



Alpine Shire

**ORDINARY COUNCIL MEETING
MINUTES**

**M1 – 3 February 2015
Council Chambers, Bright
7.00pm**



The **Ordinary Meeting** of the **Alpine Shire Council** was held in the Council Chambers, Great Alpine Road, Bright, on **3 February 2015** and commenced at **7.00pm**.

PRESENT

COUNCILLORS

Cr Jan Vonarx – Mayor
Cr Ron Janas – Deputy Mayor
Cr Kate Farrell
Cr Tony Keeble
Cr Daryl Pearce

OFFICERS

Mr Dave Barry – Chief Executive Officer
Mr Trevor Britten – Director Corporate and Community
Ms Heather Green – Director Sustainable Development
Mr Ian Ellett – Director Infrastructure Services



AGENDA

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1 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS, RECOGNITION OF ALL PEOPLE AND OPENING PRAYER

The Chief Executive Officer read the acknowledgement of the traditional custodians, recognition of all people and opening prayer.

2 CONFIRMATION OF MINUTES

2.1 ORDINARY COUNCIL MEETING – M13

Cr Janas

Cr Keeble

That the minutes of Ordinary Council Meeting No 13 held on 2 December 2014 as circulated be confirmed.

Carried

2.2 SPECIAL COUNCIL MEETING – SPM14

Cr Janas

Cr Keeble

That the minutes of Special Council Meeting No14 held on 16 December 2014 as circulated be confirmed.

Carried

3 APOLOGIES

Cr John Forsyth

Cr Peter Roper

4 OBITUARIES / CONGRATULATIONS

Cr Tony Keeble extended congratulations to the organisers of the Falls Creek Enduro Event and Audax.

Cr Daryl Pearce congratulated the Australia Day event organisers and award recipients (Lifetime Achiever Stuart Hargreaves)

Cr Tony Keeble congratulated Ian Ellett on his new position with the Indigo Shire Council and thanks him for his three plus years of service with Council.

5 DECLARATIONS BY COUNCILLORS OF CONFLICT OF INTEREST

Nil



6 QUESTION TIME

Jody Betheras – Kiewa Valley resident from Kiewa Valley Community Association (UKVCA) queried the number of awards for Community Organisation of the Year and the location for awarding it. Heather Green to provide response.

Trish Cross – Kiewa Valley resident from UKVCA queried progress on the drainage issue on the Kiewa Valley Highway.

Ian Ellett advised that discussions with VicRoads were ongoing and the UKVCA would be kept informed.

Stuart Hargreaves – Bright resident concerned about Pioneer Park grandstand (Bright). Reply provided by CEO, project to be analysed and prioritised.

Trish Cross – Kiewa Valley resident queried the Bright-Harrietville shared trail; can't cycle the whole way, progress? Clarification provided by CEO, 17km in the 'middle' not completed and not part of the project (\$2M project not even scoped), Council to clarify with media and make clear in all publications.

Narda Cain – Eurobin resident thanked Council for Ireland Street signs, regarding riding on footpaths. This has not resulted in a significant reduction of cyclists on footpaths.

Mafeking Square article in paper, concern about an article in the local paper suggesting the design of Mafeking Square was being re-visited. CEO responded saying that this was incorrect and Council has resolved to proceed with an agreed design when dollars are available. The Alpine Better Places project is looking at detailed design for the next prioritised projects.

Ray Dyer – Ovens resident waiting for response from Council regarding funds raised (and held by Mr Dyer) in 2011 for the construction of a toilet block in Ovens. Mayor advised that this issue could be discussed at their meeting in March.



7 PRESENTATION OF REPORTS BY OFFICERS

7.1 CHIEF EXECUTIVE OFFICER – DAVE BARRY

7.1.1 Contracts approved by the CEO

Cr Kate Farrell

Cr Daryl Pearce

That the Contract approved by the CEO be noted.

Contract No.:	1404601	Process:	Invitation to Tender
Title:	Roadworks, Buffalo Creek Road, Myrtleford		
Tenderer	G W & B R Crameri Pty Ltd		
\$ (excl. GST)	\$128,639.00		
Funding:	The budget for these works is \$140,000, funded from the Sealed Road Rehabilitation budget.		

Carried



7.1.2 Quarterly Report - 1 October - 31 December 2014

File Number: 600.03

INTRODUCTION

This report provides the second quarterly report against the Alpine Shire Council Plan 2013-2017 (review 2014), and second capital works report for the 2014/15 financial year. The second quarterly financial report will be presented later in this agenda.

Cr Tony Keeble

Cr Daryl Pearce

That the Alpine Shire Council Plan Quarterly Report (Council Plan and Capital works) ending 31 December 2014 be received and noted.

Carried

BACKGROUND

Council Plan development

The Alpine Shire Council Plan 2013–2017 was developed following the election of the Council in October 2012. The Council Plan outlines the strategic objectives and strategies that will be used to achieve Council's adopted direction for its four year term.

