



Date: Tuesday, 22 August 2017
Time: 3pm
Location: Council Chambers, Serpentine

MINUTES

Ordinary Council Meeting

22 August 2017

**MINUTES OF LODDON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, SERPENTINE
ON TUESDAY, 22 AUGUST 2017 AT 3PM**

PRESENT: Cr Neil Beattie (Mayor), Cr Colleen Condliffe, Cr Geoff Curnow, Cr Gavan Holt, Cr Cheryl McKinnon

IN ATTENDANCE: Peter Cownley (A/Director Operations), Wendy Gladman (Director Community Wellbeing), Lynne Habner (A/Manager Executive & Commercial Services), Sharon Morrison (Director Corporate Services), 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

Nil

3 DECLARATIONS OF CONFLICT OF INTEREST

Cr Beattie declared a conflict of interest for item 8.4.

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 25 July 2017
2. The minutes of the Ordinary Council Meeting of 25 July 2017
3. The minutes of the Council Forum of 8 August 2017

REPORT

Seeking approval of the unconfirmed minutes of the previous meetings.

RESOLUTION 2017/1

Moved: Cr Cheryl McKinnon

Seconded: Cr Colleen Condliffe

That Council confirm:

1. The minutes of the Council Briefing of 25 July 2017
2. The minutes of the Ordinary Council Meeting of 25 July 2017
3. The minutes of the Council Forum of 8 August 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 2017/2

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

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
26/7/17	Attended Boort District Health Board meeting
31/7/17	Attended site meeting with Powercor re Boort Poultry Development
8/8/17	Attended Council Forum Wedderburn
10/8/17	Attended MAV Rural and Regional Forum
14/8/17	Attended Boort Tourism AGM

17/8/17	Attended Boort Park AGM
22/8/17	Attended Council meeting Serpentine

RESOLUTION 2017/3

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That Council receive and note the Mayoral Report

CARRIED

UNCONFIRMED

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
Australia Day Committee
Loddon Youth Committee
Healthy Minds Network
Other Council activities

DATE	Activity
25/7/17	Meeting Inglewood and Districts Community Bendigo Bank
26/7/17	Meeting for Bridgewater Railway Station
27/7/17	Meeting in Bridgewater with ratepayer regarding their expression of interest
28/7/17	Calder Highway meeting Bendigo
29/7/17	Visit to Avoca to inspect the railway station upgrade
1/8/17	Central Victorian Rural Womens Network meeting
1/8/17	NCLLN Charlton meeting
2/8/17	Kooyoora Womens Network Dinner Newbridge
2/8/17	Meeting with David Parkin in Bridgewater
2/8/17	Inglewood Town Hall Hub meeting
3/8/17	Loddon Plains Landcare meeting Serpentine
8/8/17	Council Forum Wedderburn
12/8/17	Bridgewater market
14/8/17	Inglewood Neighbourhood Watch meeting
16/8/17	BOLD Bridgewater
17/8/17	Loddon Campaspe Regional Assembly Bendigo
18/8/17	Vietnam Vet Shrine lowering of the flag followed by Dinner at RSL Inglewood
20/8/17	Football Finals Bridgewater
15/8/17	Draft Municipal Public Health and Wellbeing Plan and attended in Serpentine Bowling Club
22/8/17	Council meeting Serpentine

Cr Curnow**Loddon Mallee Waste Resource Recovery Group**

Section 86 Committees: Eddington Community Centre Committee of Management, Kingower Development and Tourism Committee Inc.

Municipal Emergency Management Plan Committee and Municipal Fire Prevention Committee**Other Council activities**

DATE	Activity
8/8/17	Council Forum at Wedderburn
19/8/17	LVFNL finals at Newbridge
20/8/17	LVFNL finals at Bridgewater
22/8/17	August Loddon Shire Council Meeting Serpentine

Cr Holt**Municipal Association of Victoria**

Section 86 Committees: Donaldson Park Committee of Management, Wedderburn Community Centre Committee of Management, Wedderburn Engine Park Committee of Management, Wedderburn Mechanics Institute Hall Committee of Management, Wedderburn Tourism Inc.

Audit Committee**Other Council activities**

DATE	Activity
	No activities were reported as Cr Holt was on leave for the reporting period.

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
26/7/17	Co-judged Lions Junior public speaking competition at Pyramid Hill
28/7/17	Attended MAV Councillor Development Weekend in Torquay. Excellent presenters, interesting workshops, fantastic venue and great networking opportunities.
1/8/17	NCLLEN meeting in Charlton
3/8/17	Roadside Management Plan community consultation session in Pyramid Hill was well attended.
8/8/17	Council Forum in Wedderburn.
10/8/17	Met with Lions Club and VicRoads at Pyramid Hill railway station to discuss possible refurbishment.
10/8/17	Also met with Pyramid Hill Marketing and Tourism Group and Deborah Webster, LC Aboriginal Services Broker, to discuss a possible Indigenous Cultural event.
15/8/17	Nature Tourism and Spring Festival meetings in Wedderburn. Actor John Wood has been invited to attend and open the festival at Piccoli's spanner garden on 3 September.
16/8/17	Pyramid Hill Progress Association AGM.
17/8/17	CVGA Board Meeting in Daylesford. Met the new CEO, Rob Law.
17/8/17	LC Regional Partnerships Assembly in Bendigo. Over 200 attended, excellent format, I expect some sound recommendations will be developed.

20/8/17	I represented Cr Beattie in Boort and opened the Indoor Bowls Tournament.
22/8/17	Council meeting in Serpentine

RESOLUTION 2017/4

Moved: Cr Geoff Curnow

Seconded: Cr Cheryl McKinnon

That Council receive and note the Councillors' reports

CARRIED

UNCONFIRMED

8 DECISION REPORTS**AMENDMENT****RESOLUTION 2017/5**

Moved: Cr Cheryl McKinnon

Seconded: Cr Geoff Curnow

That the order of business be amended to bring forward the Council report titled Planning application 5289 – Yemaya Festival, due to the matter being of significant public interest and the key reason for attendance by members of the community in the public gallery.

CARRIED

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. R & C Cotts objection
13. Hon MP Walsh
14. Letters of support (local businesses)
15. Letters of support (community members)
16. Letters of support (various elected members)
17. Submission DanceWize
18. Draft permit conditions

RECOMMENDATION:

That the application be refused on the following grounds:

1. The Victoria Police have objected to this application raising numerous concerns relating to public safety.
2. The poor quality of documentation and plans provided as part of this application have not adequately addressed risks associated with the event.

3. There are likely to be unreasonable amenity impacts upon surrounding residences as a result of prolonged noise.
4. 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.
5. The risk that works required to be undertaken in preparation for the event and the provision of other required information to ensure permit compliance and engagement of relevant third parties cannot be practically completed in time for the event.

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

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

Planning application 5106 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 to those 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 issued permit No 5167, contained an extensive list of documentation/plans which were required to be provided to Council prior to the event taking place. The Planning Department is not satisfied all the required documents were submitted.

Planning application No 5254, was 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.

Planning application 5289 (current application) was presented to Council at the 25 July 2017 meeting. As an amended Cultural Heritage Management Plan was not submitted, Council was unable to make a determination on the application. An amended Cultural Heritage Management Plan has now been provided and therefore the application is being presented to Council for consideration and decision.

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 attendance by an estimated 4,500 persons and 250 staff at the 4 day music/arts 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 vehicle movements to be allowed once parked. Some areas of camping and cars are proposed to be separated by existing irrigation banks (refer to site plan attachment) and the implementation of separation barriers constructed of poly wire and star pickets. Vehicles will reverse into allocated car spaces so the rear of the car is facing the check banks/poly tape barrier. The rows not serviced by the existing irrigation banks will only be separated by the poly tape/star picket barriers.

