



Colac Otway
SHIRE

AGENDA

MEETING OF SPECIAL COUNCIL
OF THE
COLAC-OTWAY SHIRE
COUNCIL

12 OCTOBER 2011

at 1:00 PM

COPACC MEETING ROOMS

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting. In some circumstances the recording may be disclosed, such as where Council is compelled to do so by court order, warrant, subpoena or by any other law, such as the Freedom of Information Act 1982.

COLAC-OTWAY SHIRE SPECIAL COUNCIL MEETING

12 OCTOBER 2011

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NOTICE is hereby given that the next MEETING OF SPECIAL COUNCIL MEETING OF THE COLAC-OTWAY SHIRE COUNCIL will be held in COPACC MEETING ROOMS on 12 October 2011 at 1.00 PM.

AGENDA

1. OPENING PRAYER

2. PRESENT

3. APOLOGIES

4. MAYORAL STATEMENT

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past and present and welcomes any descendents here today.

I ask that we all show respect to each other and respect for the office of an elected representative.

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As the sole purpose of the Special Meeting is to hear submissions on the proposed bridge load limits, there is no time set aside for questions.

5. DECLARATION OF INTEREST

6. VERBAL SUBMISSIONS

SC111210-1-1 REVIEW OF BRIDGE LOAD LIMITS

OFFICERS' REPORTS

Infrastructure and Services

SC111210-1 PROPOSED BRIDGE LOAD LIMITS

Rob Small
Chief Executive Officer

AUTHOR:	Adam Lehmann	ENDORSED:	Neil Allen
DEPARTMENT:	Infrastructure & Services	FILE REF:	11/95303

Purpose

The purpose of this report is to hear submissions under section 223 of the *Local Government Act 1989* in relation to a proposal to implement load limits on a number of bridges within the municipality as previously reported to the 24 August 2011 Council meeting.

Declaration of Interests

No officer declared an interest under the Local Government Act 1989 in the preparation of this report.

Background

Council resolved at its meeting on 24 August 2011 as follows:

That Council:

1. ***Implements the following load limits subject to complying with section 223 of the Local Government Act 1989 and a six (6) week notification period:***

<u>Bridge No.</u>	<u>Road Name</u>	<u>Load Limit</u>
CS053	Daffys Lane	13 tonnes
CS074	Skenes Creek Valley Road	16 tonnes
CS059	Watsons Access	5 tonnes

2. ***In accordance with section 223 of the Local Government Act 1898 undertakes the following:***
 - a. ***Advertise its intention to impose load limits on the above bridges and hear and consider submissions should any be received.***
 - b. ***If required, hold a Special Committee Meeting on 12 October 2011 at 1:00pm in COPACC to consider any submissions. Formal advice of the time and place of the meeting will be provided to those parties wanting to be heard in support of their written submission and will be advertised in local media.***
 - c. ***If no submissions or objections are received, instruct the CEO to implement the load limits as recommended.***
 - d. ***If required, a final decision shall be made by Council following preparation of a report by the General Manager Infrastructure and Services based on the recommendations to the Council meeting of 26 October 2011.***

3. Refers the work to rehabilitate each of the structures to Council's Capital Works and Major Projects Program for detailed costing and prioritisation within the relevant renewal program.

Council will need to hear any submissions prior to resolving to implement any bridge load limits, undertaking works or referring the work to rehabilitate each of the structures to Council's Capital Works and Major Projects Program for detailed costing and prioritisation within the relevant programs.

Council Plan / Other Strategies / Policy

Physical Infrastructure and Assets

Council will provide and maintain Council infrastructure and assets that meet community needs now and in the future.

The annual bridge inspection program is consistent with Council's objective to manage its roads and associated infrastructure in accordance with its Road Management Plan. The Road Management Plan defines minimum frequencies at which condition inspections are completed for Council's bridge inventory.

Issues / Options

One written submission was received from the community and the submitter has requested to be heard in person in support of his submission. A copy of this submission has been provided to Councillors.

Proposal

Council must hear any submitters requesting to be heard in accordance with section 223 of the *Local Government Act 1989*, prior to making a decision in relation to this matter. Based on the submission received, a further report will be presented to Council with recommendations in relation to the implementation of the required load limits.

Financial and Other Resource Implications

It has been assessed that, over the next five years, Council will be required to invest approximately \$5.0M in capital expenditure to address the condition of those structures which now have load limits imposed. This figure may rise as further assessments are undertaken in the future. This level of expenditure is required to bring these bridges up to current vehicle loading demands. Over the same period it has been estimated that Council can afford to commit in the order of \$1.4M for the renewal and improvement of its bridges leaving a funding gap of \$3.6M.

The annual bridge renewal program will be determined on a priority basis which considers over all investment benefits, risk to Council and road users, and road network and community needs. The structures undergoing recent structural assessment will be considered against other competing priorities for inclusion in future years of the bridge renewal program following determination of a detailed cost analysis for each of the three structures.

Risk Management & Compliance Issues

Council must take reasonable actions when it becomes aware of potential liabilities. In this case, Council must undertake one of the following;

1. Impose a load limit on the bridges in accordance with the recommendations of the Structural Engineers report and as previously reported to the 24 August 2011 Council meeting.
2. Repair the bridges identified to increase the structural capacity.
3. Close the bridges to all traffic.

4. Undertake a combination of the above.

Now that it is aware of the problem Council has a duty of care and must do something. If it fails to take reasonable steps to mitigate its risk, Council's insurer would not be required to cover Council in the event of an accident. Hence Council would not be covered by insurance and this could expose the rate-payers to multi-million dollar claims.

Environmental and Climate Change Considerations

No environmental considerations are applicable at this time.

Communication Strategy / Consultation

All submitters pursuant to section 223 of the *Local Government Act 1989*, will be advised of the Council resolution prior to implementing any load limits.

Implementation

The outcome of hearing of submissions will require a further report to Council with recommendations, prior to undertaking any works.

Conclusion

That Council hear any submitter(s) and that the General Manager Infrastructure and Services provides a further report back to Council with recommendations.

Attachments

Nil

Recommendation(s)

That Council hear submission(s) in accordance with section 223 of the Local Government Act 1989 and that a further report be provided back to Council in relation to implementation of load limits on the following bridges:

<u>Bridge No.</u>	<u>Road Name</u>	<u>Load Limit</u>
CS053	Daffys Lane	13 tonnes
CS074	Skenes Creek Valley Road	16 tonnes
CS059	Watsons Access	5 tonnes

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