The original plan was reviewed in early 2014, with an amendment adopted in June as "Alpine Shire Council Plan 2013-2017 (review 2014)". This amended plan retained all themes, strategic objectives, strategies and four year initiatives of the original plan, but updated the annual actions (annual action plan) to be delivered in 2014/15, along with some of the indicators to reflect the changes in Local Government Performance Reporting. It is the annual action plan that is reported against in this quarterly report.

ISSUES

This quarterly report brings together a report against the 2014/15 annual action plan, and contains other highlights and progress of capital works undertaken by Council between July and September 2014. This report also outlines progress of items that were not complete at the end of 2013/14 – identified as 'carryovers'.

The quarterly financial report will be presented separately to this report, at Agenda Item 7.2.1.

HIGHLIGHTS

Inspired Community Leadership

- More than \$600,000 Victorian Government funding was announced during the quarter for six projects across the Shire, including renovations to the Lakeview



Children's Centre in Mount Beauty, and resurfacing of the multipurpose courts at the RC McNamara Reserve in Myrtleford.

Enhancing the Environment and Liveability

- Planting at Happy Valley Creek commenced in Myrtleford, with 2,500 native plants planted between Lewis Avenue and Standish Street.

Strengthening the Community

- Resilience Month was launched by Craig Lapsley, Emergency Services Commissioner for Victoria on 1 October. Resilience Month was held over four and a half weeks, and included two Resilience Emergency Action Plan (REAP) Days held at local primary schools.
- \$60,000 in Community Grants were awarded by Council in December, allowing projects valued at \$203,000 to be delivered by community groups.
- Several youth events were hosted, including the annual Youth Awards, and the Bright and Loud Music and Skate Festival.
- Seniors Week festivities were held across the shire, with 22 events hosted over eight days.
- The Positive Ageing ... way to go! Calendar photo shoot and launch was held.
- Bright Sports Centre stage 2 renovations were completed, and an Open Day held.

Prosperous Economy, Employment and Investment

- Numerous capital works projects are underway at Dinner Plain to improve the 'green' season and 'white' season offerings.
- The Bright Splash Park was officially opened on 31 October, and has proven to be a popular place to cool off in hot weather.
- The Great Victorian Bike Ride rode through the Alpine Shire, with a night hosted in Bright.
- Information sessions on the Rural Land Strategy were held, and public submissions were invited. These will be presented to the March Council meeting.

Performance Focused Organisation

- Continued to make improvements Council electronic systems, including working towards online animal registration payments, finalisation of point of sale system roll out to remote sites, and the purchase to pay project.

POLICY IMPLICATIONS

The Council Plan is a specific requirement of the *Local Government Act 1989*, and is a guiding document for Council. While quarterly reporting against the Council Plan



is not a specific requirement of the Act, Council has elected to continue to report to the community regarding its progress throughout the year.

The Council Plan, annual action plan and Budget identify and commit Council to the completion of specific initiatives each year.

FINANCIAL AND RESOURCE IMPLICATIONS

The Strategic Resource Plan and annual Budget are developed and adopted to provide the finance and resources required for the programs and projects outlined and reported against in this quarterly Council Plan report.

CONSULTATION

The Council Plan is subject to public exhibition each year prior to being adopted by Council. As part of the annual review of the Council Plan, any changes to the initiatives are also subject to public exhibition.

Many of the individual initiatives and activities included in the Council Plan are subject to their own community participation and consultation processes.

Council's annual Budget is also publicly exhibited and submissions called for prior to its consideration and adoption by Council.

CONCLUSION

This quarterly report shows that progress is being made on the delivery of key Council Plan Activities, with capital works projects progressing well.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report:

- Chief Executive Officer
- Governance Officer

ATTACHMENT

- 7.1.2 Alpine Shire Council Quarterly Report – ending 31 December 2014



7.2 DIRECTOR CORPORATE AND COMMUNITY SERVICES – TREVOR BRITTEN

7.2.1 Finance Report - Quarter 2 Budget Review 2014/15

File Number: 900.11

INTRODUCTION

The purpose of this report is to provide a summary of how Council has performed during the quarter against budget.

Cr Tony Keeble

Cr Ron Janas

That the Finance Report Budget Review for the quarter ending 31 December 2014 be adopted.

Carried

BACKGROUND

The Finance Report provides an income statement, balance sheet, cash balances, current investments, borrowings and supporting graphs as at the end of the quarter.

Included in the Finance Report is a breakdown of each department’s performance for the quarter. The summary also provides explanations for variances which are greater than \$10,000 or 10%.

