



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

**AGENDA**  
**Late Reports**  
**Ordinary Council Meeting**  
**22 August 2017**

**Order Of Business**

8    **DECISION REPORTS** ..... 3

    8.1    **PLANNING APPLICATION 5289- YEMAYA FESTIVAL** ..... 3

**8 DECISION REPORTS****8.1 PLANNING APPLICATION 5289- YEMAYA FESTIVAL**

- File Number:** 5289
- Author:** Alexandra Jefferies, Planning Officer
- Authoriser:** Glenn Harvey, Manager Development and Compliance
- Attachments:**
1. Trespassing map
  2. Site plan
  3. Road design & check bank plan
  4. VicPol objection
  5. C Rollinson objection
  6. D & R Evans objection
  7. K Holland objection
  8. M Trethowan objection
  9. R & B Evans objection
  10. R Rollinson objection
  11. S Anderson objection
  12. 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 m<sup>2</sup> 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:

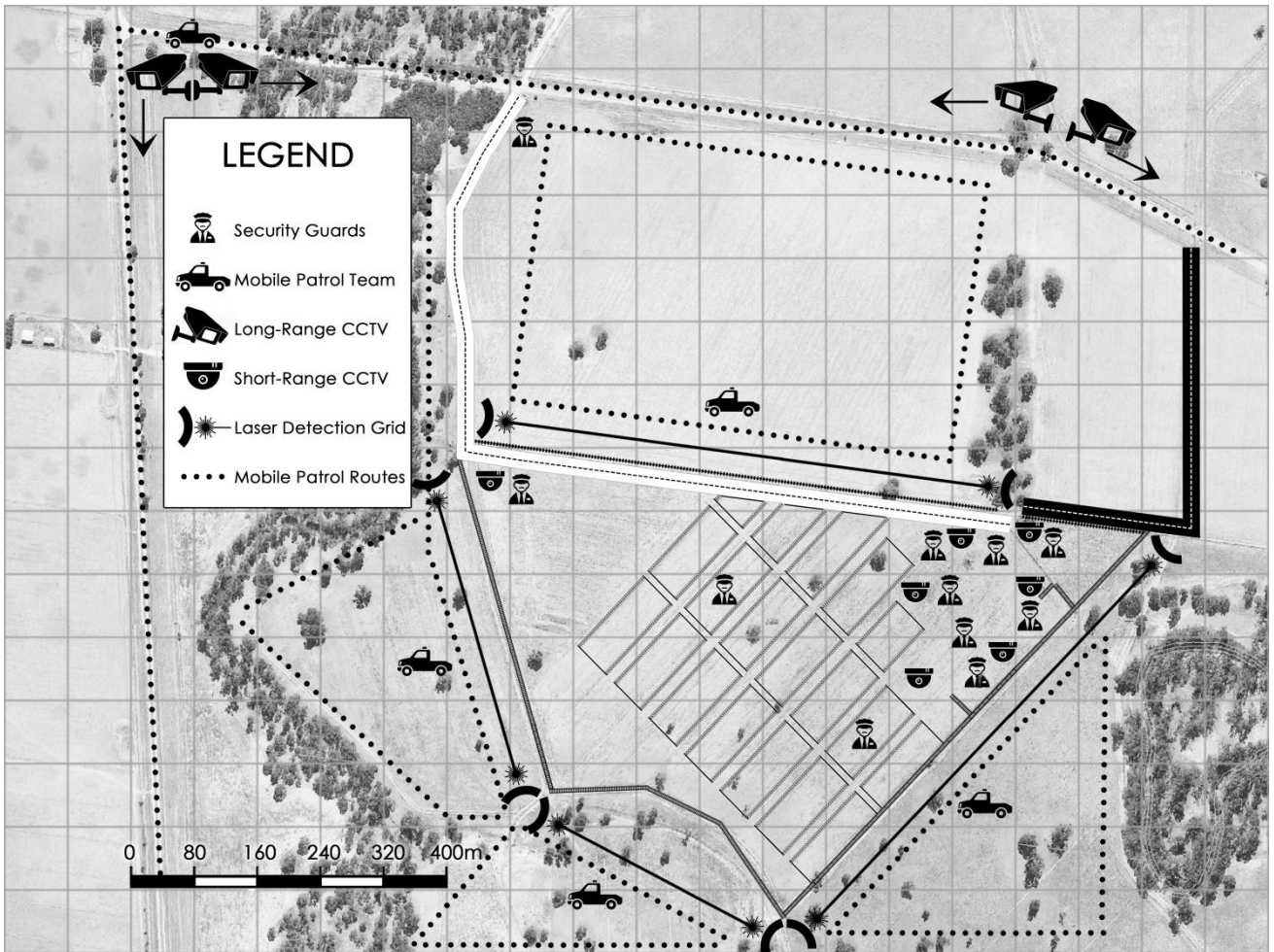
- Barrier to development and associated economic growth within the Shire.
- Potential approval of inappropriate and incompatible land uses.
- Risk to Council's reputation as a regulatory authority.
- Risk to inappropriate pressure on infrastructure and service provisions.
- Legal or enforcement issues.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

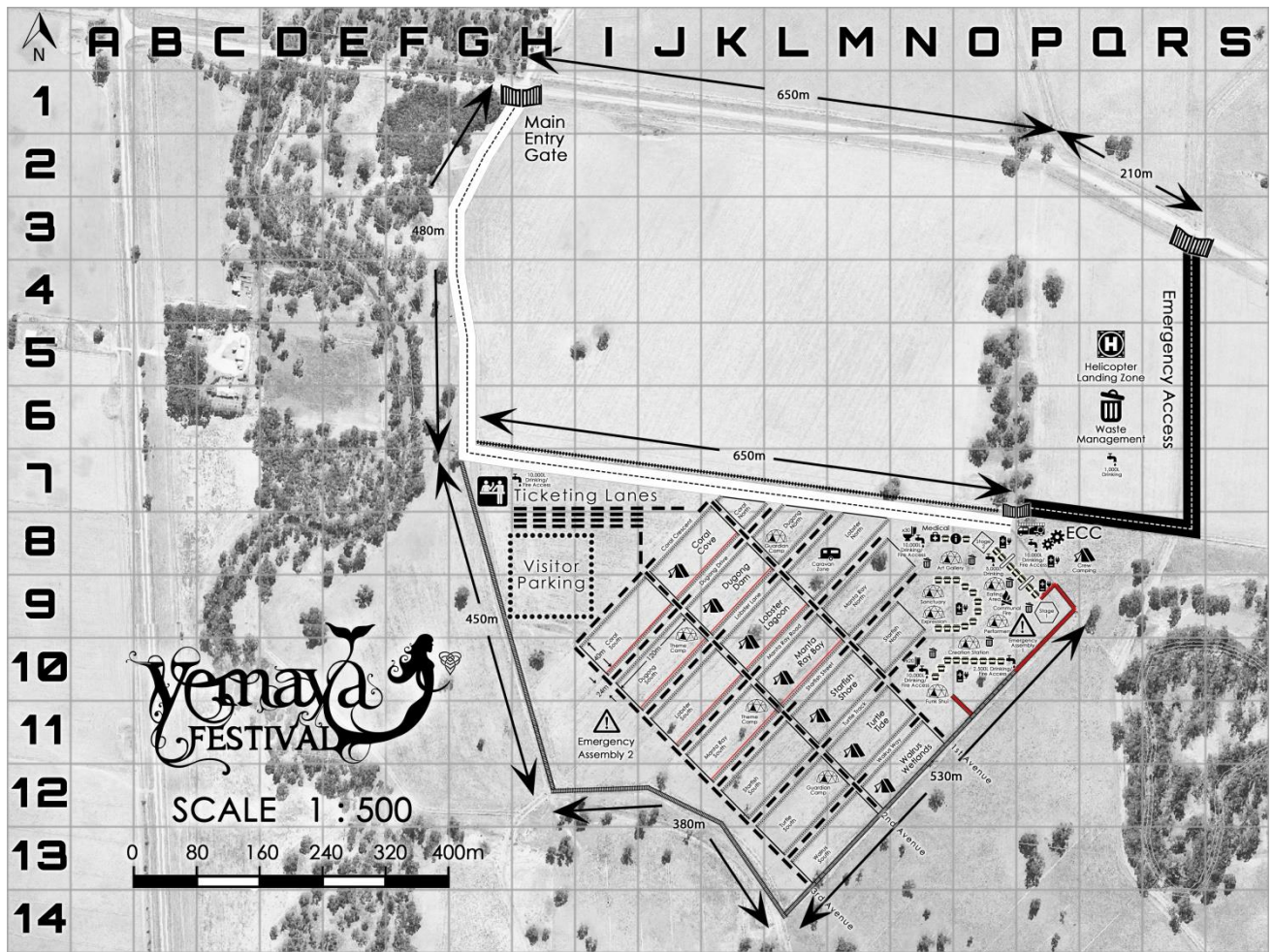
The combination of lack of information and constrained assessment timeframes has reinforced officer concerns that inadequate planning and protections are proposed to support the event.

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.





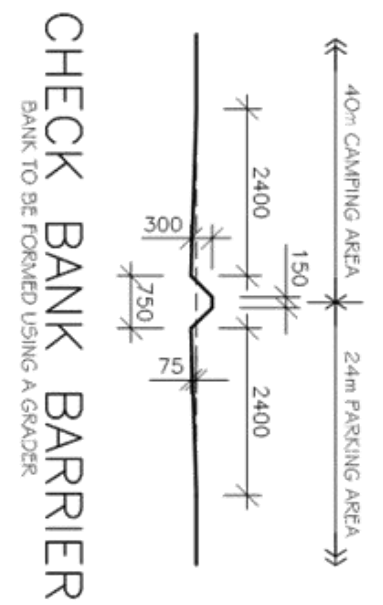
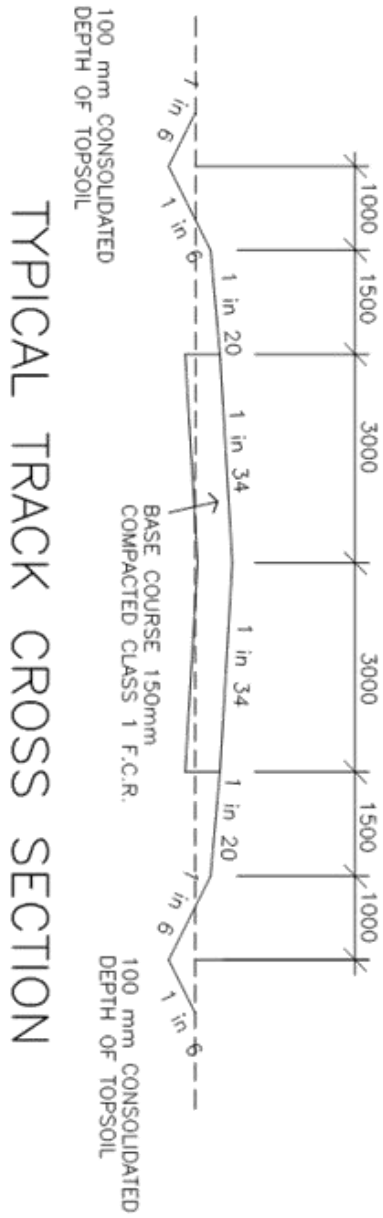
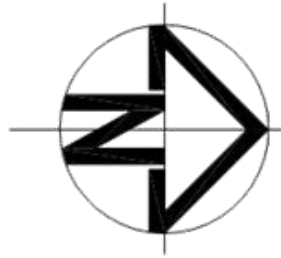
	Event Command Centre	P8		Car Parking Lanes	K8-M12
	Fire Suppression (4 Units)	P8		Main Access Road (6m)	G1-O8
	Medical & Dancewize	N8		Emergency Access (6m)	R3-P8
	Emergency Assembly	P9, J9		Internal Access Paths	K8-M12
	6 x Waste (4 x 240L each)	Q6		Generators	O8-P9
	Ticketing Gate	G7		Physical Gates	H1, R3
	Camping Areas	K8-M12		Existing Fencing (1.2m)	L13-P9
	Water Stations	N8, O10		Temp. Fencing (1.8m)	P9, O11
	Toilets (30 North, 20 South)	N8, N11		Helicopter Landing Zone	Q5
	Creative Spaces	N9-O9		Caravan Zone	M8
	Market Stalls	N8-O10		Stage 1 (36m span)	P9
	Info Tent	O8		Stage 2 (20m span)	O8
	Communal Fire	O9		Fire Breaks (5m cleared)	P9, O8
	Existing Check Banks	I10-L11		Art Walls	O11-P9

