



# Minutes

Hearing of Submissions Committee  
Tuesday, 20 March 2018

Held in the  
Council Chambers  
1 Merrijig Drive, Torquay  
Commencing at 5.00pm

**Council:**

Cr David Bell (Mayor)  
Cr Libby Coker  
Cr Martin Duke  
Cr Clive Goldsworthy  
Cr Rose Hodge  
Cr Carol McGregor  
Cr Brian McKiterick  
Cr Margot Smith  
Cr Heather Wellington

MINUTES FOR THE HEARING OF SUBMISSIONS MEETING OF SURF COAST SHIRE COUNCIL  
HELD IN THE COUNCIL CHAMBERS, 1 MERRIJIG DRIVE, TORQUAY  
ON TUESDAY 20 MARCH 2018 COMMENCING AT 5.00PM

**PRESENT:**

Cr David Bell (Mayor)  
Cr Libby Coker  
Cr Martin Duke  
Cr Clive Goldsworthy  
Cr Rose Hodge  
Cr Carol McGregor  
Cr Brian McKiterick  
Cr Margot Smith  
Cr Heather Wellington

**In Attendance:**

CEO - Keith Baillie  
General Manager Environment and Development – Rowena Frost (Acting)  
General Manager Governance & Infrastructure – Anne Howard  
General Manager Culture & Community – Chris Pike  
Manager Development & Planning - Bill Cathcart  
Coordinator Statutory Planning - Michelle Watt  
Coordinator Development Compliance and Local Laws - Andrew Hewitt

20 members of the public  
0 members of the press

**APOLOGIES:**

Nil

**CONFIRMATION OF MINUTES:**

**Committee Resolution**

**MOVED Cr Clive Goldsworthy, Seconded Cr Margot Smith**

That the Hearing of Submissions Committee note the minutes of the Hearing of Submissions Committee meeting held on 6 March 2018 as a correct record of the meeting.

CARRIED 9:0

**CONFLICTS OF INTEREST:**

Nil.

**SUBMITTERS HEARD**

**Planning Matters**

**Environment and Development**

- 1.1 Planning Permit Application 17/0370 – Use of the land for a Helicopter Landing Site – 420 Coombes Road, Fresh Water Creek**
1. Cassie and David Curnow.
  2. Tarney Spencer.
  3. Anne Bullen (late speaker).
  4. Chris Marshall TLM Group and T & K Metcalf (applicant).

**Other Matters**

**Environment and Development**

**2.1 Draft Domestic Animal Management Plan 2017 – 2021**

1. Tim Kottek and Yvonne Hunter.
2. Sandra Jennings.

---

**BUSINESS:**

|           |   |           |
|-----------|---|-----------|
| <b>1.</b> | <b>PLANNING MATTERS.....</b>  | <b>4</b>  |
| 1.1       | <i>Planning Application 17/0376 - Use of the land for a Helicopter Landing Site - 420 Coombes Road, Freshwater Creek.....</i> | <i>4</i>  |
| <b>2.</b> | <b>OTHER MATTERS.....</b>   | <b>45</b> |
| 2.1       | <i>Draft Domestic Animal Management Plan 2017 - 2021 .....</i>  | <i>45</i> |

## 1. PLANNING MATTERS

### 1.1 Planning Application 17/0376 - Use of the land for a Helicopter Landing Site - 420 Coombes Road, Freshwater Creek

**Author's Title:** Senior Statutory/Strategic Planner

**General Manager:** Ransce Salan

**Department:** Planning & Development

**File No:** 17/0376

**Division:** Environment & Development

**Trim No:** IC18/265

**Appendix:**

1. Order of Speakers (D18/30602)
2. Planning Permit Application - 17/0376 (D17/137387)

**Officer Direct or Indirect Conflict of Interest:**

**Status:**

In accordance with Local Government Act 1989 – Section 80C:

Information classified confidential in accordance with Local Government Act 1989 – Section 77(2)(c):

☐ Yes

☒ No

☐ Yes

☒ No

**Reason:** Nil

**Reason:** Nil

#### Purpose

The purpose of this report is to hear submissions relating to Planning Permit Application 17/0376 for the use of the land for a helicopter landing site at 420 Coombes Road, Freshwater Creek.

#### Summary

An application has been received to allow the use of the land as a helicopter landing and departure site to accommodate three helicopters. There are no buildings and works proposed as the helicopters are able to depart and land from the existing concrete pad adjacent to the existing shed/hanger.

The application proposes a total of four helicopter movements per day between the hours of 7am and 8pm daily. The helicopters will be required to follow a designated flight path approved by the Civil Aviation Authority and Air Services Australia, along with being regulated by the owner and registered in log books as required by the Civil Aviation Regulations 1988.

The applicant has noted that the helicopters will be used to support emergency services and agricultural practices within the area, along with private use generally constituting commuter trips to Melbourne where the owner business operates. Pursuant to the Surf Coast Planning Scheme the use for emergency services and agricultural practices is exempt, given sufficient evidence is provided.

The site is located on the north-east corner of Coombes Road and Anglesea Road and is located within the Farming Zone. The purpose of the Farming Zone is to provide for the use and retention of land for agriculture, and to ensure that that non-agricultural uses do not adversely affect the use of land for agriculture. There are no Overlays associated with this site. Clause 52.15 of the planning scheme contains the particular provisions for a heliport and helicopter landing site relevant to this application.

Public notice of the application resulted in 49 submissions being received including 48 objections and one in support. The following concerns were raised:

- Helicopters could be used for commercial use
- Number and frequency of movements of the helicopter
- Noise – disturbance to residents
- Loss of rural character
- Breach of privacy
- Safety issues
- Disturbance to the environment (animals/farming production).

The issues raised in the submissions will be considered in detail in a report to be presented to the 24 April 2018 Council meeting.



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**1.1 Planning Application 17/0376 - Use of the land for a Helicopter Landing Site - 420 Coombes Road, Freshwater Creek**

**Recommendation**

That the Hearing of Submissions Committee receive and note the submissions relating to Planning Permit 17/0376 for 420 Coombes Road, Freshwater Creek, and forward to Council for consideration at the 24 April 2018 Ordinary Meeting.

**Committee Resolution**

**MOVED Cr Brian McKiterick, Seconded Cr Margot Smith**

That the Hearing of Submissions Committee receive and note the submissions relating to Planning Permit 17/0376 for 420 Coombes Road, Freshwater Creek, and forward to Council for consideration at the 24 April 2018 Ordinary Meeting.

CARRIED 9:0

**1.1 Planning Application 17/0376 - Use of the land for a Helicopter Landing Site - 420 Coombes Road, Freshwater Creek**

**APPENDIX 1 ORDER OF SPEAKERS**



Hearing of Submissions  
20 March 2018  
5pm  
Council Chambers  
1 Merrijig Drive, Torquay

## ORDER OF SPEAKERS

### Planning Matters

#### Environment and Development

##### 1.1 Planning Permit Application 17/0370 – Use of the land for a Helicopter Landing Site – 420 Coombes Road, Fresh Water Creek

|    | Submitter Name                                     |
|----|--|
| 1. | Sue O'Shanassy                                     |
| 2. | Cassie and David Curnow                            |
| 3. | Tarney Spencer                                     |
| 4  | TGM Group (applicant) – representing T & K Metcalf |

**1.1 Planning Application 17/0376 - Use of the land for a Helicopter Landing Site - 420  
Coombes Road, Freshwater Creek**

**APPENDIX 2 PLANNING PERMIT APPLICATION - 17/0376**

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**Office Use Only**  
Application No: \_\_\_\_\_ Date Lodged: / /

**Application for a Planning Permit**

Planning Enquiries  
Web: [www.surfcoast.vic.gov.au](http://www.surfcoast.vic.gov.au)

If you need help to complete this form, read MORE INFORMATION at the end of this form.

**Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the Planning and Environment Act 1987. If you have any questions, please contact Council's planning department.**

**Questions marked with an asterisk (\*) must be completed.**

**If the space provided on the form is insufficient, attach a separate sheet.**

**Click for further information.**

Clear Form

**The Land**

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

**Street Address \***

Unit No.: \_\_\_\_\_ St. No.: 420 St. Name: Coombes Road

Suburb/Locality: Freshwater Creek Postcode: \_\_\_\_\_

**Formal Land Description \***  
Complete either A or B.

**A** Lot No.: Land in Plan ☐ Lodged Plan ☐ Title Plan ☐ Plan of Subdivision No.: 377310T

**OR**

**B** Crown Allotment No.: \_\_\_\_\_ Section No.: \_\_\_\_\_

Parish/Township Name: \_\_\_\_\_

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

**The Proposal**

**You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.**

**For what use, development or other matter do you require a permit? \***

Use of a Helicopter Landing Site.

☒ Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

**Estimated cost of any development for which the permit is required \***

Cost \$0

**You may be required to verify this estimate. Insert '0' if no development is proposed.**

10 OCT 2017

Page 1

The information contained in this online registry is provided for the

## Existing Conditions

Describe how the land is used and developed now \*

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Farming land including dwelling and associated outbuildings.

☒ Provide a plan of the existing conditions. Photos are also helpful.

## Title Information

Encumbrances on title \*

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- ☐ Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- ☐ No
- ☒ Not applicable (no such encumbrance applies).

☒ Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

## Applicant and Owner Details

Provide details of the applicant and the owner of the land.

### Applicant \*

The person who wants the permit.

Please provide at least one contact phone number \*

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

### Owner \*

The person or organisation who owns the land


Where the owner is different from the applicant, provide the details of that person or organisation.

|   |                   |                            |
|---|-------------------|----------------------------|
| Name:   |                   |                            |
| Title: Mr   | First Name: Chris | Surname: Marshall          |
| Organisation (if applicable): TGM Group Pty Ltd           |                   |                            |
| Postal Address:   |                   |                            |
| Unit No.:   | St. No.:          | St. Name: P.O. Box 1137    |
| Suburb/Locality: Geelong                                  |                   | Postcode: 3220             |
| State:  |                   |                            |
| Contact information for applicant OR contact person below |                   |                            |
| Business phone: 5202 4600                                 |                   | Email: chrism@tgmgroup.com |
| Mobile phone: 0447 445 559                                |                   | Fax: 5202 4691             |
| Contact person's details*                                 |                   |                            |
| Same as applicant <input checked="" type="checkbox"/>     |                   |                            |
| Name:   |                   |                            |
| Title:  | First Name:       | Surname:                   |
| Organisation (if applicable):                             |                   |                            |
| Postal Address:   |                   |                            |
| Unit No.:   | St. No.:          | St. Name:                  |
| Suburb/Locality:  |                   | Postcode:                  |
| State:  |                   |                            |
| Same as applicant <input type="checkbox"/>                |                   |                            |
| Name:   |                   |                            |
| Title:  | First Name: T & K | Surname: Metcalf           |
| Organisation (if applicable):                             |                   |                            |
| Postal Address:   |                   |                            |
| Unit No.: 3   | St. No.: 40       | St. Name: The Esplanade    |
| Suburb/Locality: Torquay                                  |                   | Postcode:                  |
| State:  |                   |                            |
| Owner's Signature (Optional):                             |                   | Date:                      |
|   |                   | day / month / year         |


tim@metcalfcrares.com.au



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**Declaration**  This form must be signed by the applicant. Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant, and that all the information in this application is true and correct, and the owner (if not myself) has been notified of the permit application.

Signature:  Date: 9th October, 2017  
day / month / year

### Need help with the Application?

General information about the planning process is available at [planning.vic.gov.au](http://planning.vic.gov.au)

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.


**Has there been a pre-application meeting with a council planning officer?**

☐ No ☐ Yes If 'Yes', with whom?:  
Date: day / month / year

### Checklist

Have you:

☐ Filled in the form completely?

☐ Paid or included the application fee?  Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

☒ Provided all necessary supporting information and documents?

☐ A full, current copy of title information for each individual parcel of land forming the subject site.

☐ A plan of existing conditions.

☐ Plans showing the layout and details of the proposal.

☐ Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

☐ If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).

☐ Completed the relevant council planning permit checklist?

☐ Signed the declaration above?

