land reserved for a public purpose.*

Applying the PAO places the ‘reservation’ in the planning scheme and allows for a future compulsory acquisition process to be initiated by Latrobe City Council as the designated Acquiring Authority.

The application of the PAO ensures that the Council as the Acquiring Authority has an undeniable right to acquire the reserved land, subject to the *Land Acquisition and Compensation Act 1986,* even if the landowners at the time of acquisition do not want to sell.

How does the amendment address the views of any relevant

agency?

The Department of Transport and its predecessors were consulted during the preparation of the PSP, DPs and DCPs to determine the required road infrastructure improvements and treatments. The West Gippsland Catchment Management Authority (WGCMA) were also consulted during the preparation of the PSP, DPs and DCPs to ensure the drainage infrastructure would meeting their standards for stormwater treatment. The adopted PSP, DPs and DCPs reflect the requirements of the agencies at the time Council adopted these documents.

Exhibition stage

All relevant agencies and authorities have been notified as part of exhibition of the Amendment. A submission of support was received from the WGCMA. No submissions were received from either the Head, Transport for Victoria or the Gunaikurnai Land and Waters Aboriginal Corporation (the relevant Registered Aboriginal Party).

Approval stage

All submissions received during the exhibition have been considered by Latrobe City Council and Planning Panels Victoria prior to adopting the amendment. Planning Panels Victoria have agreed with Councils position regarding the two submissions received which object to the amendment. Planning Panels Victoria did not recommend making any changes to the amendment in response to the objecting submission. Rather, they recommend that Council proceed with Amendment C143 as exhibited.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The upgrades to the road network proposed by the DCPs meet the transport system objective 11- 3 of the *Transport Integration Act 2010*.

> *Without limiting the generality of subsection (1), the transport system and land use should be aligned, complementary and supportive and ensure that—*
>
> *(a) transport decisions are made having regard to the current and future impact on land use;*
>
> *(b) land use decisions are made having regard for the current and future development and operation of the transport system;*

Application of PAO2 will ensure that objective 11-3(c) under the *Transport Integration Act 2010* can be achieved by allowing Latrobe City Council to secure land identified in the DCPs identified in this report, where objective11-3(c) requires that:

> *(c) transport infrastructure and services are provided in a timely manner to support changing land use and associated transport demand.*

This amendment will ensure that the transport planning identified in the growth area

plans can be delivered as intended.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The proposed application of the PAO is not expected to increase the number of planning permit applications. Council may experience a minor increase in written planning advice applications due to a new planning control being applied. However, this increase should be manageable within current resourcing in the Statutory Planning Team.

Latrobe City has administrative resources within its Property and Commercial Team to oversee the acquisition of land under the proposed PAO2, and PAO3. Council by supporting this amendment understands this is critical infrastructure that is required for servicing growth and ensuring community safety and will therefore allocate resources accordingly.

Land acquired through the PAO process will likely cost the Council more than land transferred through the planning permit process due to the requirements to pay compensation in accordance with the *Land Acquisition and Compensation Act 1986.*

Notwithstanding this, the use of the PAO is the most time efficient mechanism available for the Council to acquire the land it needs to deliver these critical projects.

Attachment 1 – Mapping reference table

Location	Land /Area Affected	Mapping Reference	Address	Proposed Zone changes	Proposed Overlay changes	Proposed deletion changes
Newborough	Land bounded by Lake Narracan to the North, Sullivans Track to the east, John Field Drive to the south, and Old Sale Road to the west.	Latrobe C143 24PAO, 25PAO, 30PAO Exhibition	Part of 1 Thompsons Road, NEWBOROUGH (1\LP142353) Part of 3 Thompsons Road, NEWBOROUGH (2\LP142353) Part of 10 Thompsons Road, NEWBOROUGH (6\LP157245) Part of 5 Hayes Road, NEWBOROUGH (1\LP126050) Part of Links Road, NEWBOROUGH (2\PS636142) Part of 18 Thompsons Road, NEWBOROUGH (1\TP594736 & 1\TP248759) Part of 20 Thompsons Road, NEWBOROUGH (3E\PP3273) Part of 22 Thompsons Road, NEWBOROUGH (3H\PP3273) Part of 25 Thompsons Road, NEWBOROUGH (1\TP582048) Part of 25A Thompsons	Nil	PAO2, PAO3	Nill

Location	Land /Area Affected	Mapping Reference	Address	Proposed Zone changes	Proposed Overlay changes	Proposed deletion changes
			Road, NEWBOROUGH (2\TP582048) Part of 710 John Field Drive, NEWBOROUGH (34\LP121048)			
Morwell	Land bounded by Aliss Road and Leonard Street to the north, Maryvale Road to the east, English Street to the south, and Latrobe Road to the west.	Latrobe C143 71PAO, 76PAO Exhibition	Part of 130 Latrobe Road, MORWELL (70E\PP3072) Part of 140 Latrobe Road, MORWELL (70D\PP3072) Part of 150 Latrobe Road, MORWELL (70C\PP3072) Part of 160 Latrobe Road, MORWELL (70B\PP3072) Part of 25 English Street, MORWELL (70L\PP3072) Part of 40 English Street, MORWELL (1\TP211967) Part of 55 English Street, MORWELL (14\LP11865) Part of 65 English Street, MORWELL (70H\PP3072) Part of 23 Jason Street, MORWELL (1\PS404523) Part of 77 Ashley Avenue, MORWELL (19\LP111605)	Nil	PAO3	Nil

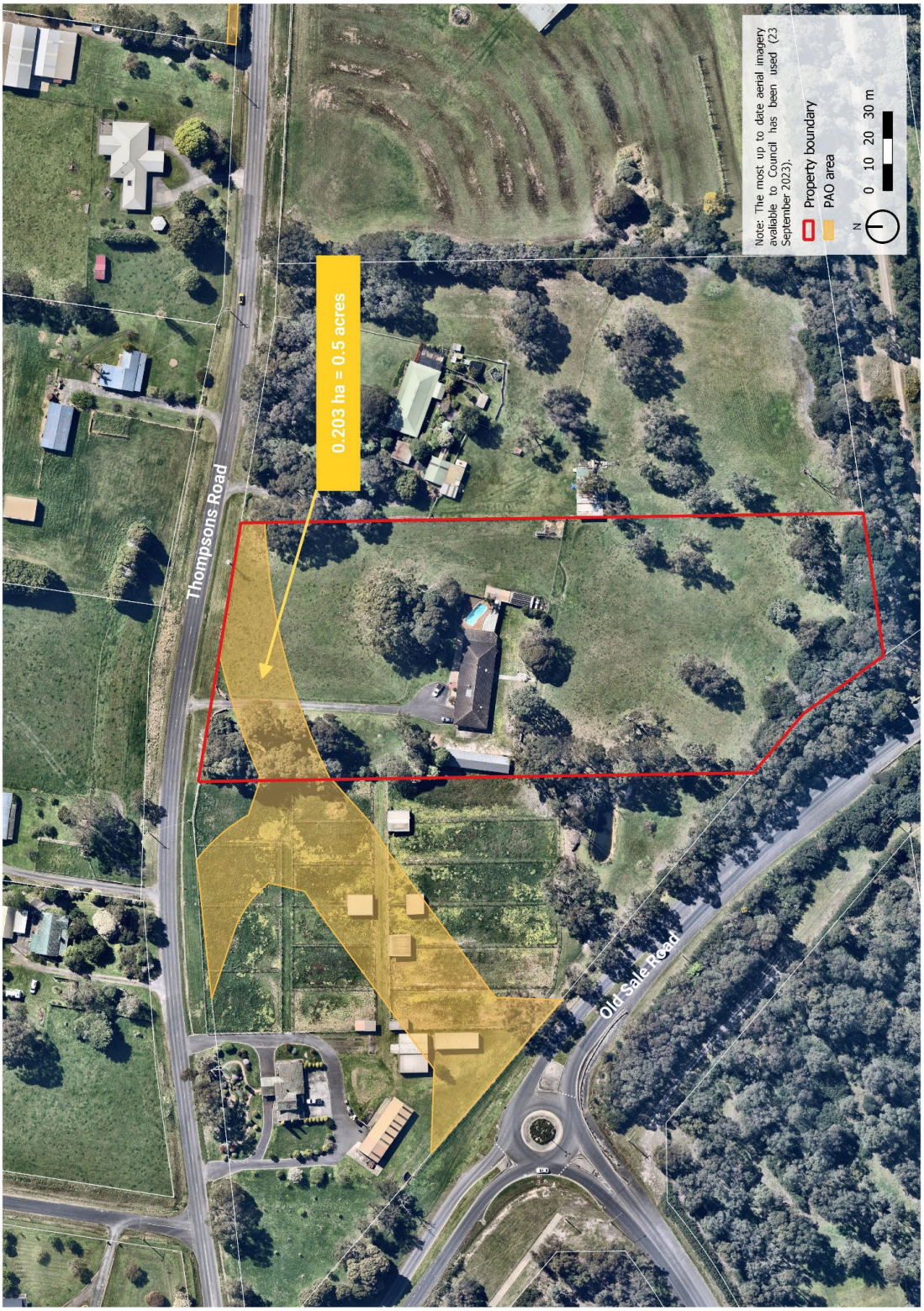
Location	Land /Area Affected	Mapping Reference	Address	Proposed Zone changes	Proposed Overlay changes	Proposed deletion changes
			Part of Heritage Boulevard, MORWELL (H\PS739559)			
Traralgon	Land bounded by Marshalls Road to the south, Broadway Boulevard to the east, Glendale Road to the west, and Silk Road on the North	Latrobe C143 50PAO Exhibition	Part of 50 Glendale Road, TRARALGON (1\PS329021)	Nil	PAO3	Nil

Attachment 2 –Public Acquisition Overlay context maps

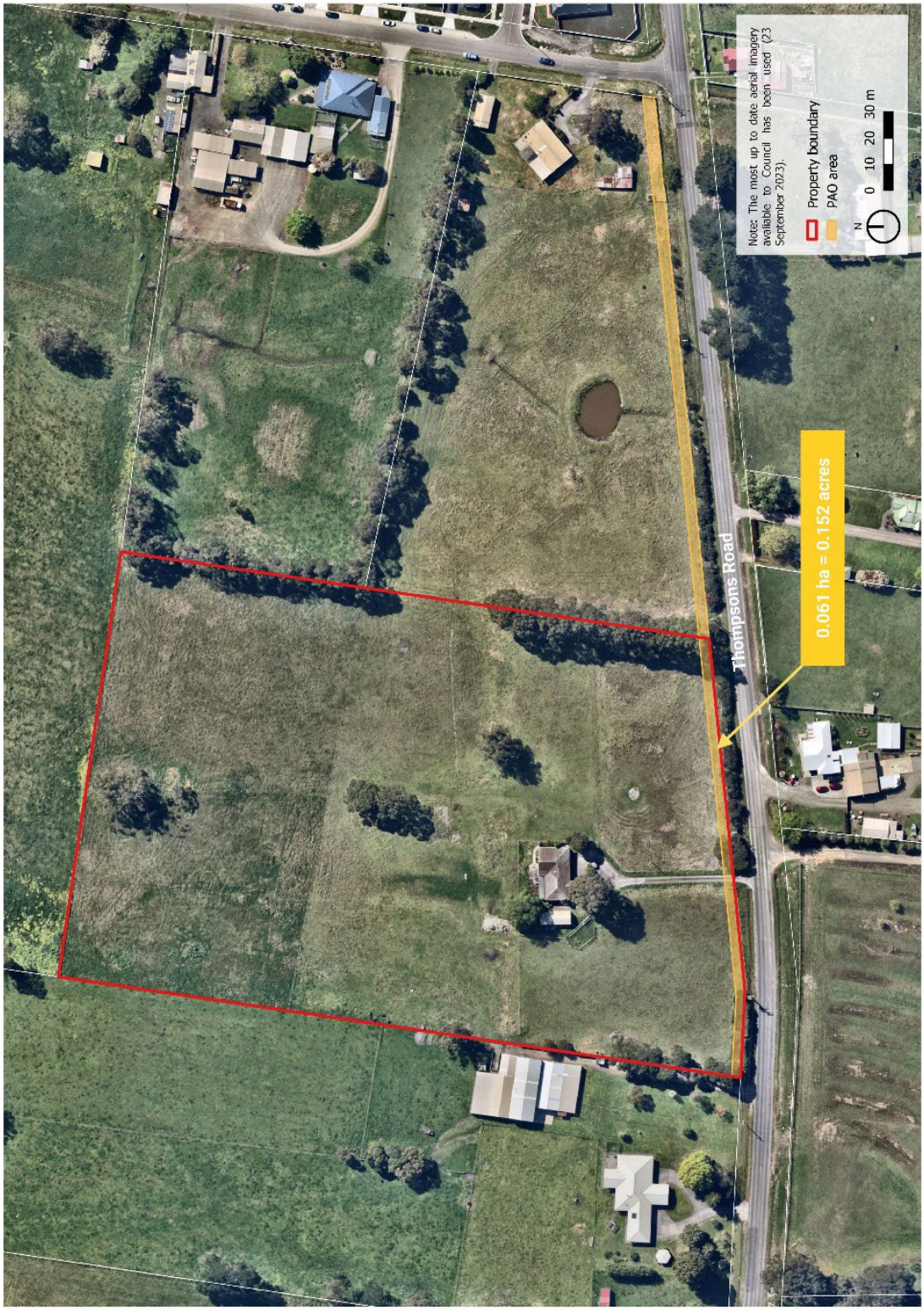
Part of 1 Thompsons Road, NEWBOROUGH (1\LP142353)



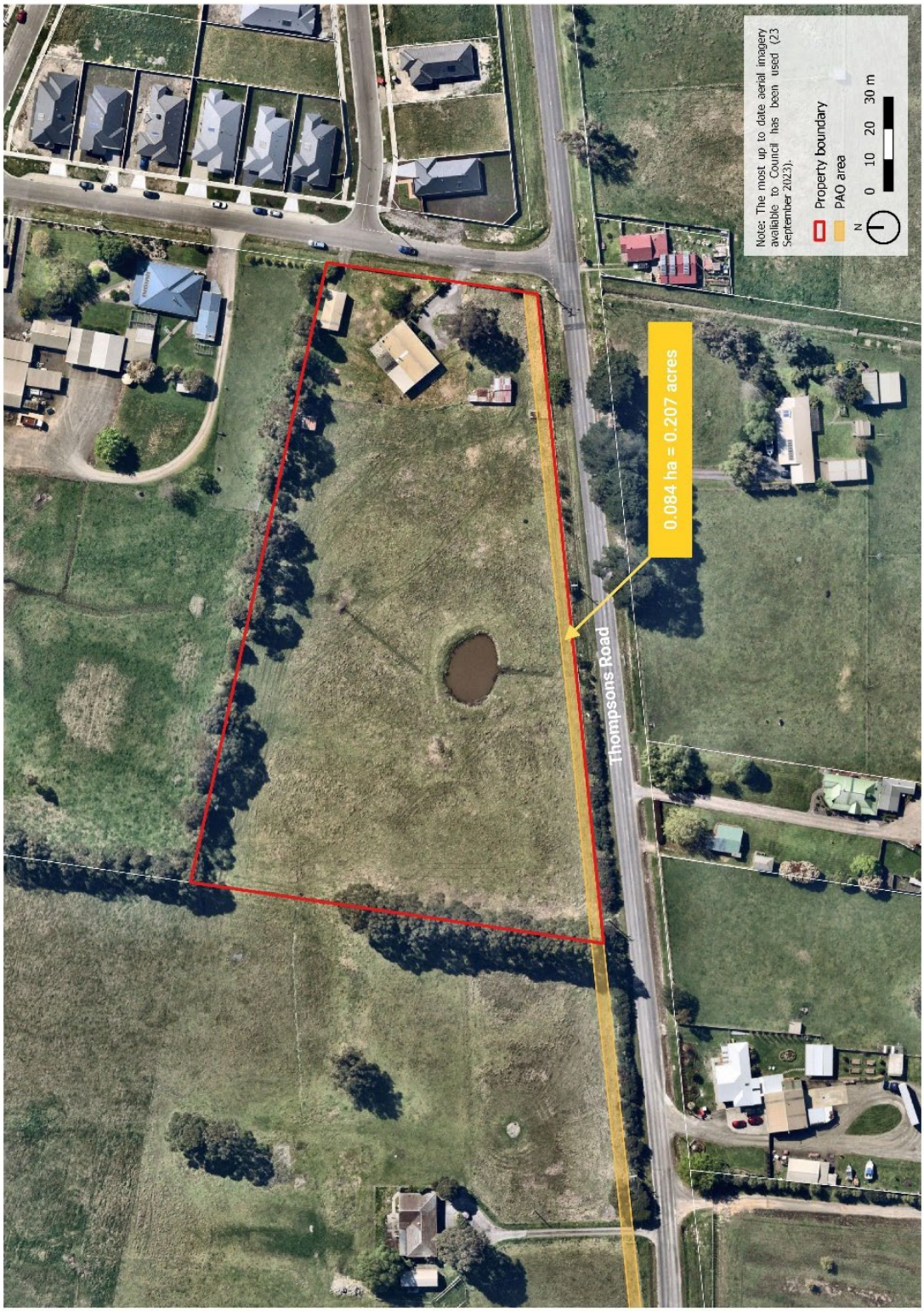
Part of 3 Thompsons Road, NEWBOROUGH (2\LP142353)



Part of 10 Thompsons Road, NEWBOROUGH (6\LP157245)



Part of 5 Hayes Road, NEWBOROUGH (1\LP126050)



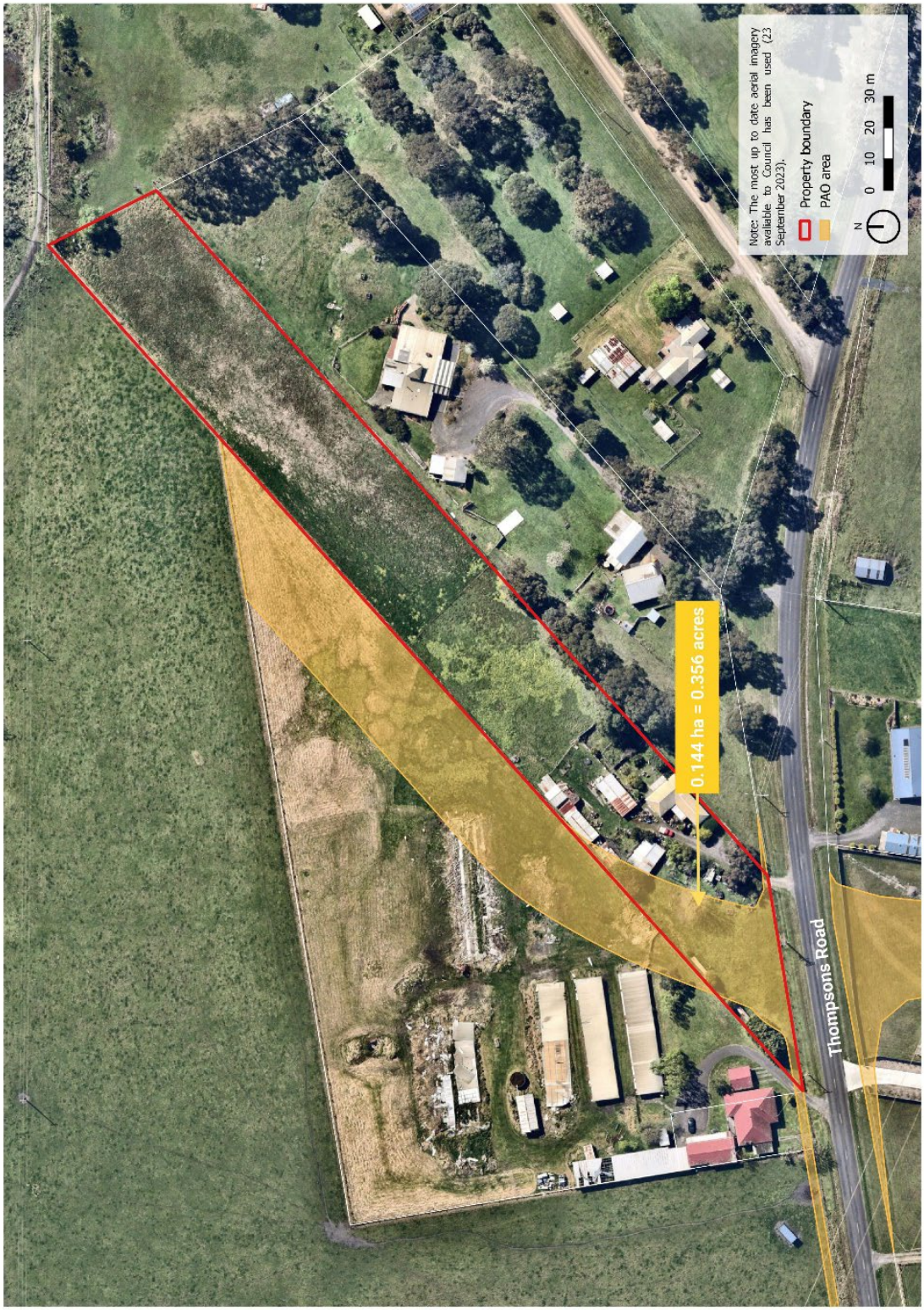
Part of Links Road, NEWBOROUGH (2\PS636142)



Part of 18 Thompsons Road, NEWBOROUGH (1\TP594736 & 1\TP248759)



Part of 20 Thompsons Road, NEWBOROUGH (3E\PP3273)



Part of 22 Thompsons Road, NEWBOROUGH (3H\PP3273)



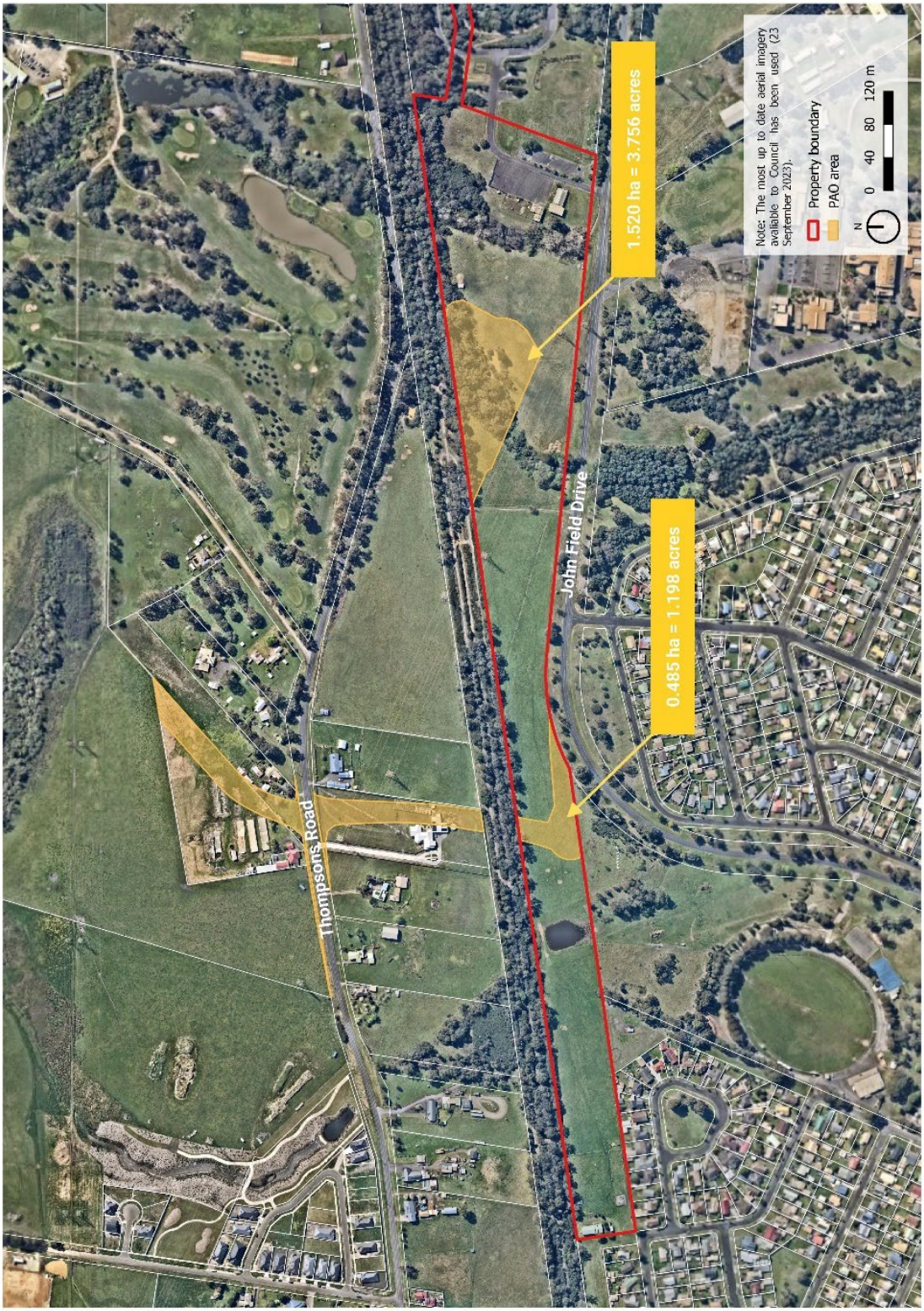
Part of 25 Thompsons Road, NEWBOROUGH (1\TP582048)



Part of 25A Thompsons Road, NEWBOROUGH (2\TP582048)



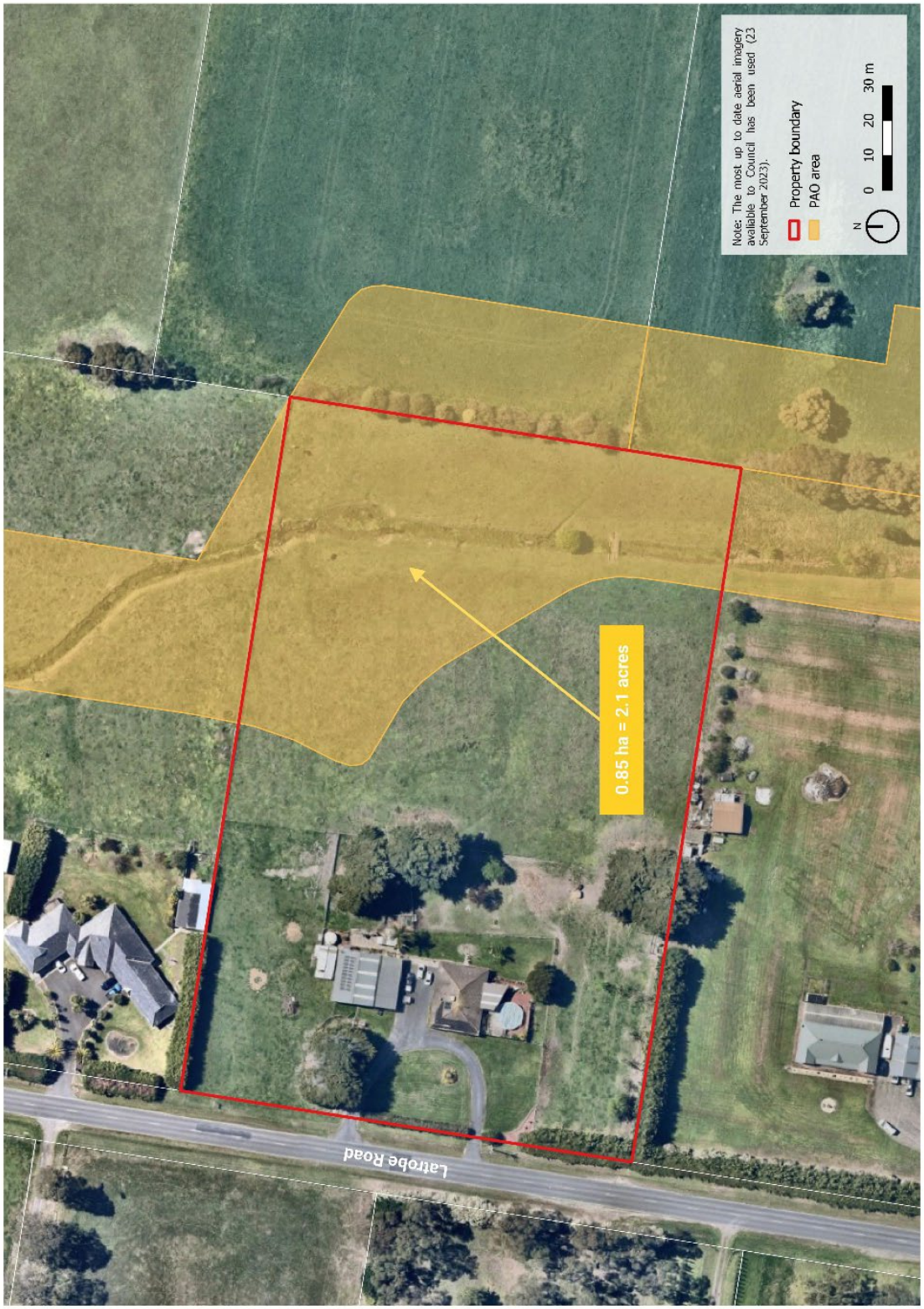
Part of 710 John Field Drive, NEWBOROUGH (34\LP121048)



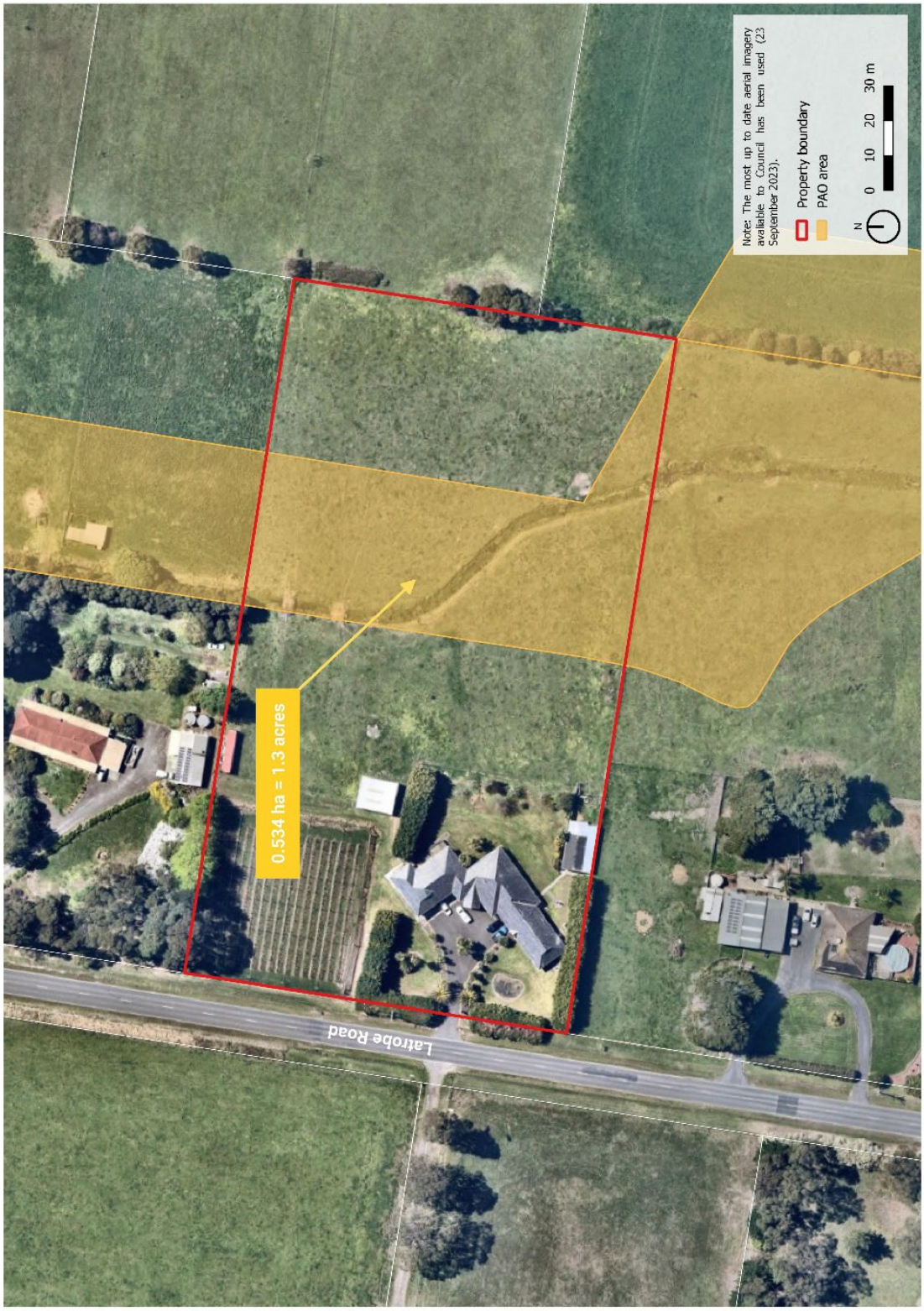
Part of 130 Latrobe Road, MORWELL (70E\PP3072)



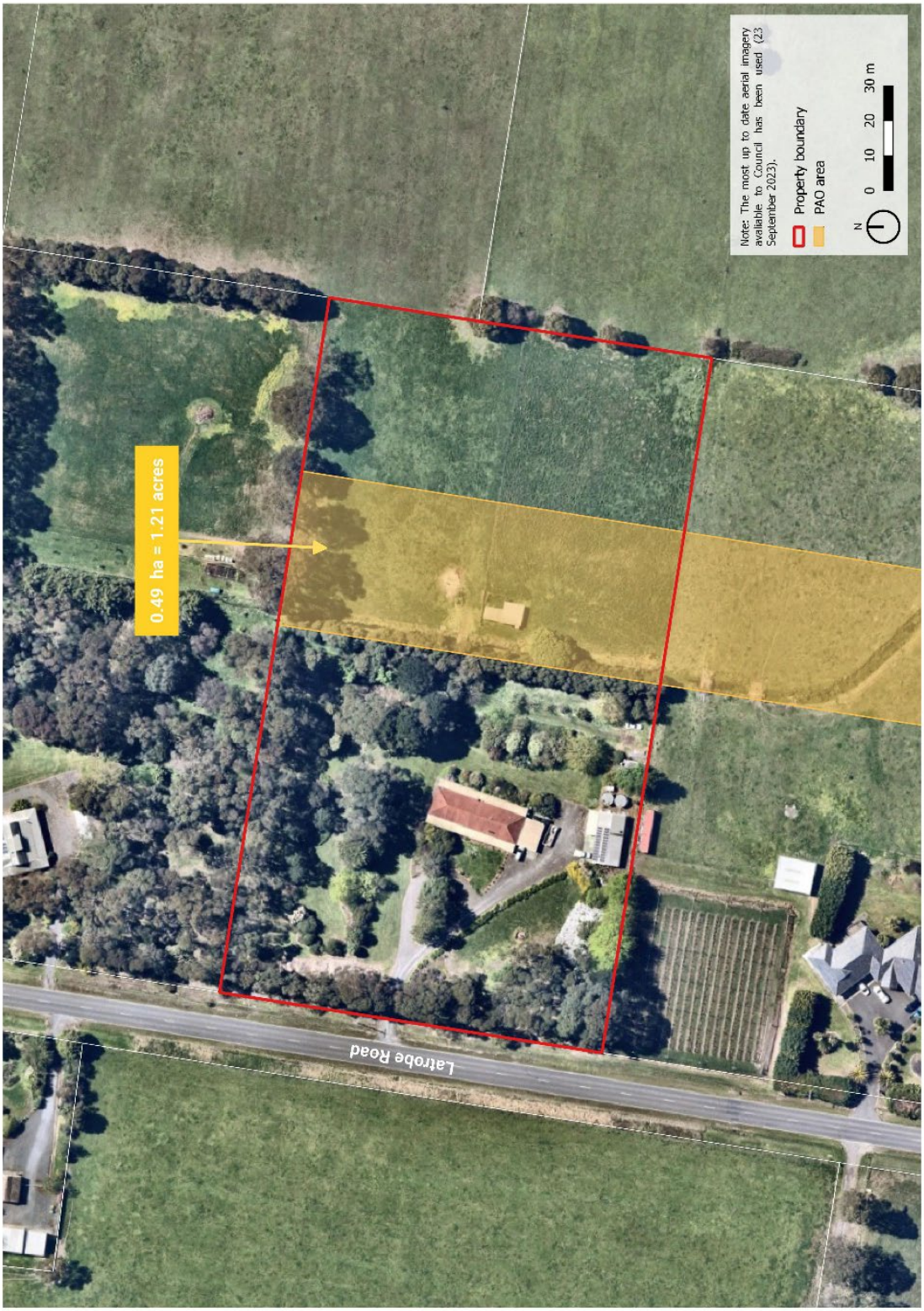
Part of 140 Latrobe Road, MORWELL (70D\PP3072)



Part of 150 Latrobe Road, MORWELL (70C\PP3072)



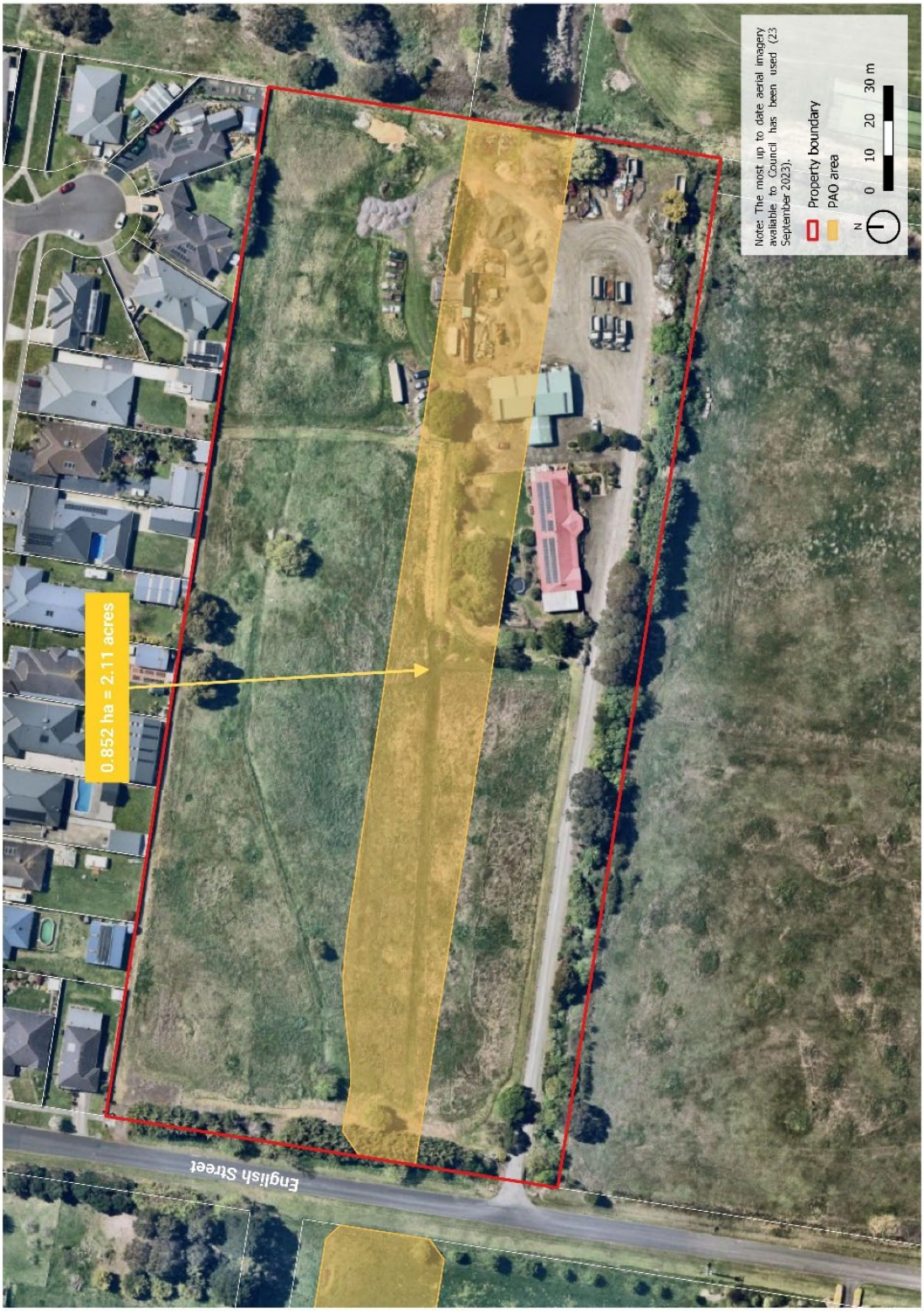
Part of 160 Latrobe Road, MORWELL (70B\PP3072)



Part of 25 English Street, MORWELL (70L\PP3072)



Part of 40 English Street, MORWELL (1\TP211967)



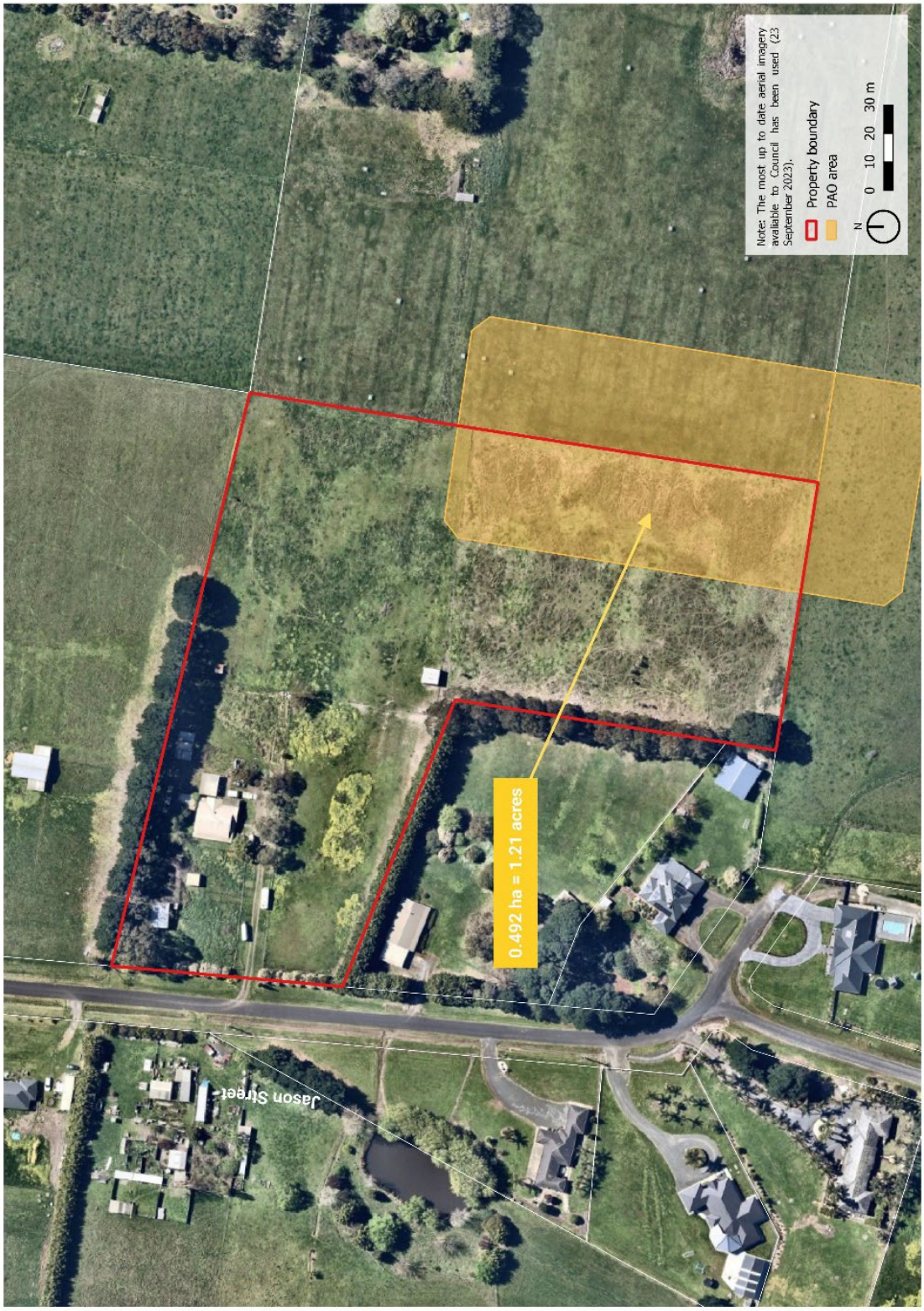
Part of 55 English Street, MORWELL (14\LP11865)



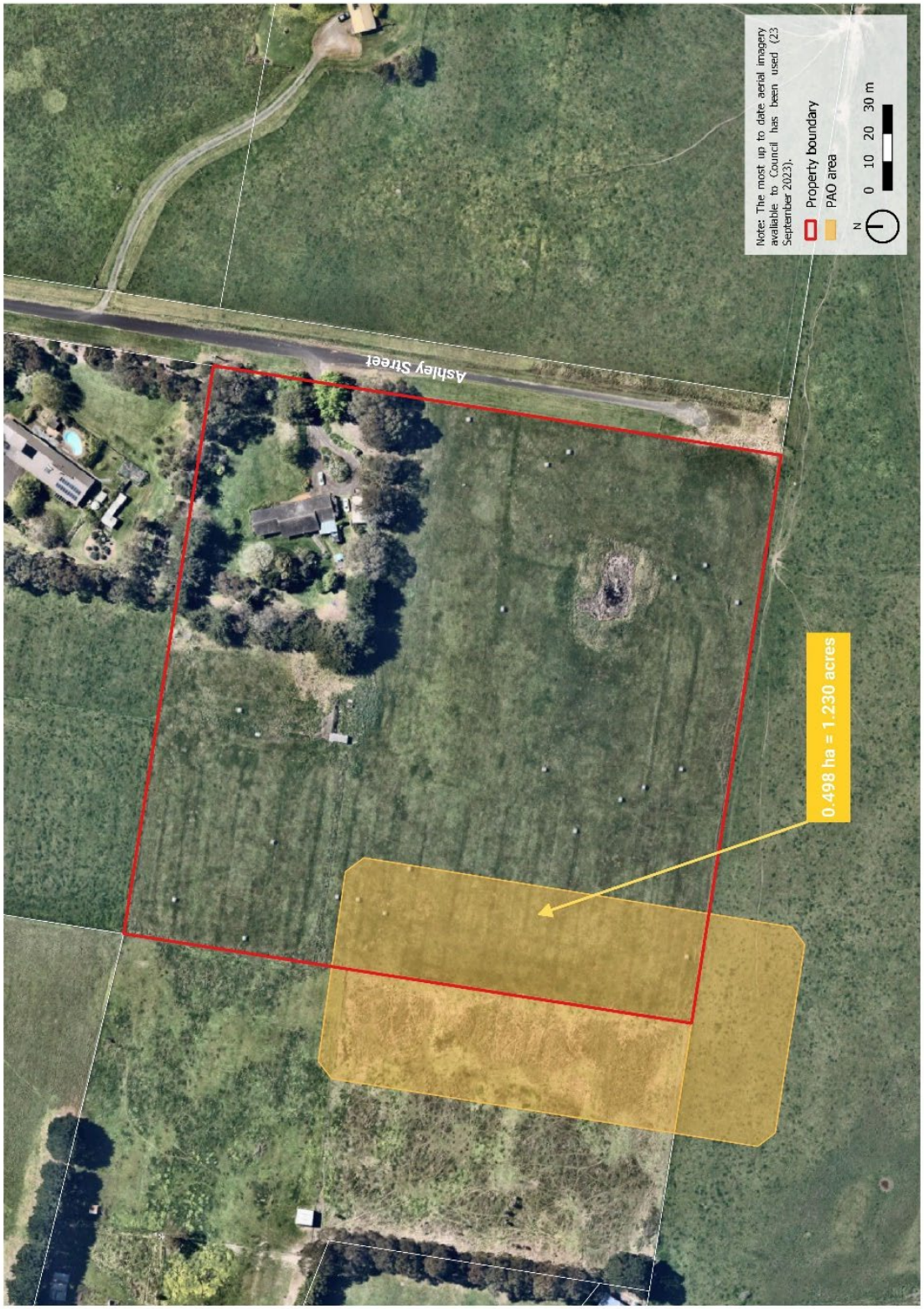
Part of 65 English Street, MORWELL (70H\PP3072)



Part of 23 Jason Street, MORWELL (1\PS404523)



Part of 77 Ashley Avenue, MORWELL (19\LP111605)



Part of Heritage Boulevard, MORWELL (H\PS739559)



Part of 50 Glendale Road, TRARALGON (1\PS329021)



PLANNING PERMIT APPLICATION 2024/205 - USE AND DEVELOPMENT OF A CHILDCARE CENTRE - 3 HOURIGAN ROAD, MORWELL

PURPOSE

To provide Council with an assessment of planning application 2024/205 to use and develop the land for a childcare centre, display associated signage, and reduce car parking requirements at 3 Hourigan Road, Morwell (L 62 LP 41483) against the provisions of the Latrobe Planning Scheme, and seek a decision on whether to issue a Notice of Decision to Grant a Permit.

