



STRATHBOGRIE SHIRE COUNCIL

MINUTES OF A SPECIAL MEETING OF THE STRATHBOGRIE SHIRE COUNCIL HELD ON TUESDAY 24 JANUARY 2017 AT THE EUROA COMMUNITY CONFERENCE CENTRE COMMENCING AT 5.00 P.M.

Councillors:	Amanda McClaren (Chair)	(Lake Nagambie Ward)
	Malcolm Little	(Hughes Creek Ward)
	John Mason	(Seven Creeks Ward)
	Kate Stothers	(Honeysuckle Creek Ward)
	Debra Swan	(Lake Nagambie Ward)
	Graeme (Mick) Williams	(Seven Creeks Ward)

Officers:	Phil Howard - Acting Chief Executive Officer / Director, Sustainable Development
	Roy Hetherington - Director, Asset Services
	David Roff - Acting Director, Corporate and Liveability

BUSINESS

1. Welcome
2. Acknowledgement of Traditional Land Owners
*'I acknowledge the Traditional Owners of the land on which we are meeting.
I pay my respects to their Elders, past and present, and the more recent custodians of the land'*
3. Apologies

	Councillor Alistair Thomson	(Mount Wombat Ward)
	Steve Crawcour - Chief Executive Officer	
	Caroline Wallis - Group Manager, Corporate and Liveability	
4. Disclosure of Interests

Nil
5. Reports of Council Officers
 - 5.1 Climate Change
 - 5.2 Infrastructure
 - 5.3 Private Enterprise
 - 5.4 Public Institutions
 - 5.5 Housing and Recreation
 - 5.6 Tourism
 - 5.7 Organisation

A handwritten signature in black ink, consisting of several loops and a long tail, located in the bottom right corner of the page.

6. Urgent Business

7. Closure of Meeting to the Public to consider matters listed for consideration in accordance with Section 89(2) of the Local Government Act 1989

8. Confirmation of 'Closed Portion' Decision/s

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting, as per Local Law No. 1 - Meeting Procedure (2014) or as updated from time to time through Council Resolution



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5. REPORTS

5.2 INFRASTRUCTURE

5.2.1 Discontinuation of Chinamans Bridge - Receiving / Hearing of Submissions

Author and Department

Director Asset Services / Asset Services Directorate

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

Summary

Council has advertised and invited submissions on the proposal to discontinue road across the old Chinamans Bridge, Nagambie.

The advertised program included the hearing/receiving of submissions at this Special Council Meeting.

Two submissions were received (refer attachments).

One submitter requested to be heard.

RECOMMENDATION

That Council, in relation to the proposed discontinuance of Chinamans Bridge, resolve to: -

- 1. Hear and receive submissions**
- 2. Consider and determine submissions at the Ordinary Council Meeting on 21 February 2017.**

09/17 CRS SWAN/MASON : That the Recommendation be adopted.

CARRIED

Background

The heritage listed Chinamans Bridge opened in 1891 and was formerly part of the Country Roads Board (now VicRoads), declared Main Road connecting Nagambie and Heathcote. In 1995, following realignment of the Nagambie-Heathcote Road onto a new replacement bridge, VicRoads removed the Main Road status from the bridge but retained a more general road status in its place.

That road status is considered to be no longer appropriate as the structure is not suitable for public access. The bridge has also fallen into a state of disrepair and is hazardous to public using the Goulburn River Reserve and boating traffic on the river.

5.2.1 Discontinuation of Chinamans Bridge
- Receiving / Hearing of Submissions (cont.)

The decisions of Council at the meeting of 22 November 2016 were:

That Council: -

- a. Propose to discontinue road contained in parcel 10 as identified on SP17356, shown cross-hatched on the attached plan.*
- b. Publish a public notice stating that submissions in respect of the proposed discontinuance of the road specified in the public notice will be considered in accordance with Section 12 of the Road Management Act 2004 and advising that any person who has made a written submission to council and requested that the person be heard in support of the written submission is entitled to appear in person or by a person acting on behalf of that person at a meeting with Council.*
- c. Give a copy of the public notice to VicRoads as infrastructure manager responsible for the bridge installed in, on, under or over the road.*
- d. Consider any written submission which is received within 28 days after the publication of the public notice under subsection (4).*

