

Planning and Development Committee Agenda

Date: Wednesday 8 December 2021

Time: 6pm

Venue: Councillors – Civic Centre (Council Meeting Room)
13 Mair Street, Benalla

The *COVID-19 Omnibus (Emergency Measures) Act 2020* enables councils to hold meetings electronically. This measure is intended to ensure the safety of members of the public, Councillors and Council staff.

The Council Meeting Room is limited on capacity for public attendance. Accordingly, members of the public are encouraged to watch the live broadcast of the meeting at www.benalla.vic.gov.au

Any person wishing to participate in Question Time in accordance with Rule 7.2 of the *Governance Rules 2020* should contact the Council by emailing council@benalla.vic.gov.au or telephoning Governance Coordinator Jessica Beaton on (03) 5760 2600.

In accordance with the Governance Rule 6.4 an audio recording will be made of the proceedings of the meeting.

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Agenda

Chair Councillor Danny Claridge

Councillors Councillor Peter Davis
Councillor Don Firth
Councillor Punarji Hewa Gunaratne
Councillor Bernie Hearn (Mayor)
Councillor Justin King
Councillor Gail O'Brien

In attendance	Dom Testoni	Chief Executive Officer
	Robert Barber	General Manager Corporate
	Nilesh Singh	Manager Development
	Joel Ingham	Planning Coordinator
	Wayne Rich	Compliance Coordinator
	Jessica Beaton	Governance Coordinator

Acknowledgement of Country

We, the Benalla Rural City Council, acknowledge the traditional custodians of the land on which we are meeting. We pay our respects to their Elders past and present and to Elders from other communities who may be here today.

Apologies

Recommendation:

That the apology/ies be accepted and a leave of absence granted.

Confirmation of the Minutes of the Previous Meeting

The minutes have been circulated to Councillors and posted on the Council website www.benalla.vic.gov.au pending confirmation at this meeting.

Recommendation:

That the Minutes of the Planning and Development Committee meeting held on Wednesday 3 November 2021 be confirmed as a true and accurate record of the meeting.

Governance Matters

This Committee Meeting is conducted in accordance with the *Local Government Act 2020* and the Benalla Rural City Council *Governance Rules 2020*.

a) Recording of Council Meetings

In accordance with the *Governance Rules 2020* clause 6.4 meetings of Council will be audio recorded and made available for public access, with the exception of matters identified as confidential items in the agenda.

b) Behaviour at meetings

Members of the public present at a meeting must remain silent during the proceedings other than when specifically invited to address the Committee.

The Chair may remove a person from a meeting for interjecting or gesticulating offensively after being asked to desist, and the chair may cause the removal of any object or material that is deemed by the Chair to be objectionable or disrespectful.

The Chair may call a break in a meeting for either a short time, or to resume another day if the behaviour at the Council table or in the gallery is significantly disrupting the meeting.

c) Disclosures of Conflict of Interest

In accordance with the *Local Government Act 2020*, a Councillor must declare any Conflict of Interest pursuant to Section 130 of the Act in any items on this Agenda.

At the time indicated in the agenda, a Councillor with a conflict of interest in an item on that agenda must indicate they have a conflict of interest by clearly stating:

- the item for which they have a conflict of interest;
- whether their conflict of interest is general or material; and
- the circumstances that give rise to the conflict of interest.

Immediately prior to the consideration of the item in which they have a conflict of interest, a Councillor must indicate to the meeting the existence of the conflict of interest and leave the meeting.

Business

1. Public Question Time

The Council's *Governance Rules 2020* provide the opportunity for members of the public to lodge written questions of broad interest to the Council and the community.

Matters relating to routine Council works should be reported through the Customer Request Management System.

Questions of the Council will not be allowed during any period when the Council has resolved to close the meeting in respect of a matter under section 66 (1) of the *Local Government Act 2020*.

A question may be on any matter except if it:

- is considered malicious, defamatory, indecent, abusive, offensive, irrelevant, trivial, or objectionable in language or substance;
- relates to confidential information as defined under the Act;
- relates to the personal hardship of any resident or ratepayer; or
- relates to any other matter which the Council considers would prejudice the Council or any person.

No more than two questions will be accepted from any person at any one meeting.

All questions and answers must be as brief as possible, and no discussion may be allowed other than by Councillors for the purposes of clarification.

Like questions may be grouped together and a single answer provided.

The Chair may nominate a Councillor, the Chief Executive Officer or another member of Council staff to respond to a question.

Recommendation:

That the question(s) and answer(s) be noted.

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2. Draft *Domestic Animal Management Plan 2021-2025* Hearing of Submissions

SF/2564

Wayne Rich – Compliance Coordinator

Nilesh Singh – Manager Development

PURPOSE OF REPORT

The report presents submissions received on the draft *Domestic Animal Management Plan 2021-2025*.

BACKGROUND

That the Planning and Development Committee, acting under its delegated authority of the Council, resolved:

1. That the draft *Domestic Animal Management Plan 2021-2025* be endorsed for community consultation.
2. That the draft *Domestic Animal Management Plan 2021-2025* be placed on public exhibition for a period of at least 28 days.

Public notice of community consultation on the draft *Domestic Animal Management Plan 2021-2025* (the Plan) was given on the Council's website on 4 November 2021 and in the *Benalla Ensign* on Wednesday 10 November 2021.

Feedback was also sought via the Council's website and the Plan promoted on social media.

Public listening posts were conducted in the central business district on 19 November 2021, at Churchill Reserve on 24 November 2021 and the Benalla Lakeside Craft and Farmers Market on 27 November 2021.

Identified key stakeholders were invited to provide feedback on the Plan via email.

The submission period closed 5pm Thursday 2 December 2021.

DISCUSSION

At the close of the submission period 104 submissions had been received from:

- Donna Palmer (refer **Appendix 1**)
- Anonymous (**Appendix 3**)
- Leonie Daniel (**Appendix 5**)
- Anonymous (**Appendix 7**)
- Samuel Rodrigo (**Appendix 9**)
- Anita (**Appendix 11**)
- Valissa Clarke (**Appendix 13**)
- Rachael (**Appendix 15**)
- Craig (**Appendix 17**)
- Michelle Dack (**Appendix 19**)
- Ross Tergoning (**Appendix 21**)
- Alison King (**Appendix 23**)
- Kristen (**Appendix 25**)
- Cheryl Shea (**Appendix 27**)
- Sharon Cain (**Appendix 29**)
- Victoria (**Appendix 31**)
- Stefanie Arendshorst (**Appendix 33**)
- Glenda Black (**Appendix 35**)
- Darcy Cooke (**Appendix 37**)
- Travis Wagner (**Appendix 39**)
- Angie (**Appendix 41**)
- Charlene Ham (**Appendix 43**)
- Bev Essenhig (**Appendix 45**)
- Maddison Bilton (**Appendix 47**)
- Will Rusin (**Appendix 49**)
- Graham Burman (**Appendix 51**)
- Val Hill (**Appendix 53**)
- Sue Berry (**Appendix 55**)
- Rina Caddy (**Appendix 2**)
- Kym Owens (**Appendix 4**)
- Elaine McNeil (**Appendix 6**)
- Karen Curl (**Appendix 8**)
- Bill Morris (**Appendix 10**)
- Jacqueline Frost (**Appendix 12**)
- Anonymous (**Appendix 14**)
- Janet Radford (**Appendix 16**)
- Frances Hardy (**Appendix 18**)
- Lorri Butera (**Appendix 20**)
- Alie Bujku (**Appendix 22**)
- Deb Randich (**Appendix 24**)
- Carla Gardner (**Appendix 26**)
- Coral Day (**Appendix 28**)
- Alex Ross (**Appendix 30**)
- Jorja Daniel (**Appendix 32**)
- Wayne Tiechert (**Appendix 34**)
- Wilma Green (**Appendix 36**)
- Fiona Will (**Appendix 38**)
- Mitchell Wiles (**Appendix 40**)
- Jen Flack (**Appendix 42**)
- Carol McNulty (**Appendix 44**)
- Barry Burden (**Appendix 46**)
- Matthew Gill (**Appendix 48**)
- Jennifer Monger (**Appendix 50**)
- Sue Letcher (**Appendix 52**)
- Michele (**Appendix 54**)
- Amanda Alexander (**Appendix 56**)

- Judith Stewart (**Appendix 57**)
- Michele McCrohan (**Appendix 59**)
- Wendy Baker (**Appendix 61**)
- Fintan Rawlings (**Appendix 63**)
- Stephanie Johnston (**Appendix 65**)
- Birgit Efinger (**Appendix 67**)
- Jill Yates (**Appendix 69**)
- Melinda and Jim McNaughton (**Appendix 71**)
- Fuchsia Branwhite (**Appendix 73**)
- Trevor Easton (**Appendix 75**)
- Kerryn Amery (**Appendix 77**)
- Carole Moloney (**Appendix 79**)
- David Blore (**Appendix 81**)
- Di Smith (**Appendix 83**)
- Elizabeth Grant (**Appendix 85**)
- Norma Hodgson (**Appendix 87**)
- Anonymous (**Appendix 89**)
- Anonymous (**Appendix 91**)
- Lisa Atkinson (**Appendix 93**)
- Roe Cumming (**Appendix 95**)
- Chris Jennings (**Appendix 97**)
- John Moore (**Appendix 99**)
- David Horan (**Appendix 101**)
- Elizabeth Rigby (**Appendix 103**)
- Robyn Hill (**Appendix 58**)
- Linda Tritton (**Appendix 60**)
- Fiona Holmes (**Appendix 62**)
- Simone Sammon (**Appendix 64**)
- Maggie Hollins (**Appendix 66**)
- Kylie Levesque (**Appendix 68**)
- Melinda (**Appendix 70**)
- Jane (**Appendix 72**)
- Sarah Kelly (**Appendix 74**)
- Rachel Menere (**Appendix 76**)
- Kay Barton (**Appendix 78**)
- Anonymous (**Appendix 80**)
- Helen Spittles (**Appendix 82**)
- Larry James (**Appendix 84**)
- Marg Bordin (**Appendix 86**)
- Anonymous (**Appendix 88**)
- Linda Tullberg (**Appendix 90**)
- Anonymous (**Appendix 92**)
- Cathy Nichols (**Appendix 94**)
- Heather Byrne (**Appendix 96**)
- Desma Versteegan (**Appendix 98**)
- Delfina Manor (**Appendix 100**)
- David More (**Appendix 102**)
- Glenna Davidson-Finnie (**Appendix 104**)

Appendices have been provided under separate cover and are available for download on the Council's website www.benalla.vic.gov.au

In accordance with the Council's *Governance Rules 2020*, submitters have been invited to address the Planning and Development Committee in support of their submissions.

COUNCIL PLAN 2021-2025 IMPLICATIONS**Leadership**

- *Good governance.*
- *High performance culture.*
- *Engaged and informed community.*

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflicts of interest in this matter.

CONCLUSION

Submissions on the draft *Domestic Animal Management Plan 2021-2025* will be considered at the Planning and Development Committee on 16 February 2022.

The *Domestic Animal Management Plan 2021-2025* will be considered for adoption at the Council meeting on 23 February 2022.

Recommendation:**That submissions be received.**

From: Donna Palmer
To: Benalla Council Email
Subject: Domestic animal management plan
Date: Saturday, 23 October 2021 11:15:34 PM

I would like to put forward my thoughts on unleashed dogs in our community!
There are many people who walk dogs that are not on a leash and it effects many in the community.

When a dog not on a leash approaches another animal or a person you just don't know what that unleashed animal is capable of.

It's fine for the owner of the unleashed dog to think it is safe as their dog is friendly, but the dog it approaches on a leash may not be the same and thus causes distress for the leashed dog and it's owner.

Also there are many people in the community that have fears of dogs and when approached by an unleashed dog can be traumatic for those people even though the dog may be friendly, those people are genuinely afraid of an unleashed dog. Therefore I think it should be mandatory for the protection and comfort of other pets and people to be walked with a leash on at all times and fines for those not compliant.

It's in the best interest of safety and security for people concerned. Even disabled people are daunted by the approach and the handlers sometimes don't understand the problems it creates for others.

So please consider leashing dogs outside the home and in public places for the safety of others whether the dog is tame or not the approaching person is unaware as they don't know their dogs capabilities.

Thanks
Donna

Sent from my iPhone

--

To: Personnel charged with reviewing the 2021-2025 Domestic Animal Management Plan.

Dear Mr Dominic Testoni, Compliance Officers and pertinent Personnel,

In that the residents of Porters Road Benalla and surrounds continue to experience concerns about dog threats to the personal health and safety of our communities' people, visitors, cyclists, horse and pony riders, and pets, I resubmit the document prepared for the last Domestic Animal Management Plan, forwarded at a time when Mr Tony McIlroy held the CEO post.

No significant change from the past review, that might have improved the status of our Health and Safety, or Safe Streets has been witnessed.

What has been witnessed is a dog that is known to be aggressive, wandering at large on several occasions. Allegedly, it has caused injury to other dogs, which then have required veterinary attention. Other persons, from Kealy Road, report that they will not ride their horses along Porters Road for fear of dog attack, consequent to their son walking his dog in the street, who was attacked by a brown staffy type dog.

There have been several house sales over the past years. The new residents very quickly find out that Porters Road is not a safe road to walk or ride along, and is definitely not a safe place for children and pets to play in.

Many residents agree that the current Benalla Rural City Council methods of dealing with dog problems in our area simply does not work. Responses are fundamentally too slow, not in terms of Compliance activation to an event, but by the time rangers arrive the offending animal has long gone. In addition, the aggrieved party is invariably too afraid to make any personal complaint for fear of reprisal.

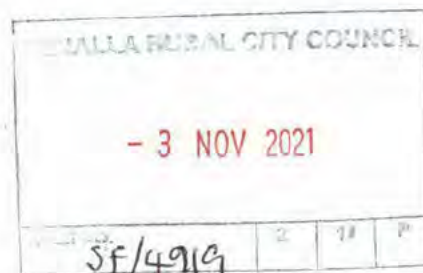
Benalla Rural City Council needs to make changes to their DAMP by-laws to ameliorate the situation, thereby enabling their Vision Statements about Community Health and Safety and Safe Streets to be accurate.

Please consider the contents of the attached past DAMP submission, which was compiled by a number of local community members from Porters and Kealy Roads.

Yours sincerely,

Rina Caddy

Ms. Rina Caddy.



Please find original 2018 submission attached

RB 30/10/21

Re: Request for Review.

The attached (RE) submission requests more consideration of local law changes, to more effectively control the risk of harm + safe travel by persons due to dogs not being effectively controlled in public,

The only 'changes' from the 2018 review were

- realising the 'restricted zone' did not apply, and
- wording re 'Apparent control' changed in the S.A.M.P. That was all.

The suggestion that BRCC use S. 26(2) of the Domestic Animals Act 1994, to strengthen local laws to require LEASHERS be used when exercising a dog(s) in public, basically was ignored. In effect, a version of local law by Shepparton Council on 16/Oct/2018 was suggested as an example, to be followed, but apparently PETCHEY v KINGSTON COUNCIL put the "fighteners" on any action by BRCC.

Please Review.

D. Caddy

DAVID CADDY

This past submission is attached to two letters from a) David Caddy b) Rina Caddy - 30/10/2021 and is to be considered in regard to both aforesaid letters. R Caddy 30/10/21.

Submission Summary
To Review of Domestic Animals Management Plan, 2018.

Mr Tony McIlroy, Chief Executive Officer
Benalla Rural City Council, Bridge St Benalla Vic 3672

19th. September 2018

A submission, about domestic dogs, in rural living zones, with recommendations:

- to strengthen local law regarding secure fencing,
- to reclassify zoned rural living zone as a restricted area, and/or
- to introduce effective control rules.

Due to on-going Community safety problems of:

- Dogs at large, threatening and menacing dog or dogs, that rush from within their property, directed towards persons and animals, serious bite attacks by a dogs or dogs, traffic hazard and risk of harm to community members and animals.

Caused by:

- Dog/dog/s, which present as menacing, and in an apparent territorial/protective mode, **being at large, due to not being securely confined to owners' premises; (ie the property does not have a closed gate(s), nor does it have an escape proof fence that dog(s) can not jump, get under or through,**
- Dog/s, when being 'exercised' in public space, and at times in packs of up to four dogs, being involved in serious dog attacks, even though with a person(s)/owner present, in 'apparent control', yet unable to prevent the rush and attack,
- And it is asserted that the current council local rule (in Benalla 'Unrestricted area') that dogs are not required to be on a lead, if accompanied by an owner, is vague, unclear and demonstrably ineffective in controlling a dog or dogs when in public space.

It is clear that the **Domestic Animals Act 1994 (Vic)** requires that owners must ensure their dog/s

- Under S.24, are securely confined to an owners' property, and
- Under S.29, must not rush or chase, or attack or bite any person or animal.

And in the DAMP review it is stated that:

- The **Council Local Law 56- Wandering Animal**, states: 'The owner or person in charge of any animal must not allow that animal to wander from the land where it is normally kept.' and
- The **Council Local Law 59- Adequate Fencing**, states: 'An owner of land on which an animal is kept must ensure that the land is adequately fenced so as to prevent the animal's escape from the land.'
- *It is submitted that Local laws 56 & 59 be strengthened up and ensure dog owners fully know it is their responsibility to secure and fence their dogs to their property, and with specific criteria as to what constitutes adequate fencing, thus more effectively preventing dog at large, and also give more teeth to the enforcement process by a focus on DAA S.24 offences. (Local Law 59 offences)*
- *It is submitted that Council replace the current 'unrestricted area' rule, by either:*
 - *reclassifying and including zones such as Porters Rd. which is a zoned rural living residential area with one shared public street, as a Restricted Area. Ie Leash area. or*
 - *with a rule based on effective control criteria which specifies in clear detail, what is expected of an owner to achieve having effective control of their dog when it is being exercised in a public space, in a 'non restricted' zone. And of course with specific exemptions for working animals in farming zones, or specified designated zones.*

Yours faithfully

David & Rina Caddy

D. Caddy Rina Caddy.

Submission To Review of Domestic Animals Management Plan, 2018.

Mr Tony McIlroy
Chief Executive Officer
Benalla Rural City Council
Bridge St Benalla Vic 3672
14th. September 2018.

In response to Council's advertisement in the "Benalla Ensign" (29 August 2018) for consultation regarding the 4 yearly review of the Domestic Animals Management Plan, we, the undersigned residents and ratepayers, thank you for your invitation to contribute to the Domestic Animals Management Plan, 2018, review.

PREAMBLE.

As a small rural residential community in Goomalibee, we believe that we should be entitled to the same "Liveability" standards that the Benalla township residents enjoy. "Walkability" is one marker/indicator of the "Neighbourhood Liveability Assessment of Benalla study", conducted by the *Healthy Liveable Cities Group* at the RMIT University, a study funded by the Department of Health and Human Services, and devised in partnership with the Benalla Rural City Council. According to the same study, the "Walkability design of local neighbourhoods is an important influence of physical activity, health outcomes, social connectedness and community sustainability." Many members of the Porters Road community champion the "Walkability" concept of their local community, but do not believe that it is safe to engage in the activity.

Benalla Rural City's Council Plan 2017 – 2021 cites, in its vision statements, that it intends "To provide a sustainable, thriving community where lifestyle, culture, health and wellbeing are supported by strong leadership and community partnership".

The Council Plan also pronounces that its vision, strategic objectives and operational plan "is in accordance with Section 26 of *The Public Health and Wellbeing Act 2008*." (Page 15.)

Many of the Porters Road community do not consider that it is safe to walk the community's shared access road to their properties. Many do not consider that it is safe to let their children play, or to ride their bike, walk their pet, or ride a horse/pony along Porters Road.

Currently the health and well being of our small community is not being enhanced or supported by current Council Bylaws, nor is it that a thriving community lifestyle is being sustained. Many of the residents in Porters Road, Goomalibee, believe that they share a common concern about Community Safety and Wellbeing.

RATIONALE.

The main past, current and on-going Community safety issue can be defined as:

- a dog or dogs wandering at large,
- a dog or dogs that rush and worry, from within their property, but also beyond their property,
- threatening and menacing dog or dogs, directed towards persons and animals,
- serious bite attacks by a dogs or dogs,
- There is ongoing traffic hazard and risk of harm to pedestrians, cyclists, horse riders, vehicle occupants, domestic stock, but also a risk to the dog or dogs when they are at large.

COMMUNITY SAFETY AND WELLBEING RISK.

For several years now, there has been a risk to the Community due to:

- Dog/s, which present as menacing, and in an apparent territorial/protective mode, **being at large, due to not being securely confined to owners' premises; (ie the property does not have a closed gate(s), nor does it have an escape proof fence that dog(s) can not jump, get under or through,**
- Dog/s being at large, under **The Domestic Animals Act 1994**, Section 24 offence, relies on 'IF' a dog, is FOUND at large, due to inadequate fencing. This means some lay-person has to find a dog at large, then 'ring it in', referred to as 'make a complaint' and then the Council Compliance activates to try to find the dog at large. The problematic time delay in the ability to secure the dog "at large" has the propensity to compound the dog threat to person or native/domestic animal.
- Dog/s being on the road, outside their owner's property is a root cause of the safety problem. Section 24 also refers to dog at large as **"not confined to the owner's premises."**
- Dog/s, being 'exercised' in public space, and at times in packs of up to four dogs, being involved in serious dog attack. Dog attacks have occasioned rush and worry-bites, causing falls from cycles and animal.
- Dog/s, even though with a person(s)/owner present, in 'apparent control', the responsible person has been unable to prevent the rush and attack.

LAW IN VICTORIA.

The **Domestic Animals Act 1994 (Vic)** requires that owners must ensure their dog/s

- Under S.24, are securely confined to an owners property, and
- Under S.29, must not rush or chase, or attack or bite any person or animal.
- The **Council Local Law 56- Wandering Animal**, states: 'The owner or person in charge of any animal must not allow that animal to wander from the land where it is normally kept.'
- The **Council Local Law 59- Adequate Fencing**, states: 'An owner of land on which an animal is kept must ensure that the land is adequately fenced so as to prevent the animal's escape from the land.'
- Currently Porters Road is not in **Benalla Restricted Area**, and dogs are not required to be on a lead, if accompanied by an owner. The definition of "in control" needs to be precisely stated in Council Local Law for it to be effective, and for it to provide a safer liveable community.
- *The Domestic Animals Act 1994*, at a local government level is interpreted clearly and precisely by some local councils. The City of Yarra Council Orders, made under Section 10A and Section 26 of the *DAA 1994* have encoded that "Dogs must be under effective control."

The Council Order reads:

“(1) The Owner of any dog must keep the dog under effective control by means of a chain, cord or leash (not exceeding 2 metres in length) held by the Owner and attached to the dog while the dog is in a Public Place except where that Place is a designated Reserve or Prohibited area.”

It continues with the Owner’s Obligations in a Designated Reserve, stating that:

(1) A dog may be exercised off a chain, cord or leash in a Designated Reserve if the Owner:

- (a) does not allow the dog to worry, threaten or attack any person or animal;
- (b) carries a chain, cord or leash not exceeding 2 metres in length sufficient to bring the dog under control by placing the dog on the chain, cord or leash if the dog behaves in a manner that worries, threatens or attacks any person or animal;
- (c) remains close enough to the dog so as to be able to immediately bring the dog under effective control by placing the dog on a chain, cord or leash;
- (d) brings the dog under effective control by placing the dog on a chain, cord or leash immediately upon the dog commencing to worry, threaten or attack any person or animal.

This notion of “Effective Control of Dogs in Public Places” has been verbally expressed to some residents of the Porters Road Community, by both a Benalla Council Manager Development person and a Benalla Council Compliance Officer, which aligns with the City of Yarra Order, however it is not clearly expressed and encoded by our Council’s DAMP laws.

It is noted that until about a month ago, before it was taken down, Benalla Council’s website quoted:

“Under the Domestic Animals Act 1994, all dogs must be under effective control when they’re not on their owners property. An owner must not allow their dog to worry, chase or threaten any person or animal. In any of the off lead areas, the person in charge of a dog must remain in effective voice or hand control and be able to bring the dog under control with restraint if necessary”.

Whilst it might seem that there is no current Local Law reference on “Effective Control of Dogs,” by Benalla Council, local laws similar to the City of Yarra Order, (which would appear consistent with the quote from the earlier Council statement), a Council reinstatement of “Effective Control of Dogs”, given with detail, would assure greater safety for residents and animals in public spaces.

Recommendations to DAMP 2018 Review.

It is submitted and requested that Council consider:

- ensuring all owners confine dog(s) to their property by having adequate fencing, and clearly specify what constitutes adequate fencing, and
- specify in clear detail, what is expected of an owner to achieve having effective control of their dog when it is being exercised in a public space in a non restricted zone.

Recommendations to PREVENT DOGS AT LARGE:

- Include in Local Law 59-Adequate Fencing, or new Council Order, wording to ensure owners know their legal responsibility is to ensure their dogs are securely contained to their property, at all times, thus preventing dogs being at large, and in detail, specify exactly what is meant by Adequate Fencing. This means to comply with the Domestic Animals Act

1994, dogs to be housed in yards with closed gates, and an escape proof fence that cannot be jumped, got under, or through.

- That council conduct audits, or makes inspections of adequate fencing, such as is the case for swimming pool fencing, or where non-compliance occurs, so that when a “Domestic Animal At Large”, offence occurs, that Council then conduct audits or inspections, of that property, and has the power to issue a notice “to comply” and/or, to install adequate fencing to secure dog(s), and also use current “Impounding an animal” powers.
- Include in Local Law 56-Wandering Animals, or new Council Order, that dogs are not:
 - (a) be allowed to wander or be at large,
 - (b) be allowed to rush,
 - (c) be sooled onto persons or animals passing by a property
 - (d) rush up to a secure front fence.
 - (e) worry-bite or attack, any person or animal.

Recommendations for “EFFECTIVE CONTROL of DOGS”:

Currently, Porters Road (in effect 18 rural residential properties facing one shared access road,) is not in the Restricted Area. A dog, when being exercised, is not required to be on a leash, if accompanied by an owner, or person in apparent control.

