



GANNAWARRA

Shire Council

Wednesday, 21 March 2018

6.30pm

Council Chambers

Kerang

AGENDA

Ordinary Council Meeting

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1 ACKNOWLEDGEMENT OF COUNTRY

I would like to take this time to acknowledge the Traditional Custodians of the land, and pay my respect to elders both past and present

2 OPENING DECLARATION

We, the Councillors of the Shire of Gannawarra, declare that we will undertake the duties of the office of Councillor, in the best interests of our community, and faithfully, and impartially, carry out the functions, powers, authorities and discretions vested in us, to the best of our skill and judgement.

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES

Ordinary Meeting - 21 February 2018

5 DECLARATION OF CONFLICT OF INTEREST

The *Local Government Amendment (Councillor Conduct and Other Matters) Act 2008*.

A Councillor, member of a special committee, or member of Council staff has a conflict of interest in a matter if he or she has a *direct interest* or an *indirect interest* in that matter.

A person has a direct interest in a matter if there is a likelihood that the benefits, obligations, opportunities or circumstances of the person would be directly altered if the matter is decided in a particular way. This includes where there is a likelihood that the person will receive a direct benefit or loss that can be measured in financial terms or that the residential amenity of the person will be directly affected if the matter is decided in a particular way.

A person has an indirect interest in a matter if the person has:

- a close association in the matter because a family member, a relative or a member of their household has a direct or indirect interest in the matter
- an indirect financial interest in the matter
- a conflicting duty – although there are circumstances where a person does not have a indirect interest because of a conflicting duty
- received an ‘applicable gift’
- become an interested party in the matter by initiating civil proceedings or becoming a party to civil proceedings in relation to the matter.

Disclosure of conflict of interest

If a Councillor or member of a special committee has a conflict of interest in a matter which is to be or is likely to be considered at a meeting of the Council or special committee, the Councillor or member must:

- if he or she will be present at the meeting, make a full disclosure of that interest by advising of the class and nature of the interest to either –
- the Council or special committee immediately before the matter is considered at the meeting, or

- in writing to the Chief Executive Officer (CEO). Where the disclosure is made to the CEO in writing, the Councillor or member need only disclose the class of interest to the meeting, immediately before the matter is considered.
- if he or she will not be present at the meeting, make a full disclosure to the CEO or Chairperson of the meeting, in writing, of the class and nature of the interest. If a Chairperson is given a written disclosure, he or she must give the written disclosure to the CEO.
- The CEO must keep written disclosures in a secure place for 3 years after the date the Councillor or member of the special committee who made the disclosure ceases to be a Councillor or member, and destroy the written disclosure when the 3 year period expires.
- While the matter is being considered or any vote taken, the Councillor or member of a special committee with the conflict of interest must leave the room and notify the Mayor or Chairperson of the special committee he or she is doing so. The Mayor or Chairperson must notify the Councillor or member that he or she may return to the room after consideration of the matter and all votes have been cast.
- A CEO or Chairperson of a special committee must record in the minutes of the meeting the declaration of the conflict of interest, the class of the interest and, if the Councillor or member has disclosed the nature of the interest to the meeting, the nature of the interest.
- A failure by a Councillor or member to comply with section 79 of the Act may result in a penalty of up to 100 penalty units and disqualification under section 29(2) of the Act.

6 QUESTION TIME

Question Time at Council meetings enables an opportunity for members of the public in the gallery to address questions to the Council of the Shire of Gannawarra.

QUESTIONS FROM THE GALLERY

- All questions are to be directed to the Chair.
- Members of the public may ask questions from the gallery and should provide their name (and organisation if relevant) at the beginning of their questions.
- There is a maximum number of 3 questions of up to 2 minutes each.
- Chair will respond or refer to Councillor or CEO.
- Sometimes a Councillor/officer may indicate that they require further time to research an answer. In this case, the answer will be provided in writing generally within 10 days.
- Where a question cannot be answered on the spot, the person is asked to write out their questions on a form provided to enable an accurate response to be prepared.
- Questions will be answered at the meeting, or later in writing, unless the Chairperson has determined that the relevant question relates to:
 - Personal matters
 - The personal hardship of any resident or ratepayers
 - Industrial matters
 - Contractual matters
 - Proposed developments
 - Legal advice
 - Matters affecting the security of council property
 - An issue outside the Gannawarra Shire Council core business
 - Or any other matter which the Council considers would prejudice it or any person

- A matter which may disadvantage the Council or any other person
 - Is defamatory, indecent, abusive or objectionable in language or substance
 - Is repetitive of a question already answered (whether at the same or an earlier meeting)
 - Is asked to embarrass an officer or another Councillor
-
- No debate or discussion of questions or answers shall be permitted and all questions and answers shall be as brief as possible.

7 ASSEMBLY OF COUNCILLORS

7.1 ASSEMBLY OF COUNCILLORS FEBRUARY 22, 2017 TO MARCH 21 2018

Author: Tom O'Reilly, CEO

Authoriser: Tom O'Reilly, CEO

Attachments: 1 Assembly of Councillors Record Form - 26 February, 2018
2 Assembly of Councillors Record Form - 13 March, 2018

RECOMMENDATION

That Council notes the records of Assembly of Councillors from 22 February, 2018 to 21 March, 2018.

EXECUTIVE SUMMARY

To present to Council written records of Assembly of Councillors in accordance with section 80A of the *Local Government Act 1989*.

DECLARATIONS OF CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act 1989, the Officer preparing this report declares no conflict of interest in regards to this matter.

COUNCIL PLAN

Council Plan 2017-2021: Good Governance and a Healthy Organisation.

BACKGROUND INFORMATION

In accordance with Section 80A of the *Local Government Act 1989* a written record of assembly of councillors must be reported at an ordinary Council meeting and minuted as soon as practicable.

The record must include:

1. The names of all Councillors and members of council staff attending
2. The matters considered
3. Any conflict of interest disclosures made by a councillor attending
4. Whether a Councillor who has disclosed a conflict of interest left the assembly.

CONSULTATION

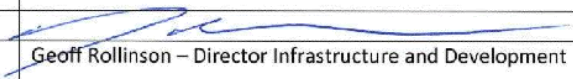
Consultation with Councillors and staff has occurred to ensure the accuracy of the Assemblies of Councillors records.

CONCLUSION

To ensure compliance with Section 80A of the *Local Government Act 1989* it is recommended that Council note the Assemblies of Councillors records as outlined in this report.



Assembly of Councillors Record Form

Date:	Monday, 26 February 2018
Time:	5:30pm – 7.40pm
Location:	Gateway to Gannawarra Visitor Centre, Cohuna
In Attendance: (Councillors)	Cr Brian Gibson, Cr Mark Arians, Cr Jodie Basile, Cr Lorraine Learmonth, Cr Steve Tasker, Cr Sonia Wright, Cr Charlie Gillingham
Apologies	Tom O'Reilly
In Attendance: (Officers)	Geoff Rollinson, Stacy Williams, Lisa Clue, Brent Heitbaum, Jo Haw, Roger Griffiths, Sid Hutchinson
Matters Discussed:	Cohuna Aquatics Capital Works Rating Strategy Options
Conflict of Interest Disclosures (Councillors)	Nil
Conflict of Interest Disclosures (Officers)	Nil
Completed By:	 Geoff Rollinson – Director Infrastructure and Development



Assembly of Councillors Record Form

Date:	Tuesday, 13 March 2018
Time:	9:00am – 3.15pm
Location:	Council Chambers, Kerang
In Attendance: (Councillors)	Cr Brian Gibson, Cr Jodie Basile, Cr Lorraine Learmonth, Cr Steve Tasker, Cr Charlie Gillingham, Cr Sonia Wright (arrived at 9.25am)
Apologies	Cr Mark Arians
In Attendance: (Officers)	Tom O'Reilly, Geoff Rollinson, Stacy Williams, Richard Morrison, Peter Bergman, Brent Heitbaum, Katina Fitzgerald, Jo Haw, Sid Hutchinson, Leigh Hollingworth, Lisa Clue
Matters Discussed:	<p>Presentations</p> <ul style="list-style-type: none"> Murray Region Tourism update – Mark Francis <p>Aged Care Fees and Charges Application for Planning Permit P17.090 Special Charge Scheme – Lyons Rd, Cohuna Domestic Animal Management Plan Quambatook township flood mitigation project Aquatics Services Recycling Impacts on Gannawarra Shire Council Carry In – Carry Out Cist to Gannawarra Shire Council Council Aerodromes – Hanger rental Rating Strategy – Options Update Weir Road Low Level Crossing Tender Proposed 2018/2019 Operating Budget Local Laws Review – Weed Control MAV Submission Re LG Act Review Robbins Aviation Cohuna Aerodrome</p>
Conflict of Interest Disclosures (Councillors)	Nil
Conflict of Interest Disclosures (Officers)	Nil
Completed By:	Tom O'Reilly – Chief Executive Officer

Tom O'Reilly
14/3/18

8 BUSINESS REPORTS FOR DECISION

8.1 AGED CARE FEES AND CHARGES SCHEDULE

Author: Carole Wandin, Manager Community Care
Authoriser: Stacy Williams, Director Community Wellbeing
Attachments: Nil

RECOMMENDATION

That Council adopt the amended Fees and Charges Schedule to enable the delivery of Social Support services effective from 1 April 2018.

EXECUTIVE SUMMARY

In November 2017 Council officers negotiated with Commonwealth Government to provide Social Support through our funded Commonwealth Home Support Program (CHSP). It is recommended that Council agree to amend the Fees and Charges Schedule to enable the delivery of Social Support and enhance the suite of CHSP services currently offered to the community.

BACKGROUND

CHSP is a suite of services offered by Community Care to the aged population of the Gannawarra Shire since July 2016. CHSP currently offers Domestic Care, Personal Care, Delivered Meals, Respite Care and Property Maintenance to all eligible clients over the age of 65 years.

Negotiations with Gannawarra's Grant Agreement Manager (GAM) commenced in November 2017 to transition funds from unstable funded programs including Senior Citizens funding and Volunteer Coordination funding. The successful negotiation of transitioned funds into the CHSP Social Support service area stabilises the funding until 30 June 2019.

Transitioned funds effective from 1 April 2018:

Program	Remaining Funds 17/18 & 18/19	Transitioned Funds 1 April 18	Transitioned Funds 18/19
Volunteer Coordination	\$73,985.60		\$0
Volunteer Coordination - Other	\$12,778.61		\$0
Senior Citizens	\$54,043.92		\$0
Social Support - Individual		\$14,797.12	\$59,188.48
Social Support - Group		\$10,808.78	\$43,235.14
Social Support - Transport		\$2,555.72	\$10,222.89
TOTAL	\$140,808.13	\$28,161.62	\$112,646.51

POLICY CONTEXT

Council Plan 2017 – 2021

Good Governance and a Healthy Organisation

- Pursue initiatives to achieve long term financial sustainability in line with best practice.
- Our community is consulted on issues that will affect them.

Strong Healthy Communities

- Ensure quality and accessible services that meet the needs of our community

DISCUSSION

The three sections of CHSP Social Support services that will now be offered to our community include:

Social Support – Individual

Social Support – Individual is assistance provided by a companion (paid worker or volunteer) to an individual, either within the home environment or while accessing community services, which is primarily directed towards meeting the person's need for social contact and/or company in order to participate in community life.

16 personal care clients will transition into the Social Support – Individual service area and will achieve 85% of target hours immediately.

Social Support – Group

Social Support – Group provides an opportunity for clients to attend and participate in social interactions which are conducted away from the client's home and in, or from, a fixed base facility or community based setting.

Social meals clients will transition into the Social Support – Group service area and will achieve 83% of target hours immediately.

Social Support – Transport

Social Support – Transport refers to the provision of a structure that delivers accessible transport to eligible clients and includes:

- Direct transport services which are those where the trip is provided by a paid worker or volunteer
- Indirect transport services including trips provided through vouchers

Funding must be used for non-assisted/assisted transport and planned (group) and on-demand (individual) services.

GNETS will utilise the Social Support – Transport funding achieving 168% immediately which will enable further negotiations with GAM relating to transport, showing evidence of community need.

New CHSP client fees for Social Support service areas offered:

COMMUNITY SERVICES		
Community Care Services (Rates per hour – maximum set by Government)		
	Home Care Level 1 - Full Pensioner	\$ 10.35
	Home Care Level 2 - Part Pensioner	\$ 15.45
	Home Care Level 3 - Self Funded Retiree	\$ 33.45
	Personal Care Level 1 - Full Pensioner	\$ 10.35
	Personal Care Level 2 - Part Pensioner	\$ 16.45
	Personal Care Level 3 - Self Funded Retiree	\$ 39.45
	Respite Care Level 1 - Full Pensioner	\$ 11.35
	Respite Care Level 2 - Part Pensioner	\$ 16.45
	Respite Care Level 3 - Self Funded Retiree	\$ 39.45
	Respite Program	5.60 -27.10
	Social Support - Group	\$ 10.00
	Social Support - Individual - Full Pensioner	\$ 10.35
	Social Support - Individual - Part Pensioner	\$ 16.45
	Social Support - Individual - Self Funded	\$ 39.45
	Property Maintenance Level 1 - Full Pensioner	\$ 12.35
	Property Maintenance Level 2 - Part Pensioner	\$ 18.05
	Property Maintenance Level 3 - Self Funded Retiree	\$ 50.35
	Transport Expenses - Fixed Fee (within townships)	\$ 5.00
	Transport Expenses - Intrashire	\$ 0.87
	Sleepover - Active (per hour) - Full Pensioner	\$ 10.15
	Sleepover - Active (per hour) - Part Pensioner	\$ 16.45
	Sleepover - Active (per hour) - Self Funded	\$ 39.45
	Sleepover - Inactive	\$ 115.95
Food Services (Per meal)		
	Meals on Wheels – 3 Courses	\$ 11.35
	Meals on Wheels – 2 Courses	\$ 10.35
	Meals on Wheels – 1 Courses	\$ 9.25
	Social Meal 3 Courses	\$ 11.35
	Social Meal 2 Courses	\$ 10.00
	Sandwiches	\$ 4.10

New Brokered client fees for Social Support service area's offered:

Brokered Services (Rates per hour)		
	Assessment / Case Management	\$ 100.25
	Home Care 1	\$ 48.20
	Personal Care 1	\$ 52.10
	Personal Care 2	\$ 78.20
	Personal Care 3	\$ 104.20
	Respite Care 1	\$ 52.10
	Respite Care 2	\$ 78.20
	Respite Care 3	\$ 104.20
	Social Support - Individual 1	\$ 52.10
	Social Support - Individual 2	\$ 78.20
	Social Support - Individual 3	\$ 104.20
	Sleepover - Active (per hour)	\$ 104.20
	Sleepover - Inactive	\$ 115.95
	Property Maintenance	\$ 67.85
	Meals on Wheels – 3 Courses	\$ 13.10
	Meals on Wheels – 2 Courses	\$ 11.55
	Meals on Wheels - 1 Course	\$ 10.40
	Meals on Wheels - Sandwich	\$ 4.75
	Community Social Meal	\$ 10.00
	Transport Expenses - Fixed Fee (within townships) (one way trip)	\$ 5.00
	Transport Expense	\$ 1.50

Predicted service user charges will increase income as indicated below:

Service	Target Hours 17/18	Proposed Income 17/18	Target Hours 18/19	Proposed Income 18/19
Social Support – Individual	416	\$4,222.40	1664	\$16,889.60
Social Support – Group	642	\$6,420	2569	\$25,690
Social Support - Transport	108	\$918	433	\$3684
TOTAL		\$11,560.40		\$46,263.60

An increase in brokered service user charges has not been predicted as it will be unknown until information is sent to packaged care providers and marketing around the new service areas is completed.

CONSULTATION

Negotiations were undertaken with our Grant Agreement Manager, Commonwealth Government to ensure the funding transition was achievable according to our current client data. New activity work plans were completed for each Social Support service area stating target hours and funding allocation. Funding variations have been signed off by both parties and an amendment to our current Service Agreement will be adjusted to reflect the change.

Discussions were held at the Community Care team meetings to ensure all staff were aware of the changes along with the details of the programs to assist clients with any questions or concerns they may have.

Community Care's client newsletter distributed in April 2018 will contain a description of each Social Support service area and a contact number for any further information relating to their services.

A service description fact sheet for all Social Support service areas will be developed and distributed to all packaged care providers currently in service provider contracts with Gannawarra Shire Council.

CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

Council Officers recommend that Council adopt the amended Fees and Charges Schedule to enable the delivery of Social Support services effective from 1 April 2018.

8.2 APPLICATION FOR PLANNING PERMIT P17.090 - NOTICE OF DECISION TO APPROVE

Author: Kellie Burmeister, Statutory Planning Officer

Authoriser: Geoff Rollinson, Director Infrastructure and Development

Applicant: Greencon Australia P/L

Owner: Adrian Dee

Proposal: Use and development of land for Intensive Animal Husbandry (cow compost barn).

Location: 161 Borella Road, Macorna North

Attachments: 1 Proposed Cow Compost Barn

RECOMMENDATION

That Council approve Planning Application P17.090 for the use and development of land for intensive animal industry (cow compost barn) and associated works and issue a Notice of Decision to Grant a Planning Permit at Lot 2, TP410668P, 161 Borella Road, Macorna North subject to the following conditions:

Amended Plans

1. Before the use and development starts, amended plans to the satisfaction of the Responsible Authority 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. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - (a) A detailed, fully dimensioned plan of the site.
 - (b) Fully dimensioned elevation plans of the proposed buildings and infrastructure.
 - (c) Environmental Management Plan as required by Condition 3.
 - (d) Landscaping plans as required by Condition 13.
2. Layout not to be altered
Use and layout of the site and the size of the proposed development and works detailed in the specifications and as shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority except where specifically varied by conditions of this permit.
3. Environment Management Plan
Before the use starts, an Environmental Management Plan for the management and operation of the use which is to the satisfaction of the Responsible Authority and Goulburn Murray Water must be submitted to and approved by the Responsible Authority upon advice of Goulburn Murray Water. When approved, the Environmental Management Plan will be endorsed and will then form part of the permit. The use must at all times be conducted in accordance with the endorsed Environmental Management Plan. The Environmental Management Plan must include the following matters, but not limited to:
 - (a) The land use must operate in accordance with the EMP.
 - (b) Overall environmental objectives for the operation of the use and techniques for their achievement.
 - (c) Procedures to ensure that no significant adverse environmental impacts occur as a result of the use.
 - (d) Proposed monitoring systems.
 - (e) Identification of possible risks of operational failure and response measures to be implemented.
 - (f) Day to day management requirements for the use.
 - (g) Provision of a complaints register and process for recording for events and actions taken and reporting and mitigation actions in response to the receipt of complaints and process of communication with any complainant. Records are to be made available to Council with respect to any enforcement action.The EMP may be amended from time to time to the satisfaction of the Responsible Authority.

4. Environmental Health Officer

- (a) Irrigation and wastewater re-use must be managed in accordance with the Guidelines for Wastewater Reuse (EPA Publication 464).
- (b) Solids removed from the feed pad must not be spread within 60 metres of any natural drain lines.
- (c) All effluent, wastewater and stormwater must be contained onsite.
- (d) Effluent must not enter ground waters either directly or through infiltration.
- (e) Odour must be controlled to ensure that it does not cause a nuisance.

5. Amenity

The use of the cow compost barn hereby permitted must not cause injury to or prejudicially effect the amenity of the locality by the transportation of materials, goods or commodities to and from the premises or by the appearance of any building, works or materials or by emission of noise, smell, fumes, dust, wastewater or lighting on the site. Noise, dust and odour from the cow compost barn and general area must be maintained within acceptable limits on this site so as not to create a nuisance to the satisfaction of the Responsible Authority.

