

Finance and Planning Committee

Agenda

Date: Wednesday 1 March 2023

Time: 6pm

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

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In accordance with Rule 6.4 of the *Governance Rules 2020* an audio recording will be made of the proceedings of the meeting.

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Agenda

Chair Councillor Danny Claridge

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

In attendance

Dom Testoni	Chief Executive Officer
Robert Barber	General Manager Corporate
Adrian Gasperoni	Manager Assets and Infrastructure
Courtney Naughton	Manager Economic Development and Sustainability
Greg Robertson	Manager Facilities and Information Technology
Nilesh Singh	Manager Development
Jessica Beaton	Governance Coordinator
Nathan Gasperoni	Economic Sustainability Officer
Joel Ingham	Planning Coordinator
Eric Nash	Benalla Art Gallery Director

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.

Apologies

Recommendation:

That the apology/ies be accepted and a leave of absence granted.

Governance Matters

This Committee 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.

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 Finance and Planning Committee Meeting held on Wednesday 1 February 2023 be confirmed as a true and accurate record of the meeting.

Business

1. Planning Application For The Construction Of Two Dwellings In Addition To The Existing And A Three Lot Subdivision – 15 Dunn Street, Benalla

DA6602

Joel Ingham – Planning Coordinator

Nilesh Singh – Manager Development

PURPOSE OF REPORT

The report assesses a planning application received for the construction of two dwellings to the rear of an existing dwelling and a three lot subdivision at 15 Dunn Street, Benalla.

BACKGROUND

Site Address	15 Dunn Street, Benalla
Existing Use	Single storey weatherboard dwelling with a pitched metal roof
Proposal	Construction of two dwellings to the rear of an existing dwelling and a three lot subdivision.
Applicant	Mr Harrison Moran
Zone	General Residential Zone (GRZ)
Overlays	Nil
Referrals	Internal: Engineering
Date Received	1 August 2022

PROPOSAL

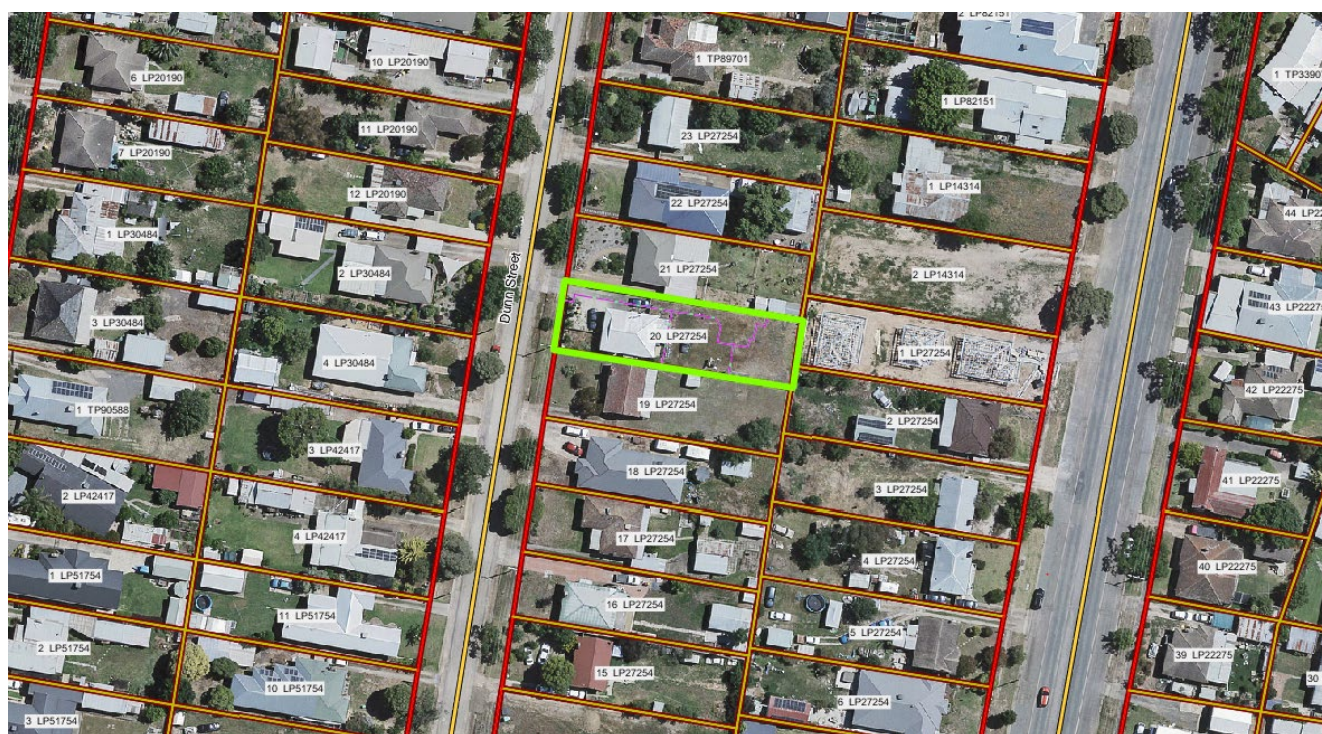
The applicant is seeking to construct two dwellings to the rear of the existing dwelling and a three lot subdivision. The proposal will have the following characteristics:

Dwelling No.	Setback	Dwelling Height	Bedrooms	Secluded Private Open space area m ²	No. Car spaces
Existing Dwelling	9m from the west boundary (Dunn Street), 1.6m from the south boundary and 5.49m from the north boundary.	Existing	3	40m ²	2
Dwelling 2	14m from the east boundary, 3.7m from the north boundary and 3.62m from the south boundary.	4.6m	2	40m ²	1
Dwelling 3	1m from the east boundary, 1.2m from the south boundary and 3.37m from the north boundary	4.6m	2	40m ²	1

- The existing dwelling has three bedrooms, lounge room, bathroom, kitchen, laundry and toilet. Two open car spaces on gravel are located to the west (Dunn Street frontage) of the site.
- Dwellings 2 will contain two bedrooms, toilet, bathroom, laundry, an open kitchen, dining and living area and a single carport.
- Dwelling 3 will contain two bedrooms, toilet, bathroom, laundry, an open kitchen, dining and living area and a single carport.
- All dwellings will be accessed via an existing crossover within the north-west corner of the site and a common property accessway along the north boundary.
- The dwellings will be constructed from a mixture of materials including face brickwork and weatherboard. The dwellings will contain pitched colorbond roofing.

The plans of the proposed development are provided in **Appendix 1**.

LOCALITY MAP



Site and Surrounds

An inspection of the site and the surrounding area has been undertaken.

The site is located on east side of Dunn Street, approximately 150 metres north of the intersection with Waller Street. The site is rectangular in shape, with a frontage to Dunn Street of 15.54 metres and a depth of 53.48 metres with an overall site area of 831 metres squared.

The land currently contains a single storey weatherboard dwelling with a pitched metal roof. Vehicle access into the site is obtained by a crossover and driveway within the north west corner of the site.

All surrounding land is located within a General Residential Zone. Land to the north, south and west of the site all contain single dwellings. Land to the east of the site which fronts onto Thomas Street contains one single dwelling and a multi-unit development containing three single storey dwellings.

Site History

Planning Permit No. P0171/17 was issued on 1 February 2018 for the construction of two single storey dwellings and a three lot subdivision for the subject site. The approved design is generally the same as the current proposal with the exception of some cosmetic design changes to the dwellings. The approval of P0171/17 has since lapsed which is the reason why a new planning application has been submitted.

Public Notification

The planning application was advertised in accordance with Section 52 of the *Planning and Environment Act 1987* by way of the following:

- placing a sign on the Dunn Street frontage of the site
- sending notices to all adjoining and opposite landowners and occupiers.

One objection was received which includes a petition containing 11 signatures to the application. The issues raised in the objection can be summarised as follows:

- Insufficient drainage and road development for current dwellings in the street.
- Excessive medium density housing in an evolving, family centered street.
- Insufficient parking on and off street for the additional dwellings.
- A decrease in property values.

Planning Scheme Provisions

Planning Policy Framework (PPF)

Clause 11.01-1R of the Planning Policy Framework relates to settlement for the Hume Region. A strategy for this clause is as follows:

- *Facilitate growth and development specifically in the regional cities of Shepparton, Wangaratta, Wodonga and Benalla.*

Clause 11.01-1L of the Planning Policy Framework relates to local settlement in Benalla and includes the following strategy

- *Encourage infill housing development that maintains the prevailing residential character*

Clause 11.02-1S of the Planning Policy Framework relates to 'Supply of urban land'. The objective of this Clause is as follows:

- *To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*

Clause 15.01-1S of the Planning Policy Framework relates to ‘Urban design’. The objective to this Clause is as follows:

- *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*

Clause 15.01-2S of the Planning Policy Framework relates to ‘Building design’. The objective to this Clause is as follows:

- *To achieve building design outcomes that contribute positively to the local context and enhance the public realm.*

Clause 15.01-5L of the Planning Policy Framework relates to Neighbourhood Character and includes the following strategy:

- *Support development that is consistent with the precinct controls identified in the Benalla Neighbourhood Character Study (Planisphere, 2002).*

Clause 16.01-1S of the Planning Policy Framework relates to ‘Housing Supply’. The objective to this Clause is as follows:

- *To facilitate well-located, integrated and diverse housing that meets community needs.*

Clause 16.01-3S of the Planning Policy Framework relates to ‘Housing diversity’. The objective to this Clause is as follows:

- *To provide for a range of housing types to meet diverse needs.*

Zone

The subject site is located within a General Residential Zone. The purpose of the General Residential 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 encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other nonresidential uses to serve local community needs in appropriate locations.*

Pursuant to Clause 32.08-3 of the Benalla Planning Scheme, a planning permit is required to subdivide land.

Pursuant to Clause 32.08-6 of the Benalla Planning Scheme, a planning permit is required for the construction or extension of two or more dwellings on a lot.

The proposal is required to be assessed against the objectives and standards outlined in Clause 55 (Multi-Unit Development) and Clause 56 (Residential Subdivision) of the Benalla Planning Scheme.

Particular Provisions – Clause 55 - Two or more dwellings on a lot

A development:

- Must meet all the objectives.
- Should meet all the standards.

A table outlining this assessment is detailed below:

✓ - Compliance x - Non compliance		Objectives	Standards	Comments
B1	Neighbourhood Character	✓	✓	<p>The surrounding area is characterised with a mixture of construction materials including brick and weatherboard. Roofing in the area is generally pitched and constructed from tiles or corrugated metal. Dwellings are generally setback at least 9m from the street frontage and have an open front garden setting to the street.</p> <p>The existing dwelling on the site will remain and as a result the front setback of 9m will not alter. A gravel area to the front of the site which provides for two car spaces will also remain. The proposed development will therefore have minimal impact to the streetscape as most of the alterations will be to the rear of the subject site.</p> <p>The proposed dwellings will be single storey, constructed of brick and will contain pitched colorbond roofs. These built forms and materials can be readily found in the surrounding area and it is considered that the proposal will be in keeping with the neighbourhood character of the surrounding area.</p>
B2	Residential Policy	✓	✓	Complies – The proposal provides for multi-unit development within an existing residential area that is fully serviced and will provide for development in keeping with the neighbourhood character of the surrounding area.
B3	Dwelling Diversity	✓	✓	Not applicable as there are less than ten dwellings.
B4	Infrastructure	✓	✓	The development will be connected to all reticulated services.

✓ - Compliance x- Non compliance		Objectives	Standards	Comments
B5	Integration with the Street	✓	✓	The development is provided with a common property accessway in which the proposed dwelling will fronts. The existing dwelling will remain and will not alter the appearance of the development to the streetscape.
B6	Street setback	✓	✓	The front setback of the existing dwelling is 9m which complies with the standard.
B7	Building Height	✓	✓	The height of the proposed buildings is 4.7m which complies with the 11m height limit.
B8	Site Coverage	✓	✓	Complies as it is less than 60% (38%)
B9	Permeability	✓	✓	Complies as permeability is greater than 20% (35%).
B10	Energy Efficiency	✓	✓	Living areas within both proposed dwellings have access to north facing windows to improve energy efficiency of the dwelling. West facing windows have been minimised to decrease the amount of heat into the house during summer months.
B11	Open Space	✓	✓	N/A – The subject site does not provide for communal open space and does not abut an area of public open space.
B12	Safety	✓	✓	All dwellings proposed are provided with adequate surveillance to the proposed common access and to Dunn Street.
B13	Landscaping	✓	x	A landscape plan has not been provided with the submission and will be required as a condition of the permit.
B14	Access	✓	✓	The applicant proposes to have one crossover into the site. This complies with the standard and reduces the amount of hardstand area within the frontage of the site.
B15	Parking Location	✓	✓	Complies
B17	Side and Rear Setbacks	✓	✓	All side and rear setbacks comply.
B18	Walls on Boundaries	✓	✓	Complies
B19	Daylight to Existing Windows	✓	✓	The development is adequately setback from adjoining dwellings to allow light into adjoining property windows in accordance with the standard.

✓ - Compliance x- Non compliance		Objectives	Standards	Comments
B20	North-Facing Windows	✓	✓	The proposal is adequately setback from adjoining dwellings north facing windows to comply with the standard.
B21	Overshadowing Open Space	✓	✓	Shadow diagrams submitted with the application show that the proposed development complies with the overshadowing requirements.
B22	Overlooking	✓	✓	Complies
B23	Internal Views	✓	✓	Complies
B24	Noise Impacts	✓	✓	Complies
B25	Accessibility	✓	✓	Complies
B26	Dwelling Entry	✓	✓	Each dwelling will be provided with its own sense of identity to the street of internal common accessway.
B27	Daylight to New Windows	✓	✓	All habitable room windows meet or exceed minimum requirements.
B28	Private Open Space	✓	x	<p>The minimum dimensions of secluded private open space areas for each dwelling comply with the requirements to the standard providing a minimum area of 25m² with a minimum dimension of 3m.</p> <p>This standard also requires that the secluded private open space area has a direct connection to a living area within all of the dwellings. A condition of the permit will require a direct connection between the living areas of the dwelling to the secluded private open space areas.</p> <p>In addition, the secluded private open space for the existing dwelling will be pushed within the front setback of the site which will require a high front fence to screen it. Although this is discouraged by the standard, the high front fence will only take up a 5.1m portion of the frontage and will not interfere with the entrance of the dwelling to the street. For the above reason it is considered that the secluded private open space areas are adequate subject to the condition referred to above.</p>

✓ - Compliance x- Non compliance		Objectives	Standards	Comments
B29	Solar Access to Open Space	✓	x	The private open space areas to the existing Dwelling and Dwelling 2 complies with the standard. The private open space to Dwelling 1 which is south facing to the proposed to the dwelling does not comply with the minimum width dimensions to allow for adequate solar access to the area. The secluded private open space to this area however is well in excess of the 25m ² required which will increase the useability of this space to an acceptable level.
B30	Storage	✓	✓	Complies.
B31	Design Detail	✓	✓	The design of the proposed dwellings which will be single storey and constructed from brick with a pitched metal roof will be in keeping with the form and materials of dwellings in the surrounding area. It is considered that this built form will be in keeping with the appearance of the development within its streetscape setting.
B32	Front Fences	✓	x	A partial front fence will be proposed within the south west corner of the site to enclose the secluded private open space area for the existing dwelling. This fence is considered adequate as it only encloses a small portion of the frontage and maintains an open street frontage to the entrance of the existing dwelling.
B33	Common Property	✓	✓	The only common property is the internal access road.
B34	Site Services	✓	✓	Complies.

In summary, the proposal is considered to generally address the objectives and requirements of Clause 55 as follows:

- The proposal is considered to complement the existing character of the area.
- A landscaping plan has not been provided. This can be required as a condition of approval.
- The site will not cause any unreasonable detriment to adjoining properties.
- The site will provide appropriate on site amenity for future occupants subject to conditions.
- Car parking and access is functional.

The site can be provided with all site facilities and services.

Particular Provisions – Clause 56 – Residential Subdivision

A development:

- Must meet all the objectives.
- Should meet all the standards.

A table outlining this assessment is detailed below:

√ - Compliance X - Non compliance		Objectives	Standards	Comments
C6	Neighborhood Character	✓	✓	The proposed subdivision is considered to be typical of a multi-unit development and the layout of the subdivision complies with the general dwelling requirements to Clause 55 of the planning scheme.
C7	Lot diversity and distribution	✓	✓	The proposed subdivision increases density within an existing urban area providing a diversity of choice.
C8	Lot area and building envelopes	✓	✓	All lots provide for a dwelling that can comply with Clause 55 of the planning scheme subject to conditions.
C9	Solar orientation	✓	✓	The subdivision design enables appropriate solar exposure to the living areas of each dwelling. Dwelling 2 provides for south facing private open space the does not comply with the minimum dimension to allow solar access, however the size of this open space will allow this area to be functional and useable.
C10	Street orientation	✓	✓	The lot to the front of the site contains the existing dwelling which is orientated to front Dunn Street. All other lots proposed will be orientated to front the common property accessway which is a normal characteristic of multi-unit development.
C11	Common area	✓	✓	The proposed subdivision contains a common area access for all lots proposed. Future owners will form part of a body corporate to maintain this area.
C12	Integrated urban landscape	x	x	A Landscape design has not been submitted with the proposal. This can become a condition of any permit that may issue.
C15	Walking and cycle network	✓	✓	The proposal is not extensive enough to require walking and cycling tracks.

√ - Compliance X - Non compliance		Objectives	Standards	Comments
C17	Neighbourhood street network	✓	✓	The proposal is not extensive enough to require a street network.
C18	Walking and cycling network detail	✓	✓	Not applicable
C20	Neighbourhood street network detail	✓	✓	Not applicable
C21	Lot Access	✓	✓	The proposal has been referred to Council's Engineering Unit who advise of no objection to the proposal subject to conditions. All dwellings will allow for vehicles to enter and exit the site in a forward direction.
C22	Drinking Water supply	✓	✓	The subject site will be connected to reticulated water.
C23	Reused and Recycled water	✓	✓	Complies
C24	Waste Water Management	✓	✓	Reticulated sewer will be connected to all lots.
C25	Urban Run-off management	✓	✓	Stormwater runoff from all allotments will be directed to the existing drainage network. The proposal has been referred to Council's Engineering Unit who advise of no objections subject to complying with the drainage requirements of the Infrastructure Design Manual.
C26	Site management	✓	✓	This can become a condition of a permit with regard to a construction management plan should one issue.
C27	Shared trenching	✓	✓	Shared trenching will be utilized where appropriate.
C28	Electricity, telecommunications and gas	✓	✓	New allotments will be connected to electricity, telecommunications and gas.
C29	Fire Hydrants	✓	✓	A condition of any permit can require a fire hydrant to be provided in the case that the fire hydrant is more than 120m from the rear of the site.
C30	Public lighting	✓	✓	Existing public lighting is sufficient to serve this proposal.

Referrals

Internal referrals/notices required by the Planning Scheme:

External Council Referrals	Advice/Response/Conditions
North East Water	No objection subject to conditions
Ausnet	No objection subject to conditions
APA Group	No objection
Internal Council Referrals	Advice/Response/Conditions
Engineering	No objection subject to conditions

Objector’s Concerns

Insufficient drainage and road development for current dwellings in the street.

Concern has been raised that the proposed development will add additional strain and inflow to the drainage system that is already not coping. The proposal has been referred to Council’s Engineering Unit who advise of no objection to the proposal subject to conditions. The conditions require the submission and approval of a drainage plan that must show discharge from the site to be retarded to ensure a maximum discharge rate off site in accordance with the Infrastructure Design Manual. Subject to this condition plus additional drainage conditions required it is considered that the proposal will not have an unreasonable impact on the existing drainage network.

Excessive medium density housing in an evolving, family centered street.

The planning policy framework of the Benalla Planning Scheme encourages multi-unit development in areas that contain existing infrastructure such as water, sewer, gas and drainage provision. Multi-unit development is then allowable subject to meeting the requirements to Clause 55 of the Benalla Planning Scheme. The proposed development is considered to generally comply with the requirements to Clause 55 and is therefore appropriate for the area.

It has been raised that a development of this nature may culturally affect the area and that there may be an increase in renters who aren’t as house proud as owner occupiers. Dwelling tenure is not a planning determinant in assessing multi-unit development applications and therefore has not been assessed as part of this planning application.

Insufficient parking on and off street for the additional dwellings.

Clause 52.06 of the of the Benalla Planning Scheme relates to car parking. Each dwelling with three or more bedrooms must provide for two car spaces one of which is covered. Any dwelling with one or two bedrooms must provide for once car space.

Dwellings 1 and 2 comply with the standard as these two bedroom dwellings provide one car space. The existing dwelling contains two existing car spaces within the front setback of the site. One of the car spaces however is not covered to comply with the standard. This is considered to be acceptable in this instance due to the following:

- A carport or garage within the front setback would not be characteristic of the surrounding area which contains minimal carports protruding past the front building line.
- A carport or garage within the front setback would not comply with the front setback provisions to Clause 55 of the Benalla Planning Scheme.
- A carport or garage within the front setback would interfere with the visual appearance of the existing dwelling to the street and will visually screen the entrance of the dwelling.

A decrease in property values.

Property valuation is not a valid planning consideration.

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

- *A connected, involved and inclusive community.*

Livability

- *Vibrant public spaces and places.*
- *Connected and accessible roads, footpaths, transport and parking.*

Economy

- *Thriving business and industry.*
- *Flourishing tourism.*
- *Population growth.*

Environment

- *Healthy and protected natural environment.*
- *High quality efficient and sustainable waste management.*
- *Sustainable practices.*

LEGISLATIVE AND STATUTORY IMPLICATIONS

A decision by the Council to determine that a permit should be granted for the proposal may be appealed to VCAT by the objectors and/or the applicant against conditions of the permit;

In the instance that the Council decides to refuse to grant a permit the applicant also has a right of appeal to VCAT.

FINANCIAL IMPLICATIONS

The Council, as the responsible authority under the *Planning and Environment Act 1987*, must determine the permit application.

If the Council decision is appealed by any party to VCAT, the Council has a statutory role in being a party to the appeal and informing and assisting VCAT.

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:

That Council having caused notice of Planning Application No. P0118/22 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 15 Dunn Street, Benalla, to construct two dwellings to the rear of an existing dwelling and to subdivide land into three lots in accordance with the endorsed plans, with the application dated 1 August 2022 and subject to the following conditions:

- 1. The development and/or use permitted by this permit must not be commenced until three copies of a site layout plan drawn to scale and with dimensions must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit. Such plan must be generally in accordance with the plan submitted, but modified to show:
 - a) The internal living areas for each dwelling on the site to be provided with direct access by way of a door to the Secluded Private Open Space areas.**
 - b) The provision of at least 6m³ of storage for each dwelling.****
- 2. The development and/or use permitted by this permit 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.**
 - 3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.**
 - 4. Before the development starts a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority and be in accordance with the requirements of the Infrastructure Design Manual. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:**

- a) a survey of all existing vegetation and natural features showing plants to be removed and retained;
- b) all trees planted as part of the landscape works shall have a minimum height of 2.0 to 2.5m at the time of planting.
- c) a planting schedule of all proposed trees, shrubs and ground cover, which will include the location, number and size at maturity of all plants, the botanical names of such plants and the location of all areas to be covered by grass, lawn or other surface materials as specified;
- d) the method of preparing, draining, watering and maintaining the landscaped area;
- e) landscaping and planting within all open areas of the site
- f) all landscaped areas proposed to be used for stormwater retardation;

All species selected must be to the satisfaction of the responsible authority. The landscape plan must also indicate that an in-ground irrigation system is to be provided to all landscaped areas. Before the use/occupation of the developments starts or prior to the issue of a statement of compliance of the subdivision or by such a later date as is approved by the responsible authority in writing, landscaping works shown on the endorsed plan must be carried out and completed to the satisfaction of the responsible authority. The landscaping shown on the endorsed plans must be maintained for a period of three months from the date of practical completion of the works to the satisfaction of the responsible authority. Any dead, diseased or damaged plants are to be replaced within 12 months of the date of practical completion for the works.

5. Landscaping in accordance with the endorsed plans required by condition 4 must be completed prior to certificate of occupancy. The landscaping must then be maintained to the satisfaction of the Responsible Authority.
6. Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the Responsible Authority. Before the development starts, a construction management plan shall be submitted to and approved by the Responsible Authority. The plan must outline how issues such as mud on roads, dust generation and erosion and sediment control will be managed, on site, during the construction phase. Details of a contact person/site manager must also be provided, so that this person can be easily contacted should any issues arise. Management measures are to be in accordance with EPA guidelines for Environment Management, “Doing It Right On Subdivisions” Publication 960, September 2004.
7. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Responsible Authority.

- 8. Before the use begins or prior to the issue of a Statement of Compliance, all vehicular crossings shall be constructed in accordance with the endorsed plan(s) to the satisfaction of the Responsible Authority, and shall comply with the following:**
- a) standard vehicular crossings shall be constructed at right angles to the road to suit the proposed driveways in accordance with IDM, and any existing redundant crossing shall be removed and replaced with concrete (kerb and channel);**
 - g) any proposed vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense.**

No additional vehicle crossing may be constructed apart from those endorsed on the approved plan.

- 9. Before the use begins or prior to the issue of a Statement of Compliance, all stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge by underground pipe drains to the satisfaction of the responsible Authority. No effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system.**
- 10. Before any of the development starts or prior to certification of the plan of subdivision, a properly prepared drainage discharge plan with computations 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 the permit. The plans must be drawn to scale with dimensions and a minimum of three copies must be provided. The information submitted must show the details listed in the council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual.**

The information and plan must include:

- a) details of how the works on the land are to be drained and retarded.**
- b) computations including total energy line and hydraulic grade line for the existing and proposed drainage as directed by Responsible Authority**
- c) underground pipe drains conveying stormwater to the legal point of discharge for each allotment.**
- d) measures to enhance stormwater discharge quality from the site and protect downstream waterways including the expected discharge quality emanating from the development (output from MUSIC or similar) and design calculation summaries of the treatment elements;**
- e) a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council.**
- f) documentation demonstrating approval from the relevant authority for the legal point of discharge.**

- g) the details of the incorporation of water sensitive urban design designed in accordance either “Urban Stormwater Best Practice Environmental Management Guidelines” 1999.**
- h) maintenance schedules for treatment elements.**
- i) each unit including open space areas independently drained to a single point of discharge for the whole development to the satisfaction of the Responsible Authority.**
- j) discharge from the site to be retarded on site to the satisfaction of the Responsible Authority, to ensure a maximum discharge rate off-site as specified in the Infrastructure Design Manual unless otherwise approved by the Responsible Authority.**
- k) underground drains for each unit including open space areas wholly contained within the fenced area pertaining to the unit. The outfall be located in or under the common vehicle driveway and shall not cross under or be located within any of the unit’s fenced areas.**
- l) all dwellings to be erected must be provided with a rainwater tank for the collection and re-use of roof collected stormwater for toilet flushing and garden irrigation and for the dwelling to be plumbed accordingly.**

Before the use begins or prior to the issue of Statement of Compliance, all works must be constructed in accordance with those plans to the satisfaction of the Responsible Authority

- 11. Before any drainage or landscaping works associated with the development or subdivision start, detailed construction 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 the permit.**

All works constructed or carried out must be in accordance with those plans and must be completed prior to the commencement of the use.