This ‘rule’, provides no clear, legal definition of what is meant by ‘accompanied’, even implying acceptance of exercising up to 4 dogs, all unleashed, and vaguely refers to any person nearby ‘apparently’ deemed in control. The ‘rule’ basically suggests Porters Rd is an unrestricted area to exercise dogs, and adds little to requiring an owner/person in charge to actually be in charge in a responsible dog owner manner.

Some residents walk with one friendly, trained, social unleashed dog, and no rush or attacks are involved. However, too often, the lack of “Effective Control of Dog/s” rule, for example, the “Unrestricted Area” rule, has not helped prevent dog rush and attacks. There needs to be a better rule, one that is adequate and fit for purpose.

To achieve better community safety and use of Porters road, (in the rural zone) it is submitted that Benalla Rural Council consider including a revised “Restricted Area” zone, thus requiring dogs must be leashed when being exercised in this public area. Or, if mandatory “on leash” is not accepted, it is submitted that Council introduce “Effective control” guidelines in the plan, and in a revised Local Law, that states in very clear, detailed, unambiguous language, a definition of what “Effective Control of Dogs” means, and exactly what Owners Obligations are. For example, order that certain rural residential areas are designated as “Dogs must be under Effective Control Areas”.

Benalla Rural City is not just the township area, so make a new Council Order for the “Unrestricted Zone” which is allocated to Porters Road residential area, with detail similar to that found in S.5 of the City of Yarra Council Orders, which is attached.

Provide to all residents and ratepayers, clear publicity that strongly advises that the best, preferred, and most safe option is to exercise a dog, with a leash attached.

Basically this submission to the Domestic Animal Management Plan, 2018, requests that Council publications, advice, and local laws and any new orders be reviewed, so as to specify:

- (1) exactly what constitutes adequate fencing, and,
- (2) what exactly constitutes effective control when exercising dog(s) in public space.

Attachments:

- City of Yarra Council Orders under S10A and S26 of the DAA 1994
 - *As an example of wording for a new effective control law*
- Confine your dog from Dept of Agriculture. Vic.
 - *As an example of a very clear-speak publicity pamphlet on responsible dog ownership*
 - *Also known as Put Your Dog Out Back. from DEPI.*
- Excerpts of dogs at large offences DAA 1994
 - *As examples of quite regular breaches in Porters Road.*

Reference Materials from Benalla City Council website:

“Neighbourhood Liveability Assessment of Benalla study”, conducted by the *Healthy Liveable Cities Group* at the RMIT University,
Benalla Rural City's Council Plan 2017 – 2021 .

We, the residents and ratepayers of Porters Road, Goomalibee, 3672, thank you for the opportunity to contribute to the Benalla Rural City's Domestic Animal Management Plan, 2018. If you have any queries, please contact David or Rina. Telephone – 57 195809.

Yours sincerely,

David Caddy.



Rina Caddy.



Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **4 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

The changes to the current laws cannot happen quickly enough. Dog owners should have their dog/s on a lead when walking anywhere in a public space. This would hopefully decrease/ prevent the dog attacks that are occurring regularly in Benalla. It is also up to the individual dog owner to train their dog/s and be a responsible caring owner and member of the community. A basic dog obedience course is the minimum dog owners should undertake when bringing a dog into their family and home.

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion?

Yes (Please supply your contact details below)

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **5 November 2021**

Are you the owner of a dog or cat? **No**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Kym**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **5 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **Would love a dedicated off leash area for dogs. I have been to previous dog parks where they had two different areas, one for large dogs, one for medium/small. Was a great model. And a terrific chance to let dog off lead while being in a secure location.**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **Yes (Please supply your contact details below)**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Leonie Daniel**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **5 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours?

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

I would like animal registration to be a life time registration with a one off payment as per other councils

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion?

Would you like to speak in support of your submission at a Council meeting on 8 December?

Your name

Elaine McNeill

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **5 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **5 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **Walking our dogs around the lake is a highlight of our day. My dogs - as well as all other dogs I've encountered off the lead, with their owners - are extremely well behaved and love meeting other dogs and people. Let's keep Benalla dog friendly as they play a huge role in the majority of families in Benalla. Don't punish people and their dogs for doing the right thing.**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **Yes (Please supply your contact details below)**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Karen Curl**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **We need a dog park**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Samuel Rodrigo**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Bill Morris**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: : **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Anita**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **No**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Jacqueline Frost**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **It's important that council are able to effectively and completely police this plan. Currently, an animal complaint goes nowhere as nothing can be done about it unless the dog catcher actually sees it. Council must be able to act on complaints and issues**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion?

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Valissa Clarke**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **No**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Due to cats coming into our garden, the small native birds that were coming into feed on our native plants that were specifically planted for that purpose, have disappeared. I have seen a cat under one of our grevilleas trying to catch the honeyeaters. I have been unable to keep the cats out. Dogs need to be on their leash when out as they can be a foot traffic hazard and quite daunting when they come near small children even when being friendly. When I owned a dog and walking with him on a leash a larger unleashed dog on Jaycee Island ran over and attempted to attack him. I had to pick him up and the dog was still jumping up and trying to bite him. I would definitely like to see new domestic management rules introduced.

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **No**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **Dogs in particular need exercise and that means RUNNING how do you suppose they do that on a lead? Perhaps you should maintain more dog only areas for this purpose**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Rachael**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Janet Radford**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Craig**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **No**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **I do not have any animals myself so I do not think that I should have to put up with cats making a mess on my property and making noises at night as well when going for my walk have dogs run at me, even if they are friendly they are a still scary.**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name: **Frances Hardy**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **Enforcement of leash order. More around animals that keep escaping their properties**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Michelle Dack**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**
No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Lorri**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **No**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **Council should have designated areas for dog owners to take their pets for a run eg Churchill reserve. Cats should be contained to their owners property 24/7 and be desexed, microchipped as part of the registration requirements. There are too many cats roaming Benalla streets at night. These animals whether domestic or feral are just a killing machine.**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **Yes (Please supply your contact details below)**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Ross Tregoning**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Alie Bujku**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **The dogs on leash is a fantastic idea if it is enforced this time and if owners are provided with a safe off leash area where dogs can socialise with other dogs.**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Alison king**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **How would such requirements be policed?**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Deb Randich**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **No**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **It's unreasonable to require this. Dogs can safely be off property and off leash. And similarly cats cannot be confined to a property without being locked up, which is terrible for their welfare!**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Kristen**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat?

Yes

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property?

No

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours?

Yes, at all times

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

I think off leash is a difficult one. Some dogs cannot be off leash but some can because some are well trained enough.

I am being trained with our pup who is training to be an assistance dog for our autistic child. It is a lot of hard work and at 6 months there is no way I would be walking him off lead. Maybe with another year of training...

Perhaps to be off leash dogs and owners need to do a training course, earn a certificate and do yearly/biyearly refreshers to keep it.

Also talk to dog trainers in the region like Amanda from ShadowSpirit Enterprises in Tatong.

If food have to be on lead all the time then Council needs to provide dog parks as well.

I live rural and my neighbours have cats. Some of them let their cats roam. Sometimes their cat/s are gone for days. I hate seeing them in our property, killing the birds - there are definitely less birds around since they moved in with their cats. Perhaps Council can subsidise/arrange discounts for people to build cat runs.

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion?

Yes (Please supply your contact details below)

Would you like to speak in support of your submission at a Council meeting on 8 December?

No

Your name

Carla

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Cheryl shea**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **No**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Coral Day**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **Introduce fines for unleashed dogs on the pathways around the lake.**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Sharon Cain**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

If dog owners have control over the recall of their dogs & don't allow them to be a pest to other dogs or people, they should be able to walk them lease-free. I have a reactive dog & understand the need to keep her on the leash when we're out & about. But not all dogs are the same & those who have dogs who are better trained should be able to enjoy the fruits of their labor & their dogs deserve the same. There's plenty of space for them to be free to enjoy. It would be great, however, to have a fenced space available for those doggos who aren't able to walk without a leash to be able to run free & enjoy some leash free exercise & play without fear of getting into altercations. I think that council should look into creating some space for that purpose. Perhaps a space that can be booked or even a space specifically for big dogs & one for small dogs.

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **Yes (Please supply your contact details below)**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Alex Ross**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Introduce a cat curfew ie cats to remain indoors at all times unless outside on a leash (yes they can walk on a lead) or in a cat proof enclosure in the owners yard. And enforce it - have night rounds by the compliance officer. Animals (and owners) don't just come out during the day.

I have video footage of two cats regularly on my property in the early hours of the morning. And these have a collar and bell visible but are not owned by anyone in the unit complex I'm in.

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Victoria**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Jorja Daniel**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **No**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Stefanie Arendshorst**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

With regards to dogs this has and will always be an ongoing discussion and concern for many reasons.

What many pet owners overlook is that it's NEVER the dogs fault and pet owners need to take more responsibility for their pets actions instead of wanting to blame others as that's the way of the world we seem to live in today.

Walking dogs on a leash in public places should always be the case. Often pet owners doing the right thing by walking their dogs on leash come across other people having their dog off leash and the response is..."It's ok, my dog doesn't bite". THAT'S STILL NOT OK...

A dog off leash may also not bite but when coming across a bike rider on the same path, that dog could suddenly move in the direction of the bike rider causing an incident.

Just a couple of examples why pet owners either don't think or are ignorant to what can be, hence the importance of ALL dogs being on leash when others are around.

The dog off leash can still cause problems for the person that's doing the right thing and/or their dog who's on a leash for a reason where what if that dog on leash reacted to the dog off leash that approached it?

Who pays for the Vet bills?

How will that dogs life be after this?

Who maybe fined?

Who's dog maybe euthanised?

Off leash dog parks can be a great concept but also can be a major problem too.

The major problem being just because pet owners all of a sudden see there's a designated off leash area, that they're all in the right with their dogs.

For decades and decades, people have invested in a dog not understanding the breed intimately, whether that be a Maltese Shitzu or a form of hunting dog. They all have different traits, reactions, and strengths and the problem has been and will always be the lack of education given to pet owners when it comes down to proper 'Pet Owner Responsibility'...

What comes with a designated off leash area is that human emotion of wanting to show off their dog. Everyone's dog is cute. Everyone's dog is the best and the emotional content will always override responsibilities and that's where problems will arise from.

Dogs, big or small certainly need time off leash to exercise, burn energy and train which cannot be done on a leash and it's not all about everyone going to the one location. Many Pet Owners think with blinkers on and if they took some time to look a little wider, many of these challenges can be overcome.

What should be MANDATORY prior to the introduction of a designated off leash area is education. Education on dog behaviour and education on pet owner behaviour within areas as such!

I truly believe that by opening up this concept that it would create an ongoing headache for compliance having to deal with the many incidents that may come from this. The only way this can be successful is someone coming forth with the education on dogs behaviour.

Don't get me wrong. The concept is great but I do know that the FULL understanding of a concept as such will be the main challenge.

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **Yes, I would like to speak in support of my submission**

Your name **Wayne Teichert**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **While dogs should be on lead generally Benalla needs a well designed fenced off leash dog facility and more designated off lead areas.**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Glenda Black**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **No**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Wilma Green**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion?

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Darcy Cooke**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **Create a large dog park so dogs can have a run and play or designate off lead areas on Jaycee Island again. Dogs should be on leash when walking around the streets**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Fiona Will**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Travis Wagner**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Mitchell Wiles**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **I would like a representative to speak on my behalf**

Your name **Angie**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Jen Flack**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Charlene Ham**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **All animals should be confined to property it prevents loss of animals and wild life and also fighting with cats. It will also prevent unwanted pregnancy and feral cats. Also all cats should be desexed and council should have a data base to enable the documentation of desexed animals**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Carol McNulty**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **No**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Dogs need to be on a lead at all times, unless there is a park or area for off lead. Cats confined to own area at all times , sick of them scratching and urinating on everything if I wanted that I would have my own. Owners need to be made more responsible if they want animals Also number of dogs in town? And is there a law on breeding ?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Bev Essenhigh**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Barry Burden**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **If animals are to be kept locked on the premises there should be a rule on cage sizes. If the animal has to be locked away in a little cage to be confined, the owner shouldnt be allowed to have the animal.**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Maddison Bilton**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **Benalla needs to have leash free zones for dogs so they can run**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **Yes (Please supply your contact details below)**

Would you like to speak in support of your submission at a Council meeting on 8 December? **I would like a representative to speak on my behalf**

Your name **Matthew Gill**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **will**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **No**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion?

Would you like to speak in support of your submission at a Council meeting on 8 December?

Your name **Jennifer Monger**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes, at all times**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **Just with dogs yes it would be OK if the dog was social and not attack people and other dogs and if that is the case there needs to be areas for dogs to be of the leash**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Graham Burman**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property?

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **Yes (Please supply your contact details below)**

Would you like to speak in support of your submission at a Council meeting on 8 December?

Your name **Sue Letcher**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **No**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **I have owned a dog in the past.**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Val Hill**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **Benalla needs an off lead dog park**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Michele**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **Benalla needs a fully fenced off lead area for dogs**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Sue Berry**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Amanda Alexander**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **Cats to have registration same as dogs. Fines fir cats found outside.**

Upload documents in support of your submisson

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Judith Stewart**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **No**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Robyn Hill**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

My reluctance with owner's being forced to leash their dog when outside their property basically just comes back to the fact that there are no areas within Benalla in particular that are listed as off leash. If our LGA was more dog friendly, and provided more spaces that are advertised as shared spaces that allow for dogs to be off lead (and under control of their owner), I would be more supportive of the blanket rule that elsewhere they should be on a leash. Like many people, I don't feel I can take my dog for a run off lead in town and have to go a fair distance out of town to find those spaces. There are no facilities along the shopping areas to secure your leashed dog when you need to go into a store and I have only seen one cafe that has a water bowl out for dogs.

I agree that dog owners as a whole need to be responsible for their dog's impact on others, and should be educated in meeting the needs of dogs to avoid antisocial behaviours. However, I also think Benalla LGA needs to more broadly recognise that many residents are dog owners and would welcome facilities that catered to them and their furry friends.

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Michele McCrohan**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Linda tritton**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **No**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **I think dogs should be on a leash all times outside of the owners property. Saying that, if Council had specific off leash reserves.eg. Churchill Reserve during particular times, then that would be ok. Further, Council need to provide the appropriate staff to ensure compliance!**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Wendy Baker**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Fiona holmes**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **No**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Benalla does not have a dog park like other towns do. Have you ever tried to have a cat? I no longer own a cat but it is not easy to keep a cat inside the fence - they are not like dogs, you can't teach them to sit or stay. They have a mind of their own, in fact cats rule the house.

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December?

Your name **Fintan Rawlings**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **16 November 2021**

Are you the owner of a dog or cat? **No**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Simone sammon**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **17 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **No**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **For dogs, I think it should depend on whether or not they have strong recall recognition and if the owner knows them well enough to judge whether they like other dogs/people etc. Cats should be allowed outside unless someone is complaining about them being a nuisance**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Stephanie johnston**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **17 November 2021**

Are you the owner of a dog or cat? **No**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Maggie Hollins**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **17 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **No**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

My 2 cats are inside cats at all times. They are old now but I would not do this to a cat again. They need some outdoor time.

Absolutely fine with dogs on leads, expecially after some encounters with free roaming dogs when on walks with my dog (on a lead).

Upload documents in support of your submisson

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Birgit Efinger**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **17 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Kylie Levesque**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **17 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **That dogs be on leash at all times but provide a secure fenced, leash free area where dogs can have a run.**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Jill Yates**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **17 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **An off-leash dog park would be a great inclusion for Benalla and would help in socialising dogs, providing a meeting place for dog-owners and discourage the use of other community spaces for dog play.**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Melinda**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **18 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

We believe that pet owners should be accountable for the conduct of their animals. We believe that council should be proactive in following up complaints. But we don't believe there is a need to micro manage responsible pet owners, especially when it is only the responsible pet owners who will comply with the rules. The result of a leash at all times will impact only responsible pet owners and have zero impact on those who are inconsiderate. We suspect that the irresponsible pet owner is the root cause of the majority of complaints to council.

A responsible dog owner is in the best position to decide if their dog should be constrained on a leash. Dogs are an integral part of our society and the desire from some to regulate every facet of our life should be resisted, unless it has overwhelming community support.

Perhaps instead of adding a further layer of regulations on pet ownership the council could consider developing and promoting a code of conduct that would be sent out with dog registration.

Some examples might be

If a runner or cyclist is approaching (around the lake) you call your dog to heel.

If you are in the CBD you keep your dog on a leash etc

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Melinda and Jim McNaughton**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **18 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Look re the dogs I don't think you can have it as a blanket dogs must be on leads when outside property I think it needs to be more specific. To designate areas. But yes definitely around lake, kids parks. Walking past others houses in sta when returning from lake walk.

As we have had multiple dogs run on to our property, chase out cat in our own yard come through our cat flap, Tear around our house or scare our cat under the car. And the people don't care. We love our cats as they love there dogs but I would not walk past someone's Avery in their yard snd dump my cat on there yard. So dogs must be controlled. Also around children. Dogs running on to our property unleashed has happened so often. Amd no remorse or apology. Just knock on the door on weekend and say oh our dogs just ran through your can door. It must have smelt it out like last time. And we have to let them in the house to dragg out there dog who has terrorised our cats and now has its head eating out of our cat Bowles. In the kitchen and we have just answered the door at 9 am on a Saturday due to the camosion and yelling.

Upload documents in support of your submisson

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Jane**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **19 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **Barking dogs are a big problem in this town, & that issue should also be addressed.**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Fuchsia Branwhite**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **19 November 2021**

Are you the owner of a dog or cat? **No**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

With regard to above questions:

Dogs on leash - too often have I been approached by a dog off-lead, especially around the lake, which is particularly concerning as I often have my small children with me. There are times when this threat deters me from taking the kids to the lake. There are some very well-trained dogs which are not a concern, and thus control can be achieved by other means, but unfortunately others are not so (or owners attitude is different) so I would support additional patrols to actually enforce dog control rules. Alongside this, the provision of leash-free areas would be good, preferably fenced or at least separate to frequently used or common kids play areas.

Cat control - I have chosen not to have a cat to protect the wonderful native birds in my backyard. However unfortunately there are often other cats roaming across our property. People should know more about appropriate containment options before they become cat owners.

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Sarah Kelly**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

☒ Yes

☐ No

BENALLA RURAL CITY COUNCIL

22 NOV 2021

FILE NO.

SF/4919

2

10

P

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

☒ Yes

☐ No

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

☒ Yes, at all times

☐ Yes, at night time

☐ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

THIS TOWN NEEDS MORE POOP PICKUP PLACES
AND BINS TO PUT THE BAGS IN. PICKUP POINTS ARE ONLY
AROUND THE LAKE EVERY STREET IN BENALLA
NEEDS TO HAVE ONE

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

☐ Yes (Please supply your contact details below)

☒ No

Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)

☐ Yes, I would like to speak in support of my submission

☐ I would like a representative to speak on my behalf

☒ No

Your name Required

TREVOR EASTON

End of form

Don't forget to attach all files before submitting this form

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

- ☒ Yes
☐ No

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

- ☐ Yes
☒ No

WENALLA RURAL CITY COUNCIL			
22 NOV 2021			
FILE NO.	2	10	P
SF/4919			

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

- ☐ Yes, at all times
☒ Yes, at night time
☐ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

If a proper dog park and off leash areas are organised, then support for a lead law.
 Dogs on leads in public - yes.

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

☐ Yes (Please supply your contact details below)

☒ No

Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)

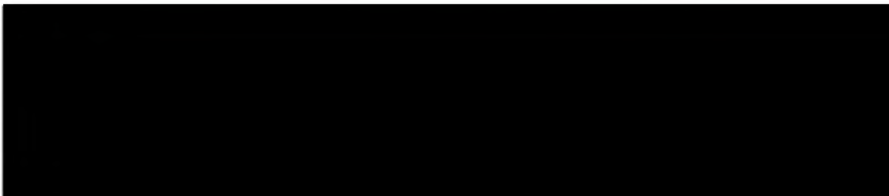
☐ Yes, I would like to speak in support of my submission

☐ I would like a representative to speak on my behalf

☒ No

Your name Required

Rachel Menere



End of form

Don't forget to attach all files before submitting this form

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

☐ Yes

☒ No

BENALLA RURAL CITY COUNCIL			
22 NOV 2021			
FILE NO.	2	10	P
SF/4919			

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

☒ Yes

☐ No

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

☒ Yes, at all times

☐ Yes, at night time

☐ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

① millions of birds are killed each year by cats during the day and at night. Cats need to be confined at all times.

Thank you.

② -

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

☒ Yes (Please supply your contact details below)

☐ No

Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)

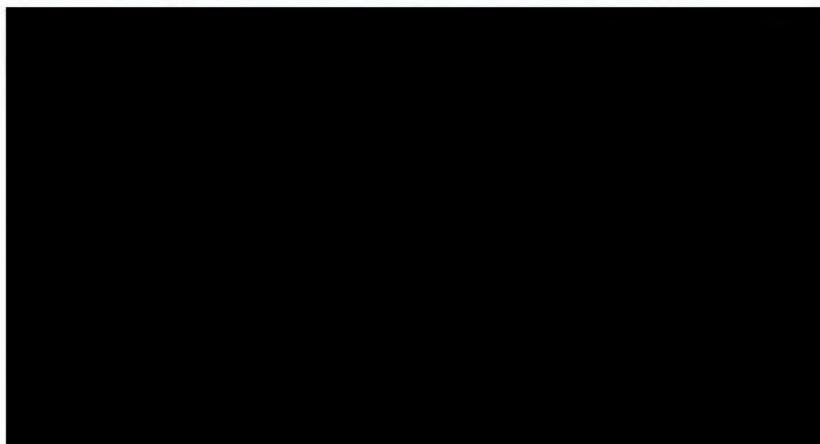
☒ Yes, I would like to speak in support of my submission

☐ I would like a representative to speak on my behalf

☐ No

Your name Required

Kerlyn Amery



End of form

Don't forget to attach all files before submitting this form

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

- ☒ Yes
☐ No

2x dogs

DENALLA RURAL CITY COUNCIL			
22 NOV 2021			
FILE NO.	2	19	P
SF/4919			

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

- ☒ Yes
☐ No

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

- ☐ Yes, at all times
☐ Yes, at night time
☐ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Dog park that is fully
 enclosed * * *

→ Dogs on lead whilst walking
 in public.

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

☐ Yes (Please supply your contact details below)

☒ No

Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)

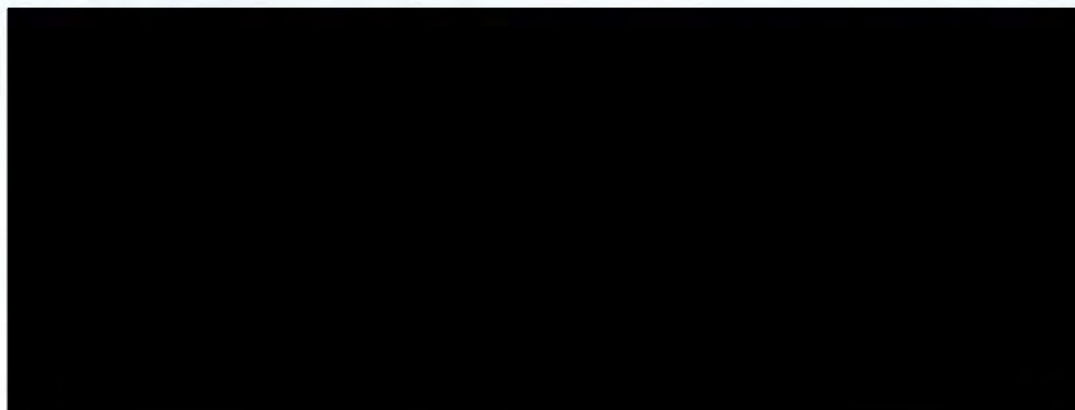
☐ Yes, I would like to speak in support of my submission

☐ I would like a representative to speak on my behalf

☒ No

Your name Required

Kay Barton



End of form

Don't forget to attach all files before submitting this form

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

- ☒ Yes
☐ No

SENALLA RURAL CITY COUNCIL			
22 NOV 2021			
FILE NO.	2	19	P
SF/4919			

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

- ☒ Yes
☐ No

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

- ☒ Yes, at all times
☐ Yes, at night time
☐ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

all dog should be on leads when walking
 if you have unfriendly dog should be
 displayed on them and need more
 Education for dog people + training
 Desexing Programs
 and vac Programs
 I don't agree with of leash parks
 as most people don't care or look
 after their dogs would like to see
 water stations around the place
 for water and more dog bags
 around the street.

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

☒ Yes (Please supply your contact details below)

☐ No

Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)

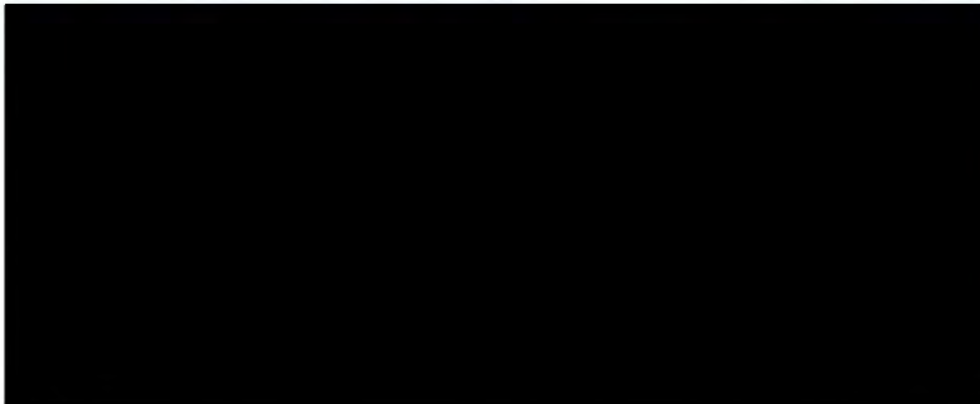
☐ Yes, I would like to speak in support of my submission

☒ I would like a representative to speak on my behalf

☐ No

Your name Required

Carole Moloney



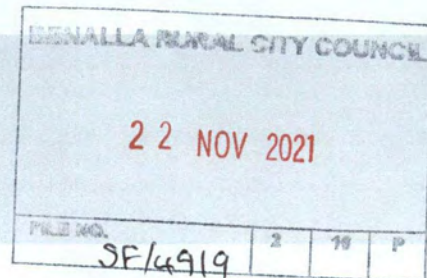
End of form

Don't forget to attach all files before submitting this form

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

- ☐ Yes
☒ No



Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

- ☒ Yes
☐ No

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

- ☒ Yes, at all times
☐ Yes, at night time
☐ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Cats nature is to kill birds and small animals.
 Owners may think they don't but they wander
 neighborhoods and kill ~~peopl~~ birds on other
 people's properties.

