



LATROBE CITY COUNCIL

AGENDA FOR THE COUNCIL MEETING

**TO BE HELD VIA AUDIO-VISUAL LINK
AT 6.00PM ON
01 AUGUST 2022
CM581**

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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COUNCILLOR AND PUBLIC ATTENDANCE**PLEASE NOTE**

TO ENSURE LOCAL GOVERNMENT DECISION-MAKING CAN CONTINUE DURING THE CORONAVIRUS PANDEMIC, MECHANISMS FOR VIRTUAL COUNCIL MEETINGS HAVE BEEN INTRODUCED INTO THE LOCAL GOVERNMENT ACT 2020.

PURSUANT TO SECTION 394 OF THE LOCAL GOVERNMENT ACT 2020, A COUNCILLOR MAY ATTEND THIS COUNCIL MEETING REMOTELY BY ELECTRONIC MEANS OF COMMUNICATION; AND

PURSUANT TO SECTION 395 OF THE LOCAL GOVERNMENT ACT 2020 THIS COUNCIL MEETING MAY BE CLOSED TO IN PERSON ATTENDANCE BY MEMBERS OF THE PUBLIC PROVIDED THE MEETING IS AVAILABLE THROUGH LIVE STREAM ON COUNCIL'S INTERNET SITE.

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 Braiakaulung 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. THE PRAYER

Our Father who art in Heaven, hallowed be thy name. Thy kingdom come, thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us, and lead us not into temptation but deliver us from evil. For the kingdom, the power, and the glory are yours now and forever. Amen.

3. APOLOGIES AND LEAVE OF ABSENCE**4. DECLARATION OF INTERESTS****5. ADOPTION OF MINUTES****Proposed Resolution:**

That Council confirm the minutes of the Council Meeting held on 4 July 2022.

6. ACKNOWLEDGEMENTS

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

7. PUBLIC PARTICIPATION TIME

Public Questions on Notice

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

Public Speakers

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

STRATEGIC ITEMS FOR DECISION

8. STRATEGIC ITEMS FOR DECISION

Item Number 8.1

01 August 2022

Regional City Planning & Assets

COUNCIL SUBMISSION TO ENGAGE VICTORIA'S CONSULTATION ON THE DRAFT 'SOCIAL AND AFFORDABLE HOUSING COMPACT'

PURPOSE

The purpose of this report is to provide Council with an opportunity to review an officer submission that was made to Engage Victoria's consultation on the Draft Social and Affordable Housing Compact and give Council an opportunity to retrospectively endorse this submission.

EXECUTIVE SUMMARY

- Homes Victoria is conducting consultation in relation to the draft proposed Social and Affordable Housing Compact (Attachment 1) to be entered between all Victorian Councils and Homes Victoria.
- The survey provided by Homes Victoria poses 10 questions for Councils to answer. These are to be entered into an online form, each answer individually. The questions and answers have been collated into one document for the purposes of internal discussion (Attachment 2).
- The survey closed on 24 July 2022. The consultation timeframe was too short for council officers to draft a submission and present it to a Council Meeting prior to 24 July 2022. A request for an extension to this deadline was requested, however was not able to be provided by Homes Victoria.

OFFICER'S RECOMMENDATION

That Council retrospectively endorse Latrobe City Council's submission to Homes Victoria's consultation on the draft Social and Affordable Housing Compact and advise Homes Victoria of Council's endorsement of the submission.

BACKGROUND

As part of Victoria's Big Housing Build, the State government committed to entering into a Social and Affordable Housing Compact between Homes Victoria and Victorian councils. The drafting has been a lengthy process, and \$2.9 of the allocated \$5.3 billion for the Big Housing Build has already been spent.

The Municipal Association of Victoria (MAV) have been advocating on behalf of Victorian councils to draft and finalise this Compact. This first Compact is to be an agreement shared between Homes Victoria and all Victorian councils.

The draft compact identifies:

- A shared purpose for collaboration between Homes Victoria and councils
- Six objectives for the social and affordable housing system
- A set of principles for how Homes Victoria and councils will engage with one another
- Four strategic priorities for collaboration between Homes Victoria and councils.

The draft Compact is not a legally binding agreement but is being negotiated and entered into in good faith by Homes Victoria and MAV on behalf of local government.

The draft Compact proposes that implementation of the strategic priorities will be achieved through:

- a five-year Compact Implementation Plan that will be reviewed annually. The Compact Implementation Plan will identify specific actions to be undertaken to achieve the strategic priorities, the responsible parties and timeframes for completion.
- Local Agreements between Homes Victoria and individual councils or groups of councils. Local Agreements will identify agreed local priorities for social and affordable housing and develop place-based responses to local housing issues and challenges.
- An annual Roundtable of local and state government and other key stakeholders to review progress on the Compact implementation and provide advice to a Homes Victoria and MAV.

As part of this consultation, 10 targeted questions have been posed by Engage Victoria. Responses to each of these questions are provided in the submission at Attachment 2.

ANALYSIS

The draft Compact fails to deliver on a number of items that were expected to be dealt with via the Compact. The outstanding matters include:

- The draft Compact failing to address how proponents and Homes Victoria will engage and consult with council when selecting sites and designing proposals. Council would be seeking to provide as much input, feedback and guidance as possible when assessing proposals for social and affordable housing in Latrobe City.

- The draft Compact fails to specify what can be expected in regards to community consultation for social and affordable housing proposals.
- Advocacy opportunities to identify and implement new planning tools to ensure the long term provision of social and affordable housing have been missed (for example, advocating for inclusionary zoning).
- Advocacy opportunities to ensure that content of local Planning Schemes is given appropriate consideration in the decision-making process under Clause 52.20.
- Advocacy opportunities to ensure that any necessary requirements to enter into Section 173 Agreements to provide for social and affordable housing projects are gazetted into the Victorian Planning Schemes.
- Agreement around communication expectations when new proposals are lodged and projects approved.

RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
STRATEGIC Council fails to make a submission on the draft Compact and our expectations in regards to what should be addressed in the Compact are not provided to Engage Victoria.	Unlikely	Officers have lodged a submission, which has been well informed by discussions with the Councillor group over the past 12 months. This submission has been lodged by the deadline and retrospective councillor endorsement requested.
STRATEGIC Council lodges its submission after the 24 June 2022 deadline so as to have the submission approved by Council first, resulting in a late submission that may not be considered.	Unlikely	Officers have lodged a submission, which has been well informed by discussions with the Councillor group over the past 12 months. This submission has been lodged by the deadline and retrospective councillor endorsement requested.

* Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

CONSULTATION

The draft Compact was out for public consultation from 6 June 2022 to 24 July 2022. However, a workshop on the draft Compact was not offered by Homes Victoria in Traralgon until 27 June 2022 (for the Gippsland region). During this session it was noted that many Gippsland councils had the same concerns about the compact as the attending Latrobe City officers.

COMMUNICATION

A draft of this submission was sent to Councillors prior to its formal submission to ensure that concerns of Councillors were communicated in the submission.

DECLARATIONS OF INTEREST

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

APPENDICES: IMPACT ASSESSMENT

APPENDICES: IMPACT ASSESSMENT

Social

Making a submission to the draft Compact ensures that the needs of those in our community that are under housing stress are being properly planned for and receiving the best outcomes out of the Big Housing Build.

Health

Council's submission will have positive influence on the Big Housing Build projects that are funded under the Social Housing Growth Fund – Mental Health Supported Housing funding stream. It will also seek to ensure that social and affordable housing projects are established in locations with access to all necessary services, including health and social services.


Economic

Council's submission seeks to ensure that social and affordable housing projects under Victoria's Big Housing Build are situated in locations where people will have access to services, educational facilities, public transport and employment nodes so that residents are given every opportunity to have meaningful employments and skillsets, participating in the local economy.

Financial

The lodgement of this submission will not incur any cost on Council, nor will the points raised in the submission.

Attachments

1  Attachment 1 - Draft Social and Affordable Housing Compact

2  Attachment 2 - Latrobe City Council Submission to the Draft Social and Affordable Housing Compact

8.1

Council submission to Engage Victoria's consultation on the draft 'Social and Affordable Housing Compact'

- 1 Attachment 1 - Draft Social and Affordable Housing
Compact 13**
- 2 Attachment 2 - Latrobe City Council Submission to the
Draft Social and Affordable Housing Compact 19**

SOCIAL AND AFFORDABLE HOUSING COMPACT

CONTEXT

Homes Victoria and local government, represented by the Municipal Association of Victoria (MAV), enter into this Compact to strengthen collaboration between Homes Victoria and local government in the planning, delivery and management of the social and affordable housing and homelessness and housing service system.

The Social and Affordable Housing Compact is a key commitment of the Big Housing Build, the Victorian Government's \$5.3 billion investment in more social and affordable housing.

This Compact identifies objectives and strategic priorities for Homes Victoria and local government to work together to improve and sustain housing outcomes for people with very low, low and moderate incomes across all Victorian communities. The Compact is intended to give councils a 'seat at the table' in identifying priorities for social and affordable housing growth in their municipalities, enabling the use of council land and improving planning outcomes.

The Compact will build upon the important role that councils have in planning, community engagement, understanding of local housing need, and the delivery of local services, bringing a place-based, people-centred approach to the delivery of social and affordable housing.

SCOPE AND PURPOSE

This Compact between state and local government identifies a shared vision and strategic priorities for the social and affordable housing system. For the purposes of this Compact, the social and affordable housing system includes state-owned public housing, community housing agency-owned and managed housing, specialist disability accommodation, crisis accommodation, rooming houses, affordable housing, National Rental Affordability Scheme properties, and homelessness and housing support services (see Definitions).

The purpose of the Compact is to:

1. leverage the roles and responsibilities of state and local government in the planning and delivery of social and affordable housing
2. strengthen a shared focus on improving housing outcomes for people on very low, low and moderate incomes across Victoria, supported by sharing of information, analysis and best practice
3. enable growth in social and affordable housing through existing enablers such as Section 173 Agreements under the *Planning and Environment Act 1987*
4. build community understanding of the benefits that flow to individuals, families and communities from social and affordable housing.

RELATIONSHIP TO OTHER AGREEMENTS

This Compact is not intended to supersede or alter existing contractual arrangements or other agreements between Homes Victoria and councils or MAV.

OFFICIAL

The *Victorian State-Local Government Agreement* (VSLGA) 2014 provides an overarching framework to strengthen state-local government relations by committing to improved and sustained levels of communication, consultation and cooperation. It outlines a commitment by both parties to progress social, economic and environmental outcomes for Victorian communities.

This Compact sits beneath the VSLGA and the *Partnership Agreement between the Department of Health and Human Services (now DFFH) and MAV 2018-23* and is based on a spirit of cooperation and a shared commitment to achieve better housing outcomes for people on very low, low and moderate incomes across Victoria.

Consistent with the VSLGA, the parties agree to consult one another on policy initiatives that may have a significant impact on the role of local government in achieving the objectives and strategic priorities set out in the Compact.

The Compact is designed to have state-wide application and to set a framework for the creation of bilateral and multilateral agreements between Homes Victoria and individual councils or groups of councils. These agreements may reflect specific local or regional settings, needs and priorities in social and affordable housing, and provide actions that can be monitored and reviewed over time.

The Compact is not a legally binding agreement but is negotiated and entered into in good faith by the parties and shall be respected accordingly.

The parties agree that in the event of a party stating that one or more undertakings in the Compact is not being fulfilled, the parties will use best endeavours to ensure that that undertaking is satisfied or that an alternative solution is agreed.

OBJECTIVES

Through this Compact, the parties will collaborate to achieve six objectives for the social and affordable housing system:

1. Grow social housing for people on low incomes or with special needs
2. Facilitate scale in affordable housing to help address the gap in housing supply between the private rental market and social housing
3. Enable self-determination to deliver Aboriginal housing outcomes
4. Support people to lead a life they value by adopting a person-centred housing and service system
5. Reduce homelessness through prevention, early intervention and more integrated, flexible responses tailored to people's needs
6. Create great places to live, embedding good housing and urban design in the future social and affordable housing system

PRINCIPLES

The parties to this Compact commit to working together in new ways to improve social and affordable housing outcomes for individuals, families and communities. The parties also commit to mutual respect of the role that elected members play in decision-making, and the role that officers at different levels of government play in policy-making and implementation.

The parties to this Compact agree to act in line with the following principles:

- Putting people at the centre - giving clients and residents agency in the delivery of social and affordable housing and support services
- Using a place-based approach to the planning and delivery of social and affordable housing tailored to local community needs
- Recognising the diversity of local governments across metropolitan and regional Victoria
- Working in a transparent and mutually accountable way to design, plan and deliver on agreed priorities
- Sharing information, analysis and best practice.

ROLES OF THE PARTIES

This Compact recognises the complementary roles and responsibilities of state and local governments in the social and affordable housing system.

Homes Victoria is part of the Victorian Government's Department of Families, Fairness and Housing (DFFH). Homes Victoria manages Victoria's social housing system, comprising public and community housing, and homelessness services. It is the state's largest housing developer and plays a stewardship role for community housing. It pursues state-wide policies and social reforms that enable a sustainable and effective social and affordable housing system.

Homes Victoria also links to Victorian Government policy and initiatives which are set out in the *Planning and Environment Act 1987*, the Planning Policy Framework, Plan Melbourne 2017-2050 and Homes for Victorians.

Local Government has a statutory and social responsibility for planning for its local community. It supports social and affordable housing outcomes by developing and implementing local planning schemes and designing strategies and policies that respond to local homelessness and housing issues.

The Municipal Association of Victoria is the statutory peak body for Victoria's 79 councils. It represents the interests of local government and advocates on councils' behalf. It brings a state-wide local government perspective to councils' role in delivering their statutory responsibilities for planning for local communities. Councils have a range of interests in supporting social and affordable housing outcomes, including developing and implementing local planning schemes, and designing and facilitating strategies and policies that respond to local homelessness and housing issues.

Each council takes a place-based approach to planning, funding and infrastructure investment, as well as the coordination and delivery of services to address community needs and priorities.

The roles of the Commonwealth Government and non-government service providers as key stakeholders in achieving outcomes are also acknowledged.

STRATEGIC PRIORITIES

The following broad strategic priorities will be the focus of collaborative efforts between the parties to this Compact:

- **drive social and affordable housing growth**, including by investigating and supporting the use of Section 173 Agreements under the *Planning and Environment Act 1987*, and providing a clear pathway for the funding of social and affordable housing projects on council-owned land
- **identify local priorities for the renewal and development of social and affordable housing**, ensuring this is fully integrated into the local landscape and conforms to local planning schemes
- **coordinate services, supports and infrastructure for people who live in social and affordable housing** – supported by sharing of information on local housing needs, including the Victorian Housing Register
- **promote the value of social and affordable housing to communities**, including by sharing good practice engagement strategies and communication materials

IMPLEMENTATION

It is intended that the Social and Affordable Housing Compact will apply for a period of ten years.

Implementation of the strategic priorities will be achieved through a state-wide five-year Compact Implementation Plan that will be reviewed annually. The Compact Implementation Plan will identify specific actions to be undertaken to achieve the strategic priorities, the responsible parties and timeframes for completion. The Compact Implementation Plan will be developed by the Compact Working Group and agreed by the Compact Steering Group (see Governance section).

At the local level, implementation of the strategic priorities will be achieved through Local Agreements between Homes Victoria and individual councils or groups of councils. Local Agreements will provide flexibility to develop innovative responses to local needs, consistent with the Compact's directions, principles and strategic priorities.

Other organisations may also be party to Local Agreements, if agreed by the government parties and consistent with the Compact's directions, principles and strategic priorities.

Local Agreements may:

- identify agreed local priorities for social and affordable housing, underpinned by shared data and information on local housing needs
- develop place-based responses to local housing issues and challenges
- set out the specific roles and responsibilities of each party to the agreement
- establish agreed planning, information sharing, consultation and communication protocols

The development of a framework for Local Agreements will be one of the first actions undertaken by the parties.

GOVERNANCE

A Compact Steering Group with representatives of Homes Victoria and MAV will be established to monitor and review the implementation of the Compact, including approval of the Compact Implementation Plan. This will include reviewing how the partnership is achieving the Compact purpose, directions and principles.

A Compact Working Group, comprising staff from Homes Victoria and MAV, will be established to support the implementation of the Compact, develop the Compact Implementation Plan and report on progress to the Compact Steering Group.

The Compact Implementation Plan will be developed in collaboration between the parties, with progress reviewed regularly, including an annual meeting between the Chief Executives of Homes Victoria and the MAV. An annual Compact Roundtable will also be held to enable discussion and advice from representatives from local government, community housing and industry sectors.

Local Agreements will be agreed between Homes Victoria and the participating council(s). The Compact Steering Group will monitor implementation of Local Agreements. The annual Compact Roundtable will discuss insights and case studies from the Local Agreements, to support the sharing of good practice and innovative models to achieve the Compact's directions and strategic priorities.

DEFINITIONS

Affordable housing Affordable housing is a broad term describing housing suitable for the needs of a range of very low to moderate income households and priced (whether purchased or rented) so these households can meet their other essential living costs. The *Planning and Environment Act 1987* includes a definition of affordable housing as housing appropriate for very-low, low and moderate income ranges. This broad definition includes social housing within it.

For the purposes of this Compact, affordable housing is housing for either purchase or rent by households at a price that ensures households on low or moderate incomes can afford to meet their essential living costs. Under this definition, affordable housing is considered distinct from social housing and sits on the housing continuum between social housing and the private market.

Social housing Social housing is secure and affordable long-term rental housing for people on low incomes or with special needs. It includes public housing, owned and managed by the Government, as well as community and Aboriginal housing, run by the not-for-profit sector. Rent is capped relative to household income. Both public and community housing is regulated by the Housing Act 1983.

The Housing Act 1983 defines social housing as:

- (a) public housing; and
- (b) housing owned, controlled or managed by a participating registered agency.



Social and Affordable Housing Compact

Latrobe City Council submission to Engage Victoria



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Introduction

Engage Victoria is conducting consultation on behalf of Homes Victoria in relation to the proposed Social and Affordable Housing Compact.

Consultation on the draft is closing on 24 July 2022.

Background

Homes Victoria and the Municipal Association of Victoria (MAV) have prepared a draft Social and Affordable Housing Compact for consultation with councils and other key stakeholders.

The draft Compact identifies:

- A shared purpose for collaboration between Homes Victoria and councils
- Six objectives for the social and affordable housing system
- A set of principles for how Homes Victoria and councils will engage with one another
- Four strategic priorities for collaboration between Homes Victoria and councils.

The draft Compact is not a legally binding agreement but is being negotiated and entered into in good faith by Homes Victoria and MAV on behalf of local government.

The draft Compact proposes that implementation of the strategic priorities will be achieved through:

- A five year Compact Implementation Plan that will be reviewed annually. The Compact Implementation Plan will identify specific actions to be undertaken to achieve the strategic priorities, the responsible parties and timeframes for completion.
- Local Agreements between Homes Victoria and individual councils or groups of councils. Local Agreements will identify agreed local priorities for social and affordable housing and develop place-based responses to local housing issues and challenges.
- An annual Roundtable of local and state government and other key stakeholders to review progress on the Compact implementation and provide advice to Homes Victoria and MAV.

As part of this consultation, 10 targeted questions have been posed by Engage Victoria. Responses to each of these questions are provided in the following section of this submission.

Responses to questions posed in relation to the Draft Social and Affordable Housing Compact

The following 10 questions form the template for how submissions can be made to this consultation. Responses from a Latrobe City Council perspective have been provided to assist in the review of the Draft Social and Affordable Housing Compact.

Question 1 – Aspirations – What are your council's aspirations for a partnership with Homes Victoria on social and affordable housing?

Latrobe City Council's expectation has been that the Compact would clearly outline how Homes Victoria and proponents would engage with Council when selecting sites and designing proposals for social and affordable housing projects, including opportunities for Council to review and provide feedback through the design phase; and clarification in relation to how those comments would be taken on board by Homes Victoria and the associated responsibilities of proponents.

Latrobe City Council would like to work in unison with Homes Victoria to ensure that new social and affordable housing projects is not clustered but appropriately located and dispersed across the municipality. It is considered that this type of approach would reduce local social issues and assist in dispelling stigma around social and affordable housing typologies.

Latrobe City Council has already undertaken a body of work to identify suitable locations for social and affordable housing projects to ensure that there is appropriate access to services, amenities, employment nodes and health and educational facilities as all other members of our community. These locations are identified by mapping prepared as part of the Latrobe City Interim Social and Affordable Housing Policy (previously provided to Homes Victoria and available on council's website – <https://www.latrobe.vic.gov.au/node/4452>).

Latrobe City Council value collaborative relationships and given the socio-economic make-up of our community (which is the seventh most disadvantaged municipality in Victoria on the SEIFA index) appreciates that well designed and well located social and affordable housing is a crucial need in our community. We would be seeking to provide as much input, feedback and guidance as possible when assessing proposals for social and affordable housing in Latrobe City.

Question 2 – Aspirations – What outcomes would your council like to see in 10 years' time?

In 10 years' time, Latrobe City Council would be aspiring to see the gap between demand and supply of social and affordable housing where it finally meets demand. That this supply is spread across our four main towns (Moe/Newborough, Morwell, Churchill and Traralgon) consistent with the Latrobe City Interim Social and Affordable Housing Policy. We would like development to be tenure blind and a solution found for developers to assist in the ongoing provision of social and affordable housing via a planning mechanism such as Inclusionary Zoning.

Further, Latrobe City Council would like to see local Planning Schemes, policies and strategies given appropriate weight and consideration when assessing social and affordable housing developments. In addition, Latrobe City would like to see State and Federal investment that ensures that adequate social, health and education services are provided for vulnerable members of our community and that employment and job training opportunities are tailored to people in need.

Question 3 – Practical opportunities – What are the practical opportunities to work with your council to grow and improve social and affordable housing for your communities?

The key is meaningful consultation, with council and the community, so that location, building forms can be informed to get good outcomes. Ensuring that local planning policies and strategies are adequately considered when assessing proposals for social and affordable housing to get better outcomes in terms of location and integration with the locality.

Homes Victoria and the MAV could also work with councils to advocate for inclusionary zoning. This planning mechanism is currently gaining nation-wide attention and has recently been pushed by CHIA on ABC national radio as a potential long-term solution to the housing crisis.

Question 4 – Practical opportunities – What can Homes Victoria do to support your council?

As mentioned in response to question three, a big opportunity is for Homes Victoria, the MAV and councils to partner in an advocacy role for developer-provided social and affordable housing (i.e. inclusionary zoning).

Meaningful community consultation and, giving regard and consideration to Council's planning policies and strategies. that the community have informed and have an expectation that decisions will be made in line with those policies and strategies.

Finally, keeping council informed about proposals, approvals and changes will be of great benefit to our relationship, but also positively impact perceptions from the community. It can be difficult to manage community expectations when decisions are made, or changes occur that council is not aware of prior to the community being made aware. We would like to be kept in the loop so we can support Homes Victoria and our community appropriately.

Question 5 – Purpose of the Compact – Does the proposed purpose of the Compact capture the breadth of opportunities for councils and us to work together to improve social and affordable outcomes for your communities? (This is a 'yes' or 'no' question).

No, details around consultation expectations were anticipated to be more explicit and structured in regards to both consultation with councils and consultation with local communities. Also, advocacy for tools such as inclusionary zoning.

Question 6 – Strategic priorities – What would the implementation of the proposed strategic priorities look like for your council?

The draft proposes four strategic priorities. Comments in relation to the four drafted strategic priorities is offered below:

- a) **drive social and affordable housing growth**, including by investigating and supporting the use of Section 173 Agreements under the *Planning and Environment Act 1987*, and providing a clear pathway for the funding of social and affordable housing projects on council-owned land.

Latrobe City Council offer the following thoughts in regards to implementation. Firstly, in partnership with the MAV and the Department of Environment, Land, Water and Planning (DELWP) a VC amendment could be conducted to stipulate expectations (such as the entry into Section 173 Agreements) in Clause 52.20 of the Victorian Planning Scheme. Further, draft approvals could be provided to Homes Victoria and councils by the Minister's office prior to them being finalised so as to ensure appropriate agreements are proposed for each development.

When considering development on land owned by Council, we continue to welcome approaches by Homes Victoria and the social housing provider community to discuss sites of interest to them and the processes that would need to take place if land identified is deemed surplus to council's needs. Communication in relation to this specific matter has been provided to Homes Victoria previously.

Outside of the above Latrobe City Council are of the opinion that a key opportunity has been overlooked in this space in particular relating to inclusionary zoning

- b) **identify local priorities for the renewal and development of social and affordable housing**, ensuring this is fully integrated into the local landscape and conforms to local planning schemes.

Much of this can be achieved by ensuring that proposals have regard to local policies and strategies, which needs to be either incorporated into Clause 52.20 or agreed to by the Minister for Planning. Council officers are happy to take representatives from Homes Victoria through Latrobe City Council's relevant strategies, policies and Urban Design Guidelines and provide expert advice to each proposal put to Homes Victoria in relation to such local planning guidance.

Council is keen to ensure that social and affordable housing developments are developed across appropriate locations without intensifying such developments where such developments aren't already clustered.

- c) **coordinate services, supports and infrastructure for people who live in social and affordable housing** – supported by sharing of information on local housing needs, including the Victorian Housing Register.

Latrobe City Council is happy to collaborate and provide any and all data and information that we can in relation to local housing needs, subject to the Privacy Act 1988 being met. If Homes Victoria decide on the data that they need and how often they; need to be provided such data, we can commence discussions about how this can be achieved.

- d) **promote the value of social and affordable housing to communities**, including by sharing good practice engagement strategies and communication materials.

Council is happy to work with Homes Victoria and the Community Housing Industry Association (CHIA) to advocate for users of social and affordable housing and to assist in destigmatising the issue. This can be done via print ads and social media, subject to it meeting council's social media strategy. A copy of this strategy can be provided to Homes Victoria and CHIA at their request.

Question 7 – Strategic priorities – Are there other strategic priorities that you would like to see included in the Compact?

It is noted that consultation expectations between councils and Homes Victoria have not been specified. Nor have council's expectations in regards to community involvement in the process. Latrobe City Council consider this to be a major gap in the draft Compact and a missed opportunity. Latrobe City Council would very much like to see this addressed in the strategic priorities within the Compact.

Question 8 – Local Agreement – What might be the focus of a Local Agreement between Homes Victoria and your council?

A big focus for Latrobe City council would be to ensure that the local agreement addresses the specific and unique needs of our community. Expectations around consultation with council and the community would need to be captured as would acknowledgement of local policies and strategies and the importance of having regard to these when considering social and affordable housing projects.

Question 9 – Local Agreement – How would you be more likely to enter into a Local Implementation Agreement? (Select either 'As an individual council' or 'As part of a group').

We can see the value in both the concepts of an individual Latrobe-centric agreement, and resource and information sharing to create agreements with like-councils.

Latrobe City Council acknowledge the unique nature of our community and their needs and how specific our local planning policies and strategies are to the municipality, and are therefore more likely to request an individual local implementation agreement, but would be open to discussion around how we might partner with other councils/regions.

Question 10 – Other issues – Are there any other issues you would like to raise?

Latrobe City Council have legacy social housing developments that have been poorly provided (clustered, isolated from central activity districts and/or public transport, poor quality of housing, etc.) that has cemented a view around social and affordable housing for many members of our community. Significant work needs to take place in this space (e.g. campaigns showing who the users of social and affordable housing really are; better quality, tenure blind developments being provided; projects located in areas that have access to services; etc.).

Latrobe City is the seventh most disadvantaged municipality in Victoria according to the SEIFA ratings. Social and affordable housing is a key piece of infrastructure that our community needs, but it needs to be provided in a manner that ensures that the cycle of disadvantage can be broken.

And finally, once more, Latrobe City Council would like to stress the importance of formalising how council and the community can expect to be meaningfully consulted with and engaged throughout the approvals process for social and affordable housing projects.

Conclusion

Given that \$2.9 of the \$5.3 billion allocated under the Big Housing Build has already been spent, Latrobe City Council is very keen to finalise a State Compact and a Compact for Latrobe City. This is a high priority, and our planning officers are available to commence the drafting of this local Compact as soon as the state Compact is signed off on.

Thank you for the opportunity to make a submission on the draft Social and Affordable Housing Compact. Latrobe City Council looks forward to a positive, collaborative relationship with Homes Victoria for the 10 year like of this project.

STATUTORY PLANNING

9. STATUTORY PLANNING**Agenda Item: 9.1****Agenda Item: Amendment C131 (Flood Mapping Update) -
Consideration of Submissions****Sponsor: General Manager, Regional City Planning and Assets****Council Plan Objective: SMART****Status: For Decision****Officer's Recommendation:****That Council:**

- 1. Having formally considered all written submissions received to Amendment C131 notes the issues raised by the submissions and the officer's response to those issues, as outlined in Attachment 1;**
- 2. Request the Minister for Planning to establish a planning panel to consider submissions for Amendment C131, and prepare a report; and**
- 3. Advises those persons who made written submissions to Amendment C131 of Council's decision.**

Executive Summary:

- Amendment C131 was placed on exhibition from 3 February 2022 to 7 March 2022.
- During exhibition, a total of 66 written submissions were received, including 45 objections that remain outstanding.
- Key issues raised in relation to the outstanding submissions are:
 - Concerns that the modelling is incorrect and that their property should not be included in the Land Subject to Inundation Overlay (LSIO) or Floodway Overlay (FO).
 - Concerns that existing drainage infrastructure is insufficient and requests upgraded infrastructure to withstand the 1% AEP flood events.
 - Requests to remove the LSIO or FO from their properties.
 - Requests that the flood modelling be reviewed to consider cut and fill conducted on the land after the model was developed.
- Given that there are outstanding submissions, the next step to progress this amendment is to request for the Minister for Planning to establish a planning panel to consider submissions and prepare a report.

Background:

At the 8 November 2021 Council Meeting, Council resolved:

That Council:

1. *Endorses the draft Latrobe River Flood Study (2015) and the draft Traralgon Flood Study (2016), provided at Attachment 1 and Attachment 2 for public exhibition as part of planning scheme amendment C131;*
2. *Requests authorisation from the Minister for Planning to prepare and exhibit Amendment C131 – Flood Overlays to the Latrobe Planning Scheme, in accordance with section 8A of the Planning and Environment Act 1987.*
3. *Prepares Amendment C131 to the Latrobe Planning Scheme to update flood overlays within Latrobe, generally in accordance with documentation provided at Attachment 3, subject to Ministerial Authorisation; and*
4. *Places Amendment C131 on exhibition in accordance with the requirements of section 19 of the Planning and Environment Act 1987, subject to Ministerial Authorisation.*

The Amendment proposes to:

- Implement an update to the flood mapping into the Latrobe Planning Scheme, including:
 - Amending, introducing and deleting areas covered by the Land Subject to Inundation Overlay (LSIO) and Floodway Overlay (FO) based on updated flood modelling.

A request for Authorisation to the Minister for Planning was lodged on 15 November 2021. Following the approval of Authorisation on 26 November 2021, Amendment C131 was placed on exhibition from 3 February 2022 to 7 March 2022. There have been delays in the progression of the amendment, this is due to officers and the West Gippsland Catchment Management Authority (WGCMA) trying to resolve concerns raised by submitters.

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

Sixty-six written submissions (see Attachment 2) were received, including:

- Six submissions supporting the amendment;
- One submission from the CFA supporting the amendment with some conditions beyond the scope of the amendment which cannot be introduced through post-exhibition changes;
- 45 submissions objecting to the amendment, requesting changes which cannot be resolved; and

- 14 submissions objecting to the amendment that have now been satisfied with the objecting submission being formally withdrawn.

Key issues raised in relation to the outstanding submissions are:

- Concerns that the modelling is incorrect and their property should not be included in the LSIO or FO;
- Concerns that existing drainage infrastructure is insufficient and requests to upgrade infrastructure to withstand 1% AEP flood events;
- Requests to remove the LSIO or FO from properties; and
- Requests to review flood modelling to consider cut and fill conducted on the land after the model was developed.

The complete summary of issues raised in the submissions and the associated Officer response is outlined in the Summary of Submissions Table (see Attachment 1).

In response to the submissions received, the WGCMA reviewed the mapping for the area around Jazmine Court, and Marshalls Road Traralgon and subsequently issued revised plans which excluded a number of properties from the Amendment. As a result, changes are proposed to the draft Planning Scheme documents and this is detailed in the post exhibition changes table (see Attachment 3).

Where overlays have been removed, notification has only been sent to landowners and/or occupiers that had made a submission to the amendment as the Act does not direct the responsible authority to notify landowners of post exhibition changes unless the changes materially affect them.

Under the *Planning and Environment Act 1987* (the Act), Council must consider all submissions received to the Amendment. As there are outstanding submissions that cannot be resolved, Council must request a planning panel to consider all submissions or abandon the amendment.

Issues:

Strategy Implications

Latrobe City Council Plan 2021-2025

Healthy

- *Support community preparedness aligned to growing responsibilities for Local Government in emergency management systems, response and recovery.*

Connected

- *Facilitate appropriate urban growth, industry diversification, liveability and connectivity throughout Latrobe City.*

Amendment C131 provides measures to ensure new development is designed and located to minimise the impact of flooding and inundation.

Living Well Latrobe 2022-25 – Our Community’s Municipal Public Health and Wellbeing Plan

This amendment will have a positive impact on future land use planning when considering risk in relation to flooding, by applying appropriate overlays to govern suitable and safe development in these areas.

Communication

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

- 209 key stakeholder, agency, authority and minister notification emails were sent;
- 1,069 direct notification packages were posted to directly affected landowners;
- Notice placed in the Government Gazette on 3 February 2022;
- Notices placed in the Latrobe Valley Express on 2 February and 9 February 2022;
- Website and Have Your Say page placed on Latrobe City Council’s website, including an interactive mapping tool showing the changes proposed by the amendment;
- Social media posts on Facebook, Twitter and LinkedIn;
- Face-to-face 1:1 community consultation meetings held in Glengarry on 17 March 2022;
- Due to lockdown restrictions, five virtual 1:1 sessions were offered to all stakeholders on 7 February, 9 February, 14 February, 16 February and 22 February 2022;
- Information placed at service centre and libraries in Morwell, Moe, Traralgon and Churchill; and
- An out-of-session public submissions opportunity was offered to submitters to present their submissions to Councillors on 16 June 2022.
- Following the out of session submissions opportunity on 16 June, in response to feedback an updated FAQ sheet was developed and submitters were contacted and provided with a copy.
- Outstanding objectors have been contracted by Officers to try to resolve issues.

Public Submissions

Following public exhibition 66 written submissions were received by Council in response to Amendment C131. Section 22 of the Act requires that Council consider all submissions to Amendment C131 received during the public exhibition process. Council may also consider late submissions.

A summary of the key issues and comments raised in submissions that have been received by Council in response to Amendment C131 is provided below.

Amendment C131 Submissions	
Support	6
Support with changes	1
Object	45
Withdrawn (resolved)	14
Total Submissions	66

The community implication section of this Council Report provides a summary of issues of the submissions received.

Financial Implications

The prescribed fees for Planning Scheme Amendments are detailed in the *Planning and Environment (Fees) Regulations 2016*. The costs associated with this stage of the Planning Scheme Amendment include the fee for the Panel Report (varies from \$15,611.10-\$41,695.80), fees for any expert witnesses engaged by Council and the fee for the Minister's approval (\$496.90) of an amendment if the amendment is adopted by Council.

Funds were allocated in the 2021/2022 Strategic Planning budget and contributions made by the WGCMA. These monies have been carried forward to the 2022/2023 financial year to enable the Planning Scheme Amendment to proceed.

Risk Analysis

Identified risk	Risk likelihood*	Controls to manage risk
Strategic Risk Delay in finalisation of the Amendment may result in development in areas subject to flooding that is inconsistent with the flood hazard, resulting in long term and inconsistent planning outcomes in such areas.	3 (possible)	Planning Permits in these areas to be referred to the Strategic Planning Team for comment, as the Amendment is seriously entertained and must be considered in a permit assessment.

Identified risk	Risk likelihood*	Controls to manage risk
Strategic Risk Properties are removed from proposed overlays based on submissions and requests from the community when these properties meet the criteria to be within a flood overlay.	3 (possible)	Retain proposed flood overlays on properties where modelling clearly justifies that the land is subject to inundation or flooding.
Reputational Risk Properties mapped within the overlays due to stormwater drainage issues, rather than riverine flooding probability.	3 (possible)	Ensure flood studies are accurate and overlays are only applied to land where the criteria is met to be incorporated into the LSIO or FO.

* Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

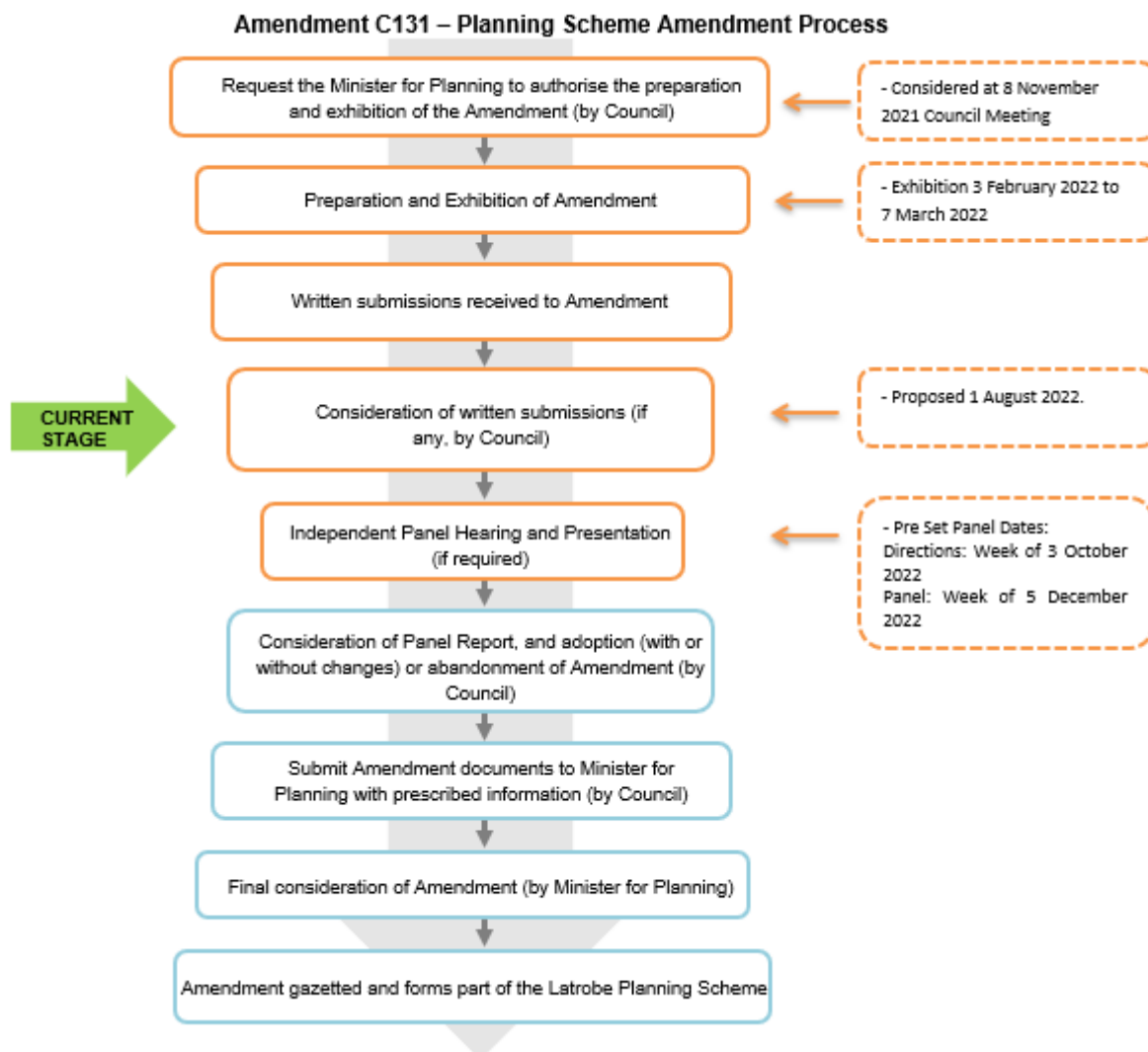
Legal and Compliance

In accordance with the Act, the municipal Council, as a planning authority, has a number of duties and powers when considering a Planning Scheme Amendment. These duties and powers are listed at Section 12 of the Act which states the Planning Authority must have regard to:

- The objectives of planning in Victoria;
- The Minister's directions;
- The Victoria Planning Provisions;
- The Latrobe Planning Scheme; and
- Any significant effects which it considers a planning scheme amendment might have on the environment or which it considers the environment might have on any use or development envisaged by the amendment.

Amendment C131 has had regard to Section 12 of the Act and is consistent with the requirements of Section 12. A response to Section 12 of the Act is outlined in the exhibited Explanatory Report.

The planning scheme amendment process is shown in Figure 1 below, which identifies the current stage Amendment C131 is at in the process.



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

- The Minister's directions;
- The Victoria Planning Provisions;
- Any strategic plan, policy statement, code or guideline which forms part of the Latrobe Planning Scheme;
- Any significant effects which it considers a planning scheme amendment might have on the environment or which it considers the environment might have on any use or development envisaged in Amendment C131.
- Any social and economic effects.

Section 22 Act requires that Council consider all submissions received to Amendment C131 during the public exhibition process. Council may consider late submissions. Once Council has considered the submissions, section 23 requires Council to:

- change Amendment C131 in the manner requested;
- refer the submission to a planning panel appointed under Part 8 of the Act; or
- abandon Amendment C131 or part of Amendment C131.

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

Community Implications

As detailed in the supporting information section of this report, a total of 66 submissions were received to Amendment C131. As all changes requested in the submissions were not able to be made, 45 submissions will continue as unresolved objecting submissions.

Where changes have been made to Amendment documentation, including administrative, and in response to submission requests, details of these changes can be found in Attachment 3.

Other submission points and requests for changes can be viewed in the Summary of Submissions Table at Attachment 1. Responses to the reason for accepting or declining changes proposed is detailed in this table.

Health Implications

The updated flood overlays will not provide any negative health impact should the recommendation be adopted.

Environmental Implications

The provision of updated flooding information within the planning scheme will have a net community benefit by ensuring that the risk of flooding is properly considered in future planning and that risks from flooding may be managed and minimised. The updated mapping will equip Council to plan for future growth in low-risk locations to minimise the impact of natural hazards on the community, development, and infrastructure.




Declaration of Interests:

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

Supporting Documents:

Nil.

Attachments

1.  Attachment 1 - Submission Response Table
2.  Attachment 2 - Submissions
3.  Attachment 3 - Post Exhibition Changes Table

9.1

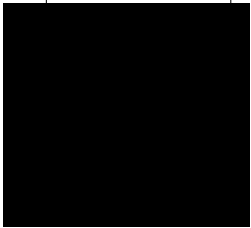


Amendment C131 (Flood Mapping Update) - Consideration of Submissions

1	Attachment 1 - Submission Response Table	37
2	Attachment 2 - Submissions.....	79
3	Attachment 3 - Post Exhibition Changes Table	304

**SUMMARY OF SUBMISSIONS & PLANNING COMMENT TO:
C131 – Flood Overlays Update**


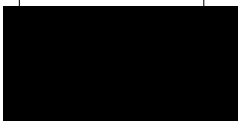



No	Name	Address	Date submission received	Summary of Issues	Changes to Amendment Required?	Recommended Response
1	Department of Transport	N/A	7 February 2022	Support <ul style="list-style-type: none"> The Department of Transport has no objection to the proposed amendment. 	NO	No change is required to the amendment as a result of the submission.
2	South Gippsland Shire Council	N/A	3 February 2022	Support <ul style="list-style-type: none"> South Gippsland Shire Council has no objection to the proposed amendment. 	NO	No change is required to the amendment as a result of the submission.
3	<div style="background-color: black; width: 100px; height: 20px; margin-bottom: 5px;"></div> <p>Current Overlays: None</p> <p>Proposed Overlays: LSIO.</p> <div style="background-color: black; width: 100px; height: 100px; margin-top: 10px;"></div>	<div style="background-color: black; width: 50px; height: 50px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 50px; height: 50px; margin-top: 5px;"></div>	16 February 2022	Objection <ul style="list-style-type: none"> Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, due to: <ul style="list-style-type: none"> Recent works and repairs to stormwater infrastructure. Requests review and removal of the proposed LSIO. 	NO	<p>Drainage infrastructure is a combination of underground pipes to convey flows from minor storm events and overland flow paths for severe flood events.</p> <p>The underground drainage network is not intended or designed to convey flood events as depicted in the 1% Average Exceedance Probability (AEP) mapping provided in the proposed amendment.</p> <p>The repair and maintenance works were completed on existing underground pipes which is only relevant to for minor storm events, the major storm event inundation risk remains.</p> <p>It is policy at 13.03-1L Floodplain management that development be discouraged in residential areas within the 1% AEP flood extent or within 30m of existing waterways. Similarly, raised earthworks, and subdivision, other than</p>

						<p>realignment or consolidation, is similarly discouraged within the mapped extent of a 1% AEP flood. Both overlays provide the means to control new development.</p> <p>Section 62(e) of the Planning and Environment Act 1987 enables planning schemes to <i>'regulate or prohibit any use or development in hazardous areas, or areas likely to become hazardous'</i>. As a result, planning schemes contain State planning policy for floodplain management requiring, among other things, that flood risk be considered in the preparation of planning schemes and in land use decisions (PPN12).</p>
4	<p>Current Overlays: DDO1, BMO</p> <p>Proposed Overlays: LSIO.</p>		20 February 2022	<p>Objection</p> <ul style="list-style-type: none"> Does not support their land having Land Subject to Inundation Overlay (LSIO) applied to it, due to: <ul style="list-style-type: none"> The flood modelling in the flood study does not appear to apply to their land. Removal/reduction of current flood overlays requires physical evidence. Some appendices from flood studies were not available at the commencement of exhibition. Flood risk should be managed through stormwater planning and maintenance, rather than overlays. 	NO	<p>There is no nearby formalised drainage to convey minor or majors storm events. There is a mix of roadside open drains and private culvert crossings which are intended to manage nuisance water.</p> <p>The land has existing natural flow paths which are identified by the mapping and sit downstream from existing dams on the property.</p> <p>The background flood mapping which was requested was provided online and physical copies made available at all service centres.</p> <p>Flood risk is addressed through a number of tools, of which the proposed amendment is an important tool to ensure future development has consideration to the endemic flood risk of the land.</p>
5			16 February 2022	<p>Objection</p> <ul style="list-style-type: none"> Does not support their land having Land Subject to Inundation Overlay 	YES	<p>After further review the flood mapping identified in [REDACTED] is recommended to be removed until a future urban</p>

	<p>Current Overlays: None</p> <p>Proposed Overlays: LSIO.</p> 		and 21 February 2022	<p>(LSIO) applied to it, due to:</p> <ul style="list-style-type: none"> Stormwater infrastructure in the subject area should be able to manage flooding. Reading the Traralgon Flood Study was unclear on why the LSIO should be applied. 		<p>catchment specific stormwater assessment can be completed.</p> <p>Council inspects and maintains the surrounding stormwater infrastructure as evidenced by the works to remove the blockage identified. Further works are under investigation to mitigate future tree root impacts.</p> <p>The level of drainage service provided has not changed since its creation and there is no obligation to update the existing drainage infrastructure to the current standards which will likely require significant capital investment and may not be feasible.</p> <p>The Traralgon Creek Flood Study 1% AEP 'design event' is calculated based on existing stormwater infrastructure (operating in normal working order), previous flood events, rainfall, and topography of the land.</p> <p>Areas of land impacted by LSIO trigger a planning permit requirement for most buildings and works, and require referral to WGCMA. The overlays map risk and ensure that development that occurs there is sensitive to flood risk.</p>
6	 <p>Current Overlays: None</p> <p>Proposed Overlays: LSIO.</p>		21 February 2022	<p>Objection</p> <ul style="list-style-type: none"> Does not support their land having Land Subject to Inundation Overlay (LSIO) applied to it, due to: <ul style="list-style-type: none"> Drainage within the Glengarry township should be upgraded. Council inspections discovered blockages in drains but believe there may be more in the future. Believe council will stop 	NO	<p>Drainage assets are inspected at the frequencies identified in the Road Asset Management Plan or ad hoc in response to community requests as occurred near this property.</p> <p>The impacts from this event reveal that there is no provision of overland flow paths which cater for flows in excess of the piped drainage network or as a redundancy to that</p>

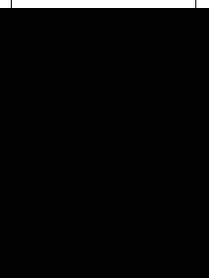
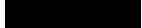


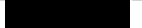

				<p>maintaining drains if overlay is applied.</p> <ul style="list-style-type: none"> ○ New estates starting to be built upon in Glengarry will also have significant effect on our drainage. 		<p>network.</p> <p>There is a gap in the level of service between the applicable standards at the time of development at this location and the modern drainage standards.</p> <p>The level of drainage service provided to this property is in accordance with the applicable requirements at the time of its initial lot creation. There is no obligation to update the legacy drainage infrastructure to the current standards which, if feasible, will likely require significant capital funds and may be subject to a Special Charge Scheme.</p> <p>However, following the impact of these events Council undertook a flood mitigation study to provide increased protection to habitable floor level flooding that has been experienced in the catchment. These mitigations will be reviewed for implementation in the 2022-2023 financial year as a high priority.</p> <p>New developments are subject to modern requirements that include a stormwater strategy in which stormwater flows from the new lots are attenuated within the development so that outflows match the pre-development peak flows. This is to ensure there are no downstream impacts.</p>
7	<p>Current Overlays: DDO1, DPO7</p> <p>Proposed</p>		21 February 2022	<p>Objection</p> <ul style="list-style-type: none"> • Does not support the subject land having LSIO applied to it, due to: <ul style="list-style-type: none"> ○ Has never seen the land flood before. ○ The subject site is within the Traralgon North Development 	YES	<p>The subject site is located within the [REDACTED] Development Plan (DP). The DP proposes 1,077 new housing lots and was originally endorsed on [REDACTED] 2016.</p> <p>The subject area affected by the proposed LSIO is located within permit [REDACTED] and</p>

	Overlays: LSIO.			<p>Plan, and believes that the LSIO will reduce development potential on the sites affected.</p> <ul style="list-style-type: none"> Requests the proposed LSIO be removed from the subject site. 		<p>appears to impact approximately 22 standard density lots (<700m2).</p> <p>Updates to the Flood modelling could impact permit [REDACTED] Stormwater Management Strategy.</p> <p>The LSIO creates a planning permit trigger for buildings and works within the area where the overlay applies. It does not prohibit development, rather it introduces a mechanism of referral to the WGCMA to ensure that development is sensitive/considerate of flood risk.</p>
8	<p>[REDACTED]</p> <p>Current Overlays: None</p> <p>Proposed Overlays: LSIO.</p> <p>[REDACTED]</p>	[REDACTED]	17 February 2022	<p>Objection</p> <ul style="list-style-type: none"> Does not support their land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> In 14 years the property has only flooded due to recent storms. Nearby crown land should be used to assist with drainage issues in the 1% AEP flood event. Latrobe should review and fix current drains and waterways to remove flooding risk and remove the overlays. The overlays will create planning permit triggers and uncertainty. The overlays will increase home insurance premiums. 	NO	<p>The submission acknowledges recent inundation occurred at the property which validates the mapping.</p> <p>The flood overlays are based on a 1% AEP storm event, which is larger than that recently experienced and has not occurred in Glengarry in the last 14 years.</p> <p>Council land opposite the property is used in the management of stormwater flows through a wetland. However, the flood flows path that affects this property extends down [REDACTED] from the North.</p> <p>The level of drainage service provided has not changed since its creation and there is no obligation to update the existing drainage infrastructure to the current standards which will likely require significant capital investment and may not be feasible.</p> <p>Areas of land impacted by LSIO trigger a planning permit requirement for most buildings and works and require referral to WGCMA. The overlays map risk and ensure</p>

						that development that occurs there is sensitive to flood risk. Insurance premiums from applying overlays are not a relevant town planning consideration.
9	 Current Overlays: None Proposed Overlays: LSIO. 		21 February 2022	Objection <ul style="list-style-type: none"> Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> Drainage needs to be fixed, which will remove the need for overlays. Rail trail needs attention. Land never flooded in 20 years. 	NO	The level of drainage service provided to this property is in accordance with the applicable requirements at the time of its initial lot creation. There is no obligation to update the legacy drainage infrastructure to the current standards which, if feasible, will likely require significant capital funds and may be subject to a Special Charge Scheme. The flood overlays are based on the modern standard of a 1% AEP storm event, which has not occurred in Glengarry in the last 14 years. The rail trail is owned by the Department of Environment, Land, Water and Planning (DELWP) and managed by a committee, who have been notified about drainage concerns from neighbouring residents.
10	 Current Overlays: None Proposed Overlays: LSIO.		21 February 2022 1 March 2022	Objection - Withdrawn <ul style="list-style-type: none"> Does not support the subject land having LSIO applied to it, and have the following concerns: <ul style="list-style-type: none"> Property has never flooded before. Stormwater drains are blocked and flood, and if fixed this should reduce the expected flooding. The subject land has been raised since the flood study was undertaken and needs to be reassessed to determine if the 	YES	Following further investigation and a feature survey of the site, the level of the house has been confirmed to be raised. Updated mapping has been completed for this site and is has been removed from the overlay. Council inspects and maintains the surrounding stormwater infrastructure as evidenced by the works to remove the blockage identified. Further works are under investigation to mitigate future tree root impacts.

				<p>LSIO is still required.</p> <ul style="list-style-type: none"> ○ The lidar is over three years old and does not show the changes on the subject site and surrounds from the subdivision that occurred there. ○ The rail trail acts as a flood levy and has no drainage which floods neighbouring properties. 		<p>There is a gap in the level of service between the applicable standards at the time of development at this location and the modern drainage standards.</p> <p>The level of drainage service provided has not changed since its creation and there is no obligation to update the existing drainage infrastructure to the current standards which will likely require significant capital investment and may not be feasible.</p> <p>Submission WITHDRAWN by submitter</p>
11	<p>Current Overlays: None</p> <p>Proposed Overlays: LSIO.</p>		<p>16 February 2022 18 March 2022</p>	<p>Objection</p> <ul style="list-style-type: none"> • Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> ○ Gippsland Water cleaned out drains recently, and flooding should not occur if the drains are maintained. ○ Insurance premiums will increase. ○ The amendment should be abandoned and drainage within Glengarry should be upgraded to contain the extent of flooding in a 1% AEP flood event. ○ Requests the amendment provide further information regarding what 'land subject to inundation means. ○ Requests that clarity around the overlays being a justification that council needs to secure funding for drainage upgrades be clearly explained in amendment documentation. 	NO	<p>This is not a Gippsland Water asset. Council engaged Contractors to complete works to clear tree roots from the underground stormwater drain.</p> <p>Drainage infrastructure is a combination of underground pipes to convey water from minor storm events and overland flow paths in more severe flood events which is depicted in the mapping.</p> <p>The impacts from recent event/s reveal that there is no provision of overland flow paths which cater for flows in excess of the piped drainage network or as a redundancy to that network.</p> <p>There is a gap in the level of service between the applicable standards at the time of development at this location and the modern drainage standards.</p> <p>However, following the impact of these events Council has commissioned a flood mitigation study to provide increased protection to impacted habitable floor levels in the catchment. These mitigations will be</p>

						<p>reviewed for implementation in the 2022-2023 financial year as a high priority.</p> <p>Flood risk is empirically calculated based on a combination of previous flood events, topography, expected rainfall, and existing stormwater infrastructure. The flood event is called a 'design event' and is expressed as a probability of that land flooding to a certain level.</p> <p>Flood overlays are a key tool in communicating to existing and potential property owners of the existing inundation risk of the land.</p> <p>Insurance premiums are worked out by the insurer, and often is assessed internally through their own established methods. Given the flood studies were released publicly in 2015 and 2016, most insurers should already be aware of the flood risk on the properties identified within the amendment.</p> <p>Amendment documentation will not be updated to discuss funding requests, as the Planning and Environment Act requires the responsible authority to map flooding risks independent of external funding programs.</p>
12	<p>Current Overlays: None</p> <p>Proposed Overlays: LSIO (yellow), FO (orange).</p>		19 February 2022	<p>Objection-Withdrawn</p> <ul style="list-style-type: none"> Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> The ground levels were altered after the flood studies were done and needs to be re-surveyed to determine if the flood risk is still 	YES	<p>After further review of the flood shape at this location it is recommended to be removed.</p> <p>Submission WITHDRAWN by submitter.</p>

				there.		
13	 Current Overlays: None Proposed Overlays: LSIO (yellow), FO (orange). 		22 February 2022	Objection-Withdrawn <ul style="list-style-type: none"> Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> The property is not nearby any water ways and should have the overlays removed. Neighbouring properties not included in amendment. 	YES	After further review of the flood shape at this location it is recommended to be removed. Submission WITHDRAWN by submitter
14	West Gippsland Catchment Management Authority (WGCMA)		22 February 2022	Support Authority is supportive of amendment.	NO	No change is required to the amendment as a result of the submission.
15	 Current Overlays: None Proposed Overlays: LSIO.		22 February 2022	Objection <ul style="list-style-type: none"> Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> In the 30+ years there, the property has not flooded. 	NO	Flood modelling considers a number of factors including stormwater behaviour and expected rainfall, not just proximity to waterways. The flood modelling utilised data sourced using an aerial laser (LIDAR). As a result, this


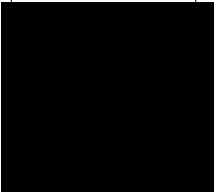



				<ul style="list-style-type: none"> ○ Requests removal of the overlay. 		<p>flood study is much more precise than previous modelling and results show the subject site is likely to inundate in a 1% AEP flood event- a larger flood event than that experienced in the catchment by the objector.</p>
16	<p>Current Overlays: None</p> <p>Proposed Overlays: LSIO.</p>		23 February 2022	<p>Objection</p> <ul style="list-style-type: none"> • Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> ○ The land is not subject to flooding, only inadequate maintenance of the drainage along 	NO	<p>Roadside open drains and underground drains are present around this property as required by the applicable standard at the time of subdivision.</p> <p>The roadside drains are provided to prevent nuisance water from damaging the road pavement and the underground pipes to convey a minor storm event.</p> <p>There is no provision for safely conveying a 1% AEP major flood event. Underground drains are-not a viable means to completely remove and store all water in a major flood event.</p>
17	APA Group	N/A	23 February 2022	<p>Support</p> <p>APA Group has no objection to the proposed amendment.</p>	NO	No change is required to the amendment as a result of the submission.
18	<p>Current Overlays: None</p> <p>Proposed Overlays: LSIO.</p>		24 February 2022	<p>Objection</p> <ul style="list-style-type: none"> • Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> ○ The LSIO will devalue their property. ○ Drainage should address flooding. 	NO	<p>There is a gap in the level of service between the applicable standards at the time of development at this location and the modern drainage standards.</p> <p>The level of drainage service provided to this property is in accordance with the applicable requirements at the time of its initial lot creation. There is no obligation to update the legacy drainage infrastructure to the current standards which, if feasible, will</p>


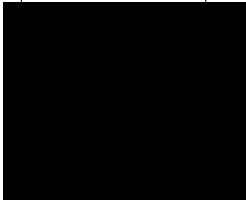



						likely require significant capital funds and may be subject to a Special Charge Scheme. Land values are not a relevant town planning consideration.
19	<div> <div></div> <div> <p>Current Overlays: None</p> <p>Proposed Overlays: LSIO.</p> </div> </div>		24 February 2022	<p>Objection - Withdrawn</p> <ul style="list-style-type: none"> Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> The LSIO is separated from the Traralgon Creek Floodplain. The flood modelling in the flood studies are computer generated 'best guess', and do not reference or consider stormwater, flash flooding or resulting overland flows in the Traralgon urban area. In 11 years, the property has not been flooded or had stormwater issues, as the stormwater infrastructure is working well. 	YES	<p>After further review the flood mapping identified in <div></div> is recommended to be removed until a future urban catchment specific stormwater assessment can be completed.</p> <p>Submission WITHDRAWN by submitter</p>
20	<div> <div></div> <div> <p>Current Overlays: None</p> <p>Proposed Overlays: LSIO.</p> </div> </div>		27 February 2022	<p>Objection</p> <ul style="list-style-type: none"> Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> The application of the overlays appears to be based on recent flood events, not the flood studies. As they believe the mapping accurately matches where recent flood events occurred. The flooding is due to poor stormwater maintenance of the 	NO	<p>There is an existing LSIO that maps flooding at this property which is increased in the new overlay.</p> <p>Drainage infrastructure is a combination of underground pipes to convey minor storms events and overland flows paths in 1% AEP flood events which is depicted in the mapping.</p> <p>At this location the piped network is also influenced by the level of the Traralgon Creek, with elevated levels of the creek, as experienced in June 2021, leading to</p>

				<p>drain in front of their property.</p> <ul style="list-style-type: none"> ○ The overlays will impact land value and insurance cost. 		<p>additional overland flows at this property.</p> <p>Land values are not a relevant town planning consideration.</p>
21	<p>Current Overlays: None</p> <p>Proposed Overlays: LSIO.</p>		28 February 2022	<p>Objection</p> <ul style="list-style-type: none"> • Does not support their land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> ○ The overlays will devalue the properties ○ In 29 years, the property has never flooded, however the road has. ○ There have been no works done to drainage in Glengarry in the 35 years they've resided there. 	NO	<p>Drainage assets are inspected at the frequencies identified in the Road Asset Management Plan or ad hoc in response to community requests.</p> <p>The level of drainage service provided to this and surrounding properties is in accordance with the applicable requirements at the time of the lot creation. There is no obligation to update the legacy drainage infrastructure to the current standards which, if feasible, will likely require significant capital funds and may be subject to a Special Charge Scheme.</p> <p>The overlays are based on a design flood event for a 1% AEP flood which is larger than that experienced recently in Glengarry and the identification of this flooding validates the flood mapping.</p> <p>Land values are not a relevant town planning consideration.</p>
22	<p>Current Overlays: None</p> <p>Proposed Overlays: LSIO.</p>		1 March 2022	<p>Objection</p> <ul style="list-style-type: none"> • Does not support their land having Land Subject to Inundation Overlay (LSIO) applied to it and have the following concerns: Neighbouring properties at [redacted] and [redacted] have been built up 1m, and a spoon drain established. <ul style="list-style-type: none"> ○ The planning map doesn't show the new dwelling on [redacted] 	NO	<p>Planning decisions are made with the best available information at the time.</p> <p>Drainage assets are inspected at the frequencies identified in the Road Asset Management Plan or ad hoc in response to community requests.</p> <p>The level of drainage service provided to this property is in accordance with the applicable requirements at the time of its initial lot</p>




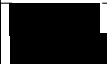

				<ul style="list-style-type: none"> ○ The LSIO will make any subdivision, dwelling or shed permit prohibited or difficult to obtain. ○ Insurance premiums will increase. ○ Council should maintain drainage regularly in Glengarry, as there are many drainage issues in [REDACTED] ○ If the Overlays are applied, the landowner will undertake earthworks and apply fill to the area of land within the overlay. ○ Existing stormwater infrastructure should be updated/upgraded prior to issuing any more planning permits within Glengarry. 		<p>creation. There is no obligation to update the legacy drainage infrastructure to the current standards which, if feasible, will likely require significant capital funds and may be subject to a Special Charge Scheme.</p> <p>The LSIO creates a planning permit trigger for buildings and works within the area where the overlay applies. It does not prohibit development, rather it introduces a mechanism of referral to the WGCMA to ensure that development is sensitive/considerate of flood risk.</p>
23	<p>[REDACTED]</p> <p>Current Overlays: None</p> <p>Proposed Overlays: LSIO.</p> <p>[REDACTED]</p>	[REDACTED]	28 February 2022	<p>Objection</p> <ul style="list-style-type: none"> • Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> ○ The property has not flooded in the 30+ years they've owned it. 	NO	<p>Drainage is not a viable means to completely remove and store all water in a 1 per cent Annual Exceedance Probability (AEP) flood event.</p> <p>The overlays are based on a design flood event for a 1% AEP flood which is a larger event than that experienced.</p>

24	<p>Current Overlays: [REDACTED]</p> <p>Proposed Overlays: LSIO.</p> <p>[REDACTED]</p>	[REDACTED]	1 March 2022	<p>Objection</p> <ul style="list-style-type: none"> Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> They do not believe their property is subject to flooding. 	NO	<p>There is no provision for safely conveying 1% AEP flood flows as identified by uncontrolled overland flow paths in the mapping in this section of Glengarry. Underground drainage is not a viable means to completely remove and store all water in a major flood event.</p>
25	<p>Current Overlays: None</p> <p>Proposed Overlays: LSIO.</p> <p>[REDACTED]</p>	[REDACTED]	28 February 2022	<p>Objection</p> <ul style="list-style-type: none"> Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> Their house has not been impacted by floods before. Recent flooding is due to blocked gutters which should be cleaned. 	NO	<p>Drainage infrastructure is a combination of underground pipes to convey minor storms events and overland flows paths in 1% AEP flood events which is depicted in the mapping.</p> <p>There is no provision for safely conveying 1% AEP flood flows as identified by uncontrolled overland flow paths in the mapping in this section of Glengarry. Underground drainage is not a viable means to completely remove and store all water in a major flood event.</p> <p>The overlays are based on a design flood event for a 1% AEP flood which is a larger event than that experienced.</p>

26	 Current Overlays: None Proposed Overlays: LSIO. 		22 February 2022	Objection <ul style="list-style-type: none"> Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> In the 37 years they've owned this property its never flooded. The property had fill in 1982-83 to make it sit higher than the property behind it. Better drainage will remove flood risk and the flood overlays. 	NO	<p>The flood mapping is intended to qualify the current flood risk to the property.</p> <p>The provided drainage level of service has not changed since its creation and updating drainage infrastructure would likely be costly and possibly unfeasible. Should future upgrades be implemented then the mapping can be updated accordingly.</p> <p>In the last 37 years there hasn't been a 1% AEP flood event, the modelling shows what this event would look like and is calculated based on previous flood events, stormwater infrastructure, expected rainfall and riverine flooding.</p> <p>The flood studies will have considered topography of the land, which includes the fill that was placed on your property in 1982-83. A laser on an aircraft undertook laser measurements for the modelling in 2015.</p>
27	 Current Overlays: None Proposed Overlays: LSIO.		28 February 2022	Objection <ul style="list-style-type: none"> Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> Their land is identified as future residential in the Glengarry Structure Plan. If the property is re-zoned residential, their rates will increase. How does existing infrastructure in Glengarry support new estates in the area. 	NO	<p>Amendment C131 implements the recommendations of the Latrobe River Flood Study (2015) and the Traralgon Flood Study (2016) into the Latrobe Planning Scheme.</p> <p>Both studies recommended that the Latrobe Planning Scheme be amended to introduce updated mapping of the Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO) to reflect the modelling undertaken.</p> <p>Amendment C131 is not proposing any changes to Glengarry's Structure Plan beyond the flood overlays, it does not show any new future growth areas than what already exists in the Planning Scheme.</p> <p>The Glengarry Structure Plan was first</p>

						introduced into the planning scheme through Amendment C24 (Small Town Structure Plans) on 10 February 2011. This showed future residential and low density residential opportunities in Glengarry. Economic factors are not a relevant town planning consideration.
28	 Current Overlays: LSIO. Proposed Overlays: LSIO (yellow), FO (orange). 		27 February 2022	Objection <ul style="list-style-type: none"> Does not support the subject land having Land Subject to Inundation (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> Their land is identified as future residential in the Glengarry Structure Plan. If the property is re-zoned residential, their rates will increase. How does existing infrastructure in Glengarry support new estates in the area. 	NO	See response to submission #27 (above)
29	 Current Overlays: None.		3 March 2022	Objection <ul style="list-style-type: none"> Does not support the subject land having Land Subject to Inundation (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> The property was developed in 	NO	A further review has been completed and the WGCMA have recommended no change to the proposed modelling at this property

	Proposed Overlays: LSIO.			2020 and this may impact the flood modelling on the property.		
30	<p>Current Overlays: None</p> <p>Proposed Overlays: LSIO.</p>		2 March 2022	<p>Objection-Withdrawn</p> <ul style="list-style-type: none"> Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> The subject land is at least a kilometre away from the Traralgon Creek and has not flooded before nor is near any bodies of water. should have the overlay removed from it, as the owner is manually surveying their property and their neighbours. Requests the size and dates of installation for stormwater pipes that run along the subject site. Has owned property since 1994, and only one flood has occurred in this time, which was in 2007 and due to poor maintenance of drains. Overlays will affect land values. 	YES	<p>Following a site visit, review of lidar and stormwater flooding inputs into the study the flood mapping relevant to this property is recommended to be removed until a future urban specific catchment flood assessment is completed.</p> <p>Submission WITHDRAWN by submitter</p>
31	<p>Current Overlays: None.</p>		3 March 2022 and 9 March 2022	<p>Objection-Withdrawn</p> <ul style="list-style-type: none"> Does not support the subject land having Land Subject to Inundation (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> The modelling in the 2016 	YES	<p>After further review the flood mapping identified in is recommended to be removed until a future urban catchment specific stormwater assessment can be completed.</p>

	<p>Proposed Overlays: LSIO.</p> 			<p>Traralgon Flood study concluded that the drainage system could not sustain a (1 percent Annual Exceedance Probability) year flood event based on modelling.</p> <ul style="list-style-type: none"> o Could not locate various information within the amendment documents and believes they were not provided. o The flood study is over 6 years old and conditions may have changed. o LIDAR data used in the modelling is over 10 years old. o None of the reports have made specific reference to  o Modelling has not taken into account recent substantial rain events. o The modelling considered council drainage infrastructure, but this information was not available to view. o The area has never flooded in the way that the overlays are being applied. o The flood study did not include the entire Traralgon Urban Area. o Why are there no works occurring to increase the number of stormwater drains in  o The modelling needs to take into account buildings, vegetation, soil permeability. 		Submission WITHDRAWN by submitter.
32			2 March 2022	<p>Objection</p> <ul style="list-style-type: none"> • Does not support the subject land 	NO	The subject area hasn't had a 1% AEP flood event in the last 20 years.

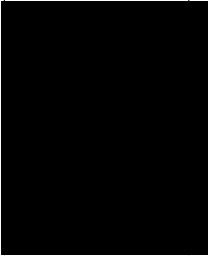


	<p>Current Overlays: None</p> <p>Proposed Overlays: LSIO (yellow), FO (orange).</p>			<p>having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns:</p> <ul style="list-style-type: none"> Insurance premiums will increase, or insurance will be unavailable. In the 20 years that some residents have lived in this location they have not witnessed flooding on the subject sites. 		<p>The LSIO provides a permit trigger to refer development applications to WGCMA to ensure it complies with flood sensitive design to ensure that future development is more resilient against flood.</p> <p>Insurance premium cost is not a relevant town planning consideration.</p> <p>The Planning and Environment Act requires the responsible authority to map risks, and the last flood study was done in 2012.</p>
33	<p>Current Overlays: None</p> <p>Proposed Overlays: LSIO.</p>		2 March 2022	<p>Objection</p> <ul style="list-style-type: none"> Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> The area proposed to be in the LSIO contains a drain which was previously blocked. As the drain is now working, why is it going to flood. The flood modelling has not taken into account the drainage network which needs upkeep. Councils maintenance program for drains in the area is not sufficient. Clear problem trees from drainage pipe network. 	NO	<p>Drainage assets are inspected at the frequencies identified in the Road Asset Management Plan or ad hoc in response to community requests as occurred near this property.</p> <p>The impacts from this event reveal that there is no provision of overland flow paths which cater for flows in excess of the piped drainage network or as a redundancy to that network.</p> <p>The level of drainage service provided has not changed since its creation and there is no obligation to update the existing drainage infrastructure to the current standards which will likely require significant capital investment and may not be feasible.</p> <p>The flood modelling considers existing stormwater infrastructure with the assumption of it working 100% - therefore the application of Overlays is correct and not needing to be reviewed in relation to</p>

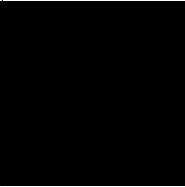

						stormwater infrastructure.
34	<div> <div></div> <div>Current Overlays: None</div> <div>Proposed Overlays: LSIO.</div> <div></div> </div>		28 February 2022	Objection <ul style="list-style-type: none"> Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> Traralgon Creek would have to rise 50m to inundate the subject site. The subject site has been inundated in 2007 and 2010 due to blocked stormwater drains. Council could buy vacant land on the corner of Hyland Highway and Shakespeare Street and construct a basin to catch flood water. 	NO	<p>Flood modelling considers stormwater behaviour, expected rainfall etc not just proximity to waterways.</p> <p>Council inspects and maintains the surrounding stormwater infrastructure as evidenced by the works to remove the blockage identified. Further works are under investigation to mitigate future tree root impacts.</p> <p>The level of drainage service provided has not changed since its creation and there is no obligation to update the existing drainage infrastructure to the current standards which will likely require significant capital investment and may not be feasible.</p> <p>Council is not intending to purchase the suggested land and install a large drain as drains do not stop flooding.</p> <p>Unfortunately, insurance premium cost is not a relevant town planning consideration.</p>
35	<div> <div></div> <div>Current Overlays: None</div> <div>Proposed Overlays: LSIO.</div> </div>		28 February 2022	Objection <ul style="list-style-type: none"> Does not support the amendment and are concerned about how it may impact them. 	NO	Property is not impacted by proposed overlays.



36	<p>Current Overlays: None</p> <p>Proposed Overlays: LSIO.</p>		28 February 2022	<p>Objection - Withdrawn</p> <ul style="list-style-type: none"> Does not support the subject land having LSIO applied to it, and have the following concerns: <ul style="list-style-type: none"> The subject site is located a distance from Traralgon Creek and not at risk from flooding. In the event of a flood, the drains will reach capacity, and water will flow along the street network. However, there are locations in this Court where due to low lying land, water flowing out of storm water drains cannot continue travelling away and will flood this area. LSIO within a proposed residential estate should have been planned for and resolved and is the result of poor planning that flooding will occur there. has never been inundated. When purchasing the land, the solicitor who oversaw the transfer of land advised that Council records indicated that flooding wasn't a risk. Why map a (1 percent Annual Exceedance Probability) year flood event and not a 1 in 200 year flood 	YES	<p>After further review the flood mapping identified in is recommended to be removed until a future urban catchment specific stormwater assessment can be completed.</p> <p>Submission WITHDRAWN by submitter.</p>

				<p>event.</p> <ul style="list-style-type: none"> Why isn't Latrobe City drainage designed to resolve a (1 percent Annual Exceedance Probability) year flood event. 		
37	<p>Current Overlays: None</p> <p>Proposed Overlays: LSIO (yellow), FO (orange).</p>		28 February 2022	<p>Objection</p> <ul style="list-style-type: none"> Does not support the subject land having LSIO and FO applied to it, and have the following concerns: <ul style="list-style-type: none"> Council hasn't fulfilled its requirement under the Subdivision of Land Act, which states that the developer must submit a plan demonstrating that 1% AEP flood can pass through the development. The 1% AEP flood event should be contained in the road network and drainage reserves. The nearby residential development had a roadway opposite [REDACTED] running north of the pipe track which matches the current alignment of [REDACTED] and [REDACTED]. This development would have permitted the 1% AEP flood flow to pass north to the pipe track and then Traralgon Creek flood path. Council should ensure that waterways are maintained in a clear and unobstructed condition reflected in the modelling. A relief open drain from [REDACTED] [REDACTED] has a number of pits with grated lids to allow the drain to 	YES	<p>After further review the flood mapping identified in [REDACTED] is recommended to be removed until a future urban catchment specific stormwater assessment can be completed.</p> <p>At the time of the subdivision, the existing flood overlays in place met this requirement. A stormwater master plan must be submitted for subdivisions. Council has fulfilled its requirements.</p> <p>A 1% AEP or '1-in-100-year flood' refers to a flood height that has a long-term likelihood of occurring once in every 100 years (also called a 100-year recurrence interval). The probability of a flood event is calculated using statistical techniques.</p> <p>Drainage infrastructure is a combination of underground pipes to convey water from minor storm events and overland flows paths in more severe flood events which is depicted in the mapping. In keeping with current standards, underground pipes and road networks are unable to convey the 1 per cent Annual Exceedance Probability flood flows.</p> <p>Council inspects and maintains the surrounding stormwater infrastructure as evidenced by the works to remove the blockage identified. Further works are under investigation to mitigate future tree root</p>

				<p>overflow, and the impact of this overflow should be checked. Is there a relief drain from [REDACTED] to the oval retarding basin and has this been considered in the modelling.</p> <ul style="list-style-type: none"> Insurance premiums will increase. 		<p>impacts.</p> <p>The level of drainage service provided has not changed since its creation updating the existing drainage infrastructure to the current standards will likely require significant capital investment and may not be feasible.</p> <p>Despite the development of the new estate, the flood modelling for this property determined that the inundation is sourced not just from drainage infrastructure, but also rainfall at a large event that drains are unable to hold.</p> <p>Unfortunately, insurance premiums are not a relevant town planning consideration.</p>
38	<p>[REDACTED]</p> <p>Current Overlays: None</p> <p>Proposed Overlays: FO.</p> <p>[REDACTED]</p>	[REDACTED]	3 March 2022	<p>Objection - Withdrawn</p> <ul style="list-style-type: none"> Does not support the subject land having the Flood Overlay (FO) applied to it, and have the following concerns: <ul style="list-style-type: none"> The property has had fill added, along with retaining walls since the flood studies were done. This will affect the rate of flow over the land the extent of the overlays. 	YES	<p>After further WGCMA review the proposed overlay is recommended to be removed to reflect the existing built-up levels at the rear boundary of this property.</p> <p>Submission WITHDRAWN by submitter</p>
39	<p>[REDACTED]</p> <p>Current Overlays: None</p>	[REDACTED]	3 March 2022	<p>Objection</p> <ul style="list-style-type: none"> Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have 	YES	<p>After further review the flood mapping identified in [REDACTED] is recommended to be removed until a future urban catchment specific stormwater assessment</p>


	<p>Proposed Overlays: LSIO.</p> 			<p>the following concerns:</p> <ul style="list-style-type: none"> ○ In the 16 years they have had this land it has not flooded. ○ It does not make sense that Hedges Avenue and Traralgon Tennis Courts are closer to the creek and not impacted by overlays. ○ The overlays on the subject site are due to stormwater and movement of water, and stormwater was not included in the modelling. ○ Home insurance will increase. 		<p>can be completed.</p> <p>Flood modelling considers stormwater behaviour, expected rainfall etc not just proximity to waterways. The data from this flood study is accurate and the subject site will be affected by flooding in a 1% AEP flood event.</p> <p>Drainage infrastructure is a combination of underground pipes to convey water from minor storm events and overland flows paths in more severe flood events which is depicted in the mapping. In keeping with current standards, underground pipes and road networks are unable to convey the 1 per cent Annual Exceedance Probability flood flows.</p> <p>Council inspects and maintains the surrounding stormwater infrastructure as evidenced by the works to remove the blockage identified. Further works are under investigation to mitigate future tree root impacts.</p> <p>The level of drainage service provided has not changed since its creation updating the existing drainage infrastructure to the current standards will likely require significant capital investment and may not be feasible.</p> <p>Unfortunately, insurance premiums are not a relevant town planning consideration.</p> <p>Home insurance is not a valid town planning consideration.</p>
40			3 March 2022	<p>Objection</p> <ul style="list-style-type: none"> • Does not support the subject land 	NO	<p>Council sought further clarification from the CMA on this site and whether the FO was</p>

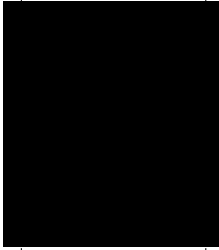



	<p>Current Overlays: LSIO</p> <p>Proposed Overlays: FO.</p> 			<p>having Land Subject to Inundation Overlay (LSIO) removed and Flood Overlay (FO) applied to it, and request that the LSIO remain and the FO be removed.</p> <p>They have the following concerns:</p> <ul style="list-style-type: none"> ○ Property value will reduce. ○ Home insurance premiums will increase. ○ Re-development will be expensive if the design has to consider flooding risk. ○ The neighbouring property at number [REDACTED] is remaining within the LSIO despite it backing directly onto the Traralgon Creek. ○ The flood modelling doesn't take into consideration flood mitigation works. 		<p>the appropriate tool. The CMA confirmed that the floor level is just below the flood level predicted and therefore would be susceptible to a 1% AEP flood.</p> <p>The requirements for a permit in both the LSIO and FO are very similar. The submission included flood photos from the June 2021 event – which confirm the need to adequately consider future flood risk during redevelopment.</p> <p>The modelling included the current alignment and levels of nearby bridges. It also considers local hydraulic effects and a translation from river gauges locations to their property is not considered as accurate as the model results.</p> <p>Property values and insurance premiums are not a relevant town planning consideration.</p>
41	<p>Gippsland Water</p> <p>Current Overlays: None.</p> <p>Proposed Overlays: LSIO.</p> 	<p>Various sites across Latrobe, including: 152 Railway Avenue, Glengarry Birch Drive, Churchill (Silcocks Road) Marshalls Road, Traralgon</p>	4 March 2022	<p>Objection</p> <ul style="list-style-type: none"> • Requests that flood depths be reviewed and the LSIO be removed from the specified sites. 	NO	<p>The CMA has indicated they are willing to review these sites if the owner provides evidence of the change of levels on site through a planning permit or new land survey showing a fill development plan. Correspondence has been sent to the submitter providing this advice and the contact details of the CMA.</p>

	<p>Current Overlays: None.</p> <p>Proposed Overlays: LSIO.</p>  <p>Current Overlays: None.</p> <p>Proposed Overlays: LSIO.</p> 					
42	<p>Current Overlays: None.</p> <p>Proposed Overlays: LSIO.</p>		4 March 2022	<p>Objection-Withdrawn</p> <ul style="list-style-type: none"> Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: <ul style="list-style-type: none"> Previous large floods in Traralgon have not impacted this property. The flood studies were completed in 2015 and 2016 and the subject site was purchased in 2018. Why didn't Council make this document 	YES	<p>After further review this property is recommended for removal from the overlay. The flood depth is shallow and expected to be contained with the road.</p> <p>Submission WITHDRAWN by submitter.</p>

				<p>available.</p> <ul style="list-style-type: none"> ○ The subdivision was approved in a flood zone. ○ How does the LSIO protect future development if the property is already developed. 		
43	<p>Current Overlays: FO, LSIO.</p> <p>Proposed Overlays: FO (orange), LSIO (yellow).</p>		5 March 2022	<p>Objection</p> <ul style="list-style-type: none"> • Does not support the subject land having FO and LSIO on it, and have the following concerns: <ul style="list-style-type: none"> ○ Subject site did not have flood overlays on in when purchased 10 years ago and wasn't aware that the current FO and LSIO were on there until now. ○ Property has not flooded in the time they have resided there. ○ Aboriginal overlay in the back corner should be removed. 	NO	<p>Previous large floods were not 1% AEP flood events. Moe has not seen a 1% AEP flood event in the last 10 years.</p> <p>The amendment is not changing the extent of the FO and LSIO in place.</p> <p>Amendment C12 applied the current FO and LSIO which included direct notification to landowners and notice in the local newspaper. Council fulfilled its requirements for consultation during Amendment C12.</p> <p>Aboriginal Overlay is not within the scope of the Amendment.</p>
44	<p>Current Overlays: None.</p> <p>Proposed Overlays: LSIO.</p>		6 March 2022	<p>Objection</p> <ul style="list-style-type: none"> • Does not support the subject land having LSIO applied to it, and have the following concerns: <ul style="list-style-type: none"> ○ Planning Permit [REDACTED] was issued for a six-lot subdivision and the new lots have been developed including adding fill. This may have changed the rate of flow in the flood modelling. 	YES	<p>After further review by the WGCMA, the proposed overlay is recommended to be reduced to reflect the existing built-up levels on this property.</p>

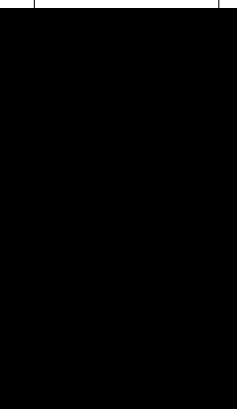
45	<p>Current Overlays: None.</p> <p>Proposed Overlays: LSIO.</p>		6 March 2022	<p>Objection-Withdrawn</p> <ul style="list-style-type: none"> Does not support the subject land having LSIO applied to it, and have the following concerns: <ul style="list-style-type: none"> In the 40 years they have resided in Traralgon, previous flooding has not resulted in inundation to the extent shown in the overlays. How does the water get to this property. A flood study for Traralgon was completed in 2016 (Water Technology, 2016). This study modelled riverine flooding as a result of Traralgon Creek but did not include impacts of flooding from overland flow and urban stormwater. Yet West Gippsland Catchment Authority has said that the water in [REDACTED] is from stormwater runoff and not from flooding of Traralgon Creek. 	YES	<p>After further review the flood mapping identified in [REDACTED] is recommended to be removed until a future urban catchment specific stormwater assessment can be completed.</p> <p>Submission WITHDRAWN by submitter.</p>
46	<p>Current</p>		6 March 2022 21 February	<p>Objection-Withdrawn</p> <ul style="list-style-type: none"> Does not support the subject land having LSIO applied to it, and have the following concerns: <ul style="list-style-type: none"> The subject property has 	YES	<p>After further review the flood mapping identified in [REDACTED] is recommended to be removed until a future urban catchment specific stormwater assessment can be completed.</p>

	Overlays: None. Proposed Overlays: LSIO. 		2022	<p>had cut and fill since the flood studies were undertaken which will affect the flow of flood water and extent of overlays.</p> <ul style="list-style-type: none"> Recent flood events should go before any computer based behavioural model, as these events did not flood the subject property. The LSIO applies to mainstream flooding only, and there are no mainstream flooding impacts to this location. The Traralgon Flood Study table 4-5 'summary of flood behaviour for various flood events' does not mention this area. The WGCMA Floodplain Management Strategy (2018-2027) states that stormwater flooding impacts a number of towns caused by heavier than usual rainfall, and Local Governments are accountable for managing urban stormwater. The Latrobe River Flood Study (2015) page 23 noted that major flooding does not appear to impact the current town boundaries at Traralgon. 		Submission WITHDRAWN by submitter.
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47	<p>Current Overlays: None.</p> <p>Proposed Overlays: FO.</p> 		6 March 2022	<p>Objection - Withdrawn</p> <ul style="list-style-type: none"> Does not support the subject land having FO applied to it, and have the following concerns: <ul style="list-style-type: none"> The property was filled and a retaining wall was constructed on the northern boundary. The previous flood amendment (Amendment C9, gazetted Mar 2012) proposed LSIO, which was removed post-exhibition due to their submission regarding the fill on site. Recent flood events since 2008 	YES	<p>There have been no 1% AEP flood events in the time the submitter has owned the property. Storms and flooding that have occurred in this time were not classed as no 1% AEP flood events, therefore the flow and direction of water is not reflective of the design event we are mapping the overlays for.</p> <p>After further WGCMA review the proposed overlay is recommended to be removed to reflect the existing built-up levels at the rear boundary of this property.</p> <p>Submission WITHDRAWN by submitter</p>
48	<p>Current Overlays: LSIO, FO.</p> <p>Proposed Overlays: LSIO (yellow), FO (orange).</p> 		6 March 2022	<p>Objection - Withdrawn</p> <ul style="list-style-type: none"> Does not support the subject land having an increase in the existing LSIO and FO applied to it, and have the following concerns: <ul style="list-style-type: none"> The subject land was purchased in 2015 and the Plan of Subdivision did not show the Overlays. The increase in Overlays will increase insurance premiums. The development should not have been allowed if there was flood risk. 	YES	<p>After further review by the WGCMA, the proposed overlay is recommended to be removed to reflect the existing built-up levels at the rear boundary of this property.</p> <p>The June 2021 flood was not a 1% AEP flood event and is not a reliable source to determine that a 1% AEP flood event will affect a property.</p> <p>Overlays can only be applied when reliable data has been produced to justify a change in overlays. Free flood advice is available on WGCMA website.</p> <p>Planning controls change over time- there is no certainty that land will remain the same over time, and a land purchaser has the responsibility to undertake due diligence when making such a purchase. The Planning</p>

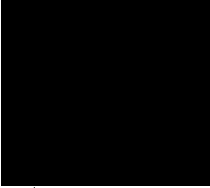


						and Environment Act ensures that consultation during exhibition of a planning scheme amendment allows landowners/occupiers to be aware of when such changes occur. Insurance premiums are not a relevant town planning consideration. Submission WITHDRAWN by submitter.
49	Department of Environment, Land, Water and Planning (DELWP)	N/A	7 March 2022	Support DELWP has no objection to the proposed amendment.	NO	No change is required to the amendment as a result of the submission.
50	<div> <div></div> <div> <p>Current Overlays: None</p> <p>Proposed Overlays: LSIO (yellow), FO (orange).</p> <div></div> </div> </div>	<div> <div></div> <div></div> </div>	7 March 2022	Objection <ul style="list-style-type: none"> Does not support the subject land having LSIO and FO applied to it, and have the following concerns: <ul style="list-style-type: none"> Property insurance premiums will increase and become unaffordable, or uninsurable. The property has not been impacted by flooding since they have owned it, from 2005 onwards. 	NO	Insurance premiums are not a relevant town planning consideration. The subject area hasn't had a 1% AEP flood event in recent years. The LSIO provides a permit trigger to refer development applications to WGCMA to ensure it complies with flood sensitive design to ensure that future development is more resilient against flood.
51	<div> <div></div> <div> <p>Current Overlays: None</p> <p>Proposed</p> </div> </div>	<div> <div></div> <div></div> </div>	7 March 2022	Objection <ul style="list-style-type: none"> Does not support the subject land having LSIO applied to it, and have the following concerns: <ul style="list-style-type: none"> The recent floods in June 2021 did not impact the subject site 	NO	Recent floods in June were not 1% AEP flood events. Mapping indicates that the subject site will be inundated in a 1% AEP flood event. The LSIO provides a permit trigger to refer