- 12. Before the development starts or prior to certification of the Plan of Subdivision, the owner or developer must submit to the Responsible Authority a written report and photos of any prior damage to public infrastructure. Listed in the report must be the condition of kerb & channel, footpath, seal, street lights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development or use permitted by this permit.**
- 13. Before the use commences, or prior to the issue of a Statement of Compliance a payment to the Responsible Authority of an amount up to 2.5% of the actual cost of work, being for costs of the Responsible Authority supervision of the works must be paid.**

- 14. Before the use commences, or prior to the issue of a Statement of Compliance a payment to the Responsible Authority of a engineering design checking fee of an amount up to 0.75% of the value of documented works.**
- 15. Before works commence onsite, a construction management plan must be provided for the development. The following items must be satisfied (but not limited to);**
 - **Detail the scope of the works to be completed including details of the various stages, e.g. Demolition, Excavation, Construction etc. and the duration of each stage.**
 - **Identify local traffic routes to be used by construction vehicles.**
 - **Identify ways to manage construction works to address impacts on local traffic routes.**
 - **Detail how construction workers will travel to and from the site and parking arrangements for those that drive.**
 - **Identify any proposed road closures, temporary traffic routes, loss of pedestrian or cyclist access or reversing manoeuvres onto a public road and provide Traffic Management Plans (TMPs) prepared by an appropriately qualified person.**
 - **Detail the size (including dimensions), numbers and frequency of arrival of the construction vehicles that will service the site for each stage of works.**
 - **Provide for the standing of vehicles during construction.**
 - **If trucks are to be accommodated on the site, provide a scaled drawing showing where the construction vehicles will stand and the vehicle swept path to show that these vehicles can access and egress the site in a forward direction (including dimensions and all adjacent traffic control devices, such as parking restrictions, pedestrian facilities, kerb extensions, etc.).**
 - **If trucks are to be accommodated on Council property, provide a scaled drawing showing the location of any proposed Works Zone (including dimensions and all adjacent traffic control devices, such as parking restrictions, pedestrian facilities, kerb extensions, etc.).**
 - **Show the location of any site sheds and any anticipated use of cranes and concrete pumps and identify the relevant permits that will be required.**
 - **If a crane/s are to be accommodated on site, detail how the crane/s will be erected and removed, including the location, number and size of vehicles involved in the erection/removal of the crane/s, the duration of the operation and the proposed day and times, any full or partial road closures required to erect or remove the crane/s and appropriate Traffic Management Plans (TMPs) prepared by an appropriate qualified person.**
 - **Make provision for all materials, plant, etc. to be stored within the development site at all times during construction.**
 - **State that any oversized vehicles proposed to operate on Council property (including Council approved Works Zones) will attain a Permit to Stand Plant on each occasion. (Note: Oversize vehicles are vehicles longer than 7.5m or heavier than 4.5T).**

- Show the location of any proposed excavation and estimated volumes.
 - Show the location of all Tree Protection (Exclusion) zones (Note: storage of building materials or access through Reserve will not be permitted without prior approval by Council).
16. An on-site meeting with the responsible authority, the contractor and the developer or the developer's consultant to discuss matters such as, roadside management, construction techniques and tree protection zones to be barricaded off prior to and during construction must be conducted prior to commencement of construction.
17. Before the development starts or prior to certification of the plan of subdivision, a tree protection fence must be erected around the street trees at the dripline of the existing trees to define a 'Tree Protection zone'. The fence must be constructed of star pickets and chain mesh or similar to the satisfaction of the relevant authority. The tree protection fence must remain in place until construction is completed. The ground surface of the Tree Protection Zone must be covered by a 100mm deep layer of mulch before the development starts and be watered regularly to the satisfaction of the responsible authority.
18. All construction vehicles must not be parked on the nature strip along the development or on any part of the nature strip on Dunn Street. All vehicles must be parked legally on long the road or within the confines of the allotment during construction.
19. At all times during the construction phase of the development, the permit holder shall take measures to ensure that pedestrians are able to use with safety any footpath along the boundaries of the site.
20. That the developer provide a footpath in accordance with the Infrastructure Design Manual along the full property frontage of the allotment along Dunn Street, Benalla to the satisfaction of the responsible authority.
21. In accordance with the *Planning and Environment Act 1987* a permit for the development expires if:
- a) the development is not commenced within two years after the issue of the permit;
 - b) the development is not completed within four years after the issue of the permit.

The Responsible Authority may extend the commencement date if a request is made in writing by the owner or the occupier of the land to which the permit applies before the permit expires or within 6 months afterwards.

The Responsible Authority may extend the time within which the development is to be completed if the development has commenced and a request in writing is made by the owner or the occupier of the land to which it applies within 12 months after the permit expires.

Subdivision Conditions

- 22. The subdivision as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.**
- 23. 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.**
- 24. 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.**
- 25. Prior to the issue of a Statement of Compliance, 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.**
- 26. Prior to the issue of a Statement of Compliance for the subdivision permitted under this permit:**
- a) The owner must complete all footings and foundations of the buildings and works approved under Planning Permit No. P0118/22 to the satisfaction of the Responsible Authority; or**
 - b) The owner of the land must enter into, and register on title, an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987, which amongst other things, provides that:**
 - i. Except with the consent of the Responsible Authority, the development of any lot created by the subdivision of the land must be in accordance with the development authorised by Planning Permit No. P0118/22 issued by the Responsible Authority and the various conditions included in that Planning Permit and the development depicted in the plans from time to time endorsed pursuant to that Planning Permit.**

The cost of the preparation or review of the agreement and its registration on the title to the land must be borne by the owner of the land.

Condition 27 to 28 required by AusNet Electricity Services

27. 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.
28. The applicant must –
- Enter into an agreement with AusNet Electricity Services Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.
 - Provide electricity easements internal and external to the subdivision in favour of AusNet Electricity Services Pty Ltd to service the lots on the plan of subdivision and/or abutting lands as required by AusNet Electricity Services Pty Ltd. The provision of reserves for electricity substations may also be required.

Condition 29 to 34 required by North East Regional Water Authority

29. That prior to works commencing pursuant to the permit, the applicant enters into a Developer Works Agreement with North East Water that requires it to construct, at the applicant's cost, works necessary to provide a water supply service to the proposed subdivision to the satisfaction of North East Water, in accordance with its policies and requirements applicable from time to time.
30. That prior to works commencing pursuant to the permit, the applicant enters into a Developer Works Agreement with North East Water that requires it to construct, at the applicant's cost, works necessary to provide a sewerage service to the proposed subdivision to the satisfaction of North East Water, in accordance with its policies and requirements applicable from time to time.
31. That the applicant pays 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.
32. That the applicant pays a new customer contribution determined in accordance with North East Water's policy for development charges applicable from time to time towards North East Water's sewerage and disposal systems servicing the area to which the permit applies.
33. Easements must be provided over sewerage infrastructure to the satisfaction of North East Water.
34. The applicant must enter into an agreement with North East Water for any proposed structures or works over or near a North East Water easement or asset in accordance with North East Water requirements.
35. That in constructing any private water services, the applicant ensures that such services do not traverse property boundaries and are independently supplied from a point of supply approved by North East Water.

36. That the plan of subdivision be referred to North East Water when submitted for certification pursuant to Section 8 of the *Subdivision Act 1988*.
37. That North East Water's consent is sought by the Responsible Authority prior to issuing a Statement of Compliance under the *Subdivision Act 1988*.
38. In accordance with the Planning and Environment Act 1987 a permit for development which requires the certification of a plan of subdivision or consolidation under the Subdivision Act 1988 expires if:
- a) the plan is not certified within two years of the issue of the permit; or
 - b) the development or any stage is not completed within 5 years of the certification of the plan of subdivision or consolidation under the Subdivision Act 1988.

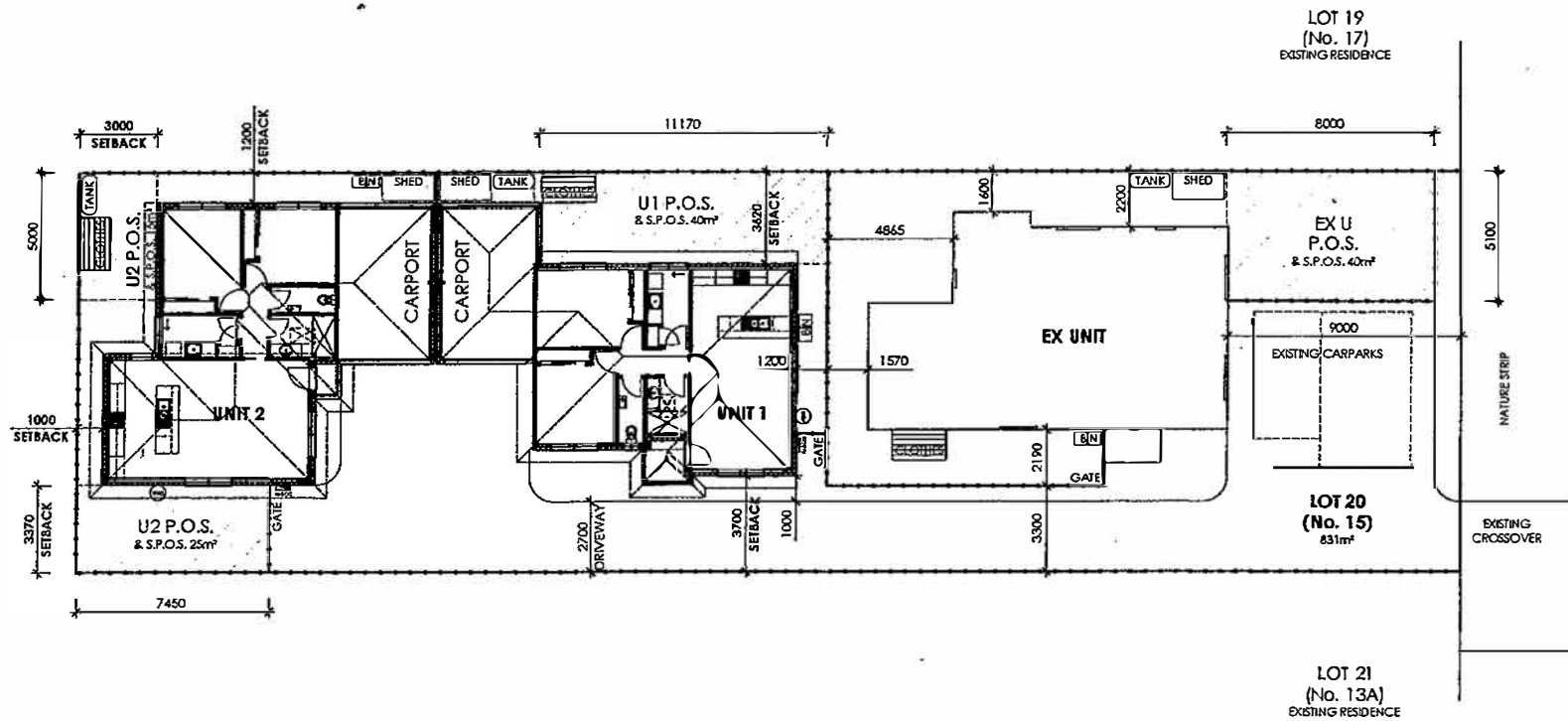
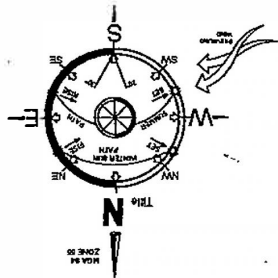
The Responsible Authority may extend the commencement date if a request is made in writing by the owner or the occupier of the land to which the permit applies before the permit expires or within 6 months afterwards.

The Responsible Authority may extend the time within which the development is to be completed if the development has commenced and a request in writing is made by the owner or the occupier of the land to which it applies within 12 months after the permit expires.

Advice Notes

- 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.
- Prior to any works being carried out in relation to any part of the septic system a permit for the works must be obtained from the Benalla Rural City Council.
- A consent to work within a road reserve must be obtained from the Responsible Authority prior to the carrying out of any vehicle crossing works.
- Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.
- Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.

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DUNN STREET

SITE PLAN
SCALE 1 : 200

UNIT 2 AREAS

UNIT 2 LOT SIZE:	173 sqm	(100%)
SITE COVERAGE:	109 sqm	(63%)
LANDSCAPING:	64 sqm	(37%)

UNIT 1 AREAS

UNIT 1 LOT SIZE:	175 sqm	(100%)
SITE COVERAGE:	105 sqm	(60%)
LANDSCAPING:	54 sqm	(31%)

TOTAL AREAS

LOT SIZE:	831 sqm	(100%)
SITE COVERAGE:	315 sqm	(38%)
PERMEABILITY:	289 sqm	(35%)



site address:
LOT 20 (No. 15) DUNN STREET
BENALLA VIC 3672

for:
HARRY MORAN

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No. AMENDMENT

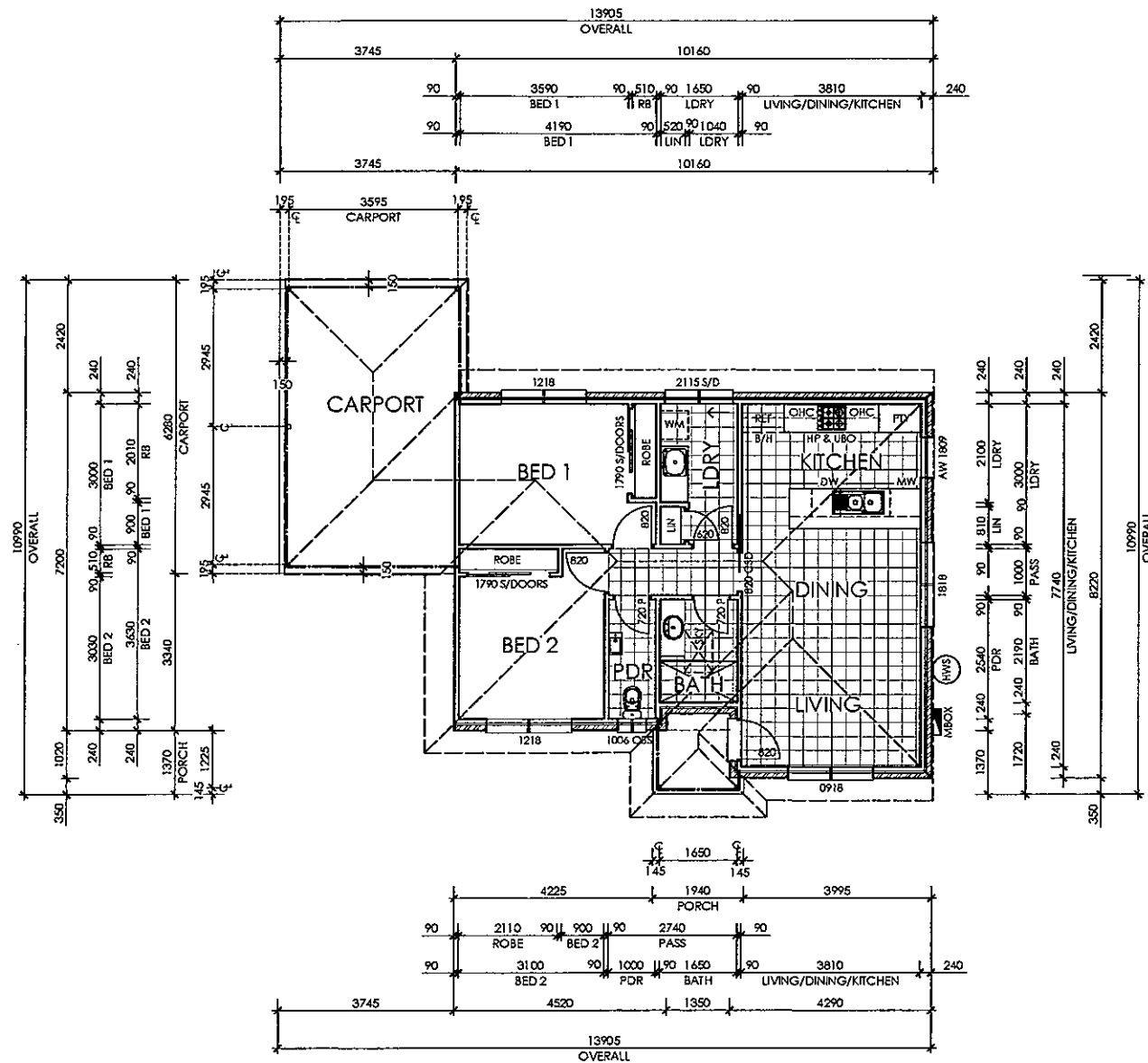
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ELEVATIONS
VIEWING ORIENTATION



- EXTERNAL BRICK VENEER WALLS - 240mm
- INTERNAL STUD WALLS - 90mm
- WEATHERBOARD WALL - 100mm
- WEATHERSTRIP TO ALL EXTERNAL HINGED DOORS
- ⊙ DENOTES APPROVED SMOKE DETECTOR FIXED TO CEILING IN ACCORDANCE WITH A.S.3788
- WATERCLOSETS TO BE PROVIDED WITH REMOVABLE HINGES TO DOORS IF DOOR JAMB IS LESS THAN 1200mm FROM PAN. ALTERNATIVELY, DOORS MAY SWING OUTWARDS OR BE SLIDING

- NOTE:
ALL SMOKE ALARMS ARE TO BE INTERCONNECTED.
- TILED FLOOR
 - DENOTES 300mm BULKHEAD

**UNIT ONE
FLOOR PLAN**
SCALE 1 : 100

AREAS

DWELLING:	77.16 sqm	(8.31 sqs)
CARPORT:	24.04 sqm	(2.59 sqs)
PORCH:	2.83 sqm	(0.30 sqs)
TOTAL:	104.03 sqm	(11.20 sqs)



site address:
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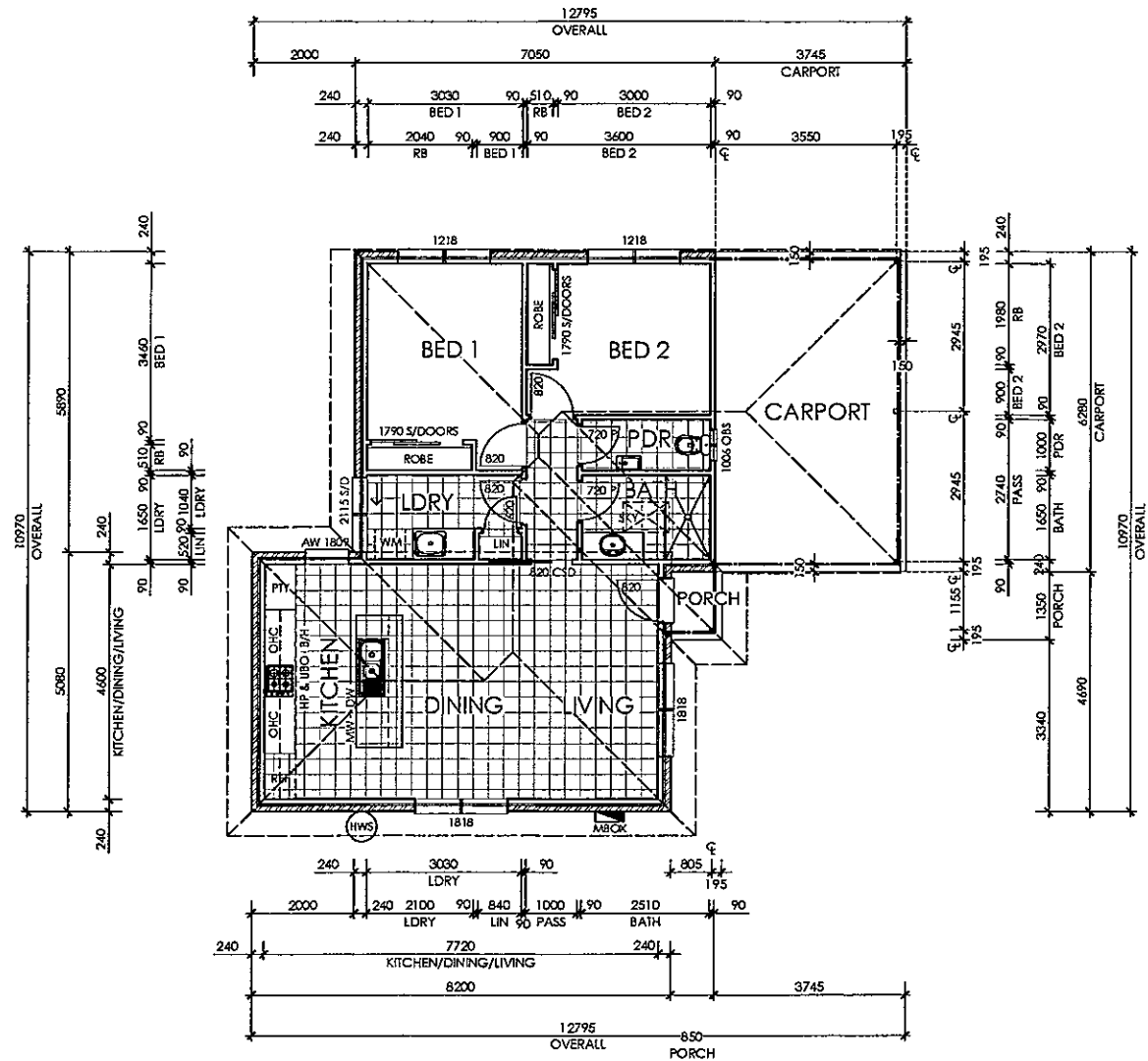
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date: MAY 22
sheet: 2

job no:
916-22



ELEVATIONS
VIEWING ORIENTATION



- EXTERNAL BRICK VENEER WALLS - 240mm
 - INTERNAL STUD WALLS - 90mm
 - WEATHERBOARD WALL - 100MM
 - WEATHERSTRIP TO ALL EXTERNAL HINGED DOORS
 - DENOTES APPROVED SMOKE DETECTOR FIXED TO CEILING IN ACCORDANCE WITH A.S. 3788
 - WATERCLOSETS TO BE PROVIDED WITH REMOVABLE HINGES TO DOORS IF DOOR JAMB IS LESS THAN 1200mm FROM PAN. ALTERNATIVELY, DOORS MAY SWING OUTWARDS OR BESLIDING
- NOTE:
ALL SMOKE ALARMS ARE TO BE INTERCONNECTED.
- TILED FLOOR
 - DENOTES 300mm BULKHEAD

**UNIT TWO
FLOOR PLAN**
SCALE 1 : 100

AREAS

DWELLING:	83.61 sqm	(9.00 sqs)
CARPORT:	23.42 sqm	(2.52 sqs)
PORCH:	1.35 sqm	(0.15 sqs)
TOTAL:	108.38 sqm	(11.67 sqs)



site address:
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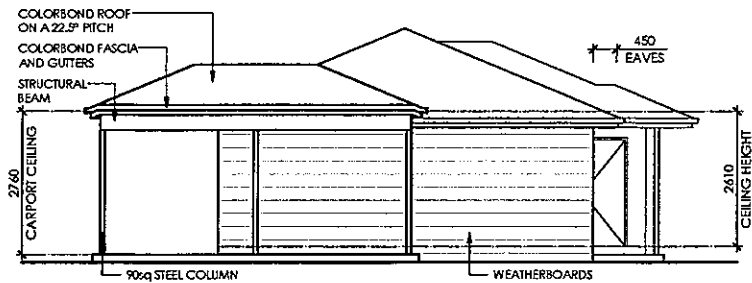
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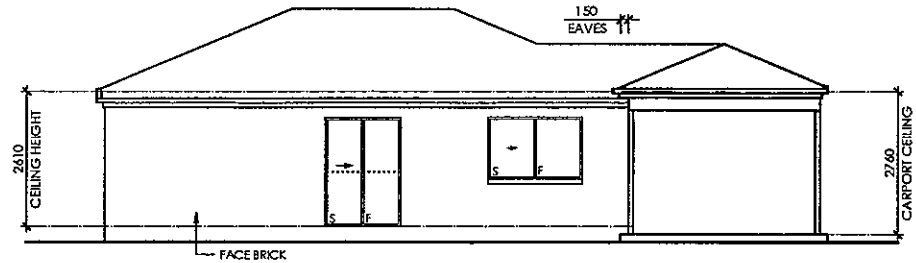
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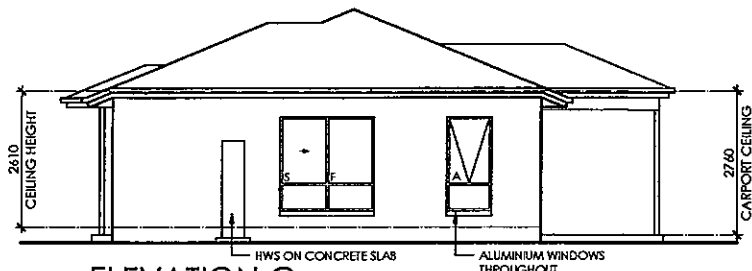
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sheet: 2A
job no: 916-22