KEY IMPLICATIONS

Legislative Issues

The Local Government Act (the Act) requires the following relating to financial management:

- Section 137 (Budgeting and reporting framework) - “Council must establish and maintain a budgeting and reporting framework that is consistent with the principles of sound financial management.
- Section 138 (Quarterly statements) – “At least every 3 months, the Chief Executive Officer must ensure that a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is presented to the Council at a Council meeting which is open to the public”.

Risk Management

Identified Risk	Risk Likelihood (H,M,L)	Impact of Risk (H,M,L)	Strategy to Manage Risk
Budget variances being	H	M	Quarterly review process requires managers to



Identified Risk	Risk Likelihood (H,M,L)	Impact of Risk (H,M,L)	Strategy to Manage Risk
greater than anticipated.			present to the Executive on budget variances and explain variances greater than \$10,000 or 10%.
Accuracy of forecasting.	H	M	Managers are required to forecast their income and expenditure for the remainder of the year. This is based on their knowledge of the budget area, timing of projects and past trends.

COUNCIL PLAN AND KEY STRATEGIC PLAN LINKS

2013-2017 Council Plan	
Strategic Objective 5.2	To manage resources well to ensure sustainability
2013/14 Budget	
Strategic Objective 2.5	Performance focused organisation

CONCLUSION

Year to date, Council is tracking favourably to budget, particularly in the areas of:

- Grant income (\$1.3M favourable variance);
- Employee costs (\$0.3 favourable variance); and
- Materials and services (\$1.1 million favourable variance).

The variances against budget are predominately due to the HR Review. This has been conducted over the last 12 months and has seen a reduction in staff costs which are now being realised. The favourable variance is also due to receiving the Victorian Grants Commission grant in July this year instead of June. Finally an emphasis on reducing costs across Council has also seen materials and services decrease, however expenditure in this area also fluctuates during the year and is expected to increase in the remainder of the year.

Overall changes being implemented are seeing a positive result on Council's financial performance.



DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report:

- Director Corporate and Community
- Manager Corporate Services

ATTACHMENT(S)

- 7.2.1 Finance Report Q2



7.3 DIRECTOR INFRASTRUCTURE SERVICES – IAN ELLETT

Nil.



7.4 DIRECTOR SUSTAINABLE DEVELOPMENT – HEATHER GREEN

7.4.1 Alpine Children’s Services – Ratings for Centres

File Number: 1050.02

INTRODUCTION

The purpose of this report is to inform Councillors on the excellence of child care in the Shire as provided by Alpine Children’s Services (ACS).

Alpine View Children’s Centre in Bright has been awarded an overall rating of ‘exceeding national quality standard’ by Australian Children’s Education and Care Quality Authority through their National Quality Framework in November 2014.

The Alpine Shire Council plays an active role in the committee of management with both Heather Green - Director Sustainable Development (until recently Trevor Britten), and Cr Tony Keeble (until recently Cr Jan Vonarx), participating in the centres management.

Cr Kate Farrell

Cr Tony Keeble

The Alpine Children’s Services Committee of Management and the staff be congratulated on the achievement of high standards of care at all its facilities.

Carried

ISSUES

All early childhood services, including kindergartens and long day care centres, are assessed by the Department of Education and Early Childhood Development for quality standards. This assessment regulates the quality of early childhood services across Australia and is a process carried out every two to three years per service.

An assessment was carried out late last year at Alpine View Children’s Centre in Bright. The service provides long day care with an integrated kindergarten program. This service is one of four managed by Alpine Children’s Services (ACS); a not-for-profit organisation within the Alpine Shire. The assessor observed educators in practice, specifically assessing their interactions with children and their families. All staff and management were interviewed about the educational program and practice, relationships with children and service management.

ACS was thrilled to receive an overall service rating of **Exceeding National Quality Standard** for Alpine View Children’s Centre. This follows on from last year’s great results for the other centres

- Lake View Children's Centre Mount Beauty- January 2013 - Exceeding National Quality Standard
- Mountain View Children's Centre Myrtleford - November 2014 - Meeting National Quality Standard (very close to receiving an exceeding rating)



- Alpine Family Day Care - October 2012 – Meeting National Quality Standard

Lake View Children's Centre has just applied for an 'Excellent Rating'

This demonstrated that the service is performing above the National Quality Standard (NQS). The National Quality Standard Assessment and Rating Report has been included as an attachment. Some of the highlights from the report include:

"The service provides a rich environment that promoted learning and exploration through the planned provision of a range of quality experiences and activities in both the indoor and outdoor environments. The arrangement of resources and activities encouraged children to independently explore and extend their learning through play."

"Educators worked cohesively together across the whole service and consistently interacted respectfully and ethically. ACS supported the maintenance of professional standards through a deliberate and directed approach that included conducting regular professional meetings for all staff."

"Educators consistently engaged in positive and supportive interactions with children and encouraged the children to develop self-confidence and to establish meaningful relationships. Respectful interactions encouraged and supported collaborative relationships between educators, families and children."

