



**STRATHBOGRIE SHIRE COUNCIL**

**MINUTES OF A SPECIAL MEETING OF THE STRATHBOGRIE SHIRE COUNCIL HELD  
ON TUESDAY 29 SEPTEMBER 2015 AT THE EUROA COMMUNITY CONFERENCE  
CENTRE COMMENCING AT 5.00 P.M.**

<b>Councillors:</b>	Debra Swan (Chair)	(Lake Nagambie Ward)
	Colleen Furlanetto	(Seven Creeks Ward)
	Malcolm Little	(Hughes Creek Ward)
	Patrick Storer	(Honeysuckle Creek Ward)
	Robin Weatherald	(Mount Wombat Ward)
	Graeme (Mick) Williams	(Seven Creeks Ward)

<b>Officers:</b>	Steve Crawcour - Chief Executive Officer
	Roy Hetherington - Director, Asset Services
	David Woodhams - Director, Corporate and Community
	Phil Howard - Director, Sustainable Development

**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 Alister Purbrick (Lake Nagambie Ward)
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
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

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## 5. REPORTS

### 5.2 INFRASTRUCTURE

#### 5.2.1 Proposed Closure of Section of Ballantynes Road, Nagambie - Consideration of Submissions and Determination on Proposal

##### **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**

At its Ordinary meeting held on Tuesday 21 July 2015, Council proposed to close a section of Ballantynes Road, Nagambie, and invite submissions under Section 223 of the Local Government Act 1989.

At its Special Meeting held on Tuesday 15 September 2015, Council resolved to:

1. Receive and note the submissions in response to the public advertisement of the proposed closure of a section of Ballantynes Road, Nagambie.
2. Formally consider all received submissions and determine the outcome of the proposed closure of a section of Ballantynes Road, Nagambie, at a Special Meeting of Council on Tuesday 29 September 2015, commencing at 5.00pm at the Euroa Community Conference Centre.

##### **RECOMMENDATION**

**That Council resolve to -**

1. **Close the section of Ballantynes Road to general traffic at a point 400m east of Habel Road;**
2. **Erect a suitable fence and locked gate;**
3. **Maintain emergency access by providing the locked gate with the CFA Emergency Access Keying System and maintain clear access through the site for emergency vehicles.**

*45/15 CRS WEATHERALD/LITTLE : That the Recommendation be adopted.*

**CARRIED**

##### **Background**

- Access to the Goulburn Valley Highway from Ballantynes Road, Nagambie is currently under temporary closure by the Nagambie Works Depot. A permanent closure is proposed.

5.2.1 Proposed Closure of Section of Ballantynes Road, Nagambie  
- Consideration of Submissions and Determination on Proposal (cont.)

- The section of Ballantynes Road is currently being used by Asset Services as a stockpile area for road material required by the Nagambie works depot.
- A physical barrier and signage is proposed to be located 400 metres east of Habel Road.
- The total distance of road to be closed would be 343 metres.
- Advertisement of the road closure was placed in the local newspapers, calling for any submissions to the proposal, to be done so in writing in accordance to Section 223 of the Local Government Act 1989.

**Submissions**

For all permanent road closures, Council is required to obtain a report from the road authority; in this case VicRoads.

Correspondence received from VicRoads requested that all Emergency Service organisations be contacted. VicRoads would then send an official response based on comments received.

The official Road Authority (VicRoads) response was received on the 9 September 2015. VicRoads offered no objection to the road closure provided emergency access is maintained.

Two submissions were received objecting to the closure. One submission requested that the site be cleaned up.

The two objections to the closure were from the Country Fire Authority and a local resident, with both requesting the site remain open for access to the Goulburn Valley Highway for Emergency Vehicles.

It is considered that the objections can be overcome by providing a locked gate with CFA 003 Emergency Access Keying System, and maintaining clear access through the site for emergency vehicles.

**Alternative Options**

The road is now a dead end and not used generally by the public. Its use as a stockpile site is preferable to a full closure and sale.

**Risk Management**

The author 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.

5.2.1 Proposed Closure of Section of Ballantynes Road, Nagambie  
- Consideration of Submissions and Determination on Proposal (cont.)

**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, other than the exercise of powers under the Local Government Act 1989.