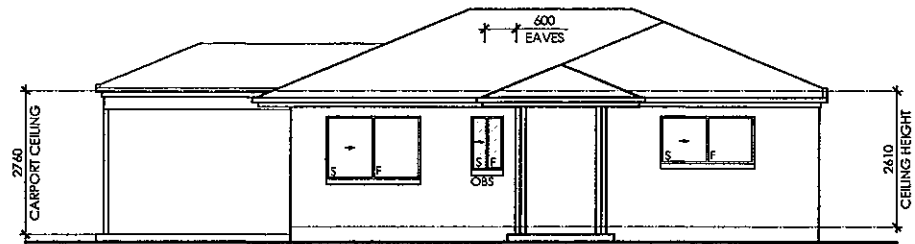
ELEVATION A
SCALE 1 : 100



ELEVATION B
SCALE 1 : 100



ELEVATION C
SCALE 1 : 100



ELEVATION D
SCALE 1 : 100

UNIT 1 ELEVATIONS

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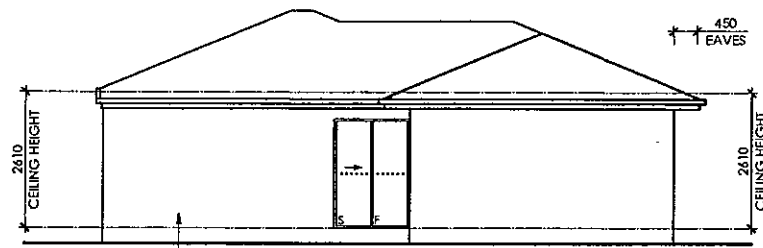
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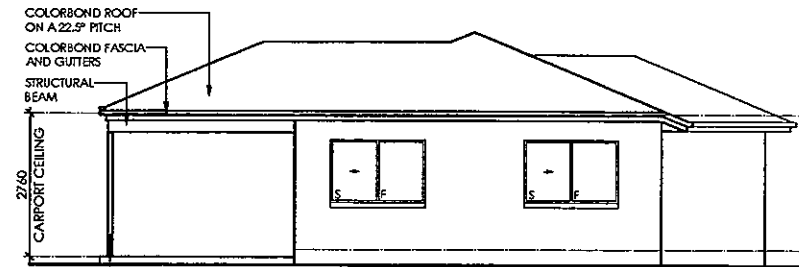
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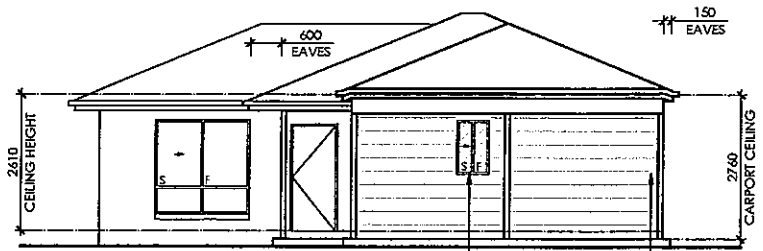
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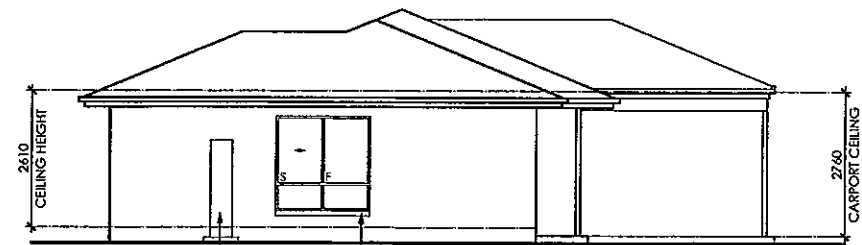
ELEVATION A
SCALE 1 : 100



ELEVATION B
SCALE 1 : 100



ELEVATION C
SCALE 1 : 100



ELEVATION D
SCALE 1 : 100

UNIT 2 ELEVATIONS

**cavalier
homes**

site address:
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BENALLA VIC 3672

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No. AMENDMENT DATE

No. AMENDMENT	DATE

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2. Planning And Building Approvals – January 2023

SF/255

Joel Ingham – Planning Coordinator

Sarah Ford – Building Coordinator

Nilesh Singh – Manager Development

PURPOSE OF REPORT

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

Planning Permit Applications Determined under Officer Delegation

File No	Description	Property Address	Decision	
1	DA5069	Relocation of the existing dwelling on the site and the construction of an additional dwelling and a two lot subdivision	31 Meadows Avenue, Benalla	Approved
2	DA6598	Construction of a shed	38 Wedge Street, Benalla	Approved
3	DA4565	Construction of a carport	27 River Gum Avenue, Benalla	Approved
4	DA7472	Use and development of a shed	12 Wattle Creek Road, Winton	Approved
5	DA3694	Construction of an outbuilding	125 Arundel Street, Benalla	Approved
6	DA7315	Construction of a dwelling	56 Coster Street, Benalla	Approved
7	DA3485/5	Construction of a fence	57 Samaria Road, Benalla	Approved
8	DA7421	Use and development of a dwelling	98 Lakeside Drive, Benalla	Approved
9	DA4145/2	Three lot subdivision	53 Willis Little Drive, Benalla	Approved (Notice of Decision)

Planning Permit Amendments Determined Under Officer Delegation

File No	Description	Property Address	Decision	
1	DA6313	Use and development of the land for a hotel and restaurant in two stages and the removal of native vegetation	3 Gunn Road, Benalla	Approved
2	DA4874	Use and development of land for a dwelling	236 Granite Road, Upper Lurg	Approved

Planning Permits Issued Under VicSmart

There were no VicSmart planning permit applications issued during the month of January 2023.

Planning Permit Applications Determined by the Council

There were no planning permit applications determined by the Council during January 2023.

Planning Permit Amendments Determined by the Council

There were no planning permit amendments determined by Council during January 2023.

Planning Permit Applications Withdrawn or Lapsed

There were no planning permit applications withdrawn or lapsed during the month of January 2023.

Notices of Decision

File No		Description	Property Address
1	DA4145/2	Three lot subdivision	53 Willis Little Drive, Benalla

A Notice of Decision (NOD) is issued when Council has decided to grant a planning permit when objection(s) are received regarding the application.

An objector may appeal to Victorian Civil and Administrative Tribunal (VCAT) against the decision to grant the permit within 21 days of a Notice of Decision being issued. After 28 days if no appeal has been lodged Council will issue the Planning Permit.

Planning Permit Applications Determined by VCAT

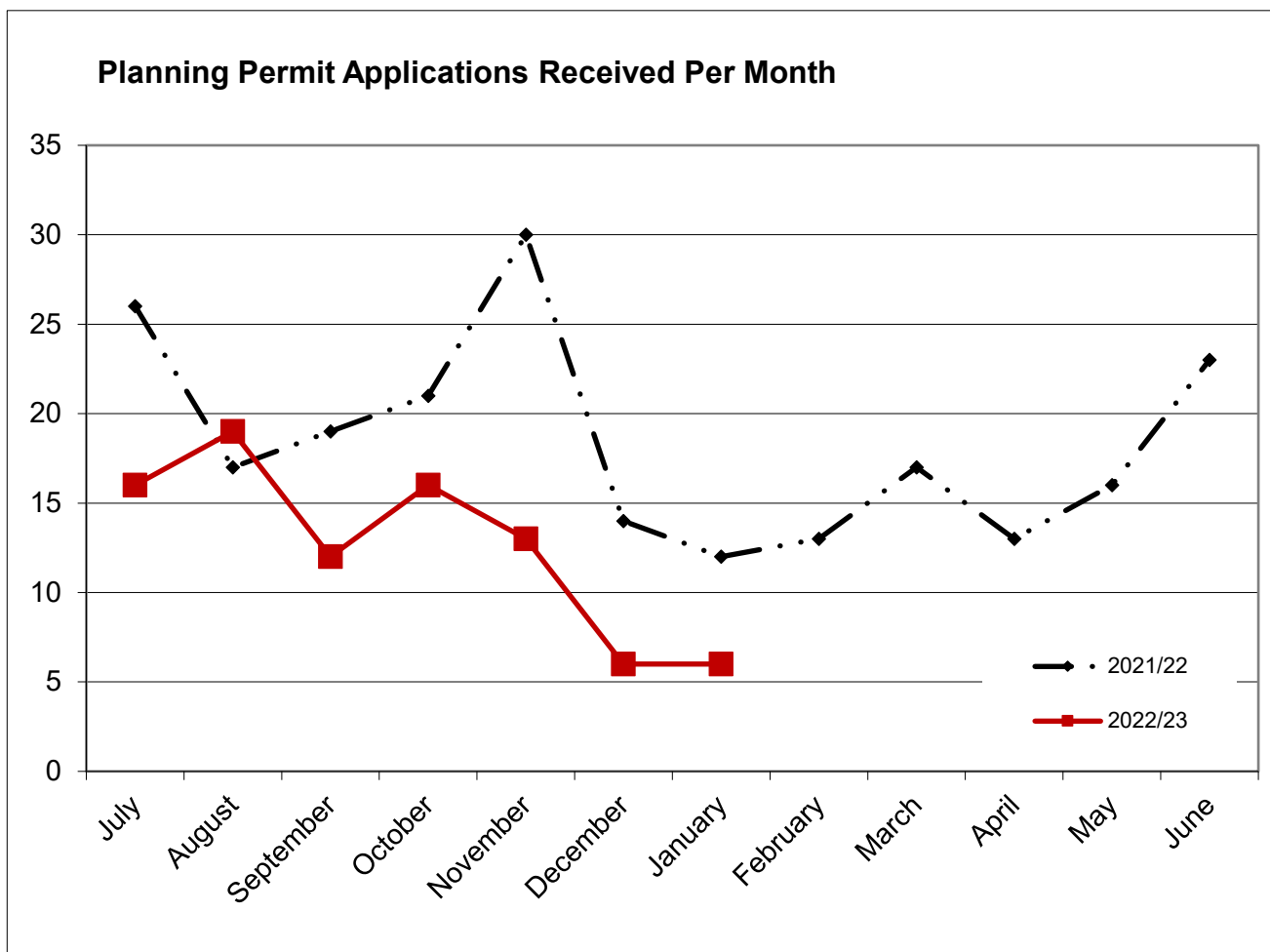
There were no planning permit applications determined by VCAT during January 2023.

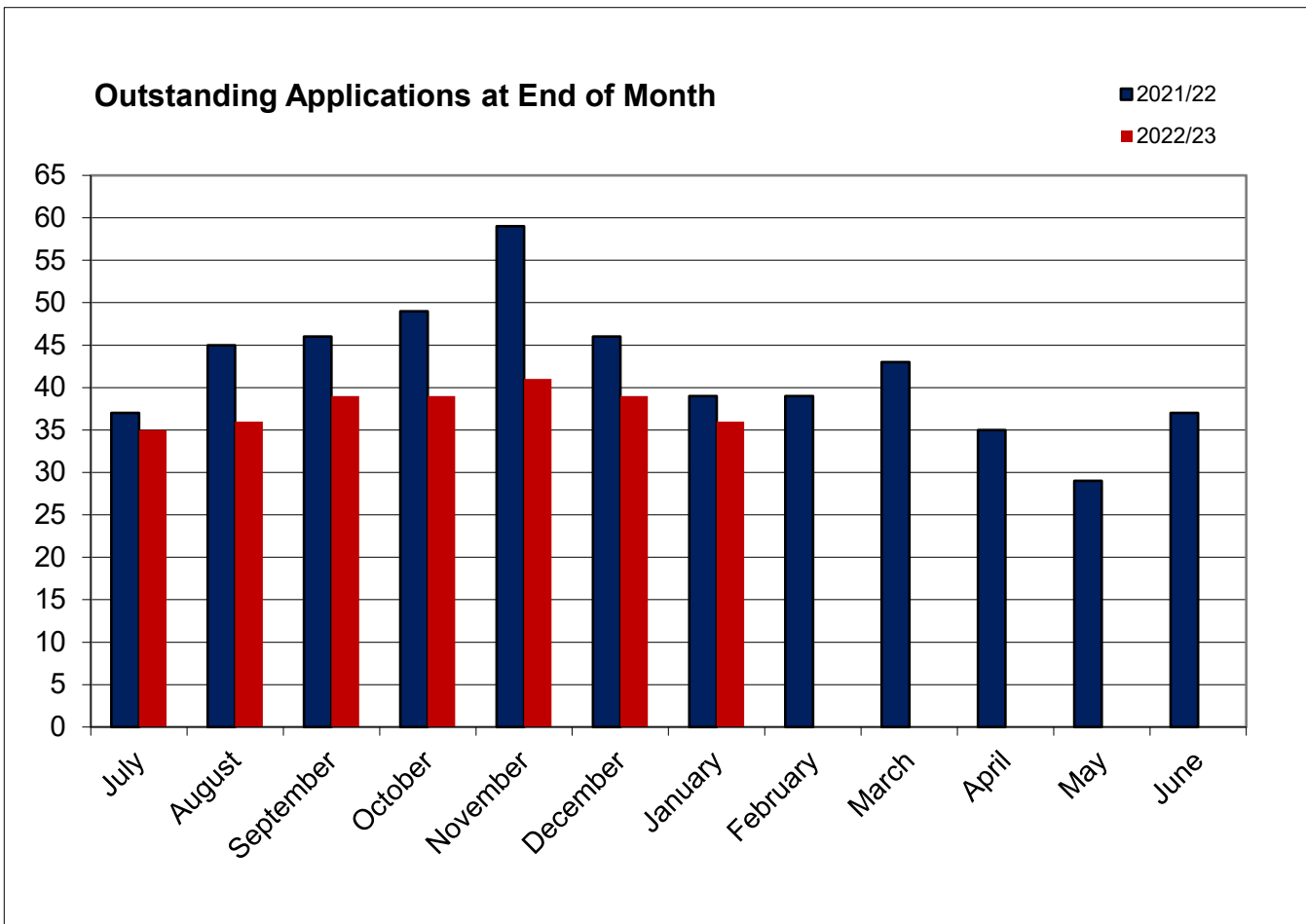
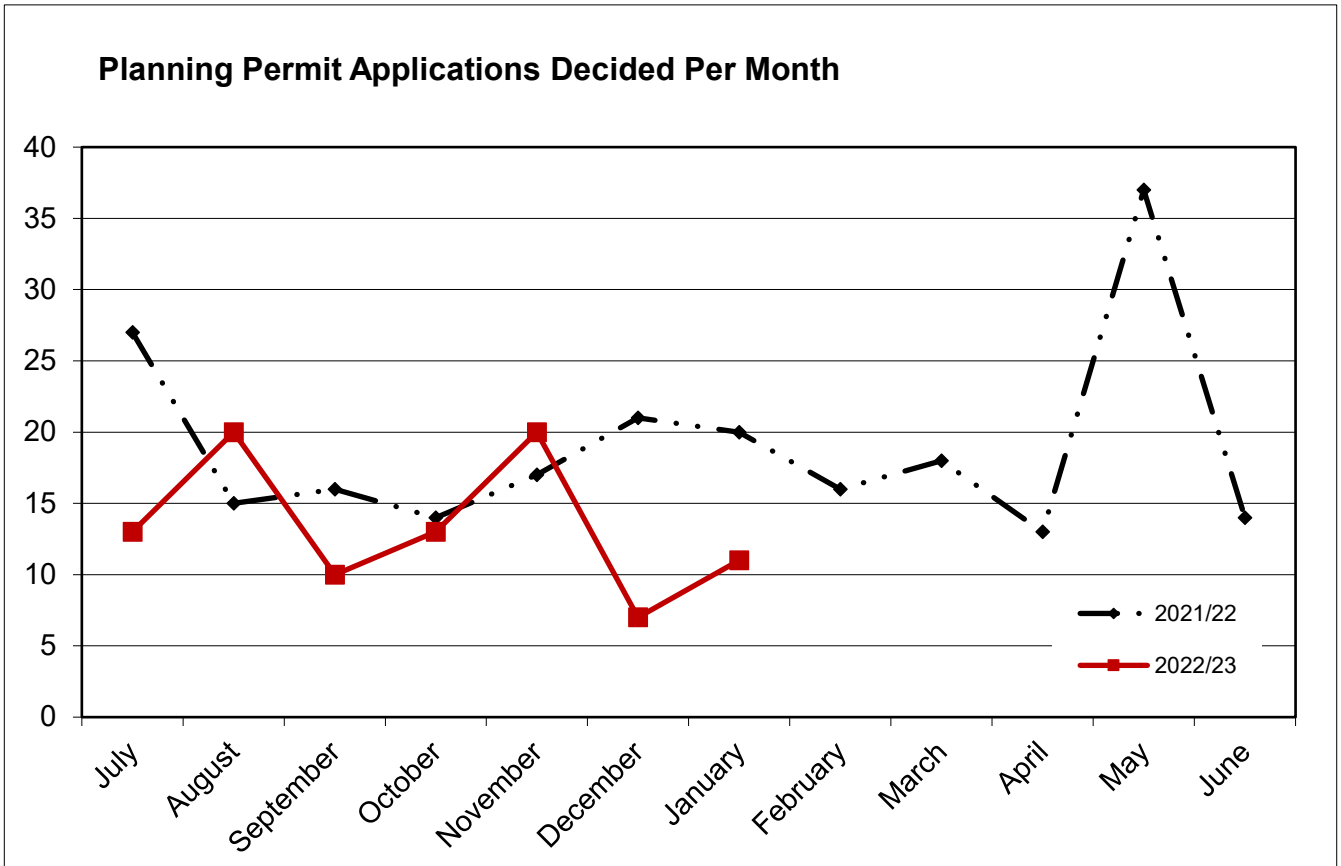
Matters Before VCAT

DA393/2	159-161 Bridge Street East, Benalla – Electronic Sign
Status	At a Planning and Development Committee meeting on 27 July 2022 it was resolved that the Council refuse to grant a permit for the display of an electronic promotion sign. The applicant lodged an appeal to VCAT on 27 September 2022. The Tribunal hearing was heard on 3 February 2023 with the applicant and Council's representative in attendance. The decision has been deferred to a later date.

DA7055	Use and development of land for a second dwelling at 888 Tatong Tolmie Road, Tatong
Status	At a Planning and Development Committee meeting on 18 May 2022 it was resolved that the Council refuse to grant a permit for a second dwelling on the land. The refusal was based on grounds of objection received from the Country Fire Authority. The applicant has lodged an appeal to VCAT. The VCAT hearing which was due to be heard on the 17 & 20 February 2023 has been adjourned at the request of the applicant. The new hearing date will now be for five days on 24, 25 & 26 July 2023 – 31 July and 1 August 2023.

Planning Permit Applications



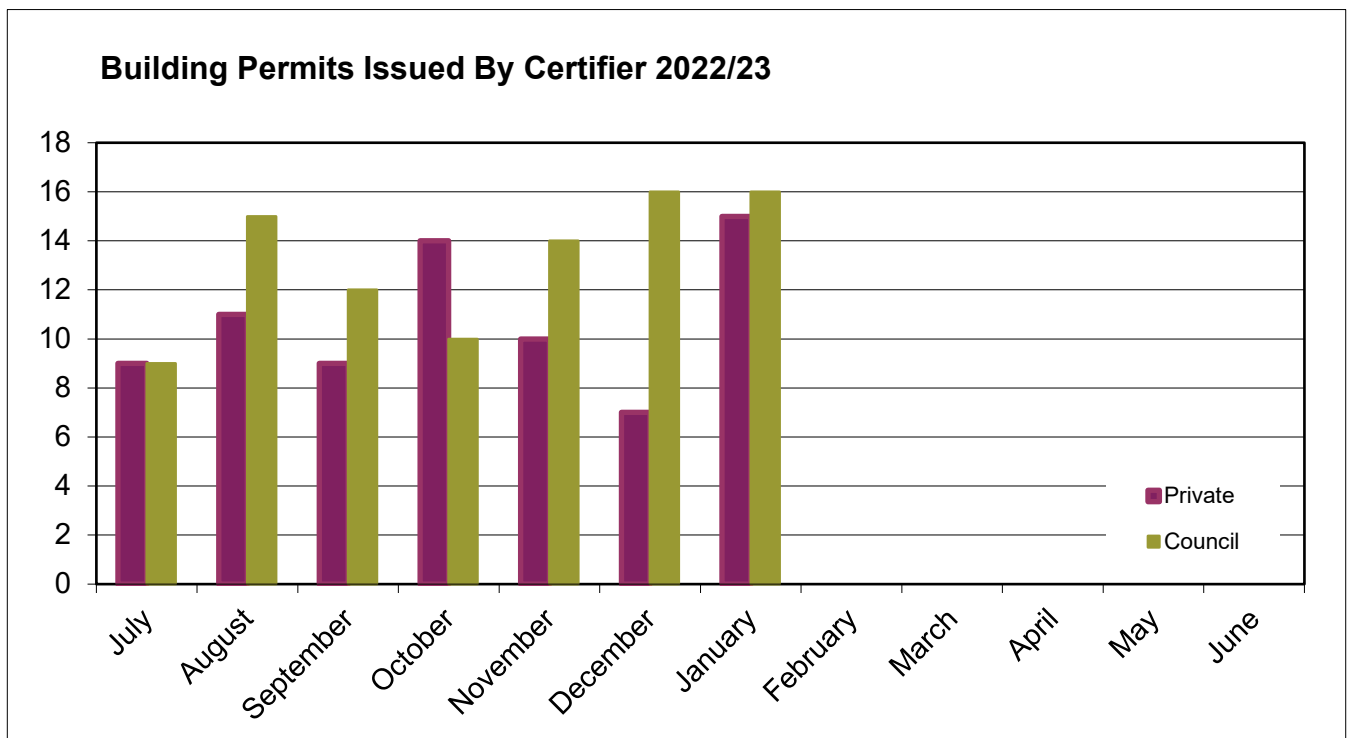


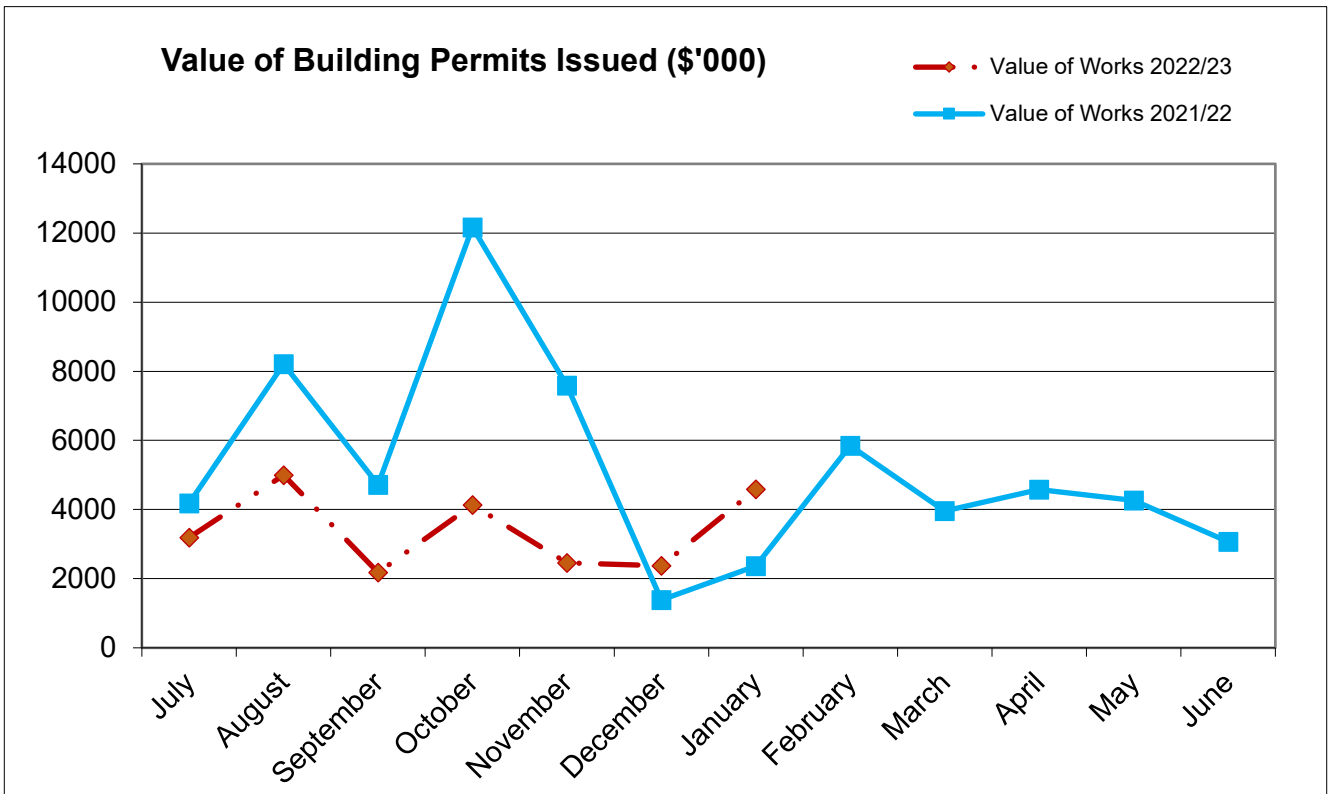
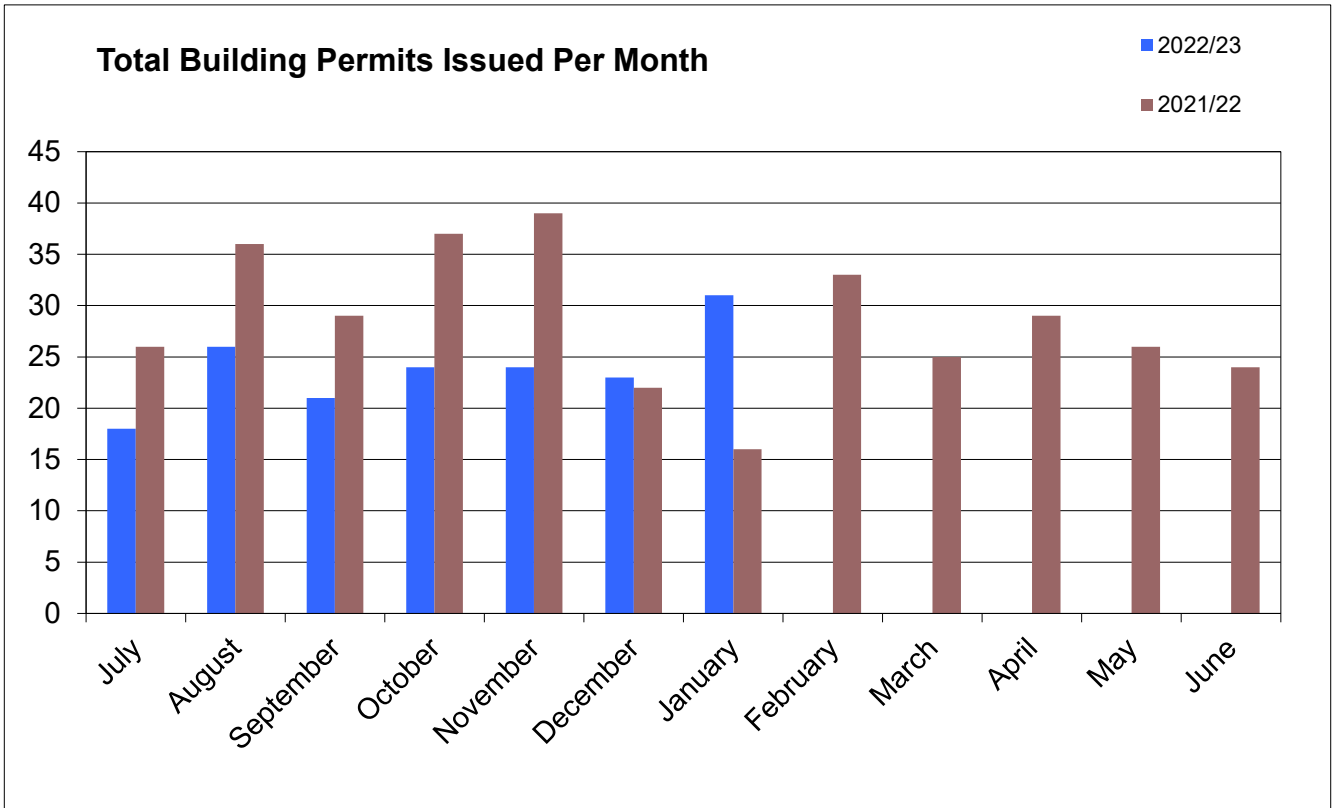
Building Approvals Issued by Council and Private Practitioners