"The service was actively involved in developing and maintaining relationships with professional support and community organisations that could enhance children's learning and wellbeing. ACS and educators at the service consistently collaborated with a range of organisations to actively support children and enhance their participation in the program."

The General Manager of Alpine Children's Services advises that:

"It was an honour to receive such a wonderful rating of our service in Bright, particularly as the service has only been open for two years. This results reflects the commitment of Alpine Children's Services to high quality early childhood education. ACS would like to recognise the dedication shown by the teachers and educators at Alpine View Children's Centre. The team are highly committed to each and every child's education and our recent result reflects this commitment."

Alpine Children's View Bright along with Lake View Mount Beauty is now eligible to apply for a rating of "excellence". This rating can only be achieved once an "exceeding" rating has been attained.



CONCLUSION

All Alpine Children's Services Centres offer a great service. In particular Alpine View Children's Centre still in its infancy in its new building has excelled beyond expectations. Commitment of staff to provide a service above the national standard demonstrates the dedication of care for Alpine Shire youth.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report:

- Director Sustainable Development
- Development Officer (Community and Wellbeing)

ATTACHMENT(S)

- 7.4.1 Australian Children's Education and Care Quality Authority "National Quality Standard Assessment and Rating Report".



7.4.2 RV Friendly Infrastructure

File Number: 00.00

INTRODUCTION

This report discusses the growth in recreational vehicles, motorhomes and caravans in Australia over the past decade and the subsequent lobbying for the Shire to become 'RV Friendly' accredited and to provide the associated infrastructure requirements of this traveling market.

Cr Kate Farrell

Cr Ron Janas

That;

- 1. the provision of a public dump point in Bright is not supported.***
- 2. a welcome pack be developed for RV, Motorhome and Caravan travellers that will be promoted by the Alpine Shire Council Economic and Community Development department and made available through the Visitor Information Centres and Council operated tourism websites which will outline the location of dump points across the Shire.***

Carried

BACKGROUND

Over the past four years the Economic Development Department has been actively lobbied by the Caravan and Motorhome Club of Australia (CMCA) and numerous passionate individuals for Council to develop RV friendly overnight parking areas and public dump points.

These lobby groups are concerned that the Alpine Shire Council has been missing out on a significant economic benefit by not providing these services or promoting itself to this growing market.

Similarly passionate lobbying has also been undertaken by the Alpine Shire's 18 registered commercial caravan parks opposing the position of CMCA with their position based on the fact that all Bright based commercial caravan park operators offer dump points to their visitors and adequate services exist in Mount Beauty and Myrtleford.

Camping or caravanning is very popular amongst visitors to the Alpine Shire which is reflected by the 18 commercial caravan/camping parks that operate across the Shire. Supplementing the provision of camping spaces provided for by the commercial caravan/camping park operators are over 21 free camp grounds that operate primarily on state government managed land at least 10km's from the commercial camping grounds.



Becoming an accredited 'RV friendly' town requires infrastructure upgrades including parking and dump points which when completed would require council to manage the ongoing maintenance and cleaning, signage, security and monitoring.

ISSUES

Growing Market

The tourism market is the largest industry in the Alpine Shire and the contribution made by this industry underpins the economic vibrancy of the Shire. The RV, motorhome and caravanning market continues to grow and it is critical that the Alpine Shire develops a reputation as a welcoming community for these travellers. Appropriate infrastructure and marketing investment will contribute to a welcoming environment for this market. The development and availability of a RV welcome pack detailing where services can be accessed including free and commercial camping and dump points would help create a welcoming environment for these travellers.

Free Camping

The provision of free camping is at odds with the commercial park operators who charge fees that cover the costs of providing quality facilities that they are required to provide in order to meet health and safety standards that have been established and enforced by Local and State Government.

Competitive Neutrality

Some States in Australia have fully embraced competitive neutrality which means that if Council was to implement camp grounds or overnight parking it would subject itself to the same regulatory requirements and fee structures that commercial operators are subject to. In meeting the requirements of competitive neutrality Councils would also be required to charge true market rates for the service. This is a key point for the commercial park operators in the Alpine Shire and has been raised by their peak body, Caravan Industry of Australia.

Dump Points

Dump points allow for the easy and sanitary disposal of grey water and mobile toilet waste into the waste treatment system. Many RV, motorhomes and caravans have a cassette arrangement that all current dump points in the commercial caravan parks adequately service. Some larger vehicles have larger waste storage tanks and disposal of grey water and mobile toilet waste occurs via a hose that is attached to the waste storage tank. These vehicles, due to their size have access issues in many older caravan parks that were not designed to cater for such large vehicles. Compounding the access issue is their inability at times to get close enough to the dump point to effectively empty the tank. The CMCA and other lobbyist believe that the most practical solution is for the provision of public dump points that can be driven up alongside in areas such as large public carparks (adjacent to public toilets)



or sporting grounds. There is one commercial caravan park in Bright that will accommodate large vehicles.

