



## STRATHBOGRIE SHIRE COUNCIL

### MINUTES OF A SPECIAL MEETING OF THE STRATHBOGRIE SHIRE COUNCIL HELD ON WEDNESDAY 26 JUNE 2013 AT THE EUROA COMMUNITY CONFERENCE CENTRE COMMENCING AT 5.00 P.M.

**Councillors:** Debra Swan (Chair)  
Malcolm Little  
Alister Purbrick  
Patrick Storer  
Robin Weatherald  
Graeme (Mick) Williams

**Officers:** Steve Crawcour - Chief Executive Officer  
Roy Hetherington - Director, Asset Services  
David Woodhams – Director, Corporate and Community  
Gary Abley – Acting Director, Sustainable Development

#### **BUSINESS**

1. Welcome
2. Acknowledgement of Traditional Land Owners  
*'In keeping with the spirit of Reconciliation, we acknowledge the traditional custodians of the land on which we are meeting today. We recognise indigenous people, their elders past and present'.*
3. Apologies  

Councillor Colleen Furlanetto  
Phil Howard – Director, Sustainable Development
4. Disclosure of Interests  

Nil

#### **EXCERPT FROM MEETING PROCEDURE LOCAL LAW NO. 1**

##### ***CONDUCT OF PUBLIC***

##### **52. VISITORS**

- (1) Visitors must not interject or take part in debate.
- (2) Silence shall be preserved in the gallery at all times.
- (3) If any visitor is called to order by the Chairperson and again acts in breach of this Local Law, the Chairperson may order that person to be removed from the gallery.

**53. CALL TO ORDER**

Any person who has been called to order, including any Councillor who fails to comply with the Chairperson's direction, will be guilty of an offence.

Penalty: \$500

**54. REMOVAL FOR DISRUPTION**

The Chairperson has discretion to cause the removal of any person, including a Councillor, who disrupts any meeting or fails to comply with a direction under the provisions of this Local Law.

- 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

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## 5. **REPORTS**

### 5.2 **INFRASTRUCTURE**

#### 5.2.1 **Road Management Plan Review**

##### **Author and Department**

Director, Asset Services / Infrastructure Directorate

##### **File Reference**

T40/0180/01(01)

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

Officers and or/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**

Incoming Councils are required to review a Road Management Plan during the same period as it is preparing the Council Plan.

Public Notice of the review has been given, jointly with the draft 2013/17 Council Plan, stating the purpose of the review and inviting submissions for Council's consideration.

#### **RECOMMENDATION**

- 1. That Council adopt the review report, *as amended*, which sets out the findings and conclusions of the review.**
- 2. That the review report be made available for copying or inspection.**
- 3. The Council proceed with amendment of the Road Management Plan in accordance with the Review Report**

*31/13 CRS WEATHERALD/WILLIAMS : That the Recommendation be adopted, subject to amendments as shown in No. 4 in the attached Road Management Plan Review spreadsheet.*

**CARRIED**

#### **Background**

The current Road Management Plan was adopted in June 2012 following its review by the former Council.

The provisions of the Local Government Act 1989, the Road Management Act 2004, and the Road Management (General) Regulations 2005, together require an incoming Council to review its Road Management Plan within a period of six months after election or by the next 30 June, whichever is later.

### 5.2.1 Road Management Plan Review (cont.)

The closing date for submissions was Thursday 13<sup>th</sup> June 2013 at 5.00pm., as which time 5 submissions had been received. One submitter requested to be heard in support of their submission.

Council was briefed on all submissions received on Monday 17<sup>th</sup> June 2013. Council noted the written submissions at a Special Meeting of Council on Thursday 20<sup>th</sup> June 2013. The submitter who requested to be heard did not appear. Copies of submissions were tabled for identification purposes. Council resolved to consider a review report at the Special meeting to be held Wednesday 26<sup>th</sup> June 2013.

#### Working Party

An officer working party comprising Director Asset Services, Manager Engineering, Manager Project and Works and Works Superintendent has examined the submissions and developed the attached review report setting out findings and conclusions of the review for Council's consideration.

#### Amendment of Road Management Plan

If, following review, Council proposes to amend the Road Management Plan a second process of public exhibition and consideration of submissions may be required.

#### **Alternative Options**

There are no alternative options as the conduct of the Road Management Plan review is a legislative requirement.

#### **Risk Management**

It is considered that a review of the Road Management Plan will bring any matters of concern to Council's attention for action, therefore, lessen the future risk.

#### **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 / Trade Practices Act (TPA) implications**

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Competition and Consumer Act 2010 requirements.