EXECUTIVE SUMMARY

- This matter is being presented to a Council meeting for consideration due to it being requested by a Councillor.
- The subject site is located in Morwell, in the General Residential Zone Schedule 4 (GRZ4) and is subject to the Design and Development Overlay, Schedule 11 (DDO11).
- It is proposed to use and develop the land for a 90 place childcare centre, display associated signage and reduce the car parking requirement from 19 spaces to 16 spaces.
- The application has been notified in accordance with Section 52 of the *Planning and Environment Act 1987* (the Act), and received 15 submissions, with the following concerns raised:
    - Commercial development not being appropriate in a residential zone;
    - Increased traffic impacts, particularly congestion, safety concerns, increased demand for on-street parking, and impediment to the bus service stopping outside the subject site;
    - Amenity impacts, including noise, and overlooking;
    - Loss of a dwelling and native trees; and
    - Loss of neighbourhood character.
- Having considered the proposal in full against the relevant provisions of the Latrobe Planning Scheme (the Scheme) and the matters raised by submitters, it is considered that the proposal is consistent with the relevant objectives and decision guidelines of the Scheme.

OFFICER'S RECOMMENDATION

That Council issues a Notice of Decision to Grant a Permit for:

- **Clause 32.09-2 Use of the land for a childcare centre;**
- **Clause 32.09-10 Construct a building and carry out works;**
- **Clause 52.05-2 Display of signage;**
- **Clause 52.06-3 Reduction of car parking requirements;**

at 3 Hourigan Road, Morwell (L 62 LP 41483), subject to the conditions set out in Attachment 1 to this report.

BACKGROUND

The subject site is located at the western end of Hourigan Road, Morwell and is an irregular rectangle in shape with a lot size of approx.1,490m^2, as shown in figure 1 below.



Figure 1. Subject site (red outline) and surrounding properties

The site is located approximately 75 metres to the east of Maryvale Road, on the northern side of Morwell in an established residential area. It is surrounded by mainly single storey dwellings with generous front setbacks and established gardens. Hourigan Road is a divided carriageway with a single traffic lane, bicycle lane and indented parking lane (with unrestricted parking) in each direction. A landscaped median strip separates the two sides of the road.

Further to the west of the site is Morwell Central Primary School and Maryvale Recreation Reserve, with the Morwell North West Development Plan Area beyond, proposed to accommodate around 1280 housing lots.

To the southeast is Morwell Park Primary School and Ronald Reserve.



Figure 2. Aerial image of Morwell North. Subject site outlined in red.

PROPOSAL

The proposal is for the development and use of the site for a 90-place childcare centre, display of signage, and a reduction of car parking requirements.

The main points of the application are:

- Construction of a two-storey child care centre with places for 90 children.
- Proposed operating hours are 6.30am to 6.30pm.
- The proposed childcare centre is L-shaped, setback from the south (front) boundary by 19.2 metres, with the main double storey section extending from a wall on the west boundary to a 1 metre setback from the east boundary. Play spaces would be provided on the ground and first floors at the rear of the building.
- The total ground floor area would be 501.92 square metres, and the first floor would be 586 square metres.
- The maximum building height would be 7.25 metres.
- The ground floor would accommodate 3 children's rooms with associated amenities, reception, offices, kitchen, laundry and staff amenities, as well as 341 square metres of playground space. An area of 137.5 square metres is proposed to be recessed under the first floor.
- The first floor would provide 2 children's rooms with associated amenities, storage, meeting room and planning room, with 316 square metres of playground space (shown as synthetic lawn).

- The first floor play space would be enclosed by a 2.4 metre high solid fence on the east side (setback 1.8m from property boundary), a 2.1 metre high solid fence on the north side (setback 1.8-5.2 metres from property boundary), and 1.8 metre high solid fences to sides facing internal areas.
- Entry to the site would be via the existing access on the west side of the frontage, with a new crossover for egress proposed on the east side, to facilitate a one-way driveway system.
- Sixteen (16) car parking spaces (including one disabled space) would be provided within the front setback with a reduction of three (3) car parking spaces requested.
- Two (2) signs are proposed:
    - a 4 metre high x 1.7 metre wide concrete panel sign at the front boundary with external illumination by ground mounted, baffled floodlights to each face; and
    - a 1.22 metre high x 4.95 metre wide business identification sign affixed to the front façade of the building, illuminated from above.
- The proposed childcare centre would be externally rendered in a 'white' and 'grey' paint finish, additionally clad with 'Euroclad' composite timber cladding in a 'timber stained' colour. The roofing would be metal sheet roofing in Colourbond 'Woodland Grey'.
- A 1.8 metre steel picket fence with a landscaped area 3-4.7 metres deep would be provided at the front of the property.

The plans for the proposal can be found at **Attachment 2** of this report. The *Car Parking Demand Assessment* (October 2024) submitted with the application can be found at **Attachment 3** of this report. The *Acoustic Planning Assessment* (March 2025) submitted with the application can be found at **Attachment 4** of this report.

CONSULTATION

Notices were sent to all adjoining and adjacent landowners and occupiers and a site notice was displayed on the site frontage for 14 days pursuant to Section 52(1)(a) and (d) of the Act. Following advertising of the application, 15 submissions in the form of written objections were received. A copy of the objections can be viewed at **Attachment 5** to this report, and a map showing the location of objectors can be found at **Attachment 6**.

The main issues raised in the objections can be summarised as:

- Commercial development not being appropriate in a residential zone.
- Increased traffic impacts, particularly congestion, safety concerns, increased demand for on-street parking, and impediment to the bus service stopping outside the subject site.

- Amenity impacts, including noise, and overlooking.
- Loss of a dwelling and native trees.
- Loss of neighbourhood character.

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.

Morwell is a primary population centre in Latrobe, and a key area for government services and industry. The proposal supports provision of necessary services to the community, as well as the availability of employees to provide services and operate businesses, facilitating economic growth.

Overall, planning policy seeks to balance development with respecting residential amenity and neighbourhood character. The relevant state and local policy clauses identify strategic objectives to provide safe, healthy, functional and enjoyable urban environments, with delivery of integrated, accessible services and infrastructure based on assessment of existing and future community needs. Development is required to mitigate potential adverse impacts, providing for community amenity, human health, and safety, while respecting existing neighbourhood character and enhancing the public realm.

The provision of a childcare centre is considered to be compatible with residential development under the Scheme, providing a similarly sensitive use to be protected from damaging impacts. The subject proposal is considered to have given due consideration to safety, community amenity, accessibility, and the public realm, and is not expected to have substantial adverse amenity impacts or to significantly undermine neighbourhood character in the area.

A more detailed assessment of the application against the policy provisions of the Scheme can be found at **Attachment 8** to this report.

Zone

The subject site is within the General Residential Zone, Schedule 4 which allows for "*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 for a use of the land for a childcare centre, and for buildings and works to construct the centre.

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 scale of the development is appropriate in the context of the larger lot sizes and local topography.
- The use would serve the local community's present and future needs in a location with existing infrastructure and good access.
- The site is in close proximity to established schools, offering convenience for families with school age children.
- There would be an increase in local traffic in an area where the road network has capacity to accommodate it.
- Potential amenity impacts have been considered, with measures including acoustic fencing, landscaping, and a substantial setback form the front boundary provided. Overshadowing has been found to be within the standards under the Scheme. Minor adjustment to some windows would be required by condition to ensure that there is no overlooking of adjacent private open space.

On balance, the proposal is considered to be acceptable under the decision guidelines of the zone and schedule 4 to the zone.

Overlay

The subject site is within the Design and Development Overlay, Schedule 11 (DDO11). There is no trigger for a planning permit under the DDO11 as the proposal does not exceed a height of 10 metres above natural ground level and therefore would not impact the Latrobe Regional Airport flight paths.

PARTICULAR PROVISIONS

Clause 52.05 Signs

This policy aims to regulate the development of signs and associated structures. There are two signs proposed:

- a 4 metre high x 1.7 metre wide concrete panel sign at the front boundary with externally illumination by ground mounted, baffled floodlights to each face; and
- a 1.22 metre high x 4.95 metre wide business identification sign affixed to the front façade of the building.

As the land is in GRZ4, signage is in Category 3 – High Amenity Areas. There is no condition for maximum size of overall signage for the site, leaving discretion with council when assessing the planning permit.

The signs have a total area of 19.63 square metres (including the front and back of the panel sign). As the operator of the childcare centre is unknown at this time, the proposed design is generic, however, the size and location details would be included in the endorsed plans under the permit, and changes to the wording of the signs would be subject to a future amendment to the permit.

Both signs are proposed to be provided with baffled external illumination; a condition on any permit granted would restrict the hours when the signs may be illuminated. It

is also considered appropriate to increase the setback of the panel sign from the front boundary to 1 metre (from 0.48 metres) to ensure it does not negatively impact on the amenity of the area.

The sign on the building façade is proposed to be setback from the front boundary by 18.5 metres and is not expected to negatively impact the amenity of the area.

Overall, the proposed signage is a reasonable measure of business identification for the proposed centre and is considered to be acceptable in the context of Hourigan Road (subject to conditions), as there would be no visual disorder or cumulative visual impact, and the curvature of the road would reduce the prominence of the proposed signs from a distance. The setbacks to the proposed panel sign (1 metre) and the building would minimize the impacts of the signage on the streetscape and the character of the area, and no potential impact on views or road safety could be ascertained during the officer's site visit.

Clause 52.06 Car Parking

Clause 52.06 Car Parking is relevant to the consideration of this application. This clause seeks to ensure that:

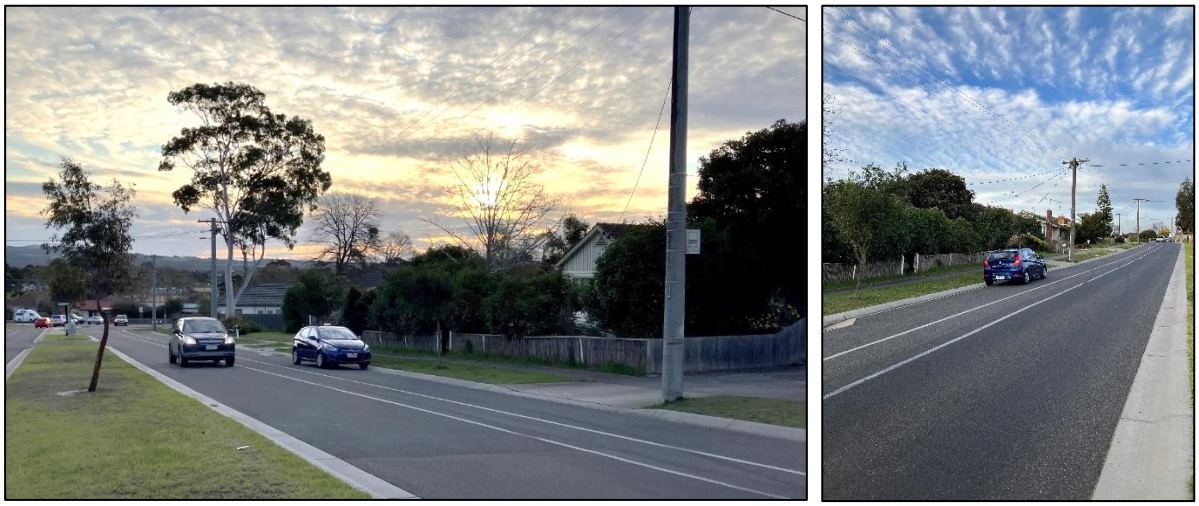
- there is the provision of an appropriate number of car parking spaces.
- car parking does not adversely affect the amenity of the locality.
- the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Table 1 at Clause 52.06-5 states that use of the land for a childcare centre requires 0.22 spaces per child, so for 90 children, 19 car parking spaces are required. A total of 16 car parking spaces would be provided onsite, requiring approval for a reduction of requirements by 3 spaces.

The following comments are provided in response to Clause 52.06-7, which states the matters to be considered in reducing car parking requirements:

- There is currently low demand for on-street car parking, some of which is expected to serve the land, and no existing parking restrictions. More than three (3) on-street spaces are available in very close proximity to the site.
- Providing the additional car parking on the site would reduce the capacity of the proposed centre, create internal congestion, and increase visual impacts in the streetscape.
- Demand for the on-site car parking is expected to vary over the course of the day, accommodating:
    - Varying numbers of staff over the day, with the highest demand occurring in the middle of the day when the most children are present.
    - Short term parking for pick up and drop off of children in morning and evening periods, peaking at 8-9am and 4.30-5.30pm.

- The centre would be closed in evenings and on weekends, when higher residential demand for on-street car parking may occur.



Above: views of the eastbound lane of Hourigan Road, outside the subject site from east (above left) and west (above right) positions on the median, at approx. 4.30pm. Blue car is parked in indented on-street car parking, while car with headlights on travels east.

The Clause 52.06-10 decision guidelines for consideration of whether car parking is satisfactory include the following:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The protection and enhancement of the streetscape.
- The measures proposed to enhance the security of people using the parking area particularly at night.

The nearby road network includes connector roads that provide good access to the site, with established turning lanes and medians to manage traffic flows and demonstrated capacity to accommodate the additional demand (as advised by Council's Traffic Engineer, see also **Attachment 7** – Detailed Response to Objections).

The proposed one-way driveway access and car parking spaces are considered to provide ease of access to the site without unduly impacting residents of abutting lots or other road users, as well as providing ease of movement within the site.

Pedestrian movement within the parking area is adequate, with the entry on the east side providing a focal point for movement, although the layout may benefit from line

marking to provide pedestrian pathways, which would be required by condition on any permit granted.

The provision of a landscaped buffer between the car parking area and streetscape is appropriate, reducing visual impact and providing continuity with adjacent gardens, and is in accordance with the Latrobe City Council Urban Design Guidelines.

The windows in the south façade of the proposed centre would provide passive surveillance of the car park at all times during operating hours. There is no detail of carparking lighting for nighttime use, however this could be managed through appropriate conditions if a permit was to be granted.

Overall, the reduction of the car parking requirement to 16 spaces is considered to be in accordance with the Scheme, and the proposal is considered to provide a good planning outcome when considering the access requirements and safety of children and visitors to the childcare centre.

Clause 52.34 – Bicycle Facilities

Clause 52.34 of the Scheme does not provide a statutory bicycle parking requirement for a 'childcare centre' however, four (4) spaces would be provided at the entry to the proposed centre.

Clause 53.18 – Stormwater Management in Urban Development

This clause has the purpose '*to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits'*. Council's Engineering Department has considered the proposal and has provided draft conditions to ensure that appropriate stormwater management arrangements would be made if the permit was to issue.

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
FINANCIAL Refusing the application and the applicant seeking review of the decision at VCAT.	**High** *Likely x Moderate*	To manage and limit the potential risk, the recommendation has been considered against the requirements of the GRZ, Planning Policy Framework and Municipal Planning Strategy, and relevant Particular Provisions. The recommendation to grant a permit is considered to be consistent with the Latrobe Planning Scheme.
STRATEGIC Refusing an application that is consistent with the Latrobe Planning Scheme could risk reputational damage on Council's decision making and loss of decision making powers.	**Medium** *Possible x Minor*	The proposal has been considered against the Latrobe Planning Scheme and it is considered to be consistent with the relevant provisions and should therefore be approved.

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 Draft conditions
2. Attachment 2 Proposed plans
3. Attachment 3 Car parking demand assessment
4. Attachment 4 Acoustic assessment
5. Attachment 5 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. Personal details of objectors contained in the attachment.
6. Attachment 6 Locations 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. Personal details of objectors contained in the attachment.
7. Attachment 7 Detailed response to objections
8. Attachment 8 Policy assessment

9.2

Planning Permit Application 2024/205 - Use and development of a childcare centre - 3 Hourigan Road, Morwell

1 Attachment 1 Draft conditions 216
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DRAFT PERMIT CONDITIONS 2024/205
Proposal: Use and development of a childcare centre, reduction of car parking requirements (3 spaces) and display of signage

3 Hourigan Road, MORWELL VIC 3840

1. **Amended plans condition**
   Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions. The plans must generally be in accordance with the plans submitted on 22 April 2025 but modified to show:
   a) Notation added advising that the existing vehicle crossing will be widened to match the width and location of the proposed accessway and will comply with the layout shown on Council's standard drawing LCC307 and be located at right angles to the alignment of the kerb and channel.
   b) Turning vehicle swept path diagrams demonstrating how the proposed waste collection vehicles will access the property in a forward direction, travel through and safely exit the property in a forward direction.
   c) Acoustic fencing to first floor playground area. The fencing must be 2.4 metres high on the eastern side, 2.1 metres high on the northern side, and 1.8 metres high on the western side in accordance with the recommendations of the Acoustic Planning Assessment prepared by SLR Consulting Australia (7 March 2025 Rev A).
   d) Acoustic boundary fencing to a height of 2.1 metres on the northern boundary, and 2.0 metres on the eastern and western boundaries with the fence tapering down to 0.9 metres at the front boundary.
   e) The windows shown on the elevations to be consistent with floor plans.
   f) Fixed, obscure glazing to a height of 1.7 metres above finished floor level to windows on the east façade of the first floor.
   g) Linemarking of pedestrian access pathways through the car parking area.
   h) The 'panel' sign set back a minimum of 1 metre from front boundary.
   i) A lighting plan for the car parking area.
   j) A landscaping plan in accordance with Condition 19.

2. **Endorsed plans condition:**
   The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

3. The siting, structure, content and design of the sign(s) must be in accordance with the endorsed plan and must not be altered or modified without the written consent by the Responsible Authority.

4. **Standard conditions**
   The use and development must be managed so that the amenity of the area is not detrimentally affected through the:
   a) transportation of materials, goods or commodities to or from the land;
   b) appearance of any building, works or materials;
   c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
   d) presence of vermin;
   or otherwise, to the satisfaction of the Responsible Authority.

5. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

6. Once building works have commenced they must be completed to the satisfaction of the Responsible Authority.

7. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

8. Upon completion of the development, the land must be cleared of all excess and unused building materials and debris to the satisfaction of the Responsible Authority.

9. Construction works on the land must be carried out in a manner that does not result in damage to existing Council assets and does not cause detriment to adjoining owners and occupiers, to the satisfaction of the Responsible Authority.

10. **Use conditions:**
    Not more than 90 children may be present on the premises at any one time without the written consent of the Responsible Authority.

11. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the hours of 6:30am and 6:30pm Monday to Friday.

12. Deliveries to and from the land (including waste collection) may only take place between

    a) Outside the operating hours of the childcare centre, and

b) Not between 8pm and 7am, and
c) Only Monday to Saturday,

unless with the prior written consent from the Responsible Authority, and must be generally in accordance with Waste Management Plan prepared by Fraser Consulting Services, document Version 0, dated 08/12/2022.

13. **Amenity conditions:**

    Before the use starts, acoustic fencing must be erected along the northern, western and eastern boundaries of the land and the northern, western and eastern edges of the first floor playground area at heights shown on the endorsed plans. The fences must be constructed in accordance with a design and specifications prepared by a suitably qualified acoustic engineer which have been submitted to and approved by the Responsible Authority before the construction of the fences starts. Once constructed, the acoustic fences must be maintained to the satisfaction of the Responsible Authority.

14. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.

15. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level satisfactory to the Responsible Authority.

16. All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service.

17. Any external lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

18. All waste material must be screened and regularly removed from the site. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created to the satisfaction of the Responsible Authority.

19. **Landscaping conditions**

    Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The landscape plan must be generally in accordance with the landscape plan submitted with the application but modified to show:

a) the amendments required by Condition 1;
b) planting in the front setback area including the car park and in all playground areas.
c) a planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes, botanical names, common names, pot size, mature size and total quantities of each plant;
d) the use of drought tolerant species;
e) features such as paths, paving and accessways;
f) the use of non-invasive plant species within any easements which will ensure that existing infrastructure assets are not damaged by root systems;
g) all planting abutting the accessway(s) to have a maximum mature height of no more than 900mm in accordance with Clause 52.06-8 (Design Standards for car parking) of the Latrobe Planning Scheme; and
h) an appropriate irrigation system.

When approved, the landscape plan will be endorsed and will form part of the permit.

20. Prior to the occupancy of the development or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

21. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

22. **Development conditions**
Any wall on the boundary of an adjoining property must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.

23. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted without the written consent of the Responsible Authority.

24. All pipes, fixtures, fittings and vents servicing any building on the land, other than stormwater down pipes, must be concealed or otherwise hidden from view to the satisfaction of the Responsible Authority.

25. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1.

26. **Signage conditions**

The signage authorised by this permit must only contain an advertisement which provides or supplies information relating to the business conducted on the land.

27. The sign(s) must be designed, baffled and located to the satisfaction of the Responsible Authority to not cause glare and prevent any adverse effect to surrounding land.

28. The signage must not contain any flashing light.

29. The signage must be constructed and maintained to the satisfaction of the Responsible Authority.

30. The intensity of the light associated with the signs shown on the endorsed plans must be limited, so as not to cause distraction to motorists in an adjoining street or loss of amenity in the surrounding area to the satisfaction of the Responsible Authority.

31. **Engineering Conditions**
Prior to the commencement of any works hereby permitted, the operator of this permit must provide the Responsible Authority with written consent from the relevant service authorities, to provide less than one metre of clearance between the existing telecommunications and sewer pits and the vehicle crossing as shown proposed on the plans.

32. Prior to the commencement of any works hereby permitted, the operator of this permit shall:

    a) Arrange for the street tree (including the stump) at 3 Hourigan Road, Morwell, to be removed by a tree contractor approved by the Responsible Authority. Seven (7) days notification must be given to Latrobe City Council's Supervisor Arborist before the commencement of any tree removal works.

    b) Pay $1060.00 to Latrobe City Council in compensation for the loss of asset value as a result of the removal of the existing street tree at 3 Hourigan Road, Morwell.

33. Before the commencement of any works hereby permitted a site drainage plan, including levels or contours of the land and all hydraulic computations, must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and an electronic copy in PDF format must be provided. The drainage plan must be prepared in accordance with the requirements of Latrobe City Council's design guidelines and must provide for the following:

a) How the land including all buildings, open space and paved areas will be drained to the legal point of discharge for a 20 % AEP storm event.

b) An underground pipe drainage system conveying stormwater discharge to the legal point of discharge.

c) The provision of stormwater detention within the site and prior to the point of discharge into Latrobe City Council's drainage system. The stormwater detention system must be designed to ensure that stormwater discharges arising from the proposed development of the land are restricted to predevelopment flow rates. The rate of pre-development stormwater discharge shall be calculated using a co-efficient of run-off of 0.4.

34. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Responsible Authority.

35. Before the use commences of the development hereby permitted, or by such later date as is approved by the Responsible Authority in writing, the following works must be completed in accordance with the endorsed plans and to the satisfaction of the Responsible Authority:

    a) All drainage works must be constructed in accordance with the approved site drainage plan.

    b) The proposed vehicle crossing shall be constructed in accordance with the endorsed plans, at right angles to the road and must comply with the vehicle crossing standards set out in Latrobe City Council's Standard Drawing LCC 307.

    c) The areas shown on the endorsed plans for car parking and for vehicle access to the car parking must be constructed and surfaced in accordance with the approved plans and line marked to indicate each car space.

36. The loading and unloading of goods from vehicles must only be carried out on the land subject to this permit and must not disrupt the circulation and parking of vehicles on the land or adjacent roads.

37. Car spaces, vehicle access lanes, vehicle turn around areas and driveways must be kept available for these purposes at all times

38. The areas set aside for car parking and vehicle access lanes must be maintained in a continuously useable condition and not adversely

affect the amenity of the area, to the satisfaction of the Responsible Authority.

39. **Expiry conditions:**
This permit will expire if one of the following circumstances applies:

a) The development is not started within two years of the date of this permit;

or

b) The development is not completed and the use has not commenced within four years of the date of this permit.

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

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

40. The approval contained in this permit for the signs shown on the endorsed plans expires 15 years from the date of this permit. At such a time, the sign and structures built specifically to support it must be removed unless given the written consent of the responsible authority to remain for a further period of up to 10 years.

Note 1. Prior to operation of the child care centre registration under the Food Act 1984 is required.

Note 2. Detailed design plans for the food premises fitout must be submitted to Council's Health Services for assessment prior to works commencing. Plans are required to include details of the proposed use, equipment and fixtures, fittings and finishes. Please refer to the Australian Standard AS 4674-2004 Design, construction and fitout of food premises for more information.

Note 3. This permit does not authorize the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

Note 4. Unless exempt by Latrobe City Council, an Asset Protection Permit must be obtained prior to the commencement of any proposed building works, as defined by Latrobe City Council's Local Law No. 3. Latrobe City Council's Asset Protection Officer must be notified in writing at least 7 days prior to the building works commencing or prior to the delivery of materials/equipment to the site.

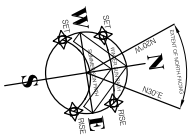
Note 5. The location of the Legal Point of Discharge for any property and the connection point into Latrobe City Council's stormwater drainage system can be obtained by completing a Legal Point of Discharge form, found at http://www.latrobe.vic.gov.au/Building_and_Planning/Building/Work_Permits_and_Property_Information

Note 6. A Latrobe City Vehicle Crossing Permit must be obtained prior to the commencement of the construction of all new vehicle crossings and to the upgrading, alteration or removal of existing vehicle crossings. The relevant fees, charges and conditions of the Vehicle Crossing Permit will apply to all vehicle crossing works. It is a requirement that all vehicle crossing works be inspected by Latrobe City Council's Asset Protection Officer.

Note 7. A Latrobe City Stormwater Connection Permit must be obtained prior to the connection of all new stormwater drainage into Latrobe City Council's stormwater drainage system. All new stormwater drainage connections must be inspected by Latrobe City Council's Asset Protection Officer before any backfilling of the connection is undertaken.

PROPOSED CHILDCARE CENTRE

REVISION
Revised :- 10.4.25





A1 Sheet

Site Analysis

SHEET No. TP01
DATE April 2024
JOB No. 214-2023 TP
SCALE 1:200 @ A1 SHEET

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SITE PLAN
AT:- 3 Hourigan Road, Morwell

Document Set ID: 2795183
Version: 1, Version Date: 23/04/2025

REVISION
Revised :- 10.4.25

PROPOSED CHILDCARE CENTRE



SITE PLAN

AT:- 3 Hourigan Road, Morwell

A1 Sheet

Proposed Design Response

SHEET No. TP02
DATE April 2024
JOB No. 214-2023 TP
SCALE 1:200 @ A1 SHEET

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Version: 1, Version Date: 23/04/2025

PROPOSED CHILDCARE CENTRE

FLOOR PLAN

AT:- 3 Hourigan Road, Morwell

SPOS

SPOS

SPOS

Site area :- 1491.37 sq.m

Building Footprint Area:- 501.92 sq.m
Site coverage (%):- 33.65%
Balance of Site area:- 989.45 sq.m

Hard surface area:- 652.48 sq.m
Permeability surface area:- 336.97 sq.m (22.59%)

Childcare Centre

Building Floor Area (ground) - 501.92 sq.m
Outdoor play Areas - 657.48 sq.m
(ground & first floor areas)

(childcare centre to be able to accomodate 90 kids)

Car park provided - 16 No.

Provide 2.1m high acoustic timber paling fence to this area. Ensure that the fence is solid, good quality and free of gaps. (Refer to detail)

24.384m (5°21')

24.384m (104°40')

services

dn

sand plt

Room 3
(MAX. 25 CHILDREN UNDER 3 YEARS OF AGE)
81.57 sqm

ayground Area
341.41 sqm
(Max 45 children)

Note:-
Developer to meet NCC 2019 Section J energy efficiency requirements prior to offsetting of renewables.

Note:-
Glazing visible light transmittance of min 40%

Note:-
Refer to landscape plan for further details.

Provide 1.8m high acoustic timber paling fence to this area. Ensure that the fence is solid, good quality and free of gaps. (Refer to detail)

sand pit

Floor Area :- 501.92 sqm
(90No children)

Room 2
(MAX. 17 CHILDREN UNDER 3 YEARS OF AGE)
55.98 sqm

prep area

store

desc. path

office

kitchen

Provide min 1.2sq.m of openable slide window to internal glazing to achieve cross ventilation.

Note:- Allow to install acoustic absorption to underside of playground soffit.

staff room

pantry butlers

lft

motor rm

Note:-
Provide ceiling fans to each of the children play rooms, as per SMP stated commitments.

baby's room 1
(MIN 12 - MAX. 16 CHILDREN UNDER 3 YEARS OF AGE)
48.5 sqm

change

disability access

air lock

wc

laundry

cleaners

reception

Note:-
Finishes and TGSIs to be in accordance with AS1428.1:2009

foyer

waiting

bin area

Note:-
Location for bin & recycling bin store

2600x4900
carparking bays

1 2 3 4 5 6 7 8

4900

5400

2400 2400 1000

Note:-
Disabled car parking to be in accordance with AS2890.6-2009 & building code of Australia

Provide 1.8m high acoustic timber paling fence to this area. Ensure that the fence is solid, good quality and free of gaps. (Refer to detail)

Car Parking
16No Car Parks
(Sealed concrete finish)

6552

3000 1000

Note:-
All infrastructure conflicting with proposed vehicle crossovers must be relocated to the satisfaction of the relevant authorities.

Note:-
Provide visibility splays (extending a min. 2m along frontage and 2.5m along exit lane) by keeping all landscape within this zone to a max height of 900mm and fencing to have a minimum 50% clear of visual obstruction.

10 11 12 13 14 15 16

2600x4900
carparking bays

4900

3000

1000

36.106m (5°21')

51.626m (179°37.5')

Note - New accoustic fencing is to follow the same height and profile of the existing on site fencing - tapering down to 900mm height at front boundary

2000

3047

Signage panel

485

29.667m (85°18.5')

6900 1700

Tele plt

Existing Crossover

Line of existing crossover to be retained.

Ex. street tree

On street car parking.

Ex. street tree

938

Proposed Crossover

Existing Crossover

light pole

Existing Sewer plt

SWD

Existing street tree to be removed and new street tree to be installed by local authority at cost to the developer.

Hourigan Road

REVISION C

Revised :- 10.4.25

CADDCO Pty.Ltd.

Architectural Drafting

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A1 Sheet Proposed Ground Floor Plan

SHEET No. TP03 JOB No. 214-2023 TP
DATE April 2024 SCALE 1:100 @ A1 SHEET

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Document Set ID: 2795183
Version: 1, Version Date: 23/04/2025

PROPOSED CHILDCARE CENTRE

FLOOR PLAN

AT:- 3 Hourigan Road, Morwell

SPOS

Provide 2.1m high acoustic timber paling fence to this area. Ensure that the fence is solid, good quality and free of gaps. (Refer to detail)

24.384m (5°21')

24.384m (104°40')

2.1m high solid barrier to north face of playground area.

1.8m high solid barrier to north face of playground area.

services

2200

175

Playground Area
325.90 sqm
(Max 45 children)

down

1800

Note:-
Developer to meet NCC 2019 Section J energy efficiency requirements prior to offsetting of renewables.

Note:-
Glazing visible light transmittance of min 40%

synthetic lawn
Playground Area
316.07 sqm
(Max 45 children)

2.4m high solid barrier to east face of playground area.

Provide 1.8m high acoustic timber paling fence to this area. Ensure that the fence is solid, good quality and free of gaps. (Refer to detail)

Note:- Allow to Install acoustic absorption to underside of playground soffit.

Room 4
60.85 sqm
(MAX. 18 CHILDREN OVER 3 YEARS OF AGE)

toilets

prep area

Room 5
64.24 sqm
(MAX. 18 CHILDREN OVER 3 YEARS OF AGE)

Floor Area :- 270.67 sqm

lift

store

store

store

office meeting room

planning room

FHR

bin area

Note:-
Location for bin & recycling bin store

2600x4900
carparking bays

1 2 3 4 5 6 7 8 9

Note:-
Provide ceiling fans to each of the children play rooms, as per SMP stated commitments.

Note:-
Disabled car parking to be in accordance with AS2890.6-2009 & building code of Australia

Provide 1.8m high acoustic timber paling fence to this area. Ensure that the fence is solid, good quality and free of gaps. (Refer to detail)

Provide 1.8m high acoustic timber paling fence to this area. Ensure that the fence is solid, good quality and free of gaps. (Refer to detail)

10 11 12 13 14 15 16

4900

2600x4900
carparking bays

1000 3000 3047 2006

36.106m (5°21')

51.626m (179°37.5')

3000

Signage panel

585

Note - New accoustic fencing is to follow the same height and profile of the existing on site fencing - tapering down to 900mm height at front boundary

29.667m (85°18.5')

6900 1700

Tele plt

Existing Crossover

Line of existing crossover to be retained.

Ex. street tree

On street car parking.

Ex. street tree

938

Proposed Crossover

Existing Crossover

light pole

Existing street tree to be removed and new street tree to be installed by local authority at cost to the developer.

Existing Sewer plt

SWD

Hourigan Road

REVISION C
Revised :- 10.4.25

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A1 Sheet Proposed First Floor Plan

SHEET No. TP04 JOB No. 214-2023 TP
DATE April 2024 SCALE 1:100 @ A1 SHEET

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Document Set ID: 2795183
Version: 1, Version Date: 23/04/2025

PROPOSED CHILDCARE CENTRE

FLOOR PLAN

AT:- 3 Hourigan Road, Morwell

SPOS

SPOS

SPOS

SPOS

24.384m (5°21')

24.384m (104°40')

Provide 2.1m high acoustic timber paling fence to this area. Ensure that the fence is solid, good quality and free of gaps. (Refer to detail)

2.1m high solid barrier to north face of playground area.

1.8m high solid barrier to north face of playground area.

services

2200

1200

Playground Area
325.90 sqm
(Max 45 children)

Note:-
Developer to meet NCC 2019 Section J energy efficiency requirements prior to offsetting of renewables.

Note:-
Glazing visible light transmittance of min 40%

1800

2.4m high solid barrier to east face of playground area.

synthetic lawn

Playground Area
316.07 sqm
(Max 45 children)

Provide 1.8m high acoustic timber paling fence to this area. Ensure that the fence is solid, good quality and free of gaps. (Refer to detail)

Note:- Allow to install acoustic absorption to underside of playground soffit.

Note:-
Provide ceiling fans to each of the children play rooms, as per SMP stated commitments.

Allow to install 6.6kw solar electricity system, to manufacturers (440w panels x15)

bin area

Note:-
Location for bin & recycling bin store

2600x4900
carparking bays

1 2 3 4 5 6 7 8 9

Note:-
Disabled car parking to be in accordance with AS2890.6-2009 & building code of Australia

Provide 1.8m high acoustic timber paling fence to this area. Ensure that the fence is solid, good quality and free of gaps. (Refer to detail)

Provide 1.8m high acoustic timber paling fence to this area. Ensure that the fence is solid, good quality and free of gaps. (Refer to detail)

10 11 12 13 14 15 16

4900

2600x4900
carparking bays

1000

3000

3000

36.106m (5°21')

51.626m (179°37.5')

Note - New accoustic fencing is to follow the same height and profile of the existing on site fencing - tapering down to 900mm height at front boundary

2000

3047

Signage panel

485

29.667m (85°18.5')

6900

1700

938

Ex. street tree

Ex. street tree

Tele pit

Existing Crossover

Line of existing crossover to be retained.

On street car parking.

Proposed Crossover

Existing Crossover

light pole

Existing Sewer pit

SWD

Existing street tree to be removed and new street tree to be installed by local authority at cost to the developer.

Hourigan Road

REVISION
C
Revised :- 10.4.25

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A1 Sheet Proposed Roof Plan

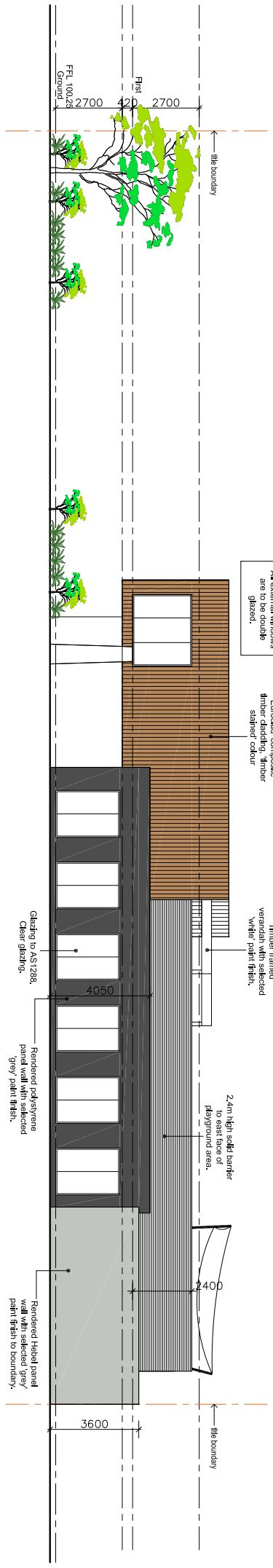
SHEET No. TP05 JOB No. 214-2023 TP
DATE April 2024 SCALE 1:100 @ A1 SHEET

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PROPOSED CHILDCARE CENTRE



E L E V A T I O N A - South

Scale 1 : 100

E L E V A T I O N B - East

Scale 1 : 100

A1 Sheet

Proposed Elevations

SHEET No. TP06
DATE April 2024
JOB No. 214-2023 TP
SCALE 1:100 @ A1 SHEET

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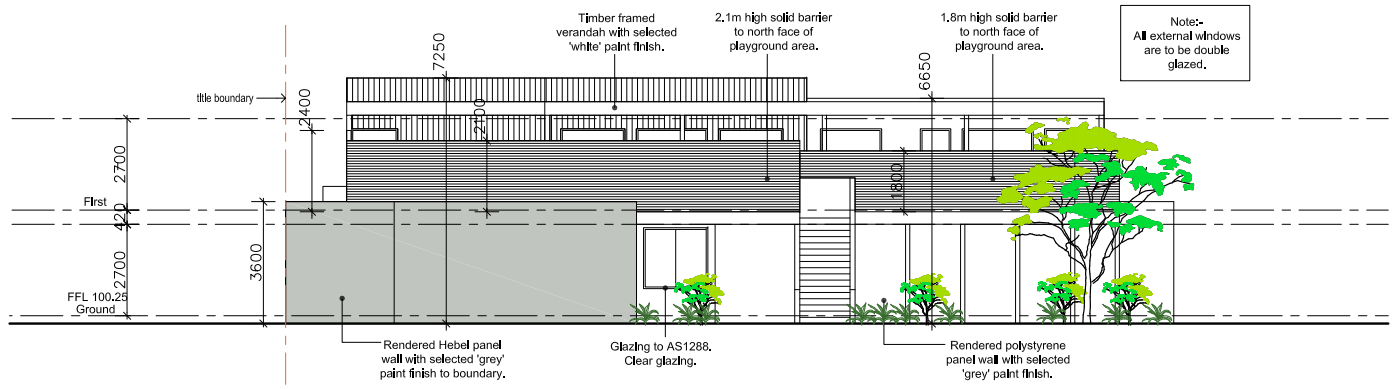
Elevations
AT:- 3 Hourigan Road, Morwell

Document Set ID: 2795183
Version: 1, Version Date: 23/04/2025

PROPOSED CHILDCARE CENTRE

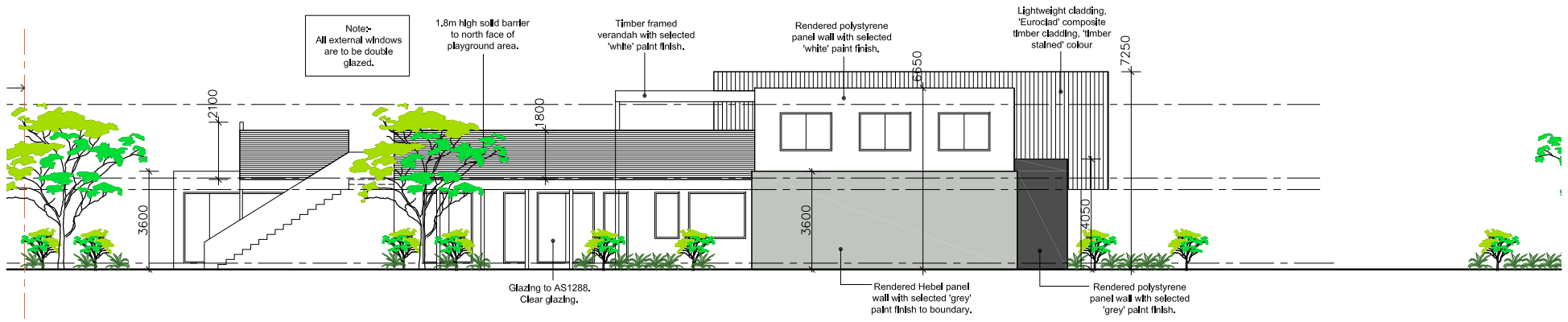
Elevations

AT:- 3 Hourigan Road, Morwell



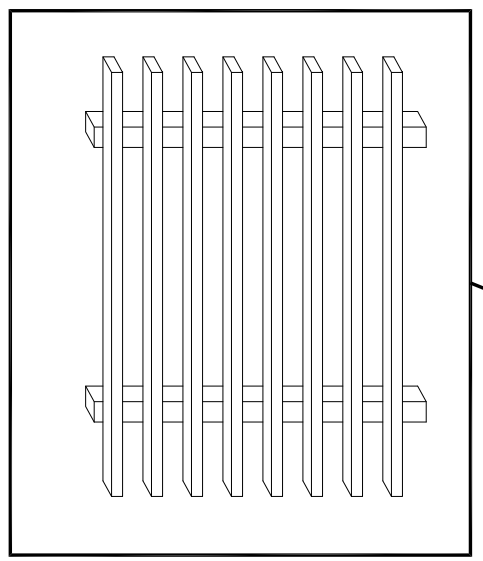
ELEVATION C - North

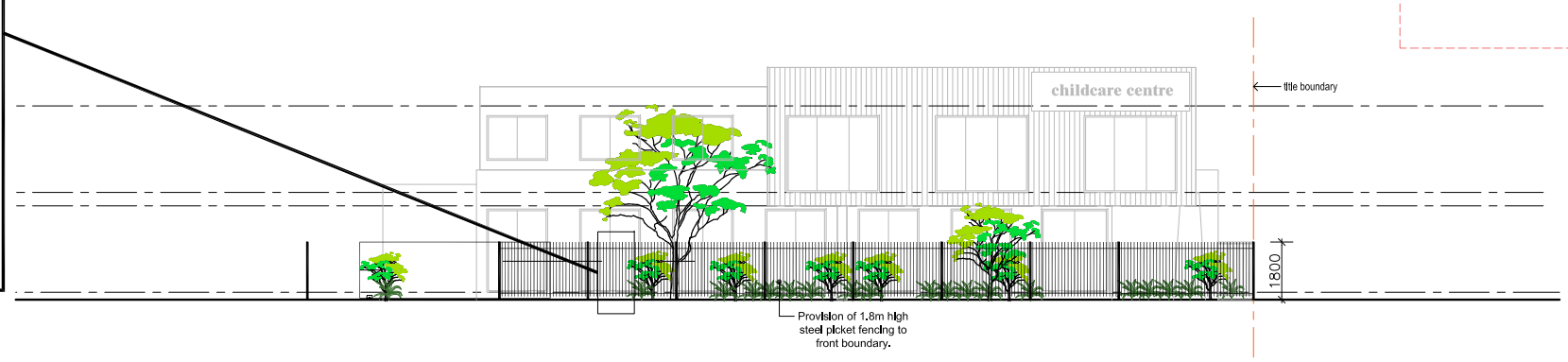
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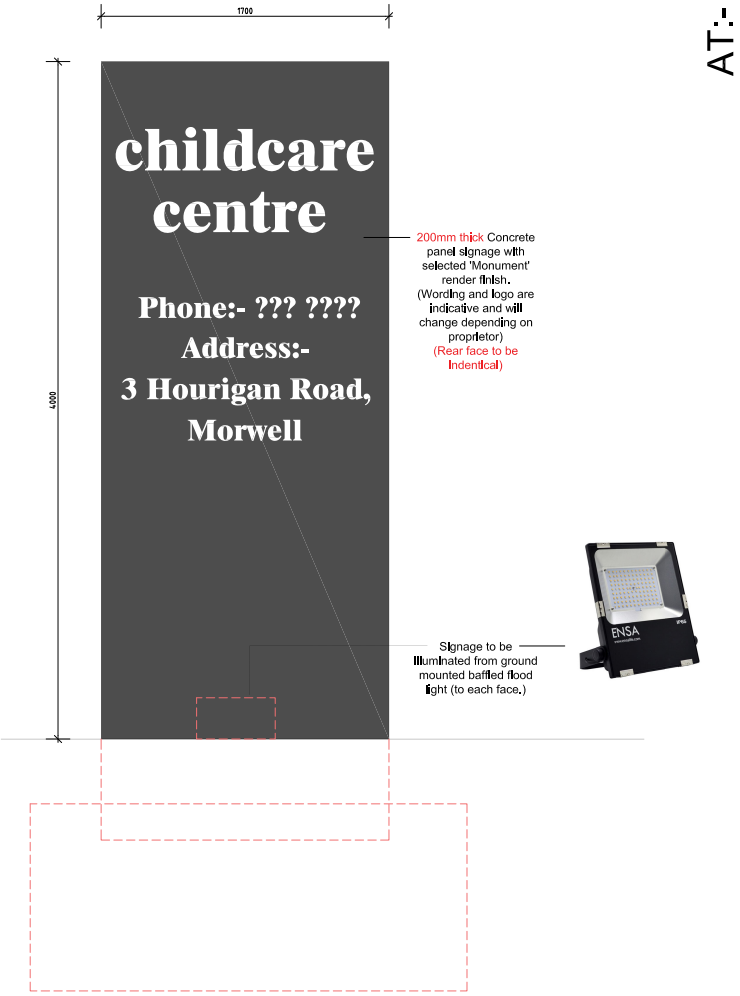


ELEVATION D - West

Scale 1 : 100







Proposed Signage Panel

SCALE 1:20 @ A1 SHEET

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REVISION C

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A1 Sheet — Proposed Elevations

SHEET No. TP07 | JOB No. 214-2023 TP | DATE April 2024 | SCALE 1:100 @ A1 SHEET

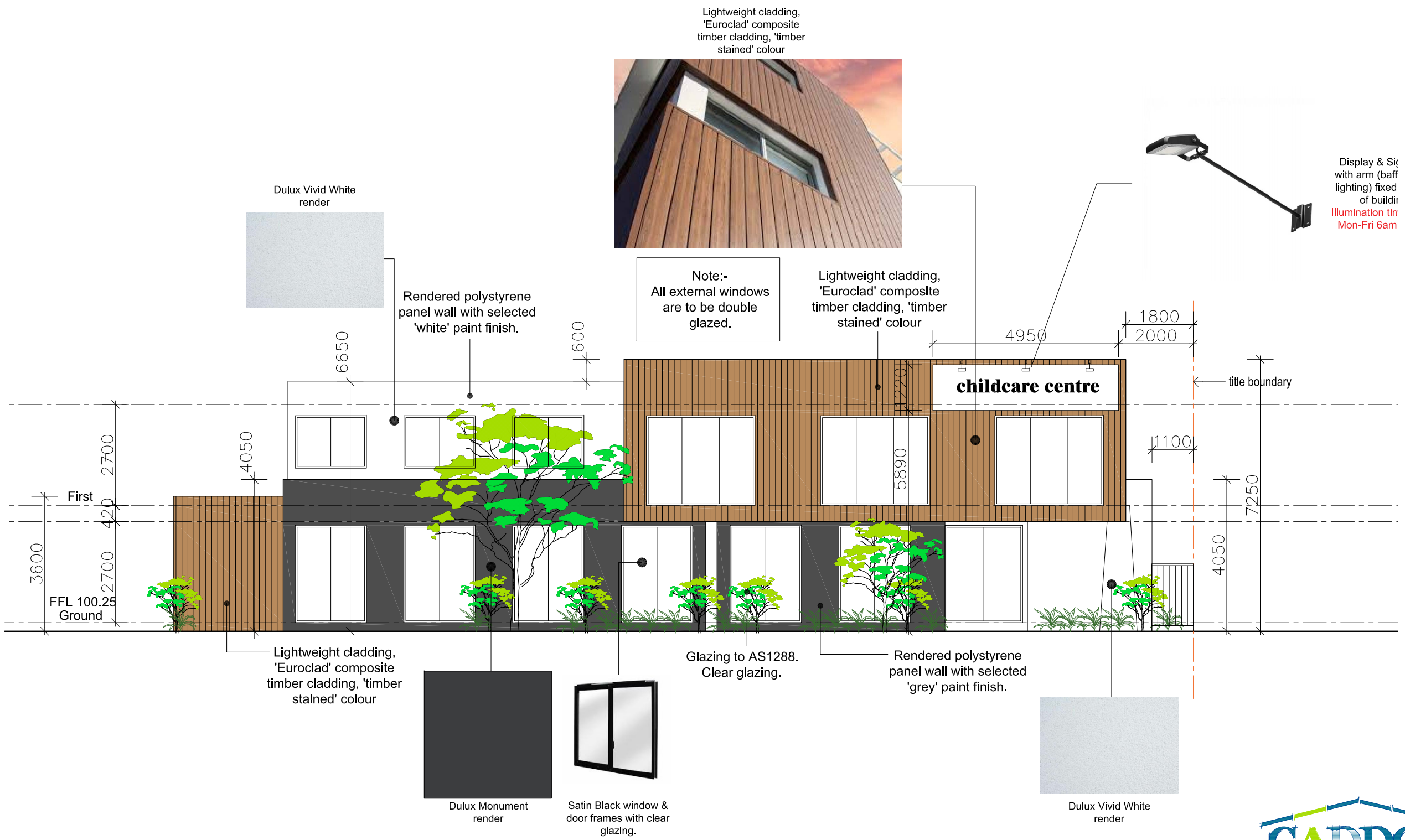
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PROPOSED CHILDCARE CENTRE

Finishes Schedule

AT:- 3 Hourigan Road, Morwell



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A1 Sheet Proposed Elevations

SHEET No. TP08 JOB No. 214-2023 TP
DATE April 2024 SCALE 1:50 @ A1 SHEET

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Document Set ID: 2795183
Version: 1, Version Date: 23/04/2025

PROPOSED CHILDCARE CENTRE

SHADOW PLAN

AT:- 3 Hourigan Road, Morwell

SPOS

SPOS

SPOS

SPOS

24.384m (5°21')

24.384m (104°40')

services

2200

126

Line of 1.8m perimeter boundary fencing to be 140x140 timber posts with black powdercoated pool fence infill.