	Overlays: LSIO.					development applications to WGCMA to ensure it complies with flood sensitive design to ensure that future development is more resilient against flood.
52	<p>[REDACTED]</p> <p>Current Overlays: LSIO</p> <p>Proposed Overlays: LSIO (yellow), FO (orange).</p> <p>[REDACTED]</p>	[REDACTED]	7 March 2022	<p>Objection</p> <ul style="list-style-type: none"> Does not support the subject land having FO applied to it and the existing LSIO increase in size, and have the following concerns: <ul style="list-style-type: none"> The overlays do not protect properties which are already developed. Overlays are not useful for flood protection, and requests that a special building overlay or similar occur. 	NO	<p>The LSIO provides a permit trigger to refer development applications to WGCMA to ensure it complies with flood sensitive design to ensure that future development is more resilient against flood.</p> <p>The overlays are a critical tool in communicating that flood risk to existing and future property owners.</p> <p>In addition to overlays previous flood studies have identified mitigations such as that proposed as part of the Traralgon Bypass in the Traralgon Creek Flood Study. Future flood studies focused on urban areas could consider SBO's, but it is not considered as part of this overlay.</p>
53	<p>[REDACTED]</p> <p>Current Overlays: DPO1</p> <p>Proposed Overlays: LSIO (yellow), FO (orange).</p>	[REDACTED]	6 March 2022	<p>Objection</p> <ul style="list-style-type: none"> Does not support the subject land having FO and LSIO applied to it, and have the following concerns: <ul style="list-style-type: none"> Why does English Street Act like a dam wall, why does water from the settling ponds run into the nearby farm paddock. Why is the drain beside Macklins driveway not used to direct flood 	NO	<p>Drainage infrastructure is a combination of underground pipes to convey water from minor storm events and overland flow paths in more severe flood events which is depicted in the mapping.</p> <p>In keeping with current standards, underground pipes and road networks are unable to convey the 1 per cent Annual Exceedance Probability flood flows.</p>

				<p>waters away from the residential lots into the paddock.</p> <ul style="list-style-type: none">○ Concern with existing drains in the area leading to flooding in back yards.	<p>Council inspects and maintains the surrounding stormwater infrastructure as evidenced by the works to remove the blockage identified. Further works are under investigation to mitigate future tree root impacts. Drainage assets are inspected at the frequencies outlined in the Road Asset Management Plan, or ad hoc in response to community requests.</p> <p>The level of drainage service provided has not changed since its creation. Updating the existing drainage infrastructure to the current standards will likely require significant capital investment and may not be feasible.</p> <p>The driveway does act as a drain to mitigate the risk of flooding due to minor storm events in this area, although for a 1% AEP flood event the flows are significantly larger and the drain beside the driveway will not withstand the flows of this magnitude.</p> <p>The recent developments to the East of this site will include wetlands and retarding basins to hold back flood peaks to match the pre-development peak flows.</p> <p>They also use the pre-existing downstream infrastructure to convey these flows. Accordingly, the flood risk of the legacy development is considered to have not changes and will remain until it is developed in the future.</p> <p>The road formation of English Street is raised and the culverts underneath it are sized to the minor storm event in accordance with</p>
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						the applicable standards.
54	<p>Current Overlays: None.</p> <p>Proposed Overlays: None.</p>		8 March 2022	<p>Objection</p> <ul style="list-style-type: none"> The subject site is not impacted by the amendment, but has the submitter has the following concerns <ul style="list-style-type: none"> The amendment should consider areas upstream such as Trafalgar and Yarragon. The status of drains needs to be considered in flood modelling. Upper Traralgon Creek has deteriorated significantly due to lack of care and maintenance by Council and WGCMA. Global warming will impact the Latrobe River and Traralgon Creek resulting in more severe and frequent storm events in the future. The proposed LSIO is reduced along the Traralgon Creek to finish just past Koornalla Reserve. Why isn't it going to be extended to Hoggs Bridge where the Traralgon and little Traralgon Creeks meet? Instead of Overlays, there should be a floodplain plan prepared. 	NO	<p>The proposed amendment can only apply to the Latrobe municipality.</p> <p>Drainage infrastructure is a combination of underground pipes to convey water from minor storm events and overland flows paths in more severe flood events which is depicted in the mapping. In keeping with current standards, underground pipes and road networks are unable to convey the 1 per cent Annual Exceedance Probability flood flows.</p> <p>Flood modelling considers the underground pipe network to be working at full potential, as any pipes that may not be operating at their full potential will have very little to no effect on results of the flood modelling for a 1% AEP flood event.</p> <p>The level of drainage service provided has not changed since its creation updating the existing drainage infrastructure to the current standards will likely require significant capital investment and may not be feasible.</p> <p>The WGCMA will continue to monitor and update modelling as further data is available in relation to events such as global warming. This heightens the importance of this mapping to ensure that areas that have a flood risk are identified so that this risk can be managed into the future.</p> <p>The Traralgon Creek flood mapping has been updated around Koornalla as new data has become available.</p>



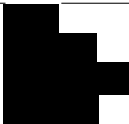


						Flood mapping is only one tool and there are a number of other investigation and initiative underway to continue to monitor, plan, and prepare for future floods.
55	<div> <div></div> <div> <p>Current Overlays: LSIO.</p> <p>Proposed Overlays: LSIO.</p> <div></div> </div> </div>	<div> <div></div> <div></div> </div>	8 March 2022	<p>Objection</p> <ul style="list-style-type: none"> The subject site is impacted by LSIO currently and the amendment does not propose to change this. The submitter has the following concerns <ul style="list-style-type: none"> The property flooded in the 1934 but not since, so why is it included in the LSIO. The overlays will devalue properties and insurance premiums will increase. 	NO	<p>The flood model indicates the properties that will be affected by a 1% AEP flood event, the property flooding in the past is proof that this will happen again during a 1% AEP flood event.</p> <p>The LSIO provides a permit trigger to refer development applications to WGCMA to ensure it complies with flood sensitive design to ensure that future development is more resilient against flood.</p> <p>The overlay includes many other properties and wasn't designed to single out the submitter.</p> <p>Unfortunately, land values and insurance premiums are not a relevant town planning consideration.</p>
56	<div> <div></div> <div> <p>Current Overlays: None.</p> <p>Proposed Overlays: LSIO.</p> <div></div> </div> </div>	<div> <div></div> <div></div> </div>	4 March 2022	<p>Objection</p> <ul style="list-style-type: none"> The subject site is proposed to be included in the LSIO. The submitter has the following concerns: <ul style="list-style-type: none"> What is the definition of a floodplain and what is the depth of water on the subject site. In the 32 years of land ownership, the property has not flooded. 	NO	<p>A floodplain is defined as: An area of land that is subject to inundation by floods up to, and including, the largest probable flood event.</p> <p>Past floods were not 1% AEP flood events. Mapping indicates that the subject site will be inundated in a 1% AEP flood event.</p>

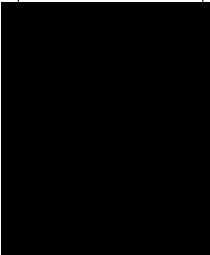
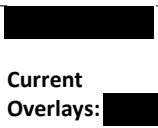
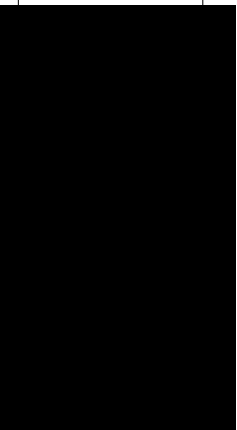

57	<p>Current Overlays: None.</p> <p>Proposed Overlays: LSIO.</p> 		6 March 2022	<p>Objection</p> <ul style="list-style-type: none"> Does not support the subject land having LSIO applied to it, and have the following concerns: <ul style="list-style-type: none"> In the 30 years of ownership, flooding has occurred twice due to stormwater pipes and not from a natural watercourse. 	NO	<p>Council inspects and maintains the surrounding stormwater infrastructure as evidenced by the works to remove the blockage identified. Further works are under investigation to mitigate future tree root impacts.</p> <p>The level of drainage service provided has not changed since its creation. Updating the existing drainage infrastructure to the current standards will likely require significant capital investment and may not be feasible.</p> <p>Underground pipes are not generally intended to convey the 1% AEP flood flows, in this location where there is a low point in the road without an overland flow path and the flood modelling indicates the subject site is within the flooding catchment despite not being close to a natural watercourse. Flood modelling considers stormwater behaviour, expected rainfall etc not just proximity to waterways. The modelled 1% AEP event is likely larger than that experienced in the last 30 years and they have observed previous flooding with helps validate the mapping.</p> <p>Drainage infrastructure is a combination of underground pipes to convey water from minor storm events and overland flows paths in more severe flood events which is depicted in the mapping.</p>
58	<p>Current Overlays: None.</p>		6 March 2022	<p>Objection</p> <ul style="list-style-type: none"> Does not support the subject land having LSIO applied to it, and have the following concerns: <ul style="list-style-type: none"> Stormwater blockages cause flooding. 	NO	<p>Council inspects and maintains the surrounding stormwater infrastructure as evidenced by the works to remove the blockage identified. Further works are under investigation to mitigate future tree root</p>

	<div>Proposed Overlays: LSIO.</div> <div></div>					<p>impacts.</p> <p>The level of drainage service provided has not changed since its creation. Updating the existing drainage infrastructure to the current standards will likely require significant capital investment and may not be feasible.</p> <p>Drainage infrastructure is a combination of underground pipes to convey water from minor storm events and overland flows paths in more severe flood events which is depicted in the mapping. Underground pipes are not intended to convey the 1 % AEP flood area. The flood modelling considers existing stormwater infrastructure with the assumption of it working 100% - therefore the application of Overlays is correct and not needing to be reviewed in relation to stormwater infrastructure.</p>
59	<div></div> <div>Current Overlays: LSIO.</div> <div>Proposed Overlays: LSIO.</div> <div></div>	<div></div>	1 March 2022	<div>Objection</div> <ul style="list-style-type: none">Does not support the subject land having FO applied to it, and the existing LSIO area increased, and have the following concerns:<ul style="list-style-type: none">Flood mitigation could be addressed through stormwater and concern regarding drainage in Traralgon,Traralgon Recreation Reserve needs upgrades to existing drainage,New developments add to the severity and frequency of flood events,The Latrobe River bridge causeway needs to be fixed,	NO	<p>Flood mitigation is addressed in a number of ways including mapping of the existing risk and mitigations such as that identified in the Traralgon Flood Study which identified a town scale mitigation that is linked to the Traralgon Bypass works.</p> <p>The works required to provide 1% AEP protection to the Traralgon Recreation Reserve are significant and require more than new undergrounds pipes.</p> <p>New developments require stormwater strategy's in which stormwater flows from the new lots are held back within the lots to match the pre-development peak flows. This is to ensure there are no downstream</p>

				<ul style="list-style-type: none"> Major flooding on Traralgon Creek occurs approximately every 10 years, The flood studies recommend physical works be undertaken to mitigate flood risk, but when are these occurring. Flood costs incurred by ratepayers. Traralgon Creek must be maintained and cleaned regularly to avoid drain blockages. 		<p>impacts.</p> <p>A number of agencies including WGCMA and Council periodically undertake works to improve the conveyance of the river – such as the willow tree removal. However, this alone will not prevent flooding.</p> <p>Traralgon Recreation reserve is programmed for major upgrades with minor drainage works being a consideration as part of that upgrade. Plans for the upgrade are available on the Latrobe City Council Website.</p> <p>New developments require stormwater strategy's in which stormwater flows from the new lots are retained within the lots and discharged into the water ways to match the pre-development peak flows. This is to ensure there are no downstream impacts.</p>
60	<p>Current Overlays: None.</p> <p>Proposed Overlays: LSIO.</p>		28 February 2022	<p>Objection</p> <ul style="list-style-type: none"> Does not support the subject land having LSIO applied to it, and have the following concerns: <ul style="list-style-type: none"> The area is not near Traralgon Creek or other waterways. The property has been in ownership since 2013, and all rain events since then have not flooded the property. The original subdivision occurred 40 years ago, and why is LSIO only being applied now. Land value will be impacted, and insurance premiums will also increase. 	YES	<p>Following a site visit, review of lidar and stormwater flooding inputs into the study the flood mapping relevant to this property is recommended to be removed until a future urban specific catchment flood assessment is completed.</p> <p>Flood modelling considers stormwater behaviour, expected rainfall etc not just proximity to waterways. The data from this flood study is accurate and the subject site will be affected by flooding in a 1% AEP flood event.</p> <p>Flooding events since 2013 were not 1% AEP flood events. Mapping indicates that the subject site will be inundated in a 1% AEP flood event. The Planning and Environment Act requires council to apply flood mapping.</p>

						<p>Planning controls change over time- there is no certainty that land will remain the same over time. Overlays can be applied while a property is owned, and Council must map these once there is reliable data to support this. The Planning and Environment Act ensures that consultation during exhibition of a planning scheme amendment allows landowners/occupiers to be aware of when such changes occur.</p> <p>Unfortunately, insurance premiums are not a relevant town planning consideration. However, the flood studies have been public documents since 2015/ 2016. Insurers assess flood risk based on this information and in conjunction with their own investigations. It is recommended that the submitter contacts their insurance to enquire how this process is conducted.</p>
61	<p>Current Overlays: None.</p> <p>Proposed Overlays: LSIO.</p>		19 March 2022	<p>Objection</p> <ul style="list-style-type: none"> Does not support the subject land having LSIO applied to it, and have the following concerns: <ul style="list-style-type: none"> The previous flood overlays (not previously on the subject land) were a more accurate representation of a (1 percent Annual Exceedance Probability) year flood event. The aerial application of LSIO does not consider the elevation of the land, and nearby properties aren't proposed to be included in the Overlays but should be. The Traralgon Maffra Road intersection at Cairnbrook Road 	NO	<p>A flood assessment was completed as part of the roundabout works which demonstrated that there were no adverse flood impacts as a result of the works.</p> <p>Drainage infrastructure is a combination of underground pipes to convey water from minor storm events and overland flows paths in more severe flood events which is depicted in the mapping. In keeping with current standards, underground pipes are not intended to convey the 1% AEP flows.</p> <p>Drainage infrastructure for the newly constructed roundabout is designed to allow for the flows on the roundabout to be safely conveyed from the road to reduce risk on the roadway. This infrastructure will have</p>

				<p>and the newly constructed roundabout has included additional drainage infrastructure which will reduce flooding in a (1 percent Annual Exceedance Probability) year flood event.</p> <ul style="list-style-type: none"> Existing town drainage is inadequate which affects the application of the flood overlays. 		<p>little to no effect on reducing flows to this area in a 1% AEP flood event.</p> <p>The flood modelling utilised data sourced using an aerial laser (LIDAR) which measures elevations extremely accurately. As a result, this flood study is much more precise than previous modelling and indicates the subject site is likely to inundate in a 1% AEP flood event.</p>
62	<p></p> <p>Current Overlays: None.</p> <p>Proposed Overlays: LSIO.</p> <p></p>		22 March 2022	<p>Objection</p> <ul style="list-style-type: none"> Does not support the subject land having LSIO applied to it, and have the following concerns: <ul style="list-style-type: none"> The area proposed to have the LSIO applied has had fill added and is now raised which may impact the application of the LSIO. The property never floods. 	NO	<p>The WGCMA has indicated they are willing to review this site if the owner provides evidence of the change of levels on site through a planning permit or new land survey showing a fill development plan.</p> <p>Land is still developable within a LSIO, subject to a planning permit and referral to WGCMA to ensure design and development addresses flood risk.</p> <p>The flood mapping has been prepared with the best available information and tools. It models a flood event considered larger than that which has occurred in Glengarry in recent time.</p>
63	Country Fire Authority (CFA)	N/A	9 March 2022	<p>Support</p> <p>CFA has no objection to the proposed amendment.</p>	NO	<p>Unfortunately, the conditions listed in this submission are beyond the scope of this amendment and do not relate to what the amendment is proposing.</p> <p>No change is required to the amendment as a result of the submission.</p>
64	<p></p> <p>Current Overlays: LSIO</p>		9 March 2022	<p>Objection-Withdrawn</p> <ul style="list-style-type: none"> Does not support the subject land having LSIO removed and FO applied to it, and have the following concerns <ul style="list-style-type: none"> The property has a 	YES	<p>After review of on-site level and the proposed flood shape, it is recommended that the property be removed from the proposed overlay.</p>

	<p>Proposed Overlays: FO.</p> 			retaining wall and fill which may affect the flood modelling.		Submission WITHDRAWN by submitter.
65	<p>Current Overlays: </p> <p>Proposed Overlays: LSIO.</p> 		4 April 2022	<p>Objection</p> <ul style="list-style-type: none"> Does not support the subject land having LSIO applied to it, and have the following concerns: <ul style="list-style-type: none"> The property has been flooded four times between June-November 2021 due to drainage and applying Overlays doesn't fix this. The LSIO will impact the ability to sell or rent the property, and insurance premiums will increase. Drainage maintenance is lacking and has resulted in the flooding at the subject site. Development along Traralgon-Maffra Road has affected drainage and caused flooding on the subject site. The first flood event on the subject site in June 2021 was due to a (1 percent Annual Exceedance Probability) year flood event. Council only looks at drainage 	NO	<p>Drainage assets are inspected at the frequencies identified in the Road Asset Management Plan or ad hoc in response to community requests as occurred near this property.</p> <p>The impacts from this event reveal that there is no provision of overland flow paths which cater for flows in excess of the piped drainage network or as a redundancy to that network. However, following the impact of these events Council undertaken a flood mitigation study to provide increased protection to habitable floor level flooding that has been experienced in the catchment. These mitigations will be reviewed for implementation in the 2022-2023 financial year as a high priority.</p> <p>The level of drainage service provided to this property is in accordance with the applicable requirements at the time of its initial lot creation. There is no obligation to update the legacy drainage infrastructure to the current standards which, if feasible, will</p>

				when there is a major problem.		<p>likely require significant capital funds and may be subject to a Special Charge Scheme.</p> <p>New developments are subject to modern requirements that include a stormwater strategy in which stormwater flows from the new lots are attenuated within the development so that outflows match the pre-development peak flows. This is to ensure there are no downstream impacts.</p> <p>Unfortunately, insurance premiums are not a relevant town planning consideration. However, the flood studies have been public documents since 2015/ 2016. Insurers assess flood risk based on this information and in conjunction with their own investigations. It is recommended that the submitter contacts their insurance to enquire how this process is conducted.</p> <p>Land is still developable within a LSIO, subject to a planning permit and referral to WGCMA to ensure design and development addresses flood risk.</p>
66	Civil Aviation Safety Authority (CASA)	N/A	5 April 2022	<p>Support</p> <p>CASA has no objection to the proposed amendment.</p>	NO	No change is required to the amendment as a result of the submission.



Department of Transport

Submission 1

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120 Kay Street
Traralgon, VIC 3844 Australia
Telephone: +61 3 5172 2319
www.transport.vic.gov.au
DX 219286

Ref: DOC/22/14917

Latrobe City Council
Attention: Strategic Planning Department
PO Box 264
MORWELL VIC 3840

To the Strategic Planning Department

LATROBE PSA C131 – FLOOD MAPPING UPDATE

This letter is in response to the exhibition of Latrobe Planning Scheme Amendment C131 which proposes to update flood controls based on modelling from the *Latrobe River Flood Study* (2015) and the *Traralgon Flood Study* (2016).

The Department of Transport has no objection to the proposed amendment.

Yours sincerely


Manager Transport Integration | Gippsland

07 / 02 / 2022

Submission 2

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Hello Jemma

SGSC has no objection to the amendment. Thanks for letting us know.

Regards



[REDACTED]
Strategic Planning Coordinator

South Gippsland Shire Council | 9 Smith Street (Private Bag 4) Leongatha VIC 3953
P: 03 5662 9236 | F: 03 5662 3754 | M: [REDACTED] | [website](#) | [facebook](#)

Submission 3

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Submitted on Wed, 2022-02-16 15:31

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Your Submission

My submission is

I believe that the flooding in my area is due to lack of on going maintenance to the storm water pipes through out the Glengarry area.

With this in mind and after much work to clear this problem (clean and removal of tree roots etc.) I believe that this area should not be on this Amendment C131. I strongly feel this is a councils quick way of not taking responsibility for the storm water issues in this area .

Thank you

[REDACTED]

Submission 4

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**Attention: Strategic Planning
Latrobe City Council**

RE: Amendment C131 (FLOOD OVERLAYS)

We strongly object to the placement of any type of Flood Overlay over the property

[REDACTED] as shown on the proposed Planning Scheme Map insert 67LSIO-FO.

The information provided to the Public shows no impact to our property under the information detailed in the Latrobe Flood Study (2015) and the Traralgon Flood Study (2016) in either the 100 year or 200 year flood maps.

We have had discussions with the West Gippsland Water Catchment Authority and have been provided Modelling Maps. These Maps are modelling only with significant flaws in the data shown.

The Amendment not only places new overlays, it also removes old overlays as detailed.

No physical evidence has been provided to justify the proposed decision by the Latrobe City Strategic Planning Group.

Latrobe Shire had failed to provide all relevant data to the public for viewing in regards to the proposed Amendment as per the e-mail sent by our son [REDACTED] to Miriam Turner on the 8/2/2022.

In fact the Latrobe City Offices would be approximately 90 metres under water if the Latrobe or Moe Rivers were to flood the lowest point of our property!

We strongly believe any water flow issues associated with the tributaries that run through the Moe Residential area via our Primary Production property of 60 years are due to lack of Maintenance and Planning by the Latrobe City since the area has been developed for Residential Housing.

We request a response in writing from the Latrobe City Strategic Planning Group by the 7th March stating that the proposed LSIO will be removed from the property.

If the Latrobe City does not withdraw its proposal as requested we will unfortunately be left with no other option but too have the matter resolved by others on our behalf.

Kind Regards

[REDACTED]
[REDACTED]
[REDACTED]

Submission 5 - Part A

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Miriam Turner

Just wanting to chase up some information following Monday's zoom meeting with Ben Proctor and ourselves relating to stormwater. Ben indicated that [REDACTED] inundation issue was not flood/inundation from the Traralgon Creek but related to stormwater and runoffs during certain weather events. It is my understanding Latrobe City Council (LCC) is responsible for the stormwater and runoff infrastructure so can you please provide answers to the following.

1. Does LCC identify [REDACTED] as having any issues with stormwater or runoff? Whether relating to insufficient infrastructure, the amount of water involved or time the inundation issue takes to dissipate?
2. Does LCC have any reports or photographs taken of [REDACTED] during times of inundation issue occurring? If so, can I please request copies?
3. What level of due diligence did LCC apply to Water Technologies reports to which Amendment C131 is based that its findings on flash flooding or stormwater inundation is correct?
4. With the issue having been identified what actions or plans have LCC undertaken to mitigate or eliminate these since [REDACTED] development completion (approx. 2005), and Amendment C131 report R05 was published in 2016?
5. Can you please supply details of contour line reference close to our property at [REDACTED] [REDACTED] that can be used for height measurement reference?

As I cannot work on my submission to Amendment C131 full time and having other commitments, is it possible to request LCC for an extension to submission deadline, noting LCC has had almost 6 years to prepare amendment?

I would greatly appreciate your prompt feedback to these questions and requests. Thanks again for your assistance.

Regards

[REDACTED]

[REDACTED]

[REDACTED]

Submission 5 - Part B

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Miriam Turner

With regard to Amendment C131, I believe the suggestion by Latrobe City Council (LCC) that [REDACTED] or any property therein has ever been or is susceptible to impact by flood or inundation (as defined in amendment documents) from Traralgon Creek is incorrect. Amendment C131 Map No 49LSIO-FO shows the proposed overlay for [REDACTED] as separated from the Traralgon Creek floodplain. [REDACTED] is also located well above the height of the creek with many properties lower in elevation and closer to the creek not subjected to overlays.

During our meeting with Ben Proctor on the 14th of February, I asked how flood and inundation could possibly occur at [REDACTED] considering this separation and lack of flow path. Ben, indicated that [REDACTED] issue was not flood or inundation related, but issues due to stormwater and movement of that water. LCC's Amendment C131 is based entirely on the computer generated "best guess" modelling of the "Traralgon Flood Study - Summary Report" regarding flooding and inundation specifically from Traralgon Creek. The report's findings and recommendations do not reference or consider stormwater, flash flooding, or their resulting overland flows in the Traralgon urban area. Refer Flood Report, section 3.3 page 17, also in the [LatrobePlanning Scheme Amendment C131 Explanatory Report](#), and the [West Gippsland Floodplain Management Strategy 2018-2027](#). In 17 years of living at [REDACTED] we have never witnessed or been impacted by stormwater or any resulting movement of that water. Stormwater infrastructure in [REDACTED] has proven to be capable and appropriate in evacuating stormwater, including during recent severe record rain events of 2021. The Traralgon Creek Flood Study Report overlay recommendations are based on computer modelling of a 1% AEP flooding event of the Traralgon Creek. Stormwater was not considered in the report and its modelling. From the report "flash flooding as a result of stormwater issues that were not covered within the scope of this project."

My concern extends to the validity of all amendments arising to overlays, particularly within Traralgon, related to stormwater, as the scope of Traralgon Flood Study did not extend to stormwater issues.

The Traralgon Flood Study report does not support the application of Amendment C131 to overlay a LSIO on the identified areas of [REDACTED]. My research and discussions with both the LCC & WGCMA representatives have not resulted in either party providing additional evidence to support the application of the amendment to [REDACTED]. Therefore, the application of Amendment C131 to [REDACTED] should be removed.

I am yet to receive a reply to my email dated 16th February, regarding the stormwater issues that WGCMA & LCC believe impact [REDACTED]. While there is no evidence stormwater issues exist I would still be interested in LCC's response to my questions.

I look forward to your prompt reply to the information raised and presented in this email and would again request more time be offered for submissions to Amendment C131.

Regards

[REDACTED]

[REDACTED]

Submission 5 - Part C

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Latrobe City Council
Attention: Strategic Planning Department
PO Box 264, Morwell VIC 3840

Submission to proposed Amendment C131 – Flood Overlays

My name is [REDACTED] own the property at [REDACTED] [REDACTED]. We have owned this property since 2005 (17 years) and building a home that was completed early 2006. I have lived in or around Traralgon my entire life and very aware of the fact Traralgon Creek floods and the impacts these events have in some areas of Traralgon. When purchasing the property, it was important for us that the property would never become impacted by flood or inundation caused by flooding of the Traralgon Creek. We also considered the fact that our property was located on the western side of Traralgon Creek, considered the “higher side” with no urban residential area flood impact. Our property is also located a reasonable distance from Traralgon Creek. At [REDACTED] we have invested heavily in our home on these facts.

Latrobe City Council (LCC) now proposes to amend the planning scheme and apply a ‘Land Subject to Inundation Overlay’ (LSIO) on several properties in [REDACTED] area including ours (Amendment C131latr MAP No 49LSIO-FO). The suggestion by LCC that [REDACTED] or any property therein is susceptible to impact by flood or inundation (as defined in amendment documents) from Traralgon Creek is completely wrong and based on inaccurate modelling. From this submission I wish to object to Amendment C131 (C131) and its overlays on the grounds of inaccurate modelling, incorrect application of LSIO to area, and LCC’s incorrect design flood extents determination. LCC’s Amendment C131 overlays are inconsistent, erroneous and not representative of fact or evidence. It is because of this C131 overlay should be removed from our property and that of the [REDACTED] area.

This submission will have 2 parts and only consider the [REDACTED] Traralgon area. Part 1 will be objecting to Amendment C131 based on information received from LCC and West Gippsland Catchment Management Authority’s (WGCMA) representatives that issue in our area is stormwater related. Part 2 will be objecting to Amendment C131, based on LCC’s view that [REDACTED] is impacted by flood and inundation from Traralgon Creek.

Part 1 – Stormwater?

1.1/ During a meeting with Miriam Turner (LCC) & Ben Proctor (WGCMA) on 14th February, I asked how flood and inundation could possibly occur at [REDACTED] considering a separation of flow path from Traralgon Creek and area is outside floodplain. It was indicated that [REDACTED] issue was not flood or inundation from Traralgon Creek, but issues with stormwater. LCC's C131 is based entirely on the computer generated "best guess" modelling of Water Technology's Traralgon Flood Study - Summary Report 2016 (referred to as 'Study' in this submission) regarding flood and inundation specifically from Traralgon Creek. Study's findings and recommendations do not reference or consider stormwater, flash flooding, or their resultant overland flows in the Traralgon urban area. Refer Study, section 3.3 page 17, also [Latrobe Planning Scheme Amendment C131 Explanatory Report](#) (Explanatory Report) (LCC, 2022) and [West Gippsland Floodplain Management Strategy 2018-2027](#) (WGCMA, 2017). In the 17 years we have lived at [REDACTED] [REDACTED] we have never witnessed or been impacted by stormwater or any resulting movement of that water. Stormwater infrastructure in [REDACTED] has proven to be capable and appropriate in evacuating stormwater, including during recent severe record rain events of 2021. The Traralgon Creek Flood Study draft overlay extents are based on computer modelling of a 1% AEP flood event of the Traralgon Creek, not stormwater. Urban catchment water was referenced in Study but did not cover impacts caused by urban stormwater. "Flash flooding as a result of stormwater issues that were not covered within the scope of this project", (Study Final report, 2016). Only supporting information LCC has provided supporting C131 is a Study based on flood of Traralgon Creek. Therefore, if issue is stormwater and not flood, C131 overlays cannot apply. LCC has provided no information of how or why stormwater has resulted in justifying Amendment C131 overlays.

1.2/ If [REDACTED] issue were stormwater related, the "Land Subject to Inundation Overlay" (LSIO) for which LCC wants to apply to our property and general [REDACTED] area cannot apply. This area does not fit within the definition and requirements of a LSIO. LSIO "represents the fringe of the floodplain" (LCC, 2022) and [REDACTED] is neither within nor on the fringe of Traralgon Creek floodplain.

1.3/ Development of [REDACTED] was part of a very recent land development. As such stormwater system was designed according to latest standards and guides. If there was an issue with stormwater in area, I'm sure it would have been reported. I sought further information from LCC about stormwater issues around [REDACTED] but never received a response. I was disappointed at LCC's unwillingness to provide supportive information. LCC failed to provide any information validating their claims that the [REDACTED] area has stormwater issues.

1.4/ During the consultation process for the Study, "there were several responses from community members, however the main issues were associated with flash flooding as a result of stormwater" (Study Final Report, 2016). There is no reference or documentation of these community responses. What evidence does LCC have that there is an issue with stormwater in [REDACTED] area?

1.5/ Why does Amendment C131 not apply LSIO's to known areas of Traralgon regularly impacted by stormwater? Properties in Grammar Drive and Crestmont Court are regularly impacted by stormwater during heavy rainfall events to the extent occupants are having to relocate while repairs are made. October 14, 2021 was latest event to impact these areas. Following photograph of Trent Court, Traralgon shows stormwater flooding from this event. Why will Trent Court not have LSIO applied, despite evidence an issue exists? Is this because Trent Court is not within Traralgon Creek catchment area? [REDACTED] has no issues or evidence of impact from stormwater but will have LSIO applied. LCC's Amendment C131 overlays appear arbitrary, inconsistent, and discriminatory in their application.



14th October 2021. Trent Court, Traralgon regularly impacted by stormwater. LCC believes issue with [REDACTED] inundation is same as here in Trent Court. (Source: G Duncan)

My concern extends to the validity of all Amendment C131 overlays, particularly within Traralgon, related to stormwater, as the scope of Traralgon Flood Study did not include stormwater issues. The Traralgon Flood Study then does not support the application of Amendment C131 overlays on areas around [REDACTED]. Definitions of FO & LSIO do not support their use outside of mainstream flood areas. Amendment C131 overlays are being applied incorrectly and inconsistently. My research and discussions with both the LCC & WGCMA representatives have not resulted in either party providing additional evidence to support the application of the amendment to the [REDACTED] area. Therefore, Amendment C131 application of a LSIO to our property and [REDACTED] area must be removed.

Part 2 – Flood?

2.1/ With the Study using a 1% AEP flood model, a revised draft FO & LSIO extents (Figure 5-1) was prepared for LCC. Areas in and around [REDACTED] subjected to LCC's proposed overlays are not within Study's draft FO & LSIO extents. Why do LCC's C131 FO & LSIO extents not reflect Study's FO & LSIO extents? LCC is again not forthcoming in providing any information to justify or explain this difference. What is LCC's FO & LSIO extents based on, and why the decision not to use draft FO & LSIO extents recommendations of Study?

2.2/ I have genuine concern with Traralgon Flood Study – Summary Report and the due process taken in its approval and sign off. I fail to understand why a study using extensive assumptions in its modelling, and “considerable engineering judgement” (Study Final Report, 2016) to generate recommendations that were not subjected to peer or stakeholder review. An employee of Water Technology, the company commissioned to produce Study, is same person who authored, reviewed, and approved the Study's reports. Not only the final revision, but all previous revisions. I cannot ever recall having seen this in my career on a study this complex. This appears to illustrate a lack of transparency and due diligence towards ensuring discussion and accuracy of the information presented in Study.

2.3/ Traralgon Flood Study – Summary Report 2016 underpinning LCC's Amendment C131 flood and inundation overlays has not received proper community consultation. Final community meeting regarding Study was held on the 29th of September 2015 with Final Report issued 27th May 2016. That's 6 ½ years since last community consultation. We, like many owners in area did not participate in 2014 flood study project because our properties are outside of the mainstream floodplain with no risk of impact from flood. There was no reason for us to participate in this project. Owners of effected property were never given opportunity to provide feedback to Study's Final Report modelling and assertions, as to their accuracy. LCC's Amendment C131 has not been implemented in a timely manner by any standard. If there has been any consultation or progress during this 6+ year hiatus, LCC has provided no information supporting this.

2.4/ In 2015 four Traralgon Creek flood mitigation options were presented to LCC recommending further consideration. What further consideration has LCC conducted on these options? Has LCC implemented any of these in the past 7 years? If any flood mitigation measures have been implemented during this time, modelling used in Study may no longer apply. Further information LCC has not been forthcoming in providing to justify Amendment C131.

2.5/ Traralgon Flood Study – Summary Report states that historical flood information from the “general public (including photos and anecdotal evidence) was also collated” (Study Final Report, 2016). I was unable to find information of this type on LCC's Amendment C131 [webpage](#) or exhibition documents at LCC's Traralgon service centre. There is no documented evidence relating to flood impact in [REDACTED] [REDACTED] I searched hundreds of sites online for any evidence of flood impact in or around [REDACTED] I found none. No photos, video, or reports of flood in [REDACTED] [REDACTED] I did find photos however showing [REDACTED] completely unaffected by [REDACTED]

flood or inundation during past flood events including photo in item 2.9 of this submission.

2.6/ Traralgon Flood Study – Summary Report Table 4-5 lists the various flood class events, and resultant consequences. [REDACTED] and other streets in immediate area are not mentioned as being impacted by any flood class event up to a 0.5% AEP event. This is despite C131 MAP No 49LSIO-FO showing impacted areas surrounding [REDACTED] as quite significant. Is the consequence of [REDACTED] inundation not mentioned in Study because it does not flood in this area? Information provided by LCC is inconsistent.

2.7/ Elevation above sea level of [REDACTED] and surrounds is such that it will not be impacted by mainstream flood or inundation from Traralgon Creek during a 1% AEP design flood event. Survey marks in area reveal [REDACTED] AHD elevation at between 37 & 39m. LCC therefore believes that when [REDACTED] is inundated with up to 250mm of flood water, properties on Hedges Avenue (AHD 35m) are 2-4m underwater. Properties on Bowral Way (AHD 32m) are under 5-7m of flood water. Properties at these addresses will not have a FO or LSIO applied under Amendment C131. LCC's acceptance that [REDACTED] is impacted by mainstream flooding is frustratingly inconsistent with these facts.

2.8/ There are numerous examples where C131 overlays will either not apply or are reduced in size, in areas well known to be impacted by flood and inundation. An example of this inconsistency and double standard is shown in following photograph. This property (highlighted in map below) will have a proposed FO & LSIO applying to a fraction of its property area. Further, these highlighted properties will have had area of FO & LSIO significantly reduced from current overlays. Photo was taken from north-east corner of the property during the June 2021 flood event. How can [REDACTED] area with no history of flood or inundation have large FO & LSIO areas applied, while properties with a regular history of flood inundation are having overlay areas reduced or removed? LCC's proposed C131 LSIO applying to [REDACTED] area is inconsistent, arbitrary, and discriminatory.



June 2021. Davidson Street Traralgon. Amendment C131 showing minimal possible impact to property by flood or inundation??? Source: Latrobe Valley Express, 2021. C131 MAP No 50LSIO-FO, 2022.

2.9/ A [video](#) from Water Technology's YouTube channel, shows an animation of the June 2012 flood event using the Study's modelling method. It shows that during this event [REDACTED] and surrounding areas were completely inundated. Again, this assertion is false and not backed by any fact or evidence of that time. With the modelling animation determining [REDACTED] inundated by flood water during this event, the aerial photograph below depicts a very different factual truth.



2012 flood event. [REDACTED] NOT inundated. (Source: WGCMA)

2.10/ A second [video](#) produced by Water Technology available from the WGCMA website, again using Study's modelling in an animation of a 1% AEP flood event of Traralgon Creek. The video references design flood flow and time. At the 20hr mark water flow at Traralgon gauge is approximately 20m³/s, and the animation shows [REDACTED] and surrounds inundated with up to 250mm of flood water. A flow rate of 20m³/s represents a Traralgon Creek @ Traralgon gauge height of approximately between 1.5 & 2m. This is well below minor flood level of 3.5m (Study Report, 2016). At this level Traralgon Creek would have barely overtopped its banks if at all. Events where Traralgon Creek has reached this gauge height would have resulted in [REDACTED] inundated by flood water no fewer than 6 times in past 12 months. This animation affirming LCC's opinion of inundation around [REDACTED] is false.

2.11/ Traralgon Flood Study – Summary Report identifies the “largest flood on record” as the flood event of September 1993. The following photograph of this 1% AEP event shows highlighted in red the location of [REDACTED] and our property. It is not flooded as LCC believes is the case during an event of this class. Interestingly LCC has since permitted building of homes in some areas shown in this photo to be covered in flood water. Why doesn't Amendment C131 overlays apply to these areas? Inconsistent and arbitrary application of overlays? This is actual evidence of a 1% AEP flooding event and not a hypothetical simulation. The photo clearly shows the area of [REDACTED] is not impacted by inundation during 1% AEP events.



1993 Largest flood on record. 1% AEP event.

Red area is location of [REDACTED] No impact from flood or inundation. (Source: J Symes)

2.12/ 10th of June 2021 saw a major flood event impact Traralgon. This event has been compared to a 1% AEP for many reasons. Peaking at 5.76m it was the largest since 1993. This event was arguably the largest ever, due to amount of damage caused, cost of clean-up, emergency response, and Government support provided in the wake of the event. The peak of flooding was around 7:30am and stayed above major flood level till about 3pm. From Study's modelling at these levels, LCC believes [REDACTED] and surrounding areas will be inundated by flood water. Photo on right (Source: S Borg) was taken during peak flood level at 1:45pm. This was most probably the same time that VicSES rescue boats were traversing several Traralgon streets inundated by flood water. Photographic evidence there is no flood inundation in [REDACTED] during these flood events.



2.13/ My submission email includes an attachment of a survey I undertook of [REDACTED] property owners who will be affected by Amendment C131 overlays. Survey asked whether residents had ever witnessed or were ever impacted by flood in [REDACTED]. The unanimous answer was NO, and all conveyed their disbelief in the "ridiculous" suggestion by LCC that [REDACTED] area is impacted by flood from Traralgon Creek.

Stormwater or mainstream flooding does not occur in the [REDACTED] area. Depending on whichever view LCC decides is applicable to our area the information LCC has provided property owners supporting their decision is both deficient and incorrect. Application of C131 planning overlays by LCC is extremely inconsistent and unjustified. In either scenario LCC has not considered factual evidence, and instead relies entirely on a computer model that was never subjected to proper verification or authentication of its accuracy. Therefore, proposed Amendment C131 overlays should be removed from our property and the [REDACTED] area. I welcome the opportunity to discuss items and information presented in this submission further with LCC.

Regards

[REDACTED]

[REDACTED]

Submission 5 - Part D

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From: "Colin Vardy" <244col@gmail.com>
Sent: Wed, 22 Jun 2022 14:05:27 +1000
To: "Kristy Crawford" <Kristy.Crawford@latrobe.vic.gov.au>
Subject: Re: FW: Amendment C131 (Flood Overlays Update) - update
Attachments: image004.jpg

Hi Kristy

In your email dated 17th June 2022, you state "Traralgon Creek Flood Study identified a number of stormwater overland flow paths across the urban area of Traralgon". Can you please inform me where exactly these overland paths are discussed and identified in the report that ratepayers of effected properties were provided as part of Amendment C131 documentation? I am of the understanding that stormwater systems including overland flow paths and flooding that may result from these systems, are the responsibility of Latrobe City Council alone. Despite this LCC applied an LSIO to the [REDACTED] area that is clearly outside of both current and proposed 1% AEP flood extents (DFE). Can you add any comment to this?

We are happy with the removal of our property from proposed LSIO for many reasons, including the WGCMA determining findings of Traralgon Creek Flood Study contained flaws and errors, as inferred by your email.

I am concerned with the statement that WGCMA, and therefore LCC, "are not prepared to say there is no flood risk at this location". This implies that LCC will continue working (in addition to the 6+ years already taken on issue) to apply flood overlays to this location. The fact that LCC will not consider updating SES flood mapping of this location despite having no flood overlays and is outside 1% AEP flood extent zone, further reinforces this view.

In my submission there are 18 items identified in relation to newly proposed flood overlays of Amendment C131. Answers sought from LCC in your email has failed to recognise the majority of these. LCC's updated flood mapping still shows flood overlays in the [REDACTED] area that in my opinion are incorrect. I understand that some items within my submission may now be invalid due to my individual property no longer having a proposed flood overlay. However, some items I believe still apply and are relevant to the application and accuracy of Amendment C131 in general. If LCC is unwilling to provide an explanation to all items within my submission, I am unable to withdraw my submission. This is not what I wanted but remain hopeful explanations may be provided in future.

Regards
[REDACTED]

On Fri, 17 June 2022, 15:39 Kristy Crawford, <Kristy.Crawford@latrobe.vic.gov.au> wrote:

Good afternoon [REDACTED],

Aaron has passed your enquiry on to me.

The flood mapping in the vicinity of [REDACTED] was developed from the 2016 Traralgon Creek Flood Study.

The Traralgon Creek Flood Study identified a number of stormwater overland flow paths across the urban area of Traralgon that would contribute flow to Traralgon Creek.

Identification of these stormwater overland flow paths required modelling of the contributing catchment and then application of this catchment flow to the hydraulic model.

On receipt of your submission the WGCMA reviewed the modelling techniques used and determined that the way the catchment inflows were applied to the hydraulic model was not sufficiently detailed in this instance. The reason for this was the large catchment flow was applied to a single point rather than being applied across the hydraulic model as smaller dispersed points as would occur in reality.

While the WGCMA is not comfortable with the technique used to model the stormwater inflow in this instance it doesn't mean that there is no flood risk at this location. Given this the WGCMA is happy to support the removal of this area from the LSIO but we are not prepared to say there is no flood risk at this location and as such we do not recommend making any changes to the mapping that the SES utilise in times of emergency.

I believe you have discussed this matter with Adam at the WGCMA. Following these discussions and emails, can you please confirm how you wish to proceed with your submission?

Many thanks

Kristy Crawford

Acting Coordinator Strategic Planning

P 03 5128 5499**M** 0417 774 164**E** Kristy.Crawford@latrobe.vic.gov.au**P** 1300 367 700**W** www.latrobe.vic.gov.au

PO Box 264, Morwell 3840

**Please note my working hours are as follows:**

Monday and Tuesday from 7.00am to 8.15am and 8.45am to 4.00pm

Wednesday from 7.00am to 8.15am and 8.45am to 3.00pm

Thursday and Friday from 7.00am to 8.15am and 8.45am to 4.00pm

From: [REDACTED]**Sent:** Wednesday, 15 June 2022 2:41 PM**To:** Aaron Burness <Aaron.Burness@latrobe.vic.gov.au>**Subject:** Re: Amendment C131 (Flood Overlays Update) - update

Hi Aaron,

I was very pleased to receive your email informing me “common sense” has prevailed with regard to the unjustified designation of LSIO to our property under Amendment C131. However, I am very frustrated and angered by the process used by LCC in their attempt to approve this amendment without any valid justification or reasoning given to effected land owners, despite the six years LCC have had creating Amendment C131.

Regarding my submission, and our property no longer impacted by Amendment C131, I am happy to withdraw my submission if LCC will provides me specific and detailed written answer to why this change has occurred and information leading to this decision. As a ratepayer and effected property owner I am entitled to this information for future record

should LCC attempt any future flood overlay changes. I would also like confirmation from LCC that they immediately inform and update applicable Victorian emergency services of the incorrect information provided to them, and currently on public record concerning Traralgon Creek flood extents.

Your prompt response to this will be appreciated.

Thanks

[REDACTED]

On Wed, 15 June 2022, 11:00 Aaron Burness, <Aaron.Burness@latrobe.vic.gov.au> wrote:

Hi [REDACTED]

The WGCMA have provided us with their updated mapping. The overlays now proposed under the proposed Amendment C131 – Flood Overlays Update, are shown in orange (Floodway overlay) and yellow (Land Subject to Inundation Overlay) in the maps attached below. As you can see, your property (shown in red highlight) has been removed from the proposed flood overlays area.

Given the changes to the mapping and impacts on your property, can please confirm whether you wish to proceed with your submission objecting to the amendment, or if you are satisfied with this outcome and wish to withdraw your submission?

Aaron Burness

Graduate Planner

P 03 5128 6163

M 0429 385 194

E Aaron.Burness@latrobe.vic.gov.au

P 1300 367 700

W www.latrobe.vic.gov.au

PO Box 264, Morwell 3840

Please note my working hours are as follows:

Submission 6

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Submitted on Thu, 2022-02-17 17:40

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Your Submission

My submission is

Not to support the proposed planning scheme amendment C131 flood overlays. The community of Glengarry over the years has increased in size and during this time there has been no consideration to improving and upgrading the drainage throughout the township or beyond the town boundaries. A number of recent flood events have found our drains unable to cope and it has taken the voices of many within our community to all complain about the same issue for someone to respond and conduct inspections.

Recent inspections have found severe blockages along our drainage infrastructure and removal of tree roots impacting the drains will only be a temporary fix until the gum tree roots return to cause further blockages. Speaking with the people conducting the drain cleaning works, the best solution they can see to our flooding issues and having effective drainage is to remove trees along the easements causing the blockages.

The use of the proposed flood overlays such as the land subject to inundation overlay that is covers approximately 40% of our property, is not the solution to the problem. This is more like the council is saying there is nothing more that can be done due to an overlay and therefore the drains will no longer receive the attention they will actually require for maintenance and upgrading in the future.

The new estates starting to be built upon in Glengarry will also have a significant effect on our drainage as there is no upgrading of our current system and will feed into what is existing, causing yet a greater strain on the aging inferior infrastructure. I feel council needs to allow the estates to be completed and then reassess the town drainage and move forward with recommendations to improve the longevity of our drainage by removal of trees, regular inspections and maintenance before putting blanket flood overlays across the vast majority of Glengarry. Please reconsider amendment C131 and at least allow the town of Glengarry to see if recent works on unblocking our drains has had an effect on the flooding issues we faced in the past.

Submission 7

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Latrobe City Council
Strategic Planning
PO Box 264
Morwell VIC 3840

To whom it may concern,

RE:

I am writing to request the removal of the LSIO mapping proposed for [REDACTED] as part of the C131 Latrobe Planning Scheme amendment (shown on following page).

I was born and raised on this property, and in my lifetime I have never seen water lie on this section of our land, if anything, the south eastern corner of the property would get wet at times, however even this has not been present for a number of years due to some storm water works that were undertaken as part of the adjacent development.

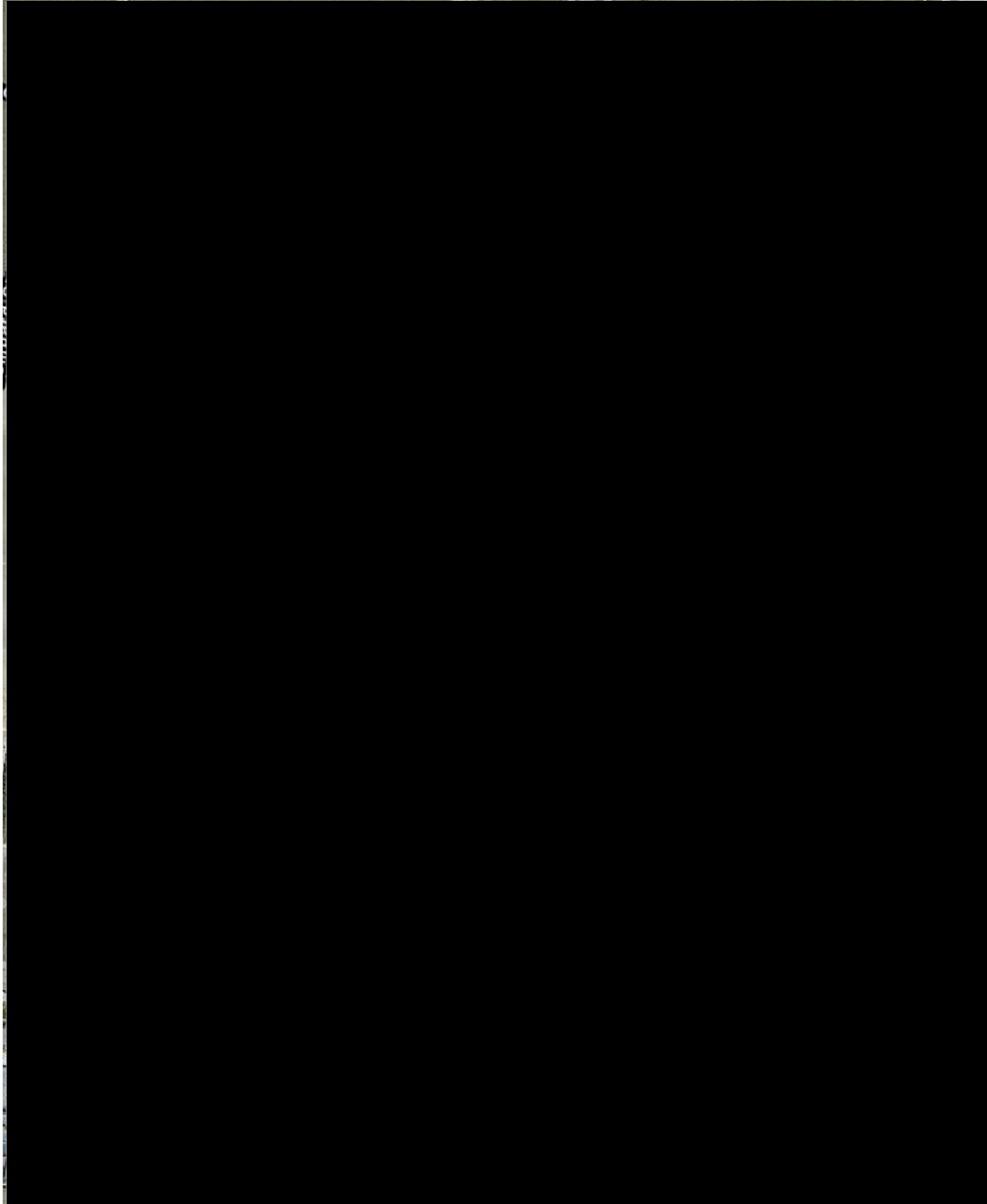
As you would be aware, there is a development plan overlay on this land, with a permit recently approved for subdivision. The land proposed for LSIO in this amendment will affect the lots approved in this process. As there have never been issues at this site with inundation, I do not believe it is fair on future residents of this subdivision to be subjected to any building or insurance restrictions as a result of this inaccurate mapping.

I request that you confirm with myself that this can be removed prior to this amendment being put forward.

I am happy to discuss this further if required.

Regards,

[REDACTED]



Submission 8

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Submitted on Thu, 2022-02-17 21:41

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Confidentiality

Please withhold my name from public documents such as Council reports

Your Submission

My submission is

I object to the Latrobe Planning Scheme, amendment C131 (flood overlays). our property has now been classified under the prosed amendment as a Land subject to Inundation overlay. In the 14 years we have resided at our property, it has only been in the recent 4 months that our property experienced brief minor flooding due to a brief, rare and intense storm. I do not believe that our property or neighbouring properties need to be re-classified as a LSIO or previously known as floodplain area. Especially considering we live across to crown land that could be used as a area to assist with drainage issues. Latrobe needs to review and review and fix their current drainage water systems and water ways , other than re-zone and amend blanket areas of resident land where land owners will be subject to insurance rising, issues with permits and other related costs as a result of a rubbish blanket proposal that heavily affects rate payers. We would of loved to be previously consulted with council, other than receive a letter- with very little information that was highly confusing to read. We were also referred to a website where it took 2 hours to locate and find our property. This was infuriating and time consuming along with very stressful. Getting 6 pages of just numbers referring to amendment maps, gives the rate payer and resident no information. What a waste of paper and my time. Every rate payers time to flick through pages of nothing. I will be making a time to speak to the council planner, as you have left me with 6 pages of no information and I will have to waste further time listening to what this could potentially mean for the resale vale of our home and insurance costs. What a joke!!!! Yet the Council is still very happy to re-zone farming land now currently on flood overlay for future residential zones. Appling!!

Submission 9

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Submitted on Mon, 2022-02-21 16:07

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Confidentiality

Please withhold my name from public documents such as Council reports

Your Submission

My submission is

I do not agree with this new amendment. The drainage in Glengarry is a major factor, I think if that was fixed it would make a massive difference to our flooding issue. I also think the rail trail needs some attention when it comes to drainage. We have lived at our property for 20 years and have never had any flooding issues. I really think Latrobe City need to recalculate this flooding zone.

Submission 10 - Part A

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Submitted on Mon, 2022-02-21 16:25

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Your Submission

My submission is

My property is raised well above the low lying areas and does not get any water what so ever laying on it. The rail trail out the back and the storm water drains on [REDACTED] are all blocked and flood. Poor storm water drainage and no maintenance causes the flooding to occur, fix this and there would be no flooding at all on [REDACTED]. Our place has never flooded and does not hold floodwater at all, my property boundary is at least 500mm higher than the rail trail drainage. Can I please be contacted on [REDACTED] to discuss this in more detail.

Submission 10 - Part B

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From: [REDACTED]
Sent: Mon, 28 Feb 2022 09:07:08 +1100
To: Latrobe Central Email
Subject: [REDACTED]
Attachments: [REDACTED]

Hi,

I would like to formally request that my property [REDACTED] be re surveyed as I do not agree with the C131 flood overlay that has been completed. The lidar is obviously old (3 + years) as it does not show the changes made during subdivision to allow for the building to be constructed. My property is at least 500mm higher than any of the surrounding properties and does not hold any flood water at all. Water spills over the rail trail before it gets to our block therefore it is not possible for our block to be inundated. Any flood inundation that occurs to neighbouring properties is a direct result of poor drainage on the rail trail, the rail trail acts as a flood levy and has no drainage underneath it whatsoever.

As you can see by the attached photos taken this year during a flash flooding event, our property is high and dry and not as the inundation mapping indicates. Railway avenue and the farm land to the East is all lower than our property and would all be under water before our place.

Fixing the railway drainage and ensuring maintenance is undertaken would remove the flood overlay around my property completely. Poor drainage and lack of investment/maintenance should not be covered up by just putting a "flood overlay" over properties to remove your liabilities.

[REDACTED]

SRW acknowledges and respects the traditional owners of the land and waters upon which we work

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Submission 10 - Part C

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Alannah Sherwen

From: Alannah Sherwen
Sent: Thursday, 14 July 2022 9:26 AM
To: Alannah Sherwen
Subject: FW: Amendment C131 (Flood Overlays Update)- [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

From: [REDACTED]
Sent: Wednesday, 13 July 2022 5:36 PM
To: Miriam Turner <Miriam.Turner@latrobe.vic.gov.au>
Subject: Re: Amendment C131 (Flood Overlays Update)- [REDACTED]

Hi Miriam,
thank you. I am happy to withdraw the submission relating to my property. I still have concerns relating to drainage in the town and on the rail trail that I would like noted please.

Regards,

[REDACTED]

[REDACTED]

On 13 Jul 2022, at 4:03 pm, Miriam Turner <Miriam.Turner@latrobe.vic.gov.au> wrote:

Good afternoon [REDACTED]

Thank you for your submission received to Amendment C131 (flood overlays update). Following assessment of your concerns, further work has been undertaken and I can now provide you with an update, specific to your property.

Following further investigation and a feature survey of the site, the level of the house has been confirmed to be raised. Updated mapping has been completed for this site and is has been removed from the overlay.

Attached is a map of the new LSIO-FO overlays near your property at [REDACTED]. As you will see, the proposed overlay has been removed from your property.

For reference, your property is shown in red highlight below, to assist with seeing its location in the attached planning map.

<image006.png>

Can you please confirm whether you wish to proceed with your submission in objecting to the amendment, or if you are satisfied with this information and wish to withdraw your submission.

Kind regards,

Miriam

Miriam Turner
Strategic Planning Officer (Mon-Thur)
P 03 5128 6158
M 0429 394 376
E Miriam.Turner@latrobe.vic.gov.au

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

<image005.jpg>

<image001.jpg>

<image002.jpg>

<image003.jpg>

<image004.jpg>

<0.png>

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Latrobe City Council
P.O. Box 264
Morwell 3840 Victoria Australia

www.latrobe.vic.gov.au

<Latrobe C131latr Isio-foMap19 Approval.pdf>

Submission 11 - Part A

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From: [REDACTED]
Sent: Wed, 16 Feb 2022 19:03:55 +1100
To: Latrobe Central Email
Subject: Amendment C131 flood overlays

Hello,

I do not support the proposed amendments to the flood overlays in glengarry.

I may not understand the proposal properly it it appears my address at [REDACTED] is now considered as a property that is subject to inundation.

This is absolutely unfair and immoral or Latrobe city's behalf given the only reason our property gets "inundated" with water is because Latrobe city do not maintain their drainage properly!

Gippsland water have recently cleaned all the drains out and have advised me personally that the drains out now clear after being almost completely blocked in sections of the drain!

Latrobe city you need to take responsibility for the issues rather than infer that it's due to other reasons and an extensive study. If you did the study correctly it would have uncovered your failures.

It is not appropriate or moral for rate payers who already get substandard services in our little town to then also wear the cost of higher insurance premiums due to now being in flood affected area.

I have lived in this town my whole life and before the gum trees grew large along the easement and have blocked the drains.

I am in 100 disagreement of the proposed amendment c131

Sincerely

[REDACTED]

Sent from my iPhone

Submitted on Fri, 2022-03-18 09:54

Submitted by: Anonymous

Submitted values are:

Submission 11 - Part B

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Your Details

Personal Details

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Your Submission

My submission is

Please note this is a secondary submission after my meeting with Latrobe City Council on 17th March.

My primary focus is to have the ammendment scraped all together until upgrades are done to the drainage around glengarry so as not to adversely affect residents who now find themselves living in areas prone to flooding without their prior knowledge.

If council refuse to this I propose a compromise to the wording of the ammendment to narrow the scope of the problem. We have been advised that 80% of the time there would be no problem with water during periods of rain but in "once in 100 year weather events" the towns infrastructure will not cope and properties will be subject to inundation. If that is the case the ammendment needs to more clearly define the risk of inundation rather than implying it always subject to inundation. The prediction of flooding is really just that and it's based past issues (which again I reiterate are because of Latrobe city's inadequate drainage system) and you really have no way of knowing without a doubt whether it will occur now that the drains around [REDACTED] have been cleared. So to be fair to residents and rate payers if you need to have the ammendment in place to secure funding to make upgrades then it should accurate depict the likely of flooding or inundation. I have been told that there is a process to appeal to have the wording used and I would like council to make this an option and commence conversations with relevant agencies.

Submission 12 - Part A

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From: [REDACTED]
Sent: Sat, 19 Feb 2022 15:11:04 +1100
To: Latrobe Central Email
Subject: AMENDMENT C131 (FLOOD OVERLAYS)

We own the property at [REDACTED]

The flood overlays shown at this property are incorrect. The overlays have not taken the construction of Eton Avenue into account which have significantly altered the ground levels.

Kind regards,

[REDACTED]

Submission 12 - Part B

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From: "Kristy Crawford" <Kristy.Crawford@latrobe.vic.gov.au>
Sent: Wed, 29 Jun 2022 10:13:24 +1000
To: "Kristy Crawford" <Kristy.Crawford@latrobe.vic.gov.au>
Subject: FW: Amendment C131 (Flood Overlays Update) - u [REDACTED]

From: [REDACTED]
Sent: Wednesday, 15 June 2022 5:42 PM
To: Aaron Burness <Aaron.Burness@latrobe.vic.gov.au>
Subject: Re: Amendment C131 (Flood Overlays Update) - update [REDACTED]

Thanks Aaron,

We are satisfied with the amendment removing the overlay

Regards
[REDACTED]

On 15 Jun 2022, at 4:50 pm, Aaron Burness <Aaron.Burness@latrobe.vic.gov.au> wrote:

Hi [REDACTED],

Thanks for the phone call earlier. As I mentioned, I am advising you that WGCMA have reviewed the modelling following exhibition of Amendment C131. The information provided to us details that it is likely the overlay can be modified and potentially removed from your property.

Attached is an image of the new modelling and proposed overlays. Your property is marked in red highlight, and the updated flood overlays in yellow and orange.

Can you please confirm whether you wish to proceed with your submission objecting to the amendment, or if you are satisfied with this information and wish to withdraw your submission.

Regards,

Aaron Burness

Graduate Planner

P 03 5128 6163

M 0429 385 194

E Aaron.Burness@latrobe.vic.gov.au

P 1300 367 700

W www.latrobe.vic.gov.au

PO Box 264, Morwell 3840





Submission 13 - Part A

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From: [REDACTED]
Sent: Tue, 22 Feb 2022 17:42:24 +1100
To: Latrobe Central Email
Subject: Attention: Strategic Planning

Hello

Recently I received a mailout regarding Amendment C131. I can't understand why this might have happened, as I'm not situated near bodies of water and none of my neighbors received this. As no one in this area is similarly affected, I request that my property, [REDACTED] be removed from this overlay.

I look forward to your reply and confirmation that this has been initiated.

Best regards
[REDACTED]

Submission 13 - Part B

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From: [REDACTED]
Sent: Thu, 16 Jun 2022 17:08:47 +1000
To: "Kristy Crawford" <Kristy.Crawford@latrobe.vic.gov.au>
Cc: "AdamD@wgcma.vic.gov.au" <AdamD@wgcma.vic.gov.au>
<Alannah.Sherwen@latrobe.vic.gov.au>; "benp@wgcma.vic.gov.au"
Subject: Re: Amendment C131 (flood overlays) - Update

Hello Kristy

Thank you all for your time and assistance in understanding this matter and how it impacted my property.

As Ben and Adam have articulated that [REDACTED] has now been removed from the revised overlay below, I withdraw my objection to proposed Planning Scheme Amendment C131.

Many thanks everyone.
Best regards,
[REDACTED]

On Thu, 16 Jun 2022 at 10:56 am, Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au> wrote:

Hello [REDACTED]

Given Ben's advice below, can you please confirm whether you wish to proceed with your submission, or if you are satisfied and happy to withdraw your objection to proposed Planning Scheme Amendment C131?

Many thanks

Kristy Crawford

Acting Coordinator Strategic Planning

P 03 5128 5499

M 0417 774 164

E Kristy.Crawford@latrobe.vic.gov.au

P 1300 367 700

W www.latrobe.vic.gov.au

PO Box 264, Morwell 3840



Please note my working hours are as follows:

Monday and Tuesday from 7.00am to 8.15am and 8.45am to 4.00pm

Wednesday from 7.00am to 8.15am and 8.45am to 3.00pm

Thursday and Friday from 7.00am to 8.15am and 8.45am to 4.00pm

From: Ben Proctor <benp@wgcm.vic.gov.au>

Sent: Wednesday, 15 June 2022 3:47 PM

To: [REDACTED] <[\[REDACTED\]@wgcm.vic.gov.au](mailto:[REDACTED]@wgcm.vic.gov.au)>; Adam Dunn
<AdamD@wgcm.vic.gov.au>

Subject: RE: Amendment C131 (flood overlays) - Update

OFFICIAL

Good afternoon [REDACTED]

Thanks for your email. Happy to clarify.

The area around Bennett Court was initially identified as being subject to stormwater flooding.

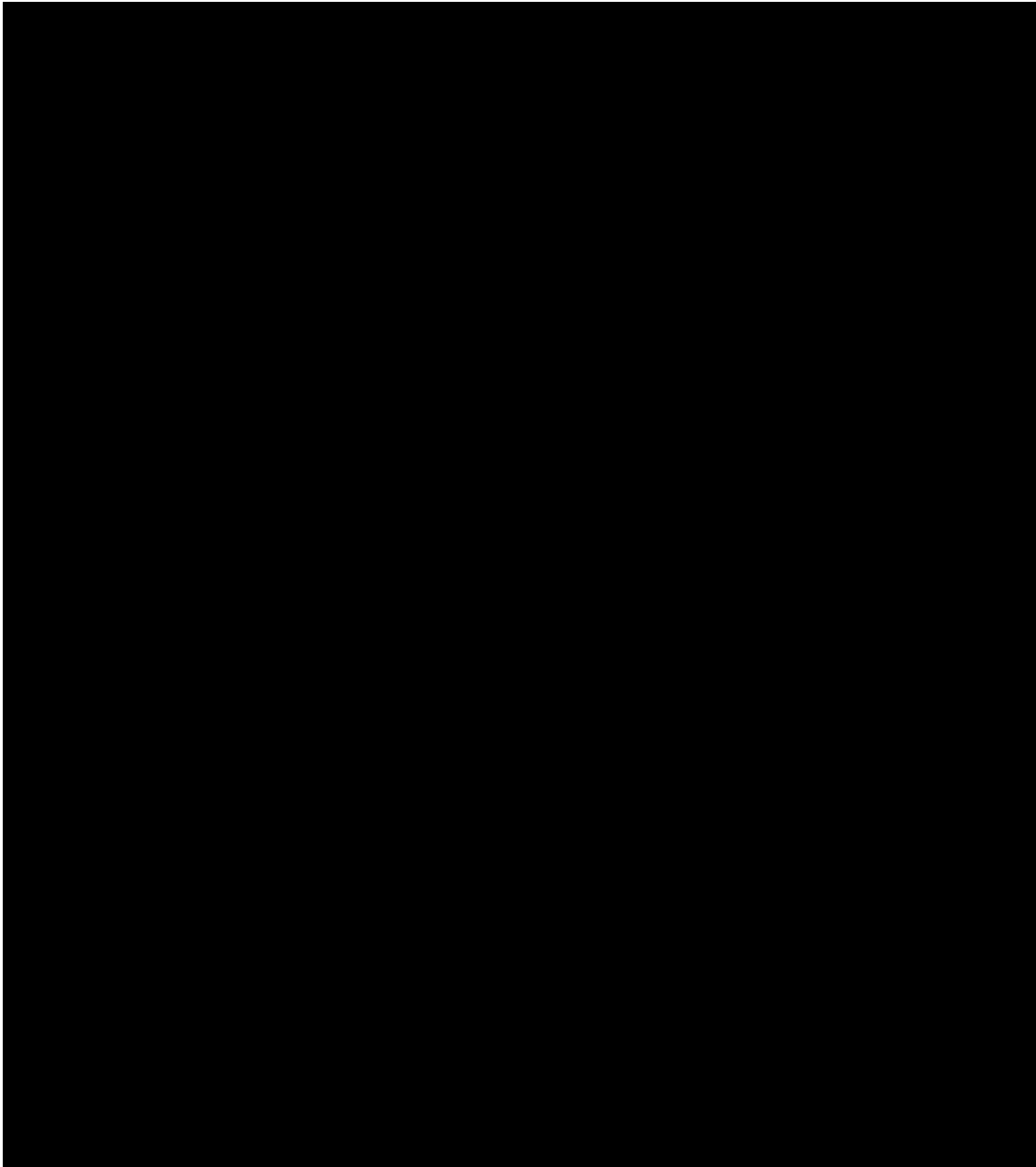
On review of your submission and the accuracy of the flood modelling at this location we concluded that the Overlay at this location was not warranted.

We have proposed to remove this area from the Amendment (see images below)

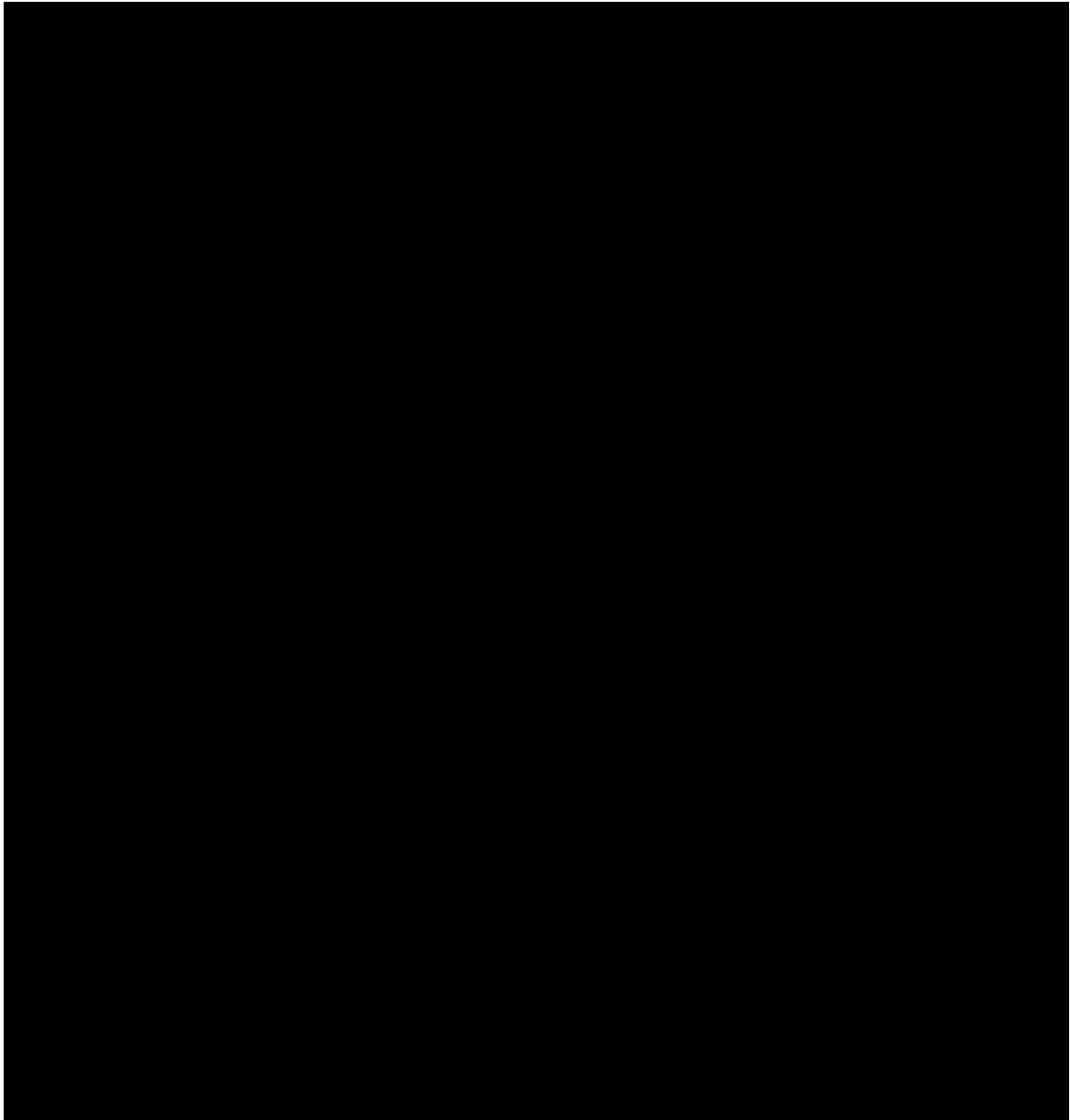
If this change addresses any concerns you may have had and you would like to withdraw your submission please get in touch with Latrobe City Council.

Please let me know if you have any other questions.

Exhibited



Document Set ID: 2343802
Version: 1, Version Date: 29/06/2022



Thanks

Ben

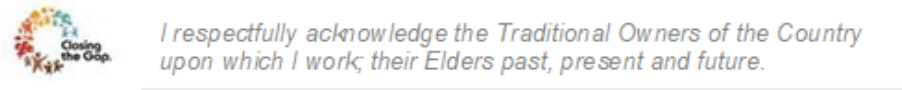
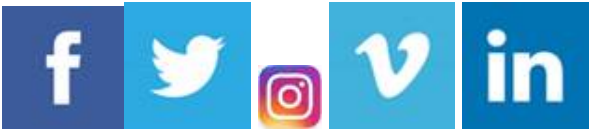
Ben Proctor

Senior Planning Officer - West Gippsland Catchment Management Authority

PO Box 1374 Traralgon VIC 3844

T: (03) 5175 7802 M: 0408 355 541

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



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

From: [REDACTED]
Sent: Tuesday, 14 June 2022 8:07 PM
To: Ben Proctor <benp@wgcma.vic.gov.au>
Subject: Re: Amendment C131 (flood overlays) - Update

You don't often get email from 12bennettcourt@gmail.com. [Learn why this is important](#)

Hello Ben

Alannah has suggested I contact you in regards to my property ([REDACTED]) being contained within the recent flood overlay documentation and I'm not entirely sure why.

My property is not in an area that seems to be located near a large body of water and after the recent inundation of rain, isn't marshy in the slightest so I'm confused where the water is meant to be coming from? I'd love to hear from you and discuss this further with the hope that perhaps the inclusion is a mistake?

114

Good morning [REDACTED],

I would suggest contacting Ben Proctor via email on benp@wgcm.vic.gov.au. He is from the West Gippsland Catchment Management Authority and will be able to answer your questions.

Thank you kindly, and please don't hesitate to contact me if you require any assistance.

E Alannah.Sherwen@latrobe.vic.gov.au








From: [REDACTED]
Sent: Monday, 13 June 2022 6:30 PM
To: Alannah Sherwen <Alannah.Sherwen@latrobe.vic.gov.au>
Subject: Re: Amendment C131 (flood overlays) - Update

Document Set ID: 2343802
Version: 1, Version Date: 29/06/2022

Will there be a question time to ask why certain properties are included in the overlay? That would be the only reason I would want to say anything!

Many thanks

[REDACTED]

On Thu, 9 Jun 2022 at 9:10 am, Alannah Sherwen <Alannah.Sherwen@latrobe.vic.gov.au> wrote:

Hello [REDACTED]

Perfect, I have marked you as attending but not speaking. Let me know if you would like to speak as well and I can arrange that too.

Thank you kindly,

Alannah Sherwen

Planning Administration Officer

P 5128 5445

M 0436 433 237

E Alannah.Sherwen@latrobe.vic.gov.au

P 1300 367 700

W www.latrobe.vic.gov.au

PO Box 264, Morwell 3840



From: [REDACTED]
Sent: Wednesday, 8 June 2022 5:25 PM
To: Alannah Sherwen <Alannah.Sherwen@latrobe.vic.gov.au>
Subject: Re: Amendment C131 (flood overlays) - Update

Hello Alannah

Thank you for the reply! Yes I would like to attend please. I’m still very unclear why my property was included on the overlay and where the risk comes from, in terms of flooding. I hope that this will be the forum it becomes clear?

Best,



On Wed, 8 Jun 2022 at 9:29 am, Alannah Sherwen <Alannah.Sherwen@latrobe.vic.gov.au> wrote:

Good morning,

The Council Meeting provides everyone with the opportunity to discuss their concerns further than what has already been submitted.

You are more than welcome to attend if you want to stay updated. If you don’t feel you need to attend or raise your concerns vocally, your submission for Amendment C131 still stands and all submissions are reviewed whether attending the Out of Session Council Meeting or not.

If you would like to attend or speak at the meeting just let me know and I will record your decision.

Thank you kindly and I hope this helps. Please feel free to email me if you have further concerns.

Alannah Sherwen

Planning Administration Officer

P 5128 5445

M 0436 433 237

E Alannah.Sherwen@latrobe.vic.gov.au

P 1300 367 700

W www.latrobe.vic.gov.au

PO Box 264, Morwell 3840



[REDACTED]
Sent: Tuesday, 7 June 2022 9:52 PM
To: Alannah Sherwen <Alannah.Sherwen@latrobe.vic.gov.au>
Subject: Fwd: Amendment C131 (flood overlays) - Update

Hello Alannah

I wonder if you can help - I'm trying to ascertain what I am required to do (see below) regarding the recent invitation to a session on Thursday 16.

Do I need to formally prepare something, is my concern already raised and in train (and must I say something again in order for it to remain open?).

I see Miriam is away so wasn't sure who to address this matter too.

Many thanks

[REDACTED]

----- Forwarded message -----
From: [REDACTED]
Date: Tue, 7 Jun 2022 at 9:44 pm
Subject: Re: Amendment C131 (flood overlays) - Update
To: Miriam Turner <Miriam.Turner@latrobe.vic.gov.au>

Thank you for this Miriam

Just wanting to confirm that I must attend and raise my issue again if it is to be considered at all? Is it already being reviewed or must it be public ally chaired in order for consideration?



On Thu, 2 Jun 2022 at 5:08 pm, Miriam Turner <Miriam.Turner@latrobe.vic.gov.au> wrote:

Good afternoon,

Please find attached an invitation for an upcoming meeting for Amendment C131.

Kind regards,

Miriam

Miriam Turner
Strategic Planning Officer (Mon-Thur)
P 03 5128 6158
M 0429 394 376
E Miriam.Turner@latrobe.vic.gov.au
P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840



Submission 14

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From: West Gippsland Catchment Management Authority
Sent: Tue, 22 Feb 2022 11:44:42 +1100
To: Latrobe Central Email
Subject: WGCMA response for Various Sites Across Latrobe City Our ref: WGCMA-F-2022-00098
Attachments: WGCMA-F-2022-00098.pdf

OFFICIAL

Dear Miriam,

Response issued for Various Sites Across Latrobe City.

Your Ref: Amendment C131

Regards

Planning Administration

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

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



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

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

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WGCMA Ref: WGCMA-F-2022-00098
Document No: 1
Council Ref: Amendment C131
Date: 22 February 2022

OFFICIAL

Miriam Turner
Strategic Planning Officer
Latrobe City Council

Dear Miriam,

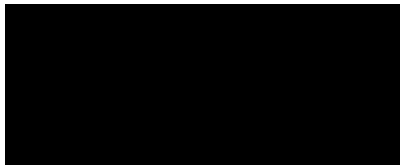
Regarding: Planning Scheme Amendment - Amendment C131

Property	Street:	Various Sites Across Latrobe City
	Cadastral:	Parish of Maryvale

Thank you for your correspondence received at the West Gippsland Catchment Management Authority ('the Authority') on 01 February 2022 in relation to Amendment C131 – Flood overlays update. The Authority understands that Amendment C131 seeks to review and update the extent of existing floodway overlay and land subject to inundation overlay in the Latrobe Planning Scheme.

The Authority supports Planning Scheme Amendment C131.

Should you have any queries, please do not hesitate to contact Ben Proctor on 1300 094 262 or email planning@wgcma.vic.gov.au. To assist the Authority in handling any enquiries please quote correspondence with us.



Planning

pondence is subject to the disclaimers and definitions attached.

ABN 88 062 514 481

Correspondence PO Box 1374, Traralgon VIC 3844

Telephone 1300 094 262 | Facsimile (03) 5175 7899 | Email westgippy@wgcma.vic.gov.au | Website www.wgcma.vic.gov.au
Traralgon Office 16 Hotham Street, Traralgon VIC 3844 | Leongatha Office Corner Young & Bair Streets, Leongatha VIC 3953

Document Set ID: 2295969
Version: 1, Version Date: 22/02/2022

Submission 15

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Hi Miriam,

As per our phone conversation re C131 Amendment , I would like council to review the West Gippsland Catchment Management Authority (WGCMA) history in regards to my property being place under LSIO 18FO.

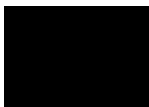
I have resided in my home here for 30+ years and as such, have never seen any flood water rise any where near my west boundary fence.

I understand the low area westward of my property is lowland and a waterway. I ask the proposed LSIO18FO be restructured approximately 70 mtrs west to omit my western boundary.

My forward planning is to construct an extension to the existing garage to accommodate a caravan storage area.

Please see forwarded correspondence between myself and Mr Jody Riordan re the same issue approximately 2010.

Thanks



Submission 16

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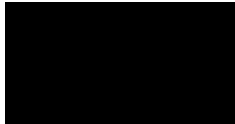
Submitted on Wed, 2022-02-23 20:25

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details



Your Submission

My submission is

I am opposed to the proposed LSIO of my address. We do not have an inundation issue. The only issue is inadequate drainage and even more inadequate maintenance of such drainage along [REDACTED] I am disgusted that the solution to drainage issues is to slap an overlay rather than fixing the real problem.

Submission 17

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From: [REDACTED]
To: [REDACTED]
Subject: NEP-2401-2402 Planning Scheme amendment C131- Flood Mapping update.
Date: Wednesday, 23 February 2022 12:49:41 PM
Attachments: [0.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[Govt Gazette Notice Exhibit C131.pdf](#)
[C131 FAQ Sheet Final.pdf](#)

Good Afternoon Jemma,

My name is [REDACTED] I am the technical officer- 3rd party works for APA Networks.

Please be advised that I have provided some commentary on the proposed planning scheme amendment as below in "Red".

Thankyou for taking our input into consideration.

Kind Regards

apa

[REDACTED]

[REDACTED]

W apa.com.au

always powering ahead

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From: Jemma O'Keeffe <Jemma.OKeeffe@latrobe.vic.gov.au>
Sent: Tuesday, 1 February 2022 4:32 PM
Subject: [EXT]: PLANNING SCHEME AMENDMENT C131- Flood mapping Update

Dear Sir/Madam,

LATROBE PLANNING SCHEME, AMENDMENT C131 (FLOOD OVERLAYS) - NOTICE OF PREPARATION OF AN AMENDMENT UNDER THE PLANNING AND ENVIRONMENT ACT 1987

Latrobe City Council has prepared Amendment C131 to the Latrobe Planning Scheme, which proposes to update flood controls based on modelling from the *Latrobe River Flood Study* (2015) and the *Traralgon Flood Study* (2016).

The amendment affects 65,614ha of land within the Latrobe municipality which is within proximity of the Latrobe River and the Traralgon Creek, and considered to be at risk of flooding.

The Amendment seeks to:

- Amend Clause 02.04 (Strategic Framework Plans) to include a new Strategic Framework Plan;
- Amend Clause 11.01-1L (Glengarry) to include a new Glengarry Town Structure Plan (GTSP);
- Amends the Schedule to Clause 72.03 (Schedule to Clause 72.03 What Does This Planning Scheme Consist Of?) to reflect the amended FO/LSIO mapping;
- Deletes Planning Scheme Maps LSIO-FO Map Nos. 2LSIO-FO, 5LSIO-FO, 6LSIO-FO, 7LSIO-FO, 8LSIO-FO, 9LSIO-FO, 10LSIO-FO, and 52LSIO-FO;
- Amend Planning Scheme Maps LSIO-FO Map Nos. 11LSIO-FO, 14LSIO-FO, 15LSIO-FO, 16LSIO-FO, 17LSIO-FO, 18LSIO-FO, 19LSIO-FO, 20LSIO-FO, 21LSIO-FO, 22LSIO-FO, 23LSIO-FO, 24LSIO-FO, 25LSIO-FO, 26LSIO-FO, 28LSIO-FO, 29LSIO-FO, 34LSIO-FO, 35LSIO-FO, 37LSIO-FO, 38LSIO-FO, 41LSIO-FO, 42LSIO-FO, 43LSIO-FO, 44LSIO-FO, 47LSIO-FO, 48LSIO-FO, 49LSIO-FO, 50LSIO-FO, 56LSIO-FO, 60LSIO-FO, 61LSIO-FO, 63LSIO-FO, 64LSIO-FO, 65LSIO-FO, 66LSIO-FO, 68LSIO-FO, 69LSIO-FO, 70LSIO-FO, 72LSIO-FO, 73LSIO-FO, 74LSIO-FO, 77LSIO-FO, 78LSIO-FO, 79LSIO-FO, 82LSIO-FO, 83LSIO-FO, 84LSIO-FO, 85LSIO-FO, 86LSIO-FO, 87LSIO-FO, 88LSIO-FO, 91LSIO-FO, 92LSIO-FO, 93LSIO-FO, 94LSIO-FO, 96LSIO-FO, 97LSIO-FO, 99LSIO-FO, 100LSIO-FO, 101LSIO-FO, 102LSIO-FO, 104LSIO-FO, 106LSIO-FO, 107LSIO-FO, 108LSIO-FO, 109LSIO-FO, 110LSIO-FO, 111LSIO-FO, 114LSIO-FO, 115LSIO-FO, 116LSIO-FO, 117LSIO-FO, 118LSIO-FO, 119LSIO-FO, 120LSIO-FO, and 121LSIO-FO.
- Inserts Planning Scheme Maps LSIO-FO Map Nos. 4LSIO-FO, 32LSIO-FO, 33LSIO-FO, 40LSIO-FO, 51LSIO-FO, 55LSIO-FO, 57LSIO-FO, 62LSIO-FO, 67LSIO-FO, 71LSIO-FO, 76LSIO-FO, and 112LSIO-FO.

We are writing to you because you may be affected by the proposed amendment. According to Latrobe City Council records

you own and/or occupy land that has been identified as being of interest in regards to the contents of the proposed Planning Scheme Amendment.

Enclosed with this letter is the formal notice of the amendment which is being sent in accordance with Section 19 of the *Planning & Environment Act 1987* (the Act).

Full details of the amendment can be found on Latrobe City Council's website:

https://www.latrobe.vic.gov.au/Property/Development/Planning_Scheme_Amendments/Current_Planning_Scheme_Amendments

Or you may inspect the amendment documentation at the following locations:

- 141 Commercial Road, Morwell Vic 3840, Majority of the AGN (APA Networks operated assets) are what we consider small diameter distribution gas mains and are – thus I don't have any objection or issues to what is proposed at this location.
- 34-38 Kay Street, Traralgon Vic 3844, the AGN (APA Networks operated asset) in question is a DN100 distribution gas main subject to **significant** changes to the existing flood map at this location may cause erosion on the steel asset – if so APA on behalf of AGN may need to inspect the asset by means of undertaking a DCVG survey and possibly recoat this asset (at the proponents expense) to ensure your proposal doesn't impact the integrity of the existing pipeline in situ.
- 1-29 George Street, Moe VIC 3825, the asset in question is a DN50 and a DN63P8 asset – based on the material specification being polyethylene I have no issues with this proposal.
- 9-11 Phillip Parade, Churchill VIC 3842 the AGN (APA Networks operated asset) in question is a DN100 distribution gas main subject to **significant** changes to the existing flood map at this location may cause erosion on the steel asset – if so APA on behalf of AGN may need to inspect the asset by means of undertaking a DCVG survey and possibly recoat this asset (at the proponents expense) to ensure your proposal doesn't impact the integrity of the existing pipeline in situ.
- At the Department of Environment, Land, Water and Planning website www.delwp.vic.gov.au/public-inspection

The amendment will be on public exhibition from 3 February 2022 to 7 March 2022 and this is your opportunity to make a submission to the proposed Amendment.

Officers are available to discuss the amendment via Zoom information sessions. To schedule a 1:1 Zoom meeting with a Council Planner at one of these sessions, please contact Strategic Planning on 1300 367 700 or email StrategicPlanning@latrobe.vic.gov.au

Information sessions are scheduled for:

- Monday 7 February, 10am-7pm
- Wednesday 9 February, 11am-7pm
- Monday 14 February, 11am-7pm
- Wednesday 16 February, 10am-7pm
- Tuesday 22 February, 10am-7pm

Any person may make a submission about the amendment, please note that the closing date for a written submission is 7 March 2022. A submission may be in support or not in support of the proposed amendment; additionally, a submission can just provide general feedback/comments for consideration. If you do make a submission, please be sure to specify which amendment your submission applies. All submissions must be sent to:

Attention: Strategic Planning

Latrobe City Council
PO Box 264
MORWELL VIC 3840

Alternatively, submissions can be sent to Latrobe@latrobe.vic.gov.au

Please note that all submissions in relation to Amendment C131 are being collected by Latrobe City Council for the purposes of the planning process as set out in the *Planning and Environment Act 1987* (the Act). If you do not provide your name and address, Latrobe City Council will not be able to consider your submission.