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

- ☐ Yes (Please supply your contact details below)
- ☒ No

Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)

- ☐ Yes, I would like to speak in support of my submission
- ☐ I would like a representative to speak on my behalf
- ☒ No

Your name Required

Email address Required

Contact phone number

End of form

Don't forget to attach all files before submitting this form

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

- ☐ Yes
☒ No

22 NOV 2021

FILE NO.	2	10	P
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Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

- ☒ Yes
☐ No

— within the residential area of Benallat townships

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

- ☐ Yes, at all times
☒ Yes, at night time
☐ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

1. Plan includes a lot of repetition, for example s 3.2 "Our Orders" etc is repeated in subsequent sections (4.2, 5.2, 6.2 etc) with minor variations.
2. The whole document is titled a Plan, but then each section has a sub-section "Our Plan", which is a little confusing. These would be better titled as "Objectives and Strategies".

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

☐ Yes (Please supply your contact details below)

☒ No

1513 V011 22
Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)

☐ Yes, I would like to speak in support of my submission

☐ I would like a representative to speak on my behalf

☒ No

Your name Required

DAVID BLORE



Contact phone number

End of form

Don't forget to attach all files before submitting this form

1.3

DEMOGRAPHIC AND PROFILE OF COUNCIL

Benalla Rural City is located approximately 214 kilometres north east of the city of Melbourne, Victoria's capital, making it easily accessible by road or rail in about two hours. Benalla Rural City Council comprises 235,059 hectares covering 41 localities, in whole or in part. It has a population of approximately 14,000 with an average median age of 49 years, and approximately 9,000 people living in the Benalla urban area (2016 census data).

Benalla Rural City includes the towns and rural districts of Archerton, Baddaginnie (part), Barjarg (part), Benalla, Boho South (part), Boweya (part), Boxwood (part), Bridge Creek (part), Broken Creek, Bungeet, Bungeet West, Chesney Vale, Creek Junction (part), Devenish,

Glenrowan (part), Glenrowan West, Goomalibee, Goorambat, Lima, Lima East, Lima South, Lurg, Major Plains (part), Molyullah, Moorngag, Mount Bruno, Myrree (part), Samaria, Stewarton (part), Strathbogie (part), Swanpool, Taminick, Tarnook, Tatong, Thoona, Tolmie (part), Upper Lurg (part), Upper Ryans Creek, Warrenbayne, Winton and Winton North.

Benalla Rural City was formed in 2002, following the de-amalgamation of Delatite Shire into Benalla Rural City and Mansfield Shire. Benalla Rural City is predominantly a rural area but has substantial residential areas in and around the city of Benalla.

Most of the City's retail space is in shopping strips in central Benalla. There is some industrial land use to the north-east and east of the city. Most of the rural area is used for agricultural purposes, including wool and meat production, dairying and cropping.

1.4

CONTEXT AND CURRENT SITUATION

PROGRAM/SERVICE	SERVICE LEVEL
Education programs by means of media releases, community notices, mailing of renewal notices and placement of A-frame signs in high-risk areas.	Number of dogs and cats per year.
Monitor registration renewals and follow up enquiries for previously registered animals.	Desktop audit and follow up (phone or visit) commencing in June.
Enforcement activities for unregistered animals when located via complaint or impounded strays.	All impounded animals must be registered prior to reclaim and enforcement action taken upon receipt of reclaim reports.
Dog attack complaints.	Procedures manual requires response to dog attack complaint within 30 minutes.
Routine street patrols.	Dedicated "dog truck" vehicle for regular daily patrols during business hours and in response to after-hours callouts.
Pound.	Contracted Municipal Pound facility (RSPCA Wangaratta) open for public between 8:00am and 5:00pm Weekdays. Officers have access for after hours impounds.
Advertise located animals on social media and hold locally for up to 24 hours before transport to pound facility.	All animals found at large are posted on Council social media pages to try and identify owner and kept in holding pens locally for reclaim for up to 24 hours if not registered or owner unable to be identified through microchip.
Policy of one free return per year for any registered animal located at large without penalty.	Currently registered pets returned to owner without release fee and warning only once per year if located at large.
After hours emergency service.	Officers on rotational roster for on call duties between 5.00pm and 8.00am Monday to Friday and 24 hours over weekend.

For what?

~ is this registered numbers?
~ what about % of unregistered animals?

3.1

CONTEXT AND CURRENT SITUATION

Council use several methods to promote and encourage responsible pet ownership and compliance with legislation within the Benalla Rural City.

These methods include, but are not limited to:

- Provision of an internally resourced after hours emergency animal service
- Installation and stocking of poo bag dispensers at strategic locations within the township
- Regular media releases regarding benefits and requirements for dog and cat registration
- Use of Facebook and social media to advertise unidentified impounded animals to assist with speedy return to owners

3.2

OUR ORDERS, LOCAL LAWS, COUNCIL POLICIES AND PROCEDURES

CURRENT ORDERS

Benalla Rural City does not currently have any orders under Section 25 or 26 of the *Domestic Animals Act*.

What would orders do?

CURRENT LOCAL LAWS

Local Law No. 52 (1) - Keeping of Animals in Residential Areas

An owner or occupier of land must not, without a permit, keep, allow to be kept or remain on any land, any more animals or birds than is stated in the following table:

TYPE OF ANIMAL	MAXIMUM ALLOWED IN RESIDENTIAL AREAS
Dogs	2
Cats	2

*Actual list contains other animals and birds but has been edited for this document to improve clarity

Where is (1)?

- (2) Sub clause (1) does not apply where a planning permit has been obtained for land used for the purposes of animal boarding or breeding;
- (3) For the purpose of calculating the maximum number of dogs or cats kept on any land, any progeny may be lawfully kept, without a permit, for 12 weeks after birth.; and
- (4) An owner or occupier of land in a residential area may apply to Council for a permit to keep more than the maximum number of animals referred to in sub clause (1).

Local Law No. 53 - Accommodation for Animals

An owner or occupier of land must ensure that all animals on that land are housed:

- (1) in a clean, inoffensive and sanitary condition;
- (2) so as not to cause nuisance; and
- (3) in an adequate and appropriate manner for the type of animal being housed.

Local Law No. 58 - Keeping of Dogs and Cats on Rural Land

An owner or occupier of rural land must not, without a permit, keep or allow to be kept on that rural land more than:

- (1) five (5) dogs; or
- (2) three (3) cats

A repeat of s.3.1

↓ Needed?
Seems to be about
internal procedures
rather than policy

4.2

OUR ORDERS, LOCAL LAWS, COUNCIL POLICIES AND PROCEDURES

CURRENT ORDERS

There are currently no orders in place for Benalla Rural City.

CURRENT LOCAL LAWS

Local Law No. 52 (1) - Keeping of Animals in Residential Areas

An owner or occupier of land must not, without a permit, keep, allow to be kept or remain on any land, any more animals or birds than is stated in the following table:

TYPE OF ANIMAL	MAXIMUM ALLOWED IN RESIDENTIAL AREAS
Dogs	2
Cats	2

**Actual list contains other animals and birds but has been edited for this document to improve clarity*

- (2) Sub clause (1) does not apply where a planning permit has been obtained for land used for the purposes of animal boarding or breeding;
- (3) For the purpose of calculating the maximum number of dogs or cats kept on any land, any progeny may be lawfully kept, without a permit, for 12 weeks after birth; and
- (4) An owner or occupier of land in a residential area may apply to Council for a permit to keep more than the maximum number of animals referred to in sub clause (1).

Local Law No. 58 - Keeping of Dogs and Cats on Rural Land

An owner or occupier of rural land must not, without a permit, keep or allow to be kept on that rural land more than:

- (1) five (5) dogs; or
- (2) three (3) cats

CURRENT POLICIES AND PROCEDURES

Cats

The seizure of cats is regulated by the provisions of the DAA. There is no general offence of "at large" for domestic cats, unless Council passes an order under Section 25 of the DAA to declare a "cat curfew" for the municipality or specific areas. There is currently no Section 25 order in place for Benalla.

Residents may use an approved cat trap, or hire a free cat trap from Council, in order to trap cats trespassing on their property. Authorised Officers may conduct trapping programs on behalf of residents if circumstances dictate or a problem area is identified.

When a cat is trapped or seized by a person on private property, the officer must check for Council tag and scan for microchip details. If an owner is identified and the cat is registered, it should be returned to the owner, who is advised to keep the cat contained and not allow it to trespass onto other person's property. If the cat is not registered or has no microchip details, it should be impounded and transported to the Council pound facility. If the cat is injured, unwell or obviously feral, it should be taken to Council's contracted vet for assessment.

Any unidentified cat should be photographed (not through cage wire or bars) and the photograph sent to the Compliance Coordinator along with the location time and date of seizure. The animal will be posted on Council's social media pages to try and identify an owner.

Owned cats trespassing on private property are to be handled as per the instructions for Notice of Objection as detailed below.

Owners of cats that are impounded without microchip or registration and are later claimed should be infringed for failing to apply to register.

From: helenspittles
To: Benalla Council Email
Subject: Domestic Animal Plan 2021/2022
Date: Saturday, 27 November 2021 6:40:48 PM

Dear Sir /Madam.

I have read the draft and I think it doesn't go far enough .Should be tighter controls on restricted breeds regarding their registrations by this I mean the owners must be made aware of the responsibility in owning restricted breeds. I also think you must really check on registrations as I know there are a lot of unregistered dogs the thought is nobody will check on registrations. Also recommend welfare checks on animals you only have walk around and you can see some dogs and other animals live in absolute squalor. Also strongly recommend that all animals should have secure fencing so they are safe and secure. I don't agree that dogs be on leash at all times when out. Most owners are responsible and know there are times they should be on leash a well trained dog will behave.and enjoy walking off leash with their owners.

Yours sincerely Helenspittles

From: Joshua W Smith
To: Benalla Council Email
Subject: DAMP community feedback
Date: Sunday, 28 November 2021 10:12:20 AM

Good morning,

Having perused the 2021-2025 DAMP I see the strategy is to move away from compliance and toward education. I am a cat owner and so my feedback is based on cat ownership/management.

Training officers as per 'our plan' in S.2(3) sounds reasonable.

Educating pet owners to be responsible as per 'our plan' in S.3(3) sounds reasonable.

Programs to reduce over population/high euthanasia as per 'our plan' in S4.(3) sounds reasonable. I think a 'cat curfew' is imperative and I would support the implementation of a Council Order to that effect. I also support targeted 'trapping' operations. This could be enhanced by identifying and educating persons feeding stray cats on council land and assisting them with hiring 'cat cages'. Local police may assist in identifying these persons.

S.4 also makes reference to animal welfare grants which I absolutely support council seek to assist our low income/disadvantaged residence to achieve responsible pet ownership.

Registration/identification of pets as per 'our plan' in S.5(3) sounds reasonable, particularly a rewards program for owners doing the 'right' thing to encourage others to comply. Using vets to act as 'agents' for council registration purposes sounds like a good idea and would be an opportunity for education. The reason people don't pay registration is because they believe it is covered by rates and micro chipping so perhaps some more detailed information in a 'fact sheet' regarding what the registration covers would be beneficial ie poo bags, after hours emergency response, housing etc.

Nuisance pet management as per 'our plan' in S.6(3) sounds reasonable as long as the results of any Council Order is made public. I particularly support the idea of DIY cat enclosure workshops to learn how to build an enclosure myself and what to consider to make it useful.

I see from the graph in S.6 that the use of 'cat cages' increased dramatically over the last period which I expected to result in a higher than '0' number of stray cats collected by the public shown in the statistics in S.1(5). This is not the case, please explain.

Dog attack management as per 'our plan' in S.7(3) sounds reasonable.

Dangerous/Menacing/Restricted Dogs management as per 'our plan' in S.8(3) sounds reasonable.

Domestic animal business management as per 'our plan' in S.9(3) sounds reasonable as long as DAB's are inspected randomly and without notice for maximum effect.

A 'heat' map of the Benalla township indicating where enforcement occurs would be worth sharing so all residents can easily see what issues are occurring and where so the community can assist in targeted management strategies. I understand Magistrates' Court matters are disclosed already.

That is my 5c worth.

Thank you for your time. Feel free to contact me regarding any of the above.

Regards,
Di Smith

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

- ☐ Yes
☒ No

DUNEDIN RURAL CITY COUNCIL			
29 NOV 2021			
FILE NO.	2	10	P
SF/4919			

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

- ☒ Yes
☐ No

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

- ☒ Yes, at all times
☐ Yes, at night time
☐ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

- ☐ Yes (Please supply your contact details below)
- ☒ No

Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)

- ☐ Yes, I would like to speak in support of my submission
- ☐ I would like a representative to speak on my behalf
- ☒ No

Your name Required

HARRY JAMES

Email address Required

Contact phone number

End of form

Don't forget to attach all files before submitting this form

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

- ☒ Yes
☐ No

LEZNALLA RURAL CITY COUNCIL			
29 NOV 2021			
FILE NO.	2	18	P
SF/4919			

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

- ☒ Yes
☐ No

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

- ☐ Yes, at all times
☒ Yes, at night time
☐ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

☐ Yes (Please supply your contact details below)

☒ No

Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)

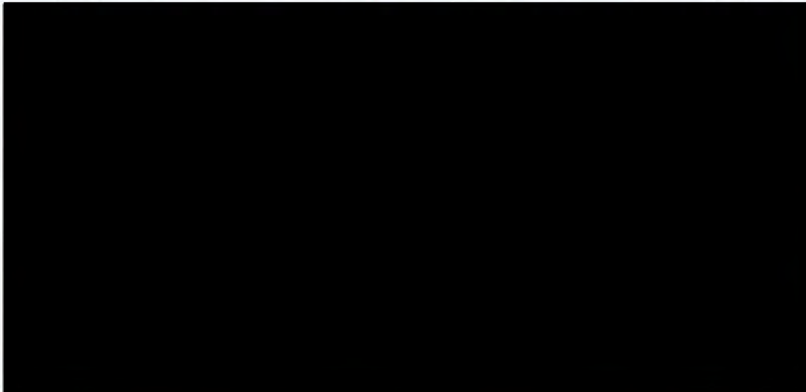
☐ Yes, I would like to speak in support of my submission

☐ I would like a representative to speak on my behalf

☒ No

Your name Required

ELIZABETH GRANT



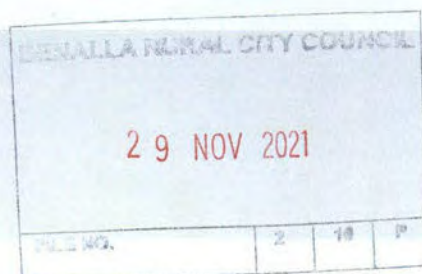
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Don't forget to attach all files before submitting this form

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

- ☒ Yes
☐ No



Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

- ☒ Yes
☐ No

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

- ☒ Yes, at all times
☐ Yes, at night time
☐ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

A LIMIT ON DOGS IN THE SHOPPING PRECINCT.

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

☐ Yes (Please supply your contact details below)

☒ No

Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)

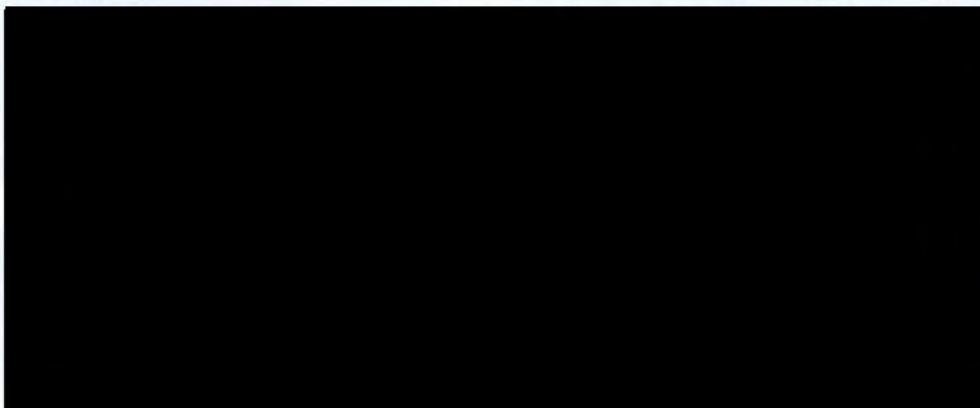
☐ Yes, I would like to speak in support of my submission

☐ I would like a representative to speak on my behalf

☒ No

Your name Required

Marg Bordin



End of form

Don't forget to attach all files before submitting this form

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

☒ Yes

☐ No

DENALLA RURAL CITY COUNCIL			
29 NOV 2021			
FILE NO.	2	19	4

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

☐ Yes

☒ No

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

☐ Yes, at all times

☐ Yes, at night time

☐ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Would like off leash areas in
entire district

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

☐ Yes (Please supply your contact details below)

☒ No

Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)

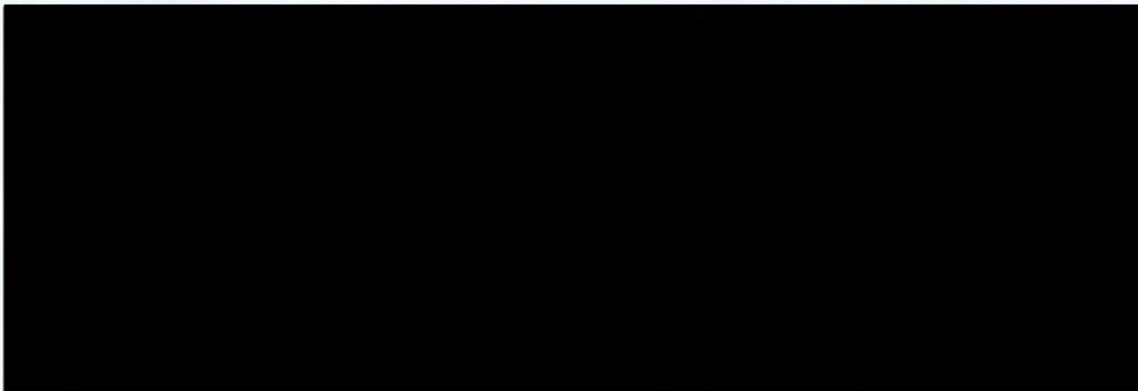
☐ Yes, I would like to speak in support of my submission

☐ I would like a representative to speak on my behalf

☒ No

Your name Required

Norma Hodgson



End of form

Don't forget to attach all files before submitting this form

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

- ☐ Yes
☒ No

EENALLA RURAL CITY COUNCIL			
29 NOV 2021			
FILE NO.	2	16	P

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

- ☒ Yes
☐ No

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

- ☒ Yes, at all times
☐ Yes, at night time
☐ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

We used to have fairy wrens and honeyeaters in our garden until the people across the road got a cat. The cat went up and down the street all day entering people's properties and soon we didn't have any fairy wrens. Cats are killing machines. That is what they do. They need to be controlled.

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

- ☐ Yes (Please supply your contact details below)
- ☒ No

Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)

- ☐ Yes, I would like to speak in support of my submission
- ☐ I would like a representative to speak on my behalf
- ☒ No

Your name Required

Email address Required

Contact phone number

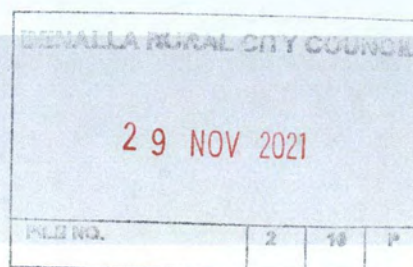
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Don't forget to attach all files before submitting this form

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

☐ Yes
☒ No



Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

☒ Yes

☐ No

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

☒ Yes, at all times

☐ Yes, at night time

☐ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

☐ Yes (Please supply your contact details below)

☐ No

Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)

☐ Yes, I would like to speak in support of my submission

☐ I would like a representative to speak on my behalf

☐ No

Your name Required

Email address Required

Contact phone number

End of form

Don't forget to attach all files before submitting this form

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

☐ Yes

☒ No

DEWALLA RURAL CITY COUNCIL

29 NOV 2021

FILE NO.

2

18

P

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

☒ Yes

☐ No

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

☒ Yes, at all times

☐ Yes, at night time

☐ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

☐ Yes (Please supply your contact details below)

☒ No

Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)


☐ Yes, I would like to speak in support of my submission

☐ I would like a representative to speak on my behalf

☒ No

Your name Required

HINDA TULBERG

A large black rectangular box redacting the contact phone number.

Contact phone number

End of form

Don't forget to attach all files before submitting this form

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

- ☒ Yes
☐ No

DENALLA RURAL CITY COUNCIL			
29 NOV 2021			
FILE NO.	2	18	P

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

- ☒ Yes
☐ No

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

- ☒ Yes, at all times
☐ Yes, at night time
☐ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Yes for safety, In our street a dog was attacked by dog off lead. Severe damage done, it could easily have been a child. I like to have my dog in our yard without danger of attack. These dogs poo everywhere, not dogs fault Owners need to be Responsible.

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **29 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **Yes, dogs should be on leash when outside an owner's property as long as there are adequate dog park areas for dogs to be able to run outside.**

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **29 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **Introducing Dog off Leash park for dog socialism- such as near the camping area at Lake Benalla or the park site at the intersection of Salisbury and MacKeller Streets.**
Dogs should be permitted off leads in certain circumstances- non residents areas (60+ km zones- certain areas around the lake)

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Lisa**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **29 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **Yes (Please supply your contact details below)**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Cathy Nichols**

Your submission regarding the Domestic Animal Management Plan 2021-2025

29 NOV 2021

Are you the owner of a dog or cat? (Select 1 or more options)

☐ Yes

☒ No

Not home often enough to take care of a dog; have owned dogs and cats in the past.

PLS NO. SF/4919 2 1# P

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

☒ Yes

☐ No

NB. I know cat owners who take their cats out for a walk on a leash. Maybe all cats should be out like this.

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

☒ Yes, at all times

☐ Yes, at night time

☐ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

p.13. Objective 2. b. I know poo bag dispensers are around like etc. but need to be more in general residential areas. I walk Cloke, Charles, Margaret, Sister Mary McNally, Bridge, Coonath, Deas St. often and frequently encounter dog droppings on the footpath and nature strips.

p.16. 'Any unidentified cat should --- not through cage wire or bars ---' Many of us are not going to remove cat from cat trap to photograph it. It's liable to escape.

p.16. Banalla needs a 'CAT CURFEW' to protect native birds and animals, to stop cats making a mess on door mats, to reduce their caterwauling.

p.18. Objective 2. b. Would a group like the Men's Shed design a cat enclosure and teach people how to make it? Could a design go out with nego. papers?

p.18. Objective 1. a+b. Why wait to 2023? Do it in 2022.

p.23. Objective 1. c. Should be desexed and microchipped as well.

p.25. '... nuisance barking complaints --- discuss issue with neighbours ---' I have done this and had good results but some of us would be easily intimidated by some of

P.T.O.

the dog or cat owners and could fear retribution.

p.27. Re 'off leash' areas. Would these always be 'off leash' or would it be at certain times?

An oval near me would be a good off leash area but it is also used by sporting groups and walkers so 'off leash' would only work for specific time periods.

* I know many people who are scared of dogs. Elderly fear being ~~knocked~~ knocked over by friendly dogs.

p.27. Objective 2. a. '2024' Can it be done earlier?

e. Except for dogs + cats used for breeding purposes could all cats and dogs have to be desexed when registered? Like children having to have certain vaccinations before they are enrolled at a school.

f. DIY Cat enclosure workshops. Great idea.

p.30. Adequate fencing.

1. Most cats and many dogs (eg. Kelpies) can scale most fences. To prevent dogs escaping they would be better chained up to a long line. Cats!! Caged,

p.32. Objective 2. b. How is the community to be informed? Ensign, web page -----?

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

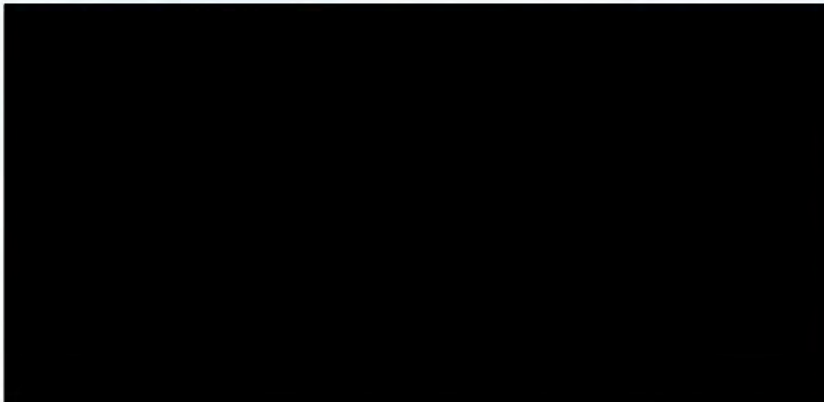
- ☐ Yes (Please supply your contact details below)
- ☐ No

Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)

- ☐ Yes, I would like to speak in support of my submission
- ☐ I would like a representative to speak on my behalf
- ☐ No

Your name Required

Roe Cumming



Great to see council developing a domestic animal management plan.
I hate seeing the number of cats roaming the streets killing birds,
possums, native rats etc. And leaving their poo laying around.
I worry about dogs that are confined behind doors, and solid fences,
~~that~~ and bark endlessly
A well trained dog (like my neighbours) is a pleasure to be around. A pity
more people don't take up training opportunities.