#### **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**

Community members have requested an upgrade of service levels on particular roads. Council should evaluate the requests considering equity of access for all residents and the available funding.

### 5.2.1 Road Management Plan Review (cont.)

#### **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 report proposes that a Local Government Act 1989 Section 223 consultation process applies to the review.

#### **Attachments**

Road Management Plan Review report.

**Road Management Plan Review**

| No. | Submission Detail  | Findings  | Conclusion   |
|-----|--|---|--|
| 1.  | <p>Suggestion that the intervention level be 75mm for corrugations and to open up all classes of road to user contributions towards upkeep in the future.</p>  | <ul style="list-style-type: none"> <li>• The current intervention level is 100mm for Class 0 and 1. 75mm for Class 2 and 3, however drivers find &gt;75mm unacceptable resulting in customer request and works officer response. A level of 75mm can be accommodated in the existing budget.</li> <li>• Expanding users have ability to undertake improvements at their cost to all road classes, is more equitable.</li> </ul> | <p>Suggestions should be included in 2013 revision of RMP</p>  |
| 2.  | <p>Submission to get the South Costerfield Graytown Road from the Heathcote Nagambie Road to Bull Lane upgraded in the Shire's Road Management Plan. There are a total of 26 permanent residences. No need to speak on the submission as it is clear the road needs to be upgraded due to the traffic volume on this road</p>  | <ul style="list-style-type: none"> <li>• The section of road is adequately classified as collector Class 1 and 2.</li> <li>• Corrugations and potholes arise prematurely following maintenance because of the low quality local gravel (ironstone). Resheeting with Class 4 crushed rock will rectify the problem</li> </ul>  | <p>The road can be included within draft budget provisions for road resheeting over a 2 year period.</p> |
| 3.  | <p>The following suggestions to improve the Strathbogie Shire Road Management Plan were identified at the Strathbogie Municipal Fire Management Planning Committee meeting today.</p> <ul style="list-style-type: none"> <li>• Amalgamate "Fire Access" and "Class 0" road classifications into one category, "Class 0, Fire access". This will enable all of the old classification "Class 0" roads, where appropriate to be submitted to the Fire Access Roads Subsidy scheme (FARSS), this scheme was previously only open to "Fire Access roads".</li> <li>• For Priority 1 and 2 roads (access and egress) indicated on CFA's Strathbogie Shire Bushfire management plan (extract below), an extension of the roadside vegetation clearance envelope to include removal of regrowth to 6 metres from the edge of the carriageway. This work to be done as resources permit. <i>See attached.</i></li> <li>• Remove reference to 4 wheel drive description in Note 2 (Strathbogie Road Management Plan page 16). The modern</li> </ul> | <ul style="list-style-type: none"> <li>• Amalgamating the two road classes will be of benefit to Council in attracting FARS funding</li> <li>• Targeting removal of regrowth will help to address roadside fire risk. Existing budgets will be adequate to commence the program</li> </ul>  | <p>Suggestions should be included on the 2013 revision of RMP.</p>                                       |

|    |   |   |  |
|----|---|---|--|
|    | CFA 2 wheel drive tankers are more than to traverse Fire Access Tracks that are maintained in reasonable condition.   | access road note because of the capability of modern 2WD trucks.  |  |
| 4. | <ul style="list-style-type: none"> <li>Unsealed roads: that the intervention level be reduced from 100mm to 70mm eliminating extreme corrugations.</li> <li>Private property access: Council asset management be given capacity to negotiate a deal for ratepayer contribution to maintain property access.</li> <li>Historical agreements attempted to be recognised. There are in existence unwritten but fair agreements between old Shire and ratepayers regarding road maintenance.</li> </ul>   | <ul style="list-style-type: none"> <li>As above, a level of 75mm can be accommodated.</li> <li>The current RMP contains this provision for Class 0 roads. As above the provision can be expanded to all road classes.</li> <li>One such agreement which has been acted on since the coming in of the RMP <u>in 2004</u> is known, where Council provides gravel to assist landowners to maintain a gated section of road</li> </ul> | Existing agreement relating to Moores Road Strathbogie, <u>and any other agreements identified to be active since 2004</u> should be acknowledged in the 2013 revision of the RMP. |
| 5. | <p>Council has requested comment on the 2012 Road Management Plan and I would like to take this opportunity to comment on the road hierarchy on page 8 of the plan. There are two different Class 0 classifications in the Road Management Plan which is confusing in the first instance only to find out that the service level for a both Class 0 description is for 4WD, dry weather road access only anyway. Fire access classification is also confusing as they only seem to be maintained when the CFA pay. Yet the service levels seem to be the same for a Fire Access Track and a Class 0 Road with both having a N/A response time. Class 2 roads do not seem to get the service their service levels state they should get. Also any attempt to get classifications changed on roads results in the Directors blaming Councillors for the adopted road register and nothing can ever be changed even when it is obvious a clerical error has been made. However, it seems bizarre to believe that Councillors are expected to read a road register line by line and make any necessary corrections.</p> <p>The Road Management Plan has a Class 0 classification to residences and Class 0 classification to property access only. To date Sargoods Road has a Class 0 from Church Lane to Bonds Lane with three premier addresses in Gooram (two houses have been there nearly 100 years) accessing there, in which we have been told the services levels are for four wheel drive, dry weather access only.</p> | <ul style="list-style-type: none"> <li>A written response to the submitter may be needed to help him understand the RMP provisions and to follow up on his comment and information.</li> </ul>  | The suggestions put forward above for inclusion of the 2013 revision on RMP will simplify the documentation.   |