That the timelines for the public notice and hearing and consideration of submissions be as follows: -

- a. Public notice by 30th November 2016*
- b. Submission due date – 6th January 2017*
- c. Hearing of submissions – Special Council Meeting, 5pm 24th Tuesday January 2017*
- d. Consideration of submissions – Ordinary Council Meeting 21st February 2017*

VicRoads was given a copy of the Public Notice on 28th November 2016.

No response has been received.

Alternative Options

The author has considered potential alternative courses of action. No feasible alternatives have been identified.

Risk Management

The author considers that there are significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 (CCA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

5.2.1 Discontinuation of Chinamans Bridge
- Receiving / Hearing of Submissions (cont.)

Financial / Budgetary Implications

The author of this report considers there are no further capital and recurrent budget considerations.

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council.

Environmental / Amenity

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council.

Community Implications

The author of this report considers that the recommendation may have significant community or social implications for Council or the broader community in regard to Heritage value and safety.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council.

Consultation

This matter will require Council consideration, not community consultation.

Attachments

- Submissions received
- Plan of proposed road discontinuance
- Survey Plan SP17356
- Aerial photograph with old bridge marked

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SHIRE OF STRATHBOGIE	
Doc Id:	Chq:
5 JAN 2017	
Ref:	
Libary:	007

5TH JANUARY 2017

STRATHBOGIE SHIRE

SUBMISSIONS TO CHINAMANS BRIDGE CLOSURE

Submission to the Shire of Strathbogie on "Discontinuation of Chinaman's Bridge" connecting Nagambie and Heathcote from Outdoor Press, publishers of Doug Stone's- Gold Atlases of Victoria, New South Wales and Western Australia. Summary of publications detailed on our Website:www.dougstonegoldmaps.com.au

Outdoor Press is currently working on "Doug Stone's – Chinese Gold Atlas of Australia" for release in 2018.

The new Atlas will highlight significant sites associated with the Chinese gold prospectors during the Gold Rush era of the 1850s to the turn of the 20th Century. It is designed to attract the growing number of Chinese Tourists into Regional Australia to trace their Ancestors and the huge contribution they made to the development of Australia!

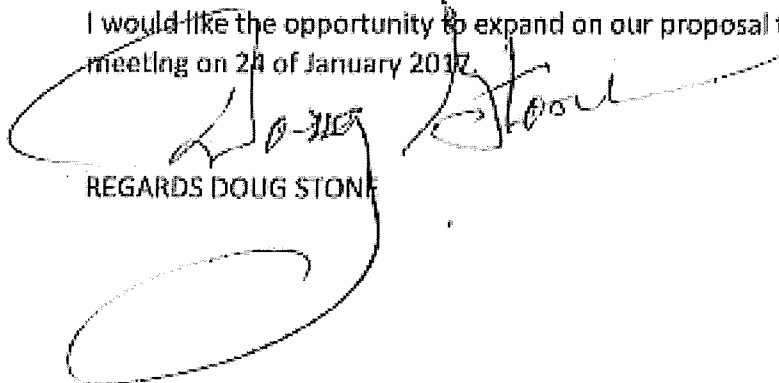
We are aware that Chinaman's Bridge is on the Victorian Heritage Register – Heritage Register Number 1449 and is an example of early timber construction using hand hewn timbers, originally incorporating a lift span as not to obstruct river traffic along the Goulburn River.

The Bridge is of special interest for inclusion in our "Chinese Gold Atlas of Australia" as it was used by Chinese Market Gardner's to transport their fresh produce from their gardens along the Goulburn River to the Goldfields of Whroo, Rushworth, Costerfield, Heathcote and Bendigo. Chinaman's Bridge is also a symbol of the important infrastructure the State of Victoria was investing in to link the Central Goldfields of Bendigo and Castlemaine with the goldfields of Chiltern and Beechworth in north east Victoria.

