

Finance and Planning Committee

Agenda

Date: Wednesday 14 June 2023

Time: 5.30pm

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

Any person wishing to participate in public submissions in accordance with Rule 7.3 of the *Governance Rules 2020* should contact the Council by emailing council@benalla.vic.gov.au or telephoning Governance Coordinator Jess Pendergast on (03) 5760 2600.

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

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

PO Box 227
1 Bridge Street East
Benalla Victoria 3671
Tel: 03 5760 2600
council@benalla.vic.gov.au
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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
	Cathy Fitzpatrick	Manager Finance
	Adrian Gasperoni	Manager Assets and Infrastructure
	Nilesh Singh	Manager Development
	Jess Pendergast	Governance Coordinator

Opening and Acknowledgment of Country

The Chair will open the meeting and recite the following Acknowledgement of Country.

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

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 Meetings held on Wednesday 10 May and Wednesday 24 May 2023 be confirmed as true and accurate records of the meetings.

Business

1. Proposed 2023/24 Budget – Consideration of Submissions

SF/2485-08

Cathy Fitzpatrick – Manager Finance
Robert Barber – General Manager
Dom Testoni – Chief Executive Officer

PURPOSE OF REPORT

The report considers submissions received on the proposed 2023/24 Budget.

BACKGROUND

The Council at its meeting on Wednesday 19 April 2023 resolved:

1. *That the proposed 2023/24 Budget be endorsed for public exhibition for a period of 28 days from 20 April 2023.*
2. *That submissions relating to the proposed 2023/24 Budget be heard at a meeting of the Finance and Planning Committee on 24 May 2023.*
3. *That the Council consider submissions relating to the proposed 2023/24 Budget at a meeting on 14 June 2023.*
4. *That the Council consider the adoption of the 2023/24 Budget at a meeting of the Council on Wednesday 28 June 2023.*

Public notice of the proposed 2023/24 Budget was given on the Council's website on 20 April 2023 and in the *Benalla Ensign* on Wednesday 26 April 2023.

Feedback was also sought via the Council's website and promoted on social media.

A community information session was held on Tuesday 2 May 2023 at the Benalla Civic Centre.

The submission period closed 5pm Thursday 18 May 2023.

DISCUSSION

At the close of the submission period, four submissions had been received from:

- David Lamont
- Jane Rushworth
- Nigel Bowen
- Emily

Submissions are attached at **Appendix 1**.

In accordance with the Council’s *Governance Rules 2020*, submitters were invited to address the Finance and Planning Committee in support of their submissions. No submitters addressed the committee.

A summary of submissions and officer comments can be found in the table below:

No	Submission	Summary	Officer Comment
1	David Lamont	<ul style="list-style-type: none"> ▪ Upgrade information sign at the Benalla Monash Bridge to include a 12-month summary of Council’s projects ▪ Include an annual program to upgrade existing kerb and channel infrastructure. 	<ul style="list-style-type: none"> ▪ CBD signage options being investigated. ▪ Proposed budget includes \$473,000 (2024-2027) to replace kerb and channel.
2	Jane Rushworth	<ul style="list-style-type: none"> ▪ Have overlays, particularly the Community Plan, been considered in the development of the budget. 	<ul style="list-style-type: none"> ▪ Development of budget takes into consideration the Community Vision 2036 as detailed in the <i>Council Plan 2021-2025</i>.
3	Nigel Bowen	<ul style="list-style-type: none"> ▪ No reference to footpath works within Benalla Rural City. ▪ Footpath extension required in Witt Street, Benalla. 	<ul style="list-style-type: none"> ▪ Proposed budget includes \$585,000 of footpath works between 2024-2027 in the proposed budget. ▪ In addition to this allocation, a further \$150,000 of bicycle and footpath works will be considered for funding under phase four of the Local Roads and Community Infrastructure Program. ▪ Request to be referred to Capital Works team for consideration.
4	Emily	<ul style="list-style-type: none"> ▪ Toilets at Jaycee Island Park, Mackellar Street, Benalla Park and Benalla Splash Park. 	<ul style="list-style-type: none"> ▪ Toilets at Jaycee Island not feasible due to infrastructure and environmental constraints. Mackellar Street playground toilets a potential project depending on location of sewer infrastructure and further on-site development. Benalla Visitor Information Centre will include outside public toilets for splash park users.

COUNCIL PLAN 2021-2025**Leadership**

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

FINANCIAL IMPLICATIONS

Following consideration of submissions, no amendments to the proposed *2023/24 Budget* are proposed.

COMMUNITY ENGAGEMENT

Community engagement has been undertaken at the 'Involve' level on the IAP2 Public Participation Spectrum.

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.

CONCLUSION

The *2023/24 Budget* will be considered for adoption at the Council meeting on 28 June 2023.

On adoption of the *2023/24 Budget*, all submitters will be advised in writing of the outcome of their submission.

Recommendation:**That the report be noted.**

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From DAVID LAMONT
BENALLA RESIDENT 70 YEARS

WEDNESDAY, FEBRUARY 15, 2023

Council seeks ideas for upcoming budget

Benalla Rural City Council is calling on the community to share its ideas for consideration in its 2023-24 budget.

Mayor Bernie Hearn said ideas raised by the community would be considered as part of putting together the draft budget, which will be released for public comment in mid-April.

"We are asking the community to go to the Have Your Say online portal to do exactly that, have your say in what your priorities are for council's upcoming budget," Cr Hearn said.

"As part of community consultation we want to know how you would spend \$1000 of

ratepayers' money across a range of services that council provides.

"This will let us see how you would prioritise funds, and at the same time gives us an idea of which of council's services you value.

"We are also asking for your ideas, letting you upvote or downvote other ideas and asking you, the ratepayers, to have an open conversation on what you see as important for council to fund in the 2023-24 budget.

Submissions close on Friday, March 10, at 5pm.

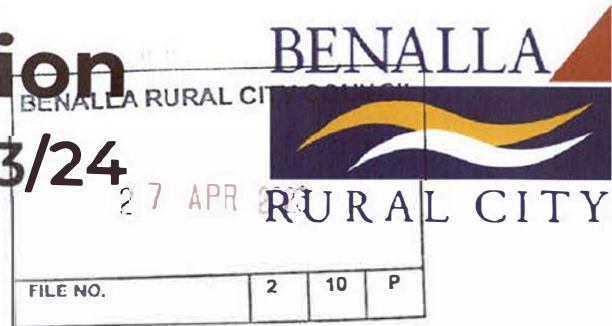
• Head to haveyoursay.benalla.vic.gov.au to make a submission.

(A) UPGRADE THE INFORMATION NOTICE AT BENALLA TOWN BRIDGE TO INCLUDE A 12 MONTH SUMMARY OF MAJOR BENALLA COUNCIL PROPOSALS.

