

Council Meeting

Agenda

Date: Wednesday 2 August 2023

Time: 5.30pm

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

Any person wishing to participate in Question Time or Public Submissions in accordance with Rule 7.2 and 7.3 of the *Governance Rules 2020* should contact the Council by emailing council@benalla.vic.gov.au or telephoning the Acting Governance Coordinator Tracey Beaton on (03) 5760 2600.

In accordance with Rule 6.4 of the *Governance Rules 2020* the Council Meeting will be livestreamed via the Council's website and an audio recording will be made of the proceedings.

Members of the public are encouraged to watch the live broadcast of the meeting at www.benalla.vic.gov.au

PO Box 227
1 Bridge Street East
Benalla Victoria 3671
Tel: 03 5760 2600
council@benalla.vic.gov.au
www.benalla.vic.gov.au

Contents

Opening and Acknowledgment of Country	3
Statement of Commitment	3
Disclosures of Conflict of Interest.....	4
Apologies and Leave of Absences.....	5
1. Public Question Time.....	7
2. Petitions	9
Record of Committees.....	9
3.1 <i>Recommendations from Finance and Planning Committee.....</i>	<i>9</i>
3.2 <i>Assemblies of Councillors, Advisory and External Committees.....</i>	<i>11</i>
Officer Reports.....	13
4.1 <i>Authorisation of Signing and Sealing of Documents.....</i>	<i>13</i>
4.2 <i>2023/24 Quick Response Grants Program.....</i>	<i>15</i>
4.3 <i>Mayor and Councillors' attendance at Committees and Civic Functions</i>	<i>17</i>
4.4 <i>Council Actions Pending.....</i>	<i>21</i>
5. Reports by Councillors	23
6. Notices of Motion	23
7. Notices of Rescission Motion	23
8. Urgent Business.....	23
Confidential Business	25
9.1 <i>Tender: Project Collaborative Digital Innovation (CODI)</i>	<i>27</i>
9.2 <i>Confidential Report by Councillors</i>	<i>41</i>
9.3 <i>Confidential Council Actions Pending.....</i>	<i>41</i>
10. Reopening of the meeting to the public	43
Closure of the meeting	43

Agenda

Chair Councillor Bernie Hearn (Mayor)

Councillors Councillor Danny Claridge
Councillor Peter Davis
Councillor Don Firth
Councillor Punarji Hewa Gunaratne
Councillor Justin King
Councillor Gail O'Brien

In attendance Dom Testoni Chief Executive Officer
Robert Barber General Manager Corporate
Greg Robertson Manager Facilities and Information Technology
Tracey Beaton Acting Governance Coordinator

Opening and Acknowledgment of Country

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

Statement of Commitment

The Councillors will recite the following Statement of Commitment:

*I declare,
that as a Councillor of Benalla Rural City
I will undertake on every occasion
to carry out my duties in the best interests of the community
and that my conduct shall maintain the standards of our Councillor Code of Conduct
so that I may faithfully represent
and uphold the trust placed in the Council
by the people of Benalla and District.*

Governance Matters

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

Recording of Council Meetings

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

Behaviour at Meetings

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

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

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

Disclosures of Conflict of Interest

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

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

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

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

Apologies and Leave of Absences

It is noted that Councillor Danny Claridge is on an approved leave of absence.

Recommendation:

That the apology/ies be accepted.

Confirmation of the previous Meeting Minutes

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

Recommendation:

That the Minutes of the Council Meetings held on Wednesday 28 June 2023 be confirmed as a true and accurate record of the meeting.

This page intentionally left blank

1. Public Question Time

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

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

A question may be on any matter except if it:

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

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

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

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

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

Recommendation:

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

This page intentionally left blank

2. Petitions

Record of Committees

3.1 Recommendations from Finance and Planning Committee

The recommendations of the Finance and Planning Committee meeting held on Wednesday 19 July 2023 are attached as **Appendix 1**.

Recommendation:

That the recommendations of the Finance and Planning Committee meeting held on Wednesday 19 July 2023 be adopted.

This page intentionally left blank

Business**1. Planning application for a Multi Lot Subdivision (48 lots), the creation of easements and the removal of native vegetation at 17 and 37 Olivers Road, Benalla**

This report assesses a planning application received for a Multi lot subdivision (48 lots) in three stages, the removal and creation of easements and the removal of native vegetation at 17 and 37 Olivers Road, Benalla.

It was noted that Jason Schneider-Fuller from Turning Point Property and Projects spoke in favor of the application.

Cr Davis / Cr Hearn:

That Council having caused notice of Planning Application No. P0171/22 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a Notice of Decision to Grant a Permit under the provisions of the Benalla Planning Scheme in respect of the land known and described as 17 and 37 Olivers Road, Benalla, for a multi lot subdivision in three stages, the removal and creation of easements and the removal of native vegetation in accordance with the endorsed plans, with the application dated 23 November 2022 and subject to the following conditions:

1. Prior to certification of the plan of subdivision, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the Subdivision Plans submitted [Project No. 32924496, Stablewood Estate, date 11/11/2022] but modified to show:
 - a) A fence along the boundary with the Cowan Street retention basin (northern boundary), including fence materials and fence height. The fence must be cream Colorbond to match existing fencing and be no less than 1.8m in height.
2. Prior to certification of the plan of subdivision for Stages 2 and 3, building envelopes for lots 10, 30 and 31 of Stage 2 and Lots 1, 2, 3 and 4 of Stage 3 must be shown as a restriction detailing that dwellings must not be constructed outside of the building envelope shown. The building envelopes for Stage 2 must comply with the garden area requirements of the Benalla Planning Scheme and must be at least 10m x 15m in area.
3. Before certification, or any other such time as agreed by the Responsible Authority, streets within that stage must be named to the satisfaction of the responsible authority in accordance with the Guidelines for Geographic Names 2010.
4. The subdivision and staging as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the Responsible Authority.