North East Water

During the consultation phase North East Water notified Council of the requirements for the installation of a dump point. The requirements are,

- Signed agreement from North East Water authorising the installation, and
- Dump point location to be observable and/or monitored to ensure unauthorised discharges to sewer do not occur; and
- Locked when not in use.

These conditions would require Council to locate the dump point in a location where Council staff has the ability to monitor and control and charge for the use of the dump point

CMCA

During the consultation phase of this project CMCA changed their view of requesting free or low cost overnight parking/camping in recognition that there was no support for this from any of the Chambers of Commerce and that there was adequate availability of commercial and free campgrounds within the Shire. Given this collective position there is no requirement to investigate this issue any further.

CMCA maintain that there is a need for Council to provide a free dump point. Their assessment concluded that Bright is the logical location for a public dump point given its proximity to other public dump points, the high volume of tourist traffic and the benefits that could follow in becoming an 'RV Friendly' town.

POLICY IMPLICATIONS

The recommendations in this report would not have any policy implications for Council.

FINANCIAL AND RESOURCE IMPLICATIONS

If Council was to support the implementation of a public dump point, Council would incur some minor infrastructure costs of approximately \$3500 for the installation and connection of the dump point to the sewer system. Council officers would be required to investigate the most appropriate location for the dump point and consideration would need to be given to the recurrent costs of maintenance, cleaning, charging for and monitoring of the dump point.

CONSULTATION

Extensive consultation has been undertaken as part of this project. Individual consultation sessions have been held with CMCA and the Bright and Districts Caravan Group, Bright, Myrtleford and Mount Beauty Chambers of Commerce and individual caravan park operators. CMCA, the Chambers of Commerce and the



Bright and Districts Caravan Parks Group were given the opportunity to present their position to Council in December 2014.

CONCLUSION

The tourism market is the largest industry in the Alpine Shire and the contribution made by this industry underpins the economic vibrancy of the Shire. The RV, motorhome and caravanning market continues to grow and it is critical that the Alpine Shire develops a reputation as a welcoming community for these travellers. Appropriate infrastructure and marketing investment will contribute to a welcoming environment for this market.

The provision of free or low cost overnight parking areas would be an unnecessary investment on Council's behalf given the volume of high quality commercial and free campsites that are available across the Shire. This position is shared by all parties. Given this collective position there is no requirement to investigate this issue any further.

The provision of a public dump point in Bright would be an unnecessary investment on behalf of Council given the commercial caravan park operators are providing this service as part of their service delivery. The caravan park operators have installed these facilities at their costs and the small amount charged to non-customers is deemed adequate and would reflect the charges Council would need to levy if it was to provide this service. The commercial caravan park operators have health and safety standards that they are required to comply with which ensures a quality experience is being made available to all travellers.

The development and availability of a RV welcome pack detailing where services can be accessed including free and commercial camping and dump points would help create a welcoming environment for these travellers.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report:

- Director Sustainable Development
- Manager Community and Economic Development

ATTACHMENT(S)

- 7.4.2 (a) Bright and District Tourist and Holiday Park Group Submission
- 7.4.2 (b) Requirements for Installing a Dump Point – North East Water
- 7.4.2 (c) RV Friendly Towns Guidelines (RVFT Guidelines)



7.4.3 Municipal Places Local Law No. 2 Review

File Number: 1120.02

INTRODUCTION

Council has been formally approached by Victoria Police to amend Local Law Number 2 – Municipal Places to extend the curfew on alcohol consumption as a result of poor public behaviour and excessive alcohol consumption during the weekend of the 2014 Bright Iconic Rod Run.

Cr Daryl Pearce

Cr Kate Farrell

That:

- 1. An amendment to Part 3 of Local Law number 2 - Municipal Places, be prepared banning the consumption of alcoholic beverages in the Bright CBD during the Bright Iconic Rod Run event, between the hours of 4pm to 7am on Friday, Saturday and Sunday of the event.***
- 2. Victoria Police, the Bright Rod and Kustom Club and the Bright and District Chamber of Commerce be formally notified of Councils decision.***
- 3. That Victoria Police be supported in seeking additional resources to police the Bright Iconic Rod Run event.***
- 4. That a review of the 2015 event be undertaken with the event organisers, Victoria Police and Council.***

Carried

BACKGROUND

The Municipal Places local law deals primarily with behaviour in public places. The local law is relied upon by Victoria Police to control the consumption of alcohol in public places in the main towns and to control behaviour so that it is not a nuisance.

The amended local law was reviewed and updated in December 2012 in consultation with Victoria Police, the community, key stakeholders and Council staff. The amended local law assists with interpretation and enforcement.