(B) ESTABLISH AN ANNUAL PROGRAMME TO UPGRADE EXISTING KERB & CHANNEL SHORTCOMINGS — IE NO SEAL BETWEEN SEALED ROAD & KERB, NO EXISTING KERB | ONE SECTION OF ONE EXISTING STREET EACH YEAR I-SA SUCCESSION.

Make a submission

Proposed Budget 2023/24



My written submission

Jane Hutchings

- Have the council's help applied to this year's budget

This will ensure the budget reflects the community values identified in the community plan 2016/22.

attached

Use reverse side of page if more space is needed

Submitters will be identified in a public report that will become part of the public record. If you do not wish to be identified, please indicate this below.

Name (required): Jane Hutchings

Email (required): _____

Contact number (required): [REDACTED]

I am happy to be identified in the public submissions report (required):

Yes
 No

From: noreply@socialpinpoint.com
To: [Benalla Council Email](#)
Subject: Submission - Proposed 2023/24 Budget
Date: Friday, 5 May 2023 6:27:26 PM

Submission - Proposed 2023/24 Budget

Submission received via Have Your Say website.

My written submission:

The proposed Council Budget makes no reference to any Footpath works within Benalla. There are many streets in Benalla that have NO footpaths. Witt Street is in dire need of a footpath extension and this is more apparent now that the Subdivision works have started. The increased road traffic in Witt Street along with pedestrian traffic sharing the same road reserve is far from ideal and needs to be addressed before a pedestrian is hit by a vehicle. This is a safety issue.

The 2022/3 budget included a large allocation and from what I have seen we have had very little done for the \$'s allocated. The footpath program should be seen by council as a high priority before new buildings with high ongoing upkeep are done.

Name:

Nigel Bowen

I am happy to be identified in the public submissions report:

Yes

From: noreply@socialpinpoint.com
To: [Benalla Council Email](#)
Subject: Submission - Proposed 2023/24 Budget
Date: Friday, 5 May 2023 7:24:50 PM

Submission - Proposed 2023/24 Budget

Submission received via Have Your Say website.

My written submission:

Requesting to use some Funding to put toilets at the Jaycee island park, McKellar street park as well as the splash park.

Children are loving these new additions but it is a let down not having toilet facilities as we all know little kids need the toilet often and it will reduce the amount of accidents that are currently happening on the new parks/ splash park.

Name:

Emily

I am happy to be identified in the public submissions report:

No

2. Proposed Discontinuance of Roads at Flynnns Road and Lee Road Railway Crossings, Winton North

SF/2595

Adrian Gasperoni – Manager Assets and Infrastructure
Jess Pendergast – Governance Coordinator

PURPOSE OF REPORT

The report seeks the Council's authority to consider whether the government roads being the whole of the land contained in Crown folios volume 11782 folios 963 and 964 located at Flynnns Road and Lee Road railway crossings, Winton North should be discontinued.

BACKGROUND

In June 2022, Rail Projects Victoria (RPV) requested that Council consider a proposal to discontinue the government roads located at Flynnns Road and Lee Road railway crossings, Winton North (the Roads) in connection with RPV's works to physically close unsafe railway crossings over the Roads from the surrounding public road network (the Proposal).

At the time of the Proposal, RPV had:

- undertaken public consultation in respect of the proposed physical closure of the railway crossings on the Roads.
- obtained all relevant approvals to facilitate the closure of the railway crossings on the Roads.
- completed works to physically close each of the railway crossings to through traffic, which works were completed in approximately September 2020.

Council has agreed to consider the Proposal on the basis that the Roads are currently physically closed to through pedestrian and vehicular traffic and are not required for future use as roads by the public.

DISCUSSION

The Chief Executive Officer, as Council's delegate, has authority to determine this matter.

Council can consider discontinuing the Roads pursuant to clause 3 of Schedule 10 of the *Local Government Act 1989 (Act)*.

The proposed discountenance of the government roads located at Flynnns Road and Lee Road railway crossings, Winton North are shown in **Appendix 1**.

Roads

The Roads are:

- a) the whole of the land contained in Crown folios volume 11782 folios 963 and 964, being Crown Allotments 2025 and 2027 Parish of Winton
- b) administered by Victorian Rail Track as Crown land administrator and reserved as government roads
- c) Crown land known to title as ‘government roads’
- d) partially constructed over by a railway track
- e) otherwise constructed as a of dirt and gravel as railway crossings, which have been obstructed to through vehicular or pedestrian traffic by road barriers

It is considered that the Roads are not reasonably required for public use as the Roads:

- a) are partially constructed over by a railway track and railway crossings
- b) nor currently used by the general public for vehicular or pedestrian traffic

As the Roads are known to title as ‘roads’ and are government roads, they are therefore ‘roads’ for the purposes of the Act which Council has the power to consider discontinuing pursuant to clause 3 of Schedule 10 to the Act. As the Roads are ‘government roads’ on Crown land, if the Roads are discontinued, the land comprising the former Roads will vest in the Crown.

Copies of the searches of the Roads are attached as **Appendix 2**.

Adjoining Properties

The Roads previously provided vehicular and pedestrian access to the following properties:

- Nelson Road, Winton North being the whole/part of the land contained in Crown allotment 2020, Parish Winton; Crown allotment 39A, Parish Winton; Lot 1 TP956659 and road reserve abutting the Hume Freeway, Winton.
- Nelson Road, Winton North being the whole/part of the land contained in Crown allotment 2020, Parish Winton.
- Lee Road, Winton being the whole/part of the land contained in Lots 1 and 2 TP967747; Crown allotment 96B, Parish Winton and Lot 2 TP572058.

The Adjoining Properties are shown on the plan attached as **Appendix 3**.

The Adjoining Properties have alternative vehicular and pedestrian access via the surrounding public road network.

RPV has notified Council that it has agreed with each of the Adjoining Owners to make an ‘inconvenience payment’ to the respective Adjoining Owners, which payments are subject confidentiality agreements.

Council has received partial copies of the confidentiality agreements and is satisfied that the Adjoining Owners have consented to the Proposal in consideration for payment of the 'inconvenience payment'.

Additionally, RPV provided notification of the proposed railway crossing closures to the general public, by:

- sending letters (including notices of permanent closure and a factsheet) to all landowners in the area, including to Council; and
- placing signage (including a factsheet) at each of the crossings and at the approaches to the crossings.

RPV notified Council that it has not received any correspondence raising complaints or concerns about the level crossing closures since physical works were completed in September 2020.

Community

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

Leadership

- *Good governance.*
- *Engaged and informed community.*

COMMUNITY ENGAGEMENT

Community engagement was undertaken at the '*consult*' level under the International Association for Public Participation's IAP2 public participation spectrum.

Community consultation was from open 20 April 2023 and closed 5pm 18 May 2023.

The required public notice of the proposal was published on Council's website on 20 April 2023 and in the *Benalla Ensign* on 26 April 2023.