### Yemaya Festival 2017 Site Operations Map

Site located at Cathcart Farms  
 53 Majors Line Rd, Fernhurst VIC 3518  
 Crown Allotment 6A & 6B,  
 Parish of Kinypanial  
 36°14'33.7" S, 143°52'33.6" E

Version 1.4  
 Updated 01.08.17  
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PROPOSED NEW ACCESS TRACK		DRAWN BY: APC		DATE: 04/12/01	
FOR: YEMAYA FESTIVAL		No		REVISION DESCRIPTION	
AT: 53 MAJORS LINE ROAD		A		ADD TRACK	
FERNIHURST		B		ADD CHECK BANK	
JOB No	SHEET	SCALE	COPYRIGHT		
24476	1 OF 1	1:5000 @ A3	THIS DRAWING IS THE PROPERTY OF ALLIED DESIGN CONSULTANTS AND MAY NOT BE USED IN CONNECTION WITH ANY OTHER PROFESSIONAL SERVICE		

allied design		CONSULTANTS	
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DIV OF REDSAX PTY LTD ARN NO. 88 082 299 456	

DP-AD274
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SITE PLAN





VICTORIA POLICE

Goldfields Police Service Area  
55 – 61 Clarendon Street,  
Maryborough, Vic 3465  
Ph: (03) 5460-3301  
Paul.g.gardiner@police.vic.gov.au

4 July 2017

Ms Alexandra Jefferies  
Planning Officer  
C/- Loddon Shire Council  
41 High Street, Wedderburn 3518

**Subject : Planning Application 5289 Yemaya Festival.**

Dear Ms Jefferies,

I am writing on behalf of Victoria Police to formally object to the application for planning permit 5289 regarding Yemaya Festival being held in Fernihurst from 28 September 2017 to 1 October 2017.

This objection is not intended to cover all aspects of the planning application and is not to be taken as a comprehensive assessment of all the information provided. I have detailed some observations of the main areas that could impact on the event being conducted in a safe manner.

I have separated my objection into two areas. The first being in regards to overall planning for the event based on planning application 5289 and the second being the policing response and effect on local communities.

### **Planning application**

There are several concerns I have with the planning application documentation. Many of these concerns could be rectified by the event organiser however I believe it shows a level well below the standard that should be accepted for the conduct of an event of this size and nature. This indicates a risk on its own and overall professional standards that could flow onto the impact on the safety of the event.

### Emergency Management Plan

The Emergency Management Plan under 1.5 legal guidelines shows a range of codes and legislation the plan has been developed in accordance with. There is a lack of reference to Emergency Management Act 1986 which has defined purpose of 'to provide for the organisation of emergency management in Victoria' and Emergency Management Act 2013 which states the objectives are;

- (a) *Foster a sustainable and efficient emergency management system that minimise the likelihood, effect and consequences of emergencies; and*
- (b) *establish effective governance arrangements that-*
  - (i) *clarify the roles and responsibilities of agencies; and*
  - (ii) *facilitate cooperation between agencies; and*
  - (iii) *ensure the coordination of emergency management reform within the emergency management sector; and*
- (c) *implement an 'all hazards – all agencies' approached based on networked arrangement and greater interoperability.*

There is no reference to the Emergency Management Manual Victoria (EMMV) which contains policy and planning documents for emergency management in Victoria and provides details of the roles different organisations play in the emergency management arrangements.

The Emergency Management Co-ordinator (EMC) is referenced as Matt Wood – Ararat City Council. On Tuesday 20 June 2017 Matthew Wood contacted me in regards to the Yemaya event. He acknowledged Mr Apter had made contact with him however had not engaged his services for this event. At that time, Mr Wood was due to leave Australia for an overseas holiday until late August 2017 and was concerned that his name would be used to aid promoting his involvement in emergency management with the event without him actually being formally requested or paid for.

I see the EMC role as exceptionally important in an event of this nature and the advice, professionalism, qualifications, liaison and expertise a person employed in this position can bring to the overall event aids in it's success. Failure to have an adequately experienced person performing this role could have a significant negative impact.

At 2.3 the Emergency Management Team is detailed. When this list is referenced to the key contact list it is deficient in there is no senior medical officer, no communications officer, no wardens or area wardens identified and the chief warden should be a separate role to the event organiser. It also concerns me that the title of Joel Rowland from St John Ambulance is *Sales Manager*.

In regards to communications during the event, it is acknowledged there will be limitations on site hence the requirement for repeaters to be established for mobile phone use. In an emergency, the mobile phone network will become congested with overuse which may render it inoperable. Although one satellite phone will be made available, I am concerned this will not be sufficient.

3.2 detailed preparedness and states *....all internal safety staff are appropriately experienced and possess relevant qualifications*. There is nothing further in the documentation that details their experience or what relevant qualifications are. Being prepared and organised in an emergency management event is a priority.

Section 8 – evacuation. I acknowledge the advice in regards to evacuation sites within or adjacent to the main festival area. If the evacuation is required to those locations due to a severe weather event (could be rain, wind, storm etc), what shelter will be provided at those locations?

There are two escape routes identified from the actual event – Main Access Road and Emergency Access Road. What advice is being provided about the capacity and capability of Majors Line Road to cope with the volume of traffic (should a full evacuation be required) in either direction?

#### Fire management plan

The fire management plan refers to the event occurring in April 2017. Fire risks in April are different to those in September/October which makes me question have they been fully taken into consideration – in particular due to the 2015 fire season commencing very early in October.

This plan like the emergency management plan doesn't include legal guidelines such as EMMV and Emergency Management Act reference.

It details a team of qualified personal with a broad level of qualification and experience will be deployed to the event and will work in teams on 8 hour rotating shifts under the direction of an FMT shift supervisor. Who are these teams, where are they from and what are their qualifications?

Two of Phillip Millars certificates of accreditation are expired. One in 2014 and one in 2015 (pages 29 and 30).

The EPA documentation relates to April 2017 event and Cultural Heritage Management Plan relates to 2016 event.



Traffic Management Plan

2.3 Primary Access Road. At what time prior to the event will the primary access road be professionally coated to an all-weather standard? The Loddon Shire was subject to significant flooding in mid September 2016 which if occurred again, would impact on achieving this plan.

6.3 Video Surveillance. A series of eight (8) wireless high-definition night vision CCTV cameras will be established at key locations around the event site and perimeter to assist all operations ..... Eight cameras will not be sufficient to cover the four main boundaries (each over 500m long) and key locations around the event site.

7.5 Soil Checkbanks. This is a positive initiative by the event organiser in order to segregate cars from camping areas. I am however concerned how it can be ensured the check banks are a minimum of 30 cm high due to dirt compacting and if 30cm is high enough to prevent vehicles driving over it.

Security crowd management plan

*Details the following .... Critical to AUSWIDE strategy is effective communication of access control and implementation of entry search procedures (executed in co-operation with Victoria Police Force and in accordance with legislative limitations) primarily to assist in overall harm minimisation. The best deterrent is to have a distinct presence at all patron entry gates, at all areas of perimeter weakness, and at targeted high risk locations so there is a visual impact of control systems in place as the public access and observe the event site. This will ensure the public's perception of the event is that of a safe site controlled by proper authorities, this will also reduce the incidents that may occur.*

Legislative requirements make it prohibitive for Victoria Police to implement any search procedures, in particular with patrons attending in vehicles and not on foot. It is also exceptionally resource intensive from a policing perspective.

This role will be that of the event organiser in consultation with security. The plan is deficient in regards to specific advice on what 'search' and/or scanning procedure patrons will be subject to upon entry to the festival – for the safe conduct of the festival. Although there will not be a liquor licence on site, the application also doesn't indicate expectations or strategies in regards to alcohol coming onto the site and how this will be managed.

Physical Security Infrastructure – the plan includes the requirement for installation of adequate perimeter fencing to ensure site integrity to avoid unauthorised access by patrons to maintain crowd capacity at the approved level. Currently the plan is reliant upon farm height fencing, CCTV cameras and security patrols.

*The trespassing section states ... based on experience at the 2016 event, the most prominent risk factor was that of trespassing. It goes on to say further ... statistics have shown that persons caught trespassing at events are more likely to be associated with crimes and anti-social behaviour. As such, a greater focus on preventing instances of trespassing is likely to significantly reduce associated risk factors throughout the entire event.*

*The best deterrent is to have a distinct presence at all patron entry gates, at all areas of perimeter weakness, and at targeted high risk locations so that there is a visual impact of control systems in place as the public access and observe the event site.*

It is my opinion the best practicable way to deter trespassing (and subsequent disruption to the event) is through sufficient fencing around the borders of the event to ensure appropriate access control via the main entry points as indicated in the plan. This would also reduce the opportunity for festival goers to trespass onto neighbouring properties and crown land.

Security guards are trained and have relevant qualifications to deal with a variety of incidents. For safety reasons, I believe they should be working as a minimum in pairs without any reliance on volunteer workers. The reliance on volunteer workers to be supporting security guards in their role is a risk that in my opinion cuts corners and is likely due to cost reduction measures.

#### Security schedule and ratio

Upon review of this documentation, it is my opinion that the deployment of 26 security guards for the event over 2 x 12 hr shifts per day (1 x swing shift to cover peak periods) is insufficient. The documented ratio of 1:187 based on 4500 persons attending is misleading. The actual figure per shift is closer to 1:346 whereas the 1:187 is for the rolling 24 hour period. The plan also indicates final deployment will be determined in consultation with Yemaya Festival as planning continues. This deployment should be part of the current planning required to be assessed not any future planning.

