



Date: Tuesday, 25 July 2017
Time: 3pm
Location: Council Chambers, Serpentine

MINUTES

Ordinary Council Meeting

25 July 2017

**MINUTES OF LODDON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, SERPENTINE
ON TUESDAY, 25 JULY 2017 AT 3PM**

PRESENT: Cr Neil Beattie (Mayor), Cr Colleen Condliffe, Cr Cheryl McKinnon

IN ATTENDANCE: Wendy Gladman (Director Community Wellbeing), Lynne Habner (A/Manager Executive & Commercial Services), Steven Phillips (A/Director Operations), Phil Pinyon (Chief Executive Officer)

1 OPENING PRAYER

“Almighty God, we humbly beseech thee to bless this Council, direct and prosper its deliberations towards the true welfare of your people of the Shire of Loddon.”

2 APOLOGIES

Cr Geoff Curnow and Cr Gavan Holt had been granted a leave of absence at the June 2017 Council Meeting.

APOLOGY

RESOLUTION 2017/118

Moved: Cr Cheryl McKinnon

Seconded: Cr Colleen Condliffe

That the apologies received from Cr Holt and Cr Curnow as a result of their approved leave of absence be accepted.

CARRIED

3 DECLARATIONS OF CONFLICT OF INTEREST

Cr Beattie advised that he had a conflict of interest for agenda item 8.3, the “Review of Boort Bypass Study Project Brief”. However it was noted that if he were to leave the meeting as a result of his interest, there would no longer be a quorum, so item 8.3 was deferred to the next Council meeting.

4 PREVIOUS MINUTES**4.1 CONFIRMATION OF MINUTES****File Number:** 02/01/001**Author:** Lynne Habner, A/Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council confirm:

1. The minutes of the Council Briefing of 27 June 2017
2. The minutes of the Ordinary Council Meeting of 27 June 2017
3. The minutes of the Council Forum of 11 July 2017

REPORT

Seeking approval of the unconfirmed minutes of the previous meetings.

RESOLUTION 2017/119

Moved: Cr Cheryl McKinnon

Seconded: Cr Colleen Condliffe

That Council confirm:

1. The minutes of the Council Briefing of 27 June 2017
2. The minutes of the Ordinary Council Meeting of 27 June 2017
3. The minutes of the Council Forum of 11 July 2017

CARRIED

5 REVIEW OF ACTION SHEET

5.1 REVIEW OF ACTIONS

File Number: 02/01/002

Author: Lynne Habner, A/Manager Executive and Commercial Services

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. Action sheet

RECOMMENDATION

That Council receive and note the action sheet.

REPORT

Refer attachment.

RESOLUTION 2017/120

Moved: Cr Colleen Condliffe

Seconded: Cr Cheryl McKinnon

That Council receive and note the action sheet.

CARRIED

6 MAYORAL REPORT**6.1 MAYORAL REPORT****File Number:** 02/01/001**Author:** Lynne Habner, A/Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Mayoral Report

REPORT

The Mayor will present a report at the meeting.

Cr Beattie

Murray Darling Association	
Rail Freight Alliance	
Section 86 Committees: Boort Aerodrome Committee of Management, Boort Development Committee Inc., Boort Memorial Hall Committee of Management, Boort Resource Information Centre Committee Inc., Boort Tourism Committee Inc., Korong Vale Mechanics Hall Committee of Management, Korong Vale Sports Centre Committee of Management, Little Lake Boort Management Committee Inc., Yando Public Hall Committee of Management	
Recreation Strategy Implementation Steering Committee	
Other Council activities	
DATE	Activity
27/6/17	Council Meeting Serpentine
28/6/17	Boort District Health Board meeting
30/6/17	Boort Grain Corp Coop Board meeting
11/7/17	Attended Council Forum Wedderburn

12/7/17	Attended Bendigo Health Board meeting
12/7/17	Attended GMW Connections project at Echuca
15/7/17	Attended Winter Sports Day at Boort
18/7/17	Attended GMW Water Advisory Committee workshop at Rochester
19/7/17	Attended Boort District Health meeting at Boort
23/7/17	Attended Dja Dja Wurrung Tram launch in Bendigo
25/7/17	Council Serpentine

RESOLUTION 2017/121

Moved: Cr Colleen Condliffe

Seconded: Cr Cheryl McKinnon

That Council receive and note the Mayoral Report

CARRIED

7 COUNCILLORS' REPORT**7.1 COUNCILLORS' REPORTS****File Number:** 02/01/001**Author:** Lynne Habner, A/Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council receive and note the Councillors' reports

REPORT

Each Councillor will present a report at the meeting.

Cr Condliffe

Calder Highway Improvement Committee
Section 86 Committees: Bridgewater Memorial Hall Committee of Management, Bridgewater on Loddon Development Committee of Management, Campbells Forest Hall Committee of Management, Inglewood Community Sports Centre Committee of Management, Inglewood Riding Club, Inglewood Lions Community Elderly Persons Units Committee of Management, Inglewood Town Hall Committee of Management, Inglewood Reservoir Committee of Management
29/6/17: Eucy Museum meeting
Australia Day Committee
Loddon Youth Committee
Healthy Minds Network
Other Council activities

DATE	Activity
27/6/17	Inglewood and District Community Bank meeting
28/6/17	Meeting Bridgewater Railway Station
28/6/17	Meeting with Dingee CWA
29/6/17	Inglewood Tourism and Development meeting
30/6/17	Wedderburn Lions changeover dinner
1/7/17	Attended the Newbridge Football Club sponsorship day
4/7/17	Meeting Inglewood Neighbourhood Watch
8/7/17	Bridgewater market
11/7/17	Council Forum
11/7/17	Inglewood Community Resource Centre meeting
13/7/17	Kooyoora Womens Network meeting held in Inglewood
14/7/17	Meeting for streetscape planning Inglewood
17/7/17	Meeting Campbells Forest Community regarding the water to the district
17/7/17	Dingee Bush Nursing Centre meeting
18/7/17	Celebrated 100 years of Maternal and Infant Health in Victoria held at Senior Citizens Inglewood
19/7/17	BOLD meeting Bridgewater
20/7/17	Inglewood and District Community Bank celebrate 10 years of community banking in Inglewood. The CEO, Mr Phil Pinyon attended.
21/7/17	Inglewood Lions Club celebrate 100 years of Lions in Australia at their changeover. CEO Phil Pinyon and Deb Pinyon attended.
25/7/17	Council meeting Serpentine

Cr McKinnon

North Central Goldfields Regional Library

Section 86 Committees: Dingee Progress Association, East Loddon Community Centre Committee of Management, Mitiamo Municipal Recreation Reserve Committee of Management,

Pyramid Hill Memorial Hall Committee of Management, Pyramid Hill Swimming Pool Committee of Management, Serpentine Bowls and Tennis Pavilion and Reserve Committee of Management

