

Future Nillumbik Committee

to be held at the Civic Centre, Civic Drive, Greensborough
on Tuesday 17 October 2017 commencing at 7pm.

Agenda

Mark Stoermer
Chief Executive Officer

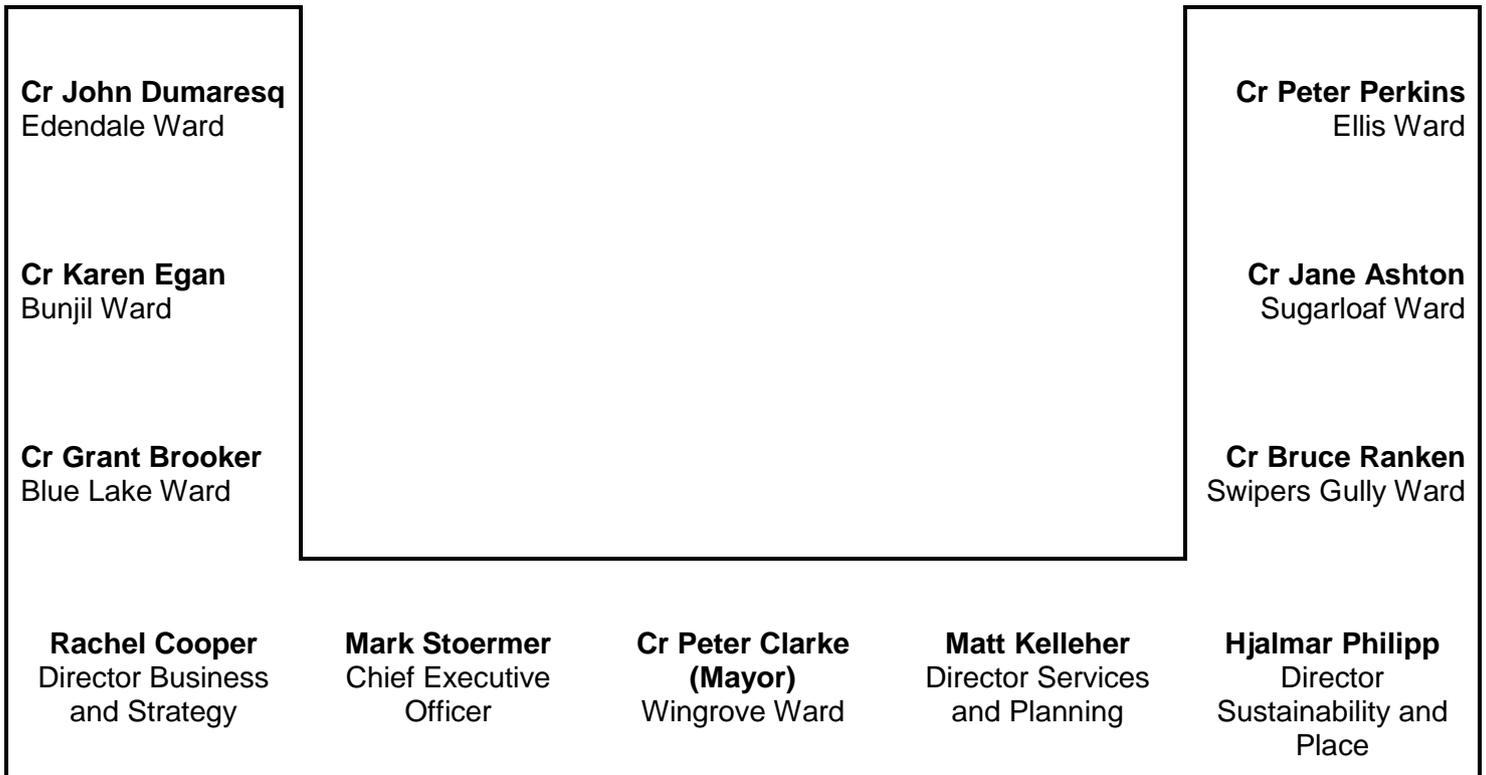
Thursday 12 October 2017

Distribution: Public

Civic Drive, Greensborough
PO Box 476, Greensborough 3088
Telephone 9433 3111
Facsimile 9433 3777
Website www.nillumbik.vic.gov.au
Email nillumbik@nillumbik.vic.gov.au