For any venue/event that has a liquor licence included, the standard practice is two licensed crowd controllers per 100 people and one per additional 100. In the instance of Yemaya and based on these ratio's, the number of security personnel would be 46 per shift. That means a total of 92 licensed crowd controllers per 24 hour period. I acknowledge there is no liquor licence included with this event however 13 licensed crowd controllers per 12 hour shift is insufficient to control a crowd of this size – in particular as a number will be involved in front gate, security command, campground, entry, first aid and perimeter patrols leaving very few for the most populous area of the actual festival. As indicated earlier, it is also my opinion that any licensed crowd controller should be working with another licensed crowd controller, not a volunteer to create a safe workplace and event.

The security risk register summary indicates the responsibility of Victoria Police in a number of areas of risk controller. There has not been any communication with myself or local Police in regards to this nor (to date) has there been any agreement on number of Police that will be directly working within the confines of the event.

#### Drugs and prohibited items

I again refer to the '*entry search procedures*' that Victoria Police will not be involved with. I find the overall plan is deficient in identifying how any drugs or prohibited items will be prevented from being taken into the festival. This is particularly important when the festival indicates it has a **100% Zero Tolerance Drug Policy**.

One risk mitigation strategy indicates \* Subject to ongoing legal consultation regarding conduct of security pat-down or frisk searches (recent Victoria Police advice that activity cannot be conducted by security - potential implementation by Victoria Police Force). Legislative requirements limit the role that Victoria Police can do in these circumstances and general 'pat-down' frisk searches will not occur.

There is no extensive detail of proactive approaches occurring to ensure the event is drug free and it would require further detail and risk mitigation strategies.

The event held in 2015 at Costerfield detected a large number of drug offences – see attached article in Bendigo Advertiser. These detections were by local police without any specific operation being conducted in response to the event.

<http://www.bendigoadvertiser.com.au/story/3060622/drug-offences-rife-at-festival/>

At the event in 2016, there was clear evidence of overt drug use on site with, to my knowledge, no actions taken by the event organiser or security. Current intelligence indicates these events are targeted by drug trafficking groups in order to profit from the sale of drugs in an environment that is difficult to police.

Of particular concern to me is the *No GHB or Ice/Meth* specific heading. This section specifically singles out these drugs however in line with Yemaya **100% Zero Tolerance Drug Policy**, the silence on drugs such as cannabis indicates to me the use of such drugs is allowed within the scope of the event.

I note the engagement of DanceWize working closely with the medical team and the information they provide about the harms associated with illicit and licit drug use. I also note the intentions of the event are strongly and regularly relayed to all patrons via online channels, conditions of entry on tickets and onsite signage.

There is nothing however that indicates any drug use will be proactively monitored by event organisers, security and volunteers and reported to Police in each instance so relevant action can be taken.

#### Medical and Health plans

This event is being held at a remote location, some distance from the nearest medical facilities. There is insufficient detail in the documentation to indicate what medical and health support is being provided on site in order to treat any patients. I believe this lack of planning creates an unacceptable risk to event attendee's.

#### Police Presence

At the time of writing, details of any police presence on site have yet to be confirmed with the event organiser.

### **Policing Response**

In 2016, the policing response to this event was limited due to short time lines being provided in regards to the planning permit being granted. That said, the number of drug related detections from the Police operation is concerning from a community perspective. Had a larger scale policing response occurred, I would anticipate the detections to be a lot higher than indicated.

A summary of offences relating to the 2016 event are as follows;

- In 2016, there was 47 drug possession offences recorded in the entire Loddon Shire. 33 of these offences related to the targeted police operation that occurred in the Serpentine area over the ANZAC day long weekend.
- There were two drug traffickers detected.
- One collision near the event from a drug affected driver.
- One assault at the venue.
- 16 drug impaired drivers with a further two refusing to accompany police for further testing.
- 2400 random breath tests conducted with no positive results.

Planning is underway in respect of an increased policing response should the permit be granted. While I would prefer not to divulge the police operation methodology, I anticipate that in excess of 71 police from general duties and specialist police units from across Victoria would be involved in the operation. Only six of these will be working each shift specifically from the event (two shifts per day = 12 police per day) with the remaining police being deployed for a variety of other roles. This is a large commitment of policing resources that would normally be tasked to other duties within the community and will impact on services we are able to provide elsewhere over the duration of this event.

I have planned for this level of commitment due to how high I rate the risks to the community. While it will be stated these events provide an economic benefit to the community, the risks to road users and likelihood of a serious injury or fatal collision are always in the front of my mind. There is also little public transport available other than the use of cars.

### **Conclusion**

I am not against music events in principle, but they need to be planned for in a professional manner that takes into account appropriate risk mitigation strategies to ensure the safety of persons attending and reduction of risk to the local communities. An event in an isolated farming location such as Fernihurst, 230 km north of Melbourne in my opinion creates too many risks that are unable to be effectively mitigated, in particular with deficiencies in planning as detailed in my objection letter.

Should a permit be granted and based on my experiences from 2016 where several conditions and planning details were not met despite regular assurances, I recommend the permit details specific conditions that must be adhered to one month prior to the event or proof of payment to ensure the condition will be met.

This should not be difficult to achieve with many tickets pre sold. It will also enable strong governance over the agreed approach to the conduct of the event with the opportunity to enforce the provisions of the permit.

Yours sincerely,



Paul Gardiner - Inspector  
Local Area Commander  
Goldfields Police Service Area  
(incorporating Central Goldfields, Loddon and Mt Alexander Shires)

Thursday, 6 July 2017

C L Rollinson  
"Silesian Downs"  
383 Hurstwood School Road  
Fernihurst VIC 3518

Mr Phil Pinyon  
Director Operations  
Loddon Shire  
Wedderburn VIC 3518

Dear Mr Pinyon,

**Re: Objection to Proposed Yemaya Festival, Fernihurst. September 2017.**

I refer to my two previous objections pertaining to the Yemaya Festival at Fernihurst: one made against the successful application for a similar festival in 2016; and one against the unsuccessful application submitted for April 2017.

My previous objections and opinion remain unchanged.

My key objections are repeated:

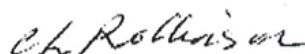
1. I object to the Council permitting such a large festival to be held in an agricultural zone.
2. I object to the inability, caused by the location of the site on the Loddon River, of adequate security and safety for patrons.
3. I object to the inability of the Festival organisers and their hired security to prevent trespass by intruders or patrons of the Festival onto and through our property.
4. I object to potential damage, disturbance and distress to livestock on our property.
5. I object to the pollution of the Loddon River, caused by patrons of the Festival last year.
6. I object to the disturbance of wildlife and potential destruction of fauna on the River frontage.

In addition, I object also to the possibility of a repetition of vehicles driving at speed up to and past our main residence at Silesian Downs in search of the Festival site.

I reiterate my concern about injury to any person, particularly in crossing the Loddon River when trespassing through our property.

I protest again against the prospect of this event in 2017.

Yours faithfully,



Christine Rollinson

Fernihurst Estate  
795 Mysia East Road  
Mysia Vic. 3518

July 3rd, 2017

Loddon Shire  
PO Box 21  
Wedderburn Vic. 3518

**Re: Planning permit application 5289 Yemaya Festival**

We wish to lodge an objection to the planning application submitted by Mr Eugene Apter of UE Industries.

**Silverleaf Nightshade**

Because of the serious infestation of Silverleaf Nightshade in our district, a research team from New South Wales are conducting trials on controlling this weed. They have implemented a series of plots throughout our district, one of these sites is on Lawsons Road which is in close proximity to the festival site (approximately 100 metres). The purpose of these trial plots is to test the use of different spray adjuvants and herbicide efficiency in killing the root system of the plant. An additional plot is located at the Major Mitchell Cairn which is again in close proximity to the festival site. Festival participants camped at the Cairn site during the previous festival.

The festival site has a long history of Silverleaf Nightshade infestation. Plants produce up to 60 berries each containing 10-210 seeds, new plants can regenerate from pieces as small as 1cm and remain viable in soil for up to 15 months. Seeds left from many past years germinations on the property will be rapidly spread on vehicles and equipment and spread will be exacerbated if there are wet weather conditions. Using the applicants own noxious weed management plan, germination will start occurring in August ending in November with the priority treatment months being September, October, November. The festival is planned within these priority treatment months which compromises Silverleaf Nightshade control. The weakest point in the plant's life cycle is after its winter dormancy, control measures are most effective at this time. Silverleaf Nightshade is a Regionally Controlled Weed. Under the Catchment and Land Protection Act(1994) Section 20, a land owner must take all reasonable steps to prevent the growth and spread of regionally controlled weeds.

The landowner of the festival site received a large amount of government funding sometime ago to control this weed on his property, unfortunately in the following years no subsequent control was undertaken by the landholder. Our understanding is that the Loddon Shire is receiving funding to target and control Silverleaf Nightshade, if this is the case it would seem that holding the festival on this weed infested site is counter productive to the control of this insidious weed. The Department of Economic Development, Jobs, Transport and Resources are also concerned with this particular weed.

There are also other weeds on the site including Prairie Ground Cherry, Bathurst Burr and Horehound etc.

**The proposed use is inconsistent with the purpose of the Farming Zone**

The property is an irrigation farm however pole structures and a water tank still remain on the festival site from last years event. In the application it states that the festival will be an annual event and there are plans for a major road network within the site. Furthermore, as at the time of writing

this objection this irrigation farm is advertised on Airbnb at \$13037 a night as a festival site, this appears to be a major change to land use and in contradiction to its zoning.

**Impact to surrounding properties as a result of noise**

According to police reports there were noise complaints from this event from over fifty kilometres away.

**Negative impact on surrounding agricultural land**

A major concern of ours is community security. During last years festival, trespass by car and foot on adjoining farming land posed a major security threat to our community. The warning by police to remove keys because of the possibilities of drug affected people taking farm vehicles and machinery added to the communities stress, especially at night.

**Impact on the district due to drug use**

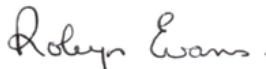
At the time of last years festival there was a vehicle crash which related to the festival, the driver was still under the effects of drugs (methamphetamine). Fifteen people including this man were charged with driving under the influence of drugs. Fernihurst district residents are rightfully worried about driving on roads with people who disregard the drug driving laws.

Considering all the problems arising from the previous festival, we respectfully suggest that the Loddon Shire Council refuse planning application 5289. We honestly do not consider that this event is appropriate for the Loddon Shire.

