



# Agenda

Special Meeting of Council  
Tuesday, 11 April 2017

To be held in the  
Council Chambers  
1 Merrijig Drive, Torquay

Commencing at 6.00pm

**Council:**

Cr Brian McKiterick (Mayor)  
Cr David Bell  
Cr Libby Coker  
Cr Martin Duke  
Cr Clive Goldsworthy  
Cr Rose Hodge  
Cr Carol McGregor  
Cr Margot Smith  
Cr Heather Wellington

---

AGENDA FOR THE SPECIAL COUNCIL MEETING OF SURF COAST SHIRE COUNCIL  
TO BE HELD IN THE COUNCIL CHAMBERS, 1 MERRIJIG DRIVE, TORQUAY  
ON TUESDAY 11 APRIL 2017 COMMENCING AT 6.00PM

**PRESENT:**

**OPENING:**

Council acknowledge the traditional owners of the land where we meet today and pay respect to their elders past and present and Council acknowledges the citizens of the Surf Coast Shire.

**PLEDGE:**

As Councillors we carry out our responsibilities with diligence and integrity and make fair decisions of lasting value for the wellbeing of our community and environment.

**APOLOGIES:**

**CONFLICTS OF INTEREST:**

**Note to Councillors and Officers**

***Declaration of Interest***

*Councillors and Officers please note that in accordance with Section 77A of the Local Government Act 1989, there is an obligation to declare a conflict of interest in a matter that could come before Council.*

*A conflict of interest can be a direct or indirect interest in a matter.*

*A person has a direct interest if:*

*There is a reasonable likelihood that the benefits, obligations, opportunities or circumstances of the person would be directly altered if the matter is decided in a particular way.*

*A person has an indirect interest if the person has:*

- 1. A close association whereby a "family member" of the person has a direct or indirect interest or a "relative" or member of a person's household has a direct interest in a matter;*
- 2. An indirect financial interest in the matter;*
- 3. A conflicting duty;*
- 4. Received an "applicable" gift;*
- 5. Become an interested party in the matter by initiating civil proceedings or becoming a party to civil proceedings in relation to the matter; or*
- 6. A residential amenity affect.*

***Disclosure of Interest***

*A Councillor or Officer must make full disclosure of a conflict of interest by advising the class and nature of the interest immediately before the matter is considered at the meeting. While the matter is being considered or any vote taken, the Councillor or Officer with the conflict of interest must leave the room and notify the Chairperson that he or she is doing so.*

**BUSINESS:**

<b>1. GOVERNANCE &amp; INFRASTRUCTURE .....</b>	<b>4</b>
1.1 <i>Exhibition of the Draft Council Plan (Incorporating the Health and Wellbeing Plan) 2017 - 2021 .....</i>	<i>4</i>
1.2 <i>Exhibition of the Draft Budget 2017 - 2018.....</i>	<i>15</i>
1.3 <i>Exhibition of the Road Management Plan .....</i>	<i>21</i>

## 1. GOVERNANCE & INFRASTRUCTURE

### 1.1 Exhibition of the Draft Council Plan (Incorporating the Health and Wellbeing Plan) 2017 - 2021

**Author's Title:** Coordinator Governance & Corporate Planning      **General Manager:** Chris Pike

**Department:** Governance & Risk      **File No:** F16/396

**Division:** Governance & Infrastructure      **Trim No:** IC17/282

#### Appendix:

1. Surf Coast Shire Council Plan 2017 – 2021 Community Engagement Report (to be tabled)
2. Surf Coast Shire Council Plan 2017 – 2021 Plan on a Page (to be tabled)
3. Surf Coast Shire Council Plan 2017 – 2021 (incorporating the Health and Wellbeing Plan) (to be tabled)

#### Officer Direct or Indirect Conflict of Interest:

In accordance with Local Government Act 1989 – Section 80C:

Yes

No

Reason: Nil

#### Status:

Information classified confidential in accordance with Local Government Act 1989 – Section 77(2)(c):

Yes

No

Reason: Nil

#### Purpose

The purpose of this report is for Council to formally resolve on the Draft Council Plan (incorporating the Health and Wellbeing Plan) 2017 - 2021, and commence the public exhibition process.