Wominje ka

Future Nillumbik Committee seating plan



Visitors in the gallery at Committee meetings are:

- Welcome to copies of the various reports which will be considered by this Committee at the meeting. These are on the table in the foyer.
- Welcome to tea, coffee and water. These are on the table in the foyer near the Council Chamber entry.
- Requested to observe deliberations quietly in order for Committee meetings to run smoothly.
- Advised that the meeting will be recorded and an audio recording of the meeting will be made publicly available on Council's website.

Nillumbik Shire Council

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Nillumbik Shire Council

Agenda of the Future Nillumbik Committee Meeting to be held Tuesday 17 October 2017 commencing at 7pm.

1. Welcome and apologies

Welcome by the Chair

Advised that the meeting will be recorded and an audio recording of the meeting will be made publicly available on Council's website.

Apologies

Motion

That the apologies be accepted.

2. Disclosure of conflicts of interest

Committee members should note that any disclosure of conflict of interest must be disclosed immediately before the item in which they have an interest.

3. Confirmation of minutes

Confirmation of minutes of the Future Nillumbik Committee Meeting held on Tuesday 12 September 2017.

Motion

That the minutes of the Future Nillumbik Committee Meeting held on Tuesday 12 September 2017 be confirmed.

4. Officers' reports**FN.041/17 Draft Domestic Animal Management Plan 2017-2021, Hearing of Submissions**

Portfolio: Environment and Sustainability
Distribution: Public
Manager: Matt Kelleher, Director Services and Planning
Author: Phil Lovelace, Manager Community Safety

Summary

In accordance with the *Domestic Animals Act 1994* Council must develop a new Domestic Animal Management Plan (DAMP) by November 2017, undertaken on a four year cycle.

A draft Plan was adopted by Council at its August Ordinary Meeting and subsequently placed on public exhibition for a four week period during September. Additional consultation was conducted including a direct mail out to all residents who completed the original survey as well as text messages to all registered pet owners. The draft Plan was promoted via the Council website and an advertisement in the Diamond Valley Leader newspaper.

Fifty-nine written submissions were received to the draft DAMP, of these there were 202 comments or suggestions. Officers are recommending that the DAMP be amended to reflect the input of seventeen of these comments. The remaining comments were supportive, already addressed or considered outside of the scope of the draft DAMP.

After considering the community feedback and any submissions from the Future Nillumbik Committee meeting, the draft Plan is proposed to proceed to Council's next Ordinary Meeting on 31 October 2017 for formal adoption.

As required under the *Domestic Animals Act 1994*, a copy of the adopted Plan will then be provided to the Secretary of the Department of Economic Development, Jobs, Transport and Resources.

Recommendation

That the Committee (acting under delegation from Council):

- 1. Receives and notes the submissions from the community on the Nillumbik Draft Domestic Animal Management Plan 2017-2021.**
- 2. Endorses the recommended changes in Attachment 1 to this report.**
- 3. Considers the Domestic Animal Management Plan 2017-2021 in its final iteration for adoption at the October Ordinary Meeting of Council.**

Attachments

1. Updated Domestic Animal Management Plan after public consultation
2. Extract of *Domestic Animals Act 1994* – section 68A
3. DAMP Submissions