Nature Tourism Advisory Team

Other Council activities

DATE	Activity
28/6/17	Attended Pyramid Hill Lions Club annual changeover dinner
3/7/17	GLC workshop for Board members
11/7/17	Council Forum in Wedderburn
13/7/17	Pyramid Hill marketing and tourism group met for a discussion on opportunities and feature events.
14/7/17	Meeting with GLC CEO
18/7/17	Chaired Mitchell Park Committee of Management AGM
	Attended Maternal and Child Health 100 year celebration at Inglewood
10/7/17	Attended VFF Pyramid Hill/Mitiamo/Raywood Branch AGM at Pyramid Hill
24/7/17	GLC meeting to review service scope and conduct CEO mid-term review
25/7/17	CVGA F&A committee phone conference
25/7/17	Council Meeting at Serpentine

RESOLUTION 2017/122

Moved: Cr Colleen Condliffe

Seconded: Cr Cheryl McKinnon

That Council receive and note the Councillors' reports

CARRIED

8 DECISION REPORTS

8.1 PLANNING APPLICATION 5289- YEMAYA FESTIVAL

File Number: 5289

Author: Alexandra Jefferies, Planning Officer

Authoriser: Glenn Harvey, Manager Development and Compliance

Attachments:

1. Trespassing map
2. Site plan
3. Road design & check bank plan
4. VicPol objection
5. C Rollinson objection
6. D & R Evans objection
7. K Holland objection
8. M Trethowan objection
9. R & B Evans objection
10. R Rollinson objection
11. S Anderson objection
12. P Walsh MP submission

RECOMMENDATION

That the application be refused on the following grounds:

1. The proposal is not consistent with the current Cultural Heritage Management Plan, as required by Section 52 (3) of the Aboriginal Heritage Act 2006 which states that:
“The decision maker must not grant a statutory authorisation for the activity if the activity would be inconsistent with the approved cultural heritage management plan.”
2. The Victoria Police have objected to this application raising numerous concerns relating to public safety.
3. The poor quality of documentation and plans provided as part of this application have not adequately addressed risks associated with the event.
4. There is likely to be unreasonable amenity impacts upon surrounding residences as a result of prolonged noise.
5. The proposed use is inconsistent with the purpose of the Farming Zone and is likely to negatively impact on surrounding agricultural land uses through the spread of noxious weeds, noise, trespassing, traffic and parking issues.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

Three previous planning applications for the Yemaya festival have been received and subsequently presented to Council for determination.

Planning application 5106, which was the first of the two historical applications received, was refused on 28 January 2016 for the following reasons:

- a) The proposed use was considered to be inconsistent with the purpose of the Farming Zone.
- b) Local infrastructure was insufficient to cater for the proposed use and development.
- c) The proposed use and development would likely result in the spread of a regionally controlled weed.
- d) The proposed use would likely have detrimentally affected the amenity of the area through the generation of noise.
- e) The proposed use would likely have resulted in an adverse environmental effect on the Loddon River.

A further application (5167) with slightly amended documentation was received approximately 1 month later. On this occasion the officer recommendation was to refuse the application based on similar grounds as listed above for permit application 5106. Further, concerns were identified with respect to the lack of a Cultural Heritage Management Plan prepared for the event as required under the *Aboriginal Heritage Act 2006*.

Following consideration of the proposal, objections and the officer recommendation, Council resolved to grant planning permit 5167 which was subsequently issued on 20 April 2016 for the use of the land for a place of assembly (Yemaya Festival).

The permit contained an extensive list of documentation/plans which were required to be provided to Council prior to the event taking place – limited documentation was supplied.

Planning application 5254 was refused after being presented to Council for determination at the March 2017 Council meeting. The application was refused for the following reasons:

- a) The current proposal is not consistent with the approved Cultural Heritage Management Plan.
- b) The proposed use is inconsistent with the purpose of the Farming Zone.
- c) The proposal is likely to negatively impact on surrounding agricultural land uses through the spread of noxious weeds, trespassing, traffic and parking issues.
- d) Victoria Police have major concerns outstanding with regard to the proposal.
- e) There are likely to be unreasonable amenity impacts upon surrounding properties as a result of noise.
- f) Adequate documentation and plans have not been provided to satisfy concerns with respect to separation of camping and car parking.

BACKGROUND

Proposal

Planning application 5289 was lodged on 5 June 2017; the application proposes the use and development of the land for a place of assembly (Yemaya Festival) which will consist of 4,500 persons and 250 staff at the 4 day music festival.

Music is proposed to be played during the following hours:

- starting at 6pm on Thursday 28 September 2017 - ending 2am Friday 29 September 2017 (8 hours)
- resuming 10am Friday 29 September 2017- ending 6pm Sunday 1 October 2017 (56 hours)

Gates are proposed to open at 12pm Thursday 28 September, with all patrons to clear the site by 6 pm Monday 2 October 2017.

It is proposed that patrons will camp on site for the duration of the event, with no 'pass outs' to be permitted and no patron vehicle movements to be allowed once parked. Camping and cars are proposed to be separated by 300 mm high soil check banks which are proposed to be constructed. Vehicles will reverse into allocated car spaces so the rear of the car is facing the check banks. The result will be two rows of cars facing each other with a 12 metre space allowed for access and egress. Camping will be done within a 40 metre area space created in between each row of parked cars behind the check banks (refer to attachment: site plan). This treatment is intended to reduce moving vehicles potentially interacting with the camping areas, which has been linked to significant injury or death at similar events.

Approximately 1,500 cars are estimated to be within the camping/parking areas on the basis there will be an average of 3 persons per vehicle. Camping areas are proposed to be managed/ patrolled by a mixture of volunteers, traffic marshals and security personnel. The roster nominates that 4 traffic marshals and 6 volunteers will be on site on Thursday, until 1 am Friday; after this 3 traffic marshals and 6 volunteers shall be on site from 9 am to 5 pm Friday, this is reduced to 2 of each per day for the duration of the Saturday, Sunday and Monday.

Security/crowd control

The applicant has advised that 32 security guards will be on a rotational roster meaning 16 security guards will be on site throughout the duration of the event. These 16 are proposed to be allocated around the event as follows

- 1x security manager
- 5 x security guards on perimeter patrol (one per fence line, one along Majors line Road)
- 2 x campground area
- 1 x first aid
- 1x art spaces
- 1 x front gate
- 1 x ticket processing
- 1x main stage
- 1x second stage
- 2 x general area patrol

Perimeter patrol

It is proposed that four perimeter patrol units will be dispatched within vehicles to address trespassing into and from the event. These units will consist of one security guard and one volunteer. The volunteer will be driving the vehicle along designated areas (refer to attachment: Trespassing map)

Proposed areas/facilities within the event are as follows:

- stage 1 (36 metre span)
- stage 2 (20 metre span)
- a number of creative spaces

- a number of market stalls and food stalls
- the camping areas

Facilities/infrastructure

- 2 x emergency assembly areas
- 60 x 240 L wheely bins distributed across the site and 4 x 31 m² skip bins
- Helicopter landing pad
- 2 x 10,000 L water tanks located at each toilet block for drinking, basin supply and fire
- 1 x 20,000 water bladder located at the Event Command Centre for firefighting purposes
- 1 x 5,000 L water tank for food and drink stalls
- 1 x 2,500 L water tank main stage drinking water and firefighting purposes
- 12 x 1,000 L IBC water tanks & 3 x 10,000 L bladder for food prep and cleaning
- 8 x 1,000 L IBC water tanks & 3 x 10,000 L bladder available for contingency use
- 1 x ATM
- 1.8 metre high temporary fencing is proposed to enclose the activity area (refer to attachment: Site plan)

The application proposes a 6 m wide all-weather road will be constructed internally to allow for patron car access. A separate emergency vehicle access route is also proposed to be constructed (attachment: Road design & check bank plan).