#### Summary

Section 125 (1) of the *Local Government Act 1989* (the Act) requires Council to prepare and approve a Council Plan within the period of 6 months after each general election or by the next 30 June, whichever is later, and to provide a copy of the adopted Council Plan to the Minister for Local Government by 30 June. Prior to final adoption of the Council Plan, the Act requires Council to publically exhibit the draft document and to receive and considers submissions in this regard.

Section 26 of the *Public Health and Wellbeing Act 2008* requires Council to prepare a Municipal Public Health and Wellbeing Plan (Health and Wellbeing Plan) within the period of 12 months after each general election of the Council. Section 27 of this Act allows for the integration of the Health and Wellbeing Plan into the Council Plan.

The Council Plan and Health and Wellbeing Plan for 2017 - 2021 have been integrated to strengthen and streamline reporting processes.

The draft Council Plan (incorporating the Health and Wellbeing Plan) 2017 - 2021 (The Plan) has been prepared in accordance with the above statutory requirements and following an extensive community engagement process. The Plan outlines the priorities for the Council for the next four years and provides broad direction for the organisation.

#### Recommendation

That Council:

1. Give public notice that it has prepared a draft Council Plan (incorporating the Health and Wellbeing Plan) 2017 - 2021, as required by Section 125 of the *Local Government Act 1989*, and Sections 26 and 27 of the *Public Health and Wellbeing Act 2008*.
2. Receive submissions and, where requested, allow submitters to be heard by Council in support of those submissions, pursuant to Section 223 of the *Local Government Act 1989*, on any proposal contained in the Plan at a Hearing of Submissions Committee Meeting, scheduled to be held on 30 May 2017 commencing at 6pm in the Council Chambers, 1 Merrijig Drive, Torquay.
3. Intend to consider the draft Council Plan (incorporating the Health and Wellbeing Plan) 2017 - 2021 for adoption at a Special meeting of Council, scheduled to be held on Thursday 22 June 2017, commencing at 6pm in the Council Chambers, 1 Merrijig Drive, Torquay.

**1.1 Exhibition of the Draft Council Plan (Incorporating the Health and Wellbeing Plan) 2017 - 2021**

4. Pursuant to Section 125 (11) of the *Local Government Act 1989*, nominate the following places for the display of the draft Council Plan (incorporating the Health and Wellbeing Plan) 2017 - 2021:
  - a. Council Offices, 1 Merrijig Drive, Torquay
  - b. Aireys Inlet, Anglesea, Lorne and Winchelsea Post Offices
  - c. Lorne Visitor Information Centre
  - d. Deans Marsh and Moriac General Stores
  - e. Torquay and mobile libraries servicing the Surf Coast Shire
  - f. Community Houses at Anglesea, Deans Marsh, Lorne and Winchelsea.
  - g. Online at [www.surfcoastconversations.com.au](http://www.surfcoastconversations.com.au)
5. Promote the opportunity for the community to make formal submissions or provide informal comment via a series of community meetings and listening posts across the Shire during the exhibition period.

## 1.1 Exhibition of the Draft Council Plan (Incorporating the Health and Wellbeing Plan) 2017 - 2021

### Report

#### **Background**

The Surf Coast Shire Council general election was conducted on 22 October 2016.

Section 125 of the *Local Government Act 1989* requires that:

- (1) A Council must prepare and approve a Council Plan within the period of 6 months after each general election or by the next 30 June, whichever is later.
- (2) A Council Plan must include-
  - (a) The strategic objectives of the Council
  - (b) Strategies for achieving the objectives for at least the next 4 years
  - (c) Strategic indicators for monitoring the achievement of the objectives
  - (d) A Strategic Resource Plan containing the matters specified in section 126
  - (e) Any other matters which are prescribed by the regulations.
- (3) A person has a right to make a submission under section 223 on the proposed Council Plan.
- (3A) For the purposes of subsection (3), the Council must ensure that, for at least 28 days after the public notice is published under section 223(1)(a)-
  - (a) A copy of the proposed Council Plan is available for inspection by the public at-
    - (i) The Council office and any district officers
    - (ii) Any other place required by the regulations
  - (b) The proposed Council Plan is published on the Council's Internet website.