Playground Area
325.90 sqm
(Max 45 children)

synthetic lawn
Playground Area
316.07 sqm
(Max 45 children)

1800

12noon Shadow

3pm Shadow

9am Shadow

Note:-
Developer to meet NCC 2019 Section J energy efficiency requirements prior to offsetting of renewables.

Note:-
Glazing visible light transmittance of min 40%

Note:-
Provide ceiling fans to each of the children play rooms, as per SMP stated commitments

bin area

Note:-
Location of bin & recycling bin store

2600x4900
carparking bays

1 2 3 4 5 6 7 8

Note:-
Disabled car parking to be in accordance with AS2890.6-2009 & building code of Australia

1000

3000

1000

10 11 12 13 14 15 16

4900

2600x4900
carparking bays

1000

3000

4787

36.106m (5°21')

3000

51.626m (179°37.5')

Signage panel

485

29.667m (85°18.5')

6900

1700

Ex. street tree

Line of existing crossover to be removed.

On street car parking.

Ex. street tree

Proposed Crossover

Existing Crossover

Existing crossover to be removed and a new crossover installed to council requirements. Allow to install new kerb to effected area.

Proposed Crossover

Existing pit cover to be replaced with a hard trafficable lid.

SWD

Hourigan Road

LEGEND

SUNLIGHT TO PRIVATE OPEN SPACE

North
East
South
West
SEPTEMBER 22
light pole

EQUINOX DATUM: 22 SEPTEMBER
MELBOURNE, VICTORIA

SHADOW TIME :

TIME	SUN ALTITUDE (DEGREES)	SHADOW LENGTH PER METRE HIGH
9 AM	32°	1.6 M
10 AM	41°	1.15 M
11 AM	49°	0.87
12 NOON	52°	0.78 M
1 PM	50°	0.84 M
2 PM	45°	1.0 M
3 PM		1.3 M

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REVISION C
Revised :- 10.4.25

A1 Sheet Proposed Shadow Plan

SHEET No. TP09 JOB No. 214-2023 TP
DATE April 2024 SCALE 1:100 @ A1 SHEET

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Document Set ID: 2795183
Version: 1, Version Date: 23/04/2025

PROPOSED CHILDCARE CENTRE

LANDSCAPE PLAN

AT:- 3 Hourigan Road, Morwell

SPOS

SPOS

SPOS

N

W

E

S

24.384m (5°24')

24.384m (104°40')

Provide 2.1m high acoustic timber paling fence to this area. Ensure that the fence is solid, good quality and free of gaps. (Refer to detail)

Rubber rock walk track

services

Proposed area for selected play equipment. Selected at later date.

dn

sand plt

Playground Area
341.41 sqm
(Max 45 children)

lawn area

paved area

oak path

Note:-
Developer to meet NCC 2019 Section J energy efficiency requirements prior to offsetting of renewables.

Note:-
Glazing visible light transmittance of min 40%

Line of 1.8m perimeter boundary acoustic timber fencing.

Provide 1.8m high acoustic timber paling fence to this area. Ensure that the fence is solid, good quality and free of gaps. (Refer to detail)

sand plt

30mm thick layer of permeable crushed rock (Lilycan topping).

foyer

bin area

Note:-
Location for bin & recycling bin store

2600x4900
carparking bays

Note:-
Disabled car parking to be in accordance with AS2890.6-2009 & building code of Australia

Provide 1.8m high acoustic timber paling fence to this area. Ensure that the fence is solid, good quality and free of gaps. (Refer to detail)

Note:-
All infrastructure conflicting with proposed vehicle crossovers must be relocated to the satisfaction of the relevant authorities.

Note:-
Provide visibility splays (extending a min. 2m along frontage and 2.5m along exit lane) by keeping all landscape within this zone to a max height of 900mm and fencing to have a minimum 50% clear of visual obstruction.

Car Parking
17No Car Parks
(Sealed concrete finish)

2600x4900
carparking bays

Note - New accoustic fencing is to follow the same height and profile of the existing on site fencing - tapering down to 900mm height at front boundary

51.626m (179°37.5')

Signage panel

Tele pit

Existing Crossover

Line of existing crossover to be retained.

Ex. street tree

On street car parking.

Ex. street tree

Proposed Crossover

Existing Crossover

Existing street tree to be removed and new street tree to be installed by local authority at cost to the developer.

SWD

Existing Sewer pit

Hourigan Road

REVISION C
Revised :- 10.4.25

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A1 Sheet Landscape Plan

SHEET No. TP10 JOB No. 214-2023 TP
DATE April 2024 SCALE 1:100 @ A1 SHEET

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PROPOSED CHILDCARE CENTRE

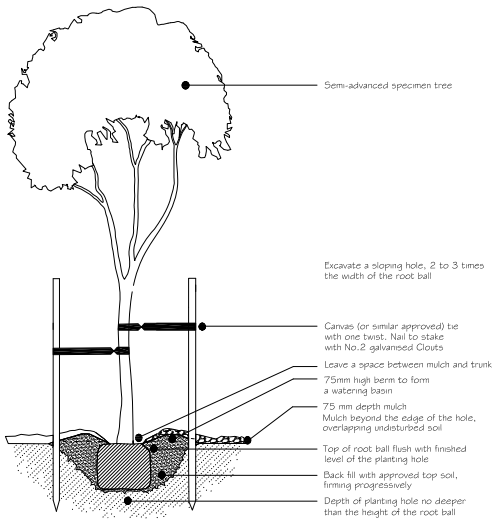
LANDSCAPE PLAN
AT:- 3 Hourigan Road, Morwell

LANDSCAPE SPECIFICATIONS

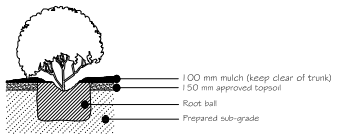
Garden Bed Establishment - Where indicated on the drawings the contractor shall provide for the establishment of garden beds. All works are to be carried out in accordance with standard horticultural practices. All works shall only be carried out under suitable soil conditions and the use of machinery or hand tools under adverse conditions that would damage the soil structure will not be permitted.
Finished surface level - After final settlement the finished surface level shall match the top of adjoining bedding edge. Place topsoil to within 75mm below finished level to allow for the replacement of mulch.
Grades - All grades are to be shaped to assist drainage.
Preparation of Subgrade - Excavate as required to establish subgrade level to allow for addition of topsoil and mulch. All garden areas that are heavily compacted from construction work shall be broken up by an initial cultivation prior to the placement of the topsoil. This shall be carried out by cultivating to a depth of 300mm and shall be along the contours to prevent erosion. This shall leave the ground in a loose and friable condition.
Gypsum - spread gypsum at the rate of 1 - 2 kilograms per square metre depending upon the manufacturers recomendations for the type of topsoil. Mix the gypsum into the sub-grade by raking in lightly to a depth of 50mm.
Topsoil - Imported topsoil from an approved supplier will confirm the following:
Texture - light to medium clay loam, ie; capable of being compressed into a ball by hand when moist yet can be broken apart immediately after.
Topsoiling - Spread topsoil to an even depth of 250mm and do not deliver or spread in a muddy condition. Where access is required over established or proposed garden areas keep the vehicular routes in the smallest possible area.
Garden Bed Preparation - Before laying mulch in all large garden beds and where thick screen planting (eg, border planting) occurs cultivate to a depth of 300mm minimum. In small garden areas dig to spade depth (250mm).
Mulch - Supply and place selected mulch in all garden beds to a minimum thickness of 75mm.
Planting - Refer to the Tree and Shrub planting details.
Completion - Refill any depression caused by settlement and reform any areas which prevent water run-off.
Planting Generally - Ensure all plants are healthy, disease free, not root bound and true to name.
Fertilizer - Use 8-9 month osmocote fertiliser at the rate specified by the manufacturer.
Planting Procedure - After the planting bed has been prepared satisfactorily, the procedure shall be as follows:

(I) Thoroughly soak before planting.
(II) Clear mulch for 500-1000mm around hole for replacement after planting.
(III) Dig hole 300 - 450 mm diameter and just over the depth of the plant container. Break away any lumpy soil, which is to be used in refilling the hole.
(IV) If the soil is very dry, fill with water and allow to drain completely.
(V) At this stage the hole shall be deep enough to accept the height of the soil in the plant container and the plant can be placed so that tha final level will be no higher than that in the pot.
(VI) Staking - two stakes per plant are to be used. Place stakes before planting to ensure that the stakes will not damage the rootball, ie; Stakes should be a minimum of the containers diameter apart. The stakes shall be placed in a north - south orientation.
(VII) Remove the plant from the pot or plastic bag by inverting plant and easing off gently. Alternatively plastic bags may be cut. Do not disturb the roots unless they are matter around the outside of the soil mass.
(VIII) Place the plant into the hole and fill in soil firmly without distorting the general shape of the plants roots system. A bowl shall be formed around the plant to hold at least 10 litres of water. Any trees that are not planted in a garden bed are to be planted in a mounded mulched area above the lawn.
(IX) The plant label should be removed from the trunk of the plant and where stakes are available it should be tied to a stake.
(X) Apply osmocote following manufacturers instructions.
(XI) Mulch - In garden bed areas the mulch is to be returned to the disturbed area. Keep mulch away from tree trunk to avoid rotting.
(XII) Water several times after planting to ensure that the water penetrates into the soil.

TREE PLANTING DETAIL (not to scale)



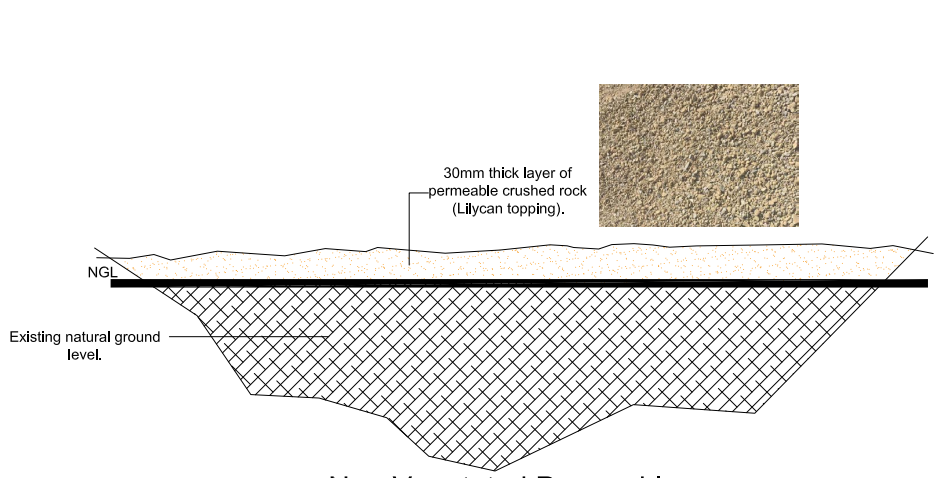
SHRUB PLANTING DETAIL (not to scale)



LEGEND	
COLOURED CONCRETE FINISH (DARK GREY)	
LAWN AREA Note:- Any area of lawn must not be 'artificial turf'	
LILYCAN TOPPING	
STEPPING STONES	
EXISTING TREES	
TREES to be REMOVED	
PROPOSED TREES	
SHRUBS	
GROUNDCOVER	
TUSSOCK PLANTS	
TIMBER GARDEN EDGING TO BE USED TO SEPARATE LAWN AND GARDEN BEDS	
IN-GROUND DRIPPER SYSTEM TO BE INSTALLED TO WATER ALL LANDSCAPED AREAS	

CODE	BOTANICAL NAME	COMMON NAME	MATURE HEIGHT (mm)	MATURE WIDTH (mm)	POT SIZE (mm)	NO
TREES						
1	Banksia integrifolia	Coastal Banksia	8000	5000	45lt	5
2	Corymbia 'Summer Beauty'	Flowering Gum	8000	5000	45lt	1
3	Agonis flexuosa 'After Dark'	Willow Myrtle	8000	4000	45lt	-
SHRUBS						
4	Bursaria spinosa spp. spinosa	Sweet Bursaria	2500	2000	200	-
5	Strelitzia nicolai	Giant Bird of Paradise	4000	1800	250	-
6	Leptospermum 'Copper Glow'	Leptospermum	2000	1500	200	-
7	Callistemon 'Genoa Glory'	Bottlebrush	2000	1500	200	-
8	Callistemon 'InJune'	Bottlebrush	2000	1500	200	-
9	Osmanthus burkwoodii	Osmanthus	2000	1200	200	18
10	Murraya paniculata	Orange Jessamine	2000	800	200	-
11	Leionema 'Green Screen'	Leionema	2000	800	200	4
12	Dodonaea viscosa 'Purpurea'	Purple Hop-bush	2000	800	200	-
13	Correa glabra 'Red'	Rock Correa	1500	1500	150	-
14	Grevillea rhyolitica	Duea Grevillea	1500	1500	150	-
15	Correa backhousiana	Correa	1200	1500	150	-
16	Grevillea 'Rosy Posy'	Grevillea	1200	1000	150	-
GROUNDCOVERS						
17	Myoporum parvifolium (Fine)	Creeping Boobialla	250	750	150	-
TUSSOCK PLANTS						
18	Phormium cookianum	Flax	1000	1000	200	26
19	Lomandra longifolia	Spiny-headed Mat-rush	1000	1000	150	-
20	Anigozanthos 'Regal Velvet'	Kangaroo Paw	1000	800	150	24
21	Dianella 'Tas Red'	Dianella	400	400	150	11

Note:- Canopy tree to be a minimum of 1.5m in height at time of planting.



Non-Vegetated Permeable Detail

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A1 Sheet Landscape Plan

SHEET No. TP11 JOB No. 214-2023 TP
DATE April 2024 SCALE NTS @ A1 SHEET

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17 October 2024

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Dear Ray,

RE: **3 HOURIGAN ROAD, MORWELL**
CAR PARKING DEMAND ASSESSMENT

PROJECT NO. **24634**

I refer to your request to undertake a Car Parking Demand Assessment in relation to the proposed childcare centre at the above location. This is to assist in justifying a reduction of the Planning Scheme car parking requirement.

Our assessment is provided as follows.

1 EXISTING CONDITIONS

1.1 LOCATION AND LAND USE

The subject site is in Morwell and is located on the northern side of Hourigan Road, approximately 80m east of Maryvale Road. Figure 1 shows the site with respect to the surrounding road network, and Figure 2 shows an aerial view of the subject site.

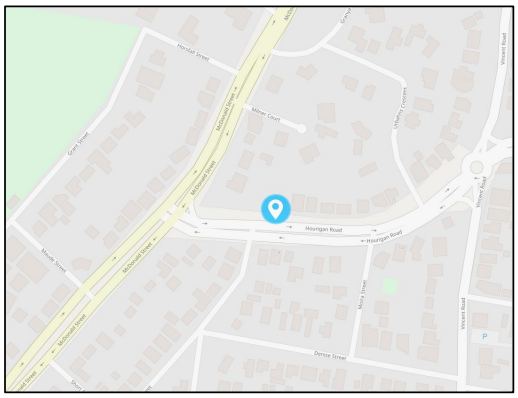


Figure 1 Subject site locality (Source: Google)



Figure 2 Subject site aerial (Source: NearMap)

The site has an area of approximately 1,491m^2 and is occupied by a single dwelling with vehicle access via a single crossover at the western boundary of the site.

The land is zoned Neighbourhood Residential Zone – Schedule 4 (NRZ4) and is subject to Design and Development Overlay – Schedule 11 (DDO11). Neither contain any relevant traffic-related requirements.

The site is not included within the Principal Public Transport Network (PPTN).

Surrounding land use is predominantly residential in nature.

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1.2 ROAD NETWORK

Hourigan Road is a collector road that follows an east–west alignment and is under the care and management of Latrobe Shire Council. It features a divided carriageway with one a single traffic lane, bicycle lane and indented parking lane (with unrestricted parking) in each direction. A median break is located immediately west of the subject site, which facilitates U-turn movements and crossing movements to/from Quigley Street.

The posted speed limit is 60km/h.

1.3 SUSTAINABLE TRANSPORT

The subject site is located within a short walking distance (approx. 220m or 2.5 minutes) from bus stops on Maryvale Road, servicing Route 21 (Morwell to Mid Valley SC).

Also within walking distance is Route 22 (Morwell to Mid Valley SC) (approx. 450m or 5.5 minutes) which operates along Vincent Road to the east.

Both bus routes connect with Morwell Railway Station to the south as well as with Mid Valley Shopping Centre.

The nearby bus routes are shown in Figure 3.

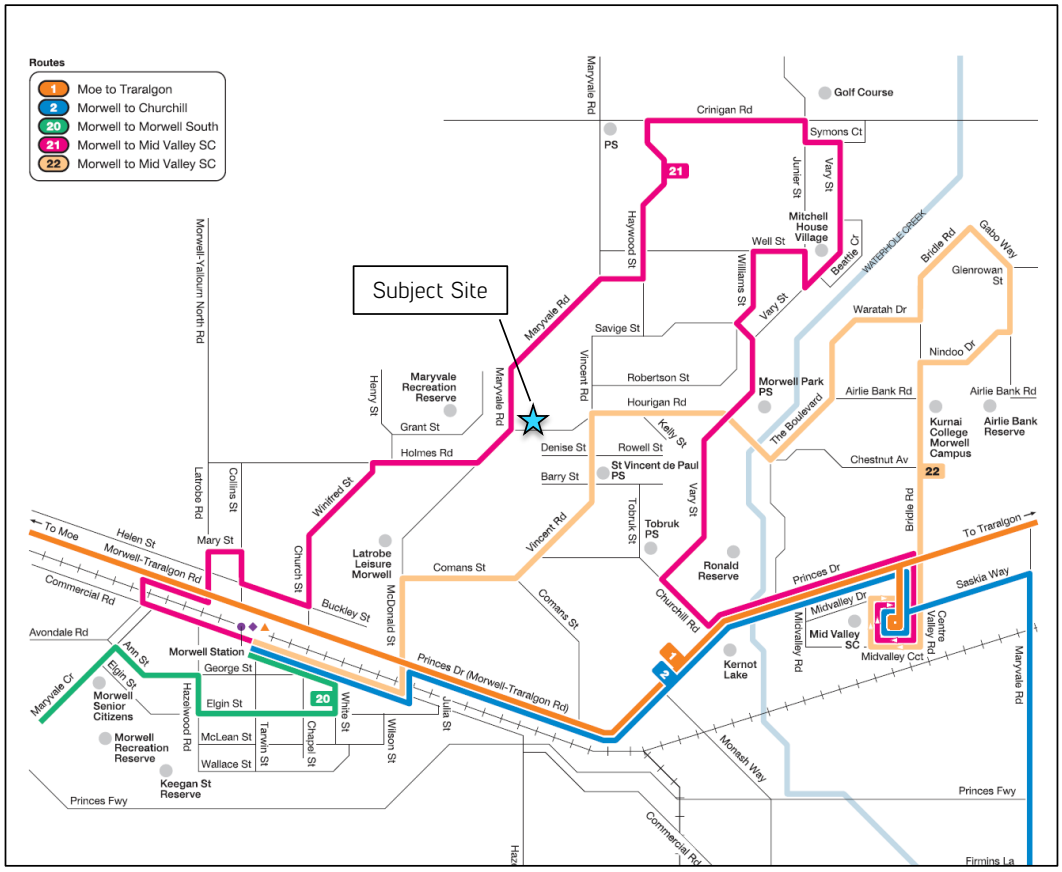


Figure 3 Public transport in Morwell (Source: ptv.vic.gov.au)

1.4 CAR PARKING AVAILABILITY

SALT has reviewed the most recent six available NearMap aerial images (excluding weekends) to determine the typical car parking availability on Hourigan Road within a short 70m (< 1 minute) walk of the subject site.

NearMap provides a method of carrying out 'spot' parking utilisation surveys over multiple dates, allowing for a better indication of parking availability than traditional 'in person' counts which are typically limited to only 1 or 2 days of the year.

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Figure 3 below shows a map of the area that was surveyed, and the dates with accompanying aerial photographs are presented in APPENDIX 1 at the end of this letter.



Figure 4 Parking survey area (shaded)

The results are summarised in Table 1 below.

Table 1 Desktop parking survey results

Street	Supply	Tue 10/09/24 3:40pm	Thu 16/05/24 Midday	Mon 19/02/24 3:30pm	Wed 19/10/22 11:29am	Tue 10/05/22 11:52am	Wed 23/02/22 1:10pm
Hourigan Road (Maryvale Rd – Moira St)	30	3	2	1	2	2	2
No. Spaces Available		27	28	29	28	28	28
Percentage Occupancy		10%	7%	3%	7%	7%	7%

[1] Parking occurs on southern side only.

From this it can be determined that the on-street car parking demand is very low in the vicinity of the site, with a maximum of 3 out of 30 spaces occupied, equating to 10% occupancy. Further, the results show that parking demands are consistently low.

These results are to be expected considering the residential nature of the area, whereby there are no external influences (e.g. schools or shops) and lot sizes are typically large, which allows for substantial provision of off-street car parking for most residences.

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2 PROPOSAL

It is proposed to construct a 90-place childcare centre. A total of 17 car parking spaces (including 1 accessible space) would be provided, with vehicle access via the existing crossover.

The proposal also includes four (4) bicycle spaces.

3 CAR PARKING ASSESSMENT

3.1 STATUTORY REQUIREMENTS

Clause 52.06-5 of the Latrobe Planning Scheme sets out the statutory car parking requirements for various land uses. As the site is outside the Principle Public Transport Network area, the 'Column A' parking rates apply. The car parking requirements applicable to the proposal are outlined in Table 2 below.

Table 2 Statutory car parking requirements

Land Use	Size	Car Parking Rate	Spaces Required[1]	Spaces Provided	Surplus / Shortfall
Childcare Centre	90 places	0.22 spaces / child	19 spaces	17 spaces	-2 spaces

[1] Car parking requirements are rounded down to the nearest whole number pursuant to CL52.06-5

The proposal has a requirement to provide 19 car parking spaces. With 17 spaces provided, there is a shortfall of 2 spaces. A reduction of the car parking requirement is hence sought.

3.2 CAR PARKING DEMAND ASSESSMENT

Clause 52.06-7 of the Latrobe Planning Scheme allows for the statutory car parking provision to be reduced (including to zero) subject to the provision of a Car Parking Demand Assessment. The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed development with respect to various matters. This assessment is provided in Table 3 below.

Table 3 Car Parking Demand Assessment

Matter	Response
The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.	Multi-purpose trips are unlikely in this case.
The variation of car parking demand likely to be generated by the proposed use over time.	Parking demands would occur Monday to Friday between the approximate hours of 6:30am and 6:30pm, with the peak demand occurring in the morning and evening drop-off and pick-up periods. Case study data shows that the absolute peak demand typically occurs for no more than 15-30 minutes in each period. Therefore, the shortfall of 2 parking spaces would only need to be accommodated on-street for brief periods. For the most part of the day, the parking demands would be entirely accommodated within the subject site.
The short-stay and long-stay car parking demand likely to be generated by the proposed use	Staff parking demands are long-stay in nature while parent drop-off and pick-up parking demands are short-stay in nature. Refer to Section 3.3 for discussion on the variance between parent and staff parking demands.

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The availability of public transport in the locality of the land.	There are two bus routes nearby that may encourage some staff to travel to the site by public transport.
The convenience of pedestrian and cyclist access to the land.	The site is well connected to the existing footpath network and the surrounding streets provide a relatively safe, low-speed environment for pedestrians and cyclists to travel.
The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.	Provision is to be made for four (4) bicycle spaces. With bicycle lanes provided on Hourigan Road, this encourages staff living locally to ride a bicycle to work.
The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.	Car ownership is not a relevant matter in this instance.
Any empirical assessment or case study.	Not adopted in this case.

Based on the above, there will typically be a peak demand of up to 19 car spaces as per the statutory requirements.

3.3 PARKING CHARACTERISTICS OF CHILDCARE CENTRES

The following information is provided to give an understanding of the typical parking characteristics of childcare centres:

- The Planning Scheme car parking rate is based upon case study data for other childcare centres in suburban areas generally not well serviced by public transport and not part of activity centres. This rate reflects a peak parking demand comprising both staff and parents.
- Case study data for various childcare centres typically shows that absolute peak parking demands occur between 8 – 9am and 4:30 – 5:30pm. However, parents can arrive at any time and collect their children at any time – hence, parking demands are relatively well spread across the morning and evening drop-off and pick-up periods.
- The absolute peak parking demand typically occurs for no more than 15 – 30 minutes in each of the drop-off and pick-up periods. At other times, the parking demands are lower.
- Staff parking demands peak in the middle of the day. However, the ratio of parent to staff parking demand varies. Staff gradually arrive throughout the morning period and depart gradually throughout the afternoon/evening period i.e. it is not the case that all staff must be present before children arrive. This is principally because of adherence to regulatory staff to child ratios, therefore as the number of children increases, so does the number of staff (and vice versa in the pick-up period).

Hence, the proposed car park will only be fully utilised for brief periods in the morning and afternoon, Monday to Friday. During these periods up to 2 cars would need to be accommodated on-street. During the middle part of the day, all parking demands can be accommodated on-site.

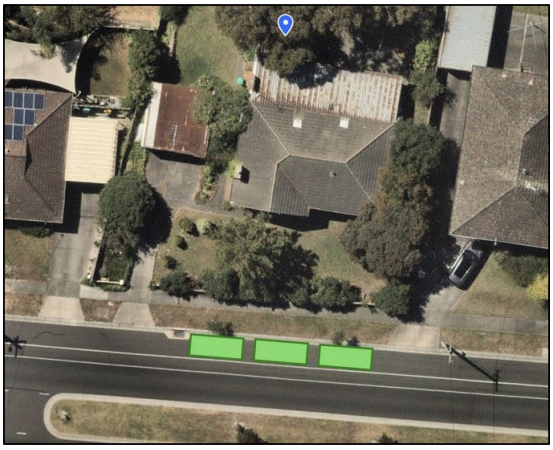
Notably, childcare centres close from 6:30pm on weekdays and are fully closed on weekends. Therefore, no parking demands occur at all in the evening and on weekends. This is in comparison to a residential development that could be expected to generate visitor parking demands at all times of day, with peak visitor demands typically occurring in the evenings and on weekends.

3.4 ADEQUACY OF PARKING SUPPLY

Clause 52.06-7 of the Latrobe Planning Scheme specifies that before granting a permit to reduce the number of spaces, the responsible authority must consider a range of specified matters. The matters relevant to this application are discussed in Table 4 below.

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Table 4 Matters that support a reduction in car parking

Matter	Response
The Car Parking Demand Assessment.	The Car Parking Demand Assessment indicates the proposed development is likely to generate a peak parking demand for up to 19 spaces. With 17 on-site parking spaces, up to 2 cars would need to be accommodated on-street. This would only occur briefly during the weekday morning and afternoon drop-off and pick-up periods, with parking demands able to be accommodated fully on-site at all other times.
The availability of alternative car parking in the locality of the land.	The desktop parking surveys over a range of different dates indicate that there is an abundance of on-street parking available in the vicinity of the subject site, with a minimum of 27 vacant spaces (90%) available at the times surveyed. This is within a very short ~70m (< 1 minute) walk of the subject site. It is not expected there would be any significant variance from this if detailed (full day) surveys were undertaken, given the residential nature of the surrounding area and the fact most properties have significant off-street parking available. Further, there are three (3) on-street parking spaces available at the direct frontage of the site, and this would remain the case if the existing crossover was widened. Any overflow parking demand is likely to occur in these spaces.  *Parking at frontage of site* As such, there is more than sufficient on-street parking available in the area to accommodate a shortfall of two (2) car parking spaces, with negligble impact to nearby residences.
Access to or provision of alternative transport modes to and from the land.	The site has good access to bus routes, which may encourage some staff to arrive by public transport. The provision of on-site bicycle parking and the availability of bicycle lanes on Hourigan Road may also encourage some staff living locally to cycle to work, thereby reducing car parking demands.

Based on the above, the shortfall in on-site parking of two (2) spaces will be adequately accommodated on-street. Accordingly, a reduction in the Planning Scheme car parking requirement is justified against the relevant decision criteria.

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3.5 ACCESSIBLE PARKING

The National Construction Code (NCC) specifies the number of accessible parking spaces required for various land uses. As per the NCC, there is a requirement for one (1) accessible space for every 50 car parking spaces or part thereof. The proposal includes one (1) on-site accessible car parking space and thus complies with the requirement.

4 SUMMARY

With respect to the above car parking assessment, it is concluded that:

- The statutory car parking requirement is 19 spaces. With 17 spaces provided, there is a shortfall of 2 spaces and so a reduction of the requirement is sought;
- A Car Parking Demand Assessment indicates a peak demand of 19 spaces but occurring only for brief 15-30 minute periods during the weekday drop-off and pick-up periods. At other times the parking demands would be fully accommodated on-site;
- The Planning Scheme sets out criteria that Council must consider when assessing an application to reduce the parking requirement, one of which is the availability of on-street car parking; and
- Parking availability data indicates more than sufficient on-street parking is available in the vicinity of the site to accommodate the shortfall of two (2) parking spaces, with peak demands typically not exceeding 10% of the available supply. Further, there are three (3) on-street parking spaces at the direct frontage of the site. Parking impacts to surrounding properties would hence be negligible.

Accordingly, the proposed reduction of the car parking requirement is justified in this case.

If there are any queries in relation to this assessment, I can be contacted on the number below.

Yours sincerely,



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APPENDIX 1 NEARMAP PARKING SURVEY IMAGES

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Acoustic Planning Assessment

Child Care Centre – 3 Hourigan Road, Morwell

AK Property Group

Prepared by:
SLR Consulting Australia

SLR Project No.: 640.031779.00001

7 March 2025

Revision: A

Making Sustainability Happen

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Revision Record

Revision	Date	Prepared By	Checked By	Authorised By
A	7 March 2025	Matthew Bruck	JA	JA

Basis of Report

This report has been prepared by SLR Consulting Australia (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with AK Property Group (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

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1.0 Introduction

SLR Consulting Australia Pty Ltd (SLR) was retained by AK Property Group to undertake an acoustical assessment of the Child Care Centre (CCC) proposed for 3 Hourigan Road, Morwell, Victoria.

A planning permit has not been issued so a general assessment is considered in this report. The intent of this report is to quantify the potential noise impacts to and from the childcare centre, and to provide advice for addressing them.

This report addresses the following acoustic issues:

- Noise from children playing outdoors to adjacent residential uses.
- Noise from mechanical plant associated with the facility. This is required to comply with formal EPA noise legislation (the Noise Protocol).
- Consideration of traffic noise impacts to children's outdoor play areas and indoor sleeping areas.
- Noise from carpark activity during drop off / pickup.

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2.0 Site and Operational Details

The site is located at 3 Hourigan Road, Morwell. The nearest existing residential receivers are located directly adjacent to the north (5 Milner Ct), north-east (4 Milner Ct), east (5 Hourigan Rd) and west (1 Hourigan Rd & 112 Maryvale Rd). Additional residential dwellings are located to the south across Hourigan Rd.

Figure 1 presents an aerial of the site and surrounding receptors. The existing site includes timber fences to the residential boundaries.

Figure 1 Site Aerial and Noise Logging Locations (source Nearmaps)



2.1 Facility Details

The proposed CCC is to accommodate up to 90 children plus staff and is to operate from 7 am to 6 pm, Monday to Friday.

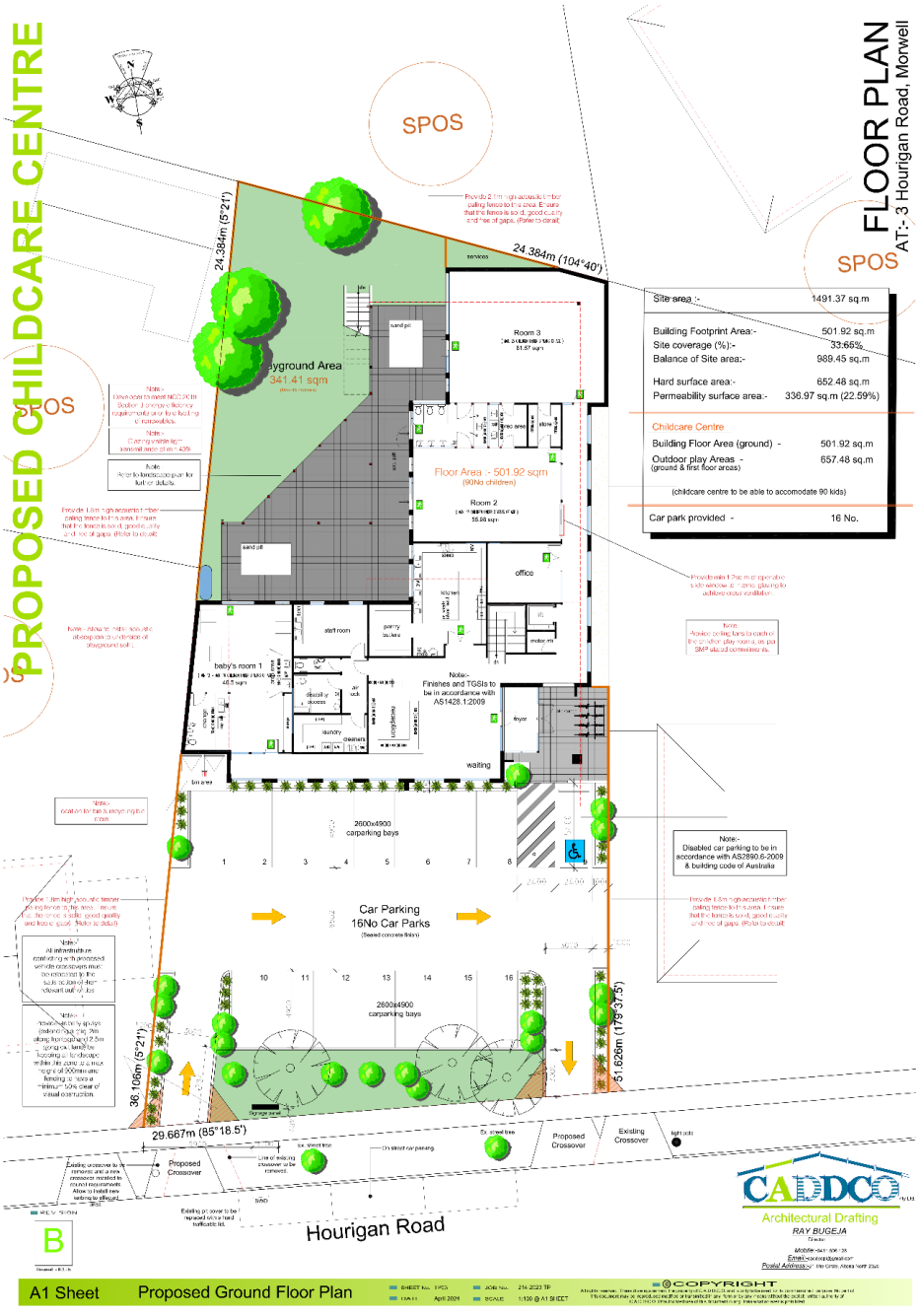
Application drawings prepared by CADDCO dated 6 March 2025 show a two storey building comprising 5 childcare rooms, staff rooms, reception, offices, and a kitchen. The CCC comprises two outdoor play areas, one located on the ground floor to the north-west of the site with the other located on the first floor on the north side of the building. The CCC

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includes carpark facilities (16 spaces) provided to the south of the development interfacing Hourigan Road.

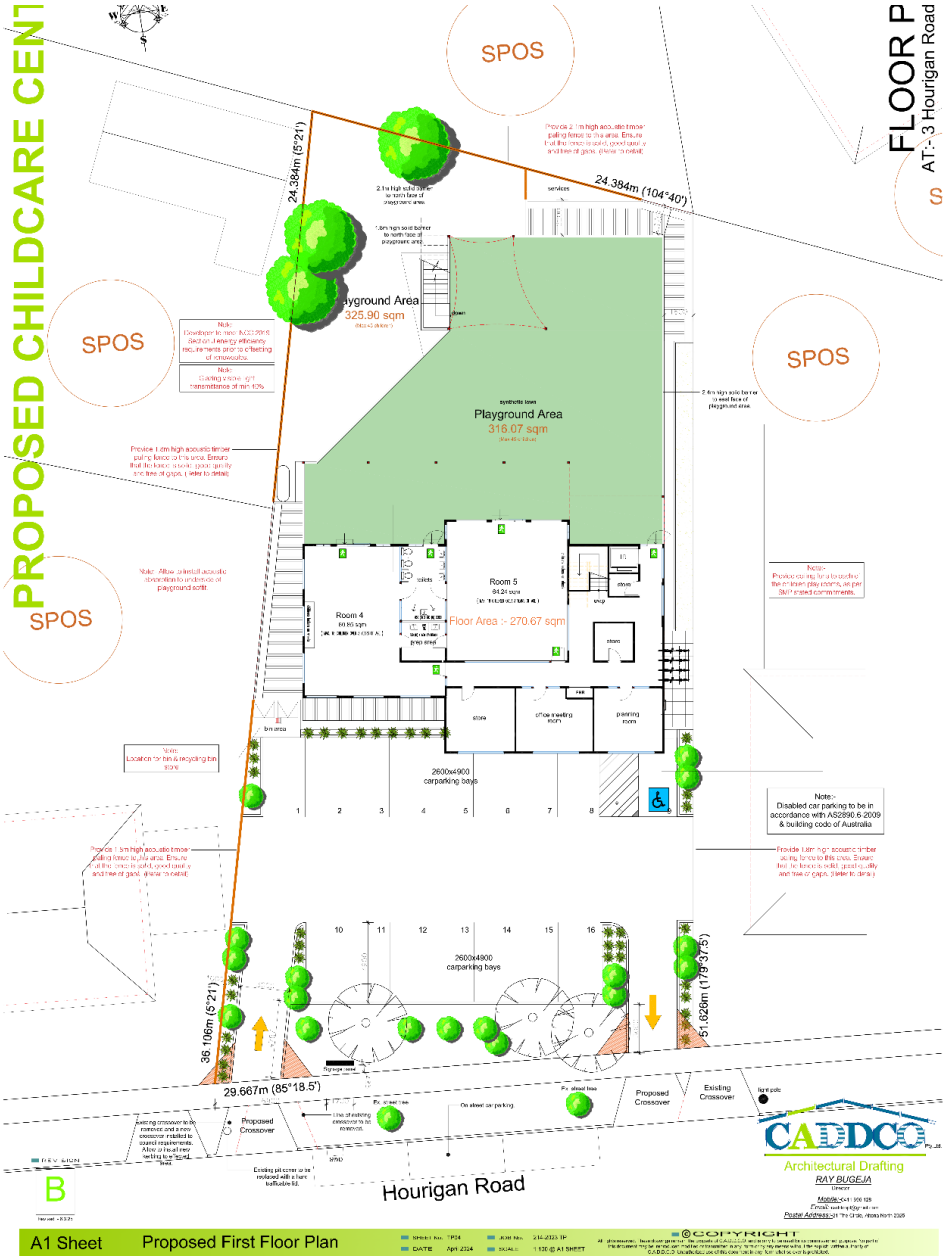
Figure 2 and **Figure 3** presents the proposed ground floor and first floor plans respectively.

Figure 2 Proposed Ground Floor Plan (CADDCO)



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Figure 3 Proposed First Floor Plan (CADDCO)



The site includes perimeter fencing to the ground floor and screening to the upper floor play areas.

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3.0 Assessment Criteria

3.1 Legislation

The amended Environment Protection Act 2017 (the Act) came into effect on 1 July 2021. The General Environmental Duty (GED) is at the centre of the new laws and requires all Victorians to reduce the risk of activities potentially harming the environment or human health through pollution or waste.

Subordinate legislation – the Environment Protection Regulations (EP Regs) and Environment Reference Standard (ERS) – have been released to support the new environment protection laws.