End of form

Don't forget to attach all files before submitting this form

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **30 November 2021**

Are you the owner of a dog or cat? **Yes**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **No**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at night time**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Upload documents in support of your submission

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Heather Byrne**

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

- ☐ Yes
☒ No

BENALLA RURAL CITY COUNCIL			
30 NOV 2021			
FILE NO.	2	10	P

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

- ☒ Yes
☐ No

Except in off lead areas.

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

- ☒ Yes, at all times
☐ Yes, at night time
☐ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

most of.
 I find ~~all~~ the dog owners of Benalla are really fantastic when it comes to responsibility for their dogs' behavior and "doings". It is a credit to them. The council supplying bags is also fantastic, well done everyone.

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

☒ Yes (Please supply your contact details below)

☐ No

Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)

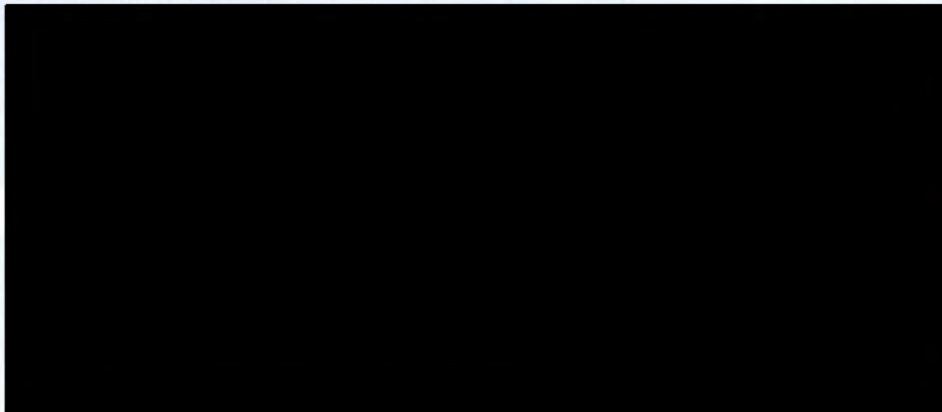
☐ Yes, I would like to speak in support of my submission

☐ I would like a representative to speak on my behalf

☒ No

Your name Required

CHRIS JENNINGS



End of form

Don't forget to attach all files before submitting this form

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **30 November 2021**

Are you the owner of a dog or cat? **No**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025? **A precise document which appears to cover the requirements of the State Government Act**

Upload documents in support of your submission **Domestic animal management plan 2021-2025.docx**

Would you like to speak to a Council staff member about your comments or suggestion?

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **Desma Versteegen**

Benalla Rural City has produced a very concise document regarding cat and dog management within our community. I must admit that it took me a little while to fully understand the purpose of this document and the ability of the document to meet the needs of our council area.

The fact that in documents related to the Domestic Animal Management Plan 2017-2021 the council already had a policy relating to wandering animals makes me ask the question, "Why do we have to wait until 2024 before dealing with laws that have no ability to be acted upon until an "Order" is in place.

I find that in the many conversations I have had with fellow residents most do not realise that a law listed within the Domestic Animal Management Plan 2021-2025, has no authority until such time as council establishes and has gazetted "Orders". Most people it would appear believe that because the word "Law "is used in a heading, then council has automatic authority. Council should make this situation clearer to the general population by explaining, through media channels, what an "Order" is and how the implementation of such an order affects the subsequent law to which it applies.

If our council believe that the Domestic Animal Management Plan 2021-2025 is such a vital document for our community then surely the implementation of correct "Orders" on the specific laws listed in the document should occur much earlier than listed in the said document.

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

- ☐ Yes
☒ No

BENALLA RURAL CITY COUNCIL			
30 NOV 2021			
FILE NO.	2	18	P
SF/4919			

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

- ☒ Yes
☐ No

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

- ☒ Yes, at all times
☐ Yes, at night time
☐ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

GOOD PLAN (GOOD LUCK)

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

☐ Yes (Please supply your contact details below)

☒ No

Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)

☐ Yes, I would like to speak in support of my submission

☐ I would like a representative to speak on my behalf

☒ No

Your name Required

JOHN MOORE



End of form

Don't forget to attach all files before submitting this form

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

- ☒ Yes
☐ No

DEVALLA RURAL CITY COUNCIL

- 1 DEC 2021

FILE NO.

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

- ☐ Yes
☒ No

DEVALLA RURAL CITY COUNCIL

- 1 DEC 2021

FILE NO.

2	10	7
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Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

- ☐ Yes, at all times
☒ Yes, at night time
☐ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

LIMIT OF 2 DOGS / 2 CATS IS AN ARBITRARY NUMBER - THERE SHOULD BE BY-LAWS WHEN ~~THE~~ OWNERSHIP OF DOMESTIC ANIMALS BECOMES A NUISANCE AND/OR HEALTH ISSUE

DOGS ON LEASH

IRRESPONSIBLE OWNERS WILL LEAVE THEIR DOGS OFF LEASH IRRESPECTIVE OF BYLAWS, DOGS NEED TO SOCIALIZE, SNIFF, EXPLORE. I WALK MY DOG DAILY & HAVE RARELY ENCOUNTERED PEOPLE WHO DO NOT RESTRAIN THEIR DOG WHEN APPROPRIATE. I AM AWARE THERE HAVE BEEN DOG ATTACKS, BUT I'M NOT CONVINCED BY-LAWS & FINES WOULD HAVE HELPED.

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

☒ Yes (Please supply your contact details below)

☐ No

Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)

☐ Yes, I would like to speak in support of my submission

☐ I would like a representative to speak on my behalf

☒ No

Your name Required

DELFINA MANOR

Email address Required

Contact phone number

End of form

Don't forget to attach all files before submitting this form

From: noreply@opencities.com
To: Benalla Council Email
Subject: Request to be heard by the Council Submitted
Date: Friday, 19 November 2021 10:39:37 AM

Request to be heard by:
Planning & Development Committee.

Date of Committee Meeting:
08 Dec 2021

Please provide a brief submission outline:
Draft Domestic Animal Management Plan 2021-2025 Submission. Experiences with dog off leash area's and situations. Information from Guide Dog's Victoria, with regards to campaigns.

Name: David Horan

Your submission regarding the Domestic Animal Management Plan 2021-2025

Submission date: **2 December 2021**

Are you the owner of a dog or cat? **No**

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? **Yes**

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? **Yes, at all times**

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

Animal enclosures should be promoted on Councils social media and perhaps thought given to assisting people achieve this. Laws and registration requirements should be promoted regularly on Councils social media, alongside the photographs of trapped and collected animals. The costs of Council's enforcement activities should be reflected in penalties. There should be no difference in the penalties imposed for either cats or dogs, as enforcement costs are probably the same. A review of current policy and penalty provisions is needed to help bring feral animal numbers in Benalla under control. Current policies effectively permit irresponsible ownership and contribute to feral animal problems. This should not be subsidised by ratepayers.

Upload documents in support of your submission [Penalty info.pdf](#)

Would you like to speak to a Council staff member about your comments or suggestion? **No**

Would you like to speak in support of your submission at a Council meeting on 8 December? **No**

Your name **David Moore**

Dog not securely confined to owners' premises - night	\$330
Cat not securely confined to owners' premises	\$83

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

☒ Yes

☐ No

DENALLA RURAL CITY COUNCIL			
- 1 DEC 2021			
FILE NO.	3F/4919	2	18 P

Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

☐ Yes

☒ No

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

☐ Yes, at all times

☒ Yes, at night time

☒ No

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

PLEASE DO NOT PENALISE DOG OWNERS
WHO OBEY THE RULES + HAVE WELL-TRAINED
DOGS. MY DOG IS PERFECTLY BEHAVED
WHEN OFF LEASH IN THE PARK AND
ENJOYS HER FREEDOM.
SOME PEOPLE JUST SHOULDN'T HAVE
DOGS!!

Rip Right

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

☐ Yes (Please supply your contact details below)

☒ No

Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)

☐ Yes, I would like to speak in support of my submission

☐ I would like a representative to speak on my behalf

☒ No

Your name Required

[Redacted area]

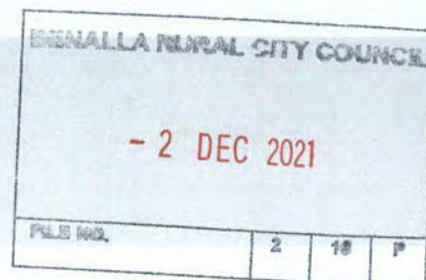
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Don't forget to attach all files before submitting this form

Your submission regarding the Domestic Animal Management Plan 2021-2025

Are you the owner of a dog or cat? (Select 1 or more options)

- ☒ Yes
☐ No



Do you support the introduction of a Council order requiring dogs to be on a leash when outside the owner's property? (Select 1 or more options)

- ☒ Yes
☐ No

unless in a specified fenced zone suitable for off leash socialisation

Do you support the introduction of a Council order requiring cats to be confined to their owner's property at all times or during night-time hours? (Select 1 or more options)

- ☐ Yes, at all times
☒ Yes, at night time
☐ No

** also query should dogs be allowed at markets? ^{often} not suitable when there are crowds & stall holders with things on display*

Do you have any comments or suggestions regarding the draft Domestic Animal Management Plan 2021-2025?

** I request a discussion & decision making on a rule that all dogs must be on a leash at all times at the Benalla Sports & Equestrian Reserve. when there is an event of any type on. and when race horses are working at races are on. Very important for every bodies safety.*

[Signature]

Would you like to speak to a Council staff member about your comments or suggestion? (Select 1 or more options)

☐ Yes (Please supply your contact details below)

☒ No

Would you like to speak in support of your submission at a Council meeting on 8 December? (Select 1 or more options)

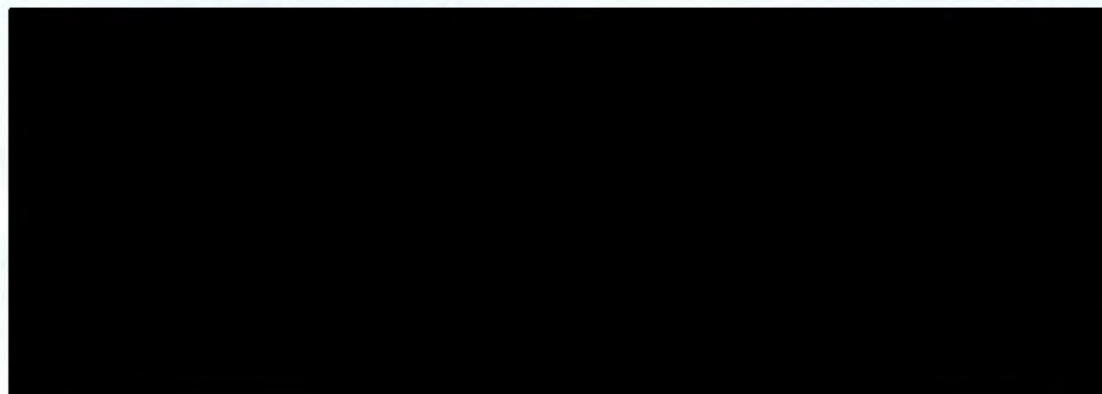
☐ Yes, I would like to speak in support of my submission

☐ I would like a representative to speak on my behalf

☒ No

Your name Required

Alema Davidse-Finné



End of form

Don't forget to attach all files before submitting this form

3. Planning Application To Use And Develop Land For A Camping And Caravan Park – 35 Gunn Road, Benalla

DA7223

Joel Ingham – Planning Coordinator
Nilesh Singh – Manager Development

PURPOSE OF REPORT

This report assesses a planning application received to use and develop land for a camping and caravan park at 35 Gunn Road, Benalla.

BACKGROUND

Site Address	35 Gunn Road, Benalla
Existing Use	Dwelling and Farmland
Proposal	To use and develop land for a Camping and Caravan Park
Applicant	Mr Shannon Galea - CAF Consulting Services Pty Ltd
Zone	Farming Zone (FZ)
Overlays	Nil
Referrals	External: Section 55 Referrals <ul style="list-style-type: none">▪ Nil External: Section 52 Referrals <ul style="list-style-type: none">▪ Country Fire Authority (CFA) Internal: <ul style="list-style-type: none">▪ Engineering

PROPOSAL

The applicant is seeking to use and develop the land for a Camping and Caravan Park. Camping and Caravan Park is defined in the planning scheme as *Land used to allow accommodation in caravans, cabins, tents, or the like*. The proposal will essentially be developed with cabins on individual lots, however there will be an opportunity for some caravans to stay at the park. The details of the proposal are as follows:

The proposal is for the demolition of the existing dwelling and the staged development of 140 lots varying in size from 150m² to 400m². The site will be developed in stages commencing from the front (north) of the site. The proposal includes a total 118 lots for cabins and 22 caravan sites and includes a cabin which will be the managers residence.

The cabins will be prefabricated with a variety of designs and floor sizes including one, two and three bedrooms units. The sites will be leased out for various periods of time.

Amenities on the site will include:

- a club house having a floor area of 578m² comprising a meeting room, library/computer room, two lounges, kitchen/dining, BBQ and alfresco.
- A pavilion which will include tennis/lawn bowls, three recreation rooms, kitchenette and garden.

Access:

Access to the site will be via two new vehicle crossovers from Gunn Road. The crossovers will provide access to the internal sealed roads that circulate through the site providing direct access to each lot.

The proposal includes the sealing of Gunn Road from the eastern end of the site to the western crossover including kerb and channel and a footpath on the southern side of the road. The sealing of the road will be an extension to that proposed as part of the development of the adjoining site at 3 Gunn Road for a Hotel, Restaurant and Function Centre.

Car Parking:

On-site carparking will be provided for each cabin in accordance with the requirements of the planning scheme, ie. one car space for each one or two bedroom cabin and two spaces for each three bedroom cabin. Parking will be in the form of a carport or garage. Parking for one vehicle will be available on the caravan sites. In addition, 13 visitor car spaces will be provided close to the entrance to the site.

Drainage:

The proposal includes a dam to be constructed in the southern portion of the site for collection of storm water. This will be pumped to the legal point of discharge.

Landscaping:

All native trees will be retained on site. No of additional proposed landscaping has been provided.

A copy of the development plan is provided in **Appendix 1**.

Site and Surrounds

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

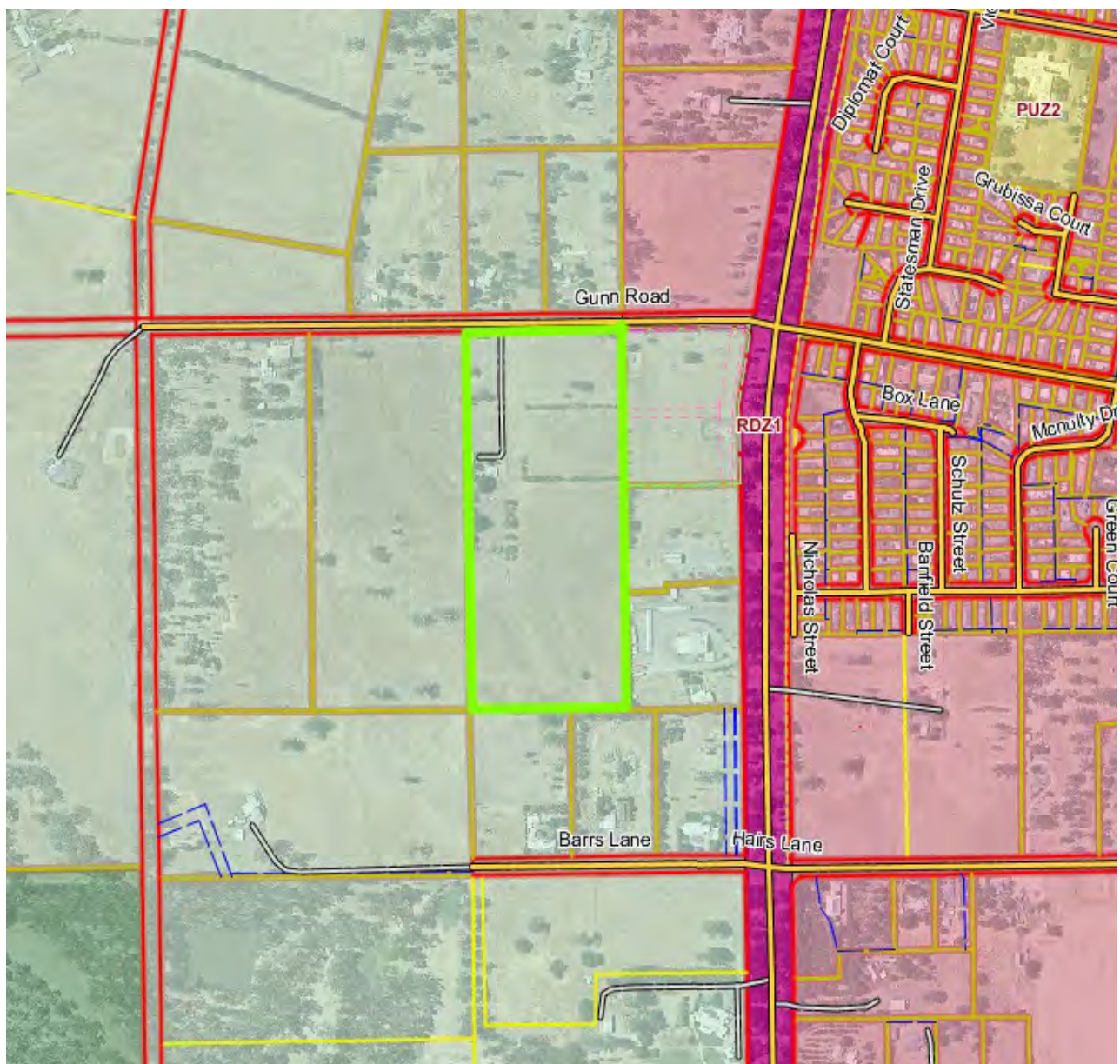
The subject site is located on the south side of Gunn Road, approximately 155m west of the Midland Highway, Benalla. The site is rectangular shape with a frontage to Gunn Road of 201m and a depth of 462m, resulting in an area of 9.29ha.

The site includes a single storey dwelling located on the western boundary about halfway down the site. Some native vegetation exists on the site including some in the form of shelter belts. There are no easements affecting the site.

Land surrounding the site and opposite in Gunn Road is all located within a Farming Zone. Land in these areas range in size from 1.83ha to 9.4ha and generally contain single storey residential dwellings.

Land to the north east of the site across Gunn Road is zoned General Residential and is a vacant parcel of land with an area of approximately 3.76ha. Land across the Midland Highway is also zoned General Residential and contains single storey residential dwellings on conventional residential lots.

LOCALITY PLAN



Public Notification

The planning application was advertised in accordance with Section 52 of the *Planning and Environment Act 1987* by way of the following:

- placing a sign at the frontage of the site.
- sending notices to all adjoining and surrounding landowners and occupiers.

Two objections have been received to the application to date. The objections can be summarised as follows:

- *This application is a large high density residential unit complex, not a caravan tourist park and is in breach of the current Farming Zone planning guidelines.*
- *While the land is identified in the Benalla Urban Growth Strategy for future residential growth, no rezoning has occurred. Until rezoning happens the residential development proposed breaches current zoning requirements.*
- *As an adjoining neighbour the application affects us in that unfairly changes the land use in terms of visual bulk, noise, traffic, effluent, security, privacy and future agricultural interests.*
- *The application lacks detail around:*
 - I. *How this is a caravan tourist park and not a residential development*
 - II. *Length of stay and leasing agreements*
 - III. *How the dam and runoff would handle flood events*
 - IV. *Noise*
 - V. *Privacy and security*
- *Access to the site can't be provided without destroying trees to widen the road and providing other required infrastructure.*
- *Increased traffic on Mansfield Road and need for traffic control at the intersection with Gunn Road.*
- *Need for fencing around the site for privacy and reduce noise.*
- *Dust and noise problems from construction.*
- *Loss of privacy and freedom,*
- *Creation of stress for neighbours*
- *Devaluation of property*

PLANNING SCHEME PROVISIONS***The Planning Policy Framework***

Clause 11.01-1S of the Planning Policy Framework relates to Settlement. Objectives and strategies of this clause are as follows:

Objective:

- *To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.*

Strategies:

- *Support sustainable development of the regional centres of Ararat, Bacchus Marsh, Bairnsdale, Benalla, Castlemaine, Colac, Echuca, Gisborne, Hamilton, Kyneton, Leongatha, Maryborough, Portland, Sale, Swan Hill, Warragul/Drouin and Wonthaggi.*
- *Ensure land that may be required for future urban expansion is not compromised.*

Clause 11.01-1R of the Planning Policy Framework relates to Settlement. A strategy of this clause is as follows:

- *Facilitate growth and development specifically in the regional cities of Shepparton, Wangaratta, Wodonga and Benalla.*

Clause 12.01-2S of the Planning Policy Framework Native vegetation management. The objective of this clause is as follows:

- *To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.*

Clause 13.07-1S of the Planning Policy Framework relates to Land Use Compatibility. This clause includes the following strategy:

- *Ensure that use or development of land is compatible with adjoining and nearby land uses.*

Clause 15.01-1S of the Planning Policy Framework relates to Urban design. The objective of this clause is as follows:

- *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity*

Clause 15.02-1S of the Planning Policy Framework relates to Building design. The objective of this clause is as follows:

- *To achieve building design outcomes that contribute positively to the local context and enhance the public realm.*

Clause 15.01-5S of the Planning Policy Framework relates to Neighbourhood character. The objective of this clause is as follows:

- *To recognise, support and protect neighbourhood character, cultural identity, and sense of place.*

Clause 17.04-1S of the Planning Policy Framework relates to facilitating tourism. The objective of this clause is as follows:

- *To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.*

Clause 18.02-4S of the Planning Policy Framework relates to Car Parking. The objective of this clause is as follows:

- *To ensure an adequate supply of car parking that is appropriately designed and located.*

Local Planning Policy Framework

Clause 21.02-2 of the Local Planning Policy Framework relates to Housing diversity. The objective of this clause is as follows:

- *To provide a diversity of fully serviced housing opportunities.*

Clause 21.02-4 of the Local Planning Policy Framework relates to Neighbourhood character. The objective of this clause is as follows:

- *To promote development that respects the inherent character of the municipality.*

Clause 21.03-1 of the Local Planning Policy Framework relates to Flora and Fauna. The objective of this clause is as follows:

- *To conserve and protect native vegetation and fauna.*

Clause 21.06-3 of the Local Planning Policy Framework relates to Tourism. The objective of this clause is as follows:

- *To promote event based and lifestyle tourism opportunities.*

Zone

Pursuant to Clause 35.07 of the Benalla Planning Scheme the subject site is located within a Farming Zone. The purpose of this zone is as follows:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*

- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

A Camping and Caravan Park is a Section 2 – Permit required for uses under the provisions of this zone (35.07-1). Buildings and works also require a planning permit pursuant to Clause 35.07-4.

Particular Provisions

Clause 52.06 of the Benalla Planning Scheme relates to car parking. The purpose of this provision is as follows:

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

A Camping and Caravan Park is not listed under the provisions of this Clause. The applicant has provided on-site parking for the cabins based on the requirement dwellings, being one car space for one and two bedroom cabins and two car spaces for three bedroom cabins. In addition, 13 visitor parking spaces are provided. Caravan sites also include one car space.

Benalla Urban Growth Strategy

The subject site forms part of an area in which Council is currently undertaking studies to expand its residential urban growth area. In recent times increased business activity in the area has created numerous jobs which has led to a decrease in availability of housing. The Benalla Urban Growth Strategy seeks to increase land available for housing to the west of the Midland Highway. A drainage plan has been prepared as the initial work required for the strategy.

The second stage of the Urban Growth Strategy has received funding through the Victorian Planning Authority for this financial year.

As part of the Urban Growth Strategy it is envisaged that the area around the subject site will be rezoned to General Residential. Therefore any new development in the area which will generate additional infrastructure requirements should be required to meet the general residential requirements of the Infrastructure Design Manual.

Referrals

External Referrals/Notices Required by the Planning Scheme:

Referrals/Notice	Advice/Response/Conditions
Section 52 Referrals	
CFA	No objection subject to conditions

Internal Council Referrals	Advice/Response/Conditions
Engineering	No objection subject to conditions
Health	No objection

ASSESSMENT

Objector Concerns

Residential development in the Farming Zone

An objection considers that the use for a high-density residential use is in breach of the requirements of the Farming Zone. Further before residential development can occur the land needs to be rezoned to Residential in accordance with the Benalla Urban Growth Strategy.

The definition of a Camping and Caravan Park within the Benalla Planning Scheme is as follows:

Land used to allow accommodation in caravans, cabins, tents or the like.

A Camping and Caravan Park which includes cabins is a permitted use under the Benalla Planning Scheme in the Farming Zone subject to Council approval. The use differs from a residential housing development in that the dwellings will not be on separate titles.

Camping and Caravan Park uses have been the subject of previous Victorian and Civil Administrative Tribunal orders. In *Dromana Tourist Park holdings v Mornington Peninsula SC (Red Dot)* (2005), the Tribunal member found as follows with regard to Clause 518 of the Residential Tenancies Act 1997:

A planning scheme or permit under the Planning and Environment Act 1987 whether made before or after the commencement of this section cannot limit the duration of residency in a caravan park.

In setting aside Council's decision, the Tribunal commented that:

The reality is that camping and caravan parks perform a role in the provision of affordable housing within a community and the planning scheme seeks to ensure that these facilities continue to play that role.

The land use term 'camping and caravan park' is defined at Clause 74 of the planning scheme as 'land used to allow accommodation in caravans, cabins, tents or the like' and it is a land use that is nested under 'accommodation' which in turn is defined as 'land used to accommodate persons'. It is significant that unlike other uses nested under accommodation being provided for persons away from their normal place of residence, a camping and caravan park is not subject to a requirement that it is a use which can only accommodate persons on a temporary basis. The fact that Clause 518 of the Residential Tenancies Act to which I have referred above, appears to prevent the imposition of a permit condition limiting the duration of residency in a caravan park, confirms my view that permanent residency in a caravan park is contemplated by and specifically provided for in the planning scheme.

Based on the above findings it is possible for a camping and caravan park to be located within a Farming Zone and for a portion of the sites to be used for cabin accommodation that can provide for permanent residency.