Following the publication of the public notice, no submissions were received by Council.

A copy of the public notice is attached as **Appendix 4**.

FINANCIAL IMPLICATIONS

RPV has agreed to pay Council's costs and disbursements associated with the Proposal.

LEGAL AND STATUTORY IMPLICATIONS

The Council must give public notice of the Proposal, pursuant to section 207A of the Act and consider any submissions received in respect of the Proposal, pursuant to section 223 of the Act.

CONCLUSION

Council may resolve to either commence, or to not commence, the statutory procedures to consider carrying out the proposal.

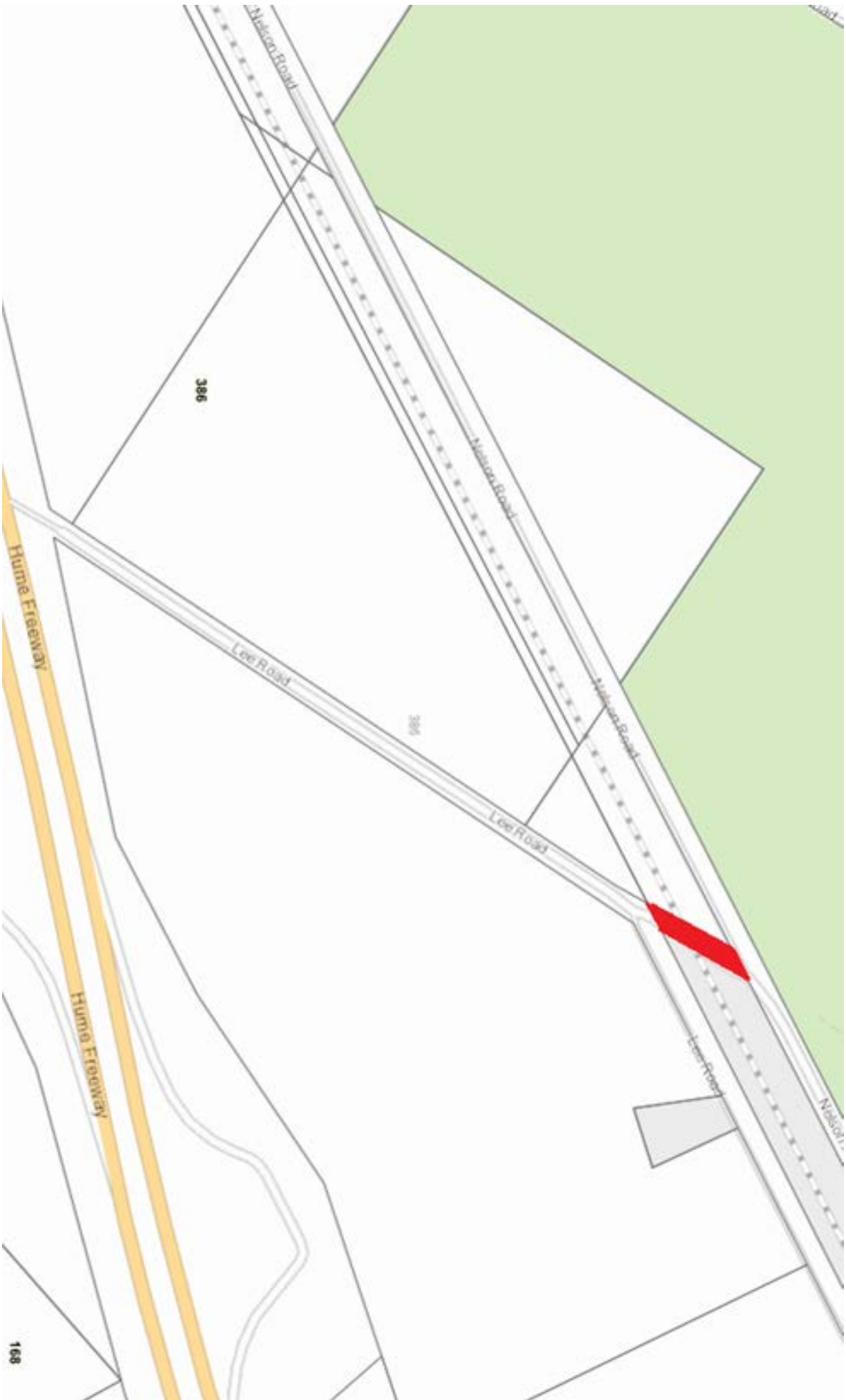
It is recommended that Council proceed with the proposal, by giving public notice of its intention to discontinue the Road, in order to facilitate the lease of the Roads from the Crown to the Applicant.

Recommendation:

That Council, acting under clause 3 of Schedule 10 of the *Local Government Act 1989* (Act):

- 1. Having following all the required statutory procedures pursuant to sections 207A and 223 of the Act, and being of the opinion that the government roads at Flynn's Road and Lee Road railway crossings, Winton North, being the land shown highlighted red on the locality plan attached to this report as Appendix 1 (Roads), are not reasonably required for public use for the reasons set out in this report, resolves that the Roads be discontinued.**
- 2. Directs that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the Act is to be published in the Victoria Government Gazette.**
- 3. Directs that any public rights or interests required to be created or saved over the Roads by any authority be done so and not be affected by the discontinuance of the Roads.**





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CROWN FOLIO STATEMENT

VOLUME 11782 FOLIO 963
No Coft exists

Security no : 124104182273B
Produced 23/02/2023 03:17 PM

CROWN FOLIO

LAND DESCRIPTION

Crown Allotment 2027 Parish of Winton.
Created by instrument MI225659B 06/08/2016