Your submission will be available for any person to inspect during office hours free of charge for a period of two months after the amendment comes into operation or lapses. Copies of your submission may also be made available on request to any person for the relevant period as set out in the Act.

You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright.

If you require further information, please contact Miriam Turner on phone 0429 394 376 or email miriam.turner@latrobe.vic.gov.au

Kind Regards,

Jemma O'Keeffe
Planning Administration Officer
P
M 0436 433 237
E Jemma.OKeeffe@latrobe.vic.gov.au

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840



Submission 18

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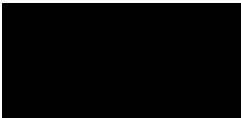
Submitted on Thu, 2022-02-24 12:10

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details



Your Submission

My submission is

I strongly object to the rezoning.

It will devalue our property and our rates are required to provide sufficient drainage for property's that have approved by council for unimpeded residential development

Submission 19 - Part A

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From: [REDACTED]
Sent: Thu, 24 Feb 2022 09:18:06 +1100
To: Latrobe Central Email
Subject: Attn: Strategic Planning - Submission to LCC Amdt C131
Attachments: Submission to Latrobe City Council Amendment C131 - Flood overlay.pdf

Hello,
I have attached my submission to Latrobe City Council Amendment C131.
For your consideration.
Regards
[REDACTED]

Submission to Latrobe City Council Amendment C131

Att: Strategic Planning

With regard to Amendment C131, I believe the suggestion by Latrobe City Council (LCC) that [REDACTED] or any property therein has ever been or is susceptible to impact by flood or inundation (as defined in amendment documents) from Traralgon Creek is incorrect. Amendment C131 Map No 49LSIO-FO shows the proposed overlay for [REDACTED] as separated from the Traralgon Creek floodplain. [REDACTED] is also located well above the height of the creek with many properties lower in elevation and closer to the creek not subjected to overlays.

It has been advised that Jazmine Court's proposed overlay is not flood or inundation related, but issues due to stormwater and movement of that water. LCC's Amendment C131 is based entirely on the computer generated "best guess" modelling of the "Traralgon Flood Study - Summary Report" regarding flooding and inundation specifically from Traralgon Creek. The report's findings and recommendations do not reference or consider stormwater, flash flooding, or their resulting overland flows in the Traralgon urban area. Refer Flood Report, section 3.3 page 17, also in the [Latrobe Planning Scheme Amendment C131 Explanatory Report](#), and the [West Gippsland Floodplain Management Strategy 2018-2027](#). In 11 years of living at [REDACTED] I have never witnessed or been impacted by stormwater or any resulting movement of that water. Stormwater infrastructure in [REDACTED] has proven to be capable and appropriate in evacuating stormwater, including during recent severe record rain events of 2021. The Traralgon Creek Flood Study Report overlay recommendations are based on computer modelling of a 1% AEP flooding event of the Traralgon Creek. Stormwater was not considered in the report and its modelling. From the report "flash flooding as a result of stormwater issues that were not covered within the scope of this project."

My concern extends to the validity of all amendments arising to overlays, particularly within Traralgon, related to stormwater, as the scope of Traralgon Flood Study did not extend to stormwater issues.

The Traralgon Flood Study report does not support the application of Amendment C131 to overlay a LSIO on the identified areas of [REDACTED]. [Discussion with LCC & WGCM](#) representatives have not resulted in either party providing additional evidence to support the application of the amendment to [REDACTED]. Therefore, the application of Amendment C131 to [REDACTED] should be removed.

I look forward to your prompt reply to the information raised and presented in this email and would again request more time be offered for submissions to Amendment C131.

Regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Submission 19 - Part B

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From: [Alannah Sherwen](#)
To: [Alannah Sherwen](#)
Subject: FW: Amendment C131 (Flood Overlays Update)- [REDACTED]
Date: Friday, 15 July 2022 1:53:44 PM
Attachments: [image006.png](#)
[0.png](#)

From: [REDACTED]
Sent: Friday, July 15, 2022 12:29:05 PM
To: Miriam Turner <Miriam.Turner@latrobe.vic.gov.au>
Subject: Re: Amendment C131 (Flood Overlays Update)- [REDACTED]

Hi Miriam,
I am satisfied with this information and wish to withdraw my submission.
Regards
[REDACTED]

On Wed, Jul 13, 2022 at 4:08 PM Miriam Turner <Miriam.Turner@latrobe.vic.gov.au> wrote:

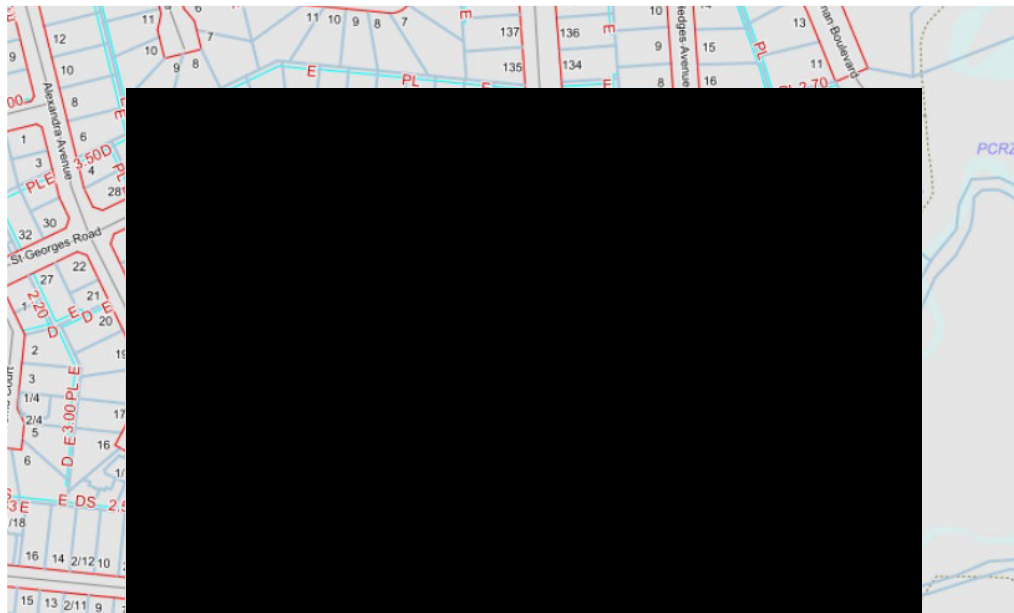
Good afternoon [REDACTED]

Thank you for your submission received to Amendment C131 (flood overlays update). Following assessment of your concerns, further work has been undertaken and I can now provide you with an update, specific to your property.

After further review the flood mapping identified in [REDACTED] is recommended to be removed until a future urban catchment specific stormwater assessment can be completed.

Attached is a map of the new LSIO-FO overlays near your property at [REDACTED]. As you will see, the proposed overlay has been removed from your property.

For reference, your property is shown in red highlight below, to assist with seeing its location in the attached planning map.



Can you please confirm whether you wish to proceed with your submission in objecting to the amendment, or if you are satisfied with this information and wish to withdraw your submission.

Kind regards,

Miriam

Miriam Turner

Strategic Planning Officer (Mon-Thur)

P 03 5128 6158

M 0429 394 376

E Miriam.Turner@latrobe.vic.gov.au

P 1300 367 700

W www.latrobe.vic.gov.au

PO Box 264, Morwell 3840



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Morwell 3840 Victoria Australia

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Submission 20

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Submitted on Sun, 2022-02-27 10:32

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Confidentiality

Please withhold my name from public documents such as Council reports

Your Submission

My submission is

To me it seems these amendments are being made from the recent 2021 not the studies from 2015 and 2016. As the property I now own was previously owned by my parents and where I grew up. So I've been here my whole life. Flooding has never impacted this property any more then the current overlay levels. The new suggested overlays are amazingly the exact same as where water level reached in 2021, this has never happened before. To me it seems to be an issue with poor maintenance of the storm water system with majority of the water that affected this property coming out of the storm water drain in front of the property. I personally am not happy with the new overlays as the new proposal put almost my entire property In the zone which will have a financial impact on myself with resale value and insurance cost. If council is planning to heavily impact people such as myself will we see rate drops to compensate us for likely future losses or are we expected to just suck it up.

Submission 21

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Submitted on Mon, 2022-02-28 15:02

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Confidentiality

Please withhold my name from public documents such as Council reports

Your Submission

My submission is

To whom it may concern,

I am enquiring about the proposed flood overlay in Glengarry.

My property is coloured blue, so I'm guessing that my zoning will be changed. As I and possibly many other Glengarry residents don't understand how this will affect the value of our properties, and perhaps the rising of our insurance.

In all the almost 29 years I have lived at [REDACTED], my property has never flooded, though the road itself has, but once the drain cleared the water moved away quickly. So my question to Latrobe City Council is this, the town is growing but no works have been done to the drainage of the town in the 35 years I have lived in Glengarry.

Perhaps the council's time could be better spent investigating the drainage problem and how to remedy the problem of blocked and out dated drainage.

Submission 22

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Good Afternoon Miriam,

As requested please see our submission to oppose the proposed flood amendment to our property situated at [REDACTED]

We refer to your maps provided to us on the 21st of February to which we would like to respond:

1. The properties situated at 57-59B and [REDACTED] have both been built up on landfill of around 1.0m
2. [REDACTED] has a house built on it which your map doesn't appear to acknowledge
3. There has been a spoon drain established between the above mentioned properties (not shown on your map also)

Based on the three points alone, your modelling showing water flow is incorrect.

We can assure you that the only excessive water we have seen of recent times has been a result from rain which has filled into the rail trail and the only reason for that is, when the 4 properties situated at [REDACTED] [REDACTED] were built, they have had their storm water and a spoon drain between the properties, directed straight out to the rail trail that is not a drainage easement - This was approved from La Trobe City as part of the Sub Division approval??

Therefore this has proven to show an adverse effect on our property as the rail trail flows uphill towards Glengarry and uphill from us towards Traralgon.

We feel that you, The Shire, are responsible for any water inundation that we may receive.

We do not agree with your proposed flood overlay and request you amend this accordingly, as the water does not flow from [REDACTED] through the residential allotments into our property as your map indicates.

If your proposal is approved, it will be unjust to us causing any subdivision, housing or shed development to be knocked back or difficult to obtain. Our insurance premiums will also be increased due to flood cover being over a property with a flood overlay.

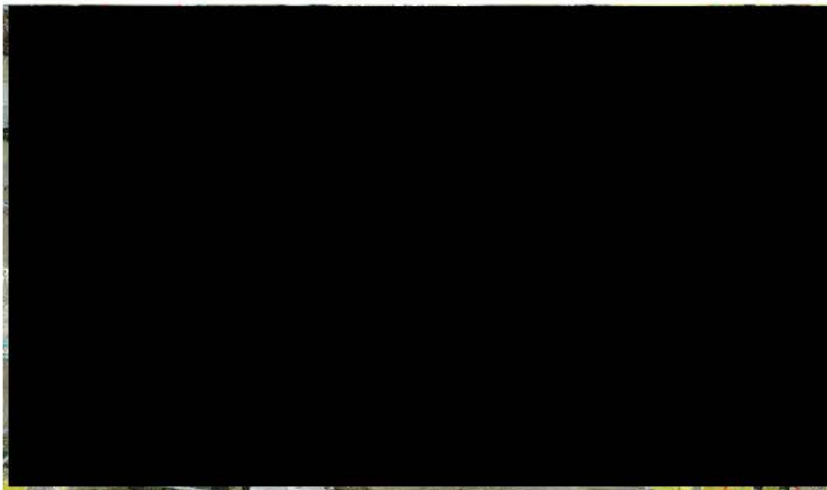
If this proposal looks to go ahead you will leave us no other option but to cart clean fill in and build up the 'affected area' (as per your modelling) to the same height as the sub division next door to ensure we will not be affected by any future inundation.

Please review your modelling and take into consideration a more updated map of our local area which clearly shows your modelling is not true to life - Also, we recommend further investigation with the appropriate departments to ensure that all drainage in our town is maintained appropriately and regularly as this is where the main issue arises for the [REDACTED] area.

If you are able to approve multiple development / building permits for additional housing in this town, wouldn't you think that fixing the current out dated, blocked, unmaintained drainage infrastructure to be a major priority first??

Several people in this town have now requested a community meeting, is this happening?? Covid restrictions have now been eased dramatically therefore there shouldn't be any reason for this meeting not to occur.

We look forward to your response and hope you take our feedback on board favourably.



Regards,

[Redacted signature]

Submission 23

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Submitted on Mon, 2022-02-28 12:13

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

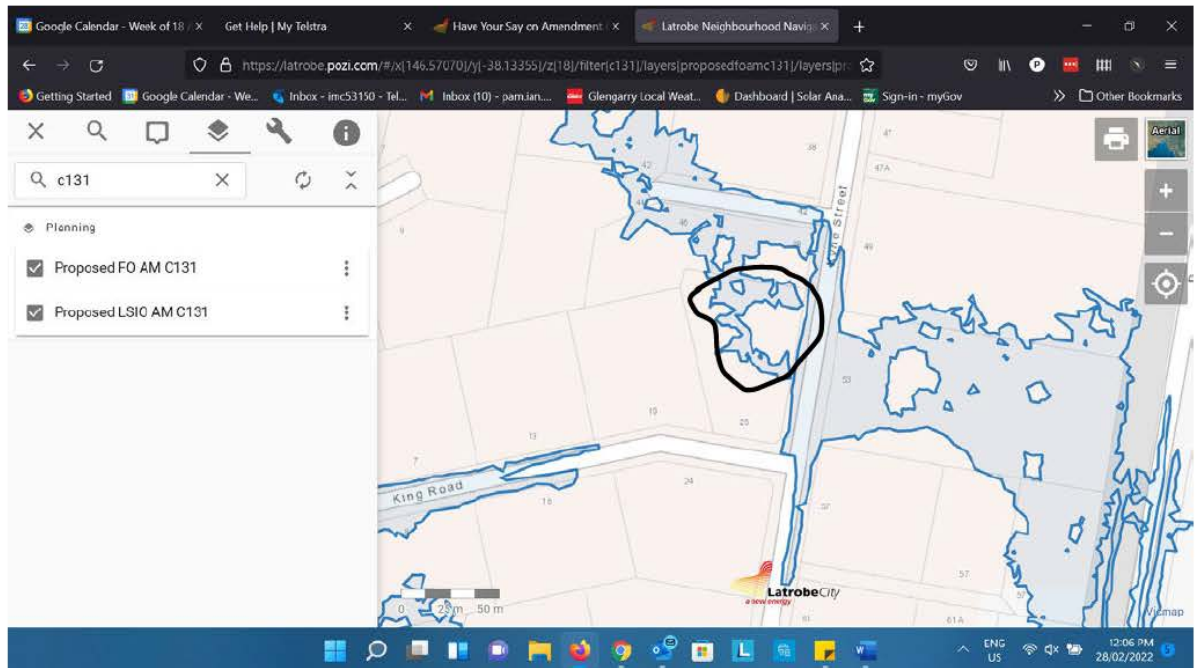
Your Submission

My submission is

I wish to object to the proposed flood overlay on my property at [REDACTED]. We have owned this property for over 30 years and the areas indicated have never flooded. This includes over the last few months of greater than usual rainfall. I'm not sure how you have derived these plans but it is definitely wrong on this occasion.

Upload

[proposed flood overlay .docx](#) (558.04 KB)



Submission 24

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Submitted on Tue, 2022-03-01 14:04

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Your Submission

My submission is

Hello,

I've tried to research and understand the flood overlay proposal to the township of Glengarry, but can't as my property IS NOT subject to flooding, but in your report is. Could I get someone to explain to me how this overlay works, as I don't think a 'blanket' flooding overlay is fair to quite a few of Glengarry's residents. I look forward to hearing from you.

Kindest regards, [REDACTED]

Submission 25

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Submitted on Mon, 2022-02-28 17:17

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Your Submission

My submission is

To Whom it May Concern,

We are writing in regards to the flood overlay amendment C131 at [REDACTED]. We would like to object to the amendment as our house has not been affected by any floods. We believe the overflow of the water on the roads has been from gutters being blocked from tree roots and debris and believe they should be cleaned on a regular basis. We do not believe that any flood overlay should be added and would like our property to be removed from the proposed amendment.

Kind regards,

[REDACTED]
[REDACTED]

Submission 26

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REF NO. C131

MT: JO

FLOOD OVERLAY



Dear Kellie O'Callaghan,

My husband and I would like to make our objection quite clear to the new flood plan for our property at [REDACTED]

We have lived at this address for 37 years and never in that time have we ever come close to being flooded. Our house is built on stumps and is at least 600mm off the ground.

When our block was subdivided in approximately 1982-83 the dirt that was taken to form the road in front of our property was then placed along our back fence which makes our block higher than the land behind us.

The fact that council has placed a blanket flood cover over a lot of Glengarry seems to us, to be the easy way out for council. If council deems the area to be of such a high risk, then why are they not addressing the issue in the first place by putting in better drainage.

Also the letter that you sent us was quite hard to understand with a series of numbers and letters which we had no idea what it meant. This seemed very underhanded on council's behalf.

We hope for your consideration and resolution regarding this matter.

Kindest Regards

[REDACTED] 22.2.2022
[REDACTED] 22.2.2022

REF NO. C131

MT: JO

FLOOD OVERLAY

Dear Sir/Madame,

My husband and I would like to make our objection quite clear to the new flood plan for our property at [REDACTED]

We have lived at this address for 37 years and never in that time have we ever come close to being flooded. Our house is built on stumps and is at least 600mm off the ground.

When our block was subdivided in approximately 1982-83 the dirt that was taken to form the road in front of our property was then placed along our back fence which makes our block higher than the land behind us.

The fact that council has placed a blanket flood cover over a lot of Glengarry seems to us, to be the easy way out for council. If council deems the area to be of such a high risk, then why are they not addressing the issue in the first place by putting in better drainage.

Also the letter that you sent us was quite hard to understand with a series of numbers and letters which we had no idea what it meant. This seemed very underhanded on council's behalf.

We hope for your consideration and resolution regarding this matter.

Kindest Regards

[REDACTED]

22.2.2022.

[REDACTED]

22.2.2022

Submission 27

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From: [REDACTED]
Sent: Sun, 27 Feb 2022 13:45:38 +1100
To: Latrobe Central Email
Subject: Latrobe Planning Scheme Amendment C131 - Rezoning of Glengarry and new Glengarry Town Structure Plan
Attachments: Latrobe City Letter 11.01-1L Glengarry Town Structure Plan.docx

Good afternoon

Attention: Strategic Planning, Latrobe City Council

Please find attached a letter outlining our objection to the Latrobe Planning Scheme Amendment C131 - Rezoning of Glengarry and new Glengarry Town Structure Plan – Amend clause 11.01-1L.

As outlined in our letter we are concerned residents and rate payers of 20 years and fail to see how the rezoning of our land will be of any benefit to us and our family home.

We will also send a signed hard copy of the letter to you and have also forwarded a copy to Russell Northe MP and Melina Bath MP for their attention.

Thank you
[REDACTED]

28/02/2022

Strategic Planning
Latrobe City Council
PO Box 264
MORWELL VIC 3840

RE: Latrobe Planning Scheme, Amendment C131 (Flood Overlays) - Land Subject to Inundation Overlay (LSIO)& Floodway Overlay (FO)

We write this letter as a concerned Glengarry homeowner and resident of 20 years.

We live at [REDACTED] we purchased our land in 1998, built our home in 2001 and have since raised our family of 3 boys, of whom we are still providing for.

In relation to the letter dated 31st January received from Latrobe City Council regarding the C131 Amendment - Land Subject to Inundation Overlay (LSIO)& Floodway Overlay (FO) **we submit our objection to these proposals**, in particular, document titled ***“Latrobe Planning Scheme -11.01-1L 13/10/2021 C131latr”***. This document makes reference to land within the Glengarry town structure plan and is said to ***“Encourage development in GTSP Areas 1, 2, 3 and 4 that is sensitive to the Eaglehawk Creek environment and floodplains.”***

The area denoted on the map as **GTSP Area 3** encompasses our property and family home.

The C131 Amendment and its attachments is the first we have known of, or been made aware of any changes to the Glengarry Town Planning amendment, which includes our property with the intention to turn it into a “future residential” zone. The information is not easy to find; we had to search to find the ***“Latrobe Planning Scheme -11.01-1L 13/10/2021 C131latr”*** and we feel that Latrobe City Council is attempting to pass this specific documentation without proper consultation of the land owners.

In regards to this document, we are disappointed by the lack of communication by Latrobe City on this proposal and we are concerned for our future. We are worried that if our property is to be rezoned to “future residential” that our rates will increase and will not be affordable, which in the long term will have the potential to drive us out of our home. This is something that concerns us greatly.

We do not want to and have no intentions of moving from or selling our property. We purchased this property to support our lifestyle of wanting to live in a rural setting, to build our dream home and to give our children room to grow without the restrictions of town living. We have worked hard to achieve what we call our family home. We have always paid our Rates on time and we are honest hard working tax paying residents. All of which should hold us in good stead to continue to live the life we sought without having to be disadvantaged due to the proposed changes.

The other concerns we have for the Glengarry Town Structure Plan is; how does the current infrastructure of Glengarry support the additional proposed residential area? What additional facilities are going to be required to support population growth in Glengarry? Where are these facilities going to be placed, and will there be more Amendments in the future to support these developments?

We would appreciate a reply to this matter as soon as possible. We request that you provide further information to explain what the long term effects are for us as land owners affected by this Amendment.

We can be contacted on [REDACTED] or [REDACTED] should you wish to contact us.

Thank you

[REDACTED]
[REDACTED]

cc Russell Northe, MP
Melinda Bath, MP

Submission 28

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From: [REDACTED]
Sent: Sun, 27 Feb 2022 11:10:37 +1100
To: Latrobe Central Email
Cc: Russell Northe; melina.bath@parliament.vic.gov.au
Subject: Attention: Strategic Planning - C131 Amendment - Land Subject to Inundation Overlay (LSIO)& Floodway Overlay (FO)
Attachments: clause_11.01-11_structure_plans (1).pdf

27/02/2022

Strategic Planning

Latrobe City Council

PO Box 264

MORWELL VIC 3840

To whom it may concern,

RE: C131 Amendment - Land Subject to Inundation Overlay (LSIO)& Floodway Overlay (FO)

My name is [REDACTED] and I'm a concerned Glengarry resident.

I've been a long-term resident of the Glengarry region for approximately 46 years and now with my young family; reside at [REDACTED] which we've owned for the past 14 years.

With respect to the recent information pack received on 31 Jan 2022 from Latrobe City Council on the C131 Amendment - Land Subject to Inundation Overlay (LSIO)& Floodway Overlay (FO) I must submit my strongest objections to these proposals; in particular, one document titled "***Latrobe Planning Scheme -11.01-11 13/10/2021 C131latr***" (document attached as reference material). This document makes reference to land within the Glengarry town structure plan and is said to "***Encourage development in GTSP Areas 1, 2, 3 and 4 that is sensitive to the Eaglehawk Creek environment and floodplains.***"

For clarity, the area denoted on the map as **GTSP Area 4** encompasses my home and existing 10-acre property!

Our objections from herein are pure and simple; we don't want to and I have no intentions of moving or selling our property. We purchased this property to support our lifestyle with horses and other animals and to give our kids room to grow and move without the restrictions of town living. This was always our intention and to date we've been extremely happy with the rural lifestyle supported by this property. We've always worked hard for everything we have and to date, have been what we believe to be good tax and rate paying members of the community. This amendment and more importantly the proposed GTSP feels like a real kick in the guts and to be honest, makes us wonder why we bother!

This C131 Amendment and its attachments is the first time we've seen or been made aware of any reference to Glengarry Town Planning which encompassed our property with the intention to turn it into a "future residential" zone. We're afraid that if/when our property is rezoned to residential that the increase in our rates will make it unaffordable and that we'll be driven off our own property! To make matters worse; we've searched through a lot of the documents relating to ***"Latrobe Planning Scheme -11.01-1L 13/10/2021 C131latr"*** and on face value it would appear that the Latrobe City Council is attempting to sneak this specific documentation through under the guise of the C131 Amendment - Land Subject to Inundation Overlay (LSIO)& Floodway Overlay (FO)!

With respect to this document, we're utterly shocked by the lack of communication and consultation by anyone from Latrobe City on this proposed development and to be quite honest; since we first became aware of this "PLAN" the wife and I have had a lot of sleepless nights worrying about the future. Do we now put all future property plans on hold?

We would appreciate a response on this matter with a level of urgency and an explanation as to what the future holds for us as landowners.

I eagerly await your response!!!

[REDACTED]

[REDACTED]

Cc: Russell North

Melina Bath

LATROBE PLANNING SCHEME

11.01-1L

1328/1005/2021
C13122latr

Glengarry**Policy application**

This policy applies to land within the Glengarry Town Structure Plan (GTSP) in this clause.

Strategies

Support Glengarry's role as a dormitory suburb of Traralgon.

Encourage development in GTSP Areas 1, 2, 3 and 4 that is sensitive to the Eaglehawk Creek environment and floodplains.

Encourage low density residential development in GTSP Area 5.

Encourage development of large allotments within existing residential areas GTSP Area 6.

Protect public open space areas including the Gippsland Rail Trail (GTSP Areas 8 & 9).

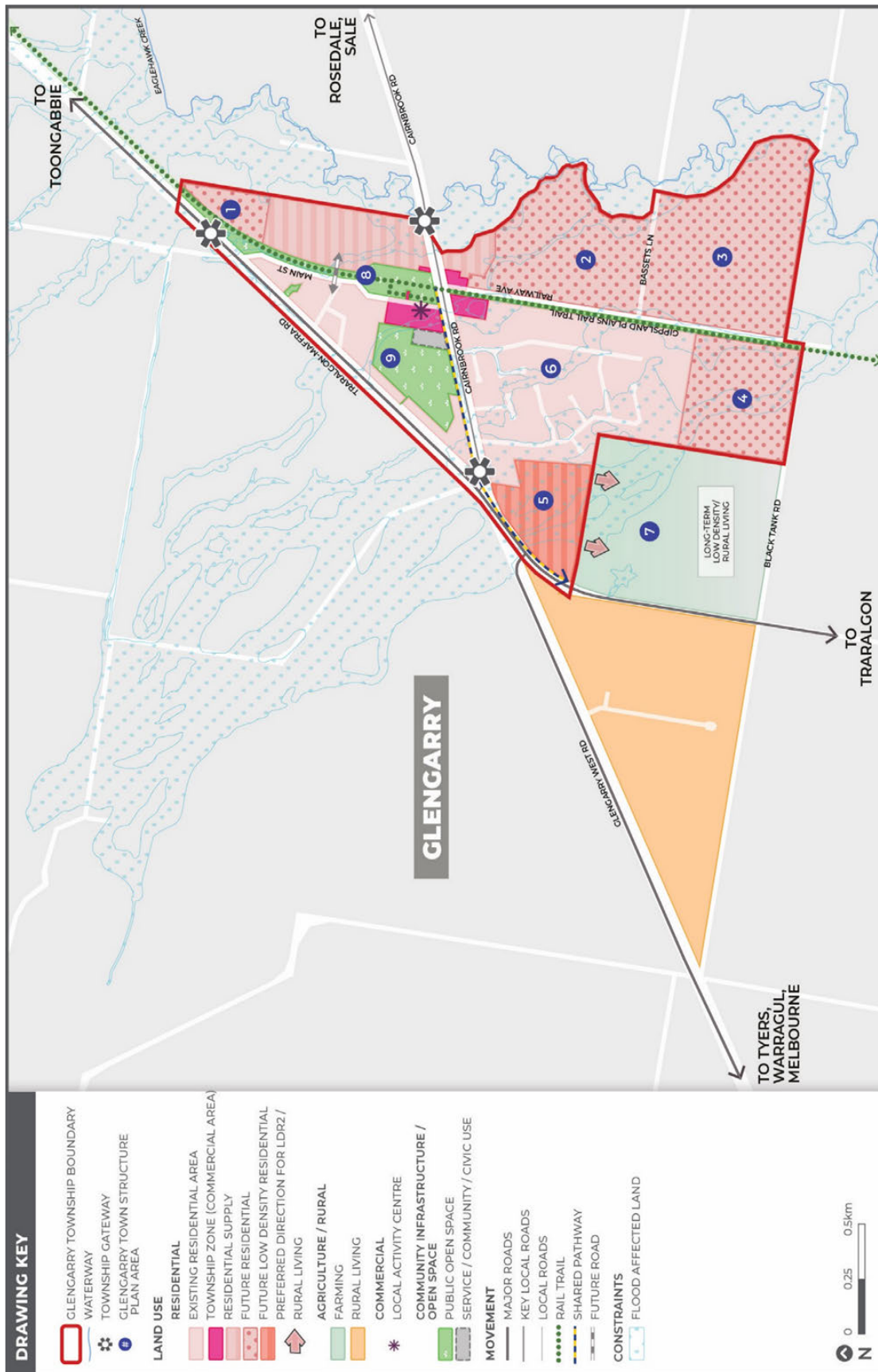
Policy documents

Consider as relevant:

- *Small Town Structure Plans: Boolarra, Glengarry & Tyers* (NBA Group Pty Ltd, 2009)
- *Traralgon Growth Area Framework* (Hansen Partnership, 2013)



LATROBE PLANNING SCHEME



Submission 29

Submitted on Wed, 2022-03-02 18:30

Submitted by: Anonymous

Submitted values are:

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Your Details

Personal Details

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Your Submission

My submission is

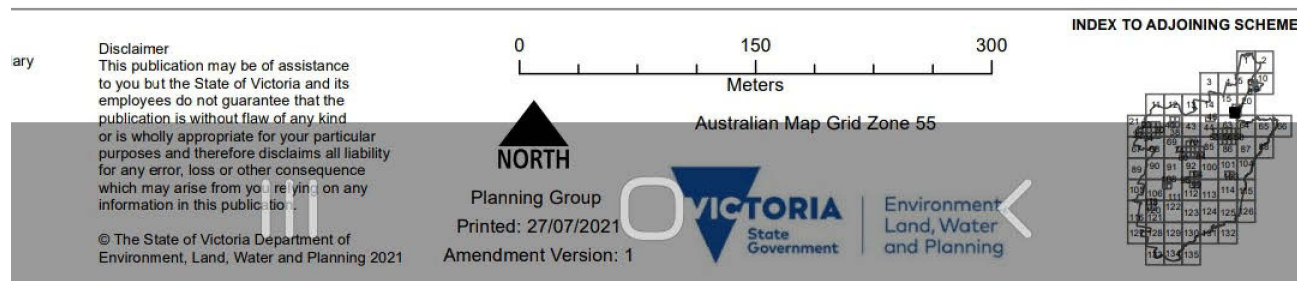
In regards to the Latrobe Planning Scheme for the Notice of the preparation of an amendment - Amendment C131latr.

I have reviewed the LSIO map provided around my property [REDACTED] and believe it to be inaccurate and not up to date. We have only recently built and developed in the past year, and strongly disagree with the proposed amendment due to inaccuracy. Also I would like to know why amendment shows most of our block with LSIO, but area directly South across [REDACTED] is lower than our land and remains largely unchanged.

I have attached a screenshot and marked my property with a red circle. I would love to discuss further and happy to meet with council representative to discuss.

Upload

[Screenshot_20220215-204923_Drive.jpg](#) (702.01 KB)



Submission 30 - Part A

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Hi Miriam or Proper Officer.

I am the resident and property owner of [REDACTED].

I have received notice of the proposed overlay LSIO AM C131,

This letter is to notify Latrobe City that I am not in support of the proposed planning change. Just to let you know that Ben from the water catchment has not called.

I do not believe this overlay is necessary. There are no nearby bodies of water, and the area was not affected in the recent Traralgon Creek event. The properties listed in the overlay are at least a kilometer away from the nearest point of Traralgon Creek.

I would like to request that the overlay amendment affecting Strathcole Drive be cancelled, or at a minimum a deferral so that additional information may be collected.

The reasons for my request are as follows:

1) My property has a gentle slope of about 0.95 - 1 meter from the highest point near the southern side of the back fence to the edge of my property at the Northern side of the front fence. I am in the process of manually surveying the properties on Strathcole Drive with help from other land owners in this area to create a more accurate picture of the area. At present I have made measurements of my own property and found that [REDACTED] has an average grade of 2.3% between the rear fence line to the front boundary. Additional data from the other properties subject to this amendment will be available shortly.

2) The street itself is lower again by 40-45cm than the front property boundary. I would like council to supply me with the size and dates of any installation for the storm water pipes that run along my property. The size and depth of the drain pits put in to McMahon street. The building approvals with drainage for business and housing that has been built since the year 2000 onward.

3) I have owned the property since 1994 in that time i have had many rain events that have always flowed out of the property, and never caused any flooding. in 2007 there was 1 rain event that caused my property to be flooded, this was due to a lack of drainage infrastructure and maintenance on the properties that had been approved on the southern end of the area. With the large pits that have been installed in McMahon street and regular cleaning of street gutters we have never had a flood from any rain event since. The water has always flowed along the driveway or spoon drain to Strathcole Drive successfully.

4) This neighborhood is 40 years old. This is a long time for a property to be standing before it gets picked up as land subject to inundation unless something has changed between 1980 and 2022.

5) The overlay will adversely affect the values and costs associated with maintaining these properties.

Thank you for your time,

--

[REDACTED]

From: "Kristy Crawford" <Kristy.Crawford@latrobe.vic.gov.au>
Sent: Wed, 29 Jun 2022 10:29:46 +1000
To: "Kristy Crawford" <Kristy.Crawford@latrobe.vic.gov.au>
Subject: FW: Amendment C131 (Flood Overlays Update) - update
Attachments: image002.jpg

Submission 30 - Part B

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[REDACTED] PM
To: Aaron Burness <Aaron.Burness@latrobe.vic.gov.au>
Subject: Re: Amendment C131 (Flood Overlays Update) - update [REDACTED]

Hi Aaron.

So long as my property has no overlay of any type on it. I am happy to proceed in dropping the submission to council. Thanks for letting me know

Kind regards [REDACTED]

On Wed, Jun 15, 2022, 2:58 PM Aaron Burness <Aaron.Burness@latrobe.vic.gov.au> wrote:

Hi [REDACTED]

Thank you for the call. As I mentioned, I am advising you that the WGCMA have reviewed the modelling following public exhibition of Amendment C131. Your lot is no longer expected to be affected by the flood overlays under the amendment.

Attached is an image depicting the new modelling to confirm this. Your property is marked in red highlight, and the updated overlay in yellow.

Can you please confirm whether you wish to proceed with your submission objecting to the amendment, or if you are satisfied with this information and wish to withdraw your submission?

Regards,

Aaron Burness

Graduate Planner

P 03 5128 6163

M 0429 385 194

E Aaron.Burness@latrobe.vic.gov.au

P 1300 367 700

W www.latrobe.vic.gov.au

PO Box 264, Morwell 3840

Please note my working hours are as follows:

Wednesday to Friday 8.15am – 4.45pm

Submitted on Thu, 2022-03-03 09:53

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Confidentiality

Please withhold my name from public documents such as Council reports

Your Submission

My submission is

This submission relates to amendments to the planning scheme with regard to Flood Overlays and Land Subject to Inundation Overlays in Michael Crt. Traralgon

Upload

[Planning amendment C131](#) [REDACTED] (420.82 KB)

Submission 31 - Part A

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Planning amendment C131 – Flood Overlay

[REDACTED]

My submission relates to the Flood Overlay and Land Subject to Inundation Overlay for [REDACTED]

[REDACTED]

Submission 31 - Part B

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I have had various discussions with both staff from the Council and WGCMA and have been provided with various documents. From these discussions I am advised that the modelling in the 2016 Traralgon Flood Study concluded that the drainage system will not sustain a follow event based on the modelling. At no time was I able to obtain a copy of the modelling showing how this conclusion was reached. The following reports were provided to me but only included summary information and no detail on the Flood Overlay for Michael Crt.

- Traralgon Flood Study 2016
- Traralgon Flood Study – Data Review
- Traralgon Flood Study -Hydrology
- Traralgon Flood Study - Hydraulics
- Traralgon Flood Study – Assess and Treat Risk

No information could be provided or was not provided on the following:

- Details in the modelling including assumptions
- The event used in the modelling
- The catchment for this FO and LSIO
- The volume of water required to create the FO or LSIO
- Topography of the area
- Any Council documents detailing the stormwater drainage system could not manage a major rain event
- Details on what capacity the drainage system could manage
- Any reviews that the Council has undertaken on the suitability of the drainage system
- How this area was identified as having water inundation compared with other areas in Traralgon
- Information that the council drainage system is inadequate for this type of event.

As limited information is available to make an assessment, we are therefore led to believe that the modelling is correct even though assumptions have been made with regard to Council stormwater infrastructure. The study was undertaken over 6 years ago and conditions may have change, no physical look at the area has occurred, there is no previous history of this area being inundated as detailed in the study, LIDAR data used in the modelling is over 10 years old, none of the reports have made any reference specifically to [REDACTED] modelling has not taken into account recent substantial rain events e.g. rain event in December 2021 and so on. A small change in modelling assumptions could have the effect of changing the entire outcome.

It needs to be noted that this area has never incurred a food event as is shown on the FO or LSIO. There is no history which can be used to assist the outcomes of the modelling. The modelling has used assumptions on council drainage infrastructure as this information was not available or not provided when the modelling was undertaken. There have been significant rain events that have occurred in the past that should have been used to assist in the modelling. In none of these events did water inundation occur to the level shown on the planning amendment.

The Traralgon Flood Study 2016 detailed that information was provided as part of this study on details of flood information in the form of data and maps. This information could not be located and therefore could not be provided for the [REDACTED] FO or LSIO. These reports advised:

Data Tables

Data tables in excel CSV format were provided for the following:

- A list of all properties impacted by the design flood events detailing property location, address and maximum depth of flooding at each property.
- Flood damages for all design events under existing conditions as well as the two mitigation options modelled. This allowed for the average annual damages to be assessed.

Maps

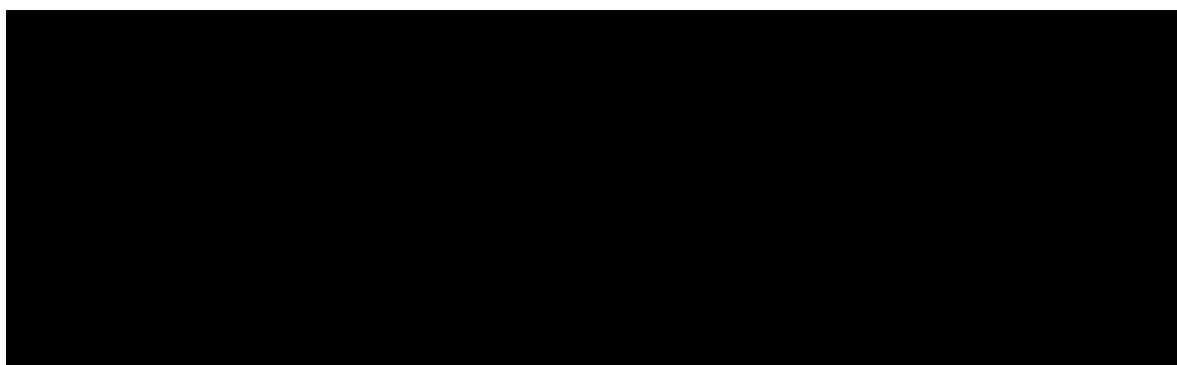
The flood response inundation maps have been produced for a number of design flood events:

Each map includes:

- Flood extent,
- Flood level contour at 1m intervals,
- Depth of inundation,
- Identification of essential services,
- Major Road/street names
- Cadastral base
- Gauge height indication for the Traralgon Creek at Traralgon.

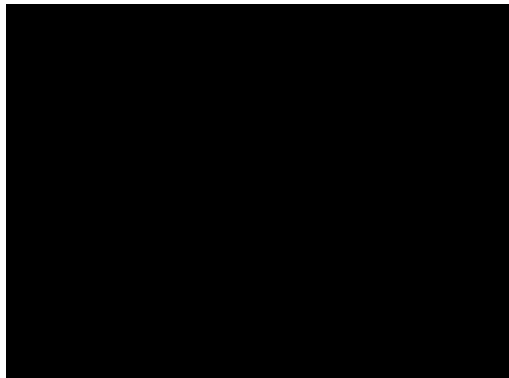
Affected areas

The following shows [REDACTED] looking east and west and the area in front of [REDACTED] which would be totally inundated with water. The volume of water to create this type of inundation would need to be extremely large to cover the areas identified as FO or LSIO.



Looking east with the modelling indicating that this area will be inundated with water plus properties

Looking west with the modelling indicating that this area be inundated with water



Modeling indicates that this area will be inundated with water

Overall Comments

The Flood Study did not include the entire Traralgon Urban area. Therefore the only modelling undertaken relates to this area and not all possible areas that might have flood overlays based on the modelling. The flood study also concentrates on the effect of flooding on the Traralgon Creek with minimal information about stormwater flooding. Some of the diagrams in the reports indicated that the potential of [REDACTED] flooding goes back to before 2012. Why has there not been any work undertaken to improve stormwater management i.e. increase in the number of stormwater drains in the court.

Details on modelling for [REDACTED] which show how the FO and LSIO was determined for this area needs to be provided. This include assumptions in the modelling, any reference to past events plus the data sets and maps that were advised in the Flood Study Report for [REDACTED]

In the case of [REDACTED] no history is available and therefore whether the area indicated will be flooded or not is unknown. There is no way for the modelling to categorically predict that this will occur as there are many assumptions that have been applied in the modelling.

The modelling in [REDACTED] does not differentiate the inundation caused by storm water infrastructure and rain run off for the court and properties.

A face-to-face meeting with council and WGCMA officers needs to occur to explain answers to questions and issues raised in this application.

This should be the case for any FO or LSIO that the modelling has indicated for any streets or properties in Traralgon affected by storm water inundation caused by drainage infrastructure.

For [REDACTED] to be identified as having FO and LSIO planning requirements without having details of the modelling and knowing that this area has had significant rainfall events with the area indicated in the amendment not being inundated to this level is hard to understand. It needs to be noted that [REDACTED] has had water remaining on the road after a significant down pour but this dissipated nearly as soon as it appeared. Based on what has occurred in the past, it is thought that the area identified as FO is more likely to be LSIO.

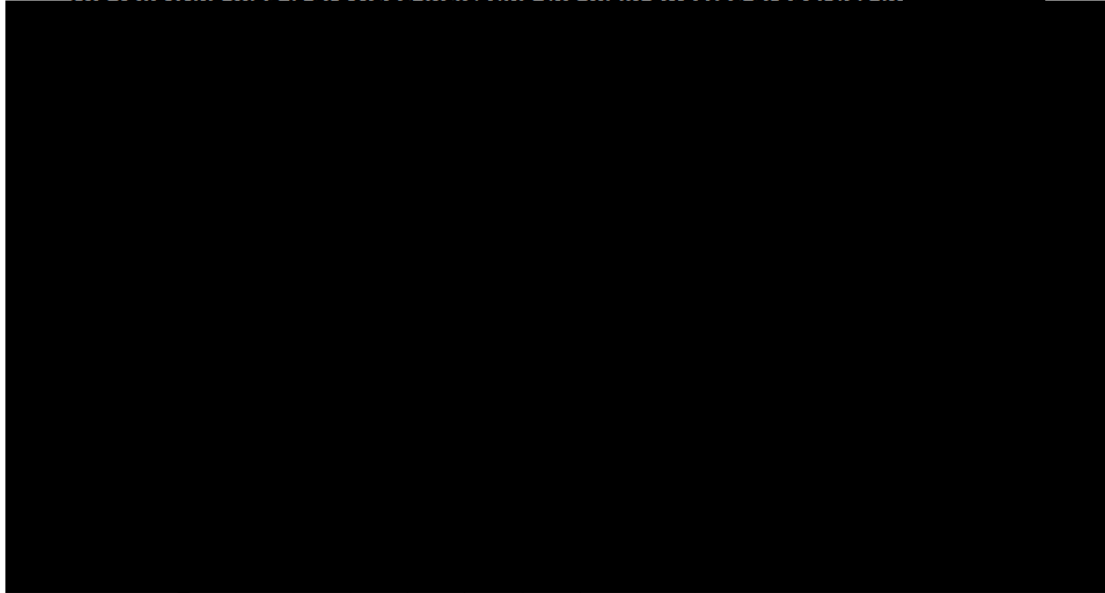
Planning amendment C131 – Flood Overlay

Properties located at [REDACTED]

Before I start my application the following general observations on the Traralgon Flood Study (2016) are made:

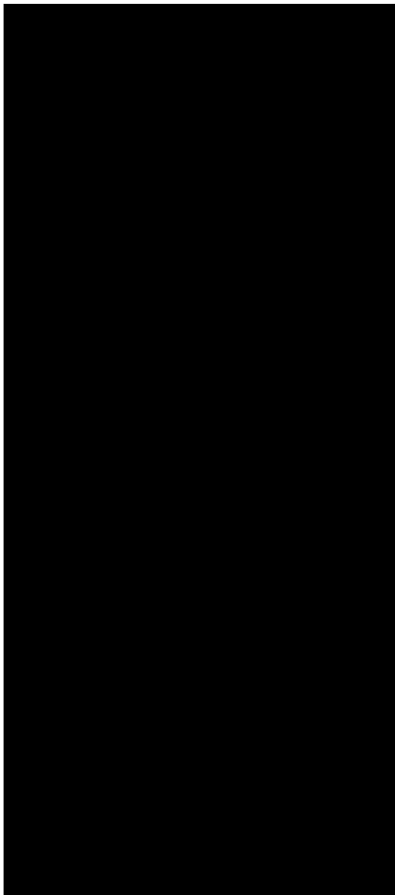
- The flood study does not include all urban areas in Traralgon. What is the reason for this?
- The flood study mainly references the effects of the Traralgon Creek flooding and includes limited information on Traralgon urban inundation based on the inability of drainage infrastructure/surface water to manage a severe rainfall event
- There maybe properties and areas outside the area included in the study that will incur water inundation
- There is no concise definition of LSIO other that it relates to depths less than .3m. a concise definition is required.
- Would a property that has 5 or 10 mm of inundation be defined as having LSIO
- It is thought that if an event of 50mm of rain in 30 minutes occurred, that most property in Traralgon and in fact other areas would have incurred water inundation of less than .3m.
- Modeling is only as good as the information provided and this flood modelling includes many assumptions
- How is modeling applied to properties affected by surface water inundation when the property is not visited? Would not there be a requirement that all properties be visited to ensure that modelling assumptions are correct.
- Does the modeling correctly show areas that will be inundated as in some cases only part of houses are shown as being affected where they are built on a concrete slab.
- The modelling for properties has no history as a basis for this modelling
- Modelling for properties affected by the Traralgon Creek have years of history that can be applied to the modelling.
- Water inundation due to drainage infrastructure not being adequate and surface run off is not clearly detailed on maps showing areas having FO and LSIO.
- No mention has been made in the study as to whether Latrobe Council has done an assessment of modelling on the drainage system
- Latrobe Council has not advised that their drainage system will not handle an extreme event
- Was the same Mannings value used in the modelling applied to all properties. If so, all properties are not the same in relation to obstacles, soil type, vegetation etc.
- LIDAR data cannot be used where properties are covered with trees which possibly eliminates these properties from the modelling
- The study and some information is now more 6 years old and changes may have occurred in this time that could change modelling outcomes.
- Has other towns in Latrobe City had studied undertaken to assess whether properties will be inundated with water due to drainage infrastructure
- LIDAR data used in the modelling is now over 6 years old and the modelling is also over 6 years old.

The following map is provided indicating the main affected properties in [REDACTED]



The properties shown on this diagram on the north side of [REDACTED] are numbers [REDACTED]. Information relating to this application relates to these properties.

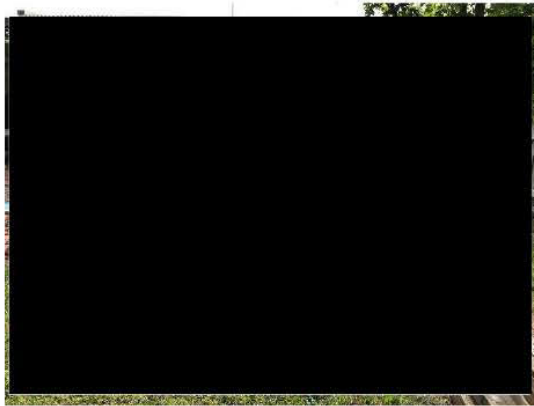
[REDACTED].



The modelling indicates that this property will be inundated with water as shown on the diagram. Inundation at the front of the property relates to the stormwater drain in [REDACTED] assessed as not been able to manage the rain event included in the modelling. The water inundation at the rear of the property relates to surface water. The modelling does not indicate whether LSIO relates to the drainage system or surface water.

As the site has not been visited and contours on height levels have been assess via LIDAR, the modelling does not know the height of the building, whether the building is on a slab, whether the slab is flat etc. To determine the characteristics of this property and to ensure that the modelling assumptions are correct, a visit needs to occur.

The level of inundation shown (LSIO) is incorrect for this property as it is on a slab that is set above the ground level and the building slab is on two levels. Also, how can a house that is built on a slab only be partially inundated with water. The modelling indicates that only part of the house will be inundated even though it is on a slab foundation.



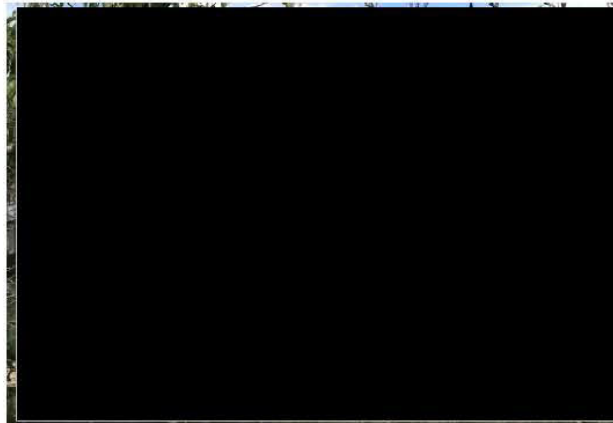
This photo shows the back yard which is supposed to be inundated. This yard is a confined space with an undulating surface. Where is the water inundation relating to this property being generated from?

The modelling is only as good as the assumptions made. As no site visit has been made, any obstacles, soil permeability, vegetation etc. has not been assessed in the modelling.



This property will completely be inundated with water. Whether this inundation is caused from the storm water drainage or surface water is not known as the modelling does not differentiate this on the diagram.

What will cause this inundation is not clear. This property is on an undulated block with vegetation and topography that may affect any water residing on the property. The photo below shows the back yard.





This property will be inundated as shown on the diagram. Again only part of the house is affected even though it is on a slab. Also, the entire backyard is affected. This inundation can only be caused by surface water. It is assumed that this is caused by surface water from [REDACTED]

The backyard is undulating and understanding how the surface water inundation will occur is somewhat unknown as the property to the north will not be affected.

This the backyard that will be inundated and to the left is a large shed.

The block is undulating and again how the any surface water that accumulated here that meets the requirements of LSIO is unknown

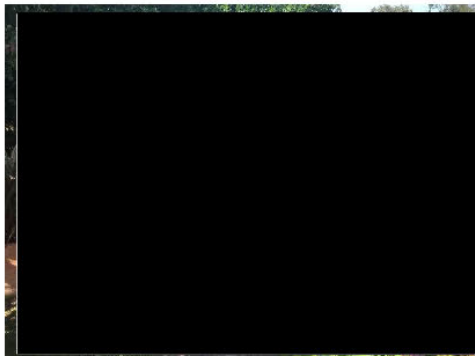


Open drain

This is the least affected property but it is understood that all the runoff from properties [REDACTED] will end up in the low point located to the north east of [REDACTED]

In the south east corner of the property to the north is an open drain at the low point which is design to take any surface water that may remain on the ground. This open drain needs to be included in the modelling.

The modelling indicates that water inundation will occur on the north west corner of the building. Again this building is on a slab so why is the whole area not affected.

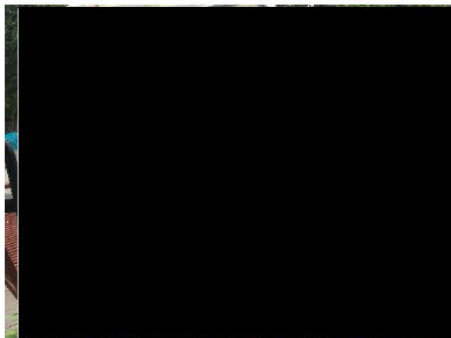


This modelling indicates that these areas will be inundated with water and that the open drain will not be able to manage the surface water.

To inundate this area based on the modelling, a large volume of water would need to be in this area. This water would cover the swimming pool which is set down and the back yard.

It needs to be noted that it is thought that at the lowest point that the depth of this water will need to be approximately .38m.

If water reached the north west corner of the building, other areas of the property would also be affected which are not shown by the modelling.



Concluding Comments

The modelling indicates that surface water will occur with the event on all the above properties. The modelling needs to take into account any buildings, structures, vegetation, soil permeability etc. to truly know the impact of the event in the modelling. It would also need to include the open drain.

As no details on the modelling has been provided including assumptions about the capacity of the stormwater infrastructure to handle this event, it is hard to comment on the likelihood of this event occurring.

The questions and observations mentioned in this document need to be answered and details indicated in the Flood Report provided.

Based on viewing the areas affected and the modeling not indicating that all properties in the vicinity will be affected by inundation, it is hard to understand how the modelling has come to the conclusion. As previously mentioned, modelling is only as good as the information provided at the time to make an assessment.

These properties have never been inundated as shown on the LSIO modelling. This study occurred over 6 years ago and conditions may have change over this time. Also, significant rain events have occurred with no inundation on these properties as detailed in the LSIO. The latest being in December 2021. There has been no mention as to the effect of these past rain events in any of the reports. It is thought that these events need to be mentioned in the report and what inundation occurred.

All urban areas in Traralgon were not included in the Flood Study and this leads to the point as to whether all properties are being treated the equally.

I believe a face-to-face meeting needs to be organized with council and WGCMA officers to discuss items in this document as well as information provided on the modelling specific to these properties.

Submission 31 - Part C

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

From: "Kristy Crawford" <Kristy.Crawford@latrobe.vic.gov.au>
Sent: Wed, 29 Jun 2022 10:35:31 +1000
To: "Kristy Crawford" <Kristy.Crawford@latrobe.vic.gov.au>
Subject: FW: Amendment C131 (flood overlays) - Update

From: [REDACTED]
Sent: Tuesday, 14 June 2022 4:14 PM
To: Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au>
Subject: RE: Amendment C131 (flood overlays) - Update

Hi Kristy,

As [REDACTED] and properties in [REDACTED] are no longer included in Amendment C131 (flood overlays), I confirm that I no longer wish to proceed with my submission.

Regards

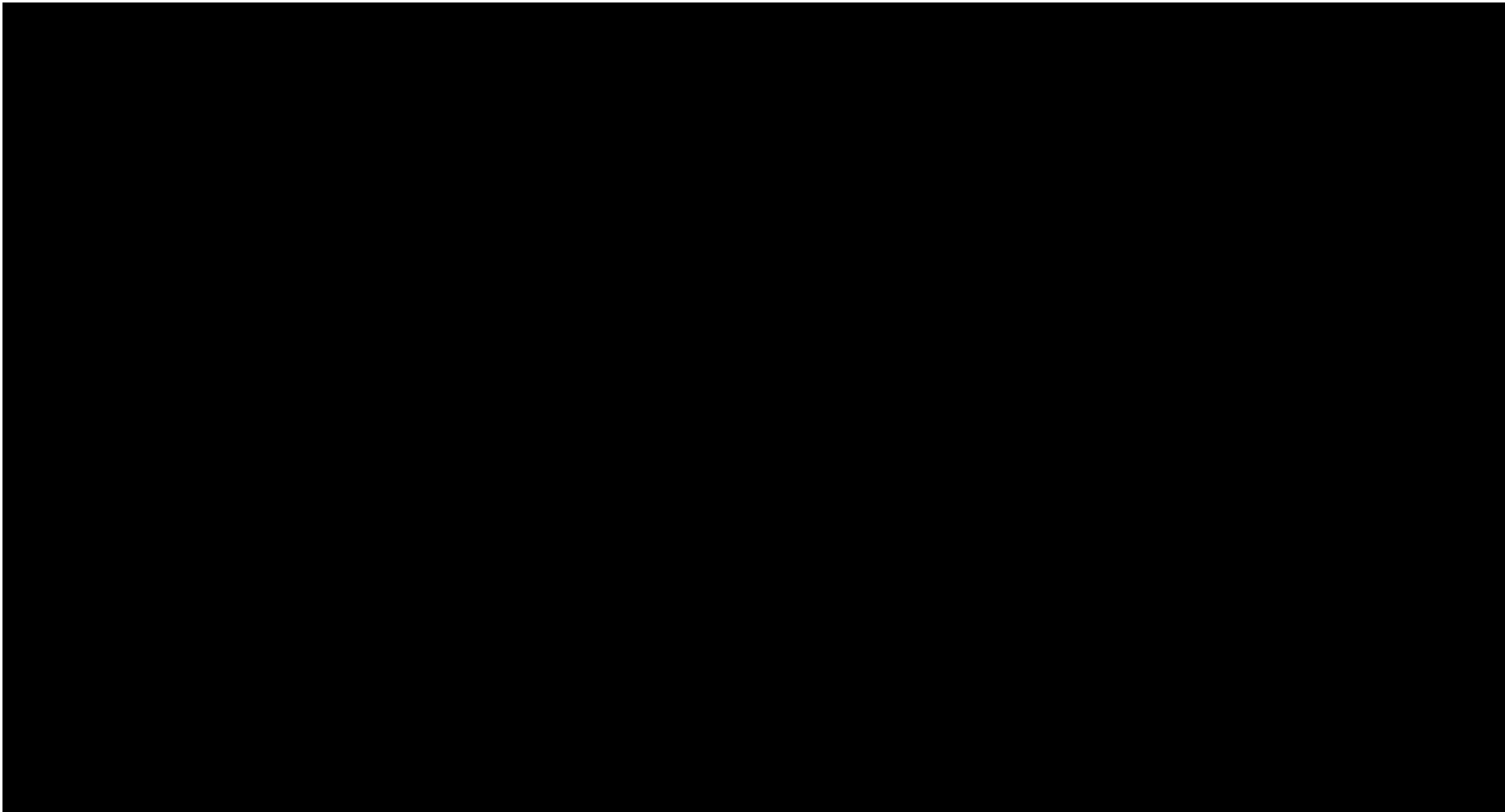
[REDACTED]
[REDACTED]

From: Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au>
Sent: Tuesday, 14 June 2022 10:01 AM
To: [REDACTED] <[REDACTED]@latrobe.vic.gov.au>
Subject: RE: Amendment C131 (flood overlays) - Update

[REDACTED]

The WGCMA have provided us with their updated mapping. The overlays now proposed under this amendment are shown in orange (Floodway overlay) and yellow (Land Subject to Inundation Overlay) below. As you can see, your property (highlighted in red) has been removed from the proposed flood overlays area.

Given the changes to the mapping and impacts on your property, can you please kindly confirm whether you wish to proceed with your submission objecting to the amendment, or if you are satisfied and wish to withdraw your submission? Happy to discuss.



Thanks

Kristy Crawford
Acting Coordinator Strategic Planning
P 03 5128 5499
M 0417 774 164
E Kristy.Crawford@latrobe.vic.gov.au

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840




Please note my working hours are as follows:
Monday and Tuesday from 7.00am to 8.15am and 8.45am to 4.00pm
Wednesday from 7.00am to 8.15am and 8.45am to 3.00pm
Thursday and Friday from 7.00am to 8.15am and 8.45am to 4.00pm

Sent: Friday, 10 June 2022 5:27 PM

To: Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au>
Subject: RE: Amendment C131 (flood overlays) - Update

Hi Kristy,

Thank you for following up on my submission.

I will wait until I receive the updated mapping. If this is not received before next week’s special council meeting should I still attend this meeting.

Regards

[Redacted]
[Redacted]

From: Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au>
Sent: Friday, 10 June 2022 3:27 PM
To: [Redacted] <[\[Redacted\]@latrobe.vic.gov.au](mailto:[Redacted]@latrobe.vic.gov.au)>
Subject: FW: Amendment C131 (flood overlays) - Update


H [Redacted]

Please note that Miriam has gone on leave for the next few weeks. I have been in contact with the WGCMA who have confirmed that your property at [Redacted] will be removed from this amendment and the modelling reviewed at a later date.

We’ll provide you with the updated mapping next week and confirm whether your concerns are addressed by this change, or if you wish to progress with your submission objecting to the amendment.

Kind regards

Kristy Crawford
Acting Coordinator Strategic Planning
P 03 5128 5499
M 0417 774 164
E Kristy.Crawford@latrobe.vic.gov.au

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840




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Wednesday from 7.00am to 8.15am and 8.45am to 3.00pm
Thursday and Friday from 7.00am to 8.15am and 8.45am to 4.00pm

From: [REDACTED]
Sent: Thursday, June 2, 2022 5:42:24 PM
To: Miriam Turner <Miriam.Turner@latrobe.vic.gov.au>
Subject: RE: Amendment C131 (flood overlays) - Update

Hi Miriam,

At this meeting will questions that still have not been answered by WGCMA in emails that I have forwarded to them be addressed as well as questions in my submission directed to Council.

Regards

[REDACTED]
[REDACTED]

From: Miriam Turner <Miriam.Turner@latrobe.vic.gov.au>
Sent: Thursday, 2 June 2022 5:17 PM
Subject: Amendment C131 (flood overlays) - Update


Good afternoon,

Please find attached an invitation for an upcoming meeting for Amendment C131.

Kind regards,

Miriam

Miriam Turner
Strategic Planning Officer (Mon-Thur)
P 03 5128 6158
M 0429 394 376
E Miriam.Turner@latrobe.vic.gov.au

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840




Submission 32

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From: [REDACTED]
Sent: Wed, 02 Mar 2022 15:51:30 +1100
To: Latrobe Central Email
Subject: Amendment C131 - CS 001040 / [REDACTED] Proposed Flood Overlay
Attachments: Letter Latrobe Planning Scheme Amendment.pdf, Proposed Flood Overlay - Amendment C131.pdf, Current Flood Overlay.pdf

Hi Strategic Planning

Please refer to the below objection from the owners of this complex.

There was no reported damage or impact to this property with the recent flood events in Traralgon.

As such, there is no reason to extend the flood overlay to include this address.

We respectfully request you do not include this property in the new flood overlay map.

Regards,

[REDACTED]



[REDACTED]

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Owner corporation plan No. CS 001040 for [REDACTED] a current Latrobe planning scheme amendment (see the attached letter which has been distributed to all body corporate owners via Council) which proposes to include Gwalia St and associated properties in a new flood overlay. See attached Proposed Flood Overlay and Current Flood Overlay.

Unless we act this proposed flood overlay will affect the value our body corporate insurance as well as property values, it may also mean that the body corporate and individual owners are unable to insure.

Note we only have until the 7th of March to submit an objection to the amendment.

1. The owners of this property object to the amendment, particularly as some owners have lived at the address for over 20 years and they can not recall any times water has entered the grounds.
2. This written submission to strategic planning on behalf of the Owners Corporation objecting to the proposed amendment C131, and proposing to amend amendment C131 including planning scheme maps 56LSIO-FO to exclude [REDACTED] from the flood overlay.

Owners have owned these units since before 2005 and they have observed flood water levels further down the street during some major flood events, but in this time period, they have never seen water enter the grounds, during any flood event. This includes the most recent major floods in June 2021 whereby an all-time record Traralgon Creek flood level was observed (5.76m).



Latrobe City ABN 92 472 314 133
Phone 1300 367 700
TTY (NRS) 133 677

PO Box 264 Morwell 3840
Email latrobe@latrobe.vic.gov.au
www.latrobe.vic.gov.au
AUSDOC DX2 17733 Morwell

Ref No: C131

MT:JO

31 January 2022



Dear Sir/Madam,

LATROBE PLANNING SCHEME, AMENDMENT C131 (FLOOD OVERLAYS) - NOTICE OF PREPARATION OF AN AMENDMENT UNDER THE PLANNING AND ENVIRONMENT ACT 1987

Latrobe City Council has prepared Amendment C131 to the Latrobe Planning Scheme, which proposes to update flood controls based on modelling from the *Latrobe River Flood Study (2015)* and the *Traralgon Flood Study (2016)*.

The amendment affects 65,614ha of land within the Latrobe municipality which is within proximity of the Latrobe River and the Traralgon Creek, and considered to be at risk of flooding.

The Amendment seeks to:

- Amend Clause 02.04 (Strategic Framework Plans) to include a new Strategic Framework Plan;
- Amend Clause 11.01-1L (Glengarry) to include a new Glengarry Town Structure Plan (GTSP);
- Amends the Schedule to Clause 72.03 (Schedule to Clause 72.03 What Does This Planning Scheme Consist Of?) to reflect the amended FO/LSIO mapping;
- Deletes Planning Scheme Maps LSIO-FO Map Nos. 2LSIO-FO, 5LSIO-FO, 6LSIO-FO, 7LSIO-FO, 8LSIO-FO, 9LSIO-FO, 10LSIO-FO, and 52LSIO-FO;
- Amend Planning Scheme Maps LSIO-FO Map Nos. 11LSIO-FO, 14LSIO-FO, 15LSIO-FO, 16LSIO-FO, 17LSIO-FO, 18LSIO-FO, 19LSIO-FO, 20LSIO-FO, 21LSIO-FO, 22LSIO-FO, 23LSIO-FO, 24LSIO-FO, 25LSIO-FO, 26LSIO-FO, 28LSIO-FO, 29LSIO-FO, 34LSIO-FO, 35LSIO-FO, 37LSIO-FO, 38LSIO-FO, 41LSIO-FO, 42LSIO-FO, 43LSIO-FO, 44LSIO-FO, 47LSIO-FO, 48LSIO-FO, 49LSIO-FO, 50LSIO-FO, 56LSIO-FO, 60LSIO-FO, 61LSIO-FO, 63LSIO-FO, 64LSIO-FO, 65LSIO-FO, 66LSIO-FO, 68LSIO-FO, 69LSIO-FO, 70LSIO-FO, 72LSIO-FO, 73LSIO-FO, 74LSIO-FO, 77LSIO-FO, 78LSIO-FO, 79LSIO-FO, 82LSIO-FO, 83LSIO-FO, 84LSIO-FO, 85LSIO-FO, 86LSIO-FO, 87LSIO-FO, 88LSIO-FO, 91LSIO-FO, 92LSIO-FO, 93LSIO-FO, 94LSIO-FO, 96LSIO-FO, 97LSIO-FO, 99LSIO-FO, 100LSIO-FO, 101LSIO-FO, 102LSIO-FO, 104LSIO-FO, 106LSIO-FO, 107LSIO-FO, 108LSIO-FO, 109LSIO-FO, 110LSIO-FO, 111LSIO-FO, 112LSIO-FO, 114LSIO-FO, 115LSIO-FO, 116LSIO-FO, 117LSIO-FO, 118LSIO-FO, 119LSIO-FO, 120LSIO-FO, and 121LSIO-FO.

Moe 1-29 George Street

Morwell 141 Commercial Road

Churchill Hub 9-11 Philip Parade

Traralgon 34-38 Kay Street

- Inserts Planning Scheme Maps LSIO-FO Map Nos. 4LSIO-FO, 32LSIO-FO, 33LSIO-FO, 40LSIO-FO, 51LSIO-FO, 55LSIO-FO, 57LSIO-FO, 62LSIO-FO, 67LSIO-FO, 71LSIO-FO, 76LSIO-FO, and 112LSIO-FO.

We are writing to you because you may be affected by the proposed amendment. According to Latrobe City Council records you own and/or occupy land that has been identified as being of interest in regards to the contents of the proposed Planning Scheme Amendment.

Enclosed with this letter is the formal notice of the amendment which is being sent in accordance with Section 19 of the *Planning & Environment Act 1987* (the Act).

Full details of the amendment can be found on Latrobe City Council's website:

https://www.latrobe.vic.gov.au/Property/Development/Planning_Scheme_Amendments/Current_Planning_Scheme_Amendments

Or you may inspect the amendment documentation at the following locations:

- 141 Commercial Road, Morwell Vic 3840,
- 34-38 Kay Street, Traralgon Vic 3844,
- 1-29 George Street, Moe VIC 3825,
- 9-11 Phillip Parade, Churchill VIC 3842
- At the Department of Environment, Land, Water and Planning website www.delwp.vic.gov.au/public-inspection

The amendment will be on public exhibition from 3 February 2022 to 7 March 2022 and this is your opportunity to make a submission to the proposed Amendment.

Officers are available to discuss the amendment via Zoom information sessions. To schedule a 1:1 Zoom meeting with a Council Planner at one of these sessions, please contact Strategic Planning on 1300 367 700 or email StrategicPlanning@latrobe.vic.gov.au

Information sessions are scheduled for:

- Monday 7 February, 10am-7pm
- Wednesday 9 February, 11am-7pm
- Monday 14 February, 11am-7pm
- Wednesday 16 February, 10am-7pm
- Tuesday 22 February, 10am-7pm

Any person may make a submission about the amendment, please note that the closing date for a written submission is 7 March 2022. A submission may be in support or not in support of the proposed amendment; additionally, a submission can just provide general feedback/comments for consideration. If you do make a submission, please be sure to specify which amendment your submission applies.

All submissions must be sent to:

Attention: Strategic Planning

Latrobe City Council

PO Box 264

MORWELL VIC 3840

Alternatively, submissions can be sent to Latrobe@latrobe.vic.gov.au

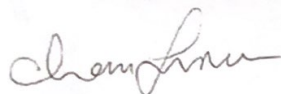
Please note that all submissions in relation to Amendment C131 are being collected by Latrobe City Council for the purposes of the planning process as set out in the *Planning and Environment Act 1987* (the Act). If you do not provide your name and address, Latrobe City Council will not be able to consider your submission.

Your submission will be available for any person to inspect during office hours free of charge for a period of two months after the amendment comes into operation or lapses. Copies of your submission may also be made available on request to any person for the relevant period as set out in the Act.

You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright.

If you require further information, please contact Miriam Turner on phone 0429 394 376 or email miriam.turner@latrobe.vic.gov.au

Yours sincerely



Miriam Turner

Strategic Planner

Planning and Environment Act 1987**LATROBE PLANNING SCHEME****Notice of the preparation of an amendment****Amendment C131latr**

The Latrobe City Council has prepared Amendment C131latr to the Latrobe Planning Scheme.

The Amendment applies to 65,614ha (Vic Map data) of land within the Latrobe municipality which is within proximity of the Latrobe River and the Traralgon Creek, and considered to be at risk of flooding.

The Amendment implements the recommendations of the Latrobe River Flood Study (2015) and the Traralgon Flood Study (2016) into the Latrobe Planning Scheme. The Amendment proposes to Amend Clause 02.04 (Strategic Framework Plans) to include a new Strategic Framework Plan, Amend Clause 11.01-1L (Glengarry) to include a new Glengarry Town Structure Plan (GTSP), and Amends the Schedule to Clause 72.03 (Schedule to Clause 72.03 What Does This Planning Scheme Consist Of?) to reflect the amended FO/LSIO mapping,

The Amendment amends Planning Scheme Map Nos 2LSIO-FO, 5LSIO-FO, 6LSIO-FO, 7LSIO-FO, 8LSIO-FO, 9LSIO-FO, 10LSIO-FO, 11LSIO-FO, 14LSIO-FO, 15LSIO-FO, 16LSIO-FO, 17LSIO-FO, 18LSIO-FO, 19LSIO-FO, 20LSIO-FO, 21LSIO-FO, 22LSIO-FO, 23LSIO-FO, 24LSIO-FO, 25LSIO-FO, 26LSIO-FO, 28LSIO-FO, 29LSIO-FO, 34LSIO-FO, 35LSIO-FO, 37LSIO-FO, 38LSIO-FO, 41LSIO-FO, 42LSIO-FO, 43LSIO-FO, 44LSIO-FO, 47LSIO-FO, 48LSIO-FO, 49LSIO-FO, 50LSIO-FO, 52LSIO-FO, 56LSIO-FO, 60LSIO-FO, 61LSIO-FO, 63LSIO-FO, 64LSIO-FO, 65LSIO-FO, 66LSIO-FO, 68LSIO-FO, 69LSIO-FO, 70LSIO-FO, 72LSIO-FO, 73LSIO-FO, 74LSIO-FO, 77LSIO-FO, 78LSIO-FO, 79LSIO-FO, 82LSIO-FO, 83LSIO-FO, 84LSIO-FO, 85LSIO-FO, 86LSIO-FO, 87LSIO-FO, 88LSIO-FO, 91LSIO-FO, 92LSIO-FO, 93LSIO-FO, 94LSIO-FO, 96LSIO-FO, 97LSIO-FO, 99LSIO-FO, 100LSIO-FO, 101LSIO-FO, 102LSIO-FO, 104LSIO-FO, 106LSIO-FO, 107LSIO-FO, 108LSIO-FO, 109LSIO-FO, 110LSIO-FO, 111LSIO-FO, 112LSIO-FO, 114LSIO-FO, 115LSIO-FO, 116LSIO-FO, 117LSIO-FO, 118LSIO-FO, 119LSIO-FO, 120LSIO-FO, and 121LSIO-FO in the manner shown on the 158 attached maps marked "Latrobe Planning Scheme, Amendment C131".

The Amendment inserts new Planning Scheme Map Nos 4LSIO-FO, 32LSIO-FO, 33LSIO-FO, 40LSIO-FO, 51LSIO-FO, 55LSIO-FO, 57LSIO-FO, 62LSIO-FO, 67LSIO-FO, 71LSIO-FO, 76LSIO-FO, and 112LSIO-FO in the manner shown on the 12 attached maps marked "Latrobe Planning Scheme, Amendment C131".

You may inspect the amendment, any documents that support the amendment and the explanatory report about the amendment, free of charge, at the Latrobe City Council website at <https://www.latrobe.vic.gov.au/HaveYourSay> and https://www.latrobe.vic.gov.au/Property/Development/Planning_Scheme_Amendments/Curent_Planning_Scheme_Amendments; and during office hours (inspection of documents may be subject to COVID-19 restrictions and requirements), at the following locations:

- Corporate Headquarters, 141 Commercial Road, Morwell VIC 3840;
- Traralgon Service Centre, 34-38 Kay Street, Traralgon VIC 3844;
- Moe Service Centre, 1-29 George Street, Moe VIC 3825;
- Churchill Service Hub, 9-11 Philip Parade, Churchill VIC 3842; and

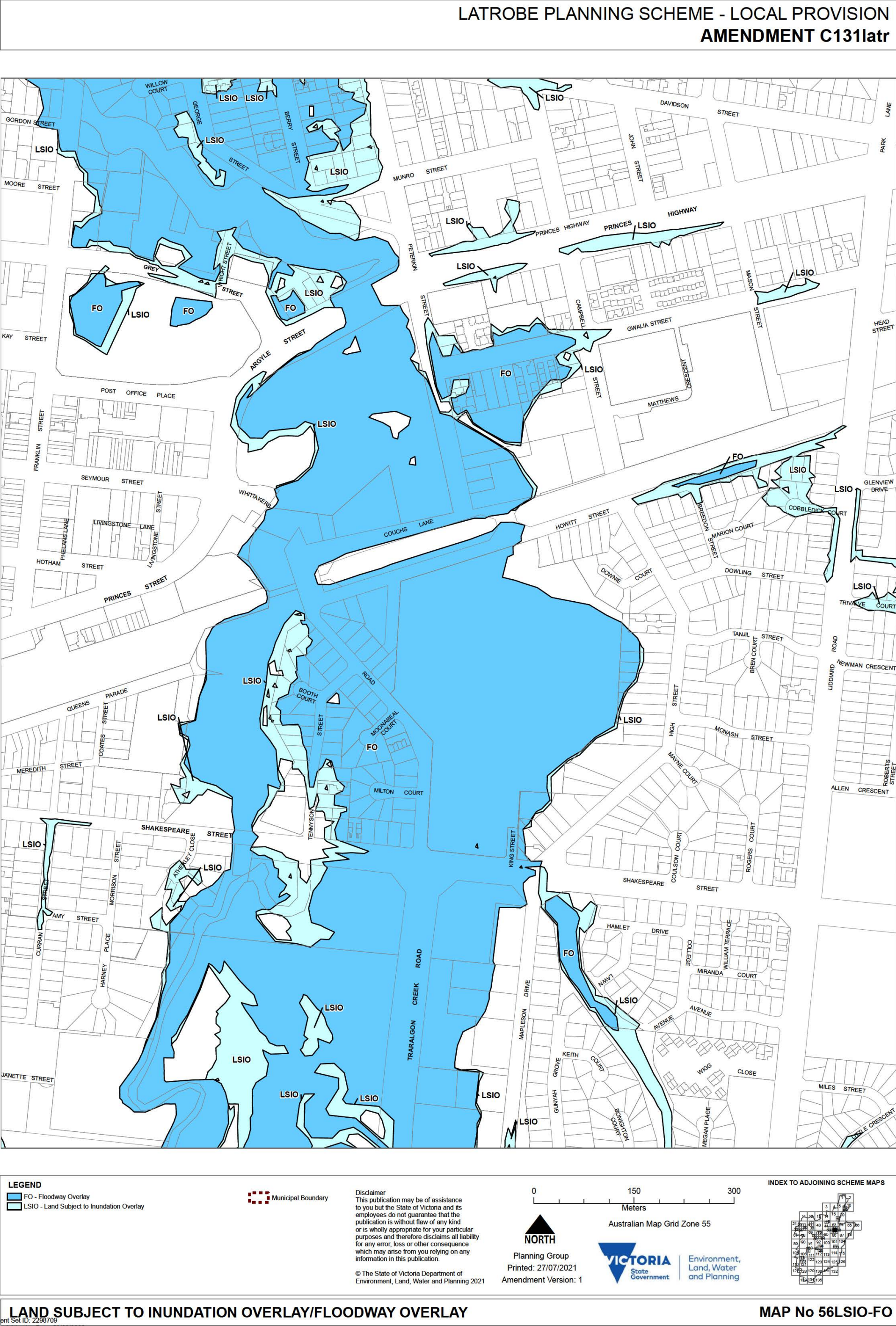
- at the Department of Environment, Land, Water and Planning website:
www.delwp.vic.gov.au/public-inspection.

Any person who may be affected by the amendment may make a submission to the planning authority about the amendment. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

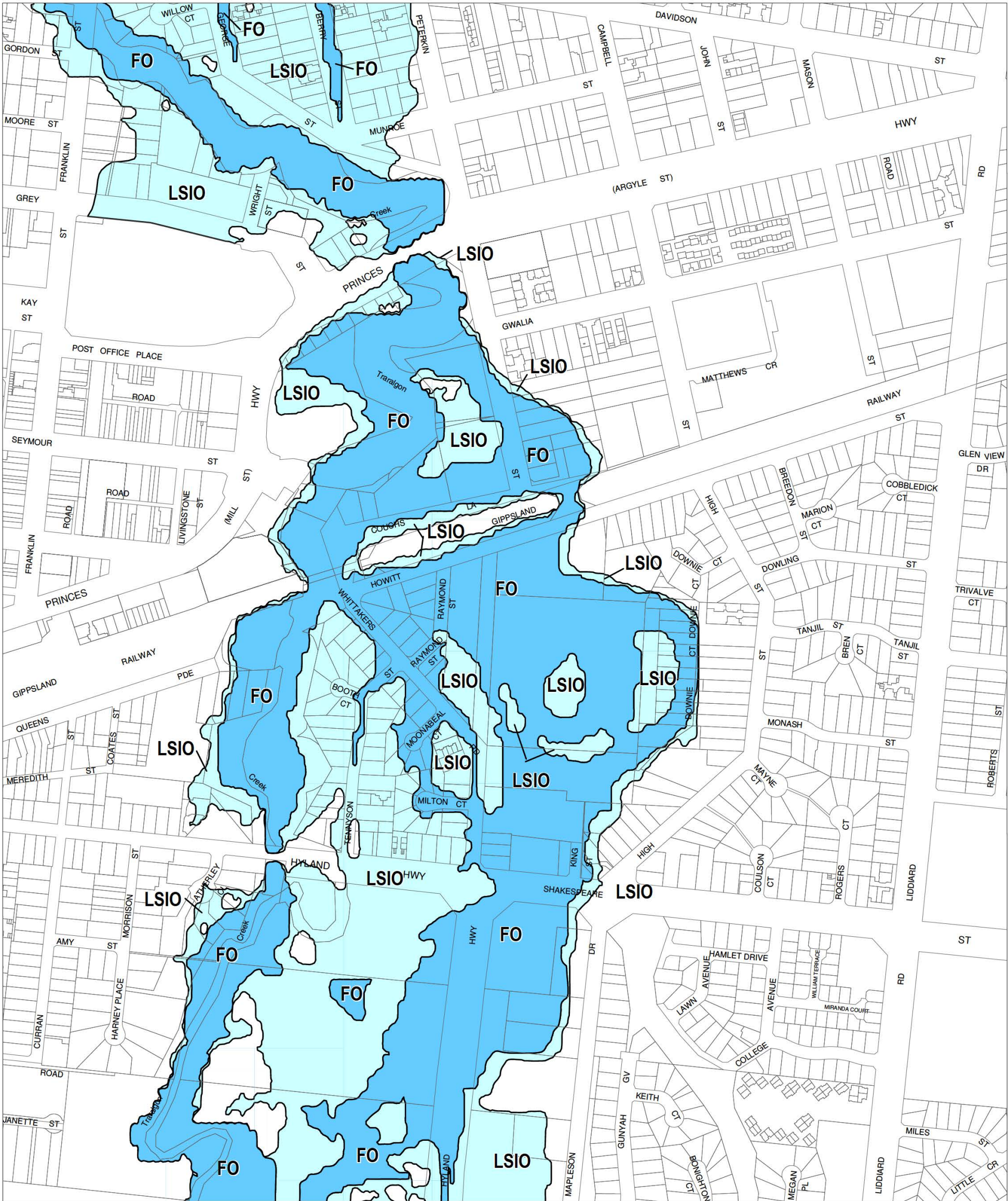
Name and contact details of submitters are required for council to consider submissions and to notify such persons of the opportunity to attend council meetings and any public hearing held to consider submissions. The closing date for submissions is 7 March 2022. A submission must be sent to the Latrobe City Council, Strategic Planning, PO Box 264, Morwell, VIC, 3840 or Latrobe@latrobe.vic.gov.au - Attention: Strategic Planning

The planning authority must make a copy of every submission available at its office for any person to inspect free of charge for two months after the amendment comes into operation or lapses.

STEVEN PIASENTE
Chief Executive Officer



LATROBE PLANNING SCHEME - LOCAL PROVISION



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This map should be read in conjunction with additional Planning Overlay Maps (if applicable) as indicated on the INDEX TO MAPS.

Overlays

- FO Floodway Overlay
- LSIO Land Subject To Inundation Overlay

100 0 100 200 300 m

AUSTRALIAN MAP GRID ZONE 55

AMENDMENT C9

MAP No 56LSIO-FO

LAND SUBJECT TO INUNDATION & FLOODWAY OVERLAY

Document No: 22/2010
Version: 1, Version Date: 03/03/2022

Printed: 10/8/2012

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Submission 33

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From: [REDACTED]
Sent: Wed, 02 Mar 2022 08:57:12 +1100
To: Latrobe Central Email
Subject: Submission to Latrobe City re Amendment C131 from [REDACTED]
Attachments: Submission to Latrobe City re Amendment C131 from [REDACTED].pdf

attached a document

 [REDACTED] has attached the following document: [Learn more.](#)

Strategic Planning

 Submission to Latrobe City re Amendment C131 from [REDACTED]

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2 March 2022

Miriam Turner
Strategic Planner
Latrobe City

RE: Amendment C131 – Proposed amendment to Latrobe Planning Scheme

Dear Miriam,

I refer to your letter dated 31 January 2022 (Ref C131, MT:JO).

My residence is located at [REDACTED], and is partially covered by the flood overlay as found by the flood studies.

A portion of my property has experienced localized and low-level inundation due to a blocked adjacent 600mm drain. The flood overlay indicates that the same small area of my property is also subject to general flooding from the Latrobe River/Traralgon Creek. How could this be? The probability that the extent of inundation of Rhode Court and my property due to poorly maintained and obstructed drainage to be the same as that caused by floods in the Latrobe River-Traralgon Creek is most unlikely.

I understand that floodplain management does include a number of strategies such as flood warning systems and planning scheme controls but also flood mitigation infrastructure works such as retarding basins, levees and of course effective drainage.

My concern is that the flood modelling and mapping studies have not taken into account the neglectful and deliberate disregard for the proper upkeep of the existing local drainage pipe network. For example, the drain that runs along my property's south-east boundary is known, by Council, to be broken and blocked by roots from Gum trees planted on top of the drain. The Council attended a blockage in the last 12 months following localized flooding, but merely undertook a root cut of 450mm diameter that at best only allows 50%-55% flow capacity, and, at worst prevents drainage flow altogether after an 18-month period when the tree roots have regrown and fully blocked the pipe again. This maintenance strategy adopted by Council has adverse impacts on our neighbourhood.

The drainage water in [REDACTED] cannot escape when the drain along the boundary of my property is blocked. The flooding is also compounded by the blocked drains in [REDACTED] and further down stream from Rhodes Crt

Have the flood studies taken this neglect of the drainage network into account? Or, are the studies mainly based on previous high-water marks? Either way, the flood studies are in error.

It would appear from the experience of my property that it would not have a flood overlay if the drainage pipework was well maintained to ensure 100% drainage flow capacity. Broken drains should be replaced, not merely root cut. I am well aware of the environmental importance and benefits of trees, but it is not appropriate to save a handful of offending trees that cause severe obstruction to flood flows and the unnecessary inundation of tens or hundreds of additional homes and the associated loss of land values and increased insurance premiums. The consequential cost and

environment damage of flooding can be enormous and in my observation of [REDACTED] is readily avoidable. We need to get the balance right; replace the existing defective drainage pipework, remove the problems trees, that will then minimize the land subject to flooding as well as the costs incurred by the Glengarry community and in particular by the residents of [REDACTED]

Before the proposed Amendment is adopted, and to be fair to the residents of [REDACTED] action is needed to:

1. Remove the problem trees and plant new trees away from the drainage pipe network;
2. Replace the damaged and broken pipes to restore 100% drainage capacity; and
3. Upgrade and enlarge the drainage inlet works; for example, the inlet opening that accepts all the drainage and flooding from Rhode Court is only 1050mm x 70mm.
4. Clean all drains down stream

This action would remove the localized drainage flooding of [REDACTED] and thereby remove the flood overlay.

A well maintained drainage system clear of tree roots and other obstructions should be a priority to any flood mitigation plan before a flood overlay can be put into place.

I would appreciate your co-operation in this matter with a written response and answers to my concerns.

Yours sincerely

[REDACTED]
[REDACTED]
[REDACTED]

Submission 34

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From: [REDACTED]
Sent: Mon, 28 Feb 2022 17:34:28 +1100
To: Latrobe Central Email
Subject: Flood Study letter to council
Attachments: letter to council re flood study.doc

Hi , Strategic Planning Department

Attached is my feedback for your Proposed Amendment c131.

Regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Date:28-2-22

To: Latrobe City Council
Attention Strategic Planning Department

Latrobe@latrobe.vic.gov.au

Hi,

In regard to your proposed amendment c131 of a flood study which covers the area of [REDACTED] where I live.

Firstly I object to our area being classed as a flood prone area. For me to be effected by water inundation from Traralgon Creek the creek would have to rise 50 metres plus, in which case half of Traralgon would be under water. My area has been affected by surface water inundation once in 2007 and then in 2010. Ten years later the council undertook major works in Hourigan Park behind me by lowering all the paths and laneways and also unblocking stormwater drains which were blocked from lack of maintenance. Both flooding issues were caused by stormwater and drainage being inadequate and not the creek rising. I believe if you reclass the area as flood prone home insurance costs will rise and be harder to obtain.

Has Council ever considered obtaining the vacant land on the corner of Hyland Highway and Shakespeare st for a catchment basin for storm surges ?

I believe council is using this study to reclassify the area and then sidestepping future litigation. We have had major storms since the works were done and there were no issues.

Regards
[REDACTED]

Submission 35

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From: [REDACTED]
Sent: Mon, 28 Feb 2022 16:50:09 +1100
To: Latrobe Central Email
Subject: RE: C131 Amendment - Land Subject to Inundation Overlay (LSIO)& Floodway Overlay (FO)
Attachments: To whom it may concern.pdf

To whom it may concern, please see attached a letter with our concerns regarding RE: C131 Amendment - Land Subject to Inundation Overlay (LSIO)& Floodway Overlay (FO)

Regards

[REDACTED]



[REDACTED]

[REDACTED]

Please consider the environment before printing this e-mail notice

To whom it may concern,

We are sending this letter, to voice our objection to the "Latrobe Planning Scheme", RE: C131 Amendment - Land Subject to Inundation Overlay (LSIO)& Floodway Overlay (FO), which has recently been brought to our attention by other locals in the community. A proposal, which seems to be rather difficult for us to find any information on, and appears to affect me and my family, and a number of our neighbors.

