



# Annual Implementation Plan – Wild Dog Exclusion Fencing 2020-21

## 1. LEGISLATIVE AUTHORITY

- *Local Government Act 2009* (Qld) (“**Act**”)
- *Local Government Regulation 2012* (Qld) (“**Regulation**”)

(See **part 3** below for relevant provisions of the Act and Regulation)

## 2. BACKGROUND

Council adopted the Overall Plan for Wild Dog Exclusion Fencing at its budget meeting on 28 June 2019. Council may at any time, by resolution, amend an overall plan or the annual implementation plan. This document represents the Annual Implementation Plan 2020 and is consistent with the amended Overall Plan.

- (a) Over recent years wild dogs have contributed (along with other factors) reduced confidence in the rural economy of the Council's area.
- (b) Council wishes to facilitate improved confidence in the rural economy of the Council's area and is of the opinion that this can be achieved by facilitating the installation of wild dog exclusion fencing (as more fully described below at **part 4.1**, “**Planned Infrastructure**”) on certain properties within Council's local government area.
- (c) At the Council meeting on 21 February 2019, the following governance matters were brought before Council to meet legislative requirements:
  - (i) Council's wild dog exclusion fence scheme Business Case was presented and adopted;
  - (ii) Council has made a borrowing application to the Department of Local Government Racing & Multicultural Affairs;
  - (iii) Council sought expressions of interest from landholders to identify the properties that would benefit, and when approved, incur a special charge for its wild dog exclusion fence scheme; and
  - (iv) Council ran a procurement process to attract fencing contractors and suppliers for a preferred supplier arrangement.
- (d) Council has investigated the legislative issues in relation to the construction of infrastructure on landholders' properties and the recovery of this cost through the levy of a special charge.
- (e) The Regulation imposes a requirement on Council to publish an “overall plan” which clearly establishes the principles used by Council levying “special rates or charges”.

### **Round 1 – 01/07/2019 – 30/06/2041**

- (f) Round 1 borrowing of \$3.174M has been completed and landholders have either commenced or completed the construction of their fence.



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## Round 2 – 01/07/2020 – 30/06/2042

- (g) Council intends to borrow up to the remaining \$4.826M and has undertaken steps to call for applications and if approved Council will arrange the procurement process.

### 3. POLICY PRINCIPLES

Council has investigated the legislative issues in relation to the construction of infrastructure on landholders' properties and the recovery of this cost through the levy of a special charge:

- (a) Section 94(1)(b)(i) of the Act empowers Council to levy special rates and charges. Section 92(3) of the Act described special rates and charges as follows:

*“Special rates and charges are for services, facilities and activities that have a special association with particular land because:*

*a. the land or its occupiers*

*i specially benefits from the service, facility or activity; or*

*ii has or will have special access to the service, facility or activity; or*

*b. the land is or will be used in a way that specially contributes to the need for the service, facility or activity; or*

*c. the occupier of the land specially contributes to the need for the service, facility or activity.”*

- (b) The Planned Infrastructure will create a 'special benefit' to the land or its occupier and it is on this basis that the special charges will be charged.
- (c) Section 94 of Regulation sets out the procedural requirements which must be followed when a Local government levies a special rate or charge, relevantly:
- (i) by subsection (2), the resolution levying the special charge must;
- (A) identify the rateable land to which the special rate or charge will apply; and
- (B) identify the overall plan for the service, facility or activity to which the special rate or charge will apply.
- (ii) by subsection (3), the overall plan must describe the service, facility or activity, identify rateable land to which the rate or charge will apply and state the estimated cost and time of carrying out the overall plan;
- (iii) by subsection (4), the overall plan must be adopted before, or at the same time, as when the resolution making the special rate or charge is made; and
- (iv) by subsection (5), where an overall plan is for a period of more than one (1) year, the local government must adopt an annual implementation plan for each year of the life of the overall plan.



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- (d) The overall plan must be adopted before, or at the same time as, Council first resolves to levy the special charges.<sup>1</sup>
- (e) If an overall plan is for more than 1 year, Council must also adopt an “annual implementation plan” for each year of the overall plan.<sup>2</sup>
- (f) Council must adopt the annual implementation plan before or at the budget meeting for each year of the period for carrying out the overall plan.<sup>3</sup>
- (g) Council may at any time, by resolution, amend an overall plan or an annual implementation plan.<sup>4</sup>

## 4. THE ANNUAL IMPLEMENTATION PLAN

### 4.1 Planned infrastructure

The Planned Infrastructure:

- (a) includes wild dog exclusion fencing designed and built for the purpose of protecting individual properties or “clusters” of adjoining properties from wild dogs; and
- (b) will be constructed to minimum standards stipulated by Council to appointed contractors providing always that the it must be constructed to withstand local conditions and to be suitable to keep wild dogs out of the properties involved in the project.

### 4.2 Description of the service, facility or activity

The service, facility or activity provided or facilitated by Council include:

- (a) the borrowing of the necessary funds to implement the project, subject to Treasury approval;
- (b) the purchase of materials and facilitating construction of exclusion fencing that controls pest animals for the rateable land to which the special charge shall apply; and
- (c) Council administering the delivery of the Planned Infrastructure.

### 4.3 Documentation

The following documentation is required to implement the special rate scheme:

- (a) Legal agreement with the owners of the Properties (**Landholder Agreement**);
- (b) Legal agreements with owners of land adjoining the Properties (**Adjoining Landholder Deed**); and

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<sup>1</sup> Regulation, s94(4).

<sup>2</sup> Regulation, s94(6).