The result will be rows of cars facing each other within a 12 metre space allowed for access and egress. Camping will be permitted within the 40 metres in between the rows of parked cars (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.

The application suggests 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.

The 'Alcohol and Illicit Substance Policy' submitted to Council's Planning Department on 24 July 2017 indicates that BYO alcohol will be allowed into the event. This policy excludes glass bottles, with the exception of 700ml sprit bottles of which a limit of 4 per car will be permitted into the event.

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

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 road is also proposed to be constructed (attachment: Road design & check bank plan).

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

- Emergency management plan (version 1.2)
- Tourism & community benefits summary (version 1.1)
- Noise management plan (version 1.0)
- Event plan & safety management system (version 1.6)
- 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)
- Alcohol & illicit substances policy (Version 1.0)
- Official planning response (Version 1.0)

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.

14.02 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 9 objections, 8 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.”

On the 24 July 2017 the applicant amended/added a number of documents in order to try and address some of the concerns raised by VicPol (as listed above). These included the change of proposed parking separation method, amendments to the Emergency management Plan, event plan & safety system and the addition of illicit substances and alcohol policy and the Official planning response. Inspector Gardiner has had the opportunity to review these documents and has responded with the following additional comments:

- The established controls in regards to perimeter fencing are inadequate and I believe the event should be secured by minimum 1.8m high fencing to prevent trespass and protect local land owners.
- The revised controls proposed to separate vehicles from camping areas are inadequate. The advice around use of check banks of sufficient height is designed to stop a vehicle inadvertently or otherwise travelling into an area where the vehicle will cause harm to persons.
- There is insufficient security being employed per shift to adequately control an event of this size and nature.
- Expired qualifications by the nominated Emergency Management Co-ordinator provides concerns in regards to contemporary experience in co-ordinating an event of this size and nature.
- A lack of detailed service plans or documentation relating to Ambulance Victoria, who is considered a vital service provider.
- Overall it is not considered there has been sufficient supportive information provided that alters the initial assessment of the permit application as detailed in my original objections.

Submissions

With the documents provided on the 24 July 2017, 19 letters of support/general submissions were provided to Council (see attachments). The letters provided are from a various range of people, local businesses and various MP's and elected members. The letters listed a number of reasons for supporting the Yemaya Festival including:

- Financial benefits for various local businesses and Football Netball Club(s)
- Opportunity to 'expose' Loddon Shire to visitors from outside areas

Local business and clubs who submitted letters include:

- Wedderburn Gold Seeker Motel

- Steel's Butchers
- Serpentine Roadhouse
- Bears Lagoon Serpentine Football Netball Club
- Bridgewater Caltex
- George Tallis Hardware
- I C Water
- Inglewood IGA

Cultural Heritage Management Plan

Cultural Heritage Management Plan (CHMP) No. 14196 was approved by the Dja Dja Wurrung Clans Aboriginal Corporation on 11 April 2016. This version of the CHMP required an amendment due to staging poles being left permanently on site and addition activities being proposed. The amended CHMP was provided to Council planning officers on 17 August 2017. The document has been reviewed by Council's Planning Department; much guidance and consultation, including phone calls and emails, has been provided by Dja Dja Wurrung throughout this process.

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

- 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.*
- 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.

Site preparation

Due to the required CHMP not having been provided at the date of the previous Council meeting (July 2017) a decision could not be made due to Council's obligations under the Aboriginal

Heritage Act 2006. This has resulted in the application being put forth for a second time at the August Council meeting.

Should Council decide to grant a permit in lieu of the officer's recommendation, 21 days (plus 3 days postage) is required to pass before a permit can be issued to allow time for appeals to be lodged. The earliest date a permit could be issued is the 18 September 2017. This leaves the event organiser only 2 days to complete a range of required works, including road construction, fencing installation, weed audits and clean-up of the site, as Council will require this construction to be completed a minimum of 7 days (21 September 2017) before the event to allow for inspection to determine compliance and undertake any potential rectification works.

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 as required within a Farming Zone. It is considered that the activity is not based upon 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 (LSIO)". 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 and has provided conditional consent.

Separation of car parking and camping

The applicant has amended the proposal to include a new method of camping and car parking separation. 'Separation barriers' will be created using poly tape and star pickets. These separation barriers will run parallel to the rear of the parked cars in order to reduce the risk of injury due to car/human interaction. The integrity of these barriers is proposed to be maintained by traffic marshals and event staff throughout the duration of the festival.

Four(4) existing 300 mm irrigation banks which run parallel to the parking areas are also proposed to be utilised as a form of 'barrier' between the nominated camping areas and car parking areas. 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 run over hence injured or even possibly killed by vehicles being operated by other patrons. It is considered that there has not been sufficient planning put in place in relation to separation of vehicles and designated camping areas, nor sufficient justification provided that the proposed check banks will reasonably minimise risk. These concerns are reinforced by VicPol.

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 and security

Trespassing has been raised as a concern by adjoining land owners and VicPol. The latest version of the site plan details the use of 1.8 metre high fencing around the majority ‘main activity area’ (see attachment: site plan). However the applicant has nominated in section 7.4 ‘Additional/alternative measures’ of the “Event plan & event safety management system (Version 1.6)”, that the use of temporary fencing is impractical due to the weight and amount of panels that would be required to enclose the site; it is also highlighted that the applicant considers the establishment of temporary fencing to have “little to no impact on instances of trespassing”. The Planning Department considers the use of a temporary 1.8m metre fence will help reduce the occurrence of unlawful trespassing onto adjoining land and is recommended to be included as a permit condition if a permit is issued by the Council.

The proposal includes three alternative measures to perimeter fencing to address trespassing. These include the installation of eight short range and four long range CCTV cameras at various locations on the site; these will be monitored with breaches reported to perimeter patrol teams, the installation of laser detection wires and the use of perimeter patrol teams.

The documents provided do not adequately explain how the laser detection wires will practically work once established on site.

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 means that there is only 1 solo professional security guard available 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.

The proposed number of security guards (10) available for ‘general patrol’ is not considered to be an adequate amount. This concern has increased with the inclusion of the alcohol policy which nominates that BYO is allowed. The policy fails to actively address how patron alcohol consumption will be monitored or address the role of security in regards to the matter.

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 only

occasional two way traffic. There is a potential for issues of the all-weather road network in the vicinity of the event being overloaded especially 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 that 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.

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

No extensive consultation has been undertaken between Council and the applicant or objectors since the previous Council meeting in July.

RESOLUTION 2017/6

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That the application be refused on the following grounds:

1. The Victoria Police have objected to this application raising numerous concerns relating to public safety.

2. The poor quality of documentation and plans provided as part of this application have not adequately addressed risks associated with the event.
3. There are likely to be unreasonable amenity impacts upon surrounding residences as a result of prolonged noise.
4. 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.
5. The risk that works required to be undertaken in preparation for the event and the provision of other required information to ensure permit compliance and engagement of relevant third parties cannot be practically completed in time for the event.

CARRIED

Cr Beattie requested that his vote for the motion be recorded.