### Lodgement

Lodge the completed and signed form, the fee and all documents with:

Surf Coast Shire Council  
PO Box 350  
Torquay VIC 3228  
1 Merrijig Drive  
Torquay VIC 3228

**Contact information:**

Email: [info@surfcoast.vic.gov.au](mailto:info@surfcoast.vic.gov.au)  
Translation: 13 1202

Deliver application in person, by post or by electronic lodgement.

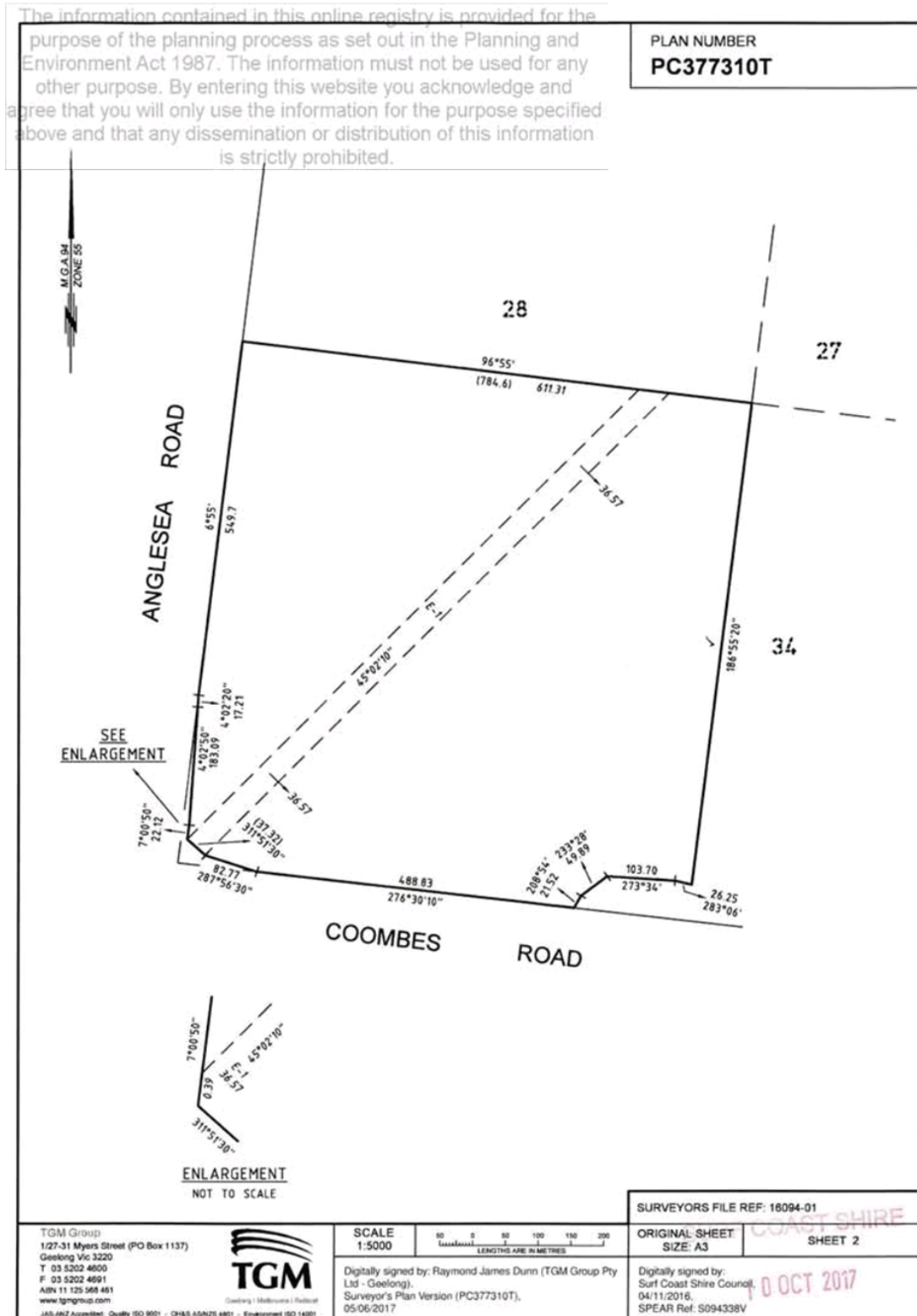
Delivered by LANDATA® Land Victoria timestamp 09/10/2017 12:54 Page 1 of 2

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|  |                             |   |                  |  |  |
|--|-----------------------------|---|------------------|--|--|
| <b>PLAN OF CONSOLIDATION</b>   |                             | <b>EDITION 1</b>  |                  | <b>PLAN NUMBER<br/>PC377310T</b>   |  |
| <b>LOCATION OF LAND</b>  |                             | Council Name: Surf Coast Shire Council<br>Council Reference Number: S4413<br>Planning Permit Reference: planning permit not required<br>SPEAR Reference Number: S094338V<br>Certification<br>This plan is certified under section 6 of the Subdivision Act 1988<br>Statement of Compliance<br>This is a statement of compliance issued under section 21 of the Subdivision Act 1988<br>Public Open Space<br>A requirement for public open space under section 18 of the Subdivision Act 1988<br>Has not been made at Certification<br>Digitally signed by: Michelle Watt for Surf Coast Shire Council on 04/11/2016 |                  |  |  |
| PARISH: PUEBLA<br>TOWNSHIP: -<br>SECTION: -<br>CROWN ALLOTMENT: -<br>CROWN PORTION: 33 (PART)<br>TITLE REFERENCE: VOL.10282 FOL.931<br>VOL.11470 FOL.986<br>LAST PLAN REFERENCE: LOT 1 ON PS321896J<br>LOT 2 ON PS723423P<br>POSTAL ADDRESS: 420 COOMBES ROAD<br>(at time of subdivision) FRESHWATER CREEK, 3217<br>MGA94 CO-ORDINATES: E: 281 340 ZONE: 55<br>(of approx centre of land N: 5 756 750 GDA 94<br>in plan) |                             |   |                  |  |  |
| <b>VESTING OF ROADS AND/OR RESERVES</b>  |                             |   | <b>NOTATIONS</b> |  |  |
| IDENTIFIER   |                             | COUNCIL/BODY/PERSON   |                  |  |  |
| NIL  |                             | NIL   |                  |  |  |
| <b>NOTATIONS</b>   |                             |   |                  |  |  |
| DEPTH LIMITATION: DOES NOT APPLY   |                             |   |                  |  |  |
| SURVEY:<br>This plan is not based on survey.<br>STAGING:<br>This is not a staged subdivision.<br>Planning Permit No.<br>This survey has been connected to permanent marks No(s).<br>In Proclaimed Survey Area No.  |                             |   |                  |  |  |
| <b>EASEMENT INFORMATION</b>  |                             |   |                  |  |  |
| LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)  |                             |   |                  |  |  |
| EASEMENTS AND RIGHTS IMPLIED BY SECTION 12 (2) OF THE SUBDIVISION ACT 1988 APPLY TO ALL THE LAND IN THIS PLAN  |                             |   |                  |  |  |
| Easement Reference   | Purpose                     | Width (Metres)  | Origin           | Land Benefited/in Favour Of  |  |
| E-1  | TRANSMISSION OF ELECTRICITY | 36.57   | BK 715 MEM 770   | SEE BK 715 MEM 770   |  |
| TGM Group<br>1/27-31 Myers Street (PO Box 1137)<br>Geelong Vic 3220<br>T 03 5202 4600<br>F 03 5202 4691<br>A/BN 11 125 569 461<br>www.tgmgroup.com<br>JAS-ANZ Accredited Quality ISO 9001 - OH&S AS/NZS 4801 - Environment ISO 14001   |                             | SURVEYORS FILE REF: 16094-01<br>Digitally signed by: Raymond James Dunn (TGM Group Pty Ltd - Geelong),<br>Surveyor's Plan Version (PC377310T),<br>05/06/2017  |                  | ORIGINAL SHEET<br>SIZE: A3<br>SHEET 1 OF 2 SHEETS<br>PLAN REGISTERED<br>TIME: 2:10PM DATE: 6/6/17<br>E.Thai<br>Assistant Registrar of Titles |  |



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## Planning Permit Application for the Use of a Helicopter Landing Site

**420 Coombes Road, Freshwater  
Creek**

**Reference : 16094-02  
October, 2017**

TGM Group Geelong Melbourne | Ballarat  
1/27-31 Myers Street (PO Box 1137)  
Geelong Vic 3220  
T 03 5202 4600  
F 03 5202 4691  
ABN 11 125 568 461



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Prepared for:

Tim Metcalf

Prepared by:

TGM Group Pty Ltd  
27-31 Myers Street  
Geelong Vic 3220  
T: (03) 5202 4600  
F: (03) 5202 4691  
www.tgmgroup.com  
ABN 11 125 568 461

#### Quality Information

|               |                               |
|---------------|-------------------------------|
| Document:     | Planning Application          |
| Reference No. | 16639-02                      |
| Date          | 9 <sup>th</sup> October, 2017 |
| Revision No.  | 1                             |
| Prepared by   | Chris Marshall                |
| Reviewed by   | Joanne Preece                 |

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#### ATTACHMENTS

|                    |                 |
|--------------------|-----------------|
| Attachment 1.....  | Copy of Title   |
| Attachment 2 ..... | Site Plan       |
| Attachment 3 ..... | Acoustic Report |

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#### 1. INTRODUCTION

TGM Group Pty. Ltd. has been engaged by Tim Metcalf to submit a Planning Permit Application on his behalf for use of a Helicopter Landing Site at 420 Coombes Road, Freshwater Creek.

#### 2. PERMIT TRIGGERS

A Planning Permit is required for the above proposal under the following provisions of the Planning Scheme:

- |                                      |         |                                  |
|--------------------------------------|---------|----------------------------------|
| • Farming Zone                       | 35.07-1 | Use of a Helicopter Landing Site |
| • Particular Provisions              |         |                                  |
| Heliport and Helicopter Landing Site | 52.15   | Use of a Helicopter Landing Site |

#### 3. SUBJECT SITE AND SITE CONTEXT

The subject site is located in rural land at 420 Coombes Road, Freshwater Creek on the north-east corner of Coombes Road and Anglesea Road. The site adjoins other rural land to the north and east, with Coombes Road adjoining the site to the south and the Anglesea Road to the west. The land is developed with a dwelling and a large attached shed which form one grey colourbond building. The land also has car parking and landscaping in the form of planted trees surrounding the built area and driveway access from Coombes Road.

The subject site is located in the broader context of farming land to the south of the Freshwater Creek township and is characterised by predominantly cleared broad acre farms and shelter belts used historically for grazing and cropping. More recently some farms in this district have diversified to other forms of agriculture including goats, planted olive groves and vineyards.

As the surrounding context retains a broad acre landscape, the area is interspersed with scattered dwellings and sheds established to manage each farm. As such, the nearest dwelling to the subject site is located south of Coombes Road, approximately 331 metres from the proposed helicopter landing and departure site. The next nearby dwelling is approximately 530 metres to the west.



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Access to the site is via a constructed crossover from Coombes Road which is a bitumen road with unmade shoulders.

The subject site and surrounding land are located within the Farming Zone. There are no overlays that affect the site. The Anglesea Road to the west is zoned as Road Zone Category 1 road.



#### 4. PROPOSAL

The proposal is to use the existing site at 420 Coombes Road, Freshwater Creek as a helicopter landing and departure site to accommodate a maximum of three helicopters. The site is well located in a cleared area at the rear of the large shed/hanger where the helicopters are proposed to be stored.

The helicopters will be used for a range of activities including rural land management uses, emergency and fire management uses and private use generally constituting commuter trips to Melbourne where the client business operates.

There are no buildings and works proposed, as essentially the helicopters are able to operate from the existing cleared rural land adjoining the existing shed, and the land will be maintained consistent with its existing state. Other than the shed/hanger, the site has sufficient parking areas to facilitate the parking demands for the use of the helicopters.

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The use entails a maximum of nine (9) helicopter movements occurring between 7 am and 8 pm daily. These operating hours will be regulated by the owner and registered in log books as required by the Civil Aviation Regulations 1988. These log books can be made available to Council to monitor the use of the site on a regular basis. These proposed maximum movements excludes those that may be required in response to emergency situations provided on an as needs basis.