Yours Sincerely



Dallas Evans



Robyn Evans

7/7/17

1122 Boort Fernihurst Rd

Fernihurst VIC 3518

Email: [korellafarms@activ8.net.au](mailto:korellafarms@activ8.net.au)

Phone: 0354947335

Alexandra Jefferies

Planning Office

Loddon Shire

41 High Street Wedderburn VIC 3518

Dear Caroline

I am writing to voice my objection to the proposed event affecting the land located at Loddon West Rd – Majors Line Road, Fernihurst, the parish of Kinypanial, Lots CA5, 6A, 6B, 9A, 9B, 10A, 10B, titled Yemaya Festival – planning application number 5289

My reasons for objection are the following:

- The proliferation of a noxious weed, recognised by the state of Victoria, called “Silver leaf nightshade” otherwise known as white horse nettle, is extensively established on the lands of the proposed festival site. The weed control methods proposed by the festival organiser, do not take into account the large seed bank already present in the area dedicated to festival camp sites.

It is noted in the organisers VF16 Weed Management plan that the seed is viable for five years and is readily transported by numerous means- including animal, vehicles, tents and clothing. The control of seed movement from the proposed site, would require something similar, to the standard of inspection and eradication exhibited by border quarantine control methods.

Having personally dealt with this weed for over 15years, I have discovered it is extremely difficult to manage and control and has a constant negative effect on farming production. Preventing the transfer of seed to any other area, should be of highest priority.

As stated in the above mentioned plan, it must be noted that on the graph supplied the current weed infestations of the proposed site is greater than 10 hectares, with medium weed plant density. As such, containment, not control should be the priority.

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- Within all of the documentation supplied by the festival organiser, there is no mention of the existence of the Kinypanial creek or the effect that the festival may have on water management, regarding the use of this waterway by Goulburn Murray Water. It is a major element of water irrigation supply to the surrounding farming district.

I feel that on many environmental and noxious weed management aspects, the area of land proposed for the event is inappropriate. It must also be noted that none of the proposed management plans have any time frame for commencement of application or duration of implementation. It can be noted that no evidence has been shown to indicate that prior management of all mentioned weeds has commenced in the flowering phase or seed development phase.

The discussion of inappropriate access to the Loddon river, and ignoring the Kinypanial creek, to be managed by fencing, as shown on the site map, has no specific time frame for its erection.

During the last festival cars were parked around my property during the length of the event

Sincerely

Ken Holland

"Wentworth"  
722 Pulletop Road  
Cookardinia, NSW, 2650  
6th July 2017

Ms Alexandra Jefferies  
Planning Officer  
Loddon Shire  
41 High Street,  
Wedderburn, Victoria, 3518

Dear Ms Jefferies,

Thankyou for your letter advising me of Planning Application Reference Number 5289, for the proposed Arts, Music and Lifestyle Festival known as Yemaya to held in the Fernihurst district from Thursday 28th September 2017 to Monday 2nd October 2017.

I would like to lodge a very strong objection to this proposal.

My families properties are in the Fernihurst district, our core business being farming and grazing. The family home and associated infrastructure are located approximately one kilometre to the east from the proposed festival site. Stock water from and graze the east side of the Loddon River, directly across the river from the proposed festival site.

I am concerned regarding the importation of illegal drugs into the festival and the subsequent results of their use by festival patrons. I would suggest those patrons who sought help from St John Ambulance staff at the Yemaya Festival 2016 when affected by drugs were only a very small percentage of those patrons using illicit drugs. Perhaps those that presented were first time uses and were ill or injured by their use or maybe they were frightened by the effects the drugs had on them. Vulnerability to uninhibited behaviour and mood alteration can be attributed to the use of illicit drugs. Consequences of which may lead to the user being abused, or to participate in activities they may in the future regret and/or to display anti social behaviour. A culture that I believe should not be facilitated. Persons experiencing the use of illicit drugs render themselves susceptible to injury and death. I would not like to have drug affected behaviour in our district or see vulnerable people abused or degraded. Nor would I like to see those who supply or deal in illegal drugs prosper because there has been a venue created for such activity.

There is no frontage along the section of the Loddon River where the festival is proposed to occur. Consequently I am concerned regarding public liability and the trespass of would be festival attendees through our property to gain illegal entry as happened during the 2016 festival.

Climbing over fallen timber above the water line in the bottom of the Loddon River to gain illegal entry is a quite hazardous.

I am not convinced that the policies to contain Yemaya patrons for the duration of the festival will stop the trespass onto our property. Five days and four nights in one place, with no pass outs supplied, is a long time for anyone to be in one place for.

The increased time for music to be played, I believe will not stop patrons from leaving the festival site to roam onto private property, despite the proposed increased security and fencing. It is not a jail.

The noise and light created by the music entertainment together with the increased noise and movement generated by so many people in a one place and the noise of increased vehicular traffic must have a detrimental effect on the native wildlife who live a quiet and peaceful existence along the Loddon River. Clearly this would also have an adverse affect upon my family and our grazing animals.

The Fernihurst district enjoyed a very good season resulting in the prolific germination and growth of many noxious weeds, in particular bathurst burrs. Little has been done to arrest or prevent their growth on the proposed site for the festival. While the plants that germinated and grew over the earlier months of this year have died, the dead bushes remains with many of their hooked covered seed pods known as burrs either still attached to the dead plant or fallen onto the surrounding ground. These burrs are renowned for there ability to stick to virtually anything so their spread would be inevitable.

I remain concerned with regard to the polluting of the river and surrounding area. My letters to council and the police post festival 2016 detail the litter from camping along the road sides and human excreta we and the environment were exposed too.

There have not been any improvements or benefits in the Fernihurst district that can be directly attributed to the Yemaya festival 2016.

Should you wish to clarify any of the above objections I can be contacted at the above address.

Yours faithfully,

Margaret Trethowan

**Barry & Rosalie Evans Objection to Planning Application 5289  
(Host- Yemaya Festival at Fernihurst)**

Planning Permit Application No 5289 submitted to Loddon Shire Council to hold Yemaya Festival on Ken Pattison's property – 53 Majors Line Rd Fernihurst. We strongly object to the permit being approved for the following reasons:

**1. FESTIVAL LOCATION - Parish : Kinypanial CA 5, 6A, 6B, 9, 9A, 9B,10, 10A & 10B**

Proposed site to hold festival is Zoned Farming (ZF). The proposed use and development is inconsistent with the purpose of the Farming Zone.

Permit Application 5106 -Sept 2015 was for a one off Music Festival to be held April 2016. With a second music festival planned and documents submitted the festival site is no longer a one off event. Land usage therefore is inconsistent with the purpose of the Farming Zone.

It is a concern when reading Security Crowd Management Plan (V4 updated 23/5/17)

AWG Auswide states: **Event Frequency – Annual.**

Significant earthworks will need to take place to transform the current irrigation land into camping/parking area with 30cm banks as set out in Y17 Site Map and form emergency service access road as set out in Y17 Road Design & Check Bank Plan

***We question, that due to increasing the size of the campsite, soil to be moved to form check banks and a culvert to be installed in such a significant area which is less than 200 metres from a named waterway - Kinypanial Creek is an amended Cultural Heritage Plan being presented?***

**2. INFRASTRUCTURE**

Fernihurst district has insufficient infrastructure in place to cater for the proposed event.

**2.1 Roads leading to Festival Site**

**Minor Rd** - No 2 Weir Rd and **Unsealed Local Access Rd** Jarklin West Rd, Hurstwood Rd, Boort-Fernihurst Rd were used by numerous patrons in 2016 to arrive and depart the festival site. Up to 25 Vehicles were parked on the road side of the minor and unsealed local access roads before and throughout the festival. Some patrons even camped in or around the vehicles on the roads surrounding the festival site.

**Our families farming business is located either side of the proposed music festival site – Mysia East Rd and No 2. Weir Rd. Majors Line Rd is the road, driven on a regular basis to commute between the two properties. Taking into account the days needed for setup, festival and dismantle/clean up, Majors Line Rd will be extremely busy over a lengthy period, making it difficult for our family to carry out our normal business activities.**

**2.2 Phone Coverage**

**Phone coverage in the area is marginal and unlikely to cope with the anticipated volumes arising from the proposed event. Weather conditions and actual location on the site will have an impact on whether there is phone coverage or not.**

**2.3 Emergency Services**

Local emergency services have limited capacity to support the proposed event.

One of the Permit conditions applied to Yemaya 2016 was that Ambulance Victoria be paid and be present at the festival site. **Ambulance Victoria has not been named as part of the main event safety team** (Emergency Management Plan Version 1.0 Updated on 15.05.2017).

### 3. PERIMETER FENCING

Trespassing Plan (Version 1:5 Update 3/7/17)

#### 1.1 Indication Classification

Instances of persons accessing the river was a more common issue encountered in 2016, however these occurrences are not classified as trespassing as patrons had not left the boundary of the site owner's land. While river access prevention will be supported by security operations, it will primarily be addressed by internal procedures and fencing.

**Loddon River edge is predominately owned by the Crown and not the site owner. In 2016, Department of Environment, Land, Water and Planning as part of permit conditions requested that a 1.8 metre high chain mesh fence be erected outside the drip line of the exciting trees along the edge of the Loddon River for the duration of the festival to prevent access to Crown Land. No fence was erected. Even though the permit condition were not adhered too in 2016, we believe that patrons that were seen along the Loddon River edge or used the river to cross into the festival site illegally were therefore trespassing.**

#### 1.5 Temporary Fencing

In order to secure the site, temporary fencing will be utilised to create the event boundary along existing site fencing lines as identified on the festival site map.

**All fencing will be established at a minimum height of 1.8m.**

#### 1.6 Permanent Fencing

Farm fencing surrounds the entire event perimeter to a height of 1340mm with a line of barbed wire extruding at the upper point, which is suitable for maintaining the primary boundary with the provision of monitoring.

**Established fencing will be utilised along the northern boundary which will be supported by perimeter patrol operations and additional measures.**

#### 1.7 Art Walls

The primary extension of the existing fence line will be at the South-Eastern boundary of the event site to primarily prevent patrons from crossing the event boundary to access the Loddon River.

Such measures will effectively prevent any crossing of the festival boundary, and also obscure all visibility of the river and tree line so as to further reduce the likelihood of incidents.

Extended use of temporary fencing will be kept to a minimum to reduce the risks associated with trespassers climbing structures that are not secured into the ground, as the likelihood of collapse and serious injury is not one that can be reasonably accepted.

The exact length of the art walls is yet to be confirmed based on supply and design requirements, but will cover approximately **120m along the boundary behind the main stage at the South-Eastern corner of the event arena.**

**Fencing of the festival site is a major concern in regards to trespassing, preventing access to the Loddon River (Crown Land) and stopping patrons from leaving the festival site and roaming around the area.**

Bolded and underlined 1.6 Permanent Fencing and 1.7 Art Walls contradicts 1.5 Temporary Fencing

**All fencing will be established at a minimum height of 1.8m.**

**A very important document of any permit application is the Site Operation Map. Site Operation Map**

(Version 1.4 Updated 03.07.17) **presented as part of the Trespassing Plan is inaccurate. Temporary Fencing**

**(1.8m) legend in the reference section of the map has only - P9,O11 -as temporary fencing on the site.**

**No Art Wall has been referred to in the legend or marked on the Site Operation map. We therefore**

**question the reliability and accuracy of the information supplied in this very important document.**

Part of 1.7 it states that a temporary fence is to be kept to a minimum to reduce the risks. A 120 metres long Art Wall would be of a far greater risk to patrons if no structural engineering has been undertaken.