UNCONFIRMED

8.2 2016/17 FINANCIAL AND PERFORMANCE STATEMENTS IN PRINCIPLE REPORT**File Number:** 06/01/001**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:**

1. FIN 2017 Financial Statements
2. FIN 2017 Performance Statements

RECOMMENDATION

That Council:

1. Adopts the Financial Statements and Performance Statement for the year ended 30 June 2017 as presented "in principle".
2. Authorise the Chief Executive Officer to make any amendments to the Financial Statements and Performance Statement for the year ended 30 June 2017 that may be requested by the Victorian Auditor-General.
3. Authorise the Mayor Cr Neil Beattie, one other Councillor and the Chief Executive Officer to certify the audited Financial Statements and Performance Statement for the year ended 30 June 2017.

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

Nil.

BACKGROUND

Council's external auditors, Crowe Horwath, acting on behalf of the Victorian Auditor-General, visited Council's Wedderburn office during 24 to 28 July 2017 to finalise the audit of Council's Financial Statements and Performance Statement for the year ended 30 June 2017.

A requirement of the Local Government Act (S.132 (2)) is that Council cannot formally submit the Financial Statements or Performance Statement to the Minister without having passed a motion giving in principle support to those statements.

It is also a requirement of the Local Government Act (S.132(5)) that Council must ensure that the Financial Statements and Performance Statement, in their final form after any changes recommended or agreed by the auditor have been made, are certified in accordance with the regulations by two Councillors and any other prescribed person authorised by Council for this purpose.

ISSUES/DISCUSSION

The annual Financial Statements are presented in accordance with all relevant Australian Accounting Standards and consist of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, and Statement of Cash Flows, along with detailed notes expanding on each of these.

The Performance Statement is in line with the Regulations. It includes:

- 10 mandatory service performance indicators (two Home and Community Care indicators were discontinued after the 2015/16 reporting period and four others are optional – Economic Development, Immunisation, Sports Grounds and Street Sweeping),
- 12 financial sustainability indicators and
- 6 sustainable capacity indicators, which are financial and non-financial indicators of the sustainability of Council.

Every council now reports their information in the same format in the Performance Statement.

COST/BENEFITS

The benefit to Council and the community is accurate financial and non-financial information which shows the Council's results for the financial year, and provides insight into Council's sustainability.

RISK ANALYSIS

Preparation and auditing of Financial Statements and the Performance Statement are legislated functions of Council. Council must provide these documents along with the Report of Operations to the Minister for Local Government by 30 September 2017.

By having a structured project plan for delivery of the statements to the Victorian Auditor-General's representative, the risk of not meeting the legislative timeline is diminished.

CONSULTATION AND ENGAGEMENT

The Audit Committee has been provided with an overview of the Financial Statements and Performance Statement at the Audit Committee Meeting held on 18 August 2017.

RESOLUTION 2017/7

Moved: Cr Geoff Curnow
Seconded: Cr Cheryl McKinnon

That Council:

1. Adopts the Financial Statements and Performance Statement for the year ended 30 June 2017 as presented "in principle".
2. Authorise the Chief Executive Officer to make any amendments to the Financial Statements and Performance Statement for the year ended 30 June 2017 that may be requested by the Victorian Auditor-General.
3. Authorise the Mayor Cr Neil Beattie, one other Councillor and the Chief Executive Officer to certify the audited Financial Statements and Performance Statement for the year ended 30 June 2017.

CARRIED

8.3 ROAD MANAGEMENT PLAN 2017**File Number:** 14/01/001**Author:** Indivar Dhakal, Manager Technical Services**Authoriser:** Peter Cownley, A/Director Operations**Attachments:** 1. Road Management Plan 2017**RECOMMENDATION**

That Council:

1. Adopt the Road Management Plan 2017.
2. Publish the adoption of Road Management Plan 2017 in the Government Gazette and the local newspaper.

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 resolved to seek public comment on the proposed amendment and the draft Road Management Plan 2017 (the Plan) at the Council meeting held in April 2017.

Council also resolved to adopt the Road Management Plan Review Report at the Council meeting held in June 2017.

BACKGROUND

As stipulated in the Road Management (General) Regulations 2016, Part 3 Division 1 section 8 (3), pursuant to section 54(5) of the Road Management Act 2004, Council conducted a review of the Road Management Plan 2014 within the period referred to in section 125(1) of the Local Government Act 1989.

The review identified and proposed multiple administrative and service level changes in the Council's Road Management Plan 2014. The proposed amendments along with the draft of the Plan were published in the local newspaper and government gazette allowing 28 days to make a submission in accordance with section 223(1) of the Local Government Act 1989.

Council received 1 comment on the proposed amendment and draft plan from the Department of Environment, Land, Water and Planning (DELWP).

ISSUES/DISCUSSION

With the recent restructure of the Organisation and changes in the systems used for maintenance management of the road assets, the review report established the necessity to revise the Road Management Plan which was developed in 2014. Some service levels encompassed within the existing plan also required amendment to meet the risk assessment criteria and align with Council's resources.

The only comment received during the submission period was made by DELWP. The key issues raised in the submission are:

1. Unused (paper) roads - The plan states "Council intends to progressively notify the Department of Environment, Land, Water and Planning (DELWP) that these roads are no longer required for public use and where appropriate recommend control revert back to the Crown Land manager". DELWP has clarified that such notice can only be given in the prescribed form upon receiving a request from DELWP or the adjacent land holder.

This is an operational requirement of DELWP as opposed to a statutory requirement. Council has in the past coordinated with DELWP to address the operational requirements and will continue to do so. However, it is not deemed suitable to be stated in the Plan as operational requirements change regularly.

2. Access to private property through crown land - DELWP has requested to include a new section in the Plan to formally create a government road where a property is currently being accessed through crown land. Council's Road Asset Management Plan outlines the strategy regarding access to private property. The purpose of the Road Management Plan is towards the management of existing roads as opposed to strategic approach towards creation of new assets.
3. Vegetation removal and weeds and rabbit control - DELWP has raised concerns regarding compliance with Planning and Environment Act 1987, Environmental Protection and Biodiversity Conservation Act 1999 and Flora and Fauna Guarantee Act 1988.

Pursuant to sections 20 and 22 of the Catchment and Land Protection Act 1994, Council is required to manage regionally prohibited and controlled weeds and rabbits. The intervention level and response time set in the Plan is in accordance with section 41 of Road Management Act 2004 and Council's risk matrix. Clearing of vegetation is only carried out to meet safety requirements, which is exempted from the aforementioned acts.

Council received no submissions regarding the change in service levels in the road management function of the Plan.

In addition to section 7.9 of the Plan (Other authorities' roads within municipality), a list of roads managed by VicRoads has been added as an appendix (section 12.8). This is an attempt to clarify the operational responsibility of the roads within Council's boundaries to the community.

COST/BENEFITS

The cost of adopting the plan is in accordance with Financial Projections set out in the Council's Road Asset Management Plan and Council's Long Term Financial Plan (Local Road Maintenance). No additional cost is predicted with the proposed amendments in the Plan.

RISK ANALYSIS

There is no risk identified with the adoption of the Plan. A detailed risk analysis is in part 3 of the Plan (attachment 1)

CONSULTATION AND ENGAGEMENT

The proposed amendments along with the Plan were published in the local newspaper and government gazette allowing 28 days to make a submission in accordance with section 223(1) of the Local Government Act 1989.

RESOLUTION 2017/8

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That Council:

1. Adopt the Road Management Plan 2017.
2. Publish the adoption of Road Management Plan 2017 in the Government Gazette and the local newspaper.

CARRIED

8.4 REVIEW OF BOORT BYPASS STUDY PROJECT BRIEF**File Number:** 14/01/029**Author:** Indivar Dhakal, Manager Technical Services**Authoriser:** Peter Cownley, 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.

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.

Cr Neil Beattie declared a conflict of interest. The interest was an indirect interest due to a family member owning property on Lakeview Street, Boort.