5. Prior to the issue of a Statement of Compliance for the subdivision, all planning conditions and all other requirements of the responsible authority and the relevant referral authorities must be completed, or satisfactorily provided for, to the satisfaction of the Responsible Authority and the relevant referral authorities.
6. No covenant or restriction of title may be registered on the subject land unless otherwise approved in writing by the Responsible Authority.
7. The owner of the land must enter into an agreement with:
 - (a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - (b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
8. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
 - a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
9. Prior to issuing Statement of Compliance of the plan of subdivision, and in accordance with the Endorsed Plan, the developer must undertake or cause to be undertaken, full construction of all new roads, paths, drainage, and related infrastructure. All the works must conform to plans and specifications prepared at the expense of the developer by a suitably qualified engineer and endorsed by the Responsible Authority prior to commencement of construction. Unless otherwise agreed in writing, the Authority will only approve plans and specifications complying with Council's Infrastructure Design Manual (IDM) standards. The works must include:
 - a) access street in accordance with IDM Table 2: Urban Road / Street Characteristics
 - b) underground drainage
 - c) stormwater retention and treatment assets
 - d) construction of shared paths and footpaths, as appropriate
 - e) underground conduits for water, gas, electricity, and telecommunications
 - f) landscaping in accordance with the approved landscape plans (incl. street trees)

- g) appropriate intersection and traffic control/mitigation measures
 - h) appropriate street lighting and signage
 - i) high stability permanent survey marks; and
 - j) turning paths to demonstrate access and egress to the subdivision and common property in accordance with the required design vehicle.
10. Prior to issuing consent to certification, the developer must have prepared by a suitably qualified engineer, an earthworks plan showing the depth of cut/fill across the site including but not limited to Existing Surface and Finished Surface levels at the corner of each proposed lot to demonstrate overland flow paths of upstream catchment flows will not be obstructed as a result of the earthworks proposed.
11. Prior to issuing consent to certification, the developer must have prepared a plan with finished floor levels annotated for future dwellings to be endorsed by the responsible authority.
12. Prior to the issue of Statement of Compliance, the developer must construct/provide vehicle crossing to each lot and/or reserves within the subdivision development in accordance with council's Infrastructure Design Manual standards. Alternatively, vehicle crossings are not required to be constructed where modified mountable (SM2-M) kerb and channel is approved to be used.
13. Prior to the issue of a Statement of Compliance, the developer must provide as-constructed information for all infrastructure created by this development and passing into the ownership and control of Council in accordance with council's Infrastructure Design Manual and be submitted to and accepted by the Responsible Authority. The following must be submitted:
- a) 'as - constructed' information for the entire works area as per approved civil construction plans in each development stage detailing information as listed in the council's Infrastructure Design Manual;
 - b) a certified plan showing the extent and depth of fill in excess of 300mm placed on any of the allotments.
 - c) certified as-constructed information presented as being true and correct; and
 - d) information to be presented in pdf., dwg., D, and R SPEC formats, or unless otherwise agreed in writing by the Authority.
14. Before construction begins, a detailed landscape plan, must be prepared by a person suitably qualified or experienced in landscape design, and must be submitted to and approved by Council.
15. The plan must show:
- (a) new plantings to be provided in any road reserves and municipal reserves
 - (b) a detailed planting schedule of all proposed trees, shrubs and ground-covers
 - (c) paths, paved areas, structures and street furniture
 - (d) detailed planting and construction layout drawings, including site contours
 - (e) any changes to existing levels, including elements such as retaining walls

- (f) certified structural designs or building forms where required
- (g) removal of existing infrastructure or stockpiles and weed eradication
- (h) fencing of all Reserves to be handed over to the Council.

Prior to the issue of a statement of compliance for each stage of the subdivision all works shown on the landscape plan for that stage must be completed to the satisfaction of Council.

15. Prior to the issue of Statement of Compliance, the developer must provide Street trees as shown on the Endorsed Plan(s) and must include the planting of one (1) MATURE (2 – 3 metres high) street tree per lot (of an approved species and location), or to such higher standards by agreement and must be selected and planted by a qualified Horticulturist / Arborist. Unless otherwise agreed in writing, the Authority will only approve plans and specifications complying with Council's Infrastructure Design Manual and as appropriate. Street trees must be maintained for a period of twelve (12) months, or until the developer can demonstrate that the plantings have become established from the date of acceptance of the works, to the satisfaction of the responsible authority. Any dead, dying or diseased trees are to be replaced within twelve (12) months of the date of acceptance of the works.
16. Prior to the issue of a Statement of Compliance, the nature-strip and all disturbed areas are to be topsoiled and seeded to establish grass cover. Alternative finishes may be approved by written agreement.
17. Prior to commencement of works, a Construction Site Management Plan in accordance with Council's Infrastructure Design Manual must be prepared, approved and implemented to the satisfaction of the Responsible Authority. The plan must show:
 - a) measures to control erosion and sediment and sediment laden water runoff, including the design details of structures
 - b) measures to retain dust, silt and debris onsite, both during and after the construction phase
 - c) locations of any construction wastes, equipment, machinery and/or earth storage/stockpiling during construction
 - d) where access to the site for construction vehicle traffic will occur
 - e) tree protection zones
 - f) the location and details of a sign to be erected at the entrance(s) of the site advising contractors that they are entering a 'sensitive site' with prescribed tree protection zones and fences
 - g) the location of trenching works, boring, and pits associated with the provision of services
 - h) the location of any temporary buildings or yards; and
 - i) other as specified by the Responsible Authority.
18. Prior to the commencement of any works associated with the development or subdivision, the following items must be satisfied:
 - a) certification of the Plan of Subdivision
 - b) approval of the construction plans; and