Sections 26 and 27 of the *Public Health and Wellbeing Act 2008* require that -

- (1) A Council must, in consultation with the Secretary, prepare a municipal public health and wellbeing plan within the period of 12 months after each general election of the Council.
- (2) A municipal public health and wellbeing plan must-
  - (a) include an examination of data about health status and health determinants in the municipal district
  - (b) identify goals and strategies based on available evidence for creating a local community in which people can achieve maximum health and wellbeing
  - (c) provide for the involvement of people in the local community in the development, implementation and evaluation of the public health and wellbeing plan
  - (d) specify how the Council will work in partnership with the Department and other agencies undertaking public health initiatives, projects and programs to accomplish the goals and strategies identified in the public health and wellbeing plan
  - (e) be consistent with-
    - (i) The Council Plan prepared under section 125 of the *Local Government Act 1989*; and
    - (ii) the municipal strategic statement prepared under section 12A of the *Planning and Environment Act 1987*.
- (3) In preparing a municipal public health and wellbeing plan, a Council must have regard to the State Public Health and Wellbeing Plan prepared under section 49.
- (4) A Council must review its municipal public health and wellbeing plan annually and, if appropriate, amend the municipal public health and wellbeing plan.
- (5) Despite subsection (2)(c), a Council is not required to provide for the involvement of people in the local community when reviewing or amending a municipal public health and wellbeing plan under subsection (4).
- (6) A Council must give a copy of the current municipal public health and wellbeing plan to the Secretary.
- (7) A copy of the current municipal public health and wellbeing plan must be available for inspection by members of the public at the places at which the current Council Plan must be available under section 125(11) of the *Local Government Act 1989*.

#### **Discussion**

The Council Plan is the key corporate document that provides direction to the operations of Council, as well as articulating to the community what Council hopes to achieve during its elected term. A copy of the adopted Council Plan, including a Strategic Resource Plan, is required to be submitted to the Minister for Local Government prior to 30 June following a general election.

## 1.1 Exhibition of the Draft Council Plan (Incorporating the Health and Wellbeing Plan) 2017 - 2021

Section 26 of the *Public Health and Wellbeing Act 2008* requires Council to prepare a Municipal Public Health and Wellbeing Plan (Health and Wellbeing Plan) within the period of 12 months after each general election of the Council. Section 27 of this Act allows for the integration of the Health and Wellbeing Plan into the Council Plan.

The Council Plan and Health and Wellbeing Plan for 2017 - 2021 have been integrated to strengthen and streamline reporting processes.

The Draft Council Plan (incorporating the Health and Wellbeing Plan) 2017 - 2021 has been prepared following an extensive community engagement survey process held in January and February 2017 which attracted responses from over 930 people.

Other engagement activities included:-

- targeted engagement activities for people under 25 and over 65 years of age
- review of the Youth Survey completed in 2016
- review of the customer satisfaction survey completed in 2016.

Council considered the community's input during March and April 2017 and reviewed Council's proposed vision and strategic objectives for the next four years. Council used the agreed vision and objectives to develop draft strategies to show how Council could achieve each objective and measures to assist the community to assess Council's performance each year.

Prior to adopting its Council Plan, Council is required to publicly exhibit the draft document, and to receive and consider public submissions in regard to the draft document. Section 223 of the *Local Government Act 1989*, requires this public exhibition process to continue for a period of not less than 28 days after the date on which a public notice is published.

This report is provided for Council to authorise the commencement of the public exhibition process.

### **Financial Implications**

Council allocated staff resources to assist in the preparation of the document and additional project funds (estimated at \$69,000) to complete this project.