Unfortunately it would appear that this has been proposed, using zero consultation with affected landowners, which it has the potential to impact dramatically.

[REDACTED] with our 3 daughters, about 5 and a half years ago, in which time we have undertaken an extension and numerous renovation, in order to make the property a place that we all love, where we want to stay.

The uncertainty of what appears to be happening is making us quite anxious, and would greatly appreciate some advice or guidance as to what we can expect going forward. I can be contacted at any time on [REDACTED]

Regards,

[REDACTED]

Submission 36 - Part A

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From: [REDACTED]
Sent: Mon, 28 Feb 2022 22:07:37 +1100
To: Latrobe Central Email
Subject: Submission concerning proposed amendment C131
Attachments: Objection to amendment C131.pdf

Attention: Strategic Planning, Latrobe City Council
please find attached my submission concerning the proposed amendment C131
Please advise me that you have received this submission.
Thankyou
[REDACTED]

Attention: Strategic Planning

Latrobe@latrobe.vic.gov.au

Submission concerning proposed amendment C131

Hi,

My name is [REDACTED]. I do not support this proposed amendment in its current form.

If my understanding is correct, our property is not directly at risk from flood waters. We live a relatively long distance from Traralgon Creek and are a lot higher in elevation relative to many other properties. Modelling suggests that at the time of a 1 in 100 year flood event, the storm water drains in our area will bank up and flow back out onto the streets. This will occur in a lot of places without detriment as the water will flow down the streets and make its way back into the flood waters. However there are some pockets of depression across the housing estate where the water flowing back out of the storm water drains cannot flow away quickly and it appears that our property is located in one of these areas.

I believe the areas of depression that may be subject to inundation are a completely separate issue to Traralgon Creek flooding and should not be part of this amendment. Flood waters associated with Traralgon Creek are natural events, the force of which cannot be controlled by human intervention. Land subject to inundation within a proposed housing development should have been planned for, should have been controlled, and may still be controlled. The overlay on [REDACTED] has less to do with a natural event and more to do with poor planning which is a separate issue, which is the responsibility of Latrobe City and this responsibility should not be confused with or lost within an amendment about flood waters.

I even question the accuracy of predicting inundation events as compared with flood events. We lived in nearby [REDACTED] for many years and it would be inundated after heavy rain yet it does not have an overlay. [REDACTED] has never been inundated and I'm not aware of any records of inundation prior to development. Seems a bit inequitable?

When purchasing our block of land, our solicitor informed us that, "In the opinion of the Latrobe City Council, the land is not subject to flooding nor has it a designated flood level pursuant to the Building Regulations 1994."

There are other residents in Traralgon who are situated within depressions, who must therefore be exposed to some risk of inundation who do not have an overlay affecting their property. Why is this? Perhaps it's because the standard is based on a 1 in 100 year event, not a 1 in 200 year event for example. So if the standard is 1 in 100, why didn't Latrobe City ensure the storm water drainage was designed to this standard or the land was contoured to allow drainage? If the standard is 1 in 100 and our storm water drainage does not meet that standard, surely Latrobe City has a responsibility to fix it and not just ignore it via a new overlay?

I don't think this proposed amendment is fair. I think Latrobe City have a responsibility to fix the drainage, not hide behind an amendment. Latrobe City approved the development. Latrobe City informed us that we were not at risk from flooding. There should be no overlay applied to [REDACTED] until Latrobe City has made a genuine attempt at fixing the issue. One way to do this would be to form a working group that includes some of the impacted residents to explore all possible solutions.

Thank you for the notification of this amendment and for the time taken by people to provide information, and for the opportunity to provide feedback.

Yours sincerely

[REDACTED]

[REDACTED]

28 / 02 / 2022

Submission 36 - Part B

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From: [REDACTED]
To: [Miriam Turner](#)
Subject: Re: Amendment C131 (Flood Overlays Update)- [REDACTED]
Date: Tuesday, 26 July 2022 8:02:07 PM

Hi Miriam,

I apologise for such a late response. Like everyone else it seems, I got very busy at work and totally forgot to respond. I will withdraw my objection to the proposed amendment but would like to put on the record that my main point was not to dispute the reports findings but rather to express concern that Latrobe City as the regulator allowed residential development to occur on land not suited for that purpose due to drainage issues. I bought this land and built our home in good faith that Latrobe City as the regulator would ensure proper planning of residential developments would occur.

Thankyou for keeping me informed and allowing me to provide my view.

[REDACTED]

Submission 37 - Part A

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From: [REDACTED]
Sent: Mon, 28 Feb 2022 13:20:30 +1100
To: Latrobe Central Email
Subject: Strategic Planning Re-Amendment C131
Attachments: Flood Study Traralgon Creek.docx

Please find attached submission re- amendment C131

G Thornhill
14 Alexandra Ave
Traralgon

Submission on Amendment C131 - Reference to Map No 49LSIO-FO

Liability Concerns: -

I am surprised that an Authority has produced a plan that clearly shows it has failed its duty of care under the Subdivision of Land Act.

Under the requirements of the Subdivision of Land Act, the developer is required to submit a plan of the development to the Responsibility Authority demonstrating that a 1 in 100 (1%) flood flow can pass through the development. That flow shall not cause risk of inundation of proposed dwellings.

Map NO 49LSIO-FO shows that this requirement has not been met in a number of locations.

Comments on the Problem:-

Ideally the flood flow should be located in roadways and drainage reserves.

Here again the Authority of the day failed in its duty of care.

The original Plan for the development had a Roadway opposite [REDACTED] north to the pipe track which matches the current alignment of [REDACTED] and [REDACTED]. This would have permitted the 1% flow to pass north to the pipe track and then Traralgon Creek flood path.

If this had been designed properly with the appropriate grades of roadways and drainage, none of the problems in this area would have occurred.

The flooding that has occurred in the oval area to the north of [REDACTED] indicates to me that the levels used in the computer modelling are not right, as well as those in [REDACTED].

I am aware that computer modelling of stream flow requires the model to be calibrated by a number of factors which are determined by the condition of the stream banks and surrounds which affect the levels produced in a computer model. Normally the model is calibrated by adjusting these factors to match known observed events that have occurred in the stream.

The Responsible Authority should ensure that waterways are maintained in a clear and unobstructed condition reflected in the modelling.

Inappropriate planting on banks can cause obstructions during periods of high flows causing flood levels to rise. These plants are often seen wrapped around bridges and tree trunks after flood events, as seen in the Traralgon Creek after recent flooding. Maintenance along the Creek is very low. Banks are being undercut, fallen trees are left in the creek, flood debris left in the flood plain, all of which can affect the flow levels of the creek.

A relief open drain from the subdivision through farm land to the north has been interfered with, which will affect the over flow efficiency of the grated pits located in its invert.

The outlet drain from [REDACTED] has a number of pits with grated lids to allow the drain to over flow. The impact of this overflow should be checked.

Is there a relief drain from [REDACTED] to the oval retarding basin? If so, has this been taken into account in the modelling done in the area?

Conclusion

The information shown on the plans for this amendment will have a huge impact on property owners. Their insurance premiums will increase, resulting in a large sum over a long period of time. Therefore, it is important that the Authority gets this project right, both from a cost and future outcomes point of view.

So, we come to the question “What is the Authority going to do to fix the problem produced by its predecessor’s neglect”?

The production of an overlay to a Planning Scheme is not the answer to this problem.

A suggested solution is the construction of a relief drain to the oval retarding basin north of [REDACTED] to overcome the impact to the properties concerned.

The relief works should be capable of controlling the impact on the properties in [REDACTED] from the gap flow between the current drainage capacity and the 1% flow.

I look forward to a successful resolution to this problem in the future.

Regards
[REDACTED]

Submission 37 - Part B

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From: [Alannah Sherwen](#)
To: [Alannah Sherwen](#)
Subject: FW: Amendment C131
Date: Monday, 25 July 2022 10:25:15 AM

From: [REDACTED]
Sent: Friday, 22 July 2022 1:34 PM
To: Miriam Turner <Miriam.Turner@latrobe.vic.gov.au>
Subject: Amendment C131

Miriam

Thank you for your reply. I advise you that I'm a retired Civil Engineer who worked in Local government and have carried out many flood studies. Therefore ethically I cannot remove my comments regarding the 1% flood flow.

Regards [REDACTED]

Submission 38 - Part A

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Your Details

Personal Details

██████████
██████████
██████████
██████████
██████████

Confidentiality

Please withhold my name from public documents such as Council reports

Your Submission

My submission is

I have just learnt from ██████████ that the information is wrong it was surveyed in 2019 and does not have information in regards to land being built up and retaining walls in place - ██████ is speaking with this managers to have the land manually surveyed

Alannah Sherwen

From: Alannah Sherwen
Sent: Thursday, 14 July 2022 9:27 AM
To: Alannah Sherwen
Subject: FW: Amendment C131latr - FAQ

Follow Up Flag: Follow up
Flag Status: Completed

Submission 38 - Part B

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From: [REDACTED]
Sent: Monday, 11 July 2022 4:24 PM
To: Miriam Turner <Miriam.Turner@latrobe.vic.gov.au>
Subject: Re: Amendment C131latr - FAQ

Ok thanks so [REDACTED] - has no flood overly any more? If that is ok i will withdraw my submission

Thanks

[REDACTED]

From: Miriam Turner <Miriam.Turner@latrobe.vic.gov.au>
Sent: Monday, 11 July 2022 4:22 PM
To: [REDACTED]
Subject: RE: Amendment C131latr - FAQ

Hi [REDACTED]

Yeah the planning maps don't show house numbers, yours is [REDACTED]

Here's a map from the flood authority which shows the new boundary better, and an aerial image so it's easier to see where your house is.



Kind regards,

Miriam

From: [REDACTED]
Sent: Monday, 11 July 2022 4:19 PM
To: Miriam Turner <Miriam.Turner@latrobe.vic.gov.au>
Subject: Re: Amendment C131latr - FAQ

Thanks Miriam there is no numbers of the houses on the attached maps? I'm not sure if my house is the [REDACTED] or [REDACTED] from the end?

Thanks
[REDACTED]

Get [Outlook for iOS](#)

From: Miriam Turner <Miriam.Turner@latrobe.vic.gov.au>
Sent: Monday, July 11, 2022 3:55:38 PM
To: [REDACTED]
Subject: FW: Amendment C131latr - FAQ

Good afternoon [REDACTED]

Please find attached the new planning map, showing your property not affected by the FO.

Can you please confirm whether you wish to proceed with your submission objecting to the amendment, or if you are satisfied with this information and wish to withdraw your submission?

Kind regards,

Miriam

Miriam Turner
Strategic Planning Officer (Mon-Thur)
P 03 5128 6158
M 0429 394 376
E Miriam.Turner@latrobe.vic.gov.au

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840



From: [REDACTED]
Sent: Monday, 4 July 2022 5:59 PM
To: Alannah Sherwen <Alannah.Sherwen@latrobe.vic.gov.au>
Subject: Re: Amendment C131latr - FAQ

Thanks - I believe there has been a change to my overlay - but I have not received the new map - [REDACTED]

Get [Outlook for iOS](#)

From: Alannah Sherwen <Alannah.Sherwen@latrobe.vic.gov.au>
Sent: Monday, July 4, 2022 4:15:30 PM
[REDACTED]
Subject: Amendment C131latr - FAQ

Good afternoon,

I hope you are well today.

Please see attached PDF file containing Amendment C131latr FAQ and information.

Thank you kindly.

Kind regards,

Alannah Sherwen
Planning Administration Officer



Confidentiality

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Submission 39

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From: [REDACTED]
Sent: Thu, 03 Mar 2022 21:22:20 +1100
To: Latrobe Central Email
Subject: Attention: Strategic Planning - Amendment C131
Attachments: LCC - Amendment C131.pdf

Dear Latrobe City Council,

Please see attached submission regarding Amendment C131 (Flood Overlays).

Your confirmation receipt of this email would be appreciated.

Regards,

[REDACTED]



Submission to Latrobe City Council Amendment C131
Attention: Strategic Planning

My name is [REDACTED], I am a resident at [REDACTED]. Latrobe City Council is amending the planning scheme to include flood and inundation overlays on some properties in [REDACTED] Amendment C131 will place "Land Subject to Inundation Overlay" or LSO on addresses [REDACTED] and the western half of the court roadway.

I have lived at this address for 16 years and at no point has this road or properties on this road been impacted by flood waters as a result of heavy rainfall.

The map indicated flooding zones shows [REDACTED] a flood prone area however, Hedges Avenue & Traralgon Tennis Courts which are situated on the creek side, are not impacted. The map also shows my neighbours at 1-6 would not be affected however my property would be. Considering I am located at the end of the court I do not believe this makes logical or reasonable sense.

It has been advised that [REDACTED] proposed overlay is not flood or inundation related, but issues due to stormwater and movement of that water. Stormwater infrastructure in [REDACTED] has proven to be capable of appropriate evacuation of storm water, including during recent severe record rain events of 2021. Storm water was not considered in the report and modelling. From the report "flash flooding as a result of stormwater issues that were not covered within the scope of this project". If the projected flooding is due to insufficient storm water drainage, this is a matter for the local council to repair and is not the responsibility of homeowners.

This flooding overlay will increase my home insurance as well as negatively impacting the value of the property. When I purchased the property back in 2006 there was no indication of any flood overlay. Had this been identified I would not have purchased the property.

I thank you for taking the time to review my concerns and I hope that a reasonable and just outcome will be reached.

Regards,

A black rectangular redaction box covering the signature and name of the submitter.

Submission 40

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From: [REDACTED]
Sent: Fri, 04 Mar 2022 14:33:35 +1100
To: Latrobe Central Email
Subject: ATTN: Strategic Planning, Amendment C131 submission
Attachments: ATT00001.pdf

See attached submission to the Planning Scheme Amendment, C131. This submission has also been submitted on-line.

[REDACTED]

Notice of Objection

Latrobe City Proposed Planning Scheme Amendment C131 (Flood Overlays)

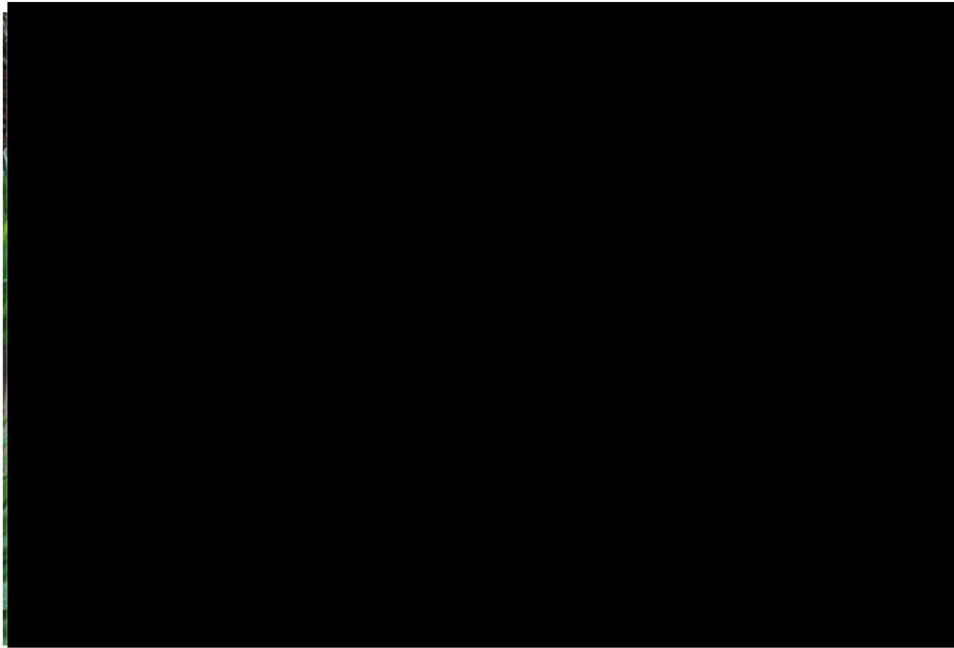
[REDACTED]

The property at the above address is currently classified as Land Subject to Inundation Overlay (LSIO). The amendment proposes a reclassification to Flood Overlay (FO). The residents object to this classification for the following reasons:

- Being potentially detrimental to the property value
- Leading to a high probability of increased insurance premiums for flood coverage, and
- Potentially affecting the design and costs of any redevelopment.

The proposed reclassification is also objected to as unjustified for the following reasons:

1. The neighbouring property (no. 11) has its building footprint flood risk classification unchanged at LSIO, despite it backing directly on to Traralgon Creek and experiencing active water flowing through the property to [REDACTED]
2. West Gippsland Catchment Management Authority (WGCMA, email correspondence, 2/3/2022, from Senior Planning Officer, Ben Proctor) defines FO as 300mm above the 1% AEP – One Hundred Year Flood Level). LSIO is less than 300mm. The 1% AED is 5.99m at the Traralgon Creek meter at the Argyle St. bridge. Our property floor level is 260 mm below the 1% AEP as stated in the Certificate of Flood Levels (City of Traralgon, 4/12/1991).
3. WGCMA modelling of flood levels is based on floods of September 1993, June 2012 and June 2013. This modelling does not account for flood mitigation works that have occurred since which change to creek's flow and reduce water backup, namely: the new Franklin St. bridge built at a higher level, and the new George St./Wright St. footbridge built at a higher level.
4. Neighbouring houses and fences and the alignment of [REDACTED] to the creek, mean that flood water flows down the street and around our property. It does not actively flow into our property. Unlike other houses in the street which are classified FO and were flooded in the June 2021, the water does not bank up around our property.
5. During the June 2021 flood, Traralgon Creek reached a peak of 5.78m, 201 mm below the 1% AEP. At the peak of this flood, our floor level at the front of the house was 220 mm above that peak. At the rear of the house the photos below show the backyard with nearly four courses of bricks above the water – 300mm. The second photo taken at the back door shows water lapping at the second step. i.e. two steps free, 290mm below the floor. **N.B. Even with 201 mm extra our house floor would not be 300mm under water, the level WGCMA defined as meeting FO requirements.**



Based on these facts, we therefore ask that [REDACTED] remain at Land Subject to Inundation flood classification.

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Submission 41

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From: [REDACTED]
Sent: 4 Mar 2022 15:59:04 +1100
To: Latrobe Central Email
Cc: [REDACTED]
Subject: Planning Scheme Amendment C131 - Gippsland Water submission

Attention: Strategic Planning

Thank you for the opportunity to provide comment on Amendment C131 to the Latrobe Planning Scheme, which proposes to update flood controls based on modelling from the *Latrobe River Flood Study* (2015) and the *Traralgon Flood Study* (2016).

[REDACTED] has reviewed the proposed amendments to the Land Subject to Inundation Overlay (LSIO) and the Floodway Overlay (FO) of the Latrobe Planning Scheme with consideration of our land holdings in the area.

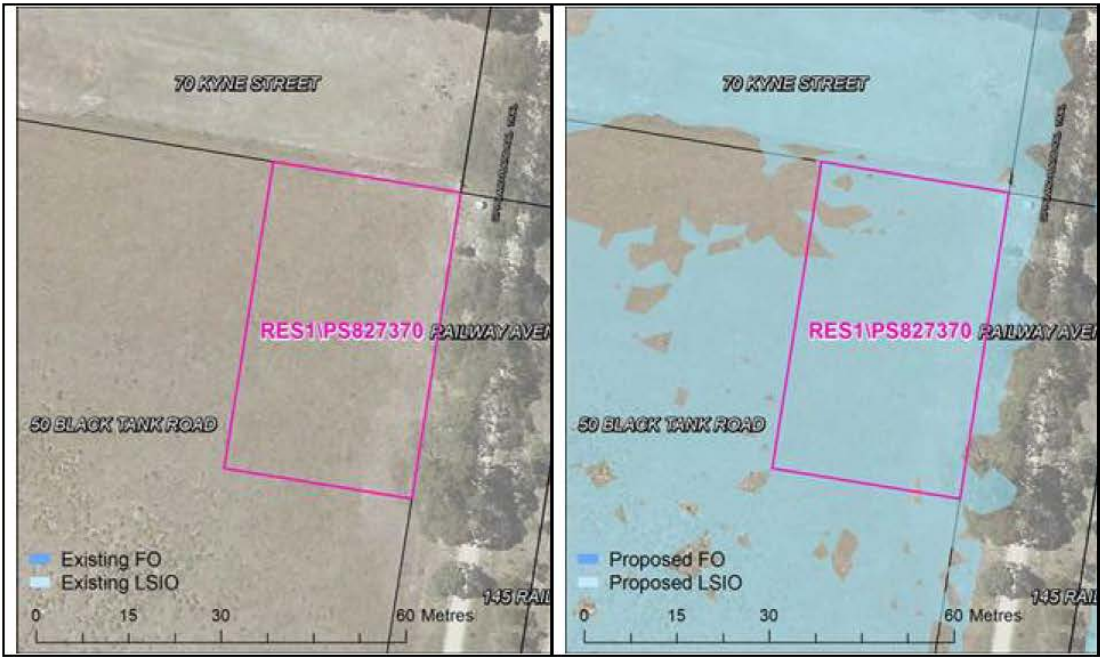
We make the following submissions related to specific land parcels affected by the proposed changes:

[REDACTED] RES2\PS827370

This parcel was recently purchased by [REDACTED]. The intention is to apply for the parcel to be rezoned to PUZ1 with a view to develop a public utility (sewer emergency storage) at the site.

We request that the flood depths be reviewed and that this parcel be excluded from the LSIO.

FO & LSIO in current Planning Scheme	FO & LSIO proposed by Amendment C131
--------------------------------------	--------------------------------------



1\TP388312

This parcel is the site of our The infrastructure is located on higher land and includes a switchboard and a concrete wall of approximately 0.5 metre height enclosing the open section of channel.

We request that the flood depths be reviewed with respect to the land elevation and that the LSIO be aligned with the PUZ1 boundary such that the parcel be excluded from the overlay.

FO & LSIO in current Planning Scheme	FO & LSIO proposed by Amendment C131
--------------------------------------	--------------------------------------



CP172058

This parcel is the site of our Marshalls Road sewage pump station. The proposed amendment to the LSIO introduces a very small area of overlay to the western boundary of this property.

We request that the LSIO be aligned with the PUZ1 boundary such that the parcel be excluded from the overlay.

FO & LSIO in current Planning Scheme	FO & LSIO proposed by Amendment C131
--------------------------------------	--------------------------------------



If you wish to discuss these submissions further please myself on the details below.

Kind Regards,

[Redacted]

[Redacted]



We acknowledge the Traditional Owners of the Gippsland Water area, the Gunaikurnai people and the Bunurong people, and recognise their strong cultural connection to the land and waterways.

We pay our respect to their Elders, past and present.

Disclaimer: This email and any attachments is for the intended recipient only and may contain privileged, confidential or copyright information. Any confidentiality or privilege is not waived or lost because this email has

Submission 42 - Part A

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From: [REDACTED]
Sent: Fri, 04 Mar 2022 18:48:12 +1100
To: Latrobe Central Email
Subject: Attention: Strategic Planning - RE: Proposed Amendment C131 Flood Overlay
Attachments: C131 Flood Overlay objection.docx

Attention: Strategic Planning

Please find attached our submission of objection to the proposed Amendment C131 – Proposed Flood Overlay relating to our property at [REDACTED].

Regards

[REDACTED]

March 4th 2022-03-04

Latrobe City Council
Strategic Planning

RE: Proposed Amendment C131 Flood Overlay affecting our property at [REDACTED]

Further to our recent discussions with Miriam Turner via zoom, phone and email correspondence, please be advised that we are in current discussions with Ben Proctor, Senior Planning Officer, West Gippsland Catchment Management Authority relating to the proposed flood overlay Amendment C131.

Ben and his team have advised they will be conducting a further survey of our property next week to reassess levels of our property.

We wish to submit an objection to the proposed C131 Amendment on the following grounds: -

- During Traralgon's major floods which was reported both nationally and internationally, our property was at no stage under threat of water entering our land or building.
- Our property is on a higher level than some neighbouring properties that have not been listed as requiring a flood overlay.
- Council had access to the West Gippsland Catchment Management Authority's survey in 2015 and 2016.
- Our property was purchased in 2018 with no indication from Latrobe City Council that it was situated in a potential flood zone based on documentation available to Council at the time.
- There was no mention of potential flooding issues on the Section 32 at the time we purchased the block of land. Had this been indicated we would not have proceeded with the purchase of the land and subsequent building of our home.
- Planning permits were issued and approved for the building of our home with no indication from Council that there was potential for flooding in the area or a requirement to mitigate any such potential flooding.
- The subdivision was given approval by Council in a supposed potential flood zone which is unacceptable.
- Our property is fully developed and yet Council's Strategic Planning Officer advised us via a zoom meeting that the C131 overlay was "to protect future development". How can we develop in the future when our home is completed?

Our objection may be withdrawn pending the results of the survey to be carried out by West Gippsland Catchment Management Authority.

Regards

[REDACTED]

Submission 42 - Part B
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From: "Kristy Crawford" <Kristy.Crawford@latrobe.vic.gov.au>
Sent: Wed, 15 Jun 2022 12:16:33 +1000
To: "Alannah Sherwen" <Alannah.Sherwen@latrobe.vic.gov.au>
Subject: FW: Amendment C131 (Flood Overlays Update) - update

From: Christine Backman <christine.backman@hotmail.com>
Sent: Wednesday, 15 June 2022 12:16 PM
To: [REDACTED]
Cc: Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au>
Subject: Re: Amendment C131 (Flood Overlays Update) - update

[REDACTED]

Thank you for the call and email to advise that the flood overlay for amendment C131 has now been removed from our property.

We are happy to withdraw the submission based on this information.

Regards

[REDACTED]

Get [Outlook for Android](#)

From: Aaron Burness <Aaron.Burness@latrobe.vic.gov.au>
Sent: Wednesday, June 15, 2022 12:06:14 PM
To: [REDACTED]
Cc: Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au>
Subject: Amendment C131 (Flood Overlays Update) - update

Hi [REDACTED]

Following our call this morning, I am happy to advise that the WGCMA have reviewed the modelling following the completion of the exhibition stage of Amendment C131. Your lot is no longer expected to be affected by the flood overlays under the amendment.

I have attached an image to confirm this. Please see your property highlighted in red, and the updated overlay in yellow.

Can you please confirm whether you wish to proceed with your submission objecting to the amendment, or if you are satisfied with this information and wish to withdraw your submission?

Regards,

Submission 43

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From: [REDACTED]
Sent: Sat, 05 Mar 2022 15:22:52 +1100
To: Latrobe Central Email
Subject: Strategic Planning

hello its [REDACTED] writing to you in response of the flood over lay and aboriginal over lays that are on my property.

let me first start of by saying 10 years ago when i first brought this property and did all the checks on [REDACTED] there where NO over lays on it.
i never got notified of these over lays getting implemented onto my property which i know the council has the duty to disclose and notify this to me before they can implement it.

I am in a huge dis agreement with you hydrologist report that was done on [REDACTED]
The two areas that are meant to flood are a joke.
At the time of the flood over lay being implemented my front yard was all garden and the same height as my house and the backyard corner was not very far of it either.
The rest of my property is not affected by flood by your flood map. even on your flood over lay map it has a government disclaimer that states the information may or may NOT be correct. I am wondering how you can even enforce this flood over lay if its not correct?

I have lived here for the last 10 years and the narracan creek has broken its banks 2 or 3 times in that time frame and not once has the flood water even reach my property.
I would suggest that this would be good real life data not a prediction that some hydrologist come up with and is so god dam wrong.

The aboriginal over lay. I can not see how the rear corner of my yard which is in your aboriginal over lay and has a shed in it and other houses behind my property could affect anything down along the narracan creek.

I want both these over lays removed off my property which again ill say where never discussed with me prior to me [REDACTED]
I also want to be contacted with any like this that affects my property.

please don't hesitate to call me on [REDACTED] or mail me back .

[REDACTED]
5/2/2022

Submission 44

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From: [REDACTED]
Sent: Sun, 06 Mar 2022 20:16:10 +1100
To: Latrobe Central Email
Cc: [REDACTED]
Subject: Attention: Strategic Planning - Submission - Amendment C131
Attachments: Amendment C131 - Submission - [REDACTED].pdf

Attention: Strategic Planning
Submission - Amendment C131

Kind regards, [REDACTED].

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

6 March 2022

Attn. Strategic Planning – Latrobe City Council

Re. Latrobe Planning Scheme, Amendment C131 (Flood Overlays)

To Whom It May Concern,

We wish to lodge a submission to Planning Scheme Amendment C131.

We live at [REDACTED]. This land is subject to Planning Permit 2012/252/A for a six lot subdivision. This involved the existing land behind the existing dwellings at [REDACTED] and 61 Kyne Street, Glengarry being subdivided off to create four new lots at the rear, with a common driveway. Please see image below demonstrating this (image taken from VicPlan). [REDACTED], Glengarry is highlighted in blue.

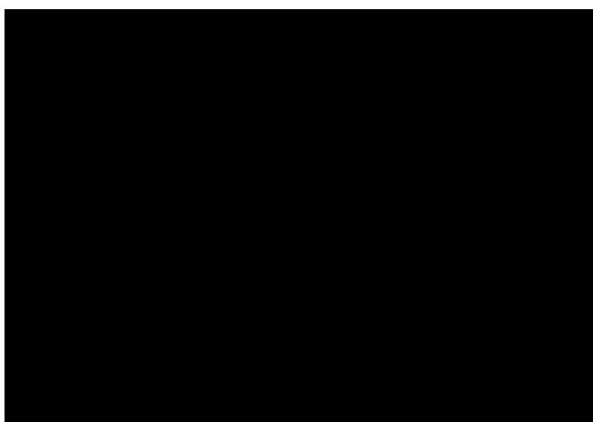


Image: [REDACTED]

Amendment C131 proposes to place a Land Subject to Inundation Overlay (LSIO) over nearly all of our property. [REDACTED] 'Neighbourhood Navigator' outlining this.

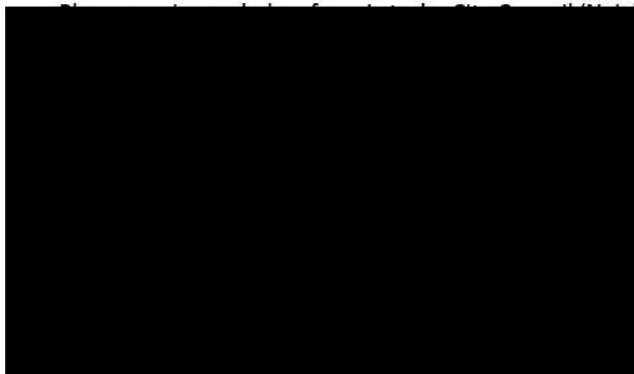


Image: [REDACTED] – proposed extent of LSIO

The proposed placement of the LSIO has been determined based on modelling from the *Latrobe River Flood Study (2015)* and the *Traralgon Flood Study (2016)*. However, since these studies have been undertaken, the subdivision associated with Planning Permit 2012/252/A has been undertaken, and dwellings, outbuildings, and swimming pools have been constructed on the four new lots, plus landscaping works (including fences) etc. This can be demonstrated in the image below, which is taken from Google Maps. Our property at the end also now has a shed, which is constructed in the middle of the western boundary of our site.

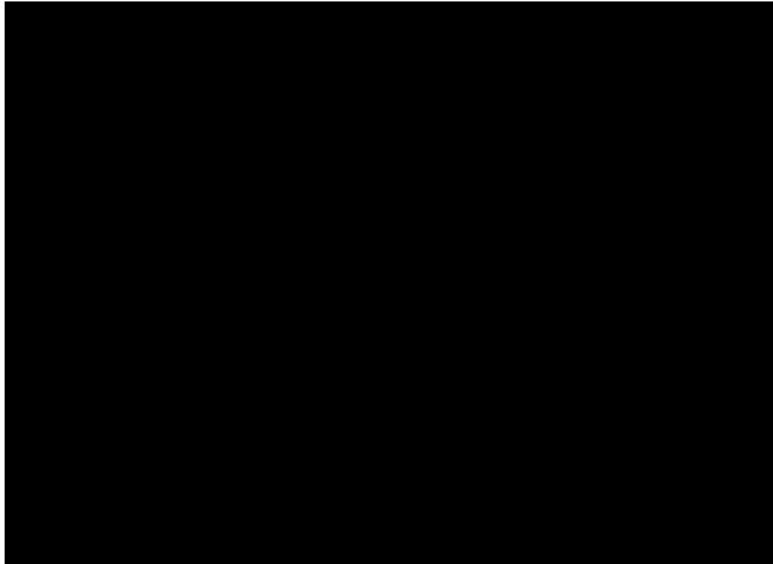


Image: [REDACTED] – red star shows shed location (approx.)

We therefore believe that the two studies which the proposed LSIO for our property is based on are outdated, and that the data and flood levels relate to pre-development levels, rather than post development. Our land was also subject to extensive fill where the dwelling and shed are located. We are happy to supply photos of pre and post development of our site, if this is of benefit.

We have spoken to the West Gippsland Catchment Management Authority (WGCMA) regarding this. They have advised that there may be issues with the data and flood levels, and are looking to send out someone from their organisation to take updated flood level measurements on our land.

We therefore respectfully request that the flood levels for our land be reviewed based on current site development, and the proposed LSIO be reviewed in light of the proposed WGCMA flood level findings (which may hopefully result in the proposed LSIO being removed from our property).

Should you require any additional information, please let us know. We are happy to discuss the above. We have also given WGCMA verbal approval to enter our land – if you need this in writing, please let us know.

Lastly, could you please withhold our names from public documents including Council reports.

We look forward to hearing from you.

[REDACTED]

Submission 45 - Part A

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From: [REDACTED]
Sent: Sun, 06 Mar 2022 19:32:06 +1100
To: Latrobe Central Email
Subject: Objection to proposed Amendment C131 - Flood Overlays
Attachments: Submission to proposed Amendment C131 - Flood Overlays.docx

Attention: Strategic Planning
Latrobe City Council



Attention: Strategic Planning Department
Latrobe City Council

PO Box 264, Morwell VIC 3840

Submission to proposed Amendment C131 – Flood Overlays

[REDACTED]. I am writing to **object** to the Amendment C131 for map 49LSIO overlay proposal.

I have lived in Latrobe City for over 40 years and have seen the extent of which Traralgon has flooded from Traralgon Creek. The proposed overlay suggests that [REDACTED] is affect from flooding and inundation, this is simply not true as my property has never been affected by flooding, inundation or stormwater issues. The proposed overlay on our property at [REDACTED] is connected with the overlay in [REDACTED] and doesn't meet the LSIO (Land Subject to Inundation Overlay) purpose as it isn't connected to any riverine flooding of the Traralgon creek. So how does the proposed water get there?

VICTORIA PLANNING PROVISIONS

44.04
06/09/2021
VC171

LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as **LSIO** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.

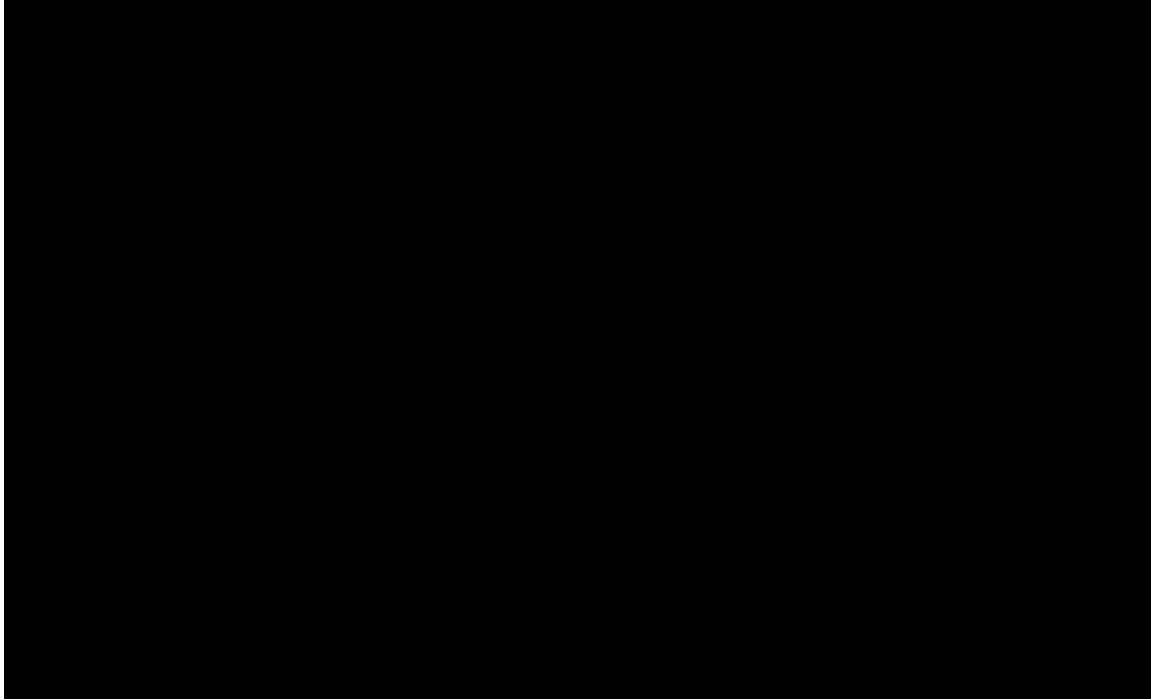
To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To minimise the potential flood risk to life, health and safety associated with development.

To reflect a declaration under Division 4 of Part 10 of the *Water Act, 1989*.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.



██████████ has not flooded in any floods from riverine flooding, inundation or flooding from extreme downpour event from overland/stormwater flooding including the most recent events in 2021.

The Major recent flooding event in June 2021 had a devastating effect on Traralgon. This event has been compared to a 1% AEP, were large rainfall totals fell in the catchment area combining with saturated ground from high rainfall throughout year resulting in larger water runoffs. The peak of the flood was at 5.76m it was the largest since 1993 (5.99m). Yet again My property didn't have any flooding.

In October 2021 there was a flash flooding event in Traralgon where 45mm of rain fell in hour and many properties were inundated from overland/stormwater flooding ██████████ was not affected yet other properties in Trent Court, Grammar Drive, Crestmont Court and others in Traralgon were flooded yet they do not have an Overlay.

3: The West Gippsland Floodplain Management Strategy 2018-2027 states on page 67 that:

A flood study for Traralgon was completed in 2016 (Water Technology, 2016). This study modelled riverine flooding as a result of Traralgon Creek but did not include impacts of flooding from overland flow and urban stormwater.

Yet Ben Proctor from West Gippsland Catchment Authority has said that the water in Sherwood & [REDACTED] is from stormwater runoff and not from flooding of Traralgon Creek.

There has been no flooding in Sherwood & Jazmine courts from stormwater and no reports produced on stormwater. Latrobe City Council is responsible for stormwater management with capital works programs.

Victorian State Government Environment, Land, Water and Planning.

Applying flood provisions in planning schemes a guide for councils.

Definition **LSIO** from their site:

Land subject to inundation: The estimated area that would be inundated by the DFE (Design Flood Event). This will vary for different purposes, but should be based on the 100-year ARI flood for land use planning. Its extent will be less than the extent of flood-prone land, which is based on the PMF (Probable Maximum Flood).

Doesn't fit 6 Sherwood court as we are not connected to any flood overlay.

Below is how Victorian State Government Environment, Land, Water and Planning recommending overlays are applied.

States on page 11 to 13 that land subject to inundation is connected to the flood overlay and the use of another overlay is to be used for stormwater/drainage over lay see tables below

Table 1. Application of the flood zone and overlays

	Urban Floodway Zone	Floodway Overlay	Land Subject to Inundation Overlay	Special Building Overlay
Urban or rural areas?	Urban areas only	Both urban and rural areas	Both urban and rural areas	Urban areas only
Mainstream or stormwater flooding?	Mainstream flooding from a river or stream	Mainstream flooding from a river or stream	Mainstream flooding from a river or stream	Stormwater flooding along overland flow paths
Application	<p>Case 1 (see Fig. 2.3)</p> <ul style="list-style-type: none"> Urban land which is mainly undeveloped The stream channel or primary flow path area Important for conveying and/or storing floodwater Higher flood depths and/or flow velocities Higher potential flood risk Unsuitable for intensive urban development. 	<p>All cases</p> <ul style="list-style-type: none"> The stream channel or primary flow path area Important for conveying and/or storing floodwater Higher flood depths and/or flow velocities Higher potential flood risk, but usually not as severe as in the UFZ. <p>Case 2</p> <ul style="list-style-type: none"> Rural land which is mainly undeveloped. <p>Case 3</p> <ul style="list-style-type: none"> Urban land which is mainly undeveloped Unsuitable for intensive urban development but may be suitable for development compatible with the flood risk (for example, public purpose uses, such as school grounds, golf courses, sports grounds and recreation areas). <p>Case 4</p> <ul style="list-style-type: none"> Urban land that is fully or substantially developed (for example, currently zoned residential, commercial or industrial areas). 	<p>Case 5 (see Fig. 2.1)</p> <ul style="list-style-type: none"> Rural or urban areas where the extent of the floodway has not been identified and only the extent of land subject to inundation is known Areas that cover the total extent of land subject to inundation, including the higher risk floodway component LSIO can be applied as an interim measure until further mapping of the floodway is carried out. <p>Case 6 (see Fig. 2.2)</p> <ul style="list-style-type: none"> Rural land that is mainly undeveloped Areas where the extent of the floodway has been identified and LSIO covers the balance of land subject to inundation, excluding the floodway component Lower flood depths and/or flow velocities Lower potential flood risk. <p>Case 7 (see Fig. 2.3)</p> <ul style="list-style-type: none"> Urban land that is fully or substantially developed ('flood fringe') Areas where the extent of the floodway has been identified and the LSIO covers the balance of land subject to inundation, except the floodway component Lower flood depths, lower flow velocities Lower potential flood risk. 	<p>Case 8 (see Fig. 2.4)</p> <ul style="list-style-type: none"> Urban land that is inundated if the capacity of the drainage system is exceeded during heavy rainfall Currently used by Melbourne Water in the Melbourne metropolitan area Can be applied by councils for regional towns provided overland flow path areas are delineated.

From: "Kristy Crawford" <Kristy.Crawford@latrobe.vic.gov.au>
Sent: Wed, 29 Jun 2022 13:07:50 +1000
To: "Kristy Crawford" <Kristy.Crawford@latrobe.vic.gov.au>
Subject: FW: Amendment C131 - Updated Flood Overlay Mapping

Submission 45 - Part B
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[REDACTED]
[REDACTED] vic.gov.au; [REDACTED]
Cc: Alannah Sherwen <Alannah.Sherwen@latrobe.vic.gov.au>
Subject: RE: Amendment C131 - Updated Flood Overlay Mapping

Hi Kristy,

As you have advised that [REDACTED] LSIO proposed overlays have been withdrawn a can you please withdraw both our submissions. We wont need to voice our objections for this reasons. I would still like to be able to listen to the other objections for our town if possible. How is possible to do this?

Regards
[REDACTED]

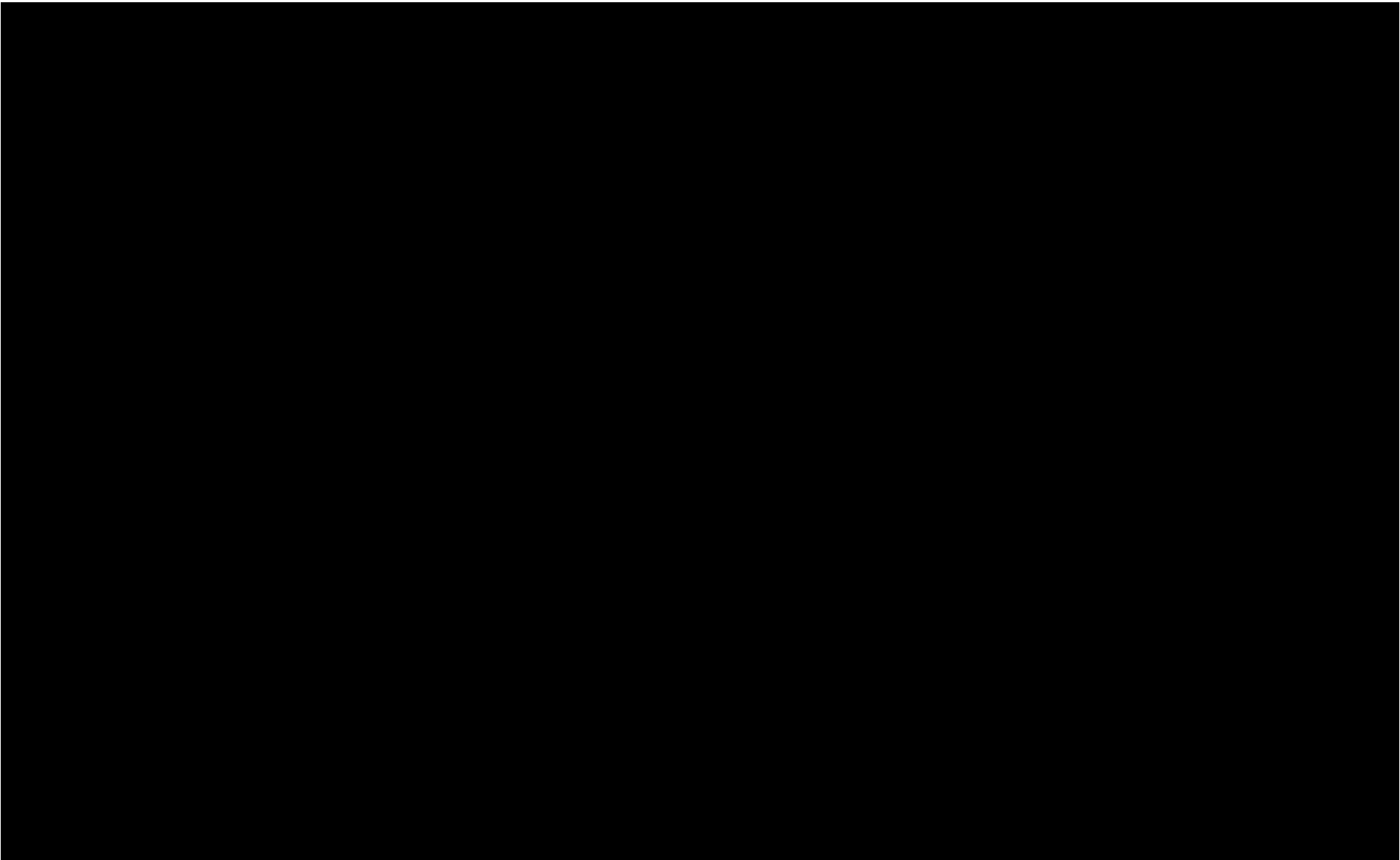
PS I will reach out to WGCA to ask for a full map for further information

From: Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au>
[REDACTED]
[REDACTED] latrobe.vic.gov.au>
Subject: Amendment C131 - Updated Flood Overlay Mapping

Good [REDACTED]

Thank you both for taking my calls earlier.

As mentioned on the phone, properties in [REDACTED] are no longer proposed to be impacted by the flood overlays proposed under planning scheme amendment C131. Please see in yellow and orange below the extent of the overlay in relation to the area:



Can you please confirm whether you wish to proceed with your submissions to the amendment, or withdraw them? And further, if you still wish to attend tomorrow afternoon’s session and address the Councillors?

Many thanks

Kristy Crawford
Acting Coordinator Strategic Planning
P 03 5128 5499
M 0417 774 164
E Kristy.Crawford@latrobe.vic.gov.au

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840




Please note my working hours are as follows:
Monday and Tuesday from 7.00am to 8.15am and 8.45am to 4.00pm
Wednesday from 7.00am to 8.15am and 8.45am to 3.00pm

Submission 46 - Part A

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From: [REDACTED]
Sent: Monday, 21 February 2022 8:00 PM
To: Miriam Turner <Miriam.Turner@latrobe.vic.gov.au>
Subject: Urgent - Objection PENDING Planning Scheme Map 49LSIO-FO

Hi Miriam,

I will be objecting Planning Scheme Map 49LSIO-FO. (6 Sherwood Crt Traralgon)

I have had Ben and Rhain (West Gippsland Management Authority) attend my property on Thurs 17th Feb. I was expecting them to re-measure some alleged low levels of my property that were picked up via an areophone laser scan approx. 2018. I have had since then had a shed and pool installed (involving considerate land fill). Instead I was shown with a different map as to the one on Latrobe City's proposal; this one highlighting my whole property (instead of just sections). I was advised I could contract an independent surveyor to obtain *accurate* levels on current land levels. I've made contact with a surveyor and forwarded on the flood plan information that I've been given, including the second map (highlighting my whole property).

I had a call from Ben Proctor on Friday 18th Feb. He advised WGCA are going to do some diagnostics and may calibrate their equipment and re-measure themselves. Advising me to hold off on spending my funds to obtain current and *accurate* data for the proposal at this stage. Great news.

I have questions can you please answer the following:

- Why is this area under consideration for LSIO rezone? 44.04 06/09/2021 VC171 . **The purpose for the LSIO is for development.**

This area is not under development.

https://planning-schemes.api.delwp.vic.gov.au/schemes/vpp/44_04.pdf?_ga=2.231713755.516484055.1643841766-1170294744.1618872879

-Can you please inform me if the flooding objection closure date is extended or if the proposal has been paused? If so why is this occurring? (I may need to seek extension to obtain my own accurate measurements and seek legal advice). When is it actually due as I will most definitely be lodging one?

-How is it possible that some areas in my dwelling are at risk (shaded in the original mapping) whilst my home is level?

-How is it that Sherwood and Jasmine Crt are alleged at risk for inundation given that flood waters are not connected?

-Are there going to be amendment's and will there be transparency for ALL landholders on any amendments? Such as public notices of any amendments that are easily understood and interpreted in the Latrobe Valley Express; such as the original on 2nd February 2022? If any amendments will they be communicated via post as previous communication? I ask this is vital for fair and honest opportunity to those rate holders.

Given the recent flood events in Traralgon providing accurate data wouldn't this *design probability* be *irrelevant* given we had no flood or inundation issues? **There is no risk.**

I look forward to your reply so I can collate my strong objections. I look forward to the withdrawal of the C131 Amendment of the area Sherwood Crt and Jasmine Crt in Map 49LSIO-FO.

Yours Sincerely

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Sun, 06 Mar 2022 20:09:36 +1100
To: Latrobe Central Email
Subject: Submission Amendment C131 (Flood Overlay)
Attachments: LSIO Overlay Objection MQ. Sherwood Crt.docx

Submission 46 - Part B

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Hello,

Please see attached Objection to Amendment C131 – Map 49-LSIO-FO [REDACTED]

Please withhold my name from public documents such as Council reports

Regards
[REDACTED]

From: "Kristy Crawford" <Kristy.Crawford@latrobe.vic.gov.au>
Sent: Wed, 29 Jun 2022 13:07:50 +1000
To: "Kristy Crawford" <Kristy.Crawford@latrobe.vic.gov.au>
Subject: FW: Amendment C131 - Updated Flood Overlay Mapping

Submission 46 - Part C
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From: J M Quail <jm.quail@bigpond.com>
Sent: Thursday, 16 June 2022 8:20 AM
To: Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au>; [REDACTED]
Cc: Alannah Sherwen <Alannah.Sherwen@latrobe.vic.gov.au>
Subject: RE: Amendment C131 - Updated Flood Overlay Mapping

Hi Kristy,

As you have advised that [REDACTED] LSIO proposed overlays have been withdrawn a can you please withdraw both our submissions. We wont need to voice our objections for this reasons. I would still like to be able to listen to the other objections for our town if possible. How is possible to do this?

Regards
[REDACTED]

PS I will reach out to WGCA to ask for a full map for further information

From: Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au>
Sent: Wednesday, June 15, 2022 11:57 AM
To: [REDACTED] <[\[REDACTED@latrobe.vic.gov.au](mailto:[REDACTED@latrobe.vic.gov.au)>
Subject: Amendment C131 - Updated Flood Overlay Mapping

Good afternoon [REDACTED]

Thank you both for taking my calls earlier.

As mentioned on the phone, properties in [REDACTED] are no longer proposed to be impacted by the flood overlays proposed under planning scheme amendment C131. Please see in yellow and orange below the extent of the overlay in relation to the area:



Can you please confirm whether you wish to proceed with your submissions to the amendment, or withdraw them? And further, if you still wish to attend tomorrow afternoon's session and address the Councillors?

Many thanks

Kristy Crawford

Acting Coordinator Strategic Planning

P 03 5128 5499

M 0417 774 164

E Kristy.Crawford@latrobe.vic.gov.au

P 1300 367 700

W www.latrobe.vic.gov.au

PO Box 264, Morwell 3840



Please note my working hours are as follows:

Monday and Tuesday from 7.00am to 8.15am and 8.45am to 4.00pm

Wednesday from 7.00am to 8.15am and 8.45am to 3.00pm

Submission 47 - Part A

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From: [REDACTED]
Sent: Sun, 06 Mar 2022 18:34:32 +1100
To: Latrobe Central Email
Cc: [REDACTED]
Subject: Submission to Latrobe Planning Scheme Amendment C131 (Flood Overlays)
Attachments: ATT00001.pdf

Please find attached submission to Amendment C131 on behalf of [REDACTED], owners and occupiers of [REDACTED].

6 March 2022

The Chief Executive Officer
Latrobe City Council
PO Box 264
MORWELL VIC 3840

Attention: Strategic Planning

**RE: SUBMISSION TO LATROBE PLANNING SCHEME AMENDMENT C131 (FLOOD OVERLAYS)
OBJECTION TO PROPOSED APPLICATION OF FLOODWAY OVERLAY**

We refer to the above matter and advise that we are the owners and occupiers of land at [REDACTED] known as [REDACTED].

The maps exhibited with Amendment C131 (specifically, Map no. 48LSIO-FO) indicate that part of our property is proposed to be affected by the Floodway Overlay. Currently, there are no flood controls impacting our land under the Latrobe Planning Scheme.

We object to the proposed application of the Floodway Overlay to our land.

The basis for our objection is as follows:

- We purchased our property as vacant residential land in August 2006.

Prior to constructing our dwelling in 2008, the northern portion of the property was filled to raise its elevation and ensure that it was well above the 1% AEP flood level. A 400mm high retaining wall was subsequently constructed along the entire length of its northern boundary and is still in place.

This has resulted in the entire of our property having a higher elevation than the adjacent land to the north which forms part of the Latrobe River floodplain. Furthermore, the northern half of our property is at a significantly higher elevation than the adjoining residential property to the west at 42 Graduate Place.

Photographs of the retaining wall and planted garden bed along our northern boundary are displayed overpage. We confirm that there has been no alteration to the levels of our property since the retaining wall and garden bed were established in 2008.

- Council will have a record of a previous submission made by us to Amendment C9 to the Latrobe Planning Scheme in 2011, which proposed to apply the LSIO over the same portion of our property that is affected by Amendment C131.

Following receipt of our submission to Amendment C9, the WGCMA reviewed the finished levels of our property and the estimated 1% AEP flood level and confirmed that no part of it would be impacted by flooding from the Latrobe River. As a result, the LSIO was not applied to our land.

- We have experienced numerous flood events since 2008, including most recently in June 2021. At no point during any of these events has the floodwater extended past the base of our retaining wall. Rather, any inundation of land has occurred within the rear yards of adjoining properties to the west which are at a lower elevation with permeable post and wire fencing along their northern boundaries.

Photographs are provided overpage showing the peak of the flood adjacent to our northern boundary during the June 2021 event.

- We submit that the Floodway Overlay should not be applied to our land, as:
 - Application of the Overlay is not an accurate representation of the actual flood conveyance characteristics, based on our local knowledge of how the floodplain interacts with the northern boundary of the property.
 - Application of the Overlay does not appear to have been based on an accurate assessment of existing finished surface levels in proximity to our property's northern boundary and has incorrectly assumed that our property is at the same elevation as the adjoining land to the immediate west at [REDACTED]
 - According to the Explanatory Report, the Floodway Overlay is applied to the 'mainstream flooding area of the floodplain, being those areas which convey active flood flows or store floodwaters'. We submit that our property does not form part of the mainstream flooding area of the floodplain and nor does it convey active flood flows or store floodwaters.

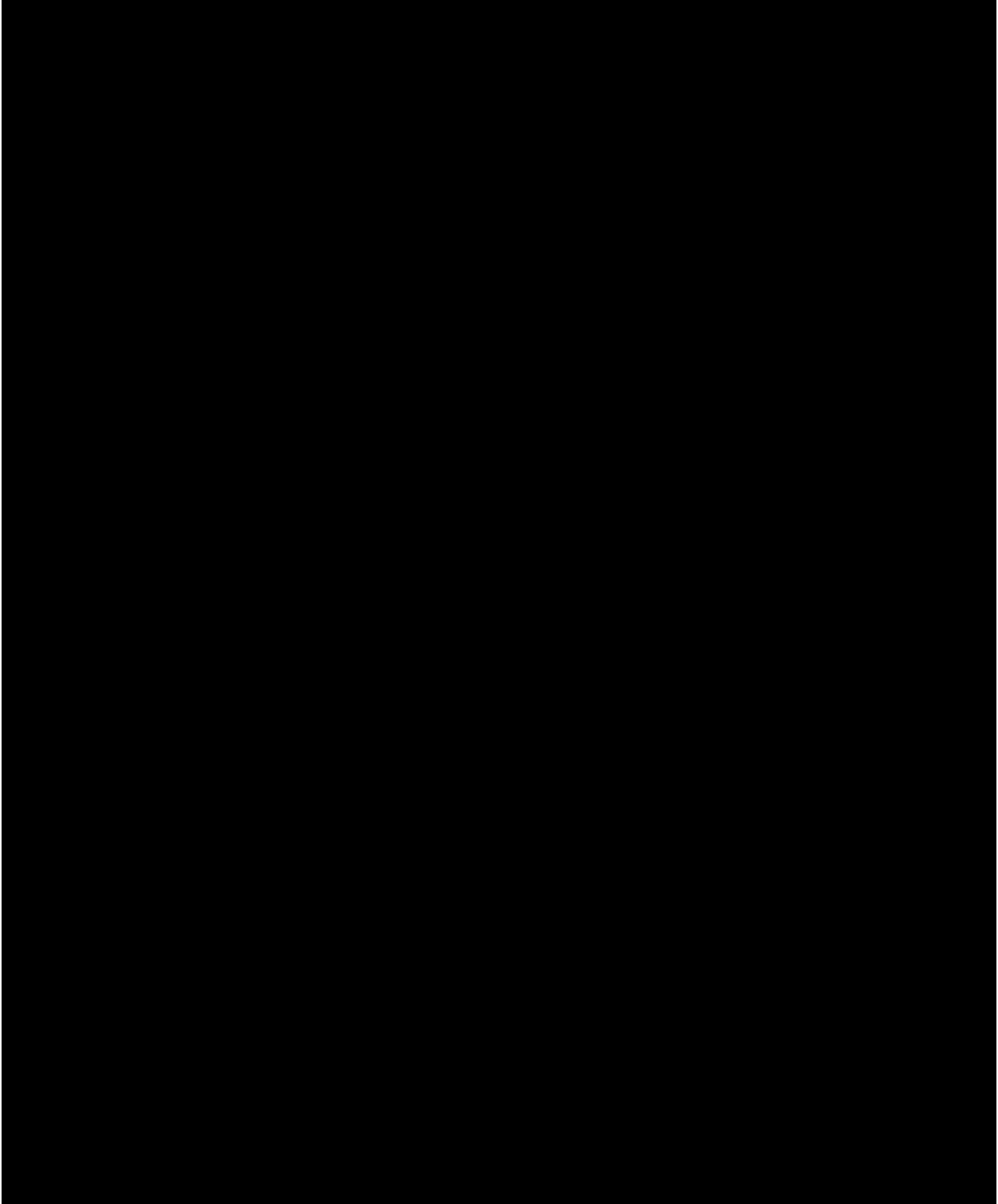
We request acknowledgement of receipt of our submission and welcome the opportunity to discuss further, including inspection of our property to verify the information provided.

We can be contacted via email at: [REDACTED]

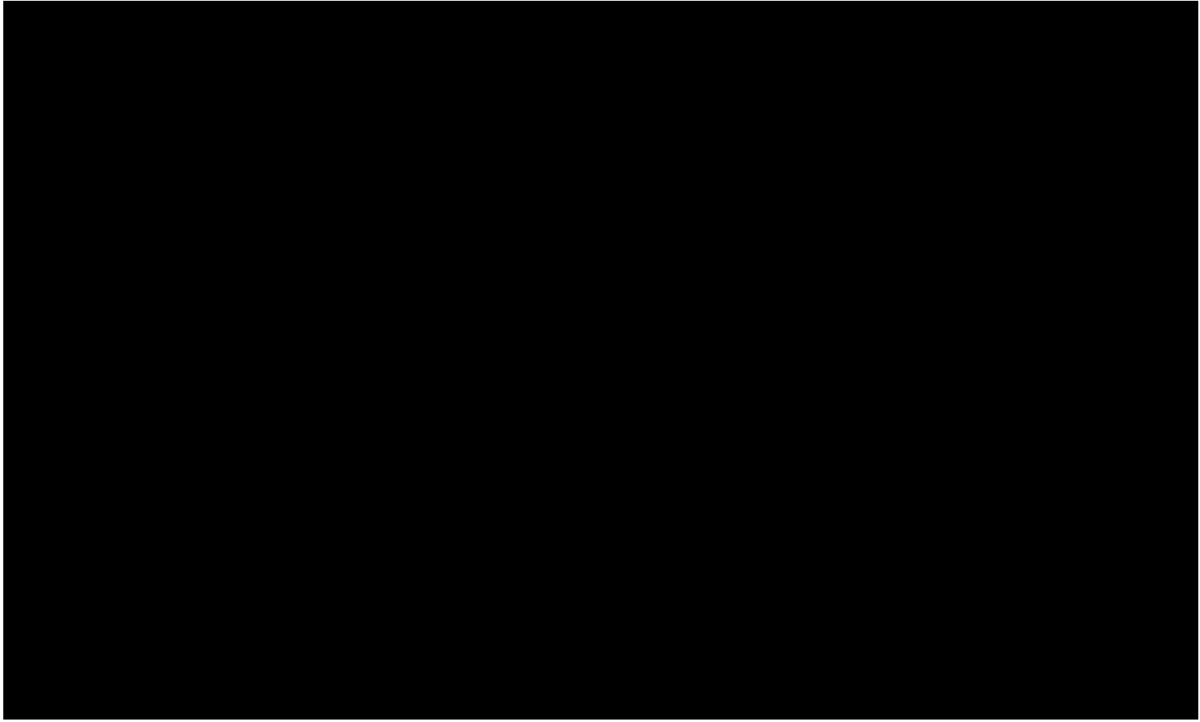
Yours sincerely

[REDACTED]
[REDACTED]

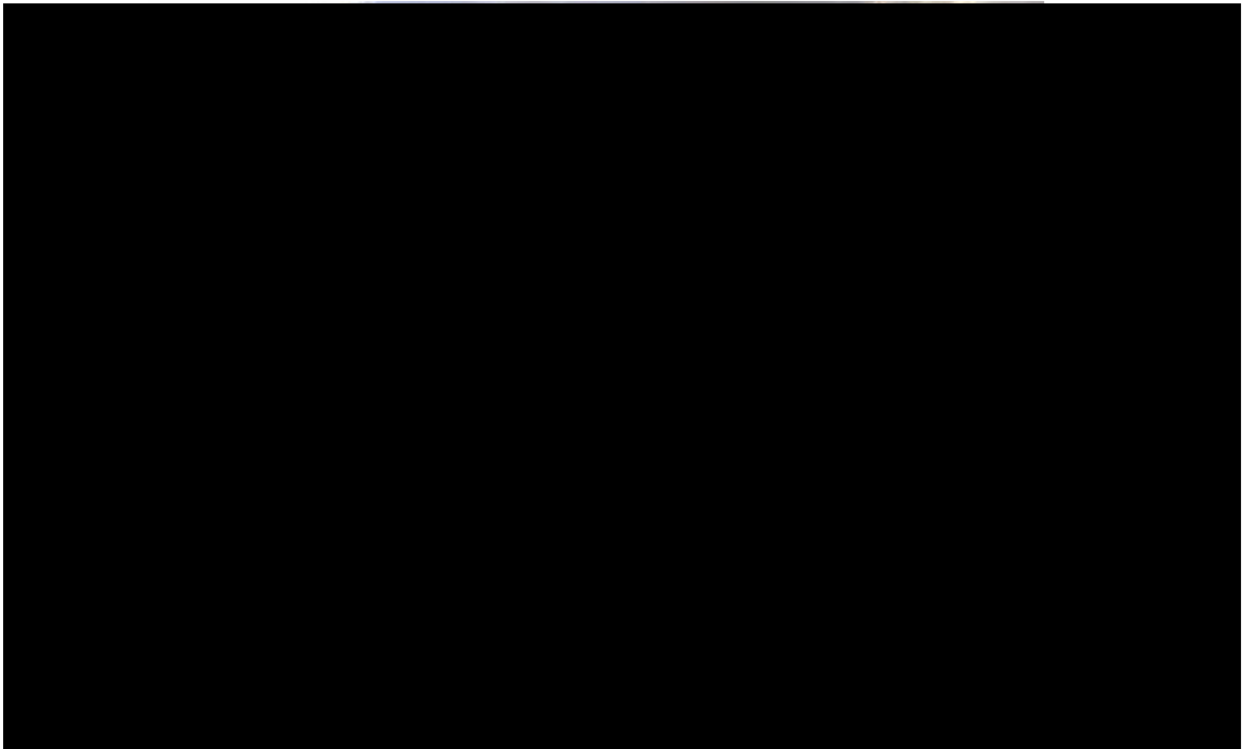
Photograph 1 – View facing south from the floodplain, displaying the retaining wall and landscaping along the northern (rear) boundary of Graduate Place



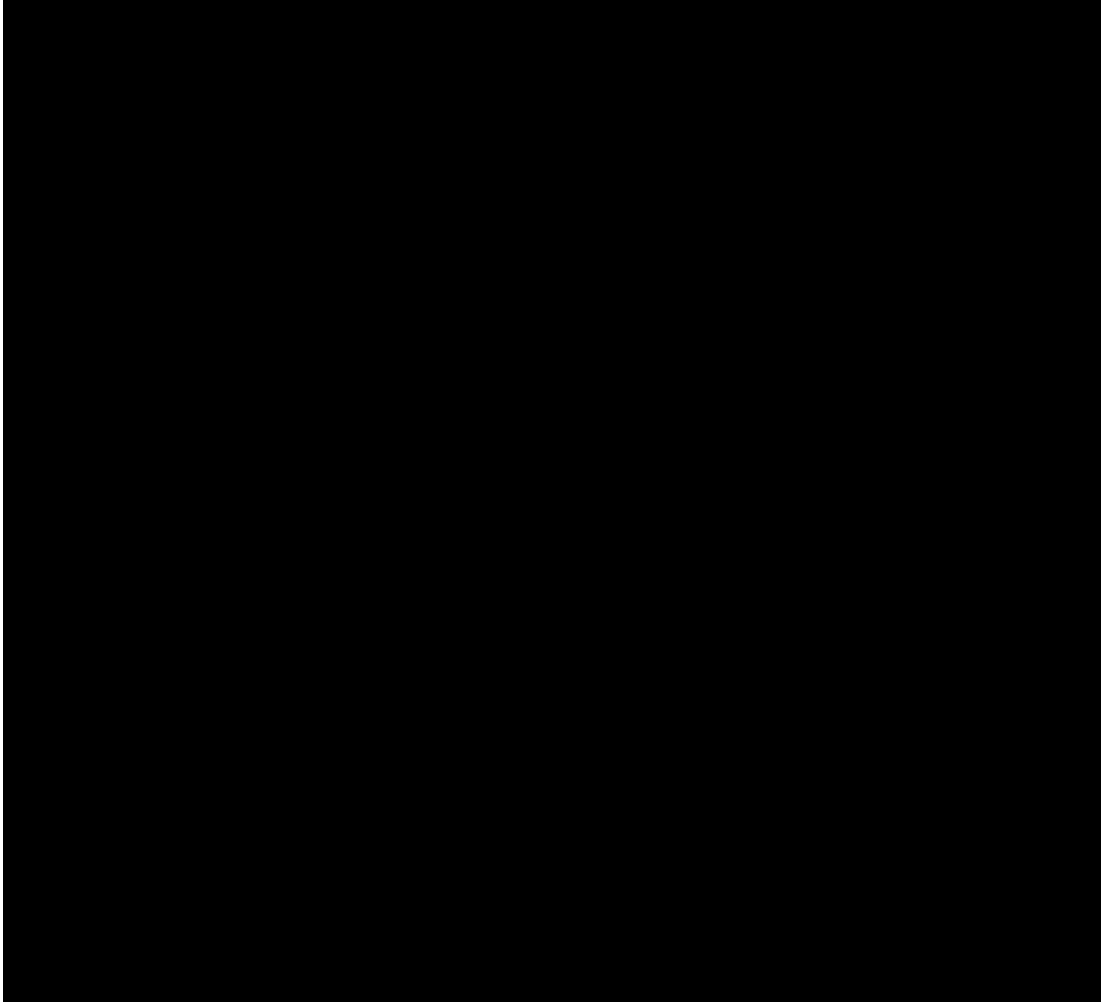
Photograph 3 – View from the floodplain of the retaining wall and landscaping along the northern (rear) boundary of Graduate Place, facing west



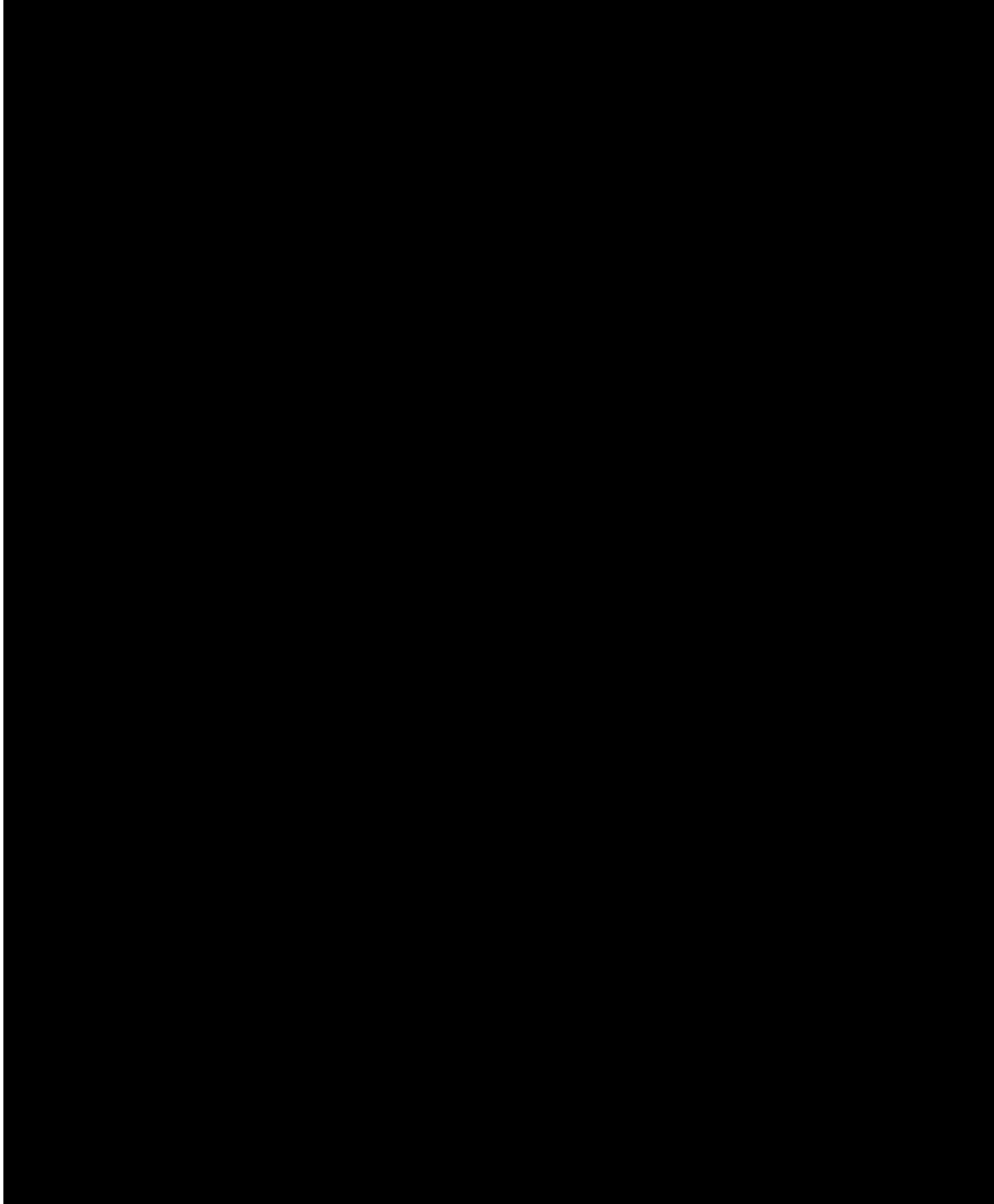
Photograph 4 – View facing west, displaying the retaining wall and landscaping along the northern (rear) boundary of Graduate Place



Photograph 5 – View of north-west corner of 40 Graduate Place, displaying existing garden bed in front of retaining wall



Photographs 6 & 7 – Peak of June 2021 Floods adjacent to northern boundary of 40 Graduate Place



Submission 47 - Part B

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From: [Alannah Sherwen](#)
To: [Alannah Sherwen](#)
Subject: RE: Amendment C131 (Flood Overlays Update) [REDACTED]
Date: Friday, 15 July 2022 1:54:01 PM
Attachments: [image001.png](#)
[image007.png](#)

From: [REDACTED]
Sent: Thursday, July 14, 2022 7:25:00 PM
To: Miriam Turner <Miriam.Turner@latrobe.vic.gov.au>
Subject: Re: Amendment C131 (Flood Overlays Update) - [REDACTED]

Hi Miriam

Thank you for this information, which we have reviewed and can confirm it addresses our concerns.

We no longer wish to continue with our objection to Amendment C131 on the basis that the Floodway Overlay is no longer proposed to be applied to our property.

Please accept this email as confirmation of the withdrawal of our objection.

Regards

[REDACTED]
[REDACTED]

On 13 Jul 2022, at 4:07 pm, Miriam Turner <Miriam.Turner@latrobe.vic.gov.au> wrote:

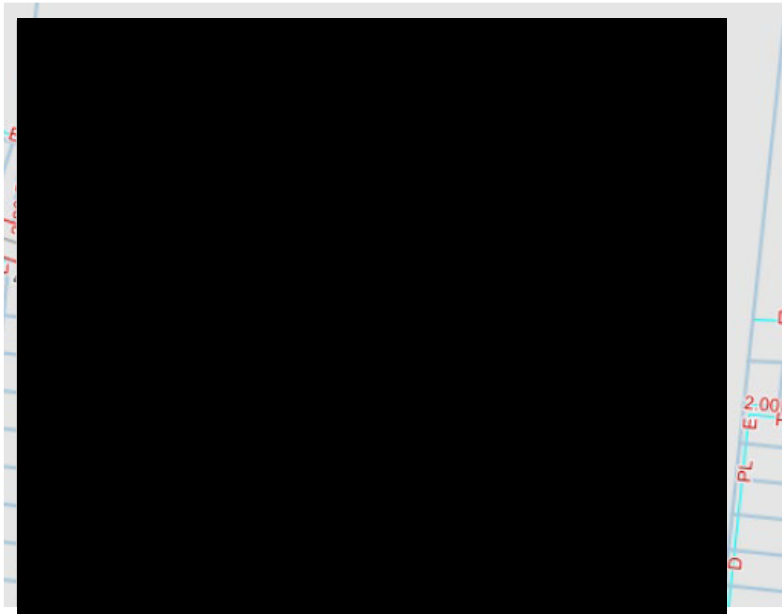
Good afternoon [REDACTED]

Thank you for your submission received to Amendment C131 (flood overlays update). Following assessment of your concerns, further work has been undertaken and I can now provide you with an update, specific to your property.

After further WGCMA review the proposed overlay is recommended to be removed to reflect the existing built-up levels at the rear boundary of this property.

Attached is a map of the new LSIO-FO overlays near your property at [REDACTED]
[REDACTED] As you will see, the proposed overlay has been removed from your property.

For reference, your property is shown in red highlight below, to assist with seeing its location in the attached planning map.



Can you please confirm whether you wish to proceed with your submission in objecting to the amendment, or if you are satisfied with this information and wish to withdraw your submission.

Kind regards,

Miriam

Miriam Turner
Strategic Planning Officer (Mon-Thur)
P 03 5128 6158
M 0429 394 376
E Miriam.Turner@latrobe.vic.gov.au

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840



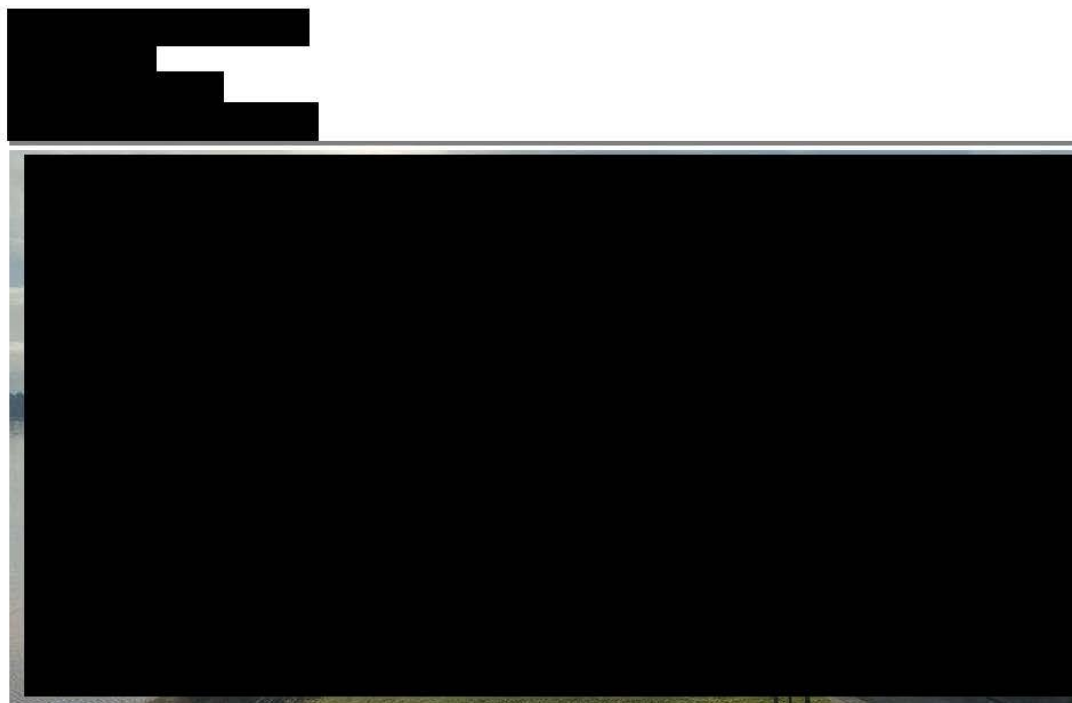
Submission 48 - Part A

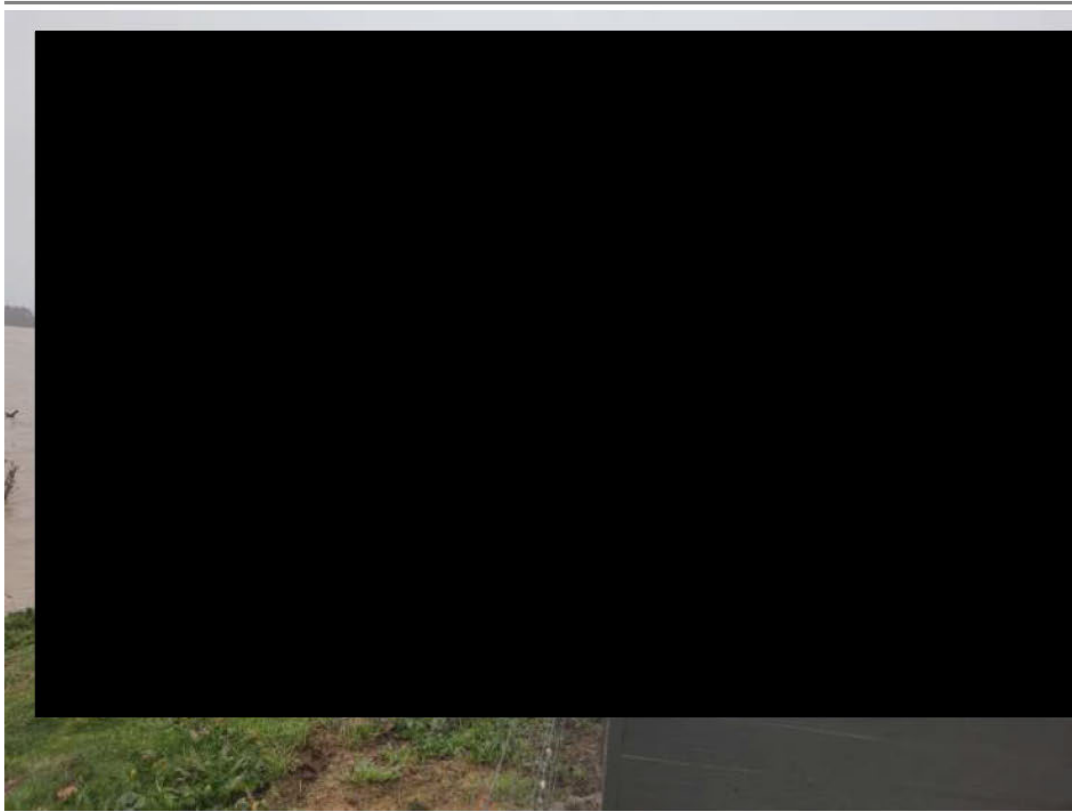
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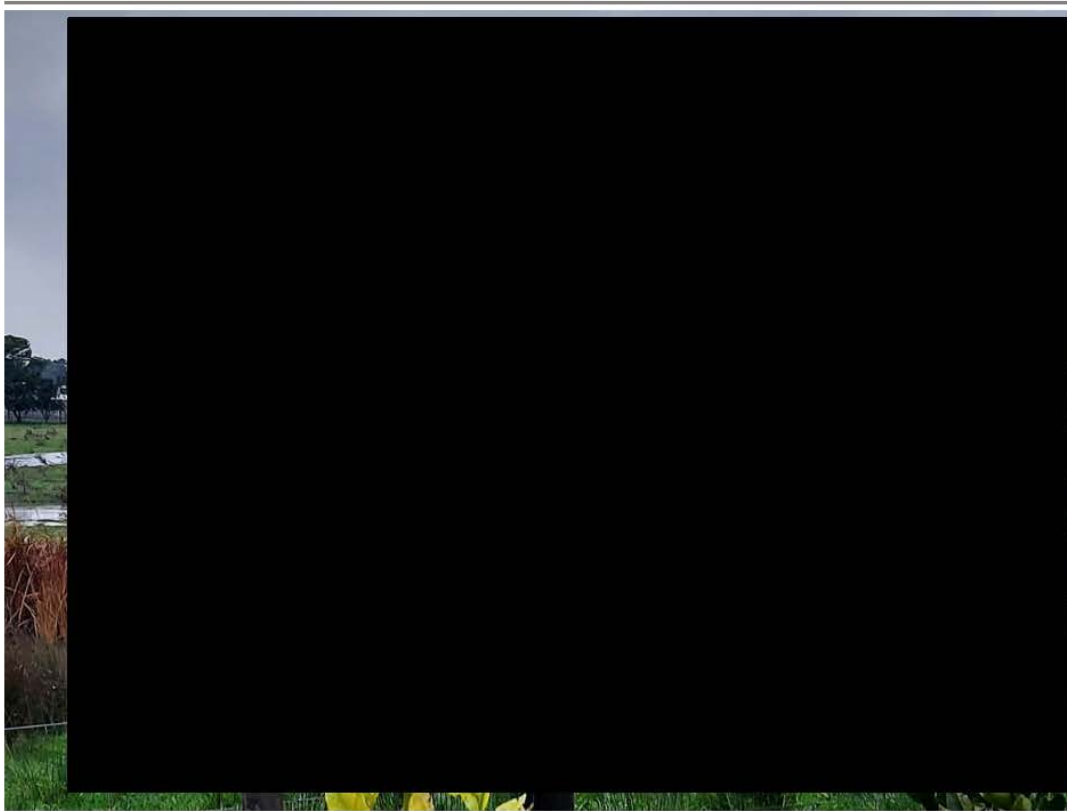
From: [REDACTED]
Sent: Sun, 06 Mar 2022 17:08:40 +1100
To: Latrobe Central Email
Cc: Miriam Turner
Subject: Latrobe Planning Scheme - Amendment C131 - Map 49 LSIO-FO "Objection"
Attachments: 20220304 Letter to LCC.pdf, 2014 Land Planning docs.pdf, 2015 POS.pdf, IMG_3491(1).jpg, 20210612_080728.jpeg, 20210610_1076252159570669.jpeg

Attention: Ms Miriam Turner

Please find attached our objection relating to proposed changes to the LSIO - FO for Planning Scheme Map 49 LSIO-FO along with our supporting documentation.







4th March 2022

Ms Miriam Turner
Strategic Planner
Latrobe City Council
141 Commercial Road
Morwell Vic 3840

Re: Land Planning Scheme Amendment C131latr
Planning Scheme Map 49 LSIO-FO
[REDACTED]

Dear Ms Turner,

I am submitting on behalf of my wife and myself our objection to the proposed planned change in the Flood Overlay (FO) and Land Subject to Inundation Overlay (LSIO) on map 49 LSIO-FO.

When we purchased our land in late 2015, there was no evidence of any FO or LSIO provided by Latrobe City Council. In fact, the Land.Vic.Gov.au Property Report dated 5 December 2014 (see pdf file 2014 Land Planning docs attached to email), shows very clearly on pages 2 of 4 and 3 of 4 that our block is inside both overlays.

Likewise, the Plan of Subdivision Plan Number [REDACTED] (see pdf file 2015 POS attached to email) does not include any FO or LSIO impacts.

We understand that our land fronts onto the flood plains and we have seen over the past five years, the flood waters that this land is subject to, but at no point has flood water got near to any of our boundary fences including the once in a hundred floods experienced in June 2021 (see photos and details below and attached to email).

Based on this factual evidence and not modelling of flood studies, we state our objection to the change in the FO and LSIO that is proposed to be imparted on our land.

The proposal as shown on Map 49 LSIO-FO now impacts on over fifty percent (50%) of our land and would potentially impact on future insurance policy premiums we pay into the future.

We also argue that with the impact the proposed changes make on our land, the Latrobe City Council probably should never have approved this block of land for building on in 2015. It is indeed immoral for Latrobe City Council to impose these retrospective overlay amendments years after building permits have been issued without any issues of flood inundation being raised at the time of development approval.

We therefore propose that both the FO and the LSIO amendment be removed from our land at [REDACTED] and be reset outside our boundary perimeter.

We look forward to your written reply in this matter.


Yours sincerely

[REDACTED]

Page 1 of 2

4th March 2022

Ms Miriam Turner
Strategic Planner
Latrobe City Council
141 Commercial Road
Morwell Vic 3840

Re: Land Planning Scheme Amendment C131|atr
Planning Scheme Map 49 LSIO-FO


Photos and information attached to email:

Photo IMG-3491(1).jpg – taken in June 2021 showing our boundary onto farmland / floodplain with flood water clearly well away from our North/West boundary.

Photo 20210612_080728.jpeg – taken in June 2021 showing our boundary fence onto farmland / floodplain with flood water clearly well away from our North/West boundary.

20210610_1076252159570669.jpeg – taken in June 2021 showing our rear boundary fence looking East towards the wetlands area with flood water clearly well away from our East boundary.



Property Report from www.land.vic.gov.au on 05 December 2014 07:47 AM

Lot and Plan Number: [REDACTED]

Address: [REDACTED]

Standard Parcel Identifier (SPI): 1\PS713681

Local Government (Council): LATROBE Council Property Number: 23862 (Part)

Directory Reference: VicRoads 696 F2

Note: This parcel is part of a property. For property details get the free Basic Property Report at [Property Reports](#)

This parcel is in a designated bushfire prone area.

Special bushfire construction requirements apply. Planning provisions may apply.

Further information about the building control system and building in bushfire prone areas can be found in the Building Commission section of the Victorian Building Authority website www.vba.vic.gov.au

Parcel Details

This is 1 parcel of 8 parcels comprising the property. The parcel searched for is marked with an * in the table below.

Lot/Plan or Crown Description	SPI	Lot/Plan or Crown Description	SPI
Lot 56 PS635563	56\PS635563	Lot 60 PS635563	60\PS635563
Lot 57 PS635563	57\PS635563	Lot 2 PS644787	2\PS644787
Lot 58 PS635563	58\PS635563	*Lot 1 PS713681	1\PS713681
Lot 59 PS635563	59\PS635563	Lot 2 PS713681	2\PS713681

State Electorates

Legislative Council: EASTERN VICTORIA (2005)

Legislative Assembly: MORWELL (2001)

The following electorates using the 2013 boundaries will not apply until the election in November 2014

Legislative Council(2013): EASTERN VICTORIA (2013)

Legislative Assembly(2013): MORWELL (2013)

Utilities

Regional Urban Water Business: Gippsland Water

Rural Water Business: Southern Rural Water

Melbourne Water: outside drainage boundary

Power Distributor: SP AusNet (Information about [choosing an electricity retailer](#))

Planning Zone Summary

Planning Zone: GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)

SCHEDULE TO THE GENERAL RESIDENTIAL ZONE - SCHEDULE 1

Planning Overlays: FLOODWAY OVERLAY (FO)

FLOODWAY OVERLAY SCHEDULE (FO)

LAND SUBJECT TO INUNDATION OVERLAY (LSIO)

LAND SUBJECT TO INUNDATION OVERLAY SCHEDULE (LSIO)

Planning information continued on next page

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Planning scheme data last updated on 4 December 2014.