The Regulations incorporate the Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, Publication 1826 (the Noise Protocol).

Commercial noise from the development such as noise from mechanical plant and typical commercial activity (e.g. deliveries) will be required to comply with the requirements of the Act, EP Regs and Noise Protocol. Compliance with the requirements in the Noise Protocol generally satisfies the requirements in the EP Regs.

Noise from voice (including children) and private vehicle movements within the carpark are not subject to the Noise Protocol or EP Regs. However, consideration and reasonable management of impacts from private vehicle movements within the carpark are required under the Act.

3.2 Noise Protocol

Centrally located project mechanical plant and equipment associated with the development, and noise from existing commercial uses are assessable to the Noise Protocol, Part I.

The Noise Protocol sets noise limits at residential premises and there are separate noise limits for the day, evening, night and weekends as reproduced in **Table 1**.

Table 1 Noise Protocol Definitions of Day, Evening and Night Periods for Commercial Noise

Period	Day	Evening	Night
Monday to Saturday	7 am to 6 pm	6 pm to 10 pm	10 pm to 7 am the following day
Sunday and public holidays	N/A	7 am to 10 pm	

Under the Noise Protocol, noise limits are based on the land-use zoning of the area surrounding the residence as defined by the relevant authority (zoning levels), and on the measured background noise levels at the residence when those levels are especially high or low.

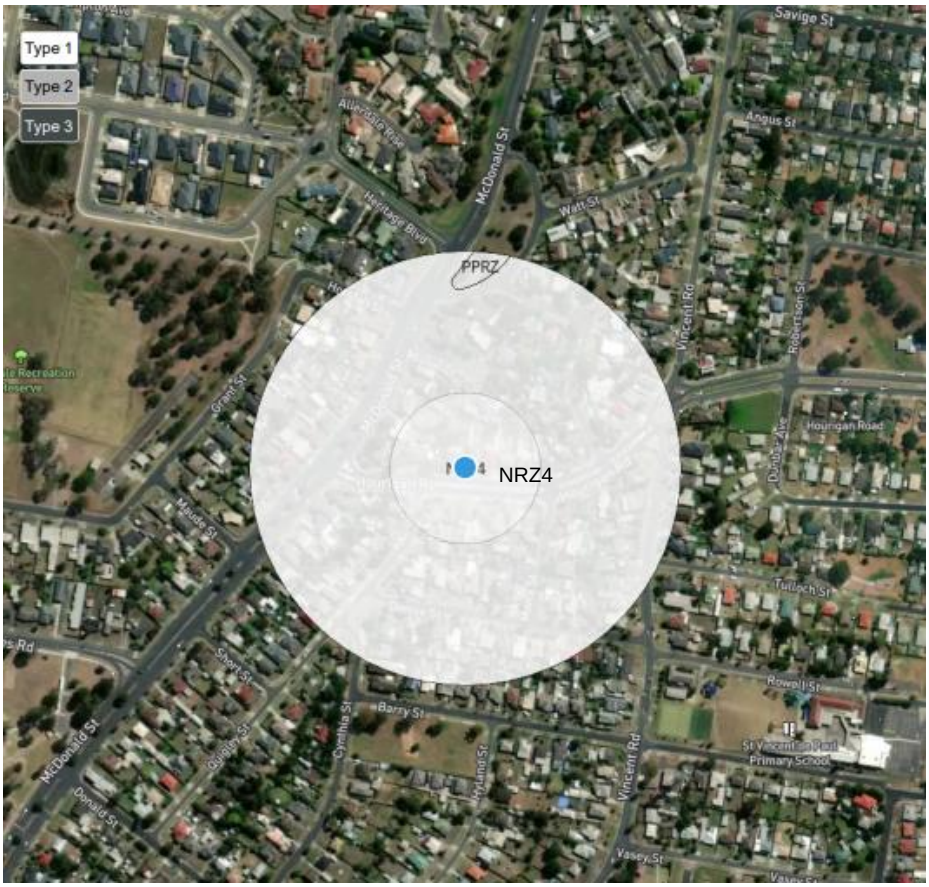
Where neutral background noise levels are measured, the zoning levels apply.

The Noise Protocol requires noise to be assessed for a 30-minute period and to be adjusted for character, including tonality, intermittency and duration. The adjusted noise level is compared with the noise limit to determine whether or not the premise complies with the limits.

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The closest residential receiver (5 Hourigan Rd) is located directly east of the subject site. This property has been utilised to determine the zoning levels for residential receivers. The relevant zoning map of the area is presented in **Figure 4** with the 140 m and 400 m diameter circles shown for reference.

Figure 4 Zoning Map of Site and Surrounds (*courtesy: Arcadian*)



The determined zoning levels and estimated noise limits are provided in **Table 2**. The estimated limits are applicable to all surrounding sensitive receivers.

We note that background noise measurements were not conducted on the site, however, based on previous experience and measurements in similar areas, we would assume background levels during the day would be approximately 40 dBA. On this basis, neutral background levels have been assumed for setting the noise limits.

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Table 2 Noise Limits for Commercial Industrial and Trade Noise Emissions

Description	Noise Protocol Commercial and Trade Noise Estimated Limits (dBA)
	Day (Mon – Sat; 7am – 6pm)
Zoning Level, dBA	50
Background Level, dBA	Not conducted
Assumed Background Level Description	Neutral (assumed between 38 – 44 dBA)
Estimated Noise Limit ($L_{eq, 30min}$)	**50**

3.3 Low Frequency Noise

Frequency spectrum is a prescribed factor under the EP Act and subordinate legislation. The assessment of frequency spectrum applies to noise from commercial, industrial and trade premises only. Low frequency noise is typically a very low risk from CCC's and is therefore not assessed further in this assessment.

3.4 Waste Collection Noise Emissions

EPA Publication 1254.2 Noise Control Guidelines provides guidance and recommendations to minimise the likelihood of complaint due to waste collection from commercial premises. This guideline shall be adopted to minimise noise impacts from waste collection. Publication 1254.2 states:

> *Annoyance created by industrial waste collection tends to intensify in the early-morning period. To this end, early-morning collections should be restricted to non-residential areas to minimise early morning disturbances. Where a residential area is impacted by noise from the collection of refuse, then collections should be restricted to the times contained within the schedule.*
>
> - *Refuse bins should be located at sites that provide minimal annoyance to residential premises.*
> - *Compaction should be carried out while the vehicle is moving.*
> - *Bottles should not be broken up at collection site.*
> - *Routes which service predominantly residential areas should be altered regularly to reduce early morning disturbances.*
> - *Noisy verbal communication between operators should be avoided where possible.*

Table 3 presents the allowable time periods for waste collection to minimise noise impacts.

Table 3 Industrial Waste Collection – Time Periods

Schedule: Industrial Waste Collection	
One Collection per Week	**Two or More Collections per Week**
6:30 am – 8 pm Monday to Saturday	7 am – 8 pm Monday to Saturday

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Schedule: Industrial Waste Collection	
9 am – 8pm Sunday and public holidays	9 am – 8pm Sunday and public holidays

3.5 Children Voice and Activity Noise

There are no official noise regulations or policies within Victoria that specifically address the main source of noise associated with a childcare facility, being children's voices. In addition:

- Voice noise is specifically excluded from assessment in the Victorian EP Regs,
- Restrictions to children's voice and activity noise could have significant implications for our community,
- The sound of children's voices may in some cases be considered a desirable sound,
- Previous VCAT decisions have specifically stated that noise from children playing should not be considered as offensive. The following excerpt is from a VCAT decision *McCarthy & Ors v Ballarat CC [2010] VCAT 745* (28 April 2010)

  "Amenity concerns

  "30. Some concern was raised with respect to noise and amenity impacts. It has been a long held principle of the Tribunal that the noise from children playing is not an offensive one and one which is entirely appropriate for a residential zone. In addition, there is the often repeated quote of the former Planning Appeals Board:

  "Children of preschool age who will be brought to the premises will spend much of their time sleeping and some of the time engaged in occupations within the house. It will be a sad day for this community when responsible authorities find that the laughter of little children or their exuberance in playing their games becomes a nuisance"[6]."

- Any potential voice and activity noise impacts will be limited to daylight hours.

Given the above, we do not consider that providing strict design criteria for children's voices is appropriate. However, providing some control of noise, to minimise disturbance to nearby residential uses, is desirable.

Our proposed approach would be to:

- Compare the predicted noise levels with the Noise Protocol based noise limits.
- Consider the Association of Australian Acoustical Consultants (AAAC) guidance document "Guideline for Child Care Centre Acoustic Assessment" September 2020 (AAAC Guideline). The document covers a number of aspects (including internal noise and design for users) but also provides indicative design levels and reference data for assessing childcare centre noise impacts to residents. The assessments methodologies are NSW based, and do not always align well with normal Victorian noise policy methods. The two nominated design targets in the AAAC Guideline are 'background + 5 dBA' and 'background + 10 dBA'. Only the latter target, which aligns more with Victorian practice and VCAT precedent, is considered in this report. As background noise measurements were not conducted, measurements taken in similar areas (i.e. away from busy roads in suburban neighbourhoods), were used as a basis; with daytime background noise levels expected to be 40-45 dBA.
- Consider the Environmental Reference Standard (ERS) noise objectives. As the site and surrounds is within a suburban area, the applicable noise objective would be 50 dB $L_{Aeq,16h}$, from 6 am to 10 pm. Further, we have assumed that children playing outdoors would not exceed 6 hours per day.

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If any significant exceedance of the proposed targets is identified, options for noise control will be provided taking into account practical considerations.

3.6 Traffic Noise

The AAAC Guideline provides guidance on recommended noise levels from traffic to outdoor play or activity areas as follows:

> *The $L_{Aeq,1hr}$ noise level from road traffic, rail or industry at any location within the outdoor play or activity area during the hours when the Centre is operating should not exceed 55 dB(A).*

The AAAC Guideline provides guidance on recommended noise levels from traffic to indoor sleeping areas are as follows:

> *The $L_{Aeq,1hr}$ noise level from road traffic, rail or industry at any location within the indoor activity or sleeping areas of the Centre during the hours when the centre is operating shall be capable (ie with doors and / or windows closed) of achieving 40 dBA within indoor activity areas and 35 dBA in sleeping areas.*

3.7 Summary of Project Acoustic Requirements

In summary, the acoustic requirements and criteria that are applicable to the development are as follows:

- Mechanical plant and equipment are assessable to the Noise Protocol.
- Noise from vehicle movements in the carpark is required to be managed as practical to meet the developer's obligations under the GED.
- Rubbish collection and deliveries should be conducted in accordance with the relevant EPA schedules.
- Voice noise from children is not formally assessable to EPA noise legislation but compared to criteria from the AAAC Guideline, the Noise Protocol and ERS for the purposes of indicative assessment.
- Traffic noise impacts to the child care centre are not assessable to EPA noise legislation but considered with reference to the AAAC Guideline.

4.0 Assessment

4.1 Noise to Proposed Child Care Centre

4.1.1 Traffic Noise

As the site is located significant distances from any major road, the AAAC guideline targets for external play areas and internal sleeping areas would be met.

4.2 Noise from Proposed Child Care Centre

4.2.1 Children's Voice Assessment

SLR has undertaken calculations of noise from the outdoor play areas to the adjacent residential dwellings.

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Calculations utilise reference sound power data sourced from the AAAC Guideline for childcare centres. The Guideline includes noise data for children of different age groups based on data collected from various acoustical consultants. A summary of the reference data used is presented in **Table 4**. The breakdown of the number of children per age category was provided by the client and is also presented below.

Table 4 Outdoor Children Activity Reference Data

Age Bracket	Number of Children	Sound Power Level, dBA
0 to 3 years old	54	91
3 to 5 years old	36	92

SLR has undertaken measurements and has found good correlation with the AAAC nominated sound power levels. Noise levels at the nearest receivers which interface the childcare centre were modelled using the following inputs.

- The 0 to 3 year old children were evenly distributed in the ground floor outdoor play area.
- The 3 to 5 year old children were evenly distributed in the first floor outdoor play area.
- The height of the children was set to 1.0 m.
- Noise predictions were to a height of 1.5 m above ground level for single storey receptors and 4.5 m for first floor receptors. As the surrounds are on a slope, the receptor to 4 Milner Ct was set at 3.5 m high to approximate their ground floor window. Backyard receptor locations set back approximately 10 m from the dwellings were included at 112 Maryvale Rd and 5 Milner Ct to address the Noise Protocol's desire to retain amenity in private open spaces.
- Topography downloaded from the Vicmap Elevation DEM 10m dataset with the site set to a height of 92.3 m above A.H.D.
- ISO 9613 noise prediction algorithm implemented within the iNoise 2024 noise prediction software.
- Modelling included updated barrier heights to the outdoor play areas to optimise noise control to the surrounding receivers. These are incorporated in the application plans in **Figure 2** and **Figure 3** and described in **Section 5.0.**
- Acoustic absorption (NRC minimum 0.8) to the underside of the soffit that hangs over the ground floor outdoor play area.

Based on the above prediction methodology and the assessment approach discussed in **Section 3.5**, **Table 5** presents an assessment of the children's outdoor area noise to the nearest residential dwellings.



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Table 5 Predicted Noise Level and Assessment – Children's Outdoor Play Areas

Location	Noise Protocol Based Criteria	Background level + 10 dB (AAAC Guideline)	Predicted Voice Noise Levels (15 minute), dBA	ERS Objective Noise Level (16h average)	Predicted Voice Noise Levels – adjusted to 16 hour, dBA
5 Milner Ct	50	50-55	51	50	47
4 Milner Ct			50		46
5 Hourigan Rd			50		46
112 Maryland Rd			46		40

The above analysis shows that predicted noise levels from outdoor children activity generally meet or marginally exceed (by 1dBA) the range of guidance criteria. This is considered a reasonable outcome in the context of voice noise which is not formally assessable to any noise legislation.

It is further noted that the assessment is based on all children in the facility outside at the same time. This is a worst case scenario and unlikely to occur regularly.

4.2.2 Noise from Internal Activities

Voice noise from within the childcare facility would typically be well below the levels we have predicted for noise from children's voice outdoors due to the available building façade attenuation.

4.2.3 Mechanical Plant

Any plant and equipment associated with the facility will operate typically during the day period, when a limit of 50 dBA applies.

At this stage of the development, specific equipment selections or mechanical plant locations have not been developed.

As a general guide, plant should be kept away from boundaries and / or shielded by screens to neighbouring properties.

We expect compliance can be achieved with the available setback to the adjacent dwellings.

Once final mechanical designs have been completed, these should be checked during the detailed design of the facility.

4.2.4 Staff Arrivals, Drop Off and Pick Up

Noise from domestic vehicles and drop off and pickup activities is generally not formally assessable to any noise regulations although it is considered when it occurs at night and could cause sleep disturbance impacts.

The car park area activities could be noticeable in the early morning at 1 Hourigan Rd, 5 Hourigan Rd, and possibly across the street. However, these carpark movements are generally not expected to be louder than existing traffic passbys on Hourigan Rd and as such expected to provide negligible noise impact to these adjacent dwellings. The proposed plans (and recommendations below) include a 1.8 m high boundary fence to the east and west sides of the car park area which will minimise any impacts.



5.0 Summary of Recommendations

The current planning application drawings include SLR's developed noise controls in the form of acoustic fences and acoustic absorption to the underside of the soffit. These are further summarised as follows:

Barriers

- East and west barriers to front carpark: 1.8 m high and taper towards street as required for vision of drivers
- North boundary fence to rear play area: 2.1 m high barrier (or maximum allowable by Council).
- West boundary fence to rear play area: 1.8 m high barrier
- Upper floor play area: 2.4 m to east, 2.1 m to north, 1.8 m to west sides.
- All barriers to be constructed of solid materials (i.e. no gaps or slots) with surface density not less than 10 kg/m².
- Suitable timber fencing (ground level) is the Lee Group light duty timber fence.
- First floor barriers can be constructed of glass, steel, cement sheet or similar solid material and can have a small drainage gap of approximately 20 mm at the bottom.

Absorption Treatments

Install acoustic absorption that has a minimum acoustic absorption coefficient of NRC 0.8 to the underside of the soffit that hangs over the ground floor play area. Examples include

- Spray applied cellulose insulation (e.g. 40-50 mm thick Envirospray 300).
- Perforated metal or cement sheet (>20% o.a) with 50-75 mm insulation behind.
- Polyester panel with water repellent facing (e.g. Megasorber P50G-RG)

6.0 Conclusion

A review of the proposed childcare centre development and associated noise related aspects has been undertaken. The following provides a summary of our findings and recommendations.

Mechanical Plant

Noise limits for any on site mechanical plant have been identified. Given the available distances to the nearest residential uses, the potential for noise impacts is considered low. Final mechanical equipment should be reviewed during detailed design to confirm compliance will be achieved.

Children Voice and Activity Noise

Predicted noise levels from children's activities in the outdoor play areas were found to generally meet guidance criteria. Children voice noise is excluded from a formal assessment to the EPA Regulations / Noise Protocol but should be minimised so far as reasonably practicable. Results of the modelling indicate the upgraded fence heights and acoustic absorption to the soffit overhanging the ground floor play area provide a reasonable acoustic outcome.

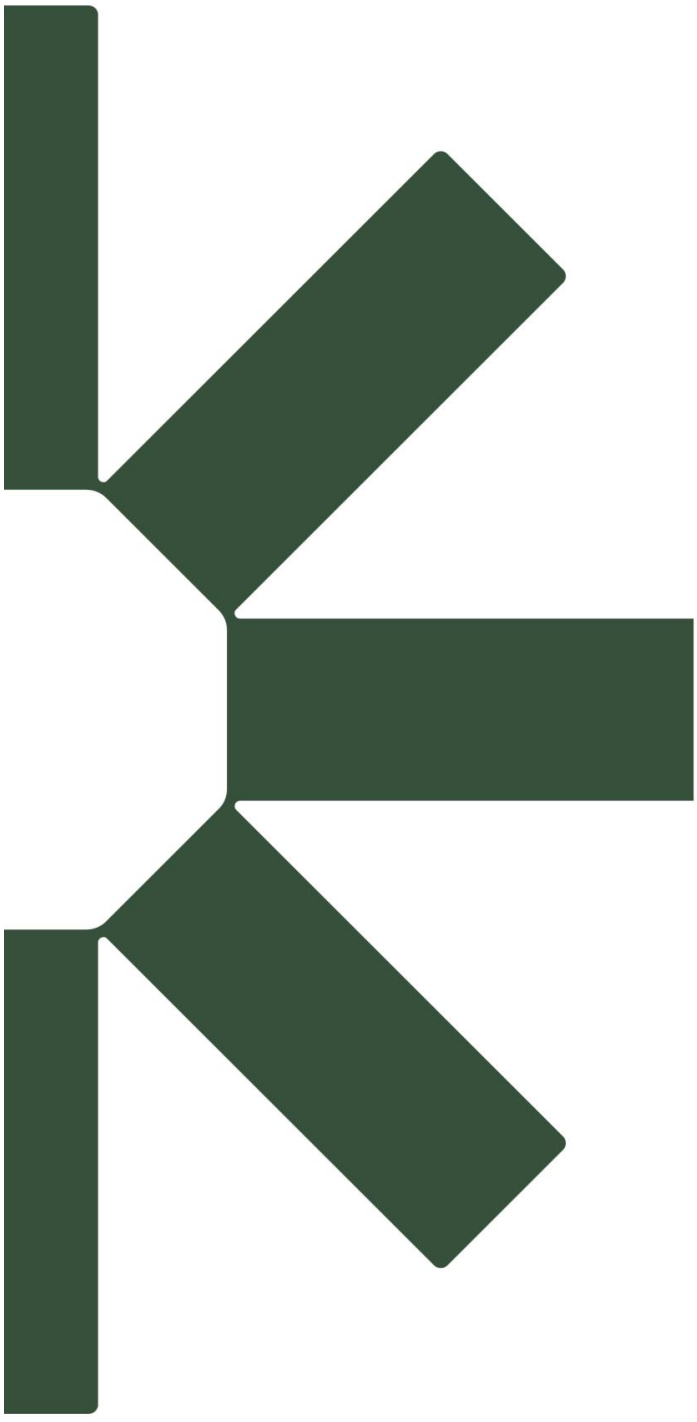
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Traffic Noise

As the site is located significant distances from any major road, the AAAC guideline targets for external play areas and internal sleeping areas would be met.

Overall, the proposed use is expected to provide a reasonable amenity outcome to surrounding residents with the recommendations provided in this report.

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Making Sustainability Happen

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2024/205 3 HOURIGAN ROAD, MORWELL

PROPOSAL: USE AND DEVELOPMENT OF A CHILDCARE CENTRE, REDUCTION OF CAR PARKING REQUIREMENTS (3 SPACES) AND DISPLAY OF SIGNAGE

- ***Commercial development is not appropriate in a residential zone***

  A childcare centre is not a prohibited use in the General Residential Zone, but requires a planning permit to ensure that the use and development are managed appropriately in the context of the area. Education centres are a usual part of residential areas; schools and childcare are needed in areas near where people live to ensure accessibility and functionality.

- ***Increased traffic impacts, particularly congestion, safety concerns, increased demand for on-street parking, and impediment to the bus service stopping outside the subject site.***

  Council's Traffic Engineer has reviewed the submissions, and provided the following comments

  - Increase of traffic volume on relatively narrow road

    Hourigan Road is classified as a collector road with a typical capacity of approximately 2,500 vehicles per day (vpd). Traffic counts conducted in May 2022 (50m east of Quigley Street) recorded an average daily volume of around 1,200 vpd, indicating that the road operates well within its capacity. The anticipated increase in trips associated with the proposed childcare centre is not expected to exceed this threshold.

  - Increase of dangerous driving/speeding in Maryvale Road and Hourigan Road

    Speeding and unsafe driving behaviour are enforcement matters under the jurisdiction of Victoria Police. However, the May 2022 traffic survey on Hourigan Road showed 85th percentile speeds within acceptable limits for the posted speed zone. Based on current data, there is no justification for Local Area Traffic Management (LATM) treatments at this time.

  - Safety issues for children and parents crossing Hourigan Road, lack of crossings

    The proposal includes on-site car parking to support pick-up and drop-off activities, which should help reduce the number of pedestrians needing to cross Hourigan Road. Existing informal crossing points provide adequate connectivity for the current traffic environment. We may consider additional pedestrian safety improvements if warranted once the centre becomes operational.

  - Congestion, particularly during morning and afternoon school drop off/pick up times

    While some increase in localised congestion may occur during peak periods, the combination of on-site parking and available on-street parking in the surrounding network is expected to accommodate demand. Council will monitor the area

post-implementation to identify any emerging issues and consider further intervention if necessary.

- Increase in on-street parking with impacts on buses turning out of side street and bus stop in front of property

  The surrounding roads are part of the public road network and are available for public use, including on-street parking. The proposal includes off-street parking for staff and parents, which should reduce reliance on on-street spaces. Should operational issues arise in relation to bus turning movements or bus stop accessibility, Council may explore parking restrictions or other localised treatments.

- Backing up of traffic from cars waiting to u-turn into opposite traffic flow around median (both directions)

  Current traffic volumes suggest there is adequate capacity for occasional u-turns without significant queuing or safety impacts. This location will be monitored following the commencement of operations, and any issues with vehicle movements around the median can be addressed as needed.

  In summary:

  We will continue to monitor traffic conditions along Hourigan Road and surrounding streets. Should safety or congestion concerns arise due to the development, they will be reviewed through Council's road safety and traffic management programs. At this stage, no LATM treatments are required from the applicant, and the development is considered to be within the functional capacity of Hourigan Road. From a traffic engineering perspective, there are no objections to the proposal.

- ***Amenity impacts, including noise, overlooking***

  The proposal includes acoustic fencing around the boundary to reduce noise impacts to neighbouring properties. A condition on any permit granted is expected to include acoustic fencing to the first floor playground also.

  The windows of the ground floor would be screened from views into neighbouring properties by 1.8 metre high boundary fencing. Given the residential interface and the topography, acoustic fencing to a height of 2m will be required by condition on any permit granted.

  The windows of the upper storey east elevation are not consistent with those shown on the plan, which needs to be rectified by condition. Although the proposal is not a dwelling, it is noted that here are no 'habitable room' windows (which does not include bedrooms as defined by Clause 55.04-4 *Overlooking Objective*) on adjoining properties within 9m of the east first floor windows indicated on the plan. The nearest bedroom window is approx. 7.5m distant, at an angle of approx. 33 degrees which is less than the 45 degrees that would be acceptable under the planning scheme for a 'habitable room'.

Although partially screened by the garage on the adjacent property, the two east facing first floor windows may have limited views into the secluded private open space of the abutting property. A condition on any permit granted will require fixed, obscure glazing to be installed in these windows to ensure there is no loss of privacy.

- ***Loss of a dwelling, loss of native trees***

  A planning permit is not required to demolish a dwelling.

  Removal of native vegetation on a lot of less than 0.4hectares is exempt from requiring a planning permit under Clause 52.17-7 of the Scheme.

  Neither the existing dwelling or its garden are of historic or aesthetic significance.

- ***Loss of Neighbourhood Character***

  The surrounding area is residential, with predominantly single storey dwellings, however, some two-storey dwellings are interspersed, their prominence reduced in the slightly hilly landscape. The dwelling on the eastern side abutting the subject site is two storeys.

  As noted above, education centres such as childcare centres are usual in residential areas and not prohibited under the Scheme. The proposed centre is to be set back from the road and provided with landscaping. While minimal side setbacks and a two storey scale at the rear of the proposal is not consistent with the preferred spaciousness of the neighbourhood, scale and massing impacts have been mitigated to a degree by articulation of the facades.

  The overall suburban character is comprised of simple bult forms in landscaped settings; the proposal is considered to be consistent with these characteristics, enhanced by an ample setback that puts the building behind the frontages of adjacent dwelllings.

  Overall, the impact on the predominant character of the neighbourhood and the streetscape is not considered to be substantial.

2024/205 3 HOURIGAN ROAD, MORWELL

PROPOSAL: USE AND DEVELOPMENT OF A CHILDCARE CENTRE, REDUCTION OF CAR PARKING REQUIREMENTS (3 SPACES) AND DISPLAY OF SIGNAGE

POLICY ASSESSMENT

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 02.03-1 Settlement – Morwell

  Morwell is a primary population centre in Latrobe, and a key area for government services and industry. The proposal supports provision of necessary services to the community, as well as the availability of employees to provide services and operate businesses, facilitating economic growth.

- Clause 02.03-5 Neighbourhood Character

  The predominant neighbourhood housing character in established suburban areas includes simple built forms with shallow pitched roofs in a landscaped garden setting. While not a dwelling, the proposal echoes the established character with an articulated but uncluttered form setback behind a substantial landscaped area.

- Clause 11.01-1L Latrobe Settlement Patterns – Morwell

  The subject site is identified in an area of 'Limited Change' in the Housing Framework Plan at Clause 16.01-1L *Morwell*, where housing growth that reinforces 'spacious regional suburban character' is encouraged; access to infrastructure and services is to be maximised. The proposal supports provision of a community service to existing and future residents of the area.

- Clause 13.05-1S Noise management

  The clause seeks 'to assist the management of noise effects on sensitive land uses. *Petzierides v Hobsons Bay CC (Red Dot) 2012 VCAT 686* established that:

  'In this day and age, where child care centres may have anywhere between, say, 40 and 140 children, it is appropriate for such centres to take responsibility for its potential noise impacts and provide acoustic attenuation to minimise the impact of the noise of children playing upon adjoining residential properties to an acceptable level.'

  The proposal has taken steps to minimise noise impacts by includes acoustic fencing along site boundaries, and a condition on any permit granted would require similar fencing around the first floor playspace to ensure achievement of the objective of the clause.

- Clause 13.07-1S Land Use Compatibility

In addition to not being a prohibited use under the General Residential Zone, VCAT has held that a childcare centre is one type of community facility that is suitable in a residential zone (*Perkins Architects Pty Ltd v Monash CC [2000] VCAT 628)*

- Clause 15.01-1S Urban Design & Clause 15.01-1L Urban Design

  State and local policy seeks environments that are safe, healthy, functional and enjoyable, and require development to respond to its context, minimise detrimental impacts on amenity, on the natural and built environment and on the safety of roads.

  The proposal is considered to respond to the neighbourhood character by minimising the prominence of the building in the streetscape, providing compatible design elements including landscaping, and minimising impacts on neighbours and the local road network.

  The proposal has been assessed for overlooking and overshadowing, and noise and traffic impacts; impacts have been reduced to be within standards as required under the Latrobe Planning Scheme.

  It is noted that the intent of the strategies is to minimise impacts rather than avoid impacts.

- Clause 15.01-2S Building Design

  The clause seeks building design and siting that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

  The building design is appropriately articulated to balance its scale and massing and includes glazing to support passive surveillance and activation. Its setback and landscaping minimise undue impact on the public realm.

  Information on environmentally sustainable characteristics has not been provided, but may be included at the detailed design phase if a planning permit is approved.

- Clause 15.01-5S Neighbourhood Character & Clause 15.01-5L Neighbourhood Character

  The proposal is considered to respond appropriately to its context, in accordance with state and local policy.

- Clause 19.02-2S Education Facilities

  The clause promotes the integration of education and early childhood facilities with local and regional communities, which is supported by the location of the

proposal for convenient community access and in proximity to existing education facilities.

CORPORATE ITEMS FOR DECISION

ESTABLISHMENT OF ROAD, FACILITY AND PLACE NAMING DELEGATED COMMITTEE

PURPOSE

To present the Terms of Reference and Instrument of Delegation for the Road, Facility and Place Name Delegated Committee for adoption.

EXECUTIVE SUMMARY

- Council, as a naming authority, has a significant role in the naming and renaming of roads, facilities, features and localities within the municipality.
- Council's role is subject to the *Geographic Names Act 1998* and the Naming Rules for Places in Victoria, as administered by Geographic Names Victoria.
- At the Council Meeting held on Monday, 2 September 2024, Council adopted the Road, Facility and Place Name Policy (the Policy) and abolished the existing Road, Facility and Place Name Advisory Committee.
- The Policy changed the responsibility for the approval and allocation of names for roads and reserves in new subdivisions from Officers to a yet to be established Road, Facility and Place Name Delegated Committee (the Committee).
- The Committee will be established pursuant to section 63 of the *Local Government Act 2020* (the Act), to:
    - make decisions in line with Council's delegation to approve or allocate names for roads and reserves on proposed plans of subdivision on behalf of Council;
    - review any road, facility, feature or locality naming proposals that are received or initiated by Council;
    - provide guidance and feedback in relation to road, facility, feature and locality naming proposals required to be referred to the Council; and
    - ensure that the consideration of all naming proposals is consistent with the requirements of the Policy and the Naming Rules for Places in Victoria.
- At the Council Meeting held on 28 April 2025, Council resolved to defer the decision to adopt a Terms of Reference (TOR) and Instrument of Delegation for the Committee, to allow officers to consider feedback received from a community member.

- Following review of the feedback, minor changes were made to the documents. A tracked change version of the TOR and Instrument of Delegation can be found at **Attachment 1** to this report. A response to the feedback was also provided directly to the community member.
- To enable the Committee to fulfil this role, the attached TOR, **Attachment 2** and Instrument of Delegation, **Attachment 3** have been prepared to establish the Committee and delegate the necessary powers pursuant to section 63 of the Act.

OFFICER'S RECOMMENDATION

That Council:

1. **establishes the Road, Facility and Place Name Delegated Committee under section 63 of the *Local Government Act 2020* (the Act);**
2. **adopts the Terms of Reference for the Road, Facilities and Place Naming Delegated Committee at Attachment 2;**
3. **appoints the Mayor, Cr Gibson, Cr Campbell and Cr Morgan as members of the Road, Facilities and Place Naming Delegated Committee;**
4. **approves the Instrument of Delegation at Attachment 3 and authorises the Instrument to be signed and sealed;**
5. **notes that the Instrument of Delegation comes into force immediately after the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it; and**
6. **notes that after adoption, the appointments will be published on the Latrobe City Council website.**

BACKGROUND

At the Council Meeting held on 6 November 2023, Council considered a report regarding provision of a consistent approach to naming within Latrobe City, and to formalise the structure and objectives of the existing committee, including:

- a proposed draft Road, Facility and Place Name Policy; and
- draft TOR for the Road, Facility and Place Name Advisory Committee.

Following further examination of the matter across early to mid 2024, Council adopted the Road, Facility and Place Name Policy (Policy) at the Council Meeting held 2 September 2024. Council also resolved to abolish the Road, Facility and Place Name Advisory Committee, with the Policy providing for the option of a Delegated Committee to be utilised in decision making.

On average, Council approves approximately twenty new road names each year. The inclusion of the Delegated Committee as an option was to facilitate Council's aim of direct approval for place names used in subdivisions while minimising or avoiding delays to the planning approval process. The important benefit of this model is that it would support the objective of minimising delays to subdivision approvals, as meetings could be called more promptly with an agenda limited to subdivision place naming.

At the Council Meeting held 28 April 2025, the draft TOR and Instrument of Delegation for the Committee were presented for adoption. Council deferred the matter to a future meeting, to allow officers time to review community feedback received at that meeting.

The feedback was reviewed in detail and minor changes are suggested to both documents, as outlined in the tracked changes version of the documents at **Attachment 1** to this report. A response to the feedback was also provided directly to the community member.

Separate to the issue of the Committee, at the Council meeting on 8 April 2024, Council resolved to authorise a community engagement campaign to be undertaken to encourage the public to submit names for inclusion in the Naming Register based on, but not limited to, eight naming categories.

Officers are reviewing these submissions against the naming guidelines. Submissions that meet the guidelines will be included in the naming register to be presented to the Committee at its first meeting. The names will then be reviewed by Geographic Names Victoria (GNV) and following approval by GNV, the register will be made public on Council's website.

ANALYSIS

With the number of roads approved by Council each year, a Delegated Committee will allow ad hoc meetings to be scheduled as needed. This will assist to minimise the timing of the process for developers and officers managing road naming requests.

It is recommended that the Committee comprises the Mayor as chair, and up to 3 Councillors.

It is important to note that the Committee TOR allow, with approval from the Chair, the Committee to invite other individuals to participate in the proceedings of the Committee.

To ensure compliance with section 66 of the Act, meetings of the Committee will be advertised and open to the public to attend as observers. The only occasions this may not occur is if the meeting is to consider confidential information, security reasons or it is necessary to do so to enable the meeting to proceed in an orderly manner, which is in accordance with the Act.

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
COMPLIANCE Failure to comply with the requirements of the Naming Rules in dealing with naming proposals.	**Medium** *Possible x Minor*	Ensure that all naming proposals are assessed in accordance with the Naming Rules.
SERVICE DELIVERY Difficulties in meeting the expectations of the community in considering and progressing naming proposals.	**Medium** *Possible x Minor*	Ensure that a process is in place and naming proposals are assessed and actioned consistently.
STRATEGIC Failure to comply with the Policy by not having a committee	**Low** *Unlikely x Minor*	New Committee appointed following presentation of the TOR and Delegation to the 28 July 2025 Council Meeting.
STRATEGIC Inconsistent naming of roads, features and facilities across the municipality.	**Medium** *Possible x Minor*	Ensure that all naming proposals are consistent with the Naming Rules and are reviewed by the Committee for approval.

CONSULTATION

While formal public consultation has not been required for establishment of the Committee, feedback received has been taken into account as outlined above.

Since 8 April 2024, a community engagement campaign has been underway, inviting members of the public to submit names for inclusion in the Naming register. So far, Council has received 197 submissions. This is an ongoing campaign.

Consultation internally has also been conducted.

COMMUNICATION

If the Committee is established by Council, communication will be provided to all relevant stakeholders.

Committee details will also be published 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) 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

Place names can assist the community in identifying important historical and cultural locations and features, thereby commemorating and acknowledging our past, while preserving cultural identity through strong links to place.

Any naming proposals relating to indigenous naming will be referred to the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) for review and approval in accordance with the Policy and the Naming Rules.

Health

The registration of unique names, and application of addressing, assists emergency services in being able to readily identify and locate a place in the event of an emergency.

Environmental

Not applicable.

Economic

Not applicable.

Financial

The costs associated with undertaking a naming process are minimal and can be accommodated within existing budgets.

Costs associated with the installation of appropriate signage within new subdivisions will be the responsibility of the developer.

Attachments

1. Draft Terms of Reference and Instrument of Delegation (tracked changes)
2. Terms of Reference
3. Instrument of Delegation

10.1

Establishment of Road, Facility and Place Naming Delegated Committee

1 Draft Terms of Reference and Instrument of Delegation (tracked changes) 277

2 Terms of Reference 291

3 Instrument of Delegation 300

LATROBE CITY COUNCIL

Road, Facilities and Place Naming Delegated Committee

Terms of Reference



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2. **Objectives**

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- Selection of members and filling of vacancies
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- Attendance at meetings
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4. **Proceedings**

- Chair
- Meeting Schedule
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- 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 Road, Facility and Place Name Committee (hereinafter referred to as "the Committee"), is a formally appointed Delegated Committee of Latrobe City Council (Council) established pursuant to section 63 of the Local Government Act 2020.

1.2. The Committee is established to oversee the administration of naming matters on behalf of Council as a Naming Authority under the Geographic Place Names Act 1998.

1.3. These Terms of Reference were adopted by Council at the Council Meeting held on ~~28 April~~28 July 2025.

2. Objectives

1.1. The Committee is established to:

2.1.1 make decisions in line with Council's delegation to approve or allocate names for roads and reserves on proposed development plans and plans of subdivision on behalf of Council.

2.1.2 review any road, facility, feature or locality naming proposals that are received or initiated by Latrobe City Council.

2.1.3 provide guidance and feedback in relation to road, facility, feature and locality naming proposals required to be referred to the Council.

2.1.4 ensure that the consideration of all naming proposals is consistent with the requirements of the Road, Facility and Place Name Policy and the Naming Rules for Places in Victoria.

1.2. To achieve the Objectives, the Committee will perform the following functions:

2.2.1 Within its delegated authority, approve or allocate names for proposed plans of subdivision to ensure that the names used are consistent with the adopted Road, Facility and Place Name Policy.

2.2.2 Assess the suitability of any road, facility, feature or locality naming, or renaming, proposals prior to each matter being determined in accordance with its delegation or referred to Council.

2.2.3 Provide oversight on the implementation of road, facility and place names by Council or the organisation as appropriate.

2.2.4 Provide oversight on the ongoing development and maintenance of the Naming Register for Latrobe City.

2.2.5 Recommend that an existing unregistered road, facility or place name be registered, either on the recommendation of Officers or on its own initiative.

2.2.6 ~~2.2.6~~ Develop and propose policies and changes to policies in relation to road, facility and place naming for approval by Council or the organisation as appropriate.

2.2.7 Provide oversite and advice where required on naming requests received from other organisations including non-municipal owned assets.

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2.27 Undertake any other activities relating to these Terms of Reference or as requested by Council.

2.2.8 Establish sub-committees to undertake specific tasks as required.

2.3 Policy and Strategy Development

2.3.1 Provide advice as part of a policy, strategy (or other relevant document) review or development processes as required from time to time.

2.3.2 Perform other activities related to this Terms of Reference as requested by the Council.

3. Membership

Composition of the Committee

3.1 The Committee shall comprise of four members, being:

3.1.1 The Mayor will be the Chairperson of the Committee in accordance with section 63(2)(a) of the *Local Government Act 2020*.

3.1.2 Up to three Councillors appointed by Council.

The Committee will be supported by Council's Governance team acting as Committee Secretary.

Length of appointment

3.2 Members of the Committee will be appointed annually by Council or from time to time as vacancies arise.

3.3 Prior to the expiration of each term, there will be a call for nominations for the next term. Current Committee members can re-nominate.

Selection of members and filling of vacancies

3.4 Where a Councillor vacancy occurs during the term of appointment, the Mayor will appoint a Councillor to fill the vacancy. Where a vacancy is filled in this way, the appointment is limited to the remainder of the original term of appointment.

Co-option of members

3.5 With approval from the Chair, the Committee may invite other individuals to participate in the proceedings of the Committee on a regular or an occasional basis and including in the proceedings of any sub-committees formed.

Attendance at meetings

3.6 All Committee members are expected to attend each meeting.

3.7 A member who misses two consecutive meetings without a formal apology may, at the discretion of Council, have their appointment revoked.

3.8 A member who is unable to attend the majority of meetings during the year may at the discretion of Latrobe City Council have their appointment revoked.

Resignations

3.9 All resignations from members of the Committee are to be submitted in writing to the Chair, either by e-mail or in writing to Latrobe City Council, PO Box 264, Morwell VIC 3840.

4. Proceedings

Chair

4.1 The Mayor will chair, or the Mayor's delegate in their absence, the meeting.

Meeting schedule

4.2 The Committee will determine its meeting schedule for each year (which may include that it will only meet as required to perform its functions effectively) and the time of each meeting.

Meeting procedures

4.3 Meetings will follow the requirements of the Governance Rules, together with these Terms of Reference (see appendix one for the agenda template).

4.4 Members are expected to comply with the confidential information provisions contained in the *Local Government Act 2020* and must treat 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.

4.5 A member who has a conflict of interest and is attending a meeting must make a full disclosure of that interest by:

(a) advising the Chair of the details of any conflict at the time in the agenda for disclosures of conflicts of interest; or

(b) advising the Chair in writing of the details of any conflict before the meeting including;

i. classifying the type of interest that has given rise to the conflict as either a general or material interest; and

ii. Describing the nature of the interest; and

(c) Immediately prior to the consideration of the item in which they have a conflict of interest, indicate to the meeting the existence of the conflict of interest and leave the meeting.

The time of leaving the meeting room and the time of their return must be recorded in the minutes or notes of the meeting.

4.6 All recommendations, proposals and advice must be directed through the Chair.

Quorum

4.7 The quorum is defined in the Governance Rules of Council as being a majority of the members of the Committee.

Voting

4.8 Each member present at a Committee meeting will have one vote on each matter considered by the Committee.

4.9 Unless otherwise prohibited by the *Local Government Act 2020*, each member of the Committee present must vote.

4.10 The matter will be determined by a majority of the vote.

4.11 If there is an equality of votes, the Chair will have a second vote.

4.12 Any decision of the Committee which does not relate to a matter delegated to the Committee by Council cannot be actioned until approved by Council.

Minutes of the Meeting

4.13 A member of Council's Governance team or authorised agent shall take the minutes of each Committee meeting.

4.14 The minutes shall be in a standard format including a record of those present, apologies for absence, adoption of previous minutes and a list of adopted actions and resolutions of the Committee (see appendix two for the minutes template).

4.15 The minutes shall be stored in Council's corporate document management system.

4.16 The agenda shall be distributed at least 48 hours in advance of the meeting to all Committee members~~, including alternative representatives.~~

4.17 A copy of the minutes shall be distributed to all Committee members (including alternative representatives) within ten working days of the meeting.

Reports to Council

4.18 With approval from the Chair, a report to Council will be tabled annually on the Committee's progress towards the objectives included in these Terms of Reference.

4.19 Reports to Council should reflect a consensus of view. Where consensus cannot be reached, the report should clearly outline any differing points of view.

4.20 Reports to Council will be co-ordinated through the General Manager of the relevant division under which ~~that~~ the Committee falls ~~under~~.

5. Review of Committee and Duration of the Committee

5.1 The Committee will cease to exist by resolution of Council~~, or once the objectives at item 2.3 are demonstrated to have been met, whichever occurs first.~~

5.2 A review of the Committee will take place at least once every four~~three~~ years at which time these Terms of Reference will also be reviewed.

5.3 A review will be conducted on a self-assessment basis (unless otherwise determined by Council) with appropriate input sought from the Council, the CEO, all Committee members, management and any other stakeholders, as determined by Council.

5.4 The review must consider:

5.4.1 the Committee's achievements;

5.4.2 whether there is a demonstrated need for the Committee to continue; and

5.4.3 any other relevant matter.

6. Authority and Compliance Requirements

6.1 To achieve its objectives, Council delegates to the Committee pursuant to section 11(1)(a) of the *Local Government Act 2020*, the powers, duties and functions set out in the Instrument of Delegation adopted by Council at its meeting held on Monday ~~28 April~~28 July 2025.

6.2 The powers, duties and functions of Council conferred on the Committee by these Terms of Reference and the Instrument of Delegation must be exercised in accordance with any guidelines or policies that Council may from time to time adopt.

6.3 The Committee recognises the importance of celebrating diversity in our community and preservation of Aboriginal languages. Commemorating and acknowledging gender and diversity helps people see themselves in our community, demonstrating that we all have the opportunity to be commemorated for our actions. The ~~c~~Committee supports Council in fulfilling its legislative responsibilities under the Naming Rules and *Gender Equality Act 2020*.

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6.4 Committee members are at all times expected to act in accordance with their responsibilities set out in Council's Governance Rules.

6.5 Committee members are required to comply with Personal Interest Returns requirements as set out in the *Local Government Act 2020*.

6.6 Failure to comply with the provisions outlined in this Terms of Reference may result in termination of the Member's appointment.

Appendix 1: Agenda Template

Agenda

LATROBE CITY COUNCIL

Meeting title

Date: 00/00/0000
Time: 00.00pm to 00.00pm

Attendees:

Latrobe City Council

- Bullet list – level 01
- Bullet list – Level 01

Agenda items

No.	Item/description	Owner	Time allocated
1	**Heading** Paragraph text looks like this. It's clear and simple, just what you need.	Latrobe City Council	3pm to 3.05pm
2	• Bullet list – level 01 • Bullet list – level 02	All	3.05pm to 3.20pm
3	Paragraph text looks like this. It's clear and simple, just what you need.		3.20pm to 3.30pm
4	Paragraph text looks like this. It's clear and simple, just what you need.		3.30pm to 3.45pm

Next meeting: 00 January, 00.00am to 00.00am

Appendix 2: Minutes Template

Minutes

LATROBE CITY COUNCIL

Meeting title

Date: 00/00/0000
Time: 00.00pm to 00.00pm
Chairperson: Name

Attendees:

- Name, Name

Apologies:

- Name, Name

Meeting items

No.	Item description
1	Paragraph text looks like this. It's clear and simple, just what you need.
2	• Bullet list – level 01 ◦ Bullet list – level 02
3	

Action items

No.	Item description/action	Owner	Due date
1	Paragraph text looks like this. It's clear and simple, just what you need.	Latrobe City Council	Day 00 Month 0000
2	• Bullet list – level 01 ◦ Bullet list – level 02	All	Day 00 Month 0000
3			Day 00 Month 0000

On-going action items

No.	Item description/action	Owner	Due date
1	Paragraph text looks like this. It's clear and simple, just what you need.	Latrobe City Council	Day 00 Month 0000
2	• Bullet list – level 01 ◦ Bullet list – level 02	All	Day 00 Month 0000
3			Day 00 Month 0000

LATROBE CITY COUNCIL

Road, Facility and Place Name Delegated Committee

Instrument of Delegation by Council



Instrument of Delegation

Pursuant to the exercise of the power conferred by section 11(1)(a) of the *Local Government Act 2020*, Latrobe City Council (the Council) hereby delegates to the members from time to time appointed to the Delegated Committee established by resolution of Council passed ~~28 April~~28 July 2025 and known as the Road, Facility and Place Name Delegated Committee (the Committee), the powers, duties and functions set out in the Schedule attached and declare that:

1. This Instrument of Delegation:
   1.1. Comes into force immediately upon its execution;
   1.2. Remains in force until varied or revoked;
   1.3. Must be exercised in accordance with the attached schedule, and is subject to any conditions and limitations set out in the schedule; and
   1.4. Must be exercised in accordance with any guidelines or policies which Council from time to time adopts.