Cr Neil Beattie left the meeting at 3:22 pm.

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.

RESOLUTION 2017/9

Moved: Cr Colleen Condliffe

Seconded: Cr Geoff Curnow

That, subject to Council officers identifying funding sources to undertake the study, Council endorse the attached project brief for a suitably qualified traffic consultant to undertake a study for a by-pass route for heavy vehicles in Boort.

CARRIED

Cr Neil Beattie returned to the meeting at 3:27 pm.

8.5 FINANCE REPORT FOR THE PERIOD ENDING 31 JULY 2017**File Number:** 08/06/001**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. Finance report for period ending 31 July 2017**RECOMMENDATION**

That Council:

1. *receives and notes the 'Finance report for the period ending 31 July 2017'*
2. *approves budget revisions included in the report for internal reporting purposes only*
3. *approves the supplementary valuations of rateable and non-rateable properties in respect of the 2017/18 financial year, as returned by the Shire Valuer, LG Valuations Pty Ltd, and endorses them being incorporated into the Register of Rateable and Non Rateable Properties and Rate Book for 2017/18.*

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 is provided with Finance Reports on a monthly basis with the exception of when changes to the Council meeting timetable result in the Council meeting occurring before the completion of the end of month finance procedures.

BACKGROUND

The Finance Report for the period ended 31 July 2017 includes standard monthly information about budget variations, cash, investments, interest, debtors and creditors, and provides a comparison of year-to-date actual results to year-to-date budget (by dollars and percentage) and total revised budget (by percentage).

The information is in the format provided in the adopted 2017/18 Budget, and includes operating results, capital expenditure and funding sources.

This Finance Report also includes supplementary valuations from time to time. Each year Council makes a number of additions, subtractions and alterations to the valuations contained in the annual rate book. These changes arise from various sources including:

- splitting of parcels into new rateable assessments
- development of vacant or unproductive land (urban and rural)
- consolidation of separate rateable assessments into one assessment
- re-assessment of property valuations arising from objections to the initial valuation
- additions and cancellations of licences (grazing and water frontages)
- change of use
- covenant on Title
- area amendment
- change of Australian Valuation Property Classification Code (AVPCC)

- supplementary valuation corrections.

ISSUES/DISCUSSION

With no timing adjustments undertaken yet for the 2017/18 budget, the timing will vary within all the categories defined below. This process will be undertaken in August with explanations around variations for YTD versus actual included in the August report.

Projected Actual Surplus - Council's budgeted cash surplus has increased from \$225K to \$579K, mainly due to an increase in the expected accumulated surplus brought forward of \$353K.

Income Statement (revenue) - Council's year to date (YTD) operating revenue is at 23% of YTD budget.

Income Statement (expenditure) - Council's operating expenditure is at 93% of YTD budget. Payments for this month totalled just over \$2.31M.

Capital Works - The revised budget for capital works is \$17.5M and is 18% complete in financial terms for the current financial year.

Balance Sheet - Council has a \$20.6M cash total with \$1.2M in general accounts. Debtors are just under \$1.0M which is a decrease of \$0.3M in the month. Sundry debtors total \$596K with invoices outstanding for 60 or more days relating to community wellbeing debtors and local community groups totalling approximately \$36K.

There were 89 supplementary valuations updated in June and July. The total rateable CIV at the end of July is \$1.81B.

COST/BENEFITS

The benefit to Council and the community is that accurate and regular financial reporting is being disclosed, along with an accurate representation of property valuations being reflected in Council's rating system and the distribution of rate notices for the year 2017/18.

Provision of financial reports on at least a quarterly basis is a requirement of the Local Government Act.

RISK ANALYSIS

The provision of regular and accurate finance reports to Council minimises the risk of Council not delivering projects within the approved budget. Council's risk exposure is also increased if the rating system does not reflect the valuation changes associated with supplementary valuations as Council will not be aware of the changes, which can alter the rate revenue in the current year and in future rating years.

CONSULTATION AND ENGAGEMENT

There has been considerable consultation internally with respective managers in understanding their budget responsibilities and keeping within budgetary constraints.

Consultation with ratepayers and authorities that act on behalf of ratepayers occurs when a change to a property is required or occurs by virtue of a sale.

External engagement with the community was undertaken during the submission period of the budget, and regular reporting provides a mechanism of monitoring the financial outcomes of Council against that expectation.

RESOLUTION 2017/10

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council:

1. receives and notes the 'Finance report for the period ending 31 July 2017'
2. approves budget revisions included in the report for internal reporting purposes only
3. approves the supplementary valuations of rateable and non-rateable properties in respect of the 2017/18 financial year, as returned by the Shire Valuer, LG Valuations Pty Ltd, and endorses them being incorporated into the Register of Rateable and Non Rateable Properties and Rate Book for 2017/18.

CARRIED

UNCONFIRMED

8.6 REVIEW OF PROCUREMENT POLICY**File Number:** 18/01/001**Author:** Deanne Caserta, Manager Financial Services**Authoriser:** Sharon Morrison, Director Corporate Services**Attachments:** 1. POL Procurement Policy v7**RECOMMENDATION**

That Council adopts the Procurement Policy v7.

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 adopted version 6 of the Procurement Policy at the July 2016 Council Meeting.

BACKGROUND

It is a requirement of Section 186A (7) of the Local Government Act 1989 that “at least once in each financial year, a Council must review the current procurement policy and may, in accordance with this section, amend the procurement policy”.

ISSUES/DISCUSSION

The current version of the policy was adopted on 26 July 2016, and was due for review 27 July 2017 according to our policy review date.

The Procurement Policy addresses the important aspects of procurement including:

- consistency in procurement activities
- complying with legal obligations
- obtaining value for money
- supporting local and environmental sustainability
- managing procurement risks
- incorporating continuous improvement processes.

Council staff have reviewed the policy and are proposing to make no changes at this stage as there is currently a procurement service delivery review underway which, once completed, will include recommended changes to the policy.

COST/BENEFITS

There are no direct costs associated with adoption of the policy.

RISK ANALYSIS

As one of the policy statements is that Loddon Shire Council will manage procurement risks when purchasing goods, services and works, application of the policy, along with supporting procedures and other supporting documents, should help to minimise risks.

CONSULTATION AND ENGAGEMENT

The document has been subject to many discussions at Management Executive Group and once the procurement service delivery review findings are finalised, this policy will be reviewed in full. Normally Council would be provided with the policy at a Council Forum prior to presentation for adoption; however, as there are no changes the process has been streamlined to remove this step.

RESOLUTION 2017/11

Moved: Cr Cheryl McKinnon

Seconded: Cr Gavan Holt

That Council adopts the Procurement Policy v7.

CARRIED

UNCONFIRMED

8.7 ADVERTISING THE DRAFT MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN FOR PUBLIC COMMENT

File Number: 12/01/003

Author: Wendy Gladman, Director Community Wellbeing

Authoriser: Phil Pinyon, Chief Executive Officer

Attachments: 1. STR MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN 2017-2021 v1 DRAFT 20170810

RECOMMENDATION

That Council resolve to advertise the draft Municipal Public Health and Wellbeing Plan 2017-2021 for public comment.

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

There has been no previous discussion related to this document.

BACKGROUND

Council is required to prepare a Municipal Public Health and Wellbeing Plan (the Plan) under the Public Health and Wellbeing Act 2008.

The Plan is a key strategic planning tool that aims to maintain and improve public health and wellbeing at a local community level. When developed the plan becomes the pivotal document informing the health and wellbeing priority areas for the next four years.

