



**MORNINGTON
PENINSULA**
Shire

ATTACHMENTS

COUNCIL MEETING

TUESDAY, 1 JULY 2025

6:30PM

**MUNICIPAL OFFICES
BESGROVE STREET, ROSEBUD**

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4 COMMUNITY STRENGTHENING**4.6 Community Investment Funding (CIF) Programs and Eligibility 2025-2029****Attachment 1 CIF 2025-2029 Programs..... 117****Attachment 2 CIF General Eligibility 123****4.7 Draft Domestic Animal Management Plan 2026-2029****Attachment 1 Draft Domestic Animal Management Plan 2026-2029..... 133****Attachment 2 Domestic Animal Management Plan 2021-2025 170**

Councillor Briefing Sessions



Briefing Date: 10 June 2025

Time: 6.30pm

Location: Municipal Offices, Rosebud

Councillors Present (please tick)

- ☒ Cr Roper ☒ Cr Patton ☒ Cr Marsh ☒ Cr Binyon ☐ Cr Gill ☒ Cr Batty
☒ Cr Ranken ☒ Cr Allen ☒ Cr Pingiaro ☒ Cr Williams ☒ Cr Stephens

The matters listed below were presented at the Councillor Briefing Session

Item No	Item
1	<p>BN2059 – Adoption of the 2025/2026 Annual Budget</p> <p>Councillors were presented with the Proposed 2025/2026 Annual Budget, which is scheduled for adoption at the Council Meeting on 17 June 2025. The budget was developed through a structured process involving rates and revenue, operating expenditure, and capital works and projects. Key milestones include the adoption of a 3% rate cap and fees and charges on 8 April 2025, endorsement of the Financial Performance Statement for the purposes of estimating funds available for Capital Works and Operating Projects, adopted Community Investment Funding budget and deferred 2024/25 borrowings from 2024/25 to 2025/26 on 6 May, and adoption of capital works and operating projects on 20 May.</p> <p>Following the 6 May meeting, the draft operating budget was amended to reduce employee costs by \$5 million, increase service planning efficiencies by \$2 million, and include a \$16,560 increase to the Community Investment Funding program. After the 20 May meeting, additional amendments included allocations for traffic safety programs, the Dromana Bowls Club rectification project, a community safety project, and an additional \$300,000 for the Local Areas Community Capital Infrastructure Grants Program.</p> <p>These changes leave a balance of \$5.159 million in unallocated funds, which will be considered in the mid-year reforecast. A final review of fees and charges was completed following the awarding of contracts to Belgravia Leisure. This review resulted in a \$0.10 increase to one fee, the addition of 19 new fees, and the reduction of five fees to \$0. These changes are included in the updated schedule of user fees and charges to be presented alongside the budget on 17 June 2025.</p>
2	<p>Planning Updates</p> <p>Councillors were briefed on an upcoming report on Planning Permit Application P22/2377 for a proposed telecommunications facility near the Lonsdale Street on-ramp to the Mornington Peninsula Freeway in McCrae. The development includes a 27.4-metre monopole with 4G and 5G antennas, an equipment compound, security fencing, and a vehicle access slip lane. The facility aims to improve service for Optus and Vodafone in McCrae and northern Rosebud. Public notice of the application resulted in 51 objections, citing concerns about the facility's necessity, location, height, visual and environmental impact, property devaluation, and inadequate consultation. Despite objections, the proposal is deemed consistent with planning requirements, and it is recommended that Council support the application and issue a Notice of Decision to Grant a Permit with conditions.</p>

Councillor Briefing Sessions



3	<p>BN2066 – Waste Contracts Extensions – CN2199 Operation of Transfer Stations, Waste Hoppers and Rye Landfill & CN2391 Provision of a Landfill Facility to Receive Solid Inert Municipal Waste</p> <p>Councillors were advised on the need to extend two waste management contracts related to the operation of Rye Landfill and associated transfer stations. Originally scheduled to close in June 2025, the landfill's operational life is expected to be extended by 12–24 months due to changes in EPA capping requirements and a pending license amendment.</p> <p>Retendering the contracts during this uncertain period is considered unviable due to cost and market interest concerns. Council approval is being sought to allow up to four 6-month extensions, delegated to the CEO, to align contract timelines with the landfill's closure. Continuing operations at Rye avoids higher disposal and transport costs estimated at nearly \$3 million annually and ensures the effective use of an existing asset. All costs will be covered under current waste budgets and offset by income from Resource Recovery Centres and landfill operations.</p>
4	<p>BN2061 – Community Investment Funding Programs Guidelines</p> <p>Councillors were briefed on the Community Investment Funding (CIF) programs and eligibility criteria for 2025–2029, ahead of formal adoption on 1 July 2025. The CIF Program supports grants, subsidies, and sponsorships aligned with Council priorities to build community capacity and resilience.</p> <p>Budget allocations for 2025–2026 total \$3,999,750 and span categories including environmental sustainability, community cohesion, safety, infrastructure, and tourism economic development. Some programs have been discontinued, such as the Friends of Los Palos Subsidy and the Mayoral Emergency Fund. Multi-year commitments have reduced available sponsorship funds to \$225,000. Upon adoption, it is proposed that the CEO be delegated authority for implementation, and the program is expected to open to the community on 13 July 2025.</p> <p>Funding, outside the community Investment Funding Policy, has been discontinued, such as the Friends of Los Palos Subsidy and the Mayoral Emergency Fund.</p>
5	<p>BN2065 – Procurement of Retail Energy – Opportunity to Participate in Collaborative Tender</p> <p>Councillors were informed of the opportunity to join a collaborative procurement process for retail energy led by Procurement Australia on behalf of 27 Councils. The Shire's current energy contracts are nearing expiry, requiring new agreements. Participating in the joint tender is expected to deliver better pricing than an individual tender, due to aggregated energy volumes. While electricity pricing is stable and may slightly increase for large sites, gas pricing has dropped significantly, with large gas expected to be 40% cheaper. The proposed agreements cover 356 sites and are projected to cost \$900,000 annually, with estimated annual savings of \$330,000. A formal decision to participate will be sought at the 17 June 2025 Council meeting, where four contracts will be proposed for approval, each varying in term and value depending on site type and energy usage.</p>

The matters listed below were provided as non-verbal updates

Item No	Item
1	BN2062 – Response to Councillor Amendment – CEO Delegation Report (8 May 2025)

Councillor Briefing Sessions



	<p>Councillors were provided with a report addressing the practicability of implementing a Council approval process for any budget overruns exceeding 10% on projects over \$100,000, following an amendment adopted on 8 April 2025. Shire officers have reviewed the proposal and concluded that such a process would be unnecessary and potentially harmful to project delivery and public safety. Council already has strong oversight mechanisms through midyear re-forecasts, quarterly reporting, and weekly updates.</p> <p>Additional approval requirements could delay projects, increase costs, reduce responsiveness to emergencies, and harm Council's reputation. Officers recommend maintaining the current delegation and reporting frameworks, which are considered sufficient for transparency and financial control.</p>
2	<p>BN2063 – Draft Australia Day Local Awards – Selection Panel Terms of Reference and Procedure Update</p> <p>Councillors were provided with the updated Terms of Reference for the Australia Day Local Awards Selection Panel, incorporating feedback from meetings held in December 2024 and April 2025. The updates aim to improve clarity, structure, and consistency in the awards process.</p> <p>The Panel, made up of community members and Council representatives, assesses nominations and recommends award recipients. Key changes include clearer roles and responsibilities, a more structured application of selection criteria, improved transparency, an earlier nomination period starting 1 July, and increased community engagement by Panel members. The updated Terms of Reference will be finalised after Councillor feedback and presented for formal adoption on 17 June 2025.</p>
3	<p>BN2064 – Correction to Council Resolution – Community Asset Maintenance Services Tender Recommendation Reports</p> <p>Councillors were provided with a report outlining administrative corrections required for several contracts awarded under the Future Maintenance Services project, which were previously approved based on annual spend instead of total contract value with contingencies. This affected five contracts, including Roads Corridor, Open Spaces, Tree Management, Bushland Management, and Cleaning Services. The correction is necessary to align with standard procurement practices and ensure efficient contract administration.</p> <p>The future Council report will seek Council approval for the revised total spend on interim Carpentry Services and After-Hours Support, which exceeds the CEO's financial delegation due to an expanded scope. These changes do not alter the scope or terms of the contracts but ensure proper financial and operational management. The corrected resolutions will be presented for approval at the 1 July 2025 Council Meeting.</p>

Conflict of Interest Disclosures (refer overleaf):

Matter No.	Name of Councillor/s who declared a Conflict of Interest	Did they leave the Briefing?	
		YES	NO
		<input type="checkbox"/>	<input type="checkbox"/>

Responsible Officer completing this form:

Name: Tegan Lewis

Signature:

Position: Senior Council Reports Officer

2019 Council Decision Register

Printed on

23-June-2025



In Progress
No Action Yet
Completed
No Further Action

Count of Status	Column Labels							
	Number of Decisions COMPLETED	Number of Decisions IN PROGRESS	Number of No Further Action Required	Number of 2019 Council Decisions	Percentage of Decisions In Progress	Percentage of No Further Action Required	Percentage of Decisions No Update	Percentage of Decisions COMPLETED
Row Labels								
Chief Executive Officer	2		6	8	0%	75%	0%	25%
Finance	15		4	19	0%	21%	0%	79%
Governance	28		6	34	0%	18%	0%	82%
Infrastructure Project Delivery	2			2	0%	0%	0%	100%
Infrastructure Strategy & Climate Change	30		2	32	0%	6%	0%	94%
Environment Protection	8			8	0%	0%	0%	100%
Aged & Disability	3			3	0%	0%	0%	100%
Communications, Media & Events	3			3	0%	0%	0%	100%
Planning Services	9			9	0%	0%	0%	100%
Family Services & Community Planning	15		2	17	0%	12%	0%	88%
Project Delivery	8			8	0%	0%	0%	100%
Infrastructure Services	17		1	18	0%	6%	0%	94%
Property & Strategy	28		2	30	0%	7%	0%	93%
Innovation & Advocacy	9			9	0%	0%	0%	100%
Arts & Culture	3			3	0%	0%	0%	100%
Planning & Building	1			1	0%	0%	0%	100%
Infrastructure Strategy	1			1	0%	0%	0%	100%
Libraries	1			1	0%	0%	0%	100%
Buildings & Facilities	1			1	0%	0%	0%	100%
Planning	1			1	0%	0%	100%	100%
Planning & Infrastructure		1		1	100%	0%	200%	0%
Number of 2019 Council Decisions	185	1	23	209				

Department	Number of 2019 Council Decisions	Number of Decisions COMPLETED	Number of Decisions IN PROGRESS	Number of Decisions NO UPDATE	Percentage of Decisions No Update	Percentage of Decisions COMPLETED
Planning Services	60	60	0	0	0%	100%









ACTIONS COMPLETED, IN PROGRESS AND OVERDUE BY BRANCH

● Outstanding ● Overdue ● Completed

Branch	Completed
Assets, Property & Building...	1
Property & Buildings Man...	1
Advocacy, Communication...	3
Assets & Infrastructure	4
Climate Change & Sustain...	21
Community Partnerships	6
Community Safety, Health ...	7
Community Services	8
Destination, Recreation & ...	9
Development Services	11
Finance	9
Governance & Risk	40
Information Technology	1
Infrastructure Projects	4
Infrastructure Services	12
Legal and Governance	3
Planning & Environment	2
Strategic & Infrastructure ...	40
Strategic and Infrastructur...	1
Transformation & ePMO	10

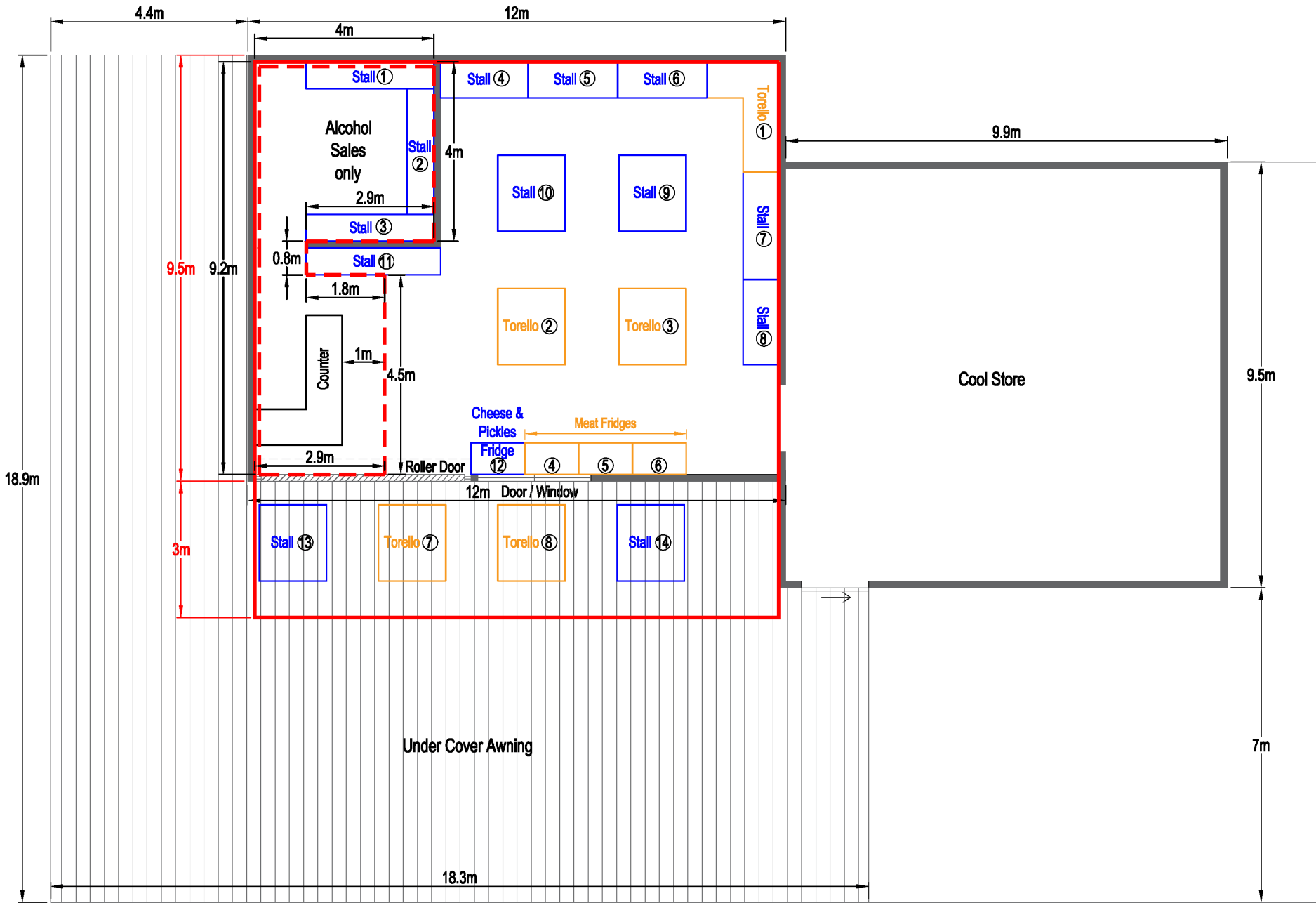


Actions Completed, In Progress and Overdue by Branch

● Outstanding ● Overdue ● Completed

Branch	Completed	In Progress	Overdue
Governance & Risk	33	0	4
Development Services	25	2	3
Infrastructure Services	5	0	3
Climate Change & Sustainability	7	0	2
Assets, Property & Buildings	4	0	1
Property & Buildings Management	1	0	1
Strategic & Infrastructure	37	0	1
Transformation & ePMO	10	0	1
Advocacy, Communication & Engagement	6	0	0
Assets & Infrastructure	5	0	0
Community Partnerships	11	0	0
Community Safety, Health & Wellbeing	11	0	0
Community Services	4	0	0
Community Strengthening	2	0	0
Customer & Transformation	1	0	0
Customer Experience	2	0	0
Destination, Recreation & Events	4	0	0
Finance	21	0	0
Information Technology	1	0	0
Infrastructure Projects	13	0	0
People & Culture	1	0	0
Planning & Environment	1	0	0
Programs & Project Management	2	0	0
Property & Commercial Services	8	0	0
Strategic and Infrastructure	2	0	0





- Note:**
- 1. No more than 25 percent:
 - of the floor area used for the display and sale of goods; and
 - of the total number of market stalls; may be used by any single entity, or group of associated entities, at any one time, for the sale of goods other than primary produce grown on the land or on adjacent land.
 - 2. Market and Torello Farm stalls will change in size and offerings subject to seasons and harvests."

- Display And Sales Floor Area (150m²)
- Market
- Primary Produce Sales
- Liquor Red Line Area (30m²)

Comments:
1- Prepared for planning purposes only.
2- Measurements are indicative only.
3- Prepared for proposal to incorporate alcohol sales as part of Amended Permit P18/0096.01
4- Liquor display and sales area nominated to include "a point of " sale consistent with Liquor License requirements.

Drawn By: AA	Scale A3 @ 1:100	Title: Indicative Shed Layout (Updated)
Checked By: GK	Version 15 (Mar, 2025)	Client: Torello Farm
Project - 17081		Land: 410 White Hill Road, Dromana



Form 4

PLANNING PERMIT	Permit No:	P18/0096
	Planning Scheme:	Mornington Peninsula
	Responsible Authority:	Mornington Peninsula Shire

ADDRESS OF THE LAND:

410 WHITE HILL ROAD DROMANA VIC 3936
LOT 1 TP 115798 VOL 9661 FOL 992


THE PERMIT ALLOWS:

USE OF THE LAND FOR MARKET, PRIMARY PRODUCE SALES AND
RURAL INDUSTRY, REDUCTION IN THE NUMBER OF CAR PARKING
SPACES REQUIRED, DISPLAY OF SIGNAGE, ALTERATION OF ACCESS
TO A ROAD ZONE CATEGORY 1 AND BUILDINGS AND WORKS IN
ACCORDANCE WITH THE ENDORSED PLANS

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Condition 1 to 20 inclusive

- 1A By 30 November 2021, amended plans and documents to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved and endorsed these plans and documents will then form part of the permit. The plan must be drawn to scale with dimensions. The plans must be generally in accordance with the submitted plans, but modified to show:
- (a) Notations indicating area/s to be used for market, primary produce sales and rural industry; and
 - (b) A notation that no more than 25 percent:
 - i of the floor area used for the display and sale of goods; and
 - ii of the total number of market stalls;

Date Issued:	Signature for the Responsible Authority:
19 March 2019	
	RORY MACDONALD - TEAM LEADER

Form 4


PLANNING PERMIT	Permit No:	P18/0096
	Planning Scheme:	Mornington Peninsula
	Responsible Authority:	Mornington Peninsula Shire

may be used by any single entity, or group of associated entities, at any one time, for the sale of goods other than primary produce grown on the land or on adjacent land.

- 1 Before the amended development and uses commence, amended plans and documents to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved and endorsed these plans and documents will then form part of the permit. The plan must be drawn to scale with dimensions. The plans must be generally in accordance with the submitted plans, but modified to show:
 - (a) Delineation of the entry/ exit is required by way of a centre line to separate the entry and exit sides of the accessway, and up/down arrows marked on the entry.
 - (b) Plans and elevations of the signage updated to include the sign above the entrance of the Market.
 - (c) Deletion of condiments.

Operation of use

- 2 Unless with the further written consent of the Responsible Authority, all produce displayed and sold on the land as part of the Primary Produce Sales use must be only grown on the land or on adjacent land in accordance with planning permit P18/0096, or any further planning approvals.
- 3 Unless with the further written consent of the Responsible Authority, the uses may only operate between the following hours:
 - 7am to 6pm Monday to Sunday
- 4 At all times, no more than 25 percent:
 - (a) of the floor area used for the display and sale of goods; and
 - (b) of the total number of market stalls,

Date Issued:	Signature for the Responsible Authority:
19 March 2019	
	RORY MACDONALD - TEAM LEADER

Form 4

PLANNING PERMIT	Permit No:	P18/0096
	Planning Scheme:	Mornington Peninsula
	Responsible Authority:	Mornington Peninsula Shire

may be used by any single entity, or group of associated entities, at any one time, for the sale of goods other than primary produce grown on the land or on adjacent land.


- 5 No goods other than food and plants may be sold in the market.
- 6 All products sold in the market must be:
 - (a) produce originating from the municipal district of the Mornington Peninsula Shire Council; or
 - (b) substantially made from produce originating from the municipal district of the Mornington Peninsula Shire Council.
- 7 Unless with the further written consent of the Responsible Authority, the Rural industry approved by this permit must be limited to the production of processed goods on the land for sale in the market on the land.

Amenity

- 8 The amenity of the area must not be detrimentally affected by the development through the:
 - i Transport of materials, goods or commodities to or from the land.
 - ii Appearance of any buildings and works or materials.
 - iii Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

VicRoads Conditions

- 9 By 31 December 2021, or such other date as approved in writing by Department of Transport (DoT), a Functional Layout Plan (FLP) must be submitted to and approved by the (DoT). When approved by DoT, the FLP may be endorsed by the Responsible Authority and will then form part of the permit. The FLP must be drawn to scale with all relevant measurements and annotations and must be generally in accordance


Date Issued:	Signature for the Responsible Authority:
19 March 2019	
	RORY MACDONALD - TEAM LEADER

Form 4

PLANNING PERMIT	Permit No:	P18/0096
	Planning Scheme:	Mornington Peninsula
	Responsible Authority:	Mornington Peninsula Shire

with Drawing number 1011801-1A – Functional Layout Proposed ‘BAR’ Turning Treatment by TTM, dated 27 August 2018, including:

- (a) Pavement widening to accommodate a basic right turn (BAR),
 - (b) Line marking and signage details as appropriate,
 - (c) Details of any existing, required or relocated services/road furniture etc., and
 - (d) Swept paths for all associated movements, including a 12.5m truck and B99 turning/passing concurrently.
- 10 Subsequent to the approval of the Functional Layout Plan (FLP) and prior to the commencement of any roadworks within the arterial road reserve the applicant must submit the detailed engineering design plans informed by a functional stage Road Safety Audit to DoT for review and approval. The detailed design plans must be prepared generally in accordance with the approved FLP.
- 11 By 31 December 2021, or such other date as approved in writing by DoT, the access crossover and associated works within the arterial road reserve must be completed in accordance with the approved detailed engineering design plans and Functional Layout Plan, to the satisfaction of DoT and the Responsible Authority and at no cost to DoT or the Responsible Authority.
- 12 Vehicles must enter and exit the land in a forward direction at all times.
- 13 The driveway and crossover must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner (forward direction) or compromise operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).
- 14 The loading and unloading of goods from vehicles must only be carried out on the land.

Date Issued:	Signature for the Responsible Authority:
19 March 2019	
	RORY MACDONALD - TEAM LEADER

Form 4

PLANNING PERMIT	Permit No:	P18/0096
	Planning Scheme:	Mornington Peninsula
	Responsible Authority:	Mornington Peninsula Shire

Approved use and development not altered

- 15 The approved use and development, including the materials of construction, as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.

Layout and display of sign not altered

- 16 The location and details of signs shown on the endorsed plans must not be altered without the consent of the Responsible Authority.

Materials and colours

- 17 The materials and colours of the exterior finish of the buildings must be in accordance with the Endorsed Plans unless with the further permission of the Responsible Authority.


Maintenance of signage

- 18 All signs must be designed to a professional standard, constructed and maintained in good condition to the satisfaction of the Responsible Authority.

Permit expiry

- 19 This permit will expire if either one of the following applies:
- The development is not completed within two years of the date of this permit; or
 - The use is not commenced within two years of the date of this permit.

In accordance with Section 69 of the *Planning and Environment Act* 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Date Issued:	Signature for the Responsible Authority:
19 March 2019	
	RORY MACDONALD - TEAM LEADER

Form 4


PLANNING PERMIT	Permit No:	P18/0096
	Planning Scheme:	Mornington Peninsula
	Responsible Authority:	Mornington Peninsula Shire

Signage expiry

- 20 The permit for the sign is only valid for as long as the site is used and developed in accordance with this Permit.

THE PERMIT INCORPORATES THE FOLLOWING AMENDMENTS:

Date of Amendment	Brief Description of Amendment
19 October 2021	Permit amended at direction of VCAT to incorporate 'Market' and 'Rural Industry' uses, with associated revisions/additions to conditions.
23 December 2020	Permit extended by 2 years, latest date for the completion of the development is 19 March 2023.

Date Issued:	Signature for the Responsible Authority:
19 March 2019	
	RORY MACDONALD - TEAM LEADER

Form 4
IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

WHEN DOES A PERMIT BEGIN?

A permit operates:

* from the date specified in the permit, or

* if no date is specified, from:

- (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal, or
- (ii) the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if-
 - * the development or any stage of it does not start within the time specified in the permit; or
 - * the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
 - * the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if-
 - * the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit, or
 - * the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if-
 - * the development or any stage of it does not start within the time specified in the permit; or
 - * the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - * the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - * the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision-
 - * the use or development of any stage is to be taken to have started when the plan is certified; and
 - * the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

- * The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal where, in which case no right of appeal exists.
- * An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the appeal must be lodged within 60 days after the giving of that notice.
- * An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- * An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal and be accompanied by the applicable fee.
- * An application for review must state the grounds upon which it is based.
- * A copy of an application for review must also be served on the responsible authority.
- * Details about applications for review and the fees payable can be obtained from the:

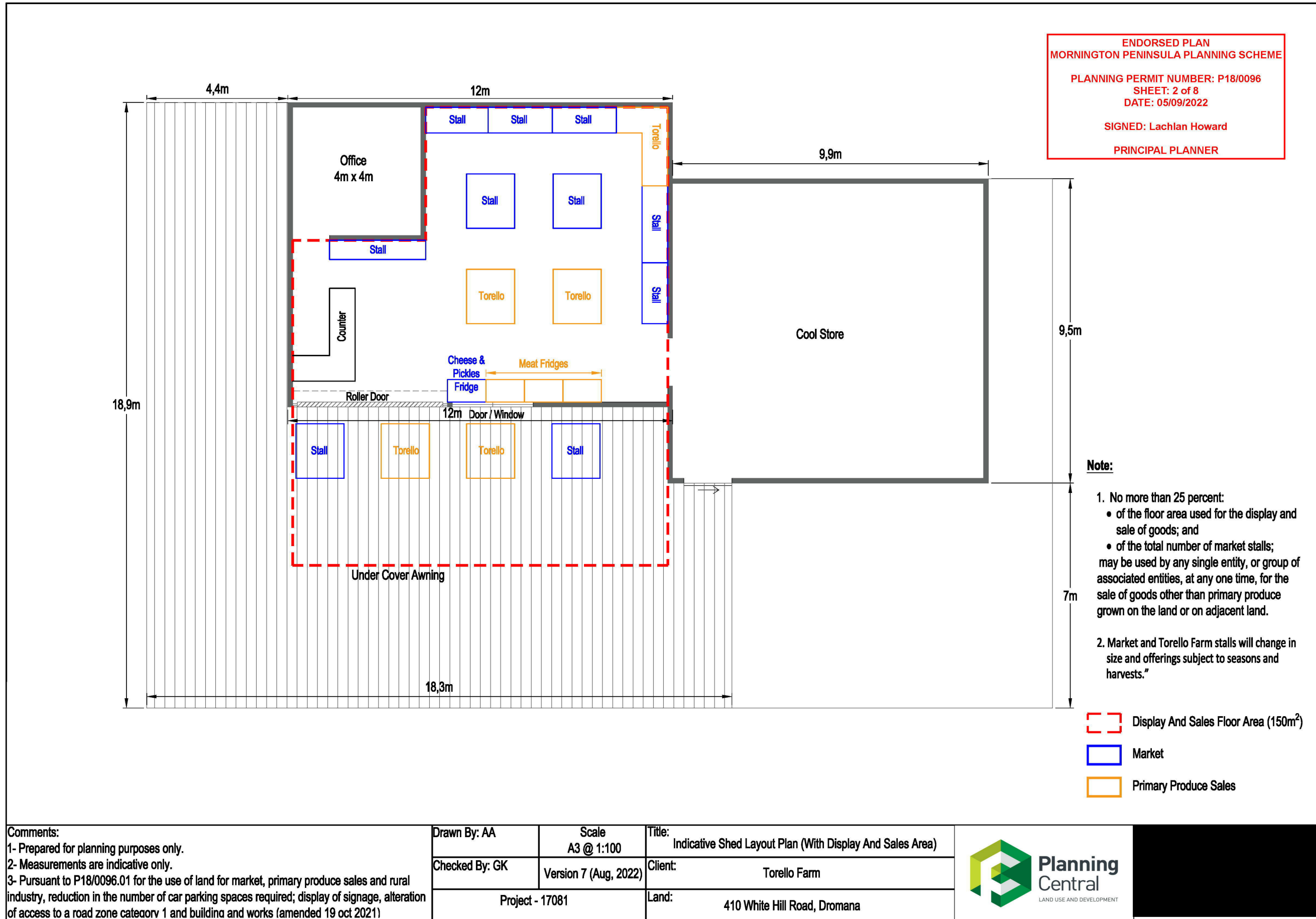
Victorian Civil and Administrative Tribunal
Planning and Environment List
55 King Street,
Melbourne, 3000.

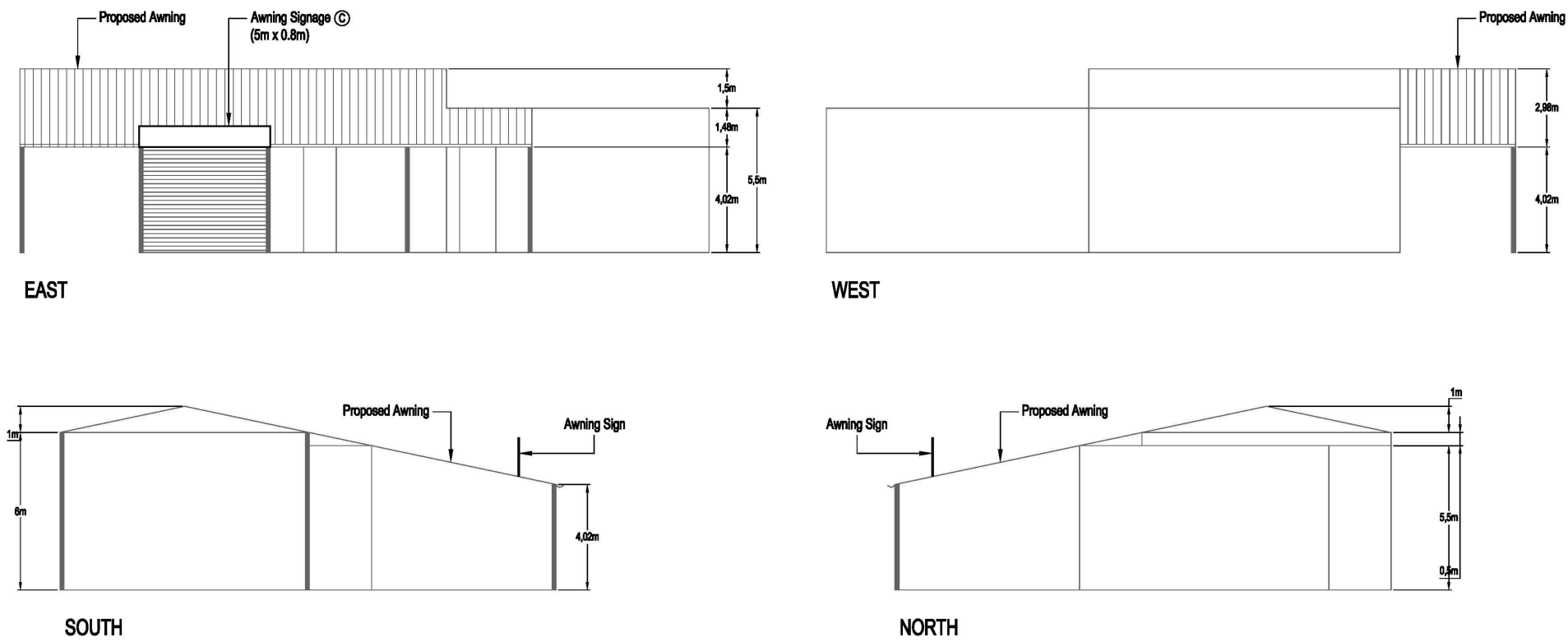
Phone: 1300 01 8228

Fax: (03) 9628-9789

DX 210576







ENDORSED PLAN
MORNINGTON PENINSULA PLANNING SCHEME

PLANNING PERMIT NUMBER: P18/0096
SHEET: 3 of 8
DATE: 16/04/2019

SIGNED: Amaya De Silva
PLANNER

Note:
Updated in response to
condition 1 on
planning permit P18/0096 (21/12/18)



Existing Shed - East Elevation and Existing Awning Sign

Notes:
1- Steel / Aluminum posts
2- Materials and colours to match existing shed.

Comments:
1- Prepared for planning purposes only.
2- Not subject to detailed site survey.
3- Not prepared for building or construction purposes.
4. Measurements are indicative only.