The proposed access to and from the site will be managed by an approach and departure flight path plan which directs pilots to enter and exit the site from either the south-west or north-east. This is considered the logical flight path having regard to the likely direction of the use, the site and surrounding land characteristics, and the location of dwellings to the south and south-east. To ensure that the dwelling nearest to the operation is not adversely impacted, land directly south of the property has been designated a no flight zone, even though this dwelling is approximately 331 metres from the site.

The proposed use of the land and consideration of the local amenity are those matters to be determined by the Responsible Authority having regard to the application requirements of Clause 52.15 Heliport and Helicopter Landing site. When airborne, the helicopter activity is regulated by the Civil Aviation Authority and Air Services Australia and is outside the jurisdiction of the Surf Coast Shire. The helicopters operating from this location will be stored in the existing hanger/shed with a dwelling and large attached shed which form one building. The land also has car parking and landscaping in the form of planted trees surrounding the built area and driveway access from Coombes Road. The surrounding area of the site is described as cleared rural land used historically for cropping and grazing land.

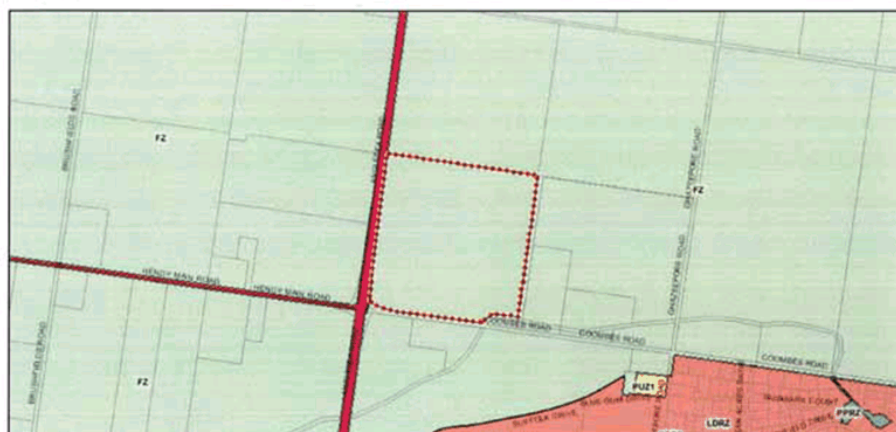
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## 5. PLANNING CONTROLS

### 5.1 ZONING

The subject site is situated within the Farming Zone.



The purpose of the Farming Zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

*Comment : The proposal is consistent with the purpose of the Farming Zone as the land will continue to be used for agricultural purposes and there will be no loss of arable farming land as a consequence of the proposed helicopter use. Helicopters are more frequently used in farm management due to their reliability and operational versatility and ease of access to difficult sites.*



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*At this location the helicopters will be used for aerial spraying to provide improved pastoral solutions, including the distribution of granulated fertilisers and seed as well as weed suppression activities. Thus the proposed use will result in improved agricultural outcomes for this land and the broader farming district.*

*The site is also an important strategic location to provide helicopter support for wildfire and control burn monitoring, in addition to aerial fire suppression both for grassland and forest fires in the Surf Coast and the Otway's. Thus the use will play a vital role in early detection and suppression of fires that may impact farming land. Therefore the proposed use will play a vital role in the improvement and sustainable use of farming land in the surrounding district.*

## 5.2 USE

The use is categorised as a 'Helicopter Landing Site' which is defined as "land used for the take-off and landing of a helicopter, with or without a permanent landing pad, but without permanent facilities for the assembly and distribution of goods or passengers".

The use is not listed in Section 1 or 3 of Clause 35.07-1, table of uses, therefore is a Section 2, permit required use under the provisions of the Farming Zone.

## 5.3 DECISION GUIDELINES

Before deciding on an application to use land, in addition to the decision guidelines in Clause 65, the Responsible Authority must consider, as appropriate:

### General Issues

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.

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- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
- How the use and development makes use of existing infrastructure and services.

*Comment: Refer to Section 9 of this report for details of the proposal's compliance with relevant State and Local policies. Rural activities in the form of cropping and grazing have been established on the site and this proposal will facilitate the continuation of the use and further improvement and intensification. The inclusion of this use will not impact on the agricultural sustainability of the land as the area proposed to be used is substantially clear and does not form part of the arable area of this farm. The use will likely result in an increase agricultural capacity for this land and the surrounding farming district as the helicopters will be used for aerial spraying to provide improved pastoral solutions, including the distribution of granulated fertilisers and seed as well as weed suppression activities. Thus the use will result in the sustainable management of agricultural land.*

*The use is also suitable having regard to the adjoining and surrounding nearby uses. The landing site is in excess of 290 metres from the nearest dwelling which is located in a no fly zone outside of the proposed flight paths. The use has been assessed by Marshall Day Acoustics who has assessed that:*

*"The proposed hours of operation comply with the guidelines detailed in Section 16 of EPA Publication 1254. The calculated day time equivalent and maximum noise levels also achieve the recommended noise levels detailed in EPA Publication 1254."*

#### Agricultural Issues

- Whether the use and development will support and enhance agricultural production.
- Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Any integrated land management plan prepared for the site.

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*Comment : As advised the proposed use of the site is limited to a small area at the rear of the existing dwelling/shed on the subject site and therefore will have no adverse impact on the agricultural capability of the land. The use will ultimately support and enhance agricultural productivity on this site and the wider rural district, as the helicopters will be used to provide aerial spraying of herbicides and fertilisers to assist in the management of rural land. The helicopters can also be used to seed paddocks if required. The use of helicopters will not impact on any adjoining uses as the site is a considerable distance from other properties and be restricted to the agreed flight paths which are well clear of nearby dwellings.*

#### Dwelling Issues

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

*Comment : Dwelling issues are not relevant to this application.*

#### Environmental Issues

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- The impact of the use and development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- The location of on-site effluent disposal areas to minimize the impact of nutrient loads on waterways and native vegetation.

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*Comment : As there are no buildings and works proposed as part of this application, there will be no impact to the natural features and water quality of the land. Also as the land is cleared and not in close proximity to reserves or national parks, the proposal will have no impacts on flora and fauna.*

*As advised, the land is cleared and a considerable distance from any sensitive uses and thus there will be no impacts from the use of helicopters at this location.*

#### Design and Siting Issues

- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimize the loss of productive agricultural land.
- The impact of the siting, design, height, bulk, colours and materials to be used on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimize any adverse impacts.
- The impact of the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use and development will require traffic management measures.

*Comment : The proposed use will have no adverse impacts on the surrounding agricultural uses and thus will not cause any loss of agricultural productivity. On the contrary, the availability of helicopters is likely to improve farming practises and farming productivity in the surrounding district, particularly in hilly and challenging terrain where it is difficult to improve pasture. The application does not propose any buildings and works as the helicopters will be stored in the existing shed. There will be no traffic management issues generated as a consequence of this proposal.*

## 6. OVERLAYS

There are no overlays affecting this land.

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#### 7. PARTICULAR PROVISIONS

**52.15 – HELIPORT AND HELICOPTER LANDING SITE** – The purpose of which is to ensure the amenity impacts of a heliport and a helicopter landing site on surrounding areas is considered.

Under the provisions of Clause 52.15-1, a permit is required to use or develop any land for a heliport or a helicopter landing site even if it is ancillary to another use on the land, unless the table to this Clause specifically states that a permit is not required. The table of exemptions state that no permit is required to use land for a helicopter landing site if any of the following apply :

- **Emergency services** – the helicopter landing site is used by a helicopter engaged in the provision of emergency service operations.
- **Agriculture** – The helicopter landing site is used by a helicopter engaged in agricultural activity in conjunction with the use of any land for agriculture.

An application to use or develop land for a heliport or a helicopter landing site must be accompanied, as appropriate, by a site plan, including :

- Site boundaries and dimensions.
- The current land use.
- The existing siting and layout of buildings and works.
- The proposed siting and layout of buildings and works.
- Existing vegetation and proposed vegetation removal.
- Vehicle and pedestrian access.

An application to use land for a heliport or a helicopter landing site must be accompanied by the following information :

- A location plan, including:
  - The siting and use of buildings on adjacent properties.
  - The direction and distance to any building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and is located within 500 metres of the proposed heliport or helicopter landing site.

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**A written report which:**

- Demonstrates a suitable separation distance between the landing point of a heliport or helicopter landing site and any building used for a sensitive use that is not associated with the helicopter operation by either:
  - Locating the proposed heliport or helicopter landing site at least 150 metres for helicopters of less than 2 tonnes all-up weight, or 250 metres for helicopters of less than 15 tonnes all-up weight, or
  - Providing an acoustic report by a suitably qualified consultant.
- Includes details of the proposed frequency of flight movements.
- Includes the proposed hours of operation.

Before deciding on an application to use land for a heliport or a helicopter landing site, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate :

- Whether the proposal achieves a suitable separation distance from a nearby sensitive use, having regard to the Noise Control Guidelines (Environment Protection Authority, 2008).
- The effect of the proposal on nearby sensitive uses in terms of the proposed frequency of flight movements and hours of operation.

*Comment : The proposed helicopter site will be used for agricultural purposes, emergency purposes and for commuting. A Planning Permit is not required to use a landing site for agricultural purposes. Similarly a Planning Permit is not required to use a helicopter for emergency purposes which will be undertaken on an as needs basis as determined by emergency services. However, as the proposed flight movements per day exceeds the number of as-of-right flight movements of 8 in a 30 day period as contained in the table for exemptions to this clause, a Planning Permit is required.*

*Attached to this report is a site plan that shows the existing conditions and the distance to the nearest dwelling. It also shows existing buildings and access points to the site. The application also includes an acoustic report by Marshall Day Acoustics that demonstrates there is an appropriate separation distance between the landing site and the nearest dwelling. The report also details the proposed flight frequency, proposed flight paths and an assessment of the potential noise impacts of the operation as required under the provisions of this clause.*



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## 8. GENERAL PROVISIONS

### 8.1 DECISION GUIDELINES

Under the provisions of Clause 65.01, before deciding on an application or approval of a plan, the responsible authority must also consider the following relevant decision guidelines:

- The matters set out in Section 60 of the Act.
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

*Comment : In addition to the comments contained elsewhere in this report, the following points are provided to demonstrate compliance with above relevant decision guidelines:*

- *The proposal is consistent with relevant State and Local policy as outlined in Section 9 below.*
- *The site is currently used, and will continue to be used for agricultural purposes, which is a rural outcome that is entirely consistent with the purpose of the Farming Zone.*
- *The operation of a helicopter landing site as proposed will have no adverse impact on the use or amenity of surrounding sites or features.*

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- *The proposal is considered to be compatible with this rural area as the operation will add value to the surrounding farming district and will also provide support for emergency services particularly during the bush fire season.*
- *There will be no change to the natural features of the site or any adverse environmental impact.*

## 9. POLICY CONTEXT

It is considered the proposal is consistent with the relevant State and Local Planning Policies as outlined below:-

### 9.1 SPPF

11.01-1 – SETTLEMENT NETWORKS – The objective of which is to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

11.07 – REGIONAL VICTORIA – Contains policies relating to regional planning and peri-urban areas. Objectives of which include developing regions and settlements which have a strong identity, are prosperous and are environmentally sustainable and to manage growth in peri-urban areas to protect and enhance their identified valued attributes through the use of regional growth plans.

11.09 – GEELONG (G21) REGIONAL GROWTH – Contains policies relating to planning for growth, knowledge and innovation, connected communities, environmental assets, agricultural productivity, sustainable communities, diversified economy and transport. Relevant objectives of these policies are to:

- Optimize infrastructure and consolidate growth.
- Build and support diversity, knowledge and innovation.
- Create unique and connected communities
- Protect, restore and enhance the region's unique environment.
- Secure food, water and energy resources.
- Allow communities to live, work and participate locally.



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- Build the region's economy.
- Provide a range of accessible transport choices.