The Common Seal of Latrobe City Council was affixed in accordance with Local Law No. 1 the day of 2025 in the presence of:

_____

Steven Piasente – Chief Executive Officer

_____

Cr Dale Harriman - Mayor

DRAFT

Schedule: Powers, Functions and Duties of the Delegated Committee

1. Definitions

1.1 In this sub-delegation and schedule, the following words have the following meanings:

The Committee	means the Road, Facility and Place Name Delegated Committee appointed pursuant to the provisions of section 63 of the *Local Government Act 2020*.
Delegated Committee	means a committee established by the Council under section 63 of the *Local Government Act 2020* and to which Council delegates a duty, function or power under section 11 of the *Local Government Act 2020*.
Council	means Latrobe City Council, being a body corporate constituted as a municipal Council under the *Local Government Act 2020*~~Act~~.
Councillor	means a person who holds the office of a member of Latrobe City Council.
Council officer	means the Chief Executive Officer and staff of Council appointed by the Chief Executive Officer.
Governance Rules	means the Governance Rules of Latrobe City Council adopted pursuant to section 60 of the *Local Government Act 2020* and as amended from time to time.
Policy	means the Road, Facility and Place Name Policy adopted by Council on 2 September 2024.

2. Role and Functions of the Delegated Committee

2.1 The principal role of the Committee is to act as an agent of Latrobe City Council and not as an independent entity in making decisions related to the naming of roads, parks, open spaces, places and other facilities that are owned, operated or managed by Council.

2.2 The purpose of the Committee and functions for which it has been established by Council are as defined in the Terms of Reference for the Committee as updated from time to time.

DRAFT

3. Management of the Naming Register

3.1 General Requirements

(a) The Committee must oversee the management of the Naming Register by:

(i) assisting the community to engage with Council regarding suggested names;

(ii) ensuringe all names included on this register will be consistent with the requirements of the Naming Rules and have an established connection to the municipality and link to the place where the name is to be used; and

(iii) allocatinge and approvinge the names of roads in new subdivisions.

(b) The Committee will seek and consider advice, assistance and expertise from Council staff as is necessary for the proper and efficient management of Road, Facility and Place Naming within the constraints as set out in the Policy and Terms of Reference of the Committee.

(c) The Committee must take all reasonable steps to:

(i) liaise with Council and its staff to ensure continuing co-operation and co-ordination of the Road, Facility and Place Naming register and community submissions;~~,~~

(ii) ensure the acts and regulations appropriate to the management of Road, Facility and Place naming are adhered to;~~,~~

(iii) ensure that the Committee ~~and its servants~~or Council officers do not commit, or permit to be carried out, any act which will render the operation of Council's insurance policies invalid; and~~.~~

(iv) ~~require all users to comply with the conditions of use or any rules made by the Committee and to advise Council and~~ give effect to any requirements made by the Council applicable to Road, Facility and Place Naming.

4. General Requirements

4.1 The Committee must not:

(a) delegate any of the powers delegated to it by Council; or

(b) seek or obtain independent legal advice.

4.2 The Committee must:

(a) ensure all correspondence related to the Committee is directed through Council's Post Office box, being PO Box 264, Morwell VIC 3840 or via email at egovernance@latrobe.vic.gov.au;~~.~~

(b) ensure that any applicable Council policies and requirements of the Council's Local Laws and Planning Scheme are complied with; and

(c) comply with any requests and directions, relevant policies or requirements made by Council.

DRAFT

4.3 Powers Excluded

This Instrument of Delegation does not give the Committee any financial authority or delegated decision-~~-~~making power in respect of financial and contractual matters. This includes but is not limited to:

a. e~~E~~ntering into any contract;

b. i~~I~~ncurring any expenditure;

c. h~~H~~olding a bank account; or

d. b~~B~~orrowing money.

4.4 Changes to Delegation

No alteration to this delegation or the schedule shall be effective unless first approved by Council.

4.5 Revocation

This Instrument of Delegation may be revoked at any time by Council, if in the view of Council the Committee is not managing the Road, Facility and Place Name process in the best interest of the community and Council.

DRAFT

LATROBE CITY COUNCIL

Road, Facilities and Place Naming Delegated Committee

Terms of Reference



CONTENTS:

1. **Establishment of the Committee**

2. **Objectives**

3. **Membership**

- Composition of the Committee
- Length of appointment
- Selection of members and filling of vacancies
- Co-option of members
- Attendance at meetings
- Resignation

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 Road, Facility and Place Name Committee (hereinafter referred to as "the Committee"), is a formally appointed Delegated Committee of Latrobe City Council (Council) established pursuant to section 63 of the Local Government Act 2020.

1.2. The Committee is established to oversee the administration of naming matters on behalf of Council as a Naming Authority under the Geographic Place Names Act 1998.

1.3. These Terms of Reference were adopted by Council at the Council Meeting held on 28 July 2025.

2. Objectives

1.1. The Committee is established to:

2.1.1 make decisions in line with Council's delegation to approve or allocate names for roads and reserves on proposed development plans and plans of subdivision on behalf of Council.

2.1.2 review any road, facility, feature or locality naming proposals that are received or initiated by Latrobe City Council.

2.1.3 provide guidance and feedback in relation to road, facility, feature and locality naming proposals required to be referred to the Council.

2.1.4 ensure that the consideration of all naming proposals is consistent with the requirements of the Road, Facility and Place Name Policy and the Naming Rules for Places in Victoria.

1.2. To achieve the Objectives, the Committee will perform the following functions:

2.2.1 Within its delegated authority, approve or allocate names for proposed plans of subdivision to ensure that the names used are consistent with the adopted Road, Facility and Place Name Policy.

2.2.2 Assess the suitability of any road, facility, feature or locality naming, or renaming, proposals prior to each matter being determined in accordance with its delegation or referred to Council.

2.2.3 Provide oversight on the implementation of road, facility and place names by Council or the organisation as appropriate.

2.2.4 Provide oversight on the ongoing development and maintenance of the Naming Register for Latrobe City.

2.2.5 Recommend that an existing unregistered road, facility or place name be registered, either on the recommendation of Officers or on its own initiative.

2.2.6 Develop and propose policies and changes to policies in relation to road, facility and place naming for approval by Council or the organisation as appropriate.

2.2.7 Provide oversite and advice where required on naming requests received from other organisations including non-municipal owned assets.

2.27 Undertake any other activities relating to these Terms of Reference or as requested by Council.

2.2.8 Establish sub-committees to undertake specific tasks as required.

2.3 Policy and Strategy Development

2.3.1 Provide advice as part of a policy, strategy (or other relevant document) review or development processes as required from time to time.

2.3.2 Perform other activities related to this Terms of Reference as requested by the Council.

3. Membership

Composition of the Committee

3.1 The Committee shall comprise of four members, being:

3.1.1 The Mayor will be the Chairperson of the Committee in accordance with section 63(2)(a) of the *Local Government Act 2020*.

3.1.2 Up to three Councillors appointed by Council.

The Committee will be supported by Council's Governance team acting as Committee Secretary.

Length of appointment

3.2 Members of the Committee will be appointed annually by Council or from time to time as vacancies arise.

3.3 Prior to the expiration of each term, there will be a call for nominations for the next term. Current Committee members can re-nominate.

Selection of members and filling of vacancies

3.4 Where a Councillor vacancy occurs during the term of appointment, the Mayor will appoint a Councillor to fill the vacancy. Where a vacancy is filled in this way, the appointment is limited to the remainder of the original term of appointment.

Co-option of members

3.5 With approval from the Chair, the Committee may invite other individuals to participate in the proceedings of the Committee on a regular or an occasional basis and including in the proceedings of any sub-committees formed.

Attendance at meetings

3.6 All Committee members are expected to attend each meeting.

3.7 A member who misses two consecutive meetings without a formal apology may, at the discretion of Council, have their appointment revoked.

3.8 A member who is unable to attend the majority of meetings during the year may at the discretion of Latrobe City Council have their appointment revoked.

Resignations

3.9 All resignations from members of the Committee are to be submitted in writing to the Chair, either by e-mail or in writing to Latrobe City Council, PO Box 264, Morwell VIC 3840.

4. Proceedings

Chair

4.1 The Mayor will chair, or the Mayor's delegate in their absence, the meeting.

Meeting schedule

4.2 The Committee will determine its meeting schedule for each year (which may include that it will only meet as required to perform its functions effectively) and the time of each meeting.

Meeting procedures

4.3 Meetings will follow the requirements of the Governance Rules, together with these Terms of Reference (see appendix one for the agenda template).

4.4 Members are expected to comply with the confidential information provisions contained in the *Local Government Act 2020* and must treat 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.

4.5 A member who has a conflict of interest and is attending a meeting must make a full disclosure of that interest by:

(a) advising the Chair of the details of any conflict at the time in the agenda for disclosures of conflicts of interest; or

(b) advising the Chair in writing of the details of any conflict before the meeting including;

i. classifying the type of interest that has given rise to the conflict as either a general or material interest; and

ii. Describing the nature of the interest; and

(c) Immediately prior to the consideration of the item in which they have a conflict of interest, indicate to the meeting the existence of the conflict of interest and leave the meeting.

The time of leaving the meeting room and the time of their return must be recorded in the minutes or notes of the meeting.

4.6 All recommendations, proposals and advice must be directed through the Chair.

Quorum

4.7 The quorum is defined in the Governance Rules of Council as being a majority of the members of the Committee.

Voting

4.8 Each member present at a Committee meeting will have one vote on each matter considered by the Committee.

4.9 Unless otherwise prohibited by the *Local Government Act 2020*, each member of the Committee present must vote.

4.10 The matter will be determined by a majority of the vote.

4.11 If there is an equality of votes, the Chair will have a second vote.

4.12 Any decision of the Committee which does not relate to a matter delegated to the Committee by Council cannot be actioned until approved by Council.

Minutes of the Meeting

4.13 A member of Council's Governance team or authorised agent shall take the minutes of each Committee meeting.

4.14 The minutes shall be in a standard format including a record of those present, apologies for absence, adoption of previous minutes and a list of adopted actions and resolutions of the Committee (see appendix two for the minutes template).

4.15 The minutes shall be stored in Council's corporate document management system.

4.16 The agenda shall be distributed at least 48 hours in advance of the meeting to all Committee members.

4.17 A copy of the minutes shall be distributed to all Committee members (including alternative representatives) within ten working days of the meeting.

Reports to Council

4.18 With approval from the Chair, a report to Council will be tabled annually on the Committee's progress towards the objectives included in these Terms of Reference.

4.19 Reports to Council should reflect a consensus of view. Where consensus cannot be reached, the report should clearly outline any differing points of view.

4.20 Reports to Council will be co-ordinated through the General Manager of the relevant division under which the Committee falls.

5. Review of Committee and Duration of the Committee

5.1 The Committee will cease to exist by resolution of Council.

5.2 A review of the Committee will take place at least once every four years at which time these Terms of Reference will also be reviewed.

5.3 A review will be conducted on a self-assessment basis (unless otherwise determined by Council) with appropriate input sought from the Council, the CEO, all Committee members, management and any other stakeholders, as determined by Council.

5.4 The review must consider:

5.4.1 the Committee's achievements;

5.4.2 whether there is a demonstrated need for the Committee to continue; and

5.4.3 any other relevant matter.

6. Authority and Compliance Requirements

6.1 To achieve its objectives, Council delegates to the Committee pursuant to section 11(1)(a) of the *Local Government Act 2020*, the powers, duties and functions set out in the Instrument of Delegation adopted by Council at its meeting held on Monday 30 June 2025.

6.2 The powers, duties and functions of Council conferred on the Committee by these Terms of Reference and the Instrument of Delegation must be exercised in accordance with any guidelines or policies that Council may from time to time adopt.

6.3 The Committee recognises the importance of celebrating diversity in our community and preservation of Aboriginal languages. Commemorating and acknowledging gender and diversity helps people see themselves in our community, demonstrating that we all have the opportunity to be commemorated for our actions. The Committee supports Council in fulfilling its legislative responsibilities under the Naming Rules and *Gender Equality Act 2020*.

6.4 Committee members are at all times expected to act in accordance with their responsibilities set out in Council's Governance Rules.

6.5 Committee members are required to comply with Personal Interest Returns requirements as set out in the *Local Government Act 2020*.

6.6 Failure to comply with the provisions outlined in this Terms of Reference may result in termination of the Member's appointment.

Appendix 1: Agenda Template

Agenda

LATROBE CITY COUNCIL

[Name] Advisory Committee

Date: 00/00/0000

Time: 00.00pm to 00.00pm

Location: [include specific meeting room and address]

Agenda items

No.	Item/description	Owner	Attachment
1	**Welcome and introduction**	Chair	N/A
2	**Apologies**	All	
3	**Declarations of Interest** Members of the Committee are to declare any conflicts of interest or any interests in matters listed on the agenda.	All	
4	**Confirmation of Minutes** Confirmation of the previous minutes of the meeting.		
5	**Matters arising from previous meeting** Review of action progress from previous meeting.	All	
6	**Reports/items for consideration** Matters being presented for discussion in accordance with the terms of reference. • List • List		
7	**General business** • List • List	All	

Next meeting: 00 January, 00.00am to 00.00am

Appendix 2: Minutes Template

Minutes

LATROBE CITY COUNCIL

[Name] Advisory Committee Minutes

Date: 00/00/0000
Time: 00.00pm to 00.00pm
Location: [include specific meeting room and address]
Chairperson: Name

No.	Item description
1	**Present**
2	**Apologies**
3	**Interest disclosures** Members of the Committee declare any conflicts of interest or interest in matters discussed at the meeting. The following members of the Committee declared a Conflict of Interest at the meeting and left the meeting whilst the matter was being discussed: • Name, Time left 00.00am/pm, Time returned 00.00am/pm • Name, Time left 00.00am/pm, Time returned 00.00am/pm • Name, Time left 00.00am/pm, Time returned 00.00am/pm
4	**Confirmation of minutes** That the minutes of the meeting held on [date] of the [name] Advisory Committee be confirmed.
5	**Matters arising from previous meeting** List the item and action agreed and assign any follow up actions and expected timeframes. 1. Item heading Action(s): • List • List 2. Item heading Action(s): • List • List
6	**Items for consideration** List the item and action agreed and assign any follow up actions and expected timeframes. 3. Item heading Action(s): • List • List 4. Item heading Action(s):
	• List List
7	**General business** List the item and action agreed and assign any follow up actions and expected timeframes. 5. Item heading Action(s): • List • List 6. Item heading Action(s): • List List

Next meeting: 00 January, 00.00am to 00.00am, Location

LATROBE CITY COUNCIL

Road, Facility and Place Name Delegated Committee

Instrument of Delegation by Council



Instrument of Delegation

Pursuant to the exercise of the power conferred by section 11(1)(a) of the *Local Government Act 2020*, Latrobe City Council (the Council) hereby delegates to the members from time to time appointed to the Delegated Committee established by resolution of Council passed 28 July 2025 and known as the Road, Facility and Place Name Delegated Committee (the Committee), the powers, duties and functions set out in the Schedule attached and declare that:

1. This Instrument of Delegation:
   1.1. Comes into force immediately upon its execution;
   1.2. Remains in force until varied or revoked;
   1.3. Must be exercised in accordance with the attached schedule, and is subject to any conditions and limitations set out in the schedule; and
   1.4. Must be exercised in accordance with any guidelines or policies which Council from time to time adopts.

The Common Seal of Latrobe City Council was affixed in accordance with Local Law No. 1 the day of 2025 in the presence of:

_____

Steven Piasente – Chief Executive Officer

_____

Cr Dale Harriman - Mayor

Schedule: Powers, Functions and Duties of the Delegated Committee

1. Definitions

1.1 In this sub-delegation and schedule, the following words have the following meanings:

The Committee	means the Road, Facility and Place Name Delegated Committee appointed pursuant to the provisions of section 63 of the *Local Government Act 2020*.
Delegated Committee	means a committee established by the Council under section 63 of the *Local Government Act 2020* and to which Council delegates a duty, function or power under section 11 of the *Local Government Act 2020*.
Council	means Latrobe City Council, being a body corporate constituted as a municipal Council under the *Local Government Act 2020*.
Councillor	means a person who holds the office of a member of Latrobe City Council.
Council officer	means the Chief Executive Officer and staff of Council appointed by the Chief Executive Officer.
Governance Rules	means the Governance Rules of Latrobe City Council adopted pursuant to section 60 of the *Local Government Act 2020* and as amended from time to time.
Policy	means the Road, Facility and Place Name Policy adopted by Council on 2 September 2024.

2. Role and Functions of the Delegated Committee

2.1 The principal role of the Committee is to act as an agent of Latrobe City Council and not as an independent entity in making decisions related to the naming of roads, parks, open spaces, places and other facilities that are owned, operated or managed by Council.

2.2 The purpose of the Committee and functions for which it has been established by Council are as defined in the Terms of Reference for the Committee as updated from time to time.

3. Management of the Naming Register

3.1 General Requirements

(a) The Committee must oversee the management of the Naming Register by:

(i) assisting the community to engage with Council regarding suggested names;

(ii) ensuring all names included on this register will be consistent with the requirements of the Naming Rules and have an established connection to the municipality and link to the place where the name is to be used; and

(iii) allocating and approving the names of roads in new subdivisions.

(b) The Committee will seek and consider advice, assistance and expertise from Council staff as is necessary for the proper and efficient management of Road, Facility and Place Naming within the constraints as set out in the Policy and Terms of Reference of the Committee.

(c) The Committee must take all reasonable steps to:

(i) liaise with Council and its staff to ensure continuing co-operation and co-ordination of the Road, Facility and Place Naming register and community submissions;

(ii) ensure the acts and regulations appropriate to the management of Road, Facility and Place naming are adhered to;

(iii) ensure that the Committee or Council officers do not commit, or permit to be carried out, any act which will render the operation of Council's insurance policies invalid; and

(iv) give effect to any requirements made by the Council applicable to Road, Facility and Place Naming.

4. General Requirements

4.1 The Committee must not:

(a) delegate any of the powers delegated to it by Council; or

(b) seek or obtain independent legal advice.

4.2 The Committee must:

(a) ensure all correspondence related to the Committee is directed through Council’s Post Office box, being PO Box 264, Morwell VIC 3840 or via email at egovernance@latrobe.vic.gov.au;

(b) ensure that any applicable Council policies and requirements of the Council’s Local Laws and Planning Scheme are complied with; and

(c) comply with any requests and directions, relevant policies or requirements made by Council.

4.3 Powers Excluded

This Instrument of Delegation does not give the Committee any financial authority or delegated decision-making power in respect of financial and contractual matters. This includes but is not limited to:

a. entering into any contract;

b. incurring any expenditure;

c. holding a bank account; or

d. borrowing money.

4.4 Changes to Delegation

No alteration to this delegation or the schedule shall be effective unless first approved by Council.

4.5 Revocation

This Instrument of Delegation may be revoked at any time by Council, if in the view of Council the Committee is not managing the Road, Facility and Place Name process in the best interest of the community and Council.

TERMS OF REFERENCE - GASKIN PARK MULTI-USE PAVILION PROJECT REFERENCE GROUP

PURPOSE

To present the draft Terms of Reference for a Project Reference Group (PRG) for the design and delivery of the Gaskin Park Multi-Use pavilion for endorsement by Council.

EXECUTIVE SUMMARY

- The Gaskin Park Multi-use pavilion project has been funded via Council and the State Government (Sport & Recreation Victoria).
- As part of the proposed engagement for the project, a Project Reference Group (PRG) Terms of Reference **Attachment 1** has been developed.
- The purpose of the PRG is to provide advice, information and feedback to Council about development, planning, design and construction of the Gaskin Park Multi-use pavilion.
- The Terms of Reference for the Gaskin Park Multi-use pavilion project suggests a membership that comprises of current stakeholders or user groups from Gaskin Park Churchill.

OFFICER'S RECOMMENDATION

That Council:

1. **Establishes the Gaskin Park Project Reference Group;**
2. **Adopts the Gaskin Park Project Reference Group Terms of Reference; and**
3. **Appoints Cr Potter as Chair and Cr Morgan as Alternate to the Gaskin Park Project Reference Group.**

BACKGROUND

Council has been working with sporting user groups in Churchill to consolidate facilities at Gaskin Park Churchill that cater for all football, cricket and baseball users in Churchill, with a view to relocate and accommodate all users from Andrews Park West to Gaskin Park.

Council has recently completed the redevelopment of the Gaskin 2 oval, which involved the realignment of the oval to cater for cricket and baseball, construction of drainage, irrigation, a new turf bench and installation of sports lighting and fencing.

A concept design for a new multi-use pavilion has been developed following engagement with the Churchill Football Netball Club, Churchill Junior Football Club, Churchill Baseball Club and Churchill Cricket Club.

In July 2024, Council entered into a funding agreement with the Victorian government for $1 million funding from the Regional Community Infrastructure Sports Fund.

Additional funding of $2.675 million has been provided by Council in the 2025/26 Council budget. The total budget is $3.675 million.

ANALYSIS

The Gaskin Park Multi-use pavilion PRG is proposed to comprise the following representatives:

- Up to two Councillors, one of whom shall be nominated as Chair.
- One representative of the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) where GLaWAC choses to nominate a representative.
- One representative from Sport and Recreation Victoria (State Government).
- Two representatives from the Churchill Football Netball Club:
    - One Football representative; and
    - One Netball representative.
- One representative from the Churchill Cricket Club.
- One representative from the Churchill Baseball Club.
- LCC Officers:
    - One LCC Project Owner;
    - One LCC City Assets Manager;
    - One LCC Coordinator Building Projects & Maintenance; and
    - One LCC Project Manager.

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
COMPLIANCE PRG members do not comply with the intent of the PRG.	**Medium** *Possible x Moderate*	Adopt terms of reference to ensure PRG operates appropriately.
SERVICE DELIVERY Lack of oversight/governance for the project from funding body (State government)	**High** *Possible x Major*	Inclusion of a representative from Sport and Recreation Victoria (State Government) on the Project Reference Group
FINANCIAL User groups expectation of the project scope exceed the available budget	**Medium** *Possible x Moderate*	The establishment of a PRG will mitigate unachievable expectations on scope, and a transparent forum to agree on the final design that fits the budget.
STRATEGIC User groups unwillingness to engage with the project and development of the scope and project related documentation	**Low** *Possible x Major*	The establishment of a PRG will help mitigate strategic risks by taking a consultative approach to the delivery of each of the projects considering scope, budget, governing sporting guidelines etc.

CONSULTATION

No community consultation is currently proposed, instead officers would work directly with the groups that will use the pavilion.

COMMUNICATION

Officers have discussed the proposed PRG and its composition prior to developing this report, as well as the role of the Churchill Bowls Club in the development of the pavilion at Gaskins Park and determined that the Churchill Bowls Club would be kept up to date by Council Officers regularly or as required on the project's progress. The Churchill Bowls club have previously advised Council that they did not see a role for them in the development of the pavilion as they would not be using it.

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* is required for the project delivery as it will have a significant and direct impact on the community. This will be undertaken by the Recreation & Open Space Planning team.

Social

The inclusion of key stakeholders will assist in the development and delivery of the project in line with user group expectations.

Cultural

Not applicable.

Health

Not applicable.

Environmental

Not applicable.

Economic

Not applicable.

Financial

The establishment of a PRG will help address the risks associated with delivering this project.

Attachments

1. Terms of Reference Project Reference Group Gaskin Park Multi-use pavilion

10.2

Terms of Reference - Gaskin Park Multi-use pavilion Project Reference Group

1 Terms of Reference Project Reference Group Gaskin Park Multi-use pavilion..... 311

LATROBE CITY COUNCIL

Terms of Reference

Gaskin Park Pavilion Project Reference Group



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1. Establishment of the Project Reference Group

1.1. The Gaskin Park Multi-Use Pavilion Project Reference Group (hereinafter referred to as “the PRG”), is a formally appointed Advisory PRG of Latrobe City Council (LCC) established for the purposes of providing advice to Council.

1.2. The membership of this PRG and these Terms of Reference will be adopted by resolution of Latrobe City Council at a Council Meeting.

2. Objectives

2.1. The PRG’s role is to report to the Council and provide appropriate advice, information and feedback on matters relevant to this Terms of Reference to facilitate decision making by the Council in relation to the discharge of its responsibilities.

2.2. The PRG is an advisory group only and has no delegated decision-making authority.

2.3. The PRG is established to:

2.3.1. Provide an interface between Council and the wider community.

2.3.2. Provide specific feedback to Council about elements of the project where members of the Gaskin Park Multi-Use Pavilion PRG have specialist expertise.

2.3.3. Provide advice to Council on issues relating to the construction of the pavilion at Gaskin Park.

2.3.4. Provide feedback and support for community engagement strategies with the wider community and stakeholders.

2.3.5. Act as advocates for the project with the wider community.

2.4. The PRG will carry out the following functions to achieve the objectives:

2.4.1. Review progress of the upgrades at Gaskin Park, and provide information to Council, stakeholders and the wider community.

2.4.1.1. Schedule meetings as required to receive updates on the upgrades at Gaskin Park.

2.4.1.2. Contribute to the development of media and communication strategies.

2.4.1.3. Assist with the appointment of co-opted members, as deemed appropriate by the PRG, to contribute at stages of the project.

2.4.1.4. Provide advice as part of a policy, strategy (or other relevant document) review or development processes as required from time to time.

2.4.1.5. Perform other activities related to this Terms of Reference as requested by the Council.

3. Membership

Composition of the PRG

3.1. The PRG will comprise of eight members plus LCC officers, being:

- 3.1.1. Up to two Councillors, one whom shall be nominated as Chair
- 3.1.2. One representative of the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) where GLaWAC chooses to nominate a representative
- 3.1.3. One representative from the Churchill Football Netball Club (Football)
- 3.1.4. One representative from the Churchill Football Netball club (Netball)
- 3.1.5. One representative from the Churchill Cricket Club
- 3.1.6. One representative from the Churchill Baseball Club
- 3.1.7. One x Sport and Recreation Victoria nominated representative
- 3.1.8. LCC officers
  - 3.1.8.1. One LCC Project Owner (including PRG secretariat)
  - 3.1.8.2. One LCC City Assets Manager
  - 3.1.8.3. One LCC Coordinator Building Projects & Maintenance
  - 3.1.8.4. One x Project Manager
  - 3.1.8.5. LCC officers as required (Ex Officio)

Length of appointment

3.2. The PRG shall be in place for a period determined by Item 5.1, and the appointment of members shall be for term as deemed appropriate by Council.

3.3. Prior to the expiration of each term, there will be a call for nominations for the next term. Current PRG members can re-nominate.

Selection of members and filling of vacancies

3.4. Latrobe City Council shall determine the original membership of a PRG based on nominations received from the nominated organisations listed in Item 3.1.

3.5. The PRG may fill any vacancies that occur within the determined year period of appointment, subject to the approval of the General Manager RCPA and endorsement of Council. Where a vacancy is filled in this way, the appointment shall be limited to the remainder of the period of the original appointment.

Co-option of members

3.6. With the approval of the Chair, the PRG may invite other individuals to participate in the proceedings of the PRG on a regular or an occasional basis and including in the proceedings of any sub-committees formed.

Attendance at meetings

3.7. All PRG members are expected to attend each meeting.

3.8. A member who misses two consecutive meetings without a formal apology may at the discretion of Latrobe City Council have their term of office revoked.

3.9. A member who is unable to attend most meetings during the year may at the discretion of Latrobe City Council have their term of office revoked.

Resignations

3.10. All resignations from members of the PRG are to be submitted in writing to the General Manager RCPA Latrobe City Council, PO Box 264, Morwell VIC 3840.

4. Proceedings

Chair

4.1. The nominated Councillor shall Chair the meetings.

4.2. If the Councillor delegate is unavailable, he/she shall delegate to the other nominated Councillor to chair the meeting.

4.3. If neither Councillor is available, the Chair may nominate a replacement from the current membership of the PRG to chair the meeting.

Meeting schedule

4.4. The PRG will determine its meeting schedule and times for each of the meetings. The duration of each PRG meeting should generally not exceed two hours.

4.5. Meetings of the PRG will be held monthly initially or as may be deemed necessary by Latrobe City Council or the PRG to fulfil the objectives of the PRG. Special meetings may be held on an as-needs basis.

Meeting procedures

4.6. Meetings will follow standard meeting procedures as established in any guidance material and outlined in these terms of reference for the PRG provided (see appendix one for the agenda template).

4.7. Members are expected to comply with the confidential information provisions contained in the *Local Government Act 2020* and must treat 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.

4.8. 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.

4.8.1 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.

4.9. All recommendations, proposals and advice must be directed through the Chair.

Quorum

4.10. A majority of the members constitutes a quorum.

4.11. If at any PRG meeting a quorum is not present within 30 minutes after the time appointed for the meeting, the meeting shall be deemed adjourned.

Minutes of the Meeting

4.12. A Latrobe City Officer or authorised agent shall take the minutes of each PRG meeting.

4.13. The minutes shall be in a standard format including a record of those present, apologies for absence, adoption of previous minutes and a list of adopted actions and resolutions of the PRG (see appendix two for the minutes template).

4.14. The minutes shall be stored in the Latrobe City Council corporate filing system (currently CiAnywhere electronic document and records management system).

4.15. The agenda shall be distributed at least 48 hours in advance of the meeting to all PRG members, including alternative representatives.

4.16. A copy of the minutes shall be distributed to all PRG members (including alternative representatives) within 10 working days of the meeting.

Reports to Council

4.17. With the approval of the Chair, a report to Council may be tabled on the PRG's progress towards the objectives included in this Terms of Reference.

4.18. Reports to Council should reflect a consensus of view. Where consensus cannot be reached, the report should clearly outline any differing points of view.

4.19. Reports to Council will be co-ordinated through the Executive Manager.

5. Review of PRG and Duration of the PRG

5.1. The PRG will cease to exist by resolution of the Council, or once the objectives at item 2.3 have been demonstrated that they have been met, whichever occurs first.

5.2. A review of the PRG will take place at least once every three years at which time the Terms of Reference will also be reviewed.

5.3. A review will be conducted on a self-assessment basis (unless otherwise determined by Council) with appropriate input sought from the Council, the CEO, all PRG members, management and any other stakeholders, as determined by Council.

5.4. The review must consider:

5.4.1. The PRG's achievements.

5.4.2. Whether there is a demonstrated need for the PRG to continue; and

5.4.3. Any other relevant matter.

6. Authority and Compliance Requirements

6.1. The PRG is a consultative group 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.

Appendix 1 – Agenda template

Agenda

LATROBE CITY COUNCIL

(name) PRG

Date: 00/00/0000

Time: 00.00pm to 00.00pm

Location: (include specific meeting room and address)

Agenda items

No.	Item/description	Owner	Attachment
1	**Welcome and Introduction**	Chair	
2	**Apologies**	All	
3	**Declarations of Minutes** Members of the PRG are to declare any conflicts of interest or any interests in matters on the agenda.		
4	**Confirmation of Minutes**		
5	**Matters arising from previous meeting** Review of action progress from previous meeting		
6	**Reports/items for consideration** Matters being presented for discussion in accordance with the terms of reference.		
7	**General business**		

Next meeting: 00 January, 00.00am to 00.00am

Appendix 2 – Minutes template

Minutes

LATROBE CITY COUNCIL

(Name) PRG Minutes

Date: 00/00/0000

Time: 00.00pm to 00.00pm

Location: (include specific meeting room and address)

Chairperson: Name

Meeting items

No.	Item description
1	**Attendees present**
2	**Apologies**
3	**Interest disclosures** Members of the Committee declare any conflicts of interest in matters discussed at the meeting. The following members of the Committee declared a Conflict of Interest at the meeting and left the meeting whilst the matter was being discussed: • Name, time left 00.00 am/pm, time returned 00.00 am/pm • Name, time left 00.00 am/pm, time returned 00.00 am/pm
4	**Confirmation of minutes** That the minutes of the meeting held on (date) of the (name) PRG be confirmed.
5	**Matters arising from previous meeting** List the item and action agreed and assign any follow up actions and expected timeframes. 1. Item heading Action(s): • List 2. Item heading Action (s): • List
6	**Items for consideration** List the item and action agreed and assign any follow up actions and expected timeframes 1. Item heading Action(s): • List 2. Item heading Action (s): • List
7	**General business** List the item and action agreed and assign any follow up actions and expected timeframes 1. Item heading Action(s): • List 2. Item heading Action (s): • List

Next meeting: (date, time, location)

TERMS OF REFERENCE - LATROBE CITY COMMUNITY SAFETY ADVISORY COMMITTEE

PURPOSE

To seek Councillor's endorsement of the revised Terms of Reference for the Latrobe City Community Safety Advisory Committee.

EXECUTIVE SUMMARY

- The Community Safety Advisory Committee (the Committee) provides advice, information and feedback on matters related to community safety, to improve Council's decision-making and relationships with local stakeholders.
- The Committee was formed in April 2021 following the adoption of the current Terms of Reference (TOR), **Attachment 1**. It replaced the Traralgon Central Business District Safety Committee which was formed in May 2014.
- Deputy Mayor, Councillor Gibson, and Councillor Howe were appointed as Councillor representatives as of January 2025 with Councillor Campbell nominated as an alternate. Councillor Gibson is the current Committee Chair.
- Under the current TOR, a review of the Committee and its TOR will take place every three years.
- A review has been undertaken, resulting in the revised TOR, **Attachment 2**. A tracked changes version is provided for reference, **Attachment 3**.
- The revised TOR have been drafted based on officer insights gained since 2021, in addition to consultation undertaken with the Chair and Committee.
- There are some changes proposed to the scope of the Committee in the revised TOR, to improve its functioning, relevance and partnership capacity. They are summarised as follows:
    - Inclusion of a definition of community safety for the purposes of the Committee;
    - Expanded clarification of the Committee purpose as outlined in the Objectives;
    - Adjusted Committee Membership; and
    - Greater detail regarding governance mechanisms.

- Additionally, Victoria Police has proposed an amendment to create a Co-Chair, to share the Chair position with the nominated Councillor, which would be occupied by the Latrobe Local Area Police Inspector in line with the Neighbourhood Policing Framework and endorsed by the Victoria Police Command.
- Officers have implemented Councillors recommendation include the Latrobe City Business Chamber as a new member of the Committee in the revised TOR.

OFFICER'S RECOMMENDATION

That Council endorses the revised Terms of Reference of the Latrobe City Community Safety Advisory Committee.

BACKGROUND

The Committee provides advice, information and feedback on matters related to community safety, to improve Council's decision-making and relationships with local stakeholders such as Victoria Police, major shopping centres and transport authorities.

The Committee aligns with Council's strategic direction, as set out in recently adopted 2025-29 Council Plan, which incorporates the Municipal Public Health and Wellbeing Plan. This Plan outlines a strategic priority which reflects the influence community safety has on residents' quality of life, economic performance, tourism and social inclusion outcomes.

The Committee, as originally formed in 2014, was specific to the Traralgon CBD and aimed to address specific risks caused by the late-night economy. In 2021 the new Committee was formed, replacing the Traralgon-specific Committee, to include the whole of Latrobe City, under the new TOR which to date, are still in use. In accordance with these TOR, a review of the functioning of the Committee, and the TOR is required every three years. Officers acknowledge this work is overdue, however it has now been completed. The findings and a revised TOR are outlined below.

ANALYSIS

The revised TOR have been drafted based on feedback provided by Committee members, community members and Officers between 2021 and present. Additionally, the Chair and Committee members were provided the opportunity to give feedback at the June 2025 Committee meeting, and via a survey distributed between 5 and 16 June 2025. On this basis, it is evident that the Committee continues to serve an important and valued purpose, with only minor changes proposed.

The key changes are outlined below, and available for review in a track-changed version of the TOR:

- **Inclusion of a definition of community safety for the purposes of the Committee.** It is defined as encompassing *the 'broad range of matters that influence people's real and perceived experience of security, accessibility and ability to participate in community life'.*

  This is proposed in recognition that the scope of community safety can be incredibly broad, and that some guidance is appropriate to manage the matters relevant and appropriate for the purpose of the Committee.
- **Clarified Committee purpose as outlined in the Objectives, including amendments to:**
  - Enable Committee Members to deliver initiatives e.g. the Lock Up Your Stuff campaign.
  - Accessibility being considered as a core component of safety.

- Safety of tourists as well as residents being considered.
- Perceptions of safety.
- Removal of objectives specific to the Responsible Service of Alcohol and Crime Prevention through Environmental Design principles, as they are available for consideration under the overarching Committee purpose.

In consideration of the broad concept of community safety, more defined objectives have been included to assist Latrobe City to identify matters which are relevant to the Committee, and which may be better addressed by other forums.

- **Adjusted Committee membership to include:**
  - A youth organisation and the Member for Morwell (total membership numbers from 23 to 25).
  - Minor changes to membership categories to include a representative of a Latrobe City community organisation or small township association and business network, rather than township specific representatives.
  - The removal of now defunct organisation e.g. Neighbourhood Watch Latrobe.
  - The addition of up to six (6) Council officers in consideration of the broad scope of community safety.

  These membership changes have been proposed in recognition of members who have regularly been co-opted to meetings, based on their potential to positively influence community safety in Latrobe City.
- **Greater detail regarding governance mechanisms including:**
  - Defining the meeting frequency as quarterly.
  - Specifying a length of appointment of three years.
  - Membership selection process involving an Expression of Interest and selection criteria.
  - Provisions to address non-attendance, vacancies and resignations.
  - Assigning a review cycle of every three years.

  These changes have been included to ensure the good governance of the Committee, and clarity for both the membership and community members who may enquire about the Committee.

Overall, four members provided feedback. This included:

- An anonymous respondent in full support of the proposed changes.
- The Department of Education proposed that they be allocated an additional member.

- Victoria Police proposed that Section 3 be amended to create a Co-Chair position occupied by the Latrobe Local Area Police Inspector, in line with the Neighbourhood Policing Framework and endorsed by the Victoria Police Command.
- Councillors were briefed on Monday 7 July about the proposed changes to the Committee's TOR, and recommended adding the Latrobe City Business Chamber to the list of Committee members which has been implemented.

The Department of Education's feedback was not implemented on the basis that each member organisation is allocated one representative, and that it is the Department of Education's decision who the most appropriate representative to nominate is. This will be communicated following a decision of Council.

Officers considered Victoria Police's submission in the context that historically Victoria Police has played a pivotal role in the Committee alongside Council, as an organisation with significant influence over community safety outcomes. Feedback from the current Chair was also sought on this matter.

The final recommendation is to include the provision of a Co-Chair, in acknowledgement of the special role of Victoria Police, its internal guidance, and the convention that Victoria Police is invited to an agenda review meeting with the Chair in advance of each meeting. Internal governance advice has confirmed there are no concerns about including an external organisation as a Co-Chair where the Committee is advisory only in nature, as demonstrated by Section 6.1 of the TOR. This approach will strengthen the already established relationship between Council and Victoria Police and enable them to meet their requirements under the Neighbourhood Policing Framework.

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
SERVICE DELIVERY Poorer relationships with key community safety stakeholders due to an out-of-date TOR, leading to decreased quality of advice and decision making.	**Low** *Possible x Minor*	An update is scheduled for the TOR, or an alternative mechanism for updating membership is implemented.

RISK	RISK RATING	TREATMENT
STRATEGIC Decreased levels of community safety across Latrobe City as the result of low engagement with Committee.	**Low** *Possible x Minor*	If the revised Terms of Reference TOR is adopted, officers will monitor the TOR unexplained absences and nominate new members in consultation with the Chair and the General Manager of Community Health and Wellbeing.
STRATEGIC Poorer economic performance in CBDs resulting from a piecemeal approach to community safety efforts across the municipality.	**High** *Likely x Moderate*	Continue to encourage external partnership engagement with the Committee. If partners are unable to engage with the Committee delegates of the Committee should be invited to participate and report progress back to the Committee.

CONSULTATION

On Thursday, 5 June 2025, in consultation with the Chair and current Committee members, officers circulated the existing and revised TOR and presented a short summary of the key changes along with the rational for these changes. Officers also provided an opportunity for Committee members to submit feedback via hardcopy or an online survey that closed on 16 June 2025.

COMMUNICATION

If adopted, the TOR will be published on Council's website and Committee members will be emailed a copy of the TOR prior to the September Committee meeting. Information regarding nominations will be promoted to relevant organisations per the TOR membership details every three years.

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

Anti-social behaviour is a significant contributor to poor levels of community safety and is therefore included as an Objective (2.1.3) in the TOR. Social disadvantage can also contribute to poor community safety, leading to the inclusion of new members such as a youth organisation to assist the Committee's ability to address emerging social trends.

Cultural

People from culturally and linguistically diverse backgrounds may perceive greater risks to safety than the general community. Anecdotally, in some areas of Latrobe City, there is a culture of fear, or reputation of high-risk areas which the Committee may assist in addressing through its collaborative efforts.

Health

Poor levels of community safety can have negative health and wellbeing impacts including mortality and personal injury (e.g. resulting from road accidents or drug and alcohol use), social isolation and mental health (as people are discouraged from participating in community life), as well as decreases in health promoting behaviour such as choosing active travel between locations.

Environmental

The natural and built environment plays a role in influencing community safety. It is likely that some matters considered by the Committee will include environmental contributors to safety and suggest solutions to these (e.g. improvements to roads with a high number of accidents).

Economic

Poor real and perceived community safety impacts overall economic performance and growth as community members and visitors are less inclined to spend time in areas associated with risks to safety.

Financial

There is no cost to updating the TOR and the Committee does not have ongoing running costs.

Attachments

1. Current Community Safety Advisory Committee TOR
2. Revised Draft Current Community Safety Advisory Committee TOR
3. Current Community Safety Advisory Committee TOR (Tracked Changes)

10.3

Terms of Reference - Latrobe City Community Safety Advisory Committee

1 Current Community Safety Advisory Committee TOR 329

2 Revised Draft Current Community Safety Advisory Committee TOR..... 341

3 Current Community Safety Advisory Committee TOR (Tracked Changes) 351

Latrobe City Community Safety Advisory Committee

Terms of Reference



April 2021

LatrobeCity
a new energy

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2. **Objectives**

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   - Selection of members and filling of vacancies
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4. **Proceedings**
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5. **Review of Committee and Duration of the Committee**

6. **Authority and Compliance Requirements**

1. Establishment of the Committee

1.1. The Latrobe City Community Safety 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. The Committee is established to:

2.3.1. Create safe and secure environments for all Latrobe City residents.

2.3.2. Build and maintain strategic partnerships across key community safety stakeholders within Latrobe City.

2.3.3. Identify and work to address community safety issues through information sharing and collaboration on initiatives across jurisdictions and agencies.

2.3.4. Improve perceptions of safety within Latrobe City.

2.3.5. Reduce antisocial behaviour and street crime within identified hotspots and reduce the incidence and prevalence of damage to property.

2.3.6. Promote Responsible Serving of Alcohol in the hospitality industry, thus reducing alcohol related assaults, antisocial behaviour and other forms of crime in partnership with licensed traders.

2.3.7. Encourage the use and support of Crime Prevention Through Environmental Design principles to deal with day time and night time activities within Latrobe City, to encourage and support the use of a safer environment for all Latrobe City residents.

2.4. The Committee will carry out the following in order to achieve the objectives set:

2.4.1. The Committee is to provide a consultative forum for all stakeholders that can effectively address the Safety, Security, Health and Wellbeing issues of Latrobe City.

2.4.2. Policy and Strategy Development

2.4.2.1. Provide advice as part of a policy, strategy (or other relevant document) review or development processes as required from time to time.

2.4.3. Perform other activities related to this Terms of Reference as requested by the Council.

3. Membership

Composition of the Committee

3.1. The Committee shall comprise of up to 23 members, being:

3.1.1. Up to two Councillors;

3.1.2. Victoria Police - Latrobe Local Area Commander or Delegate;

3.1.3. Victoria Police - Crime Preventions Community Liaison Officer;

3.1.4. Department of Justice and Community Safety – General Manager Community Services Gippsland Region or Delegate;

3.1.5. Department of Families, Fairness and Housing – Executive Director, Inner Gippsland Area or Delegate;

3.1.6. V/Line representative;

3.1.7. Latrobe Valley Buslines representative;

3.1.8. Up to two Latrobe City Liquor Accord representatives;

3.1.9. Advance Morwell representative;

3.1.10. Committee for Moe representative;

3.1.11. Representative from a Traralgon based community group;

3.1.12. Stockland Plaza Traralgon representative;

3.1.13. MidValley Plaza representative;

3.1.14. Neighbourhood Watch Latrobe representative;

3.1.15. Braiakaulung Advisory Committee representative;

3.1.16. Up to Four Community representatives appointed via expression of interest process:

3.1.16.1. 2 aged between 18 - 24 years of age;

3.1.16.2. 1 Latrobe City resident not residing in Moe, Newborough

Morwell, Traralgon or Churchill;

3.1.16.3. 1 other Community Member;

3.1.17. 1 representative of the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) where GLaWAC choses to nominate a representative; and

3.1.18. Up to two Latrobe City Council Officers.

Length of appointment

3.2. The Committee shall be in place for as long as Latrobe City Council sees fit, and the appointment of members shall be for a term as deemed appropriate by Council.

3.3. Prior to the expiration of each term, there will be a call for nominations for the next term. Current Committee members are able to re-nominate.

Selection of members and filling of vacancies

3.4. Latrobe City Council shall determine the original membership of a Committee based on expressions of interest received from members of the community and nominations received from organisations.

3.5. The Committee may fill any vacancies that occur within the determined period of appointment, subject to the approval of the General Manager of the relevant division and endorsement of Council. Where a vacancy is filled in this way, the appointment shall be limited to the remainder of the period of the original appointment.