Drawn By: AA	Scale A3 @ 1:200	Title: Proposed Elevations Plan (With Awning and Sign)
Checked By: GK	Version: 3(Jan, 2018)	Client: Torello Farm
Project - 17081		Land: 410 White Hill Road, Dromana



**Planning
Central**
LAND USE AND DEVELOPMENT

Proposed Signage Plan
410 White Hill Road, Dromana

ENDORSED PLAN
MORNINGTON PENINSULA PLANNING SCHEME

PLANNING PERMIT NUMBER: P18/0096
SHEET: 4 of 8
DATE: 16/04/2019

SIGNED: Amaya De Silva

PLANNER



Business Identification Sign on Truck adjacent to White Hill Road frontage

Proposed Signage Plan
410 White Hill Road, Dromana



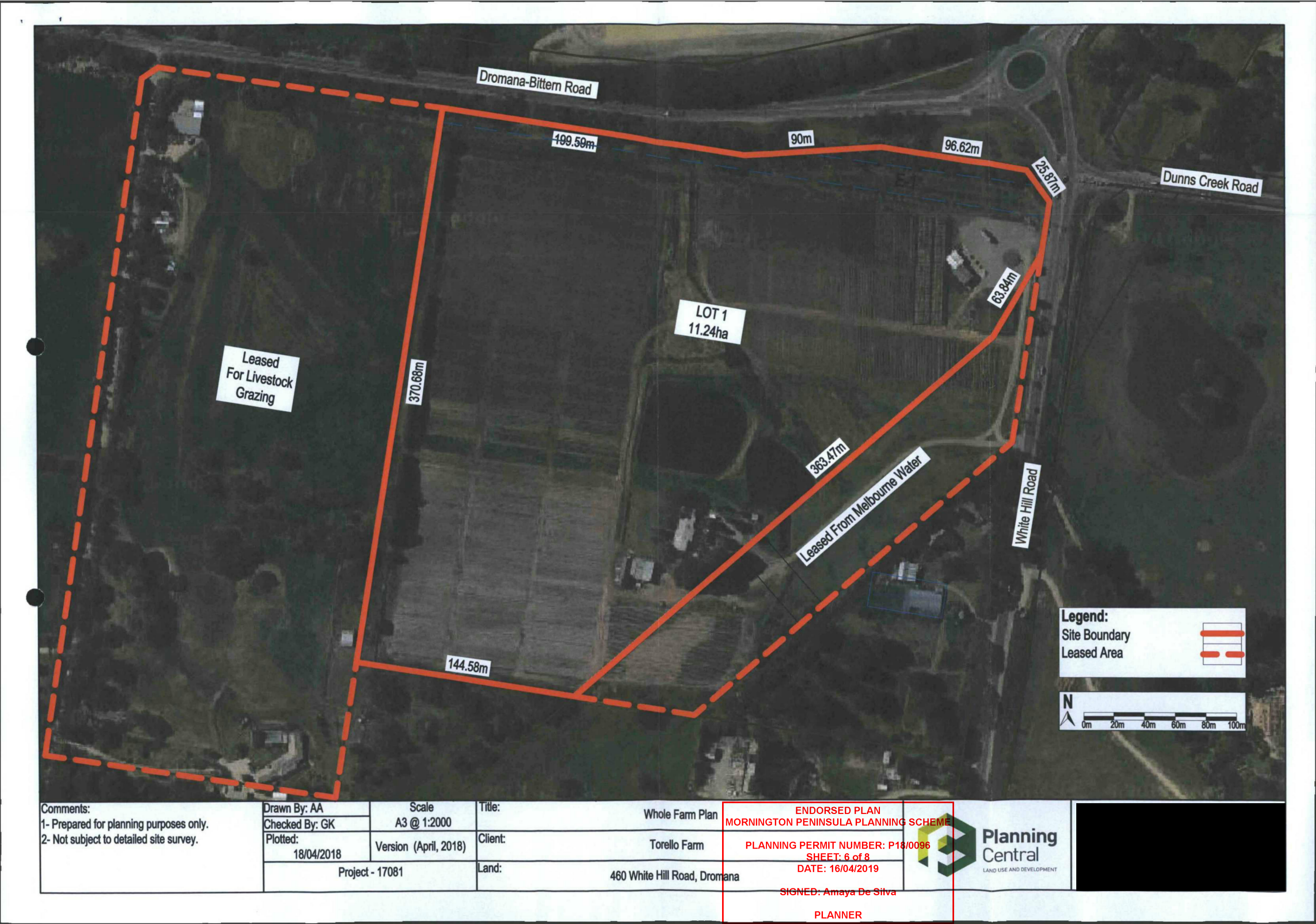
Business Identification Sign in Landscaped Access Area

ENDORSED PLAN
MORNINGTON PENINSULA PLANNING SCHEME

PLANNING PERMIT NUMBER: P18/0096
SHEET: 5 of 8
DATE: 16/04/2019

SIGNED: Amaya De Silva
PLANNER







Front MIDDLE

2017-18

Block/Row	Spring	Summer	Autumn	Winter
A				
1		Pathway		
2		Pathway		
3		Pathway		
4		Pathway		winter greens
5		Pathway		winter greens
6		Pathway		winter greens
B				
1		Strawberries		
2		Strawberries		
3		Strawberries		
4		Strawberries		
5		Strawberries		
6		Strawberries		
C				
1		Beet		winter greens
2		Silverbeet		winter greens
3		Silverbeet		winter greens
4		Silverbeet		winter greens
5		Silverbeet		winter greens
6		Beets		winter greens

ENDORSED PLAN
MORNINGTON PENINSULA PLANNING SCHEME

PLANNING PERMIT NUMBER: P18/0096
SHEET: 8 of 8 Farm Management Plan (17 pages total)
DATE: 16/04/2019

SIGNED: Amaya De Silva

PLANNER

Front MIDDLE

2017-18

Block/Row	Spring	Summer	Autumn	Winter
D				
1		Cauliflower		GM
2		Broccoli		GM
3		Broccoli		GM
4		Broccoli		GM
5		Cauliflower		GM
6		Cauliflower		GM
E				
1		Cauliflower		GM
2		Cauliflower/Broccoli		GM
3		Broccoli		GM
4		Lettuce	Cauliflower	
5		Brassica	Broccoli	
6		Brassica	Cauliflower	
F				
1		open	Spring Onion	
2		Spring Onion		
3		Spring Onion		
4		open	Spring Onion	
5		open	Spring Onion	
6		open		Spring Onion

Front MIDDLE

2017-18

Block/Row	Spring	Summer	Autumn	Winter
G				
1		GM		
2		GM		
3		GM		
4		GM		
5		GM		
6		GM		
H				
1		GM		
2		GM		
3		GM		
4		GM		
5		GM		
6		GM		
I				
1		GM		
2		GM		
3		GM		
4		GM		
5		GM		
6		GM		

Front MIDDLE

2017-18

Block/Row	Spring	Summer	Autumn	Winter
J				
1		Pumpkin	GM	
2		Pumpkin	GM	
3		Pumpkin	GM	
4		Pumpkin	GM	
5		Pumpkin	GM	
6		Pumpkin	GM	
K				
1		Pumpkin	GM	
2		Pumpkin	GM	
3		Pumpkin	GM	
4		Pumpkin	GM	
5		Pumpkin	GM	
6		Pumpkin	GM	

Front NORTH

2017-18

Block/Row	Spring	Summer	Autumn	Winter
A				
1		Pathway		
2		Pathway		
3		Pathway		
4		Pathway	GM	
5		Pathway	GM	
6		Pathway	GM	
B				
1		Tomato	GM	
2		Tomato	GM	
3		Tomato	GM	
4		Tomato	GM	
5		Tomato	GM	
6		Tomato	GM	
C				
1		Asparagus		
2		Asparagus		
3		Asparagus		
4		Asparagus		
5		Asparagus		
6		Asparagus		

Front NORTH

2017-18

Block/Row	Spring	Summer	Autumn	Winter
D				
1		Asparagus		
2		Asparagus		
3		Asparagus		
4		Silverbeet		
5		Silverbeet		
6		Silverbeet		
E				
1		Beet	GM	
2		Beet	GM	
3		Beet	GM	
4			Beet	
5			Beet	
6			Beet	
F				
1			GM	
2			GM	
3			GM	
4			GM	
5			GM	
6			GM	

Front NORTH

2017-18

Block/Row	Spring	Summer	Autumn	Winter
G				
1		GM		
2		GM		
3		GM		
4		GM		
5		GM		
6		GM		
H				
1		GM		
2		GM		
3		GM		
4		GM		
5		GM		
6		GM		
I				
1		GM		
2		GM		
3		GM		
4		GM		
5		GM		
6		GM		

Front NORTH

2017-18

Block/Row	Spring	Summer	Autumn	Winter
J				
1		GM		
2		GM		
3		GM		
4		GM		
5		GM		
6		GM		
K				
1		GM		
2		GM		
3		GM		
4		GM		
5		GM		
6		GM		

Front SOUTH

2017-18

Block/Row	Spring	Summer	Autumn	Winter
A				
1		Zinnia	GM	
2		Zinnia	GM	
3		Eggplant		GM
4		Capsicum		GM
5		Tomatillo/Chilli		GM
6		Chilli		GM
B				
1		Bean		GM
2		Bean		GM
3		Beets - late		GM
4		Lettuce - late		GM
5		Celery/Spring Onion - late		GM
6		S/Beet - late		GM
C				
1			Carrot/Radish (Jan late)	
2			Carrot/Radish (Feb early)	
3			Carrot/Radish (Feb late)	
4			Beet (Feb seedling)	
5			Beet (Mar seedling)	
6			Beet (Apr)	

Front SOUTH

2017-18

Block/Row	Spring	Summer	Autumn	Winter
D				
1			Broccoli (Feb seedling)	
2			Broccoli (Mar seedling)	
3			Cauliflower (Mar seedling)	
4			Kale (Apr)	
5			Kale (Apr)	
6			Kale (Apr)	
E				
1		Kale		Silverbeet (June)
2		Kale	Silverbeet (May)	
3		Cabbage	Silverbeet (Apr)	
4		Lettuce	Silverbeet (Mar)	
5		Broccoli	Silverbeet (Mar)	
6		Parsley		Silverbeet (July)
F				
1		Lettuce - Cauliflower	Lettuce (Apr)	
2		Brassica	Lettuce (May)	
3		Brassica		Lettuce (June)
4		Lettuce	Rocket	
5		Celery		Rocket (June)
6		Broccoli	Celery/Spring Onion	

Front SOUTH

2017-18

Block/Row	Spring	Summer	Autumn	Winter
G				
1		Cauliflower	greenes (Mar)	
2		Broccoli	greens (Apr)	
3		Beet	greens (May)	
4		Beet		greens (June0
5		Beet		greens (July)
6		Celery		greens (Aug)
H				
1		Corn	GM	
2		Cauliflower	GM	
3		Broccoli	GM	
4		Lettuce - GM	GM	
5		Lettuce - GM	GM	
6		Celery	GM	
I				
1		Broccoli	GM	
2		Cauliflower	GM	
3		Cauliflower - GM	GM	
4		Beet - GM	GM	
5		Beet - GM	GM	
6		Beet - GM	GM	

Front SOUTH

2017-18

Block/Row	Spring	Summer	Autumn	Winter
J				
1		Rocket - GM	GM	
2		Spring Onion	GM	
3		Spring Onion	GM	
4		Lettuce	GM	
5		Silverbeet	GM	
6		Silverbeet	GM	
K				
1		Lettuce	GM	
2		Lettuce	GM	
3		Lettuce	GM	
4		Lettuce	GM	
5		Rocket	GM	
6		Rocket	GM	
L				
1		Cauliflower	GM	
2		Broccoli	GM	
3		Broccoli	GM	
4		Beet	GM	
5		Beet	GM	
6		Beet	GM	

Front SOUTH

2017-18

Block/Row	Spring	Summer	Autumn	Winter
M				
1		Beet	GM	
2		Beet	GM	
3		Celery	GM	
4		Lettuce	GM	
5		Lettuce	GM	
6		Lettuce	GM	
N				
1		Beet	GM	
2		Beet	GM	
3		Beet	GM	
4		Rocket	GM	
5		Rocket	GM	
6		open	GM	
		Tomatoes	GM	

TORELLO FARM
Lower Orchard Key

Row Space:	Row 5 (fence)	Row 4	Row 3	Row 2	Row 1
1	Citrus (x)	PEACH/NECTARINE	PISTACHIO: Root stock	dead	PEAR: Corella Red
2	PLUM: ?	open	Citrus (x)	open	PEAR: Corella Red
3	APPLE: Golden Delicious	CHERRY: Morello	Quince (x)	dead	PEAR: Corella Red
4	APPLE: Golden Delicious	open	Citrus (x)	QUINCE: Smyrna	PEAR: Corella Red
5	APPLE: Golden Delicious	?	Peach/Nectarine (x)	APRICOT: Travat	PEAR: Corella Red
6	APPLE: Golden Delicious	POMEGRANITE: (move)	dead (x)	QUINCE: Smyrna	
7	APPLE: Red Delicious	POMEGRANITE: (move)	APRICOT: Travat	APRICOT: Travat	
8	APPLE: Red Delicious	open	APRICOT: Moorpark	QUINCE: Smyrna	
9	APPLE: Red Delicious	POMEGRANITE: (move)	APRICOT: Travat	APRICOT: Travat	
10	PISTACHIO: Root stock	open	APRICOT: Moorpark	QUINCE: Smyrna	
11	PLUM: Autumn Giant	open	APRICOT: Travat	APRICOT: Travat	
12	PISTACHIO: Root stock	open	APRICOT: Moorpark	QUINCE: Smyrna	
13	dead	FIG (x)	APRICOT: Travat	APRICOT: Travat	
14	dead	PISTACHIO (move)	APRICOT: Moorpark	QUINCE: Smyrna	
15	dead	open	APRICOT: Travat	PLUM: Autumn Giant	
16	dead	open	PLUM: Santa Rosa	QUINCE: Smyrna	
17	dead	open	PLUM: Satsuma	PLUM: Autumn Giant	
18	PISTACHIO: Root stock	open	PLUM: Santa Rosa	QUINCE: Smyrna	
19	Plum: 2 way graft	FIG (x)	PLUM: Santa Rosa	PLUM: King Billy	
20	PLUM: ?	open	PLUM: Santa Rosa	QUINCE: Smyrna	
21	PLUM: ?	open	open	PLUM: King Billy	
22	PLUM: Autumn Giant ?	open	PLUM: Santa Rosa	QUINCE: Smyrna	
23	PLUM: 2 way graft with	PISTACHIO: Root stock	PLUM: Santa Rosa	PLUM: King Billy	
24	open	open	PLUM: Santa Rosa	QUINCE: Smyrna	
25	PLUM: ?	PISTACHIO: Root stock	PLUM: Santa Rosa	PLUM: King Billy	

TORELLO FARM
Lower Orchard Key

Row Space:	Row 5 (fence)	Row 4	Row 3	Row 2	Row 1
26	PEACH/NECTARINE	open	PLUM: Mariposa	QUINCE: Smyrna	
27	PLUM:Autumn Giant	open	PLUM: Santa Rosa	PLUM: King Billy	
28	open	PISTACIO (move)	PLUM: Satsuma	QUINCE: Smyrna	
29	PLUM: ?	PISTACHIO: Root stock	PLUM: Satsuma	PLUM: King Billy	
30	open	open	PLUM: Satsuma	QUINCE: Smyrna	
31	PLUM: Euro	open	PLUM: Satsuma	PLUM - Euro: Angelina	
32	PISTACHIO: Root stock	open	PLUM: Satsuma	QUINCE: Smyrna	
33	PLUM: Euro	open	PLUM: Satsuma	PLUM - Euro: Angelina	
34	open	APRICOT: ?	PLUM: Satsuma	QUINCE: Smyrna	
35	PLUM: Euro	PISTACHIO: Root stock	PLUM: Satsuma	PLUM - Euro: Angelina	
36	PISTACHIO: Root stock	APRICOT: ?	PLUM: Satsuma	QUINCE: Smyrna	
37	PLUM: ?		PLUM: Satsuma	PLUM - Euro: Angelina	
38	open		PLUM: Mariposa	QUINCE: Smyrna	
39	PLUM: ?		PLUM: Mariposa	PLUM - Euro: Angelina	
40	open		PLUM: Mariposa	QUINCE: Smyrna	
41	dead		PLUM: Mariposa	PLUM - Euro: Angelina	
42	open		PLUM: Mariposa	QUINCE: Smyrna	
43	PLUM: ?		PLUM: Mariposa	PLUM - Euro: Angelina	
44	APRICOT: ?		PLUM: Mariposa	QUINCE: Smyrna	
45	open		open	PLUM - Euro: Angelina	
46	APRICOT: ?		dead	CHERRY: Morello	
47	APPLE: ?			PLUM - Euro: Angelina	
48	APRICOT: ?			open	
49	HIVES			PLUM - Euro: Angelina	
50	PLUM:Autumn Giant			open	

TORELLO FARM
Lower Orchard Key

Row Space:	Row 5 (fence)	Row 4	Row 3	Row 2	Row 1
51	?				
52	?				
53	PLUM:Autumn Giant				
54	?				
55	open				
56	PLUM: ?				
57	dead				
58	PLUM:Autumn Giant				
59	dead				
60	PLUM:Autumn Giant				
61	open				
62	PLUM:Autumn Giant				

TORELLO FARM

On a rotational basis, the following growing areas are used to grow, but are not limited to, the following.

Back North, Back Middle, Back South - Growing Areas

Potatoes
Corn
Onions
Garlic

Upper - Growing Areas

Peas
Beans
Tomatoes
Eggplant
Capsicum
Chilli
Cucumber

Front Hill - Growing Areas

Pumpkins

Throughout

Olive
Figs
Persimmons
Herbs
Artichokes

Ref: 17081 – Torello Farm



13 November 2024

Statutory Planning Department
Mornington Peninsula Shire Council
PO Box 1000
Rosebud, VIC 3939

planning@mornpen.vic.gov.au

Dear Sir / Madam,

**RE: Applicant to Amend P18/0096.01
410 White Hill Road, Dromana**

1. Introduction

Planning Central continues to act on behalf of Torello Farm who:

- operate a market from the above property.
- hold Planning Permit P18/0096.01 issued by Mornington Peninsula Shire Council on 19 October 2021 for the use of the land for market, primary produce sales and rural industry, reduction in the number of car parking spaces required, display of signage, alteration of access to a road zone category 1 and buildings and works in accordance with endorsed plans.

Our client seeks to amend the permit preamble, permit conditions and endorsed plans to accommodate the sale of locally produced alcohol – consistent with the intent and conditions of the planning permit.

This application follows correspondence with Hugh Pierce (Team Leader – Planning Services) and Briar Thomas (Principal Planner) at Mornington Peninsula Shire Council and the withdrawal of Application P24/1345.

2. Background

Presented at:

- Appendix A is an appropriately completed Application Form.

To confirm the amount and arrange payment of the Council application fee please contact the undersigned directly.
- Appendix B is a current Certificate of Title.

There has been no change in title details since the original permit was issued.

www.planningcentral.com.au



- Appendix C is Planning Permit P18/0096.01.
- Appendix D are endorsed plans under Planning Permit P18/0096.01.
- Appendix E are Council Planning “pre-application comments” that:
 - informed the withdrawal of Application P24/1345; and
 - has informed current application being advanced.

3. The Proposal

It is proposed to:

1. Amend Condition 5 to include sale of “food and plants and drink”.
2. Permit the sale of alcohol pursuant Clause 52.27 - Licensed Premises.
3. Amend endorsed plans to show the area of the liquor sale as part of the broader market.

Presented at:

- Appendix F is an Updated Indicative Shed Layout Plan.

In short:

- This shows the previous office (16smq) converted to market use / alcohol sales (16 sqm).
- This adds to and complements the 150sqm already approved for the display and sales floor area for the Market under Planning Permit P18/0096.01.
- Contributes three additional stalls / display areas as depicted in the plan.
- Appendix G is a list of local products (beer, wine and cider) and local alcohol suppliers around the municipality – provided directly from the Applicant.

In similarly to the Farm Management Plan that forms part of the current endorsed plans under Planning Permit P18/0096.01, it is submitted that this list could also be endorsed to form part of Planning Permit P18/0096.01 as an indicative list of local produced alcoholic drinks to be sold as part of the approved market.

4. Planning Assessment

Following is a succinct assessment against relevant provisions of the Mornington Peninsula Planning Scheme.

Presented at Appendix F is a recent Planning Property Report.



This acknowledges that the land is:

- affected by the Mornington Peninsula Planning Scheme.
- zoned Green Wedge.
- affected by an Environmental Management Overlay:
 - Schedule 6 – Kangeron Basin.
 - Schedule 17 – Streamlines.
 - Schedule 19 – Fluvial Deposits.
- affected in part by Bushfire Management Overlay - to the south-west ... well way from the proposed market building.

It is noted that the planning controls that that apply to the land, have not changed since the issue of the original planning permit which does not compromise the issue of the any amended planning permit as proposed.

4.1 Clause 52.27 - Licensed Premises

The purpose of this clause is:

- To ensure that licensed premises are situated in appropriate locations.
- To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.

These provisions apply to premises licensed, or to be licensed, under the Liquor Control Reform Act 1998.

Pursuant to this clause, a planning permit is required to use land to sell or consume liquor if a licence is required under the Liquor Control Reform Act 1998.

Decision guidelines and responses follow.

Decision Guideline	Response
The Municipal Planning Strategy and the Planning Policy Framework.	Satisfied Refer to Section 4.1 & 4.2 above.
The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.	Satisfied The sale of liquor from within the existing market facility will have limited impact on the amenity of the surrounding area.
The impact of the hours of operation on the amenity of the surrounding area.	Satisfied Planning Permit P18.0096.1 stipulates that the market must only operate between 7.00am and 6.00pm Monday to Sunday. Any more onerous hours that may be applied under the imposed via of the Liquor License under the Liquor Control Reform Act 1998 will be abided by.



The impact of the number of patrons on the amenity of the surrounding area.	Satisfied The proposal is only for the sale of alcohol not consumption. The proposal will be no different to the sale of other items in the market and will not impact on the amenity of the surrounding area.
The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.	Satisfied The proposal will not contribute to the cumulative impact of licensed premises. The land is within a Green Wedge area and will operate from a unique and approved market within the Green Wedge. Within the immediate area are the following wineries that produce and sell alcohol: <ul style="list-style-type: none">- Crittenden Wine Centre, 25 Harrisons Rd, Dromana (1.3km)- Trofeo Estate, 85 Harrisons Rd, Dromana (2km by road, but possibly 1.5km as the crow flies)- Saponi Di Casa at Whitehill Gallery, White Hill Road, Dromana (1.4km) – restaurant open 3 days per week

Response

The proposal is consistent with and responds appropriately to Clause 52.27.

4.2 Municipal Planning Strategy

Key provisions of the MPS that relate to the proposal follow.

Vision 02.02 – Vision

Council's vision's includes the intent to:

- Retain the Peninsula's agricultural role with a focus on sustainable agriculture.

Strategic objectives include:

- To facilitate opportunities for job creation and an environment for business to succeed.
- To help grow key strategic industries, such as the food economy, niche manufacturing and health economy, in the Mornington Peninsula.



Important to the Mornington Peninsula are:

- **Environmental landscape values (Clause 02.03-2)**
- **Environmental risk and amenity (Clause 02.03-1)**
- **Natural resource management (Clause 02.03-4)**
- **Built environment and heritage (Clause 02.03-5)**
- **Economic development (Clause 02.03-6)**

Strategic directions for economic development include:

- Facilitate the expansion of existing industries and support new industries that provide services to the Peninsula community, contribute to the local employment base and are compatible with the Peninsula's character and environment, and the amenity of the local area.
- Support larger industrial lot sizes to provide opportunities for a wider range of manufacturing activities.
- Maintain the long-term recreational role of the Peninsula, which underpins the tourism sector, to support the local economy.
- Support businesses that improve the ability to experience the Peninsula's natural and cultural recreational values, such as the provision of short-term and home-hosted accommodation, host farms and similar uses.

Response

The proposal is consistent with the Municipal Planning Strategy as it will, amongst other things:

- support agriculture and agricultural related business.
- utilise an existing and approved market / building.
- not impact on the environmental or landscape features.
- Generate additional employment and local / regional economic development opportunities.

4.3 Planning Policy Framework

Key provisions of the PPF that relate to the proposal follow.

Clause 11.01-1R Green wedges – Metropolitan Melbourne

The objective of this clause is:

- To protect the green wedges of Metropolitan Melbourne from inappropriate development.

Strategies include:



- Promote and encourage the key features and related values of each green wedge area.
- Support development in the green wedge that provides for environmental, economic and social benefits
- Protect important productive agricultural areas such as Werribee South, the Maribyrnong River Flats, the Yarra Valley, Westernport and the Mornington Peninsula.
- Support existing and potential agribusiness activities, forestry, food production and tourism.
- Protect areas of environmental, landscape and scenic value such as biodiversity assets, national and state parks, Ramsar wetlands and coastal areas.

Clause 14.01-2-1S Protection of Agricultural land

This clause has the objective:

- To protect the state's agricultural base by preserving productive farmland.

Clause 14.01-2S Sustainable agricultural land use

This clause has the objective:

- To encourage sustainable agricultural land use.

Clause 17 Economic Development

- Planning is to provide for a strong and innovative economy, where all sectors are critical to economic prosperity.
- Planning is to contribute to the economic wellbeing of the state and foster economic growth by providing land, facilitating decisions and resolving land use conflicts so that each region may build on its strengths and achieve its economic potential.

Clause 17.01-1S Diversified economy

The objective of this clause is:

- To strengthen and diversify the economy.

Strategies to achieve this objective include but is not limited to:

- Support rural economies to grow and diversify.

Clause 17.04-1S Facilitating tourism

The objective of this clause is:

- To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.



Strategies to assist in achieving this objective, including but is not limited to:

- Encourage investment that meets demand and supports growth in tourism.

Response

The proposal is consistent with Planning Policy Framework as it will, amongst other things:

- support an existing and sustainable agricultural land uses consistent with the existing market permit.
- promote value adding opportunities and services associated with agricultural production consistent with the existing market permit.
- support a diversified economy and tourism.

5. Conclusion

Planning Central Pty Ltd acts on behalf of Torello Farm who operate a market from the above land pursuant to Planning Permit P18/0096.01.

As detailed within, our client has successfully operated this market for a considerable time and now seek planning approval for a planning permit to operate a Licenced Premises pursuant to Clause 52.27 (Licensed Premises) of the Mornington Peninsula Planning Scheme.

Accordingly they seek to amend Planning Permit P18/0096.01 as detailed within and directed by Council Planning.

Based on the information presented within, it is submitted that the proposal:

- is consistent with and responds appropriately to Clause 52.27.
- is consistent with the Municipal Planning Strategy as it will, amongst other things:
 - support agriculture and agricultural related business.
 - utilise an existing and approved market / building.
 - not impact on the environmental or landscape features.
- Generate additional employment and local / regional economic development opportunities.is consistent with Planning Policy Framework in that the proposal, will, amongst other things:
 - support an existing and sustainable agricultural land uses consistent with the existing market permit.
 - promote value adding opportunities and services associated with agricultural production consistent with the existing market permit.
 - support a diversified economy and tourism.

Furthermore, the proposal compliments the existing Torello Farm operation and market planning permit.

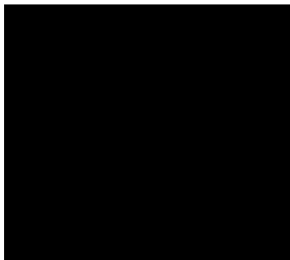
This proposal is commended to Mornington Peninsula Shire Council for approval.



We trust that this application to amend Planning Permit P18/0096.01 is favourably received and we look forward to progressing this application at Council's earliest convenience.

Should you wish to discuss any aspect, do not hesitate to contact me directly on [REDACTED]

Yours faithfully,





Appendix A

Application Form



Appendix B

Certificate of Title



Appendix C.
Planning Permit



Appendix D
Endorsed Plans



Appendix E

Pre-Application Comments



Appendix F

Updated Layout and Red Line Plan



Appendix F

Indicative List of Local Suppliers and Products



Appendix G

Planning Property Report

Wine Market Stallholders

Please note we only intend to stock wines that have been locally made using Mornington Peninsula grown grapes. Wines will change with the seasons. Currently we are considering these market stalls.

- Crittenden Estate
- Dexter
- Foxey's Hangout
- Hickenbotham
- Hurley Vineyard
- Kerri Greens
- Montalto
- Moorooduc Estate
- Quealy Wines
- Stonier
- Yabby Lake

Cider Market Stallholders

Please note we only intend to stock wines that have been locally made using Mornington Peninsula grown fruit. Currently we are considering these market stalls.

Mock Orchards (apple cider)

Edwards Orchards (apple cider)

Beer Market Stallholders

Please note we only intend to stock beer that has been locally made using Mornington Peninsula grown hops and barley. Currently we are considering these market stalls.

- Tuerong Farm
- Devilbend Brewery

Spirit Market Stallholders

There are a small number of artisan makers who are showcasing local Mornington Peninsula ingredients in their spirits. We are considering offering these products in the market.

- Bass & Flinders Maritime Gin (with locally foraged saltbush, kelp and samphire)
Bass & Flinders Heartbreak Pinot Gin (with local pinot noir)
- Montalto Gin Batch Three (with locally grown grapes)
- JimmyRum Apple Whisky (with Mock Orchard apples)

MORNINGTON PENINSULA PLANNING SCHEME

52.27
14/01/2025
VC237

LICENSED PREMISES

Purpose

To ensure that licensed premises are situated in appropriate locations.

To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.

Scope

These provisions apply to premises licensed, or to be licensed, under the *Liquor Control Reform Act 1998*.

Permit required

A permit is required to use land to sell or consume liquor if any of the following apply:

- A licence is required under the *Liquor Control Reform Act 1998*.
- A different licence or category of licence is required from that which is in force.
- The hours of trading allowed under a licence are to be extended.
- The number of patrons allowed under a licence is to be increased.
- The area that liquor is allowed to be consumed or supplied under a licence is to be increased.

This does not apply:

- To a limited licence.
- To a licence to manufacture liquor.
- To a remote seller's packaged liquor licence.
- If the schedule to this clause specifies that a permit is not required to use land to sell or consume liquor under a particular type of licence.
- To a variation that reduces the hours of trading allowed under a licence.
- To a variation that reduces the number of patrons allowed under a licence.
- To a variation that reduces the area within which liquor is allowed to be consumed or supplied under a licence.
- To a variation of licence at the initiative of the Victorian Liquor Commission, pursuant to Section 58 of the *Liquor Control Reform Act 1998*.
- To a variation of licence for a variation prescribed in Part 6, Regulation 31 of the Liquor Control Reform Regulations 2009.
- If a different licence or category of licence is required solely as a result of changes to licence categories.
- To a licence to sell only packaged liquor for consumption elsewhere issued before 8 April 2011.

The schedule to this clause may specify that a permit may not be granted to use land to sell or consume liquor under a particular type of licence.

Referral of applications

An application must be referred and notice of the application must be given in accordance with Clause 66 of this scheme.

MORNINGTON PENINSULA PLANNING SCHEME

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.
- The impact of the hours of operation on the amenity of the surrounding area.
- The impact of the number of patrons on the amenity of the surrounding area.
- The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.

Section 72 Amendment – P18/0096.03

Planning Services – Mornington Peninsula



APPLICATION SUMMARY	
Planner	Briar Thomas
Date	02/05/2025
Application Number	P18/0096.03
Proposal	To amend the plans endorsed under the permit To amend the conditions of the permit To amend the description of what the permit authorises
Address	410 White Hill Road DROMANA VIC 3936 Lot 1 TP 115798 Vol 9661 Fol 992
Applicant	Torello Farm C/- Planning Central Pty Ltd
Planning Scheme	Mornington Peninsula Planning Scheme
Zone & Overlays	Green Wedge Zone Schedule 3 (GWZ3); Environmental Significance Overlay Schedule 6 (ESO6); Environmental Significance Overlay Schedule 17 (ESO17); Environmental Significance Overlay Schedule 19 (ESO19); Significant Landscape Overlay Schedule 3 (SLO3); Bushfire Management Overlay (BMO)
Permit Triggers	Clause 52.27 (Licensed Premises)
Restrictions on title	No
Public Notice	Yes
Objections	Yes
Referrals	No
CHMP required?	No
BACKGROUND/PERMIT HISTORY	
Original Permit Issued	19 March 2019
Permit Issued for	USE OF THE LAND FOR MARKET, PRIMARY PRODUCE SALES AND RURAL INDUSTRY, REDUCTION IN THE NUMBER OF CAR PARKING SPACES REQUIRED, DISPLAY OF SIGNAGE, ALTERATION OF ACCESS TO A ROAD ZONE CATEGORY 1 AND BUILDINGS AND WORKS IN ACCORDANCE WITH THE ENDORSED PLANS
Original Permit Triggers	GWZ; ESO6; ESO19; Clause 52.05; Clause 52.29
Condition 1 plans	Condition 1 plans have previously been endorsed under the permit
Current Permit Expiry	The latest date for commencement of the development was 19 March 2023. The permit has not expired, but been acted on.

OFFICER DIRECT OR INDIRECT INTEREST

No person involved in the preparation of this report has a direct or indirect interest requiring disclosure.

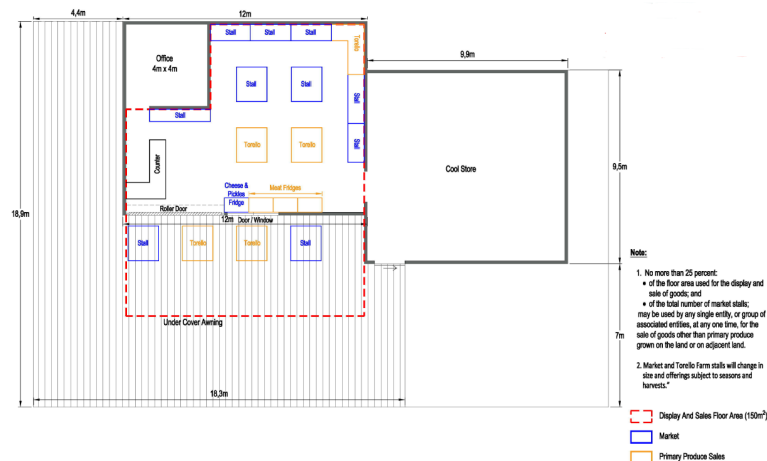
PROPOSAL

The application is to amend Planning Permit P18/0096 by:

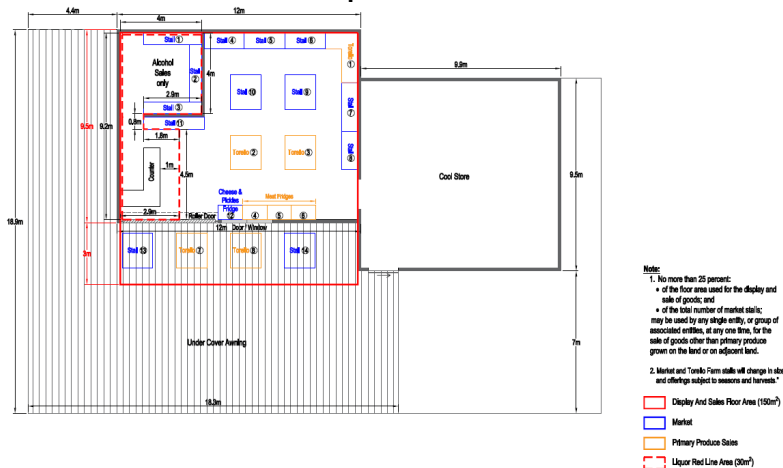
Amending the plans endorsed under the permit generally involving:

- Addition of three market stalls for the sale of liquor from Mornington Peninsula Shire (overall stall total increased to twenty-two)

Original Plan:



Proposed Plan:



Amending the conditions of the permit by:

- Amending condition 5 of the permit by adding the words “and drink” after the words “food and plants”, to read:
“No goods other than food and plants and drink may be sold in the market.”

The application seeks the following amendment to what the permit authorises by:

- Addition of clause 52.27: use land to sell liquor.

Amendment VC286

The State Government has advised that Clause 52.27 is scheduled to be deleted from the Victorian Planning Provisions via Amendment VC286 on 1 July 2025. The consequence of Amendment VC286 would remove any requirement to obtain a planning permit to sell and/or consume liquor, including for this specific application. The sale and/or consumption of liquor would no longer be within the scope of purview of statutory planning and becomes exclusively a matter for the Victorian Liquor Commission to regulate.

Regardless of the gazettal of Amendment VC286, the amendment includes other changes to the endorsed plans and conditions, specifically the provision of additional stalls, which remain a statutory planning consideration.