<sup>3</sup> Regulation, s94(8)

<sup>4</sup> Regulations, s94(9)



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- (c) agreements with the successful contractors for the design and construction of the Planned Infrastructure.

#### 4.4 Identification of the rateable land to which the special rates or charges apply

- (a) The relevant rateable land is identified in Schedule A and B (**Properties**).
- (b) The levying of the special charge will commence after participants have had the benefit of 2 years of capitalised interest commencing from the date a Landholder Agreement is signed with each landholder.

##### Round 1 – 01/07/2019-30/06/2041

- (c) The estimated special charge expected in years 3 to 5 and years 6 to 20 (after being given a 2 year construction window) are as follows:
- (i) Special Charge Calculation Year 3 to Year 5: \$196,069.13; and
- (ii) Special Charge Calculation Year 6 to Year 20: \$3,815,215.91

Full details for individual properties for Round 1 are shown at Schedule A.

##### Round 2 – 01/07/2020-30/06/2042

- (d) The estimated special charge expected in years 3 to 5 and years 6 to 20 (after being given a 2 year construction window) are as follows:
- (i) Special Charge Calculation Year 3 to Year 5: \$294,851.04; and
- (ii) Special Charge Calculation Year 6 to Year 20: \$5,684,707.34.
- (e) Full details for individual properties for Round 2 are shown at Schedule B & C

#### 4.5 Estimated cost of carrying out the overall plan

Council has approved borrowings approved up to \$8,540,987 (including capitalised interest). The total estimated cost of carrying out the overall plan therefore being no more than \$8M (excl capitalised interest).

The known cost of Round 1 is \$3.174M (excl capitalised interest)

The estimate cost of carrying out Round 2 is \$4.711M (excl capitalised interest)

(please see Schedules A-C for further details).

This figure includes all of the costs associated with administration by Council of the project, borrowing funds from Treasury, the purchase of materials and construction of the Project Infrastructure for the Properties to which the special charge applies.



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### 4.6 Estimated time for carrying out the overall plan

The estimated time for carrying out the Overall Plan is 20 years, concluding 30 June 2041 for Round 1 and 20 years, concluding 30 June 2042 for Round 2; and

The Annual Implementation Plan for the 2020-21 financial year will be Council:

Round 1 – inspecting all constructions to ensure compliance with approved works and issuing certificates of practical completion where applicable; and

Round 2 - borrowing the necessary funds for to implement Round 2 of the project, arranging execution of the landholder and adjoining landholder agreements, purchasing fencing materials and engaging fencing contractors to install exclusion fencing on each property that is participating in the scheme.

### 4.7 Special benefit

- (a) The properties will specially benefit from the planned infrastructure. Specifically, the properties will be protected from the migration of wild dogs from other areas as well as allow landowners to cull wild dogs (and potentially other pest animals) within the areas enclosed by planned infrastructure.
- (b) Adjoining landholders to the properties will not directly benefit from the planned infrastructure as it will not provide any wild dog exclusion or control benefits to areas not enclosed by the planned infrastructure.

### 5. RELATED DOCUMENTS

Revenue Statement 2020-21

Budget 2020-21

Overall Plan for Wild Dog Exclusion Fencing Scheme



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## SCHEDULE A ROUND 1 - 1/07/2019 – 30/06/2041

Assessment	Km	Loan Amount (net)
01896-00000-000	4.4	28,730.21
02388-00000-000	28.85	\$173,350.59
02398-00000-000	15.678	\$93,573.15
02617-00000-000	42.1	\$325,461.63
01885-00000-000	10.6	\$75,475.80
01839-40000-000	26.43	\$243,784.07
02323-00000-000	19.297	\$177,615.34
02650-00000-000	24.031	\$199,689.50
02149-00000-000	38.915	\$372,915.04
02513-00000-000	25.05	\$140,307.64
02492-00000-000	13.86	\$126,313.23
02471-00000-000	11.2	\$76,391.51
02410-00000-000	17	\$121,882.44
02429-00000-000	13.86	\$126,313.23
02484-50000-000	10.98	\$99,665.19
02486-00000-000	31.89	\$294,780.55
02267-00000-000	32.2	\$274,622.68
01825-00000-000	14.623	\$125,893.87
01849-00000-000	8	\$57,064.65
01900-00000-000	7	\$71,438.76
01854-00000-000	15.4	\$95,294.36

Date of Adoption >> 25 June 2020  
 Next Review Date>> 25 June 2021



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## SCHEDULE B

ROUND 2 - 1/07/2020 – 30/06/2042

### Round 2 Approved Project Detail Estimate Cost

Assessment Number	Km	Estimated cost
02616-00000-000	18.08	\$198,880
02105-00000-000	26	\$286,000
01896-00000-000	2.8	\$30,000
02307-40000-000	18.4	\$202,400
02258-00000-000	29.53	\$487,245
02520-00000-000	11.78	\$129,580
01737-50000-000	11.37	\$187,605
02288-00000-000	5.97	\$98,505
01734-00000-000	10.31	\$170,115
01734-00000-000	13.87	\$228,855
02254-00000-000	33.54	\$368,940
02156-00000-000	33.4	\$551,100
02097-00000-000	30.46	\$502,590
02274-00000-000	16.47	\$271,755
02240-00000-000	17.75	\$292,875



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## Schedule C

### Round 2 - Applications

The following assessments are subject final costs and funding:

Assessment Number	Km	Estimated cost
02552-00000-000	23.65	\$390,225
02214-00000-000	6.3	\$103,950
02217-00000-000	9.52	\$157,080
02648-20000-000	4.8	\$52,800