**14.01 – AGRICULTURE** – Contains policies relating to the protection of agricultural land and sustainable agricultural land use. Relevant objectives of these policies are:

- To protect productive farmland which is of strategic significance in the local or regional context.
- To encourage sustainable agricultural land use.

*Comment : The proposal is considered to be consistent with the above policies for the following reasons:*

- The helicopter operation will not impact on the continued agriculture and rural production on this land.
- The proposed use will result in improved agricultural management, by having a local operator support the rural community to improve their farm management practises. Thus it will lead to sustainable agricultural management of land.
- The proposed use will also support the rural community during grass and bush fire season.

## 9.2 LPPF

### 9.2.1 MSS

**21.03-2 – ENVIRONMENTAL ASSETS** – This policy aims to protect and enhance the Shire's diverse natural resources in an ecologically sustainable manner for present and future generations.

**21.03-3 – ENVIRONMENTAL RISKS** – The objective of which is to manage the risks of environmental hazards, including wildfire, salinity and flooding, to avoid adverse consequences on the natural and man-made environment. A strategy relevant in this instance is to discourage buildings, works, land use and subdivision that would be detrimental to the maintenance of the natural systems of land affected by flooding and inundation.

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*Comment: The siting of this operation will assist in enhancing the Shire natural resources and manage natural disasters such as wildfire.*

**21.05 – AGRICULTURE** – Aims to encourage sustainable agricultural activities, to grow and maintain prosperous and sustainable rural communities, protect the ability of future generations to productively farm the land and avoid the loss of agricultural productivity associated with land use conflicts, particularly between farming activities and non-farm related residential development. Strategies relevant to this application include:

- Support agricultural activities and associated rural industries that will maintain and build on the economic base of the Shire.
- Supporting infrastructure and resources that will enhance productive agriculture.
- Strongly discouraging the fragmentation and non-productive use of agricultural land.
- Discouraging the proliferation of housing on small lots and additional houses unrelated to the rural use of the land.

**21.06 – RURAL LANDSCAPE** – The subject site is located within the 'Mixed Farming' landscape units as detailed in Map 1 to Clause 21.06.

*Comment : The site is currently used for agricultural purposes and the proposed helicopter operation will not prevent this from continuing to occur. This proposal will enable continued and improved agricultural activities to occur on this site and the surrounding rural district by providing an aerial service to apply farming products to improve rural pastures particularly in isolated or challenging terrain that is difficult to access.*

## 10. CONCLUSION

The proposal is consistent with the State and Local Planning Policy context in relation to the continuation and improvement of agricultural management in the Farming Zone and will support the broader farming community by providing a convenient local service.

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The proposal is considered to be consistent with the purpose of the Farming Zone and satisfies all the relevant application requirements and decision guidelines. The landing site is also a considerable distance from sensitive uses and will be managed via an agreed flight path plan to avoid any impacts on local dwellings.

For the reasons outlined in this report, it is considered that the proposed operation of a helicopter landing site at this location should therefore be supported by Council.

A handwritten signature in blue ink, appearing to read 'Chris Marshall', is written over a horizontal dotted line.

Chris Marshall  
Manager - Town Planning

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| Rev No. | Revision Note | Date | Signature | Checked |
|---------|---------------|------|-----------|---------|
|---------|---------------|------|-----------|---------|



Approach / Departure path  
Distance to dwellings

Proposed Approach / Departure Path Plan

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| A. K.  | T.M.        |                     |  | 21/09/2017  | N/A    |
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MARSHALL DAY  
Acoustics

420 COOMBES ROAD FRESHWATER CREEK  
HELIPAD NOISE ASSESSMENT  
Rp 001 R02 20170893 | 9 October 2017



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**Project:** 420 COOMBES ROAD, FRESHWATER CREEK

**Prepared for:** Mr Tim Metcalf  
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**Attention:** Mr Chris Marshall

**Report No.:** Rp 001 R02 20170893

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#### Document Control

| Status: | Rev: | Comments                   | Date:      | Author:     | Reviewer: |
|---------|------|----------------------------|------------|-------------|-----------|
| final   | -    | Issued                     | 25/09/2017 | A. Morabito | J. Adcock |
| final   | R01  | Additional helicopter type | 4/10/2017  | A. Morabito | J. Adcock |
| final   | R02  | Updated site map           | 9/10/2017  | A. Morabito | -         |

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## 1.0 INTRODUCTION

TGM Group Pty Ltd, on behalf of their client, Tim Metcalf, has commissioned Marshall Day Acoustics to undertake a noise assessment of a proposed helipad on land at 420 Coombes Road, Freshwater Creek.

This report details the site, surrounds, and an assessment of noise associated with the proposed helipad operations.

Acoustic terminology used through the report is provided in Appendix A.

## 2.0 SITE DESCRIPTION

### 2.1 Location

The proposed site is located on on land at 420 Coombes Road, Freshwater Creek, Victoria, shown in Figure 1. The helipad is located at the rear of the existing shed (i.e. on the north side of the shed).

The nearest residences surrounding the site are located at:

- 415 Coombes Road, approximately 330 m south of the helipad; and
- 380 Coombes Road, approximately 530 m east of the helipad.

Figure 1: Site location



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## 2.2 Proposed operations

The site owner (the proponent) currently owns a Bell 206 JetRanger helicopter. This helicopter has a maximum take off weight of 1,480 kg (1.48 t) and is understood to be representative of the type of helicopter which would utilise the helipad most frequently. In addition, it is understood that a Eurocopter AS350 helicopter may also utilise the helipad.

We understand the helipad is proposed to be used by up to two (2) to three (3) helicopters per day accessing the site, and each helicopter could make two (2) to three (3) movements per day. A maximum of nine (9) helicopter movements could therefore occur on a given day.

Helicopter operations are proposed to occur between 7 am and 8 pm during summer months. During the winter months, operations are proposed to cease earlier than 8 pm.

We have been advised by the proponent that the flight path to and from the helipad will be in a northeast-southwest direction, as detailed in Appendix B. The proponent also proposes a 'no fly zone' in areas south of Coombes Road.

The above operational characteristics form the basis of the assessment presented herein.

## 3.0 ASSESSMENT CRITERIA

Victorian guidance relevant to the assessment of noise from helicopter operations is provided in EPA Noise Control Guidelines (EPA Publication 1254).

Section 16 of EPA Publication 1254 details the following with respect to noise from helicopters:

- The measured  $L_{Aeq,T}$  (measured over the entire daily operating time of the helipad) shall not exceed 55dB(A) for a residence.
- The measured maximum noise level  $L_{Amax}$  shall not exceed 82 dB(A) at the nearest residential premises
- Operation outside the hours between 7 am and 10 pm shall not be permitted except for emergency flights.

For this assessment, noise levels associated with proposed helipad operations are calculated in terms of both the equivalent noise level from all operations ( $L_{Aeq}$ ) and the maximum noise level ( $L_{Amax}$ ) from an individual operation.

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#### 4.0 HELIPAD NOISE ASSESSMENT

##### 4.1 Methodology

Noise levels from proposed operations associated with the helipad have been calculated at the nearest residential premises identified in Figure 1.

Calculations have been carried out using the Integrated Noise Model (INM) version 7.0d, developed by the United States Federal Aviation Authority (FAA). The INM is a computer model designed to predict long term noise levels in the areas surrounding an airport, however can also be configured to calculate maximum noise levels associated with individual aircraft operations.

The INM program contains a detailed database of aircraft, including a number of helicopter types, and their respective performance and noise emission characteristics, determined from actual measurements in situ.

The calculated noise levels in the following sections are based on the default INM database information for the Bell 206B-3 JetRanger and Aerospatiale SA-350D Astar<sup>1</sup> helicopters. These aircraft types were selected from the INM database as the best available representation of the type of helicopters proposed to utilise the helipad.

The INM default flight profiles have also been used; these include an allowance for ground idling of 30 seconds duration, and a further 30 seconds of flight idling time, prior to take off.

The model flight paths used for the assessment are provided in Appendix C.

##### 4.2 Equivalent Noise Levels

The average equivalent A-weighted calculated noise levels at the nearest residences, over the entire daily operating time of the proposed helipad are detailed in Table 1. The noise levels are based on the INM database information for the Bell 206B-3 JetRanger (Bell 206B-3) and Aerospatiale SA-350D Astar (SA-350D) helicopters, the proposed flight paths and a total nine (9) movements over the proposed 13 hour (7 am – 8 pm) period.

Table 1: Calculated equivalent A-weighted noise levels, dB L<sub>Aeq,13hr</sub>

| Scenario   | 415 Coombes Road | 380 Coombes Road |
|--|------------------|------------------|
| 9 movements (Bell 206B-3), between 7 am and 8 pm | 53               | 46               |
| 9 movements (SA-350D), between 7 am and 8 pm     | 46               | 38               |

The calculated noise levels meet the 55 dB L<sub>Aeq</sub> criterion at the nearest residences for both helicopter types and a maximum nine (9) movements in the proposed 13 hour (7 am – 8 pm) period. Noise levels at residences further away would be lower than those in Table 1.

Note that if a combination of the two (2) helicopter types made up the total nine (9) movements per proposed 13 hour (7 am – 8 pm) period (e.g. five (5) Bell 206B-3 and four (4) SA-350D movements), then the calculated noise levels would be between the lower and upper bounds of the noise levels presented in Table 1 and therefore achieve the 55 dB L<sub>Aeq</sub> criterion.

<sup>1</sup> Aerospatiale is the original designer/manufacturer of the Eurocopter AS350 helicopter. In North America, the AS350 is marketed as the AStar

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**MARSHALL DAY**  
Acoustics

#### 4.3 Maximum Noise Levels

The maximum A-weighted noise levels have been calculated at the nearest residences for individual helicopter operations and are detailed in Table 2 and Table 3 for the Bell 206B-3 JetRanger and Aerospatiale SA-350D Astar helicopter types respectively.

**Table 2: Calculated maximum A-weighted noise levels – Bell 206B-3, dB L<sub>Amax</sub>**

| Operation | Direction  | 415 Coombes Road | 380 Coombes Road |
|-----------|------------|------------------|------------------|
| Approach  | North east | 72               | 65               |
| Approach  | South west | 72               | 65               |
| Depart    | North east | 72               | 65               |
| Depart    | South west | 72               | 65               |

**Table 3: Calculated maximum A-weighted noise levels – SA-350D, dB L<sub>Amax</sub>**

| Operation | Direction  | 415 Coombes Road | 380 Coombes Road |
|-----------|------------|------------------|------------------|
| Approach  | North east | 64               | 60               |
| Approach  | South west | 64               | 59               |
| Depart    | North east | 66               | 58               |
| Depart    | South west | 66               | 58               |

The calculated maximum noise levels from individual helicopter types achieve the 82 dB L<sub>Amax</sub> criterion at the nearest residences.

## 5.0 SUMMARY

Marshall Day Acoustics has undertaken a noise assessment for a proposed helipad and operations, on land at 420 Coombes Road, Freshwater Creek.

The assessment of the proposed helipad operations has been based on:

- A maximum nine (9) helicopters movements per 13 hour (7 am – 8 pm) period, by a Bell 206 JetRanger, Eurocopter AS350 or a combination of the two;
- Movements only occurring between 7 am and 8 pm; and
- The proposed flight paths to the southwest and northeast of the helipad, and the nominated no-fly zone.

The proposed hours of operation comply with the guidelines detailed in Section 16 of EPA Publication 1254.

The calculated day time equivalent and maximum noise levels also achieve the recommended noise levels detailed in EPA Publication 1254.

The findings of the assessment therefore demonstrate compliance with applicable Victorian guidelines for the management of helicopter noise.