### **Council Plan**

Theme 2 Governance  
Objective 2.2 High performing accountable organisation  
Strategy Nil

Theme 2 Governance  
Objective 2.5 Enhanced community engagement  
Strategy 2.5.2 Provide opportunities for all members of the community to engage with Council on issues that matter to them.

### **Policy/Legal Implications**

Section 125 (1) of the *Local Government Act 1989* requires Council to prepare and approve a Council Plan within the period of 6 months after each general election or by the next 30 June, whichever is later.

Section 26 of the *Public Health and Wellbeing Act 2008* requires Council to prepare a Municipal Public Health and Wellbeing Plan (Health and Wellbeing Plan) within the period of 12 months after each general election of the Council. Section 27 of this Act allows for the integration of the Health and Wellbeing Plan into the Council Plan.

The Draft Council Plan (incorporating the Health and Wellbeing Plan) 2017 - 2021 complies with Section 125 of the *Local Government Act 1989* and section 26 of the *Public Health and Wellbeing Act 2008*.

### **Officer Direct or Indirect Interest**

No officers involved in the preparation of this report have a conflict of interest.

## **1.1 Exhibition of the Draft Council Plan (Incorporating the Health and Wellbeing Plan) 2017 - 2021**

### ***Risk Assessment***

This report is provided to Council to ensure compliance with relevant legislation in regard to the preparation and adoption of the Council Plan and Health and Wellbeing Plan.

### ***Social Considerations***

The level of participation of the community in the engagement activities has been significantly higher than in previous years. This increased participation is indicative of the level of community interest in Council's planning and decision making processes.

### ***Community Engagement***

Council completed an extensive community engagement process to develop the Draft Plan and received feedback from over 930 people on Council's "Have Your Say" Discussion Paper.

In addition, feedback from other recent and targeted engagement activities was considered by Council prior to preparing the Draft Council Plan (incorporating the Health and Wellbeing Plan) 2017 - 2021.

Further community engagement is planned at listening posts across the shire during the exhibition period.

### ***Environmental Implications***

The Council Plan (incorporating the Health and Wellbeing Plan) 2017 - 2021 will be an online document accessed via Council's website [www.surfcoast.vic.gov.au](http://www.surfcoast.vic.gov.au). Hard copy plans will only be printed for exhibition and administrative purposes.

### ***Communication***

The public will be notified of the exhibition of the draft Council Plan (incorporating the Health and Wellbeing Plan) 2017 – 2021 through advertisements in local media, and on Council's website. Copies of the document will be made available across the shire, including visitor centres, community houses, and Council offices.

Submitters wishing to address Council in regard to their submission will be provided with an opportunity to do so prior to Council considering the adoption of the final Council Plan.

### ***Conclusion***

It is recommended that Council publicly exhibit the Draft Council Plan 2017 - 2021 as presented.



**1.1 Exhibition of the Draft Council Plan (Incorporating the Health and Wellbeing Plan) 2017 - 2021**

**APPENDIX 1 SURF COAST SHIRE COUNCIL PLAN 2017 – 2021 COMMUNITY ENGAGEMENT REPORT**

# Placeholder for Attachment 1

Surf Coast Shire Council Plan 2017 – 2021  
Community Engagement Report  
(to be tabled)

**1.1 Exhibition of the Draft Council Plan (Incorporating the Health and Wellbeing Plan) 2017 - 2021**

**APPENDIX 2 SURF COAST SHIRE COUNCIL PLAN 2017 – 2021 PLAN ON A PAGE**

## Placeholder for Attachment 2

Surf Coast Shire Council Plan 2017 – 2021  
Plan on a Page  
(to be tabled)

**1.1 Exhibition of the Draft Council Plan (Incorporating the Health and Wellbeing Plan) 2017 - 2021**

**APPENDIX 3 SURF COAST SHIRE COUNCIL PLAN 2017 – 2021 (INCORPORATING THE HEALTH AND WELLBEING PLAN)**

## Placeholder for Attachment 3

Surf Coast Shire Council Plan 2017 – 2021  
(incorporating the Health and Wellbeing Plan)  
(to be tabled)