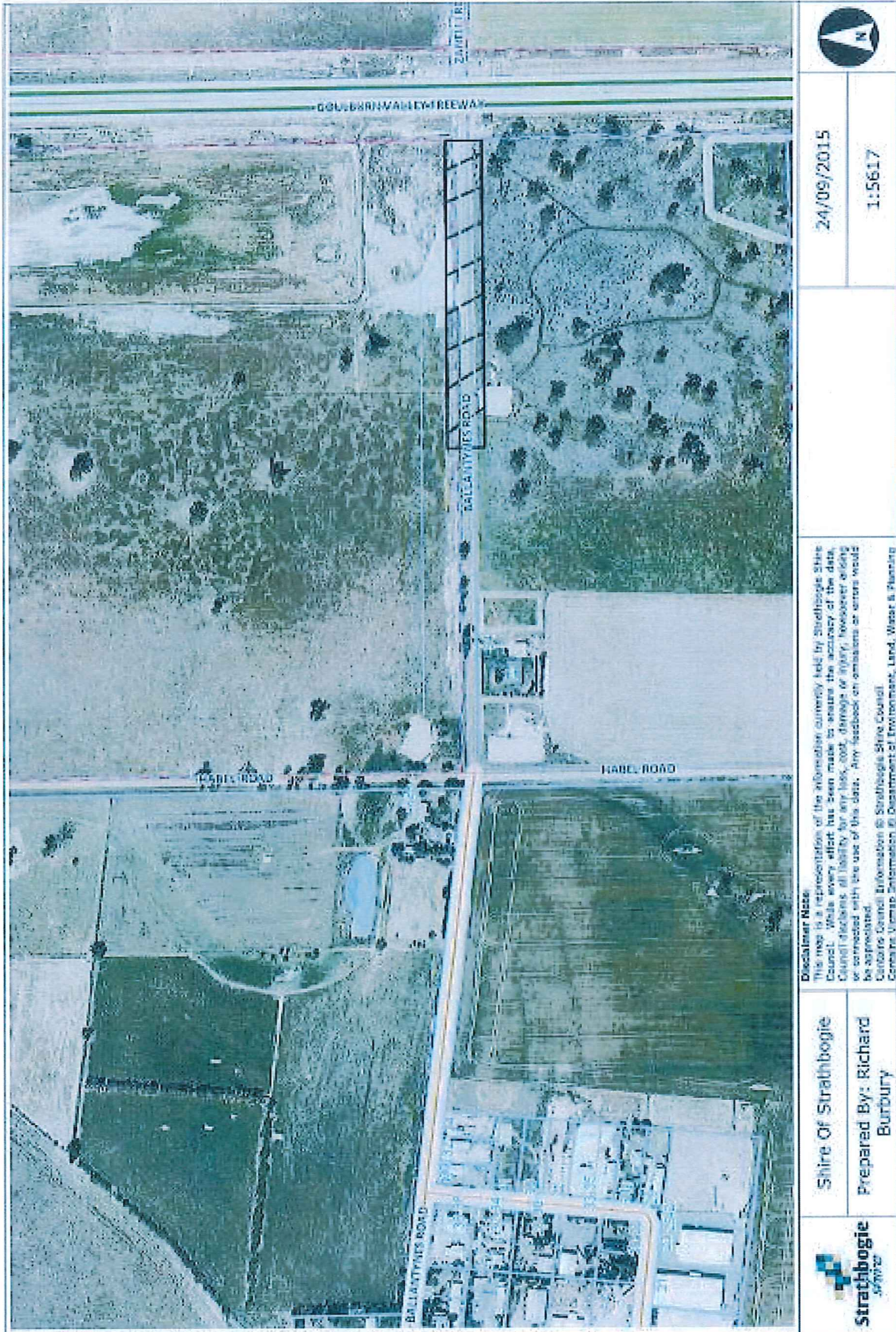
**Consultation**

The Section 223 consultation process is considered appropriate for this matter.

**Attachments**

Map of the proposed section of Ballantynes Road to be closed.






24/09/2015  
1:5617

**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, whatsoever arising or connected with the use of this data. Any feedback on omissions or errors would be appreciated.  
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Shire Of Strathbogie  
Prepared By: Richard Burbury



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## **5.7 ORGANISATION**

### **5.7.1 Monthly Ordinary Meetings of Strathbogie Shire Council - Proposed Change of Meetings Time and Locations** **- Consideration of Submissions and Determination on Proposal**

#### **Author / Department**

Director, Corporate and Community / Corporate and Community Directorate

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

Officers 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 proposed at the Ordinary Meeting of 21 July 2015 to conduct a formal Local Government Act 1989 Section 223 process to seek submissions from the community to (a) alternate its monthly Ordinary Council meetings between Euroa and Nagambie, and (b) commence the Ordinary Council meetings at 4.00 p.m.

Six submissions were received and heard at a Special Council meeting of 15 September 2015.

#### **RECOMMENDATION**

**For Council decision.**

***CRS FURLANETTO/LITTLE –***

**That consideration and determination of this matter be deferred to a Special Council Meeting (Annual Statutory Meeting) to be held on Tuesday 10 November 2015**

46/15

***ON BEING PUT, THE MOTION WAS CARRIED***

#### **Background**

Council, at its Ordinary Council meeting held on Tuesday 21 July 2015, proposed to alter the meeting schedule for the monthly Ordinary Council meetings location between Euroa and Nagambie. The commencement time was also proposed to change from 6.00 p.m. to 4.00 p.m. Council chose to consult the public via a Section 223 process.

The Council believes that alternating the meetings between Euroa and Nagambie and holding them at 4.00 p.m. will allow the community to better participate in Council's decision making processes. A survey of surrounding Councils shows that the meeting times vary from 5.00 p.m. to 7.00 p.m., with most holding their meetings at a central location and not alternating between towns.

Six submissions were received and heard at a Special Council meeting of 15 September 2015.

5.7.1 Monthly Ordinary Meetings of Strathbogie Shire Council - Proposed Change of Meetings Time and Locations  
- Consideration of Submissions and Determination on Proposal (cont.)

**Alternative Options**

The options available to Council are to leave current meeting locations and times as adopted at the Special Council meeting held on 11 November 2014, or as determined by Council at this meeting.

**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 Implications**

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, other than the exercise of powers under the Local Government Act 1989.

**Consultation**

Council has undertaken a Section 223 process that called for submission from the general public.

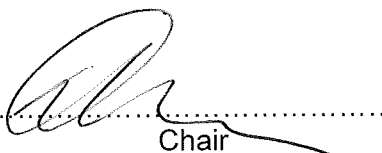
**Attachments**

Nil.

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 5.14 P.M.***

Confirmed as being a true and accurate record of the Meeting

  
.....  
Chair

20-10-15  
.....  
Date