ZONE/OVERLAYS/PLANNING PROVISIONS

No change in the planning provisions has occurred since the last decision.

Zone/ Overlay	Clause	Original permission?	New permission?	Rationale
Zone				
Green Wedge Zone Schedule 3 (GWZ3)	35.04-1	Yes	No	Use: Use the land for: <ul style="list-style-type: none"> • Primary produce sales • Market • Rural Industry
	35.04-5	Yes	No	Buildings and/or works: Construct or carry out a building or works for: <ul style="list-style-type: none"> • Primary produce sales • Market • Rural Industry
Overlays				
Environmental Significance Overlay Schedule 6 (ESO6)	42.01-2	Yes	No	Construct a building or construct or carry out works
Environmental Significance Overlay Schedule 17 (ESO17)		No	No	No works proposed within this overlay.
Environmental Significance Overlay Schedule 19 (ESO19)	42.01-2	Yes	No	Construct a building or construct or carry out works
Significant Landscape Overlay Schedule 3 (SLO3)		No	No	No works proposed within this overlay.
Bushfire Management Overlay (BMO)		No	No	No works proposed within this overlay.
Particular Provisions				
52.05 Signs	52.05-2	Yes	No	Construct or put up for display business identification signage.

52.06 Car Parking	52.06-3	Yes	No	Reduce the number of car parking spaces required under Clause 52.06-5.
52.29 Land adjacent to the Principal Road Network	52.29-2	Yes	No	Create or alter access to a road in a Transport Zone 2.
52.27 Licensed Premises	52.27		Yes	Use land to sell or consume liquor

SUBJECT SITE

Cultural Heritage Management Plan (CHMP)

A CHMP is not required as the proposal is not a high impact activity.

The location of the proposed use and development is on an area of Cultural Heritage sensitivity, and the original proposed development of the land is a high impact activity, however, the activity is exempt from a CHMP because of previous significant ground disturbance.

Subject Site

Since the issue of the last decision, the following changes to subject land have occurred:

Planning Permit P20/1671 was approved 29 October 2020 and allows the development of two agricultural buildings. These have been constructed and form the current conditions of the site.

Planning Permit Application P24/1830 is under assessment for the use the land for a poultry farm, with no decision made at time of report writing. This use does not conflict with the proposed use.

Aerial Photo showing subject site and surrounding properties – GIS 5 August 2024





Subject Land: ★ Objectors: ★ N ▲
(An objection from Red Hill Community Association is not shown on the above map, not tied to a specific address).

SURROUNDING PROPERTIES

There have been no relevant changes to the surrounding properties as described in the delegate report for the last issued decision

PUBLIC NOTIFICATION

The application was advertised by sending direct notice to adjoining properties and erecting a sign on site for 14 days.

Objections

To date, three objections have been received. Their concerns can be summarised as follows:

- Sale of alcohol in this location; Protection of the Green Wedge.
- Land use classification.

Section 52 Notifications

Person/body notified	Response	Officer Response
Melbourne Water	No objections, no conditions	Notification as adjoining landowner.

ASSESSMENT

It is considered that the amended use is consistent with the Mornington Peninsula Planning Scheme policies and provisions on the following basis:

Operations

The following are a summary of the operations proposed:

- The previous office location converted to a licensed area ('redline area') for the sale and display of liquor via new market stalls. No consumption on site is proposed.
- Liquor for sale in the market will be products local to the Mornington Peninsula.

- No change to the times or operations of the market previously approved, and specified in conditions of the planning permit.

Clause 52.27 Licensed Premises

The clause seeks to ensure that licensed premises are situated in appropriate locations; and to ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.

The decision guidelines of this clause have been considered, and the proposed use of the land for the sale of liquor found to be appropriate as:

- The use of the land for a market is established. The impact of the sale of liquor on the amenity of the surrounding area will be minimal, as the land already operates as a business that sells goods. An additional type of good provided at the market will not change how it operates or create additional detriment.
- Similarly, the hours of the operation and number of patrons will remain in the scope of the approved market use.
- The cumulative impact of existing licensed premises and the proposed licensed premises will not cause amenity impacts to the surrounding area. The nearest licensed premises are over 600 metres away on Harrisons Road to the east, being a restaurant associated with a winery, and a producer's licence at a winery. The type of licensed premises and the separation distance of the premises do not encourage amenity impacts associated with patron actions; or encourage multiple trips between the premises with patrons unlikely to visit more than one premises in a day to create a cumulative impact.

Use characterisation

Planning Permit P18/0096 allows for the use of the land for Market, Primary Produce Sales and Rural Industry. The approved uses are defined under clause 73.03 (Land Use Terms) of the Scheme as:

Market	<i>Land used to sell goods, including foodstuffs, from stalls.</i>
Primary produce sales	<i>Land used to display and sell primary produce, grown on the land or adjacent land. It may include processed goods made substantially from the primary produce.</i>
Rural industry	<i>Land used to:</i> <i>a) handle, treat, process, or pack agricultural produce;</i> <i>b) service or repair plant, or equipment, used in agriculture; or</i> <i>c) manufacture mud bricks.</i>

The appropriateness of these uses, as previously approved by Planning Permit P18/0096, are not under consideration within this application. The scope of this assessment is limited to the extent of amendments sought, as listed in the Proposal section of this report.

Nonetheless, for the purpose of providing additional context, the determination that the proposal was appropriately defined as a Market as opposed to a Shop was founded on identifying the real and substantive purpose of the operation. Such a consideration was undertaken in [PS Market PL v Manningham CC \[2021\] VCAT 246 \(6 April 2021\)](#) whereby the Manningham CC contended that a proposed Market was instead a Shop as:

- a) *The purpose of the proposed use is a retail operation.*

- b) *The consideration of each 'stall' having its own point of sale is not relevant. Rather, shoppers will consider the 'look and feel' of the proposal is a 'shop' because there is no temporary nature to the operation that gives it the external appearance of a market.*
- c) *The definition in the planning scheme allows the proposal to fit within a number of possible land uses, and it is wrong to determine that the use must fit within one without regard to the context of the site, in particular the zoning and relevant policy.*

In determining the matter, the Tribunal disagreed with Manningham CC's 'untenable interpretation' finding it relied upon construed 'restrictions, qualifications or concepts' of the definition of Market which are not expressly or impliedly referenced in the planning scheme. Should the 'look and feel' of the operation or the context of the site, zoning or particular policy represent the deciding factor determining the use, as Manningham CC submitted, the Tribunal found that the 'planning scheme would have been drafted to either include or exclude particular characteristics from the definition of Market'. The proposal, in that instance, proposed the sale of goods from stalls and therefore met the definition of Market.

Having regard to the above, the nature of the original approval, with multiple stalls offering goods from multiple independent entities/groups, is consistent with the Market land use.

With respect to the application under assessment, the proposal is to provide for liquor as an additional good offered for sale from stalls. The Market land use definition does not exclude any types of goods to be offered for sale, nor does it require more than one type of good to be offered, and the categorisation of the type of good is irrelevant to whether the Market land use remains applicable. Therefore, the application remains compliant with the land use definition of Market.

Conditions

A review of the proposed condition change and the existing conditions of the permit have been undertaken, and the following expanded on.

Proposed change to condition 5

Condition 5 is proposed to be amended, from:

5 *No goods other than food and plants may be sold in the market.*

To:

5 *No goods other than food and plants and drink may be sold in the market.*

This is reasonable, to facilitate the sale of liquor, which has been considered above in this report and found acceptable.

Existing conditions

A review of the condition of the existing planning permit has been undertaken and the proposal remains compliant:

- Condition 1A and 1 amended plans requirement are satisfied with the submitted plans.
- Operation of use conditions (except condition 5) are unchanged and remain in force. Conditions 4 and 6 are further discussed below.

- Amenity conditions are unchanged and remain in force.
- Conditions associated with the creation of a new crossover, signs, and development are unchanged and remain in force.

Condition 4

- 4 *At all times, no more than 25 percent:*
- (a) *of the floor area used for the display and sale of goods; and*
 - (b) *of the total number of market stalls,*
- may be used by any single entity, or group of associated entities, at any one time, for the sale of goods other than primary produce grown on the land or on adjacent land.*

The intent of this condition is to ensure that there is a diversity of market stall holders, to ensure that the land use of Market remains applicable – if there was a monopoly on market stalls then the use would transform to Shop. This is unchanged and remains compliant with the proposed liquor sales.

Condition 6

- 6 *All products sold in the market must be:*
- (a) *produce originating from the municipal district of the Mornington Peninsula Shire Council; or*
 - (b) *substantially made from produce originating from the municipal district of the Mornington Peninsula Shire Council.*

The liquor for sale has been nominated as originating from the municipal district of the Mornington Peninsula Shire Council. This conditions is unchanged and remains in force.

New conditions

New conditions are recommended as part of any permit issued associated with standard sale of liquor conditions.

A new condition 1AA is included to ensure an accurate square metre area is represented on the plans. Currently the submitted plans indicate that the 'Display and Sales Floor Area' is 150 square metres. However, the addition of the 'Alcohol Sales only' area will result in an increase of the existing 'Display and Sales Floor Area' by approximately 16 square metres.

The existing condition 15 (Approved use and development not altered) is recommended to be updated to reflect current wording conventions, but does not change the intent.

A new expiry condition is recommended associated with the use of the land for the sale of liquor as the permit has been acted on and the existing expiry conditions are not applicable.

Other clerical changes to reflect current formatting conventions are recommended but does not alter the original decision.

Response to Submissions

To date, two objections have been received. A summary of the issues and Council's response is detailed in the following table:

Issue	Response
Sale of alcohol in this location;	Retail use in this location (rural, non-urban area) has been raised as a concern.

Protection of the Green Wedge.	<p>The use of the land for a Market and Primary Produce sales is established and permissible in the GWZ. The sale of liquor has been assessed as falling within the Market use and reasonable.</p> <p>The scale of the liquor sales is minor and does not materially alter the considerations of the original approval of a Market use in this location.</p>
Land use classification	<p>Concerns over the land use being more appropriate as retail/supermarket; not meeting the definition of Primary Produce Sales; that the use is Bottle Shop has been raised.</p> <p>The land use has been classified as Market – refer above assessment. Additionally, concerns were raised that the liquor origins were not local, again failing to meet the definition of Primary Produce Sales. This is not applicable to the land use classification of Market; however, a condition of the planning permit requires goods to be from the Mornington Peninsula Shire.</p> <p>Objectors directed the assessing officer to <i>Estina Pty Ltd v Mornington Peninsula SC [2016] VCAT 1104 (19 July 2016)</i>, a review associated with a land use definition proposal for Primary Produce Sales in the GWZ that was found to be instead Bottle Shop and prohibited. While the land subject to review was also GWZ, it contained a substantial Retail Premises operating on the land. It is not comparable to the proposal, the proposal being a smaller scale Market use. The definition of Primary Produce Sales is not relied on to support the proposed liquor sales. In <i>Estina Pty Ltd</i> Bottle Shop was found to be the use characterisation as an additional use in consideration of clause 64.02. Clause 64.02 directs that where a land must be used ‘in conjunction with’ another use of the land there must be an essential association between the two uses; and the use must have a genuine, close and continuing functional relationship in its operation with the other use. The land use classification of Market does not rely on ‘in conjunction’ requirement, and the proposed liquor sales have not been found to be classified as an additional or ancillary use, but fully captured under Market.</p> <p>The same review site under <i>Estina Pty Ltd</i> was also raised as an example of ‘growth by stealth’ and a concern the same would occur on the subject land. The review site, its usage and development, have been changing over time and have created a complex situation with a complex history of usage with a complex planning history in relation to permits, amendments and Tribunal decisions. The Planning Permit P18/0096 has explicit land use approval and conditions to prevent a ‘growth by stealth’ and does not share the same complexities of the <i>Estina Pty Ltd</i> site.</p> <p>As noted above, the previously approved uses are not under consideration within this application. Should an objector retain concerns regarding the validity of this decision and/or on-going compliance with the permit then this application is not the appropriate process to peruse this. Alternatively, they may wish to consider seeking a declaration regarding the land pursuant to Section 149A</p>

	of the <i>Planning and Environment Act 1987</i> or a third-party enforcement order regarding compliance with the permit.
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DECISION

That Council 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 an amended planning permit under the provisions of the Mornington Peninsula Planning Scheme in respect of the land known and described as 410 White Hill Road DROMANA VIC 3936410 White Hill Road DROMANA VIC 3936 in accordance with the endorsed plans and subject to the following new or amended permit conditions:

THE PERMIT ALLOWS

PLANNING SCHEME CLAUSE	MATTER FOR WHICH THE PERMIT HAS BEEN GRANTED	REVIEWABLE OR NON-REVIEWABLE MUST BE COMPLETED FOR EACH TRIGGER
Clause 35.04-1 (GWZ2)	Use the land for: <ul style="list-style-type: none"> Primary produce sales Market Rural Industry 	Reviewable
Clause 35.04-5 (GWZ2)	Construct or carry out a building or works for: <ul style="list-style-type: none"> Primary produce sales Market Rural Industry 	Reviewable
Clause 42.01-2 (ESO6)	Construct a building or construct or carry out works	Reviewable
Clause 42.01-2 (ESO19)	Construct a building or construct or carry out works	Reviewable
Clause 52.05-2	Construct or put up for display business identification signage	Reviewable
Clause 52.27	Use land to sell liquor	Reviewable
Clause 52.29-2	Create or alter access to a road in a Transport Zone 2.	NON-REVIEWABLE

New conditions:

1AA Before the amended use commences, amended plans and documents to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved and endorsed these plans and documents will then form part of the permit. The plan must be drawn to scale with dimensions. The plans must be generally in accordance with the submitted plans, but modified to show:

- (a) The overall area of the 'Display and Sales Floor Area' notation increased to accommodate for the alcohol sales area.

- 21 This permit as it relates to use of the land for the sale of liquor will expire if the use does not start within 2 years after the issue date of amended permit P18/0096.03.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the period referred to in this condition.

- 22 This permit only provides for the sale of liquor to be consumed off site.
- 23 The display and sale/purchase of liquor must not occur outside of the licensed areas identified by the 'red line' on the endorsed plans.
- 24 The number of market stalls for the display of liquor must not exceed three.

Form 6

NOTICE OF DECISION TO GRANT AN AMENDMENT TO A PERMIT	Application No:	
	Planning Scheme	Mornington Peninsula
	Responsible Authority:	Mornington Peninsula Shire

THE RESPONSIBLE AUTHORITY HAS DECIDED TO AMEND A PERMIT. THE AMENDED PERMIT HAS NOT BEEN ISSUED.

ADDRESS OF THE LAND:

**410 WHITE HILL ROAD DROMANA VIC 3936
LOT 1 TP 115798 VOL 9661 FOL 992**

PERMIT FOR WHICH THE AMENDMENT WAS SOUGHT:

PLANNING PERMIT P18/0096 ISSUED ON 18 MARCH 2019 AND WHICH AUTHORISED USE OF THE LAND FOR MARKET, PRIMARY PRODUCE SALES AND RURAL INDUSTRY, REDUCTION IN THE NUMBER OF CAR PARKING SPACES REQUIRED, DISPLAY OF SIGNAGE, ALTERATION OF ACCESS TO A ROAD ZONE CATEGORY 1 AND BUILDINGS AND WORKS IN ACCORDANCE WITH THE ENDORSED PLANS

WHAT AMENDMENT IS BEING MADE TO THE PERMIT:

Amending the plans endorsed under the permit generally involving:

- Addition of three market stalls for the sale of liquor from Mornington Peninsula Shire

Amending the conditions of the permit by:

- Amending condition 5 of the permit by adding the words “and drink” after the words “food and plants”
- Inserting new condition 1AA.
- Amending condition 15 of the permit.
- Inserting new conditions 21-24.

Amending the what the permit authorises by:

- Addition of clause 52.27: use land to sell liquor.

TO WHAT CONDITIONS IS THE AMENDMENT SUBJECT?

1AA Before the sale of liquor commences, amended plans and documents to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved and endorsed these plans and documents will then form part of the permit. The plan must be drawn to scale with dimensions. The plans must be generally in accordance with the submitted plans, but modified to show:

- (b) The overall area of the ‘Display and Sales Floor Area’ notation increased to accommodate for the alcohol sales area.

5. No goods other than food and plants and drink may be sold in the market.
15. The approved use and development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority (Unless otherwise specified by a condition of this permit, consent is not required for any buildings or works which do not require a planning permit under the Mornington Peninsula Planning Scheme).
21. This permit as it relates to use of the land for the sale of liquor will expire if the use does not start within 2 years after the issue date of amended permit P18/0096.03.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the period referred to in this condition.

22. This permit only provides for the sale of liquor to be consumed off site.
23. The display and sale/purchase of liquor must not occur outside of the licensed areas identified by the ‘red line’ on the endorsed plans.
24. The number of market stalls for the display of liquor must not exceed three.

“PART B” / PERMIT AFTER NOD

Form 4

PLANNING PERMIT	Permit No:	P18/0096 B
	Planning Scheme	Mornington Peninsula
	Responsible Authority:	Mornington Peninsula Shire

ADDRESS OF THE LAND:

**10 WHITE HILL ROAD DROMANA VIC 3936
LOT 1 TP 115798 VOL 9661 FOL 992**

THE PERMIT ALLOWS:

PLANNING SCHEME CLAUSE:	MATTER FOR WHICH THE PERMIT HAS BEEN GRANTED:
Clause 35.04-1 (GWZ2)	Use the land for a section 2 use: <ul style="list-style-type: none">• Primary produce sales• Market• Rural Industry
Clause 35.04-5 (GWZ2)	Construct or carry out a building or works for a section 2 use: <ul style="list-style-type: none">• Primary produce sales• Market• Rural Industry
Clause 42.01-2 (ESO6)	Construct a building or construct or carry out works
Clause 42.01-2 (ESO19)	Construct a building or construct or carry out works
Clause 52.05-2	Construct or put up for display business identification signage
Clause 52.27	Use the land to sell liquor

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Condition 1 to 24 inclusive

1AA Before the sale of liquor commences, amended plans and documents to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved and endorsed these plans and documents will then form part of the permit. The plan must be drawn to scale with dimensions. The plans must be generally in accordance with the submitted plans, but modified to show:

16. The overall area of the 'Display and Sales Floor Area' notation increased to accommodate for the alcohol sales area.

- 1A By 30 November 2021, amended plans and documents to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved and endorsed these plans and documents will then form part of the permit. The plan must be drawn to scale with dimensions. The plans must be generally in accordance with the submitted plans, but modified to show:
- (a) Notations indicating area/s to be used for market, primary produce sales and rural industry; and
 - (b) A notation that no more than 25 percent:
 - i of the floor area used for the display and sale of goods; and
 - ii of the total number of market stalls;
- may be used by any single entity, or group of associated entities, at any one time, for the sale of goods other than primary produce grown on the land or on adjacent land.
- 1 Before the amended development and uses commence, amended plans and documents to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved and endorsed these plans and documents will then form part of the permit. The plan must be drawn to scale with dimensions. The plans must be generally in accordance with the submitted plans, but modified to show:
- (a) Delineation of the entry/ exit is required by way of a centre line to separate the entry and exit sides of the accessway, and up/down arrows marked on the entry.
 - (b) Plans and elevations of the signage updated to include the sign above the entrance of the Market.
 - (c) Deletion of condiments.

Operation of use

- 2 Unless with the further written consent of the Responsible Authority, all produce displayed and sold on the land as part of the Primary Produce Sales use must be only grown on the land or on adjacent land in accordance with planning permit P18/0096, or any further planning approvals.
- 3 Unless with the further written consent of the Responsible Authority, the uses may only operate between the following hours:
- 7am to 6pm Monday to Sunday
- 4 At all times, no more than 25 percent:
- (a) of the floor area used for the display and sale of goods; and
 - (b) of the total number of market stalls,

may be used by any single entity, or group of associated entities, at any one time, for the sale of goods other than primary produce grown on the land or on adjacent land.

- 5 No goods other than food and plants **and drink** may be sold in the market.
- 6 All products sold in the market must be:
 - (a) produce originating from the municipal district of the Mornington Peninsula Shire Council; or
 - (b) substantially made from produce originating from the municipal district of the Mornington Peninsula Shire Council.
- 7 Unless with the further written consent of the Responsible Authority, the Rural industry approved by this permit must be limited to the production of processed goods on the land for sale in the market on the land.

Amenity

- 8 The amenity of the area must not be detrimentally affected by the development through the:
 - i Transport of materials, goods or commodities to or from the land.
 - ii Appearance of any buildings and works or materials.
 - iii Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
- 9 By 31 December 2021, or such other date as approved in writing by Department of Transport (DoT), a Functional Layout Plan (FLP) must be submitted to and approved by the (DoT). When approved by DoT, the FLP may be endorsed by the Responsible Authority and will then form part of the permit. The FLP must be drawn to scale with all relevant measurements and annotations and must be generally in accordance with Drawing number 1011801-1A – Functional Layout Proposed 'BAR' Turning Treatment by TTM, dated 27 August 2018, including:
 - (a) Pavement widening to accommodate a basic right turn (BAR),
 - (b) Line marking and signage details as appropriate,
 - (c) Details of any existing, required or relocated services/road furniture etc., and
 - (d) Swept paths for all associated movements, including a 12.5m truck and B99 turning/passing concurrently.
- 10 Subsequent to the approval of the Functional Layout Plan (FLP) and prior to the commencement of any roadworks within the arterial road reserve the applicant must submit the detailed engineering design plans informed by a functional

stage Road Safety Audit to DoT for review and approval. The detailed design plans must be prepared generally in accordance with the approved FLP.

- 11 By 31 December 2021, or such other date as approved in writing by DoT, the access crossover and associated works within the arterial road reserve must be completed in accordance with the approved detailed engineering design plans and Functional Layout Plan, to the satisfaction of DoT and the Responsible Authority and at no cost to DoT or the Responsible Authority.
- 12 Vehicles must enter and exit the land in a forward direction at all times.
- 13 The driveway and crossover must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner (forward direction) or compromise operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).
- 14 The loading and unloading of goods from vehicles must only be carried out on the land.

Approved use and development not altered

- 15 The approved use and development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority (Unless otherwise specified by a condition of this permit, consent is not required for any buildings or works which do not require a planning permit under the Mornington Peninsula Planning Scheme).

Layout and display of sign not altered

- 16 The location and details of signs shown on the endorsed plans must not be altered without the consent of the Responsible Authority.

Materials and colours

- 17 The materials and colours of the exterior finish of the buildings must be in accordance with the Endorsed Plans unless with the further permission of the Responsible Authority.

Maintenance of signage

- 18 All signs must be designed to a professional standard, constructed and maintained in good condition to the satisfaction of the Responsible Authority.

Permit expiry

- 19 This permit will expire if either one of the following applies:
 - The development is not completed within two years of the date of this permit; or
 - The use is not commenced within two years of the date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Signage expiry

- 20 The permit for the sign is only valid for as long as the site is used and developed in accordance with this Permit.

Licensed premises

- 21 This permit as it relates to use of the land for the sale of liquor will expire if the use does not start within 2 years after the issue date of amended permit P18/0096.03.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the period referred to in this condition.

- 22 This permit only provides for the sale of liquor to be consumed off site.
- 23 The display and sale/purchase of liquor must not occur outside of the licensed areas identified by the 'red line' on the endorsed plans.
- 24 The number of market stalls for the display of liquor must not exceed three.

THE PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief Description of amendment	Name of responsible authority	Section of the Act under which the permit has been issued
Insert date	<p>Amending the plans endorsed under the permit generally involving:</p> <ul style="list-style-type: none">Addition of three market stalls for the sale of liquor from Mornington Peninsula Shire <p>This amends and supersedes Sheet 2 of 8 of the endorsed plans dated 05/09/2022. Sheets 1, 3-8 remain in accordance with the endorsed plans dated 16/04/2019.</p> <p>Amending the what the permit authorises by:</p> <ul style="list-style-type: none">Addition of clause 52.27: use land to sell liquor.	Mornington Peninsula Shire Council	Section 75

	Amending the conditions of the permit by: <ul style="list-style-type: none"> Amending condition 5 of the permit by adding the words “and drink” after the words “food and plants” Inserting new condition 1AA. Amending condition 15 of the permit. Inserting new conditions 21-24. 		
19 October 2021	Permit amended at direction of VCAT to incorporate ‘Market’ and ‘Rural Industry’ uses, with associated revisions/additions to conditions.	Mornington Peninsula Shire Council	Section 74

THE PERMIT HAS BEEN EXTENDED AS FOLLOWS:

Date of extension	Brief description of the extension	Duration of the extension
23 December 2020	Extension to complete a development	2 years Expires: 19 March 2023

PROTOCOL FOR BRIEFINGS AND WORKSHOPS

Objective Reference:



1.0 INTRODUCTION

On 23 July 2024, Council resolved that Briefings are to be made open to the public online

This Resolution accords with Council's commitment to transparency, accountability, community engagement and principles of good governance

The purpose of this Protocol is to give effect to the Resolution and outline principles for its implementation, while providing for the presentation and discussion of routine items, confidential information and sensitive information in forums that are closed to the public.

2.0 DEFINITIONS

Act means the Local Government Act 2020.

Briefing means a public meeting conducted under the auspices of the Council at which Council officers provide information to Councillors to assist with the performance of their role in relation to items of significant public interest (as determined by the CEO under clause 5). For the avoidance of doubt, a Briefing is not a Council meeting for the purposes of the Act or Council's Governance Rules.

CEO means the Chief Executive Officer of Council and any person acting in that position.

Chairperson means the Mayor or, if the Mayor is not available, the Deputy Mayor or, if the Deputy Mayor is not available, the Councillor chosen to be the Chairperson by a majority of the Councillors in attendance.

Confidential information has the same meaning as in the Act.

Sensitive information means information the disclosure of which would be contrary to the public interest or to any applicable legal obligation.

Workshop means an internal Council forum in which Councillors and Council officers may consider and discuss issues to assist Councillors to perform their role and that may include confidential information or sensitive information or are routine items that by their nature or level of public interest do not warrant public broadcasting.

3.0 BRIEFINGS

3.1 Briefings provide a valuable opportunity to enhance Council decision-making by allowing Councillors to become better informed on issues and seek further clarification about matters coming before Council for decision at a future Council meeting.

Approved by:
Approval date: XX/XX/XXXX
Scheduled Review Date XX/XX/XXXX

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PROTOCOL FOR BRIEFINGS AND WORKSHOPS

Objective Reference:



3.2 Briefings also provide a valuable opportunity to promote transparency and community engagement by allowing the preliminary discussions on items of significant public interest by Councillors to be available to the public online.

3.3 Importantly, Briefings are not used for:

3.3.1 conducting the general business of Council or making decisions; or

3.3.2 considering and discussing confidential information or sensitive information

3.4 The Chairperson of a Briefing may give such directions as are necessary to promote its orderly conduct, including to:

3.4.1 limit time for discussion on any item;

3.4.2 require a participant to withdraw any inappropriate question, statement or comment; and

3.4.3 call a person to order if their behaviour is disruptive or interferes with the conduct of the Briefing.

3.5 Briefings will be made open to the public online in a manner determined by the CEO and Mayor.

4.0 WORKSHOPS

4.1 Workshops provide an opportunity for Councillors and Council officers to share information and to explore proposals that are in their preliminary stages before embarking on a more detailed assessment of them. They also promote learning outcomes for Councillors and Council officers in relation to items that may later come before Council for decision.

4.2 Like Briefings, Workshops are not used for conducting the general business of Council or making decisions.

4.3 Unlike Briefings, Workshops are internal forums and will not be made open to the public. Workshops will be used to discuss and explore matters, including matters which might be of significant public interest, which:

4.3.1 require the presentation and discussion of confidential information and/or sensitive information, where the release of such information may be contrary to legislation, mislead the public or otherwise be contrary to the public interest;

4.3.2 involve the presentation of information to Councillors for the purposes of initial, preliminary or exploratory discussion; or

4.3.3 are routine in nature and do not affect the community, or otherwise due to their nature and level of public interest do not warrant public broadcasting.

4.4 As a general proposition, it is expected that most matters will be better suited to discussion at a Workshop rather than a Briefing, given the nature of information most commonly presented to and discussed by Councillors in these forums.

Approved by:
Approval date: XX/XX/XXXX
Scheduled Review Date XX/XX/XXXX

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PROTOCOL FOR BRIEFINGS AND WORKSHOPS

Objective Reference:



4.5 The Chairperson of a Workshop may give such directions as are necessary to promote its orderly conduct, including to:

- 4.5.1 limit time for discussion on any item;
- 4.5.2 require a participant to withdraw any inappropriate question, statement or comment; or
- 4.5.3 call a person to order if their behaviour is disruptive or interferes with the conduct of the Workshop

5.0 SETTING THE AGENDA FOR BRIEFINGS AND WORKSHOPS

5.1 The CEO, in consultation with the Mayor, is responsible for:

- 5.1.1 deciding whether an item or matter will be presented and discussed at a Briefing or at a Workshop; and
- 5.1.2 setting the agenda for Briefings and Workshops.

5.2 In making a decision under clause 5.1, the CEO may take into account any factor that they consider relevant, including but not limited to:

- 5.2.1 which forum is best suited to ensuring that the Mayor and Councillors are supported in the performance of their roles;
- 5.2.2 which forum is best suited to ensuring that Council receives timely and reliable advice;
- 5.2.3 the extent of public interest in an item and whether it is so significant as to warrant public broadcasting of the related discussion;
- 5.2.4 whether an item for discussion may involve the presentation and discussion of confidential information or sensitive information; and
- 5.2.5 the Public Transparency Policy adopted by Council and as amended from time to time.

5.3 In assessing under clause 5.2.3 whether there is significant public interest in an item, the CEO may have regard to any factor they consider relevant, including but not limited to:

- 5.3.1 the level of community involvement in or discussion about the item;
- 5.3.2 the number of people within the Shire or elsewhere that may have an interest in or be affected by the item; and

5.3.3 whether the item has strategic or general significance for the municipality or is of a more routine or typical nature.

5.4 The CEO will determine whether information to be presented in with an item is confidential information by assessing it against the definition of 'confidential information' in s 3(1) of the Act.

5.5 In assessing whether information to be presented with an item is sensitive information, the CEO may have regard to, among other factors:

- 5.5.1 the sensitivity of the information;
- 5.5.2 whether the information comprises a draft or is otherwise no longer current;

Approved by:
Approval date: XX/XX/XXXX
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PROTOCOL FOR BRIEFINGS AND WORKSHOPS

Objective Reference:



5.5.3 any adverse effect that releasing the information may have on the effectiveness of Council's decision-making processes;

5.5.4 whether the information was provided to Council in confidence;

5.5.5 whether the information is of a preliminary nature, such that its release might mislead the community with respect to Council's position on a matter or have an adverse effect on the economy of the municipal district;

5.5.6 whether public presentation and discussion of the information would prejudice discussions or negotiations between Council and any other party in relation to a contract, legal proceeding or any other matter; and

5.5.7 whether public presentation and discussion of the information would impair or otherwise impact on:

- (a) Council's ability to obtain similar information in future;
- (b) negotiations with respect to employment arrangements for Council officers; or
- (c) defence, prosecution or settlement of legal proceedings.

5.6 For the avoidance of doubt, if information to be presented with an item is:

5.6.1 confidential information, it will only be presented and discussed at a Workshop, no matter the level of public interest in an item; or

5.6.2 sensitive information, may be presented and discussed at a Workshop, even if it is an item of significant public interest,

unless Council resolves to be presented with and discuss the particular item in a Briefing.

6.0 PROTOCOL SPONSOR

The Manager – Governance and Risk is responsible for overseeing the application and review of this protocol.

7.0 DOCUMENT CONTROLS

This Protocol will be reviewed 6 months after its initial approval, and every 12 months after that, unless it is revoked sooner

Approved by:
Approval date: XX/XX/XXXX
Scheduled Review Date XX/XX/XXXX

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Protocol For Briefings And Workshops

		Does this protocol align with Council's commitment to transparency, accountability, community engagement and principles of good governance?							Relationship with the Peninsula
Contribution ID	Date Submitted		Comments:	Is there anything we should revise, or add to the protocol?	Other comments	Age	Gender		
				Any meetings or events attended by Mornington Peninsula Shire Mayor, Deputy Mayor or Councillors should be recorded and details provided on the Council website and updated weekly. There should be a monthly disclosure of diaries from the Mayor, Deputy Mayor and Councillors detailing all meetings, dates, the nature and purpose of the meetings and names of all attendees and organisations/companies at the meetings. The Victorian Government Ministerial Code of Conduct section 5.3 "Ministerial diary disclosures" should provide guidance and be implemented by Mornington Peninsula Shire Council to improve transparency and good governance. The disclosure of the number of meetings attended by the Mayor, Deputy Mayor and Councillors will also provide data on the productivity of each individual and their ability and effectiveness to represent the residents of their Ward.					
	Mar 02, 2025, 03:45 PM	Yes	Any information presented to Councillors in a Briefing should be made available to the general public. A list of Briefings and dates should be made available on the Council website - updated weekly.		The Postcode box below is faulty - does not allow for any number higher than 4 - no postcodes allowable.	50-59 years	Man	Resident	
	Feb 28, 2025, 03:58 PM	No	See my comprehensive comments below	Draft Public Briefing Document Feedback	See comments above. .			Resident	
	Feb 26, 2025, 02:28 PM	Yes				30-39 years	Woman	Resident	
				Could more positively frame the Policy to position briefings as providing the evolving evidence and argument that supported final decisions of Council. Community access to Briefing papers enables a clearer and stronger understanding of that journey. This should also reduce the need to revisit this information in Council meetings where the Briefings can be referred .		50-59 years	Prefer not to say	Resident	
	Feb 07, 2025, 11:40 AM	Yes							
				There is no reference to overarching legislation through the Local Government Act 2020 or to the Governance Rules to provide a legitimate framework. How will public breaches of confidentiality through this protocol be managed for impacted third parties? Under what legislation will Councillors be protected from inadvertent breaches of confidentiality during public briefing discussions?		50-59 years	Prefer not to say	Resident	
	Feb 03, 2025, 05:38 PM	Not sure							

*This submission as been attached to the next page

Draft Public Briefing Document Feedback

Below I have included feedback by sections and then feedback applicable across the sections. By implementing below suggestions, the Mornington Peninsula Shire Council can enhance public engagement, improve clarity regarding decision-making processes, and ensure that all community members have fair access to Briefings and Workshops, regardless of their media preferences.

Introduction (1.1 - 1.3)

Enhance Public Engagement: It would be beneficial to include a mention of how public engagement will be facilitated through these online Briefings, i.e.

- *How the public can access these sessions.

- *Whether there will be an opportunity for the public to ask questions or provide feedback.

- *How the public can submit questions ahead of time or in real time during the Briefings.

2. Definitions (2.1 - 2.5)

Clarification of "Routine Items": The term "routine items" would benefit from further clarification. While it's mentioned that these items do not require public broadcasting, providing examples or further elaboration would be helpful. For instance, "routine items" might refer to administrative matters or procedural updates that do not significantly impact the public, and clarifying this distinction can prevent confusion.