A **planning scheme** sets out policies and requirements for the use, development and protection of land.

This report provides information about the zone and overlay provisions that apply to the selected land.

Information about the State, local, particular and general provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting [Planning Schemes Online](#)

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the Planning & Environment Act 1987.

It does not include information about exhibited planning scheme amendments, or zonings that may affect the land.

To obtain a Planning Certificate go to [Titles and Property Certificates](#)

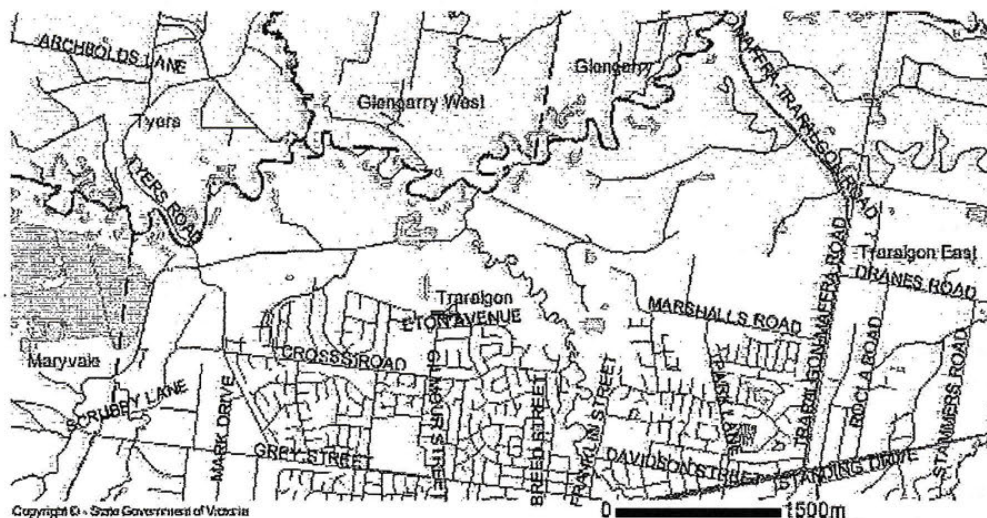
The Planning Property Report includes separate maps of zones and overlays

For details of surrounding properties, use this service to get the Reports for properties of interest

To view planning zones, overlay and heritage information in an interactive format visit [Planning Maps Online](#)

For other information about planning in Victoria visit www.dpcd.vic.gov.au/planning

Area Map



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Department of
Transport, Planning and
Local Infrastructure

Planning Property Report

from www.dtpli.vic.gov.au/planning on 05 December 2014 07:48 AM

Lot and Plan Number: [REDACTED]

Address: [REDACTED]

This parcel is one of 8 parcels comprising the property.

For full parcel details get the free Basic Property report at [Property Reports](#)

Local Government (Council): LATROBE Council Property Number: 23862 (Part)

Directory Reference: VicRoads 696 F2

See next page for planning information

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Lot-1-PS713681-PLANNING-PROPERTY-REPORT

Page 1 of 4

Document Set ID: 2299426

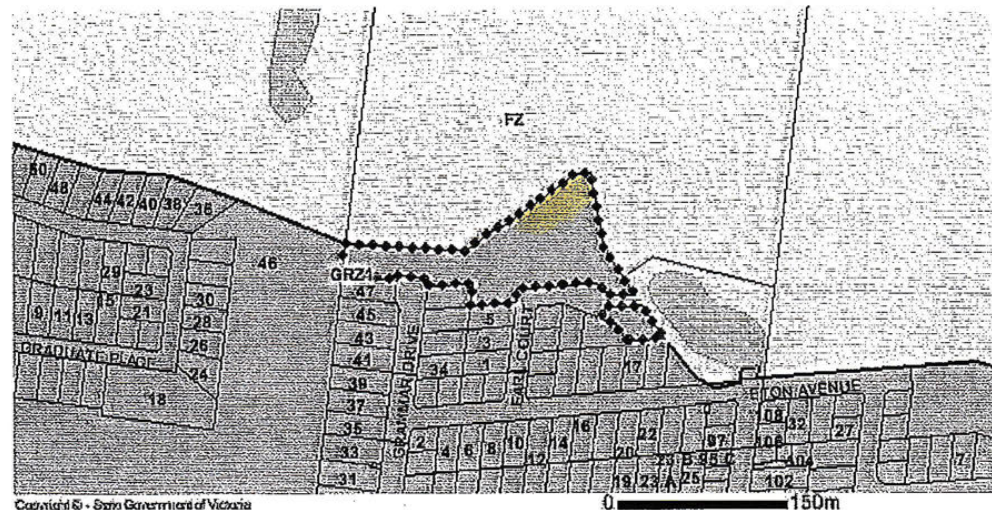
Version: 1, Version Date: 07/03/2022

Department of
Transport, Planning and
Local Infrastructure

Planning Zone

GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)

SCHEDULE TO THE GENERAL RESIDENTIAL ZONE - SCHEDULE 1



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Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

Zones Legend

ACZ - Activity Centre	IN1Z - Industrial 1	R1Z - General Residential
B1Z - Commercial 1	IN2Z - Industrial 2	R2Z - General Residential
B2Z - Commercial 1	IN3Z - Industrial 3	R3Z - General Residential
B3Z - Commercial 2	LDRZ - Low Density Residential	RAZ - Rural Activity
B4Z - Commercial 2	MUZ - Mixed Use	RCZ - Rural Conservation
B5Z - Commercial 1	NRZ - Neighbourhood Residential	RDZ1 - Road - Category 1
C1Z - Commercial 1	PCRZ - Public Conservation & Resource	RDZ2 - Road - Category 2
C2Z - Commercial 2	PDZ - Priority Development	RGZ - Residential Growth
CA - Commonwealth Land	PPRZ - Public Park & Recreation	RLZ - Rural Living
CCZ - Capital City	PUZ1 - Public Use - Service & Utility	RIJZ - Rural
CDZ - Comprehensive Development	PUZ2 - Public Use - Education	SUZ - Special Use
DZ - Dockland	PUZ3 - Public Use - Health Community	TZ - Township
ERZ - Environmental Rural	PUZ4 - Public Use - Transport	UFZ - Urban Floodway
FZ - Farming	PUZ5 - Public Use - Cemetery/Crematorium	UGZ - Urban Growth
GRZ - General Residential	PUZ6 - Public Use - Local Government	
GWAZ - Green Wedge A	PUZ7 - Public Use - Other Public Use	
GWZ - Green Wedge	PZ - Port	-- Urban Growth Boundary

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Transport, Planning and
Local Infrastructure

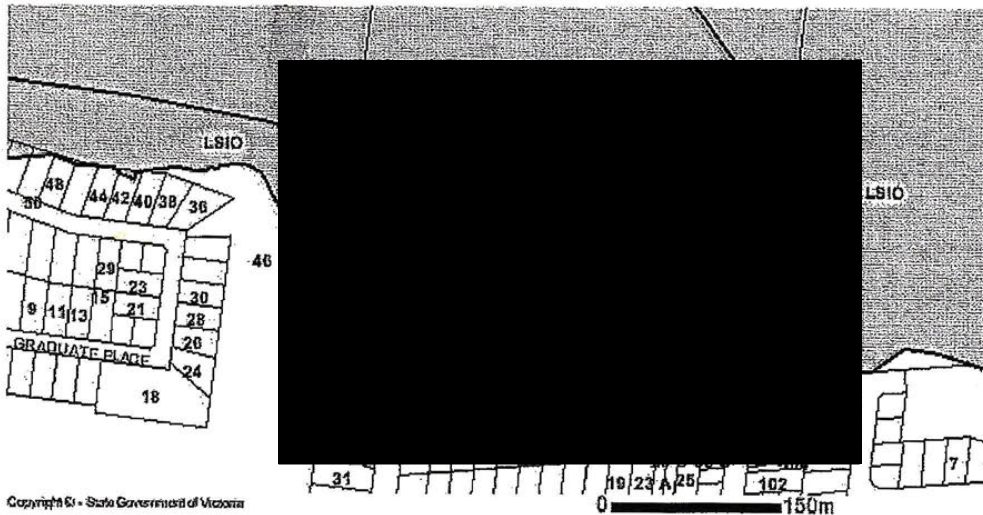
Planning Overlays

FLOODWAY OVERLAY (FO)

FLOODWAY OVERLAY SCHEDULE (FO)

LAND SUBJECT TO INUNDATION OVERLAY (LSIO)

LAND SUBJECT TO INUNDATION OVERLAY SCHEDULE (LSIO)



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Overlays Legend

AEO - Airport Environs	LSIO - Land Subject to Inundation
BMO - Bushfire Management (also WMO)	MAED1 - Melbourne Airport Environs 1
CLPO - City Link Project	MAED2 - Melbourne Airport Environs 2
DCP0 - Development Contributions Plan	NCO - Neighbourhood Character
DDO - Design & Development	PD - Parking
DDOPT - Design & Development Part	PAO - Public Acquisition
DPD - Development Plan	RO - Restructure
EAO - Environmental Audit	RCO - Road Closure
EMO - Erosion Management	SBO - Special Building
ESD - Environmental Significance	SLO - Significant Landscape
FO - Floodway	SMO - Salinity Management
HO - Heritage	SRO - State Resource
IPO - Incorporated Plan	VPO - Vegetation Protection

Note: due to overlaps some colours on the maps may not match those in the legend.

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Department of
Transport, Planning and
Local Infrastructure

Further Planning Information

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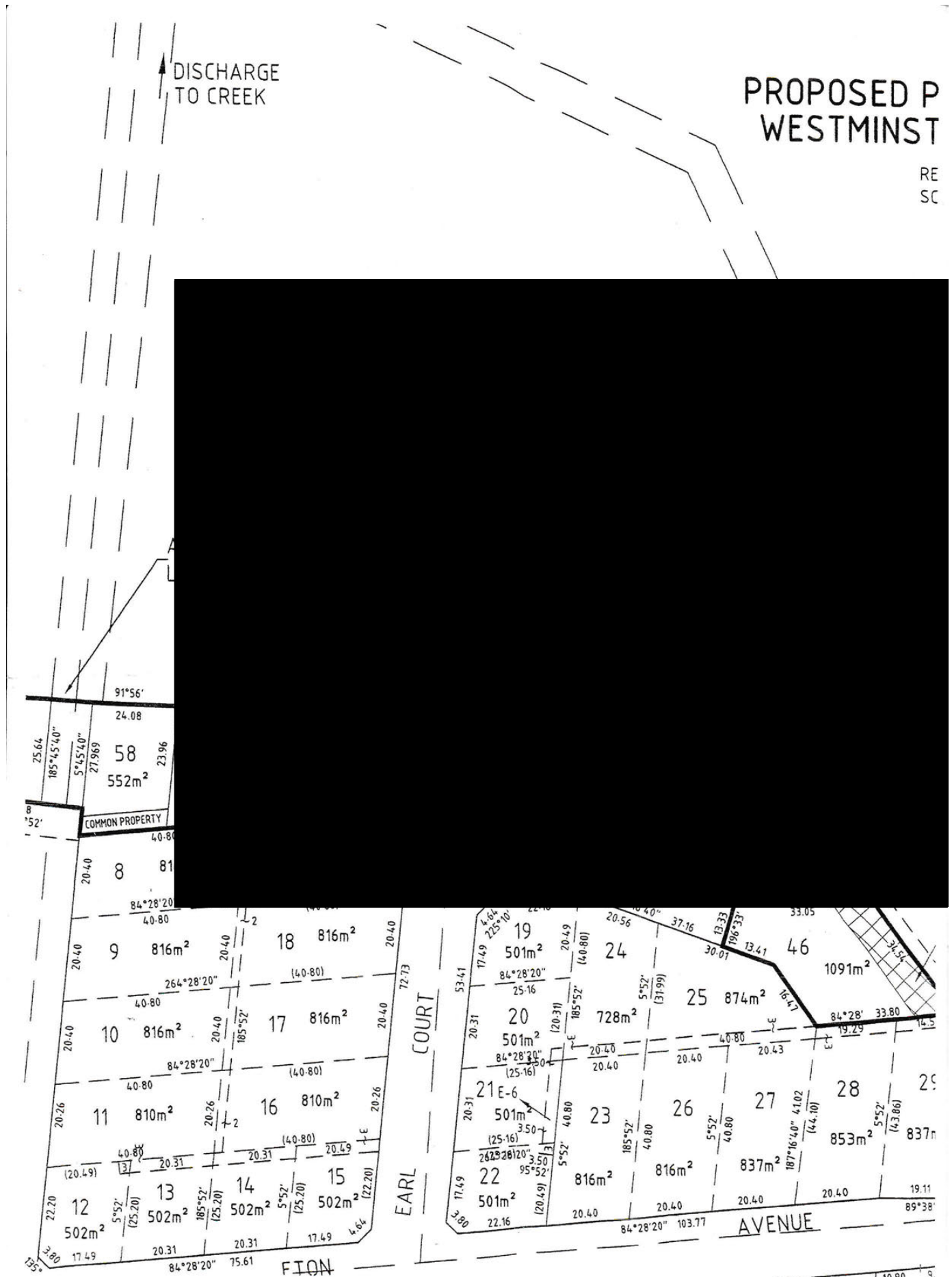
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Signed by Council: Latrobe City Council, PP Ref: 2011/193, Cert Ref: 2014/35/CRT3, Original Certification: 17/06/2015

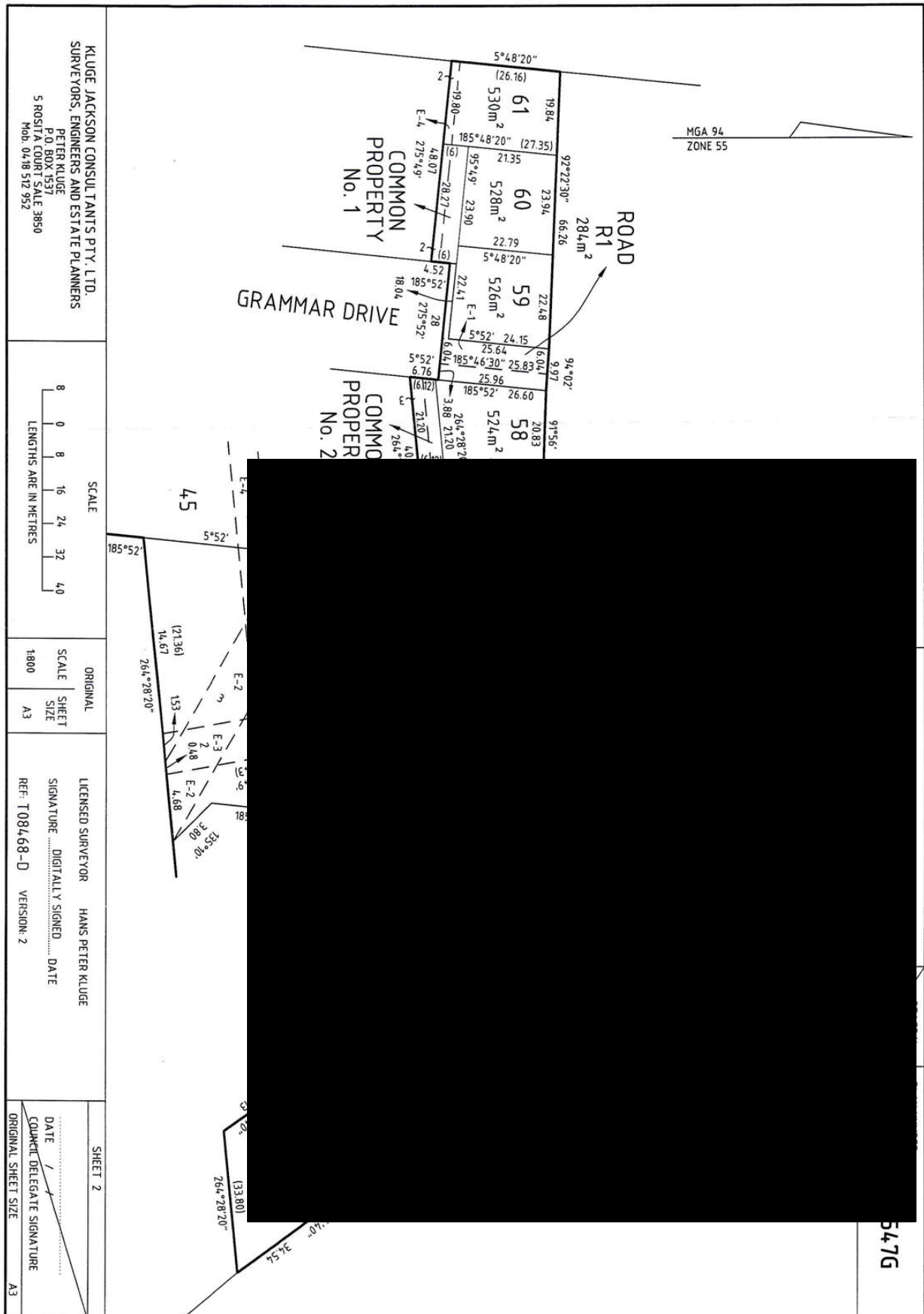
PLAN OF SUBDIVISION		STAGE No.	LRS USE ONLY EDITION	PLAN NUMBER PS 649547G
LOCATION OF LAND PARISH: TRARALGON TOWNSHIP: - SECTION: - CROWN ALLOTMENT: [REDACTED] CROWN PORTION: - TITLE REFERENCE: VOL: FOL: LAST PLAN REFERENCE/S: PS (LOT 1) POSTAL ADDRESS: [REDACTED] MGA Co-ordinates E: 458 240 GDA 94 (of approx. centre of N: 5 774 250 ZONE: 55 land in plan).		COUNCIL CERTIFICATION AND ENDORSEMENT COUNCIL NAME: LATROBE CITY COUNCIL REF: 1: This plan is certified under Section 6 of the Subdivision Act 1988. 2: This plan is certified under Section 11(7) of the Subdivision Act 1988. Date of original certification under Section 6 / / 3: This is a statement of compliance issued under Section 21 of the Subdivision Act 1988. OPEN SPACE: (i) A requirement for public open space under Section 18 of the Subdivision Act 1988 has / has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in stage Council Delegate Council Seal Date / / Re-certification under Section 11(7) of the Subdivision Act 1988. Council Delegate Council Seal Date / /		
VESTING OF ROAD AND / OR RESERVE		NOTATIONS		
IDENTIFIER	COUNCIL / BODY / PERSON	STAGING This is not a staged subdivision. Planning permit No. DEPTH LIMITATION: DOES NOT APPLY THIS IS A SPEAR PLAN.		
ROAD R1	LATROBE CITY COUNCIL			
ROAD R2	LATROBE CITY COUNCIL			
EASEMENT INFORMATION				
LEGEND	A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)			LRS USE ONLY STATEMENT OF COMPLIANCE / EXEMPTION STATEMENT RECEIVED <input type="checkbox"/> DATE / / LRS USE ONLY PLAN REGISTERED TIME DATE / / Assistant Registrar of Titles SHEET 1 OF 4 SHEETS
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefied / In favour Of
E-1	DRAINAGE	6.04	PS 616506H	LOTS ON PS 616506H AND LATROBE CITY COUNCIL
E-2 & E-3	PIPELINE OR ANCILLARY PURPOSES	SEE DIAGRAM	PS 635544R - SEC 136 OF THE WATER ACT 1989	CENTRAL GIPPSLAND REGION WATER CORPORATION
E-3 & E-4	DRAINAGE	SEE DIAGRAM	PS 635544R	LOTS ON PS 635544R AND LATROBE CITY COUNCIL
E-5	PIPELINE OR ANCILLARY PURPOSES	3	THIS PLAN - SEC 136 OF THE WATER ACT 1989	CENTRAL GIPPSLAND REGION WATER CORPORATION
E-6	DRAINAGE	2	THIS PLAN	LOTS ON THIS PLAN AND LATROBE CITY COUNCIL
KLUGE JACKSON CONSULTANTS PTY. LTD. SURVEYORS, ENGINEERS AND ESTATE PLANNERS PETER KLUGE P.O. BOX 1537 5 ROSITA COURT SALE 3850 Mob. 0418 512 952		LICENSED SURVEYOR HANS PETER KLUGE SIGNATURE DIGITALLY SIGNED DATE REF: T08468-D VERSION: 2		DATE / / COUNCIL DELEGATE SIGNATURE ORIGINAL SHEET SIZE A3

Signed by: Hans Peter Kluge (Kluge Jackson Consultants Pty Ltd) Surveyor's Plan Version (2) SPEAR Ref: S051923J 12/06/2015

Document Set ID: 2299426

Version: 1, Version Date: 07/03/2022

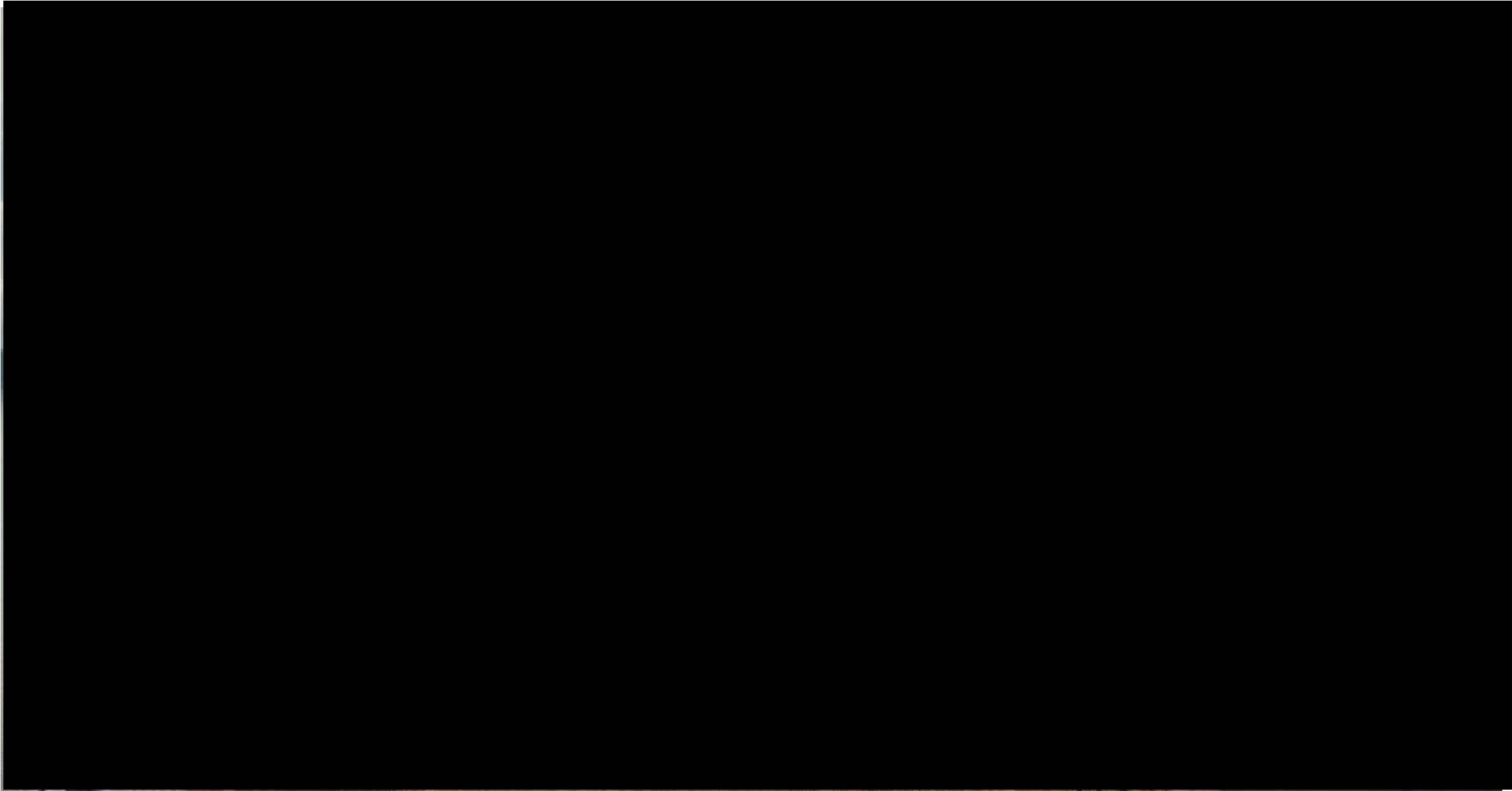
Signed by Council: Latrobe City Council, PP Ref: 2011/193, Cert Ref: 2014/35/CRT3, Original Certification: 17/06/2015

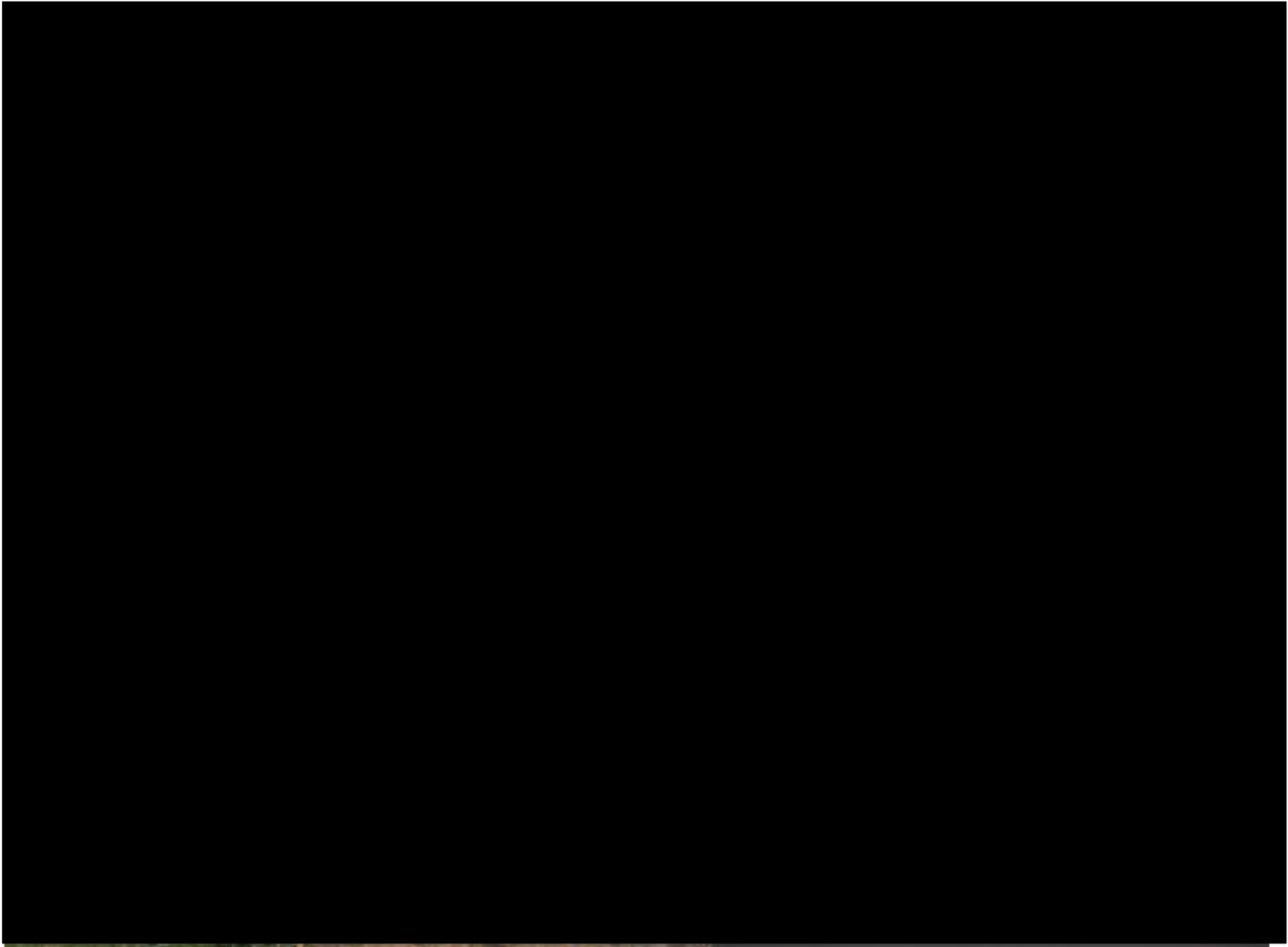


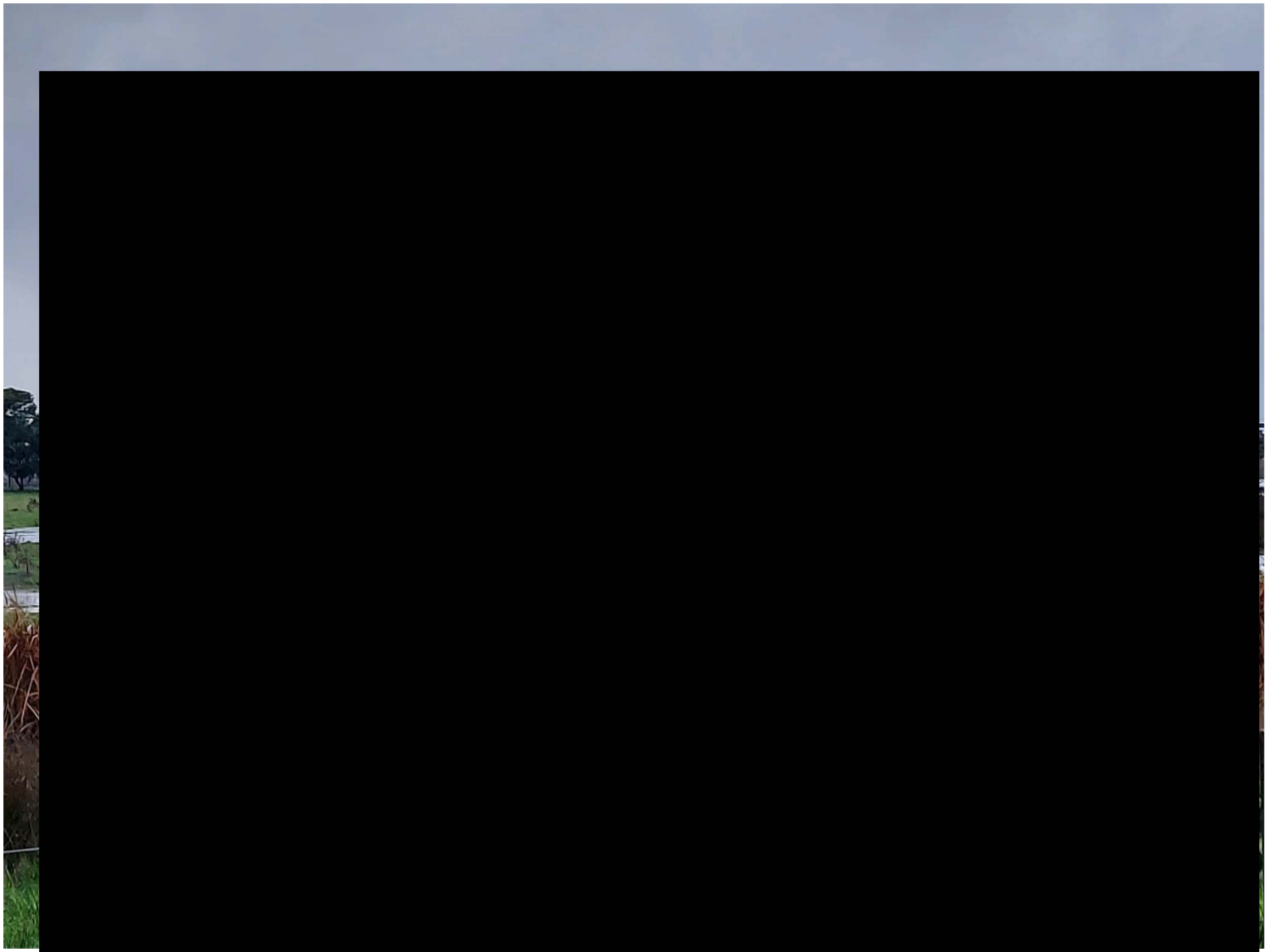
Signed by: Hans Peter Kluge (Kluge Jackson Consultants Pty Ltd) Surveyor's Plan Version (2) SPEAR Ref: S051923J 12/06/2015

Document Set ID: 2299426

Version: 1, Version Date: 07/03/2022







From: [Alannah Sherwen](#)
To: [Alannah Sherwen](#)
Subject: FW: Amendment C131 (Flood Overlays Update)- [REDACTED]
Date: Monday, 25 July 2022 10:03:56 AM
Attachments: [image007.png](#)
[0.png](#)

Submission 48 - Part B
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From: [REDACTED]
Sent: Saturday, 23 July 2022 10:56 AM
To: Miriam Turner <Miriam.Turner@latrobe.vic.gov.au>
Subject: Re: Amendment C131 (Flood Overlays Update)- Update [REDACTED]

Good morning Miriam,

Thank you for your email updating us about the proposed flood overlay changes.

As per the email, we accept the revised position removing the proposed flood overlay from our property located at [REDACTED] and therefore advise that no further action is required.

Thanking you and your team,

[REDACTED]
[REDACTED]
[REDACTED]

On Fri, 22 Jul 2022, 11:47 am Miriam Turner, <Miriam.Turner@latrobe.vic.gov.au> wrote:

Good afternoon [REDACTED]

Thank you for your submission received to Amendment C131 (flood overlays update). Following assessment of your concerns, further work has been undertaken and I can now provide you with an update, specific to your property.

After further review the flood mapping identified in [REDACTED] is recommended to be removed to reflect the existing built-up levels at the rear boundary of this property.

Attached is a map of the new LSIO-FO overlays near your property at [REDACTED]. As you will see, the proposed overlay has been removed from your property.

For reference, your property is shown in red highlight below, to assist with seeing its location in the attached planning map.

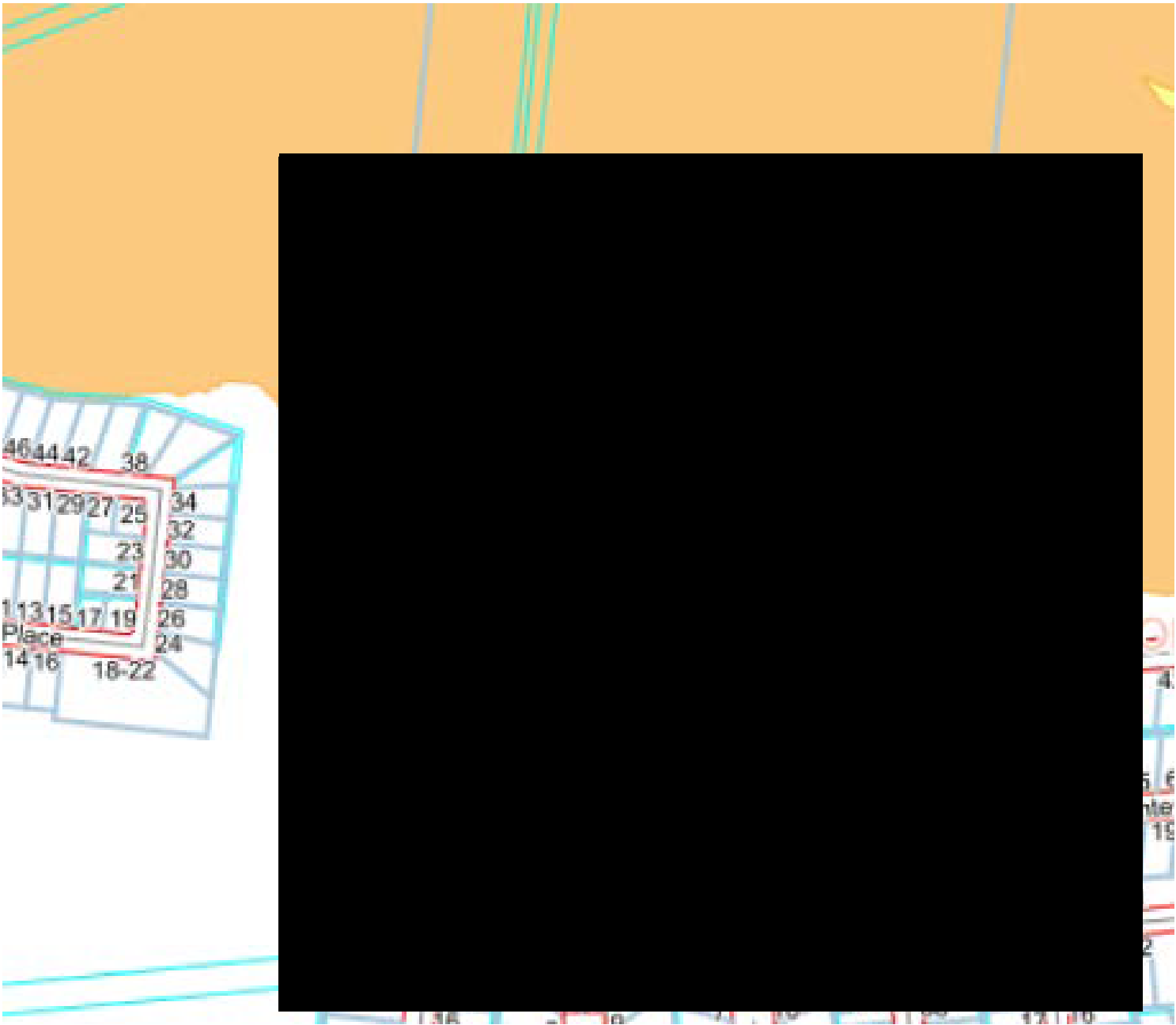
Can you please confirm whether you wish to proceed with your submission in objecting to the amendment, or if you are satisfied with this information and wish to withdraw your submission.

Kind regards,

Miriam

Miriam Turner
Strategic Planning Officer (Mon-Thur)
P 03 5128 6158

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840



Submission 49

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From: [REDACTED]
Sent: Mon, 07 Mar 2022 16:47:43 +1100
To: Latrobe Central Email
Subject: OFFICIAL: DELWP Environment referral response Am C131
Attachments: SP479151dpr.pdf

Dear Strategic Planning Team

Please find attached the DELWP Environment referral response to the above planning scheme amendment

Any questions please contact me

Kind regards

[REDACTED]

[REDACTED]
Planning and Approvals | Central-East Hub
Forest, Fire and Regions | Department of Environment, Land, Water and Planning
574 Main Street Bairnsdale 3875
[REDACTED]

-



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

OFFICIAL



Department of Environment, Land, Water & Planning

www.delwp.vic.gov.au

7 March 2022

Strategic Planning
Latrobe City Council
P O Box 264
MORWELL VIC 3840

By email: latrobe@latrobe.vic.gov.au

Our ref: SP479151

Your ref: Am C131

Dear Sir / Madam

PROPOSAL: AMENDMENT C131 TO THE LATROBE PLANNING SCHEME
PROPOSER: LATROBE CITY COUNCIL
ADDRESS: ENVIRONS OF THE LATROBE RIVER AND TRARALGON CREEK

Thank you for your correspondence received 31 January 2022 pursuant to Section 19 of the *Planning and Environment Act 1987*.

Council has given the Department of Environment, Land, Water and Planning (DELWP) notice of a proposed planning scheme amendment that seeks to update flood controls based on modelling from the *Latrobe River Flood Study* (2015) and the *Traralgon Flood Study* (2016).

The Amendment seeks to:

- Amend Clause 02.04 (Strategic Framework Plans) to include a new Strategic Framework Plan;
- Amend Clause 11.01-1L (Glengarry) to include a new Glengarry Town Structure Plan (GTSP);
- Amends the Schedule to Clause 72.03 (Schedule to Clause 72.03 What Does This Planning Scheme Consist Of?) to reflect the amended FO/LSIO mapping;
- Deletes Planning Scheme Maps LSIO-FO Map Nos. 2LSIO-FO, 5LSIO-FO, 6LSIO-FO, 7LSIO-FO, 8LSIO-FO, 9LSIO-FO, 10LSIO-FO, and 52LSIO-FO;
- Amend Planning Scheme Maps LSIO-FO Map Nos. 11 LSIO-FO, 14LSIO-FO, 15LSIO-FO, 16LSIO-FO, 17LSIO-FO, 18LSIO-FO, 19LSIO-FO, 20LSIO-FO, 21LSIO-FO, 22LSIO-FO, 23LSIO-FO, 24LSIO-FO, 25LSIO-FO, 26LSIO-FO, 28LSIO-FO, 29LSIO-FO, 34LSIO-FO, 35LSIO-FO, 37LSIO-FO, 38LSIO-FO, 41 LSIO-FO, 42LSIO-FO, 43LSIO-FO, 44LSIO-FO, 47LSIO-FO, 48LSIO-FO, 49LSIO-FO, 50LSIO-FO, 56LSIO-FO, 60LSIO-FO, 61 LSIO-FO, 63LSIO-FO, 64LSIO-FO, 65LSIO-FO, 66LSIO-FO, 68LSIO-FO, 69LSIO-FO, 70LSIO-FO, 72LSIO-FO, 73LSIO-FO, 74LSIO-FO, 77LSIO-FO, 78LSIO-FO, 79LSIO-FO, 82LSIO-FO, 83LSIO-FO, 84LSIO-FO, 85LSIO-FO, 86LSIO-FO, 87LSIO-FO, 88LSIO-FO, 91 LSIO-FO, 92LSIO-FO, 93LSIO-FO, 94LSIO-FO, 96LSIO-FO, 97LSIO-FO, 99LSIO-FO, 100LSIO-FO, 101 LSIO-FO, 102LSIO-FO, 104LSIO-FO, 106LSIO-FO, 107LSIO-FO, 108LSIO-FO, 109LSIO-FO, 110LSIO-FO, 111

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to foi.unit@delwp.vic.gov.au or FOI Unit, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002.



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LSIO-FO, 112LSIO-FO, 114LSIO-FO, 115LSIO-FO, 116LSIO-FO, 117LSIO-FO, 118LSIO-FO, 119LSIO-FO, 120LSIO-FO, and 121LSIO-FO.

- Inserts Planning Scheme Maps LSIO-FO Map Nos. 4LSIO-FO, 32LSIO-FO, 33LSIO-FO, 40LSIO-FO, 51LSIO-FO, 55LSIO-FO, 57LSIO-FO, 62LSIO-FO, 67LSIO-FO, 71 LSIO-FO, 76LSIO-FO, and 1 ^LSIOFO.

DELWP has considered the above application and does not oppose the amendment.

If you have any queries, or require clarification please contact gippsland.planning@delwp.vic.gov.au.

Yours sincerely



Program Manager Planning and Approvals
Gippsland Region | Central East Hub



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Submission 50

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From: [REDACTED]
Sent: Mon, 07 Mar 2022 11:57:19 +1100
To: Latrobe Central Email
Subject: Attention Strategic Planning - Amendment C131 - Objection
Attachments: Proposed Flood Overlay - Amendment C131.pdf, Current Flood Overlay.pdf

Attention Strategic Planning

RE: Amendment C131 - Objection

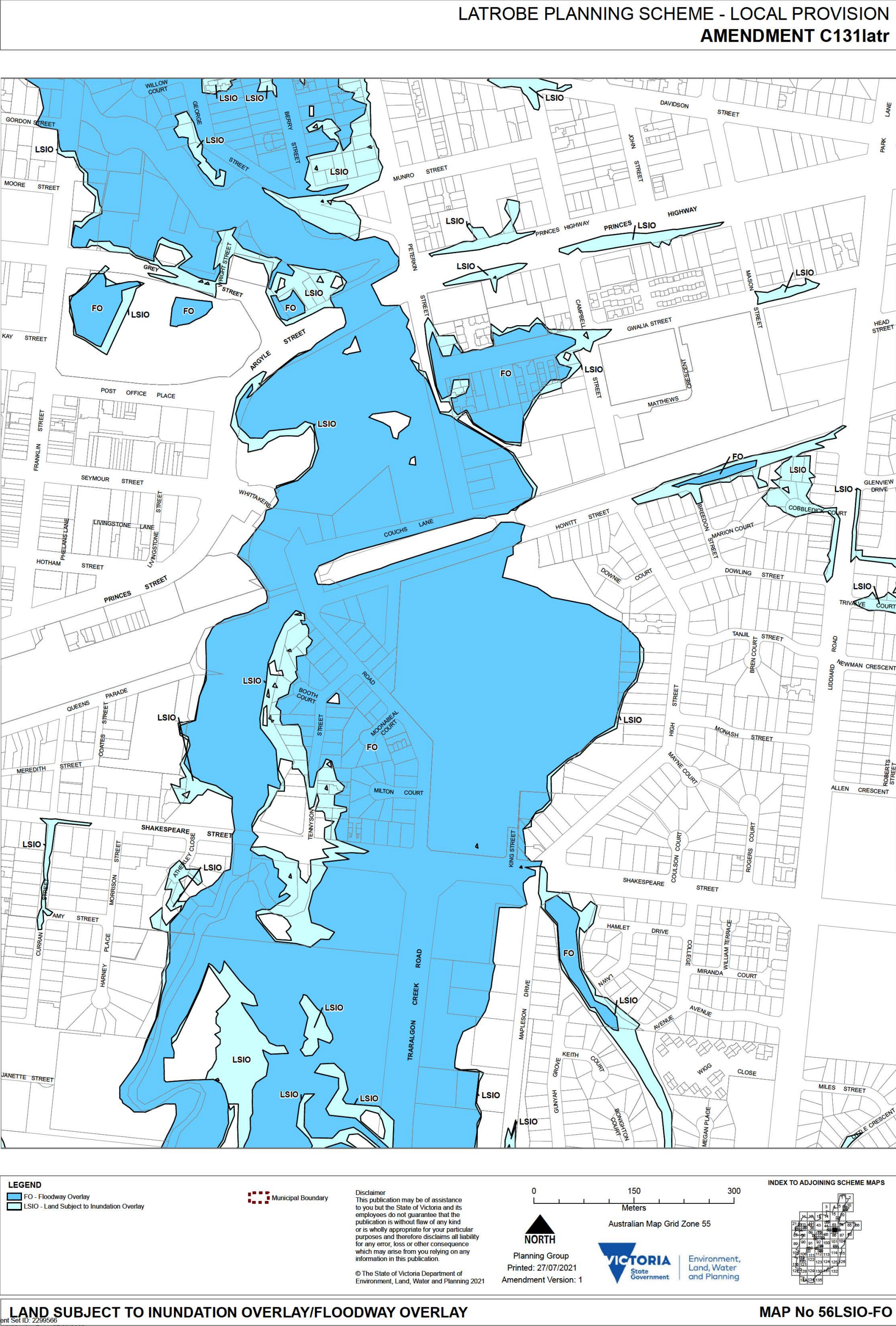
The Latrobe planning scheme amendment C131 proposes to include [REDACTED] in a new flood overlay. See attached Proposed Flood Overlay and Current Flood Overlay.

This proposed flood overlay will affect the value of my owner's corporation insurance as well as property values, it may also mean that the owner's corporation and individual owners in the complex are unable to insure.

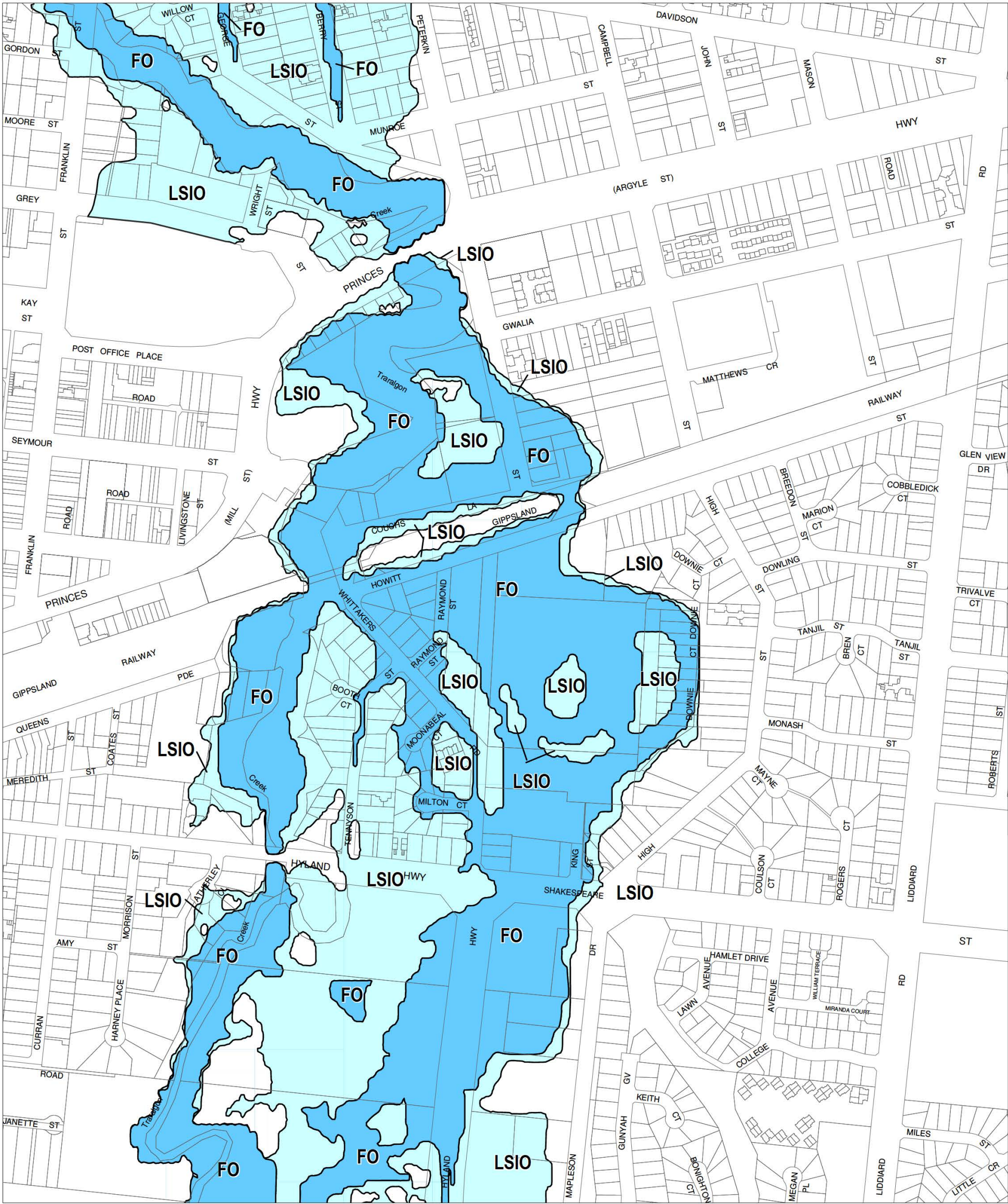
1. I object to the proposed amendment C131 and specifically planning scheme maps 56LSIO-FO, particularly as I have been the owner of unit [REDACTED] [REDACTED] since 2005 and cannot recall any times water has entered the grounds, no damage or impact to this property or others (in this unit complex) has been sustained during any flood events in Traralgon during this time. This includes the most recent major floods in June 2021 whereby an all-time record Traralgon Creek flood level was observed.
2. I propose that amendment C131 including planning scheme maps 56LSIO-FO be updated to exclude [REDACTED] from the flood overlay.

Regards

[REDACTED]



LATROBE PLANNING SCHEME - LOCAL PROVISION



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This map should be read in conjunction with additional Planning Overlay Maps (if applicable) as indicated on the INDEX TO MAPS.

Overlays

- FO Floodway Overlay
- LSIO Land Subject to Inundation Overlay

100 0 100 200 300 m

AUSTRALIAN MAP GRID ZONE 55

Printed: 10/02/2012

AMENDMENT C9

MAP No 56LSIO-FO

INDEX TO ADJOINING METRIC SERIES MAP

11	12	13	14	15	16
17	18	19	20	21	22
23	24	25	26	27	28
29	30	31	32	33	34
35	36	37	38	39	40
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47	48	49	50	51	52
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95	96	97	98	99	100

Submission 51

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From: [REDACTED]
Sent: Mon, 07 Mar 2022 17:16:09 +1100
To: Latrobe Central Email
Subject: Attention: Strategic Planning

[REDACTED]

I am writing to strongly object to the proposed changes to flood controls (amendment C131). Whilst the provided maps of the amendment are mediocre at best for showing the actual changes suggested, regardless the idea that my house is in a flood overlay area is something I strongly disagree with.

I'd like to point to the most recent floods that Traralgon experienced, which were supposedly the worst in close to 100 years, didn't come close to my property or have any impact on it whatsoever. Therefore including my property in a flood area makes very little sense.

Regards.

Submission 52

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From: [REDACTED]
Sent: 7 Mar 2022 23:19:11 +1100
To: Latrobe Central Email
Subject: Attention: Strategic Planning C131 submission

To the C131 submission reviewer,

I'm uncertain as to what a submission constitutes however I have the following concerns that have been allayed by a face to face. I don't actually understand why a submission or consultation period is made since according to policy 13a of Victorian floodplain management strategy if the new levels are genuinely as identified 1% AEP then Latrobe Council has no choice and community submissions are a waste of time. However, herewith my comments.

Overarching comment: This change is enormous and begs the question of its accuracy or that of studies in the past on which significant works such as the franklin street bridge were justified. As I am not competent to argue the 2019 study reports definition of a 1% AEP event the following comments form my submission.

I object to this amendment as proposed based on the following:

1. This added zoning does not provide meaningful protection from floods to a pre-existing property; which represents the largest part of the change.

Commentary:

Your Website states that "Land use planning is recognised as being the best means for avoiding future flooding problems.". Which is misleading. I refer to West Gippsland floodplain management strategy report 2018-2027 (WGCMA1827 herein) section 3 points 2 and 3. Certainly planning schemes can avoid future risks but this does not reduce anything when applied retrospectively to existing lots/properties/division. This applies to "future risks" of "future planning". As your intro on this topic states "Approximately 1,531 properties will have flood overlays added or amendment on their land, and 335 properties will have flood overlays removed from them". This suggest to me that 1531 properties gain added liabilities for being located in a retrospectively re-drawn flood zone but gain nothing in term of meaningful added flood protections which is covered by WGCMA1827 section 2 and does not make mention of planning schemes. From the Australian insurance council website : "It's important to understand that insurers can't reduce the impact of a flood. **It is up to governments to reduce the risk of flood to communities through investing in permanent physical mitigation measures, such as levees and flood barrages.**" This rings true for overlays on existing property. Finally in my closing remark on this matter in section 3 point 4 "Even with the most rigorous land use planning and building systems in place, the residual risk of extreme flood events with a very low probability remains"

Sample alternative Alternatives:

Added freeboard rather than overlay policy for existing properties under special building overlay or similar. This would cover the planning requirement for future subdivisions in this manageable area.

2. Mitigation works

Rather than update the overlays; its now been five years since the Traralgon bypass levee project was identified as a project to look very closely at. With the potential to prevent 5.5M in damages; how is this project progressing? If it's actually planned then this C131 should be halted until its completed. Irrespective of its planning (on the presumption this proposal will go ahead) I am be seeking assurance that the flood boundaries be re-drawn at its completion to reflect the relevant changes.

Table 5-1 Mitigation Impacts and Cost - Benefit

		Existing Conditions	Mitigation Option 1 (Traralgon Bypass Embankment)	Mitigation Option 2 (Whittakers Rd Levee)
Properties Flooded (1% AEP)		319	174	248
Properties Flooded Above Floor (1% AEP)		90	4	54

1% AEP Damages	\$6,779,053	\$ 1,129,262	\$ 4, 882,928
AAD	\$358,777	\$ 196,150	\$ 314,881
Cost - Benefit	N/A		0.30

3. Insurance

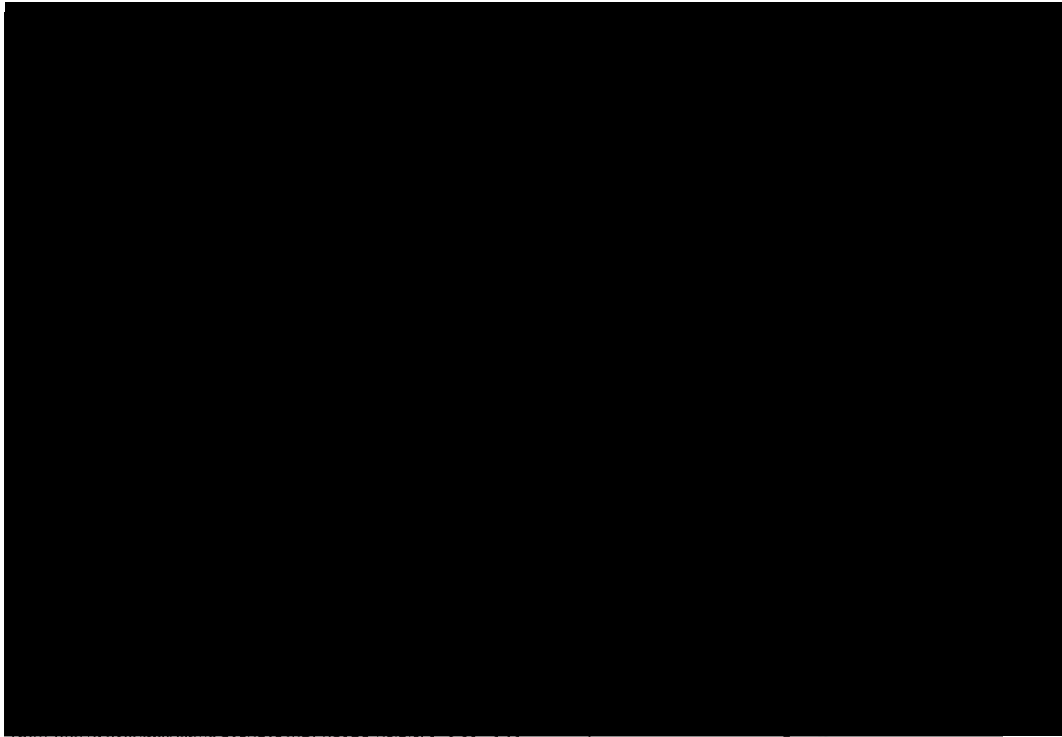
No-one knows what insurance will do with their risk calculation in this space. We just got this property less than 12 months ago and are now facing the prospect of a huge insurance bill or being effectively uninsurable despite doing all our due diligences prior to the purchase of this property. We will likely now be financially penalised for a planning scheme that offers no real reduction of any actual future flood event; It simply adds liability whether is be an outbuilding, or vehicle parked on the property or in an outbuilding now likely within a specified overlay, that skyrocketd by a matter of Metres!

4. Retrospective changes that are this significant effect the value and risk to value perception of a property.

Comments: My property under proposed C131 changes brings the water approximately 20m onto my property where previously it was barely touching. This is on a very sloping block as the change in flood height is so significant. Using my circumstance as an example; we purchased less than 12 months ago on a block extremely close to town with high development potential. This proposal would decimate the development potential. We currently have no plan to develop, but intended to live here for quite some time knowing that development was a great exit strategy. The various reports suggest that earthworks

and development in or even near these boundaries should be discouraged. Effectively with the stroke of a pen our property potential is nuked. This is not to say that developing with respect to a flood overlay would be bad; but the types of considerations for this could still be made. I spoke with this in detail with Miriam Turner (Latrobe city council) and Ben Proctor (WGCMA) who both assured me that development of this property in particular would not be within the bounds of 'discouragement' or similar. I am wanting to have this on record in the event we do want a subdivision in the future, that submissions to council will be treated with co-operative consideration of this huge change in flood levy and any potential development. Bens comments also covered that since access/escape would be away from flood area development remains quite feasible and that the freeboard ABOVE the 1% are not necessarily a requirement or that earthworks in this area would be of any real concern from a flood management perspective. The council must specify a minimum floor level with a freeboard margin of at least 300 mm above the 1% AEP flood level, **unless the floodplain management authority consents to a lower level.** The regulations do not apply to a Class 10 building (non-habitable garage, carport or shed), an unenclosed floor area of a building or an extension to an existing building which is less than 20 square metres. (DWELP Guidelines for Development in Flood Affected Areas February 2019).





Comments:

1. On my face to face zoom I was assured that the flood level being used is the 1% AEP without additional freeboards including those for sea level rises. If this mapping does not encompass only the calculated 1% AEP based on a ten year planning cycle then I will have some strong additional objections.

Thanks for taking the time to read my submission.

Kind Regards,

[REDACTED]

[REDACTED]

Submission 53

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LatrobeCITY
a new energy

Latrobe City Council



DOC22/182274

Date Received: 08-Mar-2022

Latrobe City ABN 92 472 314 133

Telephone 1300 367 700

Facsimile (03) 5128 5672

TTY (03) 5135 8322

Post to PO Box 264 Morwell 3840

Email Address latrobe@latrobe.vic.gov.auInternet www.latrobe.vic.gov.au

AUSDOC DX217733

Submission to Amendment C131 – Flood Overlays Update

Name [REDACTED]Address [REDACTED]Phone Number [REDACTED]Email Address [REDACTED]Your views on the amendment (~~support or~~ object):

I OBJECT TO THE PROPOSED OVERLAY (ES10) AT THE ROAR OF MY PREMISES IN [REDACTED] BY THE AERIAL PHOTOGRAPH IT SHOWS THAT ENCROACHES ON MY PROPERTY WHILE IN FACT THE AREA MARKED IS ABOUT 1METRE HIGHER THAN WHERE THE WATER FLOWS.

WHEN YOU LOOK AT (FO) PROPOSED AERIAL SHOT IT SHOWS THE WHOLE OF THE Paddock BEHIND MY RESIDENCE INUNDATED.

I BELIEVE MORE WE HAVE PROBLEMS.

1/ WHY DOES ENGLISH ST. ACT LIKE A DAM WALL?

2/ WHY DOES THE WATER FROM THE SETTLING/FILTRATION POND RUN ONTO THE Paddock.

I WOULD THINK THAT THE DRAIN BESIDE MACKINNS DRIVEWAY SHOULD BE USED TO DRAIN THE Ponds WITH ONLY OVERFLOW BEING DIRECTED ACROSS THE Paddock. IF YOU LOOK AT HOW OVERGROWN THE DRAINS FROM THE Ponds ARE THIS MAYBE THE CAUSE. IF THE WORK IS TO DRAIN ACROSS THE Paddock PUT IN A STORMWATER...

WHILE THE DRAIN AT THE BOTTOM OF ENGLISH ST. WAS CHARGED RECENTLY I DON'T BELIEVE THE PIPE UNDER WAS. MAYBE 2 PIPE ARE REQUIRED.

THE DRAIN AFTER ENGLISH ST DOESN'T HAVE FREE FLOW, IT JUST DRAINS TO Paddock I'M TOLD.

1



Latrobe City ABN 92 472 314 133

Telephone 1300 367 700

Facsimile (03) 5128 5672

TTY (03) 5135 8322

Post to PO Box 264 Morwell 3840

Email Address latrobe@latrobe.vic.gov.au

Internet www.latrobe.vic.gov.au

AUSDOC DX217733

Submission to Amendment C131 – Flood Overlays Update

Name.....

Address.....

Phone Number.....

Email Address.....

Your views on the amendment (support or object):

WHEN TALKING OF FLOODING A PROBLEM EXISTS, ON THE NORTH SIDE OF JESSIE PLACE AS IN HEAVY RAINS THE CATCHMENT AREA DRAINS TO THE REAR OF THESE BLOCKS AND FLOODS YARDS.

I BELIEVE A REQUEST WAS MADE FOR A SPOON DRAIN AND WAS APPROVED BY COUNCIL (HEARSAY) BUT I DON'T BELIEVE ANY ACTION TAKEN. COULD THIS BE FOLLOWED UP AND ACTION TAKEN TO REMEDIATE THE PROBLEM?

SUMMARY:- I THINK THE WHOLE PROBLEM IS ABLE TO BE RESOLVED BY IMPROVING DISPOSAL OF WATER WEST OF ENGLISH ST.

CLEANING EXISTING WATERWAYS AND PIPES SURVEYING LEVELS AND DETERMINING ANY ADDITIONAL CHANNEL/DRAINS.

I WOULD THINK THE WHOLE PROBLEM EXIST BECAUSE ENGLISH ST ACTS AS A DAM, THAT INSUFFICIENT DRAINAGE HAS BEEN INSTALLED.

I ALSO THINK THAT THE CATCHMENT AREA EAST OF THE SETTLING POND WOULD BE OF INSUFFICIENT SIZE TO CAUSE A MAJOR FLOOD PROBLEM OF THE ORDER THE L.S.O. INDICATES.

PLEASE RECONSIDER AS I BELIEVE IT IS NOT NECESSARY.

Submission 54

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Chief Executive officer

Latrobe City Council

Commercial Road

Morwell .Vic. 3840

Latrobe City Council



DOC22/182276

Date Received: 08-Mar-2022

Dear Sir,

Re- Planning Scheme Amendment C131 Flood Overlays Update

I am bitterly disappointed that the proposed amendment is based on modelling from the Latrobe River Flood Study (2015) and the Traralgon Flood Study (2016). In turn these two studies would have relied on modelling or flood experiences of an earlier period. To explain this issue further –

Latrobe City's Main Drain is the Latrobe River. It does not matter whether you are in Moe, Morwell, Traralgon, Churchill, Glengarry, Yinnar, Boolarra etc. All drainage, or flood waters end up in the Latrobe River.

One also must consider the areas upstream of Latrobe City, (Trafalgar, Yarragon etc. etc.) who also contribute to drainage and flood waters to the Latrobe River.

The status or comparison of all drainage systems (including Rivers, Creeks, Gully's etc) used as a basis for the amendment to that of today must also be considered. eg. I am aware that all municipal drainage schemes work at 100% over dry periods, and at wet times something quite different. The same can be said in regards rivers, creeks etc. I am aware especially in the upper Traralgon Creek the situation has deteriorated, substantially due to lack of care and maintenance by both Council and the River Authority.

Traralgon has several Main Drains the greater being the Traralgon Creek. All these Traralgon Main Drains feed into the Latrobe River. When the Latrobe River is in flood, waters in the Traralgon Creek cannot enter the Latrobe River at the same rate as it receives floodwaters from the hill country. The Traralgon Township is sandwiched between these two factors causing extensive flooding. If we are to believe the science of Global Warming, the Latrobe River and Traralgon Creek are going to experience more severe and more frequent flooding in the future.

Proposed amendment C131 reduces the land subject to inundation along the Traralgon Creek and to finish just past the Koornalla Reserve. What is so important about this point? It should be extended to Hoggs Bridge where the Traralgon and little Traralgon creeks meet. Without bothering to investigate further I assume the hill country is not included anywhere in the amendment. The "Hill" country is where most of the flood waters come from.


Public Assets in roads and reserves have been substantially put at risk by actions and inactions of private individuals and public authorities in the upper Traralgon Creek (LeRoy) area.

Instead of fiddling around with arbitrary inundation overlay areas, there should be a full flood plan prepared, addressing options available to council to mitigate the effects or consequences of flooding, This flood Plan should cover the whole municipality.

The definition of "insanity" is to do the same old, same old approach to a problem to achieve a different result.

Every flood is different. Amendment C131 will not change in any way, the amount of water ,its flow ,its turbidity and erosion that will occur within the Municipality.

I object to the proposed amendment.



7/03/2022

Submission 55

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4TH March 2022.

The Chief Executive Officer,

Latrobe City Council,

Post Office Box 264,

MORWELL. 3824.

Latrobe City Council



DOC22/182275

Date Received: 08-Mar-2022

Dear Sir,

I recently received in the mail, notification that the Council is proposing an amendment to the planning scheme specifically in relation to flood overlays. I was also informed that no change was proposed for my property at [REDACTED] [REDACTED]. That means for me that my property remains in the "Flood Prone" category. I respectfully request that my property be removed from this category and revert back to it's original classification.

Why should this occur I hear you ask? The answer is simple and it is because my property has never, yes NEVER been inundated in my lifetime and I am 87 years old. The property did flood in 1934 just before I was born when some 200 mm plus of rain fell in a very short time over the Tanjil Catchment. The water runoff quickly ran downstream into the LaTrobe plain but because of the choke effect of the LaTrobe river gorge at Yallourn, the flood waters banked up inundating the entire low lying area to the North of Moe. The water reached a height of some two and a half meters and reached almost half way up Singer's Hill in Moore Street which is that small rise opposite the bus depot. How do I know this? Because my family purchased a property in Walhalla Road and for years later we could still see the high tide mark on the interior walls left by the retreating water. The water flooded the entire Narracan Valley and places such as the Freemason's Homes and Narracan Gardens were well and truly under water. In the West, the water reached Mitchell's Road and ALL of the new estate to the West of the Mitchell's Road roundabout would have been under water.

In the year 1944, my father purchased the small farm where I now reside from [REDACTED] [REDACTED]. The farm house is still there today and it is located immediately to the West of the Narracan Creek bridge on Old Sale Road. My knowledge of this area is quite intimate, I know every square inch of the land here having lived on this property and that on Walhalla Road for most of my life.

I all of that time, I have seen floods come and go but never I mean NEVER has this property nor the other properties bounded by Moore street in the West and Old Sale Road in the

North been inundated. Yes the Narracan Creek flooded from time to time but the flood water has always been confined to the ancient waterways carved out by the creek's many changes of direction. By good management and the removal of the willow trees and other obstructions, the Narracan Creek has not broken its banks for some years. We also have many dams in the Narracan Creek catchment area and these dams remove a large amount of water which would normally be destined for downstream.

We have some very heavy rain events in the recent past the most notorious of which deposited 75 mm of rain over this area in some twenty minutes. The storm water came down very hard and fast. The manhole cover on the drain on the corner of Jubilee and Evelyn Streets was floating on a column of water nearly a metre high even so my property did NOT flood. The storm water was confined to the roadway up to the depth of the kerbing and it dissipated in a very short time.

This is some background knowledge for your benefit because if you are going to maintain my property's classification despite never having been flooded you will be totally wrong.

In view of the fact that this entire area was flooded in 1934, why are you singling me out when there has not been an event like that since. If you are going to maintain my property as flood prone then in view of the 1934 episode, you will have to classify all of the areas up to the contour line half way up Singer's Hill. There are hundreds of homes involved as well as industries along Moore Street, Dele Tora Road and Saxton's Drive. Just think of the uproar when the owners of these properties find out that their properties are handsomely devalued and that they cannot get insurance for love nor money.

It is for the above reason and others yet to be articulated that I respectfully request that you remove my property from the category of "Flood Prone" and restore it to its original classification.

Should you not be convinced of the validity of the information which I have presented to you I would be prepared to chance catching Covid by appearing before any tribunal that you might convene in order to press my case. Remember. I have a very serious lung condition, yes a singular lung only and should I catch Covid I will die so at any hearing please ensure that it is safe for me to attend.

Yours faithfully,

A large black rectangular redaction box covering the signature and name of the sender.

Submission 56

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Submission to Latrobe City – Amendment C131 (Flood Overlays)

4 March 2022

Thankyou for the opportunity to make a submission to the proposed C131 amendment.

I am writing in respect to my 24 hectare (60 acre) property at [REDACTED]

The proposed C131 amendment will result in a significant portion of the property being classified as land subject to inundation.

I have participated in a zoom call with an officer from Latrobe, and this was very useful and the majority of my questions were answered. 2 questions were taken on notice and I was advised that "Ben" would call me to assist, but this has not occurred and given the zoom call was on 22 Feb I suspect that I have been forgotten. My questions were 1, "what is the definition of a floodplain? i.e the Vicsmartguide states that land under a LSIO is commonly known as a floodplain". And 2, "what is the depth of water on a property that has to occur for it to be classified as inundated?"

My reasons for asking these questions is because I cannot see a scenario where my property would ever become inundated or a "floodplain" or even the worst level of rainfall would result in anything but an **insignificant** amount of water being retained on the property that could result in inundation.

My logic for making the above statements is that any rainwater "runoff" that either enters my property or falls on my property moves across a very wide area as evidenced by the modelling work you have undertaken. This is because of the substantial fall of 12m from the top of my property (west property boundary) @ approx 60m alt to the bottom of my property (east property boundary) @ approx 48m alt.

As a result of this approx. 12m fall and the wide area for any surface water to pass through we have not experienced any inundation in the 32 years living at the property, and I cannot imagine a scenario where it would.

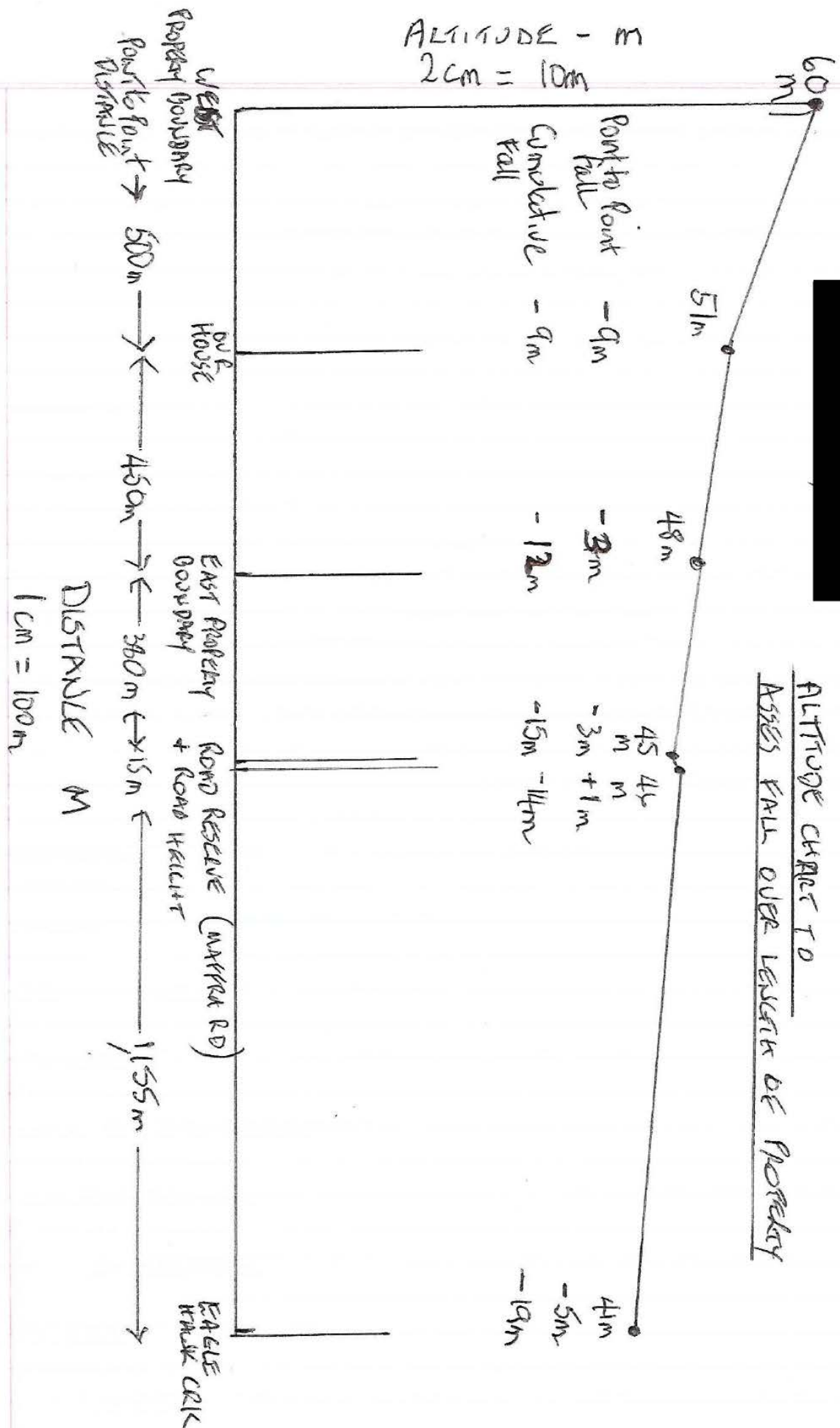
The typical outcome of any large rainfall event is that excess water flows to the corner of Rifle Range Rd and Maffra Rd, approx. 400m from my east property boundary, where it can backup due to the height of Maffra Rd being higher than the surrounding land. In the event of a very large rain event I still don't see a scenario where the water would back-up against Maffra Rd and inundate my property. This is based on the following measurements I.E given that the Maffra Rd reserve is approximately 3m lower than my boundary altitude of 48m, meaning the water will only backup to the height of the road pavement level before eventually travelling either under or over the Maffra Rd, which is @ 46m alt (2m below and approx. 400m from my east boundary) and towards the Eaglehawk Creek, which is approx. 1,500m from my nearest boundary and approx. 7m below it at an altitude of approx. 41M.

I have attached a sketch of all the above distances and altitudes for your information

It is for these reasons that I do not consider my property to be at risk of inundation, and request that it not be included in the LSI overlay.

Regards

[REDACTED]



Submission 57

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Submitted on Sun, 2022-03-06 12:41

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Confidentiality

Please withhold my name from public documents such as Council reports

Your Submission

My submission is

I strongly object to my property - [REDACTED] - being included in the LSIO Planning Amendment. I have lived at this property for almost 30 years & the two instances of flooding in this Court was as a result of the majority of the water coming out of the stormwater pipes & not from inundation from a natural watercourse. Your LSIO amendment seems to be very specific in our Court & my property almost entirely included in the Plan. In both flooding instances, there was no damage to my property, whereas properties in surrounding streets had significant damage & are not included in the Plan.

I would appreciate if you could re-examine the Plan & remove my property from it.

[REDACTED]

Submission 58

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Submitted on Sun, 2022-03-06 15:42

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Your Submission

My submission is

We are inundated with storm water that comes from the reserve adjacent to our property every time there is a significant rainfall. We advised Council last year about this issue and a contractor inspected the pipes in the reserve a few weeks later. He advised us that there are 2 x 600 mm pipes running into a 700 mm pipe which could not cope with the heavy rainfalls. Because of this the storm water pools in the reserve then overflows into the neighbouring properties.

There were roots in the pipes from two large trees in the reserve and they were cleaned out by the contractor, he advised us that the pipes were also cleaned out two years ago. There has been a request by neighbouring properties to have these trees removed but they were advised that the trees were 'significant' and could not be removed. These trees were planted by a former resident of [REDACTED] so not sure why they are classed as significant.

Something needs to be done to fix this issue so that we don't have to sweep stormwater away to prevent it from entering our house every time we have a heavy down pour.

Submission 59

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Hello Miriam,
Thanks for your earlier maps provided.

I have drafted a number of concerns with the planning for flood mitigation in Traralgon
Could you assist with which specific amendment this submission applies? It is probably a combination.

Main issues is flood mitigation, storm water, Latrobe River and Traralgon Creek flooding effect on the community and the associated costs incurred by ratepayers.

Please comment on the details listed on this submission.
I will then submit this response.

regards

██████████
██████████

Planning Scheme amendments C131 flood overlays

Date: 28th February 2022

As the resident of [REDACTED] I wish to submit my concerns with the current planning and proposed amendments regarding flood overlays and inadequate storm water infrastructure in Traralgon.

At [REDACTED] the proposed amendment based on the modelling incorrectly indicates flooding onto this property. Please review and revise reference to flood overlay to this property.

My main concerns are:

1. Concerns with the Stormwater drainage systems in Traralgon.

The main concern I have with flooding is the inadequate storm water drainage system in Traralgon. Storm water flooding in Traralgon occurs many times during the year and effects many residence.

What action is being taken on this issue to address this concern?

Specific concerns At Traralgon Recreation Reserve

This storm water issue effects the Traralgon Recreation Reserve whenever it rains as the storm water collected from the south east residential area is channelled into a inadequately sized drain which overflows into an open drain that runs through the reserve then across Howitt St through culverts under the rail line then into the Traralgon creek just prior to the Highway bridge crossing.

This overflow creates numerous problem and is unsightly and not acceptable at a premier sporting and open space complex. **What action is being undertaken to install an adequate underground drains and improve the drainage through the Traralgon Recreation Reserve then onto the Traralgon Creek**

The Bridge on Howitt St restricts the flow of storm water from this overflow drain. This is due to the lack of cleaning in this area. The bridge should have been constructed at a higher level instead of the dip in the road. When this section of road floods due to stormwater numerous cars have been stranded. At this point, storm water is also collected from the Traralgon East area and adds to the problem

Additional housing development plan in these areas is adding to the severity and frequency of these storm water floods.

2. Concerns with Flooding Issues Latrobe River

Flooding on Latrobe river occurs at least twice a year. Last year it occurred four (4) times.

The main disruption is to the Traralgon/Tyers residence access via the Latrobe River bridge causeway I understand the current bridge is to be replaced in the near future, however the temporary causeway provided 50 years ago instead of replacing the original bridge is not being addressed . This

means that whenever it rains this roadway will be out of service. This occurred at least 4 times last year and this main access road C481 was out of service for many months. This is totally unacceptable in the 21st century.

Yet if this upgrade was undertaken as part of the bridge replacement this work could eliminate a potential fatality if a vehicle unknowingly drove into a flooded causeway.(this is a possibility on this road and I believe it has occurred in the past). It would also reduce the cost of undertaking this work in two stages and reduce the inconvenience of the public to another period the road would be out of service.

What action is proposed to improve this issue? The costs and risks need to be published.

3. Traralgon Creek Flood Mitigation

Major flooding on Traralgon creek occurs approx. every 10 years. This requires mitigation as recommended in the June 2016 Flood Study and the Jan 2016 Traralgon Bypass Retarding Basin Modelling . **Is this recommendation to construct an embankment as part of the highway bypass being implemented? Need to confirm these work will be undertaken**

Cleaning up the Traralgon creek on a regular basis is required to avoid blockages which contribute to flooding. **Can a schedule and the responsible organisation be provided to address this concern? Need confirmation and assurance this work will be undertaken on a regular time frame by the responsible authorities.**

regards

[REDACTED]

[REDACTED]

Submission 60

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From: [REDACTED]
Date: Mon, 28 Feb 2022, 22:29
Subject: Attention: Strategic Planning
To: <latrobe@latrobe.vic.gov.au>
Cc: <[REDACTED]>

Hello,

I am the resident and property owner of [REDACTED].

I have received notice of the proposed overlay LSIO AM C131,

This letter is to notify Latrobe City that I am not in support of the proposed planning change.

This overlay affecting Strathcole Drive appears unnecessary on first review. There are no nearby bodies of water, and the area was not affected in the most recent Traralgon Creek event. The properties listed in the overlay are a kilometer away from the nearest point of Traralgon Creek.

I would like to request that the overlay amendment affecting [REDACTED] be cancelled, or at a minimum a deferral so that additional information may be collected.

The reasons for my request are as follows:

- 1) The land is gently sloped with the southern end of the property higher than the north. I am in the process of manually surveying the properties on [REDACTED] to create a more accurate picture of the area. At present I have made measurements of my own property and found that [REDACTED] has an average grade of 3.8% between the rear fence line to the front boundary. Additional data from the other properties subject to this amendment will be available shortly.
- 2) The street itself is lower again by 40-45cm than the front property boundary. I have owned the property since 2013 and water from any rain event has always flowed along the driveway or spoon drain to Strathcole Drive successfully.
- 3) This neighbourhood is 40 years old. This is a long time for a property to be standing before it gets picked up as land subject to inundation unless something has changed between 1980 and 2022.
- 4) The overlay will adversely affect the values and costs associated with maintaining these properties.

Thank you for your time,

--

[REDACTED]

Submission 61

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From: [REDACTED]
Sent: Sat, 19 Mar 2022 15:58:31 +1100
To: Latrobe Central Email
Subject: submission to Amendment C131
Attachments: latrobe City c131.pdf

Please find my submission to Amendment C131

Regards

[REDACTED]



Latrobe City ABN 92 472 314 133

Telephone 1300 367 700

Facsimile (03) 5128 5672

TTY (03) 5135 8322

Post to PO Box 264 Morwell 3840

Email Address latrobe@latrobe.vic.gov.au

Internet www.latrobe.vic.gov.au

AUSDOC DX217733

Submission to Amendment C131 – Land Subject to Inundation Overlay (LSIO) and Floodway Overlay (FO)

Name [REDACTED]

Address [REDACTED]

Phone Number [REDACTED]

Email Address [REDACTED]

Your views on the amendment (support or object):

I object to the new amendment as I believe the previous underlay appeared to be a more accurate assessment of a 1-100 year flood based on my experience in the area. When I asked the representative at my meeting what would be a predictive water rise in such a flood through our property and possibly 50mm, that may look possible on their map, which is an overhead shot, it does not show a side elevation of the area, which contains a lot of areas which would hold water before even getting to where they say it would. Also the Trunlgan / Maffra Rd Intersection with Zarnbrook Rd into Glenarry has a high camber facing towards where the water would come from also holding the flow of water back. With the construction of the new roundabout there has been significant drainage work taken place which channel the water through a natural course to the Latrobe river, I also believe that if their storm water system was adequate it would alleviate the advent of this water flood of 1-100 event.

Regards:

[REDACTED]

Submission 62

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From: [REDACTED]
Sent: Tue, 22 Mar 2022 10:54:30 +1100
To: Latrobe Central Email
Subject: Submission to Amendment C131 - Land Subject to Inundation Overlay [LSIO] and Floodway Overlay [FO]
Attachments: Objection to Proposed C131 LSIO & Flood Overlay March 22 2022.pdf

As per you letter RE: Community consultation at Glengarry and acceptance of late submissions.
Please accept our attached Submission to Amendment C131 - Land Subject to Inundation Overlay [LSIO] and Floodway Overlay [FO]
[REDACTED]



Latrobe City ABN 92 472 314 133
 Telephone 1300 367 700
 Facsimile (03) 5128 5672
 TTY (03) 5135 8322
 Post to PO Box 264 Morwell 3840
 Email Address latrobe@latrobe.vic.gov.au
 Internet www.latrobe.vic.gov.au
 AUSDOC DX217733

Submission to Amendment C131 – Land Subject to Inundation Overlay (LSIO) and Floodway Overlay (FO)

Name.....

Address.....

Phone Number.....

Email Address.....

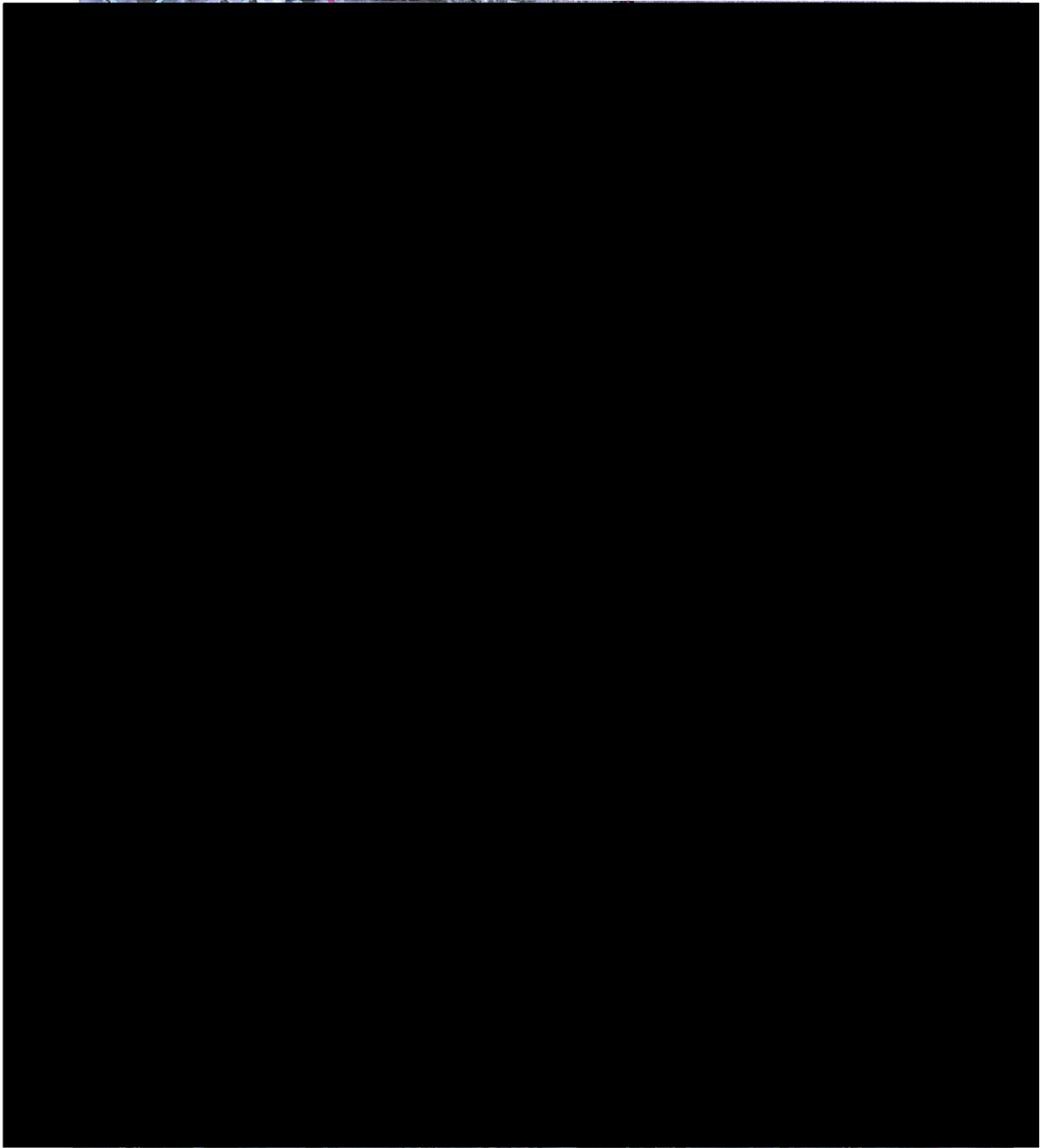
Your views on the amendment (support or object):

As we have lived on this Property for approx 20 Years we find your proposed LSIO/FO incorrect and would like areas marked A+B removed from Proposal for the following reasons:

- ① Area marked A has not been ~~seen~~ previously effected by flood and is at a higher ground level than that of D. Also has the ability to run off to Area ①.
- ② Area marked B was a ~~meter~~ Depresson ~~at~~ approx 1.2m Deep. it has been filled in to ground level within the last 2 years and is no longer able to hold water + runs off to area D.
- ③ Area marked C NEVER floods within our Property. The ground level here is again Higher than Area D.