- c) an on-site meeting be undertaken with officers of the Responsible Authority, the contractor and the developer and/or developer's consultant to discuss, amongst other things, roadside management, construction techniques, vegetation clearing controls and vegetated areas to be barricaded off prior to and during construction must have taken place.
19. Prior to commencement of works, the developer must supply an asset statement to the responsible authority. This statement must outline existing council infrastructure and assets prior to works being conducted. Care must be taken to preserve the condition of existing infrastructure adjacent to the site. If any damage to existing infrastructure occurs as a result of this development, the affected infrastructure must be replaced, and the full cost met, by the developer, to the specification and satisfaction of the Responsible Authority.
20. Unless otherwise stated in this Planning Permit, all infrastructure created by this development, and passing into the ownership and control of Council, must be maintained by the developer for a period of three months following practical completion, and the developer must thereafter accept liability for correcting defects that become evident during the following nine months in accordance with council's Infrastructure Design Manual standards and to the satisfaction of the Responsible Authority.
21. If the works will be completed in stages, construction plans and specifications for each stage must be submitted to and approved by the Responsible Authority. The applicant must construct, or cause to be constructed, the works to the satisfaction of the Responsible Authority and any temporary works required to facilitate traffic movements after each stage has been completed.
22. If the works are to be completed in stages, the staging of works must accord with the staging plan endorsed by this permit. For example, Stage 3 construction works must not commence until the completion of Stage 2 construction activities.
23. All construction plan approvals will lapse at the time of a request to extend this Planning Permit.
24. The removal of native vegetation must only occur to the extent permitted as shown on the endorsed plan/s (whether to comply with any statute, statutory rule or regulations or for any other reason), except with the formal written consent of the Responsible Authority. The removal must not cause damage to other native vegetation to be retained and to drainage lines, waterways and/or watercourses.
25. Prior to the issue of a Statement of Compliance, the applicant must provide Council a payment of Drainage Headworks of \$3.10 per square meter of the land area as contribution towards the cost of existing works for the acceptance of surface and stormwater from the buildings, whether or not such works have been or will be situated within the boundaries of the land.
- In the event the payment is made after 30 June 2019 the rate will be indexed by CPI. This condition relates to allotments discharging into the Benalla Urban Growth Project Area.
26. Prior to the issue of a Statement of Compliance for each stage of the subdivision:
- a) the permit holder must provide Council with a maintenance bond equal to five per cent of the approved civil construction costs for the current stage.

This bond will be held by the Council until any and all defects notified to the applicant before or during the maintenance and defects liability period have been made good to the satisfaction of the Council.

- b) the permit holder must pay to Council plan checking fees equal to 0.75 per cent, and works supervision fees equal to 2.5 per cent, of the approved civil construction costs for that stage
- c) the Applicant or Owner must pay to the Council a sum equivalent to five per cent of the undeveloped site value of all land in the subdivision in lieu of open space.

Department of Energy, Environment and Climate Change

Notification of permit conditions

27. Before works start, the permit holder must advise all persons undertaking the vegetation removal works on site of all permit conditions pertaining to native vegetation protection.

Protection of native vegetation to be retained

28. Before works start, a native vegetation protection fence must be erected around all native vegetation to be retained within 15 metres of the works area. This fence must be erected at:

- a) A radius of 12 times the diameter of the tree trunk at a height of 1.4 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and
- b) Around the patch(es) of native vegetation at a minimum distance of 2 metres from retained native vegetation.

The fence must be constructed of star pickets and paraweb or similar, to the satisfaction of the responsible authority and the Department of Energy, Environment and Climate Action. The protection fence must remain in place until all works are completed to the satisfaction of the department.

29. Except with the written consent of the department, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:

- a) vehicular or pedestrian access
- b) trenching or soil excavation
- c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
- d) construction of entry and exit pits for underground services; or
- e) any other actions or activities that may result in adverse impacts to retained native vegetation.

Native vegetation offsets

30. The total area of native vegetation permitted to be removed is 0.634 hectares, as identified in Native Vegetation Removal Report LRV_2022_029, comprised of:

- a) 0.484 hectares of patch native vegetation including two (2) large trees, with a strategic biodiversity value of 0.980
- b) Zero (0) scattered large trees
- c) Six (6) scattered small trees.

31. To offset the removal of 0.634 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:
- a general offset of 0.211 general habitat units located within the Goulburn Broken Catchment Management Authority boundary or Benalla Rural City Council municipal district
 - have a Strategic Biodiversity Value score of at least 0.676
 - provide protection for at least two (2) large trees
 - must be in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017).

Offset evidence

32. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be an established first party offset site. This must include:
- a) a security agreement signed by both parties, and
 - b) a management plan detailing the 10-year management actions and ongoing management of the site

to the satisfaction of the Department of Energy, Environment and Climate Action and approved by the Responsible Authority.

Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan, to the department. An offset site condition statement, including photographs must be included in this notification

and/or

- c) credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.

A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit.

33. Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to the Department of Energy, Environment and Climate Action at p&a.north@delwp.vic.gov.au

Country Fire Authority

Prior to the issue of a Statement of Compliance under the *Subdivision Act 1988* the following requirements must be met to the satisfaction of the CFA:

34. Hydrants
- Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.
 - The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

****Note – CFA's requirements for identification of hydrants are specified in "Identification of Street Hydrants for Firefighting Purposes" available under**

publications on the CFA web site (www.cfa.vic.gov.au)

35. Roads

Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable width:

- Proposed roads must have a suitable trafficable width to allow the unimpeded access of emergency fire fighting vehicles (notwithstanding any parking restrictions that Council may apply) to the satisfaction of CFA.
- Dead-end roads and cul-de-sacs more than 60mts in length from the nearest intersection must have a turning circle with a minimum radius of 8mts (including roll-over kerbs if provided); T or Y heads of dimensions specified by CFA may be used as alternatives.
- The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50mts. Dips must have no more than a 1 in 8 (12%0 (7.1 degrees) entry and exit angle.
- Curves must have a minimum inner radius of 10mts.