CROWN LAND ADMINISTRATOR

VICTORIAN RAIL TRACK of LEVEL 8 1010 LA TROBE STREET DOCKLANDS VIC 3008
MI225659B 06/08/2016

STATUS, ENCUMBRANCES AND NOTICES

GOVERNMENT ROAD MI225661Q 06/08/2016

DIAGRAM LOCATION

SEE CD087033D FOR FURTHER DETAILS AND BOUNDARIES

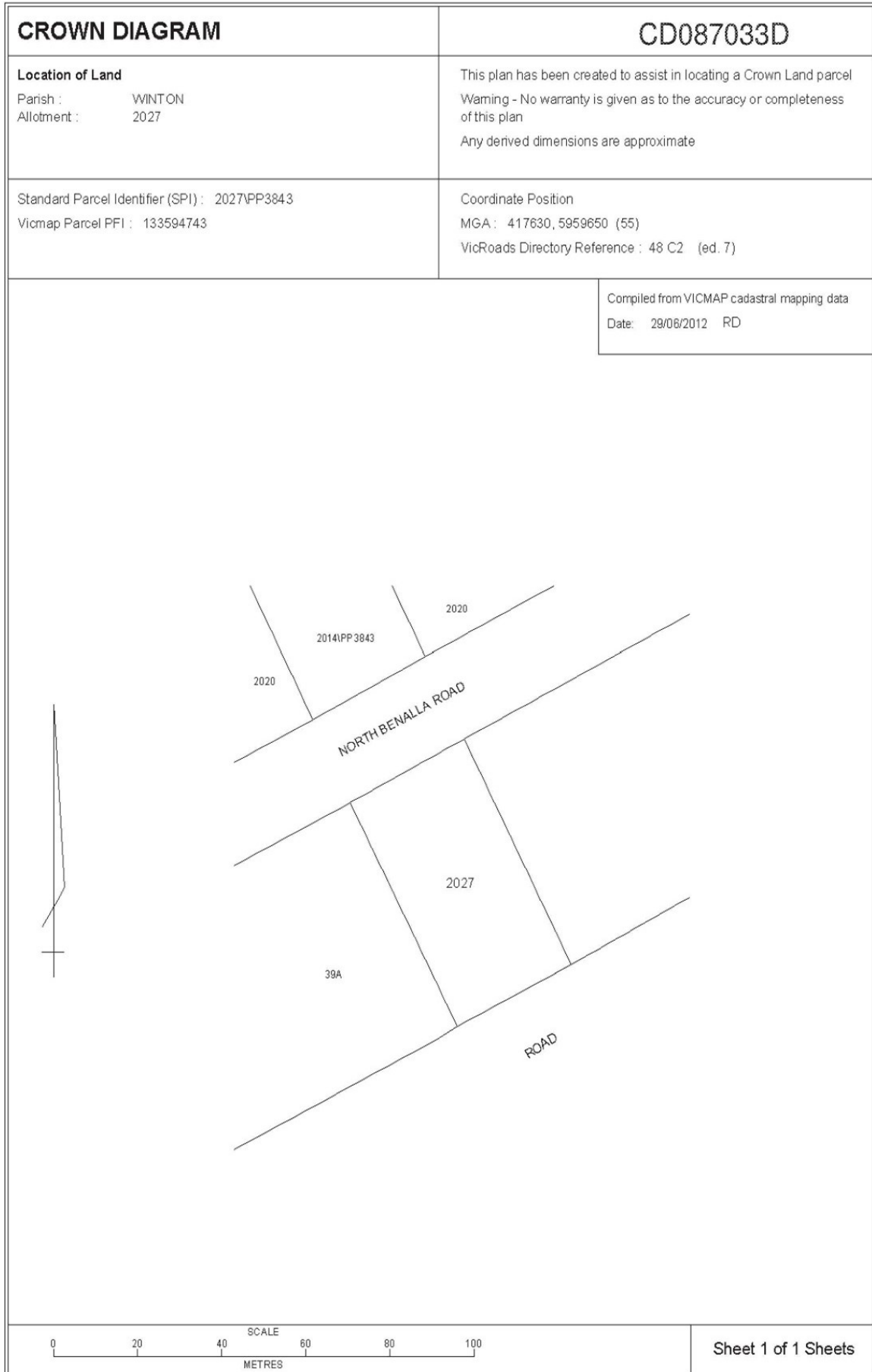
ACTIVITY IN THE LAST 125 DAYS

NIL

DOCUMENT END

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CROWN FOLIO STATEMENT

VOLUME 11782 FOLIO 964
No Coft exists

Security no : 124104182270F
Produced 23/02/2023 03:17 PM

CROWN FOLIO

LAND DESCRIPTION

Crown Allotment 2025 Parish of Winton.
Created by instrument MI225662N 06/08/2016