## 1.2 Exhibition of the Draft Budget 2017 - 2018

**Author's Title:** Manager Finance

**General Manager:** Anne Howard

**Department:** Finance

**File No:** F16/1483

**Division:** Governance & Infrastructure

**Trim No:** IC17/324

### Appendix:

1. Draft Budget 2017-2018 (to be tabled)

#### Officer Direct or Indirect Conflict of Interest:

#### Status:

In accordance with Local Government Act 1989 –  
Section 80C:

Information classified confidential in accordance with  
Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

### Purpose

The purpose of this report is to place the Surf Coast Shire Council Draft Budget 2017-2018 on public exhibition.

### Summary

Section 127 of the Local Government Act 1989 requires Council to prepare a budget for each financial year. Section 129 of the Act requires Council to issue a Public Notice in relation to the proposed budget and invite submissions in accordance with Section 223 of the Act.

The Draft Budget for the 2017-2018 financial year has been prepared.

### Recommendation

That Council:

1. The Proposed Budget attached to this report be the budget prepared by Council for the purposes of section 127 of the Local Government Act 1989.
2. The Chief Executive Officer be authorised to give public notice of the preparation of such budget in accordance with section 129 of the Local Government Act 1989.
3. Council hear any submissions and where requested, allow submitters to be heard by Council in support of those submissions, pursuant to Sections 129 and 223 of the Local Government Act 1989, on any proposal contained in the Budget at a Hearing of Submissions Committee Meeting, Scheduled to be held on Tuesday 30 May 2017 commencing at 6.00pm in the Council Chambers, 1 Merrijig Drive, Torquay.
4. Council consider the adoption of the budget and the declaration and levy of rates and charges for the 2017-18 financial year at a Special Council Meeting to be held on Tuesday 22 June 2017, commencing at 6.00pm, in the Council Chambers, 1 Merrijig Drive, Torquay.
5. Pursuant to section 129(4) of the Local Government Act 1989 specify the following places for the display of prescribed information required under Regulation 8, Local Government (Finance and Reporting) Regulations 2004:
  - Council Offices, 1 Merrijig Drive, Torquay
  - Aireys Inlet, Anglesea, Lorne and Winchelsea Post Offices
  - Lorne Visitor Information Centre
  - Deans Marsh and Moriac General Stores
  - Torquay and mobile libraries servicing the Surf Coast Shire
  - Community houses at Anglesea, Deans Marsh, Lorne and Winchelsea
  - On the Council website: [www.surfcoast.vic.gov.au](http://www.surfcoast.vic.gov.au)

## 1.2 Exhibition of the Draft Budget 2017 - 2018

### Report

#### **Background**

Section 127 of the Local Government Act 1989 requires that:

- “(1) A Council must prepare a budget for each financial year.
- (2) The Council must ensure that the budget contains—
- (a) the standard statements in the form and containing the matters required by the regulations;
  - (b) a description of the activities and initiatives to be funded in the budget;
  - (c) a statement as to how the activities and initiatives described under paragraph (b) will contribute to achieving the strategic objectives specified in the Council Plan;
  - (d) separately identified Key Strategic Activities to be undertaken during the financial year and performance targets and measures in relation to each Key Strategic Activity;
  - (e) any other details required by the regulations.”

Section 127 (3) further outlines the requirements for disclosure of proposed rates and charges in the budget:

- “(3) The Council must ensure that the budget also contains—
- (a) the information the Council is required to declare under section 158(1);
  - (b) if the Council intends to declare a differential rate under section 161, the details listed in section 161(2);
  - (c) if the Council intends to declare a differential rate under section 161A, the details listed in section 161(2).”

Section 129 outlines the requirements for the Public Notice.