North East Water

36. The owner of the subject land (or applicant in anticipation of becoming the owner) is required to enter into a legal agreement with North East Water detailing the works to be constructed, and other requirements to be met, necessary for the provision of reticulated water supply to each of the lots and proposed dwellings, within the development, at the owners cost, to the satisfaction of North East Water, provided:

- (a) where the development is staged, a number of agreements may be required for separate stages; and
- (b) each agreement must be in accordance with North East Water policy and requirements applying at the time of entry into the relevant agreement.

37. The owner of the subject land (or applicant in anticipation of becoming the owner) is required to enter into a legal agreement with North East Water detailing the works to be constructed and other requirements to be met, necessary for the provision of reticulated sewerage services to each of the lots and proposed dwellings, within the development, at the owners cost, to the satisfaction of North East Water, provided:

- (a) where the development is staged, a number of agreements may be required for separate stages; and
- (b) each agreement must be in accordance with North East Water policy and requirements applying at the time of entry into the relevant agreement.

38. Where the development (including any subdivision) occurs in stages the availability of water supply and sewerage services may be delayed having regard to NEW system capacity, conditions in relation to which shall be detailed in the relevant agreement for water supply and/or sewerage services.

39. The works required to be constructed for the provision of water supply and sewerage services must include, where so required by and to the satisfaction of, North East Water:

- (a) works external to the subject land to allow connection to the North East Water water supply and sewerage systems
 - (b) the vesting at no cost of such of those works required by North East Water, to North East Water (“Developer Works”); and
 - (c) works to ensure compatibility with and allowance for, other developments being served through existing and future North East Water infrastructure, including the Developer Works
 - (d) internal or private works within the development, in accordance with applicable plumbing standards and providing adequate pressure and service levels.
40. Any modification to the development approved under this permit, including an increase or decrease in the number of dwellings or lots (or both) or the inclusion of additional land, requires the further consent of and may be subject to modified conditions, to the satisfaction of, North East Water.
 41. Prior to the issue of a Statement of Compliance, the applicant must pay a new customer contribution determined in accordance with North East Water’s policy for development charges applicable to the water supply system currently servicing the area in which the subject land is located.
 42. Prior to the issue of a Statement of Compliance, the applicant must pay a new customer contribution determined in accordance with North East Water’s policy for development charges applicable to sewers and disposal systems currently servicing the area in which the subject land is located.
 43. The applicant must create easements to the satisfaction of and in favour of North East Water, over all existing and proposed sewerage facilities within the proposed subdivision.
 44. The applicant must ensure that private water services do not traverse property boundaries and are independently supplied from a point of supply approved by North East Water.
 45. The applicant must provide easements through other land, to the satisfaction of North East Water, if such easements are considered necessary for the efficient and economic servicing of the subject land.
 46. That the applicant pays applicable charges determined in accordance with North East Water’s policy for development charges, applicable from time to time towards North East Water’s sewers and disposal systems servicing the area to which the permit applies.
 47. Where the subject land is developed in stages, the North East Water conditions will apply to any subsequent stage of the subdivision.
 48. Where an easement created in favour of North East Water is located within a proposed road reserve in a future stage, prior to the certification of the plan of subdivision for that stage, the applicant must formally remove the easement from the title to the land.
 49. North East Water’s consent to the issue of a Statement of Compliance under the *Subdivision Act 1988* is conditional upon completion of all works, and meeting all requirements set out in this permit and any relevant agreement with, North East Water.
 50. The plan of subdivision for certification must be referred to North East Water in accordance with Section 8 of the *Subdivision Act 1988*.

Ausnet Services

51. The Plan of Subdivision submitted for certification must be referred to AUSNET ELECTRICITY SERVICES PTY LTD in accordance with Section 8 of the *Subdivision Act 1988*.
52. The applicant must:
- Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for supply of electricity to each lot on the endorsed plan.
 - Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for the rearrangement of the existing electricity supply system.
 - Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by AUSNET ELECTRICITY SERVICES PTY LTD.
 - Provide easements satisfactory to AUSNET ELECTRICITY SERVICES PTY LTD for the purpose of “Power Line” in the favour of “AUSNET ELECTRICITY SERVICES PTY LTD” pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing AUSNET ELECTRICITY SERVICES PTY LTD electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
 - Obtain for the use of AUSNET ELECTRICITY SERVICES PTY LTD any other easement required to service the lots.
 - Adjust the position of any existing AUSNET ELECTRICITY SERVICES PTY LTD easement to accord with the position of the electricity line(s) as determined by survey.
 - Set aside on the plan of subdivision Reserves for the use of AUSNET ELECTRICITY SERVICES PTY LTD for electric substations.
 - Provide survey plans for any electric substations required by AUSNET ELECTRICITY SERVICES PTY LTD and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AUSNET ELECTRICITY SERVICES PTY LTD requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the *Transfer of Land Act* prior to the registration of the plan of subdivision.
 - Provide to AUSNET ELECTRICITY SERVICES PTY LTD a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
 - Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AUSNET ELECTRICITY SERVICES PTY LTD. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the *Electricity Safety Act 1998*.
 - Ensure that all necessary auditing is completed to the satisfaction of AUSNET ELECTRICITY SERVICES PTY LTD to allow the new network assets to be safely connected to the distribution network.

Permit Expiry

53. This permit will expire if one of the following circumstances applies:

- a) Stage 1 of the plan of subdivision is not certified within two years of the date of this permit
- b) Stage 2 of the plan of subdivision is not certified within four years of the date of this permit; or
- c) Any further stage of the plan of subdivision is not certified within six years of the date of this permit; or
- d) Each stage of the plan of subdivision is not registered at Land Registration Services within five years of the certification of the respective stage.

The Responsible Authority may extend the time for the completion of part (a) and/or (b) if a request is made in writing before the permit expires or within six months afterwards.

Advice Notes:

1. The granting of this permit does not obviate the necessity for compliance with the requirements of any other authority under any act, regulation or local law.
2. An asset protection permit is required prior to the commencement of any works on site.
3. Before undertaking any works that cross onto public land or roads, the permit holder must obtain a permit from the relevant authority giving Consent to Work within a Road Reserve.
4. This permit does not authorise the commencement of any demolition works. Before any such development may commence, the applicant must apply for and obtain appropriate building permit approval.