6. Stormwater

All stormwater runoff from the approved development hereby permitted must be disposed of onsite.

7. Vehicle Crossing

- (a) Any new or otherwise vehicular entrances to the subject land from the road must be constructed at a location and of a size and standard satisfactory to the Responsible Authority.
- (b) Consent for 'Works within the Road Reserve' must be obtained from Council prior to carrying out any vehicle crossing works.
- (c) All disused or redundant vehicle crossings must be removed and reinstated to the satisfaction of the Responsible Authority.

8. Damage to Roads

Any damage to Council assets (i.e. roads, table drains, etc.) must be repaired at the cost of the applicant to the satisfaction of the Responsible Authority.

9. No Mud on Roads

Appropriate measures must be implemented throughout the construction stage of the development, and during operation of the facility, to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Responsible Authority.

10. Generation of Dust

Dust suppression measures must be undertaken in the form of constant water spraying or other natural based proprietary dust suppression to ensure that dust caused by works within the site does not cause nuisance to surrounding properties to the satisfaction of the Responsible Authority.

11. Surfacing

All driveways and vehicle movement areas associated with the cow compost barn must be constructed, drained and surfaced with an all weather material and treated to prevent dust causing loss of amenity to the neighbourhood to the satisfaction of the Responsible Authority.

12. Control of Light Spill

External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

13. Landscape Plan Required

Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:

- (a) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
- (b) An in-ground irrigation system to all landscaped areas.

14. Completion of landscaping

Before the use/occupation of the development starts or by such later date as approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

15. Landscaping maintenance

The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority. Any dead, diseased or damaged plants are to be replaced within twelve months.

16. Signage

Details of any proposed signage must be submitted to and approved by the Responsible Authority prior to the use of the cow compost barn coming into operation.

17. Goulburn Murray Water

- (a) All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
- (b) The dairy must be located at least 30 metres from the GMW channel 1/7/2, Hirds Swamp and Pyramid Creek.
- (c) The effluent storage lagoon(s) must be located at least 100 metres from GMW channel 1/7/2, Hirds Swamp and Pyramid Creek.
- (d) All stockpiled manure must be stored on an impervious surface within a bunded area.
- (e) Stormwater run-off from any buildings and roofing must be dissipated as normal unconcentrated overland flow which must be diverted away from the effluent storage lagoon or directed to a storage tank or dam. The dam must be completely separate from the effluent storage system.
- (f) Effluent dam capacity needs to include 600mm freeboard for wave action and increases in water level due to rainfall.
- (g) The effluent storage lagoon must have an impervious liner consisting of no less than 600mm clay of maximum hydraulic conductivity 1×10^{-9} m/s or equivalent. The effluent storage lagoon should not go down to, or below, groundwater levels.
- (h) Irrigation of reclaimed water must not occur within 60 metres from GMW channel 1/7/2, Hirds Swamp and Pyramid Creek.
- (i) Solids removed from the composting barn must not be spread within 60 metres of

GMW channel 1/7/2, Hirds Swamp and Pyramid Creek.

- (j) Irrigation and wastewater reuse must be managed in accordance with the principles and requirements outlined in the *'Guidelines for Wastewater Reuse'*, (EPA Publication #464, 1996) and the *'EPA Guidelines for Wastewater Irrigation'*, EPA Publication #168, April 1991).
- (k) Irrigation of reclaimed water must be done to optimise the uptake of nutrients and other pollutants such that they don't leach to groundwater or runoff to surface waters. The rate and application method must be consistent with the capability of the land and appropriate for the type of plant grown, the soil type and topography. Appropriate harvesting/mowing must be undertaken to ensure nutrient removal.

18. EPA Victoria

- (a) Offensive odours must not be discharged beyond the boundaries of the premises.
- (b) Nuisance dust and/or airborne particles must be discharged beyond the boundaries of the premises.
- (c) Noise emitted from the premises must not exceed the recommended levels as set out in the Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011) or as amended.
- (d) Stormwater contaminated with effluent must not be discharged beyond the boundary of the premises.
- (e) Storage area for spent litter must be appropriately compacted and bunded to prevent stormwater access.
- (f) Deposit of animal or organic wastes to land must not adversely affect the land.
- (g) Management of waste at the premises should be in accordance with EPA Publication IWRG641 Farm Waste Management June 2009 or as amended.

19. North Central Catchment Management Authority

- (a) The banks around the proposed dams must be constructed a minimum of 600 millimetres above natural ground level.
- (b) The finished floor level of the proposed barn and loafing areas must be constructed a minimum of 300 millimetres above natural ground level.

Note: Flood levels for the 1% AEP probability (100 year ARI) have not been determined for this area under the Water Act 1989. However information available at North Central CMA indicates that in the event of a 1% AEP flood event it is possible that the property may be subject to inundation.

20. Department of Environment, Land, Water and Planning

- (a) Block 44 as shown on the underlying Barn and Effluent Distribution Plan is excluded from all effluent treatments, to provide a 100m+ buffer from the wetland boundary.
- (b) If not already in place, drains are to be installed along both the northern and eastern sides of the property to ensure that all seepage and accidental runoff is fully contained within the property.
- (c) Liquid effluent is not to be distributed to paddocks by sprays, which may facilitate spray drift into the Reserve.

21. Expiry of permit for use & development

- (a) This permit will expire if one of the following circumstances applies:
 - The development and use are not started within two years of the date of this permit.
 - The development is not completed within four years of the date of this permit.

- (b) The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.**

NOTE 1: A BUILDING PERMIT MUST BE OBTAINED PRIOR TO COMMENCING ANY BUILDING WORKS.

NOTE 2: ALL BUILDING WORKS MUST COMPLY WITH THE VICTORIAN BUILDING REGULATIONS.

NOTE 3: ABORIGINAL CULTURAL HERITAGE

WORKS MUST CEASE IMMEDIATELY UPON THE DISCOVERY OF ANY ABORIGINAL CULTURAL MATERIAL, AND ABORIGINAL AFFAIRS VICTORIA MUST BE NOTIFIED IMMEDIATELY OF ANY SUCH DISCOVERY AT GPO BOX 2392V, MELBOURNE 3001 OR ON (TELEPHONE) 1300 551 380.

IF ANY SUSPECTED HUMAN REMAINS ARE FOUND, WORK IN THE AREA MUST CEASE AND THE VICTORIA POLICE AND THE STATE CORONER'S OFFICER MUST BE INFORMED OF THE DISCOVERY WITHOUT DELAY. THE STATE CORONER'S OFFICE CAN BE CONTACTED AT ANY TIME ON TELEPHONE (03) 9684 4444.

IF THERE ARE REASONABLE GROUNDS TO SUSPECT THAT THE REMAINS ARE ABORIGINAL, THE DISCOVERY SHOULD ALSO BE REPORTED TO ABORIGINAL AFFAIRS VICTORIA ON (TELEPHONE) 1300 88 544 OR (03) 9208 3287 AND THE PROVISIONS OF DIVISION 2 OF PART 2 OF THE ABORIGINAL HERITAGE ACT 2006 WILL APPLY.

OFFICERS OF ABORIGINAL AFFAIRS VICTORIA SHALL BE PERMITTED ACCESS TO THE SITE AT ANY REASONABLE TIME, FOR THE PURPOSE OF MONITORING ADHERENCE TO CONDITIONS ABOVE.

ALL ABORIGINAL CULTURAL HERITAGE, THAT IS, ABORIGINAL PLACES, ABORIGINAL OBJECTS AND ABORIGINAL HUMAN REMAINS, IS PROTECTED UNDER THE STATE ABORIGINAL HERITAGE ACT 2006. IT IS AN OFFENCE TO DO AN ACT THAT WILL HARM ABORIGINAL CULTURAL HERITAGE OR IS LIKELY TO HARM ABORIGINAL CULTURAL HERITAGE.

PLEASE NOTE THAT UNDER THE ABORIGINAL HERITAGE ACT 2006 ANY WORKS INVOLVING HIGH IMPACT ACTIVITIES LOCATED WITHIN 200 METRES OF A CULTURALLY SENSITIVE AREA, WILL REQUIRE THE DEVELOPMENT OF A CULTURAL HERITAGE MANAGEMENT PLAN. FOR MORE INFORMATION REGARDING THE KIND OF ACTIVITIES THAT TRIGGER A CULTURAL HERITAGE MANAGEMENT PLAN PLEASE REFER TO THE ABORIGINAL HERITAGE REGULATIONS 2007 OR FOLLOW THE WEB LINK TO [HTTP://WWW.AAV.NRMS.NET.AU/AAVQUESTION1.ASPX](http://www.aav.nrms.net.au/AAVQUESTION1.ASPX).

EXECUTIVE SUMMARY

The report is being presented to Council to determine a planning application for the use and development of land for intensive animal industry (cow compost barn) and associated works at Lot 2, TP410668P, 161 Borella Road, Macorna North. The estimated cost of development is \$3,500,000.

Notice of the application was given to surrounding property owners and occupiers and one objection was received.

The proposal is considered to be appropriate for the site and consistent with the provisions of the Gannawarra Planning Scheme.

PURPOSE

To seek Council's decision on planning application P17.090 for the use and development of land for intensive animal industry (cow compost barn) and associated works.

DECLARATIONS OF CONFLICT OF INTEREST

In accordance with Section 80B of the *Local Government Act 1989*, the Officer preparing this report declares no conflict of interest in regards to this matter.

COUNCIL PLAN

Council Plan 2017-2021 – Economic diversity, growth and prosperity – Facilitate growth and diversity within the Shire.

BACKGROUND INFORMATION

The total site area of the farming enterprise is approximately 726 hectares in 12 separate titles/parcels of land. The subject site of the cow compost barn is approximately 115 hectares and is known as Lot 2 on TP410668P.

The subject site is on the north side of Borella Road, east of Mills Road.

There is an existing dwelling and associated outbuildings on the subject site as well as an existing, outdated dairy. The boundary of Hird Swamp adjoins the parcel of land to the east.

Some planted vegetation exists on the site and will need to be removed to make way for the proposal, however, they are mainly willow trees and do not need approval for removal.

The site is accessed directly from Borella Road which is an all weather gravel road. A Goulburn Murray Water channel/drain runs parallel with Borella Road.

The closest neighbouring dwelling is in excess of 1.5kms from the development site.

An inspection of the site and the surrounding area has been undertaken.

The proposal will incorporate the following:

- Construction of a 480 Cow Compost Barn (192.0 metres x 54.0 metres with an area of 10,368 m²) with a robotic milking system.

The compost barn is a housing system for dairy cows consisting of a large, open resting area, usually bedded with sawdust or wood shavings that are composted in place, along with manure, when mechanically stirred on a regular basis. The barn provides improved cow comfort and cleanliness, increased productivity, less odour and an increase in daily milk production.

- Eight milking robots.

Reasons for a robotic system are labour efficiency as the cow's milk themselves more frequently (3⁺ milkings each day). Data is gathered on cow performance, reproduction and animal health. Cows don't have to spend time on concrete waiting yards before milking.

- Effluent management system.
- Associated buildings
- Storage areas.

CONSULTATION

The application was referred externally to Agriculture Victoria, North Central Catchment Authority, Goulburn Murray Water, Environmental Protection Authority and the Department of

Environment, Land, Water and Planning who offered no objection to the grant of a permit subject to the inclusion of conditions in any planning permit issued.

The application was referred to the following Council's Environmental Health, Engineering and Building Departments, who offered no objection subject to the inclusion of conditions.

Notice of the application was given by mail on 9 January 2018 to adjoining property owners and occupiers. One objection was received.

The key issues raised in the objection are:

- Impact of glare from the shed.
- Odour on the neighbouring property.
- Impact on the Ramsar listed Hird Swamp.
- Effluent disposal.
- Potential to increase the number of milking cows from 480 to 640.
- Increased traffic and degradation of Borella Road and Mills Road.

A copy of the objection was provided to the applicant who has provided a detailed response to each point and this is included as an attachment.

In response to the issues raised by the objectors, the following relate to how Council will address each of the points should approval be granted for the proposal.

- Impact of glare from the shed
The applicant is proposing to plant three corridors of trees to screen the proposed development, running north south along Mills Road for approximately 2.4kms. Each corridor will be approximately 400 metres apart. A Landscape Plan has been included (condition 13) should the application be approved.
- Odour on the neighbouring property.
Whilst some odour is inevitable with most farming operations, the conditions 4, 5 and 18 have been included to help deal with offensive odours. In addition, the objector's residence is in excess of 2kms west of the development site and the prevailing wind directly is generally from the west.
- Impact on the Ramsar listed Hird Swamp.
The application was referred to the Department of Environment, Land, Water and Planning, Goulburn Murray Water and North Central Catchment Management Authority for their consent/comments. All have provided consent to the application and did not raise any issues with the impact on Hird Swamp.
- Effluent disposal.
Effluent disposal will be managed and control by conditions 4, 17, 18 and 19.
- Potential to increase the number of milking cows from 480 to 640.
The applicant has advised that there is no intention to increase the number of cows as this would overstock the bedding area and feed alleys and would compromise milk production. The cow numbers depend on the breed being milked and with the current herd, they are not able to increase the numbers above 500. If they were milking another breed of cow, they may be able to increase the numbers, however, this is not anticipated.
- Increased traffic and degradation of Borella Road and Mills Road.

The applicant has advised that any additional traffic during construction will only be short term and should only cause minimal disruption to existing traffic. Most of the feed and fodder is produced on the existing farm and will be delivered to the barn. One of the advantages of the cow composting barn is that cows will not need to be moved across and along roadways to access other paddocks which may cause damage to roads.

ASSESSMENT

The subject land is situated within the Farming Zone (FZ) pursuant to Clause 35.07 of the Gannawarra Planning Scheme. One of the purposes of the FZ is:

‘To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision’.

The zone gives priority to agricultural uses over non-agricultural uses such as dwellings. The zone seeks to protect and encourage agricultural development whilst being considerate of existing sensitive uses.

The subject land is affected by the Environmental Significance Overlay Schedule 4 (ESO4), Land Subject to Inundation Overlay (LSIO) and Rural Floodway Overlay (RFO).

One of the objectives of the ESO4 is:

‘To ensure that any 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 significant rise in flood level or flow velocity’.

One of the purposes of the LSIO is:

‘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’.

It should be noted that the actual development site is not affected by this overlay.

One of the purposes of the RFO is:

To identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding’.

It should also be noted that the actual development site is not affected by this overlay.

The State Planning Policy Framework (SPPF)

The Loddon Mallee North Region includes Clause 11.13-2 A diversified economy. The objective to realise opportunities to strengthen and diversity the economy. A strategy is to 'support growth and adaption of agriculture'.

Clause 14.01-2 Sustainable agricultural land uses – Objective is 'to encourage sustainable agricultural land use'.

Local Planning Policy Framework (LPPF)

Clause 21.05-1 Sustainable farming – Objective 1 is 'to encourage and support commercial farming and farm production as a vital component of the economic base of the municipality'.

The LPPF and Council's Municipal Strategic Statement (MSS) identifies the importance of farm production within the municipality. Objectives include *'to encourage and support commercial farming and farm production as a vital component of the economic base of the municipality'*. A strategy to achieve this is to *'encourage high quality design and appropriate siting of intensive animal industries and dairy farms based on the capability of land for the management of nutrients and the disposal of effluent; the adequacy of infrastructure services; and the location of sensitive use and development'*.

Particular Provisions

Nil

The decision guidelines of Clause 65

The proposal generally complies with the provisions of Clause 65, in particular, the purpose of the zone.

Other relevant adopted State policies/strategies – (e.g. Melbourne 2030.)

Nil

Relevant incorporated or reference documents

Nil

Relevant Planning Scheme amendments

Nil

OPTION ANALYSIS

Council has two options in relation to this report:

1. To approve Planning Application P17.090 and issue a Notice of Decision to grant a planning permit subject to appropriate conditions. The objector has the opportunity to appeal Council's decision at VCAT.
2. To refuse Planning Application P17.090 and issue a Notice of Refusal stating the grounds of refusal. The permit applicant has the opportunity to appeal Council's decision at VCAT.

RISK IMPLICATIONS

There are no risk implications to Council.