The extant Roadway partially floods from time to time as the Road drains are often blocked. These road drains are never cleared out by council and hence the reason of partial flooding on the Roadway. At times my neighbor cleans - unblocks the drains when flood to allow Road water to Drain.

- ④ Area Marked E+F WE have never seen flooded in 20 years.



Document Set ID: 2304200
Version Date: 22/03/2022

Submission 63

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From: [REDACTED]
Sent: Wed, 09 Mar 2022 17:26:38 +1100
To: Latrobe Central Email
Cc: Miriam Turner [REDACTED]
Subject: FW: PLANNING SCHEME AMENDMENT C131- Flood mapping Update
Attachments: PSA_SUBMISSION_C131latr.pdf

Please find attached CFA's Submission to Planning Scheme Amendment C131latr.

Please feel free to contact either Jude or myself if you have any questions.

Regards

[REDACTED]



Protecting lives and property



cfa.vic.gov.au



From: Jemma O'Keeffe <Jemma.OKeeffe@latrobe.vic.gov.au>
Sent: Tuesday, 1 February 2022 4:32 PM
Subject: PLANNING SCHEME AMENDMENT C131- Flood mapping Update

Dear Sir/Madam,

LATROBE PLANNING SCHEME, AMENDMENT C131 (FLOOD OVERLAYS) - NOTICE OF PREPARATION OF AN AMENDMENT UNDER THE PLANNING AND ENVIRONMENT ACT 1987

Latrobe City Council has prepared Amendment C131 to the Latrobe Planning Scheme, which proposes to update flood controls based on modelling from the *Latrobe River Flood Study* (2015) and the *Traralgon Flood Study* (2016).

The amendment affects 65,614ha of land within the Latrobe municipality which is within proximity of the Latrobe River and the Traralgon Creek, and considered to be at risk of flooding.

The Amendment seeks to:

- Amend Clause 02.04 (Strategic Framework Plans) to include a new Strategic Framework Plan;
- Amend Clause 11.01-1L (Glengarry) to include a new Glengarry Town Structure Plan (GTSP);
- Amends the Schedule to Clause 72.03 (Schedule to Clause 72.03 What Does This Planning Scheme Consist Of?) to reflect the amended FO/LSIO mapping;
- Deletes Planning Scheme Maps LSIO-FO Map Nos. 2LSIO-FO, 5LSIO-FO, 6LSIO-FO, 7LSIO-FO, 8LSIO-FO, 9LSIO-FO, 10LSIO-FO, and 52LSIO-FO;
- Amend Planning Scheme Maps LSIO-FO Map Nos. 11LSIO-FO, 14LSIO-FO, 15LSIO-FO, 16LSIO-FO, 17LSIO-FO, 18LSIO-FO, 19LSIO-FO, 20LSIO-FO, 21LSIO-FO, 22LSIO-FO, 23LSIO-FO, 24LSIO-FO, 25LSIO-FO, 26LSIO-FO, 28LSIO-FO, 29LSIO-FO, 34LSIO-FO, 35LSIO-FO, 37LSIO-FO, 38LSIO-FO, 41LSIO-FO, 42LSIO-FO, 43LSIO-FO, 44LSIO-FO, 47LSIO-FO, 48LSIO-FO, 49LSIO-FO, 50LSIO-FO, 56LSIO-FO, 60LSIO-FO, 61LSIO-FO, 63LSIO-FO, 64LSIO-FO, 65LSIO-FO, 66LSIO-FO, 68LSIO-FO, 69LSIO-FO, 70LSIO-FO, 72LSIO-FO, 73LSIO-FO, 74LSIO-FO, 77LSIO-FO, 78LSIO-FO, 79LSIO-FO, 82LSIO-FO, 83LSIO-FO, 84LSIO-FO, 85LSIO-FO, 86LSIO-FO, 87LSIO-FO, 88LSIO-FO, 91LSIO-FO, 92LSIO-FO, 93LSIO-FO, 94LSIO-FO, 96LSIO-FO, 97LSIO-FO, 99LSIO-FO, 100LSIO-FO, 101LSIO-FO, 102LSIO-FO, 104LSIO-FO, 106LSIO-FO, 107LSIO-FO, 108LSIO-FO, 109LSIO-FO, 110LSIO-FO, 111LSIO-FO, 114LSIO-FO, 115LSIO-FO, 116LSIO-FO, 117LSIO-FO, 118LSIO-FO, 119LSIO-FO, 120LSIO-FO, and 121LSIO-FO.
- Inserts Planning Scheme Maps LSIO-FO Map Nos. 4LSIO-FO, 32LSIO-FO, 33LSIO-FO, 40LSIO-FO, 51LSIO-FO, 55LSIO-FO, 57LSIO-FO, 62LSIO-FO, 67LSIO-FO, 71LSIO-FO, 76LSIO-FO, and 112LSIO-FO.

We are writing to you because you may be affected by the proposed amendment. According to Latrobe City Council records you own and/or occupy land that has been identified as being of interest in regards to the contents of the proposed Planning Scheme Amendment.

Enclosed with this letter is the formal notice of the amendment which is being sent in accordance with Section 19 of the *Planning & Environment Act 1987* (the Act).

Full details of the amendment can be found on Latrobe City Council's website:

https://www.latrobe.vic.gov.au/Property/Development/Planning_Scheme_Amendments/Current_Planning_Scheme_Amendments

Or you may inspect the amendment documentation at the following locations:

- 141 Commercial Road, Morwell Vic 3840,
- 34-38 Kay Street, Traralgon Vic 3844,
- 1-29 George Street, Moe VIC 3825,
- 9-11 Phillip Parade, Churchill VIC 3842
- At the Department of Environment, Land, Water and Planning website
www.delwp.vic.gov.au/public-inspection

The amendment will be on public exhibition from 3 February 2022 to 7 March 2022 and this is your opportunity to make a submission to the proposed Amendment.

Officers are available to discuss the amendment via Zoom information sessions. To schedule a 1:1 Zoom meeting with a Council Planner at one of these sessions, please contact Strategic Planning on 1300 367 700 or email StrategicPlanning@latrobe.vic.gov.au

Information sessions are scheduled for:

- Monday 7 February, 10am-7pm
- Wednesday 9 February, 11am-7pm

- Monday 14 February, 11am-7pm
- Wednesday 16 February, 10am-7pm
- Tuesday 22 February, 10am-7pm

Any person may make a submission about the amendment, please note that the closing date for a written submission is 7 March 2022. A submission may be in support or not in support of the proposed amendment; additionally, a submission can just provide general feedback/comments for consideration. If you do make a submission, please be sure to specify which amendment your submission applies. All submissions must be sent to:

Attention: Strategic Planning
Latrobe City Council
PO Box 264
MORWELL VIC 3840

Alternatively, submissions can be sent to Latrobe@latrobe.vic.gov.au
Please note that all submissions in relation to Amendment C131 are being collected by Latrobe City Council for the purposes of the planning process as set out in the *Planning and Environment Act 1987* (the Act). If you do not provide your name and address, Latrobe City Council will not be able to consider your submission.

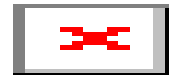
Your submission will be available for any person to inspect during office hours free of charge for a period of two months after the amendment comes into operation or lapses. Copies of your submission may also be made available on request to any person for the relevant period as set out in the Act. You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright.

If you require further information, please contact Miriam Turner on phone 0429 394 376 or email miriam.turner@latrobe.vic.gov.au

Kind Regards,

Jemma O'Keeffe
Planning Administration Officer
P
M 0436 433 237
E Jemma.OKeeffe@latrobe.vic.gov.au

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840



Our patron, Her Excellency the Honourable Linda Dessau AC, Governor of Victoria

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

CFA Ref: 27000-75545-116734
Telephone: 9767 1811
Council Ref: C131latr

9 March 2022

Miriam Turner
Latrobe City Council
PO BOX 264
MORWELL VIC 3840

Dear Miriam

SUBMISSION TO PLANNING SCHEME AMENDMENT

Proposal: Amendment C131latr
Location: Land at risk of flooding near Latrobe River and the Traralgon Creek

Thank you for providing CFA notice of Amendment C131latr in accordance with Section 19 of the *Planning and Environment Act 1987*. CFA understands the proposed amendment applies to land identified as inundation within the catchments of the Latrobe River and Traralgon Creek.

CFA has reviewed the proposed planning scheme amendment and would like to make the following submission:

Land identified as inundation within C131latr is also identified as bushfire prone, and some areas are also located within a Bushfire Management Overlay. The explanatory report indicates that the amendment will not result in any increase in bushfire risk, as the amendment only seeks to manage flood risks and not enable a change in development yield.

CFA acknowledges that the focus of the amendment is to ensure the areas subject to inundation is reflected in the planning scheme. However, CFA suggests Council considers the following:

- The location of existing bushfire hazards and whether land identified as inundation will also be improving water quality by enhancing riparian vegetation along the banks of the waterway and potentially changing the bushfire risk.
- Whether there will be a change to previous bushfire mitigation measures identified and relied upon for projects to adequately respond to Clause 13.02-1S ie: areas identified for the purposes of defendable space.



Our patron, Her Excellency the Honourable Linda Dessau AC, Governor of Victoria

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

If you wish to discuss this matter in more detail, please do not hesitate to contact either [REDACTED]
[REDACTED], Land Use Planning Coordinator, or [REDACTED] or myself on [REDACTED]

Yours sincerely

[REDACTED]
Manager Community Safety
Community Service Delivery

Submission 64 - Part A

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Submitted on Wed, 2022-03-09 19:34

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Your Submission

My submission is

Hello,

i have spoken with Ben from west gippsland water, in which he has mentioned you are using current images however data is from 2018-2019

upon asking him for the data on elevation of the back fence of [REDACTED]. It in no way represents what is there.

We have a 400mm retaining wall from our property to the paddock along with a 500mm of elevation in the backyard from north to south

Ben is requesting that they attend our property for a full onsite survey to record the current and correct data

I do strongly this needs to be done before any amendments are made.

Regards

[REDACTED] :

From: "Kristy Crawford" <Kristy.Crawford@latrobe.vic.gov.au>
Sent: Thu, 16 Jun 2022 07:07:03 +1000
To: "Alannah Sherwen" <Alannah.Sherwen@latrobe.vic.gov.au>
Subject: FW: Amendment C131 (Flood Overlays Update) - [REDACTED]

Submission 64 - Part B

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[REDACTED]
[REDACTED]
Cc: Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au>
Subject: Re: Amendment C131 (Flood Overlays Update) - [REDACTED]

Hello Aaron

Thank-you for you telephone conversation and email regarding the update and amendment to the proposed flood overlay changes

based on the current imaging that you have sent me today in this email

Yes we are happy to agree on these changes.

We appreciate your time and effort in reviewing and making these amendments to the previous model

If the Current image(in this email) is the NEW update then we have - NO OBJECTIONS

any further questions please contact myself directly on - [REDACTED]

Regards

[REDACTED]

-----Original Message-----

From: Aaron Burness <Aaron.Burness@latrobe.vic.gov.au>
[REDACTED]
CC: Kristy Crawford <Kristy.Crawford@latrobe.vic.gov.au>
Sent: Wed, 15 Jun 2022 16:13
Subject: Amendment C131 (Flood Overlays Update) - [REDACTED]

Hi [REDACTED]

Thanks for the phone call before. As mentioned, I am advising you that WGCMA have reviewed the modelling following exhibition of Amendment C131. The information provided to us details that it is likely the overlay can be modified on your property.

Attached is an image of the new modelling and proposed overlays. Your property is marked in red highlight, and the updated overlay in orange.

Can you please confirm whether you wish to proceed with your submission objecting to the amendment, or if you are satisfied with this information and wish to withdraw your submission.

Regards,

Aaron Burness

Graduate Planner

P 03 5128 6163

M 0429 385 194

E Aaron.Burness@latrobe.vic.gov.au

P 1300 367 700

W www.latrobe.vic.gov.au

PO Box 264, Morwell 3840

Please note my working hours are as follows:

Wednesday to Friday 8.15am – 4.45pm

-

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-

-

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Viruses

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Latrobe City Council

P.O. Box 264

Morwell 3840 Victoria Australia

www.latrobe.vic.gov.au

Submission 65

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Submission re Flood & Inundation overlay C131

We, as the property owners of [REDACTED], oppose the flood & inundation overlay as proposed by Latrobe City Council (LCC)

Having been subjected to FOUR inundations from June-November 2021, we just want the issues addressed and fixed. Maps and overlays are of no benefit to us. Indeed, they are detrimental to us going forward.

These new overlays will seriously impede both our ability to sell or rent our property and will certainly affect our insurance premiums.

Our tenant has been seriously affected which, in turn, has cost us a lot of money, a considerable amount of stress and a lot of time consulting with LCC. We can be almost certain our tenant will not renew their lease. Another loss for us. The breakdown of our relationship with the tenant has been profound. It has led to loss of a part-time job in their business – another loss of income. We also had no option but to place the property in the hands of a property manager incurring yet another cost!

We have open insurance claims that cannot be closed until the drainage problems are rectified. We have no idea when that will happen.

We believe that the lack of maintenance of the storm water drainage over many years is a major factor. We also believe that the storm water system has not been adjusted or upgraded to cope with the growing township over several years.

We believe that the development of new properties, particularly along Traralgon-Maffra Rd, has adversely affected the drainage particularly along the inundation area that flows into our property.

It was disappointing to find that LCC were quite unaware of where the drainage system ran through Glengarry when we first approached them after the first two floods. We did not approach them after the first flood in June because we figured it was just a freak storm and excessive rain – 1 in a 100-year type of event. We were not even sure we were being taken seriously at first. The anecdotal evidence we (and other residents) have been able to provide as first-hand witnesses has been vital to the residents finally being heard. It seems that council do not worry about drainage until there is a major problem.

The drainage in Glengarry must be addressed URGENTLY. We, as property owners, need to be confident that excess water will be diverted BEFORE it causes damage to property. As things currently stand, EVERY TIME there is heavy rain, we get very anxious about the havoc it may cause.

Mapping had not been done for about 12 years and we, the property owners in Glengarry will now pay the price. During a zoom meeting, the “water catchment” guy said that this would help people in the future to know where the issues lie in Glengarry. The “help” it gives people is to NOT BUY in Glengarry because the town has a flooding/ inundation issue. Also, we were told that the overlays are not removed once the issues have been addressed. You have effectually left us lumbered with “a lemon”.

We truly hope that Glengarry is not treated like the annoying little cousin of Traralgon. Things seem to move so much quicker for flood affected residents in Traralgon. One of the contractors visiting the site even told a resident that LCC were too busy in Traralgon to worry much about Glengarry and that we were well down the list. Very disappointing to say the least!

PLEASE move quickly to address ALL the drainage issues in Glengarry. That’s what we want – not a map or overlay to tell us what we already know!

Submission 66

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Australian Government
Civil Aviation Safety Authority

AIR NAVIGATION, AIRSPACE AND AERODROMES

CASA Ref: EC22-000079

5 April 2022

Miriam Turner
Strategic Planner
La Trobe City Council
PO Box 264
Morwell VIC 3840

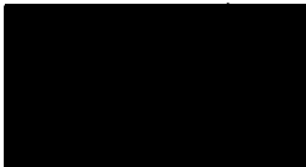
Dear Ms Turner,

LaTrobe Planning Scheme, Amendment C131 (Flood Overlays) - Notice of Preparation of an Amendment under the Planning and Environment Act 1987

Thank you for your letter dated 31 January 2022, which was received by CASA, 2 March 2022.

CASA has reviewed the information in your letter and has not identified any regulatory risk within the information.

Your sincerely,



ATTACHMENT 3

Post Exhibition Edit Table – Amendment C131**Planning Scheme Documentation Changes**

ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
Instruction Sheet			
	Updated ordinance list to refer to changes in Clause 72.08	These documents provide strategic context for the amendment.	
Planning Policy Framework			
Clause 02.04 Strategic Framework Plans	This inserts a new map to replace the exhibited map for the municipality.	Updated mapping provided by the CMA.	
Clause 11.01-1L-6GL Glengarry	This inserts a new map to replace the exhibited map for Glengarry.	Updated mapping provided by the CMA.	
Operational Provisions			
Schedule to Clause 72.08	Inclusion of relevant Flood studies as Background documents.	These documents provide strategic context for the amendment.	
Mapping			
Map 49LSIO-FO	Remove 2, 3, 4, 6, 7, 8, 9, 10, 11, & 12 Jazmine Court, Traralgon from LSIO	Additional work needed to consider stormwater assessment in these areas, and until this is done, it's reasonable to remove these sites from the Amendment.	Submission [REDACTED], Submission [REDACTED], & Submission [REDACTED]

ATTACHMENT 3

Map #51LSIO-FO	Remove 60, 1/83, 2/83, 3/83, 4/83, 5/83, 7/83, 9/83, 11/83, 13/83, 39/83, 87, 89, 91, 93, & 95 Marshalls Road, Traralgon from LSIO	Update due to changes relating to submission [REDACTED]	Submission [REDACTED]
Map #51LSIO-FO	Remove 28, 30, 32 Summerhill Road, Traralgon from LSIO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #51LSIO-FO	Remove 17, 19, 20, & 22 Hawksburn Road, Traralgon from LSIO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #18LSIO-FO	Remove 25-27 Hambrook Lane, Glengarry from FO and apply LSIO	Review of flood study data supportive of sites being removed from Amendment.	N/A
Map #18LSIO-FO Map #19LSIO-FO	Remove 61B Kyne Street, Glengarry from LSIO	Review of flood study data supportive of sites being removed from Amendment.	Submission [REDACTED]
Map #18LSIO-FO Map #19LSIO-FO	Reduce 57-59A Kyne Street, Glengarry from LSIO	Review of flood study data supportive of site being removed from Amendment.	N/A
Map #18LSIO-FO Map #19LSIO-FO	Reduce 53, & 57-59B Kyne Street, Glengarry from LSIO	Review of flood study data supportive of sites being removed from Amendment.	Submission [REDACTED]
Map #49LSIO-FO	Remove 19, 21, 32, 46, 48, 50, & 52 Eton Avenue, Traralgon from LSIO & FO	Review of flood study data supportive of sites being removed from Amendment.	Submission [REDACTED]
Map #49LSIO-FO	Remove 28 Eton Avenue, Traralgon from LSIO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #49LSIO-FO	Remove 108 St Georges Road, Traralgon from LSIO & FO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #49LSIO-FO	Remove 15, 17, 19, 2/21, 23, & 25 St Georges Road, Traralgon from LSIO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #49LSIO-FO	Remove 11, 12, 13, & 14 Earl Court, Traralgon from LSIO & FO	Update due to changes relating to submission [REDACTED] (above)	N/A

ATTACHMENT 3

Map #49LSIO-FO	Remove 9 Earl Court, Traralgon from LSIO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #49LSIO-FO	Remove 5, 7, & 8 Tudor Court, Traralgon from LSIO & FO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #49LSIO-FO	Remove 49, 53, & 51 Grammar Drive, Traralgon from FO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #49LSIO-FO	Remove 42 & 44 Grammar Drive, Traralgon from LSIO & FO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #49LSIO-FO	Remove 1, 2, 28, & 39 Notting Hill, Traralgon from LSIO & FO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #49LSIO-FO	Remove 4, 6, & 26 Notting Hill, Traralgon from LSIO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #49LSIO-FO Map #63LSIO-FO	Reduce 9 Salisbury Crescent, Traralgon from LSIO & FO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #63LSIO-FO	Reduce 50 Baldwin Road, Traralgon from FO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #49LSIO-FO	Remove 2, 3, 5, & 7 Sherwood Court, Traralgon from LSIO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #49LSIO-FO	Remove 6 & 8 Alexandra Avenue, Traralgon from LSIO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #49LSIO-FO	Remove 9, 10, 11, 12, 13, 14, 16, 17, 18, 20, 22, & 24 Alexandra Avenue, Traralgon from LSIO & FO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #55LSIO-FO	Remove 12 Bennett Court, Traralgon from LSIO & FO	Review of flood study data supportive of sites being removed from Amendment.	Submission [REDACTED]
Map #55LSIO-FO	Remove 1-2 Wood Court, Traralgon from LSIO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #55LSIO-FO	Remove 14 Wood Court, Traralgon from LSIO & FO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #55LSIO-FO	Remove 29 Hickox Street, Traralgon from LSIO	Update due to changes relating to submission [REDACTED] (above)	N/A

ATTACHMENT 3

Map #55LSIO-FO	Remove 31 & 33 Hickox Street, Traralgon from LSIO & FO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #55LSIO-FO	Reduce 23 Dunbar Road, Traralgon from LSIO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #51LSIO-FO	Remove 15, 17, 19, 21, 23, & 25 Strathcole Drive, Traralgon from LSIO	Review of flood study data supportive of sites being removed from Amendment.	Submission [REDACTED]
Map #51LSIO-FO	Remove 18, 20, 22, 23, 25, 27, & 29-31 McMahon Street, Traralgon from LSIO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #49LSIO-FO	Remove 2, 8, 10, 11, 12, 13, 17, 19, 21, 23, & 2/23 Michael Court, Traralgon from LSIO	Additional work needed to consider stormwater assessment in these areas, and until this is done, it's reasonable to remove these sites from the Amendment.	Submission [REDACTED]
Map #49LSIO-FO	Remove 4, 6, & 15 Michael Court, Traralgon from LSIO & FO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #49LSIO-FO	Remove 50, 51, 52, 53, & 55A Bradman Boulevard, Traralgon from LSIO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #49LSIO-FO	Remove 55 Bradman Boulevard, Traralgon from LSIO & FO	Update due to changes relating to submission [REDACTED] (above)	N/A
Map #49LSIO-FO	Remove 22, 24, & 26 Kenilworth Drive, Traralgon from LSIO	Update due to changes relating to submission [REDACTED] (above)	N/A

ATTACHMENT 3

Map #49LSIO-FO	Remove 117 Breed Street, Traralgon from LSIO	Review of flood study data supportive of site being removed from Amendment.	N/A
Map #49LSIO-FO	Remove 174-176 Argyle Street, Traralgon from LSIO	Review of flood study data supportive of site being removed from Amendment.	N/A
Map #49LSIO-FO	Remove 3, 5, & 7 Bowral Way, Traralgon from LSIO	Review of flood study data supportive of site being removed from Amendment.	N/A
Map #50LSIO-FO	Remove 12, 14, 16, 18, 20, 22, 24, 26, 28, 32, 34, 36 Hammersmith Circuit, Traralgon from LSIO	Review of flood study data supportive of site being removed from Amendment.	Submission [REDACTED]
Map #49LSIO-FO	Remove 6 Sherwood Court, Traralgon from LSIO	Additional work needed to consider stormwater assessment in this area, and until this is done, its reasonable to remove this site from the Amendment.	Submission [REDACTED] & [REDACTED]
Map #48LSIO-FO	Remove 40, 42, 44, & 46 Graduate Place, Traralgon from FO	Review of flood study data supportive of site being removed from Amendment.	Submission [REDACTED], Submission [REDACTED], Submission [REDACTED]
Map #48LSIO-FO	Remove 48, 50, 52, 54, & 56 Graduate Place, Traralgon from LSIO & FO	Review of flood study data supportive of site being removed from Amendment.	N/A
Map #18LSIO-FO	Remove 28 Hambrook Lane, Glengarry from LSIO	Review of flood study data supportive of site being removed from Amendment.	N/A

ATTACHMENT 3

Map #18LSIO-FO	Reduce 1 & 3 Moorhouse Close, Glengarry from LSIO	Review of flood study data supportive of site being removed from Amendment.	N/A
Map #48LSIO-FO	Remove 71, 73, 75, 77, 2/79, 81, 83, 85, 87, 89, 91, 95, & 97 Riverslea Boulevard, Traralgon from LSIO & FO	Review of flood study data supportive of site being removed from Amendment.	N/A
Map #48LSIO-FO	Remove 69 Riverslea Boulevard, Traralgon from FO	Review of flood study data supportive of site being removed from Amendment.	N/A
Map #48LSIO-FO	Remove 46 Independent Way, Traralgon from FO	Review of flood study data supportive of site being removed from Amendment.	N/A
Map #48LSIO-FO	Remove 48, 50, 52, 54, 56, & 58 Independent Way, Traralgon from LSIO & FO	Review of flood study data supportive of site being removed from Amendment.	N/A
Map #44LSIO-FO	Reduce 60 Ashworth Drive, Traralgon from LSIO and remove FO	Review of flood study data supportive of site being removed from Amendment.	N/A
Map #44LSIO-FO	Reduce 80 Ashworth Drive, Traralgon from LSIO & FO	Review of flood study data supportive of site being removed from Amendment.	N/A
Map #44LSIO-FO	Reduce 46 Cross Road, Traralgon from LSIO & FO	Review of flood study data supportive of site being removed from Amendment.	N/A

Agenda Item: 9.2

Agenda Item: Use and development of land for a Residential Hotel at 171 Franklin Street, Traralgon

Sponsor: General Manager, Regional City Planning and Assets

Council Plan Objective: CONNECTED

Status: For Decision

Officer's Recommendation:

That Council decides to issue a Notice of Decision to Grant a Permit, for the development of land for a residential hotel at Lot 2 TP 314881N 171 Franklin Street, Traralgon, with the following conditions:

Plans to Comply Conditions:

- 1. Before works start (including demolition), a Conservation Management Plan for the heritage building must be submitted to and approved by the Responsible Authority. Works to the heritage building must be undertaken in accordance with the conservation management plan to the satisfaction of the Responsible Authority. When approved, the conservation management plan will be endorsed and will then form part of the permit.**
- 2. Before the commencement of any works hereby permitted, an amended Traffic Impact Assessment report, to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. Once approved, the report will then form part of the permit. The report is to draw from the "*Traffic Impact Assessment - Proposed Serviced Apartment Development – 171 Franklin Street, Traralgon*" (Ratio - April 2022) and must address the following:**
 - a) Include a loading management plan for deliveries to the existing bottle shop. This plan will need to address issues including the type of vehicles to be used, timing of deliveries, where the loading and unloading will be performed and management strategies for the operation.**
 - b) The loading management plan must include a Risk Management Assessment (RMA) to the satisfaction of the Responsible Authority, where deliveries to the existing bottle shop are proposed to occur either on-street or involve vehicles reversing from the land onto the road or from the road onto the land. The RMA must include an assessment of the likely vehicles manoeuvres (such as reversing vehicles or use of forklifts), assessing the likelihood and the consequences of potential hazards associated with the vehicle manoeuvres. The RMA shall provide site-specific measures to**

minimise any risks associated with the manoeuvres of vehicles accessing the site, so far as is practicable.

3. Before the commencement of any works hereby permitted, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the report will then form part of the permit. The report is to draw from the "*Waste Management Plan – 171 Franklin Street, Traralgon*" (Ratio - April 2022) and must address the following:
 - a) How the proposed larger waste collection bins will be manoeuvred across the grass nature strip and over a kerb in Kay Street for collection, or
 - b) Alternate containers for storing wastes for collection or alternate locations for the collection of wastes from the large containers proposed.
4. 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 10 % AEP storm event.
 - b) An underground pipe drainage system conveying stormwater discharge to the legal point of discharge.
5. 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 include:
 - a) 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;
 - b) the use of drought tolerant species;
 - c) features such as paths, paving and accessways;
 - d) the use of non-invasive plant species within any easements which will ensure that existing infrastructure assets are not damaged by root systems;
 - e) an appropriate irrigation system.

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

Endorsed Plans Condition:

6. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Standard Development Conditions:

7. Once building works have commenced, they must be completed to the satisfaction of the Responsible Authority.
8. Upon completion of the development/works, the site 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. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
11. The external colours, materials and/or finishes of the building(s) shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
12. Any wall on the boundary of an adjoining property must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.

Construction Management Plan:

13. Before the development starts, a construction management plan to the satisfaction of the Responsible Authority 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. All construction activities must comply with the construction management plan to the satisfaction of the Responsible Authority. The plan must include:
 - a) The location and procedure for the storage of materials;
 - b) hours of construction including the number of workers expected on the land at any one time;
 - c) dust and litter management;
 - d) car parking, access and traffic management for staff and working vehicles;
 - e) measures to ensure the safe movement of vehicles and pedestrians on adjacent roads and pedestrian walkways during

- construction; and**
f) provision for temporary fencing

Landscaping Conditions:

- 14. 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.**
- 15. 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.**

Use Conditions:

- 16. The conference centre and gymnasium must be only used by guests residing in the residential hotel, unless with the written consent of the Responsible Authority**
- 17. An electronic or hardcopy register must be maintained by the operator of this permit identifying that the use and operation of the conference centre and gymnasium comply with the requirements of condition 16. This register must be made available for inspection at the request of the Responsible Authority.**

Amenity Conditions:

- 18. 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.

- 19. All security alarms or similar devices installed on the land must be of a silent type in accordance with the current standard specified by Standards Australia International Limited and connected to a security service.**
- 20. Noise levels emanating from the land must comply with general environment duty as outlined under Part 5.3, Division 3 of the**

Environment Protection Regulations 2021.

- 21. External lighting must be designed, baffled and located to prevent any detrimental effect on nearby land, to the satisfaction of the Responsible Authority.**
- 22. Preventative measures must be taken within the car parking areas to prevent damage to fences or landscaped areas.**
- 23. 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.**
- 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. 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.**
- 26. All waste and waste storage bins must be stored within the building or placed in a suitable location outside that is screened from public view. The waste material must be regularly removed from the land. All vehicles removing waste must have fully secured and contained loads so that no waste material is spilled and no dust or odour is created to the satisfaction of the Responsible Authority.**
- 27. No goods or packaging materials or machinery may be stored or left exposed outside the building so as to be visible from any public road or way.**
- 28. The loading and unloading of vehicles and the delivery of goods to and from the land must:**
 - a) be carried out on or adjacent to the boundaries of the land;**
 - b) not disrupt the circulation of traffic, access, pedestrian mobility and parking of vehicles on and off the land; and**
 - c) be carried out to the satisfaction of the responsible authority.**

Bicycle Facility Condition:

- 29. The bicycle spaces shown on the endorsed plans must be provided, maintained and kept available for these purposes to the satisfaction of the Responsible Authority. No less than four (4) spaces must be made available for staff and four (4) spaces must be made available for visitors.**

Engineering Conditions:

30. 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.
31. Before the use commences of the building 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 including all necessary permits being obtained and inspections undertaken:
 - a) All drainage works must be constructed in accordance with the approved site drainage plan.
 - b) 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.
32. The loading and unloading of goods and wastes from vehicles must be undertaken in accordance with plans endorsed pursuant to this permit and must not disrupt the circulation and parking of vehicles on the land or adjacent roads. Delivery and collection vehicles entering onto and exiting from the land subject to this permit must be undertaken at all times in accordance with any Risk Management Plan approved pursuant to this permit by the Responsible Authority.
33. Car spaces, vehicle access lanes, vehicle turn around areas and driveways must be kept available for these purposes at all times.
34. 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.

Environmental Health Conditions:

35. The operator of the facility must obtain registration under the *Public Health & Wellbeing Act 2008* and the *Public Health & Wellbeing Regulations 2020*.
36. The design and requirements for the accommodation rooms must be in accordance with the Division 2 Standards and requirements for prescribed accommodation, *Public Health & Wellbeing (Prescribed Accommodation) Regulations 2020*.

Expiry of Permit Condition:

37. This permit will expire if one of the following circumstances applies:

- a) the development is not started within two years of the date of this permit;**
- b) the development is not completed within four years of the date of this permit; or**
- c) the use is not commenced within two years of the completion of the development.**

In accordance with section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Executive Summary:

The application proposes the use and development of the land for a residential hotel at 171 Franklin Street, Traralgon.

The proposed development is for residential hotel comprising 38 serviced apartments contained within a five storey building. The proposed development does not include any works to Ostlers House, which is to be retained and incorporated into the proposed development. The proposal also includes works to Traralgon Hotel, including the removal of small extension to the rear of the building, the existing beer garden, fencing and other non-original elements with the historically significant elements of Traralgon Hotel to remain.

Following notification of the application 13 submissions were received, all in the form of objections. At the time of writing this report three objections had been withdrawn, with ten objections remaining to the application. The issues of concern raised in the objections can be summarised as follows:

- Insufficient carparking for proposed residential hotel, and loss of carparking associated with Traralgon Hotel;
- Proposed contemporary building not responding to the presence of the heritage buildings and the Traralgon Avenue of Honour; and
- Impact on heritage, in particular Ostlers House and Traralgon (Ryan's) Hotel.

Not all objections opposed development, rather sought it be done with consideration of the heritage elements in the precinct.

Having considered the proposal against the relevant provisions of the Latrobe Planning Scheme (the Scheme) and the submissions received, it is considered that the proposal is generally consistent with the relevant objectives and decision guidelines of the Scheme.

It is therefore recommended that a Notice of Decision to Grant a Permit, subject to appropriate conditions, be issued.

Background:**Summary**

Land: 171 Franklin Street, known as Lot 2 Title Plan 314881N

Proponent: BFN Developments Pty Ltd

Zoning: Activity Centre Zone Schedule 1 (ACZ1)

Overlays: Heritage Overlay (HO101)

Parking Overlay Schedule 1 (PO1)

The permit triggers for the proposal are as follows:

- A Planning Permit is required to use the land for a residential hotel in accordance with Clause 3 of Schedule 1 to Clause 37.08 in the ACZ1.
- A Planning Permit is required for the buildings and works in accordance with Clause 4.3 of Schedule 1 to Clause 37.08 in the ACZ1.
- A Planning Permit is required to construct a building or construct or carry out works and to demolish or remove a building in accordance with Clause 43.01-1 in the HO101.

Proposal

The application is for the development of land for a residential hotel.

Proposed residential hotel

The proposed residential building will comprise of 38 serviced apartments within a five storey building and will be located to the rear of the Traralgon Hotel and setback from Ostlers House and have a frontage to Kay Street. The service apartments are proposed to be operated by Quest.

The ground floor will comprise the reception, lobby and facilities such as a conference room, management office and gym. These parts of the building are to the south facing towards Kay Street.

Floors one to four will include 38 services apartments with ancillary back of house areas, comprising of:

- Six - one bedroom apartments;
- 20 - two bedroom apartments; and
- 12 - three bedroom apartments.

The design of the two and three bedroom apartments allow single bedrooms to be accessed and occupied separately to the main apartment.

The building has a maximum building height of 20.1 metres and has a three metre setback to the front boundary for Levels 1 to 3, and a five metre setback for Levels 4 and 5.

The southern façade (with recessed setback) and landscaping are designed to frame existing heritage buildings, Ostlers House and Traralgon Hotel. Contemporary materials, including render and metal finishes, dark grey screening and glass are used for the building.

Carparking, traffic and vehicle access

The northern part of the site is a partially covered car park comprising 41 car spaces. The car park area also includes various service rooms, bin storage and stair/lift access. There is a reallocation of staff parking to the Traralgon Hotel with three spaces to be accessed from the bottle shop area. Pedestrian access will be from Kay Street, and vehicular access will be from the accessway at no.2 Kay Street.

Existing buildings and structures

The proposed development does not propose any works to Ostlers House. This building is sought to be retained and incorporated into the proposed development. A small non original extension located to the rear of Traralgon Hotel and the beer garden will be removed as well as fencing and other non-original elements on the site. The historically significant elements of the hotel will remain. The proposal also retains the existing bottle-shop on the north-eastern part of the site, however, removes the drive-through element of the existing operation.

A copy of relevant plans and 3D renderings can be viewed as Attachment 1 of this report.

Subject Land:

The subject site is located on the corner of Franklin Street (east) and Kay Street (south) in Traralgon, in the area identified as the Traralgon Activity Centre.

The subject land is one lot, comprising Lot 2 on Title Plan 314881N with an area of approximately 3,413m². There are no covenants, easements, or restrictions on the title.

The site's shape is irregular, with the southern (Kay Street) and eastern (Franklin Street) street frontages extending to 66 and 59 metres respectively, before recessing irregularly from the north-west.

The site contains two existing heritage buildings on the site: Traralgon Hotel and Ostler's House (discussed below). A third building currently used as a drive through bottle shop is accommodated on the land. The single storey building is located on the north-western part of the subject site with the drive-through accessed from Franklin Street. Car parking is located on the central and western part of the site in a large, at grade car park accessed from the accessway extending from Kay Street. There are no significant trees located on the property which are to be removed.

Surrounding Land Use:

The surrounding sites comprise of land within the ACZ1. The northern boundary of the site is irregular and shared with three properties occupied by gym, ground floor retail units, function centre, and office use.

A public carpark is located in the north-western boundary and is identified for redevelopment as a multi-level car park.

To the east of the land is Franklin Street and the Traralgon Centre Plaza shopping centre with no activation from Franklin Street.

To the west, is the vacant land at 4 Kay Street and the shared public carpark. The site relies on access across the carpark.

To the south, is the central medium strip and public park that forms the Avenue of Honour. Beyond this is the Traralgon Court House and Post Office which have state significance.

Aerial Image of subject land



An aerial image of the subject site in the wider context can be viewed in Attachment 2 of this report.

Reasons for Proposed Resolution:

The proposal is considered to be:

- Consistent with the strategic direction of the State and Local Planning Policy Frameworks;
- Consistent with the 'Purpose' and 'Decision Guidelines' of the Activity Centre Zone – Schedule 1;
- Consistent with the 'Purpose' and 'Decision Guidelines' of the Heritage Overlay and Parking Overlay;
- Consistent with the 'Purpose' and 'Decision Guidelines' of the particular provisions for signage, carparking, bicycle facilities and stormwater management in urban development;
- Consistent with Clause 65 (Decision Guidelines); and

- The objections received have been considered against the provisions of the Latrobe Planning Scheme and the relevant planning concerns have been considered and do not form sufficient planning grounds on which the application should be refused.

Issues:***Strategy Implications***

Council Plan 2021-2025 – Connected

‘Facilitate appropriate urban growth, industry diversification, liveability and connectivity throughout Latrobe City.’

It is considered that the proposed residential hotel will provide additional accommodation opportunities in the activity centre, with easy access to the business district.

Health Implications

The proposal utilises access to walking opportunities and minimises the need for vehicle usage during visitation to Traralgon. The historical elements of the site are retained. No negative implications are expected to arise for the community

Communication***Notification:***

The application was advertised pursuant to Sections 52(1)(a) and (d) of the Planning and Environment Act 1987. Notices were sent to landowners and occupiers adjacent to the subject site and two A3 sign notices were displayed (one centrally located on the Kay Street site frontage, and one centrally located on the Franklin Street frontage) for at least 14 days.

At the time of writing this report, ten submissions have been received, with all these submissions in the form of objections. A copy of all submissions can be viewed at Attachment 3 of this report.

The main theme of the submissions received in the form of objections can be summarised as follows:

- Insufficient carparking for proposed residential hotel, and loss of carparking.

Comment:

The proposal provides forty-one (41) parking spaces including two disabled parking spaces. This meets the existing statutory requirement for carparking for

the Traralgon Hotel and bottle shop, being 18 carparking spaces. There are no statutory requirements set out in Clause 52.06 Car Parking of the Scheme for a residential hotel, with car parking needed to be provided to the satisfaction of the Responsible Authority. The applicant submitted a Traffic Impact Assessment demonstrating that sufficient car parking is provided for the proposed use based on other Quest apartment operations and existing car parking demands within Traralgon. It is considered that an appropriate number of car parking space have been provided have regard to the likely demand to be generated, the activities on the land and the nature of the locality.

- Changes to Traralgon Hotel and Ostler House.

Comment:

As previously detailed in this report the proposal includes the removal and demolition of additions to the Traralgon Hotel and there are no proposed changes to the original building. The depiction on 3-D renderings of the proposed building, with the Traralgon Hotel and Ostler House depicted as basic white buildings devoid of all detail is an architectural response to context only and does not represent proposed works, nor would this form any part of the endorsed plans.

- Not responding to the presence of the heritage buildings and the Traralgon Avenue of Honour

Comment:

The Kay Street frontage has been altered from that envisaged by the Activity Centre Plan as a 'street-wall' to provide an interface that retains Ostlers House. This is achieved by a recessed ground level setback, mid-height setback (storeys four and five), landscaping around Ostlers House and between Ostlers House and the Traralgon Hotel and proposing no new access from Kay Street. The proposed residential hotel is contemporary in nature but will play a secondary role in the street view using its schedule of colours and materials. Occupiers will be able to enjoy vistas of the Traralgon Avenue of Honour and the heritage buildings on and near the site. It is generally regarded that new development should not distort a heritage place by copying or reproducing historic styles or detailing, and rather be identifiable as separate/new works.

External:

There were no external referrals required.

Internal:

The application was referred internally to Council's Strategic Planning, Infrastructure Planning (Engineering), Building Services and Environmental Health teams.

The Engineering and Environmental Health Teams provided conditional consent to the granting of a planning permit.

Strategic Planning and Building Services had no objections to the proposal.

Financial Implications

Additional resources or financial cost will only be incurred should the planning permit application require determination at the Victorian Civil and Administrative Tribunal (VCAT). Based on the technical nature of the proposal (heritage and transport matters) Council would need to engage a consultant and expert witness to attend on Council's behalf and it would likely cost in excess of \$25,000.

Risk Analysis

Identified risk	Risk likelihood*	Controls to manage risk
Reputational Risk Reputational risk to Council from the business sector if Council does not support the application	4 – Likely	To manage and limit the potential risk it is recommended that Council make an informed decision.
Negative perception of Council not supporting the application for the use and development of land for a residential hotel	4 – Likely	To manage and limit the potential risk, the recommendation has been considered against the requirements of the Activity Centre Zone (Schedule 1), Heritage Overlay, Parking Overlay, Clauses 52.06 and 53.18, Planning Policy Framework and Municipal Planning Strategy.

* For example, likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

Legal and Compliance***Latrobe Planning Scheme***

The Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF) have been considered as part of the assessment of this application, a list of relevant policy can be viewed at Attachment 4 to this report.

Strategic direction of the State and Local Planning Policy Frameworks:

The key elements of the Planning Policy Framework have been considered in the assessment of the application.

Clause 71.02-3 of the Scheme requires decision makers to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

It is considered that the proposed residential hotel will contribute to the economic development of Traralgon by redeveloping a large, underutilised parcel of land associated with Traralgon Hotel and providing a well-considered design that respects the heritage buildings on the site and the surrounds, while introducing a use that will provide much needed economic, employment and tourism benefits to the activity centre.

Traralgon is identified as a key regional centre for Gippsland at Clause 02.03 – Strategic directions of the Scheme. The provision of a residential hotel will enhance the centre and capitalise on its ability to attract investment, as promoted by the Retail Strategy (2020), Clause 02.03-1 – Settlement, and Clause 11.01-1S – Settlement of the Scheme.

Clause 11.01-1L – Traralgon identifies the site as within TTSP3 of the Traralgon Town Structure Plan (TTSP) which is a primary activity centre. Clause 11.03-1L – Latrobe settlement patterns, directs development of regional commercial significance to the Traralgon Primary Activity Centre. Following on, Clause 11.01-1L - Traralgon policy directs significant retail and office developments into the centre. This development is supported and encouraged by the activity centre policy.

Clause 02-03-7 – Economic Development sets out that Latrobe attracts 1.1 million visitors annually. The economic strategic policy links events, major attractions, and business tourism as key in supporting local retail, food, and entertainment businesses. The provision of serviced apartments within the regional centre increases the ability of the Traralgon to accommodate tourists.

The proposed serviced apartments will contribute to Latrobe's economic strategies by providing employment opportunities directly and supporting jobs in the retail sector (a key regional sector) as promoted by Clauses 02.03-1 – Settlement, and 02-03-7 – Economic Development.

The design guidelines provided by the ACZ align to the objective of Clause 15.01-5S – Neighbourhood Character in recognising, supporting, and protecting neighbourhood character, cultural identity and sense of place. There is strategic support for this development as it respects the existing neighbourhood character and the built form responds to reinforce the sense of place and valued features, in particular the heritage buildings.

Heritage Conservation is a consideration with state policy (Clause 15.03-1R) seeking to ensure that development conserves and enhances places that are of aesthetic, archaeological, architectural, cultural or social significance. Specifically, this clause aims to ensure that development respects heritage values which contribute to importance. Clause 15.03-1L – Heritage conservation discourages demolition of heritage structures and aims to ensure that developments are site and designed to not adversely affect significance of the place or adjoining place. Clause 02.03-5 Built Environment and Heritage supports the conservation of Ostlers House and the interaction of the new building with the small heritage building.

The provision of additional accommodation within the regional centre is encouraged by Clauses 17.04-1S – Facilitating Tourism, 17.04-1R - Tourism-Gippsland and by the Regional Growth Plan (2014). The hotel is well located to capitalise on transport links, support existing businesses and have access to a large labour market. The hotel will rejuvenate and expand regional tourism by encouraging tourism development within the existing urban settlement.

'Purpose' and 'Decision Guidelines' of the Activity Centre Zone (Schedule 1):

The ACZ1 seeks to encourage a mixture of uses and the intensive development of the activity centre as a focus for business, shopping, working, housing, leisure, transport and community facilities; and to support sustainable urban outcomes that maximise the use of infrastructure and public transport. The Zone also seeks to deliver a diversity of housing at higher densities to make optimum use of the facilities and services and use good urban design to provide an attractive, pleasant, walkable, safe and stimulating environment; and seeks to facilitate use and development of land in accordance with the Development Framework for the activity centre.

The schedule has the relevant objectives to establish a 'shared space' in the form of a town square at the intersection of Post Office Place, Kay Street and Franklin Street; to encourage the development of taller built form throughout the centre recognising

the important CBD function that the Traralgon Activity Centre plays both locally and regionally. The activity centre plan identifies the subject site as within a Heritage Overlay, adjacent to the Town Centre Hub, adjacent to key views along the Avenue of Honour and in proximity to two landmark buildings.

Additionally, the schedule sets Design and Development requirements. This proposal responds to the requirements in particular by being of high design quality, respectful of the key features of the town centre and interfacing well with the heritage buildings and incorporating carparking.

The site is located in Precinct 3 with a portion being located in Precinct 3B and another portion in Precinct 3C. Particular to precinct 3 is the importance of landscaping and built heritage elements. The distinction in the sub-precincts is the height and setbacks of the storeys. The proposed height is consistent with the preferred height in the precinct guidelines, however for a functional layout to be achieved the five-storey height is required to extend further east than the precinct plan depicts. Given the heritage buildings on site and the responsive nature of the design, this slight departure is not considered to be significant, and the proposal will meet the objectives and built form outcomes sought by the ACZ1. Levels 4 and 5 are recessive in appearance and have a different materiality to the lower three floors, breaking up the height of the building and responding and achieving the desired recessive appearance of the top floors.

It is considered that, having regard for the heritage significance of Ostler's House (and that being retained), the variation of the design to have no street wall but, rather, a recessed setback at ground level with forecourt/landscaping elements, is considered an acceptable design outcome, despite what the precinct guidelines in the ACZ1 for Sub-Precinct 3B directs. It is noted that the purpose of the control is to respond to heritage significant buildings, and the setback where it is less than 5m is non-significant portion of the building.

The decision guidelines for the ACZ1 at Clause 37.08-9 include, amongst other matters, the development framework plan and land use and development objectives set out in the schedule to this zone; the extent the layout and design of the new use and development minimise the potential for off-site impacts ensuring that existing uses are not compromised by a new development and a new development is designed to address amenity impacts from existing uses.

The proposed use and development of the land for a residential hotel is consistent with the purpose and decision guidelines of the ACZ for the following reasons:

- The proposed residential hotel is consistent with the development framework plan, land use and development objectives set out in the schedule to the zone.

- The proposed residential hotel is designed to respond to the interface with the heritage buildings and not compromise their importance in the location.
- The proposed residential hotel provides a satisfactory movement system through and around the site.
- The proposed residential hotel provides for sufficient carparking, loading of vehicles and access to parking spaces and loading bays.
- The proposed residential hotel is a use that is compatible with adjoining and nearby land uses.
- The design of the proposed residential hotel has responded to the design and development requirements of the schedule.

Overall, it is considered that the proposal is consistent with the purpose of the zone and would be appropriately located with the Activity Centre Zone - Schedule 1.

‘Purpose’ and ‘Decision Guidelines’ of the Heritage Overlay:

The Heritage Overlay seeks to conserve and enhance heritage places of natural or cultural significance and those elements which contribute to the significance of heritage places; and ensure that development does not adversely affect the significance of heritage places.

Heritage Overlay Schedule 101 (Ostlers House and Traralgon) applies to the land. The statement of significance relates to the buildings however the heritage overlay is also applied to all the subject land, and not only the heritage buildings.

A permit is required for the proposal as it is proposed to construct a building (residential hotel) and to demolish a building on the land (extension to the hotel).

The Statement of Significance within the Local Heritage Study (Vol.3) identifies the site as Place Number 87 and sets out:

‘The Traralgon (Ryan’s) Hotel and Ostlers House are of local historic, social, and aesthetic significance to Latrobe City.

Historically, it is significant as the oldest hotel still on its original site in Latrobe City and it is the most externally intact of all the surviving early twentieth hotels retaining its overall form and most of its details from its 1914 date of construction. It is located on the site of Duncan Campbell’s Traveller’s Rest Hotel which symbolised the town centre in the early days.

Aesthetically, it is significant as corner building provides an important landmark as one of a group of historic buildings and other features which forms the town centre. The Post Office, Kay Street plantings and memorial also contribute to this focal point.'

The proposal seeks to remove additions that have been made to Traralgon Hotel with no changes proposed Ostlers House. The proposed residential hotel takes a contextual approach being complementary in form, scale, detailing and materials to the two heritage buildings but also being clearly contemporary in design. The proposal is not a visually dominant element, and through materials, colours and setbacks the proposed residential hotel appears as a secondary element when compared to the heritage buildings. The residential hotel will provide views across this and nearby heritage places, including the Avenue of Honour and Traralgon Post Office. The development is designed to have generous setbacks from Ostler's house and Traralgon Hotel from key views and to read as separate forms to ensure that the development does not become visually dominant as a result of its siting and form. The setbacks will allow for a publicly accessible plaza and soft landscaping to be planted in the front setback. This provides visual separation and breathing space around the heritage buildings, creating a clear break between old and new. The proposed development adopts an integrated approach to the design, ensuring that the proposal respects and enhances the heritage buildings on the site, while meeting strategic outcomes sought by the planning scheme.

'Purpose' and 'Decision Guidelines' of the Parking Overlay:

The Parking Overlay seeks to facilitate an appropriate provision of car parking spaces in an identified area using local car parking rates and financial contributions. The Parking Overlay applies to this site and is considered by the Traffic Impact Assessment. No financial contribution is required for this proposal. The adequacy of the assessment and parking provision is discussed later in this report.

Particular Provisions

Clause 52.05 Advertising Signs:

Indicative signage zones are shown for the proposal; however, no signage is proposed as part of this application.

Clause 52.06 Car Parking:

Parking requirements for new developments are set out under Clause 52.06 of the Scheme. The purpose of this clause is to ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality. Sustainable transport

alternatives, and safety to users are also encouraged. The application provides a Traffic Impact Assessment (including car parking assessment). The Parking Overlay applies to this site which nominates a reduction in required carparking. For the existing use on site the required car parking is 18 spaces (hotel and bottle shop). For a residential hotel, the carparking requirements are to the satisfaction of the responsible authority. A car parking demand assessment has been provided by the applicant to assess the adequacy of the parking supply for the residential hotel, including the availability of car parking in the locality and the future growth and development of the activity centre. This assessment demonstrates that the total provision of 44 car parking spaces onsite will adequately serve the demand for the hotel, the bottle shop and the new residential hotel for the following reasons:

- The statutory car parking requirement for the hotel and bottle shop are met by the on-site provision
- A rate of 0.68 space is to be provided to every serviced apartment
- The site is located within walking distance of multiple public transport, cycling and walking opportunities and eating, retail and business opportunities.
- The Traralgon Hotel and the bottle shop typically experience peak activity at times when most use in the activity centre are closed or experiencing minimal activity, aligning a centre based approach to parking demand.

It is noted that the public carpark abutting along the north-western boundary of the subject land is identified for redevelopment as a multi-level car park under the State Government's Regional Car Parks Fund Program. Consideration of any development approved on the subject land will help to inform further strategic work and investigation around the scope of the multi-level car park.

Clause 52.34 Bicycle Facilities:

This clause provides the bicycle facilities requirements for the proposed residential hotel. There is a requirement for four (4) secure bicycle spaces and four (4) visitor bicycle spaces. A total of eight (8) bicycle parking spaces are provided to the development, meeting the statutory requirement.

Clause 53.18 Stormwater Management in Urban Development

Pursuant to Clause 53.18-1 stormwater management requirements apply to new development in the ACZ1. The development sets standards and objectives for stormwater management, ensuring development follow best practice. Council's engineering team have considered the proposal and found it satisfactory, with conditions required on the permit.

Decision Guidelines (Clause 65):

The general provisions found at Clause 65 (Decision Guidelines) of the Scheme are relevant to this application. An assessment of the application against the relevant decision guidelines has been made and the proposal is considered to be generally consistent with the relevant decision guidelines. Council Officers are of the general opinion that the proposal is the best outcome likely to come to the site, particularly having regard to the heritage considerations, and is therefore generally supportive of this application

Environmental Implications

Environmental implications have been considered and discussed through this report.

Other

Council has the following options in regard to this application:

1. Issue a Notice of Decision to Grant a Permit; or
2. Issue a Notice of Refusal to Grant a Permit.

Council's decision must be based on planning grounds, having regard to the provisions of the Latrobe Planning Scheme.

Declaration of Interests:


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

Supporting Documents:

Nil

Attachments

1  Attachment 1 - Development Plans & 3D Renders

2  Attachment 2 – Site Context Plans

3. Attachment 3 – Copy of Objections (Published Separately) (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. This document discloses the personal information of objectors to the application.

4.   Attachment 4 - Relevant Planning Policy

9.2

Use and development of land for a Residential Hotel at 171 Franklin Street, Traralgon

1	Attachment 1 - Development Plans & 3D Renders	333
2	Attachment 2 – Site Context Plans.....	361
4	Attachment 4 - Relevant Planning Policy	362



Quest Traralgon

171 Franklin Street,
Traralgon VIC 3844

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Builder/Contractor shall verify job dimensions before any job commences. Figured dimensions take precedence over drawings and job dimensions. All shop drawings shall be submitted to the Architect/Consultant, and manufacture shall not commence prior to return of inspected shop drawings by the Architect/Consultant

March 2022 RFI

- 1a.

Dimensions added.
- 1b.

Dimension added and swipe card location clarified.
2.

On street parking arrangement revised to retain existing condition.
5.

Dimensions added.
6.

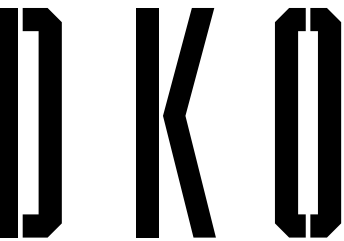
Signage details added.
8.

Annotations revised to remove reference to 'drive-thru' arrangement.

Rev	Date	By	Ckd	Description
A	22/12/2021	JC/BT	RM	TP Lodgement
B	12/04/2022	JC	RM	March 2022 RFI Response

Client Details

BFN Developments



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info@DKO.com.au
www.DKO.com.au
ABN: 61413783636

Project Name

Project Number

Project Address

171 Franklin St, Traralgon

12585

171 Franklin St,
Traralgon, VIC 3844

Drawn By

Checked By

Date

Scale

JC

RM

12/04/2022

NTS @A3

Drawing Series

Drawing Name

Cover Pages

Title Page

Drawing No.

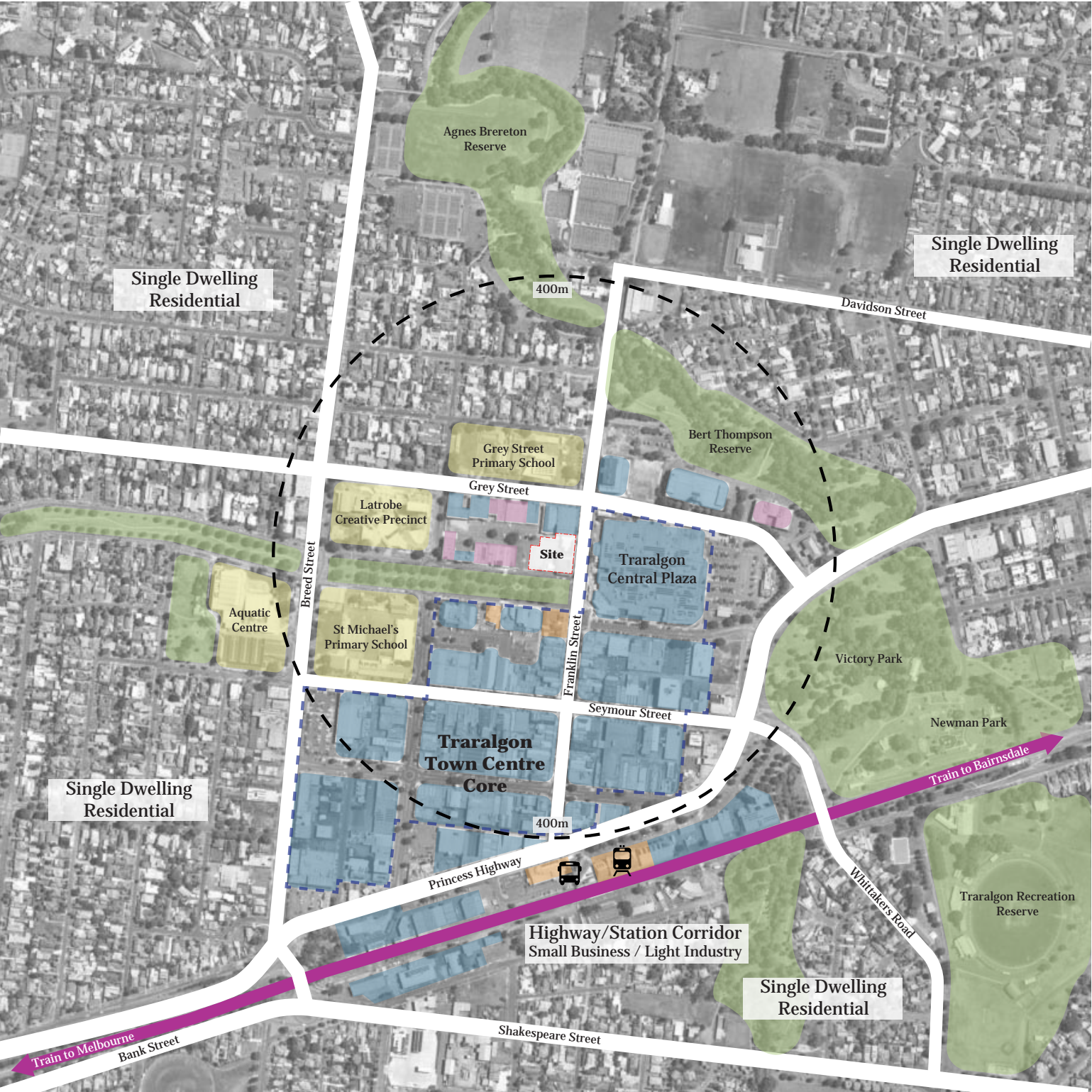
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TP000	Title Page	B
TP100	Locality Plan	B
TP101	Context Plan	B
TP102	Existing Conditions Diagram	B
TP103	Planning Control Diagram	B
TP104	Heritage Advice	B
TP105	Design Response	B
TP106	Site Survey	B
TP107	Demolition Plan	B
TP200	Ground Floor Plan	B
TP201	Level 01	B
TP202	Level 02	B
TP203	Level 03	B
TP204	Level 04	B
TP205	Roof	B
TP300	Elevations - Sheet 1	B
TP301	Elevations - Sheet 2	B
TP302	Sections	B
TP400	Development Summary	B
TP401	Artists Impression	B
TP402	Artists Impression	B
TP403	Solar Study - Equinox, 9AM	B
TP404	Solar Study - Equinox, 12PM	B
TP405	Solar Study - Equinox, 3PM	B

Locality Plan



- Key**
- Commercial / Retail / Light Industry
 - Health
 - Education / Culture
 - Public Open Space
 - Public Buildings
 - Town Centre Core Precinct Boundary
 - High Use Road
 - Train Line
 - Train Station
 - Bus Interchange

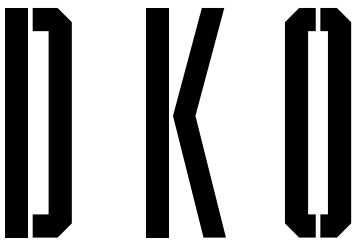
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- March 2022 RFI**
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 - 1b. Dimension added and swipe card location clarified.
 - 2. On street parking arrangement revised to retain existing condition.
 - 5. Dimensions added.
 - 6. Signage details added.
 - 8. Annotations revised to remove reference to 'drive-thru' arrangement.

Rev	Date	By	Ckd	Description
A	22/12/2021	JC/BT	RM	TP Lodgement
B	12/04/2022	JC	RM	March 2022 RFI Response

Client Details
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Project Name 171 Franklin St, Traralgon
Project Number 12585
Project Address 171 Franklin St, Traralgon, VIC 3844
Drawn By JC
Checked By RM
Date 12/04/2022
Scale NTS @A3

Drawing Series Site Series
Drawing Name Locality Plan

Drawing No. **TP100**
Revision **B**



Context Plan



- Key**
- Commercial / Retail / Light Industry
 - Health
 - Education / Culture
 - Public Open Space
 - Public Buildings

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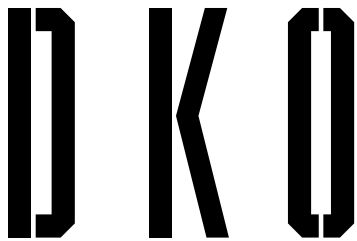
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Scale	NTS @A3

Drawing Series	Site Series
Drawing Name	Context Plan

Drawing No. TP101

Revision B

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Drawn By	JC
Checked By	RM
Date	12/04/2022
Scale	NTS @A3

Drawing Series	Site Series
Drawing Name	Existing Conditions Diagram

Drawing No. **TP102**
Revision **B**



Future Multideck Car Park

Existing Car Park

5-storey, 20m Height Zone

Existing Beer Garden

Existing 1-storey Commercial Building

5m Street Frontage Setback Above 3 Storeys

Existing Ostlers House

3-storey, 12.6m Height Zone

Heritage 2-storey Traralgon (Ryans) Hotel to be Retained

Transitional Setback

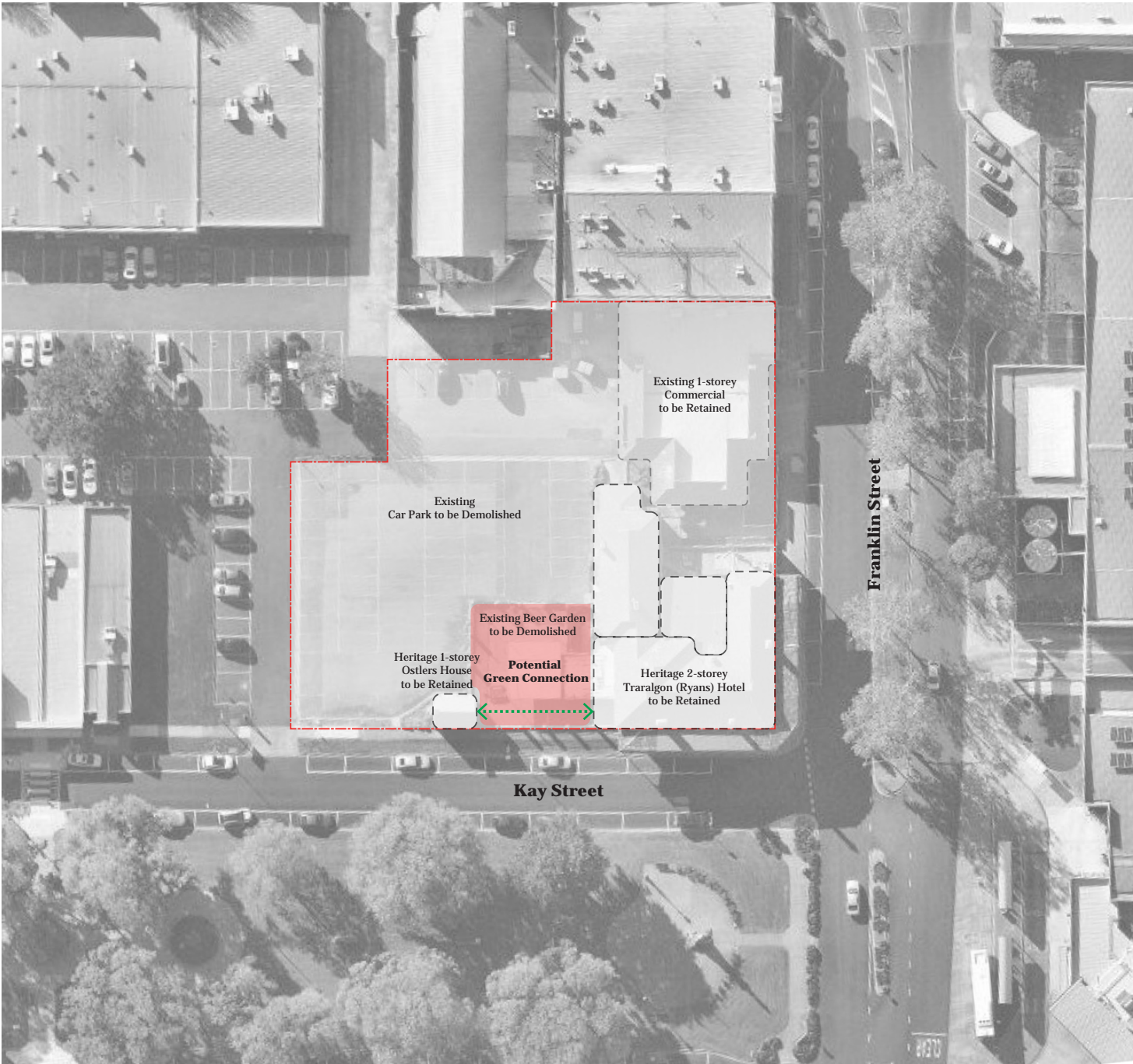
2-storey Street Wall Activation

Franklin Street

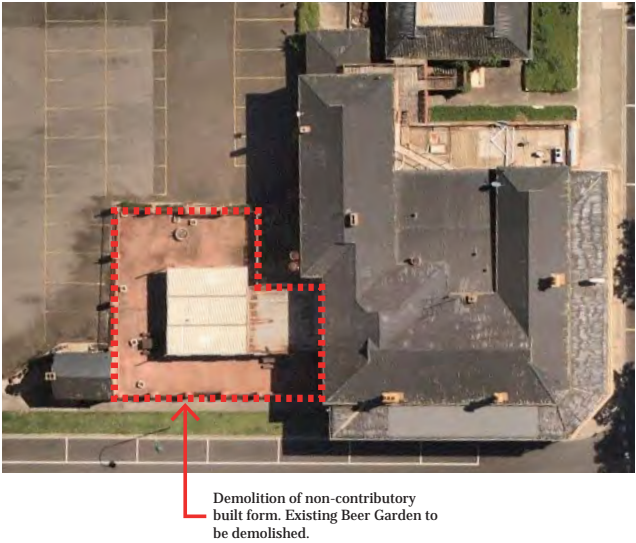
Kay Street

3-Storey Street Wall Activation

Heritage Advice



Traralgon (Ryans) Hotel
Demolition Intent



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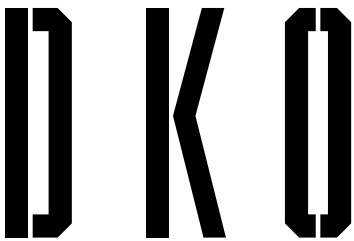
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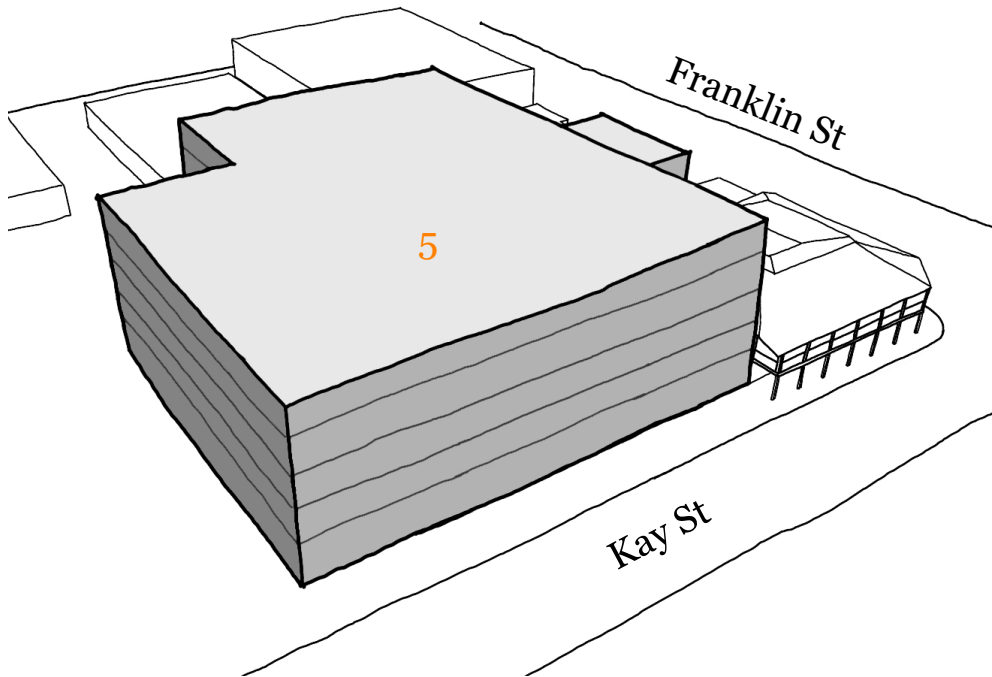
Drawn By JC
Checked By RM
Date 12/04/2022
Scale NTS @A3

Drawing Series Site Series
Drawing Name Heritage Advice

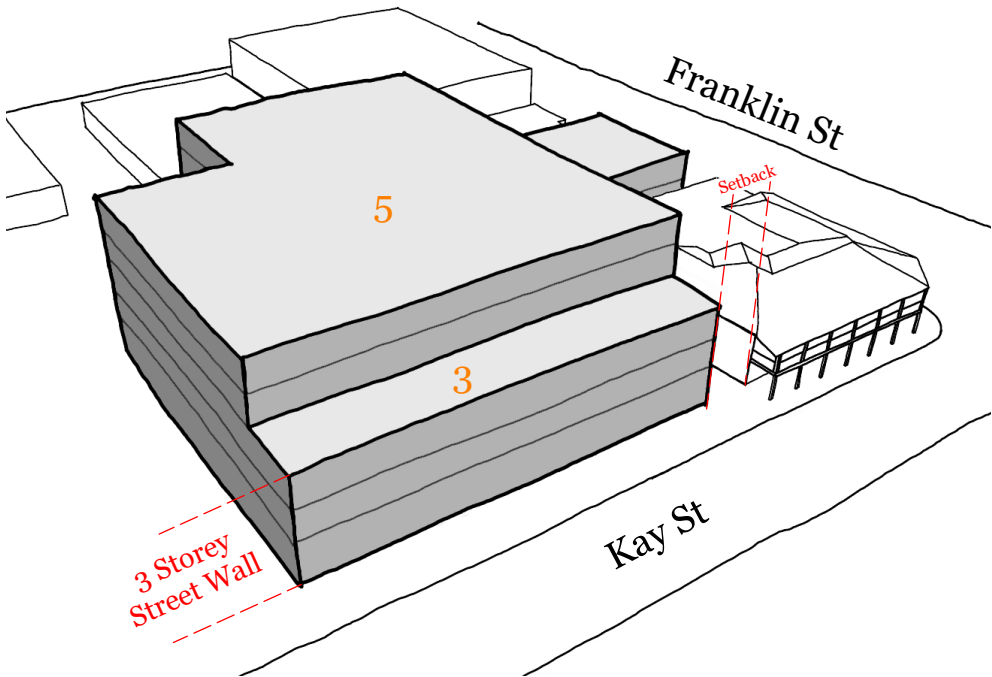
Drawing No. TP104
Revision B



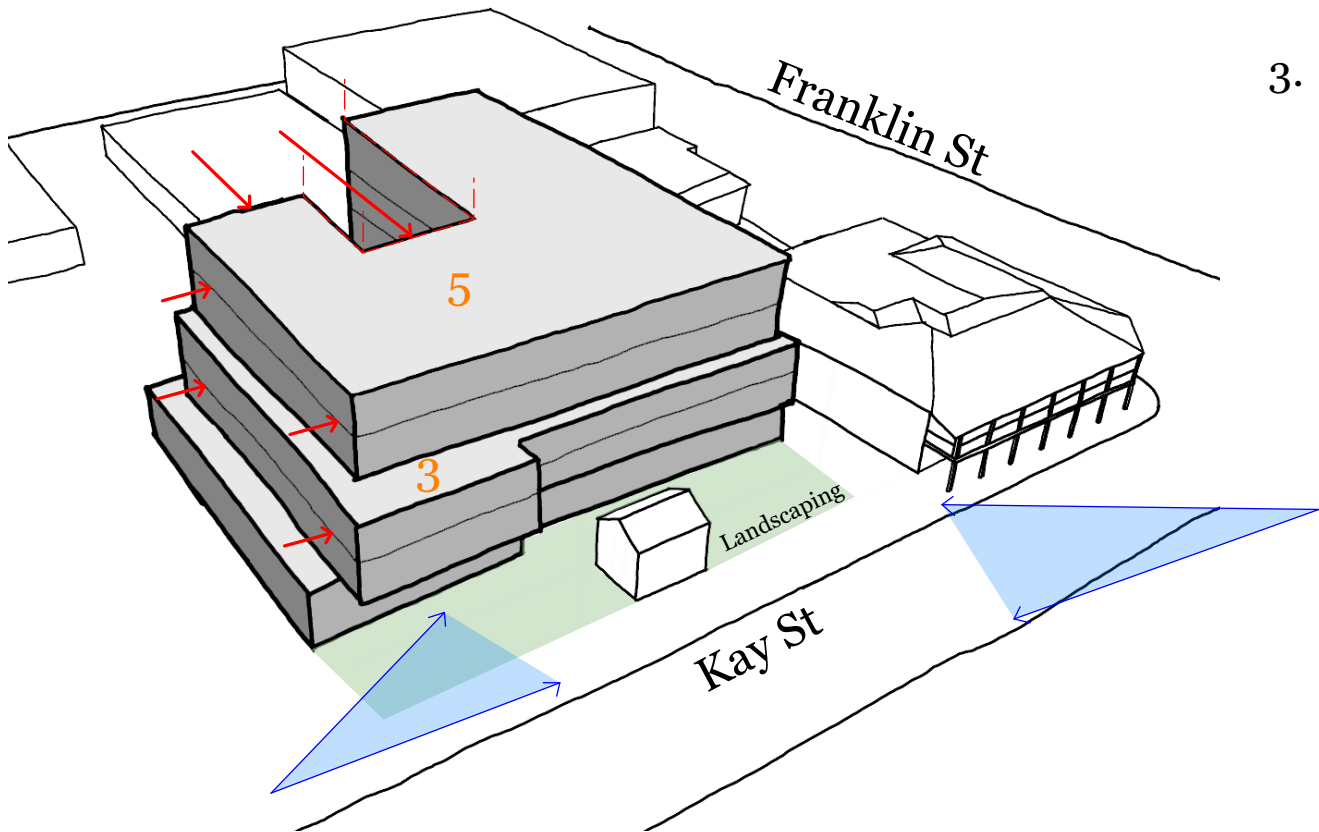
Design Response



1. - Preferred maximum building height of five storeys



2. - Upper levels are set back from the street frontage to be recessive in appearance.
- Eastern setback to provide breathing space to the western facade of Ryan's Hotel.



3. - Landscape curtilage and public plaza to be provided to Ostler's House to enhance pedestrian experience.
- Building form set back from street frontage as to not obstruct views to Ryan's Hotel and Ostler's house from up and down Kay Street.
- Recessed built form from western facade to reduce bulk and scale.
- Northern setback to provide light and ventilation to internal spaces.