- “(1) As soon as practicable after a Council has prepared a proposed budget or revised budget, the Council must give public notice.
- (2) A person has a right to make a submission under section 223 on any proposal contained in the proposed budget or revised budget.
- (3) In addition to any other requirements specified by this Act, the notice referred to in subsection (1) must—
- (a) contain any information required by the regulations; and
  - (b) advise that copies of the proposed budget or revised budget are available for inspection for at least 28 days after the publication of the notice at—
    - (i) the Council office and any district offices; and
    - (ii) any other place required by the regulations; and
  - (c) advise that the proposed budget or revised budget is published on the Council's Internet website for at least 28 days after the publication of the notice.
- (4) A copy of the proposed budget or revised budget must be available and published as set out in subsection (3)(b) and (c).”

#### **Discussion**

##### **Budget Process**

1. Officers update Council's long term financial projections
2. Officers prepare operating and capital budgets
3. Councillors consider draft budgets at seven briefings
4. Public notice advising intention to adopt draft budget
5. Proposed budget submitted to Council for approval
6. Draft Budget available for public inspection and comment
7. Public submission process undertaken
8. Submissions period closes
9. Submissions considered by Council
10. Final Budget presented to Council for adoption
11. Copy of adopted Final Budget submitted to the Minister

##### **Timing**

- Dec-Mar
- Jan-Feb
- Dec-Apr
- 6 Apr
- 11 Apr
- 12 Apr
- Apr/May
- 11 May
- 30 May
- 22 June
- June



## 1.2 Exhibition of the Draft Budget 2017 - 2018

Prior to Council adopting its draft budget, it is required to publicly exhibit the draft document, and to receive and consider related public submissions. Section 223 of the Local Government Act 1989, requires this public exhibition process to continue for a period of not less than 28 days after the date on which a public notice is published.

This report is provided to Council to authorise the commencement of the public exhibition process.

### **Financial Implications**

The implications of the draft budget are set out in the attached appendix Surf Coast Shire Council Budget Draft 2017-2018.

### **Council Plan**

Theme 2 Governance  
Objective 2.4 Transparency in decision making and access to information  
Strategy 2.4.2 Provide relevant and easy to understand financial information to the community.

Theme 2 Governance  
Objective 2.4 Transparency in decision making and access to information  
Strategy 2.4.3 Ensure decision-making is as transparent as possible.

### **Policy/Legal Implications**

The Budget is required to be prepared pursuant to Section 127 of the Local Government Act 1989, and must include:

1. The standard statements in the form and containing the matters required by the regulations.
2. A description of the activities and initiatives to be funded in the budget.
3. A statement as to how the activities and initiatives described above (part 2) will contribute to achieving the strategic objectives specified in the Council Plan.
4. Separately identified Key Strategic Activities to be undertaken during the financial year and performance targets and measures in relation to each Key Strategic Activity.
5. Any other details required by the regulations.

The budget must also include details of the rates and charges which Council intends to levy.

The Draft 2017-2018 Budget complies with Section 127 of the Act.

Section 129 of the Act requires Council to publicly exhibit the draft Budget, giving the public the right to make a submission pursuant to Section 223 of the Act.

### **Officer Direct or Indirect Interest**

No officer involved in the preparation of this report has any conflicts of interest.

### **Risk Assessment**

This report is provided to Council to ensure that it complies with the relevant legislation in regard to the preparation and adoption of the Budget.

### **Social Considerations**

Council has remained considerate of social matters that impact on the operations of Council when formulating the proposed Budget.

### **Community Engagement**

Following Council decision to place the draft budget on public exhibition, a Public Notice will be issued and written submissions invited from the community over a period of 28 days.

The public exhibition period for the proposed budget will be advertised in local media, and on Council's web site. Copies of the document will be made available at various locations across the shire, including visitor centres, community houses, and Council offices.

In addition, information sessions will be held across the four wards to obtain feedback from the community.

## **1.2 Exhibition of the Draft Budget 2017 - 2018**

Submitters wishing to address Council in regards to their submission will be provided with an opportunity to do so prior to Council considering adoption of the final budget.