FINANCIAL IMPLICATIONS



Nil

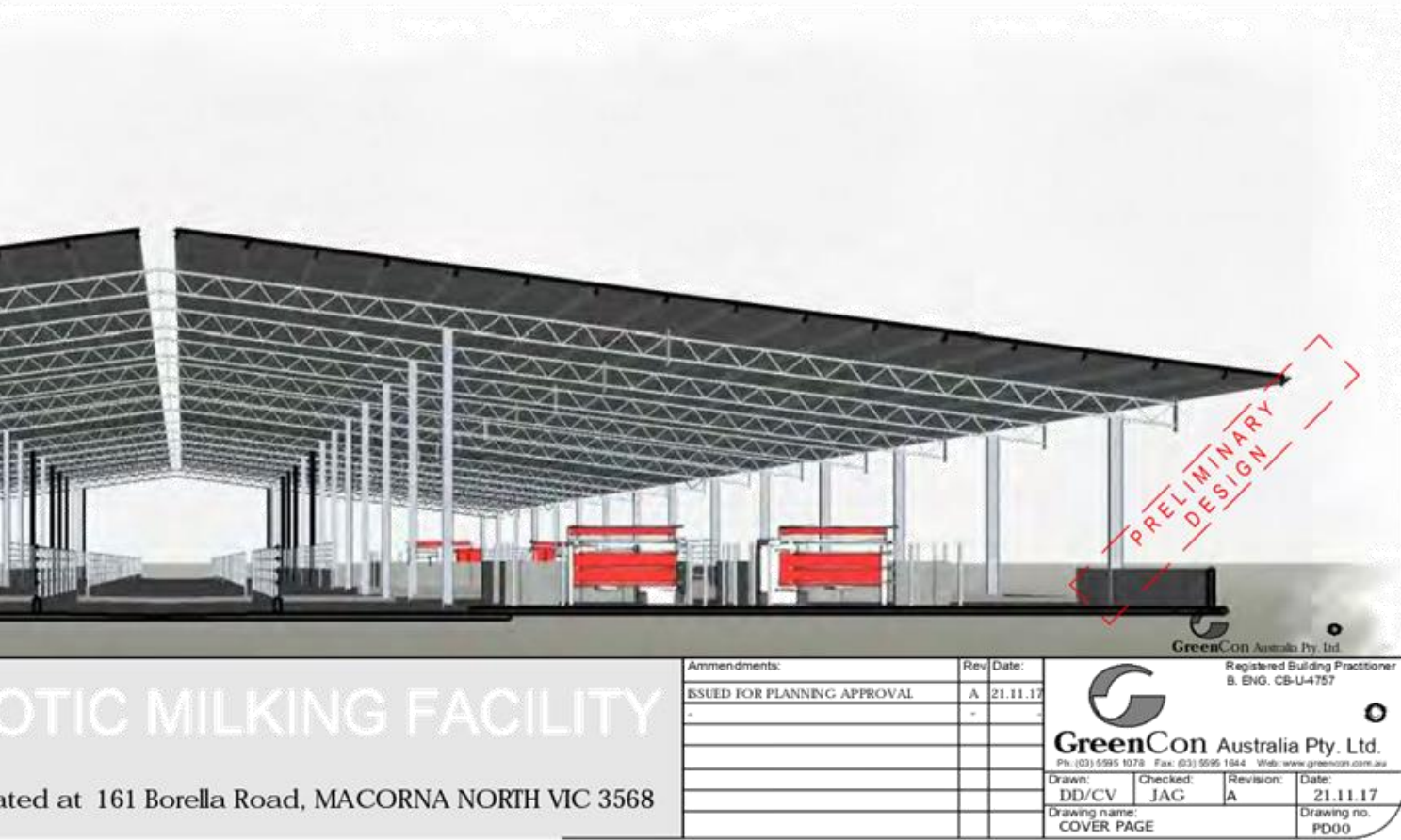
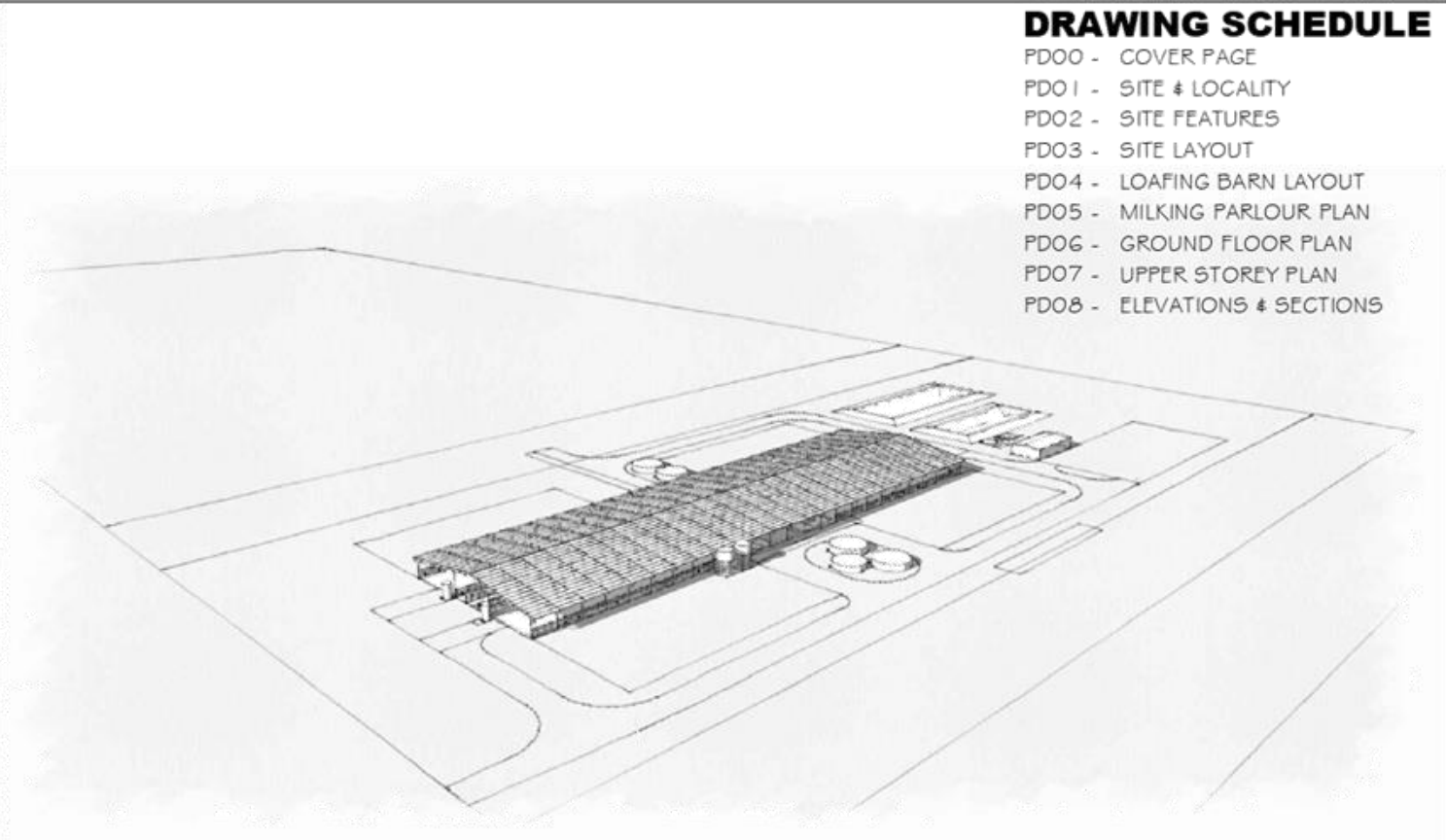
CONCLUSION

The proposed use and development is considered appropriate for this site.

It is considered that the proposal is consistent with the Gannawarra Planning Scheme, in particular the purpose of the Farming Zone and the state and local planning policy.

Given the above, it is recommended that the application be approved subject to the conditions as stated in the recommendation of this report.





DRAWING SCHEDULE

- PD00 - COVER PAGE
- PD01 - SITE & LOCALITY
- PD02 - SITE FEATURES
- PD03 - SITE LAYOUT
- PD04 - LOADING BARN LAYOUT
- PD05 - MILKING PARLOUR PLAN
- PD06 - GROUND FLOOR PLAN
- PD07 - UPPER STOREY PLAN
- PD08 - ELEVATIONS & SECTIONS

PROPOSED COMPOST BARN & ROBOTIC MILKING FACILITY
for CLYDEVALE HOLSTEINS

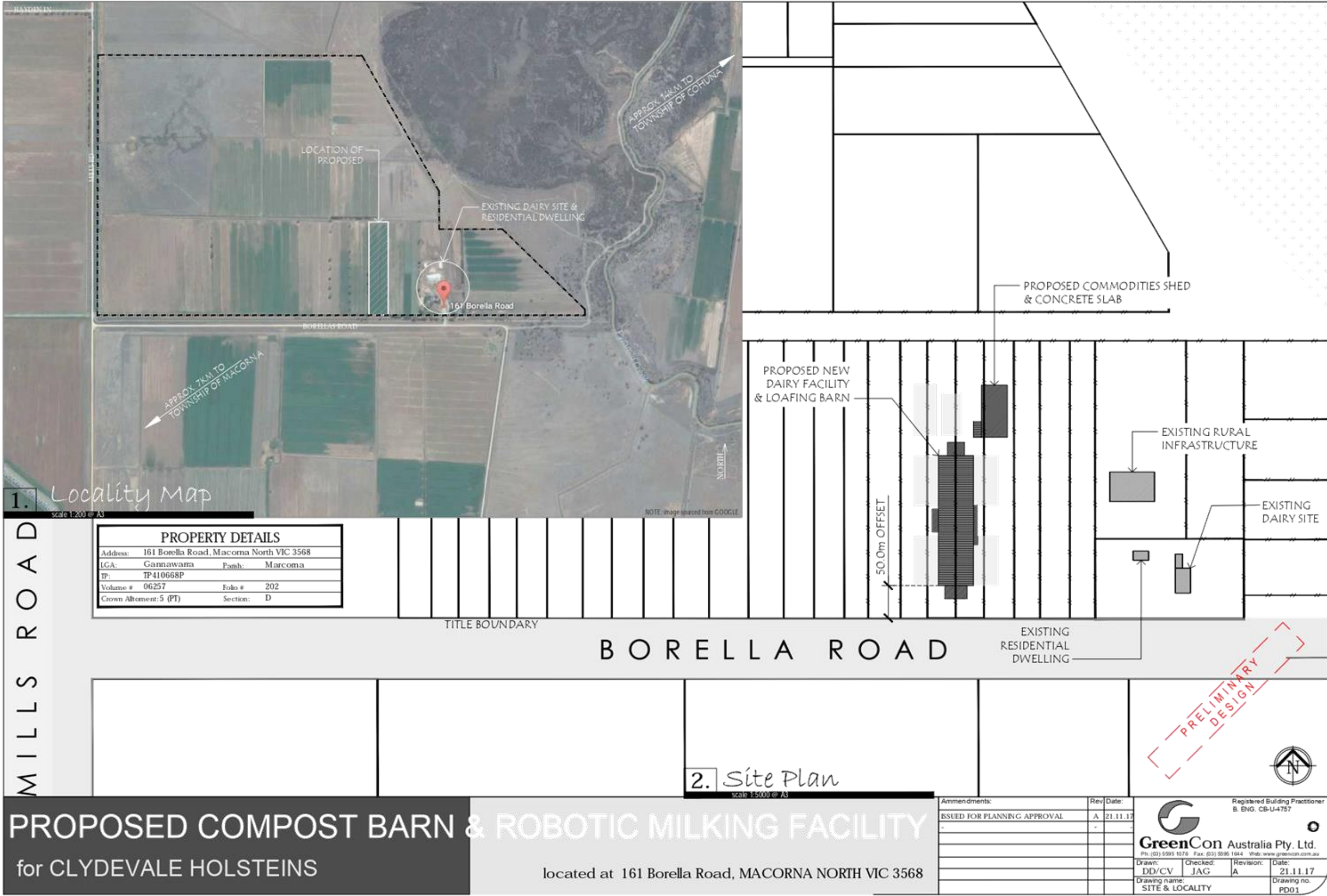
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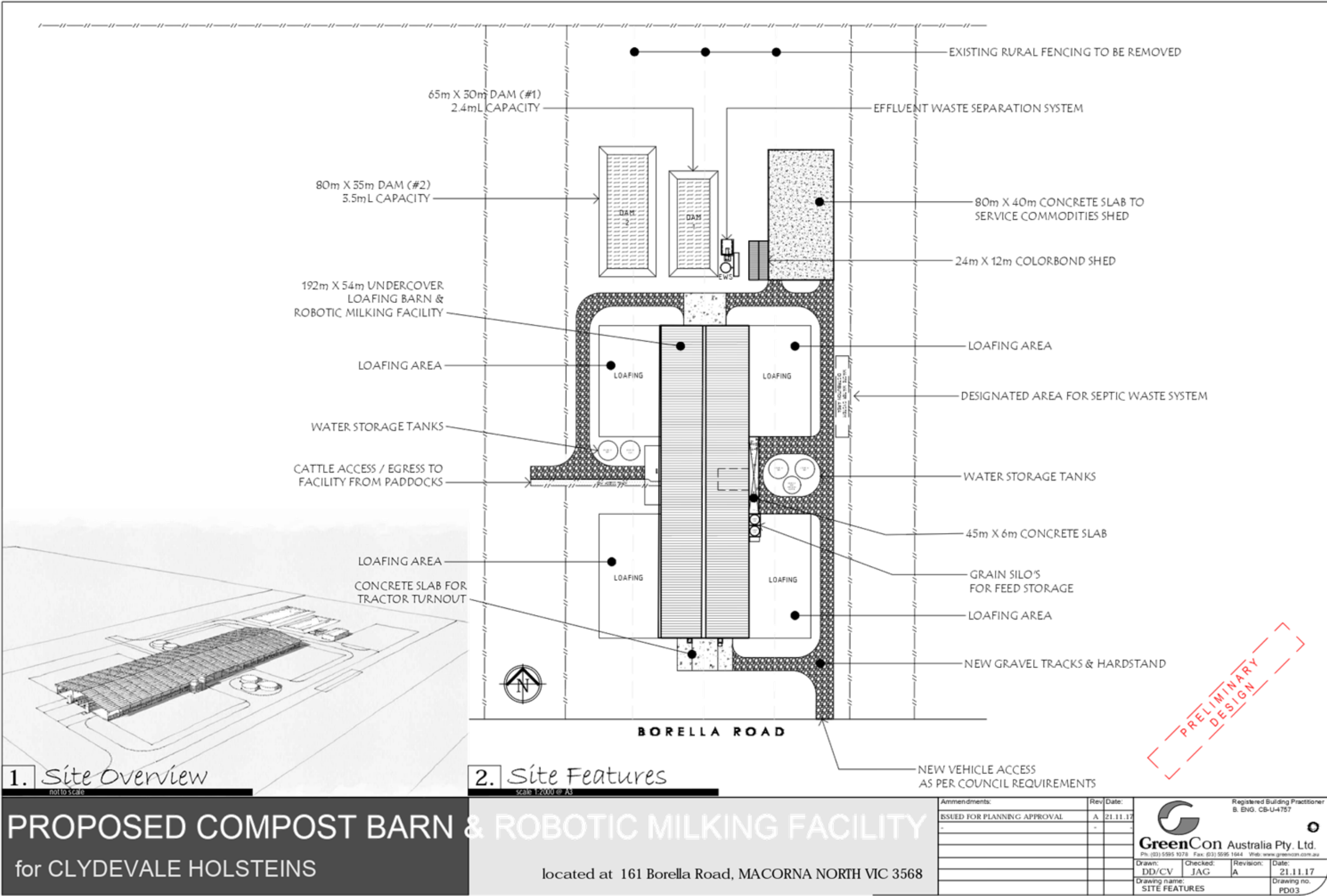
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ISSUED FOR PLANNING APPROVAL	A	21.11.17

