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AGENDA OF THE HEARING OF SUBMISSIONS COMMITTEE

To be held on Monday, 11 October 2021 at 5.30pm.

This Meeting will be held virtually.

This meeting will be closed to the public pursuant to Section 395 of the Local Government Act 2020.

This meeting will be livestreamed and may be accessed from Councils website www.darebin.vic.gov.au.

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Agenda

1. MEMBERSHIP

Cr. Lina Messina (Mayor) (Chairperson)

Cr. Gaetano Greco (Deputy Mayor)

Cr. Emily Dimitriadis

Cr. Tom Hannan

Cr. Tim Laurence

Cr. Trent McCarthy

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams

2. APOLOGIES

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. CONFIRMATION OF THE MINUTES OF THE PREVIOUS HEARING OF SUBMISSIONS COMMITTEE MEETING

Recommendation

That the Minutes of the Hearing of Submissions Committee Meeting held on 31 May 2021 be confirmed as a correct record of business transacted.

5. CONSIDERATION OF REPORTS

5.1 ROAD MANAGEMENT PLAN

Author: Infrastructure Inspections Officer

Reviewed By: Chief Executive Officer

EXECUTIVE SUMMARY

Council is required to update its Road Management Plan (the RMP) in accordance with the Road Management Act 2004. The purpose of this report is to seek the Hearing of Submissions Committee's consideration of the submissions made on the proposed amended Road Management Plan (the RMP).

At its meeting on 26 July 2021, Council resolved to release the draft 2021 Road Management Plan for community consultation. As a consequence of the public exhibition period, three public submissions were received of which two submitters have requested to be heard in person by the Committee.

The current review of the RMP commenced in April 2021 and concluded with the public exhibition and community consultation of the RMP. Public notice was given in the Government Gazette and The Age with the community consultation phase extending from 20 August 2021 to 22 September 2021.

Following the Hearing of Submissions Committee meeting, a further report in relation to the matter will be provided to Council seeking a final resolution on the matter.

Officer Recommendation

That Council:

- (1) Receives the written and verbal submissions.
 - (2) Thanks all submitters and presenters for addressing the Committee in support of their written responses.
 - (3) Receives a report at the 25 October 2021 Council Meeting as part of Council's deliberations in considering a final proposed 2021 Road Management Plan for adoption.
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BACKGROUND / KEY INFORMATION

The Road Management Plan, under the Road Management Act 2004, is Council's policy that articulates the levels of service provided to inspect and repair Council's road assets, ensuring that these assets are safe for all road users. Council must review the Road Management Plan every four years in line with Council elections.

Council is a road authority for the purposes of the Road Management Act 2004. The aim of this Act is to provide a safe and efficient road network via a regulated approach to the coordination of road authorities' responsibilities for the management of public roads. The Act provides road authorities with the option of developing a Road Management Plan which then creates a policy defence against claims for damages from road users. The RMP does this by

articulating intervention levels that will be implemented to maintain the integrity of Council's road assets, ensuring that these assets are safe for all road users. The existing Road Management Plan was adopted in 2017.

The Road Management Plan:

- Establishes a management system for the road management functions of Council which is based on policy, operational objectives and available resources;
- Establishes the relevant standards or policies in relation to the discharge of duties in the performance of those road management functions; and
- Details the management systems that Council proposes to implement in the discharge of its duty to inspect, maintain and repair those public roads for which Council is responsible.

Previous Council Resolution

At its meeting held on 26 July 2021, Council resolved to:

- 1) *Note the officer review of draft 2021 Road Management Plan*
- 2) *Release the draft 2021 Road Management Plan for community consultation*
- 3) *Receive a further report before October 2021 on community feedback received and a final proposed 2021 Road Management Plan for adoption*

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

2.2 We will design and create public spaces where our people feel safe, welcome, and respected, including improving lighting and safety for people walking, wheeling, cycling and driving

DISCUSSION

Council resolved to give public notice of its intention to release the draft 2021 Road Management Plan for community consultation at its Council Meeting on 26 July 2021. Public notice was given in the Government Gazette and The Age with the community consultation phase extending from 20 August 2021 to 22 September 2021.

Three submissions have been received. Council is advised that all three submissions relate to traffic and transport services rather than to the Road Management Plan. While the submissions aren't relevant to the RMP review, to honour the process and to ensure transparency, all three are presented for Council's consideration.

Two of the submitters have requested to speak in support of their submission. A summary of submissions (and officer comment) is shown below.

No.	Submitter	Summary of Submissions
1	Individual – ID8	Concerned with specific Transport service requests at problem locations. This includes School Zone Areas outside St Stephens Primary School in East Reservoir. This submitter has requested to speak in support of their submission. Officer comment - This relates to a speed reduction request that council is progressing. Council is looking at if there are any ways it can be brought forward, but much of the speed reduction process relies on state government timelines.
2	Individual – ID9	Concerned with specific Transport service requests at problem locations. This includes School Zone Areas outside St Stephens Primary School in East Reservoir. This submitter has requested to speak in support of their submission. Officer comment - This relates to Whitelaw Street near Black Street which is in the part of the city that Council developed a Local Area Plan for last year (the Cheddar LAPM). There isn't a crossing at this location.
3	Individual – ID14	Concerned with specific transport service requests at problem locations. This mainly includes bike routes at Woods Street Preston. Officer comment - We'll refer this for consideration as part of the refresh of the transport strategy to consider COVID 19 impacts. This is scheduled for this year and will also update the cycling network.