Co-option of members

3.6. With the approval of the Chair, the Committee may invite other individuals to participate in the proceedings of the Committee on a regular or an occasional basis and including in the proceedings of any sub-committees formed.

Attendance at meetings

3.7. All Committee members are expected to attend each meeting.

3.8. A member who misses two consecutive meetings without a formal apology may at the discretion of Latrobe City Council have their term of office revoked.

3.9. A member who is unable to attend the majority of meetings during the year may at the discretion of Latrobe City Council have their term of office revoked.

Resignations

3.10. All resignations from members of the Committee are to be submitted in writing to the General Manager of the relevant division, Latrobe City Council, PO Box 264, Morwell VIC 3840.

4. Proceedings

Chair

4.1. The nominated Councillor shall Chair the meetings.

4.2. If the Councillor delegate is unavailable he/she shall delegate to the other nominated Councillor to chair the meeting.

4.3. If neither Councillor is available, the Chair may nominate a replacement from the current membership of the Committee to chair the meeting.

Meeting schedule

4.4. The Committee will determine its meeting schedule and times for each of the meetings. The duration of each Committee meeting should generally not exceed two hours.

4.5. Meetings of the Committee will be held monthly initially or as may be deemed necessary by Latrobe City Council or the Committee to fulfil the objectives of the Committee. Special meetings may be held on an as-needs basis.

Meeting procedures

4.6. Meetings will follow standard meeting procedures as established in any guidance material and outlined in these terms of reference for Advisory Committees provided (see appendix one for the agenda template).

4.7. Members are expected to comply with the confidential information provisions contained in the *Local Government Act 2020* and must treat 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.

4.8. 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.

4.8.1 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.

4.9. All recommendations, proposals and advice must be directed through the Chair.

Quorum

4.10. A majority of the members constitutes a quorum.

4.11. If at any Committee meeting a quorum is not present within 30 minutes after the time appointed for the meeting, the meeting shall be deemed adjourned.

Voting

4.12. There will be no official voting process, although all members shall have equal voting rights. Majority and minority opinions will be reflected in Committee minutes.

Minutes of the Meeting

4.13. A Latrobe City Officer or authorised agent shall take the minutes of each Committee meeting.

4.14. The minutes shall be in a standard format including a record of those present, apologies for absence, adoption of previous minutes and a list of adopted actions and resolutions of the Committee (see appendix two for the minutes template).

4.15. The minutes shall be stored in the Latrobe City Council corporate filing system (currently Ci Anywhere electronic document and records management system).

4.16. The agenda shall be distributed at least 48 hours in advance of the meeting to all Committee members, including alternative representatives.

4.17. A copy of the minutes shall be distributed to all Committee members (including alternative representatives) within 10 working days of the meeting.

Reports to Council

4.18. With the approval of the Chair, a report to Council may be tabled on the Committee's progress towards the objectives included in this Terms of Reference.

4.19. Reports to Council should reflect a consensus of view. Where consensus cannot be reached, the report should clearly outline any differing points of view.

4.20. Reports to Council will be co-ordinated through the General Manager of the relevant division that the Committee falls under.

5. Review of Committee and Duration of the Committee

5.1. The Committee will cease to exist by resolution of the Council, or once the objectives at item 2.3 are demonstrated to have been met, whichever occurs first.

5.2. A review of the Committee will take place at least once every three years at which time the Terms of Reference will also be reviewed.

5.3. A review will be conducted on a self-assessment basis (unless otherwise determined by Council) with appropriate input sought from the Council, the CEO, all Committee members, management and any other stakeholders, as determined by Council.

5.4. The review must consider:

5.4.1. The Committee's achievements;

5.4.2. Whether there is a demonstrated need for the Committee to continue; and

5.4.3. Any other relevant matter.

6. Authority and Compliance Requirements

6.1. The Committee is a consultative committee only and has no executive powers nor does it have any delegated decision making or financial authority.

6.2. Failure to comply with the provisions outlined in this Terms of Reference may result in termination of the Member's appointment.

Appendix 1: Agenda Template

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	
	Members of the Committee are to declare any Conflicts of interest or any interests in matters listed on the agenda		
4.	**Confirmation of Minutes**		
	Confirmation of the previous minutes of the meeting.		
5.	**Matters arising from previous meeting**	All	
	Review of action progress from previous meetings		
6.	**Reports/Items for Consideration**		
	Matters being presented for discussion in accordance with the terms of reference • •		
7.	**General Business**		
	• •	All	
8.	**Next Meeting**	Chair	

Appendix 2: Minutes Template

MINUTES [Name] Advisory Committee Minutes Meeting Day, XX Month Year Time Commenced: 00:00am/pm Finish Time: 00:00am/pm Location: (include specific meeting room and address) Meeting Chair: < Name >			
No.	**Item**	**Responsible Person**	**Timeframe**
1.	**Present**		
2.	**Apologies**		
3.	**Interest Disclosures**		
	Members of the Committee declare any Conflicts of interest or Interests in matters discussed at the meeting. The following members of the Committee declared a Conflict of Interest at the meeting and left the meeting whilst the matter was being discussed: <Name>, Time left 00:00am/pm, Time returned 00:00am/pm <Name>, Time left 00:00am/pm, Time returned 00:00am/pm <Name>, Time left 00:00am/pm, Time returned 00:00am/pm		

4.	**Confirmation of Minutes**		
	That the minutes of the meeting held on [Date] of the [Name] Advisory Committee be confirmed.		
5.	**Matters arising from previous meeting**		
	List the item and action agreed and assign any follow up actions and expected timeframes 1. Item Heading Action(s): • • 2. Item Heading Action(s): • •		
6.	**Items for Consideration**		
	List the item and action agreed as per agenda and assign any follow up actions and expected timeframes 1. Item Heading Action(s): • 2. Item Heading Action(s): • 3. Item Heading Action(s): •		
7.	**General Business**		
	List the item and action agreed and assign any follow up actions and expected timeframes 1. Item Heading Action(s): •		

	2. Item Heading Action(s): •		
Next Meeting: *<Provide details of the next meeting date, time and location>.*			

LATROBE CITY COUNCIL

Latrobe City Community Safety Advisory Committee

Terms of Reference [insert date]



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CONTENTS:

1. **Establishment of the Committee**

2. **Objectives**

3. **Membership**

- Composition of the Committee
- Length of appointment
- Selection of members and filling of vacancies
- Co-option of members
- Attendance at meetings
- Resignation

4. **Proceedings**

- Co-Chairs
- Meeting Schedule
- Meeting procedures
- Quorum
- Outcomes
- 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 City Community Safety Advisory Committee (the Committee) is a formally appointed Advisory Committee of Latrobe City Council (Council). The Committee was established to convene key groups and agencies which directly influence community safety outcomes across Latrobe City.

1.2 Community safety, in the context of this Committee, encompasses a broad range of matters that influence people's real and perceived experience of security, accessibility and ability to participate in community life.

1.3 These Terms of Reference (ToR) were adopted by Council at the Council Meeting held on [insert date].

2 Objectives

2.1 The Committee's objective is to provide advice, share information and collectively deliver initiatives between Council Member organisations which:

2.1.1 Create safe and accessible places for all Latrobe City residents and visitors;

2.1.2 Improve perceptions of safety within Latrobe City;

2.1.3 Reduce antisocial behaviour and street crime;

2.1.4 Increase road safety; and,

2.1.5 Mobilise the community to collectively improve community safety outcomes.

2.2 To achieve the Objectives, the Committee will perform the following functions:

2.2.1 Identify community safety priorities within the municipality;

2.2.2 Share current, evidence-based research such as crime statistics, trends and effective safety initiatives;

2.2.3 Develop and leverage strategic community safety partnerships;

2.2.4 Inform advocacy approaches to State and Federal government, or other relevant decision makers in relation to community safety priorities; and,

2.2.5 Assist in the development and evaluation of Council's community safety policies, strategies and programs.

3 Membership

Composition of the Committee

3.1 The Committee shall comprise of up to 26 members with decision making authority or strategic oversight of their organisation, being:

3.1.1 Up to two Councillors;

3.1.2 Up to 24 representatives from each of the following categories:

3.1.2.1 The Latrobe Local Area Police Inspector of Victoria Police;

3.1.2.2 Victoria Police's Senior Sergeants from Traralgon, Morwell and Moe;

3.1.2.3 One representative of the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) where GLaWAC chooses to nominate a representative;

3.1.2.4 The Victorian Legislative Assembly's Member for Morwell;

3.1.2.5 One representative of Department of Justice and Community Safety;

3.1.2.6 One representative of Department of Families, Fairness and Housing;

3.1.2.7 One representative of Department of Education;

3.1.2.8 One representative of V/Line;

3.1.2.9 One representative of Latrobe Valley Bus Lines;

3.1.2.10 One representative of a Latrobe City based youth organisation;

3.1.2.11 Up to two Latrobe City Liquor Accord representatives;

3.1.2.12 One representative of a Latrobe City small township group;

3.1.2.13 One representative of the Latrobe City Business Chamber;

3.1.2.14 One representative of a Latrobe City based community group or business network;

3.1.2.15 One representative of Traralgon Centre Plaza; and

3.1.2.16 One representative of Mid Valley Shopping Centre.

3.1.3 Up to six Council officers with portfolio responsibilities and expertise related to the Committee's objectives.

Length of appointment

3.2 The Committee shall be in place for as long as Council sees fit, and the appointment of members shall be for a term of three years, commencing in January of any given year.

3.3 Prior to the expiration of each term, there will be a call for nominations for the next term. Current Committee members are able to re-nominate.

Selection of members and filling of vacancies

3.4 Council shall determine membership of the Committee based on expressions of interest received from applicants meeting the positions outlined under 3.1. Expressions of interest will be assessed by the Social Policy and Inclusion team, in consultation with the Co-Chairs. Recommendations will be presented to the General Manager of Community Health and Wellbeing for decision.

3.5 Members will be selected based on the following criteria:

3.5.1 Demonstrated experience in developing or delivering community safety policies or initiatives, or professional responsibilities related to community safety;

3.5.2 Ability to work collaboratively and display a willingness to contribute positively with other community safety partners;

3.5.3 Specialist knowledge or expertise in community safety advancement; and,

3.5.4 A strong understanding of the local community and its social, environmental and economic influences.

3.6 Council may fill any vacancies that occur within six months of appointment, subject to the approval of the General Manager of Community Health and Wellbeing. Where a vacancy is filled in this way, the appointment shall be limited to the remainder of the period of the original appointment.

Co-option of members

3.7 With the approval of the Co-Chairs, the Committee may invite other individuals or representatives to participate in the proceedings of the Committee on a regular or an occasional basis. Co-option of an individual or representative may occur for a period of up to one year and includes proceedings of any sub-committees formed.

3.8 Upon one year of an individual or representative being co-opted to the Committee, the individual or representative will be presented to the General Manager of Community Health and Wellbeing for decision to become an official member for the remainder of the original appointment period of the Committee.

Attendance at meetings

3.9 All Committee members are expected to attend each meeting. If a Committee member is unable to attend a meeting, they may nominate an appropriate representative to attend and advise on the members' behalf.

3.10 A member who misses two consecutive meetings without a formal apology may at the discretion of Council have their term of appointment revoked. If a member's term is revoked Council will identify and fill the vacancy in consultation with the Committee, as described in 3.6 of this document.

3.11 A member who is unable to attend more than two meetings should notify the Community Safety Officer and advise the expected duration of absence from the Committee. If the length of absence is greater than 12 months from the Committee, the member will be asked to resign from the Committee and nominate a replacement to fill their vacancy. If the nomination is accepted by Community health and Wellbeing General Manager, the nominee will be invited to attended meetings on their behalf member for duration of their absence or formally.

Resignations

3.12 Members and co-opted representatives can resign from the Committee at any time.

3.13 All resignations are to be submitted in writing to the Committee Chair via email: community.safety@latrobe.vic.gov.au or PO Box: 264, Morwell VIC 3840.

4 Proceedings

Co-Chairs

4.1 The nominated Councillor and Latrobe Area Local Police Inspector shall Co-Chair the meeting.

4.2 If both Co-Chairs are unavailable they shall delegate to the other nominated Councillor to chair the meeting.

4.3 If neither Co-Chair nor Councillor is available, the Co-Chairs may nominate a replacement from the current membership of the Committee to chair the meeting.

Meeting Schedule

4.4 Committee Meetings will be held on a quarterly basis. The duration of each Committee meeting should generally not exceed two hours.

4.5 Meeting dates and timing will be reviewed and determined annually by Council Officers. All meeting invites will be sent via email at the commencement of each calendar year. Changes to the meeting schedule will be managed by the Community Safety Officer via the community.safety@latrobe.vic.gov.au.

Meeting Procedures

4.6 Meetings will follow standard meeting procedures as outlined in these ToR for Advisory Committees provided (see appendix one for the agenda template).

4.7 Members are expected to comply with the confidential information provisions contained in the Local Government Act 2020 and must treat 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.

4.8 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 Co-Chairs if they are attending the meeting.

4.8.1 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.

4.9 All recommendations, proposals and advice must be directed through the Co-Chairs.

Quorum

4.10 A majority of the members constitutes a quorum.

4.11 If at any Committee meeting a quorum is not present within 30 minutes after the time appointed for the meeting, the meeting shall be adjourned.

Outcomes

4.12 As this is an advisory committee, there is no official voting process. Outcomes of discussions on agenda items will be recorded in the Committee minutes.

Minutes of the Meeting

4.13 The Community Safety Officer or authorised agent shall take the minutes of each Committee meeting.

4.14 The minutes shall be in a standard format including a record of those present, apologies for absence, adoption of previous minutes and a list of adopted actions and resolutions of the Committee (see appendix two for the minutes template).

4.15 The minutes shall be stored in the Council corporate filing system (currently Ci Anywhere electronic document and records management system).

4.16 The agenda shall be distributed at least 48 hours in advance of the meeting to all Committee members, including alternative representatives.

4.17 A copy of the minutes shall be distributed to all Committee members (including alternative representatives) within 10 working days of the meeting.

Reports to Council

4.18 With approval of the Chair (Councillor), a report to Council may be tabled on the Committee's progress towards the objectives included in this ToR.

4.19 Reports to Council should reflect a consensus of view. Where consensus cannot be reached, the report should clearly outline any differing points of view.

4.20. Reports to Council will be co-ordinated through the General Manager of Community Health and Wellbeing.

5 Review of Committee and Duration of the Committee

5.1 The Committee will cease by resolution of Council.

5.2 A review of the Committee will take place at least once every three years at which time the ToR will also be reviewed. The next review date will be [insert date]. Input should be sought from Council Officers, Committee members, and any other relevant stakeholders, as determined by Council.

5.3 The review must consider:

5.3.1 The Committee's and members achievements in improving community safety in Latrobe City;

5.3.2 Whether there is a strong and demonstrated need for the Committee to continue; and

5.3.3 Any other relevant matters.

6 Authority and Compliance Requirements

6.1 The Committee is a consultative committee only and has no executive powers nor does it have any delegated decision making or financial authority.

6.2 The membership of this Committee and these ToR will be adopted by resolution of Council at a Council Meeting.

Appendix 1: Agenda Template

Agenda

LATROBE CITY COUNCIL

[Name] Advisory Committee

Date: 00/00/0000

Time: 00.00pm to 00.00pm

Location: [include specific meeting room and address]

Agenda items

No.	Item/description	Owner	Attachment
1	**Welcome and introduction**	Chair	N/A
2	**Apologies**	All	
3	**Declarations of Interest** Members of the Committee are to declare any conflicts of interest or any interests in matters listed on the agenda.	All	
4	**Confirmation of Minutes** Confirmation of the previous minutes of the meeting.		
5	**Matters arising from previous meeting** Review of action progress from previous meeting.	All	
6	**Reports/items for consideration** Matters being presented for discussion in accordance with the terms of reference. • List • List		
7	**General business** • List • List	All	

Next meeting: 00 January, 00.00am to 00.00am

Appendix 2: Minutes Template

Minutes

LATROBE CITY COUNCIL

[Name] Advisory Committee Minutes

Date: 00/00/0000
Time: 00.00pm to 00.00pm
Location: [include specific meeting room and address]
Chairperson: Name

No.	Item description
1	**Present**
2	**Apologies**
3	**Interest disclosures** Members of the Committee declare any conflicts of interest or interest in matters discussed at the meeting. The following members of the Committee declared a Conflict of Interest at the meeting and left the meeting whilst the matter was being discussed: • Name, Time left 00.00am/pm, Time returned 00.00am/pm • Name, Time left 00.00am/pm, Time returned 00.00am/pm • Name, Time left 00.00am/pm, Time returned 00.00am/pm
4	**Confirmation of minutes** That the minutes of the meeting held on [date] of the [name] Advisory Committee be confirmed.
5	**Matters arising from previous meeting** List the item and action agreed and assign any follow up actions and expected timeframes. 1. Item heading Action(s): • List • List 2. Item heading Action(s): • List • List
6	**Items for consideration** List the item and action agreed and assign any follow up actions and expected timeframes. 3. Item heading Action(s): • List • List 4. Item heading Action(s):
	• List List
7	**General business** List the item and action agreed and assign any follow up actions and expected timeframes. 5. Item heading Action(s): • List • List 6. Item heading Action(s): • List List

Next meeting: 00 January, 00.00am to 00.00am, Location

Latrobe City Community Safety Advisory Committee

Terms of Reference



~~April 2021~~[Insert date]

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CONTENTS:

1. **Establishment of the Committee**
2. **Objectives**
3. **Membership**
   - Composition of the Committee
   - Length of appointment
   - Selection of members and filling of vacancies
   - Co-option of members
   - Attendance at meetings
   - Resignations
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   - Meeting Schedule
   - Meeting procedures
   - ~~Quorum~~Outcomes
   - Voting
   - Minutes
   - Reports to Council
5. **Review of Committee and Duration of the Committee**
6. **Authority and Compliance Requirements**

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1. Establishment of the Committee

1.1. The Latrobe City Community Safety Advisory Committee (the Committee) ~~(hereinafter referred to as "the Committee"),~~ is a formally appointed Advisory Committee of Latrobe City Council (Council). The Committee was established to convene key groups and agencies which directly influence community safety outcomes across Latrobe City. ~~for the purposes of providing advice to Council.~~

1.2. Community safety, in the context of this Committee, encompasses a broad range of matters that influence people's real and perceived experience of security, accessibility and ability to participate in community life.

~~1.2.~~1.3. These ~~membership of this Committee and these~~ Terms of Reference were ~~will be~~ adopted by ~~resolution of Latrobe City~~ Council at ~~a~~the Council Meeting held on [insert date].

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.~~2.1. The Committee's objective is to provide advice, share information and collectively deliver initiatives between Council Member organisations which: ~~is established to:~~

~~2.3.1.~~2.1.1. Create safe and ~~secure~~ accessible places~~environments~~ for all Latrobe City residents and visitors; ~~;~~

2.1.2. Improve perceptions of safety within Latrobe City; ~~;~~

2.1.3. Reduce antisocial behaviour and street crime; ~~within identified hotspots~~ and reduce the incidence and prevalence of damage to property.

~~2.3.2.~~2.1.4. Increase road safety; ~~Build and maintain strategic partnerships across key community safety stakeholders within Latrobe City.~~

~~2.3.3.~~2.1.5. ~~Identify and work to address community safety issues through information sharing and collaboration on initiatives across jurisdictions and agencies.~~Mobilise the community to collectively improve community safety outcomes.

~~2.3.4.~~1.1.1. ~~Improve perceptions of safety within Latrobe City.~~

~~2.3.5.~~1.1.1. ~~Reduce antisocial behaviour and street crime within identified hotspots and reduce the incidence and prevalence of damage to property.~~

~~2.3.6. Promote Responsible Serving of Alcohol in the hospitality industry, thus reducing alcohol related assaults, antisocial behaviour and other forms of crime in partnership with licensed traders.~~

~~2.3.7. Encourage the use and support of Crime Prevention Through Environmental Design principles to deal with daytime and night time activities within Latrobe City, to encourage and support the use of a safer environment for all Latrobe City residents.~~

2.2. To achieve the Objectives, ~~T~~the Committee will ~~carry out~~ perform the following ~~in order to achieve the objectives set~~functions:

2.2.1. Identify community safety priorities within the municipality;

2.2.2. Share current, evidence-based research such as crime statistics, trends and effective safety initiatives;

2.2.3. Develop and leverage strategic community safety partnerships;

2.2.4. Inform advocacy approaches to State and Federal government, or other relevant decision makers in relation to community safety priorities; and,

~~2.4.~~2.2.5. Assist in the development and evaluation of Council's community safety policies, strategies and programs.

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~~2.4.1. The Committee is to provide a consultative forum for all stakeholders that can effectively address the Safety, Security, Health and Wellbeing issues of Latrobe City.~~

~~2.4.2. Policy and Strategy Development~~

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~~2.4.2.1. Provide advice as part of a policy, strategy (or other relevant document) review or development processes as required from time to time.~~

~~2.4.3. Perform other activities related to this Terms of Reference as requested by the Council.~~

3. Membership

Composition of the Committee

3.1. The Committee shall comprise of up to ~~2~~36 members with decision making authority or strategic oversight of their organisation, being:

3.1.1. Up to two Councillors;

3.1.2 Up to 24 representatives from each of the following categories:

~~3.1.2.~~3.1.1.1. 3.1.2.1 The Latrobe Local Area Police Inspector of Victoria Police;~~Victoria Police - Latrobe Local Area Commander or Delegate~~;

~~3.1.3.~~3.1.1.2. 3.1.2.2 Victoria Police's Senior Sergeants from Traralgon, Morwell and Moe ~~Victoria Police - Crime Preventions Community Liaison Officer;~~

3.1.1.3. One representative of the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) where GLaWAC choses to nominate a representative;

3.1.1.4. The Victorian Legislative Assembly's Member for Morwell;

~~3.1.4.~~3.1.1.5. One representative of Department of Justice and Community Safety;~~ General Manager Community Services Gippsland Region or Delegate;~~

3.1.1.6. One representative of Department of Families, Fairness and Housing~~ Executive Director, Inner Gippsland Area or Delegate~~;

~~3.1.5.~~3.1.1.7. One representative of Department of Education;

~~3.1.6.~~3.1.1.8. One representative of V/Line ~~representative~~;

3.1.1.9. One representative of Latrobe Valley Bus Lines ~~representative~~;

~~3.1.7.~~3.1.1.10. One representative of a Latrobe City based youth organisation;

~~3.1.8.~~3.1.1.11. Up to two Latrobe City Liquor Accord representatives;

~~3.1.9.~~3.1.1.12. ~~Advance Morwell~~One representative of a Latrobe City small township group;

3.1.1.13. One representative of the Latrobe City Business Chamber;

~~3.1.10.~~3.1.1.14. One ~~Committee for Moe~~ representative of a Latrobe City based community group or business network;~~;~~

~~3.1.11. Representative from a Traralgon based community group;~~

~~3.1.12.~~3.1.1.15. One representative of ~~Stockland Plaza~~ Traralgon Centre Plaza ~~representative~~;

~~3.1.13.~~3.1.1.16. One representative of Mid Valley ~~Plaza representative~~Shopping Centre;

~~3.1.14. Neighbourhood Watch Latrobe representative;~~

~~3.1.15. Braiakaulung Advisory Committee representative;~~

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~~3.1.16. Up to Four Community representatives appointed via expression of interest process:~~

~~3.1.16.1. 2 aged between 18 - 24 years of age;~~

~~3.1.16.2. 1 Latrobe City resident not residing in Moe, Newborough Morwell, Traralgon or Churchill;~~

~~3.1.16.3. 1 other Community Member;~~

~~3.1.17.~~3.1.2. ~~1 representative of the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) where GLaWAC choses to nominate a representative;~~ and

~~3.1.18.~~3.1.3. Up to ~~two~~ six ~~Latrobe City~~ Council ~~O~~officers with the portfolio responsibilities and expertise related to the Committee's objectives.~~.~~

Length of appointment

3.2. The Committee shall be in place for as long as Latrobe City Council sees fit, and the appointment of members shall be for a term of three years, commencing in January of any given year.~~as deemed appropriate by Council.~~

3.3. Prior to the expiration of each term, there will be a call for nominations for the next term. Current Committee members are able to re-nominate.

Selection of members and filling of vacancies

3.4. Latrobe City Council shall determine ~~the original~~ membership of the~~a~~ Committee based on expressions of interest received from applicants meeting the positions outlined under 3.1. Expressions of interest will be assessed by the Social Policy and Inclusion team, in consultation with the Co-Chairs. Recommendations will be presented to the General Manager of Community Health and Wellbeing for decision.~~members of the community and nominations received from organisations.~~

3.5. Members will be selected based on the following criteria:

3.5.1. Demonstrated experience in developing or delivering community safety policies or initiatives, or professional responsibilities related to community safety;

3.5.2. Ability to work collaboratively and display a willingness to contribute positively with other community safety partners;

3.5.3. Specialist knowledge or expertise in community safety advancement; and,

3.5.4. A strong understanding of the local community and its social, environmental and economic influences.

~~3.4.~~

~~3.5.~~3.6. The Committee may fill any vacancies that occur within ~~the determined~~six months ~~period~~ of appointment, subject to the approval of the General Manager of Community Health and Wellbeing~~the relevant division and endorsement of Council~~. Where a vacancy is filled in this way, the appointment shall be limited to the remainder of the period of the original appointment.

Co-option of members

~~3.6.~~ 3.7 ~~With the approval of the Chair, the Committee may invite other individuals to participate in the proceedings of the Committee on a regular or an occasional basis and including in the proceedings of any sub-committees formed.~~

~~*Attendance at meetings*~~

3.7. With the approval of the Co-Chairs, the Committee may invite other individuals to participate in the proceedings of the Committee on a regular or an occasional basis. Co-option of an individual or representative may occur for a period of up to one year and includes proceedings of any sub-committees formed.Attendance at meetings

~~3.7.~~3.8. All Committee members are expected to attend each meeting. If a Committee member is unable to attend a meeting, they may nominate an appropriate representative to attend and advise on the members' behalf.

~~3.8.~~3.9. A member who misses two consecutive meetings without a formal apology may at the discretion of Latrobe City Council have their term of office revoked. If a member's term is revoked Council will identify and fill the vacancy in consultation with the Committee, as described in 3.6 of this document.

~~3.9.~~3.10. A member who is unable to attend more than two meetings should notify the Community Safety Officer and advise the expected duration of absence from the Committee. If the length of absence is greater than 12 months from the Committee, the member will be asked to resign from the Committee and nominate a replacement to fill their vacancy. If the nomination is accepted by Community health and Wellbeing General Manager, the nominee will be invited to attended meetings on their behalf member for duration of their absence or formally. ~~the majority of meetings during the year may at the discretion of Latrobe City Council have their term of office revoked.~~

Resignations

3.11. Members and co-opted representatives can resign from the Committee at any time.

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~~3.10.~~3.12. All resignations are to be submitted in writing to the Committee Co-Chairs via email: community.safety@latrobe.vic.gov.au or ~~from members of the Committee are to be submitted in writing to the General Manager of the relevant division, Latrobe City Council,~~ PO Box: 264, Morwell VIC 3840.

4. Proceedings

Co-Chairs

4.1. The nominated Councillor and Latrobe Area Local Police Inspector shall Co-Chair the meeting.

4.2. ~~4.2~~If both Co-Chairs are unavailable they shall delegate to the other nominated Councillor to chair the meeting.

4.3. ~~4.3~~If neither Co-Chair nor Councillor is available, the Co-Chairs may nominate a replacement from the current membership of the Committee to chair the meeting.

~~4.1. The nominated Councillor shall Chair the meetings.~~

~~4.2. If the Councillor delegate is unavailable he/shethey shall delegate to the other nominated Councillor to chair the meeting.~~

~~4.3.~~4.4. ~~If neither Councillor is available, the Chair may nominate a replacement from the current membership of the Committee to chair the meeting.~~

Meeting schedule

~~4.4.~~4.5. ~~The~~ Committee meetings will be held on a quarterly basis. ~~determine its meeting schedule and times for each of the meetings.~~ The duration of each Committee meeting should generally not exceed two hours.

~~4.5.~~4.6. Meeting dates and timing will be reviewed and determined annually by Council Officers. All meeting invites will be sent via email at the commencement of each calendar year. Changes to the meeting schedule will be managed by the Community Safety Officer via the community.safety@latrobe.vic.gov.au. ~~Meetings of the Committee will be held monthly initially or as may be deemed necessary by Latrobe City Council or the Committee to fulfil the objectives of the Committee. Special meetings may be held on an as-needs basis.~~

Meeting procedures

~~4.6.~~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).

~~4.7.~~4.8. Members are expected to comply with the confidential information provisions contained in the *Local Government Act 2020* and must treat information they receive as confidential unless otherwise advised. Members must not use

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confidential information other than for the purpose of performing their function as a member of the Committee.

4.8.4.9. If a member has a general or material Ceonflict of Iinterest 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 Co-Chairs if they are attending the meeting.

4.8.1 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.

4.9.4.10. All recommendations, proposals and advice must be directed through the Co-Chairs.

Quorum

4.10.4.11. A majority of the members constitutes a quorum.

4.11.4.12. If at any Committee meeting a quorum is not present within 30 minutes after the time appointed for the meeting, the meeting shall be deemed adjourned.

~~*Voting*~~*Outcomes*

4.12.4.13. As this is an advisory committee, there is no official voting process. Outcomes of discussions on agenda items will be recorded in the minutes.~~There will be no official voting process, although all members shall have equal voting rights. Where possible, decisions will be made by consensus of members present. Where consensus is not reached, Majority majority and minority opinions will be reflected in Committee minutes.~~

Minutes of the Meeting

4.13.4.14. The Community Safety Officer ~~A Latrobe City Officer~~ or authorised agent shall take the minutes of each Committee meeting.

4.14.4.15. The minutes shall be in a standard format including a record of those present, apologies for absence, adoption of previous minutes and a list of adopted actions and resolutions of the Committee (see appendix two for the minutes template).

4.15.4.16. The minutes shall be stored in the ~~Latrobe City~~ Council corporate filing system (currently Ci Anywhere electronic document and records management system).

4.16.4.17. The agenda shall be distributed at least 48 hours in advance of the meeting to all Committee members, including alternative representatives.

4.17.4.18. A copy of the minutes shall be distributed to all Committee members (including alternative representatives) within 10 working days of the meeting.

Reports to Council

4.18.4.19. With the approval of the Chair (Councillor), a report to Council may be tabled on the Committee's progress towards the objectives included in this ~~Terms of Reference~~ToR.

4.19.4.20. Reports to Council should reflect a consensus of view. Where consensus cannot be reached, the report should clearly outline any differing points of view.

4.20.4.21. Reports to Council will be co-ordinated through the General Manager of ~~the relevant division that the Committee falls under~~Community Health and Wellbeing.

5. Review of Committee and Duration of the Committee

5.1. The Committee will cease ~~to exist~~ by resolution of the Council~~, or once the objectives at item 2.3 are demonstrated to have been met, whichever occurs first.~~

5.2. A review of the Committee will take place at least once every three years at which time the Terms of Reference will also be reviewed. The next review date will be [insert date]. Input should be sought from Council Officers, Committee members, and any other relevant stakeholders, as determined by Council.

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 and member achievements in improving community safety in Latrobe City;

5.4.2. Whether there is a strong and demonstrated need for the Committee to continue; and,

5.4.3. Any other relevant matter.

6. Authority and Compliance Requirements

6.1. The Committee is a consultative committee only and has no executive powers nor does it have any delegated decision making or financial authority.

6.2. The membership of this Committee and these Terms of Reference will be adopted by resolution of Council at a Council Meeting.

~~6.2. Failure to comply with the provisions outlined in this Terms of Reference may result in termination of the Member's appointment.~~

Appendix 1: Agenda Template

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	
	Members of the Committee are to declare any Conflicts of interest or any interests in matters listed on the agenda		
4.	**Confirmation of Minutes**		
	Confirmation of the previous minutes of the meeting.		
5.	**Matters arising from previous meeting**	All	
	Review of action progress from previous meetings		
6.	**Reports/Items for Consideration**		
	Matters being presented for discussion in accordance with the terms of reference • •		
7.	**General Business**		
	• •	All	
8.	**Next Meeting**	Chair	

Appendix 2: Minutes Template

MINUTES
[Name] Advisory Committee Minutes

Meeting Day, XX Month Year
Time Commenced: 00:00am/pm Finish Time: 00:00am/pm
Location: (include specific meeting room and address)

Meeting Chair: < Name >

No.	Item	Responsible Person	Timeframe
1.	**Present**		
2.	**Apologies**		
3.	**Interest Disclosures**		
	Members of the Committee declare any Conflicts of interest or Interests in matters discussed at the meeting. The following members of the Committee declared a Conflict of Interest at the meeting and left the meeting whilst the matter was being discussed: <Name> Time left 00:00am/pm, Time returned 00:00am/pm <Name> Time left 00:00am/pm, Time returned 00:00am/pm <Name> Time left 00:00am/pm, Time returned 00:00am/pm		

4.	**Confirmation of Minutes**		
	That the minutes of the meeting held on [Date] of the [Name] Advisory Committee be confirmed.		
5.	**Matters arising from previous meeting**		
	List the item and action agreed and assign any follow up actions and expected timeframes 1. Item Heading Action(s): • • 2. Item Heading Action(s): • •		
6.	**Items for Consideration**		
	List the item and action agreed as per agenda and assign any follow up actions and expected timeframes 1. Item Heading Action(s): • 2. Item Heading Action(s): • 3. Item Heading Action(s): •		
7.	**General Business**		
	List the item and action agreed and assign any follow up actions and expected timeframes 1. Item Heading Action(s): •		

	2. Item Heading Action(s): •		
Next Meeting: *<Provide details of the next meeting date, time and location>.*			

TERMS OF REFERENCE - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

PURPOSE

To seek Council endorsement of the Terms of Reference for the Economic Development Advisory Committee.

EXECUTIVE SUMMARY

- The existing Terms of Reference (ToR) for the Economic Development Advisory Committee (Committee) as per **Attachment 1,** were last reviewed and adopted in June 2023.
- Under the existing ToR the Committee had a focus on supporting the implementation of the Economic Development Strategy and was more operational in its nature.
- Officers are currently developing a new Economic Development Strategy and there is a desire for the Committee to be less operational in nature and more strategic, focusing on business attraction and economic growth.
- Officers have subsequently reviewed the operation of the Committee and provided a revised version the Committee's ToR as per **Attachment 2**. The revised ToR has an amended focus for the Committee, to provide advice on the opportunities to facilitate economic growth and diversification of the Latrobe City economy in line with the new Economic Development Strategy, once endorsed.
- The Committee is proposed to be comprised of two allocated Councillors, up to 8 external members with one of these members being an independent chair, with representation from Latrobe City senior leaders, and officer secretariat support.
- Committee members will be identified through a public Expression of Interest (EoI) process, that will consider key factors such as, industry expertise, broad industry connection outside of Latrobe City, and applicants commitment to growing Latrobe City's economic diversification.
- The draft ToR details that Council will be responsible for appointing the Committee members to the Committee.
- The cost to council will be $20,000 per year for three (3) years, the Chair will receive $1,500 per meeting, and committee members will receive $1,000 per meeting.

OFFICER'S RECOMMENDATION

That Council:

1. **endorses the Economic Development Advisory Committee Terms of Reference at Attachment 2;**
2. **approves officers to conduct an Expression of Interest process for up to 8 external committee members and present a report to a future Council meeting; and**
3. **allocates $20,000 per year for 3 years to fund the external members of the Economic Development Advisory Committee.**

BACKGROUND

Council operates several committees to provide input and advice to Council across multiple areas. Latrobe City previously operated an Economic Development Advisory Committee, and although the ToR for this Committee were updated in 2023, the Committee wasn't formally convened.

In view of the ongoing economic transformation, diversification and growth that is required for our community to thrive during the lead up and following the closure of the coal fired power stations, it is prudent to seek external advice to support Council's economic development activities.

The existing ToR for the Committee has a greater focus on supporting the implementation of the Economic Development Strategy, which is operational in nature, rather than advising on industry opportunities and future economic directions that Council can pursue. It is therefore proposed that the Committee be restructured to include industry leaders that can offer more strategic advice to Council.

ANALYSIS

It is proposed that a new Committee be refined, to provide economic development expertise from outside the region, to provide advice on the opportunities to facilitate economic growth and diversification of the Latrobe City economy in line with the new Economic Development Strategy, once endorsed.

The proposed composition of the Committee, is for up to eight elected external representatives, from industry sectors identified as core economic strengths in Latrobe City, including the independent committee chair.

The Committee would have two allocated Councillors to the committee, initially elected following the endorsement of the updated ToR, and then through the annual Councillor Committee allocation process.

Those key economic sectors are identified as, but not limited to the following:

- Existing and New Energy;
- Defence Capability;
- Advanced Manufacturing;
- Food and Fibre;
- Civil and Commercial Builders/Developers;
- Advanced Air Mobility; and
- Circular Economy.

The Committee will also include internal officer representation by Councils Senior Leaders in Economic and Industry Development. Additionally, and where appropriate, Council's CEO may be engaged on the Committee from time to time.

A representative from Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) would be invited to be engaged on the Committee, if GLaWAC chooses to nominate a representative.

The Committee members and the Independent Chair would be formally recruited for an initial period of three years, through a public EoI Process. The EoI process will ensure the strategic intention of the committee is understood by applicants, with the selection of members considering the following factors,

1. the expertise of applicants in their sector of speciality;
2. the applicants' identified and expressed connection to Economic and Industry leaders external to Latrobe City;
3. the applicants' identified and expressed commitment to growing and supporting the economic diversification of Latrobe City; and
4. the applicants' expertise on similar committees, in both the private and public sector.

The Committee's strategic purpose would be to:

- provide industry sector market intelligence and sector specific opportunities;
- provide input and guidance in relation to the growth and diversification of the Latrobe City economy;
- provide guidance on economic development opportunities which come to the attention of the Committee; and
- perform other activities related to the ToR as requested by the Council.

The Committee would be asked to provide guidance, input or opportunities that align with and facilitate the implementation and direction of the Council Plan, and the Latrobe City Economic Development Strategy 2025-2029, once adopted by Council.

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
STRATEGIC Not having an active and effective Economic Development Advisory Committee with a strategic focus.	**Low** *Possible x Minor*	Councillors to approve the revised ToR. Councillors to appoint new committee members in line with the terms of reference criteria

CONSULTATION

No consultation has been undertaken with the community at this time, and Officers do not deem public consultation necessary in the development of the ToR for the Committee.

COMMUNICATION

If the new ToR for the Committee are endorsed by Council, officers will develop a detailed communications plan to ensure the EoI for members of the Committee, is well communicated and engaged.

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 been conducted as this Committee will have an impact on the community.

Consideration will need to be taken in the Committee proceedings and the EOI process to encourage women to participate by:

- using networks to spread the word about the committee and the EOI so women become aware of its existence;
- Providing a mentor/training/support to any women interested in the committee, ensuring the EOI form acknowledges these resources can be implemented if preferred;
- ensuring there is flexibility in the Committee's practices. For example, when will meetings be held and considering timings to make it easier for women to attend, keeping in mind things such as childcare requirements and the regularity of part time work for women;
- providing online attendance as a meeting option (again, more suited to women who may have other time requirements); and
- assuming more EOIs than committee positions are received, consider how committee members will be selected, and include women and/or diverse representatives on the selection panel.

Social

Not applicable.

Cultural

Not applicable.

Health

Not applicable.

Environmental

Not applicable.

Economic

The redefining of the Committee will assist in the economic growth and diversification of Latrobe City.

Financial

Costs to deliver the Committee will be approximately $20,000 per year which will need to be considered as part of a future budget allocation. This includes remuneration for the Chair at $1,500 per meeting and Committee members $1,000 per meeting, plus reasonable travel expenses. These fees are in line with the Audit and Risk Committee members fee structure. Current internal resources can manage the administration of the Committee.

Attachments

1. Economic Development Advisory Committee ToR June 2023
2. Revised Economic Development Advisory Committee ToR 2025

10.4

Terms of Reference - Economic Development Advisory Committee

1 Economic Development Advisory Committee ToR June 2023 374

2 Revised Economic Development Advisory Committee ToR 2025 385

Economic Development Advisory Committee

Terms of Reference



June 2023

LatrobeCity
a new energy

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1. **Establishment of the Committee**

2. **Objectives**

3. **Membership**
   - Composition of the Committee
   - Length of appointment
   - Selection of members and filling of vacancies
   - Co-option of members
   - Attendance at meetings
   - Resignations

4. **Proceedings**
   - Chair
   - Meeting Schedule
   - Meeting procedures
   - Quorum
   - Voting
   - Minutes
   - Reports to Council

5. **Review of Committee and Duration of the Committee**

6. **Authority and Compliance Requirements**

1. Establishment of the Committee

1.1. The Economic Development 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. The Committee is established to:

2.3.1. Support the implementation of Council's adopted Economic Development Strategy;

2.3.2. Provide input and advice in relation to any review of Council's adopted Economic Development Strategy;

2.3.3. Provide input and advice on economic development initiatives instigated by the Committee itself; and

2.3.4. Provide guidance on economic development opportunities which come to the attention of the Committee.

2.3.5. The Committee will carry out the following in order to achieve the objectives set:

2.3.6. Perform other activities related to this Terms of Reference as requested by the Council.

3. Membership

Composition of the Committee

3.1. The Committee shall comprise of 15 members, being:

3.1.1. The Mayor and Deputy Mayor

3.1.2. Up to 12 representatives from sectors identified in Council's adopted Economic Development Strategy

3.1.3. 1 representative of the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) where GLaWAC chooses to nominate a representative; and

3.1.4. 3 Latrobe City Council Officers (Chief Executive Officer, General Manager Regional City Strategy and Transition and Manager Economic Investment and Transition).

Length of appointment

3.2. The Committee shall be in place for as long as Latrobe City Council sees fit, and the appointed sector representative members shall be for a term of three (3) years.

3.3. Prior to the expiration of each term, there will be a call for nominations for the next term. Current Committee members are able to re-nominate.

Selection of members and filling of vacancies

3.4. Latrobe City Council shall determine the original membership of a Committee.

3.5. The Chief Executive Officer is authorised to act on behalf of Council to facilitate the appointment process for sector representative members.

3.6. The Committee may fill any vacancies that occur within the determined period of appointment, subject to the approval of the Chief Executive Officer and endorsement of Council. Where a vacancy is filled in this way, the appointment shall be limited to the remainder of the period of the original appointment.

Co-option of members

3.7. With the approval of the Chair, the Committee may invite other individuals to participate in the proceedings of the Committee on a regular or an occasional basis and including in the proceedings of any sub-committees formed.

Attendance at meetings

3.8. All Committee members are expected to attend each meeting.

3.9. A member who misses two consecutive meetings without a formal apology may at the discretion of Latrobe City Council have their term of office revoked.

3.10. 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

3.11. All resignations from members of the Committee are to be submitted in writing to the Chief Executive Officer, Latrobe City Council, PO Box 264, Morwell VIC 3840.

4. Proceedings

Chair

4.1. The Mayor shall Chair the meetings.

4.2. If the Mayor is unavailable he/she shall delegate to the Deputy Mayor to chair the meeting.

4.3. If neither Councillor is available, the Chair may nominate a replacement from the current membership of the Committee to chair the meeting.

Meeting schedule

4.4. The Committee will determine its meeting schedule and times for each of the meetings. The duration of each Committee meeting should generally not exceed two hours.

4.5. Meetings of the Committee will be held quarterly or as may be deemed necessary by Latrobe City Council or the Committee to fulfil the objectives of the Committee. Special meetings may be held on an as-needs basis.

Meeting procedures

4.6. Meetings will follow standard meeting procedures as established in any guidance material and outlined in these terms of reference for Advisory Committees provided (see appendix one for the agenda template).

4.7. Members are expected to comply with the confidential information provisions contained in the *Local Government Act 2020* and must treat 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.

4.8. 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.

4.8.1 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.

4.9. All recommendations, proposals and advice must be directed through the Chair.

Quorum

4.10. A majority of the members constitutes a quorum.

4.11. If at any Committee meeting a quorum is not present within 30 minutes after the time appointed for the meeting, the meeting shall be deemed adjourned.

Voting

4.12. There will be no official voting process, although all members shall have equal voting rights. Majority and minority opinions will be reflected in Committee minutes.

Minutes of the Meeting

4.13. A Latrobe City Officer or authorised agent shall take the minutes of each Committee meeting.

4.14. The minutes shall be in a standard format including a record of those present, apologies for absence, adoption of previous minutes and a list of adopted actions and resolutions of the Committee (see appendix two for the minutes template).

4.15. The minutes shall be stored in the Latrobe City Council corporate filing system (currently Ci Anywhere electronic document and records management system).

4.16. The agenda shall be distributed at least 48 hours in advance of the meeting to all Committee members, including alternative representatives.

4.17. A copy of the minutes shall be distributed to all Committee members (including alternative representatives) within 10 working days of the meeting.

Reports to Council

4.18. With the approval of the Chair, a report to Council may be tabled on the Committee's progress towards the objectives included in this Terms of Reference.

4.19. Reports to Council should reflect a consensus of view. Where consensus cannot be reached, the report should clearly outline any differing points of view.

4.20. Reports to Council will be co-ordinated through the General Manager of the relevant division that the Committee falls under.

5. Review of Committee and Duration of the Committee

5.1. The Committee will cease to exist by resolution of the Council, or once the objectives at item 2.3 are demonstrated to have been met, whichever occurs first.

5.2. A review of the Committee will take place at least once every three years at which time the Terms of Reference will also be reviewed.

5.3. A review will be conducted on a self-assessment basis (unless otherwise determined by Council) with appropriate input sought from the Council, the CEO, all Committee members, management and any other stakeholders, as determined by Council.

5.4. The review must consider:

5.4.1. The Committee's achievements;

5.4.2. Whether there is a demonstrated need for the Committee to continue; and

5.4.3. Any other relevant matter.

6. Authority and Compliance Requirements

6.1. The Committee is a consultative committee only and has no executive powers nor does it have any delegated decision making or financial authority.

6.2. Failure to comply with the provisions outlined in this Terms of Reference may result in termination of the Member's appointment.