File No		Description	Property Address	Value
1	DA4108	Construction of a farm shed	362 Quinn Road, Broken Creek	\$128,920
2	DA7122	Construction of a shed	28 Weary Dunlop Drive, Benalla	\$11,000
3	DA5797	Construction of a dwelling extension and garage	564 Arnott Road, Benalla	\$239,000
4	DA6348	Construction of a warehouse	2/62 Saleyards Road, Benalla	\$90,000
5	DA7433	Construction of a shed	65 Monds Avenue, Benalla	\$14,216
6	DA4111	Construction of a shed	306 Goorambat Dookie College Road, Stewarton	\$37,586
7	DA7439	Construction of a dwelling extension – first floor addition	57 Benson Street, Benalla	\$205,480
8	DA7051	Construction of a farm shed	340 Terrett Road, Goomalibee	\$120,000
9	DA6872	Construction of a shed	83 Willis Little Drive, Benalla	\$15,344
10	DA5954	Construction of a dwelling extension	246 Samaria Road, Benalla	\$220,000
11	DA5591	Construction of a dwelling extension	600 Tarnook Road, Tarnook	\$102,643
12	DA7458	Construction of a farm shed	96 Escreet Road, Warrenbayne	\$14,500
13	DA6323	Construction of a shed	130 Swanpool Warrenbayne Road, Swanpool	\$16,854
14	DA7331	Construction of a swimming pool and safety barrier	85 Dobson Road, Benalla	\$23,735
15	DA5970	Construction of a farm shed	430 Sammon Road, Thoona	\$87,376
16	DA4155	Construction of a shed	182-184 Bridge Street East, Benalla	\$40,000
17	DA4478	Alterations and extension to a dwelling	345 O’Dea Road, Molyullah	\$200,000
18	DA4524/2	Construction of stables and horse walker	5835 Midland Highway, Benalla	\$600,000
19	DA7470	Construction of a farm shed	17 Pearson Road, Benalla	\$280,000
20	DA4655	Construction of a swimming pool and safety barrier	60 Spinney Lane, Samaria	\$72,191
21	DA5606	Construction of a dwelling	1926 Glenrowan Boweya Road, Mount Bruno	\$599,300

File No	Description	Property Address	Value	
22	DA6313/2	Hotel, reception area, restaurant, function room – excavation only	3 Gunn Lane, Benalla	\$200,000
23	DA454	Construction of a shed	20 Racecourse Road, Benalla	\$15,870
24	DA6063	Construction of a swimming pool and safety barrier	536 Lima East Road, Lima East	\$62,985
25	DA6323	Construction of a swimming pool and safety barrier	130 Swanpool Warrenbayne Road, Swanpool	\$77,282
26	DA7371	Demolition of dwelling & outbuildings	25 Meadows Avenue, Benalla	\$27,005
27	DA3071	Construction of a swimming pool and safety barrier	928 Mansfield Road, Benalla	\$57,900
28	DA7465	Demolition of dwelling, construction of new dwelling and shed	27 Egmont Street, Benalla	\$700,000
29	DA5731	Construction of a shade sail	49 Clarendon Street, Baddaginnie	\$27,445
30	DA7480	Construction of a shade sail	2450 Midland Highway, Swanpool	\$27,445
31	DA7473	Construction of a dwelling and garage	9 Everly Court, Benalla	\$274,571
Total			\$4,588,648	

Building Permits Issued by Certifier by Month





COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

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

Livability

- Vibrant public spaces and places.
- Connected and accessible roads, footpaths, transport and parking.

Economy

- Population growth.

Environment

- Healthy and protected natural environment.

Leadership

- Good governance.

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:

That the report be noted.

3. Planning Scheme Review Amendment – Benalla Planning Scheme Review

SF/4516-02

Joel Ingham – Planning Coordinator
Nilesh Singh – Manager Development

PURPOSE OF REPORT

The report presents the Benalla Planning Scheme Review.

BACKGROUND

The Council as the planning authority for the Benalla Planning Scheme is required to review its planning scheme every four years under Section 12(B) of the *Planning and Environment Act 1987* (The Act).

The Planning Scheme Review is an overall health check of the Benalla Planning Scheme and focuses on:

- The effectiveness and efficiency of the planning scheme in achieving the objectives of planning and the planning framework in Victoria.
- Aligning the planning scheme with the Ministerial Direction on the Form and Content of Planning Schemes.
- Ensuring the planning scheme contains a clear narrative about the way use and development of land will be managed to achieve the planning vision or objectives of the area.

Planning scheme reviews provide opportunity to align the Council's policy position, update out of date or redundant information, educate and inform stakeholders about how the planning scheme works.

The Council previously undertook a comprehensive review of the planning scheme in 2013. The findings of this review were translated into the planning scheme via amendment C29 which was gazetted on 21 April 2016.

Recently the planning scheme was restructured to insert a new *Municipal Planning Strategy and Local Planning Policies* to replace the former *Local Policy Planning Framework*. This was done via amendment C41bena and was a policy neutral amendment undertaken by the State Government.

DISCUSSION

Findings of the Review

The Review found that the *Benalla Planning Scheme* is operating reasonably effectively, with a clear settlement narrative for long term land use planning.

Reliance on Victorian Civil and Administrative Tribunal is similar to other rural councils and not overtly impacting on officer time.

In relation to planning permit activity, the report notes a significant increase in planning permit application in the 2021-2022 period, with little changes to the overall resourcing in the planning team.

The review identified a number of strategic gaps in the planning scheme, impacting its effectiveness in implementing state and local policy for Benalla. Many of the local schedules are not populated, and there are opportunities for local policy to be further refined. This is particularly true for the residential zones, which in addition to not having local content, do not meet current best practice.

Council has identified some of these matters and begun a strategic planning program to address this. Several existing strategic plans the Council has prepared can be implemented now, through an amendment based on this report.

There are opportunities for efficiencies to be made by removing unnecessary permit triggers in Design and Development Overlays (DDO), Land Subject to Inundation Overlay and Farming Zone which in turn will likely reduce application numbers.

A number of small policy neutral changes have been identified to bring the Benalla Planning Scheme in line with the Ministerial Direction on the Form and content of planning schemes.

Planning Scheme Amendment

The Review recommends Council undertake a planning scheme amendment to implement its findings. Specifically, the amendment will:

- a. Incorporate identified policy neutral changes to align the ordinance with the Ministerial Direction on the Form and Content of Planning Schemes.
- b. Incorporate the vision from the Council Plan and make other updates to factual data.
- c. Amend the MPS at 02.01 Context to include appropriate reference to Traditional Owners and Country.
- d. Remove Goulburn Broken CMA as a recommending referral authority for ESO2.
- e. Align ESO2 with the same policy in Mansfield Planning Scheme.
- f. Extend sunset policies in Clause 11 Settlement that were inserted through C41bena (PPF Translation) to provide additional time to complete settlement strategy work.
- g. Include new policy to implement:
 - *Benalla Rural City Tourism and events Strategy 2018-2022*
 - *Benalla Rural City Council Plan 2021-2025*
 - *Benalla Rural City Council Environment Strategy 2016-2020*
 - *Climate Change Adaptation Plan 2013-2025*
 - *Benalla Rural City Community Plan 2016-2036.*
- h. Update Clause 72.08 Background documents to include any new policy documents based on the findings of this review.
- i. Include an updated Clause 74.02 Further strategic work that prioritises the strategic work program based on the findings of this review.

Strategic Work Program

Following the analysis of the current Planning Scheme, stakeholder engagement and data, the Review identified the following priorities for the Council over the next four years:

- a. Prepare a Benalla Gateway Strategy including guidance for signage.
- b. Remove low value permit triggers such as dwellings that meeting the requirements in Design and Development Overlay – Schedule 1 the DDO1, outbuildings in the Farming Zone and smaller matters in the Design and Development Overlays and Land Subject to Inundation Overlays.
- c. Prepare separate RLZ schedules to show each minimum subdivision area and make the controls on land much more transparent to land owners and applicants.
- d. Update settlement strategy for the Shire, with a focus on Benalla.

Further to this, the Review found there is an opportunity for Council to prepare a prioritised list of further strategic work, including resource allocations, to undertake the following:

- a. Prepare a Settlement/Housing Strategy including:
 - assessment of character for Benalla to guide development within Benalla Township and Benalla West.
 - application of zones and relevant schedules
 - compliance with Planning Practice Notes 90 and 91
- b. Review and update the 2012 Rural Living Strategy to reflect current growth and needs.
- c. Work in partnership with DELWP, TLaWAC and YYNAC to develop policy that recognises traditional owners, places of significance and the Country Plan in the planning scheme.
- d. Undertake a Permit Trigger Study to review permit triggers in zones and overlays to determine whether they can be removed without impacting on their strategic intent including:
 - discussion with CMA to introduce application requirements and remove permit triggers in the Urban Floodway Zone.
 - removal of permit trigger for development meeting relevant requirements in the DDO1 (in consultation with referral authority).
 - removal of redundant and low value triggers in overlays, in consultation with relevant referral authorities.
- e. Prepare a Gateway Policy to address signage and township approaches for Benalla township and all other smaller towns within the municipality.
- f. Review Industrial 1 Zone and Industrial 3 Zone areas using guidance provided by Planning Practice Note 92: Managing buffers for land use compatibility to determine appropriate land use buffers and insert local content.

Review DDO to ensure they meet the Ministerial Direction, and for their continued relevance.

The Benalla Planning Scheme Review Report was undertaken with assistance from the Department of Environment, Land, Water and Planning - Regional Planning Hub Program.

There is an opportunity to seek assistance from the program to fund the implementation of the study via the preparation of an amendment.

Following adoption of the *Benalla Planning Scheme Review 2022* the review will be forward to the *Minister for Planning* as evidence that the Council has met its obligations in accordance with Section 12B of the *Planning and Environment Act 1987* to review the planning scheme every four years.

The *Benalla Planning Scheme Review 2022* is attached as **Appendix 1**.

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

- *A connected, involved and inclusive community.*

Livability

- *Vibrant public spaces and places.*
- *Connected and accessible roads, footpaths, transport and parking.*

Economy

- *Thriving business and industry.*
- *Flourishing tourism.*
- *Population growth.*

Environment

- *Healthy and protected natural environment.*
- *High quality efficient and sustainable waste management.*
- *Sustainable practices.*

COMMUNITY ENGAGEMENT

It is proposed that, due to operational nature of the planning scheme review, community engagement be undertaken at the ‘inform’ level under the International Association for Public Participation’s IAP2 public participation spectrum as detailed in the table below:

Level of Public Participation	Promise to the community	Techniques to be used
Inform	We will provide information	<ul style="list-style-type: none"> ▪ Plan presented in a public report to the Council. ▪ Plan to be published on Councils website.

FINANCIAL IMPLICATIONS

The Benalla Planning Scheme Review Report was undertaken with assistance from the Department of Environment, Land, Water and Planning - Regional Planning Hub Program.

There is an opportunity to seek assistance from the Program to fund the implementation of the study via the preparation of an amendment.

Following exhibition of the amendment, should Council receive any submissions there may be financial implications associated with a Planning Panel.

LEGAL OR STATUTORY IMPLICATIONS

The implementation of the initial findings of the report via a planning scheme amendment will update the policy and position of the *Benalla Planning Scheme* to provide accurate guidance for landowners, developers and the community and ensure compliance with state and local policy.

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:**That Council resolves to:**

- 1. Note and forward the *Benalla Planning Scheme Review 2022* to the Minister for Planning in accordance with Section 12B (5) of the *Planning and Environment Act 1987*.**
- 2. Seek assistance from Regional Planning Hubs to prepare and exhibit a planning scheme amendment to implement the *Benalla Planning Scheme Review 2022*.**

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Benalla Planning Scheme Review

Final Report

August, 2022



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Document Control

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Document History

Version	Date	Author	Summary of changes
1	11/07/22	Bonnie Crowe	Draft 1
2	28/07/22	Bonnie Crowe	Draft 2
3	10/08/22	Bonnie Crowe	Draft 3

Contributors and Reviewers

The following people were involved, to different extents, in the process of developing and finalising this document, but were not responsible for its authorship:

- Contribute – had input into the creation of the document
- Review – receives the document in order to review and provide feedback

Name and title	Contribute	Review
Jules Muller, Planner, DELWP	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cazz Redding, Director, Redink Planning	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval

Handover to Council

18 October 2022

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Executive summary

Why is the planning scheme being reviewed?

Council as the planning authority for the Benalla Planning Scheme is required to review its planning scheme every four years under Section 12(B) of the *Planning and Environment Act 1987* (the Act).

Council last undertook a comprehensive review of the planning scheme in 2013. The findings of this review were translated into the planning scheme via amendment C29 which was gazetted on 21 April 2016.

Recently the planning scheme was restructured to insert a new Municipal Planning Strategy and local Planning Policies to replace the former Local Policy Planning Framework. This was done via amendment C41bena and was a policy neutral amendment undertaken by the State government.

This review will be forwarded to the Minister for Planning as required under section 12(B) of the act once complete. A planning scheme amendment to implement the findings of the review has been prepared and is attached in the form of marked up ordinance as Appendix 1 to this report.

Overall health check

Overall, the Benalla Planning Scheme is operating reasonably effectively. The settlement narrative in the scheme is clear, however overall, there are strategic gaps in the planning scheme. Many of the local schedules are not populated, and there are opportunities for local policy to be further refined. This is particularly true for the residential zones, which in addition to not having local content, do not meet current best practice.

A number of strategic gaps have been identified by Council and a strategic planning program has commenced to address this. Of note are the heritage projects that Council has underway. Several strategic plans Council has prepared can be implemented now, through an amendment based on this report.

There are opportunities for efficiencies to be made by removing unnecessary permit triggers in Design and Development Overlays, Land Subject to Inundation Overlay and Farming Zone which in turn will likely reduce application numbers.

VCAT activity for the Council is similar to other small rural Council and is not impacting significantly on officer time.

Numerous small, policy neutral changes have been identified to bring the Benalla Planning Scheme in line with the Ministerial Direction on the Form and content of planning schemes.

Top priorities for Council

This review has identified the following priorities for Council over the next four years.

Prepare a Benalla Gateway Strategy including guidance for signage

Remove low value permit triggers

- The DDO1 requires a planning permit for buildings and works for a dwelling within the flight path of the aerodrome. Dwellings that meet the requirements should not need a planning permit.
- In the Farming Zone, extensions to dwellings and construction of outbuildings greater than 100sqm could be removed. The use is established and dwellings are generally located outside of the existing area used for agriculture. Outbuildings generally enhance the operation of the Farming use on the land.
- In the DDOs and LSIO, minor matters could be removed, in line with other Councils including:
 - Extensions to existing dwellings.
 - Swimming pools
 - Carports.
 - Garages.
 - Sheds.

Prepare separate RLZ schedules.

A separate schedule should be prepared for each minimum subdivision area. This makes the controls on land much more transparent to land owners and applicants. This will have an impact on mapping. Ordinance has been prepared as part of this review. In addition to this, Council has identified that the minimum lot sizes in RLZ do not align with state policy and practice. There is an opportunity to review and update the controls to better reflect local and state intent in the RLZ.

Update settlement strategy for the Shire, with a focus on Benalla

Settlement clauses will expire 3 years from gazettal date of C41bena.

The settlement clauses at 11.01-1L have a sunset clause, to expire three years from the gazettal date of C41bena. The preparation of a settlement strategy would enable these local policies to be confirmed or updated prior to their expiration. Where possible, the strategy would be supported by a neighbourhood character study for Benalla and updated guidance for growth areas, in particular west Benalla.

Consolidated recommendations

This section of the report outlines the recommendations and next steps for the planning scheme review.

Recommendations are grouped as follows:

- Planning scheme recommendations.
- Further strategic work recommendations.
- Process improvement recommendations.
- Advocacy recommendations.

Planning scheme amendment recommendation

These recommendations relate to the planning scheme amendment that should be progressed to implement the findings of this review relating to administrative matters or to incorporated Council or State adopted strategic planning work into the scheme.

The planning scheme review has identified many policy neutral changes that should be made to the planning scheme to bring it into alignment with the Ministerial Direction on the Form and Content of Planning Schemes. These are purely administrative matters and do not change the policy intent of the scheme.

There are several factual changes that should be made to the Municipal Planning Strategy to bring it up to date with the latest ABS data, the Council Plan and to acknowledge the Traditional Owners of the land in which Benalla Rural City Council sits – the people and lands of the Taungurung and Yorta Yorta.

The planning permit audit and consultation with Council staff (Appendix One) identified that some permit triggers can be removed as generating unnecessary permit applications that related to matters that Council is not concerned about from a planning perspective.

Removal of these permit triggers should reduce the number of planning permits dealt with by Council. This represents a reduction in workload which will enable resources to be directed to other planning priorities.

An audit of local and regional strategies and policies that have been completed since the last planning scheme review (Appendix One) has identified new policy that has the strategic justification to be incorporated into the planning scheme.

These changes are marked up on the supporting Ordinance (See Appendix Two). Changes that are policy neutral are in blue and red. Changes that are not policy neutral are in green and orange.

In Appendix Two, the reason for each change is included in orange text in brackets like this: [\[source code\]](#) This reason will take the reader back to the correct page of the parent document or the correct provision in the planning scheme as appropriate and enable changes to be understood in their original context.

It will be up to Council to liaise with the DELWP Regional Planning Services team to determine what sort of amendment or amendments are appropriate to progress the findings of this report.

Recommendation:

Prior to seeking authorisation for a planning scheme amendment, it is recommended that Council:

1. **Consult with referral authorities proposed to be moved in schedules to Clause 66.04s and 66.06s to ensure they are supportive of the move.**
2. **Rationalise the further strategic work identified in the current Clause 74.02 with the further strategic work listed at Recommendation 3 in the Executive Summary of this report.**
3. **Review Appendix Three to ensure that the further strategic work identified in it has been resolved or is addressed in 74.02 or Recommendation 3 in the Executive Summary of this report.**

Once these matters are resolved, it is recommended that Council:

1. **Prepare a planning scheme amendment or amendments using the marked up ordinance at Appendix Two to:**
 - a) **Incorporate the policy neutral changes identified on Appendix Two to align the ordinance with the Ministerial Direction on the Form and Content of Planning Schemes.**
 - b) **Incorporate the vision from the Council Plan and make other updates to factual data.**
 - c) **Amend the MPS at 02.01 Context to include appropriate reference to Traditional Owners and Country.**
 - d) **Remove Goulburn Broken CMA as a recommending referral authority for ESO2.**
 - e) **Align ESO2 with the same policy in Mansfield Planning Scheme.**
 - f) **Extend sunset policies in Clause 11 Settlement that were inserted through C41bena (PPF Translation) to provide additional time to complete settlement strategy work.**
 - g) **Include new policy to implement:**
 - ***Benalla Rural City Tourism and events Strategy 2018-2022***
 - ***Benalla Rural City Council Plan 2021-2025***
 - ***Benalla Rural City Council Environment Strategy 2016-2020***
 - ***Climate Change Adaptation Plan 2013-2025***
 - ***Benalla Rural City Community Plan 2016-2036***
 - h) **Update Clause 72.08 Background documents to include any new policy documents based on the findings of this review.**
 - i) **Include an updated Clause 74.02 Further strategic work that prioritises the strategic work program based on the findings of this review.**

Further strategic work recommendations

Section 9 and Appendix Three of this report outlines the strategic planning work that has been identified through this planning scheme review.

Only work that can be completed in the next four years should be included in Clause 72.04 of the planning scheme. A recommended Clause 72.04 is included in the marked up ordinance at Appendix 2.

This should be considered by Council to ensure that the work is reasonable to complete over the next four years and, if not, the priority projects that should be included in Clause 74.02.

Appendix Three includes prioritisation tools to assist Council in developing a prioritised longer term work program.

Recommendations:

2. **Prepare a prioritised list of further strategic work, including resource allocations, using the table of all further strategic work that has been identified as part of this review in Appendix Three.**
3. **Undertake the following strategic work:**

- a) Review and update the 2012 Rural Living Strategy to reflect current growth and needs.
- b) Prepare a Settlement/Housing Strategy including
 - assessment of character for Benalla to guide development within Benalla Township and Benalla West.
 - Application of zones and relevant schedules
 - Compliance with Planning Practice Notes 90 and 91
- c) Work in partnership with DELWP, TLaWAC and YYNAC to develop policy that recognises traditional owners, places of significance and the Country Plan in the planning scheme.
- d) Undertake a Permit Trigger Study to review permit triggers in zones and overlays to determine whether they can be removed without impacting on their strategic intent including:
 - discussion with CMA to introduce application requirements and remove permit triggers in the Urban Floodway Zone
 - removal of permit trigger for development meeting relevant requirements in the DDO1 (in consultation with referral authority); and
 - removal of redundant and low value triggers in overlays, in consultation with relevant referral authorities
- e) Prepare a Gateway Policy to address signage and township approaches for Benalla township and all other smaller towns within the municipality.
- f)
- g) Review Industrial 1 Zone and Industrial 3 Zone areas using guidance provided by Planning Practice Note 92: Managing buffers for land use compatibility to determine appropriate land use buffers and insert local content.
- h) Review DDOs to ensure they meet the Ministerial Direction, and for their continued relevance.

Process improvement recommendations

These recommendations are drawn from both the analysis of the planning scheme and consultation with Council staff and referral authorities.

The recommendations relate to improvements that could be made to the processes associated with collection and analysis of data (such as planning permits), processing and referral of applications, and communication. Process improvements may apply to Council, the State government or referral agencies.

Recommendations:

4. Improve the council planning website to include information on planning scheme amendments with assistance from DELWP's Digital Reform team if possible.
5. Improve how Council collects and collates planning permit data to enable data to be better analysed for the purposes of monitoring planning permit activity and opportunities for improvements.
6. Collect data on the increase in planning permits and VCAT appearances to ensure that adequate resources are allocated to the planning team to deal with additional workload.

Advocacy recommendations

These recommendations are generally beyond the scope of what Council can achieve in its planning scheme under the current Victoria Planning Provisions or scope of the Planning and Environment Act 1987. They are matters that Council may wish to discuss with the State Government to highlight the issue and advocate for change.

Recommendations:

7. **Seek support from VPA to continue to implementation of the 2019 floodplain study and finalise the West Benalla Growth Area**
8. **Join Council Alliance for Sustainable Built Environment (CASBE) to learn and advocate for better local ESD policies**
9. **Seek advice from the Minister for Planning on how to better engage with applications for renewable energy facilities.**

Minister for Planning recommendation

Benalla Rural City Council, with assistance from the DELWP Regional Planning Hubs, has prepared a planning scheme review as required by section 12B(1) of the *Planning and Environment Act 1987* (the Act).

In accordance with section 12B(3) of the Act this review identifies opportunities, set out in this report, enhances the effectiveness and efficiency of the planning scheme in achieving the objectives of planning in Victoria and the objectives of the planning framework established in the Act.

In accordance with section 12B(4) of the Act, the review evaluates the planning scheme to ensure that it:

- Is consistent with Ministerial Direction on the Form and Content of Planning Schemes.
- Sets out the policy objectives for the use and development of land.
- Makes effective use of state and local provisions to achieve state and local planning policy objectives.

Recommendation:

10. **That Benalla Rural City Council accept this Planning Scheme Review and forward to the Minister for Planning as evidence Benalla Rural City Council, as the planning authority for Benalla Planning Scheme, has met its obligations in accordance with Section 12B of the Planning and Environment Act 1987 to review the planning scheme every four years.**

1. Introduction

1.1 Purpose

Council as the planning authority for the Benalla Planning Scheme is required to review its planning scheme every four years under Section 12(B) of the *Planning and Environment Act 1987* (The Act).

The scope of a planning scheme review is established under Section 12(B) and planning scheme reviews should focus on:

- The **effectiveness and efficiency** of the planning scheme in achieving the objectives of planning and the planning framework in Victoria.
- Aligning the planning scheme with the **Ministerial Direction on the Form and Content of Planning Schemes**.
- Ensuring the planning scheme contains a **clear narrative about the way use and development of land will be managed to achieve the planning vision or objectives of the area**.

Planning scheme reviews also provide the opportunity to:

- Align Council's policy position with the planning scheme.
- Update out of date or redundant information.
- Educate and inform stakeholders about how the planning scheme works and the process by which to improve it.

Council last undertook a comprehensive review of the planning scheme in 2013. The findings of this review were translated into the planning scheme via amendment C29 which was gazetted on 21 April 2016.

Recently the planning scheme was restructured to insert a new Municipal Planning Strategy and local Planning Policies to replace the former Local Policy Planning Framework. This was done via amendment C41bena and was a policy neutral amendment undertaken by the State government.