**Extending the planned music duration is not the answer to stop patrons from trespassing, as it was during daylight hours and music playing that patrons could be seen down by the river edge and roaming around the area including walking through neighbouring properties.**

**Security numbers appear low for the number of patrons that are expected to attend the festival, area to be patrolled and the issue of trespassing. Volunteer personnel should not replace or be used instead of suitably qualified security personnel.**

#### 4. NOXIOUS WEEDS

##### Noxious Weed Management Plan (Version 1.0 Updated on 15.05.17)

###### 1.5 Obligations

The Department of Economic Development, Jobs, Transport and Resources (DEDJTR), is responsible for administering the *Catchment and Land Protection Act (1994)*, which is the main article of legislation governing the management of invasive plants in Victoria.

##### **Catchment and Land Protection Act (1994) - Section 20**

###### General duties of land owners

- (1) In relation to his or her land a land owner must take all reasonable steps to -
- (a) avoid causing or contributing to land degradation which causes or may cause damage to land of another land owner; and
  - (b) conserve soil; and
  - (c) protect water resources; and
  - (d) eradicate regionally prohibited weeds; and
  - (e) **prevent the growth and spread of regionally controlled weeds;** and
  - (f) prevent the spread of, and as far as possible eradicate, established pest animals.

**The issue of noxious weeds was present at Yemaya Festival 2016 and still is present on the proposed festival site. Department of Economic Development Jobs, Transport & Resources clearly stated there was an issue and objected in 2016 and March 2017 to the granting of the permit.**

The Noxious Weed Management Plan has set out what action needs to be taken to minimise the spreading of the noxious weeds - September is the month when treatment of the noxious weeds is to start, but this is when the proposed festival is to take place. **Will chemicals be used leading up to and around the festival date?**

#### 5. NOISE

##### Noise Management Plan (Version 1.0 updated on 15.05.17)

###### 2.1 Location Factors

*Point 2 – Few properties in the surrounding area, only seven (7) dwellings within 5km radius.*

**Map presented with Noise Management Plan (Version 1.0 updated 15.05.2017) is not the correct map for the proposed 2017 Music Festival site. The map submitted was for the 1<sup>st</sup> application when the festival was proposed to be held amongst the trees on the banks of the Loddon River**

**Google map, CFA map and local knowledge has 14 residences, 10 of which are occupied on a permanent basis. One residence which is only 1300m from the centre point of the primary event area has not been marked on Noise Management Plan.**

A further 8 residences are within a further 2km radius (7km) from the centre point of the primary event area.

###### 2.5 Planned Music Duration

###### Main Stage Runtime

Start: 6:00pm Thursday 28th September 2017  
End: 2:00am Friday 29th September 2017  
Resume: 10:00am Friday 29th September 2017  
End: 6:00pm Sunday 1st October 2017

###### Ashaba Stage Runtime

Start: 6:00pm Thursday 28th September 2017  
End: 2:00am Friday 29th September 2017  
Resume: 11:00am Friday 29th September 2017  
End: 8:00pm Sunday 1st October 2017 (Downtempo wind-down)

##### **Music Durations appears to be in breach of EPA-State Environment Protection Policy – Outdoor Venue Noise.**

No thought or consideration has been given to the residents of the community with music playing 10:00am Friday till 8:00pm Sunday night - **58 hours non-stop**

**In 2016 Vic Police received noise complaints from as far away as McIntyre—approx. 70km from the festival Site. With music now planned for 58 hours non-stop it makes the situation even worse for the Fernihurst community that are not used too continual loud noise.**

**6. TOURISM**

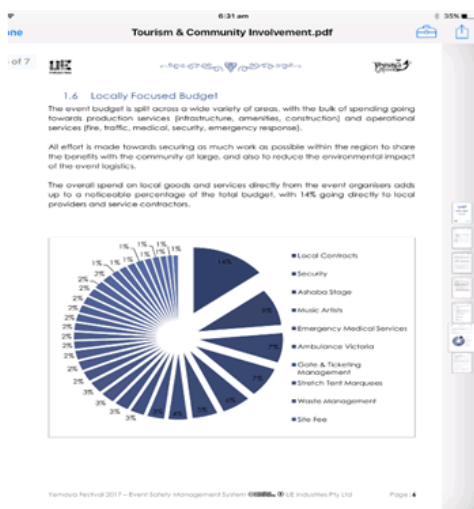
**Tourism & Community Benefits Summary** (Version 1.1 Updated 23.05.2017)

*1.5 Community Involvement*

No letters of support have been presented by the businesses/organisations that took part in 2016. If they were happy with the festival and the financial benefit of the festival, why haven't they sent in letters of support?

*1.9 Locally Focused Budget*

The event budget is split across a wide variety of areas, with the bulk of spending going towards production services (infrastructure, amenities, construction) and operational services (fire, traffic, medical, security, emergency response).



Comparing the pie graph that has the highest cost of 14% - local contracts and reading how the event budget in **Tourism & Community Benefits Summary 1.9** is split presents two very different scenarios.

It is hard to believe that local contracts make up 14% of the budget when there is only two named business with contracts and one of the businesses is stated as being an approximate contract!!!!!!!

Council Meeting - March 22 2016 - Mr Apter provided the Mayor a letter advising that the Inglewood Lions Club had withdrawn from assisting with the event.

**We ask the question - Why are the organisers of Yemaya Festival making a donation of \$5000 to the Inglewood Lions Club when Inglewood Lions Club withdrew their support in 2016?**

**CONCLUSION**

The 2016 festival went ahead without complying with the conditions set out in Notice to Grant a Permit (15 page document). How can the community believe that what has been submitted in Managements Plans 2017, will actually be adhered to when Mr Apter indicated after Council Meeting March 2016 that - the organisation would be happy to comply with any conditions that the Council sees fit to include with the permit.

It was not a good look after the Festival in 2016, seeing the rubbish and toilet paper scattered around the Fernihurst area and along the Loddon River edge. Vehicles were parked on road edges near the festival site, old school site and as far away as Cemetery Rd, Mysia for days leading up to and during the festival. The Fernihurst district deserves better.

Press release published after Yemaya Festival 2016, spoke of the number of people charged with being in the possession of drugs and a young driver who crashed his vehicle near the festival site while under the influence of methamphetamine. In recent weeks, ABC News and Herald Sun have run stories how the Victorian Government and Vic police are concerned about the drug use and locations of bush doofs.

Herald Sun Jun 9, 2017 ran an article - Drug Hotspots. Loddon was named as one of the main area for concern in 2017 for Amphetamine. This is not a good look when the Loddon Shire is trying to encourage business and families to move to the area.

The financial benefit, to so few, needs to be weighed up against the cost, to not only the Loddon Shire and Government services but to the health and wellbeing of the community.

Barry Evans

Rosalie Evans

4/7/17



Thursday, 6 July 2017

R L Rollinson  
"Concordia"  
Mysia VIC 3518

The Chief Executive Officer  
Loddon Shire  
Wedderburn VIC 3518

Dear Sir,

I object to the proposed Yemaya Festival, for which an application has been lodged, to be held in Spring 2017 in the Fernihurst district, again adjacent or close to the Loddon River.

I refer to my previous correspondence to the Shire following the Festival held in 2016 in the same area, and to my letter of protest against the Festival application made in April 2017. My views remain the same.

I object to the holding of a large event in land which is designated an agricultural zone.

Since the application is again for a site adjacent to the Loddon River, opposite to our property, I anticipate the same problems and disturbance which occurred on our property in 2016. The Festival security and police would again be unable to prevent trespass by intruders and Festival patrons onto and through our property.

I object to the potential damage and disturbance to our livestock.

I remain concerned about our legal status, and public liability, should a physical injury or other accident happen to a Festival patron, or other person associated with this event, within our property boundaries.

Yours faithfully, *Robert L Rollinson*

Bob Rollinson

Killara Pastoral Co. P/L  
599 Fyfes Rd,  
Boort Vic. 3537

July 4, 2017

Loddon Shire Planning Permits  
PO Box 21  
Wedderburn Vic. 3518

Dear Sir/Madam,

Re: planning permit 5289 Yemaya Festival

I wish to again object to the Planning Permit for Yemaya Festival.

As a neighbour, I am very concerned about the transportation and spread of noxious weeds, in particular Silverleaf Nightshade and Prairie Ground Cherry. None of the prescribed spraying or other controls were adhered to last year, I have grave doubts it will be this year. This affects my family and I as the weed is very costly and difficult to eradicate, as it states in Sec 2.9 of the Weed Management Plan.

In the Loddon Times article dated 27/6/17, the event organiser quotes "that is just not our crowd, we are a much cleaner crowd, we're the tree huggers." This is inconsistent with the request to have the event on at a farm which is one of the worst in north central Victoria in terms of its' effect of the environment. If you truly care about the environment and are indeed a "tree hugger," you would be looking at other cleaner properties to host an event.

Yours Faithfully,

Scott Anderson 0428 576 212

COLLIERIE<sup>E</sup> Robert Coult

"Longview"

489 Fernhurst Rd

Boort VIC 3537

Alexandra Jeffries  
Planning Officer  
Shire of Loddon

Re: Planning application 5289

July 1, 2017.

Dear Alexandra,

I wish to register my objection to the application for a planning permit to hold a music festival in the Fernhurst area.  
(Planning application 5289)

My objection is on the following grounds:

1. Road safety on minor, unsealed roads;
2. Likelihood of trespassing festivalgoers on surrounding properties;

1.

3. Environmental pressure/damage on sensitive Loddon River and Kinypaniel Creek frontage;
4. Risk of drowning in the Loddon River;
5. Risk of stress to valuable breeding livestock in surrounding paddocks because of noise, vehicles and people.

Please do not hesitate to contact me if you would like more information on my objection.

Yours sincerely,

Rob Coutts

Colleen M. Coutts

Robert Coutts

03 54 55 21 29

Colleen Coutts

03 54 55 21 29

2.

**Hon. Peter Walsh MP**

Member for Murray Plains | Leader of The Nationals

30<sup>th</sup> June 2017

Ms. Alexandra Jefferies  
Planning Officer  
Loddon Shire Council  
PO Box 21  
WEDDERBURN  
VIC 3518

File No:	269966 13600400
REC'D:	07 JUL 2017
Refer to:	A. Jefferies C. Stephenson
Council:	<input type="checkbox"/>
Disposal:	<input type="checkbox"/> Permanent ___ Years

Dear Alexandra

Planning Application 5289 Yemaya Festival

I have been contacted by a number of constituents who are opposed to the Planning Permit being granted to run the Yemaya Festival on Crown allotment 5,6A and 9A Parish of Kipypanial, Majors Line Road, Fernihurst.

I consider the objections raised by my constituents for this event are valid and I would urge the Planning Department of Shire of Loddon to not approve this Planning Application.