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#### APPENDIX A GLOSSARY OF TERMINOLOGY

|             |   |
|-------------|---|
| dB          | <u>Decibel</u><br>The unit of sound level.<br><br>Expressed as a logarithmic ratio of sound pressure P relative to a reference pressure of $P_r=20 \mu\text{Pa}$ i.e. $\text{dB} = 20 \times \log(P/P_r)$   |
| A-weighting | The process by which noise levels are corrected to account for the non-linear frequency response of the human ear.  |
| $L_{Aeq,t}$ | The equivalent continuous (time-averaged) A-weighted sound level. This is commonly referred to as the average noise level.<br><br>The suffix "t" represents the time period to which the noise level relates, e.g. 13 hr would represent a period of 13 hours, between 7 am and 8 pm. |
| $L_{Amax}$  | The A-weighted maximum noise level. The highest noise level which occurs during the measurement period.   |

SURF COAST SHIRE

10 OCT 2017

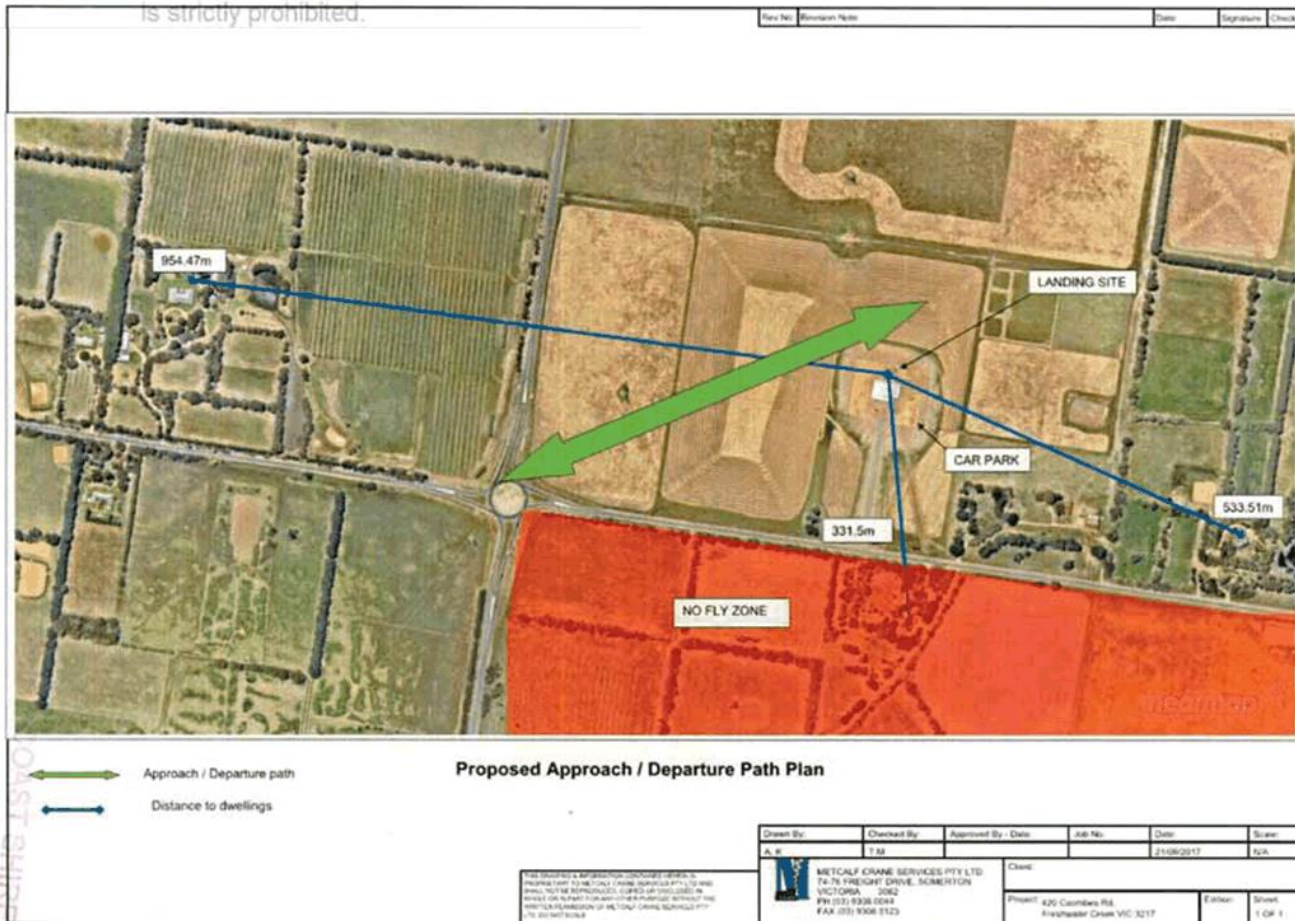
PLANNING  
DEPARTMENT



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MARSHALL DAY  
Acoustics

**APPENDIX B - INDICATIVE FLIGHT PATH PROVIDED BY PROPONENT**



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MARSHALL DAY  
Acoustics





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Our Ref: 16094-02  
Your Ref: 17/0376

3<sup>rd</sup> November, 2017

Statutory Planning Unit  
Surf Coast Shire  
P.O. Box 350  
TORQUAY 3228

**Attention :** Bianca Wilkin

Dear Bianca,

**RE: PLANNING APPLICATION NO. 17/0376 – HELICOPTER LANDING SITE – 420 COOMBES ROAD, FRESHWATER CREEK**

Thank you for your letter of 24 October 2017 regarding the abovementioned Planning Permit application.

We understand from your advice that the use of a helicopter for emergency and agricultural purposes does not require a Planning Permit. As we factored these uses into our proposed movements, we agree to reduce the proposed helicopter movements from nine (9) to four (4) per day.

In regard to the proposed four (4) movements per day request, my client is a helicopter enthusiast who uses helicopters for recreational as well as business pursuits, and as advised, will seek to use his helicopter to commute to his work place in Melbourne as well as regional Victoria where his business may operate from time to time. The helicopter will provide fast and reliable transport to Melbourne in particular, as the road network becomes more and more gridlocked on a daily basis. As advised, my client and his family also choose to use their helicopter for recreational purposes and thus it is important that they can operate from their own property. A Planning Permit is required to authorise this frequency of use as the exemptions in Clause 52.15-1 do not provide sufficient movements to meet their requirements.

In regard to your concerns of potential impact to a Low Density Residential development to the east of the subject land, this area is almost one kilometre from the subject land and is a further distance from the proposed helicopter flightpath. The proposed flightpath north/east in fact takes the helicopter further away from this land.

Therefore we query why Council would choose to provide notice so far away from the proposal as my client specifically purchased this property and positioned their house away from sensitive uses. If indeed Council determined that the noise impact would exceed acceptable levels and impact on these residences, we would understand that referral would be required. However, given noise levels are considered acceptable by Marshall Day for dwellings closer to this proposed operation, we believe that Council has no basis to extend advertising this far and are concerned that Council will unduly promote resident concern and objection and thus prejudicing this application. Therefore we respectfully request that Council follow accepted advertising protocols and advertise to those adjoining and adjacent areas within close proximity to the subject site.

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If you have any queries regarding this matter, please contact me on telephone 5202 4600 or e-mail [chrism@tgmgroup.com](mailto:chrism@tgmgroup.com).

Yours sincerely,

**TGM GROUP PTY. LTD.**



**Chris Marshall**  
**Manager – Town Planning**

## 2. OTHER MATTERS

### 2.1 Draft Domestic Animal Management Plan 2017 - 2021

**Author's Title:** Coordinator Development Compliance & Local Laws **General Manager:** Ransce Salan

**Department:** Planning & Development

**File No:** F16/940

**Division:** Environment & Development

**Trim No:** IC18/246

**Appendix:**

1. Order of Speakers (D18/30632)
2. Summary of Submissions - DAMP (D18/29225)

**Officer Direct or Indirect Conflict of Interest:**

In accordance with Local Government Act 1989 – Section 80C:

☐ Yes

☒ No

**Reason:** Nil

**Status:**

Information classified confidential in accordance with Local Government Act 1989 – Section 77(2)(c):

☐ Yes

☒ No

**Reason:** Nil

#### Purpose

The purpose of this report is to hear submissions relating to the Draft Domestic Animal Management Plan (DAMP) 2017–2021.

#### Summary

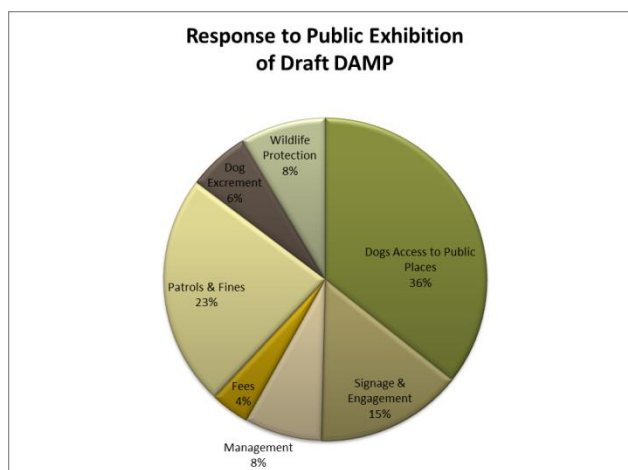
Under the *Domestic Animal Act 1994* Council must review the DAMP each year and undertake a full compressive review every four years. This plan has been prepared to meet the requirement of the Act and provides a new four year plan for Council's domestic animal services.

In February 2018 Council endorsed the DAMP for the purposes of a 28 day public exhibition process. Promotion of this exhibition period included advertisements in local newspapers and attendance at key public events. A total number of 61 submissions were received during the public exhibition of the Draft Domestic Animal Management Plan (DAMP) 2017–2021.

A summary of the submissions is included at attachment 1, including an officer's response to each submission. The key topics covered in these submissions are summarised below:

| Topic                        | Percent of comments |
|------------------------------|---------------------|
| Dogs Access to Public Places | 36%                 |
| Patrols & Fines              | 23%                 |
| Signage & Engagement         | 15%                 |
| Wildlife Protection          | 9%                  |
| Management                   | 8%                  |
| Dog Excrement                | 6%                  |
| Registration Fees            | 4%                  |

## 2.1 Draft Domestic Animal Management Plan 2017 - 2021



It is noted that many of comments received relate to the issue of dog access to public areas including beaches. The plan does not specifically address the regulations governing access to public areas; however a review of this specific topic is included in the action plan and designated to commence in the next financial year.

The issues raised in the submissions will be considered in detail in a report to be presented to the 24 April 2018 Council meeting.

### **Recommendation**

That the Hearing of Submissions Committee receive and note the submissions relating to Draft Domestic Animal Management Plan (DAMP) 2017–2021 and forward to for consideration at the 24 April 2018 Ordinary Council meeting.

### **Committee Resolution**

#### **MOVED Cr Clive Goldsworthy, Seconded Cr Margot Smith**

That the Hearing of Submissions Committee receive and note the submissions relating to Draft Domestic Animal Management Plan (DAMP) 2017–2021 and forward to for consideration at the 24 April 2018 Ordinary Council meeting.

CARRIED 9:0

## 2.1 Draft Domestic Animal Management Plan 2017 - 2021

### Report

#### **Background**

The plan has been prepared with extensive community engagement and addresses the hard questions that arise in the community in relation to the issues and tensions between those that enjoy and seek the company of dogs and cats as pets and those in our community that don't. The responsibilities of sharing our public spaces and obeying the rules that seek to achieve a balance have been a focus of the new plan.

Section 68 A of the *Domestic Animals Act 1994* provides the frame work for the content of the plan, what it must address and contain. These are:

- A method of evaluating the Council's Service
- Training programs for Council's authorised staff
- Programs services and strategies to be pursued including, educational, compliance, minimising dog attacks, overpopulation and high euthanasia, registration, nuisance issues and dangerous dogs
- Review existing orders and local laws made under the Act
- Other matters related to managing of dogs and cats such as environmental impacts
- Periodic evaluation of the plan.

In February 2018 Council agreed to place the Draft DAMP on public exhibition for 28 days in accordance with section 223 of the *Local Government Act*. This period commenced on 1 February and concluded on 1 March 2018.

#### **Discussion**

The comments received during the public exhibition period more or less echoed the comments received during the initial public consultation period. A summary of the comments and officer responses are also attached to this report. Where the issues have been raised more than once the officer comment has been repeated for consistency.

The comments during the exhibition period showed support for the following specific activities:

- Improving clarity and frequency of signage in order to increase compliance with regulations relating to dogs
- Significantly increasing enforcement activities in order to discourage non-compliance with regulations
- Increasing other engagement and communication activities so that residents and visitors are more aware of regulations
- Increasing the cat curfew to further protect wildlife.