Briefings (3.1 - 3.5)

Clarification of Decision-Making: While it is stated that Briefings should not be used for decision-making, it would be helpful to clarify that actual decisions are made in formal Council meetings. Additionally, it would be useful to mention when and how the public can provide input on items that have been presented in Briefings, ensuring that the public understands the role of Briefings as purely informational and not decision-making forums.

4. Workshops (4.1 - 4.5)

Transparency of Workshop Discussions: While Workshops are closed to the public, it would be beneficial to clarify how the information discussed in Workshops (if relevant to the public) will be shared at a later stage. For example:

Public Access: Could the outcomes or summaries of Workshop discussions be included in public reports or formal Council meetings?

This can reassure the public that their interests are considered, even if they are not directly involved in Workshops.

5. Setting the Agenda for Briefings and Workshops (5.1 - 5.6)

Public Notification: It could be beneficial to add a clause specifying how the public will be notified about upcoming Briefings. For example:

Will the agenda be posted online in advance?

Giving the public time to review the agenda will also provide an opportunity for them to submit questions in advance.

Proposal: Council will post the agenda for upcoming Briefings online at least 7 days before the event to give the public time to review the topics and submit questions or feedback.

6. Review (6.1)

Community Feedback During Review: To further align with the focus on transparency and community engagement, it would be helpful to mention how public feedback will be collected during the review period. This could involve:

Gathering community input through surveys, forums, or direct submissions to the Council.

Public consultations on how well the Briefings and Workshops are working and whether they are meeting the needs of the community.

Proposal:

During the review period, Council will seek public feedback on the effectiveness of the protocol through online surveys, public forums, and direct submissions.

Additional Considerations Across the Document

1. Annual Schedule & Communication:

Suggestion for All Sections: A structured, year-ahead calendar for Briefings and Workshops should be created and published publicly. Updates to the schedule should be communicated promptly across various channels.

Proposal (across multiple sections):

Council will prepare and publish an annual schedule of Briefings and Workshops at the start of each year, with updates provided only in the event of changes. This schedule will be communicated across various channels, including the Council website, local media, and social media.

2. Clear Registration Process:

Suggestion for All Sections: Registration deadlines for Briefings and Workshops should be well-publicised with multiple reminders sent through various communication channels to ensure the public is aware and can register in time. Registration process should be clear and timeline when registration is open by to be published in the annual calendar.

Proposal (across multiple sections):

Registration for all events should open at least 3 weeks prior to the event date. Council will publish registration dates in the annual calendar. Registration steps should be clearly outlined and be consistent across all registrations.

Community Feedback Mechanism:

Suggestion for All Sections: Incorporating community feedback both in the agenda-setting process and in post-event follow-ups will help ensure that the Council's activities are responsive to the needs of the public.

Proposal (across multiple sections):

Following each Briefing or Workshop, Council will seek community feedback on the event's content and accessibility, ensuring continuous improvement in the engagement process.

Visibility of Event Updates:

Suggestion for All Sections: Make updates on the schedule, agenda changes, or additional events a regular part of Council meeting agendas to ensure the public remains informed of any changes in a consistent manner.

Proposal (across multiple sections):

Council will include a regular update on upcoming events, including Briefings and Workshops, as a standing agenda item in Council meetings. This ensures ongoing visibility and ensures that the public remains informed of changes.

Additional Comment on Other Engagement Sessions:

Clarification on Engagement Sessions: "In addition to Briefings and Workshops, it is important to establish clear protocols regarding other types of engagement sessions where the public can actively participate, such as the Council planning sessions currently being held. These sessions should be explicitly defined within the protocol to improve transparency and ensure that the public has fair access to these. The feedback below relates to other sessions

Suggestions:

* Clear Communication: Provide detailed information on how these sessions are organised, advertised, and structured. This will help ensure that all community members have equal access, not just those who may already be familiar with digital platforms or who are actively monitoring council activity.

* Public Participation: Establish specific mechanisms that allow the public to provide input, ask questions, and give feedback on plans before decisions are made. This could include live Q&A sessions, submission forms, or interactive discussion forums during the sessions.

* **Scheduling and Registration:** Ensure that all engagement sessions are scheduled for the year ahead with clear dates and times. Updates to the schedule should only occur in exceptional cases, with adequate notice given to the public. * **Registration** for these sessions should be open well in advance to allow ample time for community members to sign up and participate. A regular annual calendar of events should be published at the beginning of the year, listing all key engagement sessions, including planning meetings and other important events, so that the public can plan ahead and participate.

* **Advertising and Notice:** These engagement sessions should be promoted well in advance through multiple channels (e.g., always Council website, and others as applicable: social media, local newsletters, and public noticeboards) to ensure that the wider public, particularly those who may not engage with social media platforms, are aware of the opportunities to participate. However, updates to these sessions should not be solely advertised on the Council website and marked as an update in the annual calendar but should always be included as a regular agenda item in Council meetings, with sufficient lead time ahead of each event. This will ensure that members of the public are kept informed through familiar, regularly updated channels that they are more likely to consult.

* **Feedback Mechanism:** Ensure that the public is provided with a clear and accessible method for submitting feedback before and after these sessions. This could include online forms, email submissions, or a designated feedback portal on the Council website.

* **Visibility of Updates:** It is important that updates related to these engagement sessions (such as changes in schedule, key outcomes, or feedback received) are readily visible to the public. These updates should be posted always on the Council website and as required on other accessible platforms and should always be included in the agenda of Council meetings. By including these updates in Council meeting agendas, the public will have an opportunity to stay informed, even if they are not monitoring the website continuously.

* **Transparency of Process:** Provide clarity on how the feedback gathered during these engagement sessions will be incorporated into the decision-making process, ensuring that community input is not only heard but also acted upon in the final decisions made by Council.

By explicitly outlining these engagement sessions, ensuring clear communication, implementing a robust system for scheduling, registration, feedback, and updates, and including those updates in regular Council meeting agendas, along with publishing a regular annual calendar of events at the beginning of the year, the Council can enhance public confidence in the process and improve the overall quality of decision-making.

Councillor Briefing Sessions



Briefing Date: 10 June 2025

Time: 6.30pm

Location: Municipal Offices, Rosebud

Councillors Present (please tick)

☒ Cr Roper ☒ Cr Patton ☒ Cr Marsh ☒ Cr Binyon ☐ Cr Gill ☒ Cr Batty
☒ Cr Ranken ☒ Cr Allen ☒ Cr Pingiaro ☒ Cr Williams ☒ Cr Stephens

The matters listed below were presented at the Councillor Briefing Session

Item No	Item
1	<p>BN2059 – Adoption of the 2025/2026 Annual Budget</p> <p>Councillors were presented with the Proposed 2025/2026 Annual Budget, which is scheduled for adoption at the Council Meeting on 17 June 2025. The budget was developed through a structured process involving rates and revenue, operating expenditure, and capital works and projects. Key milestones include the adoption of a 3% rate cap and fees and charges on 8 April 2025, endorsement of the Financial Performance Statement for the purposes of estimating funds available for Capital Works and Operating Projects, adopted Community Investment Funding budget and deferred 2024/25 borrowings from 2024/25 to 2025/26 on 6 May, and adoption of capital works and operating projects on 20 May.</p> <p>Following the 6 May meeting, the draft operating budget was amended to reduce employee costs by \$5 million, increase service planning efficiencies by \$2 million, and include a \$16,560 increase to the Community Investment Funding program. After the 20 May meeting, additional amendments included allocations for traffic safety programs, the Dromana Bowls Club rectification project, a community safety project, and an additional \$300,000 for the Local Areas Community Capital Infrastructure Grants Program.</p> <p>These changes leave a balance of \$5.159 million in unallocated funds, which will be considered in the mid-year reforecast. A final review of fees and charges was completed following the awarding of contracts to Belgravia Leisure. This review resulted in a \$0.10 increase to one fee, the addition of 19 new fees, and the reduction of five fees to \$0. These changes are included in the updated schedule of user fees and charges to be presented alongside the budget on 17 June 2025.</p>
2	<p>Planning Updates</p> <p>Councillors were briefed on an upcoming report on Planning Permit Application P22/2377 for a proposed telecommunications facility near the Lonsdale Street on-ramp to the Mornington Peninsula Freeway in McCrae. The development includes a 27.4-metre monopole with 4G and 5G antennas, an equipment compound, security fencing, and a vehicle access slip lane. The facility aims to improve service for Optus and Vodafone in McCrae and northern Rosebud. Public notice of the application resulted in 51 objections, citing concerns about the facility's necessity, location, height, visual and environmental impact, property devaluation, and inadequate consultation. Despite objections, the proposal is deemed consistent with planning requirements, and it is recommended that Council support the application and issue a Notice of Decision to Grant a Permit with conditions.</p>

Councillor Briefing Sessions



3	<p>BN2066 – Waste Contracts Extensions – CN2199 Operation of Transfer Stations, Waste Hoppers and Rye Landfill & CN2391 Provision of a Landfill Facility to Receive Solid Inert Municipal Waste</p> <p>Councillors were advised on the need to extend two waste management contracts related to the operation of Rye Landfill and associated transfer stations. Originally scheduled to close in June 2025, the landfill's operational life is expected to be extended by 12–24 months due to changes in EPA capping requirements and a pending license amendment.</p> <p>Retendering the contracts during this uncertain period is considered unviable due to cost and market interest concerns. Council approval is being sought to allow up to four 6-month extensions, delegated to the CEO, to align contract timelines with the landfill's closure. Continuing operations at Rye avoids higher disposal and transport costs estimated at nearly \$3 million annually and ensures the effective use of an existing asset. All costs will be covered under current waste budgets and offset by income from Resource Recovery Centres and landfill operations.</p>
4	<p>BN2061 – Community Investment Funding Programs Guidelines</p> <p>Councillors were briefed on the Community Investment Funding (CIF) programs and eligibility criteria for 2025–2029, ahead of formal adoption on 1 July 2025. The CIF Program supports grants, subsidies, and sponsorships aligned with Council priorities to build community capacity and resilience.</p> <p>Budget allocations for 2025–2026 total \$3,999,750 and span categories including environmental sustainability, community cohesion, safety, infrastructure, and tourism economic development. Some programs have been discontinued, such as the Friends of Los Palos Subsidy and the Mayoral Emergency Fund. Multi-year commitments have reduced available sponsorship funds to \$225,000. Upon adoption, it is proposed that the CEO be delegated authority for implementation, and the program is expected to open to the community on 13 July 2025.</p> <p>Funding, outside the community Investment Funding Policy, has been discontinued, such as the Friends of Los Palos Subsidy and the Mayoral Emergency Fund.</p>
5	<p>BN2065 – Procurement of Retail Energy – Opportunity to Participate in Collaborative Tender</p> <p>Councillors were informed of the opportunity to join a collaborative procurement process for retail energy led by Procurement Australia on behalf of 27 Councils. The Shire's current energy contracts are nearing expiry, requiring new agreements. Participating in the joint tender is expected to deliver better pricing than an individual tender, due to aggregated energy volumes. While electricity pricing is stable and may slightly increase for large sites, gas pricing has dropped significantly, with large gas expected to be 40% cheaper. The proposed agreements cover 356 sites and are projected to cost \$900,000 annually, with estimated annual savings of \$330,000. A formal decision to participate will be sought at the 17 June 2025 Council meeting, where four contracts will be proposed for approval, each varying in term and value depending on site type and energy usage.</p>

The matters listed below were provided as non-verbal updates

Item No	Item
1	BN2062 – Response to Councillor Amendment – CEO Delegation Report (8 May 2025)

Councillor Briefing Sessions



	<p>Councillors were provided with a report addressing the practicability of implementing a Council approval process for any budget overruns exceeding 10% on projects over \$100,000, following an amendment adopted on 8 April 2025. Shire officers have reviewed the proposal and concluded that such a process would be unnecessary and potentially harmful to project delivery and public safety. Council already has strong oversight mechanisms through midyear re-forecasts, quarterly reporting, and weekly updates.</p> <p>Additional approval requirements could delay projects, increase costs, reduce responsiveness to emergencies, and harm Council's reputation. Officers recommend maintaining the current delegation and reporting frameworks, which are considered sufficient for transparency and financial control.</p>
2	<p>BN2063 – Draft Australia Day Local Awards – Selection Panel Terms of Reference and Procedure Update</p> <p>Councillors were provided with the updated Terms of Reference for the Australia Day Local Awards Selection Panel, incorporating feedback from meetings held in December 2024 and April 2025. The updates aim to improve clarity, structure, and consistency in the awards process.</p> <p>The Panel, made up of community members and Council representatives, assesses nominations and recommends award recipients. Key changes include clearer roles and responsibilities, a more structured application of selection criteria, improved transparency, an earlier nomination period starting 1 July, and increased community engagement by Panel members. The updated Terms of Reference will be finalised after Councillor feedback and presented for formal adoption on 17 June 2025.</p>
3	<p>BN2064 – Correction to Council Resolution – Community Asset Maintenance Services Tender Recommendation Reports</p> <p>Councillors were provided with a report outlining administrative corrections required for several contracts awarded under the Future Maintenance Services project, which were previously approved based on annual spend instead of total contract value with contingencies. This affected five contracts, including Roads Corridor, Open Spaces, Tree Management, Bushland Management, and Cleaning Services. The correction is necessary to align with standard procurement practices and ensure efficient contract administration.</p> <p>The future Council report will seek Council approval for the revised total spend on interim Carpentry Services and After-Hours Support, which exceeds the CEO's financial delegation due to an expanded scope. These changes do not alter the scope or terms of the contracts but ensure proper financial and operational management. The corrected resolutions will be presented for approval at the 1 July 2025 Council Meeting.</p>

Conflict of Interest Disclosures (refer overleaf):

Matter No.	Name of Councillor/s who declared a Conflict of Interest	Did they leave the Briefing?	
		YES	NO
		<input type="checkbox"/>	<input type="checkbox"/>

Responsible Officer completing this form:

Name: Tegan Lewis

Signature:

Position: Senior Council Reports Officer

CORPORATE STRATEGY & BUSINESS IMPROVEMENT

4.3 CN2635 Road Corridor Maintenance Services Tender Recommendation

RECOMMENDATION

That Council:

1. Having considered all tender submissions, hereby accepts the tender submission received from Tenderer 2 for the annual contract sum of \$XXX plus \$XXX GST being for Community Asset Maintenance Services CN2635 – Road Corridors contract.
2. Approves further expenditure under the contract up to the annual contingency and other allowances identified within Attachment 4 of this report.
3. Delegates authority to the Chief Executive Officer pursuant to section 11 of the *Local Government Act 2020*:
 - A. to execute the Contract for the awarded tender, and
 - B. to vary the contract sum within the terms and conditions of the Contract.
4. Ensures CN2635 is funded as part of the upcoming 2024-25 budget process and allowed for in the next revision to its Long Term Financial Plan.
5. Receives a report on the Contractor's performance as part of the decision making process for the granting or otherwise of any contract extensions.

Part B

That Council resolves that Attachments 2, 3 and 4 to this report be retained as confidential items pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as they contain private commercial information that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

UPDATED RECOMMENDATION

That Council:

1. Having considered all tender submissions, hereby accepts the tender submission received from Tenderer 2 for the annual contract sum of \$XXX plus \$XXX GST being for Community Asset Maintenance Services CN2635 – Road Corridors contract.
2. Approves further expenditure under the contract up to the annual contingency and other allowances identified within Attachment 4 of this report.
3. Delegates authority to the Chief Executive Officer pursuant to section 11 of the *Local Government Act 2020*:
 - A. to execute the Contract for the awarded tender, and
 - B. to vary the contract sum within the terms and conditions of the Contract.
4. Ensures CN2635 is funded as part of the upcoming 2024-25 budget process and allowed for in the next revision to its Long Term Financial Plan.

Council Meeting Minutes
4.3 (Cont.)

12 December 2023

5. Receives a report on the Contractor's performance as part of the decision making process for the granting or otherwise of any contract extensions.

Part B

That Council resolves that Attachments 2, 3 and 4 to this report be retained as confidential items pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as they contain private commercial information that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Part C

That the identity of the accepted Tender as well as the contract amount be retained as confidential until such time as the contract has been fully executed and unsuccessful tenderers have been notified pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as the premature release of this information could unreasonably expose the business, commercial or financial undertaking to disadvantage.

COUNCIL DECISION

Moved: Cr Roper
Seconded: Cr Celi

That the updated recommendation be adopted.

Carried

On 15 January 2024 the awarded tenderer and contract amount were released, therefore the Council decision has been updated as follows:

COUNCIL DECISION

That Council:

1. **Having considered all tender submissions, hereby accepts the tender submission received from Fulton Hogan Industries Pty Ltd for the annual contract sum of \$29,494,013 plus \$2,949,401 GST being for Community Asset Maintenance Services CN2635 – Road Corridors contract.**
2. **Approves further expenditure under the contract up to the annual contingency and other allowances identified within Attachment 4 of this report.**
3. **Delegates authority to the Chief Executive Officer pursuant to section 11 of the *Local Government Act 2020*:**
 - A. **to execute the Contract for the awarded tender, and**
 - B. **to vary the contract sum within the terms and conditions of the Contract.**
4. **Ensures CN2635 is funded as part of the upcoming 2024-25 budget process and allowed for in the next revision to its Long Term Financial Plan.**
5. **Receives a report on the Contractor's performance as part of the decision making process for the granting or otherwise of any contract extensions.**

Council Meeting Minutes
4.3 (Cont.)

12 December 2023

Part B

That Council resolves that Attachments 2, 3 and 4 to this report be retained as confidential items pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as they contain private commercial information that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Part C

That the identity of the accepted Tender as well as the contract amount be retained as confidential until such time as the contract has been fully executed and unsuccessful tenderers have been notified pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as the premature release of this information could unreasonably expose the business, commercial or financial undertaking to disadvantage.

Council Meeting Minutes

12 December 2023

4.4 CN2640 Tree Management Maintenance Services Tender Recommendation

RECOMMENDATION

That Council:

1. Having considered all tender submissions, hereby accepts the tender submission received from Tenderer 4 for the annual contract sum of \$XXX plus \$XXX GST being for Community Asset Maintenance Services CN2640 – Tree Management contract.
2. Approves further expenditure under the contract up to the annual contingency and other allowances identified within Attachment 4 of this report.
3. Delegates authority to the Chief Executive Officer pursuant to section 11 of the *Local Government Act 2020*:
 - A. to execute the Contract for the awarded tender, and
 - B. to vary the contract sum within the terms and conditions of the Contract.
4. Ensures CN2640 is funded as part of the upcoming 2024-25 budget process and allowed for in the next revision to its Long Term Financial Plan.
5. Receives a report on the Contractor's performance as part of the decision making process for the granting or otherwise of any contract extension.

Part B

That Council resolves that Attachments 2, 3 and 4 to this report be retained as confidential items pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as they contain private commercial information that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

UPDATED RECOMMENDATION

That Council:

1. Having considered all tender submissions, hereby accepts the tender submission received from Tenderer 4 for the annual contract sum of \$XXX plus \$XXX GST being for Community Asset Maintenance Services CN2640 – Tree Management contract.
2. Approves further expenditure under the contract up to the annual contingency and other allowances identified within Attachment 4 of this report.
3. Delegates authority to the Chief Executive Officer pursuant to section 11 of the *Local Government Act 2020*:
 - A. to execute the Contract for the awarded tender, and
 - B. to vary the contract sum within the terms and conditions of the Contract.
4. Ensures CN2640 is funded as part of the upcoming 2024-25 budget process and allowed for in the next revision to its Long Term Financial Plan.
5. Receives a report on the Contractor's performance as part of the decision making process for the granting or otherwise of any contract extension.

Council Meeting Minutes
4.4 (Cont.)

12 December 2023

Part B

That Council resolves that Attachments 2, 3 and 4 to this report be retained as confidential items pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as they contain private commercial information that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Part C

That the identity of the accepted Tender as well as the contract amount be retained as confidential until such time as the contract has been fully executed and unsuccessful tenderers have been notified pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as the premature release of this information could unreasonably expose the business, commercial or financial undertaking to disadvantage.

COUNCIL DECISION

Moved: Cr Celi
Seconded: Cr Mar

That the updated recommendation be adopted.

Vote by Division (Requested by Cr Roper)

For: Cr Gill, Cr O'Connor, Cr Dixon, Cr Bissinger, Cr Race, Cr Roper, Cr Mar,
Cr Brooks, Cr Celi and Cr Holland

Against: Cr Marsh

Carried

On 18 March 2024 the awarded tenderer and contract amount were released, therefore the Council decision has been updated as follows:

COUNCIL DECISION

That Council:

- 1. Having considered all tender submissions, hereby accepts the tender submission received from Ventia Australia Pty Ltd for the annual contract sum of \$8,892,011 plus \$889,201 GST being for Community Asset Maintenance Services CN2640 – Tree Management contract.**
- 2. Approves further expenditure under the contract up to the annual contingency and other allowances identified within Attachment 4 of this report.**
- 3. Delegates authority to the Chief Executive Officer pursuant to section 11 of the *Local Government Act 2020*:**
 - A. to execute the Contract for the awarded tender, and**
 - B. to vary the contract sum within the terms and conditions of the Contract.**
- 4. Ensures CN2640 is funded as part of the upcoming 2024-25 budget process and allowed for in the next revision to its Long Term Financial Plan.**

Council Meeting Minutes

12 December 2023

4.4 (Cont.)

5. Receives a report on the Contractor's performance as part of the decision making process for the granting or otherwise of any contract extension.

Part B

That Council resolves that Attachments 2, 3 and 4 to this report be retained as confidential items pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as they contain private commercial information that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Part C

That the identity of the accepted Tender as well as the contract amount be retained as confidential until such time as the contract has been fully executed and unsuccessful tenderers have been notified pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as the premature release of this information could unreasonably expose the business, commercial or financial undertaking to disadvantage.

Council Meeting Minutes

12 December 2023

4.5 CN2639 Open Spaces Maintenance Services Tender Recommendation

RECOMMENDATION

That Council:

1. Having considered all tender submissions, hereby accepts the tender submission received from Tenderer 1 for the annual contract sum of \$XXX plus \$XX GST being for Community Asset Maintenance Services CN2639 – Open Spaces contract.
2. Approves further expenditure under the contract up to the annual contingency and other allowances identified within Attachment 4 of this report.
3. Delegates authority to the Chief Executive Officer pursuant to section 11 of the *Local Government Act 2020*:
 - A. to execute the Contract for the awarded tender, and
 - B. to vary the contract sum within the terms and conditions of the Contract.
4. Ensures CN2639 is funded as part of the upcoming 2024-25 budget process and allowed for in the next revision to its Long Term Financial Plan.
5. Receives a report on the Contractor's performance as part of the decision making process for the granting or otherwise of any contract extension.

Part B

That Council resolves that Attachments 2, 3, 4 to this report be retained as confidential items pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as they contain private commercial information that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

UPDATED RECOMMENDATION

That Council:

1. Having considered all tender submissions, hereby accepts the tender submission received from Tenderer 1 for the annual contract sum of \$XXX plus \$XX GST being for Community Asset Maintenance Services CN2639 – Open Spaces contract.
2. Approves further expenditure under the contract up to the annual contingency and other allowances identified within Attachment 4 of this report.
3. Delegates authority to the Chief Executive Officer pursuant to section 11 of the *Local Government Act 2020*:
 - A. to execute the Contract for the awarded tender, and
 - B. to vary the contract sum within the terms and conditions of the Contract.
4. Ensures CN2639 is funded as part of the upcoming 2024-25 budget process and allowed for in the next revision to its Long Term Financial Plan.
5. Receives a report on the Contractor's performance as part of the decision making process for the granting or otherwise of any contract extension.

Council Meeting Minutes
4.5 (Cont.)

12 December 2023

Part B

That Council resolves that Attachments 2, 3, 4 to this report be retained as confidential items pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as they contain private commercial information that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Part C

That the identity of the accepted Tender as well as the contract amount be retained as confidential until such time as the contract has been fully executed and unsuccessful tenderers have been notified pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as the premature release of this information could unreasonably expose the business, commercial or financial undertaking to disadvantage.

COUNCIL DECISION

Moved: Cr Celi
Seconded: Cr Mar

That the updated recommendation be adopted.

Vote by Division (Requested by Cr Holland)

For: Cr Gill, Cr O'Connor, Cr Dixon, Cr Bissinger, Cr Race, Cr Roper, Cr Mar,
Cr Brooks, Cr Celi and Cr Holland

Against: Cr Marsh

Carried

On 21 February 2024 the awarded tenderer and contract amount were released, therefore the Council decision has been updated as follows:

COUNCIL DECISION

That Council:

- 1. Having considered all tender submissions, hereby accepts the tender submission received from Citywide Service Solutions Pty Ltd for the annual contract sum of \$13,916,002 plus \$1,391,600 GST being for Community Asset Maintenance Services CN2639 – Open Spaces contract.**
- 2. Approves further expenditure under the contract up to the annual contingency and other allowances identified within Attachment 4 of this report.**
- 3. Delegates authority to the Chief Executive Officer pursuant to section 11 of the *Local Government Act 2020*:**
 - A. to execute the Contract for the awarded tender, and**
 - B. to vary the contract sum within the terms and conditions of the Contract.**
- 4. Ensures CN2639 is funded as part of the upcoming 2024-25 budget process and allowed for in the next revision to its Long Term Financial Plan.**

Council Meeting Minutes

12 December 2023

4.5 (Cont.)

5. Receives a report on the Contractor's performance as part of the decision making process for the granting or otherwise of any contract extension.

Part B

That Council resolves that Attachments 2, 3, 4 to this report be retained as confidential items pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as they contain private commercial information that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Part C

That the identity of the accepted Tender as well as the contract amount be retained as confidential until such time as the contract has been fully executed and unsuccessful tenderers have been notified pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as the premature release of this information could unreasonably expose the business, commercial or financial undertaking to disadvantage.

Council Meeting Minutes

12 December 2023

4.6 CN2641 Bushlands Management Maintenance Services Tender Recommendation

RECOMMENDATION

That Council:

1. Having considered all tender submissions, hereby accepts the tender submission received from Tenderer 1 for the annual contract sum of \$XXX plus \$XXX GST being for Community Asset Maintenance Services CN2641 – Bushland Management contract.
2. Approves further expenditure under the contract up to the annual contingency and other allowances identified within Attachment 4 of this report.
3. Delegates authority to the Chief Executive Officer pursuant to section 11 of the *Local Government Act 2020*:
 - A. to execute the Contract for the awarded tender, and
 - B. to vary the contract sum within the terms and conditions of the Contract.
4. Ensures CN2641 is funded as part of the upcoming 2024-25 budget process and allowed for in the next revision to its Long Term Financial Plan.
5. Receives a report on the Contractor's performance as part of the decision making process for the granting or otherwise of any contract extension.

Part B

That Council resolves that Attachments 2, 3 and 4 to this report be retained as confidential items pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as they contain private commercial information that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

UPDATED RECOMMENDATION

That Council:

1. Having considered all tender submissions, hereby accepts the tender submission received from Tenderer 1 for the annual contract sum of \$XXX plus \$XXX GST being for Community Asset Maintenance Services CN2641 – Bushland Management contract.
2. Approves further expenditure under the contract up to the annual contingency and other allowances identified within Attachment 4 of this report.
3. Delegates authority to the Chief Executive Officer pursuant to section 11 of the *Local Government Act 2020*:
 - A. to execute the Contract for the awarded tender, and
 - B. to vary the contract sum within the terms and conditions of the Contract.
4. Ensures CN2641 is funded as part of the upcoming 2024-25 budget process and allowed for in the next revision to its Long Term Financial Plan.

Council Meeting Minutes
4.6 (Cont.)

12 December 2023

5. Receives a report on the Contractor's performance as part of the decision making process for the granting or otherwise of any contract extension.

Part B

That Council resolves that Attachments 2, 3 and 4 to this report be retained as confidential items pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as they contain private commercial information that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Part C

That the identity of the accepted Tender as well as the contract amount be retained as confidential until such time as the contract has been fully executed and unsuccessful tenderers have been notified pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as the premature release of this information could unreasonably expose the business, commercial or financial undertaking to disadvantage.

COUNCIL DECISION

Moved: Cr O'Connor
Seconded: Cr Mar

That the updated recommendation be adopted.

Carried

On 15 February 2024 the awarded tenderer and contract amount were released, therefore the Council decision has been updated as follows:

COUNCIL DECISION

That Council:

1. **Having considered all tender submissions, hereby accepts the tender submission received from Nature Links Landscape Management Pty Ltd for the annual contract sum of \$5,426,040 plus \$542,604 GST being for Community Asset Maintenance Services CN2641 – Bushland Management contract.**
2. **Approves further expenditure under the contract up to the annual contingency and other allowances identified within Attachment 4 of this report.**
3. **Delegates authority to the Chief Executive Officer pursuant to section 11 of the *Local Government Act 2020*:**
 - A. **to execute the Contract for the awarded tender, and**
 - B. **to vary the contract sum within the terms and conditions of the Contract.**
4. **Ensures CN2641 is funded as part of the upcoming 2024-25 budget process and allowed for in the next revision to its Long Term Financial Plan.**
5. **Receives a report on the Contractor's performance as part of the decision making process for the granting or otherwise of any contract extension.**

Part B

Council Meeting Minutes

12 December 2023

4.6 (Cont.)

That Council resolves that Attachments 2, 3 and 4 to this report be retained as confidential items pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as they contain private commercial information that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Part C

That the identity of the accepted Tender as well as the contract amount be retained as confidential until such time as the contract has been fully executed and unsuccessful tenderers have been notified pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as the premature release of this information could unreasonably expose the business, commercial or financial undertaking to disadvantage.

Cr Marsh requested his opposition to be noted.

ADJOURNMENT OF MEETING

That the meeting be adjourned at 8.06pm for a short recess.

RESUMPTION OF MEETING

That the meeting be resumed at 8.17pm.

Council Meeting Minutes

30 April 2024

4.6 CN2642 Cleaning Services Tender Recommendation

RECOMMENDATION

That Council:

1. Having considered all tender submissions, hereby accepts the tender submission received from The Trustee for Happsa Group Unit Trust (Happsa) for the annual contract sum of \$29,259,183.16 plus \$2,925,918.316 GST being for CN2642 – Cleaning Services contract.
2. Approves further expenditure under the contract up to the annual growth allowance identified within Attachment 2 of this report.
3. Delegates authority to the Chief Executive Officer pursuant to section 11 of the *Local Government Act 2020*:
 - A. to execute the Contract for the awarded tender, and
 - B. to vary the contract sum within the terms and conditions of the Contract.
4. Receives a report on the Contractor's performance as part of the decision-making process for the granting or otherwise of any contract extensions.

Part B

1. That Council resolves that Attachments 1, 2 and 3 to this report be retained as confidential items pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as they contain private commercial information that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.
2. That Council resolves that the contract sum and identity of the successful tenderer be retained as confidential pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* until such time as the contract has been executed and unsuccessful tenderers notified.

COUNCIL DECISION

Moved: Cr Marsh

Seconded: Cr Gill

That the recommendation be adopted.

Carried Unanimously

Council Meeting Agenda

5 March 2024

4 MANAGEMENT REPORTS

PLANNING & INFRASTRUCTURE

4.6 The Award of Council's Building Maintenance Contracts

Prepared By	Edward Pocock, Project Director - Future Maintenance Services
Authorised By	Director - Planning and Infrastructure
Document ID	A12794083
Briefing Note Number	BN1837 – 13 February 2024
Attachment(s)	<ol style="list-style-type: none">1. List of the FMS Building Maintenance contracts for which CEO delegation is sought ↓2. Estimated contract expenditures and budgets required (confidential) ↓

EXECUTIVE SUMMARY

Council's current building services contract CN1743 expires on 30 June 2024 and procurement activities are underway to engage new building maintenance services from 1 July 2024 via a series of direct contracts. To expedite the award of the various tenders and maximise the lead time provided to the successful tenderers, this report recommends that Council delegate authority to the Chief Executive Officer (CEO) to accept the recommended tenders, execute the contracts and vary the contract sums where required (within the terms and conditions of each contract).

RECOMMENDATION

That Council:

1. Delegates authority to the Chief Executive Officer (CEO) pursuant to section 11 of the *Local Government Act 2020* to:
 - A. accept the recommended tender for each of the contracts listed in Attachment 1,
 - B. execute the contracts with each of the successful tenderers, and
 - C. vary the contract sums within the terms and conditions of each contract.
2. Approves further expenditure for each contract up to the contingency amount identified in confidential Attachment 2.
3. Notes the estimated total contract spend for each contract as set out in confidential Attachment 2.

Council Meeting Agenda
4.6 (Cont.)

5 March 2024

Part B

That Council resolves that Attachment 2 to this report be retained as a confidential item pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as it contains private commercial information that if released would unreasonably expose the business, commercial or financial undertaking to disadvantage.

COUNCIL & WELLBEING PLAN

The procurement of new building maintenance service contracts aligns with the Council and Wellbeing Plan, in particular:

- Theme 3: A flourishing, healthy and connected community.

Appropriately maintaining Council's building assets ensures community members and visitors enjoy well maintained facilities. Council's buildings also enable the delivery of various community services.

RELEVANT COUNCIL DECISIONS AND POLICIES

The new building maintenance service contracts are being procured as part of the Future Maintenance Services project. Council resolved to award tenders for the largest service contracts within this project at its meeting on 12 December 2023. These related to road, tree, open space and bushland maintenance.

There are a variety of Council policies and documents relevant to the contractors that will deliver building maintenance services from 1 July 2024. These include:

- Carbon Neutral Policy
- Community Engagement Policy
- Complaints Handling Policy
- Conflict of Interest Policy
- Correspondence Commitment Policy
- Environmentally Sustainable Design Policy
- Privacy Policy
- Strategic Asset Management Plan
- Sun Smart UV Policy
- Supplier Code of Conduct
- Sustainability Plan.

COLLABORATIVE PROCUREMENT

Collaborative procurement was considered prior to the development of the tenders however due to the adjoining municipalities having contracts in place for these maintenance activities with different end dates, it was determined not to be feasible at this time.

Council Meeting Agenda
4.6 (Cont.)

5 March 2024

Shire officers visited and liaised with various other local councils (including Latrobe, Darebin, Boroondara, Frankston, Casey and Cardinia) in developing the new direct service contract model for buildings maintenance. These visits along with the sharing of information assisted to efficiently develop the various contract packages and the contracts.

DISCUSSION

Purpose

The purpose of this report is to seek CEO delegation from Council to accept, execute and vary the contract sums (within the terms and conditions of each contract) for the building maintenance contracts identified in Attachment 1. This CEO delegation will:

1. reduce the amount of time between the conclusion of the tender evaluations and the notice of outcome being provided to the successful tenderers
2. maximise the number of new building maintenance contracts in place by 30 June 2024, and
3. provide as much lead time as possible for the successful tenderers before the required service delivery begins.