Appendix 1: Agenda Template

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	
	Members of the Committee are to declare any Conflicts of interest or any interests in matters listed on the agenda		
4.	**Confirmation of Minutes**		
	Confirmation of the previous minutes of the meeting.		
5.	**Matters arising from previous meeting**	All	
	Review of action progress from previous meetings		
6.	**Reports/Items for Consideration**		
	Matters being presented for discussion in accordance with the terms of reference • •		
7.	**General Business**		
	• •	All	
8.	**Next Meeting**	Chair	

Appendix 2: Minutes Template

MINUTES [Name] Advisory Committee Minutes Meeting Day, XX Month Year Time Commenced: 00:00am/pm Finish Time: 00:00am/pm Location: (include specific meeting room and address) Meeting Chair: < Name >			
No.	**Item**	**Responsible Person**	**Timeframe**
1.	**Present**		
2.	**Apologies**		
3.	**Interest Disclosures**		
	Members of the Committee declare any Conflicts of interest or Interests in matters discussed at the meeting. The following members of the Committee declared a Conflict of Interest at the meeting and left the meeting whilst the matter was being discussed: <Name>, Time left 00:00am/pm, Time returned 00:00am/pm <Name>, Time left 00:00am/pm, Time returned 00:00am/pm <Name>, Time left 00:00am/pm, Time returned 00:00am/pm		

4.	**Confirmation of Minutes**		
	That the minutes of the meeting held on [Date] of the [Name] Advisory Committee be confirmed.		
5.	**Matters arising from previous meeting**		
	List the item and action agreed and assign any follow up actions and expected timeframes 1. Item Heading Action(s): • • 2. Item Heading Action(s): • •		
6.	**Items for Consideration**		
	List the item and action agreed as per agenda and assign any follow up actions and expected timeframes 1. Item Heading Action(s): • 2. Item Heading Action(s): • 3. Item Heading Action(s): •		
7.	**General Business**		
	List the item and action agreed and assign any follow up actions and expected timeframes 1. Item Heading Action(s): •		

	2. Item Heading Action(s): •		
Next Meeting: *<Provide details of the next meeting date, time and location>.*			

LATROBE CITY COUNCIL

Economic Development Advisory Committee

Terms of Reference

July 2025



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1. Establishment of the Committee

1.1 The Economic Development 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 Committee will consist of a maximum of eight external members, including the allocation of an external Committee Chair, and will be appointed at Councils discretion, by formal resolution of Council.

1.3 New members of the committee will be identified through a public Expression of Interest (EoI) process. The EoI will ensure the strategic intention of the committee is understood by applicants.

1.4 External members will be on a three-year membership, with an ability to re-elect.

1.5 Two Councillors will be allocated to the committee for a three-year term.

1.6 The Committee Chair will be external and will be identified, determined and appointed at Councils discretion, by formal resolution of Council.

1.7 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 to facilitate decision making by the Council.

2.2 The Committee is an advisory committee only and has no delegated decision-making authority.

2.3 The Committee is established to:

- 2.3.1 Provide industry sector market intelligence and sector specific opportunities;
- 2.3.2 Provide input and guidance in relation to the growth and diversification of the Latrobe City economy;
- 2.3.3 Provide guidance on economic development opportunities which come to the attention of the Committee;
- 2.3.4 Perform other activities related to this Terms of Reference as requested by the Council.

2.4 The Committee will be asked to provide guidance, input or opportunities that align with and facilitate the implementation and direction of the Council Plan, and the Latrobe City Economic Development Strategy 2025-2029, once adopted by Council.

3. Membership

Composition of the Committee

3.1 The committee shall comprise of up to ten members, comprising of:

- 3.1.1 Up to two Councillors;
- 3.1.2 Up to eight representatives from industry sectors identified as core economic strengths in Latrobe City. Those sectors are identified as, but not limited to the following:
  - 3.1.2.1 Existing and New Energy;
  - 3.1.2.2 Defence Capability;
  - 3.1.2.3 Advanced Manufacturing;

3.1.2.4 Food and Fibre;

3.1.2.5 Civil and Commercial Development;

3.1.2.6 Advanced Air Mobility;

3.1.2.7 Circular Economy.

3.1.3 A representative of the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) where GLaWAC chooses to nominate a representative; and

3.1.4 The Latrobe City Chief Executive Officer may be engaged in the Committee from time to time, however, will not be identified as a formal member of the committee.

3.2 An independent Chair identified, determined and appointed at Councils discretion, by formal resolution of Council.

3.3 Secretariat of the Committee will be provided by Latrobe City Council Officers and meetings will be attended by the General Manager Regional City Strategy and Transition, Manager Business and Industry Development and Manager Economic Investment and Transition.

Length of appointment

3.4 The Committee shall be in place for as long as Latrobe City Council sees fit, and the appointed sector representative members shall be for a term of three (3) years, with an annual review.

3.5 Prior to the expiration of each term, there will be a call for nominations for the next term. Current Committee members can re-nominate.

Selection of members and filling of vacancies

3.6 Latrobe City Council officers will undertake a public EoI process, identifying members of the committee to align with a key set of criteria, that aligns with the Committee's strategic intent. The criteria are outlined as follows,

3.6.1 The expertise of applicants in their sector of speciality;

3.6.2 The applicants' identified and expressed connection to Economic and Industry leaders external to Latrobe City;

3.6.3 The applicants' identified and expressed commitment to growing and supporting the economic diversification of Latrobe City;

3.6.4 The applicants' expertise on similar committees, in both the private and public sector.

3.7 All members will be appointed at Councils discretion, and by formal resolution of Council.

Attendance at meetings

3.8 All Committee members are expected to attend each meeting.

3.9 A member who misses two consecutive meetings without a formal apology may at the discretion of Latrobe City Council have their term of office revoked.

3.10 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

3.11 All resignations from members of the Committee are to be submitted in writing to the General Manager of the relevant division, Latrobe City Council, PO Box 264, Morwell VIC 3840.

4. Proceedings

Chair

4.1 The committee chair will be external and will be identified, determined and appointed at Councils discretion, by formal resolution by Council.

4.2 If the chair is unavailable, they may nominate a replacement from the current membership of the Committee to chair the meeting.

4.3 The chair will receive payment as set by Council, with review of the remuneration to be at Council's discretion.

Meeting schedule

4.4 Meetings of the Committee will be held twice per year, once in Melbourne and once in Latrobe City, or as may be deemed necessary by Latrobe City Council or the Committee to fulfil the objectives of the Committee. Special meetings may be held on an as-needs basis.

Meeting remuneration and expense reimbursement

4.5 Committee members will be remunerated as follows; the Chair will receive $1,500 per meeting, and external committee members will receive $1,000 per meeting. External members will be reimbursed on request for reasonable travel and accommodation costs directly associated with committee meeting attendance.

4.6 Committee members must provide appropriate supporting documentation to substantiate the claim as appropriate to the type of claim, including original invoices and receipts. If sufficient supporting documentation is not provided, claims will not be considered.

4.7 Claims for reimbursement must be submitted within 60 days of an expense being incurred.

Meeting procedures

4.8 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).

4.9 Members are expected to comply with the confidential information provisions contained in the *Local Government Act 2020* and must treat 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.

4.10 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.

4.10.1 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.

4.11 All recommendations, proposals and advice must be directed through the Chair.

Quorum

4.12 A majority of the members constitutes a quorum.

4.13 If at any Committee meeting a quorum is not present within 30 minutes after the time appointed for the meeting, the meeting shall be deemed adjourned.

Minutes of the Meeting

4.14 A Latrobe City Officer or authorised agent shall take the minutes of each Committee meeting.

4.15 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).

4.16 The minutes shall be stored in the Latrobe City Council corporate filing system (currently Ci Anywhere electronic document and records management system).

4.17 The agenda shall be distributed at least 48 hours in advance of the meeting to all Committee members, including alternative representatives.

4.18 A copy of the minutes shall be distributed to all Committee members (including alternative representatives) within 10 working days of the meeting.

Reports to Council

4.19 With the approval of the Chair, a report to Council may be tabled on the Committee's progress towards the objectives included in this Terms of Reference.

4.20 Reports to Council should reflect a consensus of view. Where consensus cannot be reached, the report should clearly outline any differing points of view.

4.21 Reports to Council will be co-ordinated through the General Manager of the relevant division that the Committee falls under.

5. Review of Committee and Duration of the Committee

5.1 The Committee will cease to exist by resolution of the Council, or once the objectives at item 2.3 are demonstrated to have been met, whichever occurs first.

5.2 A review of the Committee will take place annually at which time the Terms of Reference will also be reviewed.

5.3 A review will be conducted on a self-assessment basis (unless otherwise determined by Council) with appropriate input sought from the Council, the CEO, all Committee members, management and any other stakeholders, as determined by Council.

5.4 The review must consider:

5.4.1 The Committee's achievements;

5.4.2 Whether there is a demonstrated need for the Committee to continue; and

5.4.3 Any other relevant matter.

6. Authority and Compliance Requirements

6.1 The Committee is a consultative committee only and has no executive powers nor does it have any delegated decision making or financial authority.

6.2 Failure to comply with the provisions outlined in this Terms of Reference may result in termination of the Member's appointment.

Appendix 1: Agenda Template

Agenda

LATROBE CITY COUNCIL

[Name] Advisory Committee

Date: 00/00/0000

Time: 00.00pm to 00.00pm

Location: [include specific meeting room and address]

Agenda items

No.	Item/description	Owner	Attachment
1	**Welcome and introduction**	Chair	N/A
2	**Apologies**	All	
3	**Declarations of Interest** Members of the Committee are to declare any conflicts of interest or any interests in matters listed on the agenda.	All	
4	**Confirmation of Minutes** Confirmation of the previous minutes of the meeting.		
5	**Matters arising from previous meeting** Review of action progress from previous meeting.	All	
6	**Reports/items for consideration** Matters being presented for discussion in accordance with the terms of reference. • List • List		
7	**General business** • List • List	All	

Next meeting: 00 January, 00.00am to 00.00am

Appendix 2: Minutes Template

Minutes

LATROBE CITY COUNCIL

[Name] Advisory Committee Minutes

Date: 00/00/0000
Time: 00.00pm to 00.00pm
Location: [include specific meeting room and address]
Chairperson: Name

No.	Item description
1	**Present**
2	**Apologies**
3	**Interest disclosures** Members of the Committee declare any conflicts of interest or interest in matters discussed at the meeting. The following members of the Committee declared a Conflict of Interest at the meeting and left the meeting whilst the matter was being discussed: • Name, Time left 00.00am/pm, Time returned 00.00am/pm • Name, Time left 00.00am/pm, Time returned 00.00am/pm • Name, Time left 00.00am/pm, Time returned 00.00am/pm
4	**Confirmation of minutes** That the minutes of the meeting held on [date] of the [name] Advisory Committee be confirmed.
5	**Matters arising from previous meeting** List the item and action agreed and assign any follow up actions and expected timeframes. 1. Item heading Action(s): • List • List 2. Item heading Action(s): • List • List
6	**Items for consideration** List the item and action agreed and assign any follow up actions and expected timeframes. 3. Item heading Action(s): • List • List 4. Item heading Action(s):
	• List List
7	**General business** List the item and action agreed and assign any follow up actions and expected timeframes. 5. Item heading Action(s): • List • List 6. Item heading Action(s): • List List

Next meeting: 00 January, 00.00am to 00.00am, Location

REVIEW OF COUNCIL DELEGATIONS

PURPOSE

To seek Council's approval of an updated *Instrument of Delegation to Members of Council Staff* (S6 Delegation).

EXECUTIVE SUMMARY

- To allow for Council to operate effectively and best utilise available resources, Council is empowered under various legislation and regulations to delegate many of its powers, duties and functions to the Chief Executive Officer, Delegated Committees and other appropriate Council officers.
- The Instrument of Delegation to Members of Staff (S6) **Attachment 1** has been reviewed by officers as part of regular reviews, with delegated positions and powers updated as appropriate. There is one alteration proposed in accordance with legislative changes identified through Council's legislation update subscription services as follows:
    - The *Road Management Act 2004* has been amended, with the following subsection inserted:

      s 12(2)(b)- Function of providing consent to the Head, Transport for Victoria for the discontinuance of a road or part of a road.
- The S5 Instrument of Delegation to the Chief Executive Officer has been reviewed and does not require any changes at this time, having been updated along with the Procurement Policy at the Council Meeting held 24 February 2025.
- It is imperative from an accountability, transparency and risk management perspective that Instruments of Council Delegation are legislatively compliant and accurately maintained, which requires regular reviews and updates as relevant legislation changes or there are alterations to officer roles.

OFFICER'S RECOMMENDATION

That Council:

1. in the exercise of the powers conferred by the legislation referred to in the S6 Instrument of Delegation to Members of Staff at Attachment 1, resolves that:

a) there be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *S6 Instrument of Delegation to Members of Staff*, the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument;

b) this Instrument comes into force immediately after the common seal of Council is affixed to the instrument;

c) on the coming into force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked; and

d) the duties and functions set out in the Instrument must be performed, and the powers set out in the Instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

BACKGROUND

In accordance with section 11 of the *Local Government Act 2020*, Council may delegate many of its powers, duties and functions to the Chief Executive Officer and Delegated Committees.

Other Acts and regulations allow specific powers, functions, and duties of Council under those Acts and regulations to be delegated to appropriate Council staff. Delegation of powers is generally considered essential to enable day-to-day decisions to be made.

The *Instrument of Delegation to Members of Council Staff (S6)* acts to delegate various Council powers, duties or functions lawfully permitted under relevant legislation or associated regulations to be delegated to and exercised by an appropriate Council officer.

ANALYSIS

Instrument of Delegation to the Chief Executive Officer (S5)

At the Council Meeting held 24 February 2025, Council adopted the revised Procurement Policy. The S5 was updated in accordance with the adopted Policy changes and signed and sealed on 25 February 2025. No further changes were required to the S5 at the time of this review.

Instrument of Delegation to Members of Council Staff (S6)

To ensure continued compliance with the relevant Acts and regulations as they change over time, Instruments of Delegation must be reviewed regularly, and amendments made where required.

By way of assistance with the review process, Maddocks Lawyers provide councils with a bi-annual update of legislative amendments and associated recommended changes to delegations. These changes and any updates are further reflected in the RelianSys System used by Council officers to manage delegations.

Effective and efficient functioning of local government would not be possible if the delegation of certain Council powers was not available. Delegations enable the performance of Council's required duties and functions, while ensuring effective oversight by Council.

Delegations facilitate the achievement of good governance for the community by empowering appropriate members of staff to make decisions on behalf of the Council. When delegations are utilised correctly, processing delays and unnecessary expenditure can be reduced, and resources are optimised.

Departments within Council have also provided operational information to assist the review process to ensure that the required positions have the correct delegations to perform their role.

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
COMPLIANCE A delegation of Council is not compliant with legislation.	**Medium** *Possible x Moderate*	Ensuring that the review of the instruments of delegation are carried out regularly using advice provided by Maddocks in the RelianSys Delegation Management System.
COMPLIANCE An officer of Council does not have the correct delegations to fulfill the requirements of their role and relevant legislation.		Ensuring that the review of the Instruments of Delegation is carried out regularly using advice provided by Maddocks in the RelianSys Delegation Management System.
SERVICE DELIVERY An officer does not have the required delegation to fulfill their role, which may impact some service delivery.	**Medium** *Possible x Minor*	Ensuring that Management notify the Governance Team of any changes to positions/delegations required as soon as possible.

CONSULTATION

Community consultation has not been undertaken as this is a statutory function required by the *Local Government Act 2020.*

COMMUNICATION

Internal organisational review has been conducted to ensure that the delegated functions and powers are assigned to the appropriate officer/s.

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

With the exception of the annual subscription fee for the Maddocks Delegation and and the RelianSys Delegations Management System, there is no direct cost to Council in delegating various powers, functions and duties.

Attachments

1. S6 Instrument of Delegation - Members of Staff - May 2025

10.5

Review of Council Delegations

1 S6 Instrument of Delegation - Members of Staff - May 2025..... 399

S6 Instrument of Delegation to Members of Staff

LATROBE CITY COUNCIL

INSTRUMENT OF DELEGATION
TO
MEMBERS OF STAFF

Instrument of Delegation

In exercise of the powers conferred by the legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;

2. declares that:

   2.1 this Instrument of Delegation is authorised by a resolution of Council passed on 28 July 2025; and

   2.2 the delegation:

      2.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation or where the Chief Executive Officer of Council is authorised under resolution, the Chief Executive Officer executes the Instrument of Delegation;

      2.2.2 remains in force until varied or revoked;

      2.2.3 is subject to any conditions and limitations set out in sub-paragraph 2.3, and the Schedule; and

      2.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

   2.3 the delegate must not determine the issue, take the action or do the act or thing:

      2.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

      2.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a

         (a) policy; or

         (b) strategy adopted by Council;

      2.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or

      2.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

The Common Seal of **Latrobe City Council** was affixed in accordance with Local Law No. 1 on the day of 2025 in the presence of:

Steven Piasente – Chief Executive Officer

Cr Dale Harriman - Mayor

Delegation Sources

- Cemeteries and Crematoria Act 2003
- Domestic Animals Act 1994
- Food Act 1984
- Heritage Act 2017
- Local Government Act 1989
- Planning and Environment Act 1987
- Residential Tenancies Act 1997
- Road Management Act 2004
- Cemeteries and Crematoria Regulations 2015
- Planning and Environment Regulations 2015
- Planning and Environment (Fees) Regulations 2016
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015

Latrobe City Council

Schedule - S6 Instrument of Delegation - Members of Staff

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	Not Delegated	Where Council is a Class B cemetery trust
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	Not Delegated	Where Council is a Class B cemetery trust
s 12(2)	Duty to have regard to the matters set out in paragraphs (a) - (c) in exercising its functions	Not Delegated	Where Council is a Class B cemetery trust
s 12A(1)	Function to do the activities set out in paragraphs (a) - (n)	Not Delegated	Where Council is a Class A cemetery trust
s 12A(2)	Duty to have regard to matters set out in paragraphs (a) - (e) in exercising its functions	Not Delegated	Where Council is a Class A cemetery trust
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	Not Delegated	

Latrobe City Council

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 14	Power to manage multiple public cemeteries as if they are one cemetery.	Not Delegated	
s 15(4)	Duty to keep records of delegations	Not Delegated	
s 17(1)	Power to employ any persons necessary	Not Delegated	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	Not Delegated	
s 17(3)	Power to determine the terms and conditions of employment or engagement	Not Delegated	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	Not Delegated	

Latrobe City Council

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 18B(1) & (2)	Duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time	Not Delegated	Where Council is a Class A cemetery trust
s 18C	Power to determine the membership of the governance committee	Not Delegated	Where Council is a Class A cemetery trust
s 18D	Power to determine procedure of governance committee	Not Delegated	Where Council is a Class A cemetery trust
s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities	Not Delegated	Where Council is a Class A cemetery trust
s 18D(1)(b)	Power to appoint any additional community advisory committees	Not Delegated	Where Council is a Class A cemetery trust
s 18D(2)	Duty to establish a community advisory committee under section 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	Not Delegated	Where Council is a Class A cemetery trust

Latrobe City Council

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the Financial Management Act 1994	Not Delegated	Where Council is a Class A cemetery trust
s 18F(2)	Duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee	Not Delegated	Where Council is a Class A cemetery trust
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	Not Delegated	Where Council is a Class A cemetery trust
s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	Not Delegated	Where Council is a Class A cemetery trust
s.18J	Duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in s 18J(2)	Not Delegated	Where Council is a Class A cemetery trust
s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	Not Delegated	Where Council is a Class A cemetery trust

Latrobe City Council

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 18N(1)	Duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	Not Delegated	Where Council is a Class A cemetery trust
s 18N(3)	Duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval	Not Delegated	Where Council is a Class A cemetery trust
s 18N(5)	Duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	Not Delegated	Where Council is a Class A cemetery trust
s 18N(7)	Duty to ensure that an approved annual plan is available to members of the public on request	Not Delegated	Where Council is a Class A cemetery trust
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	Not Delegated	Where Council is a Class A cemetery trust
s 18O(4)	Duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	Not Delegated	Where Council is a Class A cemetery trust

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 18O(5)	Duty to ensure that an approved strategic plan is available to members of the public on request	Not Delegated	Where Council is a Class A cemetery trust
s 18Q(1)	Duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year.	Not Delegated	Where Council is a Class A cemetery trust
s 19	Power to carry out or permit the carrying out of works	Not Delegated	
s 20(1)	Duty to set aside areas for the interment of human remains	Not Delegated	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	Not Delegated	
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	Not Delegated	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	Not Delegated	

Latrobe City Council

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	Not Delegated	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	Not Delegated	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	Not Delegated	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	Not Delegated	Provided the street was constructed pursuant to the Local Government Act 1989
s 52	Duty to submit a report to the Secretary in relation to any public cemetery for which the cemetery trust is responsible for each financial year in respect of which it manages that cemetery	Not Delegated	
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	Not Delegated	Report must contain the particulars listed in s 57(2)

Latrobe City Council

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 59	Duty to keep records for each public cemetery	Not Delegated	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	Not Delegated	
s 60(2)	Power to charge fees for providing information	Not Delegated	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	Not Delegated	
s 64B(d)	Power to permit interments at a reopened cemetery	Not Delegated	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	Not Delegated	The application must include the requirements listed in s 66(2)(a)-(d)
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	Not Delegated	

Latrobe City Council

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	Not Delegated	
s 70(2)	Duty to make plans of existing place of interment available to the public	Not Delegated	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	Not Delegated	
s 71(2)	Power to dispose of any memorial or other structure removed	Not Delegated	
s 72(2)	Duty to comply with request received under s 72	Not Delegated	
s 73(1)	Power to grant a right of interment	Not Delegated	

Latrobe City Council

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 73(2)	Power to impose conditions on the right of interment	Not Delegated	
s 74(3)	Duty to offer a perpetual right of interment	Not Delegated	
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	Not Delegated	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	Not Delegated	
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	Not Delegated	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	Not Delegated	
s 80(2)	Function of recording transfer of right of interment	Not Delegated	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	Not Delegated	

Latrobe City Council

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment	Not Delegated	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	Not Delegated	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	Not Delegated	
s 84F(2)(d)	Function of receiving notice of decision to vary or force the surrender of a right of interment under s 84C(2), (3) or (5)	Not Delegated	
s 84H(4)	Power to exercise the rights of a holder of a right of interment	Not Delegated	
s 84I(4)	Power to exercise the rights of a holder of a right of internment	Not Delegated	
s 84I(5)	Duty to pay refund to the previous holder or holders of the right of interment	Not Delegated	

Latrobe City Council

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 84I(6)(a)	Power to remove any memorial on the place of interment	Not Delegated	
s 84I(6)(b)	Power to grant right of interment under s 73	Not Delegated	
s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	Not Delegated	The notice must be in writing and contain the requirements listed in s 85(2)
s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	Not Delegated	Does not apply where right of internment relates to remains of a deceased veteran.
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of internment or; remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.	Not Delegated	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of internment is not extended or converted to a perpetual right of interment
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	Not Delegated	

Latrobe City Council

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of internment to a perpetual right of interment	Not Delegated	
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	Not Delegated	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	Not Delegated	
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	Not Delegated	
s.86(5)	duty to provide notification before taking action under s.86(4)	Not Delegated	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	Not Delegated	
s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	Not Delegated	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	Not Delegated	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 91(1)	Power to cancel a right of interment in accordance with s 91	Not Delegated	
s 91(3)	Duty to publish notice of intention to cancel right of interment	Not Delegated	
s 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	Not Delegated	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	Not Delegated	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	Not Delegated	
s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	Not Delegated	

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Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 100(1)	Power to require a person to remove memorials or places of interment	Not Delegated	
s 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)	Not Delegated	
s 100(3)	Power to recover costs of taking action under s 100(2)	Not Delegated	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	Not Delegated	
s 102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	Not Delegated	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	Not Delegated	

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Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 103(1)	Power to require a person to remove a building for ceremonies	Not Delegated	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	Not Delegated	
s 103(3)	Power to recover costs of taking action under s 103(2)	Not Delegated	
s 106(1)	Power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	Not Delegated	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	Not Delegated	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	Not Delegated	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 106(4)	Power to repair or - with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with	Not Delegated	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	Not Delegated	
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with	Not Delegated	
s 108	Power to recover costs and expenses	Not Delegated	
s 109(1)(a)	Power to open, examine and repair a place of interment	Not Delegated	Where the holder of right of interment or responsible person cannot be found
s 109(1)(b)	Power to repaid a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	Not Delegated	Where the holder of right of interment or responsible person cannot be found

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Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	Not Delegated	Where the holder of right of interment or responsible person cannot be found
s 110(1)	Power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary	Not Delegated	
s 110(1A)	Power to maintain, repair or restore the place of interment if unable to find any of the other holders after diligent inquiries and with the consent of the Secretary	Not Delegated	
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	Not Delegated	
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	Not Delegated	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	Not Delegated	

Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 112	Power to sell and supply memorials	Not Delegated	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	Not Delegated	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	Not Delegated	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	Not Delegated	
s 119	Power to set terms and conditions for interment authorisations	Not Delegated	
s 131	Function of receiving an application for cremation authorisation	Not Delegated	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	Not Delegated	Subject to s 133(2)

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Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	Not Delegated	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	Not Delegated	Subject to the approval of the Secretary
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	Not Delegated	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	Not Delegated	
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	Not Delegated	
s 151	Function of receiving applications to inter or cremate body parts	Not Delegated	

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Cemeteries and Crematoria Act 2003			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	Not Delegated	
sch 1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	Not Delegated	
sch 1 cl 8(8)	Power to regulate own proceedings	Not Delegated	Subject to cl 8
sch 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	Not Delegated	Where Council is a Class A cemetery trust
sch 1A cl 8(8)	Power to regulate own proceedings	Not Delegated	Where Council is a Class A cemetery trust Subject to cl 8

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Domestic Animals Act 1994			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 41A(1)	Power to declare a dog to be a menacing dog	Manager Safe Communities, Coordinator Local Laws	Council may delegate this power to a Council authorised officer

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	If s 19(1) applies Only in relation to temporary food premises or mobile food premises

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Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution

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Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority

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Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 19IA(2)	Duty to give written notice to the proprietor of the premises	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	Not Delegated	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.

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Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
	Power to register or renew the registration of a food premises	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority

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Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 36B	Duty to pay the charge for use of online portal	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority

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Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority not exceeding the prescribed time limit defined under s 38E(5)

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Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 38E(4)	Duty to register the food premises when conditions are satisfied	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	

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Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 39A	Power to register, or renew the registration of a food premises despite minor defects	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 39A (6)	Duty to comply with a direction of the Secretary	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority

Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 40E	Duty to comply with direction of the Secretary	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	
s 40F	Power to cancel registration of food premises	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 43	Duty to maintain records of registration	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering or renewing registration of a component of a food business	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	Coordinator Health Services, Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority
s 45AC	Power to bring proceedings	Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer, Environmental Health Technical Officer	

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Food Act 1984			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer, Environmental Health Technical Officer	Where Council is the registration authority

Heritage Act 2017			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 116	Power to sub-delegate Executive Director's functions, duties or powers	Not Delegated	Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

Local Government Act 1989			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 185L(4)	Power to declare and levy a cladding rectification charge	Chief Executive Officer	

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	
s 4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	Manager Regional City Planning, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	
s 4I(2)	Duty to make and copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic	

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Principal Urban Growth Planner	
s 8A(5)	Function of receiving notice of the Minister's decision	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 12B(1)	Duty to review planning scheme	Manager Regional City Planning, Coordinator Strategic Planning, General Manager Regional City	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Assets, Principal Strategic Planner	
s 12B(2)	Duty to review planning scheme at direction of Minister	Manager Regional City Planning, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Principal Strategic Planner	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer,	

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 17(1)	Duty of giving copy amendment to the planning scheme	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 17(2)	Duty of giving copy s 173 agreement	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	Until the proposed amendment is approved or lapsed
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Planning Administration Officer, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic	Where Council is a planning authority

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Principal Urban Growth Planner	
s 21(2)	Duty to make submissions available in accordance with public availability requirements	Manager Regional City Planning, Coordinator Strategic Planning, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	Manager Regional City Planning, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	Except submissions which request a change to the items in s 22(5)(a) and (b)

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	Manager Regional City Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Principal Urban Growth Planner	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	Manager Regional City Planning, Coordinator Urban Growth,	During the inspection period

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Strategic Planning, General Manager Regional City Planning and Assets	
s 27(2)	Power to apply for exemption if panel's report not received	General Manager Regional City Planning and Assets	
s 28(1)	Duty to notify the Minister if abandoning an amendment	Manager Regional City Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Planning Administration Officer, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Urban Growth Officer, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 30(4)(a)	Duty to say if amendment has lapsed	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Planning Administration Officer, Senior Urban Growth Officer/Planner, Principal	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Principal Urban Growth Planner	
s 30(4)(b)	Duty to provide information in writing upon request	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Planning Administration Officer, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 32(2)	Duty to give more notice if required	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 33(1)	Duty to give more notice of changes to an amendment	Manager Regional City Planning, Coordinator Statutory Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Urban Growth, Coordinator Strategic Planning, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 36(2)	Duty to give notice of approval of amendment	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 38(5)	Duty to give notice of revocation of an amendment	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 40(1)	Function of lodging copy of approved amendment	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Strategic Planner, Urban Growth	

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	Not Delegated	Where Council is a responsible public entity and is a planning authority

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
			Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils
s 46AW	Function of being consulted by the Minister	Manager Regional City Planning, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy Power to endorse the draft Statement of Planning Policy	Manager Regional City Planning, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic	Where Council is a responsible public entity

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Principal Urban Growth Planner	
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is a responsible public entity
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 46GP	Function of receiving a notice under s 46GO	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Strategic Planner	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Strategic Planner, Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Strategic Planner, Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	Manager Regional City Planning, General Manager Regional City Planning and Assets	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	affected owner of the rejection and that the matter has been referred to the valuer-general	General Manager Regional City Planning and Assets	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	Manager Regional City Planning, General Manager Regional City Planning and Assets	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory	

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 46GU	Duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	Manager Regional City Planning, General Manager Regional City Planning and Assets	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution Power to specify the manner in which the payment is to be made	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Urban Growth Planner	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Urban Growth Planner	Where Council is the collecting agency

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Team Leader Development, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Coordinator Recreation and Open Spaces, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth	Where Council is the collecting agency

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the collecting agency

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager	Where the Council is the planning authority

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan,as responsible for those works, services or facilities	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Senior Urban Growth Officer/Planner, Principal Statutory	Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the development agency specified in the approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager	If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4)

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZ(9)	Function of receiving the fee simple in the land	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s 46GZA(1)	Duty to keep proper and separate accounts and records	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth	Where Council is the development agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Organisational Performance, Manager Financial Support, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic	Where Council is a development agency under an approved infrastructure contributions plan

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Principal Urban Growth Planner	
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	If the VPA is the collecting agency under an approved infrastructure contributions plan Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the development agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager	Where Council is the development agency under an approved infrastructure contributions plan

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory	Where Council is the collecting agency under an approved infrastructure contributions plan

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	Duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the development agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46GZF(3)	Function of receiving proceeds of sale	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the collection agency under an approved infrastructure contributions plan This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager	Where Council is the collecting agency under an approved infrastructure contributions plan

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory	Where Council is a collecting agency or development agency

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Assets, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	Manager Regional City Planning, Manager Safe Communities, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Municipal Building Surveyor, General Manager Regional City Planning and Assets, Senior Urban Growth Officer/Planner, Deputy Municipal Building Surveyor	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning,	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		General Manager Regional City Planning and Assets	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	
s 46Q(1)	Duty to keep proper accounts of levies paid	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth,	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Strategic Planning, General Manager Regional City Planning and Assets	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	Must be done in accordance with Part 3

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s46Q(4)(e)	Duty to expend that amount on other works etc.	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	
s 46QD	Duty to prepare report and give a report to the Minister	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is a collecting agency or development agency

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period	Not Delegated	
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period	Not Delegated	
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	Not Delegated	
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	Not Delegated	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	Not Delegated	
s 47	Power to decide that an application for a planning permit does not comply with that Act	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planning Officer, Strategic Planner, Planning Administration Officer, Planning Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 50(4)	Duty to amend application	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, Statutory Planning Enforcement Officer, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 50(5)	Power to refuse to amend application	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 50(6)	Duty to make note of amendment to application in register	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, Senior Strategic Planner, Strategic Planner, Planning Administration	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 50A(1)	Power to make amendment to application	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 50A(4)	Duty to note amendment to application in register	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Statutory Planning Officer, Planning Administration Officer, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Administration Officer, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	Manager Regional City Planning, Coordinator Statutory Planning,	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Urban Growth, Coordinator Strategic Planning, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Administration Officer, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Officer, Planning Compliance Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 52(3)	Power to give any further notice of an application where appropriate	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 54(1)	Power to require the applicant to provide more information	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Strategic Planning Administrator, Urban Growth Officer, Senior Urban Growth Officer/Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 54(1B)	Duty to specify the lapse date for an application	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planning Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Planning Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 57A(5)	Power to refuse to amend application	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 57A(6)	Duty to note amendments to application in register	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Assets, Senior Strategic Planner, Trainee Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 57B(1)	Duty to determine whether and to whom notice should be given	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	Manager Regional City Planning, Coordinator Statutory Planning,	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 57C(1)	Duty to give copy of amended application to referral authority	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 58	Duty to consider every application for a permit	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 58A	Power to request advice from the Planning Application Committee	Manager Regional City Planning, General Manager Regional City Planning and Assets	
s 60	Duty to consider certain matters	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planning Officer, Strategic Planner, Statutory Planning Officer, Planning Compliance Officer, Senior Planning Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Student Planner	
s 60(1A)	Duty to consider certain matters	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planning Officer, Strategic Planner, Statutory Planning Officer, Planning Compliance Officer, Senior Planning Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	Manager Regional City Planning, General Manager Regional City Planning and Assets	
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006 If the permit has one to five objectors or recommended for refusal must be approved by CEO. If permit has more than five objectors must be heard at ordinary Council Meeting. The permit must not be inconsistent with a Cultural heritage management plan under the Aboriginal Heritage Act 2006.
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Planning Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration	With approval from the Chief Executive Officer

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Principal Urban Growth Planner, Student Planner	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, Senior Strategic Planner, Strategic Planning Officer, Strategic Planner, Senior Planning Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	With approval from the Chief Executive Officer
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Not Delegated	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	Not Delegated	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Not Delegated	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 62(1)	Duty to include certain conditions in deciding to grant a permit	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 62(2)	Power to include other conditions	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Statutory Planning Officer, Senior Urban Growth Officer/Planner, Principal Statutory	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior	This provision applies also to a decision to grant an amendment to a permit - see s 75

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 64(3)	Duty not to issue a permit until after the specified period	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	This provision applies also to a decision to grant an amendment to a permit - see s 75

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 64(5)	Duty to give each objector a copy of an exempt decision	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer,	This provision applies also to a decision to grant an amendment to a permit - see s 75A

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Compliance Officer, Senior Strategic Planner, Trainee Planner, Urban Growth Project	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Strategic Planning Officer, Strategic Planner, Planning Administration Officer, Planning Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth,	If the recommending referral authority objected to the grant of the permit or the recommending referral

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer,	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 69(1)	Function of receiving application for extension of time of permit	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Compliance Officer, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Administration Officer, Planning Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 69(1A)	Function of receiving application for extension of time to complete development	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Urban Growth Project Officer, Senior Urban Growth Officer/Planner, Principal Statutory	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Principal Urban Growth Planner	
s 69(2)	Power to extend time	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Officer, Strategic Planner, Planning Administration Officer, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 71(1)	Power to correct certain mistakes	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 71(2)	Duty to note corrections in register	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 73	Power to decide to grant amendment subject to conditions	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 74	Duty to issue amended permit to applicant if no objectors	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner,	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Administration Officer, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Administration Officer, Planning Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Administration Officer, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s 76D	Duty to comply with direction of Minister to issue amended permit	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	
s 83	Function of being respondent to an appeal	Not Delegated	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 83B	Duty to give or publish notice of application for review	Not Delegated	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner	
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer,	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 84AB	Power to agree to confining a review by the Tribunal	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Urban Growth Officer/Planner, Student Planner	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 91(2)	Duty to comply with the directions of VCAT	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Administration Officer, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Administration Officer, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Administration Officer, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 93(2)	Duty to give notice of VCAT order to stop development	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 95(3)	Function of referring certain applications to the Minister	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 95(4)	Duty to comply with an order or direction	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Urban Growth Officer, Senior Urban Growth	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic	

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Principal Urban Growth Planner	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 96F	Duty to consider the panel's report under s 96E	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996	Not Delegated	
s 96H(3)	Power to give notice in compliance with Minister's direction	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 96J	Duty to issue permit as directed by the Minister	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner,	

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 97C	Power to request Minister to decide the application	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Statutory Planner, Statutory Planner, Senior Strategic Planner, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planning Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner,	

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 97MH	Duty to provide information or assistance to the Planning Application Committee	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	General Manager Regional City Planning and Assets	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 97Q(4)	Duty to comply with directions of VCAT	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 101	Function of receiving claim for expenses in conjunction with claim	Manager Regional City Planning, General Manager Regional City Planning and Assets	
s 103	Power to reject a claim for compensation in certain circumstances	Manager Regional City Planning, General Manager Regional City Planning and Assets	
s.107(1)	function of receiving claim for compensation	Manager Regional City Planning, General Manager Regional City Planning and Assets	
s 107(3)	Power to agree to extend time for making claim	General Manager Regional City Planning and Assets	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Student Planner	
s 114(1)	Power to apply to the VCAT for an enforcement order	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planning Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner,	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	Manager Regional City Planning, General Manager Regional City Planning and Assets	
s 123(1)	Power to carry out work required by enforcement order and recover costs	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Student Planner	

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	Not Delegated	Except Crown Land
s 125(1)	Power to apply to any court of competent jurisdiction or to the tribunal for an injunction restraining any person from contravening an enforcement order or an interim enforcement order.	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	Section 123 of the Victorian Civil and Administrative Tribunal Act 1998 applies on an application to the Tribunal.
s 129	Function of recovering penalties	Manager Regional City Planning, General Manager Regional City Planning and Assets	
s 130(5)	Power to allow person served with an infringement notice further time	Manager Regional City Planning, Coordinator Statutory Planning, General Manager Regional City Planning and Assets	
s 149A(1)	Power to refer a matter to the VCAT for determination	Manager Regional City Planning, Coordinator Statutory Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Urban Growth, Senior Statutory Planner, General Manager Regional City Planning and Assets, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Urban Growth Planner	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Senior Statutory Planner, General Manager Regional City Planning and Assets, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Urban Growth Planner	
s 149B	Power to apply to the Tribunal for a declaration.	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Principal Urban Growth Planner	
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B)power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	
s 171(2)(g)	Power to grant and reserve easements	Not Delegated	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	Manager Regional City Planning, General Manager Regional City Planning and Assets	Where Council is a development agency specified in an approved infrastructure contributions plan

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	Manager Regional City Planning, General Manager Regional City Planning and Assets	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	Manager Regional City Planning, General Manager Regional City Planning and Assets	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	Manager Regional City Planning, Manager Safe Communities, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Municipal Building Surveyor, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Deputy Municipal Building Surveyor	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	Manager Regional City Planning, General Manager Regional City Planning and Assets	Where Council is the relevant responsible authority

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	Manager Regional City Planning, Manager Safe Communities, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Municipal Building Surveyor, Senior Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Statutory Planning Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Deputy Municipal Building Surveyor, Student Planner	
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	Manager Regional City Planning, General Manager Regional City Planning and Assets	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	Manager Regional City Planning, Coordinator Statutory Planning,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 178	power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	Manager Regional City Planning, Manager Safe Communities, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Municipal Building Surveyor, General Manager Regional City Planning and Assets, Principal Urban Growth Planner, Deputy Municipal Building Surveyor	
s 178A(1)	Function of receiving application to amend or end an agreement	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 178A(5)	Power to propose to amend or end an agreement	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer,	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 178C(4)	Function of determining how to give notice under s 178C(2)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City	If no objections are made under s 178D Must consider matters in s 178B

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth,	If no objections are made under s 178D

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	After considering objections, submissions and matters in s 178B

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	After considering objections, submissions and matters in s 178B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth	After considering objections, submissions and matters in s.178B

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 178E(3)(d)	Power to refuse to amend or end the agreement	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	

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Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer,	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Officer, Strategic Planner, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	Manager Regional City Planning, Manager Safe Communities, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Council Solicitor, Municipal Building Surveyor, Senior Statutory Planner, Statutory Planner, Coordinator Property Operations, Property Officer, General Manager Regional City Planning and Assets, Senior Strategic Planner, Coordinator Audit, Risk & Compliance, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Deputy	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Municipal Building Surveyor, Student Planner	
s 181	Duty to apply to the Registrar of Titles to record the agreement	Manager Regional City Planning, Manager Safe Communities, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Council Solicitor, Municipal Building Surveyor, Senior Statutory Planner, Statutory Planner, Coordinator Property Operations, Property Officer, General Manager Regional City Planning and Assets, Senior Strategic Planner, Coordinator Audit, Risk & Compliance, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Deputy Municipal Building Surveyor, Student Planner	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	Not Delegated	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	Not Delegated	
s 182	Power to enforce an agreement	Manager Regional City Planning, Manager Safe Communities, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Council Solicitor, Municipal Building Surveyor, Senior Statutory Planner, Statutory Planner, Coordinator Property Operations, Property Officer, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Coordinator Audit, Risk & Compliance, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Administration Officer, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Deputy Municipal Building Surveyor, Student Planner	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	Manager Regional City Planning, Manager Safe Communities, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Municipal Building Surveyor, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Deputy Municipal Building Surveyor, Student Planner	
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	General Manager Regional City Planning and Assets	
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	General Manager Regional City Planning and Assets	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	General Manager Regional City Planning and Assets	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	General Manager Regional City Planning and Assets	
s 184G(2)	Duty to comply with a direction of the Tribunal	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	
s 184G(3)	Duty to give notice as directed by the Tribunal	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Student Planner	
s 198(1)	Function to receive application for planning certificate	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 199(1)	Duty to give planning certificate to applicant	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 201(1)	Function of receiving application for declaration of underlying zoning	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Administration Officer, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 201(3)	Duty to make declaration	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Planning Compliance Officer, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Statutory Planning Administration Officer, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth,	

Latrobe City Council

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Coordinator Strategic Planning, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planner, Senior Urban Growth Officer/Planner, Principal Strategic Planner, Principal Urban Growth Planner	
	Power to give written authorisation in accordance with a provision of a planning scheme	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Strategic Planner, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Urban Growth Project Officer, Strategic Planning Officer, Strategic Planner, Planning Administration Officer, Planning Officer, Senior Urban Growth	

Planning and Environment Act 1987			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Strategic Planner, Urban Growth Officer, Senior Urban Growth Officer/Planner, Principal Statutory Planner, Principal Urban Growth Planner, Student Planner	

Residential Tenancies Act 1997			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Coordinator Emergency Management, Senior Environmental Health Officer,	

Latrobe City Council

Residential Tenancies Act 1997			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Senior Urban Growth Officer/Planner, Manager Emergency Management, Student Planner	
s 522(1)	Power to give a compliance notice to a person	Coordinator Statutory Planning, General Manager Organisational Performance, Coordinator Health Services, Environmental Health Officer, Senior Statutory Planner, Statutory Planner, Senior Environmental Health Officer, Manager Sustainability & Environment, Coordinator Property Operations, General Manager Regional City Planning and Assets, Trainee Planner, Planning Administration Officer, Planning Officer, Planning Compliance Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Student Planner	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	Coordinator Statutory Planning, General Manager Organisational Performance, Coordinator Health Services, Environmental Health Officer, Senior Statutory Planner, Statutory Planner, Senior Environmental Health Officer, Coordinator Property Operations, General Manager Regional	

Latrobe City Council

Residential Tenancies Act 1997			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		City Planning and Assets, Trainee Planner, Planning Administration Officer, Planning Officer, Planning Compliance Officer, Graduate Planner, Principal Statutory Planner	
s 525(4)	Duty to issue identity card to authorised officers	Coordinator Human Resources , Governance Officer, Compliance Officer, Human Resources Officer, Human Resources Business Partner	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
s 526A(3)	Function of receiving report of inspection	Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	

Latrobe City Council

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	Manager City Presentation, Coordinator Property Operations, Manager City Assets	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	General Manager Regional City Strategy and Transition, Manager Governance, Manager City Presentation, Manager City Assets, Coordinator Council Business	
s 11(9)(b)	Duty to advise Registrar	General Manager Regional City Strategy and Transition, General Manager Regional City Planning and Assets, Manager City Assets	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	General Manager Organisational Performance, Manager City	Where Council is the coordinating road authority

Latrobe City Council

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Presentation, Coordinator Property Operations, General Manager Regional City Planning and Assets, Manager City Assets	
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	General Manager Organisational Performance, Manager City Presentation, Coordinator Property Operations, General Manager Regional City Planning and Assets, Manager City Assets	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(10)	Duty to notify of decision made	General Manager Organisational Performance, Manager City Presentation, Coordinator Property Operations, General Manager Regional City Planning and Assets, Manager City Assets	Duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the regulations or given by the Minister
s 12(5)	Duty to consider written submissions received within 28 days of notice	General Manager Organisational Performance, Manager City Presentation, Coordinator Property Operations, General Manager Regional City Planning and Assets, Manager City Assets	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies

Latrobe City Council

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	Manager City Presentation, Coordinator Property Operations, Manager City Assets	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 12(6)	Function of hearing a person in support of their written submission	General Manager Organisational Performance, Manager City Presentation, Coordinator Property Operations, General Manager Regional City Planning and Assets, Manager City Assets	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	General Manager Regional City Planning and Assets	
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	General Manager Organisational Performance, Manager City Presentation, Coordinator Property Operations, General Manager Regional City Planning and Assets, Manager City Assets	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	

Latrobe City Council

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
s 15(2)	Duty to include details of arrangement in public roads register	Coordinator Asset Planning, Coordinator Engineering Services	
s 16(7)	Power to enter into an arrangement under s 15	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
s 16(8)	Duty to enter details of determination in public roads register	Coordinator Asset Planning, Coordinator Engineering Services	
s 17(2)	Duty to register public road in public roads register	Coordinator Asset Planning, Coordinator Engineering Services	Where Council is the coordinating road authority

Latrobe City Council

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 17(3)	Power to decide that a road is reasonably required for general public use	Coordinator Asset Planning, Coordinator Engineering Services	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	Coordinator Asset Planning, Coordinator Engineering Services	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	Coordinator Asset Planning, Coordinator Engineering Services	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	Coordinator Asset Planning, Coordinator Engineering Services	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	Coordinator Asset Planning, Coordinator Engineering Services	Where Council is the coordinating road authority