### ***Environmental Implications***

Environmental Leadership is one of five key themes included in the Draft Council Plan 2017 – 2021. The Draft Budget includes a range of strategic objectives relating to the environment as described in the Draft Council Plan.

### ***Communication***

As included under the heading – Community Engagement.

### ***Conclusion***

The Draft Surf Coast Shire Council Budget 2017-2018 has been prepared in accordance with Section 127 of the Local Government Act 1989. It is recommended that the draft budget be now placed on public exhibition for a period of 28 days.

**1.2 Exhibition of the Draft Budget 2017 - 2018**

**APPENDIX 1 DRAFT BUDGET 2017-2018**

# Placeholder for Attachment 1

Draft Budget 2017-2018  
(to be tabled)

### 1.3 Exhibition of the Road Management Plan

**Author's Title:** Strategic Initiatives Manager

**General Manager:** Anne Howard

**Department:** Governance & Infrastructure

**File No:** F16/1623

**Division:** Governance & Infrastructure

**Trim No:** IC17/273

**Appendix:**

1. Revised Road Management Plan (to be tabled)

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

In accordance with Local Government Act 1989 –  
Section 80C:

Information classified confidential in accordance with  
Local Government Act 1989 – Section 77(2)(c):

Yes

No

Yes

No

**Reason:** Nil

**Reason:** Nil

#### Purpose

The purpose of this report is to recommend the Road Management Plan with proposed amendments be placed on exhibition and invite submissions from the community.

#### Summary

The Road Management Plan outlines how Council will satisfy its obligations under the *Road Management Act 2004* to inspect, repair and maintain those roads management by Council. The purpose of the Road Management Plan is to outline Council's intended management of its road-related duties and responsibilities as defined in the *Road Management Act 2004*.

Council's obligations as a responsible road authority are outlined in the *Road Management Act 2004*.

At its ordinary meeting 13 September Council resolved to suspend its Road Management Plan pending a future review. The Road Management Plan has been reviewed following Council's 22 October 2016 General Election. The Plan has been reviewed in consultation with relevant staff and is now required to be placed on exhibition under Section 223 of the Local Government Act. The revised Road Management Plan is attached as Appendix 1.

The revised Road Management Plan must be endorsed by Council before 30 June 2017.

#### Recommendation

That Council:

1. Note that amendments to the Road Management Plan are proposed following a review of the plan in accordance with the requirements of the Road Management Act 2004.
2. Place the draft Road Management Plan on exhibition for a period of 28 days.
3. Place a public notice in local papers and on Council's website inviting submissions under Section 223 of the Local Government Act.

## 1.3 Exhibition of the Road Management Plan

### Report

#### **Background**

At its 13 September 2016 Ordinary Meeting, Council suspended its Road Management Plan and adopted an interim Road Management Policy. Periodic reviews of the Road Management Plan have been formally completed in accordance with the *Road Management Act 2004*, the latest in 2013. The Road Management Plan is due for review following the General Election for Council on 22 October 2016. The review of the plan must be completed before 30 June 2017.

The Road Management Plan outlines how Council will satisfy its obligations under the *Road Management Act 2004* to inspect, repair and maintain those roads managed by Council.

The Plan has been reviewed in consultation with relevant staff and is now required to be placed on exhibition under Section 223 of the Local Government Act. The revised Road Management Plan is attached as Appendix 1.

#### **Discussion**

The purpose of the Road Management Plan is to outline Council's intended management of its road-related duties and responsibilities as defined in the Road Management Act 2004.

Council's management of the road network needs to consider both the physical infrastructure and the operation of that infrastructure. To achieve this Council has a range of policies, procedures and programs that involve regular maintenance as well as capital investment.

An important element of Council's management of the road network relates to how Council identifies and addresses hazards or defects that may pose a risk to road users. When Council establishes its approach to road management it needs to consider its obligations and its capacity, as well as the needs and views of the road users.