Further decisions of the Tribunal go further into what is defined as a 'Residential Village' which is prohibited under the provision of the Farming Zone and a 'Camping and Caravan Park' use.

In *Wilbow Coporation v Kingston CC (Red Dot)* (2005) the applicant sought a permit for a camping and caravan park. The proposal comprised 67 self contained cabins intended as permanent housing with an unspecified proportion to be made available for non-permanent residents. Communal facilities comprised a tennis court and multi purpose building with no ablution facilities.

The Tribunal refused that application because it was intended as permanent housing, although a proportion (undefined) would be available for non-permanent use. In addition, there was no mix of caravan, cabins, tents or the like, nor were common ablution or cooking facilities proposed. The tribunal therefore defined that use as a residential village which was prohibited in the Green Wedge Zone.

The Tribunal decision above outlines that a proportion of the land should be a mixture of cabins and caravan sites. To provide for the caravan sites communal facilities such as play areas for children, communal cooking facilities and ablutions blocks to provide for showers and toilets should also be provided. A condition of any permit that may issue can require the above. The applicant has also agreed to provide a further 28 on-site caravan sites bringing the ratio of caravan sites to cabin sites to 43% and providing a pool, playground and ablution block. It is considered that these measures will bring the land into compliance with what is required for the definition of a camping and caravan park.

The proposal is a major breach farming zone guidelines in terms of visual bulk, noise, traffic, effluent, security, privacy and future agricultural use

Visual bulk – the buildings are all single storey and are setback at least 34.7m from the street boundary. It is considered that this setback is sufficient to reduce the prominence of any single storey building to the street. A landscape plan will also be required as a condition of the permit which will further soften the appearance of any hardstand area or built for to the street.

Noise – the noise generated by the proposed development is unlikely to be much different than that generated by a farming use and will also be in keeping with a residential use. A caravan park will generally require that no loud noise can be generated after the hour of 10.00pm.

Effluent – The proposal will be connected to reticulated sewer.

Security – The site will be fully fenced.

Privacy – Privacy is not a consideration in the Farming zone. In addition, the caravan park sites are setback at least 90m from the nearest residential dwelling to the north of the site which is considered to be adequate to prevent privacy issues to these residences.

Future Agriculture – The future use of the land is identified for urban growth purposes, therefore there is no impact on future agricultural use.

Leasing arrangements in terms of length of stay

This will be undertaken in accordance with Consumer Affairs Victoria residency in a caravan park. The proposal will also provide for short term caravan park sites within the western portion of the land.

How the dam and runoff would handle flooding events

Any approval will include a condition requiring an engineering design to meet the storage requirements for specified rainfall events in accordance with the Infrastructure Design Manual. Drainage will be captured in the retention basin within the rear portion of the site before being pumped to drainage along the south side of Gunn Road.

Noise testing

Noise levels of caravan parks are generally low level and consistent with residential use. Normal caravan park standards require low level noise after the hour of 10.00pm. This is considered to be consistent with the Farming Zone and nearby residential dwellings in the area.

Loss of native vegetation as a result of road widening and sealing

The proposed upgrade of Gunn Road does not impact any native vegetation.

Dust and noise and loss of access during construction

Any approval will include conditions relating to construction activities to limit effects on residents. This includes dust suppression during construction of the road.

Loss of freedom

This is not a planning consideration. However, the residential nature of a caravan park is considered to be similar to the residential freedoms enjoyed by existing residents along Gunn Road.

The proposal will create stress

This is not a planning consideration. However, a condition requiring a construction management plan will be required which will implement measures to alleviate the impact of construction to adjoining properties.

Devaluation of properties

This is not a planning consideration.

Zone

The land is currently zoned Farming, and a Camping and Caravan Park is a Section 2 (Permit required use) under the provisions of this zone.

Clause 21.08 of the *Benalla Planning Scheme* identifies the subject site and land to the west of the Midland Highway for future residential use. Council is currently engaging the help of the *Victorian Planning Authority* to rezone this land and land to the west of the Midland Highway from Farming Zone to the General Residential Zone. A drainage plan has been completed and further studies including flora and fauna assessments and traffic impact assessments will be undertaken in order to inform a future layout plan.

The proposed use and development will be located adjoining an approved Hotel and Restaurant development on the corner of the Midland Hwy and Gunn Road and within the Benalla Urban Growth Area. It is considered that an accommodation use as proposed is more compatible with the future use of the land for residential development.

The proposed development has been located so that there is a substantial setback from the road and to the western boundary to reduce any potential amenity issues with future residential use to the north and west of the site.

The proposed development will add additional traffic to Gunn Road and in future the land will be rezoned to general residential. To alleviate traffic impact and to provide for infrastructure that is in keeping with residential development a requirement of any permit issued will require the sealing of Gunn Road with associated footpath and kerb and channel infrastructure in accordance with the residential provisions of the Infrastructure Design Manual.

Drainage

The proposal has been referred to Council's Engineering Unit who advise that the nearest legal point of discharge is east at the Midland Highway. Drainage from the proposed development will be required to discharge at pre-existing development rates to the legal point of discharge. As a result, it is considered that the proposal will not have an unreasonable impact on the existing stormwater network.

Car Parking

Car parking will be provided for the cabins in accordance with Clause 52.06 of the Planning Scheme. In addition, there will be room on the caravan sites for at least one vehicle. There will be also 13 car spaces at the front of the site for visitors.

Vehicle Access

Access to the site will be via two new vehicle crossovers from Gunn Road. The crossovers will provide access to the internal sealed roads that circulate through the site providing direct access to each lot.

The proposal includes the sealing of Gunn Road from the eastern end of the site to the western crossover including kerb and channel and a footpath on the southern side of the road. The sealing of the road will be an extension to that proposed as part of the development of the adjoining site at 3 Gunn Road for a Hotel and Restaurant.

The proposal has been referred to Council's Engineering Unit who advise that the northern most boundary of the site should be realigned 5m into the site to allow for the provision of road infrastructure such as a footpath and kerb and channel to be accommodated within the road reserve without impacting on existing native vegetation. This can become a condition of any permit that may be issued.

Site Management

A well managed site should lead to a use that will not have unreasonable amenity impacts to adjoining properties and will provide for the effective on-site amenity for patrons of the site. A Site Management Plan, Emergency Management Plan and Waste Management Plan will be required for submission and approval prior to the use commencing on the land.

COUNCIL PLAN 2021-2025 IMPLICATIONS**Community**

- *A connected, involved and inclusive community.*

Livability

- *Vibrant public spaces and places.*
- *Connected and accessible roads, footpaths, transport and parking.*

Economy

- *Thriving business and industry.*
- *Flourishing tourism.*
- *Population growth.*

Environment

- *Healthy and protected natural environment.*
- *High quality efficient and sustainable waste management.*
- *Sustainable practices.*

LEGISLATIVE/STATUTORY IMPLICATIONS

A decision by the Council to determine that a permit should be granted for the proposal may be appealed to VCAT by the objectors and/or the applicant against conditions of the permit.

In the instance that the Council decides to refuse to grant a permit the applicant also has a right of appeal to VCAT.

FINANCIAL IMPLICATIONS

The Council, as the responsible authority under the *Planning and Environment Act 1987*, must determine the permit application.

If the Council decision is appealed by any party to VCAT, the Council has a statutory role in being a party to the appeal and informing and assisting VCAT.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflicts of interest in this matter.

Recommendation:

That the Council having caused notice of Planning Application No - P0111/21 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a Notice of Decision to Grant a Permit under the provisions the Benalla Planning Scheme in respect of the land known and described as 35 Gunn Road, Benalla to use and develop the land for a camping and caravan park, in accordance with the endorsed plans, submitted with the application dated 22 July 2021, subject to the following conditions:

Amended Plans

1. Prior to commencement of works onsite, 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 this 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 Site Plan submitted with the planning application but modified to show:
 - a) The provision of at least 50 caravan sites.
 - b) The provision of a pool.
 - c) The provision of a children's playground area.
 - d) The provision of at least one ablution block for toilet and shower purposes.

Management Plans

2. Prior to the commencement of the use a management plan must be submitted to and endorsed to the satisfaction of the Responsible Authority. The management plan must address the following issues:
 - Noise management.
 - Patron capacity.
 - Patron behavior.
 - Staff management to ensure the behavior of patrons does not cause amenity impact to the surrounding area.
 - Risk Management.
 - Details of a complaint register.
3. Prior to the commencement of the use a complaints register must be established to the satisfaction of the Responsible Authority. The complaints register must detail the following:
 - A mechanism for surrounding residents to make a complaint.
 - Details of how the complaint will be acknowledged within a timeframe of two days.
 - Details of how a complaint will be addressed.
 - Details of referring the complaint to Council if the complaint cannot be resolved.

- 4. Prior to the commencement of use, a Waste Management Plan must be submitted to and approved by the Responsible Authority. The Waste Management Plan must clearly indicate that waste collection is to be via a private contractor not Council, and include:**
 - Method of waste and recyclables collection, including green waste.
 - Types of waste collection, including colour coding and labelling of bins.
 - Hours of waste and recyclables collection (to correspond with Council Local Laws and EPA Noise guidelines)
 - Waste collection, collection areas.
 - Method of any hard waste collection.
 - Method of presentation of bins for waste collection.
 - Compliance with relevant policy, legislation and guidelines.

When approved, the plan will be endorsed and will then form part of the permit. Waste collection from the development must be in accordance with the plan, to the satisfaction of the responsible authority.
- 5. Prior to the commencement of use, an Emergency Management Plan must be submitted to and approved by the Responsible Authority.**
- 6. All cabins placed on the land must be moveable to the satisfaction of the Responsible Authority.**
- 7. The amenity of the area must not be detrimentally affected by the use, through the:**
 - a) Appearance of any building, works or materials.
 - b) Transport of materials, goods or commodities to or from the land.
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour steam, soot, ash, dust, waste water, waste products, grit or oil.
 - d) Presence of vermin.
- 8. The storage of goods or materials in conjunction with the use hereby permitted shall:**
 - a) be carried out in a manner so as to prevent the exposure to view from any adjacent premises or from any public place of any unsightly matter.
 - b) be stored to the satisfaction of the Responsible Authority so as to not become visually obtrusive on the site.
- 9. All lighting used to externally illuminate buildings, works and uses shall be fitted with cut-off luminaries (baffles), so as to prevent the emission of direct and indirect light onto adjoining roadways, land and premises.**
- 10. In areas set aside for car parking, measures must be taken to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.**
- 11. Vehicles under the control of the operator of the use or the operator's staff must not be parked on the nearby roads.**

12. Areas set aside for the parking and movement of vehicles as shown on the endorsed plan(s) must be made available for such use and must not be used for any other purpose. Any fencing blocking parking areas must be removed and any gates enclosing parking areas must remain open at all times during hours of operation.

Engineering Conditions

13. Prior to commence of works onsite, plans and specifications must be prepared at the permit holder's expense by a qualified Engineer and approved by the Responsible Authority before construction begins. The Authority will only approve plans and specifications complying with the current edition of the Local Government Infrastructure Design Association's Infrastructure Design Manual (IDM), and drawn in AutoCAD or equivalent and submitted to the Responsible Authority for approval.
14. When approved, the plans will be endorsed and will then form part of this 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 Concept Development Plans submitted but modified to show:
- a) Relocation of the proposed access points as required to avoid native vegetation and to achieve site distance along Gunn Road.
 - b) Relocation of the boundary further south to align with the existing property on the east to accommodate a footpath and drainage as required to avoid native vegetation and to achieve site distance along Gunn Road. This must be consistent with the development at 3 Gunn Road Benalla.

General Engineering

15. All roads within the development and the Gunn Road frontage must be provided with public lighting in accordance with the requirements of Australian Standard 1158.1 to the satisfaction of the Responsible Authority. New lighting should be located outside the Clear Zones wherever possible, and meet the standards for Category V or Category P lighting, as appropriate.
- a) all existing or proposed roads within have been provided with appropriate high-efficiency street lighting in accordance with IDM standards and AS1158.
16. Prior to the commencement of use of the development, the permit holder must undertake the full construction for the entire frontage of the property along Gunn Road including kerb and channel, footpath and drainage and other related infrastructure on the southern side of Gunn Road in accordance with Table 2 of Councils IDM "Access Street".
- All the works must conform to plans and specifications prepared at the expense of the applicant by a qualified Engineer, and endorsed by the Responsible Authority prior to commencement of construction. All works must be constructed to minimise the impact on native vegetation.
- Unless otherwise agreed in writing, the Authority will only approve plans and specifications that comply with the most recent version of the Infrastructure Design Manual (IDM) published by the Local Government Infrastructure Design Association, and with all relevant permit conditions.

Carpark and Access ways

17. Prior to the commencement of use of the development the permit holder must undertake, or cause to be undertaken, full construction of all new internal access ways, parking areas, drainage including kerb and channel and related infrastructure. All the works must conform to plans and specifications prepared at the expense of the applicant by a qualified Engineer and approved by the Responsible Authority prior to the commencement of construction.
18. All parking areas and vehicle access ways must be sealed and line-marked in accordance with AS2890.1:2004 Part 1 – Off-street car parking or most current issue.
19. All parking areas and access routes must be provided with appropriate lighting in accordance with the relevant Australian Standards, including the current issue of A1158.0:2005 – Lighting for roads and public spaces or most current issue.
20. No covenant or restriction of title may be registered on the subject land unless otherwise approved in writing by the Responsible Authority.
21. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage, drainage, electricity, gas and telecommunication services to the development as shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

Earthworks

22. Prior to the commencement of use the permit holder must satisfy the Responsible Authority that:
 - a) any fill required for finished surface levels to comply with drainage, building, parking and/or access requirements has been selected, placed and compacted in layers, in accordance with IDM standards.
 - b) any batters formed, or retaining walls constructed, whose individual or cumulative height above or below ground level in adjacent properties exceeds one meter, and/or any soil stabilisation measures, have been designed by, and constructed under the supervision of, a qualified engineer, in accordance with IDM standards.
23. Prior to the commencement of use the applicant must satisfy the Responsible Authority that any fill required to ensure that the finished surfaces must be placed and compacted in accordance with the requirements of Clause 15.3 of the IDM.
24. All filling over 300mm in depth on the site must be supervised, carried out, completed and recorded in accordance with:
 - a) the provisions of any Construction Management Plan; and
 - b) Australian Standard AS 3798 2007 (Guidelines on earthworks for commercial and residential developments) to the satisfaction of the Responsible Authority.
25. Prior to the commencement of use unless otherwise agreed in writing by the Responsible Authority, compaction test results and a report certifying

that the filling has been properly carried out shall be provided to the satisfaction of the responsible authority. The land must be filled in a manner that does not:

- a) cause a nuisance on nearby land through the emission of dust; or
- b) adversely affect the drainage of adjacent land through sediment and the like.
- c) affect overland flow paths.

Drainage

26. Before construction begins, detailed plans and computations for the proposed rainwater tanks, retardation basin, together with access routes and working platforms for maintenance, must be prepared by a Qualified Engineer in accordance with Clause 18 of the IDM, and be submitted to and approved by the Responsible Authority.
27. Prior to the commencement of use the permit holder must satisfy the Responsible Authority that:
- a) a legal point of discharge has been established at eastern boundary of the site at the intersection of the Midland Highway and Gunn Road and be connected to the external drainage network in accordance with IDM standards and without reducing the flow capacity or structural integrity of that network, has been established.
 - b) culverts crossing Gunn Road upgrade to cater for a in a 10% AEP rainfall event to cater for and convey runoff to the northern side of Gunn Road . All roof and surface water in a 5% AEP rainfall event will be collected and conveyed by underground pipes to a legal point of discharge.
 - c) all stormwater runoff originating from or transferred through each Lot in a 1% AEP rainfall event will be collected and conveyed to a practical and satisfactory destination, without adversely affecting any person or infrastructure on or beyond the site.

On-Site Detention

28. Before construction begins the permit holder must satisfy the Responsible Authority that:
- a) sufficient on-site detention will be provided to limit the peak discharge from the developed site in a 1% AEP rainfall event to the corresponding pre-development level as recommended by the IDM.
 - b) any in-ground or above-ground infrastructure intended to collect surface runoff and limit the resultant outflow will make provision to protect the relevant control device from blockage so far as reasonably practicable, and to mobilise an alternative flow path should blockage be experienced.
 - c) all detention systems must ensure that permanent storage is available (i.e. required freeboard available in proposed pond or permanent storage available in rainwater tanks) to detain storm water and release it to the legal point of discharge at the undeveloped rate. This includes but not limited to all car parking spaces, buildings and roadways to ensure no impact on surrounding properties.

Water Sensitive Urban Design

29. Before construction begins, the applicant must satisfy the Responsible Authority that appropriate measures will be taken to enhance the quality of stormwater discharged from the developed site, in accordance with IDM procedures and criteria.

Property Access

30. Prior to the commencement of use the permit holder must satisfy the Responsible Authority that vehicle crossing providing access to the development with safe and convenient access to and from a suitable public road has been designed, constructed, sealed and drained to the satisfaction of the Responsible Authority.
31. Before construction begins the applicant must demonstrate that each proposed access to the development meets the site distance requirements in accordance with *Austroads Guide to Road Design Part 3: Geometric Design* and *Austroads 'Guide to Road Design –Part 4A: Unsignalised and Signalised Intersections* with reference in particular to:
- a) Section 3 Sight Distance
- Any redundant access must be removed and the area reinstated to the satisfaction of the Responsible Authority.

Landscaping

32. Before construction begins, a detailed landscape plan, must be prepared by a person suitably qualified or experienced in landscape design, and must be submitted to and approved by Council.
- The plan must show:
- a) New plantings to be provided in any road reserves and municipal reserves and within the development site;
 - b) A detailed planting schedule of all proposed trees, shrubs and ground-covers;
 - c) Paths, paved areas, structures and street furniture;
 - d) Detailed planting and construction layout drawings, including site contours;
 - e) Any changes to existing levels, including elements such as retaining walls;
 - f) Certified structural designs or building forms where required; and
 - g) Removal of existing infrastructure or stockpiles and weed eradication.
 - h) Fencing of all Reserves to be handed over to Council.
33. The landscaping works shown on the approved landscape plan must be carried out and completed to the satisfaction of the responsible authority prior to the commencement of use or any other time agreed in writing by the responsible authority.

Staged Development

34. Where the permit holder intends to complete a development in stages, plans and specifications for each stage, including any temporary works required to facilitate traffic movements once that stage is complete, must be submitted to and approved by the Responsible Authority before

construction begins, and the permit holder must lodge with the Authority a bond sufficient to cover the full costs of upgrading any temporary works associated with the stage in question.

Infrastructure Transferred to Council

35. All civil infrastructure works, other than landscape elements, created by the development, and passing into the ownership and control of Council, must, following practical completion of the works, be maintained by the applicant in good condition and repair for a period of three months, with any subsequent defects being corrected as they become evident for a further period of nine months.
36. All landscape elements passing into the ownership and control of Council, must be maintained by the applicant in good condition and repair, with all defects corrected, for a period of at least 24 months, including two complete summers, from practical completion. During this period, any dead, diseased or damaged (other than by intentional action) plants and/or landscaped areas must be repaired or replaced as soon as reasonably possible, rather than upon completion of the maintenance period.
37. Prior to the commencement of use:
- a) an itemised statement of the civil construction costs to be handed over to Council for the current stage, excluding GST, must be submitted to and approved by the Responsible Authority.
 - b) the permit holder must provide Council with a maintenance bond equal to 5% of the approved civil construction costs for the current of assets to be handed over to Council. This bond will be held by Council until any and all defects notified to the applicant before or during the maintenance and defects liability period have been made good to the satisfaction of Council.
 - c) the permit holder must pay to Council plan checking fees equal to 0.75%, and works supervision fees equal to 2.5%, of the approved civil construction costs for that stage.
 - d) the permit holder must arrange for CCTV verification of all underground drainage assets which will be handed over to Council at the conclusion of construction, and must supply the results of that verification to Council at the time, and in the format, specified in the IDM.
 - e) the permit holder must prepare and submit as-constructed drawings covering all civil construction works that will be handed over to Council in DWG or DXF format, geo-referenced to Zone 55, GDA 94, to the satisfaction of Council or to the satisfaction of the Responsible Authority.

Construction

38. Before construction begins for each stage of the subdivision a Site Management Plan for that stage of the subdivision must be submitted to and approved by the Responsible Authority, and effective measures consistent with the Plan must be taken to:
- a) Implement effective traffic management and environmental controls;
 - b) Establish and maintain safe construction vehicle access to the site;

- c) **Maintain vehicle and machinery hygiene;**
- d) **Avoid the spread of soil-borne pathogens and weeds;**
- e) **Minimise erosion, sedimentation and contamination;**
- f) **Reduce the impact of noise, dust and other emissions during construction;**
- g) **Prevent mud, dirt, sand, soil, clay or stones from entering the drainage system;**
- h) **Avoid having such materials deposited on public land by construction vehicles;**
- i) **Establish and maintain all recommended Tree Protection Zones.**

- 39. During construction, no excavated or construction materials may be placed or stored outside the site area or on adjoining road reserves, except where the materials are required for any road or footpath construction works in such reserves which are required as part of this permit.**

As soon as practicable after construction has been completed, all areas disturbed in the course of the works must be restored to their original condition, to the satisfaction of the Responsible Authority.

All works must be carried out generally in accordance with the measures set out in the Site Management Plan approved by the Responsible Authority.

- 40. All construction activities associated with the subdivision must be carried out in such a manner so as to not create nuisance to the satisfaction of the Responsible Authority.**

Native Vegetation

- 41. During construction works, any remnant vegetation must be protected by an appropriate Tree Retention Zone (TRZ), free of digging, trenching, excavation, stockpiles, chemical or material mixing and storage, parking or any other disturbance, and marked with a physical barrier on site. The TRZ will have a radius from the tree of at least 12 DBH (diameter of the tree at breast height) (as per Australian Standards). By default, a tree will be considered lost and require an offset if one of the above activities occurs over more than 10% of the total area of the TRZ.**

If these exclusion zones are not put in place or construction works cannot be physically carried out without impacting these zones, these trees, whilst still retained must be counted as removed and an appropriate offset plan produced.

Consideration should be given to trees adjoining existing and proposed access points and adjoining the site boundaries which may be impacted by improvements to access to the site and construction of the development. If any vegetation is removed, destroyed or lopped to provide access to any of the site or construction of the development, or the appropriate TRZ is not adhered to, an amended Biodiversity Assessment Report must be submitted to the satisfaction of the responsible authority. This may change the assessment pathway that the application has been assessed against.

Wastewater

42. The proposed development must be connected to the reticulated sewer service provided by North East Water.

Country Fire Authority**43. Hydrants**

Prior to the initial occupation of any building for the relevant stage of the caravan park, the following requirements must be met within that stage to the satisfaction of the CFA:

- Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.
- The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

Note –CFA’s requirements for identification of hydrants are specified in ‘Identification of Street Hydrants for Firefighting Purposes’ available under publications on the CFA web site (www.cfa.vic.gov.au).

44. Roads

Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.

- The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
- Curves must have a minimum inner radius of 10 metres.
- Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.
- Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.

Time Limit

45. In accordance with the Planning and Environment Act 1987 a permit for the use and or development expires if:
- a) the development is not commenced within two years after the issue of the permit; or
 - b) the development is not completed within four years after the issue of the permit; or
 - c) the use does not start within two years after completion of the development; or
 - d) the use is discontinued for a period of two years.

The Responsible Authority may extend the commencement date if a request is made in writing by the owner or the occupier of the land to which the permit applies before the permit expires or within 6 months afterwards.

The Responsible Authority may extend the time within which the development is to be completed if the development has commenced and a request in writing is made by the owner or the occupier of the land to which it applies within 12 months after the permit expires.