4. Officers' reports**FN.041/17 Draft Domestic Animal Management Plan 2017-2021, Hearing of Submissions**

Background

1. In accordance with the *Domestic Animals Act 1994* (the Act), all Victorian councils must develop and adopt a Domestic Animal Management Plan (DAMP) every four years.
2. The specific requirements for a DAMP are contained within section 68A of the Act (Attachment 2) however the general purpose of the DAMP is to improve Council's animal management service for community benefit, address dog and cat overpopulation rates and reduce the risk of dangerous dogs.
3. The development of the draft DAMP included:
 - Benchmarking internal statistics against industry standards
 - Input from a community survey which was available to all residents (pet owners as well as non-owners) with Council receiving 842 completed surveys
 - Input from an internal staff working group.
4. The development of the draft DAMP included:
 - Input from an internal stakeholder working group of key departments across Council
 - Benchmarking performance against industry standards
 - Consultation with key industry groups including Getting to Zero (G2Z); the RSPCA, the Cat Protection Society (CPS), Australian Veterinary Association (AVA)
 - Consultation and community engagement including:
 - An online community survey and 'Have Your Say' submission link on Council's website, including the Living & Learning, Hurstbridge Hub and Edendale Farm pages, for all residents to complete (pet and non-pet owners)
 - 19,777 SMS messages were sent to residents encouraging participation
 - Flyers distributed throughout Council outstations, libraries and veterinarian practices
 - Correspondence posted and emailed directly to key Community Groups
 - A series of advertisements placed on social media platforms Facebook and Twitter and in the *Diamond Valley Leader* and *Whittlesea Crier*.
5. As a result of the above community consultation process, Council received 842 responses to the survey and 18 written submissions.
6. On 29 August 2017 Council endorsed the draft DAMP for further community consultation for a period of one month (between 1 September and 30 September).

4. Officers' reports

FN.041/17 Draft Domestic Animal Management Plan 2017-2021, Hearing of Submissions

Policy context

7. This report directly supports the achievement of Council Plan 2017-2021 strategy 3.4 Promote responsible pet ownership and Priority Action 3.4.1 Review and implement the Domestic Animal Management Plan.

Budget implications

8. The cost to produce the draft Plan has been \$20,000 which includes consultancy and advertising costs.
9. Variations to annual operating budgets may be required in the future due to increase registration compliance and education/enforcement programs.

Consultation/communication

10. After formal adoption of the draft DAMP by Council in August, a similar approach was taken to further consult with the community which included.
- 19,777 SMS messages sent to residents inviting them to review and comment on the Draft DAMP with a link to our website.
 - Promoting the draft DAMP on 'Have Your Say' submission link on Council's website, including the Living & Learning, Hurstbridge Hub and Edendale Farm pages.
 - Draft DAMPs being distributed to Council outstations and libraries.
 - Direct email to 293 survey respondents who requested further information when the draft was developed.
11. As a result of this process, 59 submissions were received, of these there were 202 comments/suggestions. Officers recommend that 17 of these comments/suggestions be used to amend the draft DAMP. The remaining comments were considered to be already addressed within the draft DAMP, or are outside of the scope of the draft Plan.

Issues/options

12. The key themes from the feedback were:

Key themes	No.	% of total comments/suggestions
Dog off-leash areas	19	9.4
Cat confinement	9	4.4
Dog excrement	6	3.0
Nuisance barking	5	2.5
Other animals (fox, rabbits, goats etc)	5	2.5
Animal welfare	5	2.5

4. Officers' reports

FN.041/17 Draft Domestic Animal Management Plan 2017-2021, Hearing of Submissions

Key themes	No.	% of total comments/suggestions
Pet education	4	2.0
Permits for number of dogs	3	1.5
Euthanasia rates	3	1.5
Family violence	2	1.0

13. The main issue raised by submitters related to the provisions of dog off-leash areas/dog parks, which is addressed in Action 19 of the draft DAMP. Cat confinement was also noted as an issue which is addressed in Actions 8, 10, 16 and 17. A detailed list of comments/suggestions is included in Attachment 3.
14. The specific amendments to the draft DAMP were as follows;

Page	Reference	Amendment
2	Position Statement	The reference to 'animals' in the Position Statement was amended to 'domestic animals'.
5	1.2.2	Included the following Key References: 1. Green Wedge Management Plan 2. Nillumbik Planning Scheme
5	Stakeholder list	Added Dogs Victoria to the Stakeholder list.
9	Section 7 dot point 3	Amended the word 'animals' to 'domestic cats and dogs'
10	8.1.1	Removed reference to animal welfare issues outside of the Shire.
11	Action 2	Added the following wording 'and other organisations that meet the Code of Practice'
11	Action 3	Amended to include wording 'social media platforms'.
14	Action 9	Amended to read 'Liaise with animal behaviorist to consider options available to assist with the reduction of barking dog complaints'
14	8.4.1 last dot point	Included the following wording. 'It is acknowledged that other domestic animals, livestock and wildlife may be victims of dog attacks.'