Nagambie is evolving as one of Victoria's major tourist precincts close to Melbourne and serviced by a freeway and is already attracting Chinese visitors.

The Bridge conversion of Chinamans Bridge into a walking bridge could become a focal point for the district. A walking bridge with interpretative displays could illustrating its unique construction, Chinese Heritage as well as its colourful history.

I would like the opportunity to expand on our proposal to the special Councillors meeting on 24 of January 2017.

A large, stylized handwritten signature in black ink, appearing to read 'Doug Stone'. The signature is written over the typed name 'REGARDS DOUG STONE'.

REGARDS DOUG STONE

A small, handwritten mark or signature in the bottom right corner of the page.

From: graeme pollard <graeme.pollard@bigpond.com>
Sent: Wednesday, 28 December 2016 10:45 PM
To: Records
Subject: New submission from 'Make a Request!'

You have a new submission.

Your Name: graeme pollard

Your Email: graeme.pollard@bigpond.com

Subject: Chinaman's Bridge road discontinuation

Message: I support the closure and discontinuation of the road to the old chinaman's bridge as mentioned in the latest edition of "Love Strathbogie.

I cannot find any further detail on the website about the proposal hence my submission is made through this "contact" forum.

I also support the removal of the dilapidated, dangerous and dying bridge structure.

Please advise whether that action, the removal of the old bridge, is included in the overall project.

Thank you for your time.

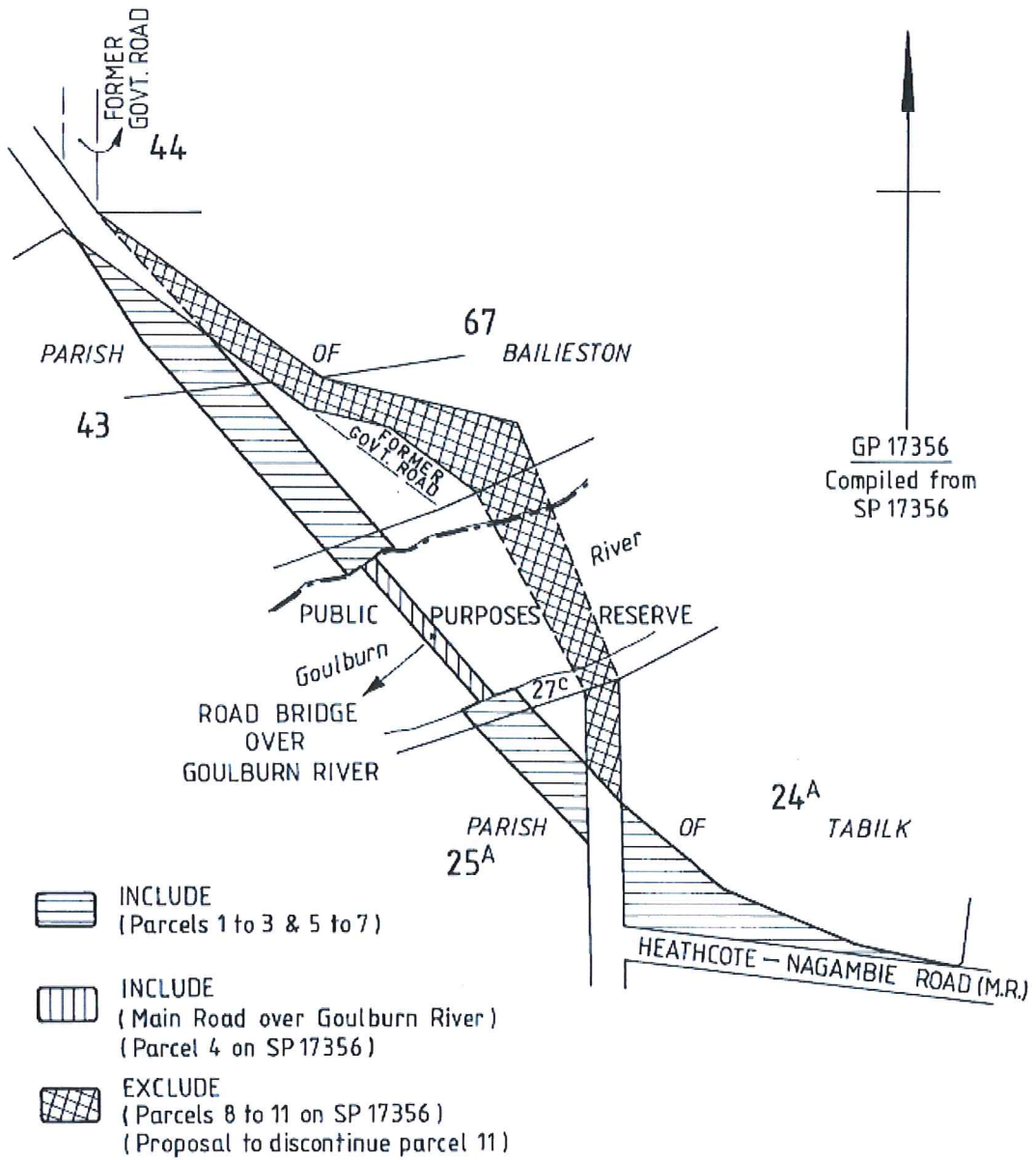
One further question, when are we going to remove the old Mitchellstown bridge? It too is dilapidated and dangerous, and is slowly dying.