|  |  |  |
|--|--|--|
| <p>Ambulances, postal deliveries, residents, managers, farm workers, gardeners, cleaners and contractors do not all have four wheel drives. Residents have to constantly ring, write and beg to get their road graded. There are countless meetings with Directors, Councillors and Engineers, with letters back and forth before the road is finally graded at a separate time to the rest of the road. This is not productive.</p> <p>Curries Road has Class 0 which requires two wheel drive access from Arcadia Two Chain Road to the Branjee Fire Station and Class 0 road which is unformed, dry weather road only from the Fire Station to Hills road. How can one tell the service level when reading the AO classification in the Road Register? We have been told that none of the road will be serviced unless there is a flood. Ross Lane in the road Register is listed as a private road. However, this road receives FARS funding for CFA access from the Euroa-Mansfield Road to Seven Creeks Estate. Should this road be a Fire Access classification?</p> <p>The Pranjip Road is an L2 classification. According to the service levels for this classification, to repair a pothole on a Class 2 road that is 300mm diameter and 100mm deep the response time should be in month and yet bitumen has yet to be repaired since the last flood in February 2012.</p> <p>I propose that all roads that are currently formed should be reclassified to Class 1 and Class 0 be described as 4WD, dry weather only access for those roads that have never been formed. Fire Access Roads can be described as CFA funded roads. The road Register needs to be amended on a more regular basis or have a contingency fund to allow for upgraded roads by developers to receive an adequate classification when the works are complete, or when an error is found with a classification. That way there will be no confusion to potential investors and the resultant lack of productivity by Council addressing the frustration of an investor. I would like to have the opportunity to speak to the Councillors in relation to this submission.</p> |  |  |
|--|--|--|

## **5.7 ORGANISATION**

### **5.7.1 Draft 2013-2017 Council Plan, Actions and Strategic Indicators and Draft 2013 – 2014 Strategic Resource Plan**

#### **Author & Department**

Chief Executive Officer / Executive Directorate

#### **File Reference**

C70/0180/03

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

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 Plan:*

In accordance with the requirements of Section 125 of the Local Government Act 1989 (the Act), Council has developed in consultation with its community the Draft 2013 – 2017 Council Plan, Actions and Strategic Indicators. There were 68 submissions to the Draft 2013 – 2017 Council Plan.

##### *Strategic Resource Plan:*

In accordance with Section 126 of the Local Government Act 1989 (the Act), Council has developed the 2013 – 2014 Draft Strategic Resource Plan (SRP). It is important to note that the SRP will have amounts quoted that may alter as Council continues working on its new Draft 2013 – 2014 Budget. Information in the Draft SRP is currently based upon the previous Council's Long Term Financial Plan. There were no submissions to the 2013 – 2014 Draft Strategic Resource Plan.

The Draft 2013-2017 Council Plan, Actions and Strategic Indicators and Draft 2013 – 2014 Strategic Resource Plan were tabled for identification purposes, and the adopted Plans are Appended to the Minutes.

#### **RECOMMENDATION**

- 1. That Council adopts the Draft 2013 – 17 Council Plan, Strategic Indicators and Actions.**
- 2. That Council adopts the Draft 2013 – 2014 Strategic Resource Plan.**

32/13 **CRS LITTLE/WILLIAMS** : *That the Recommendation be adopted.*

**CARRIED**

5.7.1 Draft 2013-2017 Council Plan, Actions and Strategic Indicators and Draft 2013 – 2014 Strategic Resource Plan (cont.)