Advice Notes:

- 1. The granting of this permit does not obviate the necessity for compliance with the requirements of any other authority under any act, regulation or local law.**
- 2. An asset protection permit is required prior to the commencement of any works on site.**
- 3. Before undertaking any works that cross onto public land or roads, the permit holder must obtain a permit from the relevant authority giving Consent to Work within a Road Reserve.**
- 4. This permit does not authorise the commencement of any demolition works. Before any such development may commence, the applicant must apply for and obtain appropriate building permit approval.**

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35 GUNN ROAD, BENALLA

PLANNING APPLICATION JULY 2021

DRAWING SCHEDULE			
NO.	DOCUMENT	SCALE	SIZE
TP01	COVER SHEET	-	A3
TP02	SITE CONTEXT PHOTOGRAPHS	NA	A3
TP03	EXISTING SITE PLAN & DEMOLITION	1:1000	A3
TP04	PROPOSED SITE PLAN	1:1000	A3
TP05	GROUND FLOOR PLAN - CLUBHOUSE	1:200	A3
TP06	ROOF PLAN - CLUBHOUSE	1:200	A3
TP07	ELEVATIONS NORTH & SOUTH - CLUBHOUSE	1:100	A3
TP08	ELEVATIONS EAST & WEST - CLUBHOUSE	1:100	A3
TP09	GROUND & ROOF PLAN - SPORTS PAVILION	1:200	A3
TP10	ELEVATIONS - SPORTS PAVILION	1:100	A3
TP11	ELEVATIONS - SPORTS PAVILION	1:100	A3
TP12	SECTIONS - CLUBHOUSE & PAVILION	1:100	A3
TP13	MATERIAL PALETTE	NA	A3
TP14	3D VISUALISATION - CLUBHOUSE	NA	A3
TP15	3D VISUALISATION - CLUBHOUSE	NA	A3
TP16	3D VISUALISATION - PAVILION	NA	A3

DEVELOPMENT SUMMARY	AREA
CLUBHOUSE BUILDING FOOTPRINT	585 m ²
SPORTS PAVILLION FOOTPRINT	260 m ²

REVISIONS		
TP1	02.07.2021	FOR CLIENT REVIEW
TP2	14.07.2021	FOR CLIENT REVIEW

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01. GUNN ROAD ENTRY (EXISTING TREE)



02. EXISTING TREE CLUSTER



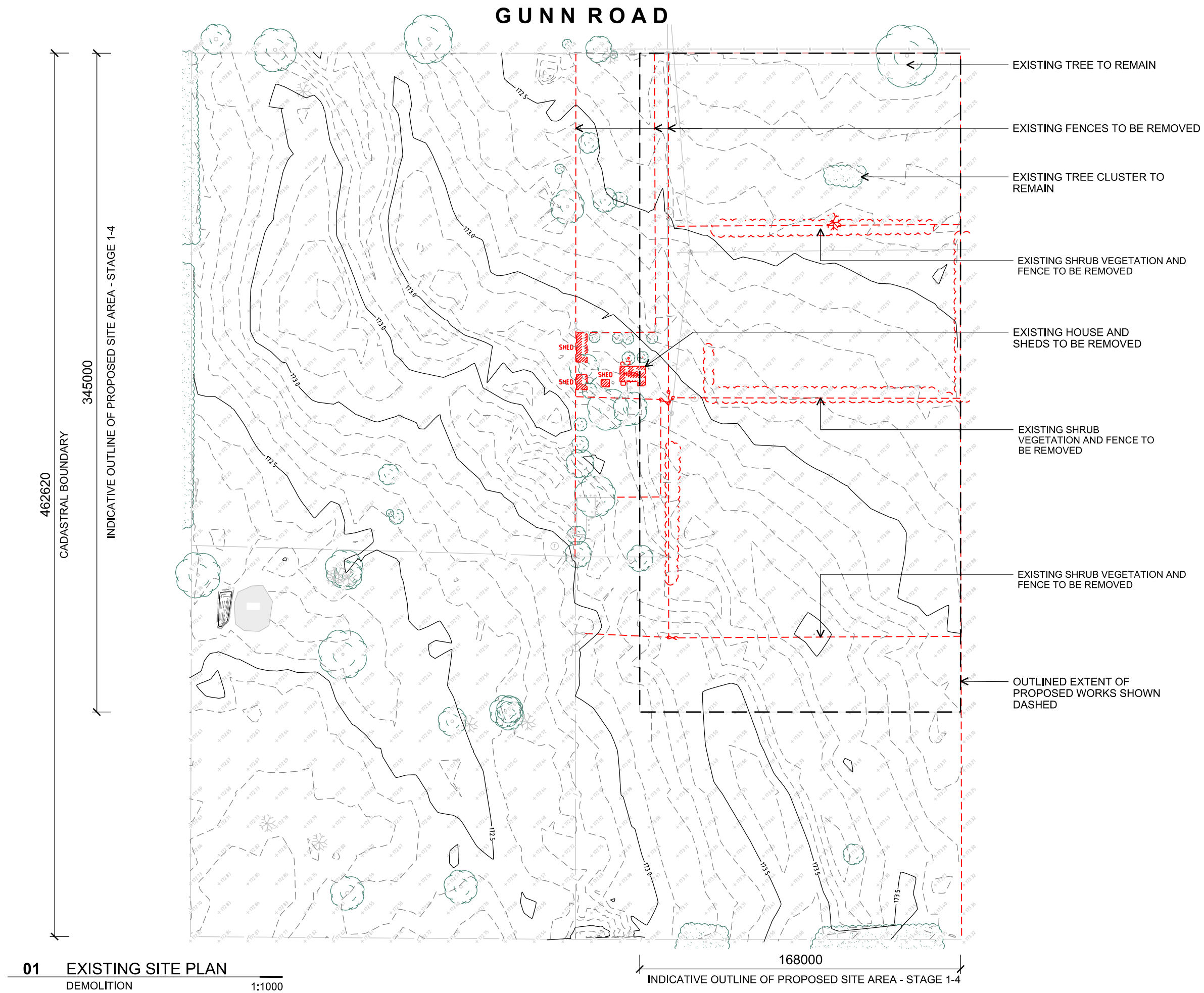
03. INTERNAL PRIVATE ROAD TO HOUSE



04. EXISTING HOUSE (TO BE DEMOLISHED)



05. GUNN ROAD ENTRY (EXISTING TREES)



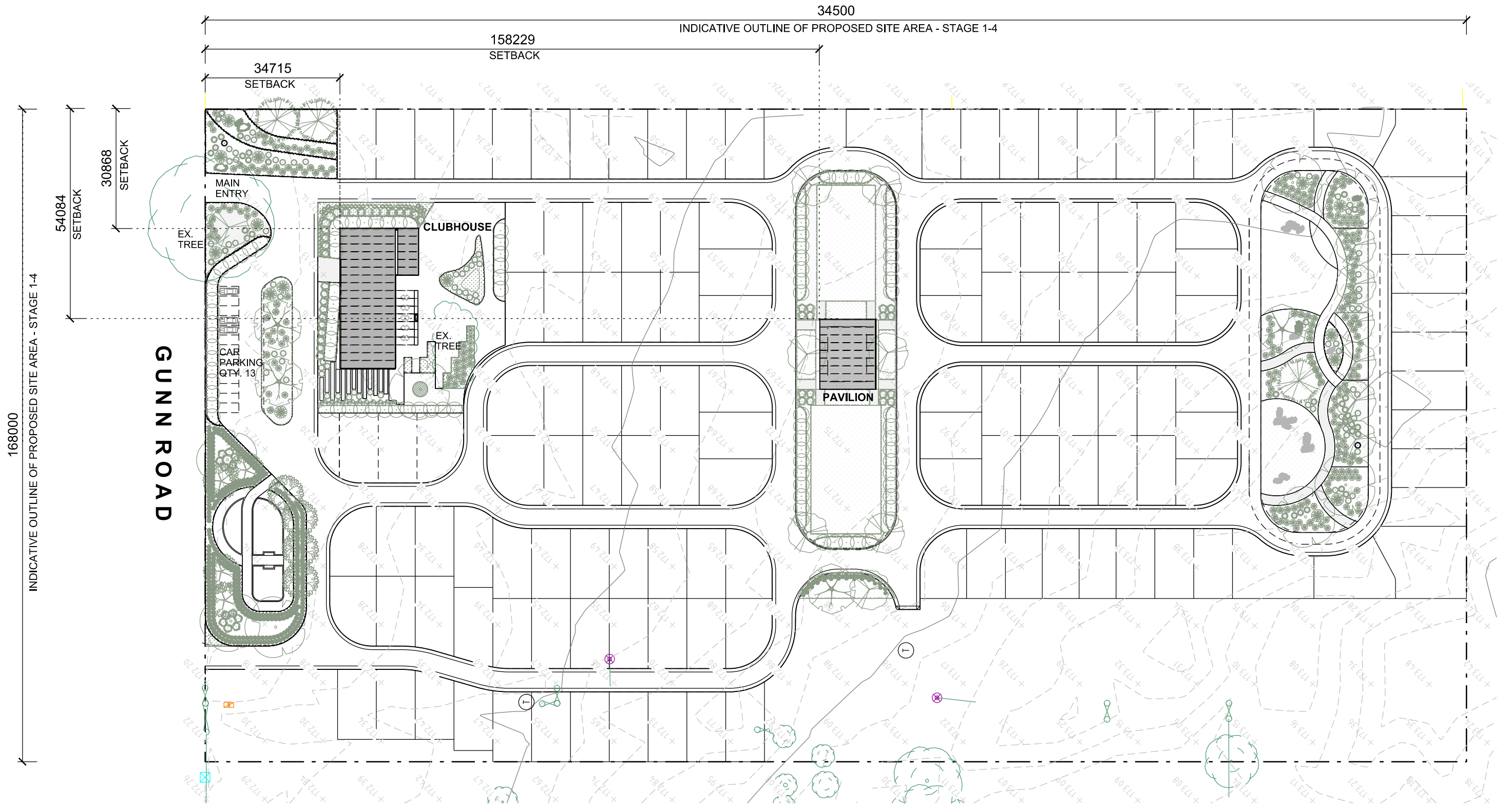
NOTE:
REFER CAF CONSULTING FEATURE SURVEY PLAN 3006/FS01 (B)
09/03/2018 FOR COMPLETE CADASTRAL BOUNDARY

SCALE
1:2000
@A3
REVISION
TP2
DATE
14.07.2021

PROJECT
35 GUNN ROAD
BENALLA
STATUS
TOWN PLANNING

DRAWING TITLE
EXISTING SITE PLAN
DEMOLITION
DRAWING NUMBER
TP03

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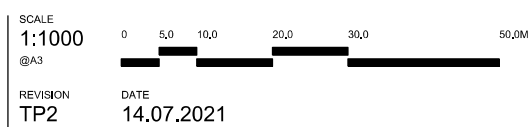


01 PROPOSED SITE PLAN
MASTERPLAN 1:1000

NOTE:

REFER CAF CONSULTING CIVIL PLANS 3608 C03 & C04 FOR LOT LAYOUT AND STAGED MASTERPLAN.

REFER FLOW DESIGN STUDIO FOR FURTHER MASTERPLAN LANDSCAPING DETAILS.



PROJECT
35 GUNN ROAD
BENALLA

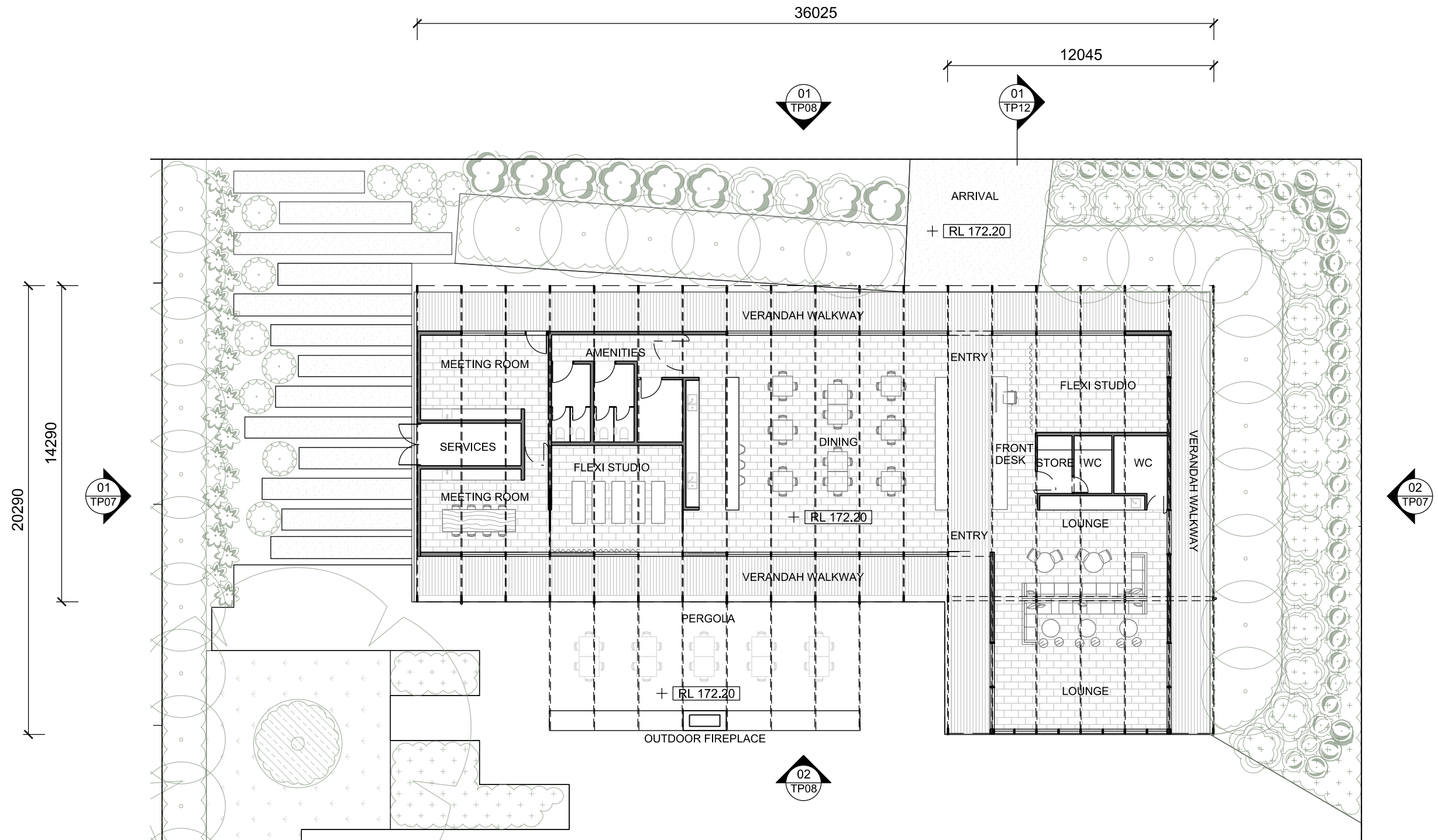
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TOWN PLANNING

DRAWING TITLE
SITE PLAN
PROPOSED

DRAWING NUMBER
TP04

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01 GROUND FLOOR PLAN
CLUBHOUSE 1:200

SCALE
1:200
@A3

REVISION
TP2

DATE
14.07.2021

0 1.0 2.0 4.0 6.0 10.0M



PROJECT
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BENALLA

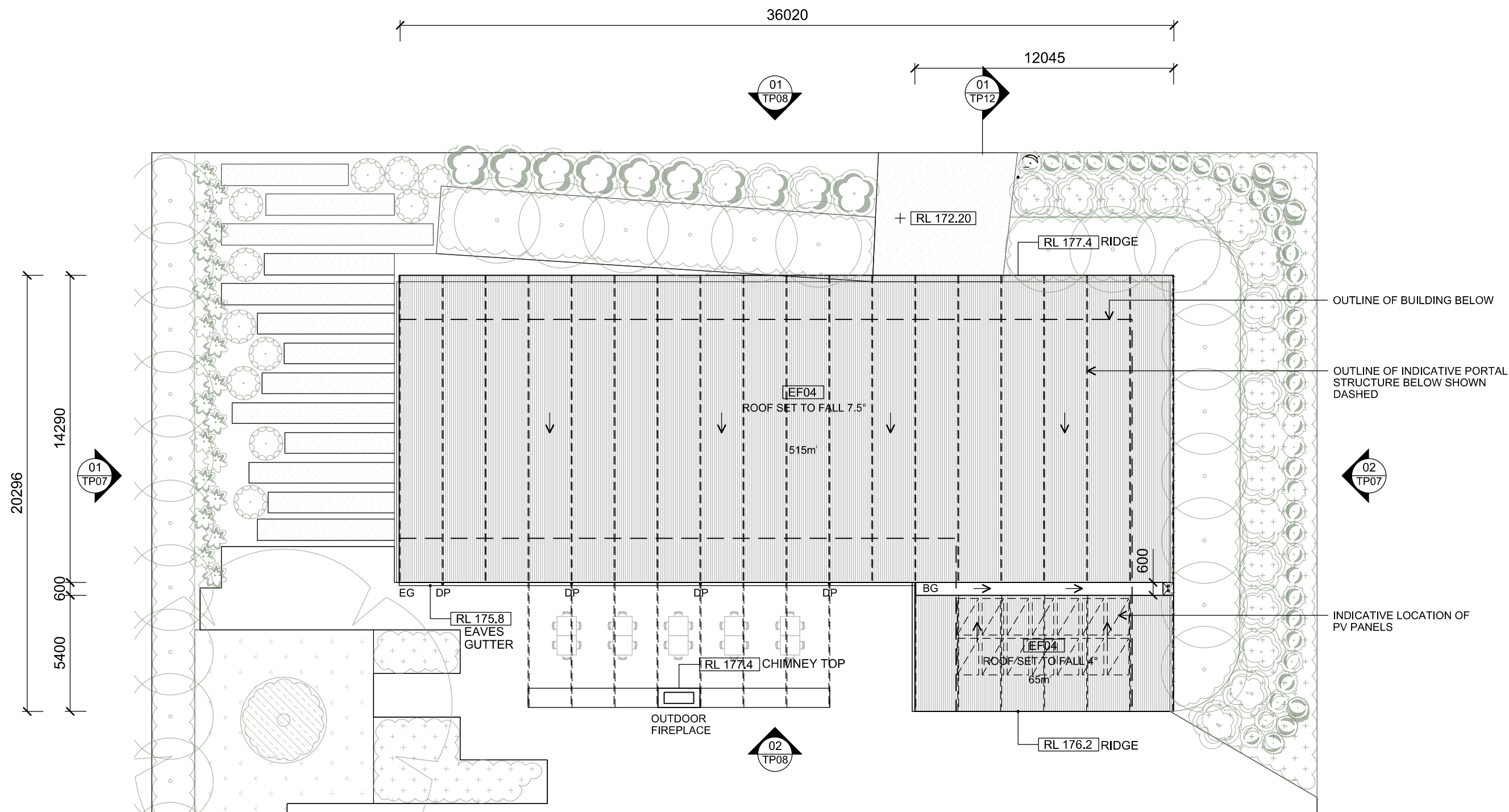
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DRAWING TITLE
CLUBHOUSE
FLOORPLAN

DRAWING NUMBER
TP05

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01 ROOF PLAN
CLUBHOUSE 1:200

SCALE
1:200
@A3

REVISION
TP2

DATE
14.07.2021

0 1.0 2.0 4.0 6.0 10.0M



PROJECT
35 GUNN ROAD
BENALLA

STATUS
TOWN PLANNING

DRAWING TITLE
CLUBHOUSE
ROOF PLAN

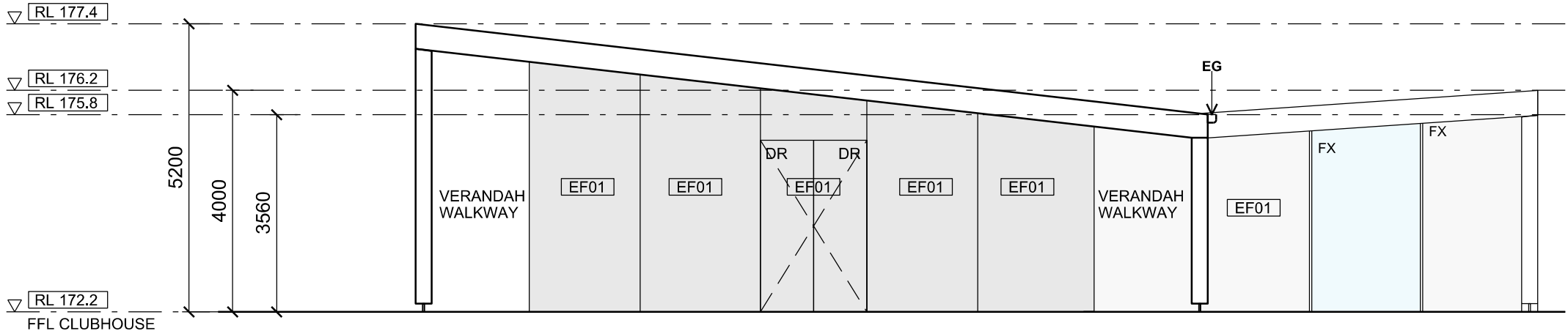
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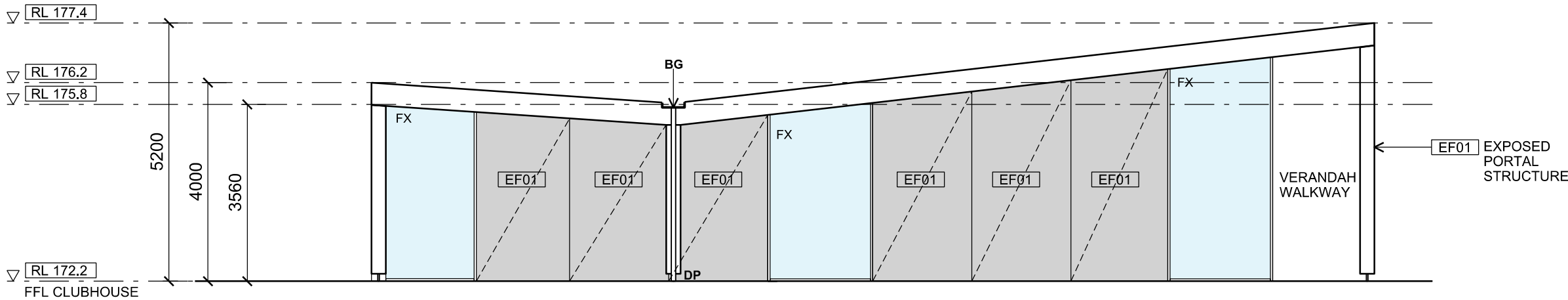
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EF02	GREY CEMENT RENDER	GS	GLAZED SLIDER	DR	HINGED DOOR
EF03	HARDWOOD FASCIA	FX	FIXED CLEAR DOUBLE GLAZING	DP	GALVANISED DOWNPIPE
EF04	GALVANISED CORRUGATED ROOF SHEET	LVR1	TIMBER LOUVRES	BG	BOX GUTTER
EF05	TIMBER LINING BOARD (STAINED)	LVR2	CLEAR GLAZED LOUVRE	EG	HALF ROUND EAVES GUTTER



01 WEST ELEVATION

1:100



02 EAST ELEVATION

1:100

SCALE	1:100	0	0.5	1	2	3.0	5.0M
@A3							
REVISION	TP2	DATE	14.07.2021				

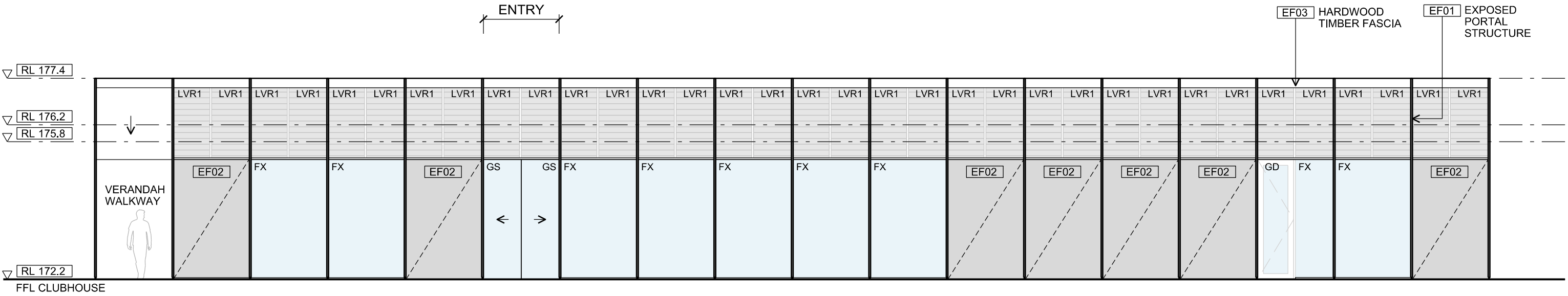
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	BENALLA
STATUS	TOWN PLANNING

DRAWING TITLE	PROPOSED ELEVATIONS
	EAST & WEST
DRAWING NUMBER	TP07

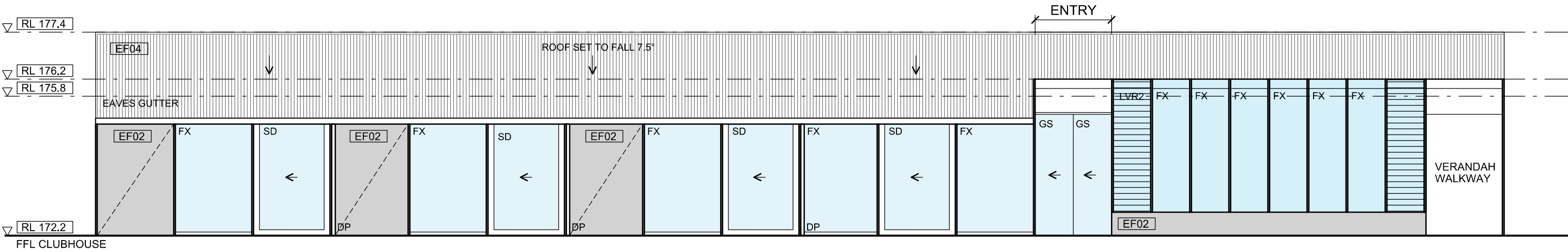
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LEGEND