This review will be forwarded to the Minister for Planning as required under section 12(B) of the Act once complete. A planning scheme amendment to implement the findings of the review has been prepared and is attached in the form of marked up ordinance as Appendix 1 to this report.

1.2 Methodology

This planning scheme review was undertaken by the Regional Planning Partnerships at DELWP which has been funded to assist rural and regional municipalities with surplus planning work. Many rural and regional councils have requested assistance from the Regional Planning Hub to prepare their planning scheme reviews.

To support this, the Rural and Regional Hubs Team partnered with Redink Planning to develop a methodology, procedure and templates to enable planning scheme reviews to be undertaken more easily. This included developing a methodology that enabled a thorough and quick understanding on how the scheme is performing against various indicators, and identifying 'big rocks' to focus on to improve the scheme. The methodology also includes marking up the planning scheme ordinance with the recommended changes to enable the review to be progressed as a planning scheme amendment without further work being required.

The Benalla Planning Scheme was in the first tranche of six Councils to have their schemes reviewed using this new, simpler methodology. The six schemes were: Benalla, Corangamite, Golden Plains, Horsham, Mansfield, and West Wimmera.

The methodology, procedure and templates have been documented and will continue to be refined by DELWP as further reviews are undertaken. The savings in officer time, consultants' fees, and efficiencies by undertaking reviews in tranches and using the methodology, procedures and templates that have been developed are significant.

Stage	Tasks	Timing
Inception stage	<p>Inception meeting with project manager</p> <p>Gather information from council (e.g. referral authorities, strategic plans, permit data etc)</p> <p>Survey of planning staff to identify performance strengths and weakness of the scheme and key issues.</p> <p>Email referral agencies for feedback</p>	October, 2021
Analysis stage	<p>Review of previous 12B</p> <p>Review of VCAT decisions and Panel recommendations</p> <p>Review of Planning Permit Activity Reporting System (PPARS) data.</p> <p>Review of new strategic plans (regional and local)</p> <p>Audit planning scheme and identify changes required.</p> <p>Document concurrent planning scheme amendments.</p> <p>Ongoing consultation with internal staff.</p> <p>Further consultation with referral authorities if required.</p> <p>Consultation with DELWP – Regional Office</p> <p>Review community satisfaction rating for planning</p>	March, 2022
Consultation stage	<p>Consultation with internal staff</p> <p>Briefing to Councillors and the Executive Team.</p>	June, 2022
Reporting stage	<p>Finalise planning scheme review report.</p> <p>Finalise ordinance.</p>	July, 2022
Finalisation stage	<p>Endorse review and send to Planning Minister as required by section 12(B) of the <i>Planning and Environment Act 1987</i>.</p> <p>Proceed with planning scheme amendment to implement the review.</p>	TBD by Council

1.3 Guidance

This planning scheme review has been prepared in consideration to the following directions and guidance provided by DELWP.

Ministerial directions:

- Ministerial Direction on the Form and Content of Planning Schemes.
- Ministerial Direction No. 11 Strategic Assessment of Amendments.

Planning practice notes and advice:

- A Practitioners' Guide to Victorian Planning Schemes.
- PPN – 46 Strategic Assessment Guidelines
- PPN32 – Review of planning schemes

1.4 Changes in State Planning Policy since the last review

The Victorian Planning Scheme is constantly being reviewed and updated at a State level with numerous VC and GC amendments occurring each year. The State also provides advice to planners in the form of updates to the Practitioners Guide and new planning practice notes.

The way in which the Benalla Planning Scheme should respond at a local level to these changes to the Victorian Planning Provision and how they should be applied has been considered in this review.

VC (Victorian) and GC (group of council) amendments.

Since the last planning scheme review in 2013, several VC and GC amendments have introduced new policy into the Benalla Planning Scheme and are directly relevant to this review:

- VC134 – Introduced the Municipal Planning Statement (MPS)
- VC138 – Updates to the Native Vegetation Framework
- VC140 – Provisions for the Planning Policy Framework transition
- VC142 – Update to the Ministerial Direction on Form and Content and clean-up of permit triggers.
- VC148 – Planning Policy Framework introduction
- VC175 – Buffer Area Overlay introduction
- VC200, VC 204 and VC205 – Transport planning reforms

New Planning Practice Notes

Since the last planning scheme review in 2013, Several Planning Practice Notes (PPNs) have been introduced which may impact on the future development of the Benalla Planning Scheme.

- PPN84 – Applying the minimum garden area requirement
- PPN85 – Applying the Commercial 3 zone
- PPN86 – Applying for a planning permit for a pig farm
- PPN87 – Preparing a planning permit application for animal production
- PPN88 – Planning considerations for existing residential rooftop solar energy facilities
- PPN89 – Extractive energy and resources
- PPN90 – Planning for housing
- PPN91 – Using the residential zones
- PPN92 – Managing buffers or land use compatibility
- PPN94 – Land use and transport integration
- PPN95 – Local heritage protection provisions

2. What's driving change

2.1 Population, growth and economy

Benalla Rural City covers an area of 2354 square kilometres, has a population of 14,137 and on most recent projections, is forecast to grow to 14,660 by 2036. Benalla is the region's main urban and service centre, and supports a number of smaller townships including Baddaginnie, Devenish, Goorambat, Tatong, Thoona, Swanpool and Winton.

The key industries are healthcare, agriculture, manufacturing, and tourism, with employment in the manufacturing, retail trade, agriculture and health and community services sectors.

Over the last 4 years Benalla has processed an average of 197 planning permits each year, with the most common category of application being *Alterations to a building structure or dwelling*. 112 dwellings were approved over the last 4 years (PPARs data) and the total number of private dwellings listed in the 2021 census was 7200. An additional 588 lots were created through subdivision over the last 4 years.

2.2 Climate change and other environmental risks

Benalla Council is subject to the impacts of climate change, but with strategic consideration growth is unlikely to be impacted in the short term. *The Climate Change Adaptation Plan 2013-2025* seeks to develop an Action Plan that will help the Benalla Rural City Council to adapt to future changes in climate.

The council has a history of major floods that have caused considerable damage to both urban and rural areas, and are managed through flooding overlays. Bushfire is a threat in Benalla and the BMO has been applied to forested areas of the council. All areas outside the township of Benalla are considered Bushfire Prone Areas and present risk from both grassfire and forest fire.

3. Previous review

3.1 Benalla Planning Scheme Review [2013]

The Benalla Planning Scheme was last reviewed by Isis Planning in 2013 and endorsed/adopted by Council at its meeting on **18 May 2016**.

The review found:

- The 2013 Review made many structural changes to the MSS that have held it in good stead for this review.
- The LPPF reportedly is performing well and addressing all the key issues the planning scheme should address, apart from the impacts of climate change.
- Climate change has gained more currency since the last review and this should form an element in the new MSS.
- There is a need to update the structure and content of the LPPF in line with current best practice that has developed since the last review.

3.2 Progress since last review

Since the last review, Council has undertaken the following work in response to the recommendations from the last review.

- Review included a draft revised LPPF to be introduced to the planning scheme.
- Completed the Lake Benalla Environs Review and implemented the recommendations in the planning scheme.
- Implemented the findings of the Winton Taskforce, including a town structure plan and strategies for development.
- Introduced the Restructure Overlay to small lots in small towns to ensure they are of sufficient area to treat waste water on site.

- Prepared a Vegetation Management Plan and implemented recommendations in the planning scheme.
- Finalised the Roadside Management Plan and implement in the planning scheme.
- Reviewed the Economic Development Strategy annually for the municipality.
- Developed a car parking strategy for the Benalla CBA.
- Developed a strategic master plan for the Benalla Airport and its environs.
- Undertaken preliminary planning for growth in Benalla West.

4. Planning permit activity

This section contains an analysis of planning permit activity that has taken place during the last four years. It draws on both publicly available Planning Permit Activity and Reporting System (PPARs) data and data provided by Council. Appendix 2 includes the raw data that has been used for the analysis.

4.1 Number and nature of permits assessed

Table 1 shows the number of permit applications that Benalla Council processed between 2018 and 2021, with a variation between a low of 151 and a high of 247, and an average of 197 per annum. Benalla Council can be seen to be showing a gradual increase in permit applications throughout the years, which can be attributed to steady migration to regional cities – most growth was experienced in Benalla – and ongoing creation of new lots through subdivision. There has been a general trend across the state in increased permit activity in regional areas which has been attributed to the COVID-19 pandemic. Permit activity in Benalla has been consistently increasing over the last four years.

The increase in growth that Benalla Shire is experiencing is supported by data released in 2019 by Victoria in Future (ViF 2019). The ViF projected growth increase of 0.3% in the 2016-2021 period, has been exceeded. New data has not yet been released for analysis at the time of writing this report, however it is likely this data will indicate the impacts of migration and the COVID-19 pandemic impacts. It is likely that the global pandemic will impact migration rates for a while, and it is difficult to fully understand how accurate the growth projections might be.

Table 1: Permit activity between 2018 – 2021 calendar years (DELWP Planning Information Services dataset)

2018	2019	2020	2021	Average
151	172	216	247	197

Over the last 4 years the category of permits generating the highest activity has consistently been alterations to a building, structure, or dwelling.

Over the last 4 years Signage has only accounted for approx. 1.1% of permits (9), 2.25 permits per year in average. While the permit application data for signs is not overwhelming in itself, of the 5 VCAT cases presented to the project team for analysis 2 of these are relating to signage, representing 40% of VCAT appearances related to signs. Of this, one decision was set aside and the other affirmed. This is discussed more in Chapter 5.2, however it is important to note that while signs are taking up a small resource in terms of applications, the lack of clear policy for signage in Benalla is creating resource and cost implications at VCAT.

During in initial planners workshop held on 24 March 2022 via Teams, it was raised that introducing more permit exemptions for the DDO and LSIO would free up resourcing and have less permits generated.

Regarding land use, a general shift from agriculture and vacant land uses toward residential, other, and more recently, mixed uses are prevalent.

It was difficult to analyse the Benalla permit data given the current restrictions on information that is collected.

Finding

- 11. Improve how Council collects and collates planning permit data to enable data to be better analysed for the purposes of monitoring planning permit activity and opportunities for improvements.**

4.2 Service performance

The median number of days taken between receipt of an application and a decision on an application was 34 days in 2020 – 2021. This is an increase than previous years, due to a higher-than-normal number of applications received in 2020/21, however is still very low and well under the statutory timeframe of sixty days. The average for other similar councils is 54.37 days, higher than Benalla.

- 1. Improve the council planning website to include information on planning scheme amendments with assistance from DELWP's Digital Reform team if possible.**

4.3 Decision making

4.3.1 Decisions by Council

Council was unable to provide a breakdown of delegate decisions vs in-chamber decisions, however Table 3 provides an overview of the permit decision outcomes made by the delegate and the responsible authority (council as RA).

The data in Table 2 demonstrates that most decisions are made under delegation (96.5%). During the workshop on the 29 May 2022 delegations were discussed. The figure of 3.4% of decisions being made by Council is a little higher than comparable rural councils, however this higher number has been explained by council planners that the recent decisions that have been decided by the Council have been appropriate, as they have been larger subdivisions or matters of community interest. The number is not high enough to warrant a review of delegations.

Finding

- 2. Collect data on the increase in planning permits and VCAT appearances to ensure that adequate resources are allocated to the planning team to deal with additional workload.**

Table 2: Decision outcome data from 2018-2021 calendar year.

	No permit issued	Permit issued by delegate	Permit issued by the RA	Total permits
Permit	49	711	27	787
% of total	6.2%	90.3%	3.4%	100%

4.4 Geographic spread of applications

Planning permit activity is not distributed evenly across the municipality.

Table 3 shows that, during the past 4 years, 71.54% of all application processed by Benalla Council were in the Benalla locality, followed by Chesney Vale at 3.3% and Tatong at 2.03%. This is expected as Benalla is the most populated area in the Shire and has seen the most growth, and growth here is supported through policy in the MPS and PPF. Benalla is identified as the major urban centre of the municipality, and provides the focus for most residential, commercial, retail and industrial opportunities. MPS policy directs urban growth to the Benalla township.

Benalla has also introduced more residential land than other parts of the Shire, 100% of subdivisions (61 applications) from 2017/18-2020/21 financial year in Benalla Shire were in the township of Benalla. A number of planning scheme amendments over the last 4 year cycle have introduced new GRZ land to the municipality, and have in turn seen the creation of 588 additional residential lots. It is expected that more lots will be introduced to the market following the approval of Amendment C42bena in May 2022, which rezoned a large portion of land into the GRZ1.

West Benalla has been identified as the preferable location for housing growth. The next four smaller towns (Chesney Vale, Tatong, Lima South and Winton) with the most applications collectively accounted for 8.51% of all applications processed by Benalla Council over the 4 year period.

Table 3: Key permit action areas from 2018 – 2021 calendar years (DELWP Planning Information Services dataset)

Location	Number of applications	% of total
Benalla	563	71.54
Chesney Vale	26	3.3
Tatong	16	2.03
All other towns	182	23.13
Total	787	100%

Not all the small towns have localised policies. Permit data shows growth in Chesney Vale, but this township does not have a structure plan or local policies to support its growth. The towns itself isn't really a town and is more of a collection of RLZ lots surrounded by farming areas. During the workshops it was raised and acknowledged that many of the townships in Benalla require review, however as the policy and growth is focused on Benalla township it is preferred that the strategic work is completed here before looking at the smaller settlements.

5. Planning scheme performance

5.1 Planning Panel Victoria recommendations

Council has undertaken 14 planning scheme amendments since the last planning scheme review. These are detailed in Appendix One.

C10, which has been in operation since March 2014, introduced a new policy to Clause 21.08 regarding car parking and introduced a new Parking Overlay control for the Benalla CBD. While the amendment was ultimately supported by the Panel, it was recommended that Council, in consultation with relevant stakeholders, update the reference document 'Benalla Central Business Area Car Parking Precinct Plan' to develop more specific parking strategies for the Benalla CBA. The panel also recommended a review the appropriateness of the zoning for public use of land to the north of Bridge Street that is developed and used for a supermarket with associated parking.

C33bena, was gazetted in May 2021 and rezoned land at 48 Four Mile Road Benalla from Farming Zone to General Residential Zone. This amendment was supported by the Panel, and further recommendations included that Council should consider the application of a broader suite of overlays to guide more detailed strategic precinct planning and development contributions for the West Benalla growth area before proceeding with further Amendments of this type. Council should consider additional overlays and strategic directions to guide contributions to the West Benalla Growth Area Plan.

These recommendations have been included in this report as further strategic work.

5.2 VCAT decisions

Decisions at VCAT

Benalla Shire Council are not regulars at the Victorian Civil and Administrative Tribunal (VCAT), with only 5 appearances in the last 4 years (data provided by Benalla Rural City Council). This is based on data supplied to the project team.

A detailed assessment of specific VCAT decisions of note is included in Appendix One.

The appearances can be easily categorised into the following themes:

- Gaps in rural policy
- Gaps in neighbourhood character policy
- Gaps in gateway/signage policy

Rural policy

Two cases (Arnold v Benalla Rural CC [2021] VCAT 1215 and Scanlan v Benalla Rural CC) both consider policy in the FZ and the use of motorbikes in different capacities. Council's decision for Arnold v Benalla CC was not supported by VCAT, and a permit was granted. The Tribunal found that the use of the land for motorcycle facility does not conflict with the purposes of the FZ and would not represent an unacceptable planning outcome.

Neighbourhood character

VCAT supported a decision to not issue a permit in Benalla for a multi-unit development. While Council was able to argue that the application did not respect the existing character of the area, it was noted that the application was within GRZ land and that the development was allowed under the rules of the zone. VCAT noted that there are no policies in the planning scheme that articulate a preferred future character for this neighbourhood, and the Benalla Neighbourhood Character Study 2002 and the North West Benalla Outline Development Plan 2005 do not offer assistance to the assessment of the neighbourhood character of the area because they are so old. The same recommendation was made in the Government Land Standing Advisory Committee Tranche 27 recommendations for the Gay Street Benalla rezoning.

Finding

- A. It is recommended that any broader structure/ settlement planning include neighbourhood character studies to address this policy gap. Prepare a neighbourhood character study for Benalla to articulate the preferred form of development.**

Gateway/major promotional signage

Two cases Total Outdoor Media Pty Ltd v Benalla Rural CC [2019] VCAT 1714 and Regional Billboard Company Pty Ltd v Benalla Rural CC [2019] VCAT 1903 both consider construction and display of a major promotional sign in IN1Z. The cases identified that there is no strategic work that has been undertaken for Benalla to identify gateway locations. No structure plans or guidance for development has been provided yet for industrial land in west Benalla, and further strategic work is required to provide this guidance. Presently, the Benalla PS does not disallow or discourage third-party signage in industrial areas.

Finding

- B. Prepare a Gateway Policy to address signage and township approaches for Benalla township and all other smaller towns within the municipality.**

5.3 Consultation with stakeholders

5.3.1 Councillors and executive team consultation

A council briefing session was held on 13 July 2022. The councillors were provided with an overview of the project and highlighted some of the key strategic recommendations that had been identified.

Councillors agreed with the identified issues, and raised their own concerns around the following:

- Concerns over location of solar farms and the impact they have on agricultural activities. This led into a discussion more generally about community consultation and the lack of control the Council has over issues and applications like renewable energy facilities.

- Strongly agree about the need for an overarching “municipal plan” to direct growth for the municipality.
- Concerns over small lifestyle lots and lot sizes, and the demand for larger residential lots.
- New subdivisions not having adequate parking or wide enough streets. Neighbourhood character concerns.
- Sustainable designs and subdivision.
- Connectivity between different parts of town.

The councillors were very well engaged and asked valuable planning related questions. They understood that not all their concerns were able to be addressed through the Review, and those that are not land use planning related have been captured through the section on Advocacy in the Executive Summary Recommendations.

5.3.2 Council planners and internal staff consultation

Meetings with the council planning team and internal stakeholders were held on 24 March 2022 via Microsoft Teams and 16 June 2022 face to face in the Benalla offices.

The following issues were discussed:

During the workshop on 24 March the results of the planner’s survey were discussed, as well as the first “cut” of analysis and issues identified by the project team.

Council generally supported the issues raised and reinforced the planning permit data and the issues with permit triggers in the DDO1 and LSIO. The DDO1 can be redrafted to resolve some of the issues but it would need to be exhibited.

The project team raised that flood studies should be updated, and the council officers indicated that the VPA has been sitting on the work after Benalla received financial assistance from the Streamlining for Growth project. It is understood that Council is also waiting for the VPA on a rescoping of the West Benalla Growth Area.

In the workshop held 16 June other internal stakeholders were in attendance. The issues raised were much broader than planning, and included the following key points:

- Towns like Goorambat and Devenish are now sewered, and have more capacity for growth, other small towns are still restrained
- There is a lack of information for long term growth throughout the township in regard to infrastructure capacity
- The Rural Living Strategy was completed and implemented in 2012/13, but it is now out of date.
- Social/transport/community infrastructure is lacking, and there is opportunity to plan more for health and education services. This work should include consultation with the planning team when being commenced.
- Signage policy may be what has triggered VCAT, but a comprehensive gateway policy would cover a number of issues
- Placemaking in small towns
- Streetscape policies and urban design
- Buffers on landfills
- ESD opportunities for local councils
- No local policy for affordable housing

Finding:

C. Review and update the 2012 Rural Living Strategy to reflect current growth and needs

D. Prepare a Settlement/Housing Strategy including

i. assessment of character for Benalla to guide development within Benalla Township and Benalla West.

ii. Application of zones and relevant schedules

5.3.3 Referral agencies

North West Water was sent a request for feedback as they are a referral authority under Clause 66 to the ESO Schedule 4. North West Water have requested wording changes to the ESO to remove ambiguity. This requested change is included in Appendix Two.

Goulburn Broken Catchment Management Authority (GBCMA) are also a referral authority under Clause 66. GBCMA reviewed Schedule 3 to the ESO, and recommend that the Benalla and Mansfield schedules be more aligned. Additionally, given the intent of the ESO is the protection of water quality and the fact that Goulburn Murray Water are a determining authority, there appears to be limited value in having the Goulburn Broken CMA as a recommending authority under Clause 66.04 of the Benalla Planning Scheme. The letter provided by the CMA details why.

Findings:

- E. Update ESO4 as per North East Water request.**
- F. Remove Goulburn Broken CMA as a recommending referral authority for ESO2.**

5.3.4 Registered Aboriginal Parties

Taungurung Land and Waters Aboriginal Corporation (TLaWAC)

The Taungurung people are the Traditional Owners of the land now described as the Benalla Rural City Council. The Taungurung Land and Waters Council (Aboriginal Corporation) are the Registered Aboriginal Party, formally recognised by the Taungurung Recognition and Settlement Agreement (RSA) 2018 made under the Traditional Owner Settlement Act 2010.

The project team first spoke via phone call with a representative from TLaWAC in March 2022. A number of informal discussions have taken place, including a valuable discussion including council on 15 June 2022. The project Discussion Paper was shared with TLaWAC, who are interested in continuing the discussion on how to embed TLaWAC values more effectively into the planning scheme. Further work is required to develop ideas from the Discussion Paper.

Yorta Yorta Nation Aboriginal Corporation (YYNAC)

The Yorta Yorta people are the Traditional Owners of the land now described as the Benalla Rural City Council. YYNAC was established in 2007, and legally recognised by the Federal Court of Australia in 2010. The project team was not able to connect with YYNAC. The DELWP project team reached out through internal channels to connect with YYNAC, but unfortunately without success. It is unknown what interest YYNAC would have in the project, and as such it is strongly recommended that council officers continue to build a relationship with YYNAC.

The Benalla Planning Scheme does not currently recognise Traditional Owners or traditional cultural values in local policy. It does not provide any guidance about Country or places of significance, or reference to any Country Plan. It does not provide any guidance in regard to Country or places of significance, or reference to any Country Plan.

As identification of Country and acknowledgement of the Traditional Owners of the Country are factual and statistical, it is recommended that this be included in a policy neutral amendment (Appendix Two). Future strategic work **must include partnership and collaboration** with TLaWAC and YYNAC to develop policy. Council should work with TLaWAC and YYNAC to develop high level planning policy statement for future planning scheme amendment opportunities.

Findings:

- G. Amend the MPS at 02.01 Context to include appropriate reference to Traditional Owners and Country.**
- H. Work in partnership with DELWP, TLaWAC and YYNAC to develop policy that recognises traditional owners, places of significance and the Country Plan in the planning scheme.**

6. New strategic work

6.1.1 Regional documents

The following regional documents were reviewed:

- Goulburn Broken Regional Catchment Strategy 2013-2019 (Goulburn Broken Catchment Management Authority, 2013)
- Goulburn Broken Regional Floodplain Management Strategy 2018-2028 (Goulburn Broken Catchment Management Authority, 2018)
- Yorta Yorta Whole of Country Plan 2021-2030 (Yorta Yorta Aboriginal Corporation, 2021)
- Taungurung Country Plan (Taungurung Land and Waters Aboriginal Corporation, 2016)
- Hume Regional Climate Change Adaptation Strategy 2021 (The State of Victoria Department of Environment, Land, Water and Planning, 2021)

A detailed assessment of applicable Regional Documents is included in Appendix One.

The recommendations of the Climate Adaptation Plan should be implemented through State policies not local and have been referred to DELWP for this purpose

The planning scheme should be amended to acknowledge First Nations people in the content of the MPS, and further work undertaken to work with Registered Aboriginal Parties to ensure the planning scheme takes into account and reflects First Nations land and cultural values.

Finding:

- I. **Include First Nations people recognition in the MPS.**

6.1.2 Council documents

Council provided the project team with the following council documents for review:

- Benalla Rural City Tourism and Events Strategy 2018-2022
- Benalla Rural City Council Plan 2021-2025
- Benalla Rural City Council Environment Strategy 2016-2020
- Climate Change Adaptation Plan 2013-2025
- Benalla Rural City Community Plan 2016-2036

A detailed assessment of Council Documents and Strategies adopted since the last review is included in Appendix One (A8-3).

Findings:

The findings for the Planning Scheme because of the review of adopted Council Documents and Strategies are to:

- J. **Amend the Vision (02.02) to reflect the current Council Plan (2021-2025).**
- K. **Amend Clause 74.03 (Further strategic work) to include priority work identified in adopted Documents / Strategies, including:**
 - **Strategies to introduce new policy for sustainable agricultural land use**
 - **Introduce new strategies for natural hazards and climate change**
 - **Integrated water management**
- L. **Introduce a range of new policies to give effect to Council's adopted:**
 - **Benalla Rural City Tourism and events Strategy 2018-2022**
 - **Benalla Rural City Council Plan 2021-2025**
 - **Benalla Rural City Council Environment Strategy 2016-2020**

- **Climate Change Adaptation Plan 2013-2025**
- **Benalla Rural City Community Plan 2016-2036**

Recommended changes have been made to the marked up ordinance at Appendix Two.

7. Audit and assessment of the current scheme

An audit of each local provision and schedule in the planning scheme has been undertaken. This audit has compared the drafting and application of each provision against the Ministerial Direction on the Form and Content of Planning Schemes, a *Practitioners' Guide to Victorian Planning Schemes* (Version 1.5, April 2022) and relevant planning practice notes.

Each provision has also been assessed with consideration to the work it is doing in achieving the strategic objectives that are set out in the State, regional and local planning provisions.

The detailed outcomes of the audit are contained in Appendix One to the scheme.

Findings on improvements that could be made are listed below. Some of these can occur as part of a planning scheme review based on the findings in this report and are included in the marked-up Ordinance at Appendix Two. Others require further strategic work to justify the change and are listed as findings.