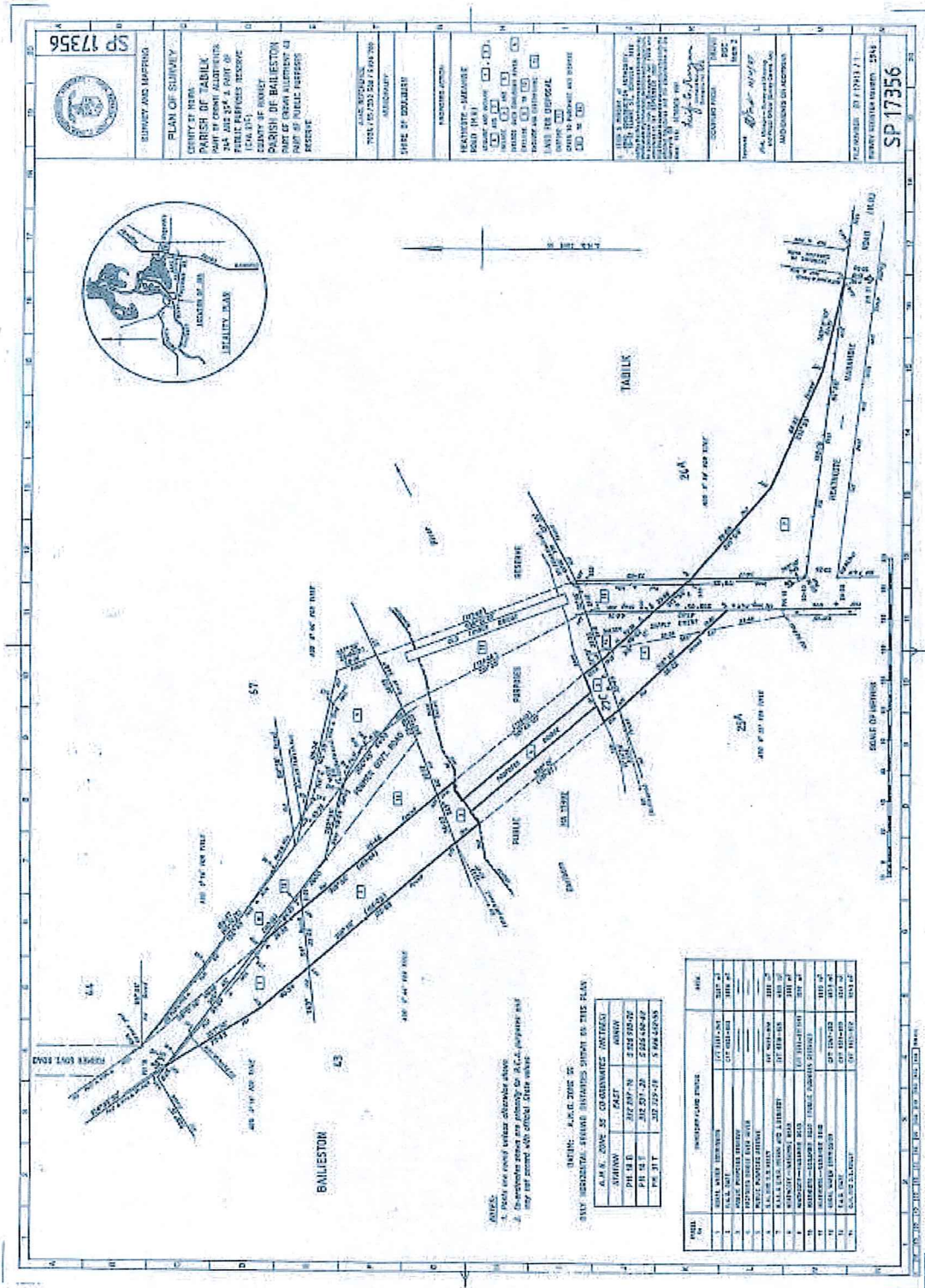
I look forward to your responses.