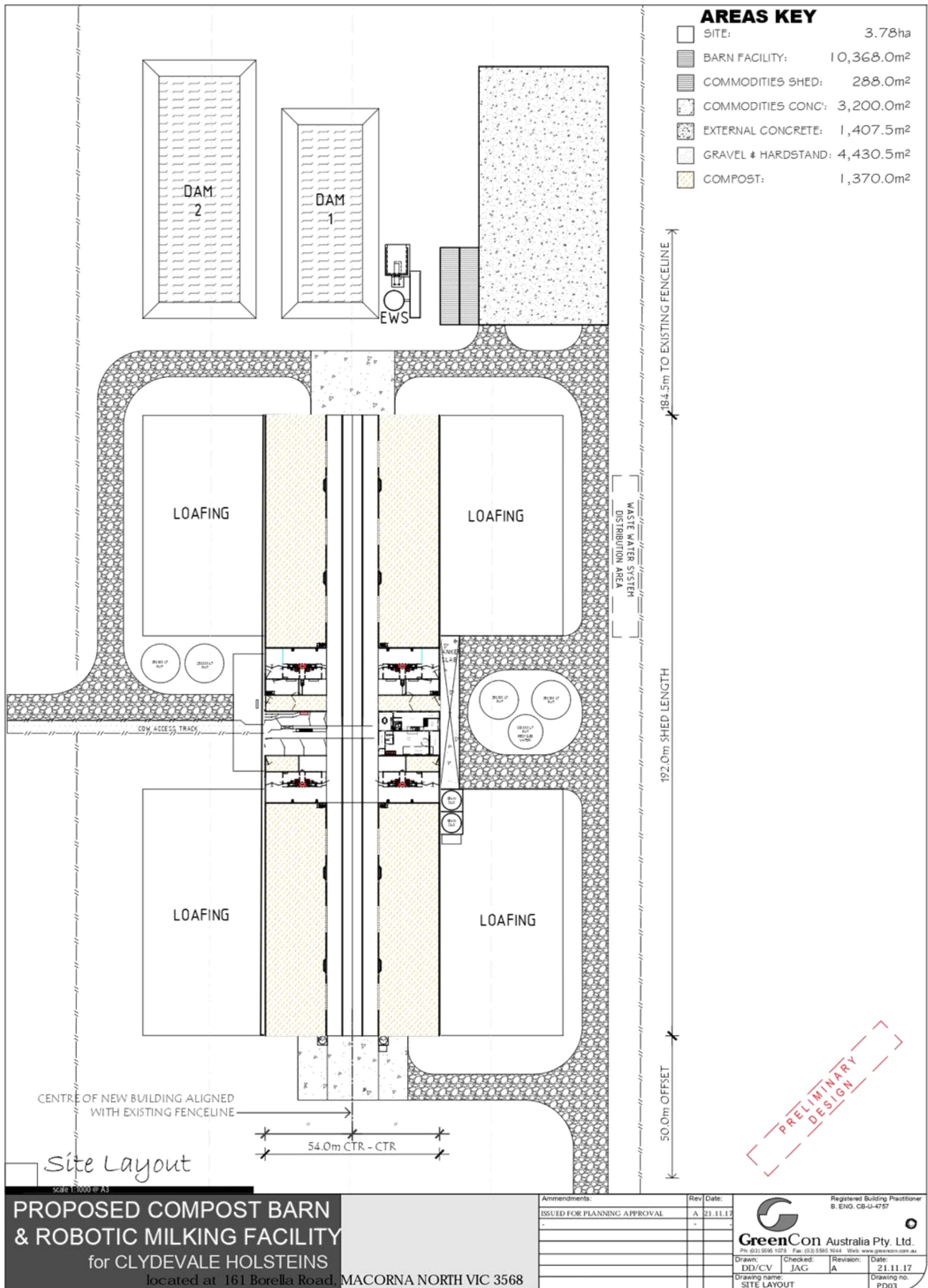
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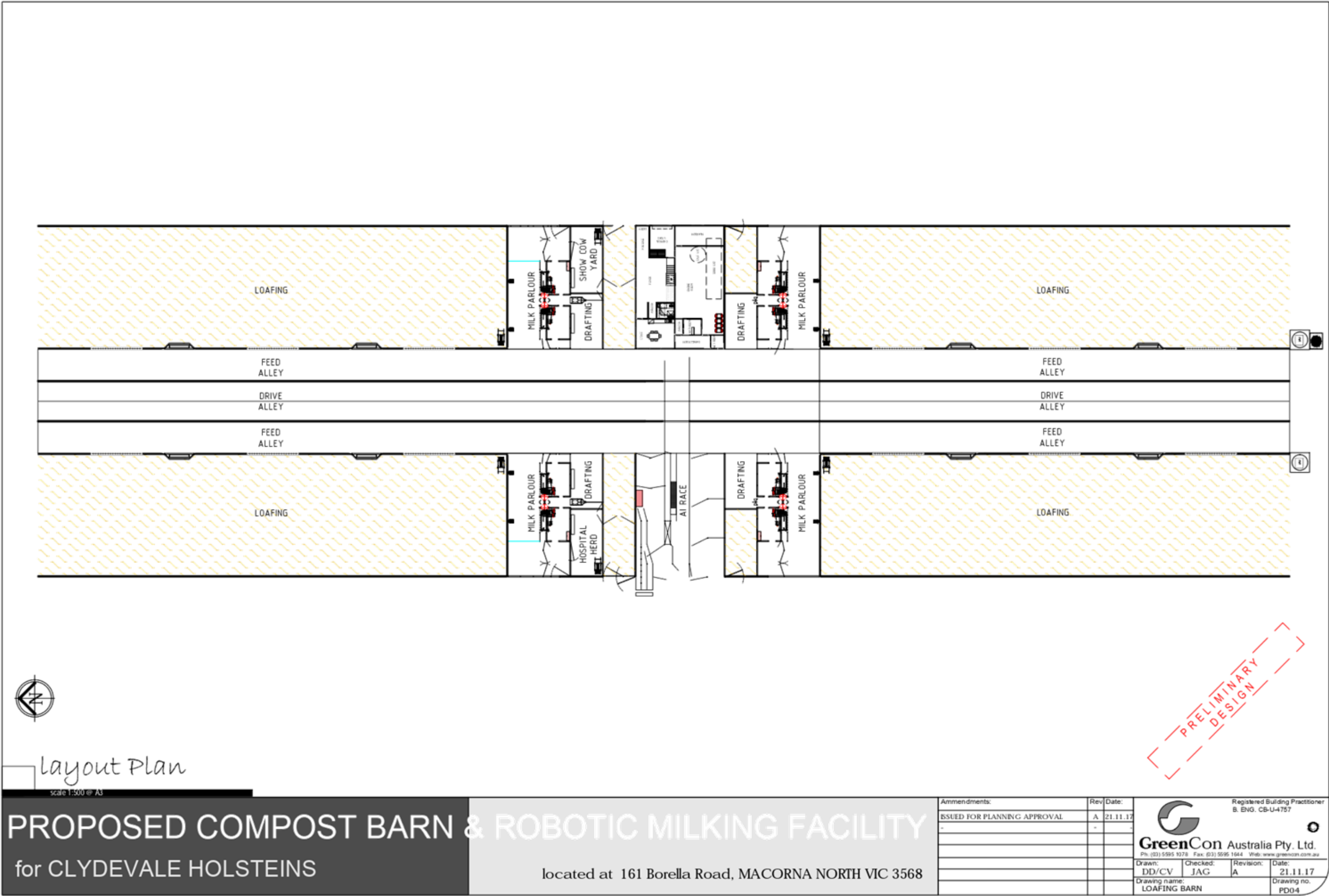
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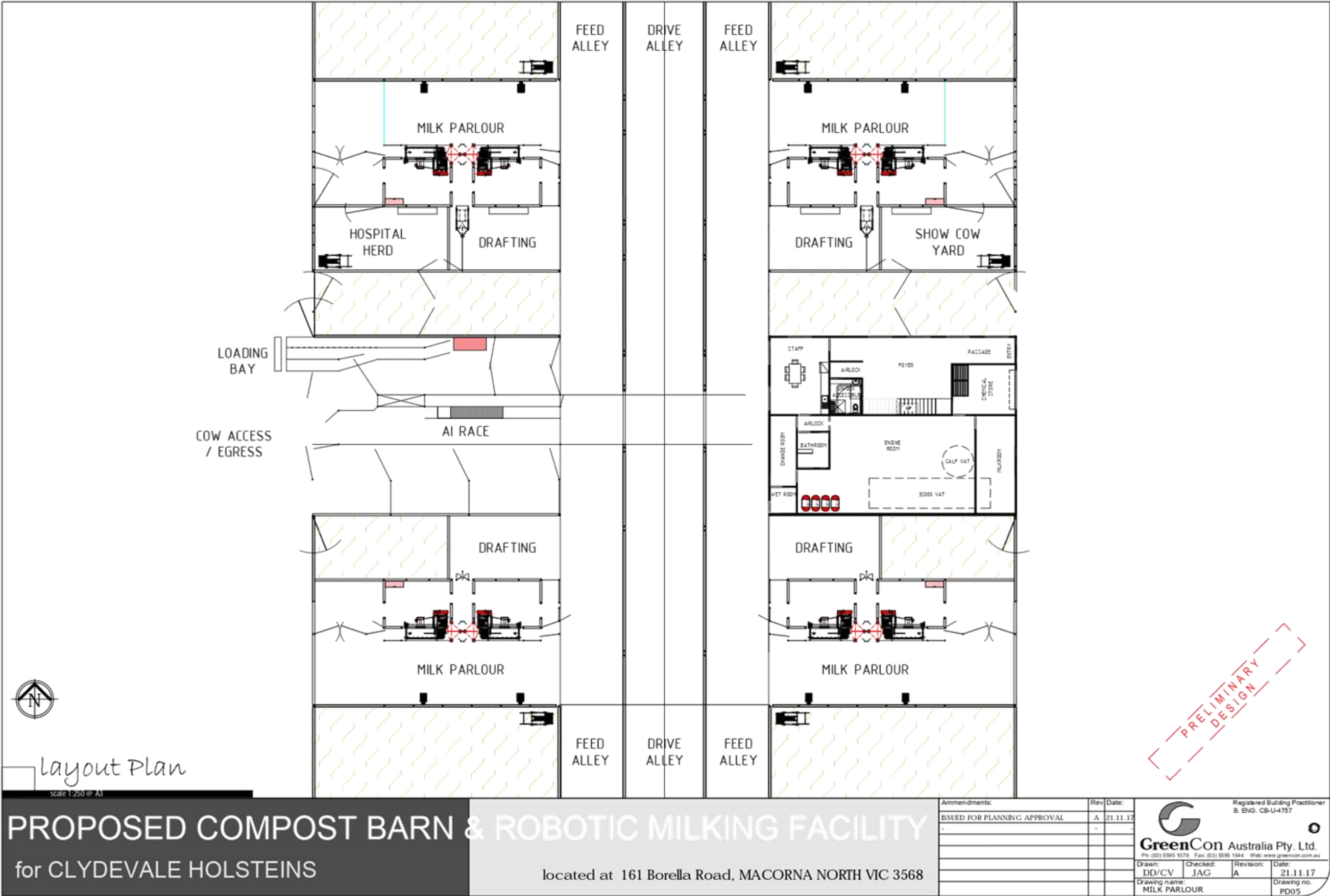
GreenCon Australia Pty. Ltd.
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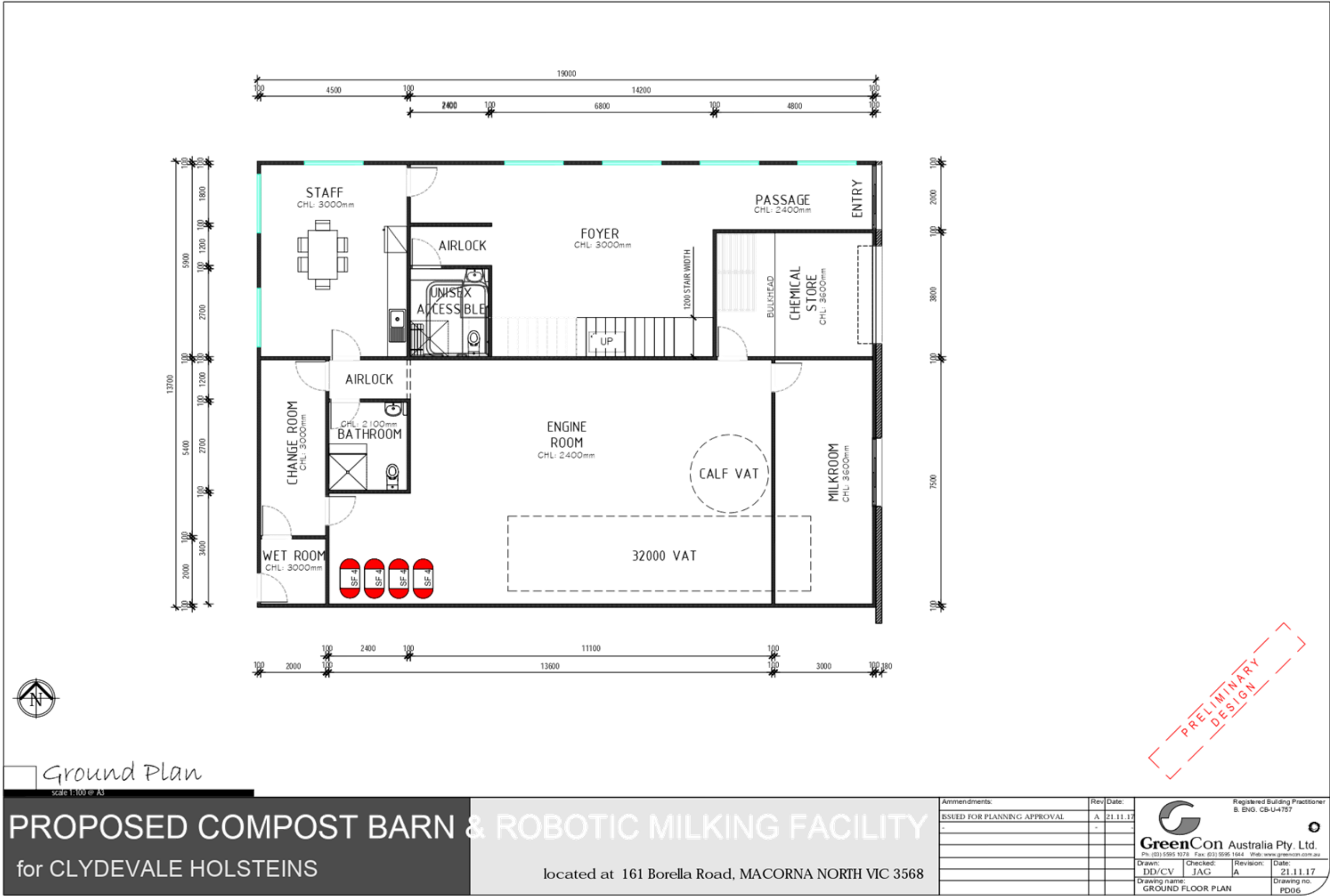


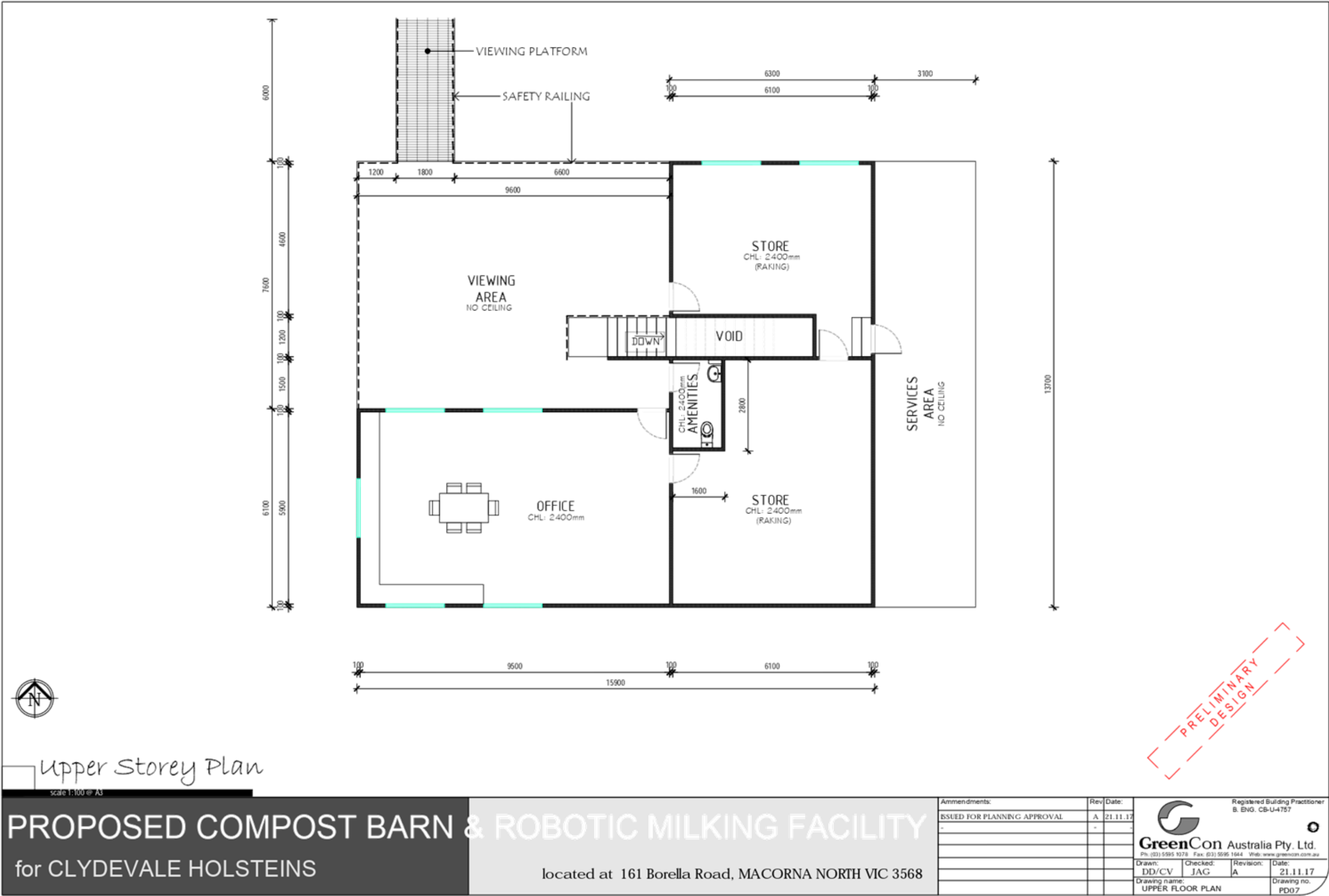


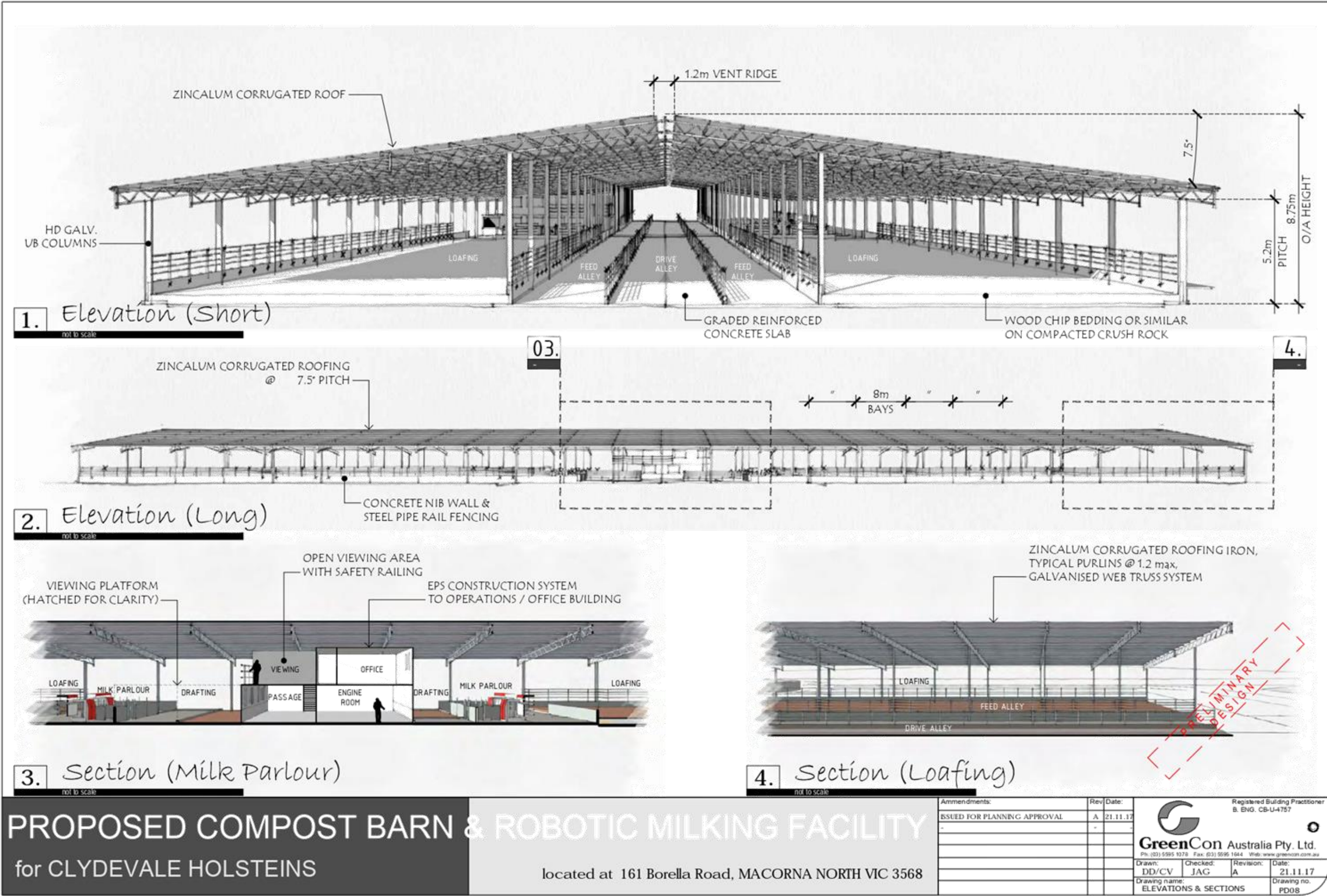












8.3 SPECIAL CHARGE SCHEME - LYONS ROAD, COHUNA

Author: Brent Heitbaum, Manager Projects and Design

Authoriser: Geoff Rollinson, Director Infrastructure and Development

Attachments:

- 1 Schedules and Plan**
- 2 Cost Estimate**

RECOMMENDATION

That Council Resolves that it intends to declare a special charge in accordance with Section 163 of the Local Government Act 1989 (the Act) as follows:

- 1. The special charge is declared for the purpose of defraying any expenses incurred by Council in relation to the construction and sealing of Lyons Road, as described in Schedule A.**
- 2. The special charge is declared for a period until the works have been completed and the scheme finalised.**
- 3. The area for which the special charge is declared is as shown on the attached Plan A.**
- 4. The lands in relation to which the special charge is declared are as set out in Schedule B.**
- 5. All those rateable properties abutting or adjacent to the works or part thereof shall be the criteria for the basis of the special charge so declared.**
- 6. It is considered that the works will be of special benefit to those persons required to pay the special charge.**
- 7. The total cost of the works is the amount shown in schedule A, estimated at \$284,328.00.**
- 8. The total amount of the special charge to be levied is the amount estimated at \$284,328.00, determined from the assessment of the scheme in accordance with section 163 of the Act and associated Ministerial Guidelines, as set in Schedule C.**
- 9. Apportionment of the costs for each property will be assessed and levied on the basis of the relative benefit determined to be derived from the works.**
- 10. Subject to Section 166(1) of the Act, the owners of the land as set out in Schedule B are estimated to be liable for the amounts set out in Schedule B.**
- 11. The special charge will become due and payable in full or arrangements be agreed to pay by instalments within 30 days of the issue of the notice requesting payment pursuant to Section 167(3) of the Act.**
- 12. In accordance with Section 172 of the Act, the rate of interest payable on the special charge, or component thereof, which has not been paid by the specified date, is set at the rate of interest applicable to Councils overdraft as at the first day of the billing period.**
- 13. Council's Chief Executive Officer be authorised to give public notice of the intended declaration, in accordance with Section 163(1A), (1B), (1C) and 163B of the Act.**
- 14. Council shall consider any submissions made in accordance with Section 223 of the Act, prior to further consideration of the intended declaration.**
- 15. The intended declaration shall be considered by Council at a future meeting.**

EXECUTIVE SUMMARY

To propose the giving of notice to affected landowners of the implementation of a special charge scheme to construct and seal Lyons Road in Cohuna under a Special Charge Scheme. There are 11 lots held by 8 unique owners under the proposed scheme area. The proposed scheme will involve the sealing of approximately 500 metres of Lyons Road from Roviras Road to end including required drainage works at an estimated cost of \$284,328.00

BACKGROUND

Council is considering whether to implement a special charge scheme to upgrade Lyons Road, Cohuna. The current road standard is formed and gravelled with partially formed earthen drains.

The section of Lyons Road which is the subject of this report and the scheme area, outlining the properties proposed to be included as contributors to the scheme cost is attached as Plan A.

There are 11 lots comprising 8 properties under separate ownership abutting onto the street. The project is being considered due to requests by residents. The street provides primary access to these properties only, as it is not a through road.

The estimated cost of the project is \$284,328 including GST and includes construction and sealing of the roadway and associated drainage works.

The cost to be recouped from the directly benefiting properties is \$284,328. The calculation of the degree of benefit gained by the contributing properties is attached to this report.

DISCUSSION

The section of road that is proposed for the special charge scheme is approximately 500 metres in length and constructed of fine crushed rock. Under this proposal Lyons Road would be reconstructed and sealed along with the addition of drainage to accommodate the sealed surface.

Designs and an opinion of probable construction costs were prepared by Heil Engineering Consultants and are attached to this report.

The total cost of the works is estimated at \$284,328 (including GST) with Council's contribution to be Nil in accordance with Council Policy No 090 – Special Rates and Special Charges Scheme, as there is no community benefit to be gained from sealing Lyons Road.

Council resources would be required to process the scheme and should it proceed, to finalise construction plans and specifications and tender the works. Council resources would also be required to manage the construction contract. These costs would be included into the scheme costs and recouped through the landholder contributions.

If Council intends to proceed with the scheme it is anticipated that the legislated process would not allow any construction works to commence until the weather conditions are conducive to road construction, this is estimated to be late in the 2018 calendar year.

Council's Policy No 090 states the payment options of a special charge scheme include:

- Lump sum within 30 days after the date of issue of the notice, or
- Quarterly instalments over a period of years as set by Council for each scheme, but not exceeding 4 years.

The properties affected by this proposed scheme are detailed below along with probable amount payable under the scheme.

