

SPECIAL COUNCIL MEETING MINUTES - 27.01.10

Mission Statement:

***To support and develop a sustainable, thriving and resilient Community
through leadership and partnership.***

HELD: Wednesday 27th January 2010 at 5.00pm

LOCATION: The Shed, Yackandandah

ATTENDEES: Councillors: Senior Management/Officers

Bernard Gaffney – Mayor

Brendan McGrath – CEO

Ali Pockley – Deputy Mayor

Mark Florence

Peter Croucher

Sally McCarron

Larry Goldsworthy

Fiona Shanks

Vic Issell

Mark Greene

Barbara Murdoch

Peter Graham

APOLOGIES:

Vision statement:

INDIGO – A great place to live, work and visit.

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1.0 WELCOME

Cr Gaffney welcomed those in attendance.

2.0 OPENING PRAYER & ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND

Cr Gaffney read the Opening Prayer.

3.0 APOLOGIES AND LEAVE OF ABSENCE

Nil.

4.0 DECLARATION OF PECUNIARY INTEREST AND CONFLICT OF INTEREST

Nil.

5.0 OPEN FORUM

Nil.

6.0 CONDOLENCES

Moved Cr Graham

Seconded Cr Goldsworthy

- 1. That a letter of condolence for the loss of Stanley Thomas (Sonny), under the Indigo Shire Council seal, be written and sent to Mrs Jean Downes and family).**
- 2. That Councillors note the loss of Alexander (Sandie) Jeffcoat, a Councillor and Mayor of Mansfield Shire Council.**

CARRIED

7.0 SUSTAINABLE COMMUNITIES

7.1 NEIGHBOURHOOD SAFER PLACES - PLACES OF LAST RESORT

File No.: 09/2498– Mark Florence- General Manager Sustainable Communities

For Decision

RECOMMENDATION

That Council:

- **Adopt the attached Municipal Neighbourhood Safer Places Plan and publish it on the Council’s website;**

- **Designate the Beechworth Memorial Hall, Beechworth Police Paddocks, Chiltern Memorial Hall, Stanley Hall, Yackandandah Senior Citizens Hall and Memorial Gardens as Neighbourhood Safer Places – Places of Last Resort during a Bushfire having considered:**
 - **the CFA Assessment(s) (refer Appendix 2) which assess the Neighbourhood Safer Places – Places of Last Resort as compliant with the CFA Fire Rating Guidelines; and**
 - **the assessment of the Neighbourhood Safer Places – Places of Last Resort in accordance with the criteria detailed in the Municipal Neighbourhood Safer Places Plan;**

- **Establish and maintain the Neighbourhood Safer Places in accordance with the requirements of the Municipal Neighbourhood Safer Places Plan;**

- **Record the designated Neighbourhood Safer Places in the Municipal Fire Prevention Plan in accordance with section 55A(2)(ca) of the Country Fire Authority Act 1958 and in the Municipal Emergency Management Plan in accordance with section 20(2)(ba)(i) of the Emergency Management Act 1986;**

- **Note that the Municipal Fire Prevention Officer will advise the CFA of the designation of the Neighbourhood Safer Places – Places of Last Resort as soon as practicable and note that the Municipal Fire Prevention Officer is required to provide to the CFA, by 30 September in each year, an up-to-date list of all designated Neighbourhood Safer Places in the municipality; and**

- **Communicate to the public:**
 - **the designation of the Neighbourhood Safer Places - Places of Last Resort;**
 - **that the purpose of the Neighbourhood Safer Places - Places of Last Resort is to provide some protection from the effects of radiant heat during the passage of a bushfire;**
 - **that there is no guarantee of safety or survival at the Neighbourhood Safer Places - Places of Last Resort or travelling to the Neighbourhood Safer Places - Places of Last Resort;**

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- Neighbourhood Safer Places - Places of Last Resort may not have the capacity to cater for special needs; and there will be no support services (food or drink, material aid) or provision for pets; and
- that the use of a Neighbourhood Safer Places - Places of Last Resort should only be contemplated when all other bushfire plans have failed.