CROWN LAND ADMINISTRATOR

VICTORIAN RAIL TRACK of LEVEL 8 1010 LA TROBE STREET DOCKLANDS VIC 3008
MI225662N 06/08/2016

STATUS, ENCUMBRANCES AND NOTICES

GOVERNMENT ROAD MI225664J 06/08/2016

DIAGRAM LOCATION

SEE CD087034B FOR FURTHER DETAILS AND BOUNDARIES

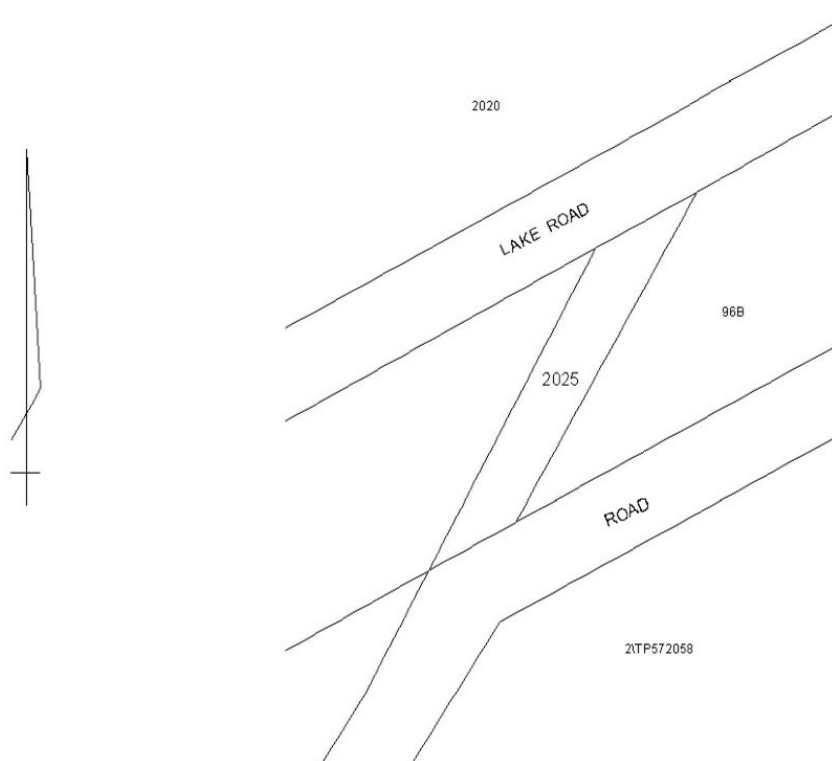
ACTIVITY IN THE LAST 125 DAYS

NIL

DOCUMENT END

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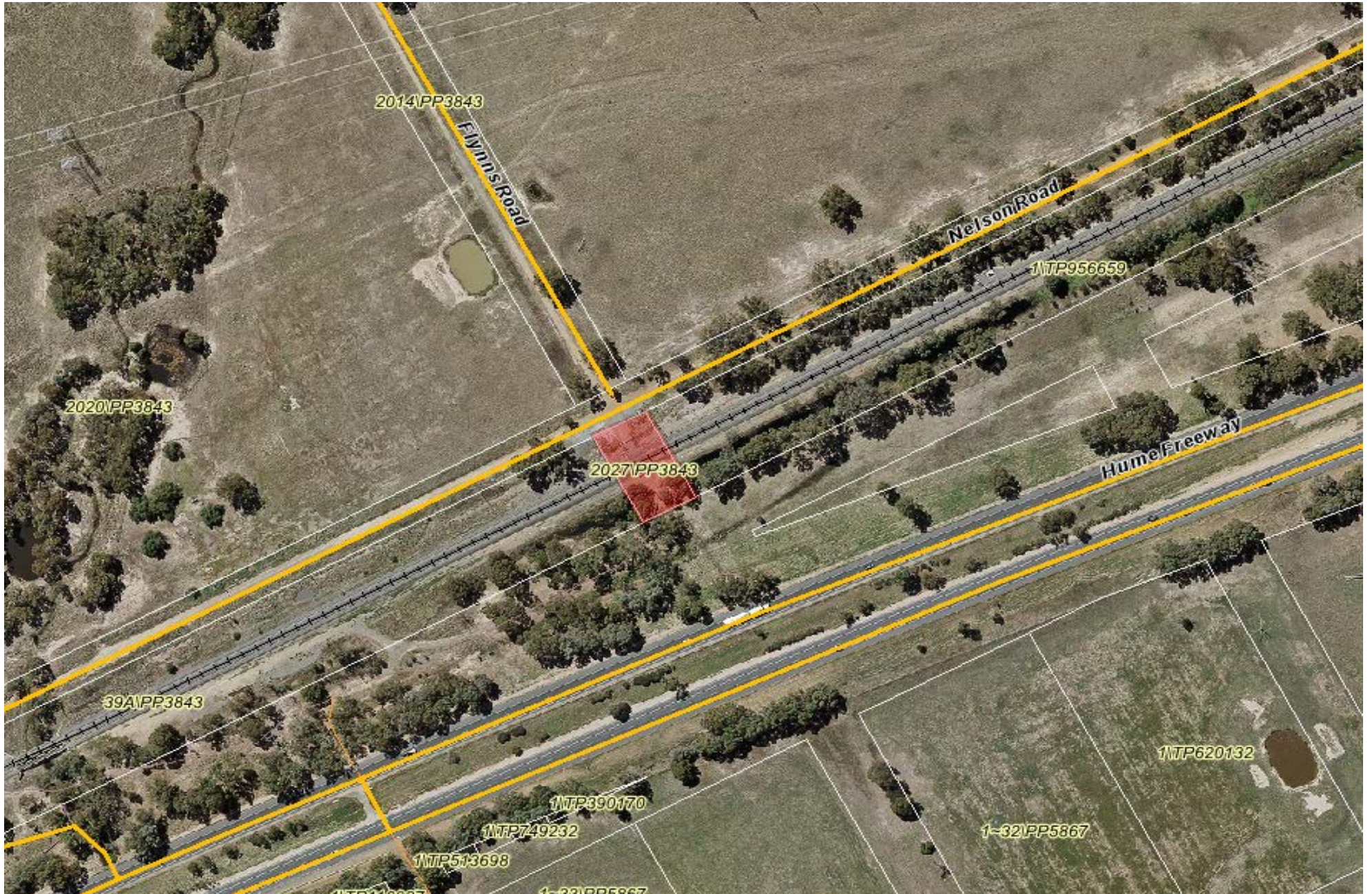
The information supplied by InfoTrack (Major Accounts) has been obtained from InfoTrack Pty Limited by agreement between them. The information supplied has been obtained by InfoTrack Pty Limited who is licensed by the State of Victoria to provide this information via LANDATA® System.

CROWN DIAGRAM	CD087034B
Location of Land Parish : WINTON Allotment : 2025	This plan has been created to assist in locating a Crown Land parcel Warning - No warranty is given as to the accuracy or completeness of this plan Any derived dimensions are approximate
Standard Parcel Identifier (SPI) : 2025\PP3843 Vicmap Parcel PFI : 133594749	Coordinate Position MGA : 419790, 5960810 (55) VicRoads Directory Reference : 34 C9 (ed. 7)
<p>Compiled from VICMAP cadastral mapping data Date: 29/06/2012 RD</p>  <p>The diagram shows a network of roads. 'LAKE ROAD' runs diagonally from the top-left towards the bottom-right. 'ROAD' runs parallel to it, also diagonally. Several parcels are delineated by lines. Parcel '2020' is located above Lake Road. Parcel '2025' is a triangular parcel bounded by Lake Road, Road, and a diagonal line. Parcel '96B' is a large parcel to the right of Road. Parcel '2\TP572058' is a parcel below Road. A north arrow is located on the left side of the diagram.</p>	
<p>0 20 40 60 80 100 SCALE METRES</p>	Sheet 1 of 1 Sheets

Plan of Adjoining Properties - CA 2025



Plan of Adjoining Properties - CA 2027



BENALLA
RURAL CITY COUNCIL



Proposed Road Discontinuance – Public Notice Inviting Submissions Under Section 223

Benalla Rural City Council (**Council**), acting under clause 3 of Schedule 10 of the *Local Government Act 1989 (Vic)* (**Act**), proposes to discontinue the government roads located at Flynns Road and Lee Road railway crossings, Winton North, (**Roads**) shown on the plan below.

If the Roads are discontinued, the land comprising the Road will vest in the Crown.



Interested persons are invited to make a submission on the proposal in accordance with section 223 of the Act. Submissions close 5pm Wednesday 18 May 2023.

All submissions will be considered in accordance with section 223 of the Act and will be included in an agenda for a meeting of the Council that will be made available to the public.

Written submissions can be emailed to council@benalla.vic.gov.au or posted to Benalla Rural City Council, PO BOX 227, Benalla VIC 3672.

Any person making a written submission and requesting to be heard in support of their written submission is entitled to appear in person or may be represented by a person acting on their behalf before a meeting of Council or a committee of Council.

After considering all submissions, Council will decide whether to proceed with the Proposal.

Further information regarding this proposal may be obtained from Manager Assets and Infrastructure on 03 5760 2600 or by email at council@benalla.vic.gov.au

Dom Testoni

Chief Executive Officer

www.benalla.vic.gov.au

3. Building and Planning Approvals – April and May 2023

SF/255

Sarah Ford – Building Coordinator
 Joel Ingham – Planning Coordinator
 Nilesch Singh – Manager Development

PURPOSE OF REPORT

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

Planning Permit Applications Determined under Officer Delegation

April 2023

File No	Description	Property Address	Decision	
1	DA7454	Construction of a dwelling	65 Nillahcootie Track, Lima South	Approved
2	DA7301	Construction of a shed	57 Lakeside Drive, Chesney Vale	Approved
3	DA7504	Construction of a carport	26 Arundel Street North, Benalla	Approved
4	DA6952	Construction of two dwellings and a two lot subdivision	37 Ballintine Street, Benalla	Approved
5	DA5628	Construction of a shed	80 Kilfeera Road, Benalla	Approved
6	DA3326	Construction of an agricultural shed	1135 Midland Highway, Benalla	Approved