ISSUES/DISCUSSION

Council is one of a number of agencies who will work collaboratively to meet the objectives in the Plan. Council's role in Municipal Public Health and Wellbeing is to:

- bring together stakeholders around key public health and wellbeing focus areas
- lead and facilitate discussions to develop local health and wellbeing priorities
- support initiatives that promote positive health and wellbeing
- provide a point of coordination and oversight to plan
- evaluate the strategies used to meet the objectives of the Plan.

The Plan not only fulfils Council's requirements to build strong partnerships, but also satisfies the minimum requirements for prevention and health promotion funded organisations as outlined in *The Victorian Government's Advice for Public Health and Wellbeing Planning in Victoria* which strongly emphasises the need for a collective effort by multiple stakeholders to have an impact on the health and wellbeing of communities.

The Plan builds on the work being undertaken to support health and wellbeing in our community and takes into account, feedback from our community and partner organisations, changes in State and Federal policy and opportunities to implement a best practice approach. It uses a holistic approach in setting high level strategic focus areas with the agreed outcomes to be achieved and details how progress will be measured.

The Plan builds on Council's existing health and wellbeing related strategies and programs, specifically addressing four priority focus areas:

- Good physical health
- Good mental health
- Protect and promote health
- Feel safe and secure

It is intended that the Plan will be a tool for working across a range of local strategies and initiatives, informing other public health planning processes, and avoiding duplication of the planning, implementation, monitoring and review effort at a local level.

Annual operational plans will be developed in alignment with the requirements of the Victorian public health and wellbeing planning cycle which will detail the activities and initiatives that will be undertaken in the ensuing twelve months and will identify the varying levels of responsibility, comprising lead, partner and advocate, for partner agencies in implementing each of the actions.

The most recent data sources have been used to provide a snapshot of Loddon, and in some cases this will be 2011 Census data. The 2016 Census data commenced release on 27 June 2017, and where new data has become available during the development of the plan, it has been included. Other Census data, still to be released, will be included in the first annual review of the plan.

COST/BENEFITS

The success of this plan is based on collaboration and strategic partnerships between government, health, education, community service organisations and community interest groups, such as the Loddon Healthy Minds Network.

Individually, agencies are unlikely to have the capacity to address the range of factors that influence health and wellbeing across the municipality and as such, recognise that partnerships with other key agencies and working together is paramount in order to maximise health and wellbeing outcomes.

It is anticipated that actions identified in the annual operational plans will be undertaken within existing budgets.

RISK ANALYSIS

Under the Public Health and Wellbeing Act 2008 Council is required to develop and adopt a Municipal Health and Wellbeing Plan within 12 months of an election being held. The adoption of this plan at Council's September meeting will meet this legislative requirement.

CONSULTATION AND ENGAGEMENT

The development of the Loddon Public Health and Wellbeing Plan was informed through:

- consultation with agencies and council officers delivering services relevant to community health and wellbeing
- consultation with the community
 - 140 surveys mailed at random throughout the municipality
 - 100 surveys provided to senior citizen clubs and planned activity groups throughout the municipality
 - provision of online survey – advertised through mayoral column, website, facebook, kindergarten newsletters and on hard copy surveys
 - 'Our say' online forum - advertised through mayoral column, website, facebook, kindergarten newsletters and on hard copy surveys

It is now recommended that the policy be placed on exhibition for public comment.

RESOLUTION 2017/12

Moved: Cr Colleen Condliffe

Seconded: Cr Cheryl McKinnon

That Council resolve to advertise the draft Municipal Public Health and Wellbeing Plan 2017-2021 for public comment.

CARRIED

UNCONFIRMED

9 INFORMATION REPORTS**9.1 INWARDS CORRESPONDENCE**

File Number: various

Author: Christine Coombes, Executive and Commercial Services Officer

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

Attachments: 1. Letter from Treasurer of Victoria, Changes to valuations processes

RECOMMENDATION

That Council receives and notes the Inwards Correspondence.

Date	From	Subject
30/6/17	Tim Pallas, Treasurer of Victoria	Changes to valuation processes

RESOLUTION 2017/13

Moved: Cr Geoff Curnow

Seconded: Cr Colleen Condliffe

That Council receives and notes the Inwards Correspondence.

CARRIED

9.2 BUILDING SERVICES ACTIVITY STATISTICS - PERIOD 1 JULY 2016 TO 30 JUNE 2017

File Number: 13/06/001
Author: Greg Johnston, Municipal Building Surveyor
Authoriser: Glenn Harvey, Manager Development and Compliance
Attachments: Nil

RECOMMENDATION

That Council receive and note the Building Services Activity Statistics Report.

CONFLICT OF INTEREST

There are no conflicts of interest for any council staff involved in writing this report, or involved in the subject matter of this report.

PREVIOUS COUNCIL DISCUSSION

The last report provided to Council was for the period November 2015 to January 2016. Council has previously been provided with a quarterly report regarding building activity statistics within the Shire. This report provides information for the financial year ending 30 June 2017. With the appointment of a full-time Municipal Building Surveyor in mid-March 2017 future reports will be provided quarterly.

BACKGROUND

The Building Services Work Group of Loddon Shire Council provides a range of building controls, advisory and administrative functions as prescribed by the Building Act & Building (Interim) Regulations 2017. The role of the Municipal Building Surveyor encompasses the provision of building advice, issuing and/or review of relevant permits and approvals, advisory and consultancy services together with enforcement activities.

The Building Services Work Group also provides administrative functions including keeping of information related to the activity of registered private building surveyors. This data, together with permits issued by Council, is captured and cumulatively forms the statistics reported on the building activity within the Shire. Accordingly, the information provided in this report is a basic indicator of local development and investment.

ISSUES/DISCUSSION

There is significant variation in the number and value of permits across the various quarters. This is typical of what was identified when the building statistics were last reported to Council. The variations in value are attributable to a small number of large scale projects, as follows: Jul-Sep 2016 - 4 projects each valued more than \$900,000; Oct – Dec 2016 - 1 project valued at \$2.5m; Jan-Mar 2017 highest value \$422K & Apr – Jun 2017 highest value \$273.5K.

Table 1, 12 month summary of building activity 1 July 2016 to 30 June 2017

Quarter	Jul - Sep	Oct - Dec	Jan - Mar	Apr - Jun
No of Permits	43	32	46	38
Value of Works	\$5,632,100	\$6,010,563	\$2,395,906	\$2,335,559

There have been a total of 68 certificates of final inspection and 78 occupancy permits issued during the 2016/17 financial year. Council has a number of building permits dating back a number of years that have not had either a certificate of final inspection or occupancy permit issued. As part of the work plan for the Building Services Work Group these will be followed up over the next 12 – 18 months.

Council also has a number of applications for building permits for which requests for further information that have been sent and no reply received in the past. Follow up with these applicants has commenced with a view to having these applications for building permits either issued or recorded as lapsed.

BENEFITS

The provision of building activity statistics to Council helps to better inform Councillors of the level of building activity in the municipality.

RISK ANALYSIS

This report is only providing statistics to Council. As such it is not considered that there is any risk involved.

CONSULTATION AND ENGAGEMENT

No internal or external consultation has to occur for this information to be prepared.

RESOLUTION 2017/14

Moved: Cr Cheryl McKinnon

Seconded: Cr Colleen Condliffe

That Council receive and note the Building Services Activity Statistics Report.