7.1 Recommended changes

Clause	Change	Policy neutral	Not policy neutral	Further strategic work required
MPS	Include First Nations people recognition in Clause 02.01 Context.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MPS	Make minor amendments to the Context (02.01) to include updated economic and population data and the Vision (02.02) to reflect the current Council Plan (2021-2025).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MPS	Introduce new policy at Clause 02.03-2 to highlight Benalla RCC being upstream of 6 RAMSAR sites	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MPS	Introduce new policy at Clause 02.03-7 to support diversified industry.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MPS	Amend policy at 12.03-3 to support sustainable practices	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MPS	Undertake further strategic work to support good neighbourhood character outcomes in Benalla and update Clause 15.01-5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PPF	Make minor amendments to policy names and content to comply with the Ministerial Direction.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PPF	Extend sunset policies in Clause 11 Settlement to provide additional time to complete settlement strategy work.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PPF	Undertake strategic work to update the framework plans and policies for all settlements in Benalla Rural City Council	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PPF	12.03-1L Lake Benalla Environs – remove sunset clause reference as there was no strategic justification to remove it.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PPF	Introduce new policy at 11.03-1L to plan for population growth	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PPF	Introduce new policy at Clause 17.04-1L to support new waling trails and add further strategic work to Clause 72.04.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PPF	Introduce new policy at 18.01-2L to support a well connected and accessible community	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Clause	Change	Policy neutral	Not policy neutral	Further strategic work required
PPF	Introduce new policy at 19.02-6L to facilitate vibrant public spaces and places	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Zones	Make minor amendments to content to comply with the Ministerial Direction.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Zones	Review drafting of Rural Living Zone Schedule 1 to comply with the Ministerial Direction and check for accuracy.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Zones	Undertake further strategic work to examine permit requirements for outbuildings in the Farming Zone	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Zones	Undertake further strategic work for all residential zones to populate local schedules and to ensure towns comply with advice for settlement planning as per Planning Practices notes 90 and 91.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Zones	Review Industrial 1 Zone and Industrial 3 Zone areas using guidance provided by Planning Practice Note 92: Managing buffers for land use compatibility to determine appropriate land use buffers and insert local content.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Zones	Redraft Schedules to the Special Use Zone to comply with Ministerial Directions, including table of uses to SUZ1, SUZ3 and SUZ4.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Zones	Opportunity to engage with the CMA and introduce application requirements and remove permit triggers in the Urban Floodway Zone	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Overlays	Make minor amendments to content to comply with the Ministerial Direction.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overlays	Update ESO4 as per North East Water request.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Overlays	Remove Goulburn Broken CMA as a recommending referral authority for ESO2.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Overlays	Align ESO2 with policy in Mansfield Planning Scheme	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Overlays	Update DDO1 to remove redundant permit triggers and include diagrams as references in the policy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Overlays	Review DDOs to ensure they meet the Ministerial Direction, and for their continued relevance.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Overlays	Update LSIO schedules to include specific policy and introduce permit exemptions.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Operational provisions	Update Clause 72.08 to include adopted policy documents where new policy is to be inserted.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Operational provisions	Update Clause 74.02 to amend the Schedule to Further Strategic Work	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

8. Key issues

This section of the report identifies the two or three key issues that have come up during the preparation of the Planning Scheme Review.

8.1 Update settlement strategy for Benalla Township, including West Benalla

Inconsistencies and outdated studies were noted during the analysis stage of the project for all townships, however during the first workshop council planners made clear that their priority would be Benalla township. Throughout all stages of consultation, including councillor briefing, the issue of holistic planning in the Benalla township was raised.

The Benalla Neighbourhood Character Study was completed by Planisphere in 2002, and was only partially implemented into the scheme. Both state and local policies have changed since this time, and the growth in Benalla has also significantly increased. Other strategic documents that inform the growth of Benalla include the North West Benalla Outline Development Plan (David Lock Associates and Urban & Regional Planning, 2005) and the Rural Living Study, Benalla Rural City (Dawson Planning Services Pty Ltd, 2010) – both of which are also outdated. VCAT analysis revealed a comment by a VCAT member that there are no policies in the planning scheme that articulate a preferred future character for this neighbourhood, and the Benalla Neighbourhood Character Study 2002 and the North West Benalla Development Plan 2005 do not offer assistance to the assessment of the neighbourhood character of the area because they are so old.

Planning permit data demonstrates that the Benalla township is where most of the growth is happening, and most policy within the scheme supports this. What is lacking is a holistic plan for connectivity between the new and old areas, neighbourhood character objectives, and what kind of growth the town would support. And what that growth looks like from an urban design perspective.

The same issue for growth direction and character was raised for all townships within the municipality, however following the workshops it is recommended that this work be completed in stages, with the Benalla township area as the first to get an overhaul of its planning directions. This should include the growth areas in Benalla North West.

Finding:

M. Prepare a Settlement/Housing Strategy including

- **assessment of character for Benalla to guide development within Benalla Township and Benalla West.**
- **Application of zones and relevant schedules**
- **Compliance with Planning Practice Notes 90 and 91**

8.2 Gateway policies

Although Benalla Rural City Council do not often attend VCAT, 2 out of the last 5 appearances have involved policy on promotional signs, and at the time of writing this report another permit on signs was likely to go to VCAT. This indicates that there is a policy gap in signage within the planning scheme.

The cases thus far have been for signs in the Industrial 1 Zone, which tend to be located on the outskirts of town – or the Gateways to the town. The industrial areas within the Council do not have populated zone schedules or DDO controls to guide signs in these areas. As such the policy defaults to state provisions.

When this was raised during the workshops, planners suggested that rather than a single “sign” policy, a Gateways policy would be preferable to capture more than just signs. This is supported by comments from VCAT, where it was identified that there is no strategic work that has been undertaken for Benalla to identify gateway locations. No structure plans or guidance for development has been provided yet for industrial land in west Benalla, and further strategic work is required to provide this guidance.

It is recommended that a Gateway Policy be developed, with a focus on the Benalla township but to also include more general gateway policies to ensure smaller townships are also considered.

Finding:

- A. Prepare a Gateway Policy to address signage and township approaches for Benalla township and all other smaller towns within the municipality.**

8.3 Permit trigger review

The planners survey indicated that there were a number of planning permit triggers that were generating significant work to the planning department with little return. The most frequent planning permit triggers were identified as the following:

- LSIO – buildings and works
- DDO1 – buildings and works
- FZ – dwellings/subdivision/outbuildings

This was reinforced through workshops with planners. The project team asked about some specific triggers, and the conversation broadened to other zone and overlay schedules where permit triggers could be “cleaned up” and reviewed.

It is recommended that Council undertake a Permit Trigger Study to review permit triggers in zones and overlays to identify those that do not provide benefit to orderly planning or substantial protection of established values at the local and state level. Undertaking this work would result in a decreased workload for council planners and remove red tape for applicants.

To do this, council would need to provide a detailed audit of planning permit activity data and decisions in addition to more general Planning Permit Activity Report (PPAR) data.

Finding:

- B. Undertake a Permit Trigger Study to review permit triggers in zones and overlays to determine whether they can be removed without impacting on their strategic intent.**

9. Further strategic work

Based on the existing Clause 74.02, the previous planning scheme review, the findings of this review and Council’s existing strategic work program, the following list of further strategic work has been generated. It has been grouped thematically or by place (as appropriate).

There are several sources for further strategic work. These are:

- Clause 74.02 of the existing planning scheme.
- Further work identified in the previous planning scheme review (for Benalla this was in 2013).
- Recently adopted Regional and Council strategies and policies that have not yet been put into the planning scheme.
- Findings from this review, particularly from the audit of the planning scheme and stakeholder engagement.

Theme or place	Projects
Land use and settlement, including housing	<ul style="list-style-type: none">▪ Once the future of Lake Mokoan is established, develop a Lake Mokoan Environs local planning policy.▪ Develop a Benalla Health Precinct local planning policy.▪ Development of a rural land study to consider land use issues and use of rural zones in rural areas.▪ Refresh 2012 Rural Living Strategy to reflect current growth and needs▪ Extend sunset policies in Clause 11 Settlement that were inserted through C41bena to provide additional time to complete settlement strategy work.▪ Undertake strategic work to update the framework plans and policies for all settlements in Benalla Rural City Council▪ Undertake further strategic work for all residential zones to populate local schedules and to ensure towns comply with

	advice for settlement planning as per Planning Practices notes 90 and 91.
Environment and landscape values, management of natural resources	<ul style="list-style-type: none"> With the assistance of the Goulburn Broken Catchment Management Authority, introduce more accurate flood mapping arising from the Flood Data Mapping Project based on most recent data. Complete the Lake Benalla Environs Review and implement in the planning scheme. Opportunity to engage with the CMA and introduce application requirements and remove permit triggers in the Urban Floodway Zone Update ESO schedules to meet Ministerial Direction and remove any redundant permit triggers. Update LSIO schedules to include specific policy and introduce permit exemptions.
Environment risks and infrastructure	<ul style="list-style-type: none"> Review Industrial 1 Zone and Industrial 3 Zone areas using guidance provided by Planning Practice Note 92: Managing buffers for land use compatibility to determine appropriate land use buffers and insert local content.
Built form, activity centres, township planning	<ul style="list-style-type: none"> Complete Development Contributions Plans for areas covered by the Benalla North West and West Outline Development Plans. Complete the Urban Design Framework for the Benalla CBA and implement in the planning scheme. Develop specific parking strategies to inform controls for the Benalla CBD. Review the appropriateness of the zoning for public use of land to the north of Bridge Street that is developed and used for a supermarket with associated parking. consider additional overlays and strategic directions to guide contributions to the North West Benalla Growth Area Plan. Undertake a Neighbourhood Character Study for Benalla to guide development within Benalla Township and Benalla North West. Review DDOs to ensure they meet the Ministerial Direction, and for their continued relevance.
Heritage	<ul style="list-style-type: none"> Complete a heritage gap study for the municipality that addresses Aboriginal heritage. Work in partnership with TLaWAC and YYNAC to develop policy that recognises traditional owners, places of significance and the Country Plan in the planning scheme.
Economic development and transport	<ul style="list-style-type: none"> Conduct a study of the retail mix in Benalla Business Area. Essential Economics completed <i>the Benalla CBD Development Strategy</i> in 2009. This work needs to be updated and reviewed to determine if any further policy controls are required.

Clause 72.04 provides a location in the planning scheme to identify the strategic planning work that Council intends to undertake over the next four years to keep the scheme current and responsive to community needs.

Council officers have identified the further strategic work that should be included in Clause 74.02 based on the principles in Table 4 and can be seen in the marked-up ordinance at Appendix Two.

Table 4: Principles for including further strategic work

Principles for including further strategic work in Clause 74.02

1	It will aid a reader in making a decision or recommendation.
2	It demonstrates a link to achieving the objectives of planning.
3	It has been clearly scoped and identifies the issue or issues to be addressed.
4	It responds to a relevant local planning need.
5	There is a capacity to secure resources to prepare the further strategic work in the next four years.

This and the other strategic planning work that has been identified should form the basis of the strategic planning work program the Council budgets for and progresses over the coming years.

As the second piece of further work identified in Consolidated Recommendations, Council should review the table and prepare a prioritised further strategic work program (optional). Appendix Three contains a table with the source of all the strategic work that has been identified and a prioritisation tool.

Finding

- N. Rationalise the further strategic work identified in the current Clause 74.02 with the further strategic work listed at Recommendation 3 in the Executive Summary of this report before.**
- O. Review Appendix Three to ensure that the further strategic work identified in it has been resolved or is addressed in 74.02 or Recommendation 3 in the Executive Summary of this report.**

Appendix One: Analysis documents

Appendix Two: Marked up ordinance

Appendix Three: Further strategic work

All the further strategic work that has been identified in this planning scheme review is contained within the following table. There are several sources for further strategic work. These are:

- Clause 74.02 of the existing planning scheme.
- Further work identified in the previous planning scheme review (for Corangamite this was in 2016).
- Recently adopted Regional and Council strategies and policies that have not yet been put into the planning scheme.
- Findings from this review, particularly from the audit of the planning scheme and stakeholder engagement.

As the second piece of further work identified in Consolidated Recommendations, Council needs to review the table and identify redundant work, prepare the schedule to Clause 74.02 and prepare a prioritised further strategic work program (optional). The approach suggested is:

Identify work completed or no longer required

The first task for Council is to fill in the final columns to identify what work has been completed or is no longer required. This work should be deleted from the table.

Prepare Clause 74.02

Council should then identify the further strategic work that should be included in Clause 74.02 of the planning scheme and prepare the schedule for Clause 74.02 for the planning scheme amendment to implement this review.

Clause 74.02 should be no longer than 500 words and should only include work that the Council has the resources to commence within the four-year period until the next review is due. It is unlikely that all the projects that are listed in the table will be able to be achieved in this period.

Develop a prioritised further strategic work program

Council may then wish to prepare a prioritised further strategic work program including resourcing allocations and sequencing of projects that incorporates all of the required projects in the table below, for use with work and resourcing planning, and to support grant applications for funding.

Prioritising work that needs to be done is difficult in the context of a Council's budget process and responsibilities. There are many competing priorities across Council, and funds are limited through structures such as rate capping or must be applied to particular projects based on external funding requirements or particular funding mechanisms (such as Development Contributions and Open Space levies).

In addition, within a planning department context, staff capacity and availability of funding are limiting factors in progressing strategic planning projects.

A matrix to assist with this prioritisation process is included after the table.

FSW Project number	FSW Project Name	FSW project source:	Has the FSW project been completed (YES / NO)?	Has the FSW project been commenced (YES / NO)?	Is the project still required	If the project is not required explain why not.
1	Complete a Housing Strategy for the Municipality.	s74.02				
2	Complete an Urban Design Framework for the Benalla CBD.	s74.02				
3	Complete a heritage gap study for the municipality that addresses European and Aboriginal heritage.	s74.02				
4	Complete a flood mapping project to update flood controls, including for the Holland Creek floodplain.	s74.02				
5	Prepare a rural land use strategy to identify opportunities to facilitate appropriate future land uses in rural areas and to improve the protection and management of rural land.	s74.02				
6	Develop a strategic plan for the future development and use of commercial and industrial areas to cater for growing the local economy and attraction of new industries and businesses to Benalla, including Enterprise Park.	s74.02				
7	Finalise the Benalla CBD Strategy.	s74.02				
8	Prepare a Development Contributions Plan for Benalla's growth areas to ensure the equitable distribution of costs for the provision of infrastructure.	s74.02				
9	Develop a strategic master plan for the Benalla Airport and its environs.	s74.02				
10	Complete a Development Contributions Plan for the Benalla West Outline Development Plan area, considering issues including traffic and social infrastructure needs.	s74.02				

FSW Project number	FSW Project Name	FSW project source:	Has the FSW project been completed (YES / NO)?	Has the FSW project been commenced (YES / NO)?	Is the project still required	If the project is not required explain why not.
11	Work with the Roads Corporation to prepare a freight management strategy that addresses the future transport needs for the movement of freight.	s74.02				
12	Work with DELWP to identify areas of high biodiversity significance on a regional basis, and protect through the planning scheme.	s74.02				
13	Integrate climate change considerations into strategic planning, through new policy.	s74.02				
14	Review rural living areas to the north and north west of Benalla and around the townships.	s74.02				
15	Introduce new strategy at Clause 14.01-2L (Sustainable agricultural land use)	Climate Change Adaptation Action Plan 2013-2025				
16	Introduce new strategy at Clause 13.01-1L Natural hazards and climate change	Climate Change Adaptation Action Plan 2013-2025				
17	Introduce new strategy at Clause 19.03-3L Integrated water management	Climate Change Adaptation Action Plan 2013-2025				
18	Undertake a Settlement/Housing Strategy including assessment of character for Benalla to guide development within Benalla Township and Benalla North West.	Current PS Audit				
19	Work in partnership with TLaWAC and YYNAC to develop policy that recognises traditional owners, places of significance and the Country Plan in the planning scheme.	Current PS Audit				
20	Undertake a Permit Trigger Study to review permit triggers in zones and overlays to determine whether they can be removed without impacting on their strategic intent.	Current PS Audit				

FSW Project number	FSW Project Name	FSW project source:	Has the FSW project been completed (YES / NO)?	Has the FSW project been commenced (YES / NO)?	Is the project still required	If the project is not required explain why not.
21	Undertake strategic work to develop Gateway Policies to address signage and township approaches for Benalla township and all other smaller towns within the municipality.	Current PS Audit				
22	Refresh 2012 Rural Living Strategy to reflect current growth and needs Undertake further strategic work for all residential zones to populate local schedules and to ensure towns comply with advice for settlement planning as per Planning Practices notes 90 and 91.	Current PS Audit				
23	Review Industrial 1 Zone and Industrial 3 Zone areas using guidance provided by Planning Practice Note 92: Managing buffers for land use compatibility to determine appropriate land use buffers and insert local content.	Current PS Audit				
24	Engage with the CMA and introduce application requirements and remove permit triggers in the Urban Floodway Zone	Current PS Audit				
25	Review permit triggers for all schedules in zones and overlays to remove redundant and low value triggers, in consultation with relevant referral authorities.	Current PS Audit				
26	Review DDOs to ensure they meet the Ministerial Direction, and for their continued relevance.	Current PS Audit				
27	Complete a Housing Strategy.	Previous 12B Review (2013)				
28	Prepare a new master plan for the future development of the Benalla CBD.	Previous 12B Review (2013)				
29	Review and finalise the Roadside Vegetation Management Plan.	Previous 12B Review (2013)				

Guidance

Deciding what to include in the schedule to Clause 74.02

Using the schedule as a 'wish list' of further work or as a repository of all the projects the planning department has on its work program should be avoided. It should provide readers with a clear idea of the next steps to be taken to refine the planning scheme. Projects listed should be able to be commenced in the review cycle which is four years, and the total number of words in the schedule should not exceed 500.

The following principles can guide inclusion of work from the broader further strategic work list in the schedule to clause 74.02.

Principles for including further strategic work in the LPPF	
1	It will aid a reader in making a decision or recommendation.
2	It responds to a relevant local planning need.
3	It demonstrates a link to achieving the objectives of planning.
4	It has been clearly scoped and identifies the issue or issues to be addressed.
5	There is a capacity to secure resources to prepare the further strategic work in a timely manner.

How to draft further strategic work items

Further strategic work projects should be drafted so that the following is clear:

- That Council is aware of a policy gap, or an out-of-date policy, has not yet completed the strategy work necessary to amend the policy in the planning scheme, but intends to do so.
- What the issue that is intended to be addressed through the further work (viability of existing industrial areas and identification of new industrial land).
- So that a future amendment about the issue has strategic justification as council has recognised that the planning scheme needs to address this issue.

For example, rather than:

- Prepare an Industrial Strategy.

Draft the further strategic work as:

- Prepare an Industrial Strategy to assess the viability and future of existing industrial areas and identify where new industrial development should be directed.

This makes it much clearer the purpose of the further strategic work statement which manages expectations of scheme users, and stands the test of time in the event there is staff or Councillor turnover.



4. Development Department Activity Report For The Quarter Ended 31 December 2022

SF/255

Nilesh Singh – Manager Development

PURPOSE OF REPORT

The report presents the activities of the Development department for the quarter ended 31 December 2022.

Strategic Planning

- In September 2019, the Council resolved to send Amendment C43 to the Minister. The amendment involves rezoning land at 167 Sydney Road, Benalla from Special Use Zone Schedule 3 to the Industrial 1 Zone. The amendment was submitted to the Minister for Planning for authorisation on 18 December 2020. Authorisation was given on 29 January 2021. Exhibition of the amendment has taken place with two objecting submissions received from a private land owner and North East Water.
- At a Planning and Development Committee Meeting on 5 October 2022 it was resolved to adopt the engagement plan for the Heritage Study. The engagement plan aims to obtain as much information as possible to inform the Heritage Study. Work is currently being undertaken by heritage consultants in consultation with key stakeholder groups.
- Work begun on the Planning Scheme Review after consultation with Councillors and internal and external stakeholders. The planning scheme review report is due for adoption by the Council in March 2023. The Report will be provided to the Minister for Planning in accordance with the relevant legislation. Changes will be implemented by way of planning scheme amendments.

Statutory Planning

- 37 applications received during the quarter.
- 40 applications decided during the quarter.
- 80 per cent of applications were decided within statutory timeframes.
- 311 phone calls received.

Building Surveying

- 408 phone calls received.
- 153 building inspections conducted.
- 38 building applications processed.
- 34 building applications lodged by private building surveyors.
- 65 building certificates issued.

Public Health

- Staff are waiting on the delivery of the *FoodTrader Oscar* software from the State Health Department to coordinate and integrate all environmental health activities across Victoria.
- Routine water sampling of private water supplies at commercial food premises (without access to town water) were completed by staff. Samples have revealed the need for better management of microbe and heavy metal contamination in some cases.
- Excessive alcohol and labelling breaches were also detected in some other food products sampled.

Compliance

- Impounded 46 domestic animals for the quarter.
- Received 96 related cat and dog requests by the community.
- Returned 33 cats and dogs to their families.

Emergency Management

- On-going delay from the supplier for the Trailer mounted Emergency Water pump resulted in the cancellation of the order. A Melbourne based company will now supply the Trailer mounted Emergency Water pump.
- The Winton Flood Scoping Plan process continues.
- Development of the Heatwave Plan and its consultation with the Municipal Emergency Management Planning Committee in ongoing.

Manager Development**Septic Tanks**

- 20 'Permit to Install' issued.
- 18 'Certificate to Use' issued.
- 110 septic inspections conducted.

Engineering Referrals for Planning Permit

- 40 applications referred to Manager Development for engineering comments for planning proposals.
- 12 Certification of a Plan of Subdivision issued.
- 7 Statement of Compliance of a Subdivision issued.
- 54 Legal Point of Discharge applications processed.

Wastewater Referrals for Planning Permit

- 30 applications referred for planning comments to Manager Development for engineering comments for planning proposals.

Fee Dispensation

The Council supports community groups and not-for-profit organisations through fee dispensation or reduction and responding to other circumstances as warranted.

For the quarter ended 31 December 2022, 13 applications to the value of \$4,980.25 in fee dispensations were approved:

Community Events	0
Fundraising	7
Food premises Late Registrations	0
Planning Matters	3
Building Matters	2
Other	1

Applications Received:

Applicant	Permit Type	Value
Regent Honeyeater Project	Planning Permit	\$1,185
Benalla Men’s Shed	Planning Permit	\$1,185
Regent Honeyeater Project	Planning Permit	\$1,185
Benalla Pistol Club	Building Permit	\$694
Benalla SES	Fundraising Permit	\$62
Benalla RSL Subbranch	Fundraising Permit	\$62
Salvation Army	Fundraising Permit	\$62
Cooinda Village	Fundraising Permit	\$62
Jessica Grant	Fundraising Permit	\$62
Benalla RSL Subbranch	Fundraising Permit	\$62
Benalla P-12 College	Fundraising Permit	\$62
David Chisholm	Building Permit Extension	\$235
Benalla Woodworkers Association and Men’s Shed	Open Air Burning Permit	\$62
Total		\$4,980

COUNCIL PLAN 2021-2025 ACTION PLAN

Community

A healthy, safe and resilient community		
Strategy	Action	December Quarter Update
Work closely with community and key stakeholders to plan for emergencies and build community resilience.	Develop a new <i>Municipal Emergency Management Plan (MEMP)</i> .	Working with Hume Emergency Management Planning Committee and Emergency Management Victoria. The MEMP is currently undergoing the approval process.

A connected, involved and inclusive community		
Strategy	Action	December Quarter Update
Support and promote opportunities for the community to participate in a range of social, recreational, and arts and cultural programs, activities and events.	Investigate development of an Off-Leash Dog Park.	Community engagement started.

Livability

Vibrant public spaces and places		
Strategy	Action	December Quarter Update
Advocate for and act on opportunities to protect, maintain and preserve heritage assets.	Develop <i>Benalla Rural City Heritage Study</i> .	<i>Benalla Heritage Stakeholder Engagement Plan</i> adopted in October 2022.

FINANCIAL IMPLICATIONS

	Notes	2022/23 YTD Actual	2022/23 YTD Budget	2022/23 YTD Variance	2022/23 Full Year Budget	2022/23 Full Year Forecast
Development Operations		\$102,322	\$110,338	\$8,017	\$227,924	\$236,776
Planning	1	(\$17,405)	\$103,840	\$121,245	\$216,055	\$242,272
Building	2	\$157,340	\$68,997	-\$88,343	\$190,454	\$260,445
Compliance	3	\$313,281	\$356,964	\$43,683	\$657,571	\$637,972
Public Health	4	\$29,281	\$39,661	\$10,380	\$111,354	\$86,514
Emergency Management	5	(\$1,019,003)	(\$24,568)	\$994,435	\$22,992	(\$918,133)
Total		(\$434,184)	\$655,232	\$1,089,416	\$1,426,350	\$545,846

Notes:

1. Favourable variance due to statutory planning services income (plan checking and surveillance fee) and public open space contribution.
2. Unfavourable variance due to provision of contracted staff to cover staff leave.
3. Favourable variance due to higher than budgeted permit and income.
4. Favourable variance due to a delay in the commencement of North East Water study on ground water contamination in Benalla.
5. Favourable variance due to \$1 million of flood response and recovery funding from the Victorian Government.

Recommendation:

That the report be noted.

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5. Assets and Infrastructure Department Activity Report For The Quarter Ended 31 December 2022

SF/1242

Adrian Gasperoni – Manager Assets and Infrastructure

PURPOSE OF REPORT

The report presents the activities of the Assets and Infrastructure department for the quarter ended 31 December 2022.

Assets and Infrastructure

Assets and Infrastructure department continued to provide maintenance throughout the municipality and undertake capital works projects, provided emergency asset restoration works.

Highlights for the quarter are detailed below.

Operations

- Completed grading of more than 130 kilometers of unsealed roads.
- Completed grading of 12 kilometers of gravel shoulders on sealed roads.
- Carried out underground drainage cleaning works in Clark Street, Church Street and Bridge Street, Benalla.
- Replaced in excess of 30 defective warning signs and street name signs.
- Replaced approximately 10 meters of underground drainage at the intersection of Melrose Street and Salisbury Street, Benalla.
- Carried out routine maintenance on our sealed and unsealed road network.
- Responded to numerous requests for assistance for the 2022 October flood event including flooded roads, sandbag requests, blocked drains and fallen trees across roads.

Parks and Gardens and Open Spaces

- Commenced contract management for provision of elm leaf beetle treatment, provision of slashing services, weed control and spraying.
- Commenced works for the shelter adjacent to the Sir Edward 'Weary' Dunlop Learning Centre.
- Attended mosquito and vector training.
- Attended to a large amount of flood recovery works from the 2022 October flood event, which included removal of fallen trees, logs and branches, cleaning and pressure washing pathways and surfaces and repairing nature strip damage.
- Reinstated the walking track around the Benalla Gardens and Benalla Lake due to severe flood damage.