## **Background**

### *Council Plan:*

The Draft 2013 – 2017 Council Plan including Actions and Strategic Indicators were developed following community consultation which included online surveys, community road show – face to face meetings, public submissions period and a public meeting to hear submissions.

The Council Plan is a strategic document of Council that sets its Vision / Mission / Goals and Objectives for the (4) four year term of the Council. The Actions that sit under each Goal ensure the organisation delivers what the Council has set as its long term strategic vision for its community.

The program dates for this Draft 2013 – 2017 Council Plan are as follows:

1. Adopt the Draft 2013 – 2017 Council for Public Exhibition – 7th May 2013
2. Public Exhibition period closes at 5pm Thursday 13th June 2013
3. Councillor Briefing on Public Submissions – Monday 17th June 2013
4. Submissions Hearing to listen to submissions on the Draft 2013 – 2017 Council Plan – Thursday 20th June 2013
5. Special Council Meeting to Adopt 2013 – 2017 Council Plan – Wednesday 26th June 2013
6. Present adopted 2013 – 2017 Council Plan to the Minister for Local Government by Friday 28th June 2013.

### *Strategic Resource Plan:*

The SRP was exhibited during the same period as the Draft 2013 – 2017 Council Plan. The SRP outlines the resources required to achieve Council's strategic objectives expressed in the Council Plan. The purpose of the SRP is to:

- Establish a financial framework over the next 4 years to ensure Council's strategic objectives, as expressed in its Council Plan, are achieved;
- Provide an assessment of the resources (financial and non-financial) required to accomplish the objectives and strategies included in the Council Plan (non-financial resources are assumed to include human resources and Council's asset base, which are all referred to in various parts of the SRP);
- Establish a basis to measure Council's adherence to its policies and strategies; and
- Assist Council to comply with sound financial management principles, in accordance with the Local Government Act (1989) and to plan for the long-term financial sustainability of the municipality.

5.7.1 Draft 2013-2017 Council Plan, Actions and Strategic Indicators and Draft 2013 – 2014 Strategic Resource Plan (cont.)

The SRP was developed using the 2011 Long Term Financial Plan (LTFFP) and the Rating Strategy 2010-2015 as amended, as the base. There are a number of assumptions that are currently under review as part of the Draft 2013-2014 Budget, but until the budget is presented for adoption by Council then the assumptions in these two guiding documents are still Council's position. Council will review the LTFFP once the 2013-2014 budget process has been adopted.

**Alternative Options**

The processes undertaken in relation to advertising, consideration of submissions and adoption are legislated under the Local Government Act 1989. There are no alternative options.

**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 and key strategic documents. The Council Plan and SRP provide input into the preparation of the Budget and Council's long term financial planning.

**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 2010 requirements.

**Financial / Budgetary Implications**

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

**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.

5.7.1 Draft 2013-2017 Council Plan, Actions and Strategic Indicators and Draft 2013 – 2014 Strategic Resource Plan (cont.)

**Legal / Statutory Implications**

The Local Government Act 1989 requires Council to provide public notice with regard to the Council Plan and Strategic Resource Plan and to request submissions under S223 of the Act. This has occurred.

**Consultation**

Council's proposed Council Plan and Strategic Resource Plan were on public exhibition for the statutory period of 28 days. All submissions received have been considered as part of the process..

**Attachments**

The adopted 2013–2017 Council Plan, which includes the 2013–2014 Strategic Resource Plan, will be appended to the Minutes of the meeting.

### 5.7.2 Documents for Signing and Sealing

Documents are submitted for Council signing and sealing.

The details are as follows and are also included in Council's Seal Register:-

| FILE NO.    | DOCUMENT DESCRIPTION   | NO. OF COPIES |
|-------------|--|---------------|
| L10/0030/02 | Lease between Strathbogie Shire Council and Morgan Caravan Parks Pty Ltd and Christopher Gary Morgan under Section 17D Crown Land (Reserves) Act 1979 for premises – part of land contained in Allotment 9 Section 8 Township of Euroa and Allotment 2 Section 73 Township of Euroa ~ Euroa Caravan and Cabin Park, Kirkland Avenue, Euroa | 4             |

#### **RECOMMENDATION**

**That the Documents be signed and affixed with the Common Seal of Strathbogie Shire Council.**

*33/13 CRS WILLIAMS/LITTLE : That the Recommendation be adopted.*

**CARRIED**

**THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5.19 P.M.**

Confirmed as being a true and accurate record of the Meeting

.....

Chair

.....

Date