Background

Council has a significant portfolio of building and facilities assets. The Asset Plan 2022-2032 indicates that Council has over \$400 million of buildings and facilities.

Analysis of Council's asset register earlier this financial year revealed Council has just under 1,100 buildings and structures. Just over half of these are non-habitable buildings such as shelters and garden sheds, with the remaining being habitable buildings.

There is a significant variety of buildings and facilities that Council own, which are accompanied by varying maintenance responsibilities. Notwithstanding, there is a substantial demand for both proactive and reactive maintenance across the portfolio.

The maintenance of buildings and facilities (where Council holds responsibility) is currently provided via contract CN1743 Building Services. This contract has been in place since 2013 and is due to expire on 30 June 2024.

As part of the planning phase of the Future Maintenance Services project, the effectiveness of Council's existing infrastructure maintenance contract models was reviewed. This review occurred in 2021. The review, along with feedback from Council's Executive team, prompted a reconsideration of Council's approach to buildings maintenance and ultimately resulted in a direction to revise the Future Maintenance Services Building Maintenance model moving from a head contract model to a disaggregated contract model to facilitate a more responsive and nuanced delivery of service.

The revised approach for buildings maintenance involves a series of direct service contracts as well as the establishment of an in-house Buildings Trades team for delivering an improved customer experience for small, handyperson type work. This in-house team has been established in recent months and has already started to deliver minor works across the Peninsula.

At this stage, 15 different building and facility-related maintenance contracts are planned to be procured as part of the Future Maintenance Service project. These will cover over 100 identified maintenance requirements for Council's buildings. Attachment 1 identifies the proposed contracts.

Council Meeting Agenda
4.6 (Cont.)

5 March 2024

It is worth noting that as the procurement progresses, it may be realised that additional contracts are needed. These will be procured and awarded using the standard delegations.

The scope of the contracts generally cover both routine and reactive maintenance provision (up to \$30,000) as well as a commitment to seek quotes for larger maintenance jobs from the contractor. It is intended that one contractor is appointed for each contract.

The order in which the new building maintenance contracts are being procured has been based on an assessment of risk as well as the relative demand for the service (with services that generate larger numbers of customer service cases being a higher priority for procurement).

The duration of the proposed contracts varies, with the intent to ensure that the procurement workload for renewing the contracts in future is staggered. Shorter contracts are proposed where our current asset or service data is of a lower quality or where the service model might be able to be refined sooner. All contracts will include options for contract extensions so that the services can be continued beyond the initial term if deemed the best option.

Options for consideration

The first five building maintenance contracts (Essential Safety Measures, Heating Ventilation and Air Conditioning, Graffiti Management, Electrical and Solar Systems and Plumbing) have been tendered, with evaluations either nearing completion or well progressed.

A further four contracts (Security Services, Lifts and Automatic Doors and Roof Access and Fall Arrest Systems, Aquatic and Spa Equipment) are due to be tendered in March 2024.

The pest control, gutter cleaning, flooring and painting contracts are planned to be tendered by the end of April 2024.

Shire officers are still considering the best way forward in relation to the ongoing administration/upkeep of the asbestos register (given a full audit of the register is being undertaken currently) as well as the provision of locksmithing services.

The alternative to the recommendation in this report is for each tender recommendation to be tabled at a Council meeting for a decision. This could result in up to fifteen different reports brought to Council (depending on the total estimated value of each contract), increasing the administration and time invested by the organisation in the approvals process and reducing the amount of lead time available for successful tenderers to prepare for service delivery.

TENDER INVITATION

All the tenders for the building maintenance contracts listed in Attachment 1 have been or will be advertised via the Shire's website and Tenderlink.

TENDER EVALUATION

Evaluation and probity plans specific to each contract are finalised before tender submissions are opened for each contract. These align with the detail about the evaluation criteria and relative weightings that is provided as part of the tender documentation.

Tender evaluations are conducted via a panel of scoring members along with a non-scoring panel chair. Both price and non-price evaluation criteria are considered, along with other items such as compliance, mandatory and non-mandatory criteria as well as risk.

Probity oversight and advice is primarily provided by Council's Contracts and Procurement department, with independent advice sought on an as needs basis.

Council Meeting Agenda
4.6 (Cont.)

5 March 2024

CONTRACT VALUE

An estimated contract price is calculated for each tender as part of the evaluation process. This is determined using estimates of future work quantities using historical data and advice from subject matter experts within the organisation. This estimated contract price is used by the evaluation panel when scoring the pricing criteria.

The estimated budget required for each buildings maintenance contract is provided in confidential Attachment 2. These budget estimates have been calculated based on the value of work undertaken under the existing CN1743 Building Services Contract for each service in the past. Where available, the pricing received via the tender processes has also been used to inform the budget estimates.

A cost increase has been factored into the estimated budgets required given the rates associated with CN1743 were tendered more than a decade ago. A contingency amount for each contract has also been allowed for unexpected costs and to cater for growth in the asset base over the contract terms. The estimated budget and contingency amounts (see confidential Attachment 2) for each contract are not intended to be disclosed for commercial reasons.

The value of each recommended tender will be assessed against the budget estimates, and a determination will be made before award as to whether the value of the contracts as a collective will align within the total of the budget estimates. Where a recommended tender is deemed to be unaffordable, options for scope reduction will be explored along with probity advice sought to inform the next steps for the procurement.

The estimated budget values included in confidential Attachment 2 have been provided to Council's finance team to factor into Council's future budgets.

TERM OF CONTRACT

The contracts include an initial term as well as up to two extension options. The initial contract terms range between three and four years, with extension options comprising of two or three years. The longest contracts (if all extension options are utilised) will run for eight years. The proposed contract terms are included in Attachment 1.

CONFLICTS OF INTEREST

No person involved in the preparation of this report has a conflict of interest in the subject matter of this report.

Council Meeting Minutes

5 March 2024

4.6 The Award of Council's Building Maintenance Contracts

RECOMMENDATION

That Council:

1. Delegates authority to the Chief Executive Officer (CEO) pursuant to section 11 of the *Local Government Act 2020* to:
 - A. accept the recommended tender for each of the contracts listed in Attachment 1,
 - B. execute the contracts with each of the successful tenderers, and
 - C. vary the contract sums within the terms and conditions of each contract.
2. Approves further expenditure for each contract up to the contingency amount identified in confidential Attachment 2.
3. Notes the estimated total contract spend for each contract as set out in confidential Attachment 2.

Part B

That Council resolves that Attachment 2 to this report be retained as a confidential item pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as it contains private commercial information that if released would unreasonably expose the business, commercial or financial undertaking to disadvantage.

COUNCIL DECISION

Moved: Cr Celi
Seconded: Cr Mar

That Council:

1. Delegates authority to the Chief Executive Officer (CEO) pursuant to section 11 of the *Local Government Act 2020* for a period of up until 31 December 2024 to:
 - A. accept the recommended tender for each of the contracts listed in Attachment 1,
 - B. execute the contracts with each of the successful tenderers, and
 - C. vary the contract sums within the terms and conditions of each contract.
2. Approves further expenditure for each contract up to the contingency amount identified in confidential Attachment 2.
3. Notes the estimated total contract spend for each contract as set out in confidential Attachment 2.
4. That the CEO tables a quarterly report to a Council Meeting detailing the completed contracts awarded under delegation as listed in Attachment 1.

Part B

That Council resolves that Attachment 2 to this report be retained as a confidential item pursuant to section 3 (1) (g) (ii) of the *Local Government Act 2020* as it contains

Council Meeting Minutes

5 March 2024

4.6 (Cont.)

private commercial information that if released would unreasonably expose the business, commercial or financial undertaking to disadvantage.

AMENDMENT

Moved: Cr O'Connor

Seconded: Cr Marsh

Remove contracts CN2758 Electrical and Solar Systems, CN2759 Plumbing Systems and CN2761 Automatic Doors and Transport Devices and for those to be brought to Council as separate reports.

Vote by Division (Requested by Cr Marsh)

For: Cr Gill, Cr O'Connor, Cr Race, Cr Roper, Cr Mar, Cr Brooks and Cr Celi

Against: Cr Marsh and Cr Dixon

Carried

Attachment 1: List of FMS Building Maintenance Service Contracts for which CEO delegation is sought

Contract	Contract term (with optional extensions)
CN2638 HVAC Systems	4+2+2
CN2737 Essential Safety Measures	4+2+2
CN2757 Graffiti Management Services	3+2+2
CN2758 Electrical and Solar Systems	4+2+2
CN2759 Plumbing Systems	4+2+2
CN2760 Security Services	3+2+2
CN2761 Automatic Doors and Vertical Transport Devices	4+2+2*
CN2762 Asbestos	TBC*
CN2764 Gutter Cleaning	4+3*
CN2803 Flooring	4+3*
CN2804 Pest Control	4+3*
CN2805 Roof Access and Fall Arrest Systems	4+3*
CN2806 Painting	4+3*

*These contracts have not yet been tendered. As such, it is possible that these proposed contract terms may be changed prior to tender. Where a change is required, this will be resolved via the project sponsor or the project control group. The change of term will not exceed the maximum duration set out in this table.

Attachment 2: Estimated contract expenditure & budgets required for the FMS Building Maintenance Contracts (where CEO delegation is being sought)

Contract	Estimated year 1 contract price (exc GST)	Contingency required for each contract on top of the estimated contract price	Estimated year 1 budget required (exc GST)	Contract term (in years, with optional extensions)	Estimated total contract spend* over the full contract term if all extension options are utilised and the contingency is fully expended (exc GST)	Estimated total contract spend* over the full contract term if all extension options are utilised and the contingency is fully expended (inc GST)
CN2638 HVAC Systems	\$457,500	25%	\$610,000	4+2+2	\$5,340,541	\$5,874,595
CN2737 Essential Safety Measures	\$297,500	15%	\$350,000	4+2+2	\$3,064,245	\$3,370,669
CN2757 Graffiti Management Services	\$612,000	15%	\$720,000	3+2+2	\$5,445,648	\$5,990,212
CN2758 Electrical and Solar Systems	\$1,600,000	20%	\$2,000,000	4+2+2	\$17,509,969	\$19,260,966
CN2759 Plumbing Systems	\$1,840,000	20%	\$2,300,000	4+2+2	\$20,136,464	\$22,150,111
CN2760 Security Services	\$400,000	20%	\$500,000	3+2+2	\$3,781,700	\$4,159,870
CN2761 Automatic Doors and Vertical Transport Devices	\$984,241	20%	\$1,230,301	4+2+2	\$10,771,266	\$11,848,393
CN2762 Asbestos	\$176,373	20%	\$220,466	TBC (totalling seven years or less)	\$1,667,472 (if seven years)	\$1,834,220
CN2764 Gutter Cleaning	\$160,000	20%	\$200,000	4+3	\$1,512,680	\$1,663,948
CN2803 Flooring	\$465,169	20%	\$581,461	4+3	\$4,397,822	\$4,837,604
CN2804 Pest Control	\$180,854	20%	\$226,067	4+3	\$1,709,835	\$1,880,819
CN2805 Roof Access and Fall Arrest Systems	\$592,581	20%	\$740,726	4+3	\$5,602,407	\$6,162,647
CN2806 Painting	\$230,446	20%	\$288,058	4+3	\$2,178,698	\$2,396,568

*including annual CPI adjustments

Proposed Community Investment Funding Programs 2025-2029
Purpose, priorities and outcome/s

CIF Programs 13 July, 2025-2029	Competitive or Targeted Program	Capped Value per application and Closing Dates	Purpose of the Program	Priorities	Program Outcome/s	Desired Long Term Outcome/s	Council adopted Funding Pool for Program 2025/2026 (only)
Our Place							
<i>Celebrate, protect and enhance our unique blend of coast, hinterland, green wedge and connected villages and townships</i>							
Environmental Sustainability Grants & Subsidies							
Biolink Support Grants	Open Competitive	Up to \$10,000 Closes 17 Sept each year (2025-2029)	To support the community to establish, protect and enhance biolinks on a landscape scale that will improve habitat values and facilitate wildlife movement across the Peninsula.	<ul style="list-style-type: none"> •Engaging with the community and building stewardship •Facilitating biodiversity conservation on private land •Building a strong knowledge base •Demonstrating and leading best-practice land management •Building ecosystem resilience in a changing climate 	Improved, landscape-scale vegetation connectivity to support wildlife movement.	Biodiversity protection	\$100,000.00
Western Port Biosphere Subsidy	Targeted	4 year Funding Agreement 2025-2029	The Biosphere Foundation collaborates with local governments through research, education, community engagement, partnerships and on-ground conservation efforts within the Biosphere region, which encompasses the entire MP Shire, to create a sustainable future for Western Port.	<ul style="list-style-type: none"> •Research in the Biosphere across Local Government. •Providing a framework for collaboration for partnering in Local Government areas. •Gain funding from Federal and State Government agencies which may not apply to individual Local Governments. •Work with Friends Groups and other organisations to deliver environmental and climate mitigation initiatives. •Partner with Landcare Groups across the network to promote and deliver projects. 	Improved health of Western Port's natural environment	A healthy, natural environment	\$50,000.00
Total Environmental Sustainability Grants and Subsidies							\$150,000.00

Proposed Community Investment Funding Programs 2025-2029
Purpose, priorities and outcome/s

CIF Programs 13 July, 2025-2029	Competitive or Targeted Program	Capped Value per application and Closing Dates	Purpose of the Program	Priorities	Program Outcome/s	Desired Long Term Outcome/s	Council adopted Funding Pool for Program 2025/2026 (only)
Our People							
<i>A safe, accessible, inclusive and engaged community that fosters our diverse culture, supporting health and wellbeing and a connected and compassionate society for all.</i>							
Cohesive Community Grants and Subsidies							
Cohesive Community Grants							
Placemaking Grants	Open Competitive	Upto \$15,000 Closes 17 Sept each year (2025-2029)	Enhances place-based built and natural environments; increasing engagement and encouraging relationships to support the vibrancy of townships.	<ul style="list-style-type: none"> •Contributes to vibrant communities fostering social inclusion, participation and community cohesion •Minor community capital projects that improve amenities/facilities and/or the natural environment •Provides opportunities for new activities and initiatives in public places. 	Improved places and social engagement	A cohesive, resilient community	\$125,000.00
Community Support Grants	Open Competitive	Upto \$5,000 Closing 4 June in the following year each year unless funds are exhausted (2025-2029)	To support community groups and organisations to deliver key initiatives, programs and activities within the Shire.	<ul style="list-style-type: none"> •Lifesaving and safety equipment •Strengthens the capacity of volunteering on the Mornington Peninsula through training and/or learning new skills. •Initiatives that contribute to the sustainability of community groups. •Increases social inclusion, participation and community cohesion •Programs, activities and initiatives with broad community benefit •Supports environmental priorities •Seed funding for new projects 	Increased community capacity and participation	A cohesive, resilient community	\$150,000.00
Flexi Grants	Open Competitive	Upto \$2,000 Closing 4 June in the following year each year unless funds exhausted (2025-2029)	To provide a quick response to an urgent essential one off community need or initiative within the Shire.	<ul style="list-style-type: none"> •Lifesaving, as well as health and safety equipment includes defibrillators and AED. •Projects that supports vulnerable members of the community •Enhances community groups to support civic participation •Essential and/or unforeseen purchase of equipment to support programs/community services/health and safety. 	Enhanced community group/service continuity	A cohesive, resilient community	\$65,000.00
Community Events Grants	Open Competitive 4 competitive assessment cycles per annum	Upto \$15,000 per local event upto \$2,000 for local Christmas carols/events Closing 4 June in the following year each year unless funds are exhausted (2025-2029)	To support economic, cultural and social impact through local community festivals, events and activations.	<ul style="list-style-type: none"> •Events that create opportunities for community participation, cultural and social wellbeing while fostering civic pride in our local townships. •Celebrate local diversity and promote participation in local community events, festivals, <i>christmas events</i> and activations. •Align to relevant priorities set out in the Council Plan and adopted strategies and plans. 	Increased engagement in local community events, festivals and activations.	A vibrant community	\$225,000.00

Proposed Community Investment Funding Programs 2025-2029
Purpose, priorities and outcome/s

CIF Programs 13 July, 2025-2029	Competitive or Targeted Program	Capped Value per application and Closing Dates	Purpose of the Program	Priorities	Program Outcome/s	Desired Long Term Outcome/s	Council adopted Funding Pool for Program 2025/2026 (only)
Cohesive Community Subsidies							
Peninsula Transport Assist Subsidy	Targeted	4 year Funding Agreement 2025-2029	To offer alternative affordable transport.	•Improved access to affordable transport.	Improved access to affordable transport	A cohesive, resilient community	\$30,000.00
Total Peninsula Transport Assist Subsidy							\$30,000.00
Community Houses/Centres Subsidies							
Mt Eliza Community House	Targeted	4 year Funding Agreement 2025-2029	To offer opportunities to connect, enable learning and socialise in local settings.	•Neighbourhood House Co-ordination Programs and community outreach programs	Improved skills and local cohesion	A cohesive resilient community	\$21,500.00
Mornington Community House (Shire managed)							\$21,500.00
Bentons Square Community Centre							\$21,500.00
Tanti House							\$21,500.00
Mt Martha Community House (Shire managed)							\$21,500.00
Dromana Community House							\$21,500.00
Seawinds Community Hub							\$21,500.00
Rye Community House							\$21,500.00
Sorrento Community House							\$21,500.00
Balnarring Community Outreach Programs							\$21,500.00
Coolart Ward Outreach Programs							\$21,500.00
Crib Point Community House							\$21,500.00
Good Shepherd Wallaroo Community House							\$21,500.00
Hastings Community House							\$21,500.00
Willum Warrain Aboriginal Association							\$21,500.00
Somerville Community House							\$21,500.00
Total Community Houses/Centres							\$344,000.00
Toy Library Subsidies							
Hastings Toy Library Subsidy	Targeted	4 year Funding Agreement 2025-2029	To enable affordable access to educational and exercise toys that support early childhood development and build resilience.	•Toy Library Services, early childhood development	Improved access to early childhood development learning tools and equipment	A cohesive, resilient community	\$15,000.00
Mornington Toy Library subsidy	Targeted						\$15,000.00
Rosebud Toy Library Subsidy	Targeted						\$15,000.00
Total Toy Libraries							\$45,000.00
Commemorative Events Subsidies							
	Targeted	Upto \$15K for events Upto \$2K for ANZAC Day Services 4 year Funding Agreement 2025-2029	To enable community-led National Events to be delivered locally.	•Australia Day Events •Survival Day Events •ANZAC Day Services	Improved participation in National Commemorative events	A cohesive, resilient community	\$150,000.00

Proposed Community Investment Funding Programs 2025-2029
Purpose, priorities and outcome/s

CIF Programs 13 July, 2025-2029	Competitive or Targeted Program	Capped Value per application and Closing Dates	Purpose of the Program	Priorities	Program Outcome/s	Desired Long Term Outcome/s	Council adopted Funding Pool for Program 2025/2026 (only)
Healthy Community Subsidies							
Seniors Festival Subsidies (across MP) Subsidy	Open competitive	\$300 per activity, Close 31 October each year (2025-2029)	To attract and celebrate activities that support socially inclusive engagement in the annual Senior's Festival.	•Activities for socially inclusive participation during the annual Senior's Festival in October.	Increased social participation	A cohesive, resilient community	\$10,000.00
Total Seniors Festival							\$10,000.00
Senior Citizens Clubs Subsidies (Shire owned and *non-Shire owned facilities)							
Australian Croatian Social Club	Targeted	4 year Funding Agreement 2025-2029	To support older members of the community to engage socially, maintain independence and resilience.	•Senior Citizen's social inclusion, participation and creating a sense of belonging.	Improved inclusion and sense of wellbeing	A cohesive, resilient community	\$5,250.00
Dromana Senior Citizens Centre Inc							\$5,250.00
Hastings Senior Citizens Club							\$5,250.00
*Hellenic Association of MP Aged Care Citizens Club Inc							\$5,250.00
Italian Ethnic Senior Citizens Club of Flinders Inc							\$5,250.00
Italian Seniors Social Club of Dromana							\$5,250.00
Mornington Dutch Australian Seniors Club Inc							\$5,250.00
Mornington Senior Citizens Centre							\$5,250.00
Mornington Peninsula Italian Club							\$5,250.00
Mount Eliza Fifty-Five Plus Club Inc							\$5,250.00
*Panagia Kamariani Greek Elderly Citizen's Club							\$5,250.00
*Rosebud Italian Club							\$5,250.00
Rosebud Over 50s Social Club							\$5,250.00
Rye & Peninsula Greek Women's Group							\$5,250.00
Rye & Peninsula Greek Senior Citizen's Club							\$5,250.00
Sorrento / Portsea Senior Centres							\$5,250.00
Tootgarook Senior Citizens Centre Inc							\$5,250.00
Total Senior Citizen's Club Subsidies							\$89,250.00

Proposed Community Investment Funding Programs 2025-2029
Purpose, priorities and outcome/s

CIF Programs 13 July, 2025-2029	Competitive or Targeted Program	Capped Value per application and Closing Dates	Purpose of the Program	Priorities	Program Outcome/s	Desired Long Term Outcome/s	Council adopted Funding Pool for Program 2025/2026 (only)
Safe Community Subsidies							
Community Support Centres Subsidies							
Mornington Community Support Centre Subsidy	Targeted	4 year Funding Agreement 2025-2029	To enable volunteer support and facilitation of federal emergency relief to individuals and families experiencing hardship and loss.	•Food relief and vouchers •Rental Support •Hygiene and needle exchange •Referrals to other agencies/support	Improved safety and wellbeing	A safe and respectful community	\$250,000.00
Southern Peninsula Community Support Centre Subsidy	\$250,000.00						
Western Port Community Support Centre Subsidy	\$250,000.00						
Total Community Support Centres Subsidies							\$750,000.00
Local Essential Safety Services Subsidies							
Peninsula Community Legal Centre Subsidy	Targeted	4 year Funding Agreement 2025-2029	To enable access to affordable legal advice and representation.	Essential legal advice, including Family Violence and Residential Tenancy Advice and representation.	Improved protection of legal rights	A safe and respectful community	\$56,500.00
Vinnie's Kitchen (Volunteer Food Relief) Subsidy	Targeted	4 year Funding Agreement 2025-2029	To ensure accessibility of meals when experiencing an emergency.	Soup Kitchen providing essential food to vulnerable citizens on the Southern Peninsula.	Improved access to nutrition in a safe environment		\$15,000.00
Total Local Essential Safety Services Subsidies							\$71,500.00
Community-Led Safety Subsidies							
Western Port Coast Guard - Rent Assistance Subsidy	Targeted	4 year Funding Agreement 2025-2029	To support local emergency response to off shore incidents in Western Port Bay and Bass Strait.	Life Saving; rescue and recovery.	Improved off shore recreation safety	A safe and respectful community	\$6,000.00
Life Saving Victoria partnership Subsidy (being Reviewed)	Targeted	4 year Funding Agreement 2025-2029	To improve water safety at patrolled beaches in summer.	Christmas / January Peak period paid patrols for 4 back beaches: Sorrento, Portsea, Gunnamatta and Point Leo.	Improved water safety at patrolled beaches		\$88,000.00
SES Hastings Subsidy	Targeted	4 year Funding Agreement 2025-2029	To support SES to respond to emergency call outs.	Fuel support for SES Hastings.	Improved community based emergency		\$6,000.00
SES Sorrento Subsidy	Targeted	4 year Funding Agreement 2025-2029	To support SES to respond to emergency call outs.	Fuel support for SES Sorrento.	Improved community based emergency		\$6,000.00
Fit to Drive Foundation - Mornington Peninsula & Frankston Subsidy	Targeted	4 year Funding Agreement 2025-2029	To improve driving safety and reduce vehicle crashes.	Community Safety Awareness Programs for Young people.	Improved student road safety awareness		\$9,000.00
Total Community-Led Safety Subsidies							\$115,000.00

Proposed Community Investment Funding Programs 2025-2029
Purpose, priorities and outcome/s

CIF Programs 13 July, 2025-2029	Competitive or Targeted Program	Capped Value per application and Closing Dates	Purpose of the Program	Priorities	Program Outcome/s	Desired Long Term Outcome/s	Council adopted Funding Pool for Program 2025/2026 (only)
Our Prosperity <i>Enabling balanced growth through innovation, empowering community groups and volunteers and fostering a resilient, thriving and vibrant local economy.</i>							
Prosperous Community Sponsorships, Grants and Subsidies							
<u>Sponsorships</u>	Targeted	Bronze \$10,000 Silver \$20,000 Gold \$35,000 Platinum \$50,000 Multi-year funding option 1-4 years (2025-2029 - Term of Council)	Attraction of new opportunities or opportunities for expansion of existing prioritised businesses or programs within the Shire that will contribute to the Shire's economic; social/cultural, environmental output. Sponsorship is seen as a financially supported promotional alliance for mutual benefit rather than a material contribution towards the staging of an event.	•Enhances the reputation and visitation to the Mornington Peninsula Local Government Area •Boosts the prosperity of the Mornington Peninsula through increased economic activity and jobs •Builds a flourishing and diverse Mornington Peninsula creative ecosystem.	Improved business prosperity and employment	A prosperous, dynamic economy	\$400,000.00
<u>Grants</u>							
<u>Local Area Community Capital Infrastructure Grants</u>	Open Competitive	Upto \$50,000 Closing 4 June in the following year unless funds are exhausted (2025-2029)	To provide funding for projects that improve the built and natural environments within the Mornington Peninsula Shire.	•Renewal of community infrastructure and facilities •Projects that improve the natural environment •New and upgraded community capital infrastructure projects • Projects that demonstrate an alignment to published Council Masterplans. •Projects that have a demonstrated financial contribution to the project	Improved accessibility and appeal of community places and spaces.	Well utilised community facilities	\$1,000,000.00
Prosperity Subsidies							
<u>Tourism Business Subsidies</u>							
<u>Sorrento Beachside Tourism Subsidy</u>	Targeted	4 year Funding Agreement 2025-2029	To enhance tourism in the Mornington Peninsula	•Support for in-region Visitor Information Centres provide information on tourism •Increase visitor dispersal, spend and length of stay within the Mornington Peninsula •Promotion of tourism experiences and events	Improved tourism visitation and spend	A prosperous, dynamic economy	\$40,000.00
<u>Mornington Beach Side (Northern) Subsidy</u>	Targeted	4 year Funding Agreement 2025-2029		\$20,000.00			
<u>Beyond the Bays Tourism (Hastings and Hinterland) Subsidy</u>	Targeted	4 year Funding Agreement 2025-2029		\$20,000.00			
<u>Visitor Economy Partnership Subsidy</u>	Targeted	4 year Funding Agreement 2025-2029	To partner with Mornington Peninsula Regional Tourism to attract/increase visitors to the Mornington Peninsula	•Promote the Mornington Peninsula as a destination to visitors •Deliver destination development activities in partnership with key stakeholders •Provide marketing services to members to support strong local businesses	Improved tourism visitation and spend	A prosperous, dynamic economy	\$200,000.00
Total Prosperity Grants, Subsidies and Sponsorships							
							\$1,680,000.00

Community Investment Funding (CIF) General Eligibility



CIF General Eligibility Funding for:

Grants

1. Applicants must be an organisation based in the Mornington Peninsula Shire's Local Government Area and deliver funded projects, programs, service and activities within the Shire.
2. Eligible applicants must be;
 - a. a current incorporated association,
 - b. a current, registered Not-For-Profit, Charity, Public Benevolent Institution (PBI) or,
 - c. if unincorporated / *a community group, auspiced by another organisation (must be as per 2a or 2b above) for the proposed activity, program or project detailed in their application.*
 - d. Applicants will be required to upload model rules/constitutions to ensure the organisations purpose aligns with the grant program priorities.
3. Organisations making an application must be solvent and have adequate level of public liability insurance relevant to the activity. (*Note: unincorporated community groups must use an auspice organisation to apply*).
4. If an incorporated organisation is acting as an auspice organisation, it must only support two unincorporated organisations within a financial year, exceptions may apply for landcare organisations under Biolinks Support Grants. *Note auspice organisations are also able to apply independently for grants as per the guidelines.*
5. The applicant or auspice organisation must not be in debt and must be compliant with and have acquitted, all funding previously awarded by the Shire, and/or have approval from the Program Manager for an extension.
6. Eligibility of applicants is also outlined in Table 1 of this document.
7. Successful eligible applicants may be funded for one application in a financial year.
8. Eligible applicants can apply for a Flexi Grant in the instance of an unforeseen circumstance if they have had a successful grant. Flexi Grant applications for life saving equipment will be prioritised.
9. A school or learning institution may apply only where the project is not curriculum based, or where the activity or benefit is not confined to the learning institution but is for the primary benefit of the wider community.

Community Investment Funding (CIF) General Eligibility



10. Successful grant applicants must expend the funds for lawful use as per the Grant Funding Agreement.
11. Where additional approvals are required (by either Council or other State Government agencies) and fail to be obtained the grant may be revoked.
12. If the proposed project involves building, installing or modifying Council land or facilities, a Community Capital Infrastructure Projects proposal form must be completed prior to applying as permit approvals may be required. Evidence of landowner permission must be provided (if applicable). For more information go to Community Capital Infrastructure Projects (Our Project), Public Art Proposal Form at Mornington Peninsula Shire (mornpen.vic.gov.au), see links below:
 - Landowner permission and permits email requests to: property@mornpen.vic.gov.au
 - Public Art Form: [Public Art Form - Mornington Peninsula](#)
 - Community Capital Proposal Form: [Our Project - Proposal Form \(openforms.com\)](#)

Ineligibility for Funding - Grants

1. Organisations not based on the Mornington Peninsula and activities not delivered in and/or do not directly benefit Mornington Peninsula Shire's communities.
2. Funding for an applicant's core business; including but not limited to: administration or operational costs, staff wages, staff equipment and staff training, utilities, regular rates/rent/ room hire, insurance, personal or travel expenses, sporting uniforms, conference fees, fee-for-service, Director fees, subscriptions, annual and/or industry fees, alcohol, gifts, prizes, appeals and making cash donations to other organisations.
3. Commission Agents / fees, including agents seeking information on behalf of or for potential applicants.
4. Applications submitted by an individual on behalf of multiple organisations who subsequently benefit from the grant.
5. Donations to charities.
6. Activities that could be seen as divisive or harmful within the community ie; funding for weapons and ammunition or having a potential to bring Mornington Peninsula into disrepute which is at the discretion of the Assessment Panel.
7. Funding for camps, school incursions and school-based playgroups.
8. Costs of fees charged by Local Government (e.g. planning/ building application fees, or similar charges).

Community Investment Funding (CIF) General Eligibility



9. Debt payment.
10. Damage and / or purchases covered by insurance.
11. Retrospective funding for programs/projects that have already started or have been completed are not eligible. *** Note 1: Exemptions may apply for Local Area Community Capital Infrastructure Grants.**
12. Projects/programs funded by Mornington Peninsula Shire within a financial year.
13. Activities or programs that are the responsibility of another level of government ie such as education or health.
14. Project and/or activities that are subject to a lease/license agreement with the Shire.
15. Organisations that have not complied with previous funding requirements as identified in the CIF Policy and Framework and Funding Agreements.
16. Installation of solar panels on Shire tenanted buildings that are connected to mains electricity.
17. Ineligible Applicants include:
 - a) Political parties registered with the Australian Electoral Commission or lobby / pressure groups.
 - b) Organisations associated with collection and use of funds by banned organisations as per Commonwealth Criminal Code Sect 103.1,
 - c) Applicants in receipt of gaming machine revenue and/or gambling.
 - d) Councillors and Shire staff

Community Investment Funding (CIF) General Eligibility



Table 1 – Eligibility for Grants Programs and Program Managers

Grant Program and Program Managers	Organisations <ul style="list-style-type: none"> ➤ Incorporated Associations ➤ Not-For-Profit (NFP) ➤ Registered Charities ➤ Public Benevolent Institution or ➤ Un-Incorporated community groups are required to be Auspiced meeting by organisations listed above
Our Place	
Biolinks Support Grants (open competitive) Program Manager Clayton Fenech E: Clayton.Fenech@mornpen.vic.gov.au	✓
Our People	
Placemaking Grants (open competitive) Program Manager Tricia Folvig E: communityinvestfunding@mornpen.vic.gov.au or E: Tricia.Folvig@mornpen.vic.gov.au	✓
Community Support Grants (open competitive) Program Manager Tricia Folvig E: communityinvestfunding@mornpen.vic.gov.au or E: Tricia.Folvig@mornpen.vic.gov.au	✓
Flexi Grants (open competitive) Program Manager	✓

Community Investment Funding (CIF) General Eligibility



<p>Tricia Folvig E: communityinvestfunding@mornpen.vic.gov.au or E: Tricia.Folvig@mornpen.vic.gov.au</p>	
<p>Community Events Grants (open competitive)</p> <p>Program Manager Rebecca Levy E: Rebecca.Levy@mornpen.vic.gov.au</p>	✓
Our Prosperity	
<p>Local Area Community Capital Infrastructure Grants (open competitive)</p> <p>Program Manager Ryan Wilcox E: Ryan.Wilcox@mornpen.vic.gov.au</p>	✓
<p>Sponsorships (targeted)</p> <p>Program Manager Jayde Hayes E: economicdevelopmentleadershipteam@mornpen.vic.gov.au</p>	Refer separate Sponsorship Guidelines
CIF Subsidies and Trust	
Subsidies adopted by Council (targeted)	Refer Subsidies Guidelines
Mornington Peninsula Community Charitable Trust, Lord Mayor's Charitable Foundation (LMCF) (open competitive) registered DGR Status 1 applicants only.	Refer separate Trust Guidelines
<p>CIF Principal Program Manager Tricia Folvig, Team Leader Community Development E: communityinvestfunding@mornpen.vic.gov.au E: Tricia.Folvig@mornpen.vic.gov.au</p>	

Community Investment Funding (CIF) General Eligibility



CIF General Eligibility/Ineligibility applies to Subsidies, as listed for Grants.

Subsidies

The following subsidies adopted by Council 6 May 2025 meeting.

Our Place: Environmental Sustainability Subsidies

- Western Port Biosphere Subsidy

Our People: Cohesive Community Subsidies

- Peninsula Transport Assist Subsidy
- Community Houses/Centres Subsidies
- Toy Library Subsidies
- Commemorative Events Subsidies (*targeted to organisations with model rules/constitutions to celebration Nationally recognised events*)

Healthy Community Subsidies

- Seniors Festival Week Subsidies
- Senior Citizens Clubs Subsidies

Safe Community Subsidies

- Community Support Centres Subsidies
- Local Essential Safety Services Subsidies
- Community-Led Safety Subsidies

Our Prosperity: Prosperous Community Subsidies

- Tourism Business Subsidies
- Visitor Economy Partnership Subsidy

Community Investment Funding (CIF) General Eligibility



- **CIF General Eligibility Funding for:**

Sponsorships

Sponsorship applications may be invited from organisations for;

- Attraction of new opportunities or opportunities for expansion of existing prioritised businesses or programs within the Shire that will contribute to the Shire's economic; social/cultural, environmental output.
- Sponsorship is seen as a financially supported promotional alliance for mutual benefit rather than a material contribution towards the staging of an event.