The application includes numerous documents that aim to address issues of safety and emergency management response. These include the following:

- Emergency management plan (version 1.0)
- Tourism & community benefits summary (version 1.1)
- Noise management plan (version 1.0)
- Event plan & safety management system (version 1.5)
- Environmental management system (version 1.1)
- Noxious weed management plan (version 1.0)
- Security crowd management plan (V4- 23/05/2017)
- Traffic management plan (version 1.2)
- Event health services proposal (St John Ambulance Australia)
- Regulatory guidelines (version 1.0)
- Fire management plan (version 1.0)
- Trespassing plan (version 1.5)

Subject site and locality

The subject land is located to the east of Loddon West Road, Fernihurst. The subject site is approximately 229.42 ha in area with approximately 1.6 km of frontage (northern boundary) to Majors Line Road. The site is generally flat and clear of vegetation, excluding some scattered

trees. The site is bound to the east by the Loddon River and to the south and west by Kinypanial Creek. The area to be used for the purpose of the festival is approximately 70 ha within the balance of the site.

The subject site is within the Farming Zone and is covered by the Land Subject to Inundation Overlay. The site is (almost entirely) culturally sensitive.

The site is currently being used for agriculture, with land surrounding and adjoining being used in a similar manner. The surrounding area is not considered to be densely populated however there are dwellings located within relatively close proximity to the subject site, the closest being 33 Loddon West Road, located approximately 1.05 km west of the proposed main stage.

Figure 1: Subject site



Loddon Shire Planning Scheme

Farming Zone

The purpose of the Farming Zone is as follows:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Land Subject to Inundation Overlay

The purpose of the Land Subject to Inundation Overlay is as follows:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.

- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.
- To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).
- To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

State and local planning policies

The following State Planning Policies are considered to be relevant to the application:

13.02-1 Flood Plain Management

Objective

To assist the protection of:

- Life, property and community infrastructure from flood hazard.
- The natural flood carrying capacity of rivers, streams and floodway's.
- The flood storage function of floodplains and waterways.
- Floodplain areas of environmental significance or of importance to river health.

13.04-1 Noise abatement

Objective

To assist the control of noise effects on sensitive land uses.

13.05-1 Bushfire planning strategies and principles

Objective

To assist to strengthen community resilience to bushfire.

14.01-1 Protection of agricultural land

Objective

To protect productive farmland which is of strategic significance in the local or regional context.

14.01-2 Sustainable agricultural land use

Objective

To encourage sustainable agricultural land use.

14.02-1 Catchment planning and management

Objective

To assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.

14.02-2 Water quality

Objective

To protect water quality.

15.03-2 Aboriginal cultural heritage

Objective

To ensure the protection and conservation of places of Aboriginal cultural heritage significance.

The following Local Planning Policies are considered to be relevant to the application:

21.04-3 Land Management and Environment

Objective

To protect and enhance the condition of the natural resource base of the Shire to provide for the environmental and economic health of the Shire.

22.02 Drainage and Flooding

Objectives

To encourage use of drainage works and schemes that manage surface flows and minimise irrigation runoff to assist in the reduction of the salinisation of land.

To promote on-farm drainage re-use for effective nutrient management.

To ensure that drainage works and schemes are consistent with management plans for wetlands, streams and forests.

To ensure levee banks are constructed and maintained to a standard that provides for the appropriate and equitable flow and distribution of floodwaters.

To ensure that downstream impacts of levee banks are appropriately considered and managed.

To recognise the role of public and community-based organisations in the maintenance and development of existing flood protection levee banks.

To encourage the use of rain where it falls, particularly in groundwater recharge areas.

To ensure appropriate land use and development of flood plains.

22.05.1 Development in rural areas

Objectives

To protect the natural and physical resources upon which agricultural industries rely.

To support the ongoing viability of existing farms.

To maintain farmland in productive agricultural use.

To promote the development of new and diverse agricultural industries, fulfilling the potential of existing infrastructure.

To prevent land use conflicts between sensitive uses and agricultural uses.

To ensure that new use and development in the Shire is not prejudicial to agricultural industries or the productive capacity of the land.

To encourage the most productive and sustainable uses of water and soil in the Shire.

To ensure that development in rural areas does not compromise landscapes of significant value.

To encourage safety from structure fires and bushfires.

Relevant particular provisions

The following particular provisions are considered relevant to the application:

52.43.1 Live music and entertainment noise

Purpose

To recognise that live music is an important part of the State's culture and economy.

To protect live music entertainment venues from the encroachment of noise sensitive residential uses.

To ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise.

To ensure that the primary responsibility for noise attenuation rests with the agent of change.

Notice and referral

Notice of the application was sent to adjoining land owners on 20 June 2017. The proposal was also advertised in the Loddon Times newspaper the week of 26 June 2017 with the advertising period finishing on 7 July 2017.

The application was referred to the following authorities under section 52:

- Victoria Police (VicPol) – objected.
- Ambulance Victoria - conditional consent.
- WorkSafe- no comment.
- Department Economic Development Jobs Transport and Resources (DEDJTR) - conditional consent.
- Country Fire Authority (CFA) - conditional consent.
- Department of Environment, Land, Water and Planning – conditional consent.
- Environmental Protection Authority (EPA) – conditional consent.

The application was referred to the following authority under Section 55:

- North Central Catchment Management Authority (NCCMA) – conditional consent.

ISSUES/DISCUSSION

Objections

The application has attracted 8 objections, 7 from surrounding land holders (see attachments) and one from Victoria Police (attachment: VicPol objection). The application also attracted a letter in support of the objectors and their concerns from Hon. Peter Walsh MP member for Murray Plains.

The objections from adjoining land holders are based upon the following issues:

- The proposal is inconsistent with the purpose of the Farming Zone and will negatively impact on the ability for surrounding farms to undertake agricultural activities due to noise and traffic during the event.

- The application does not address the issue of trespassing which would disrupt the amenity of the area as well as posing a potential risk of injury to offenders.
- The spread noxious weeds; particularly bathurst burr and silver leaf nightshade. Spread is likely to occur via vehicle movement, patrons and transferal of equipment e.g. tents swags etc.
- Concerns of pollution to the Loddon River and Kipypanial Creek and disturbance to associated flora and fauna.
- Disturbance and stress to live stocks caused by noise and trespassing.
- Lack of acknowledgement of Kipypanial Creek and the management of effects on the creek.
- Negative amenity impacts on surrounding residents from proposed 58 hours non-stop music.
- Concerns that an approved amended CHMP has not been provided.
- Impact on the infrastructure of the area and the insufficiency of existing infrastructure, mainly roads, to accommodate the proposed amount of vehicles and provide access to the site for emergency services.
- Limited capacity of local emergency services.
- Ambulance Victoria is not listed as a service provider.
- The applicant's lack of compliance with the previously granted permit e.g. no fencing erected which was required by DELWP to protect the Loddon River.
- Inconsistencies between the site plan and written documentation e.g. 'Art walls' are proposed within the Trespassing Plan but not shown on the site plan.
- The use of volunteers in a security role.
- Lack of proof of community benefit from the festival being held.
- Use and distribution of illicit drugs and the impacts that affected persons may have on themselves and surrounding properties.