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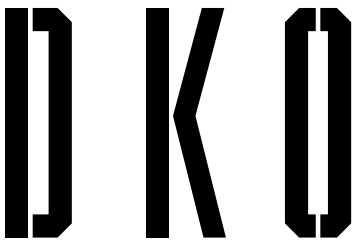
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Drawn By	JC
Checked By	RM
Date	12/04/2022
Scale	NTS @A3

Drawing Series	Site Series
Drawing Name	Design Response

Drawing No. **TP105**
Revision **B**

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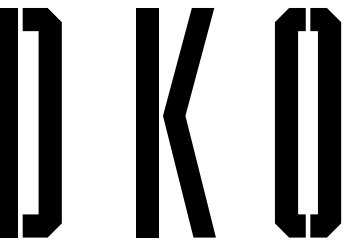
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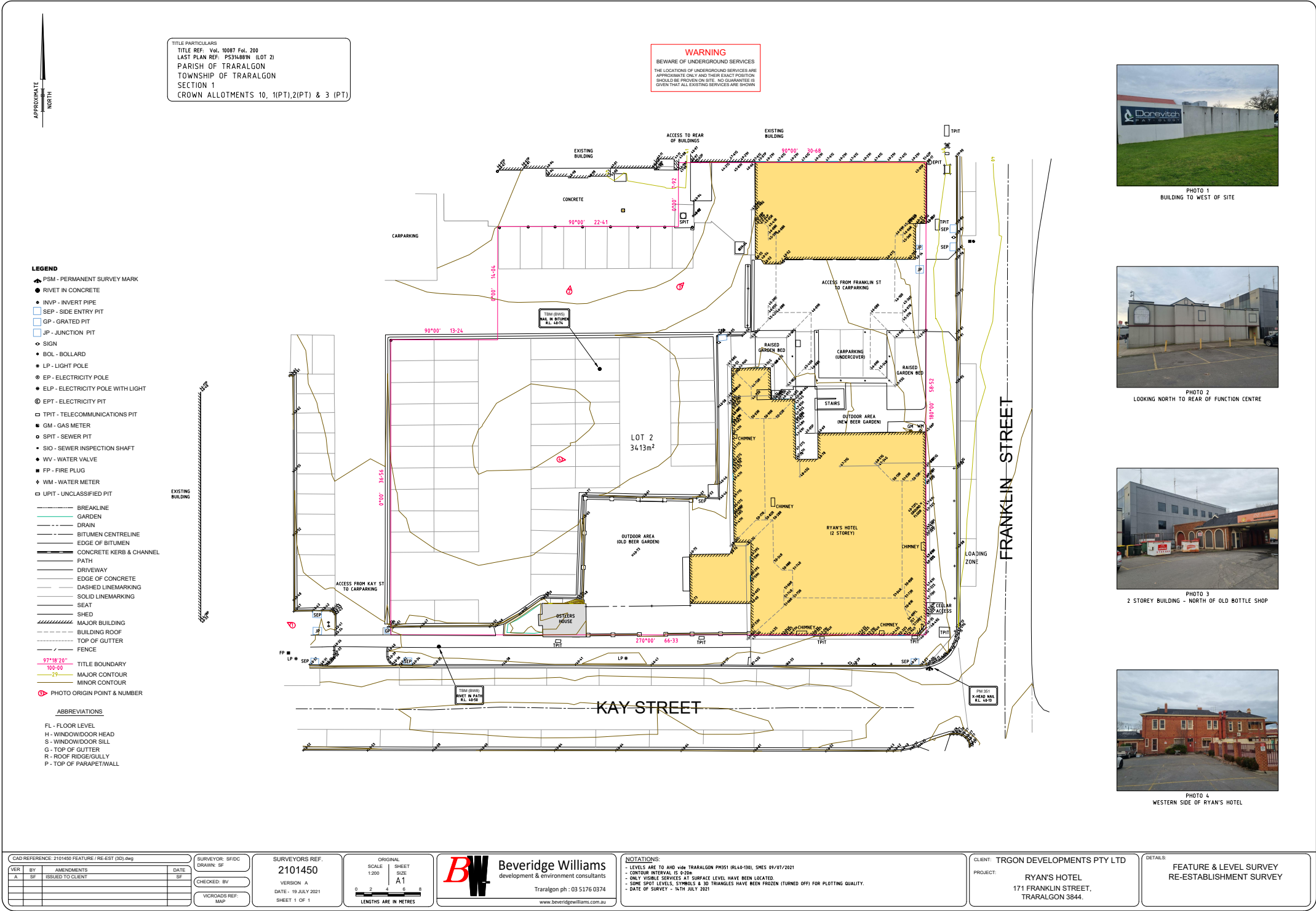
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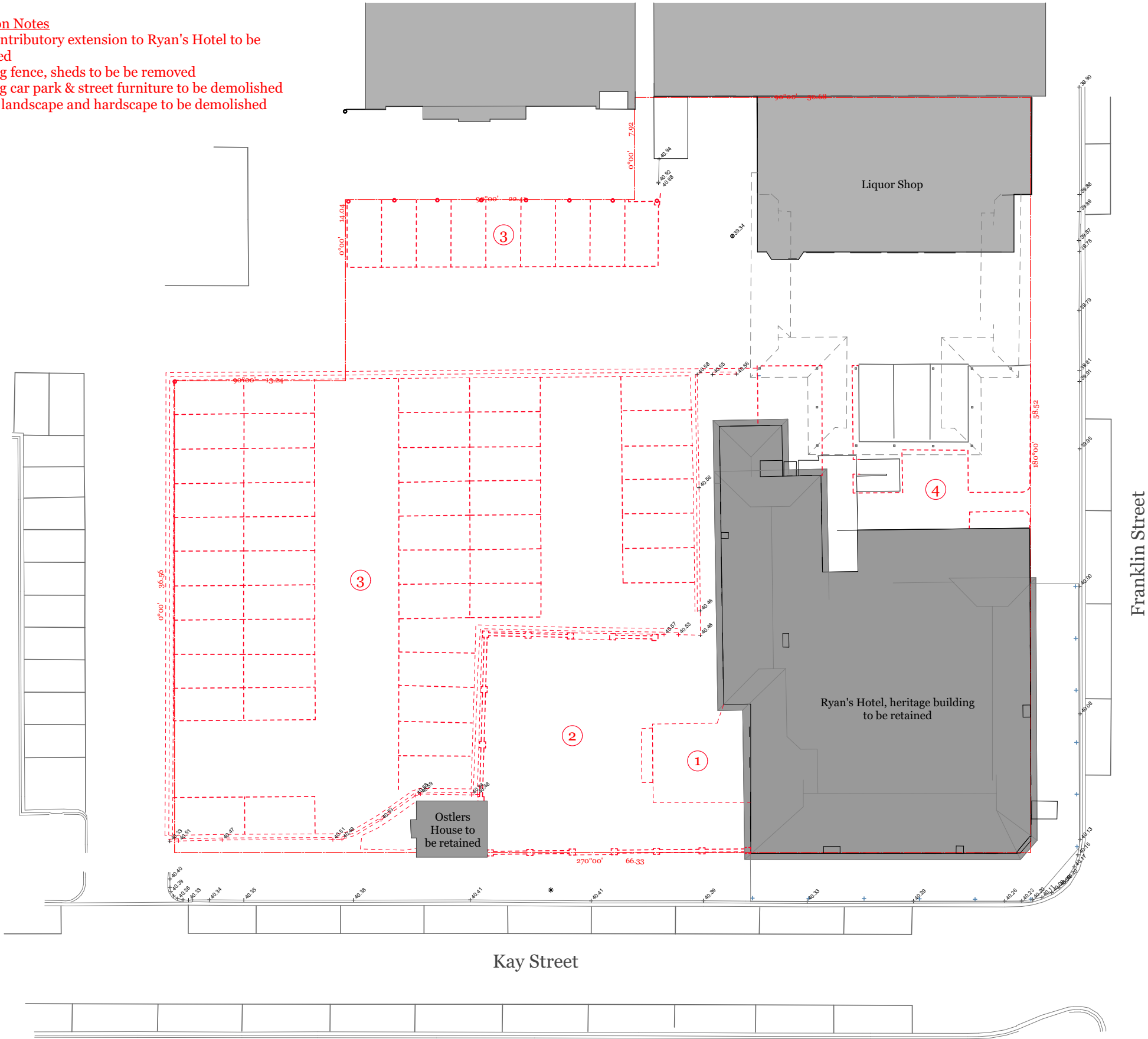
Drawn By JC
Checked By RM
Date 12/04/2022
Scale NTS @A3

Drawing Series Site Series
Drawing Name Site Survey

Drawing No. TP106
Revision B



- Demolition Notes
- 1) Non-contributory extension to Ryan's Hotel to be demolished
 - 2) Existing fence, sheds to be removed
 - 3) Existing car park & street furniture to be demolished
 - 4) Part of landscape and hardscape to be demolished



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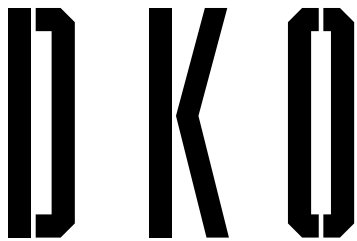
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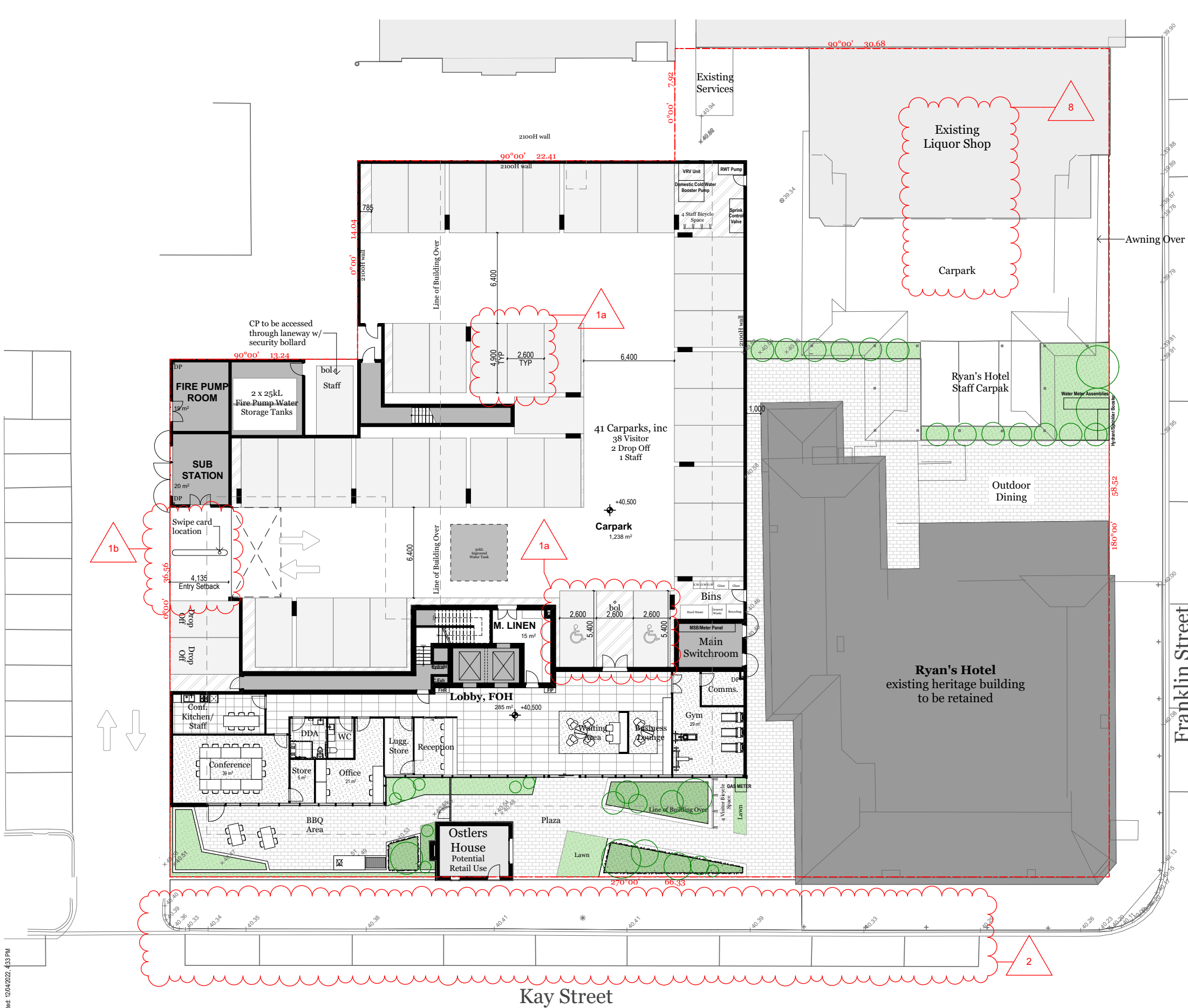


Project Name 171 Franklin St, Traralgon
Project Number 12585
Project Address 171 Franklin St, Traralgon, VIC 3844

Drawn By JC
Checked By RM
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Scale 1:300@A3

Drawing Series Site Series
Drawing Name Demolition Plan

Drawing No. TP107
Revision B



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Client Details
BFN Developments

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Project Name 171 Franklin St, Traralgon
Project Number 12585
Project Address 171 Franklin St, Traralgon, VIC 3844
Drawn By JC
Checked By RM
Date 12/04/2022
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Drawing Series Plans
Drawing Name Ground Floor Plan

Drawing No. **TP200**
Revision **B**



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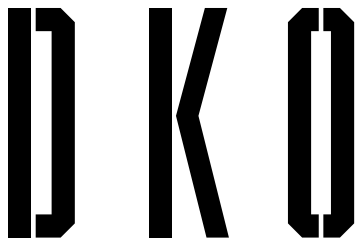
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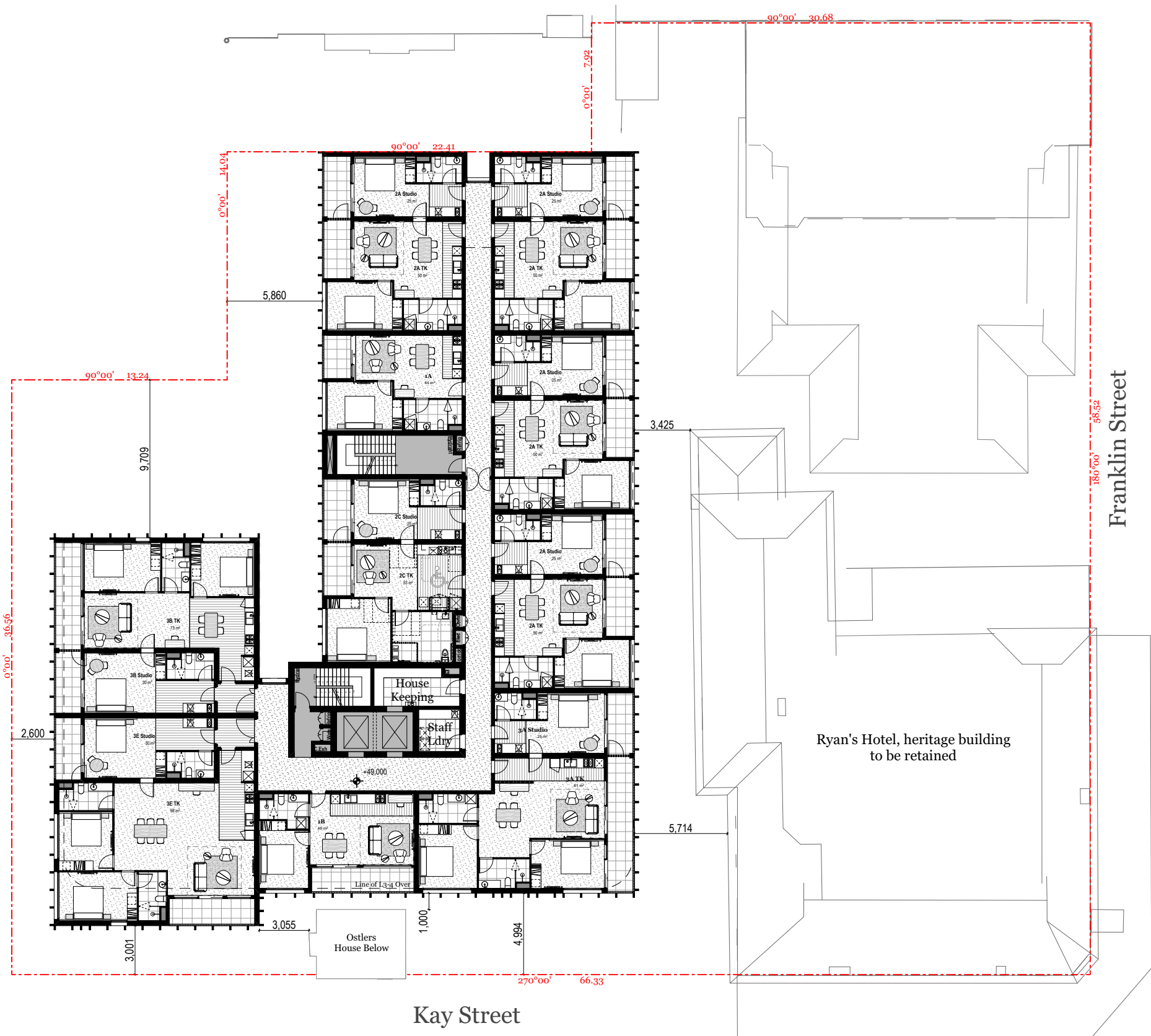


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Project Address 171 Franklin St,
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Drawing Series Plans
Drawing Name Level 01

Drawing No. TP201
Revision B



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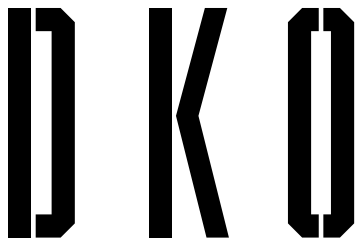
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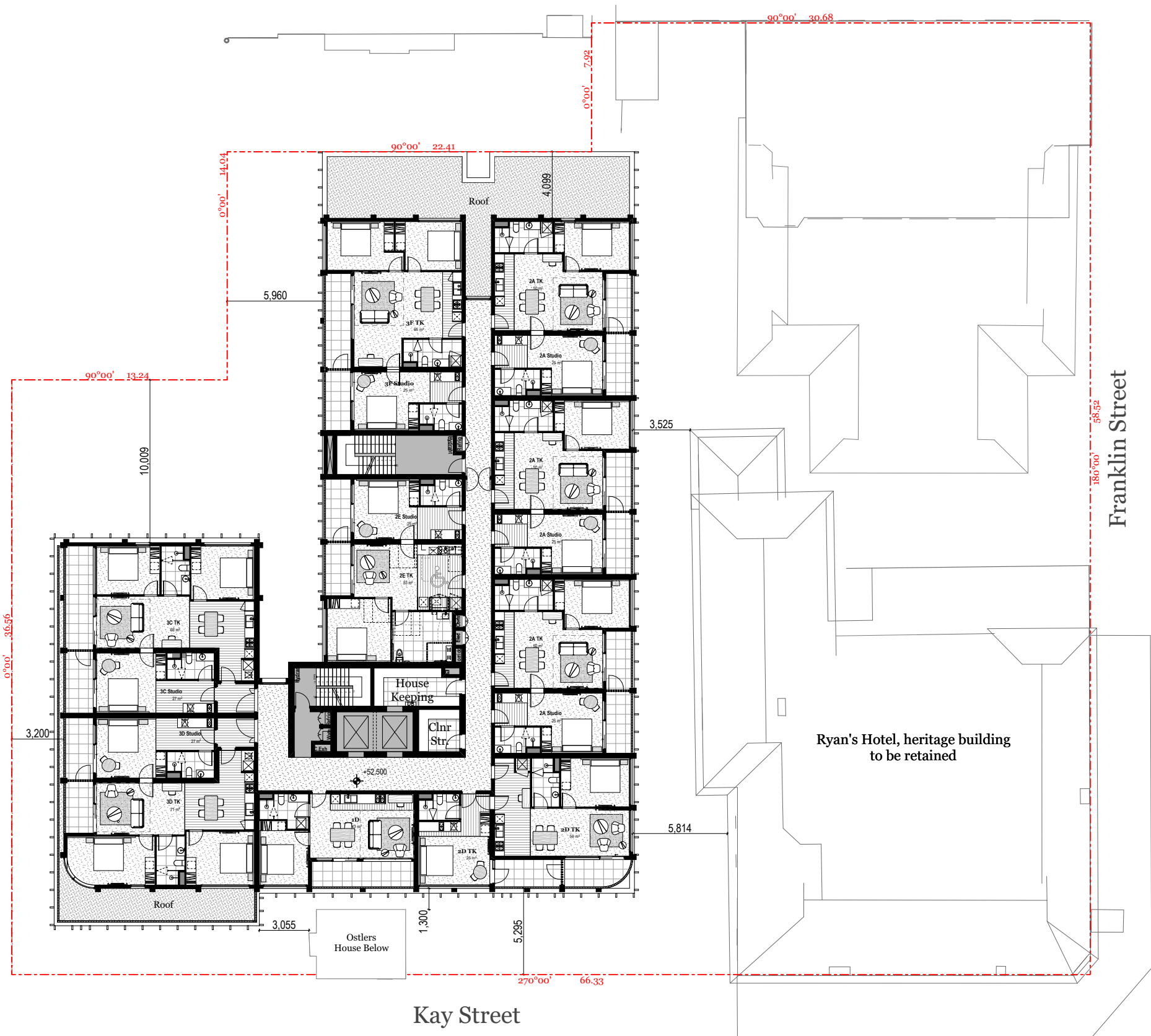


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Drawing Series Plans
Drawing Name Level 02

Drawing No. TP202
Revision B



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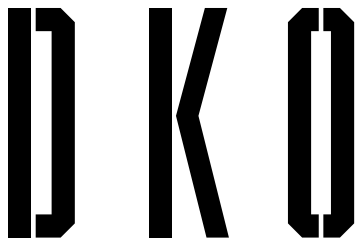
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Drawing Series Plans
Drawing Name Level 03

Drawing No. TP203
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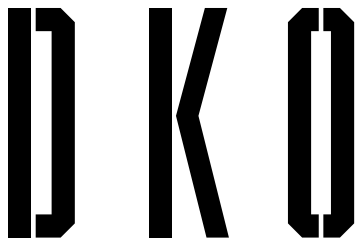
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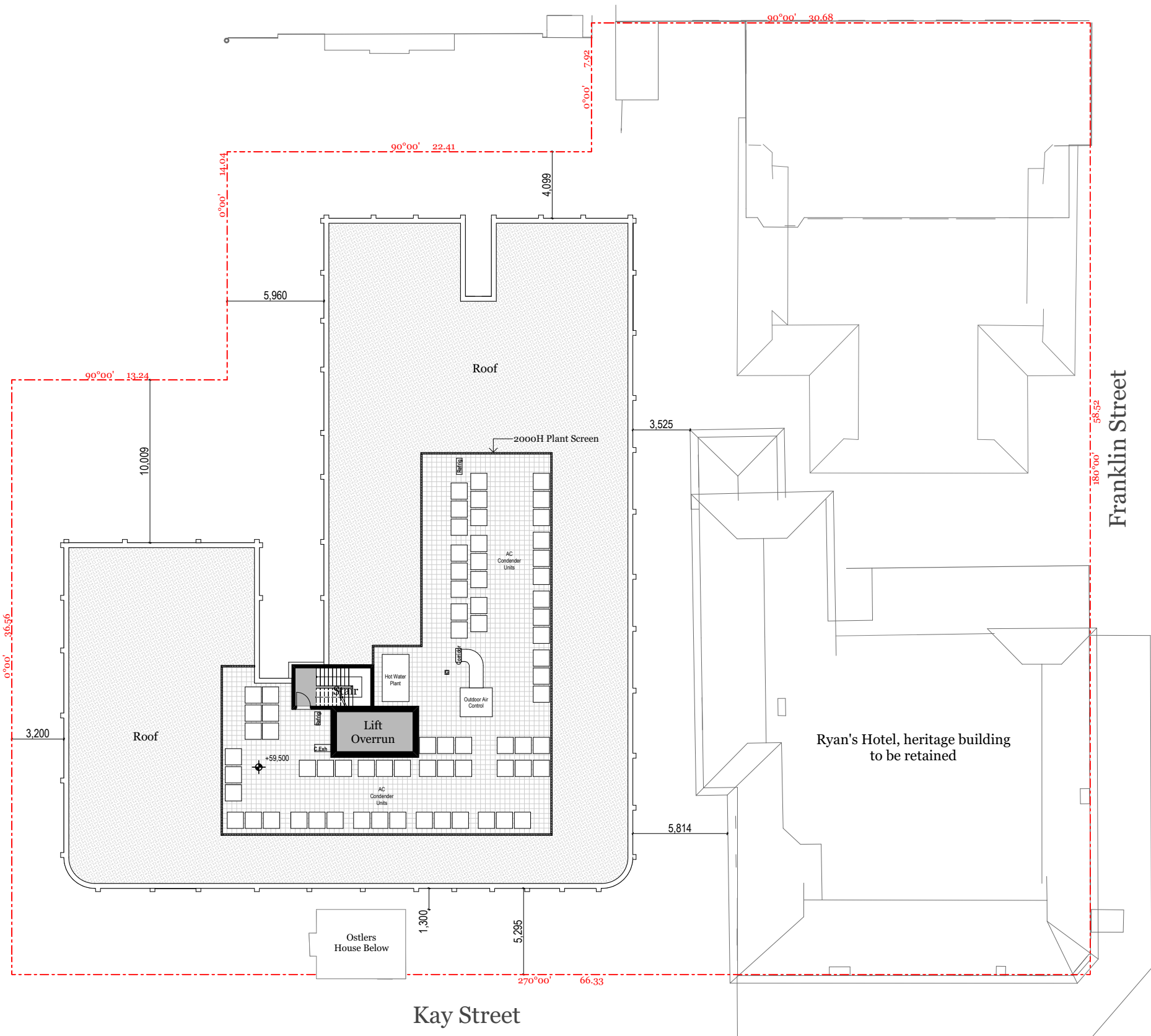


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Project Address 171 Franklin St,
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Drawn By JC
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Drawing Series Plans
Drawing Name Level 04

Drawing No. TP204
Revision B



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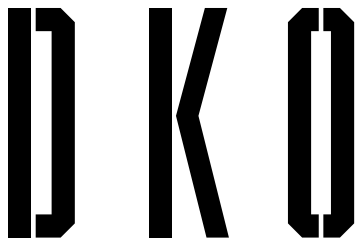
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Drawing Series Plans
Drawing Name Roof

Drawing No. TP205
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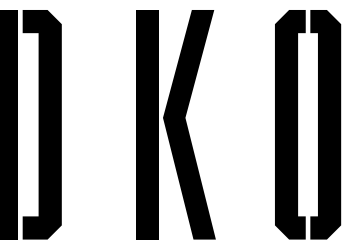
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A	22/12/2021	JC/BT	RM	TP Lodgement
B	12/04/2022	JC	RM	March 2022 RFI Response

Client Details

BFN Developments



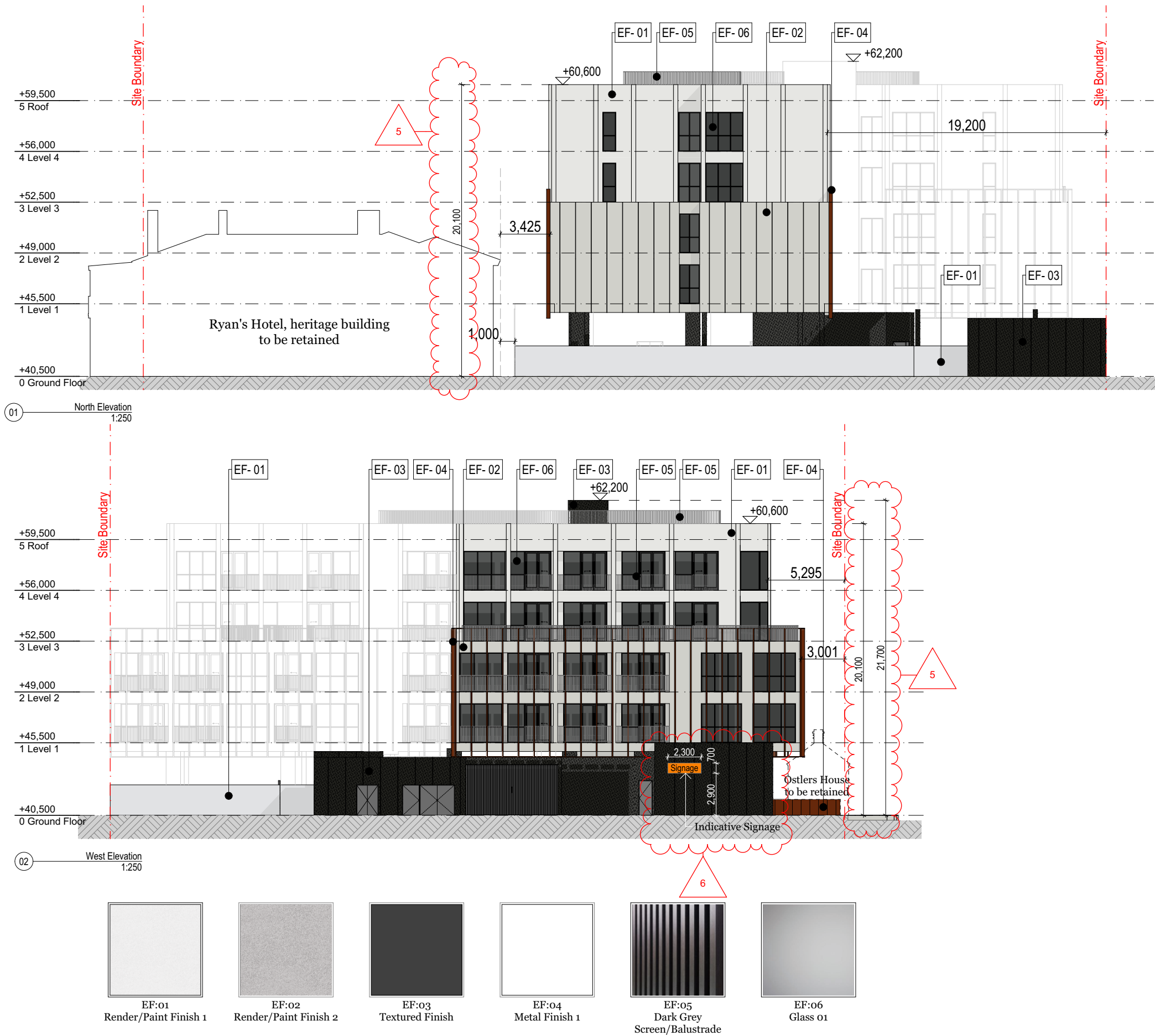
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ABN: 61413783636

Project Name 171 Franklin St, Traralgon
Project Number 12585
Project Address 171 Franklin St, Traralgon, VIC 3844

Drawn By JC
Checked By RM
Date 12/04/2022
Scale 1:250@A3

Drawing Series Elevations & Sections
Drawing Name Elevations - Sheet 1

Drawing No. **TP300**
Revision **B**



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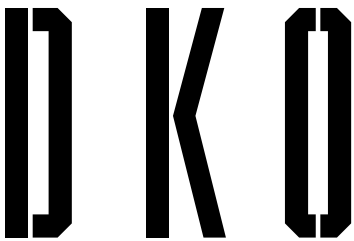
March 2022 RFI

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Project Address	171 Franklin St, Traralgon, VIC 3844
Drawn By	JC
Checked By	RM
Date	12/04/2022
Scale	1:250@A3

Drawing Series	Elevations & Sections
Drawing Name	Elevations - Sheet 2

Drawing No. **TP301**
Revision **B**

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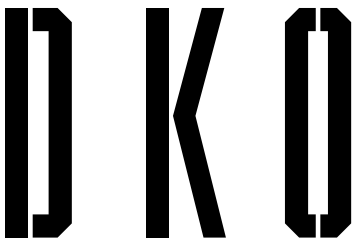
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Client Details

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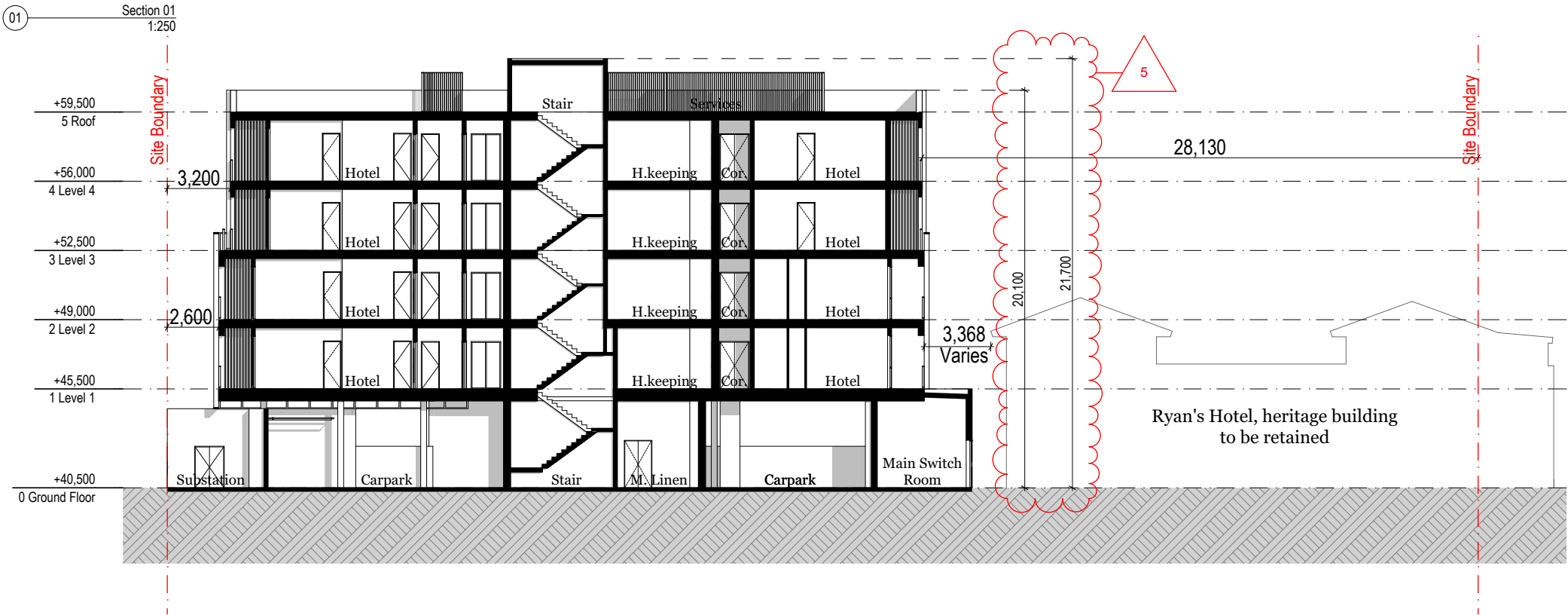


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Drawn By	JC
Checked By	RM
Date	12/04/2022
Scale	1:250@A3

Drawing Series	Elevations & Sections
Drawing Name	Sections

Drawing No. **TP302**
Revision **B**



02 Section 02 1:250

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Development Summary

171 Franklin St, Traralgon

LEVEL	Car Park Nos.			Apartments				
	Visitor	Drop Off	Staff	1Bed	2Bed DK	3Bed DK	Total No. of Apt	Total no. of Keys
Ground Floor	38	2	1					
Level 1				2	5	3	10	18
Level 2				2	5	3	10	18
Level 3				1	5	3	9	17
Level 4				1	5	3	9	17
Roof								
Subtotal				6	20	12		
Total	38	2	1				38	70

- Note:
- 1. This scheme has been prepared without a site survey, consultant and authority input
 - 2. All yield, areas and dimensions shown are indicative only and are subject to detail design
 - 3. Demolition/alterations/additions to existing heritage buildings subject to heritage report and council negotiations
 - 4. The design and accompanying documentation contained herein is and remains the intellectual property of DKO Architecture P/L.

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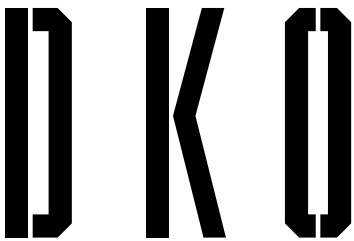
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Project Number 12585
Project Address 171 Franklin St, Traralgon, VIC 3844

Drawn By JC
Checked By RM
Date 12/04/2022
Scale @A3

Drawing Series Supporting Drawings
Drawing Name Development Summary

Drawing No. TP400
Revision B

Artists Impression

View north east from Kay Street Gardens.



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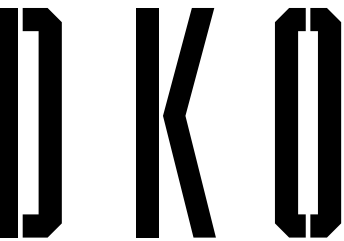
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Project Number 12585
Project Address 171 Franklin St, Traralgon, VIC 3844

Drawn By JC
Checked By RM
Date 12/04/2022
Scale @A3

Drawing Series Supporting Drawings
Drawing Name Artists Impression

Drawing No. TP401
Revision B

Artists Impression

View north west from Franklin Street.



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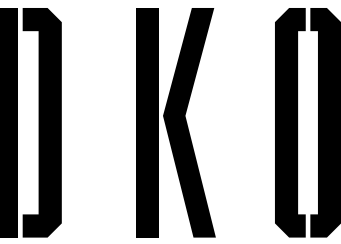
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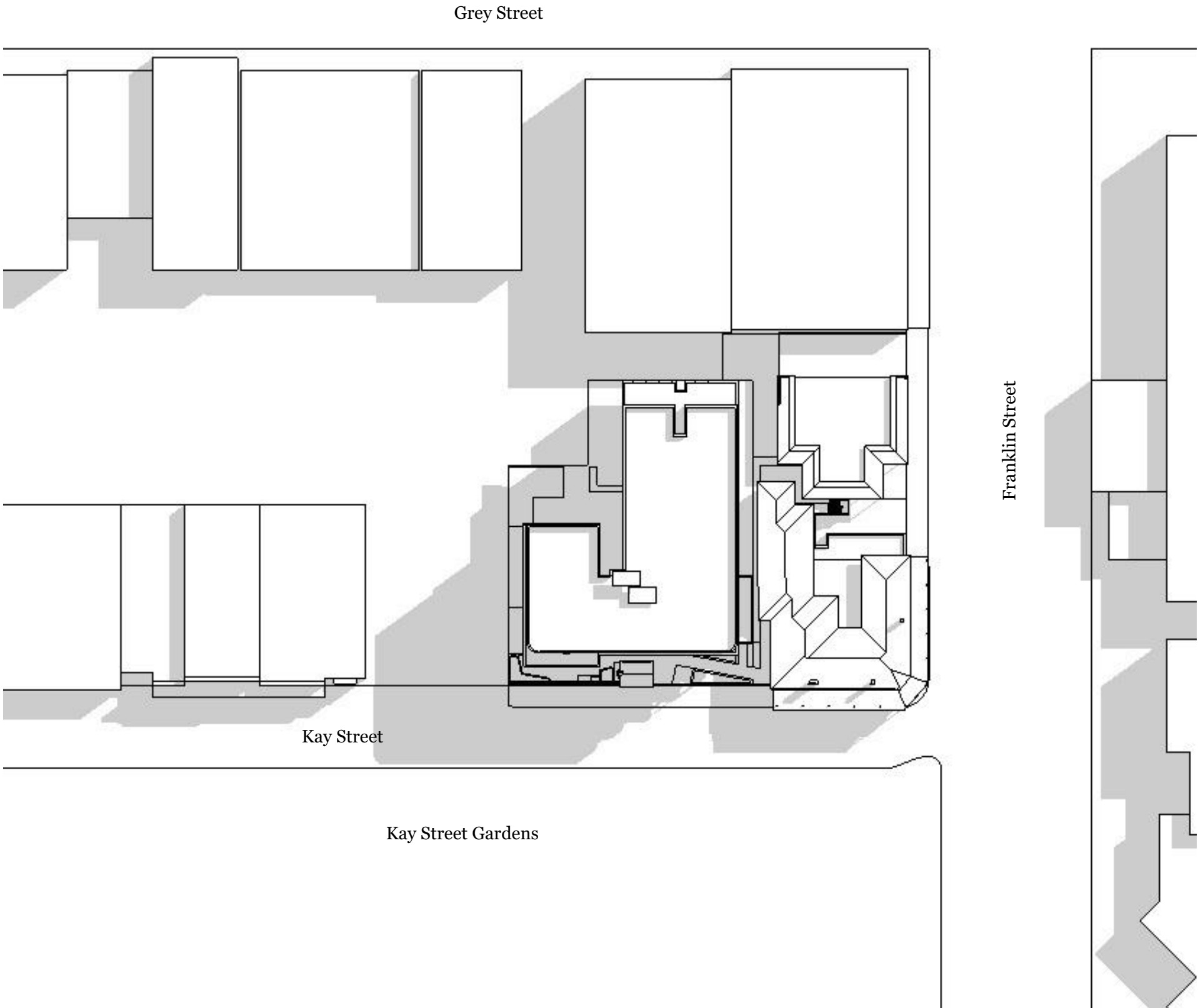
Project Name 171 Franklin St, Traralgon
Project Number 12585
Project Address 171 Franklin St, Traralgon, VIC 3844

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Date 12/04/2022
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Drawing Series Supporting Drawings
Drawing Name Artists Impression

Drawing No. TP402
Revision B

Solar Study - Equinox, 9AM



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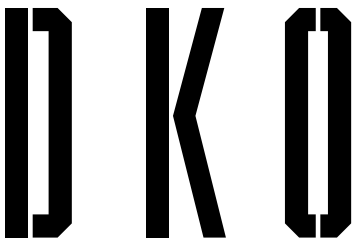
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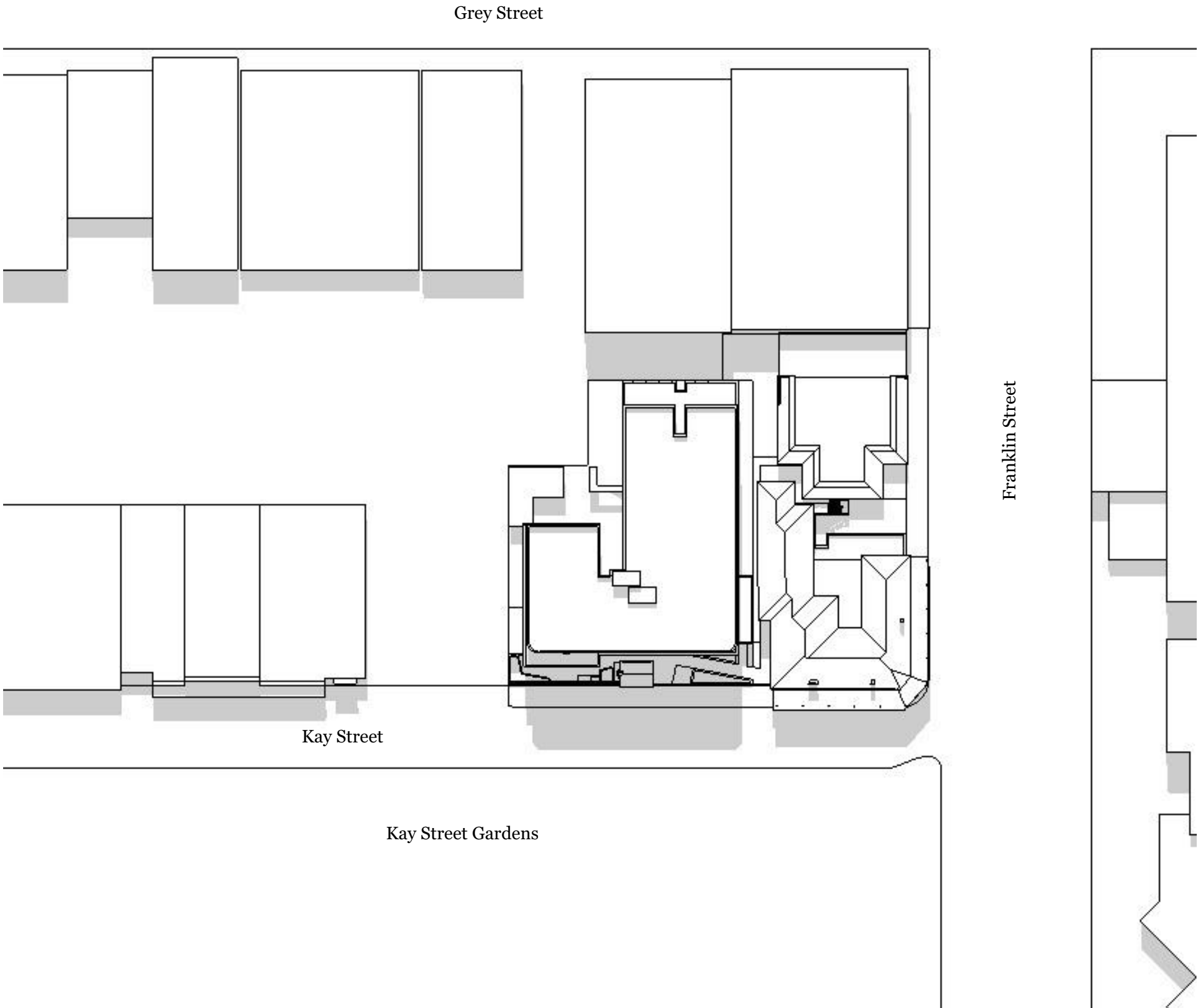
Project Name 171 Franklin St, Traralgon
Project Number 12585
Project Address 171 Franklin St, Traralgon, VIC 3844

Drawn By JC
Checked By RM
Date 12/04/2022
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Drawing Series Supporting Drawings
Drawing Name Solar Study - Equinox, 9AM

Drawing No. TP403
Revision B

Solar Study - Equinox, 12PM



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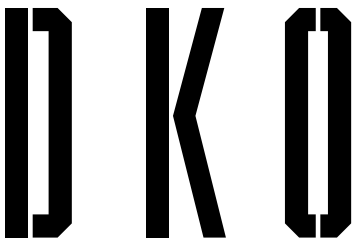
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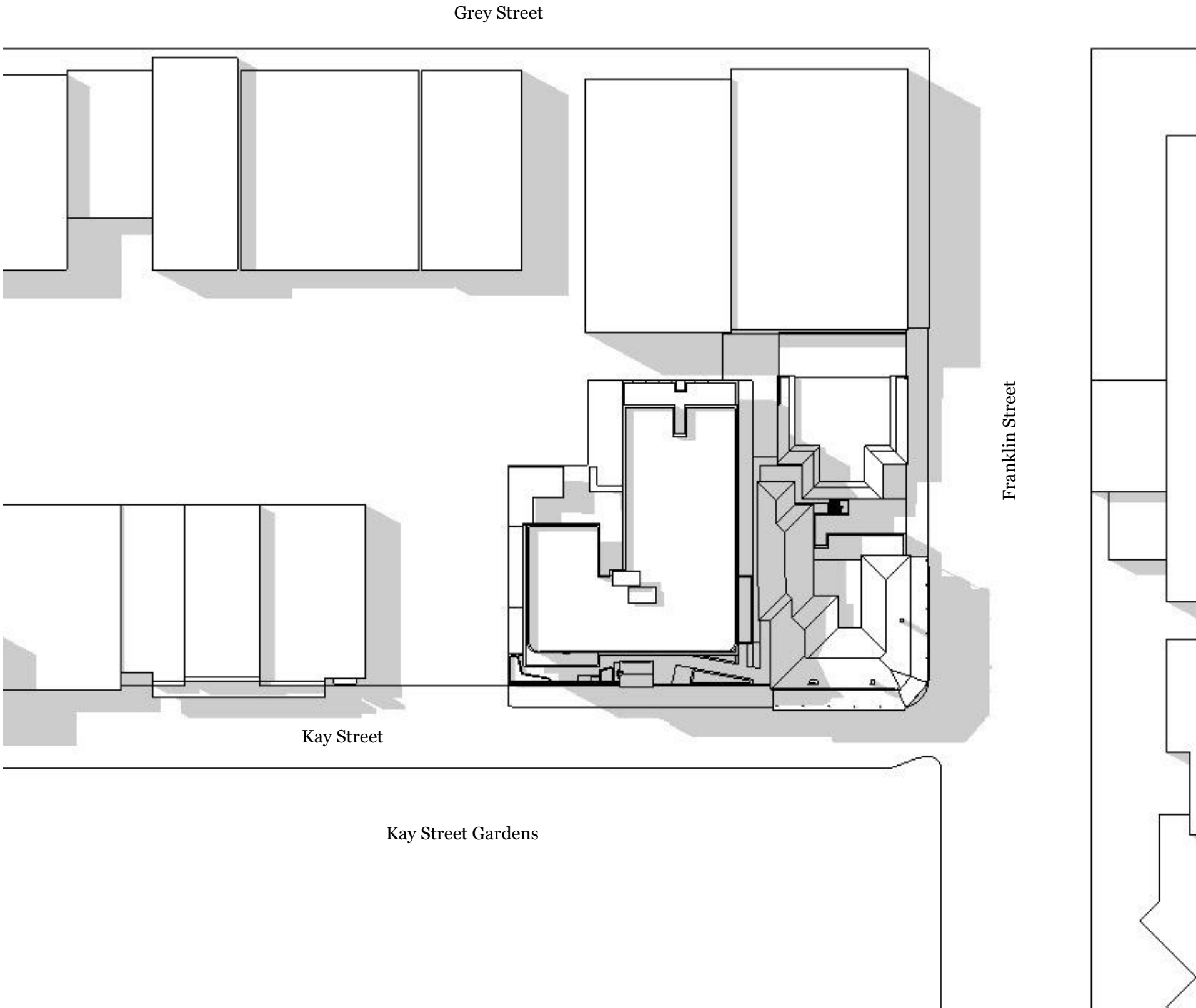
Project Name 171 Franklin St, Traralgon
Project Number 12585
Project Address 171 Franklin St, Traralgon, VIC 3844

Drawn By JC
Checked By RM
Date 12/04/2022
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Drawing Series Supporting Drawings
Drawing Name Solar Study - Equinox, 12PM

Drawing No. **TP404**
Revision **B**

Solar Study - Equinox, 3PM



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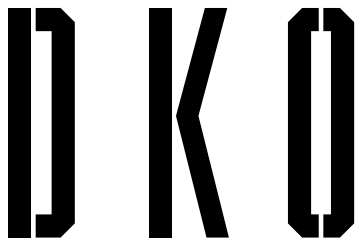
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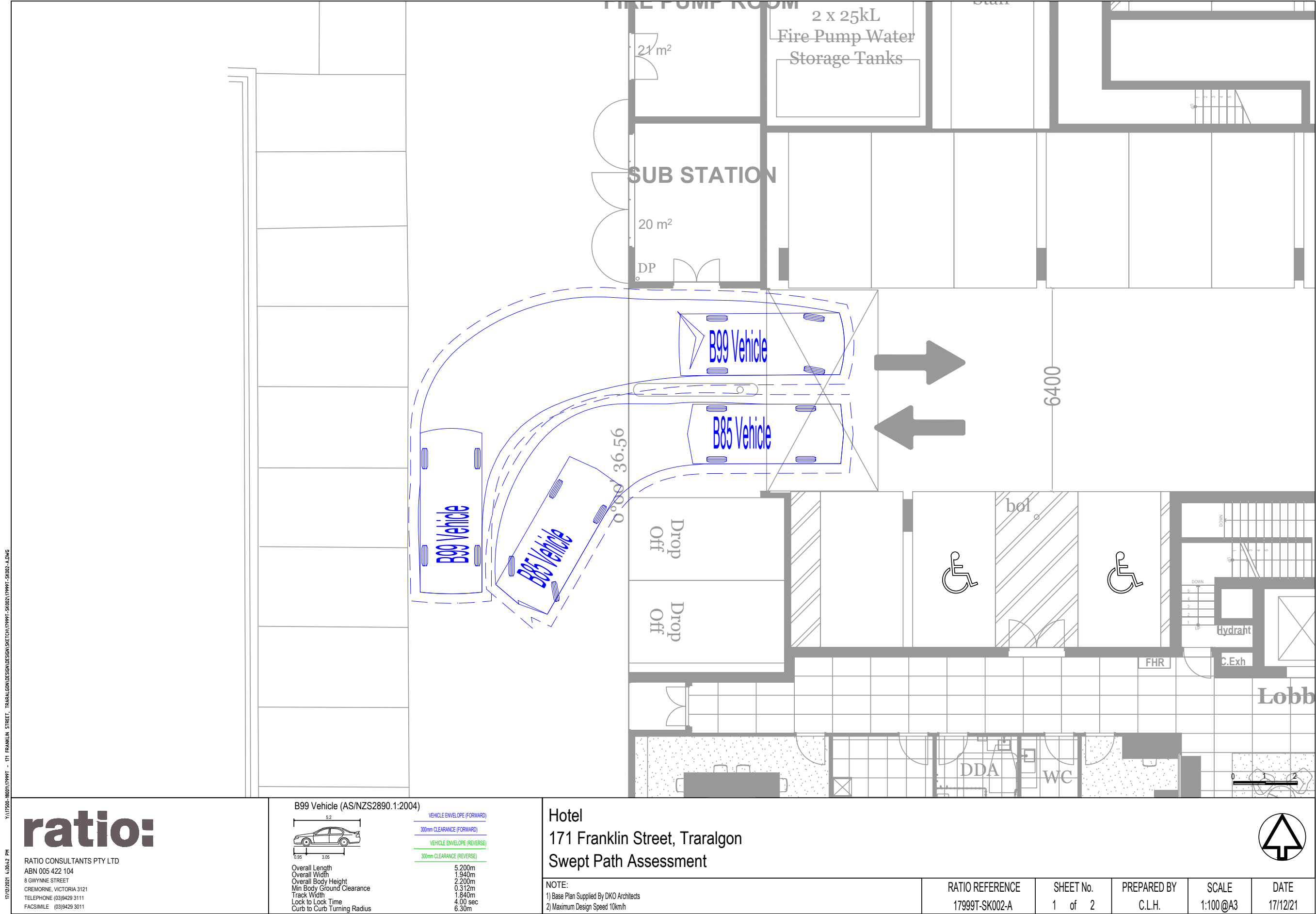
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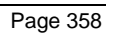


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Drawn By	JC
Checked By	RM
Date	12/04/2022
Scale	1:100@A3

Drawing Series	Supporting Drawings
Drawing Name	Solar Study - Equinox, 3PM

Drawing No. **TP405**
Revision **B**





Artist Impression 01

View north east from Kay Street Gardens.



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Project Name 171 Franklin St
Project Number 12585

Drawing Name Artist Impression 01
Drawing Number SK.1
Revision

Artist Impression 02

View north west from Franklin Street.



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Project Name

Project Number

171 Franklin St

12585

Drawing Name

Drawing Number

Revision

Artist Impression 02

SK.2



Relevant policy from Municipal Planning Statement and Planning Policy Framework

- Clause 02.01 – Context
- Clause 02.03-5 – Built Environment and Heritage
- Clause 02.03-7 – Economic development
- Clause 02.04 – Strategic Framework Plans
- Clause 11.01-1S – Settlement
- Clause 11.01-1L – Traralgon
- Clause 11.03-S – Activity Centres
- Clause 11.03-1L – Activity Centres
- Clause 15.01-1S – Urban Design
- Clause 15.01-1L – Urban Design
- Clause 15.01-2S – Building Design
- Clause 15.03-1S – Heritage Conservation
- Clause 15.03-1L – Heritage Conservation
- Clause 17.02-1R – Commercial Centres – Gippsland
- Clause 17.04-1S – Facilitating Tourism
- Clause 17.04-1R – Tourism - Gippsland

Agenda Item: 9.3

Agenda Item: Use and Development of Land for a Place of Assembly (Wedding Venue) at 19 Wattle Tree Road, Moe South

Sponsor: General Manager, Regional City Planning and Assets

Council Plan Objective: CONNECTED

Status: For Decision

Officer's Recommendation:

That Council decides to issue a Notice of Decision to Grant a Permit for the use and development of land for a place of assembly (wedding venue) at Lot 1 TP257689, 19 Wattle Tree Road, Moe South, with the following conditions:

Plans to Comply Conditions:

- 1. Before the commencement of any works hereby permitted, an environmental management plan shall be submitted to and approved by the Responsible Authority. The plan must detail how issues such as erosion prevention, drainage, dust generation and sediment control will be managed, on site, during the permitted development works and in the longer term, following the completion of the works for the duration of the use hereby permitted. Details of a contact person/site manager must also be provided, so that this person can be easily contacted should any issues arise. Reference should be made to the Environment Protection Authority's publication 960 "Doing it right on subdivisions".**
- 2. Before the use starts and/or the occupation of the development, a waste management plan to the satisfaction of the Responsible Authority 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 waste management plan must be complied with to the satisfaction of the Responsible Authority. The plan must include:**
 - a) the method for garbage collection and recycling;**
 - b) designated areas for garbage collection and recycling including provision for the use of private services and/or council services;**
 - c) designated areas for bin storage on site; and**
 - d) designated areas for bin storage on collection days and measures to minimise the impact on amenity, car parking, traffic management and litter management.**

Endorsed Plans Condition:

- 3. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.**

Standard Development Conditions:

4. Once building works have commenced, they must be completed to the satisfaction of the Responsible Authority.
5. 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.
6. Upon completion of the development/works, the site must be cleared of all excess and unused building materials and debris 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. The external colours, materials and/or finishes of the building(s) shown on the endorsed plans must be muted and non-reflective in nature and must not be altered without the written consent of the Responsible Authority.

Land Use and Amenity Conditions:

9. 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.

10. No live music or live entertainment pre-recorded or amplified music may be played outside the building at any time and speakers must not be installed or located outside the building.
11. All activities on the land must comply with the endorsed Amenity Management Plan, prepared by Planning Central and dated April 2022 version 2, to the satisfaction of the Responsible Authority.
12. Except with the prior written consent of the Responsible Authority, no more than fifteen (15) events may take place on the land in a calendar

year.

13. The use may operate only between the hours of 9:00 am to 12:00 am Monday to Sunday (inclusive), in accordance with the endorsed Amenity Management Plan, unless with the written consent of the Responsible Authority.
14. All security alarms or similar devices installed on the land must be of a silent type in accordance with the current standard specified by Standards Australia International Limited and connected to a security service.
15. External lighting must be designed, baffled and located to prevent any detrimental effect on nearby land, to the satisfaction of the Responsible Authority.
16. 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.
17. No goods or packaging materials or machinery may be stored or left exposed outside the building so as to be visible from any public road or way.

Mandatory Bushfire Condition:

18. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Engineering Conditions:

19. Before the use commences of the development hereby permitted, or by such later date as is approved by the Responsible Authority in writing, all works to install control measures in accordance with the approved environmental management plan must be completed in accordance with the endorsed plan and to the satisfaction of the Responsible Authority including all necessary permits being obtained and inspections undertaken.
20. 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.

- 21. 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 stormwater discharging from the site, buildings, vehicle access ways and works must be discharged to a water tank, soakwell or otherwise discharged so as not to cause erosion, flooding or nuisance to the subject or surrounding land to the satisfaction of the Responsible Authority.**
 - b) A vehicle crossing must be constructed to provide access from Wattle Tree Road to the development hereby permitted. The vehicle crossing must comply with the standards as set out in Latrobe City Council's Standard Drawings LCC 306 and LCC 212.**
 - c) The areas shown on the endorsed plans for vehicle access and car parking must be constructed to such levels that they can be used in accordance with the approved plans.**
- 22. Control measures in accordance with the approved environmental management plan, shall be employed to the satisfaction of the Responsible Authority. The Responsible Authority must be kept informed in writing of any departures from the environmental management plan. If, in the opinion of the Responsible Authority, the departure from the approved plan is significant then an amended plan must be submitted to and approved by the Responsible Authority. The approved measures must be carried out continually and completed to the satisfaction of the Responsible Authority.**
- 23. Car spaces, vehicle access lanes, vehicle turn around areas and driveways must be kept available for these purposes at all times.**
- 24. During any permitted use of the development (wedding venue), car parking must only occur on the land subject to this permit and shall not occur along the adjacent Wattle Tree Road road reserve.**
- 25. 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.**
- 26. 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.**

Environmental Health Conditions:

- 27. The rainwater tank cannot be used for any activities on the land relating to the land use approved under this permit unless it meets the guidance**

on *Drinking Water Quality Standards* (July 2015) by the Department of Health and Human Services.

28. Wastewater must be treated and disposed to a secondary treated level.
29. The wastewater loads must be calculated using the maximum of 160 people @ 30 litres per person with maximum of 4500 litres per day.
30. Wastewater must be maintained at least 30 metres away from the waterway.
31. The facility must meet with requirements of the Environment Protection Regulations 2021 (Part 5.3, Division 4) and the *Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues* (publication 1826) (Noise Protocol), control music noise from indoor entertainment venues.
32. No parking of vehicles is to permitted to occur over the wastewater treatment and disposal system.
33. Food truck vendors and caterers attending the venue must submit a Statement of Trade to Latrobe City Council.

DELWP / APA VTS Australia Conditions:

34. All plans which include the area of the gas pipeline must have the pipeline easement clearly identified with hatching and clearly labelled as *“high pressure gas pipeline right of way – no works to occur without the prior authorisation of the pipeline operator”*.
35. Buildings, structures, roadways, pavement, pipelines, cabling, fences or any other improvement on or under the land within the gas transmission pipeline easement must not be constructed or installed without prior consent in writing from the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd).
36. No structure or vegetation will be permitted on the gas transmission pipeline easement that prohibits the maintenance of line of sight along the pipeline easement.
37. Prior to the commencement of any works within the gas transmission pipeline easement, the proponent must enter a Third Party Works Authorisation agreement with the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd). Works within the easement must comply with any conditions attached to a third party works approval.
38. No civil infrastructure providing for water, sewer, electric,

telecommunications and other like services will be accepted within the gas pipeline easement, other than service crossings to the satisfaction of the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd).

39. The current ground level over the existing high pressure gas pipeline easement is not to be reduced and must be maintained to the satisfaction of the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd).
40. Buildings cannot be constructed on the APA VTS gas transmission pipeline easement.
41. Stockpiles or storage of materials cannot be stored on the gas pipeline easement at any time.

Fire Rescue Victoria Conditions:

42. The Bushfire Management Plan prepared by Euca Planning (Appendix Three, Pages 1 & 2, Version 2.0, Dated 25/10/2021) must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the Fire Rescue Victoria and the Responsible Authority.
43. Before the development is occupied or the use commences, a Bushfire Emergency Plan (BEP) must be prepared. The BEP must clearly describe the emergency management arrangements that will be implemented to reduce the risk of bushfire and should address the following matters:
 - a) Describe the property and business details.
 - b) Identify the purposes of the BEP stating that the plan outlines procedures for:
 - i. Closure of premises on any day with a declared Total Fire Ban for the West and South Gippsland Fire District.
 - ii. Evacuation (evacuation from the site to a designated safer off-site location).
 - iii. Shelter-in-place (remaining on-site in a designated building).
 - c) Review of the BEP
 - i. Outline that the plan must be reviewed and updated annually prior to the commencement of the declared Fire Danger Period.
 - ii. Include a *Version Control Table*.
 - d) Roles and responsibilities
 - i. Detail the staff responsibilities for implementing the emergency procedures in the event of a bushfire and the triggers for acting. For example, when the facility will be closed and the circumstances under which guests and patrons will shelter in place or evacuate.

- e) **Emergency contact details**
- f) **Bushfire monitoring procedures**
 - i. **Details the use of radio, internet and social networks that will assist in monitoring potential threats during the bushfire danger period.**
 - ii. **Describe and show (include a map) the area to be monitored for potential bushfire activity.**

West Gippsland Catchment Management Authority Condition:

44. **All buildings and works, including the shipping container, must be located at least 30 metres from the top of the bank of the waterway.**

Expiry of Permit Condition:

45. **This permit will expire if one of the following circumstances applies:**
- a) **the development is not started within two (2) years of the date of this permit; or**
 - b) **the development is not completed within four (4) years of the date of this permit; or**
 - c) **The use is not commenced within two (2) years of the completion of the development.**

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Executive Summary:

The application is seeking to use and development of the land at 19 Wattle Tree Road, Moe South for a place of assembly (wedding venue). The site is within a Rural Living Zone – Schedule 1 (RLZ1) and is subject to a Bushfire Management Overlay (BMO) and Design & Development Overlay – Schedule 1 (DDO1). The land has an area of 2.11 hectares and contains an existing dwelling, outbuildings, and orchards.

The proposed wedding venue will operate from a purpose-built barn which is single storey metal clad building with a floor area of 320sqm, a maximum height of 7.16 metres and a setback of 44 metres from the road frontage and 25 metres from the nearest property boundary (northern/side). A car parking area for 45 vehicles will be provided in the front part of the site.

The proposed wedding venue will allow weddings to be conducted on weekends and weekdays (including public holidays, with up to a maximum of 150 patrons and ten catering staff (total 160). The time of events will be from 9:00 am to 12:00 am midnight on the same day, and no more than 15 events will be scheduled/permitted per year.

The application was advertised twice; the second time after the applicant amended their proposal in an effort to address the concerns raised in objections, including limiting the number of events to be held on the land each year, measures to address noise and other emissions from the land and a complaint management procedure that can be enforced through conditions of any permit if issued.

Following advertising, seven submissions in the form of objections were received to the application. The issues of concern can be summarised as follows:

- The proposal is not consistent with the provisions of the Rural Living Zone.
- Impact of the proposal on Wattle Tree Road, which is unsealed and narrow.
- Noise and light pollution.
- Impact on waterways because of reliance on septic tanks.
- Bushfire risk issues as the road is a No Through Road.
- Possibility of increased littering and rubbish.
- Possible increase in crime.
- Impact on wildlife.

Having considered the proposal against the relevant provisions of the Latrobe Planning Scheme (the Scheme) and the submissions received, it is considered that the proposal is generally consistent with the relevant objectives and decision guidelines of the Scheme.

It is therefore recommended that a Notice of Decision to Grant a Permit, subject to appropriate conditions, be issued.

Background:**Summary**

Land:	19 Wattle Tree Road, Moe South Lot 1 TP257689.
Proponent:	T.E. Bertram C/- Planning Central Pty Ltd
Zoning:	Rural Living Zone – Schedule 1 (RLZ1)
Overlay(s):	Bushfire Management Overlay (BMO) Design & Development Overlay – Schedule 1 (DDO1)

The permit triggers for the proposal are as follows:

- A Planning Permit is required to use the land for a place of assembly (wedding venue) in accordance with Clause 35.03-1 under the Rural Living Zone.
- A Planning Permit is required for buildings and works associated in accordance with Clause 35.03-4 under the Rural Living Zone.
- A Planning Permit is required for buildings in accordance with Clause 44.06-2 of the Scheme under the Bushfire Management Overlay (BMO).

- Under the Design and Development Overlay (Schedule 1) and pursuant to Clause 43.02-2 of the Scheme, a permit is required for buildings and works, including a fence within 3 metres of any pipeline.

Proposal

The application is for the use and development of the land for a place of assembly (wedding venue).

The proposed wedding venue will operate from a purpose-built barn which is single storey metal-clad building clad in colorbond. The building will have an overall floor area of 320 square metres and will setback approximately 44 metres from the (east) road frontage, 25 metres from the northern (side) property boundary, approximately 92 metres from the southern (side) property boundary and approximately 98 metres from the rear (west) boundary.

An Amenity Management Plan was submitted with the application that indicated that the venue will be available for hire for the following:

- Weekday Weddings;
- Friday & Sunday Weddings; and
- Saturday & Public Holiday Weddings.

Access to the venue will be from 9:00 am on the day of the reservation until 12:00 midnight. The venue will accommodate a maximum of 150 patrons and ten staff (catering) at any one time.

External catering companies will be required to provide food for functions, and it is anticipated that such will be in the form of food trucks or food vans. The property owners or their representative are required to be present to oversight functions. The use will not be run as a licensed premises.

The barn will be serviced by a new onsite effluent system and a Land Capability Assessment report was submitted with the application. The barn is proposed to be constructed to a minimum Bushfire Attack Level (BAL) of 12.5 for bushfire risk mitigation purposes.

A carparking area with 45 car parking spaces is provided in the front part of the site. The applicant proposes to have the car parking area in compacted gravel, which will require the submission of an Environmental Management Plan (EMP) post-permit as a condition of permit. Access to the carparking will be from the middle access, directly south of the carparking area to Wattle Tree Road. The access along the northern side will be gravelled and upgraded to all-weather to meet the requirements of the CFA.

A copy of the development plans and site plan can be viewed in Attachment 1 of this report.

Subject Land

The subject land is located at No. 19 Wattle Tree Road, Moe South. It is identified as Lot 1 on Title Plan 257869. It is located on the west side of Wattle Tree Road,

approximately 170 metres north of the intersection with Moe South Road, in Moe South. In the wider context, the site is approximately 2.5 kilometres south of the Moe Town centre.

The site is irregular in shape, with a frontage of approximately 160 metres to Wattle Tree Road, maximum depth of approximately 201 metres and a total site area of approximately 2.11 hectares.

The south-eastern corner of the property is burdened with an easement that enters the land from the east (Wattle Tree Road) and exits the land to the south. The easement is in favour of the Gas and Fuel Corporation and is signed onsite.

Topographically, the land is relatively flat, except with a few undulations across the site. There is no noticeable change in level between the subject site and the adjoining sites.

A marked but un-named waterway transects the property from north to south passing through the property's dam.

The site consists of scattered vegetation across the site, particularly in the south-east corner of the site, around the existing dwelling on the site and towards the middle and rear parts of the site.

The existing development on the land is in the south-east corner of the site and consists of a single storey dwelling and associated outbuildings. The applicant advised that the land is currently used for dwelling, personal horticulture and the production of daffodils which are naturalised across the site.

The existing vehicle access to the site is through two crossings from the road frontage. One crossing is to the south of the road frontage and provides access to the easement gas pipes. The second crossing is to the middle of the road frontage provides access to the existing dwelling.

Surrounding Land Use

The subject site is approximately 2.5 kilometres from the Moe Town Centre. The surrounding lots are used for rural living except for land to the west which is a wastewater treatment plant. All the surrounding rural residential lots are developed with dwellings and associated outbuildings.

The details of the immediate adjoining sites are as follows:

North and West:

To the north and west is the site at No. 35 Wattle Tree Road. It has significant vegetation across the site, is of similar size with the subject site and contains a dwelling and outbuilding. Further to the west is a wastewater treatment plant which is within a Public Use Zone 1.

South:

To the south is a battle-axe lot at No. 15 Wattle Tree Road and contains a dwelling and outbuildings at the rear of the site. The dwelling on this site is approximately 10 metres from the shared boundary with the subject site.

East:

Wattle Tree Road adjoins the east (front) site boundary. It is a minor gravel road with vegetated shoulders and drainage. The road terminates to the north just after the frontage of the subject site. On the opposite side of Wattle Tree Road are lots within a Rural Living Zone of varying sizes developed with dwellings and outbuildings.

Reasons for Proposed Resolution:

The proposal is considered to be:

- Consistent with the strategic direction of the Municipal Planning Strategy and Planning Policy Framework relating to rural-living residential areas land use compatibility and noise abatement;
- Consistent with the 'Purpose' and 'Decision Guidelines' of the Rural Living Zone;
- Consistent with Clause 65 (Decision Guidelines); and
- The objections received have been considered against the provisions of the Latrobe Planning Scheme. Whilst some of the concerns raised in the objections have planning merit, the applicant has amended the application to address some of these concerns and, on balance, the proposal is considered acceptable.

Issues:***Strategy Implications***

Council Plan 2021-2025 – Smart

'Continue to support our existing business community so they can prosper and grow'.

The proposal supports the establishment of a new business will also create additional business for the wider business community including food and beverage businesses.

Health Implications

Health impacts including those from offsite amenity impacts have been considered and discussed later in this report.

Communication***Notification:***

The application was advertised pursuant to Sections 52(1)(a) and (d) of the Act. Notices were sent to all adjoining and adjacent landowners and occupiers, and site notices were displayed on the site frontage for 14 days.

At the time of writing this report there were seven objections to the application.

A copy of the objections can be viewed at Attachment 3 of this report, a copy of the location of those objections comparative to the subject land can be viewed at Attachment 4 of this report.

The following issues were raised in the objections:

- The proposal is not consistent with the provisions of the Rural Living Zone.

Comment:

The purpose of the RLZ is primarily aimed at providing for residential use in a rural environment. However, it does allow other compatible land uses provided that surrounding amenity, natural resources, biodiversity, landscape and heritage values are protected. The proposal represents a modest increase in intensity to the area, noting the presence of the nearby wastewater treatment facility to the north-east. Having regard to this, the proposal is considered to be generally consistent with the Zone 'Purpose' and some of the 'Decision Guidelines' of Clause 35.03-5.

- Impact of the proposal on Wattle Tree Road, which is unsealed and narrow.

Comment:

Wattle Tree Road is a narrow and unsealed. The proposal to have maximum of 160 people on the site at a given time, consisting of 150 wedding guests and ten catering staff. The application was referred to Councils Engineering team for consideration who did not raise any concerns regarding the impact of the proposal on the existing road.

- Noise and light pollution.

Comment:

The proposal is restricted in its operational capabilities and includes acoustic insulation measures. The applicant has submitted an Amenity Management Plan to address off-site impacts to adjoining and nearby landowners and occupiers. If a permit was issued for the proposal the requirements of the Amenity Management Plan and other conditions relating to amenity could be enforced.

- Impact on waterways because of reliance on septic tanks

Comment:

A land capability assessment report was submitted with the application. The applicant advised that either a new septic system will be installed that will have toilets and vanities inside the shed structure, or a toilet block with sewerage stored and pumped out by truck.

The subject site is large enough to enable wastewater to be treated and retained on-site with adequate setback distance, or pump-out system. Council's Environmental Health unit have assessed the proposal and determined that it

satisfies the relevant considerations subject to appropriate conditions being included should a permit be issued.

- Bushfire risk issues as the road is a No Through Road.

Comment:

Fire Rescue Victoria has assessed the application and determined that it is acceptable and satisfies the relevant considerations relating to bushfire risk.

- Possibility of increased littering and rubbish.

Comment:

In the event of Council support for the proposal, a waste management plan would be required to be endorsed as part of any approval.

- Possible increase in crime.

Comment:

There is no evidence that the proposal will result in increase in crime rate in the surrounding area.

- Impact on wildlife.

Comment:

The proposal does not include the removal of any native vegetation or impact on an existing habitat on the subject land.

External:

The application was referred to Fire Rescue Victoria (FRV) under Section 55 of the Act as a recommending referral authority. There was no objection to the application, subject to specified conditions in any approval to be issued.

The application was referred to the West Gippsland Catchment Management Authority (WGCMA) under Section 52 of the Act. There was no objection to the application, subject to specified condition.

The application was referred to the Department of Environment, Land, Water and Planning (DELWP) under Section 52 of the Act. There was no objection to the application, subject to specified conditions in any approval to be issued.

The application was referred to the APA VTS under Section 52 of the Act as the owners of the pipeline infrastructure on the land and there was no objection to the application, subject to specified conditions in any approval to be issued.

Internal Referrals:

The application was referred internally to Council's Engineering and Health teams.

The Engineering and Health teams have provided conditional consent to the granting of a Planning Permit.

Financial Implications

Additional resources or financial cost will only be incurred should the planning permit application require determination at the Victorian Civil and Administrative Tribunal (VCAT). There is a moderate risk that this application will be appealed to VCAT. The anticipated time required for a Council Officer to prepare a VCAT submission and collate all relevant documentation is 7 business days with an additional two days required to attend and present at the appeal, totalling 9 business days. This equates to a financial cost in the order of \$4,000. This cost would be far greater if a consultant is required to attend on Council's behalf and would likely be in the range of \$10,000 or more.

Risk Analysis

Identified risk	Risk likelihood*	Controls to manage risk
Reputational Risk Supporting an application which has received seven objections which raise concerns including consistency with the purpose of the zone, compatibility with surrounding uses, amenity impact, noise, etc.	3 - Possible	The proposal has been considered against the Latrobe Planning Scheme and it is considered to be consistent with the relevant provisions.
Reputational Risk & Financial Risk Not supporting the application and the applicant seeking review of the decision at VCAT.	3 - Possible	To manage and limit the potential risk, the recommendation has been considered against the requirements of the Rural Living Zone, Planning Policy Framework and Municipal Planning Strategy.

* For example, likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

Legal and Compliance

Latrobe Planning Scheme

The Municipal Planning Statement (MPS) and Planning Policy Framework (PPF) have been considered as part of the assessment of this application, a list of relevant clauses can be viewed at Attachment 5 to this report.

Strategic direction of the Planning Policy Framework

The key elements of the Planning Policy Framework have been considered in the assessment of the application.

Clause 71.02-3 of the Scheme requires decision makers to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

The Planning Policy Framework of the planning scheme is effectively neutral about the location of non-residential land uses in residential or rural residential areas and the location of a place of assembly. The provisions of the rural living zone require consideration of the compatibility of the proposed use with adjoining and nearby land uses, the impact on natural physical and environmental resources, and the impact of proposed buildings and works on the environment and landscape features and character of the area.

Contextually, the surrounding area is characterised as a rural residential or rural lifestyle area, with lots (within the RLZ) developed with single dwellings, and associated outbuildings. There are hobby agricultural activities in the area such as animal grazing and horticulture. Council is not aware of any other non-residential land uses in the immediate area, apart from the wastewater plant – which is a public use. Subsequently, the extent of the proposed is considered to be a modest response to such a context.

The proposal will not impact on the natural resources, biodiversity, landscape and heritage values of the area. The proposal will not remove native vegetation, and that the proposed barn will be set back over 30 metres from the watercourse on the land and will appropriately dispose of wastewater on-site, subject to conditions to be placed on any approval.

Clause 13.05-1S – Noise abatement – seeks to assist the control of noise effects on sensitive land uses. Strategies include to ensure that development is not prejudiced, and community amenity and human health is not adversely impacted by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area. The clause references the Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues (Publication 1826.2, Environment Protection Authority, March 2021).

The proposed place of assembly will provide acoustic insulation to the barn/building, which will assist with preserving the quiet rural residential characteristics of the area. Further, as the use will be restricted to no more than 15 events per year, the extent of its impact on rural lifestyle is limited. Noise requirements in accordance with the Environment Protection Regulations under the Environment Protection Act 2017 are relevant in the consideration of applications. Noise impact has been undertaken as part of the application process.

Clause 13.07-1S – Land use compatibility – has the objective to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts. Strategies include to ensure that use or development of land is compatible with adjoining and nearby land uses and avoid locating incompatible uses in areas that

may be impacted by adverse off-site impacts from commercial, industrial, and other uses.

The proposal has been assessed against the Latrobe City Council's Rural Land Use Strategy which guides the City's long-term growth and development associated with housing, industry and employment and rural land use. It provides an integrated municipal-wide approach to land use planning that forms the basis for both statutory planning controls and a framework for growth.

The Live Work Latrobe strategies secure and encourage a range of residential opportunities across the City. It advocates that future growth is commensurate with access to services, infrastructure, transport and the protection of natural resources and environmental risks and hazards. The proposal is found to be generally consistent with the requirements of the Strategy relating to rural living, rural landscapes, and inclusive living environments.

It is considered that the balance in favour of net community benefit lies with allowing the establishment of a wedding venue on the site that is observant of protecting the existing rural living environment rather than one that is not.

Purpose' and 'Decision Guidelines' of the Rural Living Zone

The Rural Living Zone seeks to provide for residential use in a rural environment; to provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses; to protect and enhance the natural resources, biodiversity and landscape and heritage values of the area; and to encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

A function centre (wedding venue) is not a land use specifically mentioned in the Table of Uses in the zone, which means it falls under the broader land use term of 'Place of Assembly' for which a permit is required for its use and development.

A function centre is defined at Clause 73.03 of the Scheme as:

Land used, by arrangement, to cater for conferences, private functions, and in which food and drink may be served. It may include entertainment and dancing.

The decision guidelines for the RLZ at Clause 35.03-5 are grouped into different issues to be considered as appropriate – general, agricultural, environmental and design and siting. Amongst other matters these require consideration of the compatibility of the proposed use with adjoining and nearby land uses, the impact on natural physical and environmental resources, and the impact of proposed buildings and works on the environment and landscape features and character of the area.

The proposed use and development of the land for a place of assembly (wedding venue) is consistent with the purpose and decision guidelines of the RLZ for the following reasons:

- The provisions of the RLZ1 allow a place of assembly or wedding venue to be contemplated, the acceptability or otherwise of such a use and development is to be determined within the context of the planning policies and provisions.
- The purposes of the RLZ are primarily aimed at providing for residential use in a rural environment, along with other compatible land uses and protection of natural resources, biodiversity, landscape and heritage values. It is not a zone that seeks to accommodate extensive non-residential land uses but, rather, secondary land uses that can be run alongside a primary land use (such as residential) whilst respecting the rural landscape and environment characteristics. The proposed use and development is modest in its application, relying on the owner/occupiers of the dwelling to operate it on a comparatively small scale (taking into account the extent of operations annually).

The main considerations in the assessment and determination of the application are whether the proposal is consistent with the purpose of the zone and whether it is appropriately located within the rural living environment.

It is considered that the proposed wedding venue will not undermine the amenity of the area and will introduce a marginal increase in the intensity of at a scale that should not conflict with residential amenity. It is acknowledged that noise from cars, people, music, and any other sounds would have some impact on the adjoining and nearby properties as noise travels further and more readily within rural localities due to lack of existing background noise. However, it is also acknowledged that the proposal will operate on a restricted basis and within the confines of the permit conditions and endorsed plans/documents, including the Amenity Management Plan. Of particular note, it will be a condition of permit that no live music or live entertainment pre-recorded or amplified music may be played outside the building at any time and speakers must not be installed or located outside the building. This will help to ensure that disruptive noise pollution is generally confined to the acoustically treated wedding barn/building.

Overlay - Bushfire Management Overlay (BMO)

The site is within a BMO where a permit is required for buildings and works associated with a place of assembly. The application is required to demonstrate that the proposed development has regard for the surrounding bushfire hazards.

The purposes of the overlay that are relevant to the consideration of the application are to ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire and to ensure that development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

A bushfire management statement and plan were submitted with the application that undertook a comprehensive assessment of potential bushfire hazards and made recommendations to mitigate and improve the protection of life and property for the proposal. This is satisfactory.

The proposal is considered to be generally consistent with the decision guidelines of the BMO for the following reasons:

- The submitted Bushfire Hazard Landscape Assessment appropriately considered landscape risks and the Clause 53.02 modelled fire assumptions are adequate.
- A Bushfire Hazard Site Assessment considered localised hazards, defensible space, and the bushfire attack level.
- The Bushfire Management Plan responds positively to the site and the proposed development, including the standard CFA permit conditions.
- The Bushfire Management Statement demonstrates that the defensible space objectives can be met with all defensible space located within the subject property except for off-site defensible space that utilizes the area northern neighbour's driveway, with access and water supply provided.
- Due to the surrounding landscape, the proposed development is expected to be affected by a moderate level of ember attack in the event of a bushfire. A BAL of 12.5 is deemed appropriate considering the vegetation in the area, and the building materials proposed.
- The submitted bushfire management statement adopted a Pathway 2 assessment to meet the objectives and approval measures of Clause 53.02 of the Scheme.
- The application was referred to Fire Rescue Victoria – which is a recommending referral authority for the application – and there was no objection to the application subject to specified conditions in any approval to be issued.

Overlay - Design and Development Overlay – Schedule 1 (DDO1)

Schedule 1 to the Design and Development Overlay relates to Major Pipeline Infrastructure. The objective is to ensure that all buildings and works and buildings designed to accommodate people are sufficiently separated from high pressure pipelines to avoid a safety hazard.

Whilst a permit is required for the proposed buildings and works under the overlay, the proposed barn will not be constructed within 3 metres of the pipeline on the subject site. The proposed building is located at one of the furthest points on the property from the pipeline. Nonetheless, APA VTS, as the pipeline owner and administrator has determined that the proposal satisfies the relevant considerations subject to the inclusion of conditions to any permit issued.

Clause 52.06 Car Parking

The purpose of this clause is to, among other things, ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality, to ensure that car parking does not adversely affect the amenity of the locality and to ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

As listed in the Table 1 to clause 52.06-5, the car parking requirement for a place of assembly, under which a function centre is nested, is 0.3 to every patron permitted. In this regard, the proposed function centre (wedding venue) with a maximum of 150

patrons at a given time will require a minimum of 45 car spaces to be provided under the clause.

Based on the submitted plans, a total of 45 car spaces are proposed to be provided in the car parking area in the front part of the site. There are also ample spaces on the site for informal car parking. No car parking reduction is sought as part of the application.

Clause 52.34 Bicycle Facilities:

The purpose is to encourage cycling as a mode of transport and to provide secure, accessible, and convenient bicycle parking spaces and associated shower and change facilities. The proposed function centre is calculated to have a floor area of 320sqm. In this regard, two bicycle spaces are required for visitors and none for employees.

Whilst no spaces have been specifically provided, there are ample informal spaces on the site for bicycle parking, if required.

Clause 53.02 – Bushfire Planning

This clause applies to an application under Clause 44.06 - Bushfire Management Overlay. The relevant purposes of the clause include to ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire; to ensure that the location, design, and construction of development appropriately responds to the bushfire hazard and to ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.

The clause specifies assessment criteria for different types of applications. A pathway 2 assessment based on the requirements of Clause 53.02-4 applies to the application and as discussed previously in this report it is considered that the proposal has responded appropriately to bushfire risk.

Decision Guidelines (Clause 65):

The general provisions found at Clause 65 (Decision Guidelines) of the Scheme are relevant to this application an assessment of the application against the relevant decision guidelines, the proposal is considered to be generally consistent with some of the relevant decision guidelines.

Environmental Implications

Environmental implications have been considered and discussed throughout this report.

Other

Council has the following options in regard to this application:

1. Issue a Notice of Decision to Grant a Permit; or
2. Issue a Notice of Refusal to Grant a Permit

Council's decision must be based on planning grounds, having regard to the provisions of the Latrobe Planning Scheme.

Declaration of Interests:

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

Attachments

1.  Development Plans & Site Plans

2.  Site Context Plans

3. 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. Copy of Objections and personal identifying information

4. Location of Objectors (Published Separately)

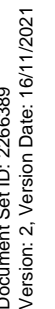
This attachment is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information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

5.  Relevant Planning Policy

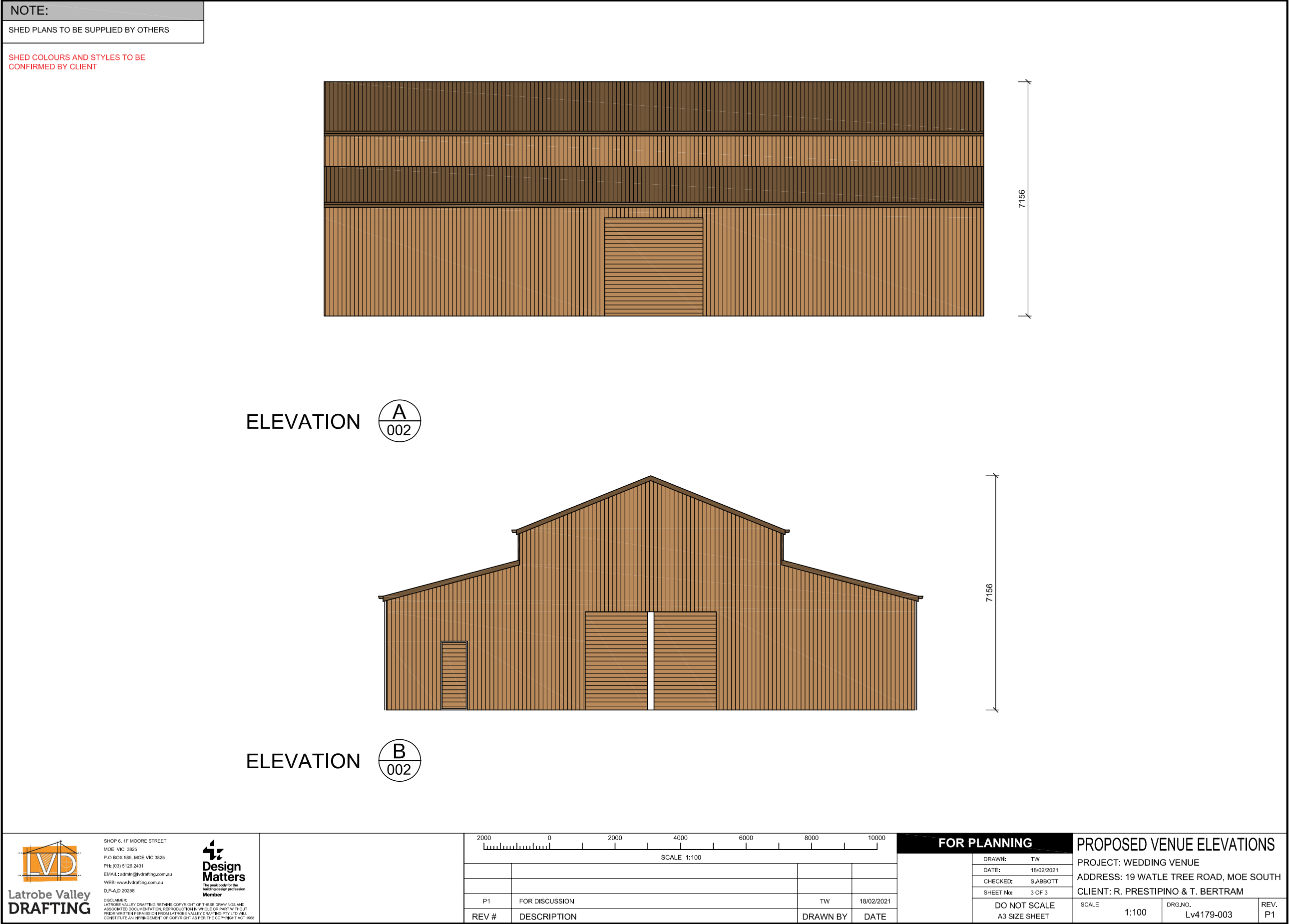
9.3

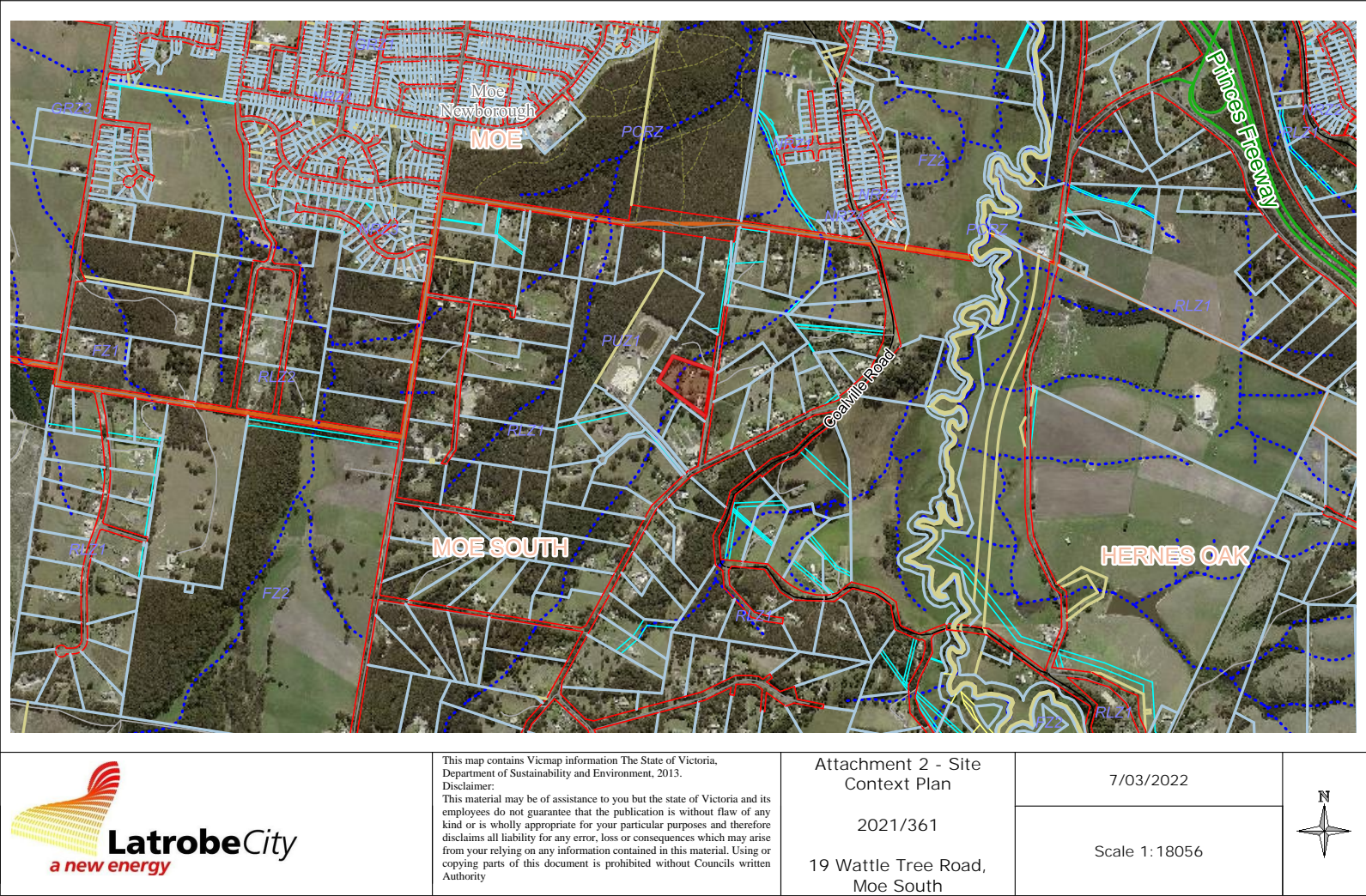
Use and Development of Land for a Place of Assembly (Wedding Venue) at 19 Wattle Tree Road, Moe South

1	Development Plans & Site Plans	384
2	Site Context Plans	387
5	Relevant Planning Policy	388









Relevant policy from Municipal Planning Statement and Planning Policy Framework

- Clause 02.03-1 – Settlement - District towns, small towns, and rural living precincts.
- Clause 02.03-3 – Environmental risks and amenity
- Clause 02.03-6 – Housing – Rural residential development
- Clause 11.01-1R – Settlement – Gippsland
- Clause 11.01-1S – Settlement
- Clause 12.03-1S – River corridors, waterways, lakes and wetlands
- Clause 12.03-1L – River corridors and waterways
- Clause 12.05-1S – Environmentally sensitive areas
- Clause 12.05-2S – Landscapes
- Clause 13.05-1S - Noise Abatement
- Clause 13.07-1S – Land Use Compatibility
- Clause 13.07-1L – Land Use Compatibility
- Clause 14.01-S – Protection of agricultural land
- Clause 15.01-6S – Design for rural areas
- Clause 15.01-6L – Design for rural areas
- Clause 16.01-3S – Rural residential development
- Clause 16.01-3L – Rural residential development
- Clause 17.01-1S – Diversified Economy
- Clause 17.01-1L – Diversified Economy
- Clause 17.02-1S – Business
- Clause 18.02-4S – Roads
- Clause 18.02-4L – Road system
- Clause 19.01-3S – Pipeline infrastructure
- Clause 19.01-3L – Pipeline infrastructure

CORPORATE ITEMS FOR DECISION

10. CORPORATE ITEMS FOR DECISION

Item Number 10.1

01 August 2022

Organisational Performance

PROPOSED SALE OF LAND - MORWELL WEST DEVELOPMENT

PURPOSE

To sell by private treaty an estimated 24 acres (9.48 hectares) of vacant land ("the land") which forms a part of the Morwell West Development Plan.

EXECUTIVE SUMMARY

- The land has been identified as being surplus to Council requirements.
- A valuation of the land has been obtained but the market interest has yet to be tested.

OFFICER'S RECOMMENDATION

That Council:

- **Gives public notice of the proposed sale by private treaty of an estimated 24 acres (9.48 hectares) of vacant land ("the land") which forms part of the Morwell West Development Plan within Council land abutting Toners Lane, Madden Street, Godridge Road and Catherine Street, Morwell and invites public submissions on the proposal; and**
- **Considers at a future Council Meeting any submissions received that are opposed to the proposed sale of the land; or**
- **If no submissions opposed to the sale of the land are received, authorises the Chief Executive Officer to sell the land at no less than the current market value as assessed by independent valuation and to sign and seal any documents required to facilitate the transfer of land.**

BACKGROUND

A Council Briefing paper was presented to Councillors on the 22 November 2021 regarding the sale of potential surplus Council owned land located within the Morwell West Development Plan.

The land is described as Lot 1, PS 140015 being the land contained in Certificate of Title Volume 9483 Folio 037.

A valuation of the land has been provided and is now attached (Attachment 1). To sell the land, a subdivision is also currently underway to exercise the land for development from the parent parcel (the land bordered in blue within Attachment 2).

As depicted within Attachment 2, the whole parcel owned by Council is currently split zoned and this subdivision will alienate the General Residential zoned (also known as GRZ3 in Attachment 2) portion so it can be offered for sale. This subdivision planning application is currently being processed and is near finalisation.

Council's sale of the land will facilitate the future subdivision and development in accordance with the Morwell West Development Plan.

The balance of the parcel in the Farming Zone and Public Park and Recreation Zone will be retained by Council for ongoing use as the Toners Lane Reserve, situated in the north west quadrant with shared vehicular access from Toners Lane. The existing users include Twin City Archers Club, Dog Obedience Club, Latrobe Valley Street Machiners Car Club and the Morwell Cougars Baseball Club.

It should be noted, a large drainage retardation basin/wetland is currently under construction in the southern portion of the reserve as part of the infrastructure works for the adjoining Range Estate to the immediate south (as shown within Attachment 2).

ANALYSIS

Council owns an estimated 24 acres of vacant land abutting Toners Lane, Madden Street, Godridge Road and Catherine Street, Morwell which forms part of the Morwell West Development Plan. This land is surplus to Council requirements and officers recommend that Council sell the land by private treaty. The extent of market interest is as yet unknown.

RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
<p>COMPLIANCE</p> <p>LEGAL</p> <p>Section 114 of the <i>Local Government Act 2020</i> details the requirements for the sale or exchange of land as follows:</p> <p>OHS AND SAFETY Public Safety concerns due to wayward arrows from the Twin City Archers Club neighbouring the proposed residential development.</p>	<p>Certain</p> <p>Possible</p>	<ul style="list-style-type: none"> • Council must publish a notice of intention to sell land at least four weeks prior to the sale on Councils website. • Council must undertake a community engagement process in accordance with its community engagement policy. • Council must obtain an independent valuation from a licensed valuer not more than six months prior to the sale or exchange. • Consultation with Archery Victoria and Australian Bowhunters Association (Aba) to achieve specialty case advice on this matter. • Appropriate measures (inclusion of fencing and review of target locations, signage etc) to be undertaken to address any risk to public safety to be reflected in the upcoming lease document with the Twin City Archers Club.
<p>SERVICE DELIVERY</p> <p>In accordance with section 114 of the <i>Local Government Act 2020</i> the independent valuation attached dated 16 June 2022 expires on the 16 December 2022. Should a sale not proceed prior to this time, a revised valuation is to be sought which will delay the process of disposing this land.</p>	<p>Possible</p>	<p>Should the sale of land process be delayed in anyway and the current valuation is near expiry, a revised valuation proactively sought.</p>

FINANCIAL In accordance with section 114 of the <i>Local Government Act 2020</i> the land would be sold based upon an independent valuation that would be obtained by Council.	Certain	The sale price must be based off the formal valuation.
STRATEGIC (INC REPUTATIONAL) A sale is not completed at this time and the continued construction of the Morwell West Development is delayed until further notice.	Possible	An expression of interest process to sell the land is undertaken.

* Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

CONSULTATION

Should the proposed sale of land proceed, public notice will be given in accordance with section 114 of the *Local Government Act 2020* and any submissions that are received would be considered at a future Council meeting.

As the land is encumbered with easements for drainage and sewerage on the plan of subdivision it will be necessary for the proposal to be referred to Gippsland Water for comment.

COMMUNICATION

Should Council proceed with the process to sell this land it will be necessary for public notice to be given inviting comment on the proposal in accordance with the *Local Government Act 2020*.

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*.

APPENDICES: IMPACT ASSESSMENT

APPENDIX 1 IMPACT ASSESSMENT

Social

Proceeding to sell the land for residential development is expected to be in line with the community's expectations given the residential zoning of the land and the Morwell West Development Plan. The sale of the land will help achieve housing opportunities for locals, the wider community and in turn provide population growth.

Cultural

There are not considered to be any impact on cultural values or belief systems with the proposed sale of land.

Health

There are not considered to be any impact on community health with the proposed sale of land.

Environmental

The land is assumed to be free from any contamination that would affect the possible uses of a future residential development.

In due course, a Native Vegetation study will form part of any future planning application.

There are drainage issues impacting a significant part of the site located to the south of an existing east-west open earthen drain which bisects the property at a point just north of the already established Catherine Street residential area. It has been confirmed that stormwater currently discharges to the open drain via a single underground pipe. The full cost of construction of the east-west drain is the responsibility of any future owner of the site.