The Municipal Places local law seeks to control and prevent adverse behaviour in public places. The principal objectives of the local law are:

1. to allow and protect the quiet enjoyment by people of municipal places within the municipal district; and
2. to enable people in the municipal district to carry out their day to day activities and to enjoy their recreational pursuits without having their peace and enjoyment interfered with or destroyed; and
3. to recognise and respond to community expectations relating to the quality of life they expect and require and are capable of influencing; and



4. to control and prevent behaviour which is a nuisance, or which may be detrimental to health and safety or which affects the enjoyment of recreational or other facilities; and
5. to enable the community and visitors and their families who use municipal places that are available to the public to be confident in their choice of the use of those facilities or places; and
6. to protect Council and community assets and facilities on or in municipal places; and
7. to prohibit, regulate and control:
 - behaviour in municipal places which is offensive, dangerous, threatening, harmful or intimidating which, for other reasons, is inappropriate in a municipal place;
 - the places and times at which alcohol may be consumed; and
8. to provide generally for the peace, order and good government of the municipal district; and
9. to provide for the administration of the council's powers and functions.

The local law states that the consumption of alcohol between the hours of 10:00pm and 7:00am is prohibited (curfew) in areas identified in the maps included in the local law. The maps identify municipal places in Bright, Porepunkah, Myrtleford and Mount Beauty. Historically, Victoria Police have enforced this curfew.

During the post event assessment following the 2014 Bright Iconic Rod Run, Victoria Police raised the need to increase the prohibited times for the consumption of alcohol in public places for that particular event weekend to assist in managing anti-social behaviour attributed to excessive alcohol consumption.

The Bright Rod Run under both organising groups had operated without concern since 2009. Victoria Police have identified that opening up the Bright Iconic Rod Run to a wider variety of vehicles has changed the demographic that are attending the event.

ISSUES

Events and Festivals

Events and festivals play a critical role in the economic health of the Shire. Events and festivals attract in excess of 65,000 bed nights and contribute more than \$20M in direct expenditure to the Alpine Shire economy on an annual basis. Over the past three years Council has supported the attraction and development of the annual calendar of events and many of these events have adverse impacts on the local community through road closures, use of public places and financial support for event organisers. The positive aspects of events and festivals through the visitor attraction, patronage of the Shire's businesses and subsequent job creation, result in events receiving broad community support. This is evidenced through the



community taking on the organising of the Bright Iconic Rod Run after the former organisers walked away in 2012. The Bright Iconic Rod Run is the town's largest annual event with formal activities occurring in Ireland Street, Great Alpine Road and at Pioneer Park.

A key component to the overall experience of the Bright Iconic Rod Run is the street activity that occurs in and around the Ireland Street precinct during the Friday and Saturday of the event.

Some local licensed venues also host activities to leverage the high visitor numbers during the event time.

Behaviour in a municipal place

The Municipal Places local law deals primarily with behaviour in public places. The local law is relied upon by Victoria Police to control the consumption of alcohol in public places in the main towns and to control behaviour so that it is not a nuisance.

Victoria Police reported that the Bright Iconic Rod Run weekend in 2014 saw a dramatic increase in,

- Drunken disorderly behaviour
- Increased violent behaviour
- Offensive behaviour towards women through unwanted sexual innuendo

Victoria Police also reported that the CBD area in Bright on both the Friday and Saturday nights were not 'family' friendly which is due to a change in the demographic of event attendee and their accompanied behaviour.

Police have also expressed a very strong concern in relation to the event for 2015 and beyond if major changes are not affected. Victoria Police attribute the noticeable rise in anti-social behaviour, fighting and other issues to excessive alcohol consumption. Victoria Police has expressed grave fears that if major changes are not made the issue will become insurmountable next year and the event will be unable to be controlled.

Victoria Police did also note that the carnival venue provided for registered participants at Pioneer Park, Bright (the official event) which has a large marquee, entertainment, children activities and food, was issue free. They note that this aspect of the event is run very well with nil issues presenting and is a family orientated event. Age of participants and spectators varies markedly with many families attending, including adolescent, middle age and older.

The organisers of the Bright Iconic Rod Run reported nil incidents in the activities that were organised and controlled by the organising group.

Consumption of alcohol in a municipal place

The local law states that the consumption of alcohol between the hours of 10:00pm and 7:00am is prohibited in areas identified in the maps included in the local law.



The maps identify municipal places in Bright, Porepunkah, Myrtleford and Mt Beauty. Historically, Victoria Police have enforced this curfew.

In reviewing the Municipal Places local law in December 2012, consultation occurred with Victoria Police. The curfew time and areas were deemed adequate by Victoria Police however Council staff corrected some anomalies with the areas nominated in Bright and extended the areas to cover additional parks and reserves within close proximity to the central activity area of Bright.