The VicPol objection is based on the failure of provision of documentation and plans that address relevant safety concerns. The issues raised are as follows:

- Lack of response to the Emergency Management Manual Victoria (EMMV).
- Lack of engagement with an Emergency Services Provider.
- Concerns with lack of sufficient ability to make contact during an emergency.
- Lack of information provided around emergency staff qualifications.
- Little or no provision of shelter adequate for an emergency weather event.
- Fire management plan refers to the event proposed for April, the event is now proposed for September resulting in a change in fire conditions.
- Lack of reference to EMMV within Fire Management Plan.
- No evidence of engagement with a contractor for the construction of the all-weather access and emergency access road.

- Concerns that check banks to separate camping and car parking are not practical and do not manage the risk.
- Lack of strategies/policies to stop alcohol and drugs being brought into the event.
- Concerns that volunteers are working with security guards, the objection considers that security guards should be working in pairs as a minimum.
- The proposed number of security guards is not sufficient for an event of this size.
- Despite what is stated within the Trespassing plan, to date (of the objection being lodged) there has been no formal agreement made between the event organiser and the Victorian Police to provide services. Deficiencies in the documentation as to how the issue of drug use will be proactively monitored and reported back to police.
- Pressures that provision of police services to the event will place on the local community and surrounding area during the time of the event.

Inspector Gardiner concluded by stating that “I am not against music events in principle, but they need to be planned for in a professional manner that takes into account the appropriate risk mitigation strategies to ensure the safety of persons attending and reduce risk to local communities.”

Documentation

The application documentation provided does not include all the relevant documentation and permissions which are required for the Planning Department to make a fully informed decision on the application. An approved amended Cultural Heritage Managing Plan (CHMP) is required for Council to legally approve the proposal, as well as the EPA’s SEPP N-2 consent which would allow the proposal permission to play extended amounts of music.

Legal requirements

An amended version CHMP No. 14196 is required in order for the Yemaya Festival to be legally held on the site. The original CHMP was approved 11 April 2016, this document requires an amendment to include structures left on site after the festival in 2016 and additional proposed activities and works. The applicant was informed that an amendment to the CHMP is required to be submitted to and approved by Dja Dja Wurrung Clans Aboriginal Corporation after the event in 2016.

In order to construct the check banks proposed to separate camping and parking, the applicant has proposed a 75 mm ‘top soil scrape’ in order to acquire the materials required. Dja Dja Wurrung has required this activity to be included within the approved CHMP as it poses a risk of disturbance to artefacts buried within the surface of the site. Dja Dja Wurrung have raised concerns with these works and suggested that soil be imported from a quarry or an alternative solution to the check banks is sought by the applicant to avoid any soil disturbance.

Section 52 of the Aboriginal Heritage Act 2006 states that:

- (1) The decision maker must not grant a statutory authorisation for the activity unless a cultural heritage management plan is approved under this Part in respect of the activity.
- (3) The decision maker must not grant a statutory authorisation for the activity if the activity would be inconsistent with the approved cultural heritage management plan.

If a planning permit were to be issued without confirmation and provision of an approved amendment to the current CHMP, Loddon Shire Council would be in breach of the *Aboriginal Heritage Act 2006*.

The Planning Department is yet to be provided with an amended CHMP.

Environmental Protection Authority: State Environment Protection Policy No. N2 (SEPP N-2)

The proposal includes music being played for a total of 64 hours with a 56 hour period of continuous music (10 am Friday 29 September 2017 to 6 pm Sunday 1 October 2017). Under SEPP N-2 outdoor venues where musical entertainment is conducted should comply with the following guidelines:

Operating times

- (a) *An operation of an outdoor venue may only take place between the hours 12 noon and 11 pm, except where the duration of the operation is greater than five hours in which case the operation may take place only between the hours 12 noon and 10 pm.*
- (b) *Notwithstanding clause (a), the Authority may allow later operations where it is satisfied that music from the premises will be inaudible within all noise sensitive areas, or where it is satisfied that the proposed operation is: a non-profit event, for charitable purposes, or is of special social significance.*

As the duration of proposed music to be played is of a period longer than 5 hours EPA consent needs to be sought.

The application documentation submitted to the planning department includes a covering letter from the EPA granting permission for extended music run times; however no documentation specifying dates, times or endorsed documents was provided. It has been since clarified by an EPA officer that this approval was sought for the previously proposed festival to be held in April, which was refused by Council.

As a result this approval cannot apply for the dates proposed in September and a new approval should be sought. This is yet to be provided to the Planning Department; SEPP N-2 consent is required for planning officers to make a fully informed decision which has been guided by the EPA.

Loddon Shire Planning Scheme

The proposal for the use and development of the land for a place of assembly (Yemaya Festival) is a section 2 use and therefore requires a planning permit under Clause 35.07 Farming Zone. The proposal is considered to be inconsistent with the purpose of the Farming Zone. The application does not provide for the use of the land for agriculture and does not encourage the retention of land for productive agricultural activities. It is not considered that the activity is based on comprehensive or sustainable land management practices and is considered to have a detrimental effect.

The subject site is covered by the Land Subject to Inundation Overlay. The proposal is considered to be generally consistent with the purpose of the LSIO. The majority of structures used for the event are temporary in nature. North Central Catchment Management does not object to the application, providing conditional consent.

Separation of car parking and camping

The use of 300 mm soil check banks as a 'barrier' between the nominated camping areas and car parking is proposed to be implemented in order to reduce the risk of car/human injury. The application documents state that existing banks running parallel across the property will be utilised

and that 'native soils' will create a "mound approximately 30 cm high, and function as a physical barrier".

The information provided within the application does not provided sufficient explanation as to how the check banks will be compacted firmly so as to avoid erosion as a result of possible weather events e.g. rains or wind or general deterioration.

There are significant concerns from the Planning Department around how logistically patrons will be able to utilise the check banks as they are intended to be used. The application documentation does not include detailed plans which show vehicle swept paths or how access or egress of vehicles into the camping area will be managed and undertaken.

The issue of successfully managing the separation of camping and cars is a significant one. The aim of undertaking and maintaining separation is to ensure that patrons who may be sleeping in tents or utilising the camping grounds are not at risk of being injured or killed by vehicles being operated by other patrons. It is considered that sufficient planning has not been put into place in relation to separation of vehicles and designated camping areas and justification that the proposed check banks will reasonably minimise risk has not been provided.

Noxious weed control

The spread of noxious weeds has been highlighted as a concern from surrounding land owners and from the Department of Economic Development, Job, Transport and Resources (DEDJTR). Although the application does include a management plan to address concerns surrounding the spread of silver leaf nightshade the plan gives little detail on the measures that will be implemented to ensure the site has as little as possible infestation at the start to the event. The plan does make reference to a wheel wash system that "may" be implemented if required, however there is no discussion (including with the traffic management plan) around how the event staff would manage this during the times of patron egress from the site.