Address	Lot	Plan	Assessment Number	Assigned Benefit Units	Allocated Cost
26 Lyons Road	5	LP7020	A50633	0.3	\$8,077.50
42 Lyons Road	1, 2, 3, 4	LP7020	A48108	4.0	\$107,700.00
88 Lyons Road	1	TP323454	A78090	1.0	\$26,925.00
65 Lyons Road	38	LP7020	A1623669	1.0	\$26,925.00
51 Lyons Road	37	LP7020	A2367670	1.0	\$26,925.00
49 Lyons Road	36	LP7020	A1623651	1.0	\$26,925.00
45 Lyons Road	5	PS518958	A1402130	1.0	\$26,925.00
Lyons Road	1	PS432246	A1623644	0.3	\$8,077.50
Total Contributions					\$284,328.00

CONSULTATION

A survey was sent out to each of the owners of the identified benefiting properties to determine the level of interest in a special charge scheme. Five surveys were in favour of the scheme, two were not in favour of the scheme with one survey not being returned. No costing information was provided in this initial survey.

Should Council wish to proceed with the scheme, formal notice will be provided to each of the landowners, providing each the opportunity to make a submission regarding the proposal or aspects of the design. Under Section 163B of the *Local Government Act 1989*, as it is proposed that more than 2/3 of the cost is intended to be raised from the contributing properties, then the landowners have the option to object outright to the scheme. If more than 50% (in this case 5) of the properties objects the scheme cannot proceed.

If Council wished to proceed to declare the scheme after considering initial submissions, the proposed contributors still have the option to appeal to the Victorian Administrative Appeals Tribunal (VCAT).

Therefore if Council wishes to continue with the project, the landowners who would be required to contribute would have further opportunity to comment, present to Council or to VCAT.

CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

There is a divided view among those of the possible contributors who responded to the survey regarding whether the scheme should proceed.

All landowners involved have the opportunity to object or to make a submission to Council if the scheme is to proceed.

Given then that five out of seven landowners have indicated their initial interest in the proposed scheme it is proposed that the scheme proceed to the giving of notice to the properties involved that they are liable to contribute the amount as outlined in Schedule A (see attachment).

Schedule A**Cost Estimate for Construction of Lyons Road, Cohuna**Description of works:

- a) Construct Lyons Road to a seal width of 6m,
- b) Construct associated table drains.

<i>Item</i>	<i>Description</i>	<i>Amount</i>
1	General items, Site establishment & Demolition	\$56,300
2	Road pavement rehabilitation and widening works	\$131,800
3	Drainage and culvert works	\$27,300
4	Contingency (20%)	\$43,080
	Sub Total	\$258,480
	GST	\$25,848
	Total Estimate	\$284,328

Schedule B**Scheme Contributing Properties**

Address			Lot	Plan	Assessment Number	Assigned Benefit Units	Allocated Cost
26	Lyons Road	Cohuna	5	LP7020	A50633	0.3	\$8,077.50
42	Lyons Road	Cohuna	4	LP7020	A48108	1.0	\$26,925.00
42	Lyons Road	Cohuna	3	LP7020	A48108	1.0	\$26,925.00
42	Lyons Road	Cohuna	2	LP7020	A48108	1.0	\$26,925.00
42	Lyons Road	Cohuna	1	LP7020	A48108	1.0	\$26,925.00
88	Lyons Road	Cohuna	1	TP323454	A78090	1.0	\$26,925.00
65	Lyons Road	Cohuna	38	LP7020	A1623669	1.0	\$26,925.00
51	Lyons Road	Cohuna	37	LP7020	A2367670	1.0	\$26,925.00
49	Lyons Road	Cohuna	36	LP7020	A1623651	1.0	\$26,925.00
45	Lyons Road	Cohuna	5	PS518958	A1402130	1.0	\$26,925.00
	Lyons Road	Cohuna	1	PS432246	A1623644	0.3	\$8,077.50
Total Contributions							\$284,328.00

Plan A



Schedule C: Calculation of Beneficiaries

LYONS ROAD CONSTRUCTION SCHEME

Construction and Sealing of

- Lyons Road West from Roviras Road to end.

Scheme Area Characteristics

Properties involved within the scheme area:

- All lots with frontage or side boundary to Lyons Road West.

Current zoning:

Low density residential LDRZ
Farming zone FZ
DDO4

Current construction standard:

Street access – Lyons Road West is formed and crushed rock surfaced. The intersecting streets are sealed through.

Footpath – there is no footpath within the street section.

Drainage – Informal drainage currently exists

Property access – the occupied lots generally have gravel driveways.

Road classifications:

Lyons Road West is an urban residential access major street.

Proposed Construction Standard

Form up and construct and seal the entire road length to a width of 6m (including shoulders), to match into the existing road elevations and profiles at each intersection.

Footpaths or kerb and channel will not be constructed as part of this scheme. The existing roadside inverts will be reshaped and levelled to drain as required. All existing driveway culverts will be renewed and others installed as needed to ensure they are of adequate capacity and level to enable proper drainage of the table drain.

Scheme Cost

All estimates of cost assume construction in 2018.

The estimated total road construction cost is \$284,328.00 including GST

Reason for Construction

Request from residents and positive response from initial consultation.

Calculation of Special Beneficiaries

There are 11 separate lots with frontage or a side boundary to the street section.

All lots will benefit from reduced dust from the roadway when sealed.

Most lots will have their road access upgraded. There is a variable access benefit across the lots as some have already sealed access from intersecting streets.

Hence there are 11 special beneficiaries.

Properties To Include

11 lots abutting the street are privately owned and rateable.

Under the current protocol each of these lots is liable to contribute to the scheme.

Hence, Special Beneficiaries included, $SB(in) = 11$

Special Beneficiaries not included, $SB(out) = 0$

Total Special Benefit

The Scheme gives both access and amenity benefit.

The lots are at varying stages of development. Some lots are developed to include a single dwelling.

Amenity Benefit

Dust suppression is generally the principal factor in the decision to seal residential streets. Most of the dwellings along the road is generally the same distance from the carriageway, hence the impact of dust is assumed to be the same for each dwelling.

The amenity benefit gained due to dust suppression will be regarded to apply to both frontage and side boundaries. As a proportion of the overall benefit to be gained from the works, dust suppression will be assigned 0.3BU. Any variation in benefit between properties will be applied at apportionment of costs.

Access Benefit

The road access is currently all-weather but routinely becomes corrugated. The scheme works will improve generally the standard of access to the affected properties.

Access benefit will be based on an equivalent benefit to each existing or potential dwelling which relies on Lyons Road West for access to the property. Some of the properties already have direct access to an intersecting sealed road. Each of these will be assumed to have existing improved access, therefore no access benefit is gained from the works.

Lots to receive and rely on sealed access will be assumed to receive an access benefit of 0.7BU for each dwelling or potential dwelling relying on Lyons Road West for access. This will be assumed to be the main benefit to be gained from the works.

- a. Lots with frontage only to Lyons Road West –
These 9 lots gain the full benefit of improved road access and dust suppression.

Their amenity benefit will be 0.3BU for dust suppression.
Their access benefit will be 0.7BU for road surface upgrade.

- b. Lots with Frontage to Lyons Road West and Roviras Road
These 2 lots front onto and gains access directly from the sealed Roviras Road.
The lots will be subject to dust from the adjacent unsealed Lyons Road West, so will gain a standard benefit from dust suppression.

The amenity benefit will be 0.3BU for dust suppression.

Summary

Benefit		TSB in		TSB out	
		Lots	Benefit	Lots	Benefit
Access	a	9	0.7	0	0
	b	0	0.7	0	0
			6.3		
Dust Suppression	a	9	0.3	0	0
	b	2	0.3	0	0
			3.3		
		9.6 Total Benefit Units			

Total Project Cost \$258,480

1 Benefit Unit \$26,925.00 (=258,480 ÷ 9.6)

0.3 Benefit Units \$8,077.50 (=26,925 x 0.3)

Benefit Ratio

Not applicable as there is no identified community benefit.

Total Chargeable Amount

The cost of the works relates to the two components of the construction and sealing of the roadway and reshaping the table drain and to the installation of driveway culverts into each of the properties.

APPORTIONMENTS

The scheme cost to each lot will be proportionally aligned to the relative benefit derived from the access and amenity improvements. That is determined by the benefit unit assigned to each lot in the above discussion.

Total Project Cost \$284,328

OPINION OF PROBABLE CONSTRUCTION COSTS

Revision 1: 08/01/2018

SCHEDULE 1 - SUMMARY**PROJECT NAME:** 17009 - LYONS ROAD UPGRADE WORKS, COHUNA**CONTRACT NO.****LOCATION:** LYONS RD, COHUNA

Item No.	Description	Amount
1.0	GENERAL ITEMS, SITE ESTABLISHMENT & DEMOLITION	\$56,300.00
2.0	ROAD PAVEMENT REHABILITATION & WIDENING WORKS	\$131,800.00
3.0	DRAINAGE & CULVERT WORKS	\$27,300.00
4.0	CONTINGENCY (20%)	\$43,080.00
	SUB TOTAL	\$258,480.00
	G.S.T.	GST
		\$25,848.00
	TOTAL	\$284,328.00

1 This is a preliminary opinion of probable costs (OPC) only and is subject to the detailed design.

2 The above estimate does not include works relating to possible services re-alignment works should existing service depths be insufficient

3 The above OPC does not include any costs associated with Cultural and Heritage or Environmental

Management obligations that may be applicable to the site.

4 Whilst every effort has been taken to ensure accuracy Heil Engineering Consultants cannot accept liability arising from the use thereof.

5 This OPC is based on drawings 17009_SD01-06_P1.

OPINION OF PROBABLE CONSTRUCTION COSTS

Revision 1: 08/01/2018

SCHEDULE 2 - LYONS ROAD UPGRADE WORKS

PROJECT NAME: 17009 - LYONS ROAD UPGRADE WORKS, COHUNA

CONTRACT NO.

LOCATION: LYONS RD, COHUNA

Item No.	Description of Work	Estimated Quantity	Unit	Rate \$	Extended Amount \$ (GST Excl.)
1.0	GENERAL ITEMS, SITE ESTABLISHMENT & DEMOLITION				
1.1	Site establishment, permits, and insurances.	1	Item	\$10,000.00	\$10,000.00
1.2	Site management: preparation of a Management Plan including site management, environmental management and OH&S systems where required.	1	Item	\$15,000.00	\$15,000.00
1.3	Site clearing including slashing if required, removal of all surplus material, rubbish and existing signage as required	1	Item	\$15,000.00	\$15,000.00
1.4	Traffic Management for the duration of the works	1	Item	\$5,000.00	\$5,000.00
1.5	Construction setout and level control	1	Item	\$5,000.00	\$5,000.00
1.6	Service locations and confirmation of existing utility asset depths	1	Item	\$1,500.00	\$1,500.00
1.7	Geotechnical compaction testing reports				
1.7.1	Base Layer	8	No.	\$300.00	\$2,400.00
1.7.2	Reworked Sub-base Layer	8	No.	\$300.00	\$2,400.00
	SUB-TOTAL				\$56,300.00
2.0	ROAD PAVEMENT REHABILITATION & WIDENING WORKS				
2.1	Formation and earthworks:				
2.1.1	Formation and shaping of new roadside table drains incl. Loading, carting and stockpiling of surplus material on site as nominated by the Superintendent.	1	Item	\$10,000.00	\$10,000.00
2.2	Sub-base: rework and compact sub-base layer compacted to 95% Mod MDD.	3300	m ²	\$8.00	\$26,400.00
2.3	Base: Supply, spread and compact 100mm deep Class 2 FCR size 20mm. Compacted to 98% Mod MDD.	3300	m ²	\$15.00	\$49,500.00
2.4	Spray Seal (4m wide seal):				
2.4.1	7mm aggregate primerseal	2200	m ²	\$8.00	\$17,600.00
2.4.2	14mm aggregate final seal	2200	m ²	\$10.00	\$22,000.00
2.5	Existing driveway/vehicle access locations interface making good works:				
2.5.1	Works associated with the reconstruction of crushed rock driveways as required to ensure driveway surface levels match finished pavement surface levels. Includes supply & installation of 100mm thick (min) 20mm N.S Class 3 FCR compacted to 98% modified compaction	300	m ²	\$20.00	\$6,000.00
2.6	Installation of blue reflective markers for on center of seal adjacent existing water hydrants	1	Item	\$300.00	\$300.00
	SUB-TOTAL				\$131,800.00
3.0	DRAINAGE & CULVERT WORKS				
3.1	Supply of materials and installation of RCP pipe (for new culverts and existing culvert extensions) including excavation of trench, laying of pipework, placing and compaction of backfill as specified:				
3.1.1	300dia. RCP	70	m	\$300.00	\$21,000.00
3.2	Supply and installation of endwalls (no allowance for driveable endwalls) including bedding and localised shaping of the adjacent table drains.				
3.2.1	To suit 300dia RCP	14	No.	\$450.00	\$6,300.00
	SUB-TOTAL				\$27,300.00
	SUB-TOTAL				\$215,400.00

8.4 DOMESTIC ANIMAL MANAGEMENT PLAN

Author: Russell Barnes, Local Laws Team Leader

Authoriser: Geoff Rollinson, Director Infrastructure and Development

Attachments: 1 Draft Domestic Animal Management Plan 2017-2021

RECOMMENDATION

That Council adopt the reviewed Domestic Animal Management Plan and note the new four yearly cycle to commence 3 November 2018.

EXECUTIVE SUMMARY

The *Domestic Animals Act 1994* requires Council to submit a Domestic Animal Management Plan (DAMP) on a four-yearly cycle beginning 3 November, in consultation with the Department of Economic Development, Jobs, Transport and Resources (DEDJTR).

BACKGROUND

The review cycle previously coincided with Council elections every four years creating issues with timeline of the DAMP. The state government has now changed the timing of the cycle to ensure the elections and DAMP do not coincide. The new cycle is to start in 2018 for a four year period.

The existing plan was approved by Council and then submitted to DEDJTR in December 2016. This change will ensure that DAMP cycles remain consistent across all local councils.

POLICY CONTEXT

Domestic Animals Act 1994

DISCUSSION

The plan has been reviewed and updated to reflect the changes to Council operation and legislation. These changes are listed in following table.

Section	Changes made
All	Dates updated from <i>2017-2020</i> to <i>2017-2021</i>
All	New Council logo and images added, current style applied to document
Various tables	Data for 2013 removed, data for 2016 added Data for 2017 added / charts amended
2	Amended introduction
3	Replace <i>Department of Economic Development, Jobs, Transport and Resources (DEDJTR)</i> with <i>Department Environment Water Land and Planning (DEWLP)</i>
4	Staff hierarchy amended to add <i>Manager Planning and Regulatory Services</i> Context - new content to match requirements in DAMP template Current & planned training - column added to table re: current training
5	Key activities - add <i>One on one Officer education and awareness</i> Summary added
6	Charts added to illustrate data in tables
11	Replace <i>Emergency Animal Management Plan (EAMP)</i> with <i>Emergency Animal Welfare Plan (EAWP)</i>
13	Amend information to reflect changes in programs used by Council

At the next Council meeting the report on the performance of the Domestic Animal Management for 2017 will be presented.

CONSULTATION

All relevant Council officers and representatives of DEDJTR have been consulted.

CONFLICT OF INTEREST

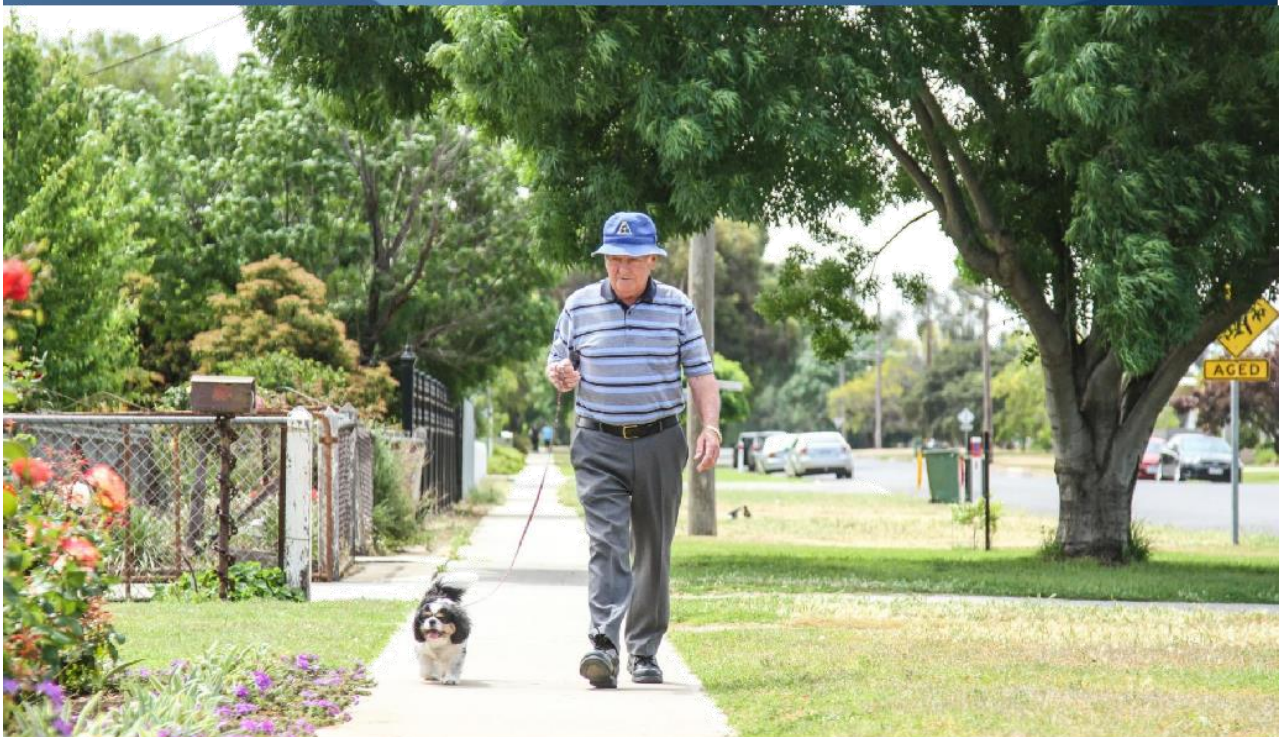
In accordance with Section 80B of the Local Government Act, the Officer preparing this report declares no conflict of interest in regards to this matter.

CONCLUSION

Council Officers recommend that the reviewed DAMP be adopted to align with the new review cycle period and submitted to DEDJTR.

GANNAWARRA SHIRE COUNCIL

DOMESTIC ANIMAL MANAGEMENT PLAN



2017-2021



Domestic Animal Management Plan 2017-2021
Plan No. 2017-01



Amendment Details

Plan no.	Page	Description	Date	Amendment details
2017-01	All	Adoption		DAM Plan adopted by Council
2017-01	All	Submission to DEDJTR		DAM Plan submitted to DEDJTR
2017-02				

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6	Dog attacks	Page 17
7	Dangerous, menacing and restricted breed dogs	Page 19
8	Overpopulation and high euthanasia	Page 20
9	Domestic Animal Businesses	Page 23
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Domestic Animal Management Plan 2017-2021
Plan No. 2017-01



1 Statutory requirements

The *Domestic Animals Act 1994* (**the Act**) sets out the following requirements:

68A. Council's to prepare domestic animal management plans

- (1) Every Council must, in consultation with the Secretary, prepare at 4 year intervals a domestic animal management plan.
- (2) A domestic animal management plan prepared by a Council must:
 - (a) set out a method for evaluating whether the animal control services provided by the Council in its municipal district are adequate to give effect to the requirements of this Act and the regulations;
 - (b) outline programs for the training of authorised officers to ensure that they can properly administer and enforce the requirements of this Act in the Council's municipal district;
 - (c) outline programs, services and strategies which the Council intends to pursue in its municipal district:
 - (i) to promote and encourage the responsible ownership of dogs and cats;
 - (ii) to ensure that people comply with this Act, the regulations and any related legislation;
 - (iii) to minimise the risk of attacks by dogs on people and animals;
 - (iv) to address any over-population and high euthanasia rates for dogs and cats;
 - (v) to encourage the registration and identification of dogs and cats;
 - (vi) to minimise the potential for dogs and cats to create a nuisance; and
 - (vii) to effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with this Act and the regulations;
 - (d) provide for the review of existing orders made under this Act and local laws that relate to the Council's municipal district with a view to determining whether further orders or local laws dealing with the management of dogs and cats in the municipal district are desirable;
 - (e) provide for the review of any other matters related to the management of dogs and cats in the Council's municipal district that it thinks necessary; and
 - (f) provide for the periodic evaluation of any program, service, strategy or review outlined under the plan.
- (3) Every Council must:
 - (a) review its domestic animal management plan annually and, if appropriate, amend the plan; and
 - (b) provide the Secretary with a copy of the plan and any amendments to the plan; and
 - (c) publish an evaluation of its implementation of the plan in its annual report.