Department of Energy, Environment and Climate Change Note:

5. Offset requirements are determined in accordance with DELWP (2017) Guidelines for the removal, destruction or lopping of native vegetation. Proposed offset sites must meet eligibility requirements including land use, bushfire risk, quality of vegetation and size of revegetation site. Please visit <https://www.environment.vic.gov.au/native-vegetation/native-vegetation> for further information.

Carried

It is recorded that the vote was tied, and the Chair used his casting vote. The motion was **Carried**.

2. Building and Planning Approvals – June 2023

The report details planning permit applications and building approvals for June 2023.

Cr Hearn / Cr Firth:

That the report be noted.

Carried

3. 2023/24 Quick Response Grants Program

The report presents funding applications for 2023/24 Quick Response Grants.

Cr Gunaratne / Cr Davis:

That a \$500 grant from the 2023/2024 Quick Response Grant program be allocated to the Swanpool Community Cinema.

Carried

4. Urgent Business

No urgent business was submitted to the meeting.

Closure of Meeting

The Committee meeting closed at 6.10pm.

3.2 Assemblies of Councillors, Advisory and External Committees

Under Council's *Governance Rules 2020* the Chief Executive Officer is required to provide a written record of the Assemblies of Councillors at a scheduled Council Meeting.

The record of Assemblies of Councillors since the report presented at the meeting on 28 June 2023 are attached as **Appendix 1**.

Copies of the Minutes from the following meetings have been provided to councillors under separate cover.

June 2023

5 June 2023	Benalla Local Safety and Traffic Liaison Committee
6 June 2023	Accessibility Reference Group
7 June 2023	Communications Advisory Committee
7 June 2023	Assembly of Councillors Briefing
20 June 2023	Audit and Risk Committee
21 June 2023	Assembly of Councillors Briefing
27 June 2023	Assembly of Councillors Briefing

Recommendation:
That the report be noted.

This page intentionally left blank

Record of Assemblies of Councillors, Advisory and External Committees

June 2023

Benalla Local Safety and Traffic Committee

2pm Monday 5 June 2023, Civic Centre (Council Meeting Room), 13 Mair Street, Benalla.

Chair:	Adrian Gasperoni	Manager Assets and Infrastructure
Committee:	Councillor Bernie Hearn (Mayor)	Council Representative
	Councillor Justin King	Council Representative
	Lisa Aitkinson	Victoria Police
	Mark Byers	Victoria Police
	Karlyne Carr	Victoria Police
	Sean Carter	Regional Roads Victoria
	Kylie Cotter	Benalla P-12 College
	Gavin Duncan	Victoria Police
	David Gillespie	Victoria Police
	Fran Gottschling	Victoria Police
	Shaun Hillier	Victoria Police
	Shaun Mason	FCJ College Benalla
	David Morrow	Cooinda Village
	Sina Rezadad	Regional Roads Victoria
	John Stafford	Regional Roads Victoria
	Cristy Webb	Regional Roads Victoria
In attendance:	Briana Beggs	Administration Officer
	Kerri Croxford	Victoria Police
	Marty Nichols	Victoria Police
Apologies:	Councillor Justin King, Mark Byers, Karlyne Carr, Kylie Cotter, Gavin Duncan, David Gillespie, Fran Gottschling, Shaun Hillier, Shaun Mason, David Morrow, John Stafford, Cristy Webb.	

Conflicts of Interest disclosed: Nil

Items discussed:

1. Inland Rail Project Update
2. Review of Action Sheet
3. Project Updates
4. Opportunities to Work Together / General Business

Accessibility Reference Group

10.30am Tuesday 6 June 2023, Sir Edward 'Weary' Dunlop Learning Centre Benalla Library

Chair:	Sheryle Stubbs	Community Representative
Committee:	Councillor Bernie Hearn (Mayor)	Council Representative
	Councillor Don Firth	Council Representative
	Councillor Gail O'Brien	Council Representative
	Fiona Ashcorft	Intereach
	Annemarie Broughton	Community Representative
	Amanda Challis	Community Representative
	David Horan	Community Representative
	Cheryl-Anne Menere	Community Representative
	Keith Menere	Community Representative
	Joan Vance	Community Representative
In attendance:	Tom Arnold	Community Development Coordinator
	Janine Brooks	Community Development Officer
Apologies:	Amanda Challis, Cr Don Firth, Joan Vance, Annemarie Broughton	

Conflicts of Interest disclosed: Nil

Items discussed:

1. Business Arising
2. Accessible Business Campaign – BRCC Economic Development
3. National Volunteer Week: 15-21 May 2023
4. Draft Terms of Reference
5. Disability Action Plan
6. Tourism North East Forum – Accessibility and Inclusivity in Victoria's High Country
7. Community Connect – Open Forum Other Business
8. Actions Pending

Communications Advisory Committee

1.30pm Wednesday 7 June 2023, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

Chair Councillor Bernie Hearn (Mayor)

Councillors Councillor Danny Claridge

Councillor Peter Davis

In attendance Dom Testoni Chief Executive Officer

Courtney Naughton Manager Economic Development and Sustainability

Grant Banks Communications and Engagement Coordinator

Tracey Beaton Executive Coordinator

Apologies: Dom Testoni and Courtney Naughton

Conflicts of Interest disclosed: Nil

Items discussed:

1. Review of actions from meeting held 3 May 2023
2. Media highlights from the previous month
3. Hive activity for the previous month
4. Youth Engagement Update
5. General Business

Assembly of Councillors

5.30pm Wednesday 7 June 2023, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

Councillors

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

In attendance

Dom Testoni	Chief Executive Officer
Robert Barber	General Manager Corporate
Jane Archbold	Manager Community
Courtney Naughton	Manager Economic Development and Sustainability
Alison Angus	Tourism Coordinator
Tom Arnold	Community Development Coordinator
Grant Banks	Communications and Engagement Coordinator
Sharon Geer	Events Coordinator

Apologies: Councillor Justin King

Conflicts of Interest disclosed: Item 1 – Councillor Bernie Hearn and Councillor Punarji Hewa Gunaratne

Items discussed:

1. Presentation: Lochard Energy
2. Proposed 2023/24 Budget – Consideration of Submissions
3. Procurement Policy Review
4. Collaborative Digital Transformation Project Update
5. North Benalla Shared Path Project Update

Audit and Risk Committee Meeting

5pm Tuesday 20 June 2023, Civic Centre (Council Meeting Room), 13 Mair Street, Benalla.