May 2023

File No	Description	Property Address	Decision	
1	DA6322	Two lot subdivision	5 Mary Street, Benalla	Approved
2	DA3774	Construction of an extension to a dwelling	8A Mitchell Street, Benalla	Approved
3	DA115	Two lot subdivision	187 North Road, Benalla	Approved
4	DA7428	Construction of a Dependent Person's Unit	141 Sudholz Road, Glenrowan West	Approved
5	DA5291	Use and development of land for a dwelling	85 Rogash Road, Upper Ryans Creek	Approved
6	DA3883	Construction of a carport	17 Lavery Street, Benalla	Approved
7	DA7402	Construction of an inground swimming pool	13 Market Street, Benalla	Approved

File No		Description	Property Address	Decision
8	DA5734	Development of a replacement dwelling	2389 Midland Highway, Swanpool	Approved
9	DA7298	Construction of a front fence	73 Cowan Street, Benalla	Approved
10	DA6517	Three lot subdivision	81 Thomas Street, Benalla	Approved

Planning Permit Amendments Determined Under Officer Delegation

April 2023

There were no planning permit amendments issued under officer delegation during the month of April 2023.

May 2023

File No		Description	Property Address
1	DA5477	Construction of a replacement dwelling and outbuilding and to use the existing dwelling for group accommodation	156 Glenrowan Boweya Road, Glenrowan

Planning Permits Issued Under VicSmart

April 2023

File No		Description	Property Address
1	DA7301	Construction of a shed	57 Lakeside Drive, Chesney Vale
2	DA3326	Construction of an agricultural shed	1135 Midland Highway, Benalla
3	DA5628	Construction of a shed	80 Kilfeera Road, Benalla

May 2023

File No		Description	Property Address
1	DA7428	Construction of a Dependent Person's Unit	141 Sudholz Road, Glenrowan West
2	DA7298	Construction of a front fence	73 Cowan Street, Benalla

Planning Permit Applications Determined by the Council

April 2023

File No		Description	Property Address	Decision
1	DA7395	Use and development of land for extractive industry (sand mine)	1726 Dookie Devenish Road, Devenish	Refused
2	DA4861	Multi lot subdivision and the removal of native vegetation	51 Hairs Lane, Benalla	Approved

May 2023

There were no planning permit applications determined by the Council during the month of May 2023.

Planning Permit Amendments Determined by the Council

There were no planning permit amendments determined by Council during April and May 2023.

Planning Permit Applications Withdrawn or Lapsed

April 2023

File No		Description	Property Address	Decision
1	DA7508	Construction of a dwelling	151B Grant Drive, Benalla	Withdrawn – planning permit not required

May 2023

File No		Description	Property Address	Decision
1	DA7512	Alterations and additions to the existing dwelling	154 Kealy Road, Benalla	Withdrawn – planning permit not required

Notices of Decision

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.

April 2023

File No		Description	Property Address
1	DA4861	Multi-lot subdivision and the removal of native vegetation	51 Hairs Lane, Benalla

May 2023

There were no notice of decisions issued during the month of May 2023.

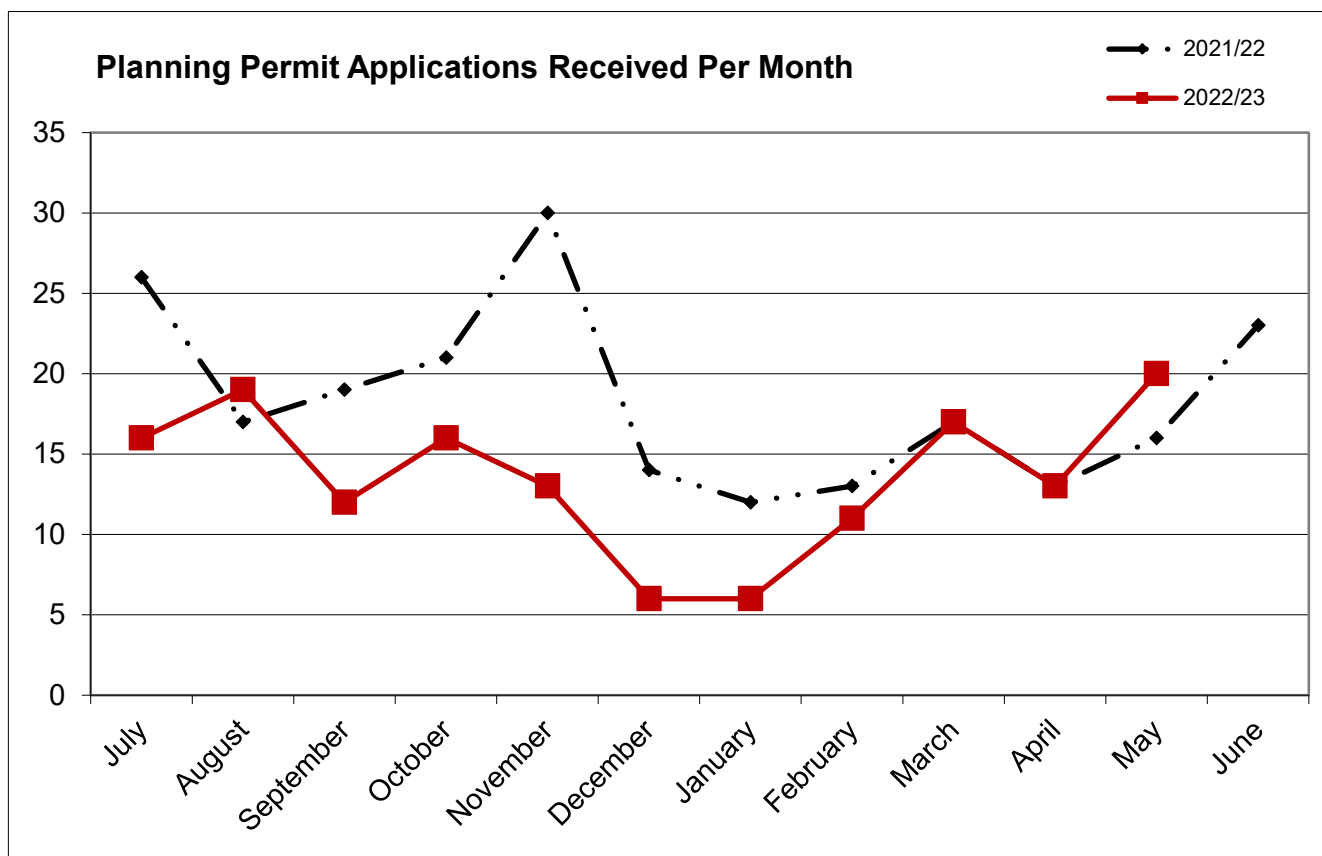
Planning Permit Applications Determined by VCAT