These comments will be considered in the preparation of the final plan. At this time the final DAMP is planned to be presented to Council at their April 2018 meeting.

There were also a large number of comments relating to timeshare arrangements and spaces that dogs may be able to access either on leash or off-leash. This specific issue is planned for review commencing next financial year.

#### **Financial Implications**

The plan provides direction for the delivery of animal management services over the next four years. The plan will need to be supported through the normal Council budget cycle.

#### **Council Plan**

|           |   |
|-----------|---|
| Theme     | 3 Balancing Growth  |
| Objective | 3.2 Ensure infrastructure is in place to support existing communities and provide for growth                        |
| Strategy  | 3.2.4 Ensure appropriate funding mechanisms are in place to support future growth including developer contributions |
| Theme     | 5 High Performing Council   |
| Objective | 5.2 Ensure that Council decision-making is balanced and transparent and the community is involved and informed      |
| Strategy  | Nil   |



## 2.1 Draft Domestic Animal Management Plan 2017 - 2021

|           |  |
|-----------|--|
| Theme     | 5 High Performing Council  |
| Objective | 5.4 Ensure the community has access to the services they need  |
| Strategy  | 5.4.1 Review Council-delivered services to ensure they are of high quality and delivering best value |

### ***Policy/Legal Implications***

The plan has been written to comply with the requirements of section 68 for the Domestic Animals Act 1994.

### ***Officer Direct or Indirect Interest***

No officer involved in the preparation of this report has any conflicts of interest.

### ***Risk Assessment***

Council has a statutory obligation to prepare then deliver a four year plan in response to its duties under the Act. The delivery of the service, amongst other matters, seeks to address the known risks to the community of dog attacks and dangerous dogs together with environmental impacts and nuisances with the interaction of domestic animals in our community.

### ***Social Considerations***

The role that pets (cats and dogs) play in our community socially as companions and also economically as working dogs is well recognised. There is a very high level of dog ownership amongst the permanent resident population in our municipality, much higher than other areas of the State. The comments received during the public exhibition period reflect the community's appreciation for the health and wellbeing benefits of pet ownership. The responsibility of sharing our public spaces requires a level of Council regulation, responsibility and cooperation by all in our community.

### ***Community Engagement***

The plan has been prepared with extensive community engagement and addresses issues that arise in the community in relation to the responsibilities of dog and cat owners and the wider interaction within our community in general.

The community response to the initial engagement strategy was high with 424 responses to the online survey. Community and Staff workshops were well attended.

61 public comments were received during the public exhibition period. The exhibition period was extensively promoted and included:

- advertisements which appeared weekly in the Surf Coast Times
- attendance at the Cowrie market including a performance to encourage people to "pick up the poo"
- advertisements in other local papers
- social media posts
- email posts.

### ***Environmental Implications***

Domestic dogs and cats are capable of having negative impacts on the natural environment, which was noted during the exhibition period. Dog waste in our parks, on beaches and along walking trails is an environmental issue. The impact on threatened species such as the hooded plover is also a concern that regulations and enforcement can assist in managing, when education and awareness of the issue in the community don't result in responsible pet ownership.

### ***Communication***

When finalised, the plan will be made available via the Council website and at VICs around the Shire.

### ***Conclusion***

The plan has been prepared with input of the community and Council staff. It seeks to address the current issues facing the animal management services delivered by Council and the duties and obligations placed on local government under *Domestic Animals Act 1994*. It is recommended that Council note the comments received during the public exhibition period. The final plan is planned to be brought to back Council for endorsement in April 2018.

## **2.1 Draft Domestic Animal Management Plan 2017 - 2021**

### **APPENDIX 1 ORDER OF SPEAKERS**



Hearing of Submissions  
20 March 2018  
5PM  
Council Chambers  
1 Merrijig Drive, Torquay

#### ORDER OF SPEAKERS

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### Other Matters

#### Environment and Development

##### 2.1 Draft Domestic Animal Management Plan 2017 – 2021

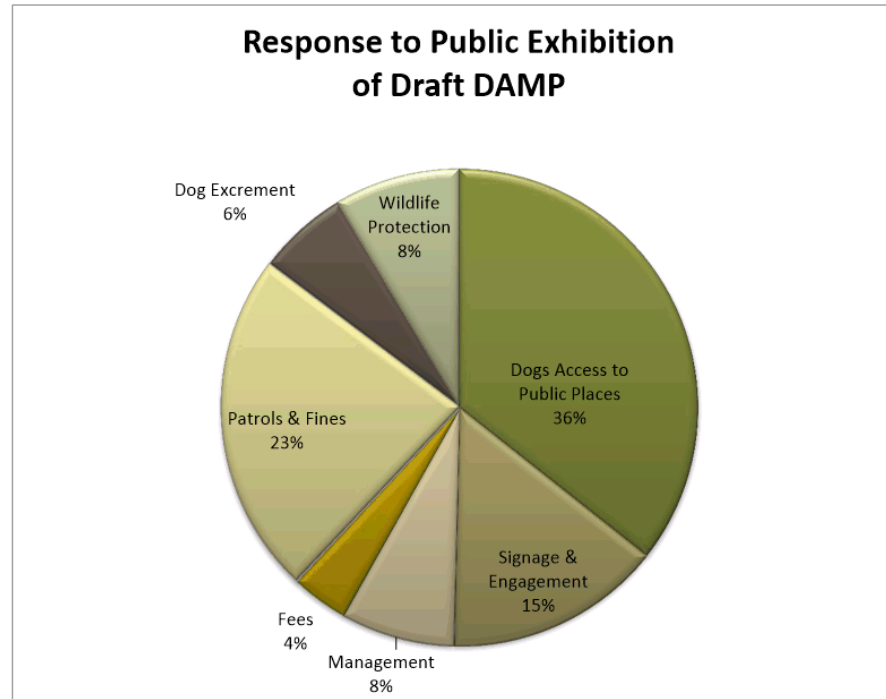
|    | Submitter Name               |
|----|------------------------------|
| 1. | John Foss                    |
| 2. | Tim Kottek and Yvonne Hunter |
| 3. | Sandra Jennings              |
| 4. | Michael Shembrey             |

**2.1 Draft Domestic Animal Management Plan 2017 - 2021**

**APPENDIX 2 SUMMARY OF SUBMISSIONS - DAMP**



| Categories                   | Counts | Percent |
|------------------------------|--------|---------|
| Dogs Access to Public Places | 46     | 36%     |
| Signage & Engagement         | 19     | 15%     |
| Management                   | 10     | 8%      |
| Fees                         | 5      | 4%      |
| Patrols & Fines              | 30     | 23%     |
| Dog Excrement                | 8      | 6%      |
| Wildlife Protection          | 11     | 9%      |
|                              | 129    | 100%    |



| Submission Reference | Primary Issue Addressed      | Secondary Issue Addressed | Subsequent Issue Addressed | Subsequent Issue Addressed | Subsequent Issue Addressed | Summary of Submission   | Officer Comment   |
|----------------------|------------------------------|---------------------------|----------------------------|----------------------------|----------------------------|---|---|
| A6                   | Dogs Access to Public Places | Signage & Engagement      | Dog Excrement              |                            |                            |   | <ul style="list-style-type: none"> <li>- Council is planning to review the regulations relating to access for dogs to public places as an action in the DAMP. All comments relating to the timing and extent of dog access will be considered at that time.</li> <li>- The DAMP acknowledges there is a need to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.</li> <li>- The DAMP includes actions to improve signage as an ongoing requirement. Council will work with GORCC to co-ordinate improved and clear signage in key beach areas.</li> </ul> |
| A7                   | Dogs Access to Public Places |                           |                            |                            |                            | <ul style="list-style-type: none"> <li>- Dogs can be dangerous to children in public places</li> <li>- Create fenced area for dogs</li> </ul>   | <ul style="list-style-type: none"> <li>- The DAMP includes a review of the regulations in year 2 to address access for dogs to public places. All comments relating to the timing and extent of dog access will be considered in the review.</li> </ul>   |
| A8                   | Patrols & Fines              | Signage & Engagement      |                            |                            |                            | <ul style="list-style-type: none"> <li>- Improve signage and enforcement activities</li> </ul>  | <ul style="list-style-type: none"> <li>- Council is planning to review the regulations relating to access for dogs to public places as an action in the DAMP. All comments relating to the timing and extent of dog access will be considered at that time.</li> <li>- The DAMP acknowledges there is a need increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.</li> </ul>  |
| A9                   | Dogs Access to Public Places | Patrols & Fines           | Signage & Engagement       |                            |                            | <ul style="list-style-type: none"> <li>- Dogs access to public areas should be maintained</li> <li>- Increase communication to ensure ongoing compliance</li> <li>- Improve signage</li> </ul>  | <ul style="list-style-type: none"> <li>- Council is planning to review the regulations relating to access for dogs to public places as an action in the DAMP. All comments relating to the timing and extent of dog access will be considered at that time.</li> <li>- The DAMP acknowledges that signage could be improved in a number of areas. Council will work with GORCC to co-ordinate improved and clear signage in key beach areas.</li> </ul>   |
| A10                  | Wildlife Protection          |                           |                            |                            |                            | <ul style="list-style-type: none"> <li>- Cats are dangerous to wildlife</li> <li>- Cat curfew should be increased</li> </ul>  | <ul style="list-style-type: none"> <li>- As part of the DAMP, Council will increase its education for owners regarding appropriate cat control measures.</li> </ul>   |
| A12                  | Signage & Engagement         | Patrols & Fines           | Dog Excrement              |                            |                            | <ul style="list-style-type: none"> <li>- Signage needs to be improved</li> <li>- Enforcement needs to be improved</li> <li>- Dogs can be dangerous to children and wildlife</li> <li>- Excrement is a problem</li> </ul>                | <ul style="list-style-type: none"> <li>- Council is planning to review the regulations relating to access for dogs to public places as an action in the DAMP. All comments relating to the timing and extent of dog access will be considered at that time.</li> <li>- The DAMP acknowledges there is a need increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.</li> <li>- Council appreciates that signage could be improved in a number of areas. Council will work with GORCC to co-ordinate improved and clear signage in key beach areas.</li> </ul>   |
| A13                  | Dogs Access to Public Places | Patrols & Fines           | Signage & Engagement       |                            |                            | <ul style="list-style-type: none"> <li>- Change timeshare start and finish times</li> <li>- Make area a no-dog zone</li> <li>- Increase enforcement and fines</li> <li>- Increase communication to ensure ongoing compliance</li> </ul> | <ul style="list-style-type: none"> <li>- Council is planning to review the regulations relating to access for dogs to public places as an action in the DAMP. All comments relating to the timing and extent of dog access will be considered at that time.</li> <li>- The DAMP acknowledges there is a need increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.</li> </ul>  |
| A14                  | Dogs Access to Public Places |                           |                            |                            |                            | <ul style="list-style-type: none"> <li>- Increase timeshare access for dogs</li> </ul>  | <ul style="list-style-type: none"> <li>- The DAMP includes a review of the regulations in year 2 to address access for dogs to public places. All comments relating to the timing and extent of dog access will be considered in the review.</li> </ul>   |
| A15                  | Dogs Access to Public Places |                           |                            |                            |                            | <ul style="list-style-type: none"> <li>- Dogs should be able to continue to access beaches</li> <li>- Additional off-leash areas should be provided</li> </ul>  | <ul style="list-style-type: none"> <li>- The DAMP includes a review of the regulations in year 2 to address access for dogs to public places. All comments relating to the timing and extent of dog access will be considered in the review.</li> </ul>   |
| A16                  | Dogs Access to Public Places |                           |                            |                            |                            | <ul style="list-style-type: none"> <li>- Dogs should be able to continue to access beaches</li> </ul>   | <ul style="list-style-type: none"> <li>- The DAMP includes a review of the regulations in year 2 to address access for dogs to public places. All comments relating to the timing and extent of dog access will be considered in the review.</li> </ul>   |