Yours sincerely



PETER WALSH MP  
Member for Murray Plains



peter.walsh@parliament.vic.gov.au www.peterwalsh.org.au  
496 High Street, Echuca VIC 3564  
ph 03 5482 2039 or 1300 467 906



## Wedderburn Goldseeker Motel

03 5494 3002

03 5494 3642

43-49 High St, Wedderburn VIC 3518

wedderburnmotel@gmail.com

www.wedderburnmotel.com.au

20<sup>th</sup> July 2017

To whom it may concern,

As an owner operator of both the Wedderburn Goldseeker Motel and the Wedderburn Hotel we would like to voice our support for UE Industries event that has been staged in our region.

Not only has it allowed us to have all our local staff work but I have heard nothing but good feedback from the ambulance workers that stayed with us.

The event brings in direct revenue to our business and those within the region that simply would not occur otherwise, and the opportunity for tourism growth should be encouraged and supported.

All events like this have the mocker that it's just the nature of the beast, so as a promoter of live music and entertainment I would love to help these guys however I can.

I have been in the live music industry nearly all my life so anything I can do to promote this type of thing has to be positive.

Regards,  
Gary Crawley.

# STEEL'S BUTCHERS

77 High Street  
Wedderburn, VIC 3518

July 20, 2017

To whom it may concern,

I, Tammy Martin, write on behalf of Steel's Butchers in the support of the Yemaya Festival held at Fernihurst.

Living in a small rural town can be tough and quite tough as business owners. Events like these are great! We were one of many businesses and organizations that gained from having such event in the Loddon shire.

At the completion of the festival, festival organizers came to Wedderburn and purchased about \$700-800 worth of roast meats to cook for all the workers/helpers for the event and proceeded to the local supermarket (Randall's Foodworks) to buy the rest of their supplies. While also getting these they also visited the local café and wandered Wedderburn.

People and events like these keep our little towns alive.

Not only were we lucky in Wedderburn to pick up trade, towns such as Serpentine, Bridgewater and Boort picked up trade as well, not just businesses but sporting clubs too.

I hope you can see the economic effect it has for us and choose the right decision because if we don't support events like these, what will our little town survive on? Our towns get recognized, people begin to visit and we thrive and expand.

Tammy Martin

Owner/Operator  
Steel's Butchers

CookieCook Pty Ltd

Lot 3 Loddon Valley Highway Serpentine VIC 3517

PH: 03 5437 8385

To whom it may concern,

My name is Stephen Cook, I am the proprietor of the Serpentine Roadhouse. I am writing this letter to show my support for the "Yemaya Festival" that is hopefully going ahead this year.

On a business owner's perspective. This festival will bring a lot more customers to my front door and to other local businesses. The last Yemaya festival raised my weekend takings by \$15000 + on previous years at the same time. With increases like this on a number of times throughout the year, by this and other long weekends only help keep mine and other businesses viable and gives job security to my employees.

I previously have owned another Roadhouse at Charlton, and the year that their festival was allowed to run, the town had a major cash injection to all struggling businesses that were having a hard time dealing with a long running drought. The following year their festival was declined and this had a very detrimental effect on all the business owners in the town, I sold my business and I know of at least three others that were put on the market and a couple that closed completely, as it was getting to much of a struggle to stay afloat.

On a Personal perspective. I feel that there is not enough for the "alternative" life style people to do. I ride a motor bike and I go to motorcycle rallies on a regular basis, but because ignorant people that do not know what they are talking about have shown their disapproval along with insurance and police hassles, some of these rallies have been cancelled and more and more are getting cancelled by the day. What people have to understand is that a lot of people do not like going out to a pub or night club to relax, they would prefer to go to a festival or rally where they are surrounded by likeminded people.

Kind Regards

**Stephen Cook**

Director/Manager

**SERPENTINE ROADHOUSE**

COOKIECOOK PTY LTD

PH: 03 5437 8385

0447 378 383







21<sup>st</sup> July, 2017

To Whom It May Concern,

I am writing this letter on behalf of the Bears Lagoon Serpentine Football Netball Club to express our support for the Yemaya Festival to be held on 28<sup>th</sup> September – 1<sup>st</sup> October.

As you would understand it is difficult to raise funds to support the non profit organisations within the Serpentine and surrounding community. Our sporting groups rely heavily upon those in the community to volunteer their services and to support fund raising activities each year.

Last year, BLSFNC held a BBQ, Drinks and Ice stall for the duration of the festival. All these products were purchased by the BLSFNC through local businesses – Boort IGA, Arnold Family Butchers and Bridgewater Bakehouse.

We had a variety of BLSFNC members volunteer their time to assist with the BBQ and Drinks stall. These members ages varied from 10 years old – 65 years old, all of which said they enjoyed the experience and would happily volunteer again next year if it was to go ahead. BLSFNC found the Yemaya Festival patrons were all very friendly, well mannered and polite.

BLSFNC was very fortunate last year, to raise \$20,000, outside our normal activities, through the Yemaya Festival and as a result we have been able to contribute financially to the major upgrade of facilities at Janiember Park – Serpentine Recreation Reserve.

We believe the Yemaya Festival could be a great opportunity for us to again secure some much needed funds outside of our normal fundraising activities. Local businesses, such as Arnold Family Butchers, Boort IGA and Bridgewater Bakehouse, would also benefit as BLSFNC would use them as the main suppliers of goods. Last year BLSFNC main suppliers were Arnold Family Butchers - \$8,000 of meat, Boort IGA - \$8,000 of drinks and Bridgewater Bakehouse - \$3,000 of bread/rolls.

If given the opportunity and all planning requirements are met, we would eagerly assist in any way possible and again support local businesses by purchasing goods locally.

If you have any suggestions regarding ways we could assist please give myself a call.

Regards,

Anthony Holland  
BLSFNC President

---

**President – Football**  
**Anthony Holland**  
**PH:** 0428 550 611  
**Email:** [stemily2009@hotmail.com](mailto:stemily2009@hotmail.com)

**President – Netball**  
**Sarah Byrne**  
**PH:** 0458 664 427  
**Email:** [byrne.sarah.m@edumail.vic.gov.au](mailto:byrne.sarah.m@edumail.vic.gov.au)

# CUIUS Pty. Ltd.

ABN-21 148 914 774

Trading as

## Bridgewater Caltex Road House

1 Inglewood Road,  
Bridgewater – VIC – 3516  
Ph- 03 5437 3042

21st July 2017

To whom it may concern,

This letter is to support the organisers of the Yemaya festival that is scheduled to run from the 28<sup>th</sup> September – 1<sup>st</sup> October 2017 at Fernihurst, which was also held successful last year.

As an owner of local business, during this festival last year, I observed, our business volume increased about 50-60% which brought not only direct revenue to our business but it also allowed us to give more work to local staff.

I would like to support the event and event organizers whatever the way that I can.

**Best Regards,**  
**Srini Mandalapu**  
**0421 761 316**  
**bridgewatercaltex@gmail.com**



## George Tallis Hardware

142 Godfrey St, Boort, Victoria 3537

Phone **03 5455 2244**

[gtallis@bigblue.net.au](mailto:gtallis@bigblue.net.au)

ABN 78729419458

15<sup>th</sup> July 2017

To whom it may concern,

I would like to state my support for the Yemaya Festival event and urge the Councillors to approve the current application.

The event is of great value to the community, and brings in a large amount of spending that wouldn't occur otherwise.

In 2016, the event organisers spent over \$4,500 at my store on construction materials alone, with further spending on tools and miscellaneous supplies.

The crew from the event were all kind and courteous, and I look forward to receiving them again in September.

Regards,  
George Tallis

# IC WATER.

Michelle and Grant Lopes  
83 Cahill Rd, Wedderburn, VIC 3518  
PO Box 265, Wedderburn, VIC 3518  
Telephone: 0459 056 707

22<sup>nd</sup> July 2017

To whom it may concern,

As a small business operating in the Loddon Shire, the opportunity to supply and work with Yemaya Festival 2016 was a challenge we embraced.

The organisation and management was far above what we had expected, with a level of professionalism that one would expect from a major corporation.

Spending a lot of hours on site, at no stage did we experience or witness any behaviour that would have made us doubt the ability of the management team to host and control the event, with all spoken to stating their intentions to return to future Yemaya events because of the peaceful nature of the event, and its location within the Loddon Shire.

For the footy clubs and other local suppliers, events like Yemaya are a major source of income, and its importance to the survival and futures of the above cannot be understated.

For us personally, the event was a huge support as we received approximately \$10,000 of income that we wouldn't have received otherwise. The impact of this sort of revenue in one weekend to a small business such as ours is tremendous to say the least.

Yemaya Festival embraces the Loddon Shire motto "a great place to live, work, and play" and the Council's ethos of accepting diversity in all its forms.

As a business we have found UE and his team to be open and honest and have no hesitation in writing this testimonial.

Regards,

Grant and Michelle Lopes  
IC Water



17 July 2017



Hi Eugene,

I am looking forward to the Yemaya Festival returning in September.

The festival generated a welcomed sales boost last year over the Anzac Day long weekend.

There was a noticeable increase in sales from the 21<sup>st</sup> April to the 25<sup>th</sup> April.

We have estimated the festival generated an additional \$8,000 to \$10,000 of income over the 4 to 5 days.

There was no problem with patrons in our shop during the festival period which was very pleasing.

I would like to offer our full support of the festival and hope it continues to become a local event that will benefit the entire area.

Regards,

Peter Moore

**Inglewood Store Owner/Manager**  
**36 Brooke St**  
**Inglewood 3517**



**Tel:** 03 5431 7300

**Mobile:** 0427505842

**Email:** [peterm@bmsbendigo.com.au](mailto:peterm@bmsbendigo.com.au)

**Web:** <http://www.championsiga.com.au>

12<sup>th</sup> July 2017

To whom it may concern,

I have been involved with Eugene Apter and the crew behind Yemaya Festival for some time and can only speak highly of their character and intentions.

I personally presented the Welcome to Country during the opening ceremony of the previous events in 2015 and 2016, and was very impressed with the efforts made to conduct the event consciously and respectfully.

The event is conducted with great respect and consideration towards traditional land-owners and all natural features of the land.

In my position as an elder of the Dja Dja Warrung Clan, I give my consent for the event to be hosted on traditional Dja Dja Warrung land.

Yours respectfully,

Ricky Nelson  
Cultural Advisor  
Dja Dja Warrung Clan  
Castlemaine, VIC

0422 123 768

Lightbearer Reiki  
[REDACTED]

Wedderburn-Brenanah Rd  
Wehla VIC 3518

Dear Sirs,

I am writing a letter of support for the organisers of the Yemaya festival that is scheduled to run from the 28<sup>th</sup> September – 1<sup>st</sup> October 2017 at Fernihurst, the same venue that held the very successful festival last year.

I am of the understanding that there is a possibility that this event won't be taking place and I feel that this is such a shame, not only for the organisers but more importantly for the Loddon Shire.

There is a real opportunity for a large cash injection into the businesses in the Shire and community groups that choose to have food stalls. In a Shire that demographically is so diverse and untapped, it seems rather odd that this festival hasn't been welcomed with open arms.