Victoria Police Request

During the post event review after the 2014 Bright Iconic Rod Run Victoria Police formally requested an extension to the prohibited times that alcohol can be consumed in public places. Victoria Police have formally requested that Local Law No. 2 be amended to prohibit the consumption of alcohol in public places between 7:00am Friday through to 7:00am on Monday of the weekend that hosts the Bright Iconic Rod Run. Victoria Police has identified that the enforcement of this amendment would require additional police resources at the 2015 event to create a cultural change within the participants of the unstructured street activity.

Event Organisers Response

The organisers of Bright's Iconic Rod Run have tabled an alternative to Victoria Police and the Alpine Shire Council which would see the Local Law amended to reflect the prohibition of alcohol consumption from 6:00pm and 7:00am daily during the event time. This position was not supported by Victoria Police due to challenges in implementing variable alcohol consumption times with such a large crowd. It was the position of Victoria Police that a blanket alcohol ban during the event time would be more achievable with the resourcing they have available.

Victoria Police also raised the issue of the Yarrawonga Rod Run which is run by the Northern Suburbs Street Rodders who previously ran the Bright Rod Run, which occurs on the same weekend and draws resources from the same police region as the Bright event. Moira Shire implemented tighter controls on alcohol consumption in public places for the 2014 Yarrawonga Rod Run with alcohol consumption being confined to licensed venues and the event 'carnival' area.

POLICY IMPLICATIONS

The review of the Municipal Places local law must follow the process outlined in the Local Government Act.

FINANCIAL AND RESOURCE IMPLICATIONS

Proposed changes to the local law may have financial and resource implications.

CONSULTATION

The consultation program was initiated through the post event review following the 2014 Bright Iconic Rod Run which was attended by the organisers of the event,



Victoria Police and Alpine Shire Council. Subsequent individual discussions were had with the event organisers and Victoria Police and follow up joint meeting was also held in December 2014. The issue has also generated media coverage with a two articles appearing in the Border Mail and regular coverage through the North East News press.

Should Council seek an amendment to the Municipal Places Local Law Number 2 additional extensive consultation will need to occur and be resolved by September 2015 to allow the event organisers adequate time to include the amendment in their pre event communications.

The consultation program will involve

- Initial workshops to review the existing Local Laws and any associated issues
- Review of legislation will be undertaken to ensure that the Local Law is consistent with current legislation.
- Public comment will be invited throughout the review process by notice in the local papers.
- The draft local law will then be required to be placed on public exhibition of 28 days through notice in the Government Gazette and local papers.
- Any submissions received will be formally considered and any necessary changes to the Local Law will be made and reported to Council prior to the adoption of the final version of the Local Law amendment.

CONCLUSION

Events and festivals play a critical role in the economic health of the Shire. Events and festivals attract in excess of 65,000 bed nights and contribute more than \$20M in direct expenditure to the Alpine Shire economy on an annual basis and the Bright Iconic Rod Run is the largest annual event hosted in the Shire.

A key component to the overall experience of the Bright Iconic Rod Run is the street activity that occurs in and around the Ireland Street precinct during the Friday and Saturday of the event.

The formal approach from Victoria Police to amend the local law to extend the prohibition of alcohol consumption in public places during the Bright Iconic Rod Run weekend was as a direct result from the reported increase in drunken disorderly behaviour, violent behaviour and offensive behaviour towards women during the street activity aspects of the Bright Iconic Rod Run weekend in November 2014.

Victoria Police are seeking the support of Council to amend the Municipal Places Local Law Number 2 which would result in Council having the ability to implement extensions to the times where consumption of alcohol is prohibited in public places.



DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report:

- Director Sustainable Development
- Manager Community and Economic Development

ATTACHMENT(S)

- 7.4.3 Municipal Places Local Law No. 2 (2012)



7.4.4 Transfer of Lease - Riverdeck Cafe

File Number: 720.07

INTRODUCTION

The Alpine Shire Council owns the buildings from which the Riverdeck Café operates in Bright. The current operators of the café have recently sold the business and Council is required to transfer the lease to the new owners.

Cr Daryl Pearce

Cr Kate Farrell

That Council sign and seal the new lease documents at the appropriate time of the meeting that reflect the change in ownership of the Riverdeck Café in Bright.

Carried

BACKGROUND

The Riverdeck Café is a Bright based café that operates out of a Council owned building on the Great Alpine Road, adjacent to Howitt Park. The current owners have sold the business after 14 years of operation.

ISSUES

New lease familiarisation

As part of the transfer of lease process the new lessees are required to have a familiarisation meeting with Council officers to determine that they are suitable to lease a building from Council. The Manager Community and Economic Development met with the new owners on 20 October 2014 for the familiarisation meeting. Numerous meetings have subsequently been held between Manager Community and Economic Development and the new owners with the familiarisation requirement being adequately met.