| Submission Reference | Primary Issue Addressed      | Secondary Issue Addressed | Subsequent Issue Addressed | Subsequent Issue Addressed | Subsequent Issue Addressed | Summary of Submission  | Officer Comment   |
|----------------------|------------------------------|---------------------------|----------------------------|----------------------------|----------------------------|--|---|
| A17                  | Management                   |                           |                            |                            |                            | - GORCC and Parks Vic have land management responsibilities  | - Council notes the information relating to the management of land areas and will make suitable changes to the DAMP.  |
| A18                  | Patrols & Fines              |                           |                            |                            |                            | - Current regulations are adequate<br>- Greater enforcement is needed  | - Council understands that there may be opportunities to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.   |
| A19                  | Dogs Access to Public Places | Patrols & Fines           | Signage & Engagement       |                            |                            | - Towns should be provided with appropriate off lead areas<br>- Enforcement needs to be increased  | - Council is planning to review the regulations relating to access for dogs to public places. All comments relating to the timing and extent of dog access will be considered at that time.<br>- The DAMP acknowledges there is a need to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.  |
| A20                  | Dogs Access to Public Places |                           |                            |                            |                            | - Dogs need to be better controlled<br>- Enforcement needs to be increased   | - The DAMP includes a review of the regulations in year 2 to address access for dogs to public places. All comments relating to the timing and extent of dog access will be considered in the review.   |
| A21                  | Dogs Access to Public Places | Patrols & Fines           | Signage & Engagement       |                            |                            | - Term "Under Effective Control" is unclear<br>- Dogs in public areas can be dangerous<br>- Improve enforcement<br>- Improve Signage<br>- Dog Excrement is a problem<br>- Dogs are a danger to wildlife  | - Council is planning to review the regulations relating to access for dogs to public places. All comments relating to the timing and extent of dog access will be considered at that time.<br>- Council understands that there may be opportunities to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.<br>- Council appreciates that signage could be improved in a number of areas. Council will work with GORCC to co-ordinate improved and clear signage in key beach areas. |
| A23                  | Patrols & Fines              |                           |                            |                            |                            | - Current regulations are adequate<br>- Greater enforcement is needed  | - Council understands that there may be opportunities to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.   |
| A24                  | Dogs Access to Public Places |                           |                            |                            |                            | - Change timeshare start and finish times  | - The DAMP includes a review of the regulations in year 2 to address access for dogs to public places. All comments relating to the timing and extent of dog access will be considered in the review.   |
| A25                  | Dogs Access to Public Places | Patrols & Fines           |                            |                            |                            | - Dogs can be dangerous to children in public places<br>- Creation of non-dog beach for families<br>- Improve enforcement<br>- Dog Excrement is a problem  | - Council is planning to review the regulations relating to access for dogs to public places as an action in the DAMP. All comments relating to the timing and extent of dog access will be considered at that time.<br>- The DAMP acknowledges there is a need to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.   |
| A28                  | Dogs Access to Public Places | Patrols & Fines           | Management                 | Dog Excrement              |                            | - There are a small number of dogs which are not controlled and are a danger to pets and humans<br>- There needs to be a quick response to any dog attacks<br>- There are many dogs that are not kept on leash and are threatening<br>- Dog poo is a health issue<br>- Bylaws are not appropriately enforced | - Council is planning to review the regulations relating to access for dogs to public places. All comments relating to the timing and extent of dog access will be considered at that time.<br>- The DAMP acknowledges there is a need to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.  |
| A29                  | Dogs Access to Public Places | Patrols & Fines           |                            |                            |                            | - Collection and evaluation of data<br>- Increase enforcement activities<br>- Provision of a dog park<br>- The term "Under Effective Control" is unclear   | - Council is planning to review the regulations relating to access for dogs to public places As an action in the DAMP. All comments relating to the timing and extent of dog access will be considered at that time.<br>- The DAMP acknowledges there is a need to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.   |

| Submission Reference | Primary Issue Addressed      | Secondary Issue Addressed    | Subsequent Issue Addressed | Subsequent Issue Addressed | Subsequent Issue Addressed | Summary of Submission   | Officer Comment  |
|----------------------|------------------------------|------------------------------|----------------------------|----------------------------|----------------------------|---|--|
| A30                  | Dogs Access to Public Places | Signage & Engagement         |                            |                            |                            | <ul style="list-style-type: none"> <li>- Create more non-beach dog areas</li> <li>- Improve signage to improve compliance and understanding in the community</li> </ul>   | <ul style="list-style-type: none"> <li>- Council is planning to review the regulations relating to access for dogs to public places. All comments relating to the timing and extent of dog access will be considered at that time.</li> <li>- Council appreciates that signage could be improved in a number of areas. Council will work with GORCC to co-ordinate improved and clear signage in key beach areas.</li> </ul>   |
| A31                  | Dogs Access to Public Places |                              |                            |                            |                            | <ul style="list-style-type: none"> <li>- Dogs are dangerous in public places</li> <li>- Make one beach dog free</li> </ul>  | <ul style="list-style-type: none"> <li>- The DAMP includes a review of the regulations in year 2 to address access for dogs to public places. All comments relating to the timing and extent of dog access will be considered in the review.</li> </ul>  |
| A32                  | Dogs Access to Public Places | Patrols & Fines              |                            |                            |                            | <ul style="list-style-type: none"> <li>- The term "Under Effective Control" is unclear</li> <li>- Patrols need to be increased</li> <li>- Signage is unclear and needs to be improved</li> </ul>  | <ul style="list-style-type: none"> <li>- Council understands that there may be opportunities to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.</li> <li>- Council appreciates that signage could be improved in a number of areas. Council will work with GORCC to co-ordinate improved and clear signage in key beach areas.</li> </ul>   |
| A33                  | Dogs Access to Public Places |                              |                            |                            |                            | <ul style="list-style-type: none"> <li>- Reduce the timeshare</li> </ul>  | <ul style="list-style-type: none"> <li>- The DAMP includes a review of the regulations in year 2 to address access for dogs to public places. All comments relating to the timing and extent of dog access will be considered in the review.</li> </ul>  |
| A35                  | Signage & Engagement         | Dogs Access to Public Places | Patrols & Fines            | Wildlife Protection        |                            | <ul style="list-style-type: none"> <li>- Most dogs are well behaved</li> <li>- Signage needs to be improved to improve compliance and understanding in the community</li> <li>- Signs need to be more clear</li> <li>- Access to parks and beaches needs to continue but access areas should be more clear</li> <li>- Enforcement needs to be increased</li> <li>- Domestic animals causing injury to wildlife is a problem</li> <li>- Poo bags and water fountains are good</li> </ul> | <ul style="list-style-type: none"> <li>- Council is planning to review the regulations relating to access for dogs to public places. All comments relating to the timing and extent of dog access will be considered at that time.</li> <li>- The DAMP acknowledges there is a need to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.</li> <li>- As part of the DAMP, Council will increase its education for owners regarding appropriate cat control measures.</li> <li>- Council appreciates that signage could be improved in a number of areas. Council will work with GORCC to co-ordinate improved and clear signage in key beach areas.</li> </ul> |
| A37                  | Dogs Access to Public Places | Wildlife Protection          | Dog Excrement              |                            |                            | <ul style="list-style-type: none"> <li>- Rules are not being followed, so either enforcement or stricter rules are necessary</li> <li>- Dogs are a danger to wildlife and children</li> <li>- Excrement is a problem</li> </ul>   | <ul style="list-style-type: none"> <li>- Council understands that there may be opportunities to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.</li> </ul>  |
| A38                  | Engagement                   | Dogs Access to Public Places |                            |                            |                            | <ul style="list-style-type: none"> <li>- More communication and engagement is needed from Council to ensure ongoing understanding</li> <li>- The proposed areas for dogs in Lorne are confusing and should be changed</li> <li>- Dogs are well behaved and should be able to continue to access beaches</li> <li>- Dogs are important for health and wellbeing</li> </ul>   | <ul style="list-style-type: none"> <li>- Council has taken on board the need to change the way in which it communicates key issues with Lorne and will take these suggestions into account during its next engagement activity.</li> <li>- Council is planning to review the regulations relating to access for dogs to public places. All comments relating to the timing and extent of dog access will be considered at that time.</li> <li>- Council appreciates that signage could be improved in a number of areas. Council will work with GORCC to co-ordinate improved and clear signage in key beach areas.</li> </ul>   |



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| A39                  | Dogs Access to Public Places | Management                        | Fees                       | Patrols & Fines            | Dog Excrement              | <ul style="list-style-type: none"> <li>- Stop timeshare in key public parks and beaches (Creation of no dog areas)</li> <li>- Timeshare is confusing</li> <li>- Limit number of pets to 1 per family</li> <li>- Increase registration fees to allow for increased patrols and signage</li> <li>- Increase patrols and fines</li> <li>- Remove dogs for attacks</li> <li>- Too much dog excrement</li> </ul> | <ul style="list-style-type: none"> <li>- Council is planning to review the regulations relating to access for dogs to public places as an action in the DAMP. All comments relating to the timing and extent of dog access will be considered at that time.</li> <li>- Council is considering a review of the dog and cat registration fees.</li> <li>- Council will review the work instructions relating to dog attacks to determine if improvements in timeliness and response can be achieved.</li> <li>- There is no intent at this time to reduce the number of pets per family.</li> <li>- Council appreciates that signage could be improved in a number of areas.</li> <li>- Council will work with GORCC to co-ordinate improved and clear signage in key beach areas.</li> </ul> |
| A40                  | Dogs Access to Public Places | Signage & Engagement & Engagement |                            |                            |                            | <ul style="list-style-type: none"> <li>- Most dogs are well behaved</li> <li>- Dogs should be able to continue to access beaches</li> <li>- Signage needs to be improved to improve compliance and understanding in the community</li> </ul>  | <ul style="list-style-type: none"> <li>- Council is planning to review the regulations relating to access for dogs to public places. All comments relating to the timing and extent of dog access will be considered at that time.</li> <li>- Council appreciates that signage could be improved in a number of areas.</li> <li>- Council will work with GORCC to co-ordinate improved and clear signage in key beach areas.</li> </ul>   |
| A41                  | Dogs Access to Public Places |                                   |                            |                            |                            | <ul style="list-style-type: none"> <li>- dog access to beaches should be maintained</li> </ul>  | <ul style="list-style-type: none"> <li>- The DAMP includes a review of the regulations in year 2 to address access for dogs to public places. All comments relating to the timing and extent of dog access will be considered in the review.</li> </ul>   |
| A43                  | Dogs Access to Public Places | Patrols & Fines                   |                            |                            |                            | <ul style="list-style-type: none"> <li>- Keep regulations as they are.</li> <li>- No need to increase regulations</li> <li>- Increase patrols</li> </ul>  | <ul style="list-style-type: none"> <li>- Council is planning to review the regulations relating to access for dogs to public places. All comments relating to the timing and extent of dog access will be considered at that time.</li> <li>- Council understands that there may be opportunities to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.</li> </ul>  |
| A44                  | Dogs Access to Public Places | Wildlife Protection               |                            |                            |                            | <ul style="list-style-type: none"> <li>- Increase off leash areas</li> <li>- Increase enforcement activities against barking dogs</li> <li>- Improve wildlife protection from cats</li> </ul>   | <ul style="list-style-type: none"> <li>- Council is planning to review the regulations relating to access for dogs to public places. All comments relating to the timing and extent of dog access will be considered at that time.</li> <li>- The DAMP acknowledges there is a need to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.</li> </ul>  |
| A45                  | Dogs Access to Public Places | Signage & Engagement              |                            |                            |                            | <ul style="list-style-type: none"> <li>- Dogs on beaches are a problem</li> <li>- Improve signage to improve compliance</li> </ul>  | <ul style="list-style-type: none"> <li>- The DAMP includes a review of the regulations in year 2 to address access for dogs to public places. All comments relating to the timing and extent of dog access will be considered in the review.</li> </ul>   |
| A46                  | Patrols & Fines              |                                   |                            |                            |                            | <ul style="list-style-type: none"> <li>- Increase enforcement activities</li> </ul>   | <ul style="list-style-type: none"> <li>- The DAMP includes a review of the regulations in year 2 to address access for dogs to public places. All comments relating to the timing and extent of dog access will be considered in the review.</li> </ul>   |
| A47                  | Patrols & Fines              | Signage & Engagement              |                            |                            |                            | <ul style="list-style-type: none"> <li>- Increase enforcement activities</li> <li>- Improve signage to improve compliance</li> <li>- Improve signage</li> <li>- Letter drop to communicate restrictions</li> </ul>  | <ul style="list-style-type: none"> <li>- The DAMP acknowledges there is a need to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.</li> </ul>   |
| A48                  | Dogs Access to Public Places | Patrols & Fines                   | Signage & Engagement       |                            |                            | <ul style="list-style-type: none"> <li>- increase awareness of regulations</li> <li>- enforcement activities should be increased</li> </ul>   | <ul style="list-style-type: none"> <li>- The DAMP acknowledges there is a need to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.</li> </ul>   |