In their objection DEDJTR state that "there are only a small number of infestations in the North Central Catchment and this infestation is one of the largest" (referring to silver leaf nightshade). If a planning permit is to be granted DEDJTR have suggested that a wheel wash system is implemented and that an audit of the Weed Management Plan be provided to ensure that the actions within a management plan are being undertaken.

It is noted that Loddon Shire Council has committed funding from the Roadside Weeds and Pests Plan to assist with the control of silver leaf nightshade within the Fernihurst Area. Without ensuring the appropriate measures are in place to stop the possible further spread of noxious weeds the Council is at risk of elevating an issue that it is currently working to minimise.

Trespassing

Trespassing has been raised as a concern by adjoining land owners and VicPol. As part of the proposal the application includes the erection of a 1.8 metre high fence around the 'main activity area' (see attachment: site plan). The fence will help to alleviate any unlawful trespassing onto adjoining land; however the application does not contain details surrounding the logistics of installing the fence.

The proposed 'perimeter patrol' teams consisting of 1 volunteer and 1 security guard generates concern for two reasons. The documentation nominates that the volunteers role will be to drive the vehicles which the teams will patrol the perimeter in. This leaves 1 solo professional security guard to deal with situations as they arise, as it is not expected or encouraged by Council that a volunteer engage in a security breach/situation that would require professional training. The use of vehicles as part of the security measures also raises some safety concerns; the Trespassing Plan does not contain guidelines or previous training details that drivers will be subject to and is considered to

contradict the 'no car movement' policy. The Trespassing Plan is not considered to propose measures that will reasonable manage the issue of trespassing.

Infrastructure and road maintenance

After discussions with Council's asset engineers it is considered the local road network is limited in its capability to cope with the increased traffic generated by this event. The site is accessed by a rural gravel access road that has a nominal design width of 4.6m and is designed for occasional two way traffic. There is potential for issues of the all weather road network in the vicinity of the event being overloaded should an evacuation of the site be required. This concern is further exacerbated as in the past event patrons parked vehicles on the road outside of the event.

COST/BENEFITS

The application documents include a Tourism and Community Benefits Summary which details the specific financial benefits which the event is expected to have for local townships and/or individual clubs/groups/local businesses. However, based upon last year's event which proposed similar figures and anecdotal reports of actual benefits derived by some businesses, the actual financial benefit does not appear to be an accurate reflection.

If a permit was to be granted it is considered that the event is likely to be of financial benefit to traders and organisations who choose to be directly involved. Some ancillary financial benefit to the broader Shire may be realised however the quantum and distribution of this benefit is extremely difficult to quantify.

RISK ANALYSIS

Failure to process planning applications in a timely manner or undertake a rigorous assessment of use and development or works proposals is considered to pose the following risks:

- Barrier to development and associated economic growth within the Shire.
- Potential approval of inappropriate and incompatible land uses.
- Risk to Council's reputation as a regulatory authority.
- Risk to inappropriate pressure on infrastructure and service provisions.
- Legal or enforcement issues.
- Loss of protection of surrounding land uses which are accommodated for within a land's zoning.

Whilst officers have completed the assessment of the application to the extent possible given the tight timeframes, lack of supporting documentation and numerous areas of ambiguity remain with respect to the proposed event.

The combination of lack of information and constrained assessment timeframes has reinforced officer concerns that inadequate planning and protections are proposed to support the event.

A large list of conditional plans or actions to be undertaken before the event can be legally held is not a recommended option. Doing this creates a possible risk of non-compliance issues that would then lead to possible enforcement and/or legal actions having to be undertaken.

CONSULTATION AND ENGAGEMENT

The following points are in relation to consultation and engagement relevant to this report.

- No consultation was sought by the applicant after the application was refused in March.
- A meeting with local police representatives, Council's Building and Planning officers, Manager of Development and Compliance and the applicant was held on 27 June 2017 to discuss the application.
- Planning officers have had various phone conversations with concerned land holders.
- Public notice and notice to adjoining landowners was issued as part of the assessment process.

SUSPENSION OF STANDING ORDERS

RESOLUTION 2017/123

Moved: Cr Cheryl McKinnon

Seconded: Cr Colleen Condliffe

That Council suspend standing orders.

CARRIED

Councillors asked questions of the applicant regarding adherence to conditions, in the event that approval was granted, noting the failure to adhere to some conditions at the event in 2016. The applicant indicated his intention to adhere to permit conditions and that he was aware of the consequences if conditions were breached.

RESUMPTION OF STANDING ORDERS

RESOLUTION 2017/124

Moved: Cr Cheryl McKinnon

Seconded: Cr Colleen Condliffe

That Council resume standing orders.

CARRIED

Attention was drawn to Local Law No 1 Process of Municipal Government, Clause 39, which states that the Chairperson must reject any motion or amendment which is outside the powers of the Council or otherwise contrary to the Council's legal obligations, noting that Council cannot approve the permit application without an approved cultural heritage management plan.

MOTION

Moved: Cr Cheryl McKinnon

Seconded: Cr Colleen Condliffe

That Council approve the permit application with appropriate conditions as determined by Council officers to ensure the safety of patrons and the public.

The Mayor, as Chairperson of the meeting, in accordance with his obligations, rejected this motion

In relation to documentation circulated by the applicant in his "Official Planning Response", the CEO stated that he took strong exception to statements in clause 3.1 of that document that alleged bias and raised questions regarding adherence to due process. The CEO refuted the veracity and accuracy of those statements.

UNCONFIRMED

8.2 LODDON PLANNING SCHEME AMENDMENT C39 - ADOPTION

File Number: 13/01/003

Author: Carolyn Stephenson, Statutory / Strategic Planner

Authoriser: Glenn Harvey, Manager Development and Compliance

Attachments: Nil

RECOMMENDATION

That Council adopt Amendment C39 to the Loddon Planning Scheme as exhibited and submit the amendment to the Minister for Planning for approval.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

Council has previously resolved to prepare and exhibit the amendment.

BACKGROUND

Amendment C39 affects 36 properties and sites across the Loddon Shire.

The amendment makes changes to 18 maps in the Loddon Planning Scheme to correct a number of zoning and overlay errors. These errors were a result of the poor quality of, and lack of detail in the early planning scheme mapping. The majority of changes relate to the incorrect application of the Public Conservation and Resource Zone (PCRZ) to freehold land and recreational facilities. Other errors to be corrected include application of the Heritage Overlay in accordance with the schedule, and application of Road Zone 1 and the Public Use Zone. In relation to the rezoning of freehold land currently subject to the PCRZ, where this land is cleared rural land it is proposed to apply the Farming Zone. Where this land has native vegetation values, it is proposed to apply the Rural Conservation Zone, consistent with other land in the vicinity.

ISSUES/DISCUSSION

As indicated by the submissions below, there have been no significant concerns associated with or objections to this amendment.

COST/BENEFITS

The amendment has cost Council in terms of staff time however the correct application of zones and overlays will benefit Council and the community in terms of the facilitation of appropriate land use and development.

RISK ANALYSIS

A transparent process has been applied to ensure that all affected parties have the opportunity to comment. The correction of errors in the planning scheme is important to ensure that Council's land use planning objectives can be achieved.