Eligibility

1. All Sponsored activities must be delivered within the Mornington Peninsula Shire Local Government Area. Consideration will be given to trade exhibitions/events/activities outside the municipality that attract trade and or promote of Mornington Peninsula.
2. Sponsored organisations must be registered; solvent have adequate level of public liability insurance relevant to the activity and have acquitted all funding previously awarded by the Shire.
3. All Sponsorship funding awarded must be expended on the agreed activity only as described in the Funding Agreement.

Ineligibility for Sponsorship

1. Activities not delivered in the Mornington Peninsula Shire Local Government Area and/or with trade exhibitions exception.
2. Funding for the sponsored organisation's general recurrent costs e.g., annual industry fees, regular rates and office rent.
3. Information sought and or applications submitted on behalf of organisation/s by agents seeking payment for services.
4. Donations to charities.
5. Activities that could be perceived as benefiting a political party or political campaign.
6. Activities that could be seen as harmful/divisive in the community or having a potential to bring Mornington Peninsula into disrepute.

Community Investment Funding (CIF) General Eligibility



7. Costs of fees charged by Local Government (e.g., planning/ building application fees, health inspection fees, tip fees or similar charges).
8. Debt payment.
9. Damage and/or purchases covered by insurance.
10. Retrospective funding for sponsored activities.
11. Applications for activities similar to those already funded by Mornington Peninsula Shire.
12. Ineligible organisations include;
 - a. Political parties registered with the Australian Electoral Commission or lobby/pressure groups,
 - b. Organisations associated with collection and use of funds by banned organisations as per Commonwealth Criminal Code Sect 103.1,
 - c. Organisations in receipt of gaming machine revenue and/or gambling,
 - d. Unsolicited applications

Table 1 Priorities and Criteria for Sponsorships

Invited proposals must include:

1. The scope of the activity
2. The budget for the activity (GST exclusive)
3. The benefits to Mornington Peninsula
4. Marketing/Promotion Plan
5. Media opportunities for Council; and

Table 1: Achieve one or more of the priorities below:

Community Investment Funding (CIF) General Eligibility



Priorities for Sponsorships	Mornington Peninsula Shire Council Sponsorships seek to support activities as below:	Criteria
<p>1) Enhances the reputation and visitation to the Mornington Peninsula Shire Local Government Area</p> <p>2) Boosts the prosperity of the Mornington Peninsula through increased economic activity and jobs</p> <p>3) Builds a flourishing and diverse Mornington Peninsula creative ecosystem.</p>	<ul style="list-style-type: none"> Acceleration of the protection and resilience of Mornington Peninsula's natural environment and/or renewal energies National competition/tournaments Industry and trade exhibitions to facilitate major business investment in the Mornington Peninsula. Showcases the Mornington Peninsula as a destination for performing and visual arts. 	<ol style="list-style-type: none"> Scope of the activity achieves one or more of the priorities. The Sponsorship sought demonstrates proportional high value to the scope and cost of the activity. Mornington Peninsula's reputation and visitation will increase as a result of the activity. The applicant's marketing/promotional plan offers multiple positive opportunities for Council. The applicant's activity provides opportunities for Councillors / CEO or delegate to be involved in the activity.

Community Investment Funding (CIF) General Eligibility



Public Guidelines for Grants, Subsidies and Sponsorship also include the following:

- Application Support
- Grants Program Management Process
- Budget (*applications with co-contribution will be view favourably*)
- Notification process
- Funding agreements and payment
- Reporting and Monitoring
- Community Investment Funding Principles and Ethics
 - Achievement of the Best Outcomes
 - Collaborative Relationships
 - Diversity and Access
 - Safety
 - Value for Money

Draft Domestic Animal Management Plan

2026 - 2029





Mornington Peninsula Shire acknowledges the Bunurong people, who have been the custodians of this land for many thousands of years; and pays respect to their Elders past and present. We acknowledge that the land on which we meet is the place of age-old ceremonies, celebrations, initiation and renewal; and that the Bunurong people's living culture continues to have a unique role in the life of this region.



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The Domestic Animal Management Plan

The Shire recognises the importance of the balance between the value of pet ownership and the benefits they bring to our health and wellbeing, and the need for protection of the community and the local environment from nuisance dogs and cats.

Each Victorian Council is required to prepare a Domestic Animal Management Plan every four years under section 68A of the *Domestic Animals Act 1994*. The Mornington Peninsula Shire Council's Domestic Animal Management Plan 2026-2029 (the Plan) will evaluate the current animal management services provided by the Shire and review existing domestic animal local laws and orders to ensure they meet the needs of the community.

The Plan also requires the Shire to outline its future programs, services and strategies for 2026-2029 to:

- promote and encourage the responsible ownership of dogs and cats
- ensure compliance with all relevant animal legislation
- minimise the risk of dog attacks on people and animals
- address any over-population and high euthanasia rates for dogs and cats
- encourage the registration and identification of dogs and cats
- minimise the potential for dogs and cats to create a nuisance
- identify all dangerous, menacing and restricted breed dogs living in the Mornington Peninsula Shire and ensure they are kept in accordance with the legislation.

How we prepared the draft Plan

In conjunction with extensive internal stakeholder engagement and benchmarking activities, research for the 2026-2029 draft Plan has also taken into account the consultation findings of other strategic plans, policies and strategies including:

- Council and Wellbeing Plan
- Biodiversity Conservation Plan
- Municipal Emergency Management Plan
- Sports Capacity Plan
- Compliance and Enforcement Policy
- Dogs in Public Places Policy
- Open Space Strategy.

Draft Plan consultation

The Shire intends to seek feedback from the community and key external stakeholders on this draft Plan. The feedback and recommendations sought during the consultation period will be incorporated into the final Plan and presented to Council for adoption in late 2025.

The Mornington Peninsula Shire - Current Context

Community

The Mornington Peninsula Shire encompasses an area of 723km² and is characterised by 44 townships and villages. The Shire is 70% highly valued green wedge land and has areas of national and international conservation significance. We also occupy approximately 10% of Victoria's total coastline.

The Shire is a popular holiday and retirement destination, with the population swelling by up to 30% in the summer months and other holiday periods. This results in an increased number of animal management requests.

The permanent estimated residential population of the Shire is 170,243, indicating an estimated population increase of 0.30% since 30 June 2022¹. By contrast, the estimated population increase for Greater Melbourne was 3.32%.²

How old are we?

The Mornington Peninsula Shire has a higher percentage (16.6%) of seniors aged 70 to 84 when compared to the Greater Melbourne average of 8.6%. Our median age is 48 years, 10 years older than the Greater Melbourne median age of 38 years.³ 54.3% of Mornington Peninsula Shire residents are aged 45 and above.

Where do we live?

Approximately 67.9% of the population live in townships along Port Phillip Bay, 6.3% in townships along Bass Strait, 11.3% in townships along Western Port Bay, making a total of 85.5% living by the water. The remaining 14.5% live in the hinterland townships.⁴

We have a higher percentage of residents who fully own their dwelling (40.7%), compared to the Greater Melbourne average of 28.7%. Less of our residents (33.2%) are paying off a mortgage, compared to the Greater Melbourne average of 35.6%. Finally, 17.8% of our residents rent, compared to the Greater Melbourne average of 29.2%.⁵

The Community Safety Team

The Community Safety Team and the Community Animal Shelter and Pound form part of the Community Safety, Health and Compliance Unit within the Community Strengthening Directorate. Thirteen Authorised Officers operate in designated zones, with approximately 60% of their workload allocated to animal management duties. Additional support is provided during the summer period with a particular focus on foreshore areas. Authorised Officers are supported by an administration team.

¹ Australian Bureau of Statistics Estimated Residential Population, as of 30 June 2023.

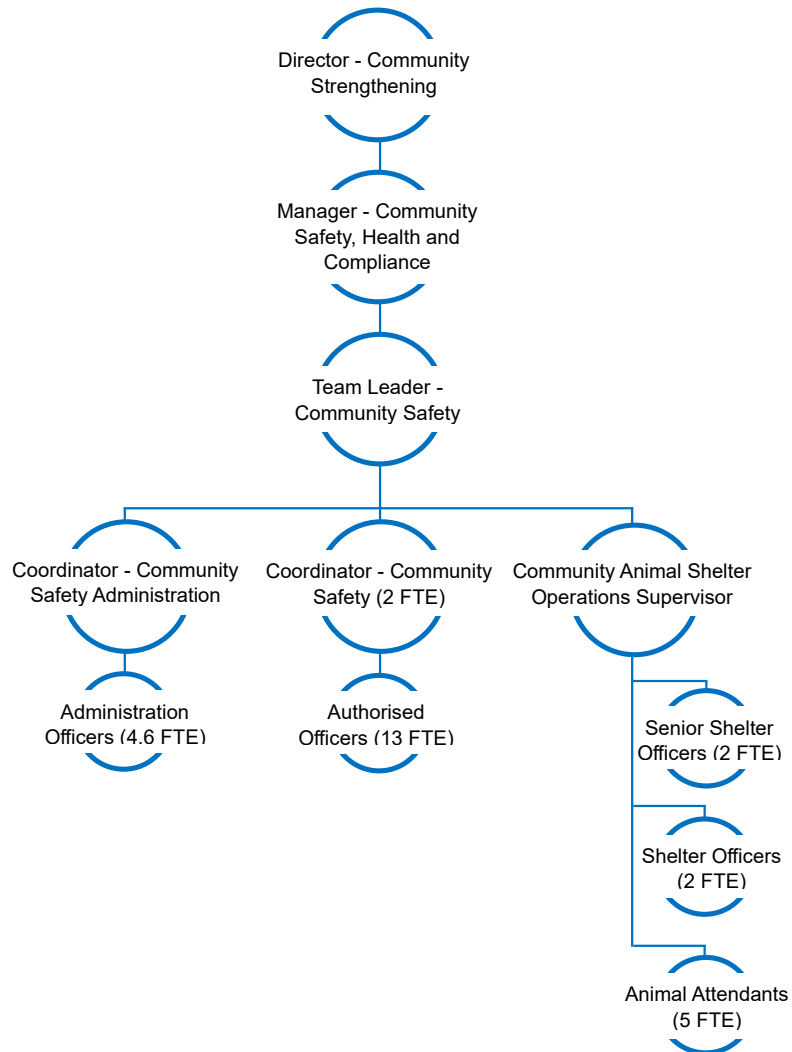
² Australian Bureau of Statistics, Regional Population Growth, Australia (3218.0).

³ Australian Bureau of Statistics, Census of Population and Housing, 2021 (Usual residence data).

⁴ Australian Bureau of Statistics, Suburbs and Localities Data 2021.

⁵ Australian Bureau of Statistics, Census of Population and Housing 2016 and 2021.

The Community Animal Shelter and Pound is a Shire-run animal facility which operates with ten Authorised Officers and is staffed 365 days a year. The facility takes in all stray, seized and surrendered animals for the Mornington Peninsula and facilitates the adoption of dogs, cats, livestock and pocket pets.



The Mornington Peninsula Shire - Future Context

Population growth

As an area near to, but with a role distinct from, the growing Melbourne metropolitan area, there are ever increasing pressures and demands placed on the Mornington Peninsula. It is estimated that the population of the Shire will grow to 175,153 by 2025 and 192,617 by 2046, representing a 9.97% increase in the next 21 years. The highest growth areas are expected to be Tyabb (32.08%), Mornington (19%) and Dromana/Safety Beach (18.9%).⁶

A growing resident population and increased visitor numbers increases the demand for use of the Shire's open spaces by dog and non-dog owners. Recognising the imperative to balance competing user groups and community needs, in 2022 Council adopted the Dogs in Public Places Policy to provide a strategic and consistent approach to leash-free and dog prohibited areas across the Shire.

Partnerships

The Shire will continue to strengthen its partnership with Department of Energy, Environment and Climate Action (DEECA) and other community and industry stakeholders to provide a consistent approach to domestic animal management.

Shire Officers are not authorised under the *Prevention of Cruelty to Animals Act 1986* to investigate reports of animal cruelty and neglect, and therefore work closely with RSPCA Victoria to address animal welfare concerns.

To optimise opportunities to rehome or foster animals who come into our care, the Community Animal Shelter and Pound collaborate with 76 rescue groups across the Mornington Peninsula and surrounding communities. We also work closely with Pet Rescue to create comprehensive adoption profiles for animals and respond to public enquiries. These partnerships ensure the best possible outcomes for animals.

⁶ ID (Informed Decisions), Population and household forecasts, 2021 to 2046 (October 2024).

Theme 1: Training of Authorised Officers

Objective

To provide training opportunities for Shire Officers to continue to develop their skills and knowledge to ensure they are able to carry out their roles and enforce the required domestic animal legislation.

Summary

Our staff are our biggest asset, so we need to ensure they have the knowledge and skills necessary to deliver the Shire's animal management services in a manner which ensures not only their safety, but the safety of the community and the animals in their care.

Current Activities

Within three days of commencement of employment for all Authorised Officers:

- Code of Conduct
 - Child Safe Standards
 - Bullying and Harassment
 - Occupational Health and Safety
 - IT Induction
-

Within one month of commencement of employment for all Authorised Officers:

- Equal Employment Opportunity
 - Fraud and Corruption
 - Information Privacy
 - Conflict of Interest
 - Record Keeping Essentials
-

Annually for all Authorised Officers:

- OHS
 - Situational awareness
 - Conflict management
 - First aid and CPR
 - Domestic and family violence identification training
 - Animal management
 - Aggressive dog handling
 - Livestock handling
 - Safe animal handling
 - Performance reviews to identify further training opportunities
-

Biennially for all Authorised Officers:

- Bullying and Harassment
 - Child Safe Standards
 - Code of Conduct
 - Conflict of Interest
 - Employee Equal Opportunity
 - Fraud and Corruption
 - Information Privacy
 - Occupational Health and Safety
-

As needed for all Authorised Officers:

- Investigation and evidence gathering
 - Brief preparation
 - Domestic Animal Business auditing
-

Attend animal management training, information sessions and conferences offered by the Bureau of Animal Welfare, RSPCA Victoria and other relevant organisations when offered

Future Activities

In addition to continuing the above activities, Shire Officers will also undertake the following activities.

Objective 1.1: To formalise training requirements

1.1.1 Develop a formal training schedule for all new Authorised Officers

1.1.2 Develop a formal training register specific to Authorised Officers to assist in identifying any opportunities to increase Officer knowledge

Theme 2: Encouraging Responsible Pet Ownership

Objective

To employ programs, services and strategies to promote and encourage responsible pet ownership and compliance with legislation.

Summary

The responsible ownership of dogs and cats encompasses a broad range of measures to ensure the welfare needs of animals are met, and to ensure they do not pose a safety or nuisance concern to the community and visitors. Shire Officers provide many services to encourage responsible pet ownership centred around communication, community education, initiatives and enforcement activities.

Dogs

The promotion of dog prohibited and leash-free areas is important in increasing dog owner awareness of where and when you can walk your dog. The Shire has a dedicated webpage and interactive map to assist in choosing the best place to walk.

Cats

Cats that are allowed to roam may fight with other cats and create a nuisance by spraying and defecating on other people's property. To combat roaming owned cats and promote responsible cat ownership, the Shire implemented a 24/7 cat curfew in April 1997. To help reduce unwanted litters which contribute to the semi-owned and feral cat population, all cats must be desexed before registration with the Mornington Peninsula Shire.

Keeping cats contained is important to safeguard their health and wellbeing. Cats that are allowed to roam are vulnerable to injury or death from traffic, attacks by other animals or even humans. They are also more likely to become lost. By keeping cats contained, it can significantly extend their lifespan and reduce the negative impact they can have on the environment.

Legislation

Planning and Environment Act 1987

The Peninsula Sands Estate, Rosebud is a declared cat prohibited area under Section 173 of the *Planning and Environment Act 1987*.

Domestic Animals Act 1994

In exercising its powers prescribed under Section 10A of the *Domestic Animals Act 1994*, Council published an Order which requires all registered cats within the municipality to be desexed, unless the cat is exempted under the Act.

In exercising its powers prescribed under Section 25 of the *Domestic Animals Act 1994*, in April 1997 Council published an Order making it an offence for a cat to be outside the owner's premises at any time.

In exercising its powers prescribed under Section 26 of the *Domestic Animals Act 1994*, in December 2007 Council published Orders defining dog prohibited and leash-free areas.

These orders have been updated numerous times since 2007, with the most recent Order published on 12 December 2024.

Community Amenity Local Law 2022

Clause 21 of the *Community Amenity Local Law 2022* states that, without a permit, properties under 499m² can keep one dog and two cats, properties between 500m² and 2,499m² can keep two dogs and two cats, and properties over 2,500m² can keep three dogs and two cats.

Current Activities

Conduct proactive patrols of parks, reserves and foreshore areas to ensure compliance with the relevant dog control signage, including early patrols in identified hotspots and areas with emerging issues

Conduct extended patrols during peak summer periods with a particular focus on foreshore areas

Maintain dog control signage in parks, reserves and foreshore areas

Promote responsible pet ownership and animal welfare on open days at the Community Animal Shelter and Pound

Participate in community events and education programs such as Bunnings adoption events and various festivals and community awareness days to promote responsible pet ownership

Conduct tours and educational programs for primary and secondary students and special needs groups at the Community Animal Shelter and Pound focussing on basic animal care and responsible pet ownership

Host student work placements for Years 10-12 and university students at the Community Animal Shelter and Pound to enhance student's animal handling and promote responsible pet ownership

Administer the Positive Ageing Program which offers free desexing and microchipping for dogs and cats for senior card holders through the Community Animal Shelter and Pound

Maintain an interactive website map showing dog leash-free and prohibited areas

Provide adoption packs with information on responsible pet ownership to new owners

Provide animal ownership educational materials and adoption advertisements in Customer Service Centres and Libraries

Manage an annual communications plan including social media posts, website information, media releases, Shire publications and telephone on-hold messages promoting responsible pet ownership

Future Activities

In addition to continuing the above activities, Shire Officers will also undertake the following activities.

Objective 2.1: To promote community compliance with dog controls in public places

- 2.1.1 In conjunction with the Shire's Infrastructure Team, complete the rollout of updated dog control signage in Council-managed foreshores, parks and reserves

Objective 2.2: To provide a greater presence in the community to improve compliance and enhance education

- 2.2.1 Investigate additional opportunities to participate in community outreach activities
- 2.2.2 Consider subscribing to the RSPCA's Happy Pets Portal to enhance educational opportunities for pet owners

Objective 2.3: To promote community compliance and responsible pet ownership

- 2.3.1 Consider holding an annual pet's day to promote responsible pet ownership

Theme 3: Addressing Over-Population and High Euthanasia Rates

Objective

To minimise the number of stray, semi-owned and feral animals, and address over-population and high euthanasia rates for dogs and cats.

Summary

The Shire-run Community Animal Shelter and Pound places a high priority on the welfare and care of all animals. The Team works closely with rescue groups to rehome domestic pets and livestock which may not be suitable for direct adoption.

Whilst we strive to rehome as many animals as possible, the Community Animal Shelter and Pound must adhere to the requirements in the State Government's Code of Practice for the Management of Dogs and Cats in Shelters and Pounds (the Code). Shire Officers conduct an in-depth suitability assessment for every animal being considered for adoption in accordance with the Code. The Code prohibits the rehoming of any animals displaying aggressive or anti-social traits (such as feral cats) or animals that are known to be habitual escapees.

In 2024, Shire Officers impounded 486 dogs and 417 cats. From these impounded dogs and cats, 16 dogs (3.2%) and 52 cats (12.4%) were euthanised as a result of disease or anti-social traits. These figures are well under the metropolitan council average euthanasia rate which is approximately 7.2% for dogs and 29.1% for cats. The Shire's low euthanasia rates demonstrate the Community Animal Shelter and Pound's commitment to animal welfare and dedication to achieving the best outcomes for all animals in their care.

Legislation

Domestic Animals Act 1994

In exercising its powers prescribed under Section 10A of the *Domestic Animals Act 1994*, Council published an Order which requires all registered cats within the municipality to be desexed, unless the cat is exempted under the Act.

Community Amenity Local Law 2022

Clause 22 of the *Community Amenity Local Law 2022* states a person must not sell or give away a dog or cat that has not been desexed except where the animal is ten years or older, or if the person is the proprietor of a Domestic Animal Business or member of an Applicable Organisation.

Current Activities

Conduct investigations in response to reports of animal hoarding

Enforce Clause 22 of the *Community Amenity Local Law 2022* governing the responsible breeding of dogs and cats

Enforce Council Orders governing mandatory desexing of cats and 24/7 confinement to owners' premises

Undertake activities to identify and enforce against illegal dog and cat breeders who sell animals prior to desexing

Administer a cat trapping program to contain stray, semi-owned and feral cats to reduce unwanted litters over population

Promote responsible pet ownership and desexing initiatives on open days at the Community Animal Shelter and Pound

Participate in community events and education programs such as Bunnings adoption events and various festivals and community awareness days to promote pet adoptions and responsible pet ownership

Administer the Positive Ageing Program which offers free desexing and microchipping for dogs and cats for senior card holders through the Community Animal Shelter and Pound

Maintain strong partnerships with rescue groups for animal rehoming where animals are not suitable for immediate adoption

Future Activities

In addition to continuing the above activities, Shire Officers will also undertake the following activities.

Objective 3.1: To continue to improve animal welfare outcomes

- 3.1.1 Support the Community Animal Shelter and Pound site redevelopment which will provide increased capacity and better-quality facilities for all animals
-

Objective 3.2: To seek opportunities for affordable pet desexing

- 3.2.1 Apply for State Government funding for desexing schemes when available to support members of the community who cannot afford to desex their pets
-

Objective 3.3: To promote community compliance

- 3.3.1 Consider holding an annual pet's day to promote responsible pet ownership and desexing
-
- 3.3.2 Consider holding an annual free microchipping and registration day at the Community Animal Shelter and Pound
-

-
- 3.3.3 Consider subscribing to the RSPCA's Happy Pets Portal to enhance educational opportunities and increase compliance for pet owners
-

Theme 4: Registration and Identification

Objective

To employ programs, services and strategies to encourage registration and identification of dogs and cats.

Summary

In Victoria, all dogs and cats aged three months and over must be microchipped and registered with their local council and renewed by 10 April each year. The Mornington Peninsula Shire also requires cats to be desexed prior to registration.

Registration and renewal fees

Animal registration and renewal fees assist in funding the delivery of animal management services across the municipality, including:

- animal management staffing and after-hours services
- investigation of animal reports including unregistered animals, wandering cats and dogs, and barking dogs
- investigation and prosecution of owners involved in dog attacks
- declaration and management of all dangerous, menacing and restricted breed dogs
- lifetime registration tags for registered dogs and cats
- payment of the compulsory State Government levy for each registered dog and cat.

Year*	Dogs	Cats	Total
2020-21	25,295	6,455	31,750
2021-22	24,930	5,872	30,802
2022-23	24,057	5,730	29,787
2023-24	22,390	5,243	27,633

*active/paid registrations reported as of 30 June

Legislation

Domestic Animals Act 1994

Section 10 of the *Domestic Animals Act 1994* states that all dogs and cats over three months of age must be microchipped and registered with the local council.

In exercising its powers prescribed under Section 10A of the *Domestic Animals Act 1994*, Council published an Order which requires all registered cats within the municipality to be desexed, unless the cat is exempted under the Act.

Community Amenity Local Law 2022

Clause 21 of the *Community Amenity Local Law 2022* states that, without a permit, properties under 499m² can keep one dog and two cats, properties between 500m² and 2,499m² can keep two dogs and two cats, and properties over 2,500m² can keep three dogs and two cats.

Current Activities

Offer first year free registration for new residents within eight weeks of moving into the Shire or adopting the animal

Offer first year free registration for pets adopted from the Community Animal Shelter and Pound

Offer free registration for assistance dogs

Offer pro-rata fees for new registrations between October and February each year (does not apply to menacing, dangerous or restricted breed registrations)

Issue lifetime registration tags

Provide online animal registration, renewal and change of details forms

Provide annual registration renewal notices posted or emailed to owner

Provide a follow up renewal notice and SMS for lapsed registrations

Conduct an annual registration follow up doorknock of lapsed registrations

Follow up registration and desexing for animal adoption/sale notifications from other municipalities and Domestic Animal Businesses

Conduct registration checks as part of investigating all animal nuisance reports

Undertake enforcement activities including infringements, notices to comply and court prosecution for non-compliant owners

Participate in community events and education programs such as Bunnings adoption events and various festivals and community awareness days to promote animal registration

Manage the Community Animal Shelter and Pound website which lists all lost pets and how to visit

Promote animal registration on open days at the Community Animal Shelter and Pound

Conduct tours and educational programs for primary and secondary students and special needs groups at the Community Animal Shelter and Pound highlighting the benefits of animal registration

Manage an annual communications plan including social media posts, website information, media releases, Shire publications and telephone on-hold messages promoting the renewal of animal registrations in March and April of each year

Future Activities

In addition to continuing the above activities, Shire Officers will also undertake the following activities.

Objective 4.1: To increase the number of new animal registrations and renewals

4.1.1 Increase participation in community events to promote registration requirements

4.1.2 Develop a comprehensive annual registration plan with a timeline to ensure all registration activities are conducted within appropriate timeframes

4.1.3 Promote registration requirements through social media and other digital means

4.1.4 Consider holding an annual pet's day to promote responsible pet ownership and registration

4.1.5 Consider holding an annual free microchipping and registration day at the Community Animal Shelter and Pound

Objective 4.2: To identify and target hotspot areas for registration non-compliance

4.2.1 Use previous year's lapsed registration and infringement data to identify and target hotspot areas for registration non-compliance

Theme 5: Addressing Nuisance Animals

Objective

To employ programs, services and strategies to promote and encourage responsible pet ownership to minimise the potential for animal nuisance reports.

Summary

Animal nuisance can occur in many ways, however the most common complaints relate to wandering dogs and cats, and barking dogs.

In 2024, Shire Officers investigated 3,472 animal-related reports.

Cats

Animal Welfare Victoria identifies cats as either domestic or feral. Domestic cats have some form of dependence on humans, either directly or indirectly and can be classified into three subcategories:

- **Owned:** cats are identified with and cared for by a specific person and are directly dependent on humans. They are usually sociable, although sociability varies.
- **Semi-owned:** cats are fed, or provided with other care, by people who do not consider themselves owners. They are of varying sociability, with many socialised to humans, and may be associated with one or more households.
- **Unowned:** cats are indirectly dependent on humans, with some having casual and temporary human interaction. They are of varying sociability, including some being unsocialised, and may live in groups around rubbish tips, shopping centres and other urban environments where they can scavenge for food.

Feral cats are unowned, unsocialised, have no relationship with or dependence on humans, and reproduce in the wild.

Both domestic and feral cats pose a significant threat to Victoria's biodiversity. Cats are highly effective predators that can kill native wildlife and spread diseases and parasites. It is estimated that the Australian feral cat population kills approximately two billion reptiles, birds, frogs and mammals each year, and over a billion invertebrates. Domestic cats are estimated to kill an additional 390 million mammals, birds and reptiles annually⁷. Effective cat management is important to help protect and conserve Victoria's diverse ecosystems and threatened wildlife.

Animal Requests Received

	2016	2020	2024
Dog at large	2705	1192	893
Dogs off-leash	46	324	257
Barking dogs	556	200	486

⁷ Centre for Invasive Species Solutions. "Impact of feral cats in Australia" PestSmart, www.pestsmart.org.au/toolkit-resource/impact-of-feral-cats-in-australia/.

Dog attack/rush	373	259	285
Cat at large	1139	603	191
Other animal concern	2731	1522	484
DAB concern	29	6	71
Registration concern	-	592	360
Excess animal permit request	89	43	79

*A direct comparative analysis of request categories between 2016 and 2024 is difficult due to a reporting realignment in 2018, and a software upgrade in 2022 which changed the way requests are captured.

Impounded animals

	2016	2020	2024
Dogs	1019	802	486
Cats	638	468	417

Adopted animals

	2016	2020	2024
Dogs	27	18	74
Cats	74	112	186

Reclaimed animals

	2016	2020	2024
Dogs	870	745	326
Cats	101	114	55

Animals sent to foster/rescue

	2016	2020	2024
Dogs	94	12	24
Cats	291	119	108

Wandering dogs

Wandering or unsecured dogs are the most common type of animal nuisance report received by the Shire. The most common causes of wandering dogs are either human error (eg, leaving a gate open) or human negligence (eg, inadequate fencing). Some wandering dogs may become protective and display aggression towards people and other animals walking near their property.

Off-leash dogs

The Shire has large number of parks, reserves and foreshores where dogs can be walked off-leash whilst under effective control of their owner. Despite these dedicated areas, in 2024 the Shire received 257 reports of dogs being walked off-leash in areas where they must be on leash, or within areas which have been declared dog prohibited.

Barking dogs

The most common reasons for barking dogs include boredom or loneliness, feeling threatened (eg, postie delivering mail, another dog walking by) or ill health. These reports often require considerable time to resolve as the report needs to be substantiated with a 14-day 'barking dog diary' which can often lead to frustration by the complainant. Many barking

dog reports can be resolved quickly by notifying the dog owner of the issue as they may be unaware their dog is barking and causing a nuisance.

Wandering owned, semi-owned and feral cats

Cats that are allowed to roam may fight with other cats and create a nuisance by spraying and defecating on other people's property. To combat roaming owned cats, the Shire implemented a 24/7 cat curfew in 1997.

To manage the issue of semi-owned or feral cats and the associated environmental impacts, the Shire runs a cat trapping program. The program aims to both educate non-compliant cat owners on the curfew and containment requirements and help reduce the semi-owned and feral cat population by removing cats from the environment. Many cats trapped through this program are rehabilitated at the Community Animal Shelter and Pound and subsequently find loving forever homes. In a small number of cases, trapped cats may need to be euthanised due to significant aggression or severe health issues such as Feline Immunodeficiency Virus (FIV).

Dog faeces

The management of dog faecal matter in public places is governed by Clause 24 of the *Community Amenity Local Law 2022*. Failing to pick up after your dog poses significant health risks to humans and other animals as the faecal matter contains bacteria and parasites that can cause illnesses.

Reports regarding dog faecal matter are especially prevalent on sports ovals where both children and adults play. A large number of reports are also received for foreshores areas where faecal matter can also cause significant environmental concerns by entering nearby waterways.

Legislation

Domestic Animals Act 1994

Section 24 of the *Domestic Animals Act 1994* states that dogs must be securely confined to the owner's property at all times.

In exercising its powers prescribed under Section 25 of the *Domestic Animals Act 1994*, in April 1997 Council published an Order making it an offence for a cat to be outside the owner's premises at any time.

In exercising its powers prescribed under Section 26 of the *Domestic Animals Act 1994*, in December 2007 Council published Orders defining dog prohibited and leash-free areas. These orders have been updated numerous times since 2007, with the most recent Order published on 12 December 2024.

Section 32 of the *Domestic Animals Act 1994* states that the occupier of a premises where a dog or cat is kept must not allow the animal to create a nuisance by barking or other noise which persistently occurs or continues to such an extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises.

Planning and Environment Act 1987

The Peninsula Sands Estate, Rosebud is a declared cat prohibited area under Section 173 of the *Planning and Environment Act 1987*.

Community Amenity Local Law 2022

Clause 21 of the *Community Amenity Local Law 2022* states that, without a permit, properties under 499m² can keep one dog and two cats, properties between 500m² and 2,499m² can keep two dogs and two cats, and properties over 2,500m² can keep three dogs and two cats.

Clause 23 of the *Community Amenity Local Law 2022* states that an occupier of land where an animal is kept must maintain the land in a clean and inoffensive manner, and ensure the property is adequately fenced so the animal cannot escape.

Clause 24 of the *Community Amenity Local Law 2022* states that a person in charge of an animal must carry sufficient litter devices to collect and immediately dispose of animal excrement.

Clause 25 of the *Community Amenity Local Law 2022* states that an occupier of land must not allow an animal kept on that land to emit unreasonable noise.

Current Activities

Provision of animal collection services for contained and uncontained animals between 8.30am and 5pm Monday to Friday

Provision of animal collection services for contained and uncontained animals between 8.30am and 5pm on weekends and public holidays

Provision of animal collection services for contained animals between 5pm and 8.30pm during daylight savings, and 5pm to 7pm during the non-daylight savings period

Provision of an immediate 24/7 response to reports of wandering livestock or dog attacks where an incident is in progress

Conduct proactive patrols of parks, reserves and foreshore areas to ensure compliance with the relevant dog control signage, including early patrols in identified hotspots and areas with emerging issues

Conduct extended patrols during peak summer periods with a particular focus on foreshore areas

Enforce dog and cat prohibitions to protect environmentally sensitive areas

Enforce the 24/7 cat curfew to ensure protection for both cats and wildlife

Administer a cat trapping program to contain stray, semi-owned and feral cats to reduce nuisance reports

Conduct tours and educational programs for primary and secondary students and special needs groups at the Community Animal Shelter and Pound focussing on responsible pet ownership to prevent animals causing a nuisance to the community

Deploy a sound meter with professional monitoring to substantiate barking dog reports

Provide online complaint lodgement and monitoring

Provide comprehensive online information covering barking dogs, wandering cats, and dog prohibited and leash-free areas

Future Activities

In addition to continuing the above activities, Shire Officers will also undertake the following activities.

Objective 5.1: To bring animal-related procedures and information in line with community expectations

5.1.1 Review and improve barking dog procedure

5.1.2 Review and improve cat trapping and wandering cat procedure

5.1.3 Review all animal-related Shire webpages to ensure the provision of current and relevant information

5.1.4 Provide educational material specific to cat nuisance issues with cat registrations

5.1.5 Provide educational material specific to dog nuisance issues with dog registrations

Objective 5.2: To continue to seek opportunities for affordable pet desexing

5.2.1 Apply for State Government funding for desexing schemes when available to reduce nuisance, semi-owned and feral cat reports

Objective 5.3: To promote community compliance

5.3.1 In conjunction with the Shire's Infrastructure Team, complete the rollout of updated dog control signage in Council-managed foreshores, parks and reserves

5.3.2 Consider holding an annual pet's day to provide, amongst other services, information relating to nuisance animal reports

5.3.3 Consider subscribing to the RSPCA's Happy Pets Portal to enhance educational opportunities and increase compliance for pet owners

Theme 6: Dog Attacks

Objective

To employ programs, services and strategies to promote and encourage the responsible ownership of dogs to minimise the risk of dog attacks on people and animals in the community.

Summary

The Shire is committed to reducing the occurrence and impacts associated with dog attacks in our community by implementing a range of investigative and enforcement actions against offending dog owners.

Enforcement actions are guided by a range of factors, including the severity of the incident, the history of the attacking dog and owner, and the overall risk to the community. Outcomes may include infringements, prosecution in the Magistrates' Court, and subsequent orders to declare the dog menacing or dangerous.