Happy to discuss further
regards Graeme Pollard



ROADS CORPORATION
MAIN ROAD
HEATHCOTE - NAGAMBIE ROAD
SHIRE OF STRATHBOGIE





NOTES:
1. FROM THE FIRST SERIES OF THIS PLAN
2. In separate zones are shown for A.C.C. purposes and
may not appear with correct area values

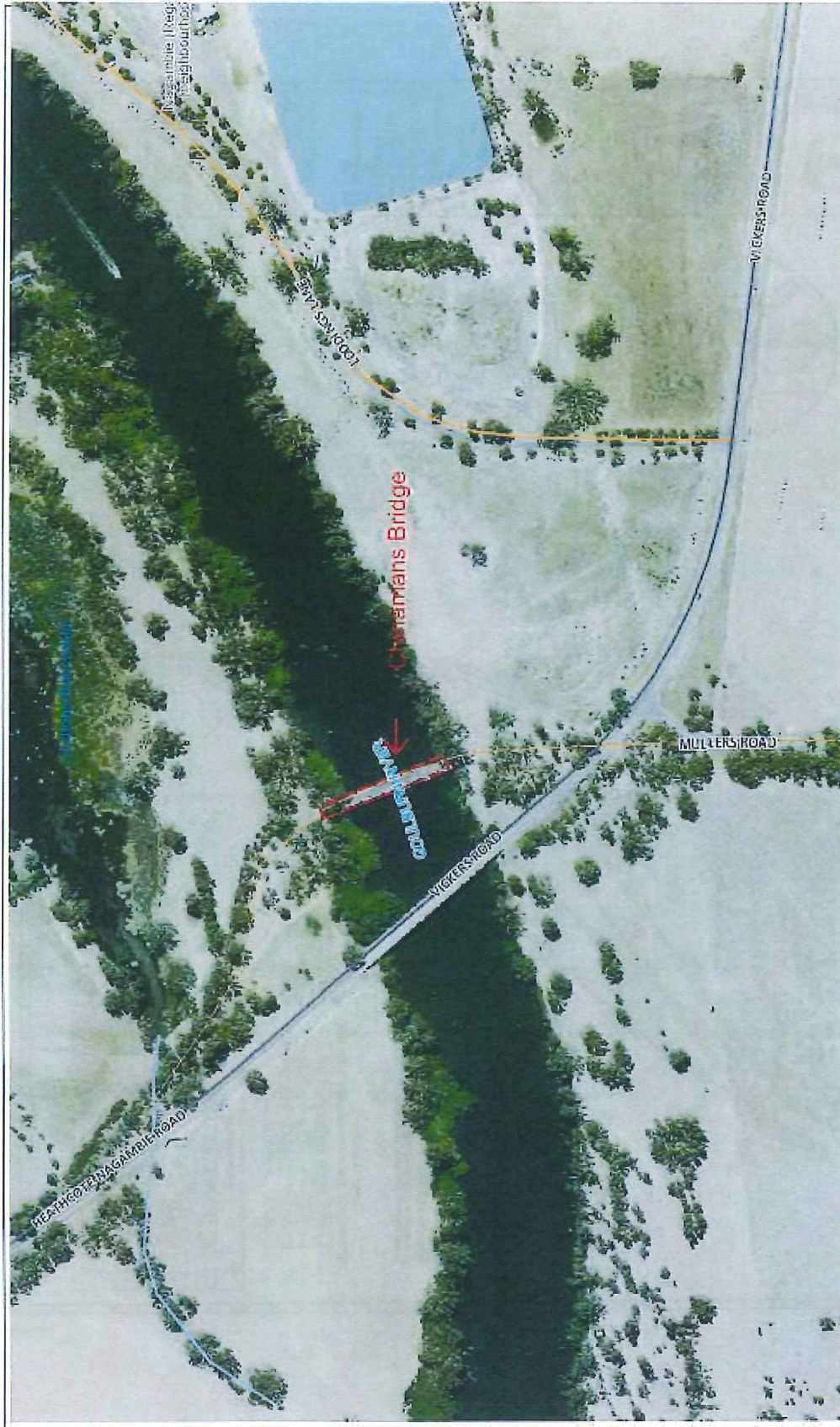
DATE: 11.11.2016



A.M.E. ZONE SE COORDINATES (MTR)

SHAW	2427	ANON
PH 1 B	212 297.76	2 252 510.72
PH 1 C	212 297.76	2 252 510.72
PH 1 D	212 297.76	2 252 510.72

NO.	DESCRIPTION	AREA
1	AREA UNDER SURVEY	100.00
2	AREA UNDER SURVEY	100.00
3	AREA UNDER SURVEY	100.00
4	AREA UNDER SURVEY	100.00
5	AREA UNDER SURVEY	100.00
6	AREA UNDER SURVEY	100.00
7	AREA UNDER SURVEY	100.00
8	AREA UNDER SURVEY	100.00
9	AREA UNDER SURVEY	100.00
10	AREA UNDER SURVEY	100.00
11	AREA UNDER SURVEY	100.00
12	AREA UNDER SURVEY	100.00
13	AREA UNDER SURVEY	100.00
14	AREA UNDER SURVEY	100.00
15	AREA UNDER SURVEY	100.00
16	AREA UNDER SURVEY	100.00
17	AREA UNDER SURVEY	100.00
18	AREA UNDER SURVEY	100.00
19	AREA UNDER SURVEY	100.00
20	AREA UNDER SURVEY	100.00

[Handwritten signature]