Chair Mr Cameron Gray

Committee Councillor Danny Claridge

Councillor Peter Davis

Mr Michael Hedderman

Ms Rita Ruyters

Mr Justin Reid

In attendance Dom Testoni Chief Executive Officer

Robert Barber General Manager Corporate

Cathy Fitzpatrick Manager Finance

Janine McMaster Manager People Performance

Internal Auditor Brad Ead AFS

External Auditor Jason Gilbert Crowe

Apologies: Nil

Conflicts of Interest disclosed: Nil

Items discussed:

1. Benalla Rural City Council Audit Strategy Memorandum and Interim Management Letter
2. Meeting with Auditors
3. Internal Audit Program
4. Risk Management Update
5. Procurement Update
6. Audit and Risk Committee Report to Council 2022/23
7. Reports From Regulatory and Integrity Agencies
8. Audit and Risk Committee Miscellaneous Items
9. General Business

Assembly of Councillors

5.30pm Wednesday 21 June 2023, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

Councillors

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

In attendance

Dom Testoni	Chief Executive Officer
Robert Barber	General Manager Corporate
Jane Archbold	Manager Community
Courtney Naughton	Manager Economic Development and Sustainability
Alison Angus	Tourism Coordinator
Tom Arnold	Community Development Coordinator
Catherine Macmillian	Business Development Coordinator

Apologies:

Conflicts of Interest disclosed:

Items discussed:

1. Presentation: Sponsor Skilled Afghan Refugees with Humanitarian Visas in North East Victoria
2. Fawckner Drive Precinct Update
3. *Benalla Rural City Council Ageing Well Strategy Action Plan 2023-2025*
4. Appointment of Committee Members to Benalla Street Art Advisory Committee
5. Benalla Indoor recreation Centre (BIRC) Redevelopment Update

Assembly of Councillors

11am Tuesday 27 June 2023, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

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

In attendance Dom Testoni Chief Executive Officer

Apologies: Nil

Conflicts of Interest disclosed: Nil

Items discussed:

1. Presentation: Australian Rail Track Corporation (ARTC)

Officer Reports

4.1 Authorisation of Signing and Sealing of Documents

This page intentionally left blank

4.2 2023/24 Quick Response Grants Program

SF/2857

Tom Arnold – Community Development Coordinator
Jane Archbold – Manager Community

PURPOSE OF REPORT

The report presents funding applications for 2023/24 Quick Response Grants.

BACKGROUND

The Quick Response grant program enables local community groups, clubs and organisations to seek funding to increase their capacity to work in partnership with the Council and others to address local needs and enhance the local community.

The program distributes grants up to \$500 allowing local clubs, groups and organisations the opportunity to seek funds when the need arises.

DISCUSSION

Applications for consideration under the 2023/24 Quick Response Grant program are detailed in the table below.

Applicant	Details	Amount Requested	Proposed Assistance
Parents and Friends Association – Australian Christian College	<p>The Parents and Friends group seek funding to host a Bush Dance at the Town Hall.</p> <p>The Parents and Friends group has been recently established to support families and improve wellbeing of some of the children. The dance provides an opportunity for the school community to come together and raise money to support families in need from the school.</p> <p>Funding will go towards hall hire, catering and entertainment.</p>	\$500	\$500
Total		\$500	\$500

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

- *A healthy, Safe and resilient community.*
- *A connected, involved and inclusive community.*

Leadership

- *Engaged and informed community.*

COMMUNITY ENGAGEMENT

In accordance with the Council’s *Community Engagement Policy*, it is proposed that community engagement be undertaken at the ‘Inform’ level under the International Association for Public Participation’s IAP2 public participation spectrum.

Level of Public Participation	Promise to the community	Techniques to be used
Inform	We will provide information	<ul style="list-style-type: none"> ▪ Promotion of program via media, website and social media. ▪ Program presented in public reports to the Council. ▪ Outcomes advised directly to applicants. ▪ Outcomes detailed in Annual Report.

FINANCIAL IMPLICATIONS

The *2023/24 Budget* allocates \$15,000 to the Quick Response Grant program. To date, \$500 in Quick Response Grant funding has been allocated.

To ensure transparency and accountability, where assistance is provided in meeting the cost of Council facility hire, the payment is reflected in relevant ledger accounts via an internal transaction.

For example, if the Council agrees to meet the hire cost of the Benalla Town Hall a credit would be made to the Town Hall income ledger account and a debit made to the Annual Grant Program expense ledger account.

In addition, recipients of support throughout the financial year are detailed in the Annual Report.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

Recommendation:

1. That \$500 grant from the 2023/2024 Quick Response Grant program be allocated Parents and Friends Association – Australian Christian College.

4.3 Mayor and Councillors’ attendance at Committees and Civic Functions

SF/1557

Tracey Beaton – Executive Coordinator

The Mayor and Councillors, listed in alphabetical order, attended meetings and events as detailed below during the period from 19 June 2023 to 23 July 2023.