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| A49                  | Dogs Access to Public Places | Dog Excrement                | Patrols & Fines            | Signage & Engagement       |                            | <ul style="list-style-type: none"> <li>- unleashed dogs cause problems for everyone</li> <li>- dog excrement is often left on paths and yards</li> <li>- Poo bags should be provided Shire Wide</li> <li>- Improve signage</li> <li>- improve access to public areas for leashed dogs</li> <li>- balance is necessary between privacy and reporting</li> <li>- Training should be provided to people adopting animals from shelters</li> </ul> | <ul style="list-style-type: none"> <li>- Council is planning to review the regulations relating to access for dogs to public places. All comments relating to the timing and extent of dog access will be considered at that time.</li> <li>- The comments relating to the pet watch program will be considered when developing the structure for that program.</li> </ul>  |
| A50                  | Dogs Access to Public Places | Patrols & Fines              | Signage & Engagement       |                            |                            | <ul style="list-style-type: none"> <li>- There are large numbers of unleashed dogs</li> <li>- Patrols are not frequent enough</li> <li>- Signage needs to be improved</li> </ul>   | <ul style="list-style-type: none"> <li>- The DAMP includes a review of the regulations in year 2 to address access for dogs to public places. All comments relating to the timing and extent of dog access will be considered in the review.</li> </ul>   |
| A51                  | Wildlife Protection          | Dogs Access to Public Places | Signage & Engagement       |                            |                            | <ul style="list-style-type: none"> <li>- The cat curfew should be extended for 24 hours in built up areas</li> <li>- There are too many dog off-leash areas</li> <li>- Wildlife needs to be protected</li> <li>- Improve signage and education</li> <li>- Limit beach access for horses</li> </ul>   | <ul style="list-style-type: none"> <li>- Council is planning to review the regulations relating to access for dogs to public places. All comments relating to the timing and extent of dog access will be considered at that time.</li> <li>- The DAMP acknowledges there is a need to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.</li> <li>- Council appreciates that signage could be improved in a number of areas. Council will work with GORCC to co-ordinate improved and clear signage in key beach areas.</li> <li>- Horses are not considered to be domestic animals and are therefore not included in the DAMP.</li> </ul> |
| A53                  | Dogs Access to Public Places | Patrols & Fines              | Signage & Engagement       |                            |                            | <ul style="list-style-type: none"> <li>- Review access for dogs to beaches and other public areas</li> <li>- Increase enforcement activities</li> </ul>  | <ul style="list-style-type: none"> <li>- Council is planning to review the regulations relating to access for dogs to public places. All comments relating to the timing and extent of dog access will be considered at that time.</li> <li>- Council understands that there may be opportunities to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.</li> </ul>  |
| A55                  | Dogs Access to Public Places | Dog Excrement                | Signage & Engagement       | Patrols & Fines            |                            | <ul style="list-style-type: none"> <li>- Dogs are often not under effective control, particularly on beaches</li> <li>- Signage needs to be improved</li> <li>- Patrols and fines need to be increased</li> <li>- Dog poo is often not properly cleaned up and is a health concern</li> </ul>  | <ul style="list-style-type: none"> <li>- Council is planning to review the regulations relating to access for dogs to public places. All comments relating to the timing and extent of dog access will be considered at that time.</li> <li>- The DAMP acknowledges there is a need to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.</li> </ul>  |
| A56                  | Dogs Access to Public Places | Patrols & Fines              | Dog Excrement              |                            |                            | <ul style="list-style-type: none"> <li>- Dogs are often off-leash in inappropriate areas</li> <li>- Dog excrement is frequently on walking tracks</li> <li>- Patrols and fines should be increased</li> </ul>  | <ul style="list-style-type: none"> <li>- Council understands the impacts that domestic animals can have on wildlife and appreciates the need to balance the needs of wildlife with that of residents.</li> <li>- Council is planning to review the regulations relating to access for dogs to public places. All comments relating to the timing and extent of dog access will be considered at that time.</li> <li>- The DAMP acknowledges there is a need to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.</li> </ul>  |
| A57                  | Wildlife Protection          | Management                   | Signage & Engagement       | Fees                       |                            | <ul style="list-style-type: none"> <li>- Greater controls on cats in order to protect wildlife</li> <li>- Change arrangements for booking a cat cage</li> <li>- Provide training regarding privacy to Council officers and ratepayers</li> </ul>   | <ul style="list-style-type: none"> <li>- Council is considering a review of the dog and cat registration fees and will consider the fees relating to cat enclosures at that time.</li> <li>- As part of the DAMP, Council will increase its education for owners regarding appropriate cat control measures.</li> </ul>   |

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| A58                  | Dogs Access to Public Places | Management                |                            |                            |                            | <ul style="list-style-type: none"> <li>- Dogs are often not-compliant with regulations</li> <li>- Horses should also be considered in the DAMP</li> </ul> | <ul style="list-style-type: none"> <li>- Council is planning to review the regulations relating to access for dogs to public places. All comments relating to the timing and extent of dog access will be considered at that time.</li> <li>- Horses are not included in the plan due the the requirements of the legislative framework and are therefore not addressed in this plan.</li> </ul> |

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| A59                  |                              |                              |                            |                            |                            | - No feedback provided   | - No response required   |
| A60                  | Dogs Access to Public Places | Signage & Engagement         | Patrols & Fines            | Management                 |                            | - More needs to be done to manage dangerous dogs and dog attacks<br>- The experience of a dog on dog attack calls for improvements and time frameds for action to be adopted   | - Please note the signficant redactions of this submission in order to ensure privacy protections.<br>- The DAMP has acknowledged through the action that the process for dog attacks need to be reviewed including the work instructions relating to dog attacks. Including time frames would be a benefit.   |
| A61                  | Dogs Access to Public Places |                              |                            |                            |                            | - Change timeshare restrictions  | - The DAMP includes a review of the regulations in year 2 to address access for dogs to public places. All comments relating to the timing and extent of dog access will be considered in the review.  |
| A62                  |                              |                              |                            |                            |                            | - No feedback provided   | - No response required   |
| A63                  | Dogs Access to Public Places | Patrols & Fines              | Fees                       | Signage & Engagement       | Wildlife Protection        | - Enforcement activities need to be icreased<br>- Consider increasing registration fees<br>- Signage needs to be more clear<br>- Clarity is required about where dogs can be on leash and off<br>- Cats should be kept inside or in a cat run                                | - Council is planning to review the regulations relating to access for dogs to public places. All comments relating to the timing and extent of dog access will be considered at that time.<br>- The DAMP includes actions to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.<br>- Council appreciates that signage could be improved in a number of areas. Council will work with GORCC to co-ordinate improved and clear signage in key beach areas.                        |
| A65                  | Management                   | Fees                         | Patrols & Fines            |                            |                            | - Significant feedback provided via track changes<br>- Focus on identification and confinement of animals<br>- increase communication<br>- increase accountability   | - Council thanks the RSPCA for the time taken to review the DAMP. Council has incorporated many of the specific comments into the final draft of the plan.   |
| A66                  | Patrols & Fines              | Dogs Access to Public Places |                            |                            |                            | - non-compliance with regulations is a serious problem<br>- enforcement activities need to be increased  | - Council is planning to review the regulations relating to access for dogs to public places. All comments relating to the timing and extent of dog access will be considered at that time.<br>-The DAMP includes actions to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.  |
| A67                  | Management                   |                              |                            |                            |                            | - Council needs to take an active role in managing barking dogs  | - Council understands that continually barking dogs can be a significant problem for neighbours and it can be difficult for neighbours to manage this issue alone.<br>- As part of the DAMP Council plans to increase awareness of strategies to minimise barking and will also increase activities to assist neighbours to manage these issues.   |
| B1                   | Wildlife Protection          | Signage & Engagement         | Patrols & Fines            |                            |                            | - Essential to protect wildlife from cats<br>- Increase fines relating to cats caught after curfew<br>- Improve education for cat owners<br>- Restrict cat ownership in new estates  | - Council understands the impacts that domestic animals can have on wildlife and appreciates the need to balance the needs of wildlife with that of residents.<br>- Council understands that there may be opportunities to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.<br>- As part of the DAMP, Council will increase its education for owners regarding appropriate cat control measures.   |
| B2                   | Wildlife Protection          | Dogs Access to Public Places | Fees                       | Management                 | Patrols & Fines            | - Dogs are frequently in areas which are not appropriate and hurt wildlife<br>- Barking dogs are a problem<br>- Increase the dog registration rate<br>- Ban dogs from conservation zones<br>- Restrict dog ownership to two animals only<br>- Adopt progressive cat policies | - Council is planning to review the regulations relating to access for dogs to public places. All comments relating to the timing and extent of dog access will be considered at that time.<br>- The DAMP includes actions to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.<br>- Council is considering a review of the dog and cat registration fees.<br>- As part of the DAMP, Council will increase its education for owners regarding appropriate cat control measures. |



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| B3                   | Dogs Access to Public Places | Patrols & Fines           | Wildlife Protection        |                            |                            | <ul style="list-style-type: none"> <li>- Suggestions made regarding wording</li> <li>- Arrangements regarding compliance need to be clarified</li> <li>- Improve controls relating to cats in order to further protect wildlife</li> </ul> | - Council thanks the GORCC for the time taken to review the DAMP. Officers intend to incorporate many of the specific comments into the final draft of the plan.  |
| B5                   | Dogs Access to Public Places | Wildlife Protection       |                            |                            |                            | <ul style="list-style-type: none"> <li>- Dogs on beaches and dogs that bark are a nuisance</li> <li>- Dogs are a danger to wildlife</li> </ul>   | <ul style="list-style-type: none"> <li>- Council is planning to review the regulations relating to access for dogs to public places as an action in the DAMP. All comments relating to the timing and extent of dog access will be considered at that time.</li> <li>- The DAMP acknowledges the need to increase patrols and enforcement activities, and will work with GORCC and other partners to co-ordinate this. Increased enforcement activities have been included in the plan.</li> <li>- Council appreciates that signage could be improved in a number of areas. Council will work with GORCC to co-ordinate improved and clear signage in key beach areas.</li> </ul> |
| B6                   | Management                   |                           |                            |                            |                            | <ul style="list-style-type: none"> <li>- Dogs and cats are dangerous and a nuisance</li> </ul>   | - Council notes the comments on the DAMP  |
| B7                   | Dogs Access to Public Places |                           |                            |                            |                            | <ul style="list-style-type: none"> <li>- Current rules are working well and it is important to allow dogs' access to beaches</li> </ul>  | - The DAMP includes a review of the regulations in year 2 to address access for dogs to public places. All comments relating to the timing and extent of dog access will be considered in the review.   |
| C1                   | Dogs Access to Public Places |                           |                            |                            |                            | <ul style="list-style-type: none"> <li>- dogs are sometimes on beach without leads</li> </ul>  | - The DAMP includes a review of the regulations in year 2 to address access for dogs to public places. All comments relating to the timing and extent of dog access will be considered in the review.   |
| C2                   |                              |                           |                            |                            |                            | No comments provided   | - No response required  |
| C3                   | Dogs Access to Public Places |                           |                            |                            |                            | <ul style="list-style-type: none"> <li>- important to allow dog access to beaches</li> </ul>   | - The DAMP includes a review of the regulations in year 2 to address access for dogs to public places. All comments relating to the timing and extent of dog access will be considered in the review.   |

**Close:** There being no further items of business the meeting closed at 5.48pm.