In 2024 Shire Officers responded to 213 reports of dog attacks and 72 reports of dog rushes. As a result, we successfully prosecuted 10 serious dog attacks and 5 non-serious dog attacks. A total of 26 infringements were also issued for non-serious dog attacks and 5 infringements for rush incidents.

Legislation

Domestic Animals Act 1994

In exercising its powers prescribed under Section 26 of the *Domestic Animals Act 1994*, in December 2007 Council published Orders defining dog prohibited and leash-free areas. These orders require dog owners to ensure their dog does not threaten or attack any person or animal whilst in a leash-free area.

Section 29 of the *Domestic Animals Act 1994* defines a number of offences relating to dog attacks and rushes.

Sections 34 and 41A of the *Domestic Animals Act 1994* give Council the power to declare a dog dangerous or menacing respectively.

Current Activities

Provision of an immediate 24/7 response to reports of dog attacks where an incident is in progress, and a response within 24 hours where the threat is not imminent, or the incident has already occurred

Conduct proactive patrols of parks, reserves and foreshore areas to ensure dogs are under effective control by their owners to help prevent potential dog attacks

Conduct extended patrols during peak summer periods with a particular focus on foreshore areas

Maintain dog control signage in parks, reserves and foreshore areas to ensure owners are complying with the controls

Escalate the level enforcement required where dogs or owners are repeatedly involved in non-compliance

Convene a Case Review Committee meeting to consider declaring a dog menacing or dangerous following the investigation and outcome of a dog attack

Prosecute serious dog attacks or recidivist offenders in the Magistrates Court

Future Activities

In addition to continuing the above activities, Shire Officers will also undertake the following activities.

Objective 6.1: To increase awareness of dog attacks on children

6.1.1 Include information for school tours and presentations at the Community Animal Shelter and Pound on how to interact with dogs and prevent dog bites

6.1.2 Collaborate with the Maternal and Child Health Team to provide information and education for parents with dogs

Objective 6.2: To increase transparency in dog attack investigations

6.2.1 Create an information pack for owners of attacking dogs involved in dog attacks outlining the investigative process including the potential for dog seizure, attending a record of interview, possible case outcomes and dog declarations

6.2.2 Create an information pack for victims of dog attacks outlining the investigative process including providing a formal statement, potential requirement to give evidence in court, possible case outcomes and victim support services

Theme 7: Dangerous, Menacing and Restricted Breed Dogs

Objective

To effectively identify all dangerous, menacing and restricted breed dogs in the municipality and ensure those dogs are kept in accordance with the legislation.

Summary

The *Domestic Animals Act 1994* defines three categories of declared dogs:

Dangerous dogs

A dog may be declared dangerous following an attack where the dog has caused serious injury to a person or another animal. A dangerous dog must be kept in very specific conditions outlined in the *Domestic Animal Regulations 2015*. The dog must also wear a prescribed dangerous dog collar at all times outside the owner's property, and cannot be walked off-leash, even in a designated off-leash area.

Menacing dog

A dog may be declared menacing following an attack where the dog has caused non-serious injury or has rushed at a person. A rush is defined as an approach by a dog to within three metres of a person whilst displaying aggressive tendencies such as snarling, growling or raised hackles. Conditions on a menacing dog outside an owner's property may include a muzzle and on-leash requirement.

Restricted breed dog

There are currently five breeds that meet the approved standard of restricted breed dogs in Victoria: the American Pit Bull, the Perro de Presa Canario, the Dogo Argentino, the Japanese Tosa and the Fila Brasileiro. A restricted breed dog must be kept in very specific conditions outlined in the *Domestic Animal Regulations 2015*. The dog must also wear a prescribed restricted breed dog collar at all times outside the owner's property, and cannot be walked off-leash, even in a designated off-leash area.

Shire Officers enforce provisions of the Act and Regulations to identify and control dangerous, menacing and restricted breed dogs to ensure the safety of the community and visitors.

There are currently two dangerous and 12 menacing dogs in the Mornington Peninsula Shire. Shire Officers conduct annual property inspections of all declared dangerous and restricted breed dogs in accordance with the Act and Regulations. In 2024, all inspected properties were compliant.

Legislation

Domestic Animals Act 1994

Sections 34 and 41A of the *Domestic Animals Act 1994* give Shire Officers the power to declare a dog dangerous or menacing respectively.

Domestic Animals Regulations 2015

Sections 6 to 10 of the *Domestic Animals Regulations 2015* prescribe the requirements to keep a dangerous or restricted breed dog.

Current Activities

Assess and declare dogs as dangerous, menacing or restricted breeds

Provide comprehensive information to owners of declared dogs outlining their responsibilities and the penalties for non-compliance

Conduct annual property inspections of all declared dangerous and restricted breed dogs in accordance with the Act and Regulations

Conduct investigations in response to reports of non-compliant menacing, dangerous and restricted breed dogs

Undertake enforcement activities including infringements, notices to comply and court prosecution of non-complaint declared dog owners

Undertake regular reviews of the Victorian Declared Dog Register and cross-reference with Shire records to ensure accuracy

Future Activities

In addition to continuing the above activities, Shire Officers will also undertake the following activities.

Objective 7.1: To increase responsible ownership of declared menacing dogs

- 7.1.1 Consider offering a discounted desexing initiative for declared menacing dogs to help promote responsible pet ownership
-

Theme 8: Domestic Animal Businesses

Objective

To ensure legislative compliance of all Domestic Animal Businesses within the municipality.

Summary

Shire Officers annually audit all Domestic Animal Businesses within the municipality to ensure compliance with the Act and the relevant Codes of Practice. Where breaches are identified, Shire Officers work with businesses to gain compliance where possible, and to ensure animal welfare standards are maintained. Shire Officers also actively seek to identify, investigate and prosecute illegal Domestic Animal Businesses operating in the municipality.

The Mornington Peninsula Shire currently has 28 registered Domestic Animal Businesses.

	2016	2020	2024
Dog training establishments	1	7	8
Overnight boarding	10	11	11
Daytime boarding (doggy daycare)	0	0	2
Shelters and pounds	1	1	1
Pet shops	8	2	6
Breeding establishments	1	0	0

Legislation

Domestic Animals Act 1994

Section 13 of the *Domestic Animals Act 1994* prescribes the requirements for Domestic Animal Businesses involved in the sale of animals.

Sections 44A to 63AB of the *Domestic Animals Act 1994* prescribes the requirements, Council powers and offences relating to Domestic Animal Businesses.

Domestic Animals Regulations 2015

Sections 48A to 48F of the *Domestic Animals Regulations 2015* prescribe the requirements for approved commercial dog breeding establishments.

Codes of Practice

There are a number of Codes of Practice that apply to Domestic Animal Businesses, depending on the type of business:

- Code of Practice for the Management of Dogs and Cats in Shelters and Pounds
- Code of Practice for the Operation of Boarding Establishments

- Code of Practice for the Operation of Breeding and Rearing Businesses
- Code of Practice for the Operation of Dog Training Establishments
- Code of Practice for the Operation of Pet Shops

Current Activities

Provide online registrations for new Domestic Animal Businesses

Inspect and approve (where appropriate) new Domestic Animal Business applications

Refer applications to other Teams within the Shire where additional permits or licences may be required

Ensure all Domestic Animal Businesses have a valid source number to legally sell animals (where required)

Conduct annual and spot inspections of all registered Domestic Animal Businesses

Provide online complaint lodgement and monitoring for Domestic Animal Business concerns

Investigate Domestic Animal Business concerns where the relevant powers exist

Provide annual reports and statistics of Domestic Animal Businesses to Pet Exchange Register (State Government)

Undertake various activities to identify illegal Domestic Animal Businesses within the municipality

Undertake audits of microchipped animals to identify possible litters at properties within the municipality

Undertake enforcement activities including infringements, notices to comply and court prosecution for non-compliant Domestic Animal Businesses

Future Activities

In addition to continuing the above activities, Shire Officers will also undertake the following activities.

Objective 8.1: To provide comprehensive online information on Domestic Animal Businesses

8.1.1 Provide comprehensive online information for businesses wanting to apply for registration

8.1.2 Provide comprehensive online information for members of the community wanting to report a concern

Objective 8.2: To provide a streamlined approach to Domestic Animal Business activities

8.2.1 Review and improve the Domestic Animal Business application and audit process

Theme 9: Other Matters

Community Animal Shelter and Pound redevelopment

Shire Officers at the Community Animal Shelter and Pound are cognisant of the negative perception of animal pounds in the community, especially how the animals are looked after and their fate.

To provide the best possible care for the animals staying with us now and in the future, the Mornington Peninsula Shire has made a significant investment in the wellbeing of the community's animals with the upgrade and expansion of the Community Animal Shelter and Pound. The significant redevelopment began in late 2024, with the first of three stages expected to be completed in late 2025.

During the planning phase of the project, Shire Officers ensured the proposed facilities and services aligned with industry best practice, current needs and future expansion options. The upgraded facility will include a new community-focused adoption space, 40 new kennels, cattery facility upgrades, a new cat isolation room, speciality areas for pocket pets, on-site vet facilities and additional public parking.

The upgraded facility will prioritise the reunification and rehoming of animals, offering them the care and support they need to thrive in their forever homes.

Emergency Management

The Mornington Peninsula Shire maintains a Municipal Emergency Management Plan to ensure a coordinated response and recovery to natural disasters and emergencies. Shire Officers acknowledge that pet owners can often have unique needs during emergencies. To ensure owners and their pets are cared for, the Shire also maintains an Emergency Animal Welfare Plan, which is a complementary plan to the Municipal Emergency Management Plan.

Regular emergency management training and exercises are conducted across the municipality and are attended by Shire Officers (including animal management staff), State Government Officers and community support agencies.

Theme 10: Annual Review of Plan and Reporting

To ensure Shire Officers meet the legislative requirements for the Domestic Animal Management Plan prescribed in Section 68A of the *Domestic Animals Act 1994*, a copy of this Plan will be provided to the Secretary of the Department of Energy, Environment and Climate Action no later than 4 December 2025.

The Plan will be reviewed annually, and a report provided to the Secretary no later than 4 December each year until its expiry.

If the Plan requires an amendment, a copy of the amended document will be provided to the Secretary as soon as practicable.

A copy of the annual evaluation of the implementation plan will be published in the Shire's Annual Report.

Consolidated Action Plan

Theme 1: Training of Authorised Officers

Objective 1.1: To formalise training requirements

- 1.1.1 Develop a formal training schedule for all new Authorised Officers
- 1.1.2 Develop a formal training register specific to Authorised Officers to assist in identifying any opportunities to increase Officer knowledge

Theme 2: Encouraging Responsible Pet Ownership

Objective 2.1: To promote community compliance with dog controls in public places

- 2.1.1 In conjunction with the Shire's Infrastructure Team, complete the rollout of updated dog control signage in Council-managed foreshores, parks and reserves

Objective 2.2: To provide a greater presence in the community to improve compliance and enhance education

- 2.2.1 Investigate additional opportunities to participate in community outreach activities
- 2.2.2 Consider subscribing to the RSPCA's Happy Pets Portal to enhance educational opportunities for pet owners

Objective 2.3: To promote community compliance and responsible pet ownership

- 2.3.1 Consider holding an annual pet's day to promote responsible pet ownership

Theme 3: Addressing Over-Population and High Euthanasia Rates

Objective 3.1: To continue to improve animal welfare outcomes

- 3.1.1 Support the Community Animal Shelter and Pound site redevelopment which will provide increased capacity and better-quality facilities for all animals

Objective 3.2: To seek opportunities for affordable pet desexing

- 3.2.1 Apply for State Government funding for desexing schemes when available to support members of the community who cannot afford to desex their pets

Objective 3.3: To promote community compliance

- 3.3.1 Consider holding an annual pet's day to promote responsible pet ownership and desexing
- 3.3.2 Consider holding an annual free microchipping and registration day at the Community Animal Shelter and Pound
- 3.3.3 Consider subscribing to the RSPCA's Happy Pets Portal to enhance educational opportunities and increase compliance for pet owners

Theme 4: Registration and Identification

Objective 4.1: To increase the number of new animal registrations and renewals

- 4.1.1 Increase participation in community events to promote registration requirements
- 4.1.2 Develop a comprehensive annual registration plan with a timeline to ensure all registration activities are conducted within appropriate timeframes
- 4.1.3 Promote registration requirements through social media and other digital means
- 4.1.4 Consider holding an annual pet's day to promote responsible pet ownership and registration
- 4.1.5 Consider holding an annual free microchipping and registration day at the Community Animal Shelter and Pound

Objective 4.2: To identify and target hotspot areas for registration non-compliance

- 4.2.1 Use previous year's lapsed registration and infringement data to identify and target hotspot areas for registration non-compliance

Theme 5: Addressing Nuisance Animals

Objective 5.1: To bring animal-related procedures and information in line with community expectations

- 5.1.1 Review and improve barking dog procedure
- 5.1.2 Review and improve cat trapping and wandering cat procedure
- 5.1.3 Review all animal-related Shire webpages to ensure the provision of current and relevant information

5.1.4 Provide educational material specific to cat nuisance issues with cat registrations

5.1.5 Provide educational material specific to dog nuisance issues with dog registrations

Objective 5.2: To continue to seek opportunities for affordable pet desexing

5.2.1 Apply for State Government funding for desexing schemes when available to reduce nuisance, semi-owned and feral cat reports

Objective 5.3: To promote community compliance

5.3.1 In conjunction with the Shire's Infrastructure Team, complete the rollout of updated dog control signage in Council-managed foreshores, parks and reserves

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Objective 6.1: To increase awareness of dog attacks on children

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6.1.2 Collaborate with the Maternal and Child Health Team to provide information and education for parents with dogs

Objective 6.2: To increase transparency in dog attack investigations

6.2.1 Create an information pack for owners of attacking dogs involved in dog attacks outlining the investigative process including the potential for dog seizure, attending a record of interview, possible case outcomes and dog declarations

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Theme 7: Dangerous, Menacing and Restricted Breed Dogs

Objective 7.1: To increase responsible ownership of declared menacing dogs

- 7.1.1 Consider offering a discounted desexing initiative for declared menacing dogs to help promote responsible pet ownership
-

Theme 8: Domestic Animal Businesses

Objective 8.1: To provide comprehensive online information on Domestic Animal Businesses

- 8.1.1 Provide comprehensive online information for businesses wanting to apply for registration
-
- 8.1.2 Provide comprehensive online information for members of the community wanting to report a concern
-

Objective 8.2: To provide a streamlined approach to Domestic Animal Business activities

- 8.2.1 Review and improve the Domestic Animal Business application and audit process
-

Contact Us

Phone

(03) 5950 1000 or 1300 850 600

If you need the assistance of an interpreter, please phone 131 450

If you are deaf, or have a hearing or speech impairment, you can contact us through the National Relay Service, www.relayservice.com.au then ask for 1300 850 600

In Writing

Email customerservice@mornpen.vic.gov.au

or

Private Bag 1000
Rosebud Victoria 3939

Service Centres

Rosebud
90 Besgrove Street

Mornington
2 Queen Street

Hastings
21 Marine Parade

Connection Points

Somerville
1085 Frankston-Flinders Road

Dromana
359B Point Nepean Road

Red Hill
137 Shoreham Road

Sorrento
860-868 Melbourne Road

Domestic Animal Management Plan

2021-2025





Mornington Peninsula Shire acknowledges and pays respect to the elders, families and ancestors of the Bunurong/Boon Wurrung people, who have been the custodians of this land for many thousands of years. We acknowledge that the land on which we meet is the place of age-old ceremonies, celebrations, initiation and renewal; and that the Bunurong/Boon Wurrung peoples' living culture continues to have a unique role in the life of this region.

Domestic Animal Management Plan 2021-2025



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Domestic Animal Management Plan 2021-2025



Introduction

Purpose

We recognise the value of pet ownership, its overall benefit for our health and wellbeing, the importance of welfare for pets and the protection of the community and the local environment from nuisance dogs and cats.

The Domestic Animal Management Plan (Plan) aims to help us balance the needs of pet owners with the needs of the rest of our community.

The Plan also outlines the Shire's approach to the delivery of animal management services, programs and strategies across the Peninsula over the next four years.

Statutory Requirement

Section 68A of the *Domestic Animals Act 1994* (Act) requires that the Shire prepare a Plan every four years. The Plan must:

- Set out a method for evaluating whether animal control services provided by Council are adequate to give effect to the requirements of the Act and regulations.
- Outline programs for the training of authorised officers.
- Outline programs, services and strategies to:
 - Promote and encourage responsible ownership of dogs and cats;
 - Ensure that people comply with the Act, regulations and legislation;
 - Minimise risk of attacks by dogs on people and animals;
 - Address over-population and high euthanasia rates for dogs and cats;
 - Encourage registration and identification of dogs and cats;
 - Minimise potential for dogs and cats to create a nuisance;
 - Effectively identify all dangerous, menacing and restricted breed dogs and ensure that these dogs are kept in compliance with Act and regulations;
 - Provide for review of existing orders made under the Act and Council's Local Laws;
 - Provide for review of any other matters related to management of dogs and cats; and
 - Provide for periodic monitoring and evaluation of the Plan.

Every Council must review its Plan annually and publish an evaluation of its implementation in its Annual Report.

Domestic Animal Management Plan 2021-2025



Strategic Alignment

To facilitate responsible animal ownership and management across the Shire is an endorsed strategy in the Mornington Peninsula Shire Council Plan.

Process

The Plan was developed in consultation with Council's Community Safety Team, and informed by community and stakeholder consultation, research and benchmarking activities.

The Plan seeks to balance community and stakeholder needs, whilst ensuring compliance with the requirements of the Act.

Domestic Animal Management Plan 2021-2025



Key Actions

The following provides a summary of the Plan's key actions and initiatives.

1. Support Shire Officers to continue to develop their skills.

- 1.1 Provide targeted training to officers in accordance with individual development plans.

2. Provide a planned and focused communication approach.

- 2.1 Continue to implement annual communications plan.
- 2.2 Targeted promotional activities to promote the ease of reporting a dog aggression / attack, the process and assured privacy.
- 2.3 Targeted promotional activities to raise community awareness about feral and semi-owned cat populations, the 24/7 cat confinement order that is in place, and the cat cage program.
- 2.4 Work with Shire Revenue Team to provide responsible pet ownership information with annual registration renewals and new pet registrations.

3. Promote community compliance with dog controls in public places.

- 3.1 Work with Shire Infrastructure Services team to develop a signage strategy for dog controls at Council beaches, parks and reserves including a costed implementation plan.
- 3.2 Undertake additional proactive patrols of parks, reserves and foreshore areas to actively enforce against non-compliance of dog controls.

4. Provide a greater presence in the community to improve compliance and enhance education.

- 4.1 Provide enhanced visible presence and engagement with the community by increasing patrols and registration checks at parks, reserves and foreshore areas.
- 4.2 Investigate opportunities to participate in community outreach activities that are feasible in a COVID-19 environment including participation in festivals, events and pets' day out.
- 4.3 Investigate and implement opportunities to facilitate presentations to schools and community groups.

Domestic Animal Management Plan 2021-2025



5. Continue to improve animal welfare outcomes.

- 5.1 Community Animal Shelter and Pound site redevelopment.
- 5.2 Partner with other animal management services and facilities to support domestic animal management across the municipality. Continue to develop relationships and partnerships with vets and rescue groups.
- 5.3 Undertake activities to identify and enforce against breeders who illegally sell non-desexed animals.
- 5.4 Publish Community Animal Shelter statistics on a quarterly basis via Council communication channels (e.g. number of animals impounded, returned to owner, rehomed via adoption and rescue, euthanised).
- 5.5 If a Council is aware of a banning order that has been issued by a court against a person, they will not be allowed to adopt a pet from the Community Animal Shelter. Nor will they be allowed to register that animal.

6. Continue to seek opportunities to support affordable pet desexing.

- 6.1 Continue to seek opportunities to support existing state government discounted desexing scheme, to provide a subsidised desexing program to members of the community who may not ordinarily be able to afford to desex their pets. Budgetary implications need to be investigated prior to implementation of such programs.

7. Increase registration compliance and opportunities for lost pets to be more easily reunited with their owners.

- 7.1 Continue doorknock compliance program to follow up on failure to renew registration.
Focus on lapsed registrations due to inability to doorknock under COVID-19 restrictions.
- 7.2 Continue to undertake activities to better identify registration non-compliance, including registration checks in the field, Central Animal Records microchip audit and dog and cat sale notification follow ups.
- 7.3 Investigate the feasibility of introducing visitor / non-resident online dog and cat 'check in' functionality, so that lost pets may be more easily identified and reunited with their owners.
- 7.4 Review internal registration processes and systems to ensure a streamlined and efficient approach to renewals and follow up of lapsed registrations.

8. Support a strategic and consistent approach to leash free and dog prohibited areas across the Shire.

- 8.1 Develop a Dogs in Public Places Policy (leash free and dog prohibited areas) that provides a consistent approach to assess the suitability and design of designated

Domestic Animal Management Plan 2021-2025



leash free and dog prohibited areas on Shire managed land. This also includes development of a position for management of dogs on and near sporting fields.

9. Provide a consistent approach to enforcement of regulations.

- 9.1 Partner with other regulatory bodies, to encourage a holistic approach to domestic animal management across the municipality. Continue MOU arrangements for enforcement of dog controls on beaches that are not on Shire-managed land (e.g. DELWP - Department of Environment, Land, Water & Planning).

10. Decrease dog waste in public places.

- 10.1 Work with Shire Waste teams to investigate the feasibility, benefits and indicative ongoing costs of providing dog waste bags at Council beaches, parks and reserves.
- 10.2 Work with the Shire Waste teams to review bin locations and frequency of emptying to determine if additional services are required in areas where uncollected dog waste is considered prevalent.

11. Reduce dog attacks.

- 11.1 Investigate the feasibility of introducing mandatory desexing of newly registered dogs in the municipality. (Exemptions applicable for registered breeders, dogs registered with an applicable organisation, and dogs deemed by a veterinarian not medically suitable to be desexed.)
- 11.2 Undertake additional proactive patrols of parks, reserves and foreshore areas to actively enforce against and minimise dog attacks on people and animals in the community.
- 11.3 Where a dog is involved in an attack or rush incident on people or animals, consider declaration of the dog where appropriate, so that restrictions may be enforced.
- 11.4 Where a dog is repeatedly involved in non-compliance, consider elevating level of enforcement.

12. Identify and register declared dogs.

- 12.1 Continue to identify and declare animals dangerous and menacing when required.
- 12.2 Undertake proactive patrols of industrial and commercial areas to identify dogs on premises (e.g. guard dogs).
- 12.3 Periodic review of Victorian Declared Dog Register / cross reference with Shire records to ensure accuracy.

Domestic Animal Management Plan 2021-2025



13. Ensure compliance by owners of declared dogs.

- 13.1** Continue annual declared dog property inspections (including but not limited to fencing, enclosures, signage and collars) for compliance as per the Act.

14. Identify operating Domestic Animal Businesses (DABs).

- 14.1** Identify businesses that should be registered DABs by reviewing advertisements - including pets advertised for sale (e.g. social media, local papers, notice boards). Follow up for registration compliance / or need to shut down.

15. Ensure compliance by Domestic Animal Businesses (DABs).

- 15.1** Continue annual property inspections for compliance as per the Act.

16. Annual review of Plan and reporting.

- 16.1** Establish an annual timeline and program for reviewing the Plan and evaluating its implementation.

Domestic Animal Management Plan 2021-2025



Shire Context

Community

The Mornington Peninsula encompasses an area of 723km² and is characterised by 44 towns and villages, highly valued green wedge land, areas of national and international conservation significance and featuring around 10% of Victoria's total coastline. Council is committed to maintaining 70% of the Shire as a green wedge.

The permanent estimated residential population is 168,134¹. The Shire is a popular holiday and retirement destination, with the population swelling by up to 30% in the summer months and other holiday periods. This results in an increased number of animal management requests. Leash free dog areas, dogs on beaches and barking dog nuisance remain high-profile issues for the community.

Our median age is 46 years with 45% of residents aged 50 and above. We are older when compared to the Greater Melbourne median age of 36 years.

13% of residents live in medium or high-density housing, with a Shire-wide population density of 2.23 persons per hectare (Greater Melbourne is 5.17 persons per hectare). Only 5% of residents speak a language other than English at home.

Domestic Animals

Current profile of dogs and cats in the Shire.

Domestic Animals – Mornington Peninsula Shire		
	2016	2020
Population	160,862	168,134
Geographic area of municipality	723km ²	
FTE Authorised Shire Officers	6.3	9.0
FTE Authorised Shire Officers per head of population	1:25,534	1:18,682
Number of dog requests	4,500	3,194
Number of cat requests	1,417	1,076
Number of dogs and cats unregistered requests	--	592
Number of dog or cat requests per Shire Officer	939	540
Number of registered dogs	30,726	25,295
Number of registered declared dogs (dangerous, menacing or restricted breed)	26	17
Number of dog attacks and rushes	373	259
Number of registered cats	7,094	6,455
Keeping of animals / excess animals permits issued	89	43

¹ ABS Estimated Resident Population

Domestic Animal Management Plan 2021-2025



Number of registered Domestic Animal Businesses	20	20
Number of Domestic Animal Business inspections	20	20
Number of successful prosecutions	47	208
Dogs - impounded	1019	802
Dogs – direct adoptions	27	18
Dogs – rescue group adoptions	94	12
Dogs – returned to owner / agent	870	745
Dogs – euthanised	17	17
Dogs – euthanised %	1.7%	2.1%
Cats – impounded	638	468
Cats – direct adoptions	74	112
Cats – rescue group adoptions	291	119
Cats – returned to owner / agent	101	114
Cats – euthanised	129	111
Cats – euthanised %	20.2%	23.7%
Cat cages issued	467	352

The Future

COVID-19

The COVID-19 global pandemic has brought a new set of challenges to communities all over Australia and the Shire is proactively addressing these challenges locally by supporting the community and businesses in what is an ever-changing environment. We continue to review our operations to ensure programs and services provided are targeted to balance community needs.

Population Growth

As an area near to, but with a role distinct from, the growing metropolitan area, there are ever increasing pressures and demands placed on the Mornington Peninsula. It is estimated that the population in the Shire will grow to 181,097² by 2036, or 7.7% over the next 15 years. The highest growth areas are expected to be Dromana, Safety Beach, Mornington, Mount Martha and Hastings.

A growing resident population and increasing numbers of visitors to the Shire impacts the demand for use of open space facilities. This includes residents and visitors who walk their dogs in parks, reserves and foreshore areas. Council recognises the imperative to balance community needs and will develop a Dogs in Public Places Policy during 2021. The purpose is to provide a strategic and consistent approach to leash free and dog prohibited areas across the Shire.

² ABS Population Forecast

Domestic Animal Management Plan 2021-2025



Council will continue to implement initiatives to support Shire officers to address the increasing number of complaints relating to dog nuisance, dogs not under control, dog aggression and dog waste in Shire managed public places.

Although mandatory cat desexing and confinement to owners' premises regulations are already in place, unowned and feral cats will continue to be both a nuisance for the community and an environmental problem without adequate management. The Shire will focus on continued promotion of responsible cat ownership as a priority.

Partnerships

The Shire will continue to strengthen its partnership with Department of Environment, Land, Water and Planning (DELWP) and other community and industry stakeholders to provide a consistent approach to domestic animal management and improve animal welfare outcomes across the Shire.

Online Services

We can expect increasing demand for Council services to be delivered online, and for engagement through social media and other digital means. Council's key animal management messages and services will continue to be developed to target audiences appropriately.

Domestic Animal Management Plan 2021-2025



Our Services

Current Programs and Activities

Our current domestic animal management programs and activities.

Program / Activity	Current service provided
Identification and registration	<ul style="list-style-type: none"> \$0 first time registration (incentive to register) \$0 registration for pets adopted from Shelter (1 year) \$0 registration for assistance dogs Annual registration renewal notices and follow up process via email and SMS for lapsed registrations Lifetime registration tags Online registration forms and system available for new registrations, renewals and amendments Promote animal registrations through door knocks and during animal complaint investigations Assess and issue excess animal permits Microchip all animals released from shelter.
Desexing initiatives	<ul style="list-style-type: none"> Desex all animals adopted or rehomed from shelter.
Dog attack (against people or animals) or dangerous dog	<ul style="list-style-type: none"> Incident occurring now – immediate response Otherwise, response within 24 hours.
Animal nuisance complaints (including barking dogs)	<ul style="list-style-type: none"> Response within 1 – 3 days depending on circumstance. Online information: <ul style="list-style-type: none"> Barking dogs Leash free areas Dog prohibited areas Online systems for lodging complaints including Shire website and Snap Send Solve app.
Wandering cat complaints	<ul style="list-style-type: none"> Shire-loaned cat cages are available for the public to use to confine nuisance, unowned or feral cats. Shire officers will deliver (to at risk and vulnerable) and collect cat cages (all) Strict protocols are in place governing the use of these cages to ensure that the welfare of the confined cats is protected Online systems for lodging complaints including Shire website and Snap Send Solve app Wandering cat information booklet.

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Patrols of foreshores and public reserves	<ul style="list-style-type: none"> Proactive patrols of Shire-managed parks, reserves and foreshore areas to ensure dogs are under effective control by their owners An MOU in place for Shire Officers to undertake patrols and enforcement activity at DELWP beaches Early starts identified hotspots / emerging issues Extended patrols during peak / summer periods - with a particular focus on foreshore areas.
Community Animal Shelter and Pound 130 Watt Road Mornington (1300 850 600)	<ul style="list-style-type: none"> A community animal shelter service to hold lost pets We place a high priority on the welfare of lost pets and work to re-home all unclaimed animals Advertise lost pets by photograph online at mornpen.vic.gov.au Pets available for adoption and those going to rescue groups are vet checked, de-sexed, vaccinated, wormed, temperament tested, micro-chipped and advertised online at the Shire's Pets for Adoption page, and at petrescue.com.au Rehome suitable, unwanted pets through collaboration with rescue groups Hold dangerous animals while investigations and prosecution are conducted Provide an Emergency Relief Centre in the event of an emergency for displaced people and animals Open 7 days (closed Good Friday and Christmas Day).
Education and promotion of responsible pet ownership	<ul style="list-style-type: none"> Animal communications including a range of activities: <ul style="list-style-type: none"> Social media posts (e.g. New Year's Eve, Australia Day, shelter updates) Website information Media releases Adverts Shire publications Telephone on-hold messages Educational materials and adoption advertisements in Service Centres and Libraries Adoption packs with information for new owners Shire Officers educate and raise community awareness regarding responsible pet ownership and animal behaviour through interactions whilst out in the community, including provision of advice and specialist technical knowledge Community Animal Shelter visits / tours Provision of pooch pouches (for dog waste removal).
After hours services (1300 850 600)	<ul style="list-style-type: none"> Shire Officers provide a 24/7 response to dog attacks

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	<ul style="list-style-type: none">• After-hours dog collection service of contained animals from 5pm to 7pm non-daylight savings and 5pm to 8.30pm daylight savings period• After-hours collection of dogs considered to be a threat to community – aggressive dog at large.
Animal cruelty matters	<ul style="list-style-type: none">• Contact RSPCA as Shire Officers do not have Protection of Cruelty to Animals Act authorisation.
Domestic animal business (DAB) inspections	<ul style="list-style-type: none">• Inspect and process new domestic animal business applications.• Annual inspections undertaken in accordance with the Act; and issue annual registration certificates• Respond to and investigate breaches / complaints• Actively seek and identify illegal domestic animal businesses and prosecute where appropriate.
Declared dogs (dangerous / menacing or restricted breed)	<ul style="list-style-type: none">• Assess and declare relevant dogs as dangerous/menacing dogs or restricted breeds and enter these details into the Victorian Declared Dog Register• Provision of information to owners of declared dogs outlining responsibilities, and penalties for non-compliance• Annual inspections undertaken in accordance with the Act.
Prosecutions	<ul style="list-style-type: none">• Shire Officers prosecute breaches of the Act.

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Domestic Animal Controls

In addition to the Act, Shire Officers enforce the provisions of the General Purposes Local Law 2012³ and Council Orders.

Numbers of Dogs and Cats

The number dogs and cats allowed to be kept without a permit is dependent on property land size.

	Residential Property Land Size		
	Less than 499 m ²	500m ² to 2,499m ²	Greater than 2,500m ²
Dogs (over 12 weeks old)	1	2	3
Cats (over 12 weeks old)	2	2	2

Animal Housing

Owners are required to ensure that animal housing:

- Is well located and clean;
- Minimises nuisance; and
- Has adequate fencing so that animals cannot escape.

Animal Noise

Owners are required to take steps to prevent animal noise that is unreasonable or adversely affects the amenity of the area.

Animal Excrement

People are required to both pick up their dog's excrement when out in public places and carry a bag to collect it.

Responsible Breeding of Dogs and Cats

People must not sell or give away animals that have not been desexed, unless they are a registered domestic animal business or members of an Applicable Organisation.

Desexing Cats

Cats over the age of 3 months must be desexed, unless the owner has applied for a permit and the owner is a member of an Applicable Organisation.

³ General Purposes Local Law 2012 sunsets in 2022. A new Local Law is to be developed.

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Cat Confinement to Owner's Premises

A Council Order is in place where cats must always be confined to the owner's premises.

Dogs On / Off Leash

Council Orders are in place restricting dogs off leash to designated areas and times in certain reserves and foreshore areas.

Dog Prohibited Areas

Council Orders are in place prohibiting dogs in certain reserves and foreshore areas.

Section 187 Planning Scheme Amendments

The Peninsula Sands Estate is a cat prohibited area under the Shire's Planning Scheme.

Domestic Animal Management Plan 2021-2025



Community Consultation

The community consultation approach included two rounds:

- Consultation to inform development of the Plan; and
- Consultation to gather feedback on the draft Plan.

Phase 1 Consultation

The purpose of the first round was to better understand views in relation to dog and cat issues in the community. These consultation activities were available from 3 to 23 May 2021. Late responses were accepted until 1 June 2021.

Consultation tools were made available via Council's online platform – Shape Your Future:

- Online survey – provide feedback and suggestions on a series of dog and cat matters.
- Mapping tool - mark on a Shire map areas dog or cat related concerns or ideas.
- Upload a written submission.
- Email DAMP@mornpen.vic.gov.au

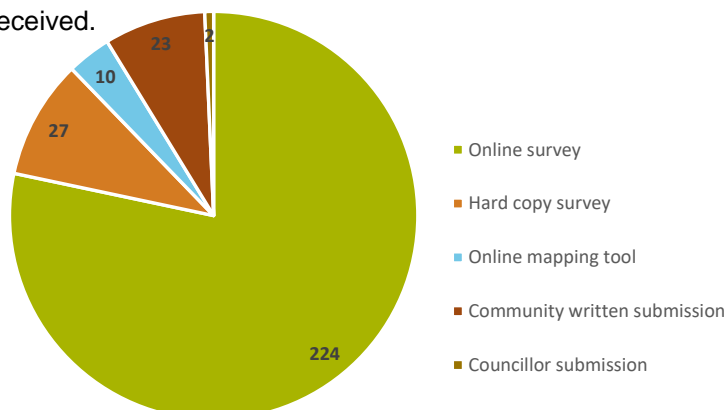
The following non-digital methodologies were utilised:

- Hard copy survey - available for completion at all Mornington Peninsula Shire Service Centres; or mailed out upon request.
- Write to Mornington Peninsula Shire, Private Bag 1000, Rosebud Victoria 3939.