Councillor Danny Claridge	
20 June	Benalla Family Research Group Meeting
	Airport Advisory Committee Meeting
	Audit and Risk Committee Meeting
21 June	Councillor Only Time
	Assembly of Councillors – Business Review
22 June	Climate and Environment Strategy Goorambat Workshop
26 June	Climate and Environment Strategy Benalla Workshop
27 June	ARTC Briefing - Inland Rail Works at Benalla Station
28 June	Councillor Only Time
	Council Meeting

Councillor Peter Davis	
20 June	Audit and Risk Committee Meeting
21 June	Councillor Only Time
	Assembly of Councillors – Business Review
22 June	Climate and Environment Strategy Goorambat Workshop
27 June	ARTC Briefing - Inland Rail Works at Benalla Station
28 June	Councillor Only Time
	Council Meeting
18 July	Audit and Risk Committee Training Session
19 July	Councillor Only Time
	Communications Advisory Committee Meeting
	Finance and Planning Committee Meeting

Councillor Don Firth	
20 June	New Accessibly Reference Group Members Meet n Greet
21 June	Councillor Only Time
	Assembly of Councillors – Business Review
22 June	Climate and Environment Strategy Goorambat Workshop
27 June	ARTC Briefing - Inland Rail Works at Benalla Station
28 June	Councillor Only Time
	Council Meeting
4 July	NAIDOC Flag Raising Ceremony and Smoking Ceremony
19 July	Councillor Only Time
	Finance and Planning Committee Meeting

Councillor Punarji Hewa Gunaratne	
21 June	Assembly of Councillors – Business Review
23 June	Municipal Association of Victoria Meeting Procedures Workshop
27 June	ARTC Briefing - Inland Rail Works at Benalla Station
19 July	Finance and Planning Committee Meeting
23 July	Benalla Lions Club Junior Public Speaking Competition

Mayor Councillor Bernie Hearn	
19 June	Early Childhood Budget and Reform Briefing Session with The Hon. Ingrid Stitt MP
20 June	New Accessibly Reference Group Members Meet n Greet
	Aboriginal Advisory Group Meeting
	Climate and Environment Strategy Swanpool Workshop
21 June	Councillor Only Time
	Assembly of Councillors – Business Review
22 June	Climate and Environment Strategy Goorambat Workshop
	Rotary Club of Benalla Changeover Dinner
26 June	Climate and Environment Strategy Benalla Workshop
27 June	ARTC Briefing - Inland Rail Works at Benalla Station
28 June	Councillor Only Time
	Opening of Benalla Clothing Swap Event
	Council Meeting
4 July	NAIDOC Flag Raising Ceremony and Smoking Ceremony
14 July	Rural Councils Victoria Forum
17 July	Public Hearing - House of Representatives Standing Committee on Regional Development, Infrastructure and Transport
18 July	Meet the CEO and Trustees of the Helen Macpherson Smith Trust (HMST) – Tomorrow Today
19 July	Councillor Only Time
	Communications Advisory Committee Meeting
	Finance and Planning Committee Meeting

Councillor Justin King	
20 June	Climate and Environment Strategy Swanpool Workshop
21 June	Councillor Only Time
	Assembly of Councillors – Business Review
26 June	Climate and Environment Strategy Benalla Workshop
27 June	ARTC Briefing - Inland Rail Works at Benalla Station
28 June	Councillor Only Time
	Council Meeting
4 July	NAIDOC Flag Raising Ceremony
11 July	WIN News Interview
19 July	Councillor Only Time
	Finance and Planning Committee Meeting
20 July	Benalla Festival 2023 Sponsorship Opportunities Meeting

Councillor Gail O’Brien	
21 June	Assembly of Councillors – Business Review
23 June	Municipal Association of Victoria Meeting Procedures Workshop
26 June	Climate and Environment Strategy Benalla Workshop
27 June	ARTC Briefing - Inland Rail Works at Benalla Station
28 June	Councillor Only Time
	Council Meeting
30 June	Launch of Interwoven: Stories of Country from North and South - Benalla Art Gallery
4 July	NAIDOC Flag Raising Ceremony and Smoking Ceremony
19 July	Councillor Only Time
	Finance and Planning Committee Meeting

Recommendation:
That the report be noted.

4.4 Council Actions Pending

Council Actions Pending are detailed in **Appendix 1**.

<p>Recommendation: That the report be noted.</p>

This page intentionally left blank

Council Actions Pending

Action No.	Meeting Name	Item	Action	Officer	Status/notes
1.	Council Meeting 28-June-23	4.6	Fawckner Drive Precinct Masterplan That the draft <i>Benalla Fawckner Drive Masterplan</i> be endorsed for public exhibition for a period of at least 28 days.	MC	Public exhibition closing 5pm Friday 11 August 2023.
2.	Council Meeting 28-June-23	4.5	Benalla Art Gallery Committee Terms of Reference Review That the <i>Benalla Art Gallery Terms of Reference</i> be adopted.	MEDAS	Completed
3.	Council Meeting 28-June-23	4.4	Procurement Policy Review 1. That the <i>Procurement Policy</i> be adopted. 2. That the <i>Procurement Policy</i> be reviewed by June 2025.	MF	Completed
4.	Council Meeting 28-June-23	4.2	Audit and Risk Committee 2022/23 Activity Report That the <i>Audit and Risk Committee 2022/23 Activity Report</i> be accepted.	GMC	Completed
5.	F&P Committee 14-June-23	2	Proposed Discontinuance of Roads at Flynn's Road and Lee Road Railway Crossings, Winton North That Council, acting under clause 3 of Schedule 10 of the <i>Local Government Act 1989 (Act)</i> : 1. Having following all the required statutory procedures pursuant to sections 207A and 223 of the Act, and being of the opinion that the government roads at Flynn's Road and Lee Road railway crossings, Winton North, being the land shown highlighted red on the locality plan attached to this report as Appendix 1 (Roads), are not reasonably required for public use for the reasons set out in this report, resolves that the Roads be discontinued. 2. Directs that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the Act is to be published in the Victoria Government Gazette. 3. Directs that any public rights or interests required to be created or saved over the Roads by any authority be done so and not be affected by the discontinuance of the Roads.	MAI	1. Completed 2. Completed 3. Completed