The Road Management Plan review has afforded the right of persons to submit submissions pursuant to Section 223 of the Local Government Act 1989 and has reached the stage where the convening of the Hearing of Submissions Committee is required. The Hearing of Submissions Committee is a Delegated Committee established by Council to exercise the Council's powers, functions and duties relating to the hearing of submissions received in accordance with Section 223 of the Act.

A copy of the submissions is provided as a Confidential document (**Appendix A**)

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

The services and intervention levels provided for in the RMP will be delivered within the appropriately budgeted operating and capital budgets of the organisation. Increases in service levels will require additional resources to meet the increased service. Any reduction of these budgets during the life of the RMP may jeopardise the organisation's ability to deliver the level of service detailed in this Plan

Community Engagement

Engagement with the community is an essential part of the Road Management Plan review. Council has encouraged the community to review the proposed plan and provide feedback via a dedicated online engagement page 'Your Say Darebin' and a formal submission form (survey).

A detailed community engagement plan was completed to support the design and delivery of community engagement in accordance with Darebin's Community Engagement Policy. Community consultation was undertaken using methods that encourage residents from culturally and linguistically diverse backgrounds and those who speak a language other than English at home to participate in the consultation stage of the RMP review. Information has been translated into 12 languages in addition to posters about the Road Management Plan review being translated into these additional languages. Information was provided to CALD and other community groups, schools and businesses in a way to encourage feedback from all members of the community. Please see below priority groups in the table below and how they were included in the engagement process.

Lens/Priority Group	Inclusion in the engagement process
People - CALD	CALD communities were targeted as part of the submissions process to encourage participation and submissions were sought from existing networks and advisory committees. Translated information about the submission process were made available in 12 top languages other than English
People - Aboriginal and Torres Strait Islander	Aboriginal and Torres Strait Islander communities were targeted as part of the submissions process to encourage participation and a submission was sought from the Darebin Aboriginal Advisory Committee.
Experience - Digital Divide	Hard copy submission forms were available and telephone discussions as well to ensure community members who prefer not to engage online can participate in the submissions process.
People – Age & Gender	The submission process promoted widely to the community and a range of engagement methods were available which aimed to reach our diverse community members and from all age groups.

Other Principles for consideration

The review of the Road Management Plan aligns with the following legislation:

- Road Management Act 2004
 - Division 5 regarding development of a Road Management Plan
- Local Government Act 2020

Overarching Governance Principles and Supporting Principles

(a) Council decisions are to be made and actions taken in accordance with the relevant law;

Public Transparency Principles

(d) Public awareness of the availability of Council information must be facilitated

Strategic Planning Principles

- (a) an integrated approach to planning, monitoring and performance reporting is to be adopted;

Service Performance Principles

- (b) services should be accessible to the members of the municipal community for whom the services are intended;

COUNCIL POLICY CONSIDERATIONS**Environmental Sustainability Considerations (including Climate Emergency)**

There are no environmental sustainability considerations relevant to the RMP or this report. However, Council's road services are delivered in a way that reduces impact on the environment and maximises sustainability through the use of recycled materials in road maintenance, resealing and reconstruction services.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

Significant internal Council collaboration was achieved through the utilisation of Council staff with deeper knowledge of and relationships with specific people, place or experience cohorts for any additional qualitative information or insights they may have to inform stakeholder analysis. This included considering how the lenses of people, place and experience apply to this engagement. We have ensured all community members have opportunities to contribute and benefit, no matter their preferences, abilities, cultures or where they live. It was recognised there are barriers for some groups and suitable methods were utilised and build relationships across our Community, to ensure everyone's voices was heard.

Economic Development and Cultural Considerations

The review of the RMP itself does not provide economic stimulus to local businesses but the services Council offers in relation to its civil infrastructure (roads, footpaths etc) are critical to ensuring access to, and prosperity of the many business activity areas of the municipality.

Operational Impacts

Having regard to operational impacts, the levels of service provided will be delivered within the current budgets and resources provided.

Legal and Risk Implications

The Road Management Plan aims to provide Council with an acceptable level of safety for road and footpath users and to fulfil Council's statutory obligations. Council's lawyers have advised Council through the development of the original plan and the recent officer review of the plan.

IMPLEMENTATION ACTIONS

Stage	Timeframe
Council's consideration of reviewed plan	July 2021
Formal public consultation process	August 2021
Officer consideration of feedback and any changes as a result	September 2021
Adoption by Council	October 2021
Public Notice of adoption of RMP	November 2021

RELATED DOCUMENTS

Nil

Attachments

- Road Management Plan - Community Submissions (**Appendix A**) Confidential - enclosed under separate cover

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

6. CLOSE OF MEETING