Latrobe City Council

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	Coordinator Asset Planning, Coordinator Engineering Services	
s 19(4)	Duty to specify details of discontinuance in public roads register	Coordinator Asset Planning, Coordinator Engineering Services	
s 19(5)	Duty to ensure public roads register is available for public inspection	Coordinator Asset Planning, Coordinator Engineering Services	
s 21	Function of replying to request for information or advice	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	

Latrobe City Council

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 22(5)	Duty to give effect to a direction under s 22	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
s 40(1)	Duty to inspect, maintain and repair a public road.	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	Manager City Presentation, General Manager Regional City Planning and Assets	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
s 42(1)	Power to declare a public road as a controlled access road	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Power of coordinating road authority and sch 2 also applies

Latrobe City Council

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
s 49	Power to develop and publish a road management plan	General Manager Regional City Planning and Assets, Manager City Assets	

Latrobe City Council

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 51	Power to determine standards by incorporating the standards in a road management plan	General Manager Regional City Planning and Assets, Manager City Assets	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	General Manager Regional City Planning and Assets, Manager City Assets	
s 54(2)	Duty to give notice of proposal to make a road management plan	General Manager Regional City Planning and Assets	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	General Manager Regional City Planning and Assets, Manager City Assets	
s 54(6)	Power to amend road management plan	General Manager Regional City Planning and Assets, Manager City Assets	
s 54(7)	Duty to incorporate the amendments into the road management plan	General Manager Regional City Planning and Assets, Manager City Assets, Coordinator Asset Planning	

Latrobe City Council

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	General Manager Regional City Planning and Assets, Manager City Assets	
s 63(1)	Power to consent to conduct of works on road	Coordinator Capital Works, Asset Protection Officer, Coordinator Asset Planning, Coordinator Engineering Services	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	Manager City Presentation, Coordinator Infrastructure Maintenance, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	Manager City Presentation, General Manager Regional City Planning and Assets	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority

Latrobe City Council

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority
s 67(3)	Power to request information	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority
s 68(2)	Power to request information	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
s 72	Duty to issue an identity card to each authorised officer	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
s 85	Function of receiving report from authorised officer	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	

Latrobe City Council

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 86	Duty to keep register re s 85 matters	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
s 87(1)	Function of receiving complaints	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
s 87(2)	Duty to investigate complaint and provide report	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
s 112(2)	Power to recover damages in court	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
s 116	Power to cause or carry out inspection	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	

Latrobe City Council

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 119(2)	Function of consulting with the Head, Transport for Victoria	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	Manager City Presentation, General Manager Regional City Planning and Assets	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	Manager City Presentation, General Manager Regional City Planning and Assets	
s 121(1)	Power to enter into an agreement in respect of works	General Manager Organisational Performance, Manager City Presentation, Coordinator Property Operations, General Manager Regional City Planning and Assets, Manager City Assets	
s 122(1)	Power to charge and recover fees	General Manager Organisational Performance, Manager City Presentation, Coordinator Property Operations, General Manager Regional City Planning and Assets, Manager City Assets, Coordinator Asset Planning, Coordinator Engineering Services	

Latrobe City Council

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
s 123(1)	Power to charge for any service	General Manager Organisational Performance, Manager City Presentation, Coordinator Property Operations, General Manager Regional City Planning and Assets, Manager City Assets	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	
sch 2 cl 5	Duty to publish notice of declaration	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	

Latrobe City Council

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the infrastructure manager or works manager
sch 7 cla 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the infrastructure manager or works manager

Latrobe City Council

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	Coordinator Capital Works, Asset Protection Officer, Coordinator Engineering Services	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	Asset Protection Officer	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	Coordinator Capital Works, Manager City Presentation, Coordinator Infrastructure Maintenance, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	Asset Protection Officer	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the works manager

Latrobe City Council

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 7 cl 13(2)	Power to vary notice period	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority

Latrobe City Council

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 7 cl 16(8)	Power to include consents and conditions	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority
sch 7 cl18(1)	Power to enter into an agreement	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority
sch7 cl 19(1)	Power to give notice requiring rectification of works	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	Manager City Presentation, General Manager Regional City Planning and Assets, Manager City Assets	Where Council is the coordinating road authority

Latrobe City Council

Road Management Act 2004			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 7A cl 2	Power to cause street lights to be installed on roads	Coordinator Capital Works, General Manager Regional City Planning and Assets, Manager City Assets, Coordinator Engineering Services	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	Coordinator Capital Works, General Manager Regional City Planning and Assets, Manager City Assets, Coordinator Engineering Services	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	Manager City Presentation, General Manager Regional City Planning and Assets, Coordinator Engineering Services	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	Coordinator Capital Works, General Manager Regional City Planning and Assets, Manager City Assets, Coordinator Engineering Services	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

Cemeteries and Crematoria Regulations 2015			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 24	Duty to ensure that cemetery complies with depth of burial requirements	Not Delegated	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	Not Delegated	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	Not Delegated	
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	Not Delegated	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	Not Delegated	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	Not Delegated	
r 30(2)	Power to release cremated human remains to certain persons	Not Delegated	Subject to any order of a court
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	Not Delegated	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	Not Delegated	

Latrobe City Council

Cemeteries and Crematoria Regulations 2015			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	Not Delegated	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	Not Delegated	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	Not Delegated	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	Not Delegated	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	Not Delegated	
r 34	Duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)	Not Delegated	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	Not Delegated	
r 40	Power to approve a person to play sport within a public cemetery	Not Delegated	
r 41(1)	Power to approve fishing and bathing within a public cemetery	Not Delegated	

Latrobe City Council

Cemeteries and Crematoria Regulations 2015			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 42(1)	Power to approve hunting within a public cemetery	Not Delegated	
r 43	Power to approve camping within a public cemetery	Not Delegated	
r 45(1)	Power to approve the removal of plants within a public cemetery	Not Delegated	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	Not Delegated	
r 47(3)	Power to approve the use of fire in a public cemetery	Not Delegated	
r 48(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	Not Delegated	
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	Not Delegated	
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	Not Delegated	See note above regarding model rules

Latrobe City Council

Cemeteries and Crematoria Regulations 2015			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	Not Delegated	See note above regarding model rules
sch 2 cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	Not Delegated	See note above regarding model rules
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	Not Delegated	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	Not Delegated	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	Not Delegated	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	Not Delegated	See note above regarding model rules
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	Not Delegated	See note above regarding model rules
sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	Not Delegated	See note above regarding model rules

Cemeteries and Crematoria Regulations 2015			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	Not Delegated	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	Not Delegated	See note above regarding model rules
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	Not Delegated	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	Not Delegated	See note above regarding model rules

Planning and Environment Regulations 2015			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, General Manager Regional City Planning and Assets, Senior Strategic Planner, Senior Urban Growth Officer/Planner, Principal	where Council is not the planning authority and the amendment affects land within Council's municipal district; or

Planning and Environment Regulations 2015			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Strategic Planner, Principal Urban Growth Planner	where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Planning Administration Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
r.25(a)	Duty to make copy of matter considered under section 60(1A)(g) in accordance with the public availability requirements	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Planning Administration Officer, Senior Urban Growth Officer/Planner,	Where Council is the responsible authority

Planning and Environment Regulations 2015			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	
r.25(b)	Function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available in accordance with the public availability requirements	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Planning Administration Officer, Senior Urban Growth Officer/Planner, Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner, Student Planner	Where Council is not the responsible authority but the relevant land is within Council's municipal district
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	Manager Regional City Planning, Coordinator Statutory Planning, Coordinator Urban Growth, Coordinator Strategic Planning, Senior Statutory Planner, Statutory Planner, General Manager Regional City Planning and Assets, Senior Strategic Planner, Trainee Planner, Planning Administration Officer, Senior Urban Growth Officer/Planner,	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

Planning and Environment Regulations 2015			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Graduate Planner, Principal Statutory Planner, Principal Strategic Planner, Principal Urban Growth Planner	

Planning and Environment (Fees) Regulations 2016			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	General Manager Regional City Planning and Assets	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	General Manager Regional City Planning and Assets	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	General Manager Regional City Planning and Assets	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 7	Function of entering into a written agreement with a caravan park owner	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 10	Function of receiving application for registration	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 11	Function of receiving application for renewal of registration	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 12(4) & (5)	Duty to issue certificate of registration	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 14(1)	Function of receiving notice of transfer of ownership	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 14(3)	Power to determine where notice of transfer is displayed	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 15(1)	Duty to transfer registration to new caravan park owner	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 15(2)	Duty to issue a certificate of transfer of registration	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 17	Duty to keep register of caravan parks	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 18(4)	Power to determine where the emergency contact person's details are displayed	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 18(6)	Power to determine where certain information is displayed	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 22(2)	Duty to consult with relevant emergency services agencies	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 25(3)	Duty to consult with relevant floodplain management authority	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 26	Duty to have regard to any report of the relevant fire authority	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 41(4)	Function of receiving installation certificate	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	
sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	Manager Safe Communities, Coordinator Health Services, Environmental Health Officer, Senior Environmental Health Officer	

Road Management (General) Regulations 2016			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 8(1)	Duty to conduct reviews of road management plan	Manager City Assets, Coordinator Asset Planning	
r 9(2)	Duty to produce written report of review of road management plan and make report available	Manager City Assets, Coordinator Asset Planning	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	General Manager Regional City Planning and Assets	Where Council is the coordinating road authority
r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	General Manager Regional City Planning and Assets	
r 13(1)	Duty to publish notice of amendments to road management plan	General Manager Regional City Planning and Assets	where Council is the coordinating road authority

Road Management (General) Regulations 2016			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	Manager City Assets, Coordinator Asset Planning	
r 16(3)	Power to issue permit	Manager City Assets, Asset Protection Officer, Coordinator Asset Planning	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	Manager City Assets, Asset Protection Officer, Coordinator Asset Planning	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	Manager City Presentation, Manager City Assets	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	Asset Protection Officer	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	Coordinator Capital Works, Coordinator Open Space Maintenance, Manager Sustainability & Environment, Coordinator Infrastructure Maintenance, Senior	Where Council is the responsible road authority

Road Management (General) Regulations 2016			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
		Design Engineer, Project Engineer, Senior Project Engineer	
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3)	Manager Safe Communities	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	Manager Safe Communities	

Road Management (Works and Infrastructure) Regulations 2015			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	General Manager Regional City Planning and Assets	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act

Road Management (Works and Infrastructure) Regulations 2015			
Provision	**Power and Functions Delegated**	**Delegate**	**Conditions and Limitations**
r 22(2)	Power to waive whole or part of fee in certain circumstances	General Manager Regional City Planning and Assets	Where Council is the coordinating road authority

AUTHORISATION OF COUNCIL OFFICERS UNDER THE PLANNING & ENVIRONMENT ACT 1987

PURPOSE

To seek authorisation of Robert Pringle, Principal Statutory Planner under section 147(4) of the *Planning and Environment Act 1987* and section 313 of the *Local Government Act 2020*.

EXECUTIVE SUMMARY

- Through Instruments of Appointment and Authorisation, Council appoints specific officers to be authorised officers for the administration and enforcement of legislation under applicable Acts.
- By authorising Robert Pringle, the officer will be able to perform their duties with respect to the planning powers and functions of the Council.

OFFICER'S RECOMMENDATION

That Council, in the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987*, resolves that:

1. **Robert Pringle be appointed and authorised as set out in the Instrument of Appointment and Authorisation attached to this report;**
2. **the Instrument of Appointment and Authorisation comes into force immediately after the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it; and**
3. **the Instrument of Appointment and Authorisation be sealed.**

BACKGROUND

There are often clauses within Acts or Regulations that state an “authorised officer” can undertake a specific function and therefore the authorised officer needs to be identified by role and officer name.

Section 147(4) of the *Planning and Environment Act 1987* provides for the following:

Any reference in this Act to an Authorised officer of a responsible authority or of the Department is a reference to an officer or employee of the authority or employee of the Department whom the authority or the Secretary to the Department (as the case requires) authorises in writing generally or in a particular case to carry out the duty or function or to exercise the power in connection with which the expression is used.

Section 313 of the *Local Government Act 2020* provides for the following:

(1) The Secretary, a Council or a person authorised by the Council either generally or in a particular case may institute proceedings in the corporate name of the Council for—

(a) the recovery of any municipal rates, service charges, special purpose charges, fees or other money due to the Council under any Act, regulation or local law; or

(b) the enforcement of any provision of any Act, regulation or local law for which the Council is responsible; or

(c) the recovery of any penalty or surcharge in relation to any offence under any Act, regulation or local law the enforcement of which is the responsibility of the Council; or

(d) any other purpose specified by the Council.

(2) A Chief Executive Officer or person authorised by the Council either generally or in a particular case may represent the Council in all respects as though the Chief Executive Officer or person authorised by the Council was the party concerned in any proceedings in which the Council is a party or has an interest.

(3) Proceedings for a summary offence under this Act may be commenced within the period of 3 years after the commission of the alleged offence.

ANALYSIS

Section 147(4) of the *Planning and Environment Act 1987* and section 313 of the *Local Government Act 2020* specifically require that the appointment of an authorised officer must come from Council.

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
COMPLIANCE Officers not authorised by Council; officers will be unable to adequately perform their duties	**Medium** *Possible x Minor*	Provide authorisation to Planning Officer.
SERVICE DELIVERY Delays in processing decisions on planning applications.	**Medium** *Possible x Minor*	Provide authorisation to Planning Officer.
STRATEGIC Risk that permit applicants will become frustrated with delays and appeal to the Victorian Civil and Administrative Tribunal.	**Medium** *Likely x Moderate*	Provide authorisation to Planning Officer.

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

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

The authorisation of officers allows Council to enable infrastructure supporting private and public investment.

Financial

The authorisation of the officer ensures that the officer is able to perform duties that they are required to undertake as part of their role.

Attachments

1. S11A - Instrument of Delegation & Appointment - Strategic Planner - Robert Pringle

10.6

Authorisation of Council Officers under the Planning & Environment Act 1987

1 S11A - Instrument of Delegation & Appointment - Strategic Planner - Robert Pringle 617

Maddocks Delegations and Authorisations

S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Latrobe City Council

Instrument of Appointment and Authorisation

(*Planning and Environment Act 1987* only)

June 2025

Robert Pringle

Principle Statutory Planner

Maddocks

Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)

In this instrument "**officer**" means -

Robert Pringle

By this instrument of appointment and authorisation Latrobe City Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and

2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Council on the 28th of July 2025.

The Common Seal of LATROBE CITY COUNCIL

was affixed in accordance with Local Law No. 1

this day of 2025 in the presence of:

_____

Steven Piasente – Chief Executive Officer

URGENT BUSINESS

11. URGENT BUSINESS

Business may be admitted to the meeting as urgent business in accordance with clause 20 of the Governance Rules, by resolution of the Council and only then if it:

20.1 Relates to or arises out of a matter which has arisen since distribution of the agenda; and

20.2 Cannot reasonably or conveniently be deferred until the next Council meeting.

REPORTS FOR NOTING

12. REPORTS FOR NOTING

Item Number 12.1 28 July 2025 Organisational Performance

EMERGENCY SERVICES AND VOLUNTEERS FUND LEVY - COLLECTION OBLIGATIONS

PURPOSE

To provide a report outlining Council's requirement to collect the Emergency Services and Volunteers Fund (ESVF) on behalf of the State Government.

EXECUTIVE SUMMARY

- At the 2 June 2025 Council Meeting, a resolution was passed for Council to receive a report on the implications of not collecting the ESVF on behalf of the State Government.
- Latrobe City Council has sought legal advice from Maddocks Lawyers on the collection and remittance of the ESVF.

The legal advice indicates that:Upon commencement of the new Act, Council will be obliged to collect the levy; andThe full legal advice is included at **Attachment 1**.

OFFICER'S RECOMMENDATION

That Council receives and notes this report.

BACKGROUND

The Victorian Parliament recently passed *Fire Services Property Levy Amendment (Emergency Services and Volunteers Fund) Bill 2025* (the Bill). The Bill has now received Royal Assent and the *Fire Services Property Levy Amendment (Emergency Services and Volunteers Fund) Act 2025* (the Act) will commence operation on 1 July 2025. The ESVF levy (Levy) is in the nature of a charge, and will replace the Fire Service Property Levy. It will be assessed by reference to land value and the classification of each parcel of assessable land.

The Act mandates that councils act as collection agencies for the Levy within their municipal district.

ANALYSIS

The Maddocks advice clarifies the following key implications if Council chooses not to collect the Levy:

- **Statutory Obligation**: Councils are appointed as collection agencies in respect of land in its municipal district under the Act. The Act does not permit councils to opt out of their role as a collection agency. Council will be in breach of the Act if it does not collect the levy.
- **Enforcement Risks**: While not penalised directly for non-compliance, councils are still under a statutory duty to collect the Levy. Failure to comply may result in the State Government seeking a court order (Mandamus) to compel compliance or applying other non-legal penalties such as funding impacts or governance interventions, including suspension or dismissal of Councillors.
- **Payment Allocation**: Councils must proportionally allocate payments (including part payments) between rates and the Levy, even if a ratepayer indicates they do not wish to pay the Levy.

Refer to **Attachment 1** for the full legal opinion provided by Maddocks Lawyers.

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
COMPLIANCE Council does not collect the ESVF.	**High** *Almost Certain x Moderate*	Council must comply with the Act or risk legal action or intervention by the State Government.

RISK	RISK RATING	TREATMENT
SERVICE DELIVERY Not collecting the levy may lead to the State Government withholding funding which may impact service delivery in areas of Council that rely on funding.	**High** *Possible x Catastrophic*	Council must comply with the Act or risk losing State Government funding.
FINANCIAL Non-compliance could lead to withheld State Government funding, or litigation costs.	**High** *Almost Certain x Moderate*	Council must comply with the Act or risk legal action or intervention by the State Government.
STRATEGIC Failing to comply may affect Council's strategic relationships with State Government.	**Medium** *Possible x Moderate*	Council must comply with the Act or risk damage to reputation and strategic relationships.

CONSULTATION

Legal advice was obtained directly from Maddocks Lawyers in response to queries raised by Council and members of the public.

COMMUNICATION

Communications regarding the legislative changes and Council's obligation to collect the ESVF will be incorporated into the delivery of the 2025/26 Rates Notice via a separate insert.

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

Failure to comply with statutory requirements could result in indirect financial impacts, including legal costs or reductions in State Government funding.

Attachments

1. Council Legal Advice

12.1

Emergency Services and Volunteers Fund Levy - Collection Obligations

1 Council Legal Advice 627

Maddocks

Lawyers
Collins Square, Tower Two
Level 25, 727 Collins Street
Melbourne VIC 3008
Australia

Telephone 61 3 9258 3555
Facsimile 61 3 9258 3666

info@maddocks.com.au
www.maddocks.com.au

DX 259 Melbourne

Advice

To	[redacted] Latrobe City Council [redacted]
Date	24 June 2025
Subject	**Emergency Services and Volunteers Funding Levy**
Questions	1. When the *Fire Services Property Levy Amendment (Emergency Services and Volunteers Fund) Bill 2025* (**the New Act**) commences to operate, will councils be obliged to collect the Emergency Services and Volunteers Funding Levy (**the Levy**)? 2. If a ratepayer pays less than the aggregate of a council's rates and charges and the Levy, must a council allocate a proportion of what has been paid towards payment of the Levy? Does it make any difference if the ratepayer explicitly says that they are refusing to pay the Levy?
Summary of recommendations	*Below is a summary of our advice. Please read it in conjunction with the detailed advice that follows.* 1. When the New Act commences to operate, councils *will* be obliged to collect the Levy. Although a council is not exposed to a penalty for failing to perform its duty, the Victorian Government could obtain an order in the nature of Mandamus to compel a council to perform its legislative duty. In any event, the Victorian Government has a number of extra-legal options available to it to punish a council that does not collect the Levy. 2. If a ratepayer pays less than the aggregate of a council's rates and charges and the Levy, a council *must* proportionally allocate some of the amount paid towards the Levy. This is so irrespective of whether the ratepayer has expressly indicated that they do not wish to pay any part of the Levy.

Interstate offices
Canberra Sydney

Maddocks

Contact	**Your Ref**: Purchase Order P180933 **Our Ref**: MRH:9906254 [redacted]
Partner	[redacted]

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Detailed analysis

Background

The New Act was recently enacted. It received Royal Assent on 27 May and will commence operation on 1 July this year.

From 1 July, therefore, what has been known as the *Fire Services Property Levy Act 2012* will become the *Emergency Services and Volunteers Fund Act 2012* (**the Act**). It will provide for the imposition of the Levy. The Levy is in the nature of a charge, and will replace the Fire Service Property Levy. It will be assessed by reference to land value[1] and the classification of each parcel of assessable land.

We have been asked two questions about the Levy.[2] The questions anticipate the operation of the Act post-1 July. Our answers to the questions assume that the Act is operative.

Legal analysis

1. When the Bill becomes law and commences to operate, will councils be obliged to collect the Levy?

1.1 Under the Act each council is 'appointed as a collection agency in respect of land in its municipal district'.[3] A collection agency is conferred with a number of functions.[4]

The functions are:

(a) to assess the amount of levy payable in a levy year by an owner of leviable land in the municipal district of the collection agency;

(b) to collect the levy payable in respect of leviable land in the municipal district of the collection agency;

(c) to keep records of a kind specified in section 24(1)(a)(i) in respect of leviable land in its municipal district;

(d) any other function conferred on a collection agency by or under this Act.[5]

1.2 The Act does not expressly impose a duty on a council. Rather it refers to functions that a council has in its collection agency capacity.

Frequently, an Act contains duties, functions and powers. Duties are imposed and functions and powers are conferred on a body.[6] In such cases, the functions may not need to be performed. That is, although a duty must be performed a function can be performed if the relevant body chooses to perform it.

Ultimately, however, the text, context and purpose of a statute determines whether something that is expressed to be a function must be performed as if it is a duty or

[1] A fixed charge also applies.
[2] See email from the Council's Coordinator Rates to us, sent on 17 June 2025.
[3] See s 21(1).
[4] See s 21(3).
[5] Ibid.
[6] The *Local Government Act 2020* is an example of such an Act.

something that is expressed to be a power is a power that must be exercised. As much is clear from cases such as *Yasmin v Attorney-General*[7] and *Conann Pty Ltd v Casey CC*.[8]

1.3 Here the text, context and purpose of the Act suggests tat councils must perform their functions as collection agencies. Effectively, then, they are under a duty to collect the Levy.

The Act would be rendered nugatory if s 21 was construed as giving councils a discretion as to whether to perform the functions set out in that section. Further, subsequent provisions use mandatory language. So, s 25(1) provides that a collection agency 'must' give a written notice of assessment to a person who is liable to pay the Levy. It is not as though the obligation imposed by s 25(1) is expressed to be conditional upon a collection agency electing to perform the functions of a collection agency.

1.4 It follows that a council has no choice but to be a collection agency and to collect the Levy. It will be in breach of the Act if it does not.

It is true that a failure to perform the functions of a collection agency does not amount to an offence. Put another way, a council does not commit an offence and expose itself to a penalty if it does not do that which the Act compels it to do.

That said, the Victorian Government has remedies available to it if a council declines to collect the Levy. It could obtain an order in the nature of Mandamus from the Victorian Supreme Court. An order in the nature of Mandamus compels a public body to perform a statutory duty. A public body (such as a council) that does not comply with such an order would be in contempt of court.

Alternatively, the Victorian Government could look to have Councillors suspended or even dismissed from office if the duty to the collect the Levy was not performed. And then there is a range of extra-legal measures available to it. We could imagine critical funding being withheld from a council if it refused to collect the Levy.

2. If a ratepayer pays less than the aggregate of a council's rates and charges and the Levy, must a council allocate a proportion of what has been paid towards payment of the Levy? Does it make any difference if the ratepayer explicitly says that they are refusing to pay the Levy?

2.1 It is conceivable that a person on whom the Levy is imposed pays something less than the aggregate of the relevant council's rates and charges and the Levy. This could reflect the person's financial circumstances or be the result of the person conscientiously objecting to paying the Levy.

Regardless of the reason for the reduced payment, s 25(5) of the Act applies. According to this provision, the payment must be divided between the council's rates and charges and the quantum of the Levy proportionally.

2.2 Section 25(5) takes the following form:

> Despite anything to the contrary in the **Local Government Act 1989**, if an amount (being an amount less than the instalment amount or lump sum amount payable) is paid in respect of rateable leviable land in accordance with a notice given under subsection (4)(a), that amount must be divided proportionally towards the payment of the rates or charges owed under Part 8 of the **Local Government Act 1989** and the levy owed under this Act.

Section 25(6) then provides that:

[7] [2015] FCAFC 145.
[8] [2018] VSC 565.

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> If subsection (5) applies, after the part payment of the instalment or lump sum has been divided as provided in that subsection, the collection agency must transfer to the Commissioner, in accordance with section 41, the amount of the payment that has been assigned to payment of the levy.

It is to be noted that s 25(5) does not look to the motive of the person who made the payment. It operates irrespective of whether that person had limited capacity to pay or expressly said that none of the amount paid should be regarded as a part payment of the Levy.

2.3 So, the express wishes of the person making the payment are, in our view, irrelevant. The terms of s 25(5) are clear.

A council has no option but to divide the payment proportionally between its rates and charges and the Levy.

Contact

Please contact [redacted] on [redacted] or email [redacted] if you have any other queries.

PRESENTATION OF THE AUDIT AND RISK COMMITTEE MINUTES - 12 MARCH 2025 AND 10 JUNE 2025

PURPOSE

To present the Audit and Risk Committee (Committee) Minutes for the meeting held on 12 March 2025 and 10 June 2025 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 10 June 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 19 reports provided within the March meeting agenda, and 27 at the June meeting. The resolutions are 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 receives and notes the attached Audit and Risk Committee Minutes for the 12 March 2025 and 10 June 2025 meetings.

BACKGROUND

The Audit and Risk Committee meet quarterly, with minutes tabled at the following Council meeting, as per the Audit and Risk Committee Charter, adopted March 2025. Detailed resolution details are contained within the attached minutes for each meeting.

ANALYSIS

Reports tabled at the March and June meetings included:

- Standing administrative reports including probity questions to the committee, confirmation of minutes, and status of actions arising;
- Reports and updates from the Victorian-Auditor General's Office (VAGO)
- Monitoring and setting of the internal audit program;
- Risk management activities including quarterly reporting, business continuity activities and insurance renewals;
- Periodic reports including review of risk appetite statement and strategic risks, conflict of interest and gifts benefits and hospitality reporting, and biannual ARC report to Council;
- Fraud and corruption and non-compliance reporting;
- Response to integrity body reports;
- Reporting on major initiatives performance, people and WorkCover, and financial performance;
- Monitoring of internal controls; and
- Council Procurement Delegations - CEO Delegation.

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.	**Low** *Unlikely x Minor*	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

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

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 - 12 March 2025
2. Audit and Risk Committee Meeting Minutes - 10 June 2025

12.2

Presentation of the Audit and Risk Committee Minutes - 12 March 2025 and 10 June 2025

1 Audit and Risk Committee Meeting Minutes - 12 March 2025..... 637

2 Audit and Risk Committee Meeting Minutes - 10 June 2025..... 648

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Audit and Risk Committee Meeting

Minutes - 12 March 2025

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

Date: 13 March 2025

Nambur Wariga Meeting Room, Council Headquarters,

141 Commercial Road, Morwell

Meeting commenced at 10:00 AM

Attendance

Members: David Kortum (Chairperson), John Purcell, Jane Watson

Cr Joanne Campbell, Cr Leanne Potter

In Attendance:

- Steven Piasente (CEO)
- Nathan Kearsley (General Manager Organisational Performance)
- James Rouse (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)

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- Matthew Rogers (Manager Financial Support)
- Aruna De Silva (VAGO)
- Lee Blashki (VAGO)
- Kapil Kukreja (HLB Mann Judd)
- Meldra Zenija Cifersone (HLB Mann Judd)
- Alba Elling (Manager Governance)
- Courtney Aquilina (Coordinator Council Business)
- Louise Van Der Velden (Acting Coordinator Audit Risk and Compliance)
- Ryan Murphy (Compliance Officer)
- Erin Murnane (Manger People and Culture) presented on item 12.2

Teleconference: Jane Watson, Cr Joanne Campbell, Meldra Zenija, Lee Blashki, Aruna De Silva

1. OPENING AND WELCOME

The Chairperson opened the meeting and welcomed all present.

2. APOLOGIES

PAUL HOWARD (COORDINATOR AUDIT, RISK AND COMPLIANCE)

3. DECLARATIONS OF INTEREST

Nil.

4. PROBITY QUESTIONS

The Audit and Risk Committee (ARC) 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 ARC meeting.

NOTE: At item 11.3 some matters mentioned, however currently being investigated. Not a non-compliance at this stage.

The ARC 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 Councillors responded NO.

The ARC 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

RECOMMENDATION
That the minutes of the ARC meeting held on 19 December 2024 be confirmed and ratified as true and correct.
OUTCOME/ACTIONS ARISING:
1. Recommendation agreed. **Moved:** David Kortum **Seconded:** John Purcell

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

6.1 Agenda & Minutes of Executive Risk Management Committee Meeting - 18 February 2025

RECOMMENDATION

THAT THE ARC RECEIVES AND NOTES THE AGENDA AND MINUTES FROM THE ERMC MEETING HELD ON 18 FEBRUARY 2025

OUTCOME/ACTIONS ARISING:

1. RECOMMENDATION AGREED.

7. STATUS OF ACTIONS ARISING

7.1 Status of Actions Arising

RECOMMENDATION

That the ARC receives and notes the Status of Actions Arising Report.

OUTCOME/ACTIONS ARISING:

1. Recommendation agreed

8. EXTERNAL AUDIT

8.1 VAGO - Local Government Status Report February 2025

RECOMMENDATION That the ARC receives and notes the VAGO February 2025 Local Government Status Report.
OUTCOME/ACTIONS ARISING: 1. Recommendation agreed. 2. Lee Blashki to provide to the ARC members which Councils were included in the VAGO's review of 'Financial Management of Local Councils'.

8.2 VAGO - 2024/25 Draft Audit Strategy

RECOMMENDATION That the ARC receives and notes the draft 2024-2025 Audit Strategy.
OUTCOME/ACTIONS ARISING: 1. Recommendation agreed.

9. INTERNAL AUDIT

9.1 Quarterly Internal Audit Report - Internal audit status and presentation of audits and scopes

RECOMMENDATION That the ARC:

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1. Endorses the proposed scope for the Review of Complaints; **Moved:** David Kortum **Seconded:** John Purcell 2. Receives and notes the findings and management responses contained in the Review of Grants Management; and 3. Receives and notes the Internal Audit Status Report.
OUTCOME/ACTIONS ARISING: 1. Recommendations agreed. 2. Further detail to be provided as to how we verify grant applicants and information.

10. RISK

10.1 Strategic Risk Register Presentation

RECOMMENDATION That the ARC notes and receives the updated Strategic Risk Register.
OUTCOME/ACTIONS ARISING: 1. Recommendation agreed.

10.2 Quarterly Risk Management Report - March 2025

RECOMMENDATION That the ARC notes and receives the: 1. Quarterly Risk Management Report for March 2025; and 2. Operational risks with a High residual risk rating.
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 Non compliance reporting

RECOMMENDATION That the ARC: 1. Receives and notes the non-compliance reporting provided; and 2. Provides any feedback on the non-compliance reporting threshold, content and presentation.
OUTCOME/ACTIONS ARISING: 1. Recommendation agreed.

11.3 Fraud and Corruption Reporting

RECOMMENDATION 1. That the ARC receives and notes this report.
OUTCOME/ACTIONS ARISING: 1. Recommendation agreed.

11.4 VAGO, Ombudsman, Inspectorate and IBAC Reports

RECOMMENDATION That the ARC receives and notes this report on VAGO, Victorian Ombudsman, IBAC, Victorian Inspectorate and other reports.
OUTCOME/ACTIONS ARISING: 1. Recommendation agreed.

11.5 Audit Compliance Report - March 2025

RECOMMENDATION

That the ARC:

1. Receives and notes this report; and
2. Approves the extension to the audit action due date as proposed within this report.

OUTCOME/ACTIONS ARISING:

1. Recommendations agreed.

11.6 Conflict of Interest - Compliance

RECOMMENDATION

That the ARC receives and notes this report on the conflicts of interest for the 2024 calendar year.

OUTCOME/ACTIONS ARISING:

1. Recommendation agreed.

11.7 Gifts, Benefits and Hospitality Compliance Reporting July to December 2024

RECOMMENDATION

That the ARC receives and notes this report into the Gift Register Review for the period of 1 July 2024 to 31 December 2024.

OUTCOME/ACTIONS ARISING:

1. Recommendation agreed.

12. PERFORMANCE REPORTING

12.1 Major Initiatives Performance Summary Report - Q2 2024/25

RECOMMENDATION

That the ARC note the Major Initiatives Performance Summary Report for Q2 2024/25.
OUTCOME/ACTIONS ARISING: 1. Recommendation agreed.

12.2 Quarter 2 2024/25 People and Workcover Reports

RECOMMENDATION That the ARC note the Quarterly People Report, Workcover Report and Lost Time Injuries Report for Q2 of the 2024/25 financial year.
OUTCOME/ACTIONS ARISING: 1. Recommendation agreed. 2. Reporting on numbers of staff who are accessing EAP and Converge to be included in future People and WorkCover reports.

13. FINANCE

13.1 Quarterly Budget Report - December 2024

RECOMMENDATION That the ARC receives and notes the Quarterly Budget Report for the period ended 31 December 2024, prepared in accordance with the requirements of the *Local Government Act 2020*.
OUTCOME/ACTIONS ARISING: 1. Recommendation agreed.

13.2 Council Procurement Delegations - CEO Delegation

RECOMMENDATION That the ARC receive and note the report.
OUTCOME/ACTIONS ARISING: 1. Recommendation agreed.

14. REPORTING REQUIREMENTS

There are no Reporting Requirements reports tabled for this meeting.

15. GENERAL BUSINESS

15.1 Biannual Audit and Risk Committee Report to Council

RECOMMENDATION That the ARC endorses the attached report for presentation to the CEO for tabling at the next available Council Meeting.
OUTCOME/ACTIONS ARISING: 1. Recommendation agreed. **Moved:** David Kortum **Seconded:** John Purcell

Next Meeting Date

The next ARC meeting is to be held on Tuesday 10 June 2025.

Meeting Closed at 11:18am

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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

Date 10 June 2025

Nambur Wariga Meeting Room, Council Headquarters,

141 Commercial Road, Morwell

Meeting commenced at 10:04 AM

Attendance

Members: David Kortum (Chairperson), John Purcell, Jane Watson

Cr Joanne Campbell, Cr Leanne Potter

In Attendance:

- Steven Piasente (CEO)
- Nathan Kearsley (General Manager Organisational Performance)
- James Rouse (General Manager Community Health and Wellbeing)
- Jody Riordan (General Manager Regional City Assets and Planning)
- Tim Ellis (General Manager Regional City Strategy and Transition)
- Matthew Rogers (Manager Financial Support)

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- Lee Blashki (VAGO)
- Kapil Kukreja (HLB Mann Judd)
- Meldra Zenija Cifersone (HLB Mann Judd)
- Alba Elling (Manager Governance)
- Louise Van der Velden (Acting Coordinator Audit, Risk and Compliance)
- Jack Coogan (Compliance Officer)
- Ace Wilhelm (Coordinator Information & Technology) (Presented Item 12.1)
- Erin Murnane (Manager People & Culture) (Presented Item 12.3)

Teleconference:

- Cr Joanne Campbell
- Jane Watson
- Lee Blashki (VAGO)
- Kapil Kukreja (HLB Mann Judd)
- Meldra Zenija Cifersone (HLB Mann Judd)

1. OPENING AND WELCOME

The Chairperson opened the meeting at 10:04am and welcomed all present.

2. APOLOGIES

- Nathan Kearsley (Arrived during item 10.2, 11:00am)
- Jane Watson (Arrived during item 10.4, 11:11am)
- Josh Wilson
- Aruna De Silva (VAGO)

3. DECLARATIONS OF INTEREST

Nil.

4. PROBITY QUESTIONS

The Audit and Risk Committee (ARC) 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 ARC 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 ARC members?

The Councillors responded NO to both questions.

The ARC 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

RECOMMENDATION That the ARC confirms the minutes of the ARC Meeting held 12 March 2025.
OUTCOME: Recommendation agreed. **Moved:** David Kortum **Seconded:** John Purcell **ACTIONS ARISING:** Nil.

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

6.1 Agenda and Minutes of the Executive Risk Management Committee Meeting - 8 May 2025

RECOMMENDATION

That the ARC receives and notes the Agenda and Minutes from the ERMC Meeting held on 8 May 2025.

OUTCOMES:

1. Recommendation agreed.
2. The ARC agreed that the ERMC agendas and minutes are no longer required to be tabled at each ARC meeting, except where content is materially relevant to ARC functions. In which case a summary of the relevant content can be provided.

ACTIONS ARISING: Nil.

7. STATUS OF ACTIONS ARISING

7.1 Status of Actions Arising

RECOMMENDATION

That the ARC receives and notes the status report.

OUTCOME: Recommendation agreed.

ACTIONS ARISING: Nil.

8. EXTERNAL AUDIT

8.1 VAGO - 2024/25 Final Audit Strategy Memorandum

RECOMMENDATION That the ARC receives and notes the final 2024-2025 Audit Strategy Memorandum.
OUTCOME: Recommendation agreed. **ACTIONS ARISING:** Nil.

8.2 VAGO - Local Government Status Report May 2025

RECOMMENDATION That the ARC receives and notes the VAGO May 2025 Local Government Status Report.
OUTCOME: Recommendation agreed. **ACTIONS ARISING:** Nil

8.3 VAGO Presentation - Impact of AASB 13 Amendments

RECOMMENDATION That the ARC receives and notes the VAGO update on the impacts of the AASB 13 amendments.
OUTCOME: Recommendation agreed. **ACTIONS ARISING:** Nil.

8.4 Results of 23/24 VAGO Audits : Local Government

RECOMMENDATION

That the ARC receives and notes the VAGO update on the findings from the 2023/24 annual audit into Local Government.

OUTCOME: Recommendation agreed.

ACTIONS ARISING: Nil.

9. INTERNAL AUDIT

9.1 Quarterly Internal Audit Report - Internal Audit Status

RECOMMENDATION

That the ARC:

1. endorses the proposed scope for the Review of Procurement (below tender threshold); and
2. receives and notes the Internal Audit Status report.

OUTCOME: Recommendations agreed.

ACTIONS ARISING:

Management to determine the percentage and dollar value of procurement below tender threshold, and liaise with HLB Mann Judd to review the sample size for adequacy.

9.2 Proposed Strategic Internal Audit Plan - 2025/26 Focus

RECOMMENDATION

That the ARC adopts the Strategic Internal Audit Plan – 2025/26 Focus.

OUTCOME: Recommendation agreed.

ACTIONS ARISING: Nil.

10. RISK

10.1 Risk Appetite Statement

RECOMMENDATION

That the ARC endorses the updated Detailed Risk Appetite Statement to be presented to the CEO for adoption.

OUTCOME: Recommendation agreed.

ACTIONS ARISING:

1. Provide the ARC with the processes and response actions for risks that are out of tolerances, and consider inclusion within the document.
2. Consider developing KPIs for the risk appetite statements.

10.2 Annual report on Council's insurance program

RECOMMENDATION

That the ARC notes the annual update on Council's insurance program.

OUTCOME: Recommendation agreed.

ACTIONS ARISING: Nil.

10.3 Quarterly Risk Management Report

RECOMMENDATION

That the ARC receives and notes the: 1. Quarterly Risk Management report; and 2. operational and strategic risks with a 'High' residual risk rating.
OUTCOME: Recommendation agreed. **ACTIONS ARISING:** 1. The post exercise report from BattleGround to be provided to the ARC when available. 2. Provide data on how many processes/functions are rated as critical.

10.4 Strategic Risk Register Presentation - June 2025

RECOMMENDATION That the ARC receives and notes the Strategic Risk Register and provides any relevant feedback.
OUTCOME: Recommendation agreed. **ACTIONS ARISING:** Nil.

11. MONITORING

11.1 Audit Compliance Report - June 2025

RECOMMENDATION That the ARC: 1. receives and notes the report; and 2. approves the extension to the audit action due dates as proposed in Attachment 2.

OUTCOME: Recommendation agreed. **ACTIONS ARISING:** Nil.

11.2 Fraud and Corruption Reporting

RECOMMENDATION That the ARC receives and notes the report.
OUTCOME: Recommendation agreed. **ACTIONS ARISING:** Nil.

11.3 Update on the Business Continuity Framework

RECOMMENDATION That the ARC receives and notes the report.
OUTCOME: Recommendation agreed. **ACTIONS ARISING:** Nil.

11.4 Non compliance reporting

RECOMMENDATION That the ARC receives and notes the report.
OUTCOME: Recommendation agreed. **ACTIONS ARISING:** Nil.

11.5 Integrity Body Reports - Public Sector Report

RECOMMENDATION That the ARC receives and notes the report.
OUTCOME: Recommendation agreed. **ACTIONS ARISING:** Nil.

11.6 Internal Control Environment Plan and Reporting

RECOMMENDATION That the ARC: 1. receives and notes the updates on the delivery and findings of the Internal Control Environment – Rolling Four Year Plan; and 2. reviews and notes the scheduling of the year three reviews of the Internal Control Environment – Rolling Four Year Plan.
OUTCOME: Recommendation agreed. 1. **ACTIONS ARISING:** Nil.

12. PERFORMANCE REPORTING

12.1 Annual Cyber Security Report

RECOMMENDATION That the ARC receive and note the 2024/25 annual cyber security report.
OUTCOME: Recommendation agreed. **ACTIONS ARISING:** Nil.

12.2 Major Initiatives Performance Summary Report - Q3 2024/25

RECOMMENDATION That the ARC notes the Major Initiatives Performance Summary Report for Q3 2024/25.
OUTCOME: Recommendation agreed. **ACTIONS ARISING:** Nil.

12.3 Quarter 3 2024/25 People and Workcover Reports

RECOMMENDATION That the ARC notes the Quarterly People Report, Workcover Report and Lost Time Injuries Report for Q3 of the 2024/25 financial year.
OUTCOME: Recommendation agreed. **ACTIONS ARISING:** Nil.

13. FINANCE

13.1 Quarterly Budget Report - March 2025

RECOMMENDATION That the ARC receives and notes the Quarterly Budget Report for the period ended 31 March 2025, prepared in accordance with the requirements of the *Local Government Act 2020*.
OUTCOME: Recommendation agreed. **ACTIONS ARISING:** Nil.

13.2 Investment Portfolio & Performance Report

RECOMMENDATION That the ARC receives and notes the report.
OUTCOME: Recommendation agreed. **ACTIONS ARISING:** Nil.

13.3 Shell Financial & Performance Statements 2024-25

RECOMMENDATION That the ARC receives and notes the shell Financial Report and Performance Statement for the year ended 30 June 2025.
OUTCOME: Recommendation agreed. **ACTIONS ARISING:** Nil.

13.4 Asset Accounting Update 2024/25

RECOMMENDATION That the ARC receives and notes this report.
OUTCOME: Recommendation agreed. **ACTIONS ARISING:** Manager Financial Services to provide the policy definition of material changes.

13.5 2024/25 External Audit Interim Management Letter

RECOMMENDATION That the ARC receives and notes the 2024/25 draft Interim Management Letter.
OUTCOME: Recommendation agreed. **ACTIONS ARISING:** Nil.

14. REPORTING REQUIREMENTS

There are no Reporting Requirements reports tabled for this meeting.

15. GENERAL BUSINESS

There are no General Business reports tabled for this meeting.

Next Meeting Date

The next ARC meeting is to be held on Tuesday 16 September 2025.

Meeting Closed at 12:02pm.

13. QUESTIONS ON NOTICE

Nil reports

ITEMS FOR TABLING

14. ITEMS FOR TABLING

Item Number 14.1 28 July 2025 Regional City Strategy & Transition

TABLING OF PETITION - 72 HOUR CARAVAN/RV STAYS WITH FREE DUMP POINTS

PURPOSE

To present the petition received by Council relating to establishing designated 72-hour caravan/RV stays with free dump points in Moe, Morwell, and Churchill.

EXECUTIVE SUMMARY

- Council has been presented with a petition **Attachment 1** relating to establishing designated 72-hour caravan/RV stays with free dump points in Moe, Morwell, and Churchill to encourage travellers to stop and spend time in each town.
- The petition contains 405 valid signatures.
- 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, details the terms of the petition and 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 future report about the petition is presented 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.

OFFICER'S RECOMMENDATION

That Council:

1. **in accordance with the Governance Rules, agrees to lay on the table the petition requesting that Council:**
    a. **'*Establish designated 72-hour caravan/RV stays with free dump points in Moe, Morwell, and Churchill to encourage travellers to stop and spend time in each town.***
    b. ***Engage with caravan and tourism groups to ensure these new facilities meet travellers' needs and are effectively publicised.***
    c. ***List these sites on caravan travel apps (such as Wikicamps and CamperMate) to maximise awareness among the caravan community.***
    d. ***Recognise the economic benefits of providing essential services to the growing caravan and RV community, attracting both budget-conscious and paid-stay travellers*'; 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 405 entries which are compliant with Council's Governance Rules requirements.

There were 482 entries into the petition however 77 were invalid: 71 were duplicates and 6 did not meet the information requirements including name and/or address. The details of the petition are:

We, the undersigned request that Latrobe City Council:

- Establish designated 72-hour caravan/RV stays with free dump points in Moe, Morwell, and Churchill to encourage travellers to stop and spend time in each town.
- Engage with caravan and tourism groups to ensure these new facilities meet travellers' needs and are effectively publicised.
- List these sites on caravan travel apps (such as Wikicamps and CamperMate) to maximise awareness among the caravan community.
- Recognise the economic benefits of providing essential services to the growing caravan and RV community, attracting both budget-conscious and paid-stay travellers.

Implementing these facilities would boost local tourism, increase small business revenue, and enhance Latrobe City's profile as a caravan-friendly destination, bringing long-term economic benefits to the community.

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.

ANALYSIS

Refer to the Background section of this report.

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
COMPLIANCE Petitions received by Council must be tabled at the next available Council Meeting.	**Low** *Rare x Minor*	Table the petition at the July 2025 Council Meeting.

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

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

1. 72 Hour Caravan-RV Stays with Free Dump Points Petition Signatures (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.

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 LCC-875 Landfill Monitoring and Reporting

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.

15.2 LCC-882 Morwell Depot Amenities Extension

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.