Domestic Animal Management Plan 2017-2021
Plan No. 2017-01



2 Introduction

Council plays an important leadership role in supporting and promoting responsible pet ownership, community safety and active and healthy lifestyles.

The 2017-2021 Domestic Animal Management Plan (DAM Plan or the Plan) builds on the work of previous plans and provides new initiatives and programs for the next four years. This plan aims to develop and implement a range of initiatives that will:

- Continue to improve animal management;
- Educate the community about responsible pet ownership;
- Ensure compliance with relevant legislation; and
- Create an environment where people and animals can coexist safely

Council recognises that improved health and well-being can be attributed directly to animal ownership. Council understands the need to balance the requirements of the community, animal owners and the animals that are such a significant part of many people's lives.



Domestic Animal Management Plan 2017-2021
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Gannawarra Shire is a diverse agricultural region in the Loddon Murray region of northern Victoria. Towns of Gannawarra include Cohuna, Koondrook, Kerang, Lake Charm, Lalbert, Leitchville, Macorna, Murrabit, Mystic Park and Quambatook. The municipality is three hours' drive from Melbourne and has an area of 3,736 square kilometres and is bordered by the Murray River to the north.

Gannawarra Shire's population is approximately 10,500, including approximately 5,200 households with a median household income of \$908 per week. As is the case in many rural municipalities, the population trend has been an increase in age and a decrease in the overall number of people. Ninety per cent of Gannawarra Shire residents were born in Australia. The community is well connected and resilient but, after years of battling both drought and successive floods, with the associated economic and environmental stresses, some residents require additional support.

The natural features of Gannawarra Shire are significant in attracting residents and tourists. One of the main attractions is the 57 lakes, swamps and marshes that form one of Australia's largest most important wetland areas. There are also ancient forests and the red gum fringed reaches of the Murray River and more than 160 bird species recorded in the Shire. Reedy Lake is home to Australia's largest Ibis Rookery where as many as 200,000 Ibis birds breed annually.

A number of the factors listed above have relevance to issues of domestic animal management within the Gannawarra Shire. Of particular importance are:

- the numerous diverse communities interspersed amid rural properties result in a regular mixing of domestic animals and rural stock leading to a higher risk of both dogs at large and dog attacks on stock;
- Despite community resilience, the social and economic impacts of repeated floods, drought and long-term rural structural change have resulted in a loss of community capital and individual financial difficulties. This in turn can contribute to reduced compliance with domestic animal regulations;
- the rural lifestyle of Gannawarra Shire which increases the rates of ownership of all animals including domestic pets;
- low median household income and the limited resources of Council;
- important wetland environmental habitat and bird life, and the problem of wildcat population; and
- The intersection of Parks Victoria and Department Environment Water Land and Planning (DEWLP) land with Council land and the resultant regulation inconsistencies and confusion.

Given these issues, it is important that Council adopts a multi-faceted approach in the DAM Plan. Council must improve community awareness of the benefits of responsible pet ownership through targeted education programs and positive incentives aimed at greater compliance.



Domestic Animal Management Plan 2017-2021
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3 Training of Authorised Officers

This section outlines programs for the training of authorised officers to ensure that they can properly administer and enforce the requirements of the Act in the Council's municipal district. *Compliant with Section 68(A)(2)(b) of the Act.*

CURRENT SITUATION

Gannawarra Shire Council currently employs the following animal management staff:

Officer	EFT	Position
Officer 1	1 EFT	Local Laws Team Leader / Ranger
Officer 2	1 EFT	Local Laws Officer / Ranger
Officer 3	0.2 EFT	Local Laws Officer / Ranger
Officer 4	0.6 EFT	Local Laws Administration Officer

CURRENT AND PLANNED TRAINING

Gannawarra Shire Council is committed to the training and development of all employees. Local Laws Officers are required to hold or be undertaking the relevant training of Certificate IV in Local Government (Statutory Compliance) and Certificate IV in Animal Control and Regulation. Council's annual performance reviews include a review of each staff members' skills and training undertaken during the last year. Current and planned training is detailed below:

Authorised Officer Training	Current (2017)	Planned (2017-2021)
Cert IV in Animal Control and Regulation	Officer 1 Officer 2 Officer 4	Officer 3 (commenced 2017)
Cert IV in Local Government (Statutory Compliance)	Officer 1 Officer 2 Officer 4	Officer 3 (commenced 2017)
Restricted Breed Dog identification	Officer 1 Officer 2 Officer 3	
Department of Economic Development, Jobs, Transport and Resources (DEDJTR) – training and information days (various topics)	As offered	
K9 Self Preservation and Harm Reduction Strategies (SPAHRs)	Officer 1 Officer 2 Officer 4	Officer 3 (when training available)
Assertive communication skills	Officer 4	
Dealing with difficult / aggressive customers	As offered	
Conflict resolution		
First Aid		
Traffic control - animals on roads		

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3. Training of Authorised Officers (continued)

OUR PLANS

Local Laws Officers are to receive relevant training to ensure tasks are performed in a safe and effective manner and within relevant legislation.

Objective	New Local Laws Officers to receive induction training	
Activity	When	Evaluation
Assess and redevelop induction program for new Local Laws Officers	November 2018	Amended induction training program to be in place

Objective	Identify skill gaps and source training to rectify these gaps	
Activity	When	Evaluation
Investigate options for training in the following areas: <ul style="list-style-type: none"> • Case Management / investigation • Statement taking / interviewing techniques / creating a Court brief • Customer service – written communication, telephone and emails techniques • Mapping system • Report writing 	Assessed at annual review	Information stored in Cambron Annual Review system



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4 Registration and identification

This section outlines programs, services and strategies to encourage the registration and identification of domestic animals (dogs and cats).

Compliant with Section 68A(2)(c)(v) and Section 68A(2)(a),(c)(i),(c)(ii),(d),(f) of the Act.

CURRENT SITUATION

Our current data

Animal registration	2014	2015	2016	2017
No. of registered dogs	2314	2246	2194	2110
No. of registered cats	397	409	399	400
No. of registered declared dogs	0	0	0	0

Infringements issued	2014	2015	2016	2017
Failure to register dog or cat	0	0	8	3
Failure to renew registration of dog or cat	98	6	25	1

Our Orders, Local Laws, Council Policies and Procedures

Copy of each clause is contained in Appendices of this document

Local Law No. 1 – Community Amenity / Part 5 – Your Property, Trees and Animals

Clause 37 - Local Law regulating the numbers of dogs and/or cats that can be kept at a property

Animal registration timeline	
1-Mar	approximate date renewals for animal registration will be posted to animal owners
1-Mar	information on local radio regarding animal registration renewals due on 10 April
1-Apr	information in Gannawarra News page of the Gannawarra Times regarding animal registration renewals due on 10 April
10-Apr	Renewals for animal registration due
18-Apr	Reminder letters to be generated including late payment fee
18-Apr	Late payment fee to be charged on animal registration renewal payments
10-May	Phone calls to follow up on un-renewed animal registration.
June	Infringements to be generated for 'Failure to renew registration' under <i>Domestic Animals Act 81/1994 S.10(2) - 2747</i>

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4. Registration & identification (continued)

Our current education/promotion activities

- Education of pet owners to continually check and update contact details at microchip registries
- Continuous education and information provided to animal owners

Our current compliance activities

- Registration and identification for domestic animals (dogs and cats)
- Registration renewal notices sent in March with follow up reminder notices sent during April
- Follow up with animal owners who fail to renew registration of their domestic animals
- Follow up on registration of animals adopted from Rehousing Organisations or purchased from domestic animal breeding businesses
- Follow up and correction of all information in Council's animal registration register
- Registration and identification of dangerous, menacing and restricted breed dogs
- Mandatory registration and microchipping of animals prior to release from pound
- Permanent identification number registration tags
- Investigation and compliance service

Summary

Current data shows that registration numbers remain static each year. This is possibly due to natural attrition, relocation and replacement. An ongoing issue is the community belief that registration is not required for their animal, specifically farm dogs and cats. Some animal owners also have the misconception that if an animal is microchipped it is registered.



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4. Registration & identification (continued)

OUR PLANS

Objective	Increase in the number of animal registrations each year		
Activity	When	Evaluation	
Targeted inspections of both urban and rural areas	As resources allow	Data analysed to show total number of animals identified as registered/unregistered and compliance after follow up	

Objective	Education regarding awareness of requirement for Council registration		
Activity	When	Evaluation	
Media releases - newspaper Facebook Messages on hold (MOH)	January & July each year January & July each year January & July each year	Record number of media releases Record number of Facebook posts Record number of MOH	
Links on Council website to DEDJTR	Ongoing	Maintain links on the Council website to the following: DEDJTR, Dogs Cats Neighbours & you, and RSPCA Victoria.	
One on one education and awareness for animal owner by Officer	Ongoing	Recorded in Synergy Soft Customer Request data base	

Objective	Monitor advertisements of domestic animals for sale online, community noticeboards and in local newspapers for compliance with Section 12A(2) of the Act.		
Activity	When	Evaluation	
Staff to conduct sample audit of newspapers/electronic media/noticeboards	monthly	Maintain data on number of items checked / quantity of compliant and non-compliant items / follow up on non-compliant items	

Objective	Work with local vet clinics to encourage responsible pet ownership		
Activity	When	Evaluation	
Provision of Council animal registration application and relevant information to be handed out when an animal is microchipped	By end December 2018	Information packs are provided to local vets in Gannawarra Shire, and supplies maintained. Keep record of number of packs supplied to Veterinary clinics.	

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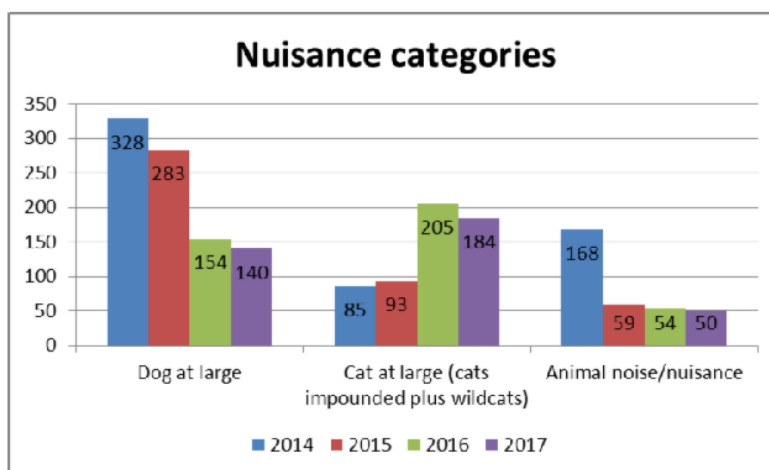
5 Nuisance animals

This section outlines programs, services and strategies to minimise the potential for dogs and cats to create a nuisance.

Compliant with Section 68A(2)(c)(vi) and Section 68A(2)(a),(c)(i),(c)(ii),(d),(f) of the Act

CURRENT SITUATION

Our current data



Nuisance categories	2014	2015	2016	2017
Dog at large	328	283	154	140
Cat at large (cats impounded plus wildcats)	85	93	205	184
Animal noise/nuisance	168	59	54	50

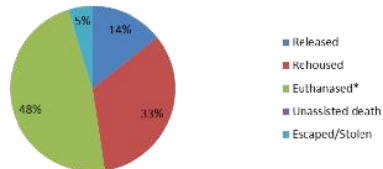
Infringements issued	2014	2015	2016	2017
Dog at large (daytime)	7	7	2	3
Dog at large (night-time)	0	0	2	0
Dog or cat being a nuisance	0	0	1	0

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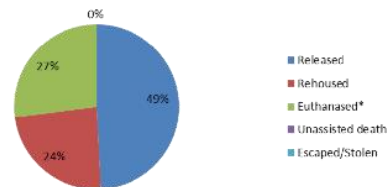


5. Nuisance animals (continued)

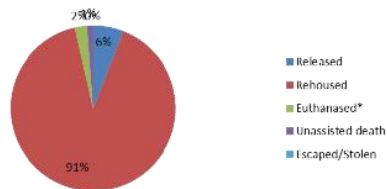
**Gannawarra Shire Council Pound
Cats - 2014 outcomes**



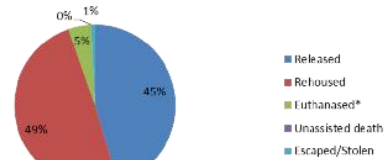
**Gannawarra Shire Council Pound
Dogs - 2014 outcomes**



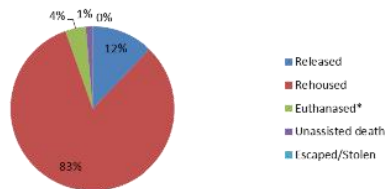
**Gannawarra Shire Council Pound
Cats - 2015 outcomes**



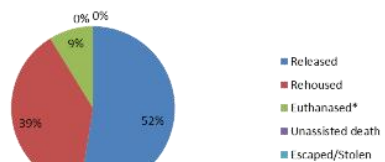
**Gannawarra Shire Council Pound
Dogs - 2015 outcomes**



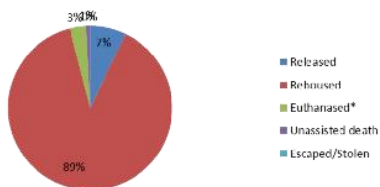
**Gannawarra Shire Council Pound
Cats - 2016 outcomes**



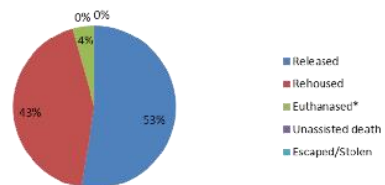
**Gannawarra Shire Council Pound
Dogs - 2016 outcomes**



**Gannawarra Shire Council Pound
Cats - 2017 outcomes**



**Gannawarra Shire Council Pound
Dogs - 2017 outcomes**



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5. Nuisance animals (continued)

Impounded animals		2014	2015	2016	2017
Dogs - in	Impounded	98	85	94	92
	Surrendered	24	47	42	52
	Holding for Police	-	-	1	2
Dogs - out	Returned to owner (released)	60	60	72	79
	Rehoused	29	65	53	61
	Euthanised	33	6	12	6
	Unassisted death	0	0	0	0
	Escaped / stolen from pound	0	1	0	0
Cats - in	Impounded	16	35	33	27
	Surrendered	5	49	39	142
	Holding for Police	-	-	2	1
Cats - out	Returned to owner (released)	3	5	9	12
	Rehoused	7	76	61	152
	Euthanised	10	2	3	4
	Unassisted death	0	1	1	1
	Escaped / stolen from pound	1	0	0	1
Wildcats	Impounded	69	58	172	157
	Euthanised	69	58	172	157
- indicates data not recorded in that year					

[Our Orders, Local Laws, Council Policies and Procedures](#)

Copy of each clause is contained in Appendices of this document

Local Law No. 1 – Community Amenity / Part 5 – Your Property, Trees and Animals

Clause 37 - Keeping Animals

Local Law regulating the numbers of dogs and/or cats that can be kept at a property

Clause 39 - Adequate Fencing

Local Law requiring Private Land to be fenced in a way that will prevent animals from straying or escaping

Clause 40 - Animal Excrement

Local Law requiring dog owners remove and dispose of faeces deposited by their dogs in public places

Clause 41 - Animal and Bird Noise

Local Law regarding prevention of any Animal or Large and/or Noisy Birds on the Private Land from sounding noise at unreasonable times

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5. Nuisance animals (continued)

Council Policy No. 068 / Dogs & Cats – Designated Areas

Policy to:

- prohibit dogs from the certain areas;
- prohibit cats from the following areas; and
- permit dogs in the following areas, but only on a leash.

Our current education/promotion activities

- Use of on-hold messages and Council's website to educate pet owners
- Education and information services provided, as resources and opportunity allow
- Education and information provided to increase community awareness of Council's on-leash policy
- Media and promotion regarding responsible pet ownership
- Council is working with RSPCA Victoria and Zoos Victoria in supporting the 'Safe Cat, Safe Wildlife' campaign over the next 4 years

Our current compliance activities

Current programs in place to minimise the incidence of nuisance animals include:

- Routine vehicle patrols across the municipality on a daily basis
- Operation of a domestic animal pound for impounded animals (capacity of eight dogs / three cats)
- Rehousing of suitable animals under Section 84Y agreement (commenced in September 2014)
- Community education regarding responsible pet ownership, specifically confinement of domestic cats
- Provision of cat cages for trapping nuisance cats (currently 40 traps owned by Council)
- Council trapping program for wildcats
- Barking dog noise log record sheets provided to complainants
- Respond to all nuisance complaints and follow up on compliance within 24 hours
- Respond to notification of dog attack (immediate - including 24 hour emergency service)
- After hours response to domestic animal nuisance emergencies
- Prevention of cruelty to animals investigation

Summary

Wandering cats continue to be a concern. There is a lack of containment with some owners allowing their cats to be outside during the day and night, wandering neighbourhoods and having an impact on flora and fauna. Council Officers are collecting more stray cats than the number of registered cats each year. Unowned domestic or wild cats are a nuisance in the community and create a risk for domesticated cats. Council has had to significantly increase the number of cat traps to meet the ever increasing number of complaints of wild cat nuisance.

The most common complaints received by Council's Local Laws Department are roaming animals and barking dogs. Dogs roaming or dogs not adequately confined to their premises are also a nuisance to the general public and a hazard to motorists.

Animal excrement in townships remains a problem which impacts on health, community amenity and tourism development.

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Council believes that community education; the *Act* and Local Laws impart the message responsible pet ownership is an important tool in reducing these problems.

OUR PLANS

To support and encourage animal owners to manage their domestic animals in a responsible way which minimises the potential for nuisance complaints.

5. Nuisance animals (continued)

Objective	Reduce number of cats at large		
Activity	When	Evaluation	
Improved facilities at Council Pound for impounded cats	December 2020	Increased quantity of cats able to be impounded at one time, allowing for increased number of cats rehoused by Council.	
Purchase additional cat traps	December 2018	Council to have at least 30 cat traps available for use	
Investigate (and instigate if viable) Council Order to confine cats	December 2019	Submission of report to DIS from LLTL. Submission of report to Council / Order gazetted if adopted	
Investigate (and instigate if viable) cat desexing funding	August 2018	Applications for funding submitted if available	

Objective	Educate community regarding wildcat population / reduce wildcat population		
Activity	When	Evaluation	
Purchase additional cat traps	December 2018	Council to have at least 30 cat traps available for use	
Links on website to relevant sources of information including: <ul style="list-style-type: none"> • destruction of native fauna • spread of disease through domestic cat population • injuries to domestic cats from fighting • excrement and spraying • home invasions by wildcats • unwanted pregnancies / overpopulation 	March 2018	Information available on website	
Provision of brochures on relevant sources of information	June 2018	Brochures available at customer service outlets	

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5. Nuisance animals (continued)

Objective	Increase community awareness and understanding regarding on-leash and restricted areas for domestic animals.		
Activity	When	Evaluation	
Media releases via: Newspaper Information on Council website Facebook posts	Twice yearly By July 2018 Throughout year	Increased numbers of media articles Information contained on website Record numbers of Facebook posts	
Maps of off leash areas on website	July 2018	Link to app which shows location of off leash areas in Gannawarra Shire Maps of off leash areas available on Council website	

Objective	To reduce domestic animal excrement in public places and educate animal owners of the requirement to carry a litter device		
Activity	When	Evaluation	
One on one education of animal owners as problem detected	Ongoing	Reduction in excrement complaints	
Investigate (and instigate if viable) provision of litter receptacles by Council	September 2018	If viable, litter receptacles provided by Council	



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6 Dog attacks

This section outlines programs, services and strategies to minimise the risk of attacks by dogs on people and animals.