	Shire Of Strathbogie	<p>Disclaimer Note This map is a representation of the information currently held by Strathbogie Shire Council. While every effort has been made to ensure the accuracy of the data, Council disclaims all liability for any loss, cost, damage or injury, however arising or connected with the use of this data. Any feedback on omissions or errors would be appreciated. Contains Council Information © Strathbogie Shire Council Contains Mapping Information © Department of Environment, Land, Water & Planning</p>	
	Prepared By: Wendy Lungghusen		

5.7 ORGANISATION

5.7.1 Authorisation and Delegation to Kenneth Ross and Rescission of Authorisation and Delegation to Daniel Haysom - Municipal Fire Prevention Officer

Author and Department

Director Asset Services / Asset Services Directorate

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

Summary

Due to staff changes, it is now necessary to amend the delegation of Municipal Fire Prevention Officer.

RECOMMENDATION

1. That Kenneth Ross be appointed as the Municipal Fire Prevention Officer pursuant to Section 96A(1)(b) of the Country Fire Authority Act, and Region 22 and Region 12 CFA Headquarters be advised of his appointment.
2. That the delegation to Daniel Haysom as Municipal Fire Prevention Officer pursuant to Section 96A(1)(b) of the Country Fire Act, be rescinded.

10/17 *CRS WILLIAMS/LITTLE* : That the Recommendation be adopted.