CARRIED

9.3 BUILDING SERVICES STATUTORY ENFORCEMENT ACTIVITY**File Number:** 13/08/001 & 13/08/003**Author:** Greg Johnston, Municipal Building Surveyor**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** 1. **BUILDING SERVICES STATUTORY ENFORCEMENT TABLE - Confidential****RECOMMENDATION**

That Council receive and note the Building Services Statutory Enforcement Activity Report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

The Building Services Statutory Enforcement Activity Report was last presented to Council for the period 1 November 2015 to 31 January 2016. This report provides a report from 1 February 2016 to 1 August 2017. Future reports will be provided to Council quarterly, this will allow the Council to be informed of the approach being taken by, and progress of, the Municipal Building Surveyor with respect to enforcement activities.

BACKGROUND

Loddon Shire provides a range of building advisory and control functions through its Building Services work group. The role of the Municipal Building Surveyor encompasses the provision of building advice, administration, issuing or review of relevant permits and approvals, advisory and consultancy services as well as performing regulatory administration and enforcement activities.

ISSUES/DISCUSSION

The attached tables identify those properties that are the subject of building enforcement activities undertaken by the Municipal Building Surveyor during the period 1 February 2016 to 1 August 2017. It is noted Council has other properties for which enforcement activity has commenced prior to 1 February 2016 and that have not been finalised. These properties will be reviewed as part of the works program for the Building Services work group over the next 12-18 months to determine if further action is required. If further action is required they will then be included in the quarterly Building Services Statutory Enforcement Activity Report.

COST/BENEFITS

The cost to Council can be quite significant, particularly in terms of Council officer's time. This in turn impacts on other activities such as the timeframe for building permits. Direct monetary costs can be significant, particularly should any of the matters progress to a Magistrate's hearing or the Municipal Building Surveyor needs to arrange for the work associated with any order to be completed by Council. Therefore it is of benefit to Council and the community that the Building Services work group work through these matters to resolve the issues in a manner that engages with the property owner to ensure the required work is completed within an appropriate timeframe.

RISK ANALYSIS

Failure to adequately enforce compliance with the Building Act and associated regulations poses a number of risks, namely:

- public safety
 - risk to Council's reputation as a regulatory authority within the community
 - Council being held liable for failure to act and a matter that results in damage to other property, or injury or death to a person.
- 1.

The Municipal Building Surveyor makes reference to the building enforcement intervention filter criteria, initially developed by the Victorian Municipal Building and which forms part of the procedures covered in Council's Building Control Policy, when undertaking enforcement work.

CONSULTATION AND ENGAGEMENT

The consultation/engagement that has occurred in individual situations is briefly listed against each matter shown in the tables above.

RESOLUTION 2017/15

Moved: Cr Geoff Curnow
Seconded: Cr Cheryl McKinnon

That Council receive and note the Building Services Statutory Enforcement Activity Report.

CARRIED

9.4 YEMAYA FESTIVAL**File Number:** 5289**Author:** Alexandra Jefferies, Planning Officer**Authoriser:** Glenn Harvey, Manager Development and Compliance**Attachments:** Nil**RECOMMENDATION**

That Council note that:

1. at the time of preparing this report, the required amendment to the Cultural Heritage Management Plan (CHMP) is yet to be provided to Council.
2. due to the lack of the CHMP, the planning application remains undetermined.

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

Planning application 5289 was considered at the Council meeting held on 25 July 2017. No decision on the application was made due to the CHMP amendment not having been supplied. The application remained undetermined following that meeting.

BACKGROUND

Under the Aboriginal Heritage Act 2006 Council, as the decision maker, must adhere to the following provision:

“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.”

ISSUES/DISCUSSION

Council has not yet received an amended CHMP. Therefore the Planning Officer at the time of preparing this report is not able to undertake a full assessment of the amendment to ensure consistency with the proposal and any conditions that Council could potentially attach to an approval in the event that this was Council's preferred course of action.

Due to the lack of an amended CHMP, if this documentation is not provided to Council by close of business on 17 August 2017, the report will not be able to be considered at the August meeting. The close of business on 17 August 2017 is considered the latest date that will allow time for Council staff to undertake the assessment referred to above. If the CHMP is received by the close of business on 17 August 2017, it will be assessed by officers and a detailed report will be sent to Councillors at the earliest opportunity prior to the Council meeting on Tuesday 22 August 2017, to enable consideration at that meeting.

COST/BENEFITS

Nil

RISK ANALYSIS

Nil

CONSULTATION AND ENGAGEMENT

The applicant has been made aware of these time frames.

RESOLUTION 2017/16

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

That Council note that, subsequent to the preparation of the agenda, a late report was presented for Council consideration prior to the August Council meeting, and the matter was considered at item 8.1.

CARRIED

UNCONFIRMED

9.5 AUGUST 2017 AUDIT COMMITTEE MEETING OVERVIEW**File Number:** 06/02/003**Author:** Sharon Morrison, Director Corporate Services**Authoriser:** Phil Pinyon, Chief Executive Officer

- Attachments:**
1. Loddon Financial Statements 2016/17
 2. Loddon Performance Statement 2016/17
 3. Loddon Performance Reporting Framework 2016/17
 4. Loddon Performance Reporting Framework Appendix A Part 1
 5. Loddon Performance Reporting Framework Appendix A Part 2
 6. On-cost Report
 7. Outstanding Actions Report Summary
 8. Outstanding Action Report Summary of Recommendations

RECOMMENDATION

That Council:

1. receives and notes the August 2017 Audit Committee Meeting Report
2. notes the Financial Statements for the year ending 30 June 2017 as presented to the Audit Committee
3. notes the Performance Statement for the year ending 30 June 2017 as presented to the Audit Committee
4. notes the Local Government Performance Reporting Framework results for the year ending 30 June 2017 as presented to the Audit Committee
5. receives and notes the On-costs Report
6. receives and notes the Outstanding Actions Report

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 was provided with a summary of the May 2017 Audit Committee Meeting at the Ordinary Meeting held on 27 June 2017.

BACKGROUND

The Audit Committee was created under Section 139 of the Local Government Act 1989, which states that "Council must establish an audit committee".

The committee is made up of four independent community members, and Cr Gavan Holt, as Council's representative. Council's Chief Executive Officer and Director Corporate Services attend the meetings in an advisory capacity.

The primary objective of the Audit Committee is to assist Council in the effective conduct of its responsibilities for:

- the enhancement of the credibility and objectivity of internal and external financial reporting

- effective management of financial and other risks and the protection of Council assets
- compliance with laws and regulations as well as use of best practice guidelines
- the effectiveness of the internal audit function
- the provision of an effective means of communication between the external auditor, internal audit, management and the Council
- facilitating the organisation's ethical development
- maintaining a reliable system of internal controls.

In order to provide a structured approach and ensure that the Committee addresses each of its responsibilities, an annual calendar of actions and an internal audit review program are established each year, and these guide the activities of the Committee.

ISSUES/DISCUSSION

The agenda for the August 2017 meeting included the following:

Results of financial statements and performance statement for the year ended 30 June 2017

Deanne Caserta and Martin Thompson explained the audit process and presented the results to the committee. It was noted that information from the Goldfields Library was delayed.

Martin Thompson provided an overview of the closing report, and subject to resolution of some outstanding procedural matters, it will be recommended that the audit report will be issued as an unmodified audit opinion.

Key areas of focus included the ability for management to override the control environment, valuation of non-current physical assets, revenue recognition, and the exercise of judgement by management in estimating values. All results were satisfactory in these areas of focus.

Committee members noted that the audit did not identify any risks of fraud, and the accounting policies in place for Loddon Shire are consistent with other councils. It was noted that under new income standards, there may be a future requirement that the services of volunteers need to be valued and recognised by councils. In addition, lease of equipment will need to be recognised on the balance sheet.