Compliant with Section 68A(2)(c)(iii) and Section 68A(2)(a),(c)(i),(c)(ii),(d),(f) of the Act.

CURRENT SITUATION

Our current data

Dog attacks	2014	2015	2016	2017
No. of reported dog on animals attacks	10	11	6	10
No. of reported dog on people attacks	4	9	8	6
No. of reported dog on livestock attacks	9	6	2	6
TOTAL	23	26	16	22

Infringements issued	2014	2015	2016	2017
Non-serious injury caused by dog attack	1	3	2	0

Our Orders, Local Laws, Council Policies and Procedures

Copy of each clause is contained in Appendices of this document

Local Law No. 1 – Community Amenity / Part 5 – Your Property, Trees and Animals

Clause 39 - Adequate Fencing

Local Law requiring Private Land to be fenced in a way that will prevent animals from straying or escaping

Council Policy No. 068 / Dogs & Cats – Designated Areas

Policy to:

- prohibit dogs from the certain areas;
- prohibit cats from the following areas; and
- permit dogs in the following areas, but only on a leash.

Our current education/promotion activities

- Provision of education and information to community are provided about responsible pet ownership
- Encourage local Veterinary clinics to report dog attacks to Council
- Encourage dog desexing to assist in reducing the incidence of wandering animals

Our current compliance activities

Current programs in place to minimise the incidence of dog attacks include:

- Respond to notification of dog attack (immediate - including 24 hour emergency service)
- After hours response to domestic animal nuisance emergencies
- Investigation of reported attacks, and follow up on compliance

Summary

Confinement of dogs is a priority because the instances of wandering dogs increases risk to other pets, humans and livestock, and consumes time and resources of Local Laws officers.

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6. Dog attacks (continued)

Reports of dog attacks on both persons and animals are increasing, possibly due to public awareness on the need to report this issue to Council.

Often when a dog attack is reported, officers find that it is a recurrence of an offence that went unreported previously. Had initial attacks been reported, subsequent attacks may have been averted. Education is still required to encourage community members to report dogs at large, dogs rushing and dog attacks of all types (minor or serious).

All dogs are required to be confined to their property. This is a requirement under the Act and Council will continue to place importance on the need for dogs to be confined.

OUR PLANS

Objective	To minimise the number of dog attacks across the municipality		
Activity	When	Evaluation	
Undertake routine patrols across the municipality with a focus on dogs at large	Daily	Record to be kept of location of patrols to ensure each area of the shire is patrolled at least once per fortnight	

Objective	Awareness campaign for both property/stock owner and animal owner re: potential destruction of dog found in paddock with stock		
Activity	When	Evaluation	
Media release (newspaper, Facebook and website)	Throughout May, June, July, August each year	Record number of media releases	

Objective	Education regarding responsible pet ownership in particular regarding dogs at large		
Activity	When	Evaluation	
Media release (newspaper, Facebook) Messages on hold (MOH) Website	School holiday periods (including Easter)	Record number of media releases Record number of items onto MOH Information placed onto website	

Objective	Obtain data from external sources regarding dog attacks		
Activity	When	Evaluation	
Develop an MOU with local vet clinics to report all dog attacks	December 2020	Record details of reports from local Veterinary clinics in a register / report on quantity	
Improve public awareness of what a dog attack is and how to report using media articles, public notices, website and Facebook updates	December 2020	Reports are recorded in register / report on quantity of reports received	

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7 Dangerous, menacing and restricted breed dogs

This section outlines programs, services and strategies to effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with this Act and the regulations.

Compliant with Section 68A(2)(c)(vii) and Section 68A(2)(a),(c)(i),(c)(ii),(d),(f) of the Act.

CURRENT SITUATION

Our current data

There are currently no declared dangerous dogs, declared menacing dogs or restricted breed dogs in the Gannawarra Shire.

Animal registration	2014	2015	2016	2017
No. of registered dogs.	2314	2246	2194	2110
No. of registered declared dogs	0	0	0	0

Our Orders, Local Laws, Council Policies and Procedures

Dangerous, menacing and restricted breed dogs are controlled by the Act.

Our current education/promotion activities

- Education and information services provided, as resources and opportunity allow

Our current compliance activities

- Registration and identification of menacing and restricted breed dogs including renewal
- Ensure compliance with the requirements for keeping dangerous dogs
- Investigation and compliance
- All declared dangerous dogs, menacing dogs and restricted breed dogs to be listed on the Victorian Declared Dog Registry (VDDR)

Summary

There are currently no declared dangerous dogs, declared menacing dogs or restricted breed dogs in the Gannawarra Shire.

OUR PLANS

To minimise the risks of dog attack to the community from dangerous dogs and to ensure that those dogs that are declared dangerous, menacing and those of restricted breed are kept in accordance with the legislation.

Objective	To Increase Officer awareness of location of declared dangerous or menacing dogs to improve safety when attending premises	
Activity	When	Evaluation
All locations where declared dangerous dogs are kept will be identified on Council's mapping system	As required	Council's mapping system to be updated to record the properties where declared dangerous dogs are kept

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8 Overpopulation and high euthanasia

This section outlines programs, services and strategies to address any over-population and high euthanasia rates for dogs and cats.

Compliant with Section 68A(2)(c)(iv) and Section 68A(2)(a),(c)(i),(c)(ii),(d),(f) of the Act

CURRENT SITUATION

Our current data

Surrendered animals / rehoused	2014	2015	2016	2017
Dogs impounded	98	85	94	92
Dogs surrendered	24	47	42	52
Other			1	2
Total dogs in	122	132	137	146
Dogs rehoused	29	65	53	61
% of dogs rehoused	24%	49%	39%	43%
Cats impounded	16	35	33	27
Cats surrendered	5	49	39	142
Other			2	1
Total cats in	21	84	74	170
Cats rehoused	7	76	61	152
% of cats rehoused	33%	91%	83%	89%

Euthanasia rates for impounded animals	2014	2015	2016	2017
Total dogs in	122	132	137	146
No. of dogs euthanised	33	6	12	6
% of dogs euthanised	27%	5%	9%	4%
Total cats in	21	84	74	170
No. of cats euthanised	10	2	3	4
% of cats euthanised	48%	2%	4%	2%
No. of wildcats euthanised	69	58	172	157
% of wildcats euthanised	100%	100%	100%	100%

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8. Overpopulation and high euthanasia (continued)

Our Orders, Local Laws, Council Policies and Procedures

Copy of each clause is contained in Appendices of this document

Clause 37 - Keeping Animals

Local Law regulating the numbers of dogs and/or cats that can be kept at a property.

Clause 39 - Adequate Fencing

Local Law requiring Private Land to be fenced in a way that will prevent animals from straying or escaping.

Under the *Act*, a reduced registration fee is applicable to sterilised dogs and cats.

Our current education/promotion activities

- Provide education on responsible pet ownership and on confinement of cats
- Promote microchip identification and desexing of animals
- Council is working with RSPCA Victoria and Zoos Victoria in supporting the 'Safe Cat, Safe Wildlife' campaign over the next 4 years

Our current compliance activities

- Advice to public regarding animals currently in the Council Pound on the Council website and Facebook page
- Council trapping program for wildcats
- Operation of a domestic animal pound for impounded animals
- Rehousing of suitable animals under Section 84Y agreement
- Investigate reports of unregistered breeders

Summary

Council is committed to ensuring that all unclaimed animals are given the opportunity to find a new home. Council strives for positive community and animal welfare based outcomes wherever possible and works hard to reunite animals with owners at first point, without taking animals to the pound.

Pound and euthanasia procedures are guided by the *Act*. Council aims to, wherever possible; return any lost or seized at-large animal to its owner. However, an animal must be identifiable (ID tag or microchip) to enable Council to do this. All unidentifiable animals are advertised on Council's website.

If animals are unclaimed from the pound, and are suitable for rehousing, they are rehoused through an 84Y agreement with a rehousing organisation. Under the *Act*, the rehousing organisation must ensure that the animals are desexed and microchipped prior to being purchased/adopted by their new owner. Therefore, Council's rehousing program is addressing both the problem of overpopulation and high-euthanasia.

It is important to note that a large number of impounded and euthanised cats are wild cats. There is a large unchecked wild cat population in the Gannawarra shire which creates a serious problem of uncontrolled breeding and attacks on native wildlife. It is important that community members differentiate owned from unowned cats, and take responsibility for owned animals by registering, micro-chipping, desexing and securely confining them to their property.

Council assists property owners with cat trapping to remove unwanted and unowned animals. In meeting this commitment, Council continues to advocate and work closely with animal welfare groups under a Section 84y agreement to ensure stray animals are re-homed.

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8. Overpopulation & high euthanasia (continued)

OUR PLANS

To increase levels of responsible pet ownership of cats, reduce unwanted and uncontrolled breeding in domestic animals and retain low euthanasia rates for impounded animals.

Objective	Provide education on responsible pet ownership and on confinement of cats		
Activity	When	Evaluation	
Owners of trapped cats to be made aware of responsibilities of cat ownership	Ongoing	Reduction of reoccurring offences of impounding of cats	
Media releases - newspaper, Facebook and Messages on Hold	Ongoing but focus on times of increased cat breeding cycles	Record number of media releases Record number of items onto MOH	
Website links to DEDJTR information such as the Who's for Cats program		Information placed onto website	

Objective	To Educate community regarding wildcat population / reduce wildcat population		
Activity	When	Evaluation	
Purchase additional cat traps	December 2018	Increase total number of cat traps owned by Council	
Investigate (and instigate if viable) Council Order to confine cats	December 2019	Council Order in place	
Investigate (and instigate if viable) cat desexing program	August 2018	Desexing program for cats implemented	

Objective	To continue Section 84Y agreement/s with approved animal rescue organisation/s		
Activity	When	Evaluation	
Maintain current 84Y agreement	Ongoing	Agreement renewed	
Investigate and instigate additional 84Y agreements	Ongoing	Suitable agreements implemented	

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9 Domestic Animal Businesses

This section outline programs, services and strategies which the Council intends to pursue in its municipal district to ensure that people comply with this Act, the regulations and any related legislation.

Compliant with Section 68A(2)(c)(ii) and Section 68A(2)(a),(c)(i),(d),(f) of the Act.

CURRENT SITUATION

Our current data

Types of Domestic Animal Business (DAB) include a Council pound, a dog and/or cat breeding business, a dog training establishment, a pet shop, an animal shelter, an establishment boarding dogs or cats or an establishment that is rearing dogs or cats.

Other than the Council Pound, Council currently has no registered DABs.

Breeding businesses are an area of intense public and media scrutiny. DAB registration is controlled under *the Act*.

Our Orders, Local Laws, Council Policies and Procedures

Copy of each clause is contained in Appendices of this document

Clause 37 - Keeping Animals

Local Law regulating the numbers of dogs and/or cats that can be kept at a property

Our current education/promotion activities

- Supply and distribution of information related to DABs and the relevant codes of practice

Our current compliance activities

Council's programs/activities working with domestic animal breeding businesses include:

- Annual registration and renewal of DAB permit
- Conduct regular audits of the DAB to ensure compliance with regulations



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9. Domestic Animal Businesses (continued)

OUR PLANS

To work in partnership with DABs to meet the requirements under the *Act* and approved Codes of Practice.

Objective	To identify unregistered DABs in the Gannawarra Shire		
Activity	When	Evaluation	
Follow up possible DAB's identified during property inspections	Ongoing	Identified DAB registered with Council	
Check media sources / social media for advertisements	Ongoing	Data entered to Local Laws Synergy Soft Customer Request program / reviewed quarterly	
Follow up complaints/notification from public	As required		

Objective	To ensure DABs are compliant with legislation		
Activity	When	Evaluation	
Planning information is provided to all applicants or interested parties to ensure that compliance with the Act and relevant codes are met when DABs are being established	As required	Quantity of planning permits issued for Keeping of animals	
Ensure all identified DABs within the shire are registered and comply with applicable legislation and Codes of Practice	Audited in February annually	Annual permit renewals are sent to existing DAB in March each year for issue of permit by 10 April.	
Encourage DAB owner/operator attendance at information sessions organised by DEDJTR	As scheduled	Improved compliance and awareness of requirements under legislation improves	

Objective	DAB information and application on Council website		
Activity	When	Evaluation	
Review Council website regarding DABs to provide "online" application forms and the latest information available from the DEDJTR Domestic Animals Unit	By July 2018 then as required.	Website contains current application forms and the latest information available from the Local Laws Department	

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10 Other matters

This section provides for the review of other matters related to the management of dogs and cats in the Council's municipal district.

Compliant with Section 68A(2)(e) of the Act.

Emergency Animal Management Plan

CURRENT SITUATION

Gannawarra Shire Council's Municipal Emergency Management Plan (MEMP) includes an Emergency Animal Management Plan (EAMP) which covers issues regarding domestic animal management in an emergency. This plan was created in 2015.

OUR PLANS

Council's Emergency Animal Management Plan (EAMP) to contain current, relevant information.

Objective	Emergency Animal Management Plan (EAMP) to contain current, relevant information.		
Activity	When	Evaluation	
Annual review of Emergency Animal Welfare Plan (EAWP)	November annually	EAWP submitted to Municipal Emergency Planning Committee	



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10. Other matters (continued)

Council Policy No.068 - Dogs & Cats – Designated Areas

CURRENT SITUATION

Council's Policy No. 068 is an Order made under Section 26 of the Act. It requires dogs to be under effective control by means of a leash in a reserve or public place except where it is a Designated Area or a Prohibited Area. The Schedule to the Order lists the reserves and public places that are Designated or Prohibited Areas. The Policy was most recently revised in 2015.

OUR PLANS

To reduce community misunderstanding regarding Council Policy No.068 and provide clear information regarding off leash areas in the Gannawarra Shire.

Objective	Council Policy No.068 to be incorporated into the Council Local Laws		
Activity	When	Evaluation	
Create new local law regarding designated areas for domestic animals (including maps)	November 2020	New local law approved by Council	

Local Law No.1 'Community Amenity' 2012

CURRENT SITUATION

Sections of Part 5 of Gannawarra Shire Council's Local Law No.1, enable officers to enforce laws relevant to community expectations regarding keeping of domestic animals, animal accommodation, adequate fencing, animal excrement and animal noise.

OUR PLANS

Objective	Council Local Laws to reflect changing community needs and include changes in relevant legislation.		
Activity	When	Evaluation	
Monitor and amend Local Laws to ensure they are consistent with community needs and reflect changes in relevant legislation.	Ongoing	<ul style="list-style-type: none"> Local Laws are consistent with community needs Local Laws reflect changes in relevant legislation 	

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11 Annual review of plan and annual reporting

This section provides for the annual review of the plan and annual reporting.

Compliant with Section 68A (3)(a)(b)(c) of the Act as below:

68A (3) Every Council must –

- (a) review its domestic animal management plan annually and, if appropriate, amend the plan
- (b) provide the Department of Primary Industries' Secretary with a copy of the plan and any amendments to the plan
- (c) publish an evaluation of its implementation of the plan in its annual report.

The Key Performance Indicators within this Domestic Animal Management Plan are to be monitored on a monthly basis by the Local Laws Team Leader. Should any issues arise from this monthly review they will be reported to the Director Infrastructure Services.

As required by DEDJTR this DAM Plan will be reviewed annually to Council and any amendments necessary will be made. The amended version will then be forwarded to the Secretary of the DEDJTR as required under legislation.

A review of performance under the DAM Plan is required to be included in Council's Annual Report.

Measurements should relate to Activities and targets in this Plan and should include educational programs, increased registration of domestic animals, reduction of animal's at large, decreased numbers of dog attacks, and increases in compliance and levels of community satisfaction as a measure of success.

It should be noted that if performance under the DAM Plan is not sufficient, further revision of the Action Plan and its methods may be required and should be recommended.



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12 Information source and reporting dates

4. Registration and identification	
Table	Animal registration Data from Lynx Rating Manager (to 30/06/2017) / Data from SynergySoft (from 01/07/2017)
Table	Infringements issued Data from Lynx Rating Manager (to 30/06/2017) / Data from SynergySoft (from 01/07/2017)
5. Nuisance animals	
Table	Nuisance categories Prior to 2015/2016: Data from Animal Control Data document kept by GSC Local Laws Officers From 2015/2016/to 31/07/2017: Data from Local Laws Action Request program From 1 August 2017: Data from SynergySoft Customer Request program
Table	Infringements issued Data from Lynx Rating Manager (to 30/06/2017) / Data from SynergySoft (from 01/07/2017)
Table	Impounded animals Data from Pound Data document kept by GSC Local Laws department
6. Dog attacks	
Table	Dog attacks Prior to 2015/2016: Data from Animal Control Data document kept by GSC Local Laws Officers From 2015/2016/to 31/07/2017: Data from Local Laws Action Request program From 1 August 2017: Data from SynergySoft Customer Request program
Table	Infringements issued Data from Lynx Rating Manager (to 30/06/2017) / Data from SynergySoft (from 01/07/2017)
7. Dangerous, menacing and restricted breed dogs	
Table	Animal registration Data from Lynx Rating Manager (to 30/06/2017) / Data from SynergySoft (from 01/07/2017)
8. Overpopulation and high euthanasia	
Table	Surrendered animals / rehoused Euthanasia rates for impounded animals Data from Pound Data document kept by GSC Local Laws department
All reports - reporting date: 1 January to 31 December	

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13 Appendices

Local Law No. 1 – Community Amenity
Part 5 – Your Property, Trees and Animals

37. KEEPING ANIMALS

- (1) An owner or occupier of Private Land must not, without a Permit, keep or allow to be kept on any one parcel of land at any time, any more in number for each type of Animal than is set out in the Table of Animal Numbers and Types in the Guidelines as determined by Council from time to time, incorporated in Schedule 1 to this Local Law.
- (2) Unless otherwise contrary to State or Commonwealth legislation, a Permit is also required to keep, or allow to be kept, any exotic, wild, native, dangerous or large Animal not listed in Sub-clause (1).
- (3) For the purpose of calculating the Animal numbers kept under Sub-clause (1), the progeny of any dog or cat lawfully kept will be counted from 12 weeks after their birth.

These Guidelines as determined from time to time are incorporated in this local law for determining whether an offence has occurred or whether to issue a permit for keeping animals.

This Table overleaf gives the maximum numbers and types of animals that may be kept on private land in each category without an excess animal numbers permit.

Table of Animal Numbers and Types

Type of Animal	In Flats, Units or Townhouses	On land less than 0.5 Ha. # in a built up area	On land 0.5 Ha. to 2 Ha. # * in a built up area	Farm zone **
Dogs	1	2	2	5
Cats	1	2	2	5
Poultry (no roosters)	0	6	30	Municipal Planning Scheme Applies
Large or Noisy Birds (including Roosters)	0	0	10	
Pigeons	0	50	150	
Domestic birds (caged)	2	50	100	
Horses/donkeys	Prohibited	0	2	
Cattle	Prohibited	0	5	
Sheep/goats	Prohibited	0	10	
Pigs	Prohibited	0	0	
Any other livestock	Prohibited	0	2	

0.5 hectares = 1.236 acres, 2 hectares = 4.94 acres

* Animal numbers on private properties exceeding 2 ha in built up areas are subject only to those restrictions applicable under the Municipal Planning Scheme.