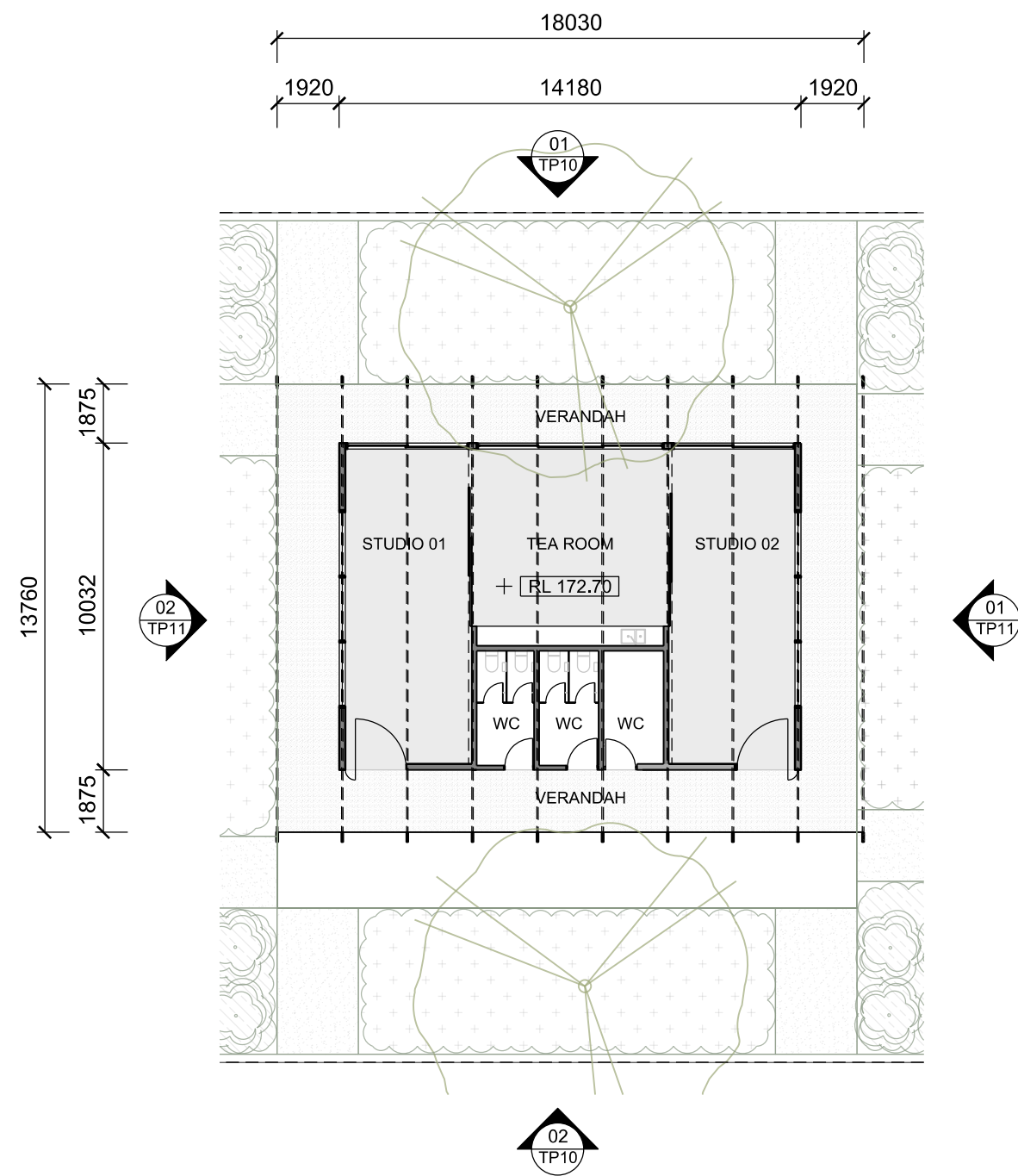
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EF02	GREY CEMENT RENDER	GS	GLAZED SLIDER	DR	HINGED DOOR
EF03	HARDWOOD FASCIA	FX	FIXED CLEAR DOUBLE GLAZING	DP	GALVANISED DOWNPIPE
EF04	GALVANISED CORRUGATED ROOF SHEET	LVR1	TIMBER LOUVRES	BG	BOX GUTTER
EF05	TIMBER LINING BOARD (STAINED)	LVR2	CLEAR GLAZED LOUVRE	EG	HALF ROUND EAVES GUTTER



01 NORTH ELEVATION
GUNN ROAD FACADE
1:100

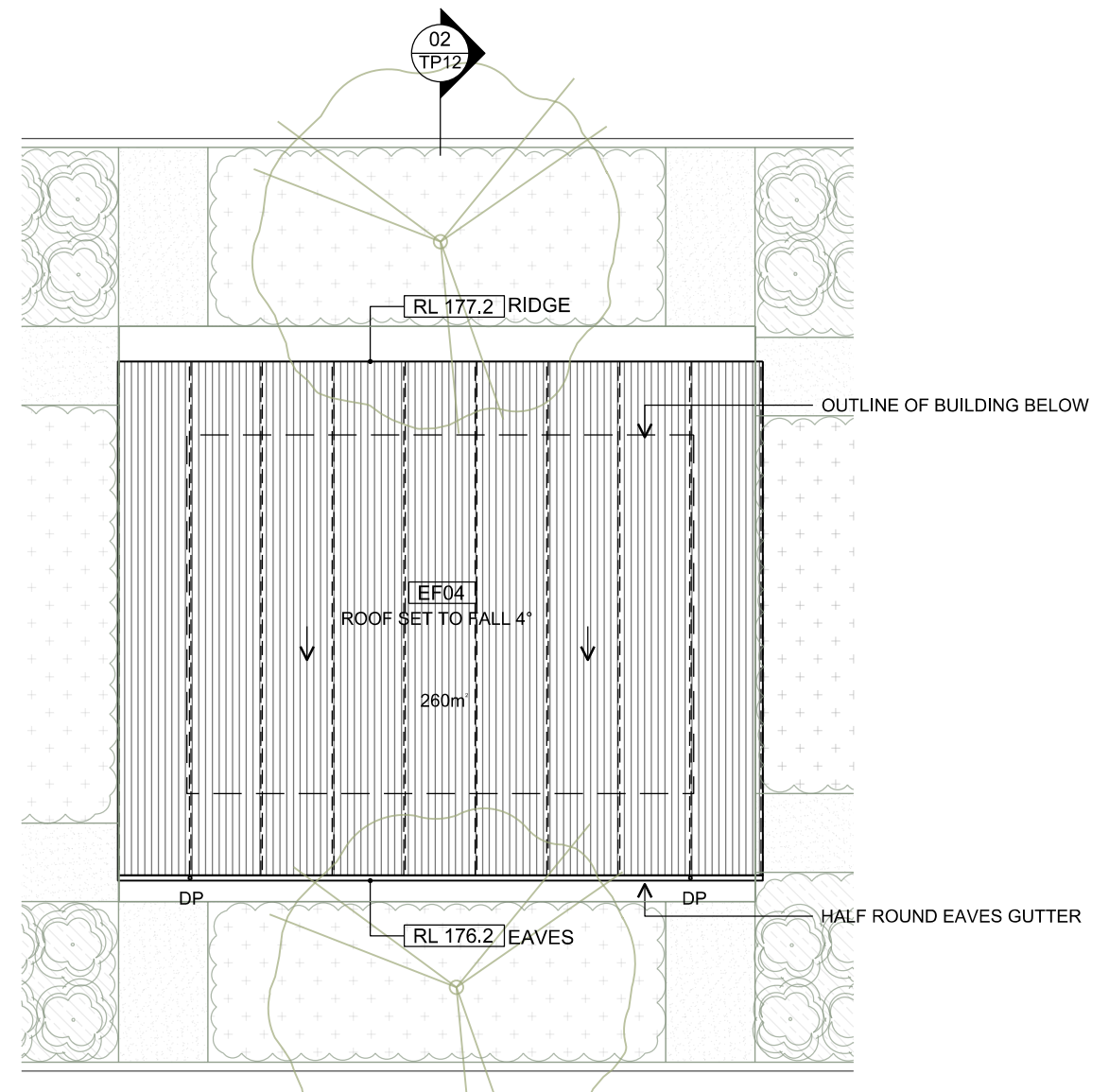


02 SOUTH ELEVATION
MAIN RESIDENTIAL FACADE
1:100



01 GROUND FLOOR PLAN
SPORTS PAVILION 1:200

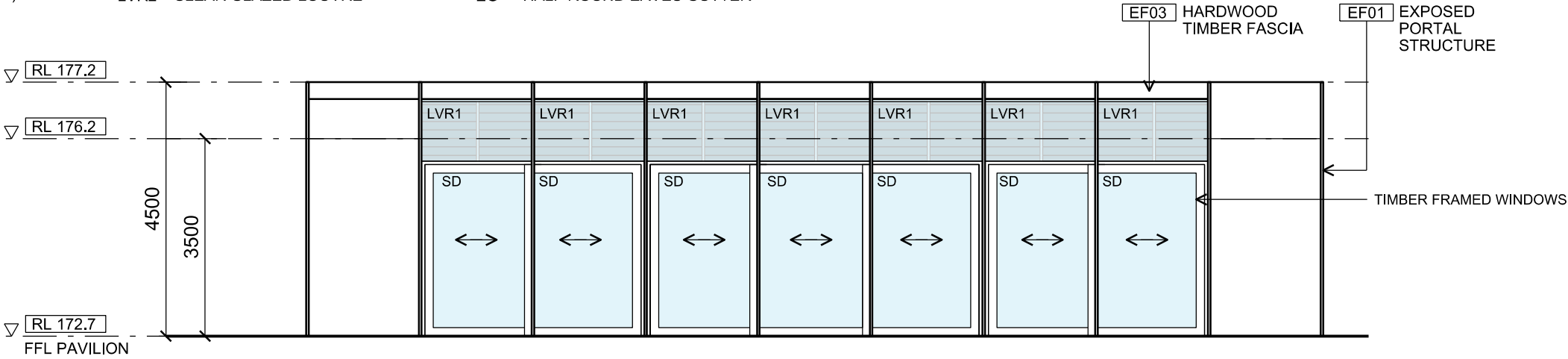
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EF02	GREY CEMENT RENDER	GS GLAZED SLIDER
EF03	HARDWOOD FASCIA	FX FIXED CLEAR DOUBLE GLAZING
EF04	GALVANISED CORRUGATED ROOF SHEET	LVR1 TIMBER LOUVRES
EF05	TIMBER LINING BOARD (STAINED)	LVR2 CLEAR GLAZED LOUVRE
		PD PIVOT DOOR
		DR HINGED DOOR
		DP GALVANISED DOWNPIPE
		BG BOX GUTTER
		EG HALF ROUND EAVES GUTTER



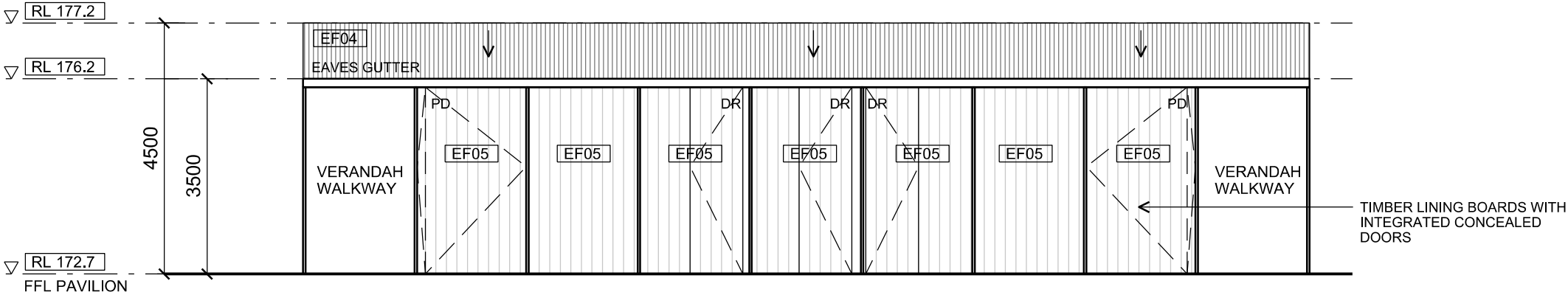
02 ROOF PLAN
SPORTS PAVILION 1:200

LEGEND

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EF02	GREY CEMENT RENDER	GS	GLAZED SLIDER	DR	HINGED DOOR
EF03	HARDWOOD FASCIA	FX	FIXED CLEAR DOUBLE GLAZING	DP	GALVANISED DOWNPIPE
EF04	GALVANISED CORRUGATED ROOF SHEET	LVR1	TIMBER LOUVRES	BG	BOX GUTTER
EF05	TIMBER LINING BOARD (STAINED)	LVR2	CLEAR GLAZED LOUVRE	EG	HALF ROUND EAVES GUTTER



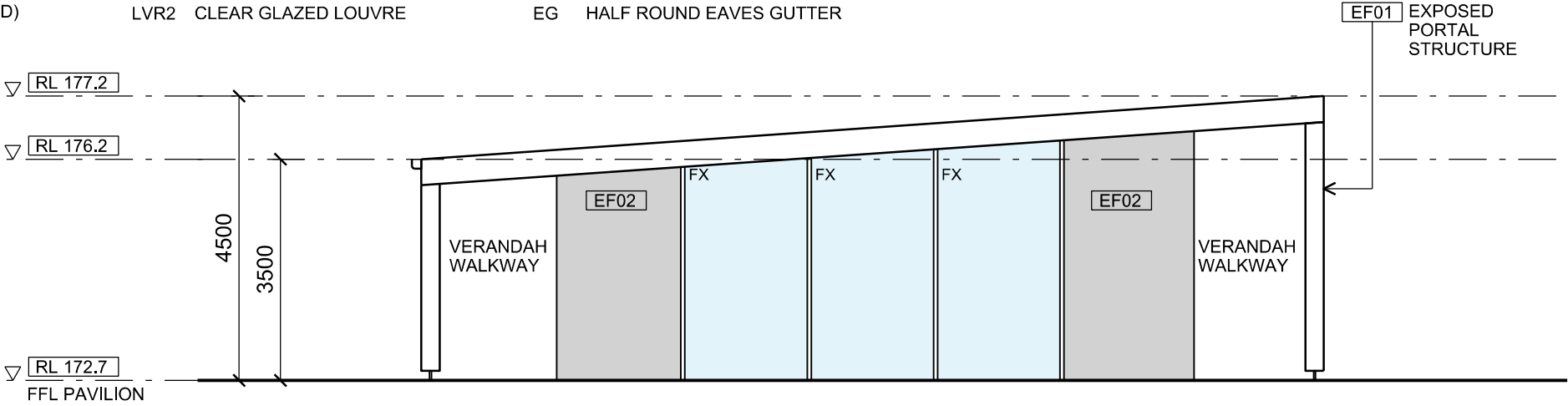
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SPORTS PAVILION 1:100



02 SOUTH ELEVATION
SPORTS PAVILION 1:100

LEGEND

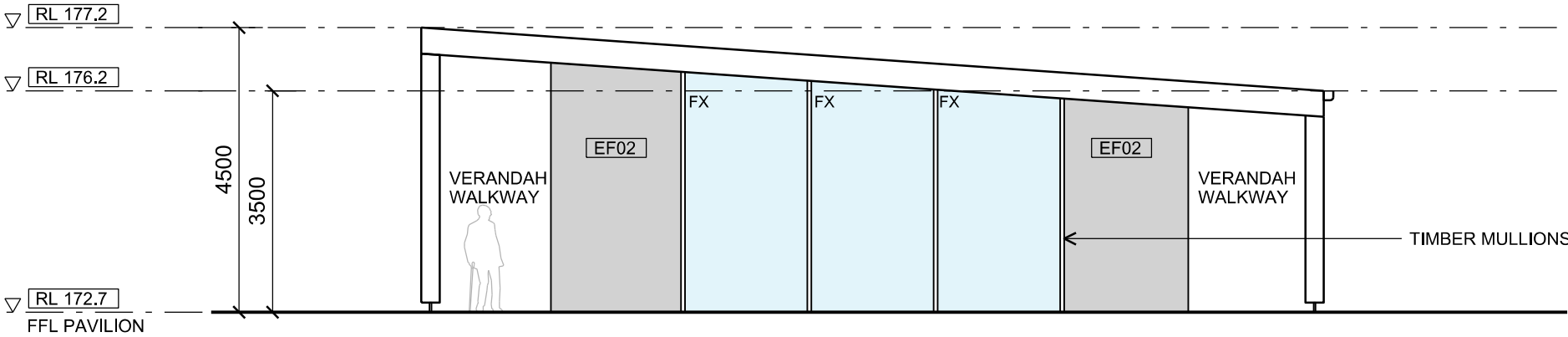
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EF03	HARDWOOD FASCIA	FX	FIXED CLEAR DOUBLE GLAZING	DP	GALVANISED DOWNPIPE
EF04	GALVANISED CORRUGATED ROOF SHEET	LVR1	TIMBER LOUVRES	BG	BOX GUTTER
EF05	TIMBER LINING BOARD (STAINED)	LVR2	CLEAR GLAZED LOUVRE	EG	HALF ROUND EAVES GUTTER



01 EAST ELEVATION

SPORTS PAVILION

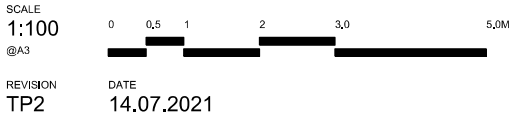
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02 WEST ELEVATION

SPORTS PAVILION

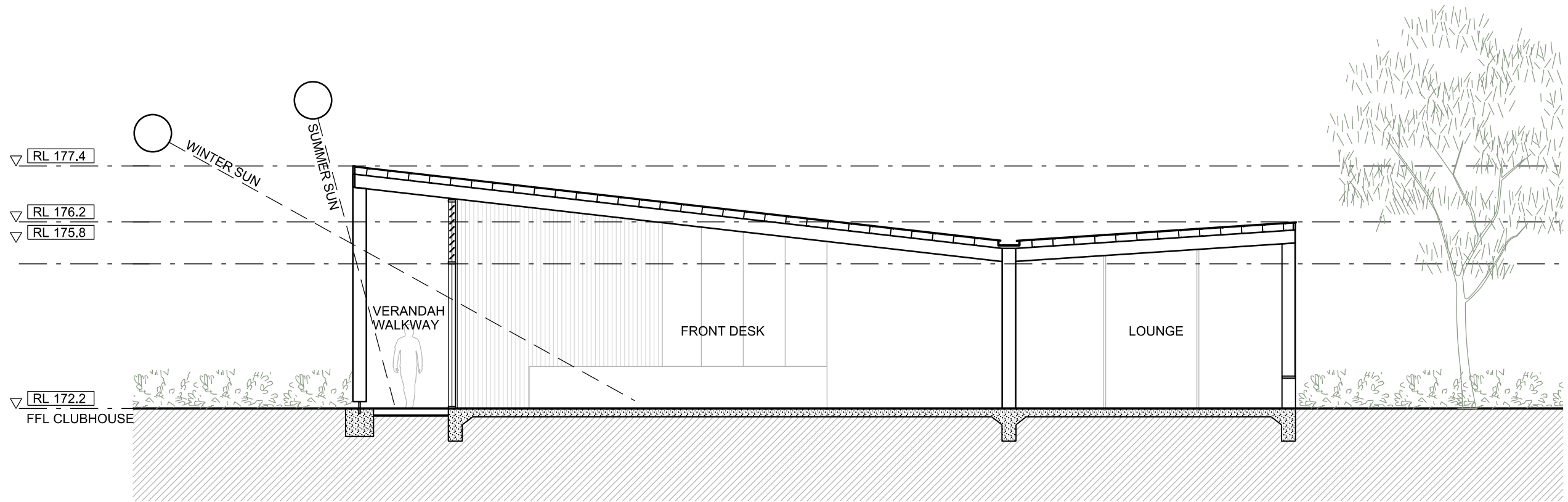
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PROJECT
35 GUNN ROAD
BENALLA
STATUS
TOWN PLANNING

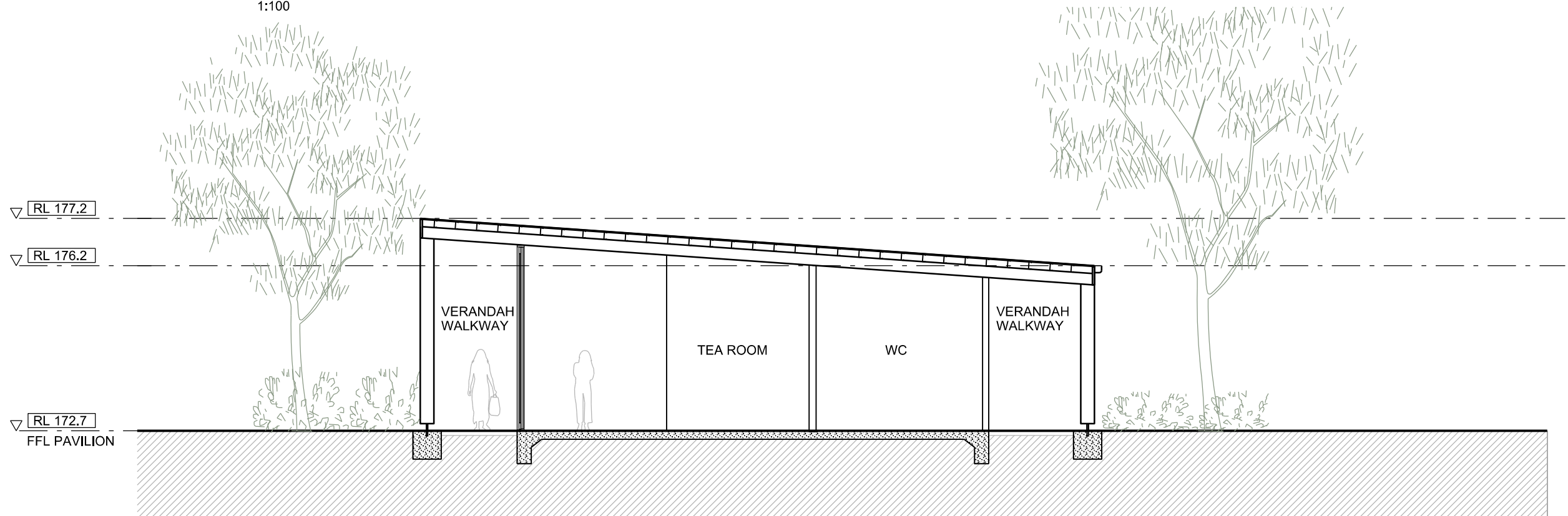
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SPORTS PAVILION
ELEVATIONS - EAST & WEST
DRAWING NUMBER
TP11

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01 CLUBHOUSE SECTION

1:100



02 PAVILION SECTION

1:100

SCALE
1:100
@A3

REVISION
TP2



DATE
14.07.2021

PROJECT
35 GUNN ROAD
BENALLA
STATUS
TOWN PLANNING

DRAWING TITLE
SECTIONS
CLUBHOUSE & PAVILION
DRAWING NUMBER
TP12

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VISUALISATION
NORTHERN ELEVATION - GUNN ROAD FACADE



- EF03 HARDWOOD FASCIA
- LVR1 TIMBER LOUVRE
- EF02 CEMENT RENDER
- EF01 PORTAL STRUCTURE
- FX FIXED CLEAR GLAZING

MATERIALS LEGEND

EF01 EXPOSED PORTAL STRUCTURE	EF02 GREY CEMENT RENDER	EF03 HARDWOOD FASCIA	EF04 CORRUGATED METAL	EF05 TIMBER LINING BOARDS

SCALE	PROJECT
@A3	35 GUNN ROAD BENALLA
REVISION	STATUS
TP2	TOWN PLANNING
DATE	
14.07.2021	

DRAWING TITLE
MATERIALS PALETTE PROPOSED
DRAWING NUMBER
TP13

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VISUALISATION
NORTH ELEVATION - VERANDAH ENTRY



SCALE
@A3
REVISION
TP2
DATE
14.07.2021

PROJECT
35 GUNN ROAD
BENALLA
STATUS
TOWN PLANNING

DRAWING TITLE
VISUALISATION
CLUBHOUSE
DRAWING NUMBER
TP14

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VISUALISATION
SOUTHERN ELEVATION - RESIDENT COURTYARD



SCALE
@A3
REVISION
TP2
DATE
14.07.2021

PROJECT
35 GUNN ROAD
BENALLA
STATUS
TOWN PLANNING

DRAWING TITLE
VISUALISATION
CLUBHOUSE
DRAWING NUMBER
TP15

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VISUALISATION
NORTHERN ELEVATION - SPORTS PAVILION



SCALE
@A3
REVISION
TP2
DATE
14.07.2021

PROJECT
35 GUNN ROAD
BENALLA
STATUS
TOWN PLANNING

DRAWING TITLE
VISUALISATION
PAVILION
DRAWING NUMBER
TP16

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4. Building and Planning Approvals – October 2021

SF/255

Joel Ingham – Planning Coordinator

Sarah Ford – Building Coordinator

Nilesh Singh – Manager Development

PURPOSE OF REPORT

The report details planning permit applications and building approvals for October 2021.

Planning Permit Applications Determined Under Officer Delegation

	File No	Description	Property Address	Decision
1	DA5881	Use and development of a dwelling	10 Golden Vale Road, Benalla	Approved
2	DA7187	Use and development of a dwelling	1412 Stewarton Road, Stewarton	Approved
3	DA6559	Construction of a shed	93 Lakeside Drive, Chesney Vale	Approved
4	DA7245	Construction of a carport	115 Coish Avenue, Benalla	Approved
5	DA7034	Construction of a carport	11 Nixon Street, Benalla	Approved
6	DA7236	Development of a domestic shed	8 Carrier Street, Benalla	Approved
7	DA373	Construction of an outbuilding	15 Market Street, Benalla	Approved
8	DA5521	Construction of a shed	298 Sloan Road, Tarnook	Approved
9	DA7251	Construction of a shed	5 Albert Street, Benalla	Approved
10	DA6955	Construction of a spa and enclosure	174 Racecourse Road, Benalla	Approved
11	DA7266	Construction of a shed	19 Hammond Road, Goorambat	Approved
12	DA7045	Construction of a shed	15 Smythe Street, Benalla	Approved

Planning Permit Amendments determined under Officer Delegation

	File No	Description	Property Address
1	DA7132	Construction of an outbuilding	29A Charles Street, Benalla
2	DA6973	Construction of a shed and alfresco	33 Winton Lurg Road, Winton

Planning Permits Issued Under VicSmart

	File No	Description	Property Address
1	DA6559	Construction of a shed	93 Lakeside Drive, Chesney Vale
2	DA6973	Construction of a shed and alfresco	33 Winton Lurg Road, Winton

Planning Permit Applications Determined by the Council

There were no planning permit applications determined by the Council during the October 2021.

Planning Permit Applications Withdrawn or Lapsed

	File No	Description	Property Address	Withdrawn/ Lapsed
1	DA6575	Alterations to the existing service station	92-94 Bridge Street West, Benalla	Withdrawn
2	DA5703	Two lot subdivision and construction of a second dwelling	50 Smythe Street, Benalla	Withdrawn
3	DA7253	Construction of a shed	118 O'Dea Road South, Tatong	Withdrawn – Permit not required
4	DA234/4	Removal of vegetation within a Heritage Overlay	4 Mair Street, Benalla	Withdrawn

Notices of Decision

There were no notices of decision issued during the month of October 2021.

A Notice of Decision (NOD) is issued when Council has decided to grant a planning permit when objection(s) are received regarding the application.

An objector may appeal to Victorian Civil and Administrative Tribunal (VCAT) against the decision to grant the permit within 21 days of a Notice of Decision being issued. After 28 days if no appeal has been lodged Council will issue the Planning Permit.