The Road Management Plan establishes:

- the timeframes for inspection of the road reserve to identify or assess a nominated hazard or defect
- matters which are to be treated as hazards or defects which require repair or a warning
- the circumstances in which intervention action is to be taken with respect to removal of hazards or repair defects
- the period of time within which the intervention action is to be taken.

Council is not responsible for all roads in the municipality and the Road Management Plan only applies to those roads listed on Council's Roads Register for which Council is the Coordinating Road Authority

Compliance with the above goes towards demonstration of Council's duty of care for road users.

As part of the review of the Road Management Plan there are a number of changes including:

- a number of changes to the body of the report to make it easier to follow and read
- the road classification hierarchy has been revised and includes new definitions for Primary Collector, Secondary Collector, Primary Access, Secondary Access, Track, Primary Pathway and Secondary Pathway. These new definitions remove confusion relating to the previous classifications. The road register will be revised to align with the new classifications
- the definition of inspection types have been refined
- the inspection schedule has been aligned to the revised road hierarchy and definition of inspection types and to ensure the inspections times are achievable
- the intervention action and repair timelines have also been reviewed to align to the revised road hierarchy and definition of inspection types and to ensure the inspections times are achievable.

#### **Financial Implications**

The overall amendments proposed to the Road Management Plan include a range increase and decreases to the levels of service provided but overall these are expected to be achievable within the current recurrent operating budgets.

### 1.3 Exhibition of the Road Management Plan

#### **Council Plan**

Theme 4 Infrastructure  
Objective 4.2 Accessible and well maintained Council facilities  
Strategy 4.2.1 Ongoing review of maintenance service levels.

#### **Policy/Legal Implications**

Council, as a Road Authority, has a range of functions, powers and duties conferred or imposed on it through a range of legislation including:

- (i) The Road Management Act 2004
- (ii) The Road Safety Act 1986
- (iii) The Local Government Act 1989 (referred to in section 5(2))
- (iv) The Transport (Compliance and Miscellaneous) Act 1983.

Of particular relevance are the following parts of the above legislation:

- Section 40 of the Road Management Act 2004 places a statutory duty on Council to inspect, maintain and repair public roads for which it is responsible
- Section 205 of the *Local Government Act 1989*, requires that Council has the care and management of municipal roads within its responsibility.

#### **Officer Direct or Indirect Interest**

No officer involved in the preparation of this report has any conflicts of interest.

#### **Risk Assessment**

Council is required to have a Road Management Plan under the Road Management Act 2004. The plan outlines Council's commitment to inspections, maintenance and repair of roads to address a nominated hazard or defect. This Plan must be reviewed following a General Election and is required to be exhibited, considered and endorsed by Council by June 30, 2017.

A key principle of the *Road Management Act 2004* that applies to the management of works and infrastructure is the minimisation of road safety hazards. In the application of this principle Council has taken a risk management approach to the development of timeframes and intervention levels that apply to the inspection and repair of hazards and defects.

Council is required to exhibit the Road Management Plan under Section 223 of the Local Government Act.

#### **Social Considerations**

Exhibition of the Plan will enable any member of the community to make a submission.

#### **Community Engagement**

The community will be invited to make submissions on the proposed amendments to the Road Management Plan under Section 223 of the Local Government Act.

#### **Environmental Implications**

There are no environmental implications to placing the Road management Plan on exhibition.

#### **Communication**

Council will be placing public notices in local papers and on Council's website inviting submissions from the community on the Draft Road Management Plan.

#### **Conclusion**

The Road Management Plan outlines how Council will satisfy its obligations under the *Road Management Act 2004* to inspect, repair and maintain those roads management by Council. The Plan has been reviewed in consultation with relevant staff and is now required to be placed on exhibition under Section 223 of the Local Government Act.

**1.3 Exhibition of the Road Management Plan**

**APPENDIX 1 REVISED ROAD MANAGEMENT PLAN**



# Placeholder for Attachment 1

Revised Road Management Plan  
(to be tabled)

**Close:** There being no further items of business the meeting closed at    pm.