4. Officers' reports

FN.041/17 Draft Domestic Animal Management Plan 2017-2021, Hearing of Submissions

Page	Reference	Amendment
14	Action 9	Amended to read 'Liaise with animal behaviorists to consider options available to assist with the reduction of barking dog complaints.'
15	8.5.1	Corrected the spelling of word 'violation', within the Menacing Dog definition.
16	Action 16	Included the words 'animal rescue groups'
18	8.8	Amended to dog off-leash areas – Eltham 4, Eltham Lower 1, Greensborough 1, Hurstbridge 1, Eltham East 1, Diamond Creek 2, Research 1, Kangaroo Ground 1
19	Section 8.9	Replaced the words 'domestic violence' with 'family violence'

15. There were also a number of suggestions in relation to the Amenity Local Law requirement for a permit to keep more than two dog and/or two cats for larger rural properties. This will be further considered at the Ordinary Meeting of Council on 31 October 2017.

Conclusion

16. There is a wealth of research and evidence reinforcing the positive benefits from owning pets. There is also much research available on the health benefits of owning and exercising a dog, particularly the social dynamics associated with dog owners interacting. The draft DAMP has identified a number of recommendations which will further support and enhance these benefits.
17. Following the adoption of this draft DAMP, the first annual action plan will be developed.
18. The DAMP will be reviewed annually in accordance with the Act.
19. The final version of the DAMP, including any changes recommended at the Future Nillumbik Committee will be referred to Ordinary Meeting of Council on 31 October 2017.

4. Officers' reports

FN.042/17 Councils and Emergencies Position Paper

Portfolio: Infrastructure

Distribution: Public

Manager: Allison Watt, Manager Governance

Author: Justin Murray, Executive Officer Emergency Management

Summary

Emergency Management Victoria (EMV) has developed the 'Victorian Emergency Management Strategic Plan 2016-2019'. Priority B of this plan is to: Enhance the capability of Local Governments to meet their obligations in the management of emergencies.

Local Government Victoria (LGV) prepared a 'Councils and Emergencies Position Paper'. The intent of this paper is to clarify Local Governments' role in emergencies. This paper is an updated version of the 'Councils and Emergencies Directions Paper' that was published in January 2017.

The 'Councils and Emergencies Position Paper' has been released for consultation. LGV is seeking feedback on this document by 20 October 2017.

The Municipal Association of Victoria (MAV), in its submission to the regarding the 'Councils and Emergencies Directions Paper', made a number of recommendations to better define Councils' role. This submission was endorsed by Nillumbik Shire Council at its Ordinary Council meeting on the 2 May 2017.

Given the short timelines for consultation MAV has strongly recommended that Councils make direct submissions to LGV.

This report seeks Council's endorsement of Nillumbik Shire Council's submission.

Recommendation

That the Committee (acting under delegation from Council) endorses Council's submission to the Councils and Emergencies Position Paper in Attachment 1 and instructs officers forward it to Local Government Victoria.

Attachments

1. Submission: Councils and Emergencies

Background

1. Emergency Management Victoria (EMV) has developed the Victorian Emergency Management Strategic Plan 2016-2019. Priority B of this plan is to: Enhance the capability of Local Governments to meet their obligations in the management of emergencies.
2. To meet this priority, Local Government Victoria (LGV) is leading the 'Councils in Emergencies' Project.
3. The Councils and Emergencies Project will run for three years and has three phases:
 - Phase 1 is identifying and agreeing councils' current emergency management responsibilities and actions.