CONSULTATION AND ENGAGEMENT

This amendment was placed on exhibition from 25th May until 26th June 2017.

Notice of the amendment, and relevant documents, were sent to all affected land owners, as well as Department of Environment, Land Water and Planning, Goulburn Murray Water, VicRoads, North Central CMA, Country Fire Authority, Native Title Services Victoria, Dja Dja Wurrung, Minister for Education, Minister for Energy, Environment and Climate Change, Minister for Agriculture, Minister for Water and Minister for Resources.

Notice of the amendment was placed in the Victorian Government Gazette on 25 May 2017.

At the close of the exhibition period three submissions were received.

Submitter	Summary of submission	Response
Goulburn Murray Water	No objection	N/a
Department of Environment, Land, Water and Planning	Supports the amendment	N/a
Gary O'Toole	Does not support the rezoning of his land to Rural Conservation Zone as the vegetation values are not significant and it may affect the use of the land for bee keeping. It is requested that the land be rezoned to Farming Zone.	Following an inspection of the site and discussions with the land owner, this submission has been withdrawn. An inspection of the site confirmed that the RCZ is the appropriate zone as the land is largely uncleared and surrounded by State Forest. The rezoning will not affect the use of the land for bee keeping as a planning permit is not required for bee keeping, subject to compliance with the Apiary Code of Practice, in the Rural Conservation Zone.

RESOLUTION 2017/125

Moved: Cr Cheryl McKinnon

Seconded: Cr Colleen Condliffe

That Council adopt Amendment C39 to the Loddon Planning Scheme as exhibited and submit the amendment to the Minister for Planning for approval.

CARRIED

8.3 REVIEW OF BOORT BYPASS STUDY PROJECT BRIEF

File Number: 14/01/029

Author: Indivar Dhakal, Manager Technical Services

Authoriser: Steven Phillips, A/Director Operations

Attachments: 1. Boort By-pass Study Project Brief

RECOMMENDATION

That Council consider the attached project brief for a suitably qualified traffic consultant to undertake a study for a by-pass route for heavy vehicles in Boort.

NOTING ITEM 3 OF THESE MINUTES, THIS MATTER WAS DEFERRED TO THE NEXT COUNCIL MEETING

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

At the ordinary Council meeting held in April 2017, Council resolved in principle to undertake a study for a by-pass route for heavy vehicles in Boort. Council also requested that a project brief be prepared for a suitably qualified traffic consultant to undertake the study and the brief be submitted for Council consideration. A report was submitted to the ordinary Council meeting held in June 2017 to provide information on progress of the project brief.

BACKGROUND

For an extended period of time, heavy vehicles have been using Lakeview Street in Boort to access the grain silos located on Silo Woolshed Road. The region witnessed a very high harvest during 2016 - 2017, which resulted in significant increase in the number of heavy vehicles transporting grains to the silo. It is estimated that approximately 400 trucks per day used Lakeview Street to access the silo during harvest.

The high volumes of heavy vehicles started deteriorating the recently renewed sealed surface and subsequently damaged the pavement in some sections of Lakeview Street. Acting under the Road Management Plan, Council temporarily closed the street only allowing local traffic. The temporary closure of Lake View Street forced the heavy vehicles onto the arterial road network (Godfrey St), passing through the main business precinct.

ISSUES/DISCUSSION

The project brief, attachment 1 has been prepared for Council consideration.

Lakeview Street is classified as a Town Sealed Access (TSA) road according to Council's road hierarchy. The purpose of a TSA is to provide sealed access to residential and/or businesses within townships. In addition to that, Lakeview Street also provides access for tourist to Little Lake Boort and the features around the lake.

In May 2017 a proposal was put forward for public comment to introduce load limits on Lakeview Street and detour the heavy vehicles onto the arterial road network, namely Godfrey Street and numerous objections were received by Council. The objections were primarily based on the safety of the public in the main business precinct predominantly due to the crest and angled street parking.

This project brief will provide an opportunity to explore all possible options for Council to be able to efficiently allow movement of heavy vehicles that support the agricultural industry and at the same time manage the risks associated with the safety of public and protect the amenity of township.

COST/BENEFITS

The cost of the study is yet to be determined; however it is expected to be approximately \$45,000. No funds have been committed to the study in Council's 2017 – 2018 Budget.

There are no commitments from Council or any other body to fund any recommendations from the study.

RISK ANALYSIS

The risk associated with the project is included in the project brief attachment 1.

CONSULTATION AND ENGAGEMENT

During the ordinary Council meeting held in February 2017, Council resolved to seek public comments to introduce permanent load restriction on Lakeview Street. Council received numerous objections, feedback and recommendations regarding the issue. These recommendations have been included in the project brief.

In addition, discussions were held with the Technical Service and Operations Departments of Loddon Shire Council to discuss potential alternate solutions. These alternative solutions have also been outlined in the project brief for investigation.

UNCONFIRMED

8.4 LODDON SHIRE COMMUNITY GRANTS SCHEME 2017-18**File Number:** 16/02/001**Author:** Wendy Gladman, Director Community Wellbeing**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** 1. Community Grants Scheme 2017-18 funding recommendations**RECOMMENDATION**

That Council allocate \$197,499 in grants under the 2017/18 Loddon Shire Council Community Grants Scheme as outlined in the attachment provided with this report.

CONFLICT OF INTEREST

Director Community Wellbeing, Wendy Gladman has a direct conflict of interest as the Treasurer of the Serpentine Bowling Club.

The following actions were undertaken to mitigate the conflict:

- exclusion of conflicted party during initial assessment of applications
- exclusion of conflicted party during any discussions involving preparation of funding recommendations.

This report has been prepared by Allan Stobaus and Tony Bellenger.

PREVIOUS COUNCIL DISCUSSION

There has been no previous Council discussion in relation to the 2017/18 Community Grant allocations.

BACKGROUND

The Loddon Shire Community Grants Scheme commenced in 2000/2001.

Council initiated the scheme to assist recreation, sporting and service organisations to deliver projects that improve the quality of life for residents. Since the scheme was initiated, Council has invested approximately \$2,000,000, supporting almost seven hundred community-based projects worth over \$5,000,000.

Council's 2017/18 budget includes an allocation of \$200,000 for the Community Grants Scheme.

Applications for the 2017/18 Community Grants Scheme opened 1 March and closed on 1 May 2017.

Applications have been assessed against the following criteria:

- demonstrated community need
- improved existing facilities and/or increased participation
- multi-use and broad community benefit
- self-help i.e. in-kind and/or cash commitment
- effective and efficient use of resources
- consideration of access issues.

Where applicable, projects have also been assessed in consideration of:

- the efficient use of resources, for example energy efficiency components of the project or sharing of resources with the wider community
- the ability to provide access for all; for example does the project consider the needs of people with a disability or older people
- projects that pose inherent risk in terms of public safety have been assessed in terms of the severity of the risk prior to being considered for funding.