Moved Cr Goldsworthy

Seconded Cr Murdoch

That Council:

- Adopt the attached Municipal Neighbourhood Safer Places Plan and publish it on the Council's website;
- Designate the Beechworth Memorial Hall, Beechworth Police Paddocks, Chiltern Memorial Hall, Yackandandah Senior Citizens Hall and Memorial Gardens as Neighbourhood Safer Places – Places of Last Resort during a Bushfire having considered:
 - the CFA Assessment(s) (refer Appendix 2) which assess the Neighbourhood Safer Places – Places of Last Resort as compliant with the CFA Fire Rating Guidelines; and
 - the assessment of the Neighbourhood Safer Places – Places of Last Resort in accordance with the criteria detailed in the Municipal Neighbourhood Safer Places Plan;
- Establish and maintain the Neighbourhood Safer Places in accordance with the requirements of the Municipal Neighbourhood Safer Places Plan;
- Record the designated Neighbourhood Safer Places in the Municipal Fire Prevention Plan in accordance with section 55A(2)(ca) of the Country Fire Authority Act 1958 and in the Municipal Emergency Management Plan in accordance with section 20(2)(ba)(i) of the Emergency Management Act 1986;
- Note that the Municipal Fire Prevention Officer will advise the CFA of the designation of the Neighbourhood Safer Places – Places of Last Resort as soon as practicable and note that the Municipal Fire Prevention Officer is required to provide to the CFA, by 30 September in each year, an up-to-date list of all designated Neighbourhood Safer Places in the municipality; and
- Communicate to the public:
 - the designation of the Neighbourhood Safer Places - Places of Last Resort;
 - that the purpose of the Neighbourhood Safer Places - Places of Last Resort is to provide some protection from the effects of radiant heat during the passage of a bushfire;
 - that there is no guarantee of safety or survival at the Neighbourhood Safer Places - Places of Last Resort or travelling to the

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Neighbourhood Safer Places - Places of Last Resort;

- **Neighbourhood Safer Places - Places of Last Resort may not have the capacity to cater for special needs; and there will be no support services (food or drink, material aid) or provision for pets; and**
- **that the use of a Neighbourhood Safer Places - Places of Last Resort should only be contemplated when all other bushfire plans have failed.**

CARRIED

Moved Cr Issell
Seconded Cr Pockley

That following Indigo Council's consideration of neighbourhood safer places, that council write to the Victorian Government informing it of our initial decisions and request that Stanley be added to the State list of designated serious fire risk areas

CARRIED

For:	Against:
Cr Graham	Cr Gaffney
Cr Croucher	Cr Murdoch
Cr Pockley	Cr Goldsworthy
Cr Issell	

INTRODUCTION

In its Interim Report, the Victorian Bushfire Royal Commission recommended that neighbourhood safer places, or NSPs, be identified and established to provide persons in bushfire affected areas with a place of last resort during a bushfire.

In response to this recommendation, the Victorian Government has introduced the Emergency Services Legislation Amendment Act 2009, which amends the Country Fire Authority Act 1958 and the Emergency Management Act 1986. The effect of these amendments will be to require the Country Fire Authority to certify NSPs against the CFA's Fire Rating Criteria, and Victoria's Councils to identify, designate, establish and maintain suitable places as NSPs in their municipal districts.

BACKGROUND

NSPs are not community fire refuges or emergency relief centres. NSPs are places of last resort during the passage of a bushfire, and are intended to be used by persons whose primary bushfire plans have failed. NSPs are places of relative safety only. They do not guarantee the survival of those who assemble there. Furthermore, there may be serious risks to safety encountered in travelling, and seeking access, to NSPs during bushfire events. Depending on the direction of a particular fire, it may not be a safer place to assemble than other places within the municipal district. NSPs will be assessed by the CFA as providing some protection from immediate risk of direct fire attack.

NSPs can be open space areas or buildings, and are assessed against specific criteria by the CFA, including distance from vegetation, and capacity to withstand levels of radiant heat. Council assessment is against additional criteria, which includes issues of access and egress, defendability, maintenance, signage, alternative uses, and others.

The Victorian Government and CFA identified 52 locations considered to be of such significant risk to bushfire, that NSPs were required to identified and designated prior to the commencement of the 2009/10 fire season. Council's not listed in the 52 locations, but considered areas of risk were to make best endeavours to have NSPs identified and designated by June 30 2010. No towns in the North East were identified in the list of 52 despite serious bushfires in the area in 2003, 2006, and 2009. Councils affected by recent fires, namely Indigo and Alpine Shires, along with the CFA regions 23 and 24 have recognised the community concern regarding bushfires, and the risks presented across the municipalities, and have worked through a process and made best endeavours to identify and designate NSPs either before the main part of the fire season, or as soon as possible thereafter.