The consultation was promoted via Council's communication channels, including Shape Your Future, social media, e-newsletter, media releases and newspaper advertisements.

Key external stakeholders (e.g. vets, shelters, animal groups, domestic animal businesses, interested residents etc.) were directly emailed an invitation link to participate in the community consultation activities.

286 valid responses were received.



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Phase 2 Consultation – Feedback on the Draft DAMP

Council sought feedback from the community and key stakeholders on the draft DAMP 2021-2025 between 25 August and 22 September 2021.

The draft DAMP was available to view online via Council's platform – Shape Your Future, and the community were invited to provide feedback via:

- Online survey – feedback and suggestions on DAMP initiatives and actions
- Upload a written submission
- Email DAMP@mornpen.vic.gov.au

The following non-digital methodologies were utilised:

- Hard copy survey - available for completion at all Mornington Peninsula Shire Service Centres; or mailed out upon request.
- Write to Mornington Peninsula Shire, Private Bag 1000, Rosebud Victoria 3939.

The consultation was promoted via Council's communication channels, including Shape Your Future, social media, e-newsletter, media releases and newspaper advertisements.

Key external stakeholders (e.g. vets, shelters, animal groups, domestic animal businesses, interested residents etc.) were directly emailed an invitation link to participate in the community consultation activities.

35 Phase 1 consultation respondents who had indicated that they would like to be kept informed were directly invited via email to provide feedback on the draft DAMP.

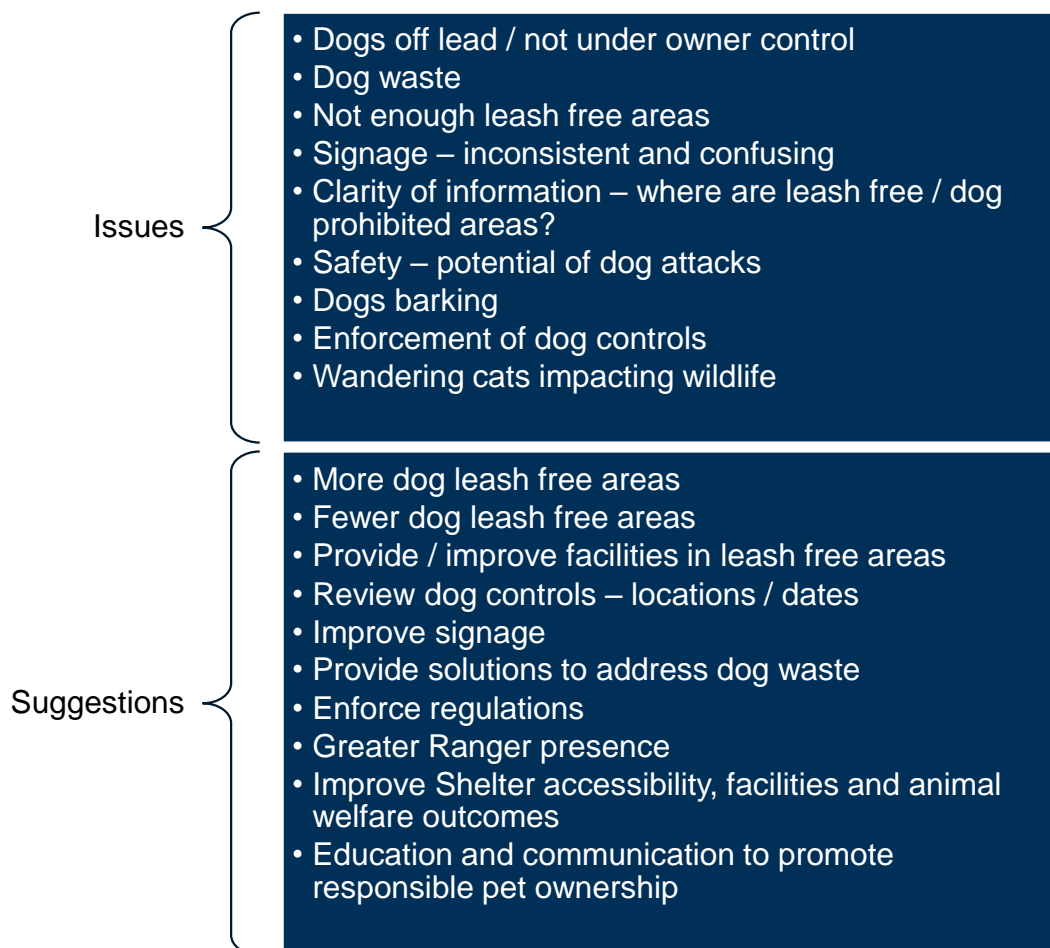
74 online survey responses, and 23 written submissions were received and collated. These were individually assessed to determine whether changes to the draft DAMP were required.

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Consultation Findings

The following provides a summary of key issues and suggestions identified as a result of consultation activities.



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Training of Authorised Officers

To ensure that animal management staff have the knowledge and skills required to properly administer and enforce the requirements of Act.

Context

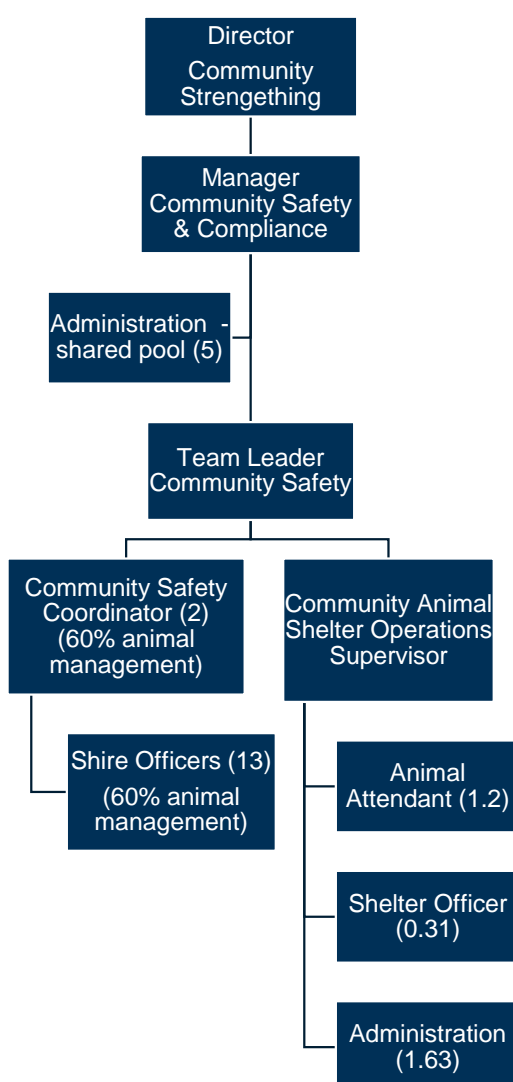
The Community Safety team forms part of the Community Safety and Compliance Unit.

15 Shire Officers operate in designated zones, with approximately 60% of the workload (or 9.0 FTE) allocated to animal management duties. This is supported by a shared administrative team. In 2020, Shire Officers responded to 4,862 animal management requests.

Animal management services are provided 8.30am to 5.00pm Monday to Friday, with early start patrols of identified hot spot areas also undertaken. An after-hours dog collection and emergency service is provided by rostered Shire Officers.

Seasonal support for extended patrols is provided during peak times and the summer period – with a particular focus on foreshore areas.

An additional 4.14 FTE are employed to manage and operate the Community Animal Shelter and Pound facility.



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Current Activities

Given the diverse roles and activities undertaken, it is critical that all staff involved in animal management have the knowledge and skills necessary to carry out their work.

Shire Officers are encouraged to hold a minimum Certificate 4 in Animal Control and Regulation or extensive industry experience.

All new staff are required to complete a corporate induction to ensure familiarity with standard operating procedures and guidelines.

We maintain a training register detailing all the qualifications and training courses completed by each officer. We undertake annual performance reviews to identify further training and development opportunities with targeted training provided.

Shire Officers currently receive on average 22 hours animal management training per year.

Our Plan

Objective 1: Support Shire Officers to continue to develop their skills.

Activity	When	Evaluation
1.1 Provide targeted training in accordance with individual development plans, including but not limited to: <ul style="list-style-type: none">Animal Handling (refresher)Aggressive Animal HandlingInvestigation, interview, and statement taking techniquesSituational awareness / conflict resolutionParticipation in conferences and industry events	Annually	Incorporation into individual employee performance development plans.

Domestic Animal Management Plan 2021-2025



Promote and Encourage Responsible Pet Ownership

To promote and encourage responsible pet ownership and compliance with legislation.

Context

Education, promotion and enforcement activities are key to increasing responsible pet ownership in the Shire.

Our planned approach seeks to promote and encourage the responsible ownership of dogs and cats through a range of initiatives.

Community consultation outcomes show a need for greater clarity around dog regulations in public places, including providing a consistent and accurate approach to dog control signage, and making it easier to understand where the leash free and dog prohibited areas are located.

Respondents wanted education and communication around responsible pet ownership, and greater community compliance with and enforcement of regulations.

Current Activities

- Shire Officers educate and raise community awareness regarding responsible pet ownership and animal behaviour through interactions whilst out in the community, including provision of advice and specialist technical knowledge.
- Annual communications plan including:
 - Social media posts (e.g. New Year's Eve, Australia Day, Shelter Updates)
 - Website information
 - Media releases
 - Adverts
 - Shire publications
 - Telephone on-hold messages
- Educational materials and adoption advertisements in Customer Service Centres and Libraries.
- Adoption packs with information for new owners.
- Community Animal Shelter visits / tours.
- Provision of Pooch Pouches (for dog waste removal).
- Proactive patrols of Shire-managed parks, reserves and foreshore areas to ensure dogs are under effective control by their owners. Early starts to patrol identified hotspots and areas with emerging issues.

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- Extended patrols during peak / summer periods - with a particular focus on foreshore areas.
- An MOU in place for Shire Officers to undertake patrols and enforcement activity at DELWP beaches.
- Signage in parks and foreshore areas detailing dog controls.
- Dog leash free and dog prohibited area maps.

Our Plan

Objective 2: Provide a planned and focused communication approach.

	Activity	When	Evaluation
2.1	<p>Continue to implement annual communications plan including:</p> <ul style="list-style-type: none"> • Social media (e.g. enforcement over summer, pet safety etc.) • Develop a dedicated Shelter Facebook page • Website improvements • Newsletter to pet owners • Other Shire publications • Shelter adoptions • Shelter adoption packs • Barking dog information • Leash free / dog prohibited areas • Cat trapping program • Report our enforcement activities • Impacts of dog poo • Benefits of dog training and socialisation 	Ongoing (current activity)	Annual communication plan implemented.
2.2	Targeted promotional activities to promote the ease of reporting a dog aggression / attack, the process and assured privacy.	2022 and ongoing	Implemented.
2.3	Targeted promotional activities to raise community awareness about feral and semi-owned cat populations, the 24/7 cat confinement order that is in place, and the cat cage program.	Ongoing (current activity)	Implemented.
2.4	Work with Shire Revenue Team to provide responsible pet ownership information with annual registration renewals and new pet registrations.	2022 and ongoing	Information provided with registration renewals.

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Objective 3: Promote community compliance with dog controls in public places.

Activity	When	Evaluation
3.1 Work with Shire Infrastructure Services team to develop a signage strategy for dog controls at Council beaches, parks and reserves, including a costed implementation plan.	December 2022	Signage Strategy endorsed.
3.2 Undertake additional proactive patrols of parks, reserves and foreshore areas to actively enforce against non-compliance of dog controls.	2022 and ongoing	Additional patrols implemented.

Objective 4: Provide a greater presence in the community to improve compliance and enhance education.

Activity	When	Evaluation
4.1 Provide enhanced visible presence and engagement with the community by increasing patrols and registration checks at parks, reserves and foreshore areas. <ul style="list-style-type: none">• Additional patrols by Shire Officers mid-week and non-peak (cost neutral).• Resource additional patrols at peak times.	2022 and ongoing	Additional patrols implemented.
4.2 Investigate opportunities to participate in community outreach activities that are feasible in a COVID-19 environment. Consider: <ul style="list-style-type: none">• Participation in festivals/events• Pets' day out	2022 and ongoing	Community outreach activities implemented.
4.3 Investigate and implement opportunities to facilitate presentations to schools and community groups.	2022 and ongoing	Presentations undertaken.

Domestic Animal Management Plan 2021-2025



Overpopulation and High Euthanasia

To address over-population and high euthanasia rates in dogs and cats.

Context

The Shire-run Community Animal Shelter and Pound places a high priority on the welfare and care for lost pets. Council attempts to first reunite pets in the field through Shire Officers where appropriate.

The Community Animal Shelter and Pound collaborates with rescue groups in an effort to rehome unclaimed domestic pets and is open to the public 7 days (closed Good Friday and Christmas Day).

Dog and cat impound rates have decreased significantly, possibly partially due to the impacts of COVID-19 in 2020. During extended periods of lockdown, pet owners would have been at home – preventing pets from escaping. Council's cat trapping program was also suspended for several months during this time. In 2020, the proportion of impounded animals that were either returned to their owner or rehoused, is 96.6% (dogs) and 73.8% (cats).

Whilst we strive to rehome as many unclaimed pets as possible, the Community Animal Shelter and Pound must follow the requirements of the State Government's *Code of Practice for the Management of Dogs and Cats in Shelters and Pounds*. It requires the Shire to assess the suitability of dogs and cats for rehoming and prohibits the rehoming of aggressive animals. Aggressive, anti-social animals (such as feral cats) or an animal with known vices such as excessive barking, or habitual escapees must not be made available for rehoming. During 2020, the proportion of impounded animals that were euthanised, is 2.1% (dogs) and 23.7% (cats).

Community consultation outcomes indicate that improving Community Animal Shelter facilities, site accessibility and animal welfare outcomes as the most common comment types noted. The Community Animal Shelter and Pound is flagged to undergo significant redevelopment. The first stage of the redevelopment project is expected to commence in 2022 and will incorporate the building of 20 new kennels, an in-house vet clinic, additional car parking space and an undercover drop off zone for Shire Officers. The project will balance the technical requirements of an animal shelter and pound with a sustainable, functional and healthy space for staff and animals. Council will continue to partner with other animal management services, vets and rescue groups to improve animal welfare outcomes.

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Dog Impoundments – Morrington Peninsula Shire		
	2016	2020
Dogs Impounded	1019	802
Direct Adoptions	27 (2.6%)	18 (2.2%)
Rescue Group Adoptions	94 (9.2%)	12 (1.5%)
Returned to Owner/Agent	870 (85.4%)	745 (92.9%)
Euthanised	17 (1.7%)	17 (2.1%)

Cat Impoundments – Morrington Peninsula Shire		
	2016	2020
Cats Impounded	638	468
Direct Adoptions	74 (11.6%)	112 (24.0%)
Rescue Group Adoptions	291 (45.6%)	119 (25.4%)
Returned to Owner/Agent	101 (15.8%)	114 (24.4%)
Euthanised	129 (20.2%)	111 (23.7%) *

* Due to severe illness/disease or unsuitability for rehoming due to behaviour issues

Current Activities

- Shire Officers manage and operate the Community Animal Shelter and Pound facility to hold lost pets:
 - We place a high priority on the welfare of lost pets and work to rehome all unclaimed animals.
 - Advertise lost pets by photograph online at mornpen.vic.gov.au
 - All pets adopted or rehomed from the Shelter are microchipped and desexed.
 - \$0 registration for pets adopted from the Shelter (first year).
 - Pets available for adoption and those going to rescue groups are vet checked, desexed, vaccinated, wormed, temperament tested, microchipped and advertised online at the Shire's Pets for Adoption page, and at petrescue.com.au
 - Rehome suitable, unwanted pets through collaboration with rescue groups.
 - Hold dangerous animals while investigations and prosecutions are conducted.
 - Provide an Emergency Relief Centre in the event of an emergency for displaced people and animals.
 - Open 7 days (closed Good Friday and Christmas Day).

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- Community and animal welfare-based outcomes wherever possible – we work hard to reunite animals with owners, without taking to the Pound. We have section 84Y agreements with participating vets, shelters and rescue groups enabling easier reunification of lost pets with owners in the field, without Council intervention.
- Consideration of financial hardship provided on a case-by-case basis.
- Council-loaned cat cages are available for the public to utilise to confine nuisance, unowned or feral cats.
- Report animal cruelty matters to the RSPCA.
- Enforce Local Law provisions governing the number of animals that can be kept on a property without a permit.
- Enforce Local Law provisions governing the responsible breeding of dogs and cats.
- Enforce Council Orders governing mandatory desexing of cats and 24/7 confinement to owners' premises.
- Conduct investigations in response to customer requests.
- Enforcement activities including official warnings, infringements, notices to comply and court prosecution.

Our Plan

Objective 5: Continue to improve animal welfare outcomes.

	Activity	When	Evaluation
5.1	Community Animal Shelter and Pound site redevelopment.	2024 (phased approach)	Redevelopment complete.
5.2	Partner with other animal management services and facilities to support domestic animal management across the municipality. Continue to develop relationships and partnerships with vets and rescue groups. Undertake activities to identify and enforce against breeders who illegally sell non-desexed animals, including:	Ongoing (current activity)	Partnerships in place.
5.3	<ul style="list-style-type: none">• Reviewing source numbers from the Animal Welfare Victoria Pet Exchange Register• Central Animal Records microchip audit	Ongoing (current activity)	Audits undertaken.

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5.4	<ul style="list-style-type: none">Reviewing advertisements - including pets advertised for sale (e.g. social media, local papers, notice boards).Dog and cat sale notification follow ups		
	Publish Community Animal Shelter statistics on a quarterly basis via Council communication channels (e.g. number of animals impounded, returned to owner, rehomed via adoption and rescue, euthanised).	2022 (ongoing)	Published quarterly
	If a Council is aware of a banning order that has been issued by a court against a person, they will not be allowed to adopt a pet from the Community Animal Shelter. Nor will they be allowed to register that animal.	2021 (ongoing)	Implemented

Objective 6: Continue to seek opportunities for affordable pet desexing.

	Activity	When	Evaluation
6.1	Continue to seek opportunities to support existing state government discounted desexing scheme, to provide a subsidised desexing program to members of the community who may not ordinarily be able to afford to desex their pets. Budgetary implications need to be investigated prior to implementation of such programs.	2022	Investigation complete.

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Registration and Identification

To encourage the registration and identification of dogs and cats.

Context

All dogs and cats three months and over must be microchipped and registered with Council, cats are also required to be desexed. Registrations must be renewed annually by 10 April.

In 2020-2021 there are 31,750 registered dogs and cats in the Shire. This represents a significant decrease of 7,691 animals since the previous financial year.

There are approximately 5,000 lapsed animal registrations that would under normal circumstances have been followed up. Due to COVID-19 restrictions, we were not able to undertake the doorknock program which has resulted in a significant drop in animal registrations. Doorknock programs in the past have been key in maintaining and encouraging registration compliance.

The Shire will continue to implement initiatives to increase community awareness and compliance with registration requirements.

Year *	Cat Registrations	Dog Registrations	Total Registered Cats and Dogs
2013-14	5,827	25,880	31,707
2014-15	7,116	30,357	37,473
2015-16	7,441	31,345	38,786
2016-17	7,094	30,726	37,820
2017-18	6,866	28,871	35,737
2018-19	6,924	28,310	35,234
2019-20	7,724	31,717	39,441
2020-21	6,455	25,295	31,750

* Active / paid registrations reported 30 June (financial year).

Community consultation outcomes show that most respondents were aware of pet registration, microchipping and cat desexing requirements.

Respondents wanted their registration fees to be spent on improved dog park facilities, education and communication around responsible pet ownership, and improved Community Animal Shelter and Pound facilities.

Cheaper registration fees and the ability to register pets at vets were favoured as ways to make it easier for people to register their pets.

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Current Activities

- Free first-time registration.
- Free registration for the first year for pets adopted from the Shelter.
- Free registration of Assistance Dogs.
- Annual registration renewal notices and follow up process via email and SMS for lapsed registrations.
- Lifetime registration tags.
- Online registration forms for new registrations, renewals and amendments.
- Promote animal registrations through door knocks and during animal complaint investigations.
- Assess and issue excess animal permits.
- Microchip all animals released from Shelter.
- Periodic cross referencing of Central Animal Records database with Council's animal registration database.
- Random registration checks during patrols.
- In-field technology for Shire Officers including microchip scanners to help identify pets and reunite them with their owners.
- Enforcement activities including official warnings, infringements, notices to comply and court prosecution.

Our Plan

Objective 7: Increase registration compliance and opportunities for lost pets to be more easily reunited with their owners.

	Activity	When	Evaluation
7.1	Continue doorknock compliance program to follow up on failure to renew registration. Focus on lapsed registrations due to inability to doorknock under COVID-19 restrictions.	Ongoing (current activity)	Doorknocks undertaken.
7.2	Continue to undertake activities to better identify registration non-compliance: <ul style="list-style-type: none">• Registration checks in the field• Central Animal Records microchip audit• Dog and cat sale notification follow ups	Ongoing (current activity)	Audits undertaken.

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7.3	Investigate the feasibility of introducing visitor / non-resident online dog and cat 'check in' functionality, so that lost pets may be more easily identified and reunited with their owners.	2023	Investigation complete.
7.4	Review internal registration processes and systems to ensure a streamlined and efficient approach to renewals and follow up of lapsed registrations.	2023	Review complete.

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Nuisance

To minimise the potential for dogs and cats to create a nuisance

Context

During 2020, Shire Officers responded to 4,862 animal management requests.

- 3,194 dog related requests.
- 1,076 cat related requests.
- 592 unregistered dog and cat related requests.

Dogs and cats at large, leash free areas and lost dogs are the most prevalent specific request types.

The overall frequency of animal management requests has reduced between 2016 and 2020, although direct comparative analysis of request categories across this time span is difficult due to a realignment in 2018 in the way that requests are captured and recorded.

Frequent Dog-Related Requests	2016	2020
Dog at large	2705	1192
Lost dog	714	362
Barking dog	556	200
Leash free areas (contravention of Council Order)	46	324
Dog faeces	24	53
Dog attack or rush	373	259
Dog concern	--	425
Declared dog issue	36	11
Other dog requests	46	368
Total dog requests	4,500	3,194

Frequent Cat-Related Requests	2016	2020
Cat at large – contained	640	603
Cat at large – not contained	499	
Lost cat	275	179
Cat attack	3	0
Other cat requests	0	294
Total cat requests	1,417	1,076

Other	2016	2020
Dog or cat unregistered	--	592

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Community consultation outcomes were heavily weighted towards dog owners. The most prominent suggestion was for more leash free areas incorporating improved facilities (e.g. bins, seating etc.).

Dog waste, dogs walked off lead or not under control of owners and dogs barking were the most common type of nuisance. Respondents wanted greater compliance with and enforcement of regulations.

Clarity was noted as a concern, including signage guiding the community on dog controls in public places and understanding of where the leash free and dog prohibited areas are.

The Shire hosts an extensive coastline, indigenous vegetation, significant parks and reserves, playgrounds and sports grounds. Only a small portion can be patrolled in any given period. Although proactive patrols are undertaken, including increased patrols during the busy peak summer period, the Shire relies on community education and voluntary observance of signage and regulations for animal management compliance.

The Shire has a number of designated foreshore and park areas where dog owners are able to exercise their dogs off leash. Some of these areas are season and time dependant. There are also a number of dog prohibited areas. We partner with DELWP to provide a consistent approach to enforcement of regulations on beaches.

Feral animal management, undertaken by the Shire's Natural Systems Team, occurs in more than 200 bushland reserves under Shire management. These bushland reserves are managed for the protection and enhancement of biodiversity. Feral animal management is undertaken within the scope of the Shire's broader activities including trapping.

Unowned and feral cats will continue to be both a nuisance for the community and a negative environmental impact without adequate management into the future. The Shire will focus on responsible cat ownership as a priority by implementing a range of initiatives.

Current Activities

- Proactive patrols of Shire-managed parks, reserves and foreshore areas to ensure dogs are under effective control of their owners. Early starts to patrol identified hotspots and areas with emerging issues.
- Extended patrols during peak / summer periods – with a particular focus on foreshore areas.
- An MOU in place for Shire Officers to undertake patrols and enforcement activity at DELWP beaches.
- Signage in parks, reserves and foreshore areas detailing dog controls.
- Council-loaned cat cages are available for the public to utilise to confine nuisance, unowned or feral cats.
- Guiding information to reduce nuisance:

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- Dog off leash and dog prohibited area maps
- Barking Dogs information
- Wandering Cats flyer
- How to be a Good Bushland Neighbour brochure
- Enforce Local Law provisions governing the number of animals that can be kept on a property without a permit.
- Enforce Council Orders governing 24/7 confinement of cats to owners' premises.
- Conduct investigations in response to customer requests regarding nuisance associated with dogs and cats.
- Enforcement activities including official warnings, infringements, notices to comply and court prosecution.

Our Plan

Objective 8: Support a strategic and consistent approach to leash free and dog prohibited areas across the Shire.

	Activity	When	Evaluation
8.1	Develop a Dogs in Public Places Policy (leash free and dog prohibited areas) that provides a consistent approach to assess the suitability and design of designated leash free and dog prohibited areas on Shire managed land. This also includes development of a position for management of dogs on and near sporting fields.	January 2022	Policy endorsed.

Objective 9: Provide a consistent approach to enforcement of regulations.

	Activity	When	Evaluation
9.1	Partner with other regulatory bodies, to encourage a holistic approach to domestic animal management across the municipality. <ul style="list-style-type: none">• Continue MOU arrangements for enforcement of dog controls on DELWP (Department of Environment, Land, Water & Planning) beaches.	Ongoing (current activity)	Enforcement activities undertaken.

Objective 10: Decrease dog waste in public places.

Activity	When	Evaluation
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10.1	Work with Shire Waste teams to investigate the feasibility, benefits and indicative ongoing costs of providing dog waste bags at Council beaches, parks and reserves.	2023	Investigation complete.
10.2	Work with the Shire Waste teams to review bin locations and frequency of emptying to determine if additional services are required in areas where uncollected dog waste is considered prevalent.	2023	Review complete.

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Dog Attacks

To minimise the risk of attacks by dogs on people and animals.

Context

The Shire is committed to reducing the impact and injuries associated with dog attacks in on people and animals our community. We do this by means of a range of proactive communication initiatives and investigation and enforcement action against offending dog owners.

In 2020 Shire Officers responded to 259 reports of dog attacks or dog rushes. As a result, we successfully prosecuted 16 serious dog attacks, 5 non-serious dog attacks and 1 dog rush at a person. Our successful prosecution rate was 100% in 2020.

Council considers both attacks on people and animals as highly important. Our enforcement activities are guided by a range of factors including severity of incident and whether the attacking dog has been repeatedly involved in non-compliance with regulations.

Dog rush and dog attack figures have reduced significantly since the last Plan was developed in 2016. This can partly be attributed to a realignment in 2018 of the way that dog requests are captured and recorded. Previously some 'dog concern' and 'dog at large' requests were captured as 'dog attack'. This has since been corrected, with only true dog attacks or rushes registered as such. Increased enforcement action (prosecution and issuing of infringements) taken in relation to dog attacks and rushes, is also regarded as a contributing factor in the reduction.

2020 shows a slight increase when compared with 2019, potentially partly due to the impact of extended COVID-19 lockdowns in Victoria and increased dog walking in the community during this time.

	2016	2017	2018	2019	2020
Dog Attack or Rush	373	411	298	233	259

Community consultation outcomes indicate a reasonable level of support for the potential introduction of mandatory dog desexing. Further investigation and engagement is required to secure a more significant sample size and determine true community sentiment.

Where respondents have been affected by dog aggression / attack, only half of them had made a report to Council. Reasons for not reporting the incident included inability to identify the dog and/or owner; lack of awareness of the reporting process and a perception that Council would be unable or unwilling to act on the information. We recognise the

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opportunity to implement activities to promote the ease of reporting a dog aggression / attack, the process and assured privacy.

Current Activities

- An immediate 24/7 response to reports of dog attacks or dangerous dogs where an incident is in progress or threat is imminent.
- A response within 24 hours to reports of dangerous dogs, where the threat is not imminent.
- Proactive patrols of Shire-managed parks, reserves and foreshore areas to ensure dogs are under effective control by their owners. Early starts to patrol identified hotspots and areas with emerging issues.
- Extended patrols during peak / summer periods - with a particular focus on foreshore areas.
- An MOU in place for Shire Officers to undertake patrols and enforcement activity at DELWP beaches.
- Signage in parks, reserves and foreshore areas detailing dog controls.
- Information provided to reduce instances of dog aggression including dog leash free and dog prohibited area maps.
- Conduct investigations in response to customer requests regarding dog attack, rush or aggression.
- Enforcement activities including official warnings, infringements, notices to comply and court prosecution.

Our Plan

Objective 11: Reduce dog attacks.

	Activity	When	Evaluation
11.1	Investigate the feasibility of introducing mandatory desexing of newly registered dogs in the municipality. (Exemptions applicable for registered breeders, dogs registered with an applicable organisation, and dogs deemed by a veterinarian not medically suitable to be desexed.)	2023-2024	Investigation complete.

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11.2	Undertake additional proactive patrols of parks, reserves and foreshore areas to actively enforce against and minimise dog attacks on people and animals in the community.	2022 and ongoing	Additional patrols implemented.
11.3	Where a dog is involved in an attack or rush incident on people or animals, consider declaration of the dog where appropriate, so that restrictions may be enforced.	2021 and ongoing	Enforcement activities undertaken.
11.4	Where dogs are repeatedly involved in non-compliance, consider elevating level of enforcement.	2021 and ongoing	Enforcement activities undertaken.

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Dangerous, Menacing and Restricted Breed Dogs

To effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in the municipality and ensure those dogs are kept in accordance with the Act and regulations.

Context

Management of known risks regarding declared dangerous, menacing or restricted breed dogs within our community is a high priority.

We administer and enforce provisions of the Act to identify and control dangerous, menacing and restricted breed dogs to ensure the safety of the community. Shire Officers respond promptly to investigate reports involving declared dogs.

Our pet registration forms require owners to declare if their dog is a restricted breed, has been declared menacing or is a dangerous dog.

In 2021, Mornington Peninsula Shire has 17 declared dogs.

Current Activities

- Assess and declare relevant dogs as dangerous, menacing or restricted breeds and enter these details into the Victorian Declared Dog Register.
- Provision of information to owners of declared dogs outlining responsibilities, and penalties for non-compliance.
- Annual inspections undertaken in accordance with the Act.
- Conduct investigations in response to complaints.
- Enforcement activities including official warnings, infringements, notices to comply and court prosecution.

Our Plan

Objective 12: Identify and register declared dogs.

	Activity	When	Evaluation
12.1	Continue to identify and declare animals dangerous and menacing when required.	Annual (current activity)	Audits complete.
12.2	Undertake proactive patrols of industrial and commercial areas to identify dogs on premises (e.g. guard dogs).	2021 and ongoing	Patrols undertaken.

Adopted by Council 1 November 2021

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12.3	Periodic review of Victorian Declared Dog Register / cross reference with Shire records to ensure accuracy.	Annual (current activity)	Reviews complete.
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Objective 13: Ensure compliance by owners of declared dogs.

	Activity	When	Evaluation
13.1	Continue annual declared dog property inspections (including but not limited to fencing, enclosures, signage and collars) for compliance as per the Act.	Annual Ongoing (current activity)	Inspections undertaken.

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Domestic Animal Businesses

To ensure all domestic animal businesses comply with the Act and regulations.

Context

Mornington Peninsula Shire currently has 20 registered Domestic Animal Businesses.

- 2 pet shops
- 5 boarding establishments for dogs
- 6 boarding establishments for cats
- 7 dog training establishments

Shire Officers inspect these facilities annually to ensure compliance with legislation and codes of practice prior to the renewal of registration.

Shire Officers actively seek to identify, investigate and prosecute any illegal Domestic Animal Businesses operating in the municipality.

Current Activities

- Inspect and process new Domestic Animal Business applications.
- Annual inspections undertaken in accordance with the Act; and issue annual registration certificates.
- Actively seek and identify illegal domestic animal businesses and prosecute where appropriate.
- Provide online information on registering a new domestic animal business.
- Provide online information on reporting a concern about a domestic animal business.
- Respond to and investigate breaches / complaints.
- Enforcement activities including official warnings, infringements, notices to comply and court prosecution.

Our Plan

Objective 14: Identify operating Domestic Animal Businesses (DABs).

	Activity	When	Evaluation
14.1	Identify businesses that should be registered DABs by reviewing advertisements - including pets advertised for sale (e.g. social media, local papers, notice boards).	Ongoing (current activity)	Number of unauthorised businesses

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Follow up for registration compliance / or need to shut down.

selling pets reduced.

Objective 15: Ensure compliance by Domestic Animal Businesses (DABs).

15.1	Activity	When	Evaluation
	Continue annual property inspections for compliance as per the Act.	Annual Ongoing (current activity)	Inspections undertaken.

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Review and Evaluation

To ensure that all programs and activities are monitored and evaluated.

Objective 16: Annual review of Plan and reporting.

	Activity	When	Evaluation
16.1	Establish an annual timeline and program for reviewing the Plan and evaluating its implementation.	2021	Ensure reporting requirements are met.
16.2	Complete an evaluation of the Plan, including proposed amendments. Seek Council approval where amendments are proposed.	Annually	Evaluation completed.
16.3	If the Plan is amended, submit a copy to the Secretary.	Annually	Amended Plan submitted to Secretary.
16.4	Publish an evaluation of the Plan's implementation in Council's Annual Report.	Annually	Evaluation published in the Annual Report.

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Acknowledgements

The Shire would like to thank the many community members who participated in the consultation. Your input has been valuable in developing the Plan.

Thank you to Councillors for providing their feedback. Thank you also to the Shire teams who provided input towards development of the Plan.

Domestic Animal Management Plan 2021-2025



Contact Us

Phone

5950 1000 or 1300 850 600

If you need the assistance of an interpreter, please phone 131 450

If you are deaf, or have a hearing or speech impairment, you can contact us through the National

Relay Service, www.relayservice.com.au then ask for 1300 850 600

In Writing

Email customerservice@mornpen.vic.gov.au

or

Private Bag 1000
Rosebud Victoria 3939

Service Centres

Open from 8.30am to 5.00pm Monday to Friday (excluding public holidays)

Rosebud

90 Besgrove Street, 3939

Mornington

2 Queen Street, 3931

Hastings

21 Marine Parade, 3915

Somerville

1085 Frankston-Flinders Road, within Somerville Library, 3912