As per the guidelines, the following types of projects are ineligible for funding:

- Projects that are considered the sole responsibility of another authority (for example water authorities or health and welfare agencies).
- Retrospective projects or projects that have already commenced.
- Administrative costs (such as wages, rent or insurance), utility charges (such as a power bill) or projects of an ongoing maintenance nature (such as mowing lawns).
- Projects designed to promote political or religious ideals.
- Applicants who have outstanding acquittals from previous funding rounds.
- Projects which are not ready and will not be completed within a twelve month period from the date of receiving the funding.

ISSUES/DISCUSSION

In total forty seven applications requesting financial assistance to the value of \$294,451 were received. Of these, twenty six have been recommended for full funding.

Partial funding:

In order to comply with budgetary requirements and to ensure as many eligible projects as possible are provided with funding, the opportunity to support projects with a lesser allocation is assessed. This process is achieved by reviewing project budgets in consultation with the applicants. In total ten applications have been recommended to receive a slightly lower allocation than requested.

These are as follows:

- Wedderburn Community House – community newsletter
- Boort Newsletter – community newsletter
- Inglewood Community Neighbourhood House – community newsletter
- Wedderburn Historical Engine and Machinery Society - storage shed construction
- Wedderburn Public Cemetery - internal road upgrades
- Wedderburn Hockey Club - floodlighting of playing field
- Boort Bowls Club - push mowers
- Boort-Yando Cricket Club - cricket pitch repairs
- Mitiamo Recreation Reserve - pump and irrigation system upgrade
- Serpentine Recreation Reserve – kitchen appliances

Not recommended for funding

Eight applications have not been recommended to receive funding. A summary of these applications and the reasons why funding has not been recommended, is as follows:

The Past Revisited

This application was submitted by an individual with no formal body or group auspicing the initiative. The application lacked detail and requested assistance to establish a private business with the aim of reducing the cost of services to seniors.

Inglewood Cars and Bikes Club

This application was reliant on matching funding being allocated by Department of Social Services (DSS) Volunteers Grants. Since receiving this application we have been informed that the DSS funding submission has been unsuccessful. The club is unable to provide the matching funding required to progress the application.

Tarnagulla Urban Fire Brigade

This application requested assistance towards the purchase of electronic communications and equipment. This is considered to be the responsibility of the CFA.

Inglewood Fire Brigade

This application requested assistance towards the purchase of a ride on mower to be used at the new CFA location in Inglewood. As with the application from the Tarnagulla CFA, this is considered to be the responsibility of the CFA.

In addition the new station is still in the design phase and it is not confirmed when the building will be completed. The guidelines for the grants stipulate that the project is to be completed in the financial year that the grant is allocated in.

Laanecoorie Water Ski Club

The Laanecoorie Water Ski Club has requested funding to repair the BBQ at the foreshore. The maintenance and replacement of barbecues has historically been the responsibility of Goulburn Murray Water.

Boort Stadium

This application requested funding to assist with the installation of lighting in the stadium. Although this application is deemed to be a worthwhile project, the application was received eight days after the closing date and is ineligible to be considered by Council officers for funding.

Inglewood Community Neighbourhood House

This application had three components including the Korong Newsletter (recommended for funding as per above). The two components not recommended for funding include the purchase of a vacuum cleaner; this is retrospective and not eligible under the guidelines. The application also requested assistance to construct a deck in the atrium area of the building. This requires a significant design and approvals process; this is not likely to proceed within the next twelve months.

Loddon L2P Program

This application requested financial assistance to purchase a vehicle to use for learner drivers. This proposal requires further investigation. Council officers will liaise with this group to further evaluate the options available to support this initiative.

Other funding

Three of the applications received have been assessed as more aligned with the community plan program and have been transferred for consideration within this program. These are as follows:

- Pyramid Hill Memorial Hall – power project
- Inglewood Football Netball Club – power upgrade
- Boort Development Committee – sculptures by the lake

The Laanecoorie River Reserve requested funding to install a canoe launch ramp on the Loddon River. This can be included in the canoe trails project which has funds available to complete this project.

COST/BENEFITS

The Community Grants Scheme offers significant benefit to the local community through provision of funding for specific projects which may otherwise struggle to secure funding through Council's other infrastructure programs or initiatives.

As demonstrated in the value of projects delivered since the inception of the scheme, Council's investment towards these grants yields far greater community benefit both in terms of financial investment and social wellbeing.

As per Council's previous commitment; administration of the scheme has continued on the basis of \$200,000 being available annually to contribute towards proposed community projects and programs.

RISK ANALYSIS

The primary risks associated with the Community Grants Scheme have been identified as follows:

Adherence to scheme guidelines: detailed scheme guidelines identify which projects and programs are considered eligible for community grants. All applications are assessed against these guidelines for eligibility to ensure that funding made available through this scheme is distributed in a transparent and equitable manner and provides greatest benefit to the overall Loddon community.

Failure to adhere to these guidelines could comprise the integrity of the grant scheme and the ability for Council to adequately fund appropriate community projects.

Failure to deliver projects: All successful applicants are required to adhere to a formal funding agreement which clearly identifies the purpose of the grant, delivery timeframes and reporting requirements. This is to ensure that expenditure of public money is appropriate and able to withstand scrutiny.

CONSULTATION AND ENGAGEMENT

The Loddon Shire Community Grants Scheme is conducted on an annual basis and applications are open for a period of eight weeks. During this period, community groups or individuals interested in applying for the scheme are encouraged to contact the relevant staff to discuss their proposal.

Funding guidelines are also made available to prospective applicants via Council's website as well as via direct email issued to community groups upon opening of the scheme.

Where a lesser allocation than that requested has been recommended, applicants have been consulted to ensure that the projects can still be achieved.

All unsuccessful applicants will be provided feedback in regard to their applications after recommendations are finalised and endorsed by Council.

RESOLUTION 2017/126

Moved: Cr Colleen Condliffe

Seconded: Cr Cheryl McKinnon

That Council allocate \$197,499 in grants under the 2017/18 Loddon Shire Council Community Grants Scheme as outlined in the attachment provided with this report.

CARRIED

9 INFORMATION REPORTS**9.1 ASSESSMENT AND RATING RESULTS INGLEWOOD KINDERGARTEN**

File Number: 12/09/003

Author: Paula Yorston, Manager Community Services

Authoriser: Wendy Gladman, Director Community Wellbeing

Attachments: Nil

RECOMMENDATION

That Council receive and note the report detailing the outcomes of the National Quality Framework Assessment conducted at the Inglewood Kindergarten.

CONFLICT OF INTEREST

There is no conflict of interest for any Council staff member involved in the preparation of this report, or involved in the subject matter of the report.

PREVIOUS COUNCIL DISCUSSION

A report was presented to Council in 2014 following the previous assessment and rating visit for Inglewood Kindergarten in August 2013. The report detailed the rating achieved by the service as: Meeting National Quality Standard.

BACKGROUND

The National Quality Framework aims to raise quality and drive continuous improvement in education and care services. All services approved under the Education and Care Services National Law are assessed and rated by their state or territory regulatory authority.

The National Quality Standard (NQS) is a key aspect of the National Quality Framework and sets a national benchmark for early childhood education. The NQS brings together seven quality areas (containing eighteen standards, with fifty eight supporting elements) that are important to outcomes for children. Assessment against these quality areas forms the basis of an overall rating.