Waste

- Transfer station preparations continue. The proposed fees and charges for the transfer station were adopted by the Council.
- Management for flooding issues with the newly commissioned Cell 3A following the 2022 October flood event.
- Kerbside and waste processing through the hume collaborative procurement process.
- Completed the relocation of over-stacking material from Cell 2 to Cell 3A.
- Interim capping of Cell 2.
- Quarterly gas, leachate and ground water testing undertaken.
- Flood recovery works, pumping, pump repairs.
- Finalisation of 2022 Environmental Report.
- Completed the Victorian Local Government Annual Waste Services Report.
- Expression of interest for early glass adoption through Recycling Victoria.
- Held a hard waste collection for flood effected businesses and residents as well as a free green waste disposal program at the Benalla Resource Recovery Centre.

Asset Management

The following table outlines requests for works received through the Asset Edge - Reflect program of inspection and Customer Request Management System.

Task	March 2022	June 2022	September 2022	December 2022
Defects overdue on roads and drains - safety only:				
Link roads	3	1	3	1
Collector roads	3	1	1	2
Access roads	5	2	2	1
Defects overdue on footpaths - safety only	0	1	1	0
Defects rectified - routine maintenance and safety – road, footpath and parks	230	286	432	407
Defects and maintenance - items outstanding - road, footpath and parks	3	374	354	298
Unsealed roads graded (km)	125	80	99	132
Sealed road shoulders graded (km)	0	0	0	12

COUNCIL PLAN 2021-2025

Livability

Vibrant public spaces and places		
Strategy	Action	December Quarter Update
Maintain and develop sport and recreation facilities and reserves, parks, gardens, playgrounds, and walking and cycling paths to increase passive and active community participation and social connection.	<p>Deliver <i>Benalla Ceramic Mural Precinct Upgrade project</i>.</p> <p>Deliver <i>Mitchell Street Lakeside Park project</i>.</p> <p>Progress the <i>Benalla Indoor Recreation Centre Redevelopment Project</i>.</p>	<p>Projects are continues to be progressed, with Mural Precinct upgrade Project, path works to be undertaken with the Mair Street Footpath Upgrade works.</p> <p>Not progressed.</p> <p>Tender evaluations and contractor selection underway.</p>
Ensure open spaces and public places in existing and developing communities are thoughtfully planned, connected, green, sustainable, accessible, engaging and inclusive and consider the needs of an ageing community.	Deliver the Playground Renewal Program.	Installation of new playgrounds due to commence in March 2023.
Beautify streetscapes, landscaping, signage and town entrances.	Deliver the Bridge Street Streetscape project.	Currently planning to redevelop Bridge Street, Benalla through landscape and streetscape improvements. Ongoing focus with maintaining and improving entrances to our townships through improved signage and streetscape work will continue.

Connected and accessible roads, footpaths, transport and parking		
Strategy	Action	December Quarter Update
Deliver and maintain accessible and safe footpaths and cycle paths in existing and new neighbourhoods.	<ul style="list-style-type: none"> ▪ Deliver Kerb and Channel Replacement program. ▪ Deliver Lakeside Walk Boardwalk Renewal project. ▪ Deliver new footpath works ▪ Review and update <i>Pathways to the Future – Shared Path Project strategy</i>. 	<p>Program commenced and will continue through the remainder of the financial year</p> <p>Sustainable material currently being sought</p> <p>Program commenced and will continue through the remainder of the financial year</p> <p>Remaining priorities from strategy have been identified and expected to be delivered within current financial year</p>
Maintain and improve drainage, bridges, parking and road networks to meet the needs of the current and future population.	<ul style="list-style-type: none"> ▪ Deliver Fawckner Drive, Benalla Upgrade project. ▪ Develop and adopt a <i>Benalla Rural City Council Asset Plan</i>. ▪ Implement <i>Benalla Rural City Council Drainage Strategy</i>. 	<p>Project complete</p> <p>Benalla Rural City Council Asset Plan Adopted</p> <p>Priority projects from the strategy identified and planning and scoping commenced</p>

Environment

High quality, efficient and sustainable waste management		
Strategy	Action	December Quarter Update
Actively promote responsible behaviours to reduce waste.	Review and update <i>Waste Management Policy</i> , considering the introduction of hard waste collection and ‘tip vouchers’.	Review and Adoption of Waste Policy complete.
Provide efficient and sustainable waste management services.	Bring Benalla Landfill and Resource Recovery Centre Transfer Station into operation.	Transfer Station scheduled to open on Monday 3 April 2023.

FINANCIAL IMPLICATIONS

Operating Budget result for the period ending 31 December 2022

	Notes	2022/23 YTD Actual	2022/23 YTD Budget	2022/23 YTD Variance	2022/23 Full Year Budget	2022/23 Full Year Forecast
Capital Projects Operations	1	\$142,990	\$364,065	\$221,075	\$727,455	\$675,101
Operations Support	2	\$964,555	\$115,757	-\$848,798	\$303,460	\$1,531,436
Plant Operations	3	\$107,237	-\$6,882	-\$114,119	-\$13,750	\$40,950
Operations and Capital Grant Income	4	(\$25,000)	\$0	\$25,000	(\$7,644,000)	(\$7,985,883)
Sealed Roads	5	\$1,897,010	\$1,490,675	-\$406,335	\$2,980,830	\$3,414,901
Unsealed Roads	6	\$695,468	\$859,445	\$163,977	\$1,717,851	\$1,683,987
Bridges	7	\$370,995	\$287,518	-\$83,477	\$574,997	\$876,656
Drainage	8	\$308,578	\$392,163	\$83,585	\$783,748	\$638,759
Mechanics Workshop		\$40,539	\$40,040	-\$499	\$79,973	\$68,499
Street Cleaning	9	\$19,052	\$37,813	\$18,761	\$75,537	\$73,537
Roadsides	10	\$238,656	\$270,260	\$31,604	\$540,220	\$535,483
Parks and Gardens	11	\$403,928	\$509,641	\$105,713	\$1,018,355	\$1,012,731
Asset Management Services	12	\$86,829	\$126,783	\$39,954	\$253,146	\$158,707
Landfill	13	(\$128,603)	\$664,180	\$792,783	\$1,226,316	\$1,121,590
Kerbside Waste		(\$2,863,560)	(\$2,953,184)	-\$89,624	(\$1,570,480)	(\$1,352,480)
Recreation	14	\$83,312	\$135,240	\$51,928	\$270,500	\$270,500
Total		\$2,341,987	\$2,333,514	-\$8,473	\$1,324,156	\$2,764,473

Notes:

1. Favourable variance primarily due to operations expenses of \$177,536 being less than forecast.
2. Unfavourable variance due to unbudgeted emergency events operations expenses of \$847,448.
3. Unfavourable variance due to operating expenses being more than budgeted.
4. Favourable variance due grant funding of \$25,000 received.
5. Unfavourable variance due to operating expenses being more than budgeted.
6. Favourable variance due to operating expenses being less than budgeted.
7. Unfavourable variance mainly due to operating expenses of \$83,000 being more than budgeted.
8. Favourable variance due to operating expenses being less than budgeted.
9. Favourable variance due to operating expenses being less than budgeted.
10. Favourable variance due to operating expenses being less than budgeted.
11. Favourable variance due to Parks and Gardens and Street Trees Maintenance operating expenses being less than budgeted.
12. Favourable variance due to operating expenses being \$40,000 less than budgeted.
13. Favourable variance mainly due to depreciation expenses being \$513,000 less than budgeted.
14. Favourable variance primarily due to operating expenses being \$40,000 less than budgeted.

Recommendation:

That the report be noted.

6. Capital Works Project Status Report For The Quarter Ended 31 December 2022

SF/1242

Adrian Gasperoni – Manager Assets and Infrastructure

PURPOSE OF REPORT

The report presents the activities of the Capital Works Program for the quarter ended 31 December 2022.

BACKGROUND

Capital projects are funded from general revenue and grant funding. An update on the status of key capital projects is detailed below.

DISCUSSION

Capital Projects

A capital projects status report is attached as **Appendix 1**.

Highlights for the quarter include:

- Visitor Information Centre Redevelopment progressing following a delayed start. Estimated completion May 2023.
- Architects progressing with design for the Benalla Art Gallery Redevelopment. Masterplan conceptual designs and stage one designs are expected to be completed in the current financial year. The redevelopment will be programmed in *2023/24 Budget*.
- Stage 2 Fawkner Drive, Benalla Upgrade – Stage 2 completed.
- Witt Street, Benalla works completed. Works involved pavement stabilisation and bitumen surface treatments.
- Waller Street, Benalla micro surfacing works undertaken and completed.
- Concrete kerb and channel replacement of various sections of numerous roads as part of reseal preparation works.
- Old Farnley Road, Benalla and Transfer Station Road, Benalla construction and sealing works are ongoing. Project has been delayed due to failure of pavement prior to seal preparation.
- Ten tenders were received for the Benalla Indoor Recreation Centre Masterplan. Evaluations have taken place and further tender interviews and negotiations will be commencing in March 2023.
- Cowan Street, Benalla Basin works expected to be completed in April 2023.

Emergency Events

Benalla Rural City has been affected by several emergency events over the past 12 months.

A brief update on the events is provided below. A detailed report on the damaged assets is attached as **Appendix 2**.

January 2022 Storm Event

In January 2022, a severe storm event damaged community asset (roads), throughout the north and north-eastern areas of the municipality. The cost of damage was at the time estimated to be in the range of \$10 to \$15 million.

Initial 'emergency works' were undertaken to ensure the community assets were available to a safe standard, and access for residents to their properties was maintained. The cost of those initial emergency works undertaken were over \$1.6 million.

The remainder of the flood recovery (i.e. asset restoration) works were planned to be undertaken at a later stage.

The Federal Disaster Recovery Funding Arrangements (DFRA) provisions, require Council to follow their procurement process for the remainder of the asset affected flood recovery works.

Five separate works packages were procured, with several tenders received, however, in October 2022, Benalla, together with other areas across the state of Victoria, was affected with a more severe event, causing significant flooding throughout the municipality.

Following discussions with the DFRA representatives, it was agreed that asset recovery and restoration works affected by both the January and October 2022 events would be managed as part of the October 2022 flood recovery works.

Those assets not re-impaired in the October events are listed below and will go out to tender in March 2023.

- Saunders Road
- Brown Road
- Eleven Mile Creek Road
- Taylor Road
- Old Tolmie Road
- Spinks Lane
- Sudholz Road
- Goorambat Chesney Road.

October 2022 Flood Event

The significant flood event in October 2022 affected several municipalities across the state of Victoria. Benalla Rural City suffered significant damage to community assets such as, roads, bridges and drainage.

The estimated damage from this event is between \$20 million and \$30 million.

Ninety five percent of the Council's network has been inspected. More than 160 assets have been identified as requiring some level of restoration.

Emergency works relating to the October 2022 flood event has seen expenditure of \$2 million in this reporting period.

January 2023 Storm Event

Benalla Rural City was hit by another significant storm event in January 2023.

Damage following this event saw many trees as well as community and private structures being damaged.

Due to the nature of the event and the urgency surrounding the cleanup work and to ensure safety was preserved throughout the affected area (mainly the Benalla CBD). The majority of recovery works have been completed.

Costs associated with the event are expected to exceed \$500,000.

COUNCIL PLAN 2021-2025

Community

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

Livability

- *Vibrant public spaces and places.*
- *Connected and accessible roads, footpaths, transport and parking.*

Environment

- *High quality efficient and sustainable waste management.*
- *Sustainable practices*

Leadership

- *Good governance.*
- *High performance culture.*
- *Engaged and informed community.*

FINANCIAL IMPLICATIONS

Capital Projects Program Result

The Capital Projects Program result for the six months ended 31 December 2022 was expenditure of \$4.643 million, which was \$1.886 million more than the budgeted expenditure of \$2.757 million as shown in Table 1 below.

Additional expenditure was primarily due to unbudgeted emergency road infrastructure repair works following the October 2022 flood event.

Table 1: Capital Program result for the period ending 31 December 2022 and Mid-Year Review Forecast to 30 June 2023

Asset By Type	Notes	2022/23 YTD Actuals \$'000	2022/23 YTD Budget \$'000	2022/23 YTD Variance \$'000	2022/23 Full-Year Forecast \$'000	2022/23 Full-Year Budget \$'000	Variance \$'000
Bridges	1	\$146	\$0	-\$146	\$146	\$420	\$274
Roads	2	\$3,133	\$1,361	-\$1,772	\$5,406	\$2,821	-\$2,585
Footpaths		\$107	\$98	-\$9	\$749	\$749	\$0
Drainage	3	\$82	\$87	\$5	\$426	\$948	\$522
Buildings	4	\$686	\$769	\$83	\$3,550	\$5,850	\$2,300
Plant, Machinery and Equipment		\$1	\$1		\$395	\$565	\$170
Fixtures, IT, Fittings and Furniture, Artworks		\$59	\$90	\$31	\$520	\$520	\$0
Computers and Telecoms		\$89	\$158	\$69	\$512	\$512	\$0
Library Stock		\$81	\$81		\$90	\$96	\$6
Waste Management	5	\$106	\$10	-\$96	\$247	\$2,305	\$2,058
Recreational, Leisure, Community		\$0	\$0		\$100	\$100	\$0
Parks, Open Spaces and Streetscapes	6	\$115	\$61	-\$54	\$1,125	\$547	-\$578
Aerodromes		\$0	\$0		\$65	\$65	\$0
Off-Street Car Parks		\$6	\$0	-\$6	\$66	\$60	-\$6
Other		\$32	\$41	\$9	\$503	\$495	-\$8
Total		\$4,643	\$2,757	-\$1,886	\$13,900	\$16,053	\$2,153

Notes:

1. Planned bridge works delayed due to emergency flood works. Majority of works will not be undertaken in 2022/23. Unbudgeted bridge repair (flood works) expense \$140,000.
2. Impacted by emergency flood road works. \$1.95 million of emergency flood works undertaken in the quarter. \$2.58 million of these works forecast to 30 June, however, this figure will be reviewed as road flood damage is identified.
3. Various drainage projects will not be completed in 2022/23.
4. Benalla Art Gallery project will not be completed in 2022/23.
5. Landfill rehabilitation works will not be undertaken in 2022/23.
6. Unbudgeted, grant funded projects to be delivered in 2022/23. Income received in 2021/22.

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"> ▪ Report presented to Council. ▪ Report published on Council's website.

LEGISLATIVE AND STATUTORY IMPLICATIONS

It is considered that the report is consistent with the *Charter of Human Rights and Responsibilities Act 2006* and *Gender Equality Act 2020*.

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:

That the report be noted.

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Project	Asset Class	Start Date	End Date	Duration	Days Completed	Progress	Budget	Actual Expenditure	Note
Visitor Information Redevelopment	Buildings	12/08/2022	1/06/2023	210	193	55%	\$ 3,050,000	\$ 1,231,090	1
Art Gallery Redevelopment	Buildings	1/11/2022	25/12/2023	300	112	5%	\$ 3,000,000	\$ 37,965	2
Audio Visual Chamber	Buildings	1/10/2022	2/12/2022	45	143	100%	\$ 62,000	\$ 62,175	
Major Plant Replacement Program	Plant, Machinery and Equipment	1/12/2022	15/03/2023	75	82	75%	\$ 365,000	\$ -	3
Public Playground Renewal	Plant, Machinery and Equipment	1/10/2022	28/04/2023	150	143	75%	\$ 170,000	\$ 3,000	4
Town Hall: HVAC Renewal, Fitout Internal, Sound and Lighting - LRCI 3	Fixtures, Fittings and Furniture	23/01/2023	9/06/2023	100	29	25%	\$ 400,000	\$ 179	5
Old Farley Road upgrade -LRCI 1	Roads	1/12/2022	11/01/2023	30	82	5%	\$ 45,000	\$ 45,000	6
Kerb and Channel Renewal Program LRCI-2 & LRCI 3	Roads	1/01/2023	16/06/2023	120	51	50%	\$ 300,000	\$ -	
Fawckner Drive upgrade Stage 2 LRCI-3	Roads	1/11/2022	9/01/2023	50	112	100%	\$ 254,000	\$ 208,397	
Witt Street	Roads	1/11/2022	23/01/2023	60	112	90%	\$ 315,000	\$ 203,572	
Crack Sealing	Roads	1/09/2022	7/12/2022	70	173	25%	\$ 22,000	\$ -	
RTR Regulation Program	Roads	1/08/2022	2/12/2022	90	204	100%	\$ 70,000	\$ 70,000	
Reseal Program	Roads	1/12/2022	17/05/2023	120	82	95%	\$ 410,000	\$ 410,000	7
Seal Road Prep 21/22	Roads	1/12/2022	14/06/2023	140	82	100%	\$ 277,000	\$ 277,000	
Gravel Resheet Program	Roads	1/01/2023	16/06/2023	120	51	70%	\$ 5,100,000	\$ 486,555	8
Shoulder Resheet program	Roads	1/01/2023	2/06/2023	110	51	95%	\$ 260,000	\$ -	9
Footpath Renewal Strategy	Footpaths and Cycleways	1/08/2022	21/10/2022	60	204	60%	\$ 100,000	\$ 54,688	10
Footpath 21/22	Footpaths and Cycleways	1/11/2022	20/02/2023	80	112	100%	\$ 73,000	\$ 73,000	
Mair Street Footpath upgrade	Footpaths and Cycleways	1/12/2022	5/04/2023	90	82	10%	\$ 67,000	\$ 5,000	11
New Footpath Midland Highway to Equestrian Precinct - LRCI-2	Footpaths and Cycleways	15/12/2022	31/05/2023	120	68	10%	\$ 59,000	\$ 12,200	
New Footpath Works LRCI-3	Footpaths and Cycleways	15/01/2023	16/06/2023	110	37	20%	\$ 300,000	\$ 22,150	
Lakeside Walk boardwalk renewal LRCI-3	Footpaths and Cycleways	23/01/2023	26/05/2023	90	29	20%	\$ 150,000	\$ 7,542	12
Drainage Strategy	Drainage	23/01/2023	30/06/2023	115	29	5%	\$ 573,000	\$ 6,638	13
Devenish Drain	Drainage	1/10/2022	9/06/2023	180	143	30%	\$ 154,000	\$ 75,300	14
Cowan Street Basin	Drainage	1/07/2022	15/06/2023	250	235	45%	\$ 221,000	\$ 184,753	15
Outdoor Activation	Rec, Leisure and Community Facilities	1/12/2022	17/05/2023	120	82	60%	\$ 250,000	\$ 108,000	
Bridges	Bridges	1/11/2022	1/05/2023	130	112	10%	\$ 420,000	\$ 10,500	
October 2023 Flood Event	Roads	1/11/2022	3/06/2024	415	112	15%	\$ 20,000,000	\$ 661,780	
Depot Storage Shed	Buildings	1/02/2023	6/06/2023	90	20	10%	\$ 100,000		
Depot Staff Amenities Refurbishment	Buildings	1/02/2023	6/06/2023	90	20	0%	\$ 100,000		
Cinema Fitout	Buildings	1/12/2022	31/05/2023	130	82	20%	\$ 400,000		
Grand Total							\$ 37,067,000	\$ 4,256,484	

Notes:
1. Project is forecast to be completed by the end of the financial year.
2. Design work for the Masterplan and Stage 1 works expected to be finalised by the end of the financial year.
3. New Water Truck expected to be delivered early in March.
4. Works on new playground replacements expected to commence in March.
5. Procurement for the new HVAC system has commenced with evaluations being finalised.
6. Project being delayed due to failure of pavement. Road expected to be completed in late March.
7. Reseal Works Completed.
8. Gravel Resheeting Program completed.
9. Shoulder Resheet Program Completed.
10. Footpath Strategy Projects commenced.
11. Mair Street Footpath and Mural Pathway to be undertaken upon completion of VIC Redevelopment.
12. Materials currently being sought, with works expected to commence in April.
13. Drainage Strategy Planning and Design commenced. Not expected to completed in current financial year.
14. Pipes on-site with works expected to commence late March.
15. Cowan Street Basin works expected to be completed in April.

Project Budget v Actual

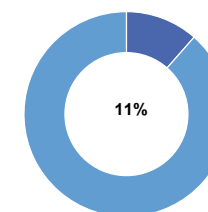


Overall Task Progress

■ Not Started ■ In Progress ■ Completed



Budget Spent



Emergency Events 2022: Damage Assets Report

Updated:1/02/2023

0	Primary Location	Location	Defect Group	Comments (Defect Description)	Engineering Solution	Group	Awarded	Contractor	STATUS				
									Quoted	Approved / Awarded	Planned Start Dated	Planned Completion	Completed
1	ARUNDEL STREET	Benalla		Deep drop off of the road seal. All shoulder material has washed away between Maud Street and Neil Avenue, Benalla on both sides.	Shoulder re-sheet between Maud Sreet and Neil Avenue, Benalla on both sides of the road. Width is1.5 x 2 = 3m.	Emergency	No	No	No	No			No
3	BALLINTINE ROAD	Stewarton	UNSEALED ROADS	Road holds water, deep washes , requires gravel re-sheeting (South of Midland Highway).		Emergency	No	No	No	No			No
4	BENALLA WARRENBAYNE ROAD	Benalla	SEALED ROADS	Shoulder re-sheet from RMB 1545 to 110 Benalla Warrenbayne Road, Benalla.	Shoulder re-sheet between Hume Freeway to Mack Road, Baddaginnie. Width is 1.5 x2 sides = 3m.	Emergency	No	No	No	No			No
5	BERGER ROAD	Stewarton		Deep washes and large potholes along Road. Road holds water requires drainage works.	Establish drainage, reform Road and maintenance grade. Place 1,000t of gravel on low spots.	Emergency	No	No	No	No			No
7	BOWEYA ST JAMES ROAD	Boweya	SEALED ROADS	Edge repair required. Backhoe required for drainage works on S bend (see photos) backfill to be completed with truck-load of 20mm crushed rock.	Backfill and compact road edge with 40t of gravel.	Emergency	No	No	No	No			No
8	BOXWOOD ROAD	Devenish	DRAINAGE	Large potholes on the sealed road.	Requires patching of potholes.	Emergency	No	No	No	No			No
10	BENALLA BOUNDARY ROAD	Stewarton	UNSEALED ROADS	Deep washes and large potholes along Road. Road holds water and requires drainage works.	Establish drainage, reform Road and maintenance grade. Place 3,000t of gravel on low spots.	Emergency	No	No	No	No			No
11	COYS HILL ROAD	Thoonna	UNSEALED ROADS	Large washes and erosion along road on both sides of hill. Requires gravel re-sheeting.	Establish drainage, reform road and gravel re-sheet.	Emergency	No	No	No	No			No
13	CARROL ROAD	Baddaginnie	UNSEALED ROADS	Large washes and potholes along Road. Top layer of Road has washed away and base is now exposed.	Establish drainage, reform road and gravel re-sheet.	Emergency	No	Council	No	No			No
15	DAVIES ROAD	Warrenbayne	DRAINAGE	Large hole and erosion. Road requires beaching and pipe relay has washed away. Displaced 5m deep.	Design and construct a drainage system along with a retaining wall.	Emergency	No	No	No	No			No
17	GLENROWAN BOWEYA ROAD	Taminick	DRAINAGE	Large washout. Erosion through drains.	Establish drainage, reform road and maintenance grade. Place 1,000t of gravel on low spots.	Emergency	No	O'Loughlin	No	No			No

0	Primary Location	Location	Defect Group	Comments (Defect Description)	Engineering Solution	Group	Awarded	Contractor	STATUS				
									Quoted	Approved / Awarded	Planned Start Dated	Planned Completion	Completed
18	FORSHAW ROAD	Baddaginnie	UNSEALED ROADS	Road has washed out to the base material. Requires gravel re-sheeting.	Establish drainage, reform road and gravel re-sheet.	Emergency	No	No	No	No			No
27	HANLON ROAD	Goomalibee		Top layer of material washed away. Potholes and minor erosion throughout. Requires grading.	Establish drainage, reform road and maintenance grade. Place 500t of gravel on low spots.	Emergency	No	No	No	No			No
28	HOLDSWORTH ROAD	Benalla		Washes and potholes along Road. Top layer of material has washed away. Road requires gravel re-sheeting.	Establish drainage, reform road and maintenance grade. Place 100t of gravel on low spots.	Emergency	No	No	No	No			No
31	KEALY ROAD	Benalla		Large washes and potholes along Road. Road requires gravel re-sheeting. Top layer of material has washed away.	Establish drainage, reform road and gravel re-sheet.	Emergency	No	No	No	No			No
32	KENNEDY LANE	Benalla		Large potholes and minor washes along Road. Road requires gravel re-sheeting. Road holding water and needs drainage works. Low leaning tree requires contractor to prune (see photos).	Establish drainage, reform road and gravel re-sheet.	Emergency	No	No	No	No			No
33	LIMA ROAD	Lima	DRAINAGE	Contractor required to repair culvert and stabilise base and backfill washout (see photos).	Repair culvert and stabilise abutments with rock beach.	Emergency	No	No	No	No			No
34	LIMA EAST ROAD	Lima East	SEALED ROADS	Deep washes for 100m just before Tulley Road, Lima East.	Shoulder re-sheet on sealed sections. Width is 1.5 x 2 sides = 3m.	Emergency	No	No	No	No			No
36	MAJOR PLAINS ROAD	Stewarton	DRAINAGE	Pipes are separated in three different spots. Holes in Road showing separation.	Replace broken pipes, establish drains, backfill and stabilise the area and rock back. Also maintenance grade of the entire road with 2,000t gravel for the many washed areas.	Emergency	No	No	No	No			No
37	MIDLAND HIGHWAY B300		UNSEALED ROADS	Top layer of material has washed away. Road requires gravel re-sheeting. Debris removal needed up and downstream. Holes alongside railing require large materials to fill/block holes. Unmarked road off of midland highway number 3650 Midland Highway, Stewarton VIC.	Replace broken bridge handrails, establish drains, backfill the stabilise the area and rock beach. Also maintenance grade of the entire road with 100t gravel for the many washed areas.	Emergency	No	WARATAH	No	No			No
38	MITCHELL ROAD	Tatong	DRAINAGE	Culvert/pipe requires large beaching and clearing upstream side.	Rock beaching and reinstatement of culvert pipes.	Emergency	No	EXTON	No	No			No
40	Mt SAMARIA ROAD	Samaria	DRAINAGE	Drainage works required. Blocked culvert and erosion on both sides.		Emergency	No	No	No	No			No
44	OLD LURG ROAD	Lurg		Large potholes and minor washes along Road. Road holding water and requires drainage and gravel re-sheeting works. Road surface washed away from Coleman Lane to Winton Lurg Road, Lurg. Minor erosion at first culvert will require beaching.	Establish drainage, reform road and gravel re-sheet.	Emergency	No	EXTON	No	No			No