The attached Municipal Council Neighbourhood Safer Places Plan, which is presented for adoption, is the product of this process, and contains all relevant information.

In Indigo Shire, the townships of Beechworth, Stanley, Chiltern, and Yackandandah/Allans Flat were assessed by the CFA to be areas of most significant risk to bushfire. These areas have been the focus of assessment against all appropriate CFA and Council criteria for the immediate identification and designation of NSPs. Other townships and areas within the shire will be assessed and considered by a similar process in the months up to June 30 2010.

19 sites in the townships of Beechworth, Stanley, Chiltern, Yackandandah/Allans Flat, were provided to the CFA for assessment against the CFA Fire Rating Criteria. These sites included:

- Stanley Recreation Reserve
- Stanley Hall
- Beechworth Recreation Reserve (Baarmutha Park)
- Beechworth Memorial Hall
- Beechworth Town Hall Gardens
- Beechworth Police Paddocks
- Chiltern Recreation Reserve (Football Club Rooms)
- Chiltern Memorial Hall
- Chiltern Racecourse Reserve
- Yackandandah Sports Park Wellsford St.
- Yackandandah Recreation Reserve (Butson Park)
- Yackandandah Memorial Hall
- Yackandandah Cemetery
- Yackandandah Cemetery Pavilion

- Yackandandah Kindergarten
- Yackandandah Memorial Gardens (Wellsford St.)
- Yackandandah Senior Citizens Club rooms
- Osbornes Flat Hall
- Allans Flat Recreation Reserve (Water Hole area)

The CFA assessment identified the:

- Beechworth Memorial Hall,
- Beechworth Police Paddocks,
- Beechworth Town Hall Gardens
- Beechworth Baarmutha Park Recreation Reserve (oval only)
- Chiltern Recreation Reserve (Football Clubrooms),
- Chiltern Memorial Hall,
- Yackandandah Senior Citizens Hall
- Yackandandah Memorial Gardens,
- Yackandandah Cemetery Pavilion,
- Stanley Memorial Hall,

as meeting the Fire Rating Criteria.

The MAV has provided criteria for Councils to make additional assessments – recommended strongly that sites not meeting CFA fire rating criteria should not be designated as an NSP.

The sites and CFA assessments were referred to Council for consideration by Council's Municipal Emergency Management Planning Committee (MEMPC) against the criteria set out for Councils by the Municipal Association of Victoria (MAV). The MEMPC, which comprises representatives from the CFA, SES, Police, DSE, Ambulance, and Council, considered the sites and CFA assessments at its meeting on January 15th 2010 and recommended the following sites be designated by Indigo Council as NSPs:

- Beechworth Memorial Hall,
- Beechworth Police Paddocks,
- Chiltern Memorial Hall,
- Stanley Hall
- Yackandandah Senior Citizens Hall
- Yackandandah Memorial Gardens,

The Stanley Hall was approved by the CFA against the Fire Rating Criteria. The MEMPC expressed serious misgivings about the designation of the hall as an NSP due to concerns about access into and out of Stanley, and within Stanley during a serious bushfire event, and the ability of the CFA to defend the site. The issues associated with access and egress in Stanley resulted in some MAV criteria not being met. Despite these concerns, the MEMPC, voted to recommend that the Stanley Hall be designated as an NSP by Council, although the MEMPC urged that Council carefully consider the issues relating to Stanley before making a final decision.

The Beechworth Town Gardens and Baarmutha Park Oval were not recommended by the MEMPC due to the view that the Beechworth Memorial Hall and Beechworth Police Paddocks provided sufficient areas in a central location. It was considered that there was no need for Beechworth to have 4 NSPs designated.

The Chiltern Football Clubrooms was not recommended due to the Chiltern Memorial Hall being considered more appropriate. Proximity to vegetation, and security issues were also of some concern in relation to the clubroom facility.

Although the Yackandandah Cemetery Pavillion was approved by the CFA, the Yackandandah Cemetery did not gain certification. The MEMPC was of the view that the potential for the community to be confused was high and that signage, and access issues were difficult.