** More than 2 fertile females may trigger the need for a permit for a domestic animal business.

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13. Appendices (continued)

In determining whether to grant a Permit for the keeping of Animals where the number exceeds that determined by the Council as set out in the Table above, the Council or an Authorised or Delegated Officer must take into account the following guidelines -

- a) whether a Planning Permit Application may be required, such as for boarding or breeding of animals;
- b) the land-use and size of the applicant's land and that of adjoining allotments;
- c) the proximity of adjoining properties and dwellings;
- d) the amenity of the area;
- e) the type and additional numbers of Animals to be kept;
- f) the likely effects on adjoining owners;
- g) the adequacy of Animal accommodation and fencing; and
- h) any other matter the Authorised or Delegated Officer reasonably believes is relevant to the application.

Local Law No. 1 – Community Amenity
Part 5 – Your Property, Trees and Animals

39. ADEQUATE FENCING

- (1) Where an Animal is kept on Private Land, the owner or occupier of the Private Land must ensure that the Private Land is fenced in a way that will prevent the Animal from straying or escaping from the Private Land.

Local Law No. 1 – Community Amenity
Part 5 – Your Property, Trees and Animals

40. ANIMAL EXCREMENT

- (1) A Person in charge of any dog or cat on Council Land must not allow any part of the excrement of the dog or cat to remain on the Council Land.
- (2) A Person in charge of any dog or cat on Council Land must carry a Litter Device suitable to clean up any excrement left by his or her dog or cat and must produce such Litter Device upon request of an Authorised Officer.

Local Law No. 1 – Community Amenity
Part 5 – Your Property, Trees and Animals

41. ANIMAL AND BIRD NOISE

The owner or occupier of Private Land must take all necessary steps to prevent any Animal or Large and/or Noisy Birds (including Roosters) on the Private Land from sounding noise at unreasonable times that may adversely affect the comfort, convenience, quiet enjoyment or privacy of any other Person living in the neighbourhood.

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COUNCIL POLICY NO. 068 - DOGS & CATS – DESIGNATED AREAS

This Policy is made in accordance with Section 26 of the *Domestic Animals Act 1994*.

That Council prohibits dogs from the following areas unless otherwise sign posted:

- Cohuna Ski Run, Island Road, Cohuna
- Municipal swimming pools and surrounds
- School grounds throughout the municipality
- Murrabit Market
- Secured playgrounds

That Council prohibits cats from the following areas:

- Atkinson Park, Kerang
- Municipal swimming pools and surrounds
- Town and Back Swamp, Kerang
- School grounds throughout the municipality

That Council permits dogs in the following areas, but only on a leash (unless otherwise sign posted):

- All recreation grounds within the municipality whilst a sporting fixture is taking place
- Garden Park, Cohuna
- Parks and playgrounds where children's playground equipment has been installed
- Apex Park, Cohuna
- Roads as defined under Section 3(2)(a) of the *Road Safety Act 1986*.
- Atkinson Park, Kerang
- Gorton Point, Kangaroo Lake
- Gilrue Park, Cohuna
- Town and Back Swamp, Kerang

That dogs be permitted in other public places and in recreation grounds whilst a sporting fixture is not taking place, but dogs in such locations must be under "effective voice control".

That "other public places" means any park, garden, reserve or other place of public recreation controlled by Council, but not areas where dogs have been prohibited or where dogs must be on a leash.

That "effective voice control" is where the dog responds to the controlling person's command by the second call.

That "secured playgrounds" means a fenced playground with a gated entry/exit.

2. POLICY REVIEW

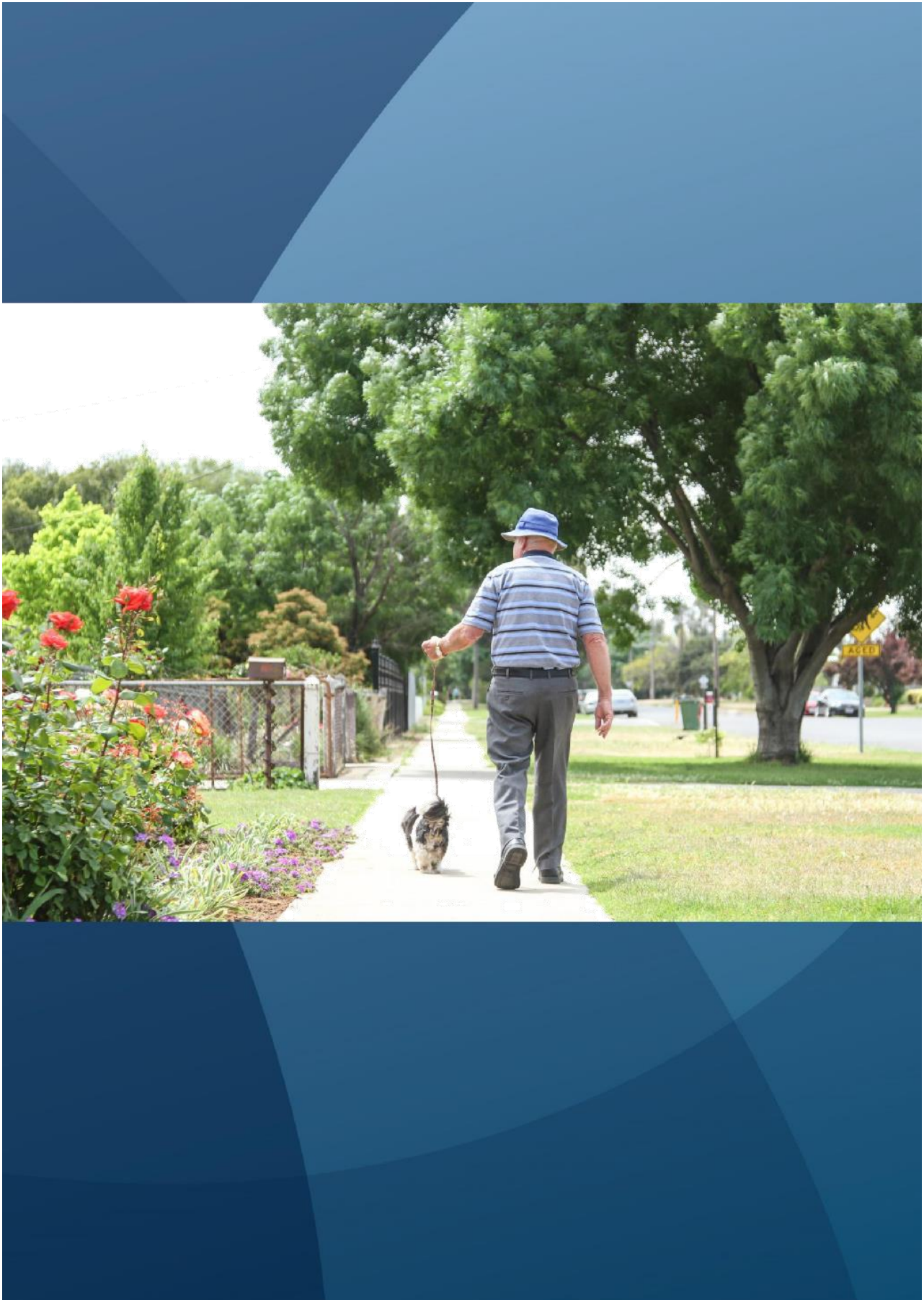
Council will review this policy as required but always within two years after a general election of the Council.

At the time of review, this policy was compliant with the Victorian Charter of Human Rights and Responsibilities Act 2006.

3. FURTHER INFORMATION

Members of the public may inspect all Council policies at Gannawarra Shire Council's Kerang and Cohuna office or online at www.gannawarra.vic.gov.au.

Any enquiries in relation to this policy should be directed to the Local Laws Officer on (03) 5450 9333.



8.5 QUAMBATOOK TOWNSHIP FLOOD MITIGATION PROJECT

Author: Leigh Hollingworth, Civil Projects Officer
Authoriser: Geoff Rollinson, Director Infrastructure and Development
Attachments: 1 Map of Sections 3A and 3B to be constructed under tender G03-2018

RECOMMENDATION

That Council approve the awarding of the contract for the Quambatook Township Flood Mitigation Project to Harril Pty Ltd for the lump sum payment, not subject to rise and fall, for the amount of \$489,738.93 ex GST for Sections 3A and 3B only, as outlined in tender G03-2018.

EXECUTIVE SUMMARY

A tender process has been conducted for the construction of sections of a permanent levee bank at Quambatook to help protect the town in the event of a 1% AEP flood as per the recommendations of the *Quambatook Flood Management Plan*. The funding for the project comes from the Natural Disaster Resilience Grant Scheme (\$125,000), the Dept. Environment Land Water and Planning (\$125,000) and a Council contribution (\$250,000) equating to a project total of \$500,000.

Tenders closed on 28 February 2018 and three conforming tenders were received, all of which were in excess of the funding available for the entire project. A comprehensive evaluation process was conducted and a preferred tenderer selected. Council officers have used their discretion to reduce the scope of works to only include Sections 3A (Kerang Road to Quambatook – Boort Road) and 3B (Quambatook – Boort Road to Ninyeunook Road) to fit within Council's allocated budget.

Council Officers will pursue further funding to complete the remaining sections of the Quambatook Flood Mitigation Levee as opportunities arise.

A copy of the tender evaluation has previously been provided to the Councillors.

BACKGROUND

Following the flood events of 2010 and 2011, The Minister for Water announced funding for the Quambatook Flood Management Plan, to be led by Gannawarra Shire Council in partnership with the North Central Catchment Management Authority (NCCMA). Water Technology was commissioned by Council to develop the Flood Management Plan. The objectives of the study were to understand flood behaviour for a range of flood events within the study area and investigate and recommend a number of possible structural and non-structural mitigation measures to reduce future flood risk to the residents of Quambatook in the event of a future 1% AEP flood event.

Upon receipt of the flood management plan, Council sought funding through the Natural Disaster Resilience Grant Scheme and the Department Environment Land Water and Planning to carry out the recommendations of the plan.

POLICY CONTEXT

Council Plan 2017 -2021 To initiate, develop and manage sustainable natural and built environments.

DISCUSSION

Tenders were called for the provision of the construction of sections of levee bank at Quambatook for the protection of the township in a 1% AEP flood event. At the close of the tender period the following tenders were received with amounts including:-

Tender	Weighted Score	Tender Sum (Ex. GST)
Tenderer 1	6.92	\$567,866.92
Tenderer 2 - Harril Pty Ltd	7.20	\$489,738.93
Tenderer 3	6.01	\$630,803.70

The evaluation scores as assessed by the evaluation panel are set out below:

Criteria		Weight	Tenderer 1		Harril P/L		Tenderer 3	
			Score	Wghtd score	Score	Wghtd score	Score	Wghtd score
1	Price - Financial Cost to Council	0.35	5.00	1.75	6.38	2.23	3.89	1.36
2	Capability of Tenderer and nominated sub-contractors resources, technical and financial capabilities to successfully complete the contract	0.20	8.50	1.70	8.33	1.67	7.67	1.53
3	Tenderer's experience on similar projects and standing, experience and skill within the industry	0.20	8.00	1.60	8.00	1.60	6.83	1.37
4	Tenderer's and nominated sub-contractors OH&S record and procedures and ability to minimise Council's insurance risks	0.15	8.00	1.20	8.00	1.20	7.67	1.15
5	Local Benefit	0.10	6.67	0.67	5.00	0.50	6.00	0.60
TOTAL WEIGHTED SCORE :				6.92		7.20		6.01

A copy of the tender evaluation has previously been provided to the Councillors.

The evaluation criteria and weighting contained in the contract conditions were as follows:

Criteria	Weight
Price - Financial Cost to Council	0.35
Capability of Tenderer and nominated sub-contractors resources, technical and financial capabilities to successfully complete the contract	0.20
Tenderer's experience on similar projects and standing, experience and skill within the industry	0.20
Tenderer's and nominated sub-contractors OH&S record and procedures and ability to minimise Council's insurance risks	0.15
Local Benefit	0.10

CONSULTATION

All relevant officers were consulted on this matter.

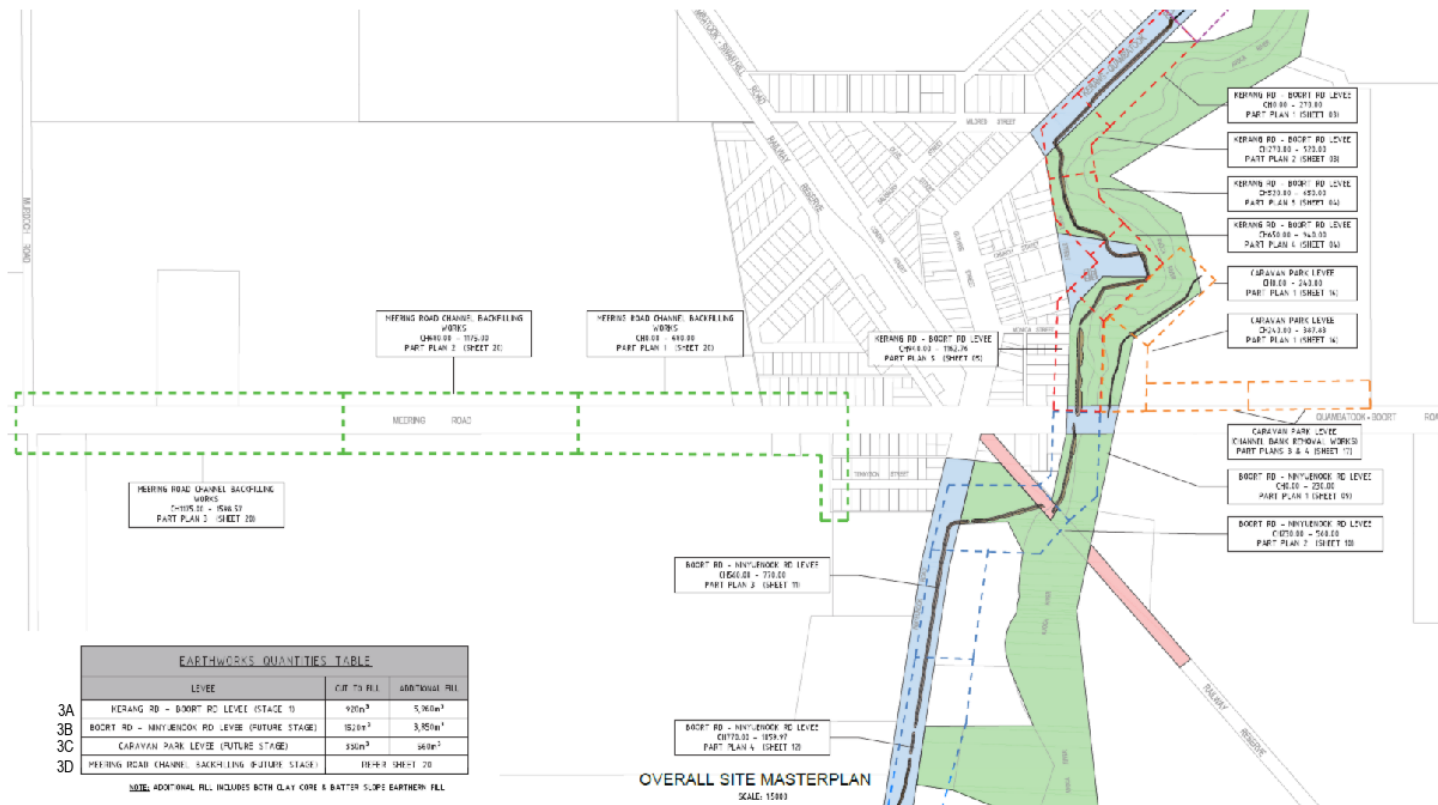
CONFLICT OF INTEREST

In accordance with Section 80B of the Local Government Act, the Officer preparing this report declares no conflict of interest in regards to this matter

CONCLUSION

Council officers sought tenders for the provision of the construction of sections of levee bank in Quambatook. Council staff have evaluated the tenders received and have determined that the tender received from Harril Pty Ltd has met the specific criteria outlined in the tender documents, and comes within Council's allocated budget.

Therefore, it is recommended that Council approve the awarding of the contract for the Quambatook Township Flood Mitigation Project to Harril Pty Ltd for the lump sum payment, not subject to rise and fall, for the amount of \$489,738.93 ex GST for Sections 3A and 3B only in tender G03-2018 to fit within the allocated Council budget.



9 INFORMATION REPORTS

Nil

10 URGENT ITEMS**11 NOTICES OF MOTION**

Nil

12 DELEGATES REPORTS**12.1 DELEGATES REPORT - 22 FEBRUARY, 2017 TO 21 MARCH, 2018****Author: Allison Peace, Administration Assistant - Chief Executive Office****Authoriser: Tom O'Reilly, CEO****Attachments: Nil****EXECUTIVE SUMMARY**

Delegate Reports from 22 February, 2017 to 21 March, 2018

Cr Brian Gibson

01 Mar	MRGC Dinner – Wedderburn
02 Mar	MRGC Meeting – Wedderburn
05 Mar	Community Hall Committee Meeting – Kerang
09 Mar	School Captain Badge Presentation – Kerang South Primary
14 Mar	Gannawarra Shire Council Audit Committee Meeting
16 Mar	Kerang CBD Opening

Cr Mark Arians

28 Feb	Kerang Progress Association Meeting
16 Mar	Kerang CBD Opening

Cr Jodie Basile

07 Mar	Present of Health Charter Certificate – Cohuna Kindergarten
	Present of Health Charter Certificate – Kerang Kindergarten
16 Mar	Kerang CBD Opening

Cr Charlie Gillingham

27 Feb	Quambatook School Community Meeting
03 Feb	River Daze Festival - Barham
14 Mar	Gannawarra Shire Council Audit Committee Meeting
16 Mar	Kerang CBD Opening

Cr Lorraine Learmonth

23 Feb	Carers Video Launch - Serpentine
26 Feb	Loddon Mallee LG Waste Forum – Wedderburn
27 Feb	Yorta Yorta Kow Swamp Meeting - Leitchville
01 Mar	MAV Environment Committee Meeting – Melbourne
02 Mar	LMWRRG Meeting - Bendigo
06 Mar	Leitchville Library Opening
	CCLLEN Annual General Meeting - Bendigo
07 Mar	Leitchville Progress Association Meeting
10 Mar	Attend HART performance - Kerang
16 Mar	Kerang CBD Opening

Cr Steve Tasker

03 Feb	River Daze Festival – Barham
15 Mar	Gannawarra MFMPC Meeting - Kerang
16 Mar	Kerang CBD Opening

Cr Sonia Wright

22 Feb	CVGA Board Meeting - Ballarat
06 Mar	Leitchville Library Opening
10 Mar	Business Proposal Meeting – Cohuna
19 Mar	Cohuna & District Progress Association Meeting
20 Mar	CVGA Special Meeting

This table represents attendances Council meetings and briefings:

Function Attended	Councillor (✓)						
	Gibson	Arians	Basile	Gillingham	Learmonth	Tasker	Wright
Council Strategic Briefing (26 February)	✓	✓	✓	✓	✓	✓	✓
Council Briefing (13 March)	✓	A	✓	✓	✓	✓	✓
Ordinary Council Meeting (21 March)	✓	✓	✓	✓	✓	✓	✓

LoA = Leave of Absence

A = Apology

13 CONFIDENTIAL ITEMS

Nil