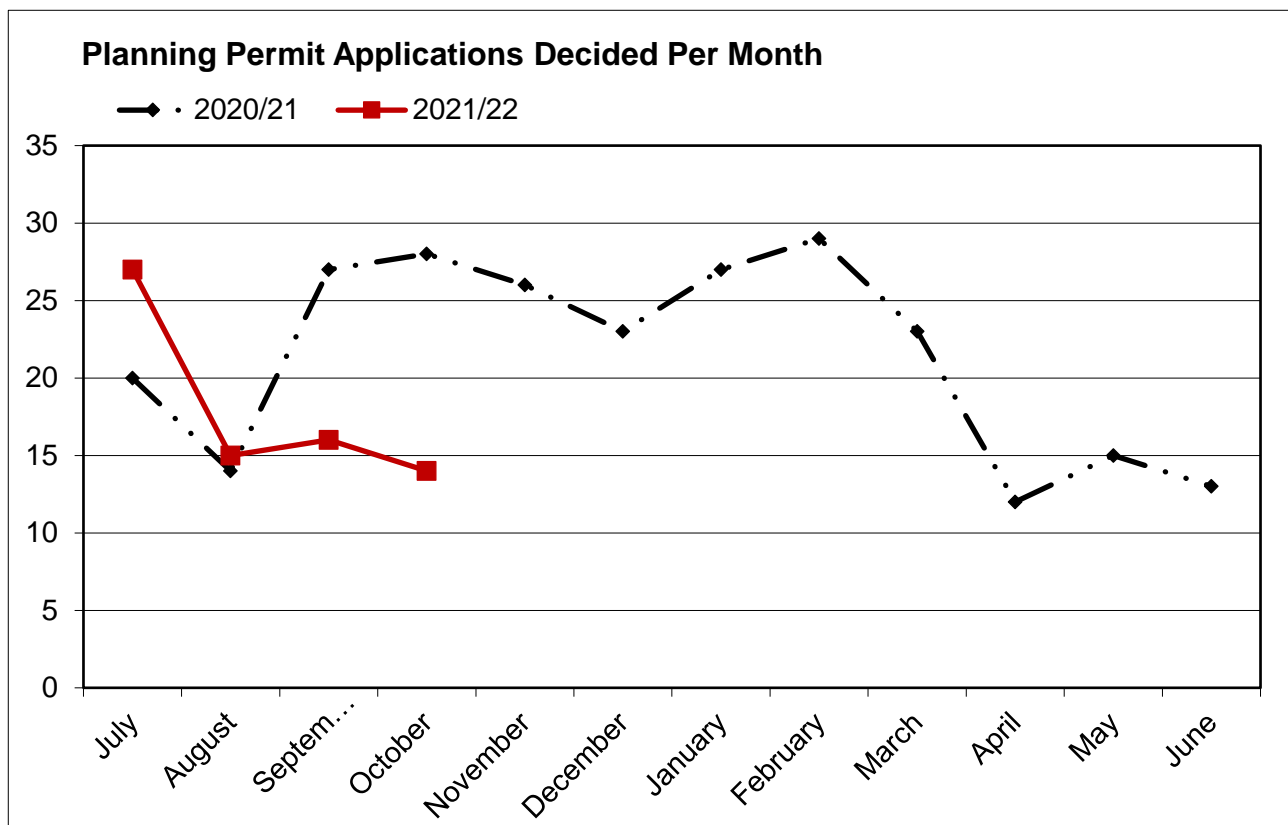
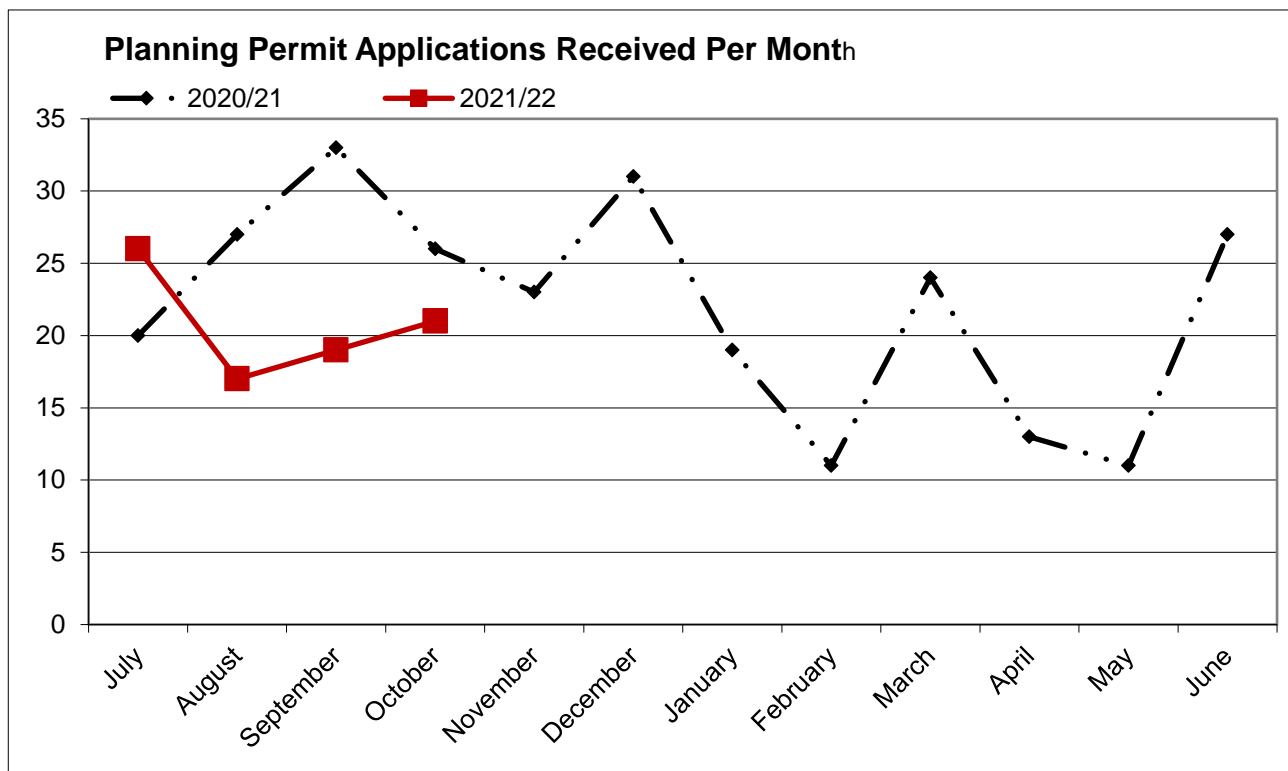
Planning Permit Applications determined by VCAT

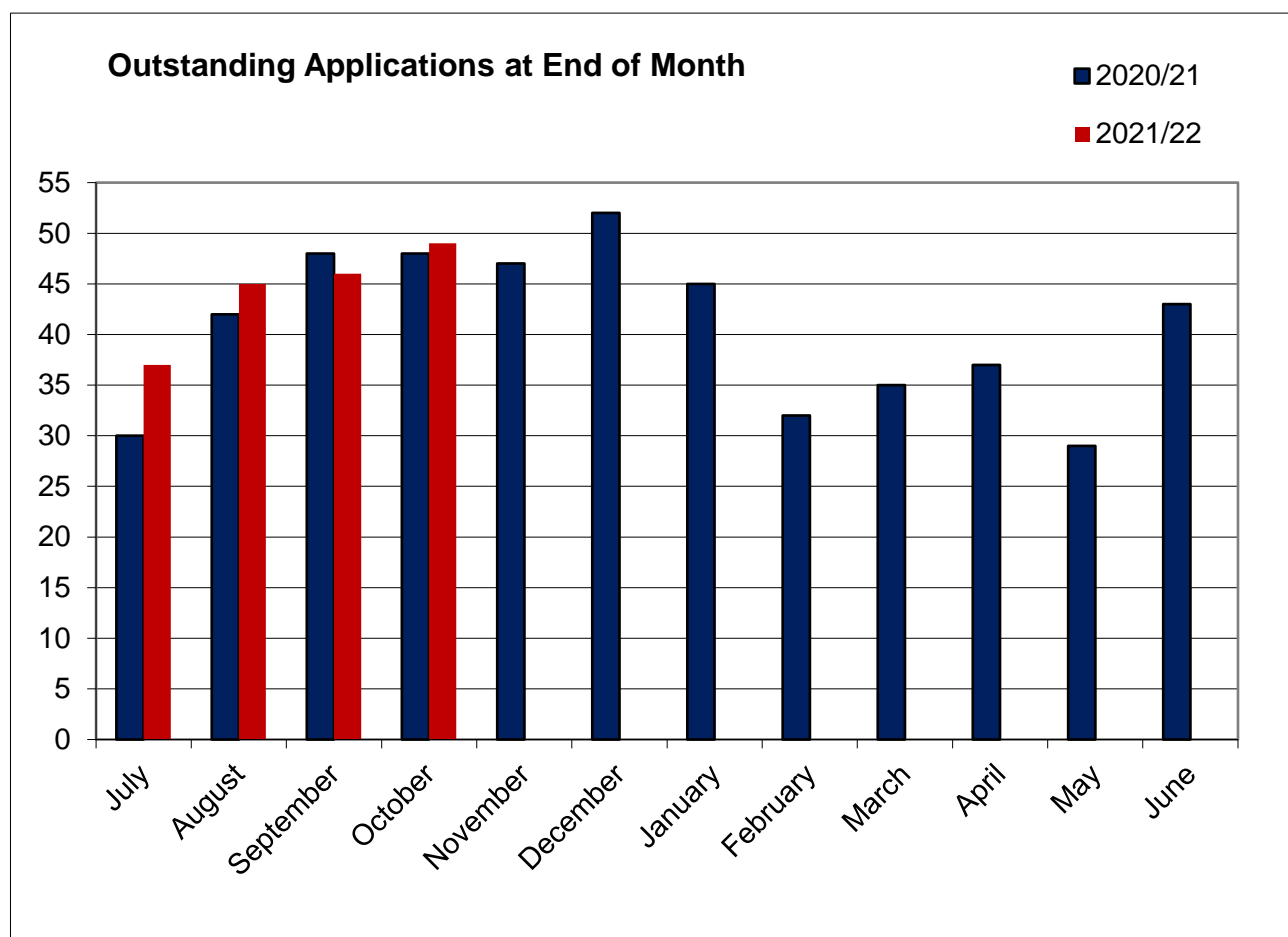
	File No	Description	Property Address	Decision
1	DA6888	Construction of seven double storey dwellings and a seven lot subdivision	71A Cowan Street, Benalla	Refused – Decision upheld

Matters before VCAT

DA3212/7	Buildings and works to construct additional capacity for the existing alcohol and drug rehabilitation service, 14 car parking spaces, a loading bay and associated internal access – 1619 Kilfeera Road, Molyullah
Status	<p>Planning Application No. P0130/20 was presented to a Planning and Development Committee meeting on 3 March 2021. At this meeting it was resolved to defer the decision of this application until a proposal is submitted and processed to amend the original planning permit issued at the direction of the Victorian Civil and Administrative Tribunal. The applicant has appealed the planning application to the Tribunal for review based on a failure to determine the application within the 60 day statutory timeframe. The planning application at the time of appeal was at 157 statutory days. A tribunal order dated 13 April 2021 details that a compulsory conference (mediation) has been set for 15 July 2021 with a main hearing date set for the dates of 27, 28 and 29 September 2021.</p> <p>A further tribunal order has since been received which vacates the Compulsory Conference on 15 July 2021 and schedules a practice day hearing for 30 July 2021.</p> <p>On 20 July 2021 the applicant lodged a further appeal with the Tribunal regarding a failure to determine the planning permit amendment lodged with regard to PD/02/00029.</p> <p>The practice day hearing on the 30 July 2021 heard procedural matters and how the main hearing should be conducted in future. The Tribunal ordered on 2 August 2021 that the matters regarding the buildings and works and amendment of the permit will remain separate, however will be heard and determined together in the same hearing on 27, 28 and 29 September 2021.</p> <p>The Tribunal hearing was held on the dates mentioned above with Council representatives, applicant representatives and objectors in attendance. A decision from the tribunal members has been deferred to a later date possibly following an inspection of the site by the tribunal members.</p>

Planning Permit Applications





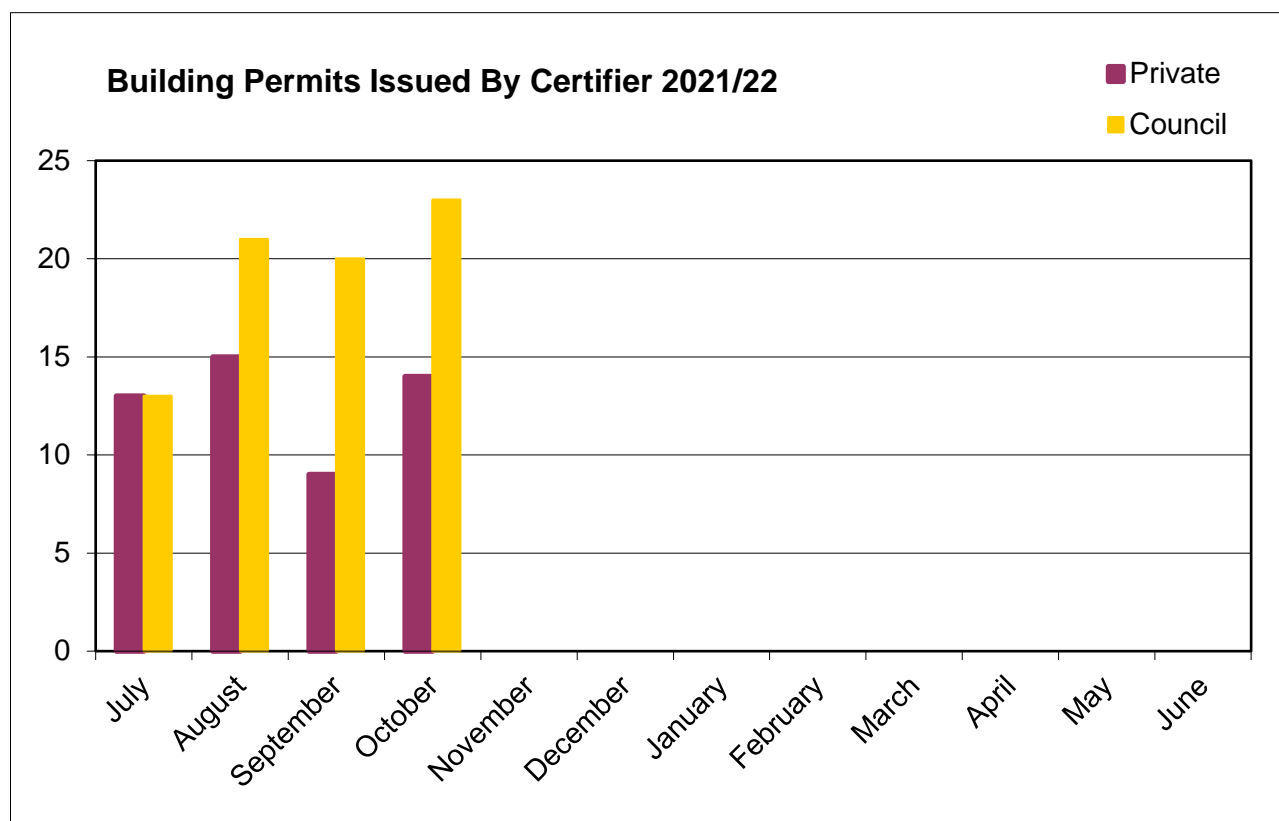
Building Approvals Issued by Council and Private Practitioners

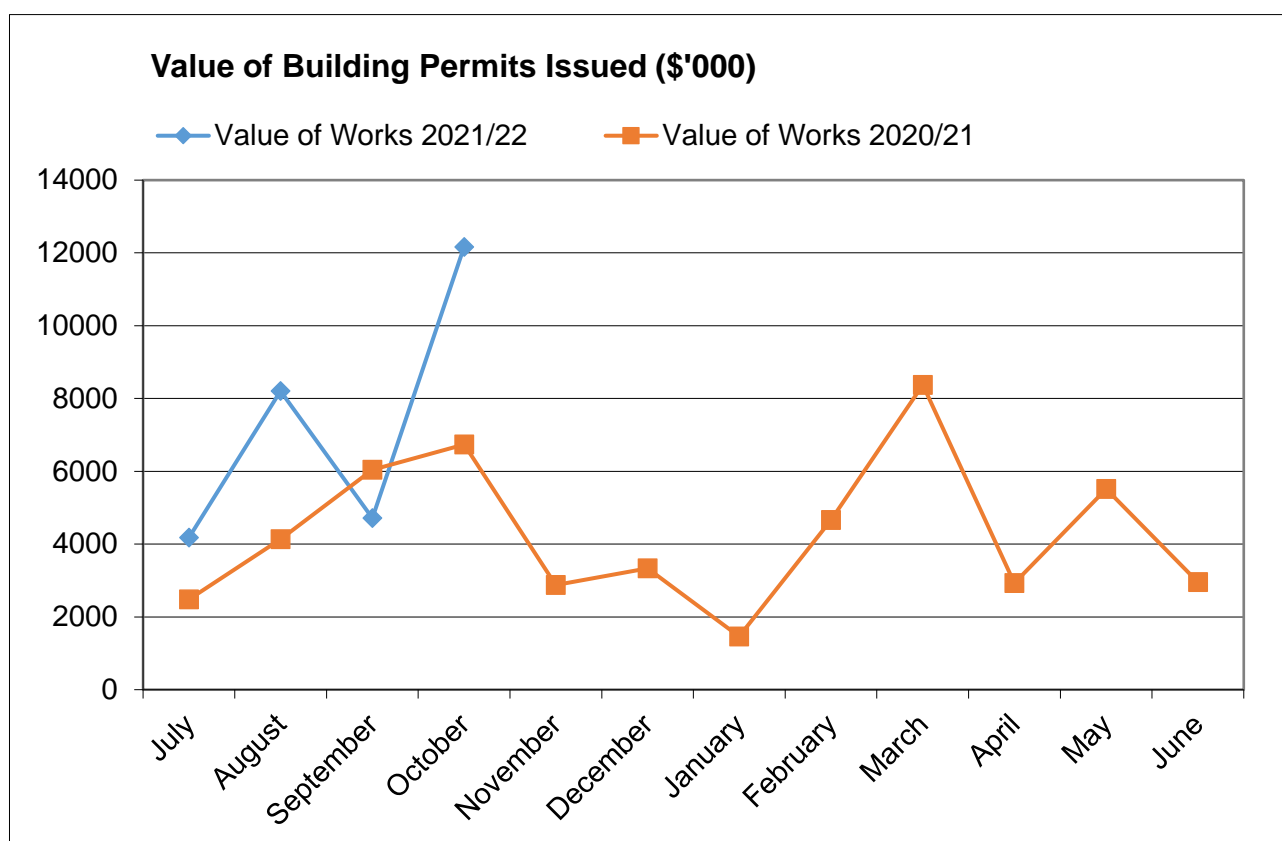
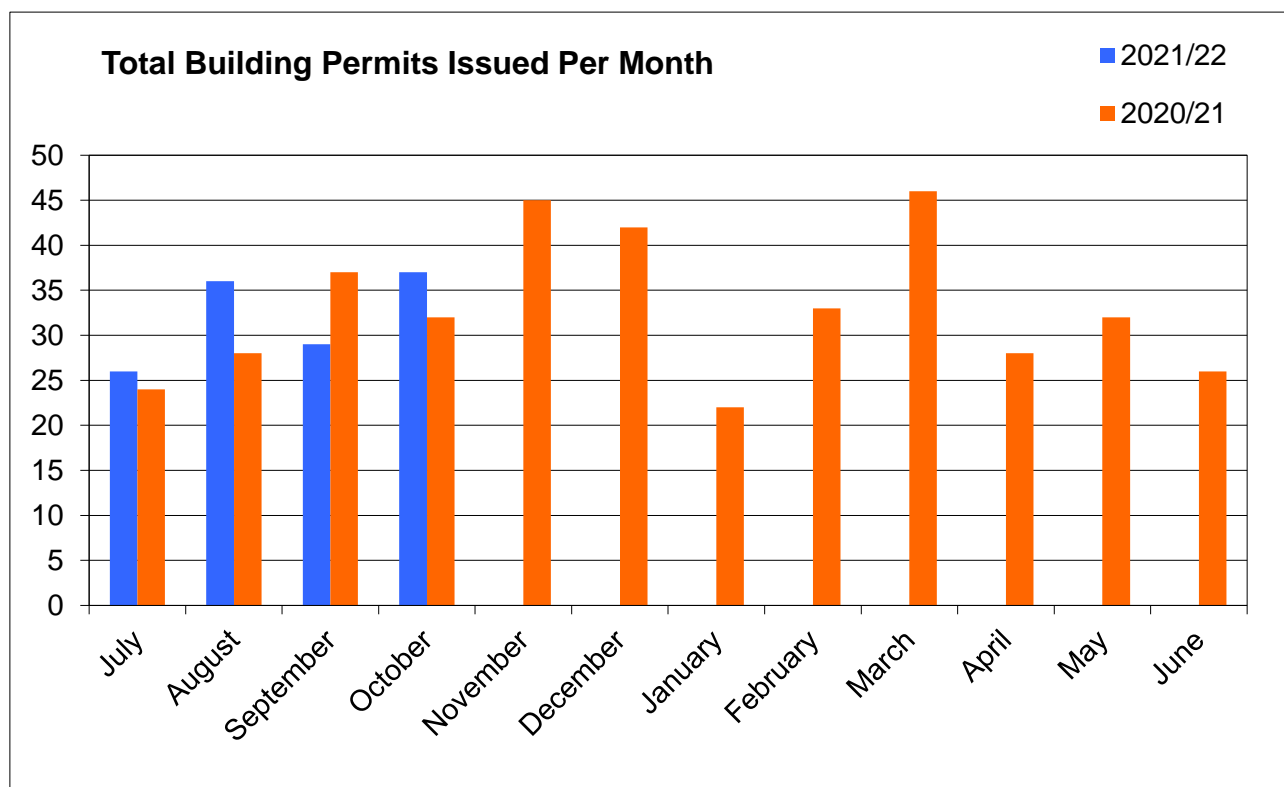
	File No	Description	Property Address	Value
1	DA5756	Construction of shed	82 Rayner Road, Upper Lurg	\$15,000
2	DA7258	Re-stump dwelling	26 Coster Street, Benalla	\$12,000
3	DA7265	Construction of farm shed	221 Swanpool Warrenbayne Road, Warrenbayne	\$24,300
4	DA6794	Construction of shed	82 Dennis Road, Benalla	\$25,000
5	DA758/6	Construction of STEAM centre (Benalla P-12 College)	20 Faithfull Street, Benalla	\$4,493,132
6	DA6858	Construction of swimming pool and safety barrier	63 Molyullah Tatong Road, Molyullah	\$76,500
7	DA6089	Construction of three carports	689 Burness Road, Tarnook	\$9,835

	File No	Description	Property Address	Value
8	DA5645	Construction of carport and verandah	10 Crammond Street, Benalla	\$15,890
9	DA6993	Re-stump dwelling	50 Cecil Street, Benalla	\$11,253
10	DA4399	Construction of farm shed	283 Kealy Road Benalla	\$29,450
11	DA6804	Dwelling extension, carport, deck/verandah	91 Church Street, Benalla	\$176,299
12	DA2154	Internal alterations	19 Bridge Street West, Benalla	\$261,657
13	DA7199	Construction of dwelling and garage	24 Cowan Street, Benalla	\$621,525
14	DA7236	Insurance repair – Tree impact repairs to pool house and reconstruct shed	8 Carrier Street, Benalla	\$31,914
15	DA7248	Re-stump dwelling	26 Goomalibee Street, Benalla	\$9,700
16	DA7249	Re-stump dwelling	6 Afton Avenue, Benalla	\$8,470
17	DA6620	Construction of shed	652 Greta Road, Glenrowan West	\$8,000
18	DA6900	Construction of dwelling and garage	33 Barkly Street, Benalla	\$320,203
19	DA7244	Construction of shed	81 Peck Road, Goorambat	\$21,430
20	DA6031	Construction of shed	355 Sydney Road, Benalla	\$40,929
21	DA7245	Construction of carport	115 Coish Avenue, Benalla	\$10,091
22	DA7259	Construction of swimming pool and safety barrier	147 Upper Taminick Road, Glenrowan West	\$13,900
23	DA4851	Construction of spa and safety barrier	11 Ironbark Drive, Benalla	\$8,500
24	DA7250	Construction of swimming pool and safety barrier	352 Kennedy Lane, Lurg	\$15,454
25	DA6996	Construction of verandah	9 Levy Court, Benalla	\$11,990
26	DA7118	Construction of three dwellings and one carport	25 Dunn Street, Benalla	\$873,172
27	DA7256	Construction of patio	9 Levy Court, Benalla	\$20,350
28	DA7196	Construction of dwelling	11 Levy Court, Benalla	\$430,465
29	DA5260	Construction of shed	6 Griffiths Lane, Benalla	\$14,000

	File No	Description	Property Address	Value
30	DA6874	Construction of dwelling and garage	130 Faithfull Street, Benalla	\$396,961
31	DA6653	Construction of farm shed	231 North Road, Benalla	\$20,000
32	DA5471/2	Alterations and additions to FCJ College	36 Arundel Street, Benalla	\$1,722,518
33	DA1912	Construction of shed	28 Noarana Drive, Benalla	\$15,500
34	DA5946	Construction of swimming pool and safety barrier, and deck	43 Lakeside Drive, Chesney Vale	\$15,750
35	DA5881	Construction of dwelling	10 Golden Vale Road, Benalla	\$110,000
36	DA2443	Dwelling extension	31 Deas Street, Benalla	\$95,018
37	DA5890/2	Slab to completion of funeral home	81 Baddaginnie Benalla Road, Benalla	\$2,180,000
Total				\$12,166,156

Building Permits Issued by Certifier by month





COUNCIL PLAN 2021-2025 IMPLICATIONS**Community**

- *A healthy, Safe and resilient community.*
- *A connected, involved and inclusive community.*

Livability

- *Vibrant public spaces and places.*
- *Connected and accessible roads, footpaths, transport and parking.*

Economy

- *Population growth.*

Environment

- *Healthy and protected natural environment.*

Leadership

- *Good governance.*

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflicts of interest in this matter.

Recommendation:

That the report be noted.

Closure of Meeting