

Date 2 March 2022

Private & Confidential  
Coroners Court of Victoria  
65 Kavanagh St, Southbank  
VIC 3006

Yarra Ranges Council  
PO Box 105  
Lilydale Vic 3140  
DX 34051

Call 1300 368 333  
Fax 03 9735 4249

[mail@yarraranges.vic.gov.au](mailto:mail@yarraranges.vic.gov.au)  
[www.yarraranges.vic.gov.au](http://www.yarraranges.vic.gov.au)



## **COR 2018 003944: Investigation into the death of Eden Herbert-Allan**

Yarra Ranges Council acknowledges the distress and impact on the community from this incident and have taken the opportunity to review its processes and investigate how safety within the municipality can be improved. From the Coroners findings the following response to the recommendations is provided.

*46. With the aim of promoting public health and safety and prevent like deaths, I recommend that VicRoads consider coordinate with Yarra Range Shire Council in establishing a database system that captures, analyses and stores condition data for roadside hazards as part of its strategy for achieving its roadside management objectives.*

Yarra Ranges Council would be prepared to coordinate with Department of Transport (VicRoads) and share information that demonstrates compliance with the Road Management Act (RMA) and its Road Management Plan. Council Officers are confident that our existing processes and current implementation of a new Enterprise Asset Management system will allow this information to be available and more readily accessible in the detail required. The support of other companies and utility providers would need to be required to make available details of their works to increase awareness of the range of activities occurring within the road reserve.

*47. With the aim of promoting public health and safety and prevent like deaths, I recommend that Yarra Range Shire Council review its Nature Strips and Roadside Guidelines and include the responsibility to provide suitable safety precautions after any work of excavations done on the nature strips.*

Yarra Ranges Council agrees there is value to the broader community in finding ways to improve safety although s107 in the RMA clarifies liability and states that road authorities do not have a responsibility for roadsides. Because of the provisions under s107, it may not be appropriate to include specific safety precautions in our Nature Strip and Roadside guidelines. If Yarra Ranges Council was to provide further safety measures beyond our legislated responsibilities it would also require other organisations to provide specific details of works including locations and dates of when they had completed works.

Should you require any further information or clarification please do not hesitate to contact me on 0400399248 or email: [k.oconnor@yarraranges.vic.gov.au](mailto:k.oconnor@yarraranges.vic.gov.au).

Yours sincerely,

**Kim O'Connor**  
**Manager Infrastructure Services**

---

Signed: \_\_\_\_\_ Date: \_\_\_\_\_