Economic

Council's sale of the land will facilitate the future subdivision and development in accordance with the Morwell West Development Plan and in turn future residential growth within the area.

Financial

There are no short-term financial implications resulting from adopting the recommendation. The sale proceeds will be available to Council for future projects or investment.

Attachments

1. Valuation Report - Toners Lane, Morwell (Published Separately)

This attachment is designated as confidential under subsection (g) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*,

as it relates to private commercial information, being information provided by a business, commercial or financial undertaking that—

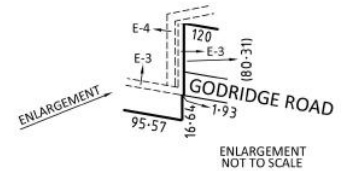
- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage. Land valuation figure included within report.

2↓.  Proposed Plan of Subdivision - Toners Lane, Morwell

10.1

Proposed Sale of Land - Morwell West Development

- 2 Proposed Plan of Subdivision - Toners Lane, Morwell 397**



40 0 40 200
SCALE: 1:4000
SHEET SIZE: A3
REFERENCE: 2200428
VERSION: 1

TONERS LANE, MORWELL - LATROBE CITY COUNCIL



ESTABLISHMENT OF COMMUNITY ASSET COMMITTEES FOR BUSHLAND RESERVES

PURPOSE

Establishment of Community Asset Committees under the Local Government Act 2020 to replace Council's Bushland Reserve Committees of Management.

EXECUTIVE SUMMARY

- Council has three bushland reserves that are supported by Committees of Management (namely Edward Hunter Heritage Bushland Reserve, Ollerton Avenue Bushland Reserve and Crinigan Bushland Reserve).
- Section 86 Special Committee Delegations were revoked for each of these Committees of Management at the ordinary Council meeting held 6 August 2001.
- It is necessary however that Bushland Committees are provided formal delegation of powers in order to authorise their operations and the management of monies as required by the Local Government Act 2020.
- It is proposed that existing members of the Bushland Committees be appointed to the Community Asset Committees. With reappointment to the new Committee, all membership periods will recommence.
- Each of the Bushland Reserve Committees have provided their support to being established as Community Asset Committees.
- It is therefore recommended that Community Asset Committees be established for each of the Bushland Reserves referenced by this report.
- Following the resolution of Council, each Committee will be required to hold a meeting to appoint office bearers as described at Section 7 of the Terms of Reference attached to this report.

OFFICER'S RECOMMENDATION

That Council:

- 1. Establishes the Edward Hunter Heritage Bushland Reserve Community Asset Committee under section 65 of the Local Government Act 2020 and:**
 - (a) Adopts the Terms of Reference for the Committee attached to this report;**

- (b) Appoints Councillor Sharon Gibson as a Councillor member of the Committee for the term specified in the Terms of Reference or earlier ceasing to be a Councillor;**
 - (c) Appoints Councillor Brad Law as a Councillor member of the Committee for the term specified in the Terms of Reference or earlier ceasing to be a Councillor;**
 - (d) Authorises the Chief Executive Officer to appoint the Council officer member of the Committee and to change that appointment as deemed necessary by the Chief Executive Officer;**
 - (e) Appoints a representative of the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) where GLaWAC chooses to nominate a representative;**
 - (f) Appoints the following persons to the Committee for the term specified in the Terms of Reference:**
 - Bruce King as Community Representative;**
 - Greg Mitchell as Community Representative**
 - Julie Murray as Community Representative;**
 - Martin Rieger as Community Representative;**
 - Jane Sultana as Community Representative;**
 - Rosemary Race as Community Representative;**
 - Sally McCormack as Community Representative.**
- 2. Establishes the Crinigan Bushland Reserve Community Asset Committee under section 65 of the Local Government Act 2020 and:**
- (a) Adopts the Terms of Reference for the Committee;**
 - (b) Appoints Councillor Graeme Middlemiss as Councillor member of the Committee for the term specified in the Terms of Reference or earlier ceasing to be a Councillor;**
 - (c) Authorises the Chief Executive Officer to appoint the Council officer member of the Committee and to change that appointment as deemed necessary by the Chief Executive Officer;**

- (d) Appoints a representative of the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) where GLaWAC chooses to nominate a representative;**
 - (e) Appoints the following persons to the Committee for the term specified in the Terms of Reference:**
 - Anne Roberts as Community Representative;**
 - Melinda Roberts as Community Representative;**
 - Lee Garwood as Maryvale Private Hospital Representative;**
 - Peter Lucas as a Community Representative;**
 - Gayle Lucas as a Community Representative.**
- 3. Establishes the Ollerton Avenue Bushland Reserve Community Asset Committee under section 65 of the Local Government Act 2020 and:**
- (a) Adopts the Terms of Reference for the Committee;**
 - (b) Appoints Councillor Sharon Gibson as a Councillor member of the Committee for the term specified in the Terms of Reference or earlier ceasing to be a Councillor;**
 - (c) Appoints Councillor Brad Law as a Councillor member of the Committee for the term specified in the Terms of Reference or earlier ceasing to be a Councillor;**
 - (d) Authorises the Chief Executive Officer to appoint the Council officer member of the Committee and to change that appointment as deemed necessary by the Chief Executive Officer;**
 - (e) Appoints a representative of the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) where GLaWAC chooses to nominate a representative;**
 - (f) Appoints the following persons to the Committee for the term specified in the Terms of Reference:**
 - Kevin Jones as Community Representative;**
 - Pat Esse as Community Representative;**

- **Colin Cook as Community Representative.**
- 4. Dissolves the following Committees of Management:**
 - **Edward Hunter Heritage Bushland Reserve;**
 - **Crinigan Bushland Reserve;**
 - **Ollerton Avenue Bushland Reserve.**
 - 5. Endorses the Chief Executive Officer to provide Sub-Delegations to each of Community Asset Committees under section 47 of the Local Government Act 2020.**

BACKGROUND

A Community Asset Committee may be established under section 65 of the Local Government Act 2020 (the 2020 Act), including for the management of Bushland Reserves.

The establishment of Community Asset Committees will resolve issues of financial management allowing each Committee to manage grant funding independently, ensure insurances and personal liability risk is reduced and the alignment of each Committee with Council policy and procedures.

In relation to membership of the new Committees, existing memberships of the Special Committees are able to be carried across to the Community Asset Committees.

While community representative members would ordinarily be appointed following an expression of interest process, given the specific circumstances in which each of the proposed Community Asset Committees are being established, officers believe it is reasonable for Council to appoint members of the current Bushland Committees to the equivalent Community Asset Committees without an expression of interest process. It is also proposed that Councillor and Council officer membership would remain the same.

Proposed Terms of Reference have been prepared in consultation with each of the current Committees based on the template documents previously endorsed by Council. Minor additions and inclusions have been added specific to their role and function and to further clarify obligations and responsibilities of both Council and volunteers.

Each Committee will receive sub-delegated powers from the CEO under section 47 of the LGA 2020 that will be in line with recommendations for sub-delegations to Community Asset Committees previously approved by Council at the Council Meeting of 7 September 2020.

ANALYSIS

A Community Asset Committee may be established under the Local Government Act 2020 (the Act) for the purpose of managing a community asset in the municipal district.

Bushland Reserves are considered to be within that definition and accordingly it is proposed that this structure would be appropriate for Committees managing Bushland Reserves. The three Bushland Reserves are all owned by Council or managed and controlled by Council under the Crown Land (Reserves) Act 1978, meaning there is no issue with management via a formal Council Committee.

Clear and consistent governing documents for the Community Asset Committees will provide a strong framework for the operation of those committees, which in turn promotes the trust of the municipal community and encourages community member engagement, including as committee members.

Formalisation of the Bushland Reserve Committees by creation of Community Asset Committees will allow the continued effective management of Bushland Reserves which provide significant benefit to the health and wellbeing of the community and local biodiversity.

The transition process for delegations to Community Asset Committees from the Chief Executive Officer will be consistent with previous practices of Council in delegating powers to Special Committees.

RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
COMPLIANCE Committees are currently not able to make decisions with formal delegation, and this may cause interference in management of matters by the Bushland Reserve Committees.	Certain	By establishing the Community Asset Committees to manage matters currently handled by Bushland Reserve Committees, Council will be taking the appropriate action to ensure no invalid decisions are made.
SERVICE DELIVERY Committees of management acceptance of renewed terms of reference and delegation.	Possible	Adequate communication and time to consider change. Copies of the draft documents and opportunity to provide feedback has been provided to each of the Committees, who have since provided support.
FINANCIAL A key concern of committees is their inability to manage grant funding independently of Council. This has resulted in Committees feeling a loss of control and added burden to Officers.	Likely	The change from Committee of Management (CoM) to Community Asset Committee (CaC) will give the financial control of Committee funds to the Committees within appropriate limitations contained in the Instruments of Sub-Delegation.

STRATEGIC (INC REPUTATIONAL) Committees are not able to make decisions under formal delegation, and this may cause interference	Likely	By establishing the Community Asset Committees to manage matters currently handled by Bushland Reserve Committees, Council will be taking the appropriate action to ensure no invalid decisions are made.
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* Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

CONSULTATION

The draft Terms of Reference attached to this report have been provided to each of the Bushland Committees for comment, with feedback considered and included as appropriate.

COMMUNICATION

The need to review and formalise the responsibilities of Bushland Reserve Committees Management has been a topic of discussion at each of the Committee meetings in recent times. A primary point of concern being the inability to manage grant funding independently of Council.

DECLARATIONS OF INTEREST

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

APPENDICES: IMPACT ASSESSMENT

APPENDIX 1 IMPACT ASSESSMENT

Social

Clear and consistent governing documents for the Community Asset Committees will provide a strong framework for the operation of those committees, which in turn promotes the trust of the municipal community and encourages community member engagement, including as committee members.

Formalisation of the Bushland Reserve Committees by creation of Community Asset Committees will allow the continued effective management of Bushland Reserves that are of significant benefit to the community. The support of volunteers in the management of bushland reserves supports direct and indirect social and community health benefits for the community.

Environmental

There are no direct environmental implications associated with this report. The establishment and operation of the revised Terms of reference will support improved environmental land practices.

Economic

The support of volunteers provides economic benefits to Latrobe City Council and the community, supporting the liveability and attractiveness of Latrobe City as a place to live and work.

Legal and Compliance

Section 86 Special Committee Delegation were revoked by Council at a meeting held 6 August 2001. This determination was made for all Council's Bushland Committees of Management.

Subsequent to the Section 86 being revoked, Bushland Committees have continued to operate and meet as a de facto Committee of Council continuing to receive grant monies, manage LCC annual funding allocations, receive administrative and technical support from officers and contributions from Councillors.

These arrangements are guided by the Terms of Reference endorsed at the Ordinary Council meeting held 20 February 2012 which aims to fulfil the role the Instrument of Delegation had previously fulfilled. The status of the current Terms of Reference does not however provide for proper delegation of powers, management of monies or insurances.

Section 65 of the 2020 Act allows Council to establish Community Asset Committees. A document for sub-delegations under section 47 of the 2020 Act has been prepared to assist the Chief Executive Officer in achieving continuity with delegations to Community Asset Committees. The sub-delegations proposed are similar to those already granted to other reserves currently managed by CACs.


Financial

The change from Committee of Management (CoM) to Community Asset Committee (CaC) will not have any cost to Council. It will give the financial control of Committee

funds to the Committees within appropriate limitations contained in the Instruments of Sub-Delegation.

Attachments

1 [↓](#).  Crinigan Bushland Reserve Terms of Reference

2 [↓](#).  Edward Hunter Heritage Bushland Reserve Terms of Reference

3 [↓](#).  Ollerton Avenue Bushland Reserve Terms of Reference

10.2

Establishment of Community Asset Committees for Bushland Reserves

- 1 Crinigan Bushland Reserve Terms of Reference..... 408**
- 2 Edward Hunter Heritage Bushland Reserve Terms of
Reference 421**
- 3 Ollerton Avenue Bushland Reserve Terms of Reference 434**

Crinigan Bushland Reserve Community Asset Committee *Terms of Reference*





Terms of Reference

Pursuant to the exercise of the power conferred by section 65 of the *Local Government Act 2020*, Latrobe City Council (the Council) hereby establishes the Crinigan Bushland Reserve Community Asset Committee (the Committee), with the purposes and rules set out in the Schedules attached:

1. These Terms of Reference are authorised by a resolution of Council passed on 1 August 2022.

The common seal of Latrobe City Council)
was affixed in accordance with Local Law)
No. 1 this day of 20 in)
the presence of:

Steven Piasente Chief Executive Officer



Schedule One: Role, Membership and Meeting Procedures of the Community Asset Committee

1. DEFINITIONS

1.1. In these terms of reference and schedules, the following words have the following meanings:

The Committee	means the Crinigan Bushland Reserve Community Asset Committee appointed pursuant to the provisions of section 65 of the <i>Local Government Act 2020</i> .
Community Asset Committee	means a committee established by the Council under section 65 of the <i>Local Government Act 2020</i> and to which the Chief Executive Officer delegates a duty, function or power under section 47 of the <i>Local Government Act 2020</i> .
Council	means Latrobe City Council, being a body corporate constituted as a municipal Council under the 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.
Reserve	means the Crinigan Bushland Reserve which is identified on the attached plan in Schedule 2 and that is subject to these Terms of Reference.
Governance Rules	means the Governance Rules of Latrobe City Council adopted pursuant to section 60 of the <i>Local Government Act 2020</i> and as amended from time to time.
Management	includes the maintenance, control, operation, conservation, promotion and/or development of property exercised subject to any limitations or restrictions in these Terms of Reference and any Instrument of Sub-Delegation to the Committee by the Chief Executive



Officer.

2. ROLE AND FUNCTIONS OF THE COMMUNITY ASSET COMMITTEE

- 2.1. The purpose and role of the Committee is to act as an agent of Latrobe City Council and not as an independent entity in operating and managing the Crinigan Bushland Reserve which is entrusted to the Committee's care and to undertake functions relating to the Crinigan Bushland Reserve in particular:
- (a) Managing the Reserve on behalf of Council taking into account any directions from Council in relation to the Reserve;
 - (b) Providing advice and information to Council about the operation, use and future use and activities to be undertaken;
 - (c) Liaising between the Council and the community, including any user groups who use the Reserve;
 - (d) Encouraging public interest and maximising involvement and participation of the community in any development occurring at the Reserve;
 - (e) Undertaking or coordinating maintenance of the Reserve in accordance with endorsed Management Plan and / or agreed Schedule of Works approved by Council's representative;
 - (f) Ensuring effective financial management and control of the funds allocated by way of grants for maintaining and/or improving the Reserve and providing amenities for the better use and enjoyment by the community and public;
 - (g) Managing actual and potential public safety issues arising at the Reserve;
 - (h) Addressing threats to native flora and fauna within the Reserve;
 - (i) Carrying out or coordinating bushfire mitigation activities at the Reserve;
 - (j) To assist Council as appropriate with the induction, training and supervision of Committee members and volunteers carrying out activities at the Reserve;
 - (k) Maintaining a work environment at the Reserve that is safe and without risks to the health of contractors, volunteers and visitors;



- (l) To ensure that all volunteers have completed appropriate training and / or have obtained accreditation where required for conducting works within the Reserve;
- (m) To gain prior consent of the Council before displaying or permitting to be displayed any advertisement, notice, placard, bill or hoarding; and
- (n) Carrying out such other functions, matters and things incidental to and in furtherance of achieving the matters set out above, in accordance with the approved Reserve Management Plan and/ or in consultation with Council's representative.

3. DELEGATIONS

- 3.1. The Committee will exercise the powers, functions and duties delegated to it by the Chief Executive Officer in an instrument of sub-delegation made in accordance with section 47 of the *Local Government Act 2020*.
- 3.2. The Chief Executive Officer may, at any time, review and vary the delegations to the Committee and will notify any variations to the Committee by providing an updated instrument of delegation.

4. COMPOSITION OF COMMITTEE

4.1. Membership

The Committee will comprise of up to 11 members appointed by the Council being:

- (a) 2 Councillors;
 - (b) 1 Council officer;
 - (c) 1 representative of the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) where GLaWAC chooses to nominate a representative;
 - (d) 1 representative of the Maryvale Private Hospital; and
 - (e) up to 7 community representatives who must be residents of the Latrobe City municipality (unless otherwise approved by Council) or a number of representatives as determined by Council.
- 4.2. The appointment of the community representatives must be as described in clause 4.4.



- 4.3. No person may be or act as a member of the Committee until endorsed by Council.
- 4.4. Expression of Interest Process – Community Representatives
- (a) A public notice calling for expressions of interest from members of the community for Committee membership must be published in a newspaper within 28 days of the Council's decision to appoint a Community Asset Committee;
 - (b) Expressions of interest must be in writing and must be received within 14 days of the public notice;
 - (c) Notwithstanding subclauses (a) and (b), Council may appoint a person as a community representative whose name has not been submitted through the above process, where Council deems appropriate.
- 4.5. The Committee may:
- (a) Invite persons to the meetings of the Committee as observers or advisers; and
 - (b) Co-opt people to assist it from time to time with specific projects or tasks to enable it to fulfil the Committee's purposes.
- 4.6. Qualifications for Committee - General
- (a) Except with the prior approval of the Council, a person cannot be appointed to the Committee unless such person has attained the age of eighteen (18) years and resides, or owns property, or works within the municipality;
 - (b) All Committee members must be prepared to comply with Conflict of Interest provisions in the *Local Government Act 2020* and the procedures for disclosure of a conflict of interest set out in the Governance Rules of Latrobe City Council;
 - (c) Committee members must complete a *Nominee Declaration Form* to qualify to be a member of the Committee.

5. TERM OF OFFICE

- 5.1. All members of the Committee will (subject to Clause 6) hold office for a period of three (3) years from the date that their appointment is endorsed by Council but the existing Committee will continue to undertake the functions and powers delegated to it by the Chief Executive Officer until the Council appoints a new



Committee following the process required under clause 4.4.

- 5.2. A member of the Committee is eligible for re-nomination at the expiration of the period of office.

6. VACANCIES

- 6.1. Where a vacancy on the Committee occurs through retirement, resignation, death, incapacity or loss of qualification, the Committee will within one month of this occurring, advise the Council and nominate a suitable person to Council for appointment to the vacancy for the period remaining of the original tenure.
- 6.2. Any vacancy caused by the resignation of a member who is a community representative may only be filled in accordance with clause 4.6.
- 6.3. If any Committee member misses three (3) consecutive meetings of the Committee without submitting their apology prior to the meeting such person will cease to be a member of the Committee upon confirmation by Council.
- 6.4. Notwithstanding anything else contained herein, the Council may at any time terminate the office of any or all of the members of the Committee.

7. OFFICE BEARERS

- 7.1. Within 1 month of the Council's endorsement of the appointment of members of the Committee, the Committee must call and hold a meeting to appoint its office bearers.
- 7.2. The office bearers to be appointed and who will hold office for a period of twelve (12) months will be:
- Chairperson;
 - Secretary;
 - Treasurer.
- 7.3. There must be segregation of duties amongst office bearers i.e. no one person may hold more than one office bearing position. In circumstances where it is not possible to segregate the role, one person may, with the approval of Council, hold both the positions of Treasurer and Secretary.
- 7.4. The Committee must provide all nomination forms and notify the Council of the name and address of each office bearer within seven (7) days of that person's appointment.



8. COMMITTEE MEETINGS

8.1. General Provisions

- (a) Except where a contrary intention is indicated in these Terms of Reference, the Governance Rules of Latrobe City Council apply to the Committee and any meetings of the Committee. In the event of any inconsistency between the Governance Rules and these Terms of Reference, these Terms of Reference shall prevail.
- (b) The Committee must hold at least four (4) meetings during the year on such dates as the Chairperson appoints with the first meeting of the Committee to be held within one (1) month of the Committee's appointment.
- (c) The Secretary must distribute a notice of the meeting to all members of the Committee at least seven (7) clear days prior to the meeting and advise the Council of any Committee meetings.

8.2. Meeting Procedures

- (a) All requirements of the *Local Government Act 2020* must be complied with.
- (b) All requirements of the Governance Rules of Latrobe City Council must be adhered to unless specified otherwise in these Terms of Reference.
- (c) The Chairperson shall take the chair at all meetings at which the Chairperson is present. If the Chairperson is absent the Chairperson's nominated representative must take the chair and if that nominated representative is not present, the members present may appoint one of their numbers to chair the meeting.

8.3. Quorum

- (a) A meeting of the Committee must not proceed if a quorum cannot be established within 30 minutes of the commencement time contained in the notice of the meeting.
- (b) The quorum is as defined in the Governance Rules of Latrobe City Council.

8.4. Annual General Meeting

Each year the Committee will hold an annual general meeting which will:

- (a) Elect members to the positions listed in clause 7.2 and other positions



which the Committee considers necessary for the efficient functioning of the Committee;

- (b) Receive and consider the Committee's annual report;
- (c) Receive and consider a report on the program of activities proposed for the next year; and
- (d) Receive and adopt the annual financial statements.

8.5. Unscheduled Meetings

- (a) The Chairperson may call an unscheduled meeting and must call an unscheduled meeting if a written request is received from 3 members of the Committee, with notice to be given in accordance with the requirements of clause 8.1(c).
- (b) The notice of an unscheduled meeting or any request from 3 Committee members must contain a statement of the purpose of the meeting.
- (c) The meeting will be held on such date and at such time as fixed by the Chairperson.
- (d) Where the Chairperson calls a meeting in response to a request from 3 Committee members, the meeting must be held within 21 days of receiving the request. The Chairperson must arrange for notice of the meeting to be given to all Committee members.
- (e) No other business other than that specified in the notice must be transacted at the meeting.

8.6. Minutes of meetings

- (a) The Chairperson of the Committee must arrange for minutes of each meeting of the Committee to be kept.
- (b) The Chairperson must submit the Minutes of a Committee meeting to the next meeting of the Committee for confirmation. If the minutes are confirmed the Chairperson at the meeting must sign the minutes and certify that they have been confirmed, where it is practicable to do so.
- (c) The minutes of a meeting of the Committee must:
 - contain details of the proceedings and resolutions made;
 - be clearly expressed; and
 - be self-explanatory.



- (d) Relevant reports or a summary of the relevant reports considered in the decision making process must be incorporated in relation to resolutions recorded in the minutes.
- (e) The Chairperson must ensure a copy of the minutes of each meeting of the Committee is sent to Council within seven (7) days of the meeting.
- (f) The Chairperson must ensure that the form and availability of all minutes of Committee meetings are otherwise in accordance with the Governance Rules of Latrobe City Council, with the exception that minutes do not have to be published on Council's website.

8.7. Voting

- (a) Each member present at a meeting of the Committee will have one vote on each matter being considered by the Committee.
- (b) A motion before a meeting of the Committee is to be determined as follows:
 - (i) Each member of the Committee who is entitled to vote is entitled to one vote;
 - (ii) Unless otherwise prohibited by the *Local Government Act 2020*, each member of the Committee present must vote;
 - (iii) Unless the procedures of the Committee otherwise provide, voting must be by show of hands;
 - (iv) The Motion is determined by a majority of the vote;
 - (v) If there is an equality of votes the Chairperson has a second vote.
- (c) Any decision of the Committee which does not relate to a matter delegated to the Committee by the Chief Executive Officer cannot be actioned until approved by Council.
- (d) In the event of any unresolved dispute arising between Committee members, the matter shall be submitted to Council in writing and any decision made thereon by the Council shall be final.
- (e) The Committee may form Sub-Committees from amongst its members for the purpose of recommending on matters pertaining to the provisions of these Terms of Reference or an Instrument of Sub-Delegation to the Committee by the Chief Executive Officer, provided



that no decision is made.

- (f) The Chairperson will be an ex-officio member of all Sub-Committees.
- (g) A Sub-Committee may only be established by resolution of the Committee and may only carry out the functions stated in the resolution.

8.8. Conflict of Interest

- (a) If a member of the Committee has a Conflict of Interest in any matter in which the Committee is concerned, the member must disclose the Conflict of Interest in accordance with the procedure contained in the Governance Rules of Latrobe City Council.
- (b) The member must disclose the nature of that interest at the meeting at which the matter is to be discussed and not remain in the room in which the meeting is being held during any discussion or any vote taken on the matter.
- (c) The Minutes must record the Conflict of Interest and the time the member left and returned to the meeting.

9. GENERAL REQUIREMENTS

9.1. Communications

The Committee must comply with any Council Policy applying to public relations, communications and use of social media.

9.2. Disputes

In the event of any dispute between the Committee and any other party, the matter will be referred to the General Manager Regional City Planning and Assets or such equivalent role as may exist from time to time, for resolution subject to any dispute process in any written agreement between the Committee and the other party.

9.3. Indemnity

The Council will indemnify members of the Committee against any action, liability, claim or demand on account of any matter or thing done by them on behalf of the Committee when they are acting in accordance with these Terms of Reference and an Instrument of Sub-Delegation to the Committee by the Chief Executive Officer and in the honest and reasonable belief or under a mistake of law that the member was properly exercising any function or power



of the Committee.

9.4. Changes to Terms of Reference

No alteration to these Terms of Reference or the schedules shall be effective unless first approved by Council.



Schedule 2: GIS Imagery of managed land



Edward Hunter Heritage Bushland Reserve Community Asset Committee

Terms of Reference





Terms of Reference

Pursuant to the exercise of the power conferred by section 65 of the *Local Government Act 2020*, Latrobe City Council (the Council) hereby establishes the Edward Hunter Heritage Bushland Reserve Community Asset Committee (the Committee), with the purposes and rules set out in the Schedules attached:

1. These Terms of Reference are authorised by a resolution of Council passed on 1 August 2022.

The common seal of Latrobe City Council)
was affixed in accordance with Local Law)
No. 1 this day of 20 in)
the presence of:

Steven Piasente Chief Executive Officer



Schedule One: Role, Membership and Meeting Procedures of the Community Asset Committee

1. DEFINITIONS

1.1. In these terms of reference and schedules, the following words have the following meanings:

The Committee	means the Edward Hunter Heritage Bushland Reserve Community Asset Committee appointed pursuant to the provisions of section 65 of the <i>Local Government Act 2020</i> .
Community Asset Committee	means a committee established by the Council under section 65 of the <i>Local Government Act 2020</i> and to which the Chief Executive Officer delegates a duty, function or power under section 47 of the <i>Local Government Act 2020</i> .
Council	means Latrobe City Council, being a body corporate constituted as a municipal Council under the 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.
Reserve	means the Edward Hunter Heritage Bushland Reserve which is identified on the attached plan in Schedule 2 and that is subject to these Terms of Reference.
Governance Rules	means the Governance Rules of Latrobe City Council adopted pursuant to section 60 of the <i>Local Government Act 2020</i> and as amended from time to time.
Management	includes the maintenance, control, operation, conservation, promotion and/or development of property exercised subject to any limitations or restrictions in these Terms of Reference and any Instrument of Sub-



Delegation to the Committee by the Chief Executive Officer.

2. ROLE AND FUNCTIONS OF THE COMMUNITY ASSET COMMITTEE

- 2.1. The purpose and role of the Committee is to act as an agent of Latrobe City Council and not as an independent entity in operating and managing the Edward Hunter Heritage Bushland Reserve which is entrusted to the Committee's care and to undertake functions relating to the Edward Hunter Heritage Bushland Reserve in particular:
- (a) Managing the Reserve on behalf of Council taking into account any directions from Council in relation to the Reserve;
 - (b) Providing advice and information to Council about the operation, use and future use and activities to be undertaken;
 - (c) Liaising between the Council and the community, including any user groups who use the Reserve
 - (d) Encouraging public interest and maximising involvement and participation of the community in any development occurring at the Reserve;
 - (e) Undertaking or coordinating maintenance of the Reserve in accordance with endorsed Management Plan and / or agreed Schedule of Works approved by Council's representative;
 - (f) Ensuring effective financial management and control of the funds allocated by way of grants for maintaining and/or improving the Reserve and providing amenities for the better use and enjoyment by the community and public;
 - (g) Managing actual and potential public safety issues arising at the Reserve;
 - (h) Addressing threats to native flora and fauna within the Reserve;
 - (i) Carrying out or coordinating bushfire mitigation activities at the Reserve;
 - (j) To assist Council as appropriate with the induction, training and supervision of Committee members and volunteers carrying out activities at the Reserve;
 - (k) Maintaining a work environment at the Reserve that is safe and without



risks to the health of contractors, volunteers and visitors;

- (l) To ensure that all volunteers have completed appropriate training and / or have obtained accreditation where required for conducting works within the Reserve;
- (m) To gain prior consent of the Council before displaying or permitting to be displayed any advertisement, notice, placard, bill or hoarding;
- (n) Carrying out such other functions, matters and things incidental to and in furtherance of achieving the matters set out above, in accordance with the approved Reserve Management Plan and/ or in consultation with Council's representative.

3. DELEGATIONS

- 3.1. The Committee will exercise the powers, functions and duties delegated to it by the Chief Executive Officer in an instrument of sub-delegation made in accordance with section 47 of the *Local Government Act 2020*.
- 3.2. The Chief Executive Officer may, at any time, review and vary the delegations to the Committee and will notify any variations to the Committee by providing an updated instrument of delegation.

4. COMPOSITION OF COMMITTEE

4.1. Membership

The Committee will comprise of up to 11 members appointed by the Council being:

- (a) 2 Councillors;
 - (b) 1 Council officer;
 - (c) 1 representative of the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) where GLaWAC chooses to nominate a representative; and
 - (d) up to 7 community representatives who must be residents of the Latrobe City municipality (unless otherwise approved by Council) or a number of representatives as determined by Council.
- 4.2. The appointment of the community representatives must be as described in clause 4.4.
 - 4.3. No person may be or act as a member of the Committee until endorsed by Council.



4.4. Expression of Interest Process – Community Representatives

- (a) A public notice calling for expressions of interest from members of the community for Committee membership must be published in a newspaper within 28 days of the Council's decision to appoint a Community Asset Committee;
- (b) Expressions of interest must be in writing and must be received within 14 days of the public notice;
- (c) Notwithstanding subclauses (a) and (b), Council may appoint a person as a community representative whose name has not been submitted through the above process, where Council deems appropriate.

4.5. The Committee may:

- (a) Invite persons to the meetings of the Committee as observers or advisers; and
- (b) Co-opt people to assist it from time to time with specific projects or tasks to enable it to fulfil the Committee's purposes.

4.6. Qualifications for Committee - General

- (a) Except with the prior approval of the Council, a person cannot be appointed to the Committee unless such person has attained the age of eighteen (18) years and resides, or owns property, or works within the municipality;
- (b) All Committee members must be prepared to comply with Conflict of Interest provisions in the *Local Government Act 2020* and the procedures for disclosure of a conflict of interest set out in the Governance Rules of Latrobe City Council;
- (c) Committee members must complete a *Nominee Declaration Form* to qualify to be a member of the Committee.

5. TERM OF OFFICE

- 5.1. All members of the Committee will (subject to Clause 6) hold office for a period of three (3) years from the date that their appointment is endorsed by Council but the existing Committee will continue to undertake the functions and powers delegated to it by the Chief Executive Officer until the Council appoints a new Committee following the process required under clause 4.4.
- 5.2. A member of the Committee is eligible for re-nomination at the expiration of the



period of office.

6. VACANCIES

- 6.1. Where a vacancy on the Committee occurs through retirement, resignation, death, incapacity or loss of qualification, the Committee will within one month of this occurring, advise the Council and nominate a suitable person to Council for appointment to the vacancy for the period remaining of the original tenure.
- 6.2. Any vacancy caused by the resignation of a member who is a community representative may only be filled in accordance with clause 4.6.
- 6.3. If any Committee member misses three (3) consecutive meetings of the Committee without submitting their apology prior to the meeting such person will cease to be a member of the Committee upon confirmation by Council.
- 6.4. Notwithstanding anything else contained herein, the Council may at any time terminate the office of any or all of the members of the Committee.

7. OFFICE BEARERS

- 7.1. Within 1 month of the Council's endorsement of the appointment of members of the Committee, the Committee must call and hold a meeting to appoint its office bearers.
- 7.2. The office bearers to be appointed and who will hold office for a period of twelve (12) months will be:
 - Chairperson;
 - Secretary;
 - Treasurer.
- 7.3. There must be segregation of duties amongst office bearers i.e. no one person may hold more than one office bearing position. In circumstances where it is not possible to segregate the role, one person may, with the approval of Council, hold both the positions of Treasurer and Secretary.
- 7.4. The Committee must provide all nomination forms and notify the Council of the name and address of each office bearer within seven (7) days of that person's appointment.

8. COMMITTEE MEETINGS

8.1. General Provisions

- (a) Except where a contrary intention is indicated in these Terms of



Reference, the Governance Rules of Latrobe City Council apply to the Committee and any meetings of the Committee. In the event of any inconsistency between the Governance Rules and these Terms of Reference, these Terms of Reference shall prevail.

- (b) The Committee must hold at least four (4) meetings during the year on such dates as the Chairperson appoints with the first meeting of the Committee to be held within one (1) month of the Committee's appointment.
- (c) The Secretary must distribute a notice of the meeting to all members of the Committee at least seven (7) clear days prior to the meeting and advise the Council of any Committee meetings.

8.2. Meeting Procedures

- (a) All requirements of the *Local Government Act 2020* must be complied with.
- (b) All requirements of the Governance Rules of Latrobe City Council must be adhered to unless specified otherwise in these Terms of Reference.
- (c) The Chairperson shall take the chair at all meetings at which the Chairperson is present. If the Chairperson is absent the Chairperson's nominated representative must take the chair and if that nominated representative is not present, the members present may appoint one of their numbers to chair the meeting.

8.3. Quorum

- (a) A meeting of the Committee must not proceed if a quorum cannot be established within 30 minutes of the commencement time contained in the notice of the meeting.
- (b) The quorum is as defined in the Governance Rules of Latrobe City Council.

8.4. Annual General Meeting

Each year the Committee will hold an annual general meeting which will:

- (a) Elect members to the positions listed in clause 7.2 and other positions which the Committee considers necessary for the efficient functioning of the Committee;
- (b) Receive and consider the Committee's annual report;



- (c) Receive and consider a report on the program of activities proposed for the next year; and
- (d) Receive and adopt the annual financial statements.

8.5. Unscheduled Meetings

- (a) The Chairperson may call an unscheduled meeting and must call an unscheduled meeting if a written request is received from 3 members of the Committee, with notice to be given in accordance with the requirements of clause 8.1(c).
- (b) The notice of an unscheduled meeting or any request from 3 Committee members must contain a statement of the purpose of the meeting.
- (c) The meeting will be held on such date and at such time as fixed by the Chairperson.
- (d) Where the Chairperson calls a meeting in response to a request from 3 Committee members, the meeting must be held within 21 days of receiving the request. The Chairperson must arrange for notice of the meeting to be given to all Committee members.
- (e) No other business other than that specified in the notice must be transacted at the meeting.

8.6. Minutes of meetings

- (a) The Chairperson of the Committee must arrange for minutes of each meeting of the Committee to be kept.
- (b) The Chairperson must submit the Minutes of a Committee meeting to the next meeting of the Committee for confirmation. If the minutes are confirmed the Chairperson at the meeting must sign the minutes and certify that they have been confirmed, where it is practicable to do so.
- (c) The minutes of a meeting of the Committee must:
 - contain details of the proceedings and resolutions made;
 - be clearly expressed; and
 - be self-explanatory.
- (d) Relevant reports or a summary of the relevant reports considered in the decision making process must be incorporated in relation to resolutions recorded in the minutes.



- (e) The Chairperson must ensure a copy of the minutes of each meeting of the Committee is sent to Council within seven (7) days of the meeting.
- (f) The Chairperson must ensure that the form and availability of all minutes of Committee meetings are otherwise in accordance with the Governance Rules of Latrobe City Council, with the exception that minutes do not have to be published on Council's website.

8.7. Voting

- (a) Each member present at a meeting of the Committee will have one vote on each matter being considered by the Committee.
- (b) A motion before a meeting of the Committee is to be determined as follows:
 - (i) Each member of the Committee who is entitled to vote is entitled to one vote;
 - (ii) Unless otherwise prohibited by the *Local Government Act 2020*, each member of the Committee present must vote;
 - (iii) Unless the procedures of the Committee otherwise provide, voting must be by show of hands;
 - (iv) The Motion is determined by a majority of the vote;
 - (v) If there is an equality of votes the Chairperson has a second vote.
- (c) Any decision of the Committee which does not relate to a matter delegated to the Committee by the Chief Executive Officer cannot be actioned until approved by Council.
- (d) In the event of any unresolved dispute arising between Committee members, the matter shall be submitted to Council in writing and any decision made thereon by the Council shall be final.
- (e) The Committee may form Sub-Committees from amongst its members for the purpose of recommending on matters pertaining to the provisions of these Terms of Reference or an Instrument of Sub-Delegation to the Committee by the Chief Executive Officer, provided that no decision is made.
- (f) The Chairperson will be an ex-officio member of all Sub-Committees.
- (g) A Sub-Committee may only be established by resolution of the



Committee and may only carry out the functions stated in the resolution.

8.8. Conflict of Interest

- (a) If a member of the Committee has a Conflict of Interest in any matter in which the Committee is concerned, the member must disclose the Conflict of Interest in accordance with the procedure contained in the Governance Rules of Latrobe City Council.
- (b) The member must disclose the nature of that interest at the meeting at which the matter is to be discussed and not remain in the room in which the meeting is being held during any discussion or any vote taken on the matter.
- (c) The Minutes must record the Conflict of Interest and the time the member left and returned to the meeting.

9. GENERAL REQUIREMENTS

9.1. Communications

The Committee must comply with any Council Policy applying to public relations, communications and use of social media.

9.2. Disputes

In the event of any dispute between the Committee and any other party, the matter will be referred to the General Manager Regional City Planning and Assets or such equivalent role as may exist from time to time, for resolution subject to any dispute process in any written agreement between the Committee and the other party.

9.3. Indemnity

The Council will indemnify members of the Committee against any action, liability, claim or demand on account of any matter or thing done by them on behalf of the Committee when they are acting in accordance with these Terms of Reference and an Instrument of Sub-Delegation to the Committee by the Chief Executive Officer and in the honest and reasonable belief or under a mistake of law that the member was properly exercising any function or power of the Committee.

9.4. Changes to Terms of Reference

No alteration to these Terms of Reference or the schedules shall be effective



unless first approved by Council.



Schedule 2: GIS Imagery of managed land



Ollerton Avenue Bushland Reserve Community Asset Committee *Terms of Reference*





Terms of Reference

Pursuant to the exercise of the power conferred by section 65 of the *Local Government Act 2020*, Latrobe City Council (the Council) hereby establishes the Ollerton Avenue Bushland Reserve Community Asset Committee (the Committee), with the purposes and rules set out in the Schedules attached:

1. These Terms of Reference are authorised by a resolution of Council passed on 1 August 2022.

The common seal of Latrobe City Council)
was affixed in accordance with Local Law)
No. 1 this day of 20 in)
the presence of:

Steven Piasente Chief Executive Officer



Schedule One: Role, Membership and Meeting Procedures of the Community Asset Committee

1. DEFINITIONS

1.1. In these terms of reference and schedules, the following words have the following meanings:

The Committee	means the Ollerton Avenue Bushland Reserve Community Asset Committee appointed pursuant to the provisions of section 65 of the <i>Local Government Act 2020</i> .
Community Asset Committee	means a committee established by the Council under section 65 of the <i>Local Government Act 2020</i> and to which the Chief Executive Officer delegates a duty, function or power under section 47 of the <i>Local Government Act 2020</i> .
Council	means Latrobe City Council, being a body corporate constituted as a municipal Council under the 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.
Reserve	means the Ollerton Avenue Bushland Reserve which is identified on the attached plan in Schedule 2 and that is subject to these Terms of Reference.
Governance Rules	means the Governance Rules of Latrobe City Council adopted pursuant to section 60 of the <i>Local Government Act 2020</i> and as amended from time to time.
Management	includes the maintenance, control, operation, conservation, promotion and/or development of property exercised subject to any limitations or restrictions in these Terms of Reference and any Instrument of Sub-Delegation to the Committee by the Chief Executive Officer.



2. ROLE AND FUNCTIONS OF THE COMMUNITY ASSET COMMITTEE

2.1. The purpose and role of the Committee is to act as an agent of Latrobe City Council and not as an independent entity in operating and managing the Ollerton Avenue Bushland Reserve which is entrusted to the Committee's care and to undertake functions relating to the Ollerton Avenue Bushland Reserve in particular:

- (a) Managing the Reserve on behalf of Council taking into account any directions from Council in relation to the Reserve;
- (b) Providing advice and information to Council about the operation, use and future use and activities to be undertaken;
- (c) Liaising between the Council and the community, including any user groups who use the Reserve;
- (d) Encouraging public interest and maximising involvement and participation of the community in any development occurring at the Reserve;
- (e) Undertaking or coordinating maintenance of the Reserve in accordance with endorsed Management Plan and / or agreed Schedule of Works approved by Council's representative;
- (f) Ensuring effective financial management and control of the funds allocated by way of grants for maintaining and/or improving the Reserve and providing amenities for the better use and enjoyment by the community and public;
- (g) Managing actual and potential public safety issues arising at the Reserve;
- (h) Addressing threats to native flora and fauna within the Reserve;
- (i) Carrying out or coordinating bushfire mitigation activities at the Reserve;
- (j) To assist Council as appropriate with the induction, training and supervision of Committee members and volunteers carrying out activities at the Reserve;
- (k) Maintaining a work environment at the Reserve that is safe and without risks to the health of contractors, volunteers and visitors;
- (l) To ensure that all volunteers have completed appropriate training and / or have obtained accreditation where required for conducting works



within the Reserve;

- (m) To gain prior consent of the Council before displaying or permitting to be displayed any advertisement, notice, placard, bill or hoarding; and
- (n) Carrying out such other functions, matters and things incidental to and in furtherance of achieving the matters set out above, in accordance with the approved Reserve Management Plan and/ or in consultation with Council's representative.

3. DELEGATIONS

- 3.1. The Committee will exercise the powers, functions and duties delegated to it by the Chief Executive Officer in an instrument of sub-delegation made in accordance with section 47 of the *Local Government Act 2020*.
- 3.2. The Chief Executive Officer may, at any time, review and vary the delegations to the Committee and will notify any variations to the Committee by providing an updated instrument of delegation.

4. COMPOSITION OF COMMITTEE

4.1. Membership

The Committee will comprise of up to 11 members appointed by the Council being:

- (a) 2 Councillors;
 - (b) 1 Council officer;
 - (c) 1 representative of the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) where GLaWAC chooses to nominate a representative;
 - (e) up to 7 community representatives who must be residents of the Latrobe City municipality (unless otherwise approved by Council) or a number of representatives as determined by Council.
- 4.2. The appointment of the community representatives must be as described in clause 4.4.
 - 4.3. No person may be or act as a member of the Committee until endorsed by Council.
 - 4.4. Expression of Interest Process – Community Representatives
 - (a) A public notice calling for expressions of interest from members of the community for Committee membership must be published in a newspaper



within 28 days of the Council's decision to appoint a Community Asset Committee;

- (b) Expressions of interest must be in writing and must be received within 14 days of the public notice;
- (c) Notwithstanding subclauses (a) and (b), Council may appoint a person as a community representative whose name has not been submitted through the above process, where Council deems appropriate.

4.5. The Committee may:

- (a) Invite persons to the meetings of the Committee as observers or advisers; and
- (b) Co-opt people to assist it from time to time with specific projects or tasks to enable it to fulfil the Committee's purposes.

4.6. Qualifications for Committee - General

- (a) Except with the prior approval of the Council, a person cannot be appointed to the Committee unless such person has attained the age of eighteen (18) years and resides, or owns property, or works within the municipality;
- (b) All Committee members must be prepared to comply with Conflict of Interest provisions in the *Local Government Act 2020* and the procedures for disclosure of a conflict of interest set out in the Governance Rules of Latrobe City Council;
- (c) Committee members must complete a *Nominee Declaration Form* to qualify to be a member of the Committee.

5. TERM OF OFFICE

- 5.1. All members of the Committee will (subject to Clause 6) hold office for a period of three (3) years from the date that their appointment is endorsed by Council but the existing Committee will continue to undertake the functions and powers delegated to it by the Chief Executive Officer until the Council appoints a new Committee following the process required under clause 4.4.
- 5.2. A member of the Committee is eligible for re-nomination at the expiration of the period of office.

6. VACANCIES

- 6.1. Where a vacancy on the Committee occurs through retirement, resignation, death, incapacity or loss of qualification, the Committee will within one month of



this occurring, advise the Council and nominate a suitable person to Council for appointment to the vacancy for the period remaining of the original tenure.

- 6.2. Any vacancy caused by the resignation of a member who is a community representative may only be filled in accordance with clause 4.6.
- 6.3. If any Committee member misses three (3) consecutive meetings of the Committee without submitting their apology prior to the meeting such person will cease to be a member of the Committee upon confirmation by Council.
- 6.4. Notwithstanding anything else contained herein, the Council may at any time terminate the office of any or all of the members of the Committee.

7. OFFICE BEARERS

- 7.1. Within 1 month of the Council's endorsement of the appointment of members of the Committee, the Committee must call and hold a meeting to appoint its office bearers.
- 7.2. The office bearers to be appointed and who will hold office for a period of twelve (12) months will be:
 - Chairperson;
 - Secretary;
 - Treasurer.
- 7.3. There must be segregation of duties amongst office bearers i.e. no one person may hold more than one office bearing position. In circumstances where it is not possible to segregate the role, one person may, with the approval of Council, hold both the positions of Treasurer and Secretary.
- 7.4. The Committee must provide all nomination forms and notify the Council of the name and address of each office bearer within seven (7) days of that person's appointment.

8. COMMITTEE MEETINGS

8.1. General Provisions

- (a) Except where a contrary intention is indicated in these Terms of Reference, the Governance Rules of Latrobe City Council apply to the Committee and any meetings of the Committee. In the event of any inconsistency between the Governance Rules and these Terms of Reference, these Terms of Reference shall prevail.



- (b) The Committee must hold at least four (4) meetings during the year on such dates as the Chairperson appoints with the first meeting of the Committee to be held within one (1) month of the Committee's appointment.
- (c) The Secretary must distribute a notice of the meeting to all members of the Committee at least seven (7) clear days prior to the meeting and advise the Council of any Committee meetings.

8.2. Meeting Procedures

- (a) All requirements of the *Local Government Act 2020* must be complied with.
- (b) All requirements of the Governance Rules of Latrobe City Council must be adhered to unless specified otherwise in these Terms of Reference.
- (c) The Chairperson shall take the chair at all meetings at which the Chairperson is present. If the Chairperson is absent the Chairperson's nominated representative must take the chair and if that nominated representative is not present, the members present may appoint one of their numbers to chair the meeting.

8.3. Quorum

- (a) A meeting of the Committee must not proceed if a quorum cannot be established within 30 minutes of the commencement time contained in the notice of the meeting.
- (b) The quorum is as defined in the Governance Rules of Latrobe City Council.

8.4. Annual General Meeting

Each year the Committee will hold an annual general meeting which will:

- (a) Elect members to the positions listed in clause 7.2 and other positions which the Committee considers necessary for the efficient functioning of the Committee;
- (b) Receive and consider the Committee's annual report;
- (c) Receive and consider a report on the program of activities proposed for the next year; and
- (d) Receive and adopt the annual financial statements.

8.5. Unscheduled Meetings



- (a) The Chairperson may call an unscheduled meeting and must call an unscheduled meeting if a written request is received from 3 members of the Committee, with notice to be given in accordance with the requirements of clause 8.1(c).
- (b) The notice of an unscheduled meeting or any request from 3 Committee members must contain a statement of the purpose of the meeting.
- (c) The meeting will be held on such date and at such time as fixed by the Chairperson.
- (d) Where the Chairperson calls a meeting in response to a request from 3 Committee members, the meeting must be held within 21 days of receiving the request. The Chairperson must arrange for notice of the meeting to be given to all Committee members.
- (e) No other business other than that specified in the notice must be transacted at the meeting.

8.6. Minutes of meetings

- (a) The Chairperson of the Committee must arrange for minutes of each meeting of the Committee to be kept.
- (b) The Chairperson must submit the Minutes of a Committee meeting to the next meeting of the Committee for confirmation. If the minutes are confirmed the Chairperson at the meeting must sign the minutes and certify that they have been confirmed, where it is practicable to do so.
- (c) The minutes of a meeting of the Committee must:
 - contain details of the proceedings and resolutions made;
 - be clearly expressed; and
 - be self-explanatory.
- (d) Relevant reports or a summary of the relevant reports considered in the decision making process must be incorporated in relation to resolutions recorded in the minutes.
- (e) The Chairperson must ensure a copy of the minutes of each meeting of the Committee is sent to Council within seven (7) days of the meeting.
- (f) The Chairperson must ensure that the form and availability of all minutes of Committee meetings are otherwise in accordance with the Governance Rules of Latrobe City Council, with the exception that minutes do not have to be published on Council's website.



8.7. Voting

- (a) Each member present at a meeting of the Committee will have one vote on each matter being considered by the Committee.
- (b) A motion before a meeting of the Committee is to be determined as follows:
 - (i) Each member of the Committee who is entitled to vote is entitled to one vote;
 - (ii) Unless otherwise prohibited by the *Local Government Act 2020*, each member of the Committee present must vote;
 - (iii) Unless the procedures of the Committee otherwise provide, voting must be by show of hands;
 - (iv) The Motion is determined by a majority of the vote;
 - (v) If there is an equality of votes the Chairperson has a second vote.
- (c) Any decision of the Committee which does not relate to a matter delegated to the Committee by the Chief Executive Officer cannot be actioned until approved by Council.
- (d) In the event of any unresolved dispute arising between Committee members, the matter shall be submitted to Council in writing and any decision made thereon by the Council shall be final.
- (e) The Committee may form Sub-Committees from amongst its members for the purpose of recommending on matters pertaining to the provisions of these Terms of Reference or an Instrument of Sub-Delegation to the Committee by the Chief Executive Officer, provided that no decision is made.
- (f) The Chairperson will be an ex-officio member of all Sub-Committees.
- (g) A Sub-Committee may only be established by resolution of the Committee and may only carry out the functions stated in the resolution.

8.8. Conflict of Interest

- (a) If a member of the Committee has a Conflict of Interest in any matter in which the Committee is concerned, the member must disclose the Conflict of Interest in accordance with the procedure contained in the Governance Rules of Latrobe City Council.



- (b) The member must disclose the nature of that interest at the meeting at which the matter is to be discussed and not remain in the room in which the meeting is being held during any discussion or any vote taken on the matter.
- (c) The Minutes must record the Conflict of Interest and the time the member left and returned to the meeting.

9. GENERAL REQUIREMENTS

9.1. Communications

The Committee must comply with any Council Policy applying to public relations, communications and use of social media.

9.2. Disputes

In the event of any dispute between the Committee and any other party, the matter will be referred to the General Manager Regional City Planning and Assets or such equivalent role as may exist from time to time, for resolution subject to any dispute process in any written agreement between the Committee and the other party.

9.3. Indemnity

The Council will indemnify members of the Committee against any action, liability, claim or demand on account of any matter or thing done by them on behalf of the Committee when they are acting in accordance with these Terms of Reference and an Instrument of Sub-Delegation to the Committee by the Chief Executive Officer and in the honest and reasonable belief or under a mistake of law that the member was properly exercising any function or power of the Committee.

9.4. Changes to Terms of Reference

No alteration to these Terms of Reference or the schedules shall be effective unless first approved by Council.



Schedule 2: GIS Imagery of managed land



COUNCIL ADVISORY COMMITTEE TERMS OF REFERENCE UPDATES

PURPOSE

This paper presents a suite of administrative updates to Council Committees terms of reference to better align with the requirements of the Local Government Act 2020.

EXECUTIVE SUMMARY

- Terms of reference presented for adoption are for the following committees:
 - Animal Welfare Advisory Committee;
 - Australia Day Advisory Committee;
 - Cultural Diversity Advisory Committee;
 - Early Years Reference Advisory Committee;
 - Hyland Highway Landfill Advisory Committee;
 - Lake Narracan Advisory Committee;
 - Moe Southside Community Precinct Advisory Committee;
 - Traralgon Recreation Reserve and Showgrounds Advisory Committee;
 - and
 - Victory Park Precinct Advisory Committee.
- This paper also proposes the Latrobe Creative Precinct Project Reference Group to be abolished under item 5.1 of its Terms of Reference.

OFFICER'S RECOMMENDATION

That Council:

1. **Endorses the updated Council Committee terms of reference; and**
2. **Endorses the abolishment of the Latrobe Creative Precinct Reference Group under item 5.1 of its terms of reference, as presented in Attachment 3.**

BACKGROUND

Under the Local Government Act 1989 (LGA 1989) Council was able to form Advisory Committees. The LGA 2020 is silent on Advisory Committees, but does not preclude their establishment specifying only three types of committees, and the powers and administrative arrangements relating to those committees. The recognised Committee types are the Audit and Risk Committee, Community Asset Committees and Delegated Committees.

Advisory Committees provide particular expertise in order to help Council make its decisions, or help engage community resources and opinions, however have no formal/delegated powers to act in place of Council.

A schedule has been devised to highlight the status of Advisory Committee Terms of Reference updates as per Attachment 1.

ANALYSIS

The draft advisory committee Terms of References contain administrative changes to align with the LGA 2020 and further changes recommended by advisory committee members during the consultation phase.

As advisory committees and their establishment are no longer specifically referenced within the LGA 2020; advisory committees must be formed (and rescinded) by Council Resolution; and the Terms of Reference and membership must also be endorsed by Council.

The updated Terms of Reference also include necessary references to the LGA 2020, with obsolete references to the LGA 1989 removed. Attachment 2 highlights the changes/updates made to each Terms of Reference.

The advisory committee agenda and minutes template has had a minor change in removing the provision under section 80 of the LGA 1989 that requires a written record of an assembly of Councillors. This is no longer a requirement under the LGA 2020. The updated advisory committee agenda and minutes templates are included in attachment 3.

The Latrobe Creative Precinct Project Reference Group has achieved its objectives under item 5.1 of its Terms of Reference as the building is complete and have noted to cease. It was also noted that an operational committee is now under development. Consideration from the Council is to be given with regard to whether the committee is to be abolished. The committee's Terms of Reference is included in attachment 4.

RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
COMPLIANCE – Not complying with aspects of the Local Government Act 2020	Low	Draft Terms of References have addressed the necessary changes from the LGA 2020.

CONSULTATION

Consultation for each of the proposed Terms of References have occurred between the members of that advisory committee and the corresponding Latrobe City Council responsible officer.

COMMUNICATION

Once adopted the Latrobe City Council responsible officers for each advisory committee will inform the committee of its adoption.

DECLARATIONS OF INTEREST

No officer declared a conflict of interest under the *Local Government Act 2020* in the preparation of this report.

APPENDICES: IMPACT ASSESSMENT

APPENDIX 1 IMPACT ASSESSMENT

Social

There is are no direct social impacts in adopting the updated Terms of References

Cultural

There is no direct impact on community values and beliefs systems.

Health

There are no direct health impacts on the community in adopting the updated Terms of References.

Environmental

There are no direct environmental impacts in adopting the updated Terms of References.









Economic

No economic analysis required.

Financial

There will not be any financial implications resulting from adopting the recommendation.

Attachments

- 1   Advisory Committee ToR - Status and Scheduled Updates
- 2   Advisory Committee ToR - July 2022 Updates and Changes
- 3   Council Advisory Committee - Updated Agenda and Minutes Templates
- 4   TO BE ABOLISHED - Latrobe Creative Precinct Project Reference Group ToR 2017

10.3

Council Advisory Committee Terms of Reference Updates

- 1 Advisory Committee ToR - Status and Scheduled
Updates 451**
- 2 Advisory Committee ToR - July 2022 Updates and
Changes 453**
- 3 Council Advisory Committee - Updated Agenda and
Minutes Templates 455**
- 4 TO BE ABOLISHED - Latrobe Creative Precinct Project
Reference Group ToR 2017 459**



Advisory Committee Terms of Reference – Status and Scheduled Updates

Terms of Reference Up to Date
 Scheduled for Adoption
 Terms of Reference Under Review

Committee Name	ToR Status
CEO Employment Matters Committee	Adopted December 2021
Braiakaulung Advisory Committee	Terms of Reference Under Review
Churchill & District Community Hub Advisory Committee	Scheduled Update for the September Council Meeting
Council Finance	Seeking Creation and Adoption at the August Council Meeting
Economic Development Advisory Committee	Scheduled Update for the September Council Meeting
Latrobe City Community Safety Advisory Committee	Adopted April 2021
Latrobe City Council Rail Freight Working Group	Scheduled Update for the September Council Meeting
Latrobe City International Relations Committee	Scheduled Update for the September Council Meeting
Latrobe City Transition Taskforce	Terms of Reference Under Review
Latrobe Regional Gallery Advisory Committee	Scheduled Update for the September Council Meeting
Latrobe Tourism and Major Events Advisory Committee	Adopted July 2022
Moe Rail Project (Stage 2) Project Reference Group	Adopted March 2021



Advisory Committee Terms of Reference – Status and Scheduled Updates

Motorsports Complex Advisory Committee (Centre for Australian Automotive Futures)	Scheduled Update for the September Council Meeting
Road and Place Name Advisory Committee	Terms of Reference Under Review
South Ward Community Disaster Recovery Committee	Adopted September 2021
War Memorials Advisory Committee	Scheduled Update for the September Council Meeting



Advisory Committee Terms of Reference – Changes and Updates

Committee	Changes/Updates
Animal Welfare Advisory Committee	1. The updated Terms of Reference include necessary references to the LGA 2020, with obsolete references to the LGA 1989 removed.
Australia Day Advisory Committee	1. The updated Terms of Reference include necessary references to the LGA 2020, with obsolete references to the LGA 1989 removed; and 2. An addition of one representative of the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) where GLaWAC chooses to nominate a representative.
Cultural Diversity Advisory Committee	1. The updated Terms of Reference include necessary references to the LGA 2020, with obsolete references to the LGA 1989 removed; and 2. Decrease from four community members “with an interest in cultural diversity” to two members.
Early Years Reference Advisory Committee	1. The updated Terms of Reference include necessary references to the LGA 2020, with obsolete references to the LGA 1989 removed; and 2. An addition of one representative of the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) where GLaWAC chooses to nominate a representative.
Hyland Highway Landfill Advisory Committee	1. The updated Terms of Reference include necessary references to the LGA 2020, with obsolete references to the LGA 1989 removed; and 2. Removed member from West Gippsland Catchment Management Authority.
Lake Narracan Advisory Committee	1. The updated Terms of Reference include necessary references to the LGA 2020, with obsolete references to the LGA 1989 removed; and 2. An addition of one representative of the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) where GLaWAC chooses to nominate a representative.



Advisory Committee Terms of Reference – Changes and Updates

Moe Southside Community Precinct Advisory Committee	1. The updated Terms of Reference include necessary references to the LGA 2020, with obsolete references to the LGA 1989 removed.
Traralgon Recreation Reserve and Showgrounds Advisory Committee	1. The updated Terms of Reference include necessary references to the LGA 2020, with obsolete references to the LGA 1989 removed.
Victory Park Precinct Advisory Committee	1. The updated Terms of Reference include necessary references to the LGA 2020, with obsolete references to the LGA 1989 removed.



[Name] Advisory Committee

Meeting Day, XX Month Year

Time Commencing: 00:00am/pm Expected Finish Time: 00:00am/pm

Location: (include specific meeting room and address)

AGENDA ITEMS

No.	Item	Responsible Officer	Attachment
1.	Welcome & introduction	Chair	N/a
2.	Apologies	All	
3.	Declarations of Interest	All	
	<i>Members of the Committee are to declare any Conflicts of interest or any interests in matters listed on the agenda</i>		
4.	Confirmation of Minutes		
	<i>Confirmation of the previous minutes of the meeting.</i>		
5.	Matters arising from previous meeting	All	
	<i>Review of action progress from previous meetings</i>		
6.	Items for Consideration		
	<i>Matters being presented for discussion in accordance with the terms of reference</i>		
	•		
	•		
	•		
	•		
7.	General Business		
	•		
	•		
	•	All	

**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		
	<p><i>Members of the Committee declare any Conflicts of interest or Interests in matters discussed at the meeting.</i></p> <p>The following members of the Committee declared a Conflict of Interest at the meeting and left the meeting whilst the matter was being discussed:</p> <p><Name> ,Time left 00:00am/pm, Time returned 00:00am/pm</p> <p><Name> ,Time left 00:00am/pm, Time returned 00:00am/pm</p> <p><Name> ,Time left 00:00am/pm, Time returned 00:00am/pm</p>		



4.	Confirmation of Minutes		
	<i>That the minutes of the meeting held on [Date] of the [Name] Advisory Committee be confirmed.</i>		
5.	Matters arising from previous meeting		
	<i>List the item and action agreed and assign any follow up actions and expected timeframes</i> 1. Item Heading Action(s): • • 2. Item Heading Action(s): • •		
6.	Items for Consideration		
	<i>List the item and action agreed as per agenda and assign any follow up actions and expected timeframes</i> 1. Item Heading Action(s): • 2. Item Heading Action(s): • 3. Item Heading Action(s): •		



7.	General Business		
	<i>List the item and action agreed and assign any follow up actions and expected timeframes</i> 1. Item Heading Action(s): <ul style="list-style-type: none">• 2. Item Heading Action(s): <ul style="list-style-type: none">•		
Next Meeting: <Provide details of the next meeting date, time and location>.			

Latrobe Creative Precinct Project Reference Group

Terms of Reference



May 2017



CONTENTS:

1. **Establishment of the Project Reference Group**
2. **Objectives**
3. **Membership**
 - Composition of the Project Reference Group
 - 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 Project Reference Group and Duration of the Project Reference Group**
6. **Authority and Compliance Requirements**



1. Establishment of the Project Reference Group

- 1.1. The Latrobe Creative Precinct Project Reference Group (hereinafter referred to as "the PRG"), is a formally appointed Advisory Committee of Latrobe City Council for the purposes of the *Local Government Act 1989*.
- 1.2. The membership of the PRG and these Terms of Reference will be adopted by resolution of Latrobe City Council at an Ordinary 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 in order 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, the Project Control Group (PCG), the Project Assurance Group (PAG) and the wider community
 - 2.3.2. Provide specific feedback to the Project Assurance Group about elements of the project where members of the Latrobe Creative Precinct PRG has specialist expertise (i.e. education representatives providing input into the design of the learning and creative facilities)
 - 2.3.3. Provide advice to Council on issues relating to the development of the Latrobe Creative Precinct
 - 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 in order to achieve the objectives:
 - 2.4.1. Review progress of the Latrobe Creative Precinct and provide information to Council, stakeholders and the wider community.
 - 2.4.1.1. Schedule meetings as required to receive updates on the development of the Latrobe Creative Precinct



2.4.1.2. Contribute to development of media and communication strategies

2.4.1.3. Assist with appointment of co-opted members, as deemed appropriate by the PRG, to contribute at particular stages of the project

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 PRG

3.1. The PRG will comprise of fifteen members, being:

- 3.1.1. Up to three Councillors, one of whom shall be nominated as Chair and two of whom shall be required to attend each meeting to form a quorum;
- 3.1.2. Three Community representatives appointed via expression of interest process;
- 3.1.3. Three education sector nominees appointed via expression of interest process;
- 3.1.4. One local/independent artist/performer representative appointed via expression of interest process;
- 3.1.5. Latrobe Creative Precinct Project Owner;
- 3.1.6. Latrobe Creative Precinct Project Manager;
- 3.1.7. Latrobe Creative Precinct Client Manager;
- 3.1.8. Latrobe City Council Officers (ex-officio).

Length of appointment

- 3.2. Whilst a PRG shall be in place for as long as Latrobe City Council sees fit, the appointment of members shall be for a term of three years. The term for co-opted members shall be for one year.
- 3.3. Prior to the expiration of each term, there will be a call for nominations for the next term. Current PRG 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 PRG based on expressions of interest received from members of the community and nominations received from organisations.
- 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 City Development 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 the majority of meetings during the year may at the discretion of Latrobe City Council have their term of office revoked.
- 3.10. All Councillors are invited to each meeting to attend as observers only.

Resignations

- 3.11. All resignations from members of the PRG are to be submitted in writing to the General Manager City Development, 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. All PRG meetings and records are considered confidential and may be designated as confidential in accordance with Section 77 of the Act.
- 4.8. All recommendations, proposals and advice must be directed through the Chair.

Quorum

- 4.9. A minimum of two appointed Councillors are required at each meeting to constitute a quorum.
- 4.10. 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.

Voting

- 4.11. There will be no official voting process, although all members shall have equal voting rights. Majority and minority opinions will be reflected in PRG minutes.

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. Where this meeting is also considered an Assembly of Councillors under the *Local Government Act 1989*, an Assembly of Councillors record must also be submitted in accordance with those requirements.



- 4.15. The minutes shall be stored in the Latrobe City Council corporate filing system (currently LCMS electronic document and records management system).
- 4.16. The agenda shall be distributed at least 48 hours in advance of the meeting to all PRG members, including alternative representatives.
- 4.17. 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

- 4.18. 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.
- 4.19. 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 City Development.

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. The PRG must comply with the Assembly of Councillor provisions provided for in the *Local Government Act 1989*.
- 6.3. Failure to comply with the provisions outlined in this Terms of Reference may result in termination of the Member's appointment.



Appendix 1: Agenda Template



[Name] Advisory Committee

Meeting Day, XX Month Year

Time Commencing: 00:00am/pm Expected Finish Time: 00:00am/pm

Location: (include specific meeting room and address)

NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.

AGENDA ITEMS

No.	Item	Responsible Officer	Attachment
1.	Welcome & introduction	Chair	N/a
2.	Apologies	All	
3.	Declarations of Interest	All	
	<i>Members of the Committee are to declare any Conflicts of interest or any interests in matters listed on the agenda</i>		
4.	Confirmation of Minutes		
	<i>Confirmation of the previous minutes of the meeting.</i>		
5.	Matters arising from previous meeting	All	
	<i>Review of action progress from previous meetings</i>		
6.	Items for Consideration		
	<i>Matters being presented for discussion in accordance with the terms of reference</i>		
	•		
	•		
	•		
	•		
7.	General Business		
	•	All	
	•		
	•		



Appendix 2: Minutes Template

**[Name] Advisory Committee Minutes**

Meeting Day, XX Month Year

Time Commenced: 00:00am/pm Finish Time: 00:00am/pm

Location: (include specific meeting room and address)

Meeting Chair: < Name >

NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.

No.	Item	Responsible Person	Timeframe
1.	Present		
2.	Apologies		
3.	Interest Disclosures		
	<p>Members of the Committee declare any Conflicts of interest or Interests in matters discussed at the meeting.</p> <p>The following members of the Committee declared a Conflict of Interest at the meeting and left the meeting whilst the matter was being discussed:</p> <p><Name> , Time left 00:00am/pm, Time returned 00:00am/pm</p> <p><Name> , Time left 00:00am/pm, Time returned 00:00am/pm</p> <p><Name> , Time left 00:00am/pm, Time returned 00:00am/pm</p>		



[Name] Advisory Committee Minutes

Meeting Day, XX Month Year

Time Commenced: 00:00am/pm Finish Time: 00:00am/pm

Location: (include specific meeting room and address)

Meeting Chair: < Name >

NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.

No.	Item	Responsible Person	Timeframe
4.	Confirmation of Minutes		
	<i>That the minutes of the meeting held on [Date] of the [Name] Advisory Committee be confirmed.</i>		
5.	Matters arising from previous meeting		
	<i>List the item and action agreed and assign any follow up actions and expected timeframes</i> 1. Item Heading Action(s): • • 2. Item Heading Action(s): • •		
6.	Items for Consideration		
	<i>List the item and action agreed as per agenda and assign any follow up actions and expected timeframes</i> 1. Item Heading Action(s): • • 2. Item Heading Action(s): • •		



[Name] Advisory Committee Minutes

Meeting Day, XX Month Year
Time Commenced: 00:00am/pm Finish Time: 00:00am/pm
Location: (include specific meeting room and address)

Meeting Chair: < Name >

NOTE: In accordance with Section 80 of the Local Government Act 1989 for each meeting that a Councillor is in attendance an Assembly of Councillors record must be completed and tabled at the next practicable Council Meeting.

No.	Item	Responsible Person	Timeframe
	3. Item Heading Action(s): •		
7.	General Business		
	<i>List the item and action agreed and assign any follow up actions and expected timeframes</i> 1. Item Heading Action(s): • 2. Item Heading Action(s): •		

Next Meeting: <Provide details of the next meeting date, time and location>.

AUTHORISATION OF COUNCIL OFFICER UNDER THE PLANNING & ENVIRONMENTAL ACT 1987

PURPOSE

This report seeks to authorise Ananya Nidhi Sanjay, Strategic Planning Intern under section 147(4) of the Planning and Environment Act 1987 and section 313 of the Local Government Act 2020.

EXECUTIVE SUMMARY

- Council utilises Instruments of Appointment and Authorisation to identify specific officer's incumbent in roles and, in turn, appoint the officer to be authorised officers for the administration and enforcement of legislation under applicable Acts.
- By authorising Ananya Nidhi Sanjay, 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. Ananya Nidhi Sanjay be appointed and authorised as set out in the instrument;**
- 2. The instrument comes into force either immediately 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 be sealed.**

BACKGROUND

Only a handful of Acts and Regulations require specific roles within an organisation to be identified to undertake a specific function. There are often clauses within Acts or Regulations that state an “authorised officer” can undertake a specific function. This is why Council needs to identify the authorised officer 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	LIKELIHOOD	TREATMENT
COMPLIANCE (LEGAL, CONTRACTUAL, OHS AND SAFETY)	Officers not authorised by Council; officers will be unable to adequately perform their duties	Authorisation of Planning Officers
SERVICE DELIVERY	Delays in processing decisions on planning applications.	Authorisation of Planning Officers
FINANCIAL	Nil	N/A
STRATEGIC (INC REPUTATIONAL)	Risk that developers will become frustrated with delays and appeal to the Victorian Civil and Administrative Tribunal.	Authorisation of Planning Officers

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.

APPENDICES: IMPACT ASSESSMENT

APPENDIX 1 IMPACT ASSESSMENT

Social

Nil

Cultural

Nil

Health

Nil

Environmental

Nil


Economic

The authorisation of officers allows Council to enable infrastructure supporting private and public investment.

Financial

Nil

Attachments

1 [↓](#).  S11A Instrument of Appointment & Authorisation - Ananya Nidhi Sanjay

10.4

Authorisation of Council officer under the Planning & Environmental Act 1987

- 1 S11A Instrument of Appointment & Authorisation -
Ananya Nidhi Sanjay 478**

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)

Ananya Nidhi Sanjay

Strategic Planning Intern

August 2022

**Instrument of Appointment and Authorisation
(*Planning and Environment Act 1987*)**

In this instrument "**officer**" means -

Ananya Nidhi Sanjay

By this instrument of appointment and authorisation Latrobe City Council -

1. under section 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 section 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 -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked;
- (c) is automatically revoked upon the officer referred to in this instrument ceasing employment with the Council.

This instrument is authorised by a resolution of the Council on the third of May 2021.

The Common Seal of **LATROBE CITY COUNCIL**
was affixed in accordance with Local Law No. 1
this day of 2022 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 17 of the Governance Rules, by resolution of the Council and only then if it:

- 17.1 Relates to or arises out of a matter which has arisen since distribution of the agenda; and
- 17.2 Cannot reasonably or conveniently be deferred until the next Council meeting.

REPORTS FOR NOTING

12. REPORTS FOR NOTING

Nil reports

13. QUESTIONS ON NOTICE

Nil reports

NOTICES OF MOTION

14. NOTICES OF MOTION**14.1 2022/06 PENSIONER RATE FOR LATROBE CITY****Cr Sharon Gibson**

I, Cr Sharon Gibson, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday 01 August 2022:

That the CEO urgently present a report on:

- 1. An investigation on the Pensioner rate for Latrobe City;**
- 2. Options as to who could be considered for a reduction in their rates of those that are potentially financially vulnerable. i.e. pensioner, disability, centrelink concession holder, veteran affairs pensioner and any other types of pensions;**
- 3. Any financial implications to Council's annual budget based on this initiative; and**
- 4. Based on Federal Government and other available data, the number of ratepayers in Latrobe City that would be eligible.**

Signed

Cr Sharon Gibson

26 July 2022

Attachments

Nil

ITEMS FOR TABLING

15. ITEMS FOR TABLING

Item Number 15.1

01 August 2022

Chief Executive Office

**PRESENTATION OF THE AUDIT AND RISK
COMMITTEE MINUTES - 09 JUNE 2022****PURPOSE**

The purpose of this report is to present the Audit and Risk Committee Meeting minutes for the meeting held on 09 June 2022 as per the requirement under the *Audit and Risk Charter*.

EXECUTIVE SUMMARY

The Audit and Risk Committee (Committee) is a statutory committee of the Council. The Committee held its last meeting on 09 June 2022. A number of motions were made at the meeting (as summarised in this report and set out in full in the attached minutes).

OFFICER'S RECOMMENDATION**That Council:**

- 1. Receives and notes the attached Audit and Risk Committee Minutes for the 09 June 2022 meeting.**

BACKGROUND

At the meeting held on 09 June 2022, the Committee resolved the following:

Item	Motion
Confirmation of Minutes	That the minutes of the Audit and Risk Committee meeting held on 03 March 2022 be confirmed and ratified as true and correct.
Items Referred by the Committee to this Meeting for Consideration	There are no Items Referred by the Committee to this Meeting for Consideration reports tabled for this meeting.
Status of Actions Arising	That the Audit and Risk Committee receives and notes the Status of Actions Arising Report.
External Audit – 2021-2022 Audit Strategy	That the Audit and Risk Committee receives and notes the 2021 - 2022 Audit Strategy.
Review of Community Consultations and Engagement	That the Audit and Risk Committee receives and noted the finding and management responses contained in the Review of Community Consultations and Engagement.
Review of Data Analytics (Accounts Payable, Procurement, Payroll and Accounts Receivable)	That the Audit and Risk Committee receives and noted the finding and management responses contained in the Review of Data Analytics (Accounts Payable, Procurement, Payroll and Accounts Receivable).
Internal Audit Program 2022/23	That the Audit and Risk Committee approves the Internal Audit Program for 2022/23
Presentation of Internal Audit Scopes/Plans for Endorsement	That the Audit and Risk Committee endorse the following scopes/plans as presented: <ul style="list-style-type: none"> • Review of Fleet Management; and • Review of Organisational Compliance.
Internal Audit Status Report	That the Audit and Risk Committee receives and notes the Internal Audit Status report.
Risk Assessment Report – June 2021 Storm Event	That the Audit and Risk Committee notes and receives the report.

<i>Item</i>	<i>Motion</i>
Response to VAGO Report Business Continuity During COVID-19	That the Audit and Risk Committee receives the report and shares its feedback on it.
Risk Management Quarterly Report – June 2022	That the Audit and Risk Committee notes and receives the Quarterly Risk Management Report.
Corporate Insurance Portfolio Renewals LCC 2022-23	That the Audit and Risk Committee notes and receives the report.
Internal Control Environment (ICE) – Program Development Update	That the Audit and Risk Committee notes the report.
VAGO, Ombudsman and IBAC Reports	That the Audit and Risk Committee receives and notes this report on VAGO, Victorian Ombudsman, IBAC, Inspectorate and other reports.
Fraud and Corruption Reporting	That the Audit and Risk Committee receives and notes this report.
Fraud and Corruption Control Review – Supplier Vetting	That the Audit and Risk Committee receives and notes the report.
Update on Actions to Comply with Gender Equality Act 2020	That the Audit and Risk Committee note the report.
Audit Compliance Report – June 2022	That the Audit and Risk Committee receive and notes this report and approves the extensions to audit action due dates as set out in this report.
Victorian CCYP Child Safe Standards – July 2022 Update	That the Audit and Risk Committee note this report.
Quarter 3 – 2021/22 Performance Report Summary	That the Audit and Risk Committee note the Quarterly Performance Summary Reports for Q3 2021-22.

Item	Motion
Quarter 3 – 2021/22 People and Workcover Reports	That the Audit and Risk Committee note the Quarterly People Report and Lost Time Injuries Report for Q3 of the 2021/22 financial year.
Quarterly Finance Report – March 2022	That the Audit and Risk Committee note the Quarterly People Report and Lost Time Injuries Report for Q3 of the 2021/22 financial year.
Financial Plan – Deep Dive	That the Audit and Risk Committee note the Report.
Investment Report	That the Audit and Risk Committee receives and notes this report.
Update on the Protection Data Security Plan (The Victorian Data Security Protection Framework)	That the Audit and Risk Committee receives and notes this report.
General Business	There were no General Business reports tabled for this meeting.

ANALYSIS

All motions made at the meeting and their corresponding actions arising can be found in the full minutes attached to this report.

RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
COMPLIANCE RISK (LEGAL, CONTRACTUAL, OHS AND SAFETY) Latrobe City Council practices are not complaint with the current expectations of the public sector.	Possible	A number of reports tabled at each meeting of the Audit and Risk Committee relate to legal or compliance related matters. In addition, a report is tabled for the committee to consider any reports that have been published by the Victorian Ombudsman, Victorian Auditor-Generals Office, Inspectorate or the Independent Broad-based Anti-Corruption Commission to ensure that practices within Council are compliant with current expectations of the public sector

* Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

CONSULTATION

There is no engagement required as part of this process.

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*.

APPENDICES: IMPACT ASSESSMENT

APPENDIX 1 IMPACT ASSESSMENT**Social**

N/A

Cultural

N/A

Health

N/A

Environmental

N/A

Economic

N/A

Financial

The Audit and Risk 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 [!\[\]\(3342c215b2a8b663596a81468d5dc314_img.jpg\) Audit and Risk Committee Meeting Minutes - June 2022](#)

15.1

Presentation of the Audit and Risk Committee Minutes - 09 June 2022

- 1 Audit and Risk Committee Meeting Minutes - June 2022..... 495**

**Audit and Risk Committee Meeting****Minutes - 9 June 2022**

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

**Nambur Wariga Meeting Room, Council Headquarters,
141 Commercial Road, Morwell
& via Audiovisual Link**

Meeting commenced at 10.00 AM

Attendance

- Members:**
- Bev Excell (Chair) (9:56AM – 12:35 pm), Joanne Booth (9:57am – 12:35 pm), Terry Richards (9:58am – 12:35 pm), Cr Bradely Law (9:59am – 12:35 pm)
- In Attendance:**
- Kendrea Pope (Executive Manager Office of the CEO) (9:56AM – 12:35 pm)
 - Greg Drumm (General Manager Organisational Performance) (10:08am – 12:35 pm)
 - Jody Riordan (Acting General Manager Assets and Presentation) (10:08am – 12:35 pm)



Audit and Risk Committee Meeting

Minutes - 9 June 2022

- Ronda Brueton (General Manager Community Health and Wellbeing) (10:08am – 12:35pm)
- Tim Ellis (10:08am – 12:35 pm)
- Matthew Rogers (Manager Financial Performance) (10:08 – 12:35 pm)
- Travis Derricott (10:08am – 11:09am)
- Kapil Kukreja (HLB Mann Judd) (10:08AM – 12:35 pm)
- Nathan Frith (Compliance Officer) (9:56am – 12:35 pm)
- Louise Van Der Velden (Senior Compliance Officer) (11:20am – 11:57am)

Teleconference: Nil

IN CAMERA MEETING

The Audit and Risk Committee did not have an in camera meeting.

1. OPENING AND WELCOME

The Chairperson opened the meeting and welcomed all present.

2. APOLOGIES

- Steve Piasente (CEO)
- Mark Holloway (HLB Mann Judd)
- Sonika Sharma (Coordinator Risk)
- Cr Melissa Ferguson

3. DECLARATIONS OF INTEREST

Nil.



Audit and Risk Committee Meeting

Minutes - 9 June 2022

4. PROBITY QUESTIONS

The Audit and Risk Committee Chair asked if the CEO was aware of any legislative non-compliance issues, any fraud incidents that have occurred or if there were any strategic risks been triggered since the last Audit and Risk Committee meeting.

The CEO responded no.

The Audit and Risk Committee Chair asked the Councillors:

- a. If there was any matter arising from the Council meetings that needed to be brought to the attention of the Committee
- b. If there was any feedback or direction required from Council relating to the Audit Committee members.

The Councillors responded no.

The Audit and Risk Committee Chair then asked the auditor representatives if they were satisfied that their work had not been impeded.

The auditor representatives responded it had not.

5. CONFIRMATION OF MINUTES

RECOMMENDATION

That the minutes of the Audit and Risk Committee meeting held on 03 March 2022 be confirmed and ratified as true and correct.

OUTCOME/ACTIONS ARISING:

1. Rectify Joanne Booth's arrival and departure times from March ARC meeting minutes.

**Audit and Risk Committee Meeting****Minutes - 9 June 2022****6. ITEMS REFERRED BY THE COMMITTEE TO THIS MEETING FOR CONSIDERATION**

There are no Items Referred by the Committee to this Meeting for Consideration reports tabled for this meeting.

7. STATUS OF ACTIONS ARISING**Status of Actions Arising****RECOMMENDATION**

That the Audit and Risk Committee receives and notes the Status of Actions Arising Report.

OUTCOME/ACTIONS ARISING:

1. Present update of action 591 at December ARC meeting;
2. Action 656 – Comment to be updated and closed by next meeting; and
3. Action 672 – Follow-up the status of the report.

**Audit and Risk Committee Meeting****Minutes - 9 June 2022****8. EXTERNAL AUDIT****2021-2022 Audit Strategy****RECOMMENDATION**

That the Audit and Risk Committee receives and notes the 2021 - 2022 Audit Strategy.

OUTCOME/ACTIONS ARISING:

1. Travis Derricott & Matthew Rogers to discuss timelines; and
2. Nathan Frith to circulate information provided by Travis Derricott with the ARC minutes.

9. INTERNAL AUDIT**Review of Community Consultations and Engagement****RECOMMENDATION**

That the Audit and Risk Committee receives and noted the finding and management responses contained in the Review of Community Consultations and Engagement

OUTCOME/ACTIONS ARISING:

1. Nathan Frith to work with Community Engagement team regarding what we will be recorded for FN03-01 and FN03-02 in Audit Compliance Report.

**Audit and Risk Committee Meeting****Minutes - 9 June 2022****Review of Data Analytics (Accounts Payable, Procurement, Payroll and Accounts Receivable)****RECOMMENDATION**

That the Audit and Risk Committee receives and noted the finding and management responses contained in the Review of Data Analytics (Accounts Payable, Procurement, Payroll and Accounts Receivable).

OUTCOME/ACTIONS ARISING:

1. Nil.

Internal Audit Program 2022/23**RECOMMENDATION**

That the Audit and Risk Committee approves the Internal Audit Program for 2022/23.

OUTCOME/ACTIONS ARISING:

1. Extend scope for the Review of Procurement (below tender threshold) to cover contracts for supplier vetting;
2. Consideration of a high-level Review of Fraud and Corruption Controls; and
3. Nathan Frith to circulate suggested future audits list by Joanne Booth.

**Audit and Risk Committee Meeting****Minutes - 9 June 2022****Presentation of Internal Audit Scopes/Plans for Endorsement****RECOMMENDATION**

That the Audit and Risk Committee endorse the following scopes/plans as presented:

- Review of Fleet Management; and
- Review of Organisational Compliance.

OUTCOME/ACTIONS ARISING:

1. HLB to add updated line in the Review of Fleet Management Scope stating: "Council will be considering sustainability impacts in Fleet strategy"; and
2. HLB to add updated line in the Review of Organisational Compliance scope around a focus on Council's compliance/obligations register.

Internal Audit Status Report**RECOMMENDATION**

That the Audit and Risk Committee receives and notes the Internal Audit Status report.

OUTCOME/ACTIONS ARISING:

1. Nil.

**Audit and Risk Committee Meeting****Minutes - 9 June 2022****10. RISK****Risk Assessment Report- June 2021 Storm Event****RECOMMENDATION**

That the Audit and Risk Committee notes and receives the report.

OUTCOME/ACTIONS ARISING:

1. Nil.

Response to VAGO report Business Continuity During COVID-19**RECOMMENDATION**

That the Audit and Risk Committee receives the report and shares its feedback on it.

OUTCOME/ACTIONS ARISING:

1. Nil.

**Audit and Risk Committee Meeting****Minutes - 9 June 2022****Risk Management Quarterly Report June 2022****RECOMMENDATION**

That the Audit and Risk Committee notes and receives the Quarterly Risk Management Report.

OUTCOME/ACTIONS ARISING:

1. Strategic Risk register to be provided to each ARC meeting including commentary around changes/updates.

Corporate Insurance Portfolio Renewals LCC 2022-23**RECOMMENDATION**

That the Audit and Risk Committee notes and receives the report.

OUTCOME/ACTIONS ARISING:

1. Provide an updated comment on insurance for buildings on crown-land and any associated risks.

**Audit and Risk Committee Meeting****Minutes - 9 June 2022****11. MONITORING****Internal Control Environment (ICE) - Program development update****RECOMMENDATION**

That the Audit and Risk Committee notes the report.

OUTCOME/ACTIONS ARISING:

1. The updated ARC Charter to be presented to the November Audit and Risk Committee Meeting.

VAGO, Ombudsman and IBAC Reports**RECOMMENDATION**

That the Audit and Risk Committee receives and notes this report on VAGO, Victorian Ombudsman, IBAC, Inspectorate and other reports

OUTCOME/ACTIONS ARISING:

1. Nil.

**Audit and Risk Committee Meeting****Minutes - 9 June 2022****Fraud and Corruption Reporting****RECOMMENDATION**

That the Audit and Risk Committee receives and notes this report.

OUTCOME/ACTIONS ARISING:

1. Nil.

Fraud and Corruption Control Review - Supplier Vetting**RECOMMENDATION**

That the Audit and Risk Committee receives and notes the report.

OUTCOME/ACTIONS ARISING:

1. Nil.

Update on Actions to Comply with Gender Equality Act 2020**RECOMMENDATION**

That the Audit and Risk Committee note the report.

OUTCOME/ACTIONS ARISING:

1. Nil.

**Audit and Risk Committee Meeting****Minutes - 9 June 2022****Audit Compliance Report - June 2022****RECOMMENDATION**

That the Audit and Risk Committee receive and notes this report and approves the extensions to audit action due dates as set out in this report.

OUTCOME/ACTIONS ARISING:

1. Nil.

Victorian CCYP Child Safe Standards - July 2022 Update**RECOMMENDATION**

That the Audit and Risk Committee note this report.

OUTCOME/ACTIONS ARISING:

1. Nil.

**Audit and Risk Committee Meeting****Minutes - 9 June 2022****12. PERFORMANCE REPORTING****Quarter 3 2021/22 Performance Report Summary****RECOMMENDATION**

That the Audit and Risk Committee note the Quarterly Performance Summary Reports for Q3 2021-22.

OUTCOME/ACTIONS ARISING:

1. Nil.

Quarter 3 2021/22 People and Workcover Reports**RECOMMENDATION**

That the Audit and Risk Committee note the Quarterly People Report and Lost Time Injuries Report for Q3 of the 2021/22 financial year.

OUTCOME/ACTIONS ARISING:

1. Nil.

**Audit and Risk Committee Meeting****Minutes - 9 June 2022****13. FINANCE****Quarterly Finance Report - March 2022****RECOMMENDATION**

That the Audit and Risk Committee receives and notes the Quarterly Finance Report for the period ended 31 March 2022, prepared in accordance with the requirements of the Local Government Act 2020.

OUTCOME/ACTIONS ARISING:

1. Nil.

Financial Plan - Deep Dive**RECOMMENDATION**

That the Audit and Risk Committee note the Report.

OUTCOME/ACTIONS ARISING:

1. Long term financial sustainability added into strategy risk register, provided every quarter (if not there already);
2. Update on Long term financial sustainability plan at the March 2023 ARC Meeting; and
3. On a 12 month basis - review high rated risks in the Financial plan Deep Dive template/format.

**Audit and Risk Committee Meeting****Minutes - 9 June 2022****Investment Report****RECOMMENDATION**

That the Audit and Risk Committee receive and note the report.

OUTCOME/ACTIONS ARISING:

1. Nil.

14. REPORTING REQUIREMENTS**Update on the Protection Data Security Plan (The Victorian Data Security Protection Framework).****RECOMMENDATION**

That the Audit and Risk Committee receives and notes this report.

OUTCOME/ACTIONS ARISING:

1. Summary of the submission for Protection Data Security Plan provided to the November 2022 meeting.

15. GENERAL BUSINESS

There are no General Business reports tabled for this meeting.



Audit and Risk Committee Meeting

Minutes - 9 June 2022

Next Meeting Date

The next Audit and Risk Committee meeting is to be held on Thursday 25 August 2022.

Meeting Closed at 12:35pm.

**MEETING CLOSED TO
THE PUBLIC TO
CONSIDER
CONFIDENTIAL
INFORMATION**

16. 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:

- 16.1 Awarding of Contracts - LCC-757 & LCC-760**
Agenda item 16.1 *Awarding of Contracts - LCC-757 & LCC-760* is designated as confidential under subsection (g) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to 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. awarding of contracts
- 16.2 Proposed Contract for Appointment of Chief Executive Officer**
Agenda item 16.2 *Proposed Contract for Appointment of Chief Executive Officer* is designated as confidential under subsection (a) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. Contractual Matters