It should be noted that all sites designated by Council require annual review by August 31st. This review also allows for other sites to be identified and assessed and designated if appropriate.

KEY IMPLICATIONS

The most significant implication of the identification and designation of NSPs is the additional measure available to the community in the event of an emergency bushfire situation. It is critical however, that every effort be made to ensure that the community is fully aware that NSPs are places of last resort and will not guarantee safety or survival. By identifying and designating NSPs, Council takes on a responsibility to not only have the NSPs ready for use, but in communicating the locations and the message of last resort.

The designation of the Stanley Hall as an NSP requires careful consideration against perceived and real risk. Any decision by Council which would result in the absence of an NSP in Stanley is likely to cause angst within the community and Council would need to be mindful to communicate clearly to the community the reasons why no NSP is designated if that decision was taken.

The identification, assessment, designation and maintenance of NSPs is now part of the business of Council. Therefore, Councils insurance policies will continue to apply to NSP activities in the same way it responds to the other business of Council; subject to the same requirements, restrictions and limitations that currently apply.

FINANCIAL IMPLICATIONS

Council staff have been closely involved in assessing and recommending NSPs; but the real cost to Council will be in the seasonal preparation of these facilities for their possible emergency use. Council resources will also be required to identify, prepare and maintain NSPs in other municipal towns. Actual costs have not yet been calculated.

POLICY IMPLICATIONS

The identification and designation of NSPs is consistent with the recommendations of the Victorian Bushfire Royal Commission, the direction of the Municipal Neighbourhood Safer Places Plan, and community expectation.

The adoption of the MNSPP and the NSPs also responds to Council Plan objective 4.2 to Provide a safe environment for our community.

CONCLUSION

The identification and assessment of the NSPs has been thorough and based on sound criteria. The designation of the NSPs is an important element of Council's response to emergency bushfire events, and offers the community in high bushfire risk areas, an emergency option as a last resort.

Attachments:
Neighbourhood Safer Places Plan_270110
Stanley Memorial Hall

8.0 OPERATIONS AND ASSETS

8.1 ROAD NAMING

File No: 09/1390- Mark Greene - Civil Works Officer

For Decision

RECOMMENDATION

That Council adopt this report and commence the formal road naming process by advertising the selected road name for public comment.

Moved Cr Graham

Seconded Cr Goldsworthy

That the lane between Nilsson Street and Eyre Street, Rutherglen be named Apex Lane and that Council commence the formal road naming process by advertising the selected road name for public comment.

CARRIED

INTRODUCTION

From time to time un-named roads are identified throughout the municipality that are required to be named. It is Council responsibility to name these roads in accordance with our Local Law No. 1, Council’s Naming of Local Roads Policy and the Guidelines for Geographic Names Victoria.

BACKGROUND

A Road Naming report was presented to the Council at it’s meeting of 8th December 2009 requesting consideration be given to naming a number of un-named roads throughout the municipality. At this meeting it appears that road query No. 4 on the attachment to that report was not considered. This refers to a lane that runs between Nilsson St. and Eyre St., Rutherglen.

The names that were suggested are “**Paul Lane**” or “**Apex Lane**” and these suggestions were provided by Mr Brian Jasper of Rutherglen. His reasons for suggesting the name “Paul” refers to the family who operated a Milk Bar in Rutherglen for many years up until the mid 1900’s and “Apex” refers to the Apex Club who had a paper depot in the lane over 30 years ago.

Council should now consider this report and suggest a name for the road prior to advertising the selected name for public comment. At the completion of the advertising stage the report will be presented to Council for formal adoption of the chosen name.

KEY IMPLICATIONS

Naming of this road will allow for better identification of properties and locating by emergency services.

On completion of the naming process the adopted name will be forwarded to the Registrar of

Geographic Names for inclusion on their data base.

FINANCIAL IMPLICATIONS

Some costs will be incurred in placing new signs and also in the consultative advertising process. This will be covered by the existing budget.

POLICY IMPLICATIONS

This road naming process is undertaken in accordance with Council's Naming of Local Roads Policy.

CONCLUSION

To facilitate the naming process Council is requested to select a preferred name from the options mentioned so that this name can then be advertised for public comment.

Meeting Concluded: 5.26pm