Terms and Conditions

There are no new terms and conditions as part of the transfer of the lease. All current terms and conditions transfer to the new owners.

POLICY IMPLICATIONS

There are no policy implications with the transfer of the Riverdeck Lease.

FINANCIAL AND RESOURCE IMPLICATIONS

There are no financial or resource implications on Council as part of this transfer of lease.



CONSULTATION

Internal consultation has occurred in establishing a lease with the new owners of the Riverdeck Café including discussions with McSwiney, Green and Roman, Council's legal representatives on this matter.

CONCLUSION

The Riverdeck Café is a Bright based café that operates out of a Council owned building on the Great Alpine Road, adjacent to Howitt Park. The current owners of the Riverdeck Café have sold their business and this requires Council to transfer the lease to the new owners.

Council officers have had numerous meetings with the new owners and are agreeable to the lease being transferred to the new owners.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report:

- Director Sustainable Development
- Manager Community and Economic Development

ATTACHMENT(S)

Nil.



8 ASSEMBLY OF COUNCILLORS

INTRODUCTION

Section 80A of the *Local Government Act 1989* requires a written record of Assemblies of Councillors to be reported at an ordinary meeting of the Council and to be incorporated in the minutes of the Council meeting.

Cr Tony Keeble

Cr Daryl Pearce

That the summary of the Assemblies of Councillors for December 2014 be received.

Carried

BACKGROUND

The written records of the assemblies held during the previous month are summarised below. Detailed assembly records can be found in Attachment 8.0 to this report.

Date	Meeting
2 December 2014	Briefing Session
16 December 2014	Briefing Session

ATTACHMENT(S)

- 8.0 Assemblies of Councillors – December 2014



9 PRESENTATION OF REPORTS BY DELEGATES

INTRODUCTION

Councillor portfolios include representation on various committees where Council has an interest. Delegate reports contain information about meetings attended, and the outcomes from those meetings that affect Council.

Cr Daryl Pearce

Cr Kate Farrell

That summary of the presentation of reports by delegates for December 2014 be received.

Carried

BACKGROUND

The written records of the delegates reports held during the previous month are summarised below. Detailed delegates reports can be found in Attachment 9.0 to this report.

Date	Meeting	Councillor
2 December 2014	Community Resilience Committee	Cr Ron Janas
5 December 2014	Rural Councils Victoria	Cr Jan Vonarx
5 December 2014	MAV Emergency Management Committee	Cr Ron Janas
12 December 2014	Mount Buffalo Chalet Community Forum	Cr Kate Farrell
15 December 2014	North East Local Government Waste Forum	Cr Ron Janas

ATTACHMENT(S)

- 9.0 Presentation of Reports by Delegates – December 2014



10 GENERAL BUSINESS

Nil

11 MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN

Nil

12 RECEPTION AND READING OF PETITIONS

Nil



13 DOCUMENTS FOR SEALING

Cr Kate Farrell

Cr Tony Keeble

That the following documents be signed and sealed.

- 1. Contract No. 1403801 – Supply and Installation of Tubing Infrastructure - Dinner Plain Mount Hotham Skiing Company.*
- 2. Contract No. 1403701 - for resealing of various roads with the Alpine Shire – Downer EDI Works Pty Ltd.*
- 3. Contract No. 14040 Dinner Plain to Hotham Bus Service – winter bus service between Dinner Plain and Mount Hotham 2015 – 2017 inclusive - Dinner Plain Transit Services.*
- 4. Contract No. 1404401 – concept plans for Bright, Porepunkah and Myrtleford - MDG Landscape Architects.*
- 5. Transfer of Land – Border Plant Hire Pty Ltd - Reserve No. 1 on Plan of Subdivision 705737R - Maddisons Lane, Mount Beauty.*
- 6. Transfer of Lease - Riverdeck Café Lease to Schultz and Associates Pty Ltd.*

Carried



14 CONFIDENTIAL REPORT

The following item was deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 89(2) of the *Local Government Act 1989*.

In accordance with the Act, Council may resolve to consider these issues in open or closed session.

Cr Ron Janas
Cr Kate Farrell

That, in accordance with the provision of section 89(2) of the Local Government Act 1989, the meeting be closed to members of the public for the consideration of the following confidential items:

14.1.1 Contract 1405701 – Roadworks Churchill Ave, Bright.

- 1. Stadelmann Enterprises be awarded Contract No: 1405701 for Roadworks – Churchill Ave, Bright for the lump sum price of \$393,303.70 (excl. GST).***
- 2. The Council resolution made in relation to the awarding of Contract No. 11405701 be made public and be included in the public minutes of this meeting.***

Carried

Cr Tony Keeble
Cr Ron Janas

That the meeting be reopened to the Public, the time being 7:53pm.

Carried

There being no further business the Chairperson declared the meeting closed at 7:54pm.

Confirmed,

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Chairperson