The ratings are:

- Exceeding National Quality Standard
- Meeting National Quality Standard
- Working towards National Quality Standard
- Significant Improvement Required

ISSUES/DISCUSSION

Correspondence received from the Department Education and Training (DET) has advised that from a recent assessment and rating visit the Inglewood Kindergarten has been assessed as: Working towards NQS.

		2013	2017
Quality Area 1	Educational program and practice	Meeting NQS	Meeting NQS
Quality Area 2	Children's health and safety	Meeting NQS	Working Towards NQS

Quality Area 3	Physical environment	Meeting NQS	Meeting NQS
Quality Area 4	Staffing arrangements	Meeting NQS	Meeting NQS
Quality Area 5	Relationships with children	Meeting NQS	Meeting NQS
Quality Area 6	Collaborative partnerships with families and communities	Meeting NQS	Meeting NQS
Quality Area 7	Leadership and service management	Meeting NQS	Meeting NQS
This service is rated overall at:		Meeting NQS	Working towards NQS

Although the individual ratings for six of the seven quality areas achieved Meeting NQS, a single 'not met' in one of the fifty eight elements resulted in Quality Area 2 being rated as Working towards NQS. The rating structure determines the overall standard as that of the lowest rated quality area, resulting in an overall rating of Working towards NQS for the Inglewood Kindergarten.

The not met element occurred in:

Quality Area 2: Children's health and safety

Standard 2.3: Each child is protected

Element 2.3.2 Every reasonable precaution is taken to protect children from harm and any hazard likely to cause injury.

Evidenced by: The authorisations kept for a child did not include a signed authorisation for a venue included in a local excursion that the child attended.

Under the National Law and Regulations, regulatory authorities may at any time reassess a service or any aspect or element of a service. With the exception of extraordinary circumstances it is considered likely that Inglewood Kindergarten will undergo the next assessment and rating process in a period of twelve to eighteen months. The review timeframe is shortened due to the overall rating.

COST/BENEFITS

The work undertaken to satisfy the needs of the assessment and rating visit were undertaken within the existing budget.

The Inglewood Kindergarten and the Early Years Team now have the opportunity to reflect on the outcomes and findings from the assessment and rating cycle to drive continuous improvement at the service. The report, in the main, indicated that children attending the Inglewood Kindergarten access a quality program.

RISK ANALYSIS

There are no risks associated with this report.

Should a service receive a rating of Significant Improvement Required in one or more of the seven quality areas, it is expected that the Regulatory Authority would take compliance action and commence working with the service to immediately address the issues which are posing an unacceptable risk to the safety, health or wellbeing of children being educated by the service.

CONSULTATION AND ENGAGEMENT

The Notice of Rating is displayed at the kindergarten and is published on the Australian Children's Education and Care Quality Authority (ACECQA) and My Child websites.

RESOLUTION 2017/127

Moved: Cr Cheryl McKinnon

Seconded: Cr Colleen Condliffe

That Council receive and note the report detailing the outcomes of the National Quality Framework Assessment conducted at the Inglewood Kindergarten.

CARRIED

UNCONFIRMED

10 COMPLIANCE REPORTS**10.1 DOCUMENTS FOR SIGNING AND SEALING****File Number:** 02/01/001**Author:** Lynne Habner, A/Manager Executive and Commercial Services**Authoriser:** Phil Pinyon, Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

That Council:

1. receive and note the 'Documents for Signing and Sealing' report
2. endorse the use of the seal on the documents listed.

REPORT

This report provides Council with those documents signed and sealed during the month as follows:

- Transfer of Land Volume 4935 Folio 937 from Loddon Shire Council to Nawaffe El Hage – Butt St, Korong Vale
- Transfer of Land Volume 6645 Folio 827 from Loddon Shire Council to Creative Property Ideas Pty Ltd – Gibson St, Korong Vale
- Transfer of Land Volume 11877 Folio 738 from Loddon Shire Council to Laurel Bluebell Wade and Stephen Mark Kennedy – Lytton St, Tarnagulla
- Transfer of Land Volume 8712 Folio 905 from Loddon Shire Council to Eric Kenneth Karlake – Richmond Plains Rd, Wedderburn
- Transfer of Land Volume 6023 Folio 452 from Loddon Shire Council to Creative Property Ideas Pty Ltd – Mincha North Road, Mincha
- Transfer of Land Volume 8542 Folio 357 from Loddon Shire Council to Creative Property Ideas Pty Ltd – Wedderburn Boort Rd, Borung

RESOLUTION 2017/128

Moved: Cr Cheryl McKinnon

Seconded: Cr Colleen Condliffe

That Council:

1. receive and note the 'Documents for Signing and Sealing' report
2. endorse the use of the seal on the documents listed.

CARRIED

11 GENERAL BUSINESS**11.1 WEDDERBURN TIME CAPSULE****RESOLUTION 2017/129**

Moved: Cr Neil Beattie

Seconded: Cr Colleen Condliffe

That Council support the concept proposed by Mr Ray Tonkin of Wedderburn Lions Club to install a time capsule as part of the Wedderburn Streetscape Project to commemorate the centenary celebrations of Lions International.

CARRIED

FAREWELL TO ANGUS VERLEY

The Mayor noted this is the last Council Meeting that Mr Verley will attend as a journalist for the Loddon Times due to him gaining employment with the Murray Darling Association. The Mayor complimented Mr Verley on his standard of journalism and extremely accurate reporting, and wished him well in his new role.

12 CONFIDENTIAL ITEMS

Closing of Meeting to the Public

RESOLUTION 2017/130

Moved: Cr Cheryl McKinnon

Seconded: Cr Colleen Condliffe

That the meeting be closed to the public at 3.47pm.

CARRIED

RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 89(2) of the Local Government Act 1989:

12.1 Review of confidential actions

This matter is considered to be confidential under Section 89(2) - (h) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with Any other matter which the Council or special committee considers would prejudice the Council or any person.

12.2 Sale of Properties for Rate Recovery Under Section 181 of the Local Government Act 1989

This matter is considered to be confidential under Section 89(2) - (b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the personal hardship of any resident or ratepayer.

12.3 Contract 381 Serpentine underground stormwater drainage

This matter is considered to be confidential under Section 89(2) - (d) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contractual matters.

12.4 Finalisation of Sale of Properties for Rate Recovery Under Section 181 of the Local Government Act 1989

This matter is considered to be confidential under Section 89(2) - (b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the personal hardship of any resident or ratepayer.

12.5 Wedderburn Streetscape Project - Contractual Update

This matter is considered to be confidential under Section 89(2) - (d) and (f) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contractual matters and legal advice.

12.6 Chief Executive Officer's Performance Review 2016-2017

This matter is considered to be confidential under Section 89(2) - (a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters.

RESOLUTION 2017/131

Moved: Cr Colleen Condliffe

Seconded: Cr Cheryl McKinnon

That the meeting be re-opened to the public at 4.21pm.

CARRIED

UNCONFIRMED

NEXT MEETING

The next Ordinary Meeting of Council will be held on 22 August 2017 at Serpentine commencing at 3pm.

There being no further business the meeting was closed at 4.22pm.

Confirmed this.....day of..... 2017

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CHAIRPERSON

UNCONFIRMED