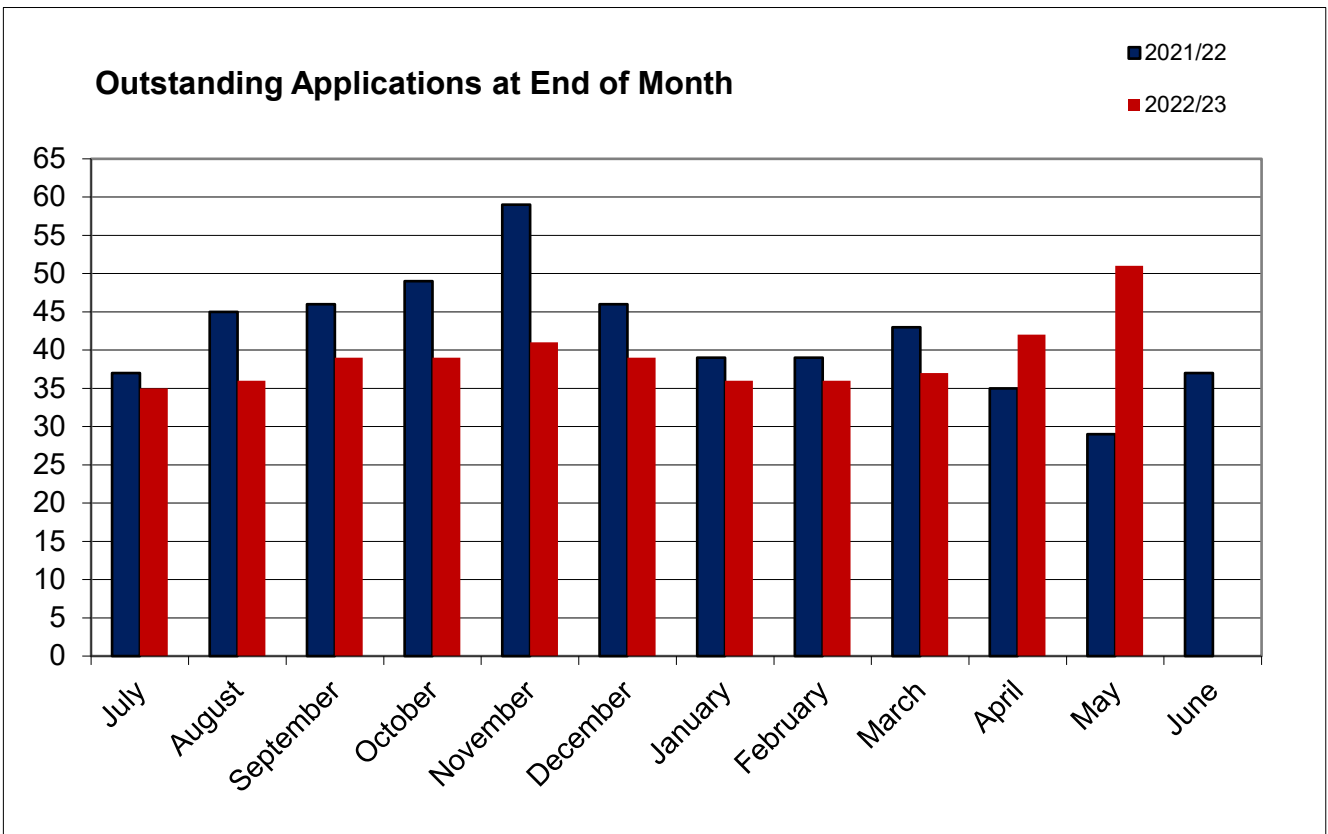
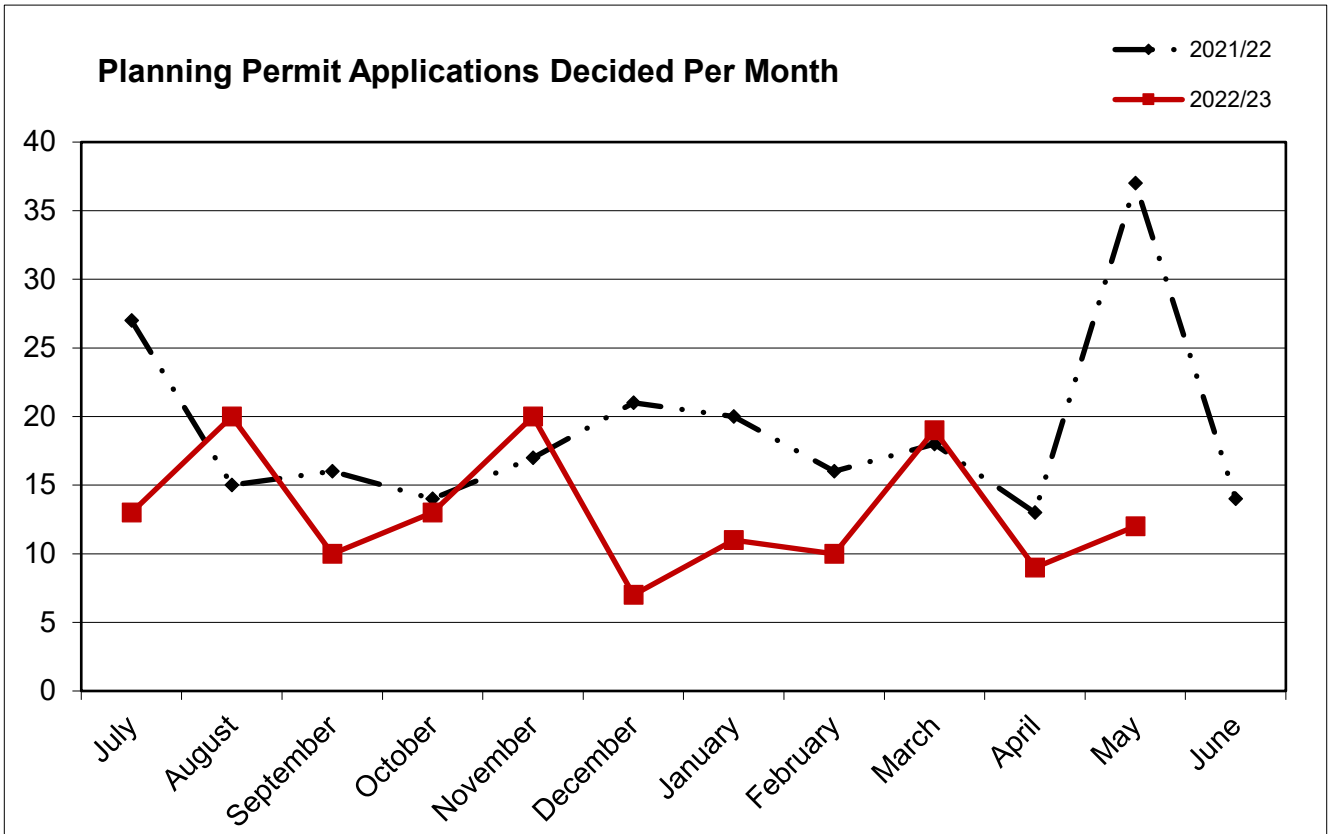
There were no planning permit applications determined by VCAT during April and May 2023.