The final management letter will note a need to monitor the ability to deliver projects in the annual capital budget.

The Committee congratulated staff on the preparation of financial statements for the audit.

Audit report – Occupational Health and Safety

This item was deferred to the next meeting. Due to the timing of the audit and staff illness, the management response was not able to be finalised prior to the agenda papers being distributed. It was noted that the report will be finalised and presented to the next audit committee meeting.

Loddon Performance Framework results to 30 June 2017

Sharon Morrison presented the results to the committee.

The Local Government Performance Reporting Framework component of the Loddon Performance Framework is reported in the annual report across various sections.

Report on on-costs

Deanne Caserta provided a report explaining how Council labour on-costs are calculated and managed. Calculations are based on hours worked, current and future banding rates, EB increase, allowances and expected overtime.

Committee members noted the difference in treatment of on-costs for indoor and outdoor staff.

Presentation by staff member

Due to other commitments a presentation by Wendy Gladman was deferred to the next meeting.

Outstanding actions report August 2017

Sharon Morrison presented a new version of the report, which is more streamlined and easier to prepare. It shows that 52% of actions have been completed, 41% overdue, and 7% are scheduled.

Committee members provide feedback on the report, and suggested that the breakdown of outstanding actions by risk level might also be valuable. It was noted that completed actions could be removed from the report once a review of the audit recommendations for the year has been completed.

The Committee noted that further work will be done on assessing whether older actions are still relevant for the organisation and which might be able to be removed. The asset management actions may need to be a focus for the organisation given the target of future VAGO audits.

The Committee discussed the risks relating to section 86 committees and noted that a review of committees will be reported to Council in the coming months. A copy of the report will be provided to the Audit Committee for information.

Monthly Finance Report

The Committee noted the report for the period ending 31 July 2017, with a current cash surplus of \$579,000. The current capital works program is budgeted at \$17.54 million.

Members discussed how interest on rates and section 181 sales of properties is managed, and the process for Council's investments.

Risk management report – Charter 2.5(vii)

Sharon Morrison presented the Risk Management Report, including occupational health and safety incident reports and WorkSafe matters. There are 10 high risks outstanding, and committee members noted that the introduction of policies relating to the Child Safe Standards will address some of the risks.

The Committee noted the risk management report.

Fraud report – Charter 2.5(xv)

Sharon Morrison advised there is nothing to report.

Review of major lawsuits facing Council – Charter 2.5(xvii)

Sharon Morrison advised there are no major lawsuits to report and reported on one potential law suit.

Items raised by Council that may impact the Audit Committee

There was nothing to report in the absence of Cr Holt.

Extract VAGO Annual Plan

Committee members noted the VAGO performance audit work program for 2017-2020.

General business

Sharon Morrison referred to a press release from Minister Hutchins relating to the investigation of Central Goldfields Shire by the Local Government Inspectorate, and indicated that after reading there may be some matters for the audit committee to consider.

The Chair referred to the Committee's discussions with Mark Holloway and Martin Thompson that were held without staff members present:

- Mark Holloway had no concerns to discuss and confirmed that he was given access to any information requested from the organisation for internal audits performed.
- Martin Thompson advised that he observed good communication with him, and it appears to have improved between the finance and asset management staff, resulting in the efficient production of financial statements. He raised the matter of reliance on the Manager Financial Services, and suggested that Council should consider succession planning to ensure Council would not be exposed if there were to be an absence of the Manager

Financial Services. He advised that the Auditor-General's focus will be on asset management practices, fraud management, cyber security and Council's internal audit structure.

Next review

The next internal audit is scheduled to commence 29 August 2017 and will focus on data interrogation.

COST/BENEFITS

There are costs associated with the Audit Committee and internal audit function.

However, in most cases, actions resulting from audit reviews do not bear any new costs as they are undertaken by current staff.

The benefits that the internal audit function provides Council are:

- business improvement relating to the audit review areas
- standard policy and procedure documents which are developed through the action list
- improvement in knowledge management that will assist with succession planning over time
- a reduction in risk in areas relating to audit reviews.

RISK ANALYSIS

The internal audit program has been created and is annually updated on a risk basis, ensuring that Council's program addresses the areas of highest risk or greatest concern to Audit Committee members and Council officers.

CONSULTATION AND ENGAGEMENT

Nil

RESOLUTION 2017/17

Moved: Cr Cheryl McKinnon

Seconded: Cr Geoff Curnow

That Council:

1. receives and notes the August 2017 Audit Committee Meeting Report
2. notes the Financial Statements for the year ending 30 June 2017 as presented to the Audit Committee
3. notes the Performance Statement for the year ending 30 June 2017 as presented to the Audit Committee
4. notes the Local Government Performance Reporting Framework results for the year ending 30 June 2017 as presented to the Audit Committee
5. receives and notes the On-costs Report
6. receives and notes the Outstanding Actions Report

CARRIED

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 V1088 Folio 194 from Loddon Shire Council to Ronald A Sayers – Woolshed Flat Road, Borung

RESOLUTION 2017/18

Moved: Cr Geoff Curnow

Seconded: Cr Gavan Holt

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

10.2 ROAD MANAGEMENT PLAN DEFECT RECTIFICATION COMPLIANCE REPORT

File Number: 14/01/022
Author: Steven Phillips, Manager Operations
Authoriser: Phil Pinyon, Chief Executive Officer
Attachments: Nil

RECOMMENDATION

That Council receive and note the road management plan defect rectification compliance report.

CONFLICT OF INTEREST

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

PREVIOUS COUNCIL DISCUSSION

This is the fourth and final report for the 2016 - 2017 financial year, summarising road network defect rectification compliance against requirements specified within the Loddon Shire Road Management Plan (RMP).

BACKGROUND

This report is produced quarterly and provides statistical data with respect to the Organisation's performance in managing the road network. Performance is measured through a comparison of actual defect rectification timeframes against requirements specified in the RMP.

ISSUES/DISCUSSION

Table 1 provides a summary of the compliance against the schedule of road and street inspection regimes as set in the RMP.

Table 1: Inspection summary report

Quarter 4 (01/04/2017 – 30/06/2017)					
Number of scheduled inspections	Number completed by due date	Number completed after due date	Number not completed	Compliance	District
15	9	6	0	60.0%	Loddon Plains
18	14	4	0	77.8%	Loddon Goldfields

During the fourth quarter of 2016 – 2017, 68.9% of the programmed inspections were completed according to the schedule. This is below the target of 100% set in the RMP. Unplanned leave hampered efforts to complete the required inspection by their due dates. All inspections have now been completed.

Table 2 provides a summary of compliance of actual response times for rectification works of defects as detailed in the defect intervention levels and response timetables of the RMP.

Table 2: Defect rectification summary report

Quarter 4 (01/04/2017 – 30/06/2017)							
Number of ad hoc work actions	Number of inspected work actions	Total number of work actions	Number completed by due date	Number completed after due date	Number not completed	Compliance	District
40	407	447	425	14	8	95.1%	Loddon Goldfields
71	259	330	310	18	2	93.9%	Loddon Plains

Table 2 comprises a summary of defects that have been identified through both programmed inspections as undertaken by Surveillance Officers and works crews identifying and rectifying defects as they find them, known as ad hoc work actions. During the fourth quarter of 2016 – 2017, 94.5% of all date imposed defects were completed before their due date. This is 5.5% below the target of 100% set in the RMP. There are 10 outstanding work actions to be completed. A plan is in place to complete the outstanding work actions in the next 4 weeks.