CARRIED

Background

Due to the appointment of the new Emergency Management Support Officer it is appropriate to undertake a rescission of delegated authority previously delegated to Mr. Daniel Haysom.

Kenneth Ross is to be appointed to the position of Municipal Fire Prevention Officer. In order for him to undertake the full range of responsibilities of the position, he must, by Instrument, be conferred "Authorised Officer" status and delegated authority by Council to act in accordance with the relevant legislation contained in the *Country Fire Authority Act 1958*.

Alternative Options

The author and other officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.

5.7.1 Authorisation and Delegation to Kenneth Ross and Rescission of Authorisation and Delegation to Daniel Haysom
- Municipal Fire Prevention Officer (cont)

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 (CCA) implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

Financial / Budgetary Implications

The author of this report considers that the recommendation has no capital or recurrent budget considerations.

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council.

Consultation

The author of this report considers that the matter under consideration did not warrant a community consultation process.

Attachments

A copy of the relevant Instruments

Strathbogie Shire Council

Instrument of Delegation and Authorisation

Local Government Act 1989

PURSUANT to and in exercise of the power conferred by Sections 98 (1), 224 and 232 of the *Local Government Act 1989* the Strathbogie Shire Council HEREBY APPOINTS **Kenneth Ross** as an AUTHORISED OFFICER and DELEGATES the powers, duties and functions necessary to administer and enforce any Local Laws and any subordinate Regulations thereto:

Country Fire Authority Act 1958

AND HEREBY DECLARES that:

This delegation shall be read subject to section 98(1) of the *Local Government Act 1989*.

This instrument of Delegation (Instrument) is authorised by a resolution of Council passed on 24th January 2017.

The Instrument comes into force when the Common Seal of the Council is affixed to this Instrument and shall remain in force for an unlimited period or until such time as the Council shall determine by resolution either to vary or revoke the delegation.

The powers, duties and functions, as specified in the Schedule, shall be exercised and performed in accordance with any guidelines or policies of the Council that may be adopted from time to time.

THE COMMON SEAL of the)
STRATHBOGIE SHIRE COUNCIL was)
affixed this 24th day of January 2017)
in the presence of :)

..... Mayor

..... Councillor

..... Chief Executive Officer

STRATHBOGRIE SHIRE COUNCIL

**RESCISSION OF
INSTRUMENT OF DELEGATION AND AUTHORISATION TO AUTHORISED OFFICER**

Municipal Fire Prevention Officer

Daniel Haysom

Daniel Haysom has ceased to be Council's Municipal Fire Prevention Officer. Therefore, it is necessary for delegated powers, duties and functions to be formally revoked for Daniel Haysom.

Daniel Haysom was, by the power conferred by Sections 98 (1), 224 and 232 of the *Local Government Act 1989*, previously appointed as an Authorised Officer and delegated the powers, duties and functions necessary to administer and enforce any Local Laws and any subordinate Regulations thereto:

Country Fire Authority Act 1958

This delegation and authorisation is now required to be rescinded.

The **COMMON SEAL** of the)
STRATHBOGRIE SHIRE COUNCIL)
was affixed to this)
Rescission of Instrument of Delegation)
to Authorised Officer)
on 24th January 2017 in the presence of:)

..... Mayor

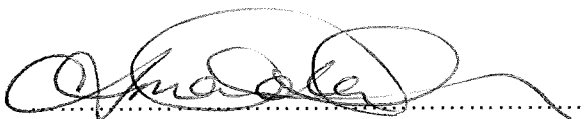
..... Councillor

..... Chief Executive Officer

6. URGENT BUSINESS
7. CLOSURE OF MEETING TO THE PUBLIC TO CONSIDER MATTERS LISTED FOR CONSIDERATION IN ACCORDANCE WITH SECTION 89(2) OF THE LOCAL GOVERNMENT ACT 1989
8. CONFIRMATION OF 'CLOSED PORTION' DECISION/S

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5.26 P.M.

Confirmed as being a true and accurate record of the Meeting


.....
Chair


.....
Date