Yemaya organisers are ethically on point and have always been more than happy to work with local government to create the best, most positive experience for all concerned.

In times of uncertain economics this well run, honest, and ethical event is a boon to the Shire and the people of Loddon.

Festival goers are not just from Victoria, but national and international. Yemaya draws diversity to its events and the knock on effect throughout the Shire is untapped and infinite.

In finishing, as a rate payer in the Loddon Shire, I would encourage you to be long-sighted, work with the organisers to resolve any issues, and work together to make the Loddon Shire the home of Yemaya, to reap the economic benefits and create what could be a partnership of mutual benefit for many years to come.

In closing, I would urge the members of the aging department to work with the organisers of Yemaya and make this festival the best experience for all.

Jacqueline Stallinga  
Loddon Shire Resident

Ric Raftis  
1 St Arnaud Road  
Wedderburn, Vic., 3518

Email: [REDACTED]  
Phone: 0407 412100

18<sup>th</sup> July 2017

To Whom It May Concern:

Re: Yemaya Festival

I am writing in support of the Yemaya Festival been granted a permit to hold the festival at Fernihurst within the Loddon Shire.

Events such as this that provide the opportunity to come together in a festival environment and enjoy music and each other's company are of great social value to those participating. I see music festivals such as this no different to football games, albeit the scale and number of participants is obviously somewhat different.

I have viewed the documentation involved with this event. I have not read it all, nor do I intend to, but I did read the letter from Victoria Police. I did so given the consistent comments earlier about a "damning police report" that to my knowledge wasn't made public. Consequently, the term "damning" is a subjective one. I did speak with the Sergeant at Wedderburn Police Station last year after the festival and found his attitude to be quite negative and that concerned me.

All the comments around this festival that I hear seem to be about "drugs" and their usage. People will always take drugs and this has been the case throughout history. I am a supporter of safe rooms and testing stations to at least ensure that if people persist in exercising their free will to take drugs, that they are at least not taking drain cleaner.

That said it is a minor percentage of the population and as usual it would seem we have people trying to punish the vast majority for the actions of the small minority. This would seem grossly unfair.

The National Drug Household Survey of 2016 presents some interesting data. In fact, it states that younger people under the age of 30 were smoking less, drinking less and using fewer illicit drugs in 2016 than in 2001. (Refer <http://www.aihw.gov.au/alcohol-and-other-drugs/data-sources/ndshs-2016/key-findings/>)

So, the usage of drugs, both illicit and licit is decreasing but some people seem to focus on the minority. In turn, they punish the majority. Let us not forget that alcohol is also a drug. As a teacher of Mental Health First Aid, the statistics we have is that 80% of Australians



between the ages of 14 and 80 use alcohol in a year. This is just as big an issue over time as illicit drugs.

Apart from the overrated drug issue, I find governments today, including our council, are perceived as places that look for reasons not to do something instead of making it happen. Let's me more positive about the benefits that such a festival brings to our Shire and region.

1. Our towns are dying. A firsthand experience with both the Loddon Shire and its residents can only have a positive effect on people coming into our area. We have an enormous amount to offer prospective travellers and prospective residents.
2. Often as I travel and mix with different business people, I am asked where Wedderburn is located. My first response is always, "at the centre of the Universe", but of course I go on to explain in more detail. None of the people attending the Yemaya festival will ever have to be told where Inglewood, Boort, Serpentine or even Fernihust are as it will be indelibly printed on their mind's map.
3. Such a festival is a great win for the Shire if it can be established here on an ongoing basis. It provides us with a significant event on an annual basis and allows us to build other events around the dates it is held. We have a great opportunity to attract people attending the Yemaya event to these other events. I am confident that the promoter of Yemaya would happily advertise these events on their website to help Loddon capitalise on Yemaya. **Let's work with people and not against them!**
4. I am loathe to mention the economic benefit that flows to the people and businesses of Loddon as a result of this event. The reason for this is that from the public's perspective, from what I see, the main reason for not having the event is because it's some sort of "drug fest". To mention the economic benefit almost makes it look like you are prepared to prostitute yourself and put up with the drugs in order to make a dollar. If we stop focussing on the drugs, which as has been said, is an issue for a minor percentage of the participants in the festival, then yes, the event provides a great economic opportunity for the region.

I hope that the Festival is held, not only this year, but that it becomes a regular event on the Shire's calendar.

It would seem there is a lot of emotional debate about the festival. This needs to be removed and we need to look at the facts. I am more than happy to debate the contents of my letter with anyone.

In closing, I would like to encourage decision makers to examine the facts alone of all the benefits of holding this festival in Loddon. Don't be swayed by emotional arguments without substance. This festival will be of benefit in so many ways to a great number of people and deserves to go ahead.

Thank you,

Ric Raftis



A Proud Community  
Growing Together  
Cr Sophie Ramsey  
**MAYOR**



20/07/2017

To whom it may concern,

I would like to voice my support for the Yemaya Festival event and encourage the presiding authority to approve the permit application.

Such events bring tremendous benefit to a local community in terms of financial stimulus and tourism development, and the opportunities should only be fostered in close collaboration with event organisers.

Yemaya Festival in particular represents admirable and considered ideals which seem to ripple through the event itself.

The depth of artistic endeavours and cultural acknowledgement is a rarity amongst the industry and worthy of commendation.

While objections from neighbouring resident should be greatly considered, this consideration should occur in the context of the greater good.

I would strongly urge the Councillors to seize the potential before them and ensure the event goes ahead.

Yours sincerely,

Cr Sophie Ramsey  
Mayor  
City of Melton

<b>Civic Centre</b> 232 High Street Melton VIC 3337	<b>Civic Centre/Library</b> 193-201 Caroline Springs Blvd Caroline Springs VIC 3023	<b>Postal Address</b> PO Box 21 Melton VIC 3337	<b>Phone/Fax:</b> (03) 9747 3928 <b>Mobile:</b> 0412 584 067 <b>Email:</b> sophie.ramsey@melton.vic.gov.au
<b>WWW.MELTON.VIC.GOV.AU</b>			



# Scott Emerson MP

MEMBER FOR INDOOROOPILLY

20 July 2017

Cr Neil Beattie  
Lodden Shire Council  
PO Box 21  
WEDDERBURN VIC 3518

Dear Cr Beattie

**RE: EUGENE APTER and YEMAYA FESTIVAL**

I understand that Eugene Apter has submitted an application to the Lodden Shire Council to again hold his Yemaya Festival in the Shire in September of this year.

I believe the festival has been running successfully for three years with the Lodden Shire being home to the festival since last year. The festival is ranked in the top three festivals in Victoria and has been recognised in a list of the top 300 festivals in the world.

The festival is an opportunity for artisans, performers, DJs and musicians to share their creativity. I have been informed that many businesses benefit from the festival, including local businesses, by being stall holders selling food and clothing, providing services such as security, maintenance, etc., and also renting sound and lighting equipment, tents, and the like. As well, 20+ locals are employed to set-up the festival and clear and clean the site afterwards. I also understand a local landholder happily rents his property to Mr Apter for the purposes of holding the festival.

I have been advised that last year, some 5000 people attended the festival and enjoyed the opportunity to explore, create, connect, and dance in a safe and family friendly environment.

I ask that you and the Lodden Shire Council support this endeavour and approve Mr Apter's application to hold the Yemaya Festival in the Lodden Shire in September 2017.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Emerson', with a long horizontal flourish extending to the right.

**Scott Emerson MP**  
Member for Indooroopilly  
Shadow Treasurer and Shadow Minister for Small Business

Suite 1, 49 Station Road, Indooroopilly Qld 4068 P 07 3737 4100  
E [indooroopilly@parliament.qld.gov.au](mailto:indooroopilly@parliament.qld.gov.au) W [scottemerson.com.au](http://scottemerson.com.au) f ScottEmerson t @scottemerson i scottemersonmp

**Your hard working local MP**

**Hon. Heidi Victoria MP**

Shadow Minister for the The Arts and Culture  
Shadow Minister for Tourism and Major Events  
Shadow Minister for Aboriginal Affairs  
Member for Bayswater District  
[HeidiVictoria.com.au](http://HeidiVictoria.com.au)  
+61 3 9729 1622



20<sup>th</sup> July 2017

Hello Eugene,

Thanks so much for your emails.

I have to admit that I have not previously heard of your festival, but have now watched the 'Bloom' trailer and video.

May I congratulate you and your team for your dedication to staging a festival that appears to promote the most wonderful of ideals.  
It also gives a multitude of opportunities to artists across all spheres of the visual and performing arts.

I wish you all the very best for this year's festival, and beyond.

Regards

*Heidi*



Stephanie Tzanetis  
Harm Reduction Victoria's (HRV) DanceWize Program Coordinator  
PO Box 12720 A'Beckett Street  
VIC 8006

Ms Alexandra Jefferies  
Planning Officer  
Loddon Shire Council  
41 High Street  
Wedderburn, VIC 3518

**Re. DanceWize services confirmed for Yemaya Festival**

Dear Ms Jefferies

I am aware Loddon Shire Council is in the process of considering the planning documents for the proposed Yemaya Festival, 28 September-1 October 2017. Please accept this letter as part of that event planning process.

DanceWize is a health promotion and harm reduction education and support program funded by the Department of Health and Human Services. DanceWize services were delivered at Yemaya Festival 2014 (inaugural), 2015, and 2016. I can confirm DanceWize services have been formally engaged by the Festival Directors for 2017 too. Based on the services delivered in 2016, we plan to operate from 20:00 Friday 28 September until 20:00 Monday 1 October, unless otherwise advised.

To engage our service, we require festival organisers ensure appropriate First Aid and/or medical provisions are available onsite and that the DanceWize chill space is proximate to the health provider. Please note, DanceWize team members undergo senior first aid training (ie. HLTAID003 or they already hold higher healthcare qualifications), but it is not our program's objective to deliver such services. I understand St Johns Ambulance is the health provider that has been offered this tender, which is consistent with 2016's services. DanceWize frequently works as an auxiliary health and wellbeing service at events with St Johns Ambulance. They are a reputable and well-trusted service that have developed standard operating procedures for medical emergency management for such an event format: multi-day regional festivals.

In 2016, and in addition to the onsite health provider, Ambulance Victoria (AV) was onsite, which was a step-up in term of the provisions offered in 2014 and 2015. As you're aware, when AV is engaged by an event, statutory provision identifies that agency as responsible for designating a Health Commander and developed the Health Emergency Management Plan (HEMP). We encourage all event organisers to notify AV of their event's brief as a minimum standard and, ideally, formally engage AV. While there were no alcohol or other drug-related transports in 2016, we commend such service provisions being in place.



If we consider concerning drug trends in Victoria, we note the following high-risk behaviours as causing the greatest harm: problematic drinking; methamphetamine dependency; and pharmaceutical misuse. Based on the service trends DanceWize recorded and observed over the past 3 years, we can attest that festival's patronage, overwhelming, has not exhibited signs of such behaviour. In 2016 DanceWize provided support for 72 individuals; none of those presentations indicated any such concerning trends, and not one person disclosed or presented signs as being under the influence of methamphetamine or any other amphetamine-type substance. Anecdotally, the level of intoxication was significantly lower than what is observed at other (what may be described as) more commercial events that our service attends.