Table 3 provides a summary of compliance against the unsealed road maintenance grading program. The maintenance grading program identifies each road segment by its road hierarchy and grading frequency as detailed in the RMP. The ad hoc grading work actions are work actions that are either work requests from the community or works outside of the scheduled program.

Table 3: Maintenance grading program

Quarter 4 (01/04/2017 – 30/06/2017)							
Number of scheduled work actions	Number of ad hoc work actions	Total number of work actions	Number completed by due date	Number completed after due date	Number not completed	Compliance	District
730	4	734	518	62	154	70.6%	Loddon Goldfields
565	4	569	568	0	1	99.8%	Loddon Plains

The data in table 3 indicates that 1,148 maintenance grading work actions were completed for the fourth quarter of the 2016 – 2017 financial year. There is no set level of compliance for the maintenance grading program in the RMP.

COST/BENEFITS

The year to date actual expenditure for the fourth quarter of 2016 – 2017 of the Local Road Maintenance Program is \$1,353,895.

The benefits to the community in complying with the RMP are that it ensures a safe road network.

RISK ANALYSIS

Repairing 100% of all date imposed defects before their due date limits Council's liability for any claims for damage made against Council.

CONSULTATION AND ENGAGEMENT

No internal or external consultation is required in the formation of this report.

RESOLUTION 2017/19

Moved: Cr Cheryl McKinnon

Seconded: Cr Colleen Condliffe

That Council receive and note the road management plan defect rectification compliance report.

CARRIED

10.3 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAIL YANDO PUBLIC HALL

File Number: 02/01/041

Author: Michelle Hargreaves, Administration Officer

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Yando Public Hall Section 86 committee of management, effective immediately.

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 approved the current list of committee members for Yando Public Hall on 24 May 2016.

BACKGROUND

Current Section 86 committee instruments of delegations include Clause 3.6 which outlines the requirement for nomination and appointment of committee members, which is as follows:

Members and Office Bearers of the Committee

At the Annual General Meeting each year nominations shall be called for proposed members of the committee. The committee must then elect from its proposed members the following office bearers:

- President, who shall be Chairperson of the Committee
- Secretary
- Treasurer.

The full list of proposed members must be forwarded to Council for formal appointment at an Ordinary Meeting of Council, in accordance with section 86(2). Until this formal appointment by Council occurs, the previous committee members will continue to hold office.

Clause 3.3 Membership of the committee outlines Council's preferred composition of the committee specific to each delegation, and states that Council seeks to provide broad representation to the committees.

For community based committees, at least 6 community representatives are preferred.

For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

ISSUES/DISCUSSION

Yando Public Hall is a community based committee with preferred representation requiring at least 6 community representatives. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position
Craig Slatter	President
Ash Gawne	Vice President
Roslyn Gawne	Secretary /Treasurer
Bradley Haw	Committee Member
Paul Haw	Committee Member
Kel Jeffery	Committee Member

The Council representative for this committee is Cr Neil Beattie.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 86 Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Under Section 86(2) of the Act, "Council may appoint members to a special committee and may at any time remove a member from a special committee".

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

Nil.

RESOLUTION 2017/20

Moved: Cr Colleen Condliffe

Seconded: Cr Gavan Holt

That Council appoints the persons named in this report as members of the Yando Public Hall Section 86 committee of management, effective immediately.

CARRIED

**10.4 SECTION 86 COMMITTEE OF MANAGEMENT MEMBERSHIP DETAILS-
WEDDERBURN MECHANICS LITERARY INSTITUTE HALL**

File Number: 02/01/038

Author: Michelle Hargreaves, Administration Officer

Authoriser: Sharon Morrison, Director Corporate Services

Attachments: Nil

RECOMMENDATION

That Council appoints the persons named in this report as members of the Wedderburn Mechanics and Literary Institute Hall Section 86 committee of management, effective immediately.

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 approved the current list of committee members for Wedderburn Mechanics and Literary Institute Hall Committee of Management on 23 August 2016.

BACKGROUND

Current Section 86 committee instruments of delegations include Clause 3.6 which outlines the requirement for nomination and appointment of committee members, which is as follows:

Members and Office Bearers of the Committee

At the Annual General Meeting each year nominations shall be called for proposed members of the committee. The committee must then elect from its proposed members the following office bearers:

- President, who shall be Chairperson of the Committee
- Secretary
- Treasurer.

The full list of proposed members must be forwarded to Council for formal appointment at an Ordinary Meeting of Council, in accordance with section 86(2). Until this formal appointment by Council occurs, the previous committee members will continue to hold office.

Clause 3.3 Membership of the committee outlines Council's preferred composition of the committee specific to each delegation, and states that Council seeks to provide broad representation to the committees.

For community based committees, at least 6 community representatives are preferred.

For organisation based committees, each delegation has a list of organisations that are required to provide representatives for the committee.

ISSUES/DISCUSSION

Wedderburn Mechanics and Literary Institute Hall is a community based committee with preferred representation requiring at least 6 community representatives. The following is a list of nominated representatives for the committee which meets the minimum requirement:

Name	Position
David Thomas	President
Alex Holt	Vice President
Barry Bolwell	Secretary
Thomas Jackson	Treasurer
Leo Matthews	Committee Member
Dede Williams	Committee Member
Jon Chandler	Committee Member
Barry Finch	Committee Member
Geoff Maxwell	Committee Member
Pat Lee	Committee Member

The Council representative for this committee is Cr Gavan Holt.

COST/BENEFITS

The benefit of this report is that Council has an up to date and accurate record of current committee members to ensure that contact can be made, particularly where Council is requesting committees to comply with reporting requirements under the legislation.

RISK ANALYSIS

Section 86 Committees act for and on behalf of Council which creates a risk for Council should they ever act outside their delegated authority.

Under Section 86(2) of the Act, "Council may appoint members to a special committee and may at any time remove a member from a special committee".

Council's appointment of committee members, not only satisfies the legislation, but also provides Council with the opportunity to sight the list of committee members before formally appointing them as they are the people that will be operating the committees, and in effect, acting for and on behalf of Council over the course of the year.

CONSULTATION AND ENGAGEMENT

Nil

RESOLUTION 2017/21

Moved: Cr Colleen Condliffe

Seconded: Cr Gavan Holt

That Council appoints the persons named in this report as members of the Wedderburn Mechanics and Literary Institute Hall Section 86 committee of management, effective immediately.

CARRIED

11 GENERAL BUSINESS

URGENT BUSINESS

RESOLUTION 2017/22

Moved: Cr Gavan Holt

Seconded: Cr Geoff Curnow

That the following item be treated as urgent business.

CARRIED

11.1 MAV STATE COUNCIL MEETING MOTION

RESOLUTION 2017/23

Moved: Cr Gavan Holt

Seconded: Cr Colleen Condliffe

That Council support the lodging of a motion that the MAV advocate to the State Government for the onus of insuring community assets located on State Government land be shifted from local government to State Government.

CARRIED

12 CONFIDENTIAL ITEMS

Closing of Meeting to the Public

RESOLUTION 2017/24

Moved: Cr Cheryl McKinnon

Seconded: Cr Colleen Condliffe

That the meeting be closed to the public at 4.13pm.

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 property, Murphys Creek

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.

12.3 ANNUAL LEAVE CHIEF EXECUTIVE OFFICER

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 2017/25

Moved: Cr Cheryl McKinnon

Seconded: Cr Gavan Holt

That the meeting be re-opened to the public at 5.03pm.

CARRIED

NEXT MEETING

The next Ordinary Meeting of Council will be held on 26 September 2017 at Serpentine commencing at 3pm.

There being no further business the meeting was closed at 5.04pm.

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

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CHAIRPERSON

UNCONFIRMED