Action No.	Meeting Name	Item	Action	Officer	Status/notes
6.	Council Meeting 24-May-23	4.3	<p>Establishment of the <i>Benalla Street Art Advisory Committee</i></p> <ol style="list-style-type: none"> 1. That the <i>Benalla Street Art Advisory Committee</i> be established. 2. That the <i>Benalla Street Art Advisory Committee Terms of Reference</i> be adopted. 3. That Cr Firth and Cr O'Brien be appointed as the councillor representatives on the <i>Benalla Street Art Advisory Committee</i> for the 2022/23 Council year. 4. That an expression of interest process be undertaken to obtain representatives from key stakeholder groups and community representatives to join the <i>Benalla Street Art Advisory Committee</i>. 	MEDAS	<ol style="list-style-type: none"> 1. Completed 2. Completed 3. Completed 4. Completed
7.	F&P Committee 10-May-23	5	<p>Assets and Infrastructure Department Activity Report For The Quarter Ended 31 March 2023</p> <ol style="list-style-type: none"> 1. That the report be noted. 2. That the proposed <i>Additional Commercial Customer Access Card</i> and <i>Replacement Commercial Access Card</i> fees of \$30 be placed on public exhibition for a period for at least 28 days. 	MAI	<ol style="list-style-type: none"> 1. Completed 2. Completed
8.	Council Meeting 19-Apr-23	4.4	<p><i>Climate Change Adaptation Action Plan 2013-2025</i> and the <i>Environment Strategy 2016-2020</i> Review</p> <ol style="list-style-type: none"> 1. That the report be noted. 2. That a draft <i>Benalla Rural City Council Climate and Environment Strategy</i> be developed. 3. That the <i>Benalla Rural City Council Climate and Environment Strategy Communications and Stakeholder Engagement Plan</i> be endorsed. 	MEDAS	<ol style="list-style-type: none"> 1. Completed 2. In progress 3. Completed

Action No.	Meeting Name	Item	Action	Officer	Status/notes
9.	Council Meeting 15-Mar-23	4.2	<p>Proposed Tesla Carpark Lease</p> <ol style="list-style-type: none"> 1. That submissions be received. 2. That in-principle support be given to the installation of an electric vehicle supercharger in the carpark at the rear of 49-59 Smythe Street, Benalla. 3. That licence agreement negotiations be finalised with Tesla Motors Australia Pty Ltd for the use and occupancy of land at the rear of 49-59 Smythe Street, Benalla. 4. That a report on licence agreement negotiations be presented to the Finance and Planning Committee meeting on 5 April 2023. 5. That submitters be advised of the Council's decision. 	MEDAS	<ol style="list-style-type: none"> 1. Completed 2. Completed 3. Completed 4. Negotiations are continuing. Report expected in August 2023. 5. Completed
10.	F&P Committee 1-Mar-23	3	<p>Planning Scheme Review Amendment – Benalla Planning Scheme Review</p> <p>That Council resolves to:</p> <ol style="list-style-type: none"> 1. Note and forward the <i>Benalla Planning Scheme Review 2022</i> to the Minister for Planning in accordance with Section 12B (5) of the <i>Planning and Environment Act 1987</i>. 2. Seek assistance from Regional Planning Hubs to prepare and exhibit a planning scheme amendment to implement the <i>Benalla Planning Scheme Review 2022</i>. 	MD	<ol style="list-style-type: none"> 1. Completed 2. In progress
11.	F&O Committee 27-Jul-22	2.	<p>Presentation: Benalla Centrelink Campaign</p> <ol style="list-style-type: none"> 1. That the Council reach out to Centrelink to send a representative to present to the Council. 2. That the Council continue to advocate to the Federal Government for the re-opening of the Benalla Centrelink and National Disability Insurance Agency (NDIA) offices. 	CEO	<ol style="list-style-type: none"> 1. In progress 2. Meeting held with Minister for NDIS and Minister for Government Services Hon Bill Shorten MP. Continuing to advocate.

Action No.	Meeting Name	Item	Action	Officer	Status/notes
12.	F&O Committee 15-Jun-22	9.	<p><i>Financial Hardship Policy Review</i></p> <p>1. That the <i>Financial Hardship Policy</i> be adopted.</p> <p>2. That the <i>Financial Hardship Policy</i> be reviewed once the <i>Local Government legislation Amendment (Rating Reform and Other Matters) Bill 2022</i> becomes legislation.</p>	MF	<p>1. Completed</p> <p>2. Legislation has been passed. A report will be presented once further clarification has been received.</p>

5. Reports by Councillors

Recommendation:
That the report(s) be noted.

6. Notices of Motion

7. Notices of Rescission Motion

8. Urgent Business

Business can only be admitted as urgent business by resolution of the council, and only then if it:

- relates to or arises out of a matter which has arisen since distribution of the agenda; and
- cannot be deferred until the next Council Meeting without having a negative impact on the Council, the municipality or the local community; and
- cannot be addressed through the Customer Request Management System.

A Councillor proposing that a matter be admitted as urgent business must lodge it in writing with the Chief Executive Officer by 4pm on the day of the meeting.

The Chief Executive Officer will advise the Mayor of any matter that the Chief Executive Officer determines appropriate for the Council to consider admitting as urgent business.

This page intentionally left blank

Confidential Business

It is proposed that the following items be considered in confidential business pursuant to the *Local Government Act 2020* as they contain personal information or private commercial information that would result in the unreasonable disclosure of information about a person, their personal affairs or expose the business, commercial or financial undertaking if released:

- 9.1 Tender: Project Collaborative Digital Innovation (CODI)
- 9.2 Confidential Reports by Councillors
- 9.3 Confidential Council Actions Pending

Recommendation:

That the meeting be closed to the public for the consideration of the confidential business item noted above pursuant to Sections 3(1) and Section 66(2)(a) of the *Local Government Act 2020*.

This page intentionally left blank

10. Reopening of the meeting to the public

Recommendation:

That the meeting be reopened to the public.

Closure of the meeting