We also acknowledge Yemaya festival is quite unique in that they have developed their own 'No GHB or Methamphetamine' policy. Be assured this policy is in addition to, not instead of, a no illicit substances policy, as they choose target those two higher risk substances in order to reduce the likelihood of certain kinds of harm. While, on its face, such a policy goes against harm reduction philosophy and practice, premised on a biopsychosocial model, because it risks encouraging stigmatisation and lateral violence. After highlighting and discussing this with the Directors, we acknowledge it is up to their discretion and they exercised reasonable consideration in creating their policy, used wording to mitigate the likelihood of stigma, and it appears to have been an effective policy for this specific setting.

I am happy to be contacted if you have any queries.

Yours Sincerely

Stephanie Tzanetis  
Mon-Fri, 10am-6pm PH 9329 1500 or 0433 981 604

### Planning permit 5289 Draft conditions

*This document represents a set of draft conditions and is subject to change at the discretion of the Responsible Authority being Loddon Shire Council.*

#### Amended plans/documents

- 1) By the 18 September 2017, the applicant must submit the following documentation to the Responsible Authority:
  - a) A copy of the SEPP N-2 consent granted by the Environmental Protection Authority.
  - b) Evidence, including proof of payment, demonstrating Ambulance Victoria have been formally engaged with in accordance with condition No. 16
  - c) Evidence, including proof of payment, demonstrating Victoria Police has been formally engaged with; at a suitable level to the satisfaction of Victoria Police and the Responsible Authority.
  - d) Evidence, including proof of payment, demonstrating a suitably qualified first aid supplier has been formally engaged with in at a suitable level to the Satisfaction of the Responsible Authority.

#### Endorsed Plans

- 2) The layout and details of the event as shown on the endorsed plans and endorsed documents must not be altered without the written consent of the Responsible Authority.

If a variation to any Endorsed Site Plan or document is proposed, then prior to and no less than fourteen (14) days prior to such event, three (3) copies of revised plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit.

#### Patron Numbers

- 3) No more than 4,750 people may be in attendance at any one time unless otherwise approved in writing by the Responsible Authority. All patrons entering the site must be recorded in order to accurately monitor patron numbers.

#### Use of the site

- 4) Not less than seven (7) days prior to the event all internal roads, camping and car parking separation treatment, temporary fencing, emergency assembly areas are to be established in accordance with the endorsed plans and the conditions of this permit.
- 5) No less than seven (7) days prior to the event, 1.8 metre temporary fence must be installed along each boundary of the events activity area as shown on the endorsed plans

- 6) No less than seven (7) days prior to the event the works set out by the Department of Environment, Land, Water and Planning in accordance with condition 29 must be completed.
- 7) The use of the site allowed by this permit shall only commence if all infrastructure shown on the endorsed plans and required by this permit have been implemented on site to the satisfaction of the Responsible Authority.
- 8) Temporary signs stating 'No vehicle movements' must be installed along the camping and car parking separation barrier.
- 9) No less than seven (7) days prior to the event, written notification must be given to the Responsible Authority, Victoria Police and occupiers of dwellings located within 2km of the event stage. The notification must clearly outline details of the event and the hours/dates the event will take place, and provide a direct point of contact to the event management team, to the satisfaction of the Responsible Authority.

#### **Hours of Operation**

- 10) The use of the land allowed by this permit may only take place on one occasion between 28 September 2017 and 2 October 2017.
- 11) Operation hours of music associated with the must only be allowed during the following times:
  - a) 6pm Thursday 28 September 2017 until 2am Friday 29 September 2017
  - b) 10am Friday 29 September 2017 until 6pm Sunday 1 October 2017
- 12) The site must be clear of all patrons by 6 pm 2 October 2017.
- 13) At all times during the event a suitably qualified/experienced site manager must be present. The site manager must at all times coordinate the event in accordance with all endorsed plans and documents and act as the represented of the event for the purpose of dealing with the relevant public authorities, private sector providers and local stakeholders.

#### **Site Services**

- 14) Patrons of the event are not to access adjoin crown land.
- 15) No parking is to be permitted along the internal access roads or Majors Line Road/road reserve.
- 16) No camp fires are to be permitted on site.



- 17) No fireworks are to be permitted on or used within the subject site.
- 18) A full and accurate complaints record must be kept for all complaints received. The record must show the date and time a complaint was received, the nature of the complaint and contact details of the person (s) lodging the complaint. The complaints record must be made available at the request of the Responsible Authority.

**General amenity**

- 19) The amenity of the area must not be detrimentally affected by the use through:
- a) Transport of materials, goods or commodities to or from the land;
  - b) Appearance of any building, works or materials;
  - c) Emissions of noise, artificial light, vibration, smell, fumes, smoke, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - d) Presence of vermin;
  - e) In any other way.

**Emergency Services**

- 20) Ambulance Victoria must be engaged with in accordance with the following:
- a) to the minimum level as recommended by Ambulance Victoria and ;
  - b) to a level which will increase patron safety and minimise disruption to local ambulance services to the satisfaction of Ambulance Victoria.
- 21) The emergency access road, as shown on the endorsed plans, must be constructed to the following standard:
- a) Access and Egress routes are to be clearly marked to a width of not less than six (6) metres;
  - b) Roads must be constructed to a standard which allows access in all-weather conditions;
  - c) Roads must be capable of accommodating a vehicle of 15 tonnes for the trafficable road width;
  - d) The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 metres;
  - e) Dips must have no more than 1 in 8 (12%) (7.1 degrees) entry and exit angle.

**Noise Monitoring and Compliance**

- 22) The noise management plan dated 1 April 2016 provided by Renzo Tonini & Associates must be complied with at all times throughout the duration of the event.
- 23) Noise emissions must comply with the limits set out in State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2.

In the event that compliance with State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 is not achieved or at the written request of the Responsible Authority, a report prepared by a suitably qualified acoustic engineer must be prepared which provides the details on the issues which arose with compliance and suggests recommendations to achieve compliance is to be submitted to the Responsible Authority.

#### **Noxious weed control/management**

24) Management measures contained within the 'Noxious weed management plan' (Version 1.0) including:

- a) Physical removal and;
- b) Appropriate use of chemical spray

Must be undertaken to ensure that noxious weeds present on site are maintained to a level considered to reasonably manage the risk of possible spread, to the satisfaction of the Responsible Authority.

25) Once these measures have been implemented, if the Responsible Authority does not consider the risk of spread to be reasonably managed, a wheel washing and inspection station must be implemented at the main access gate of the site and used during vehicle egress of the site.

#### **Site inspection**

26) No less than seven (7) days prior to the event, the event management will arrange a site inspection with the Responsible Authority to ensure that all infrastructure shown on the endorsed plans and required by this permit have been implemented.

#### **Completion of Event**

27) With ten (10) days of the event finishing the event organiser must re-instate the site and its environs to an equivalent or improved condition as existed prior to the event being conducted to the satisfaction of the Responsible Authority. This includes but is not limited to:

- a) Removal of all temporary fencing associated with the event;
- b) Removal of all portable toilet facilities and toilet waste;
- c) Removal of all hard litter and rubbish and recycling to approved disposal facilities;
- d) Removal of all stored gas and other stored quantities of flammable liquid;
- e) Removal of all temporary structures used in association with the event;
- f) Removal of any other objects which have been left by patrons on the site including but not limited to camping equipment, furniture, and other items.

**North Central Catchment Management Authority**

- 28) A separate "Works on Waterway" permit for any new or modified waterway works must be obtained directly from North Central CMA. As part of the permit application, a site management plan detailing how pedestrian and vehicle access to the waterways will be confined and a Cultural Heritage Management Plan must be submitted.

**Department of Environment, Land, Water and Planning (DELWP)**

- 29) No polluted and/or sediment laden run-off is to be discharged directly or indirectly into the adjoining Crown land.
- 30) No rubbish or other waste is to be allowed to collect or be placed on the adjoining Crown land.
- 31) Adjoining Crown land must not be used for truck turning areas, entry points, parking areas or temporary stack sites during the construction of buildings and works or for the duration of the event.
- 32) No firewood collection is to occur on the adjoining Crown land.
- 33) Prior to work commencing, the shared boundary with Crown land must be fenced to the satisfaction of the responsible authority and the Department of Environment, Land, Water & Planning and at the applicant's expense. Fencing must:
- a) not be erected on the adjoining Crown land.
  - b) extend the full width (north south) of Crown Allotments 5, 6A & B; 9A & B Parish of Mysia
  - c) be erected outside the dripline of the existing trees so the trees are excluded from the areas of use for the arts, music and lifestyle festival.
  - d) be a minimum of 1.8 metres high.
  - e) be of chain mesh or similar construction.
  - f) include signage advising patrons "Strictly No Entry".
  - g) must be erected no less than 3 days prior to the event and remain onsite for a minimum of 3 days after the event.

**Country Fire Authority (CFA)**

- 34) Should the event be held within the Declared Fire Danger Period the event manager is required to further consult with the Country Fire Authority regarding the prevailing

weather and fuel conditions. This engagement is to be to satisfaction of the Responsible Authority.

- 35) The use of the communal fire must be carefully monitored and managed at all times by appropriately trained and equipped staff.
- 36) Food vendors, display stalls, market stalls and other providers are not to have their stalls/tents/vans or other temporary or permanent structures within a distance of not less than six (6) metres of each other.
- 37) All Cooking Stall holders must have the appropriate fire protection equipment included Fire Extinguisher and Fire Blanket and be fully conversant with their operation
- 38) Access and egress routes are to be clearly marked to a width of not less than six (6) metres, or 3.6 m width with passing bays ( 20m long x 6m wide) every 200m and are to meet the following conditions;
  - a) Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width
  - b) The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 metres.
  - c) Dips must have no more than 1 in 8 (12%) (7.1 degrees) entry and exit angle.
- 39) Car parking areas, vehicular routes, camping areas and emergency assembly areas are to maintain the vegetation to the following conditions to the satisfaction of the Responsible Authority:
  - a) Grass must be no more than 100mm in height;
  - b) Leaf litter must be less than 10mm deep;
  - c) There must be no elevated fuel on at least 50% of the area. On the remaining 50% the elevated fuel must be at most sparse, with very little dead material
- 40) The internal perimeter of the event site for a distance of not less than ten (10) metres is to have any surface fuel reduced to the following conditions to the satisfaction of the Responsible Authority;
  - a) Grass must be no more than 100mm in height
- 41) All fires or pyrotechnical effects must comply with the CFA Act/Regulations, Worksafe requirements, or any other required regulations in regards to use and conditions.

#### **Environmental Protection Authority**

- 42) Noise emissions from the premises must comply with the requirements of the State Environment Protection Policies (Control of Music Noise from Public Premises) No. N-2.