0	Primary Location	Location	Defect Group	Comments (Defect Description)	Engineering Solution	Group	Awarded	Contractor	STATUS				
									Quoted	Approved / Awarded	Planned Start Dated	Planned Completion	Completed
53	STOWS ROAD	Warrenbayne	SEALED ROADS	Deep washes along road edge. Requires shoulder re-habilitation and drainage works for 200m.		Emergency	No	No	No	No			No
54	SWANPOOL WARRENBAYNE ROAD	Warrenbayne	SEALED ROADS	Large drop off on edge for 100m. Requires gravel re-sheeting.	Shoulder re-sheet.	Emergency	No	No	No	No			No
62	WATCHBOX CREEK ROAD	Molyullah	UNSEALED ROADS	Road requires grading.		Emergency	No	EXTON	No	No			No
64	WINTON LURG ROAD	Lurg	SEALED ROADS	Large washes and minor erosion from drains in Coleman Lane, Lurg to no. 800.		Emergency	No	No	No	No			No
74	CLARKE STREET (South)	Benalla		Large potholes on the road.	Pothole Repairs	Emergency	No	Council	No	No			No
77	ETHELL ROAD	Lima		Large potholes at the end of seal. Requires one x load 20mm.	Maintenance grading and spot loads.	Emergency	No	No	No	No			No
81	GOOMALIBEE ROAD	Benalla		Large potholes from Terrett Road to the bridge.	Maintenance grading and spot loads.	Emergency	No	No	No	No			No
82	GOORAMBAT DOOKIE COLLEGE ROAD	Stewarton		Large potholes and ruts along Road. Road requires grading. Add additional rock where required. (Love Road to Benalla Boundary Road, Stewarton).	Maintenance grading and spot loads.	Emergency	No	Council	No	No			No
88	JONES ROAD	Mount Bruno		629 Jones Road requires two x 40mm and two x 20mm gravel to reinstate road surfaces. (Glenrowan to Mt Bruno).	Maintenance grading and spot loads.	Emergency	No	No	No	No			No
92	MACK ROAD	Baddaginnie		Major blockage.	Remove blockage from drainage culvert.	Emergency	No	No	No	No			No
99	PORTERS ROAD	Benalla		Water running down the sides of Road causing road to become soft and slippery. Gravel re-sheeting and grade required throughout.	Maintenance grading and spot loads.	Emergency	No	No	No	No			No
106	STEVES LANE	Benalla		Potholes throughout.	Maintenance grading and spot loads.	Emergency	No	No	No	No			No
109	TREWIN ROAD	Goorambat	SEALED RAOD	Wash out shoulder repairs required.	Shoulder re-sheet.	Emergency	No	No	No	No			No
111	UPPER LURG ROAD	Upper Lurg		Debris are blocking drain causing water to run alongside road egde. Backhoe required to remove debris and to also clean out culver.		Emergency	No	No	No	No			No

0	Primary Location	Location	Defect Group	Comments (Defect Description)	Engineering Solution	Group	Awarded	Contractor	STATUS				
									Quoted	Approved / Awarded	Planned Start Dated	Planned Completion	Completed
112	WARRENBAYNE WEST ROAD	Baddaginnie		Culvert has washed out in two locations and requires stabilised rock.	Culvert repairs and filling in wash out spots.	Emergency	No	No	No	No			No
113	WEBB ROAD (Stewarton)	Stewarton		Flood depth marker signs require replacing x 4 posts are 2.5m high with plate which is attached that is 250mm x 250mm (see photos). Backhoe required to remove tree on side of bridge and to fix up washed rocks.	Flood depth marker signs require replacing x 4 posts are 2.5m high with plate which is attached that is 250mm x 250mm (see photos). Backhoe required to remove tree on side of bridge and to fix up washed rocks.	Emergency	No	No	No	No			No
124	ASHMEAD ROAD	Taminick		Large potholes and washes that require drainage works and gravel re-sheeting. Road holding water in low spots.	Maintenance grading.	Emergency	No	No	No	No			No
147	HAYES ROAD	Lima East		More photos required.		Emergency	No	No	No	No			No
148	HIGH STREET (Baddaginnie)	Baddaginnie		Culvert washout and eroded at end.	Requires rock beaching.	Emergency	No	No	No	No			No
153	MARTIN ROAD	Moorngag		Large washes and erosion for 300m. Gravel re-sheeting and drainage works required.	Maintenance grading and spot loads.	Emergency	No	No	No	No			No
155	MAXWELL ROAD	Goorambat		Large washes and erosion. Road requires gravel re-sheeting and drainage works. Minor washes and erosion along Road will require patrol grading.	Maintenance grading with rock filling and spot loads.	Emergency	No	No	No	No			No
157	MOORE ROAD (Devenish)	Devenish		Minor washes and erosion on the corner of Maxwell Road to Goorambat Devenish Road, Goorambat.	Maintenance grading with rock filling and spot loads.	Emergency	No	No	No	No			No

7. Economic Development and Sustainability Activity Report For The Quarter Ended 31 December 2022

SF/1893

Courtney Naughton – Manager Economic Development and Sustainability

PURPOSE OF REPORT

The report presents the activity of the Economic Development and Sustainability Department for the quarter ending 31 December 2022.

ECONOMIC DEVELOPMENT

Economic Diversification Plan (Future of Benalla and District project)

- Future of Benalla Project website is now live www.futureofbenalla.com.au
- Project Coordinator presented a session on Systems Mapping and Systems Thinking and how it relates to the Local Development Strategy to the project Community of Practice in December 2022.
- Work begun on the milestone three report for Future of Benalla and District project. Project Coordinator and Community Transition Officer are working to complete the report by February 2023.

Business Development and Support

- Single Use Plastics postcards and posters were delivered to relevant businesses reminding them of the impending ban on straws and polystyrene containers from 1 February 2023.
- Business E-newsletter continues to be distributed fortnightly to more than 1500 subscribers with open rates of more than 20 percent.
- Christmas Busking. A new digital permit was trialed in December 2022. Staff liaised with relevant businesses at 10 proposed locations in Benalla CBD (pergolas and other areas). The Communications Team developed a centralised online booking system to allow buskers to apply for instant permits online. These were promoted via a QR code at each location and on the Council's website.

Benalla Gigabit Project

- Presentation on trial businesses in December 2022 re the status of the Gigabit project and what the blockers have been.
- VicTrack legal agreements to be signed off by Council early March 2023.

Buy from Northeast Victory (NEVic)

- Since September 2021 Startup Shakeup has spoken with more than 1000 businesses as part of a NEVic Digital Literacy project. This work localizes and complements the ADII (Australian Digital Inclusion Index) 2021 report.

- The results indicated that businesses fell into two cohorts, with Benalla businesses found to be one of the worst for digital confidence/literacy in Northeast Victoria.

Cohort 1:	No digital skills (i.e. no website, no social media or no ability to sell online, fearful of change)
Cohort 2:	Basic digital skills (those who use some digital tools, but only utilising 10 percent of their potential and were keen to learn more but don't know where/who to contact)

As a result of this research, Startup Shakeup developed the new 'Click Region' website, with thanks to the remaining funds from the 'Buy from North-East Vic' grant of \$120,000 awarded by DJPR in 2021

- *Click Region* went live in November 2022 and features bite-size video tutorials, face to face mentoring and relevant online tools to help small businesses increase their digital confidence. With all the information in one place, small businesses can take advantage of the knowledge hub.

COMMUNICATIONS AND COMMUNITY ENGAGEMENT

Media Coverage

Communications and Community Engagement activities regarding the 2023 October Flood Event:

- targeted community engagement was undertaken in the worst affected areas of Benalla, including undertaking a letterbox drop in the Arundel Street area providing information on support services available.
- newspaper advertisement in *Benalla Ensign* providing the information to a wider audience.
- information posted to social media and on the Council website.

The focus of the Flood Event communications quickly switched to supporting the Events Coordinator with the rescheduling, cancelation and relocating of Benalla Festival events.

Following the flood response targeted information was provided to rural residents as can be seen in the newspaper advertisement below, appearing in the *Benalla Ensign* on 9 November 2022. This information was also posted online via Council's social media channels.

Community Engagement Activities

- The Communications and Community Engagement team provided support to Compliance to roll out consultation on the proposed location of new dog parks in Benalla. This involved traditional and social media promotion, placing signs around Benalla with QR codes to drive traffic to the Have Your Say community engagement portal. The 'New Dog Park for Benalla' Hive page being was visited 658 times by 455 people.
- The Communications and Community Engagement team also organised a community event and Councillors listening post at the Benalla Splash Park on Friday 16 December.

Other key insights include:

- Have Your Say Benalla (the Hive) achieved a total of 851 visits in the quarter
- This resulted in 451 contributions from 147 individual contributors
- This is up from 585 visits and 57 contributions compared to the previous quarter.

Social Media Activity

- Notable spike in social media activity for the Council Facebook and Instagram pages.
- Visitation to Council's Facebook page was up 274 percent in the quarter ended 31 December 2023.
- The Communications and Community Engagement team had been focused on developing regular social media content.

EVENTS

Citizenship Ceremony

- Coordination of an Australian Citizenship Ceremony held at the Benalla Art Gallery on Thursday 8 October 2022 for six Benalla Rural City residents. The Ceremony was conducted by the Mayor.

Benalla Festival

- Delivery of the Benalla Festival from 29 October – 6 November 2022 with the theme Our Community, Our Future. A chance to reimagine, reconnect and celebrate.
- Over 30 diverse events over two weekends invited the community and visitors to enjoy a celebration of art, live music, music, family attractions and much more.
- Significant wet weather conditions in the lead up to the festival caused many events planned for the program to be cancelled or postponed including the Benalla Airshow, Goorambat Music Festival and Hot Air Balloon Night Glow and Moorngag Mower Mania. These events have been rescheduled to 2023.
- Key highlights of the Festival were the main events on Saturday 5 November 2022 being the Benalla Festival Street Party, the Village Precinct at the Mural and A Day in Denny Street Market on Sunday 6 November 2022.
- The Ceramic Mural site hosted children and family attractions with the site incorporating a section of Mair Street due to sodden ground conditions within the Splash Park area. The successful event included a vibrant mix of performing and visual arts, roving performers and children's entertainment welcoming people of all ages, cultures, backgrounds and abilities. Auslan interpretation was provided.
- The A Day in the Gardens Market was postponed due to wet weather conditions at the Botanical Gardens and moved to Denny Street, Benalla carpark to be renamed A Day in Denny Street. The concept was embraced by the community acknowledging the event still being able to proceed with modifications after the significant rain events experienced throughout the region. 100 market stalls were placed on either side of the Denny Street, carpark.

Christmas

- The Events team supported the Christmas Street Decorations Working Group in the planning and installation of Christmas Street decorations within the Benalla CBD.
- The Events Coordinator assisted the Benalla Lions Club in preparation for the Carols by Candlelight event to be held at the Benalla Botanical Gardens on Sunday 17 December 2022. A large crowd attended the event. It was the first time in several years the event was able to take place due to COVID-19 restrictions and wet weather.

Australia Day

- Australia Day 2022 award nominations opened in October 2022 with the following categories: Citizen of the Year, Young Citizen of the Year, District Achiever of the Year, Community Event or Project of the Year and Community Group of the Year.
- Council received 17 Australia Day Award nominations with the selection panel scheduled to meet in December 2022. All nominees will be recognised at the major award presentations on Thursday 26 January 2023 at Benalla Performing Arts and Convention Centre.
- Achievement Awards will be presented by Councillors at district township ceremonies.
- Council was successful in receiving a grant from the National Australia Day Council to assist with the delivery of COVIDSafe Australia Day activities.

BENALLA ART GALLERY

- The 2022 October Flood Event resulted in facility and program impacts. The Benalla Art Gallery took on ~1.5m of water in the Patricia [Pat] Gardner studio and shared Gallery/Café downstairs storage area. The flood also resulted in the cancellation of the Bush Diwan community weekend.
- Benalla Art Gallery presented Showcase, the annual exhibition celebrating the artistic talents of Benalla and North East Victorian students. Represented in the exhibition were over 40 works by 21 talented students hailing from Benalla P-12; FCJ College; Euroa Secondary College; and Galen Catholic College, Wangaratta.
- Benalla Art Gallery realised The Outlaws' Inn by Jacqui Stockdale, a nationally recognised artist who hails from Benalla/Wangaratta. The exhibition and associated programs featured as part of the Benalla Festival.
- The Gallery facilitated and hosted five group workshops for Tomorrow Today PEEP participants in the fortnight 7 to 18 November 2022. Total participation was 244.
- Benalla Art Gallery hosted its third concert of the year on Saturday 19 November 2022. Headlined by Aequales Ensemble and featuring two performances by students from Goulburn Valley Grammar School. The concert attracted 68 attendees.
- Benalla Art Gallery hosted the *Australian Children's Laureate* on 22 November 2022 for 115 students from St Josephs, Benalla.
- Benalla Art Gallery was confirmed as the premiere venue for a new touring exhibition from ACMI (Australian Centre for the Moving Image). The exhibition, *Between the Details: Video Art from the ACMI Collection*, commenced from 9 December 2022 as a Summer drawcard.

Exhibitions

Ledger Gallery

- *The Ledger Collection: Benalla Art Gallery Collection* from 1 October – 31 December 2022 (8,133 attending).

Bennett Gallery

- *Bush Diwan* from 1 October – 16 October 2022 (1,012 attending).
- *Showcase 2022* from 21 October – 20 November 2022 (2,960 attending)
- *Between the Details: Video Art from the ACMI Collection* from 9 December – 31 December 2022 (1,652 attending)

Simpson Gallery

- *Michael Cook: Invasion* from 1 October – 23 October 2022 (838 attending).
- *Jacqui Stockdale: The Outlaws' Inn* from 28 October – 31 December 2022 (4,402 attending)

Total exhibition attendance for the quarter to 20 November was 18,997.

TOURISM

Storytowns

- This project is about immersing the visitor and giving them a cultural experience with the street art in Benalla. It will give visitors the opportunity to learn more about the art, the stories, the artist and the inspiration behind the art with the end result being that it will create an experience that is accessible for everyone.
- The app can be downloaded via the app store and the project was made possible by the Australian Government's Regional Arts Fund, which supports the arts in regional and remote Australia.

Visitation

- There was an increase of 25.5 percent for visitation through the Visitor Information Centre (VIC) for the quarter. The VIC serviced a total of 1361 visitors. During this quarter the VIC was closed on Sundays.

Tourism Strategy Day

- The Tourism strategy day was held at Winton Wetlands and facilitated by Tourism North East and attended by various officers in the Economic Development and Sustainability department. The day was about stripping back our current tourism offering and looking at the region from a different perspective and what our tourism offering could be.

BENALLA PERFORMING ARTS CONVENTION CENTRE**Cinema**

- Special Screening: Andre Rieu. Two screenings were held in October with 59 patrons attending.

Live Performances

Show	Date	Number of Performances	Number of Patrons
Pevan and Sarah:	25 October 2022	1	166
Benalla Shorts (part of Benalla Festival)	6 November 2022	1	83

SUSTAINABLE ENVIRONMENT

- Review of Environment Strategy and Climate Change Adaption Plan. Review to be presented to Council in March 2023.
- Regent Honeyeater Project ready to plant Zone B and C (Mokoan Biolink Channel).
- Awaiting results of microgrid feasibility study from RMIT, due in the next few weeks.
- The Plastic Wise Policy is due for review in March 2023. Staff began speaking to key Council stakeholders on effectiveness and usefulness of current policy.
- Work begun on the review of the Roadside Vegetation Management Plan. The review will require new native vegetation assessments to be completed.
- Roadside Pest and Weed Program spraying was completed in the quarter with minimal funding remaining for future spraying. Outbreaks of St John' Wort, Chilean needle grass are significant this summer due to increased rainfall.

COUNCIL PLAN 2021-2025 ACTION PLAN

Economy

Thriving business and industry		
Strategy	Action	December Quarter Update
Work together with key stakeholders to engage, support, strengthen, enhance and diversify local business.	Develop the <i>Economic Diversification Plan</i> .	Forestry project admin assistant commenced in the role. Visit to Benalla from RMIT academic for joint community interviews. 5 community interviews conducted in September.
Attract new investment, business and industry to the Benalla Rural City to facilitate business growth and job creation.	Develop the <i>Economic Diversification Plan</i> .	Economic Diversification Plan is a long term process. Two years with a Regional Context Analysis due for release mid-2023.

Flourishing tourism		
Strategy	Action	December Quarter Update
Strengthen the visitor economy through growth of events and promotion of unique assets and experiences and visitor attractions.	Review and update the <i>Events and Tourism strategy</i> .	Tourism North East meet up at Mokoan Wetands to discuss future direction for Benalla tourism. TNE currently developing DMP due to be completed by June 2023.

Sustainable practices		
Strategy	Action	December Quarter Update
Work with key stakeholders to improve local learning and employment pathway opportunities that address skills gaps, align with future needs and support lifelong learning.	Develop the <i>Economic Diversification Plan</i> .	Project Coordinator attends Future Work steering committee facilitated by Tomorrow Today Foundation.

Sustainable practices		
Strategy	Action	December Quarter Update
Partner with business, industry and community to plan and implement local approaches and initiatives that respond to climate change.	Review, update and adopt <i>Benalla Rural City Council Environment Strategy</i> .	No action this quarter.
Advocate, promote, support and encourage the use of renewable and clean energy and technology.	Review, update and adopt <i>Benalla Rural City Council Environment Strategy</i> .	Council is working with Evie networks to install 2 EV chargers in Benalla.
Improve Council's sustainability performance through greater use of renewable energy and demonstrating sustainability leadership to the community.	Review, update and adopt <i>Benalla Rural City Council Environment Strategy</i> .	Council officers have been working with the Royal Melbourne Institute of Technology to investigate the feasibility of an energy microgrid system connecting key Council buildings. Council is also investigating the purchasing LGC's from a local solar farm to claim use of renewable energy.

Environment

Healthy and protected natural environment		
Strategy	Action	December Quarter Update
Partner with agencies and the community to manage and enhance our natural environmental assets, water quality and river health across Benalla Rural City and support the Goulburn Broken Catchment Management Authority Regional Catchment Strategy and other regional environmental strategies.	Review and update the <i>Environmental Strategy and the Climate Change Adaptation Plan</i> .	Officers participate in the GBCMA Biodiversity Reference Group which discusses biodiversity issues and enhances collaboration across the catchment.
Enable a safe and thriving natural environment.	<i>Coordinate the roadside pest and weed program.</i>	The first stage of the Roadside Pest and Weed Program has been completed with further weed treatment in the new year.

FINANCIAL IMPLICATIONS

	Notes	2022/23 YTD Actual	2022/23 YTD Budget	2022/23 YTD Variance	2022/23 Full Year Budget	2022/23 Full Year Forecast
Economic Development and Sustainability	1	\$92,162	\$122,327	\$30,165	\$257,450	\$489,905
Art Gallery	2	\$212,198	\$168,930	-\$43,268	\$458,802	\$444,672
BPACC	3	\$90,560	\$138,316	\$47,756	\$276,261	\$261,485
Communications	4	\$125,815	\$145,188	\$19,373	\$289,978	\$289,978
Events	5	\$109,898	\$125,950	\$16,052	\$283,792	\$283,559
Tourism	6	\$161,686	\$86,948	-\$74,738	\$188,678	\$258,865
Environmental Sustainability	7	\$64,580	\$41,396	-\$23,184	\$81,644	\$56,110
Business Development	8	\$60,518	\$87,813	\$27,295	\$175,424	\$197,400
Total		\$917,418	\$916,868	-\$550	\$2,012,029	\$2,281,973

Notes:

1. Favourable variance due to underspend in materials and services this is largely due to the delays in the project initially.
2. Unfavourable variance for the Benalla Art Gallery due to Robert Salzer Foundation income (\$21,949) and (\$30,000) for the Ledger Charitable trust being realised in previous financial year.
3. Favourable variance due higher than budgeted cinema and kiosk sales. Kiosk and cinema, box office income and venue hire income were also higher than originally budgeted.
4. Favourable variance due to staff salaries and oncosts underspent as position were vacant at the start of the financial year.
5. Favourable variance due to Benalla Festival underspend.
6. Unfavourable variance due to relocation of Visitor Information Centre causing shop sales to decline.
7. Unfavourable variance due to overspend in salaries and oncost renewal of *Trellis* (energy management software) subscription, which was unbudgeted.
8. Favourable variance in salaries due staff on Long Service Leave and Leave Without Pay until November 2023.

Recommendation:

That the report be noted.

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8. Facilities and Information Technology Department Activity Report For The Quarter Ended 31 December 2022

SF/1544

Greg Robertson – Manager Facilities and Information Technology

PURPOSE OF REPORT

The report presents the activities of the Facilities and Information Technology Department for the quarter ended 31 December 2022.

Facilities Management

- The Facilities team coordinated the installation of decorative LED bud lights on four palm trees adjacent the corners of the Benalla Monash Bridge and other festive lighting for the Christmas Season.
- Quotations were sought to undertake renewal works on festoon lighting in Mair Street, Benalla. Works were awarded to a Benalla based commercial electrical contractor. Works sought the replacement of incandescent globes with energy efficient LED globes. Automatic smart sensors were installed to turn the festoon lights on at dusk and off at midnight.
- Negotiations were completed with the successful commercial cleaning firm to commence the whole of Council cleaning contract on 6 February 2023. Negotiations ensured there would be a smooth transition between the old and new service providers.
- Facilities team members coordinated the cleanup of flooded storerooms at the Library and Benalla Art Gallery. Testing and repair of BBQs and other electrical fixtures were also undertaken in parks and reserves impacted by flooding.

Information and Communications Technology (ICT)

- An external expert cyber security firm completed security penetrating testing of the Council's ICT network. Council received a passing result with no major security vulnerabilities detected. Independent security vulnerability testing will take place annually. This is a new requirement of Councils insurers.
- The ICT team undertook hardware upgrades and critical software patching for servers over the Christmas / New Year shutdown. The works were timed to ensure minimal disruption to Council services. The Christmas shutdown presents a good opportunity to undertake these works.

Aquatic Centre

- Participation in swimming lessons remains strong with 580 swimming lesson enrollments.
- General Aquatic Centre membership has increased to 398 members.
- The Outdoor Pool and Splash Park commenced operations for the summer season.
- Flooding impacted the Outdoor Pool and Splash Park in the month of October. Works to clean and reopen the Splash Park were straightforward and low cost because of the flood ready design of the infrastructure.

COVID-19 Impacts

Casual facility hire demand remained low during the quarter, a possible lingering impact of COVID-19.

Highlight

The Swimming Lesson program continues to remain strong at the Benalla Aquatic Centre with 580 current enrolments in the program.

COUNCIL PLAN 2021-2025 ACTION PLAN

Livability

Vibrant public spaces and places		
Strategy	Action	December Quarter Update
Maintain the amenity and cleanliness of townships, public spaces, roadsides, and community facilities.	Deliver Benalla Town Hall Infrastructure Upgrade project.	<ul style="list-style-type: none"> Tenders were invited for HVAC replacement at the Benalla Town Hall.
Enhance and maintain key places of significance.	Update Benalla Airport Master Plan.	<ul style="list-style-type: none"> Contractor to undertake the review to be procured in the April-June quarter.

Leadership

High performance culture		
Strategy	Action	December Quarter Update
Improve customer experience through responsive, timely, efficient, well planned, and accessible services.	Review, update and implement the <i>Benalla Rural City Council Information Technology and Communications strategy</i> .	<ul style="list-style-type: none"> Council is actively participating in the Rural Council Transformation Project which will comprehensively update Councils technology platform over the next three years.

FINANCIAL IMPLICATIONS

	Notes	2022/23 YTD Actual	2022/23 YTD Budget	2022/23 YTD Variance	2022/23 Full Year Budget	2022/23 Full Year Forecast
Facilities	1	\$809,065	\$1,119,125	\$310,060	\$2,421,758	\$2,453,844
Information Technology	2	\$835,098	\$857,278	\$22,180	\$1,496,827	\$1,527,827
Benalla Airport	3	\$78,385	\$74,964	-\$3,421	\$172,483	\$310,869
Saleyards	4	\$6,539	\$13,476	\$6,937	\$26,959	\$27,574
Aquatic Centre	5	\$369,644	\$349,974	-\$19,670	\$699,949	\$745,949
Total		\$2,098,731	\$2,414,817	\$316,087	\$4,817,975	\$5,066,063

Notes:

1. Favorable variance due to deprecation being less than budgeted.
2. Favorable variance due to operating expenses being less than budgeted during the quarter.
3. Full year forecast adjusted due to increased depreciation expense.
4. Favorable variance primarily due to maintenance works being less than budgeted.
5. Unfavorable variance due to increased utility costs.

Recommendation:

That the report be noted.

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9. 2022/2023 Quick Response Grants Program

SF/2857

Jane Archbold – Manager Community

Tom Arnold – Community Development Coordinator

PURPOSE OF REPORT

The report presents funding applications for 2022/23 Quick Response Grants.

BACKGROUND

The Quick Response Grants 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 2022/23 Quick Response Grants program are detailed in the table below.

Applicant	Details	Amount Requested	Proposed Assistance
Benalla Indoor Recreation Centre	The Benalla Indoor Recreation Centre are seeking funding support to deliver the Come and Try Day on March 5 th . Funding will go towards promotional and event expenses.	\$500	\$500
Benalla Squash and Racquetball Association	The association is attending the upcoming Come and Try Day on 5 March 2023 hosted by the Tomorrow Today Foundation. The funds will go toward the hire and transport of an inflatable squash court, which proved highly popular at the previous Come and Try event. The inflatable court is a great way to introduce young people to squash and racquetball and attract new participants.	\$500	\$500
Tatong Memorial Hall	The TMH will host an ANZAC Day ceremony for Benalla RSL and Tatong community to commemorate soldiers by unveiling a new soldiers memorial plaque and poppy mosaic. The ceremony will commence at 5pm ANZAC Day. Funding will be used for catering and event expenses.	\$500	\$500
Total		\$1,500	\$1,500

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* community engagement will 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 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 *2022/23 Budget* allocates \$15,000 to the Quick Response Grant program. To date, \$7,500 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:

That \$500 grants from the 2022/23 Quick Response Grant program be allocated to Tatong Memorial Hall; Benalla Squash and Racquetball Association; and Benalla Indoor Recreation Centre.

Closure of Meeting