4. Officers' reports

FN.042/17 Councils and Emergencies Position Paper

- Phase 2 will assess the capability and capacity of the local government sector, to determine capability and capacity gaps (in terms of skills and expertise) that prevent it from adequately discharging its emergency management responsibilities and taking emergency management action.
 - Phase 3 will develop strategies and plans to address emergency management capability and capacity gaps.
4. As part of phase 1, LGV has produced a position paper to describe councils' role in emergencies.
 5. This position paper is an updated version of the 'Councils and Emergencies Directions Paper'.

Policy context

6. This report directly supports the achievement of Council Plan 2017-2021 strategy:
 - Meet Council's responsibilities for emergency management.

Budget implications

7. There is no budget impact related to the consideration of and response to the LGV Directions Paper.
8. Council's budget includes the allocation of funding to meet its emergency management responsibilities. Changes to emergency management arrangements at the state level have potential impact on degree of funding required to meet these obligations.

Consultation/communication

9. This report has been compiled following consultation with Council staff with emergency management responsibilities, emergency management staff from other councils and the Municipal Association of Victoria (MAV).

Issues/options

10. As part of the Councils in Emergencies Project, Local Government Victoria has produced a 'Councils and Emergencies Positions Paper'.
11. This paper is an updated version of the 'Councils and Emergencies Directions Paper.' Feedback is being sought from local government and the emergency management sector to confirm, or suggest amendments to how the roles and responsibilities of councils are described.
12. Nillumbik Shire Council endorsed the MAV's submission to the original directions paper. In its submission MAV expresses a number of concerns and made a number of recommendations including:
 - In listing the roles of local government there should be a delineation of core requirements and non-core requirements and that core requirements should be specific, not general statements. They should be derived from legislation or statutory documents only- not guidance documents or policies or plans with a lesser status. Furthermore they should be quoted verbatim so there is less chance of misinterpretation.

4. Officers' reports

FN.042/17 Councils and Emergencies Position Paper

- Core requirements should also be achievable, irrespective of the size or resources available to the council. Compliance should not be reliant on grant funding.
13. These recommendations have not been included in the updated document.
 14. The 'Councils and Emergencies Position Paper' fails to provide the clarity of responsibilities that would enable the project to proceed meaningfully to stage 2 which is about assessing councils against these responsibilities. Further to this there is a stage missing between identifying these responsibilities and then assessing councils. This stage would be to identify the skills and competencies required to undertake these responsibilities.
 15. While the introductory text attempts to clarify what is a 'responsibility' and what is an 'activity' the table of responsibilities/activities could be taken as this is what all councils should be doing. What are described as 'identified practice' items are included even if this a current practice 'of one or more councils'.
 16. The descriptions of Council responsibilities are sometimes direct quotes from the source i.e. the legislation or Emergency Management Manual Victoria (EMMV). At times these descriptions have been reworded. In some instances giving the impression that Councils have greater responsibility than they actually have. For example: Council responsibility/ activity No 22: 'Test, exercise and evaluate relief and recovery plans' is a responsibility of a Municipal Emergency Management Planning committee, not just Council.
 17. Also, at times the descriptions are not accurate. For example No 60 'Coordinate the housing of displaced, lost and stray companion animals and livestock (other than wildlife).' The Department of Economic Development, Jobs, Transport and Resources is the lead agency.
 18. Some listed activities are very specific and others very general or vague such as: 'Encourage and assist the community to participate in emergency management awareness programs.'
 19. The paper would benefit from being more specific as to the responsibilities of all councils under the current legislation. Given that the intent of this paper is to inform phase 2 of the project, the success of the entire project is dependent on this happening.

Conclusion

20. The 'Councils and Emergency Position Paper' does not provide clarity as to what Council's role is or should be in an emergency. As such it should not be considered to be an agreed position as to Councils' role.
21. It is recommended that Council endorses the attached submission to be forwarded to Local Government Victoria.

Future Nillumbik Committee agenda

17 October 2017

- 5. Supplementary and urgent business**
- 6. Confidential reports**

Nil