Matters Before VCAT

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.
DA7395	Use and development of land for extractive industry (Sand quarry) at 1726 Dookie Devenish Road, Devenish
Status	At a Council meeting on 19 April 2023 it was resolved that the Council refuse to grant a permit for the use and development of the land for extractive (sand quarry). The applicant has lodged an appeal to VCAT. A VCAT order dated 8 May 2023 details that a compulsory conference (mediation) will be held on the 3 August 2023 and the main hearing will be held on 23, 24 and 25 October 2023.

Planning Permit Applications





Building Approvals Issued by Council and Private Practitioners

April 2023

	File No	Description	Property Address	Value
1	DA7255	Construction of a dwelling and shed	121 Sargeant Street, Thoona	\$400,000
2	DA7413	Construction of a verandah and dwelling roof	11 McCallum Street, Devenish	\$68,420
3	DA3627	Construction of a dwelling extension	33 Bridge Street West, Benalla	\$55,120
4	DA6728	Construction of a shed extension	154 Kealy Road, Benalla	\$15,971
5	DA6482	Construction of a shade sail and grandstand	18 Fawckner Drive, Benalla	\$57,500
6	DA6662	Construction of a shed	54 Grant Drive, Benalla	\$10,924
7	DA7489	Construction of a shed	47 Cecil Street, Benalla	\$31,211
8	DA7482	Construction of a dwelling extension	127 North Road, Benalla	\$300,236
9	DA6724	Construction of a farm shed	83 Martin Road, Moorngag	\$110,000
10	DA347	Internal alterations	14 Mair Street, Benalla	\$8,700
11	DA4330	Underpinning of dwelling	27 Barkly Street, Benalla	\$59,965
12	DA7506	Construction of a dwelling and garage	9 Senator Drive, Benalla	\$448,180
13	DA165/14	Additions and alterations to aged care building	1-35 Kilfeera Road, Benalla	\$5,500,000
14	DA7463	Construction of a dwelling and garage	21 Livingston Boulevard, Benalla	\$275,728
15	DA7499	Construction of a dwelling and garage	5 Everly Court, Benalla	\$263,720
16	DA6736	Construction of a dwelling and garage	3746 Midland Highway, Lima South	\$1,000,000
17	DA7519	Construction of a swimming pool and safety barrier	75 Farrell Road, Benalla	\$51,840
18	DA1950	Construction of a swimming pool and safety barrier	3 Market Street, Benalla	\$48,585
19	DA7509	Construction of a dwelling and garage	2 Meretz Court, Benalla	\$232,968
20	DA4776	Construction of a swimming pool and safety barrier	2 McCallum Street, Devenish	\$74,070
21	DA7492	Construction of a swimming pool and safety barrier	175 Basin Road, Benalla	\$53,840

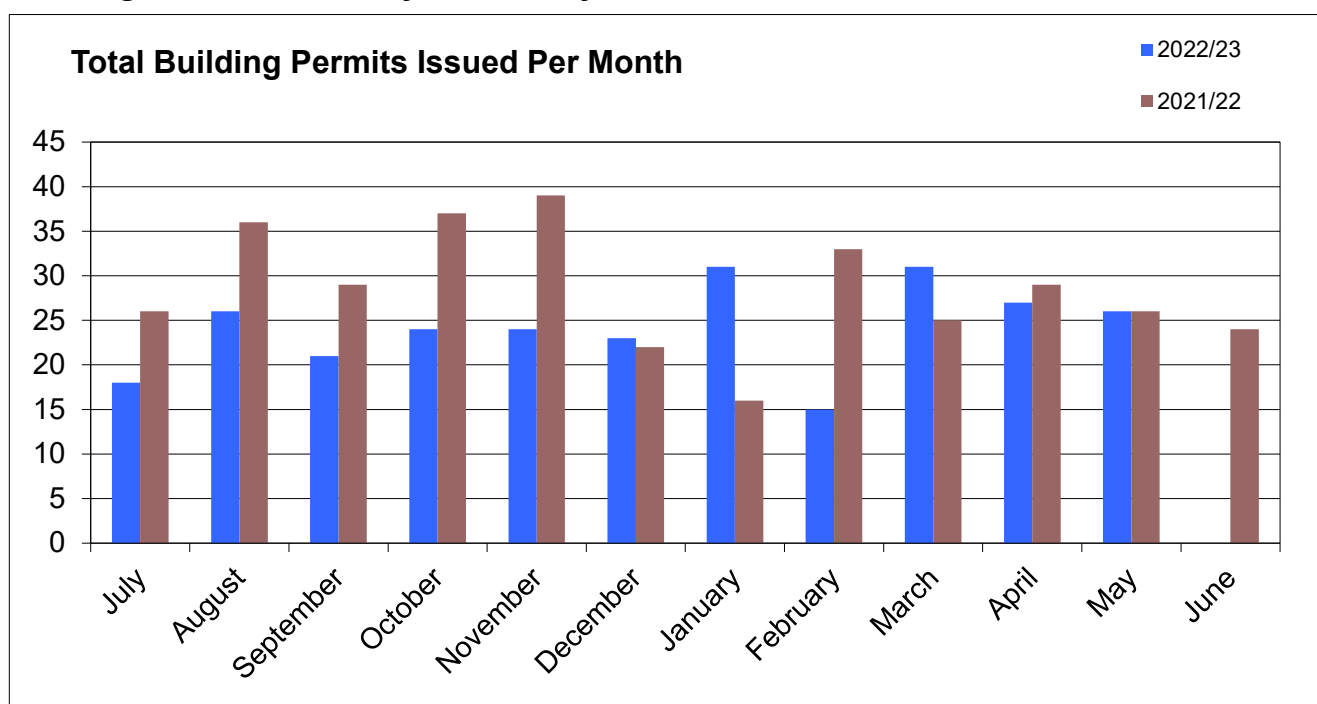
	File No	Description	Property Address	Value
22	DA6728	Construction of a swimming pool and safety barrier	154 Kealy Road, Benalla	\$70,595
23	DA2581	Construction of a farm shed	Lot 3 Mansfield Road, Benalla	\$800,100
24	DA7469	Construction of a dwelling and garage	10 Livingston Boulevard, Benalla	\$309,135
25	DA7429	Construction of a dwelling and garage	364 Goomalibee Road, Benalla	\$525,559
26	DA7514	Construction of a dwelling and garage	35 Senator Drive, Benalla	\$269,668
27	DA7462	Construction of a dwelling and garage	26 Livingston Boulevard, Benalla	\$346,855
Total				\$11,388,890

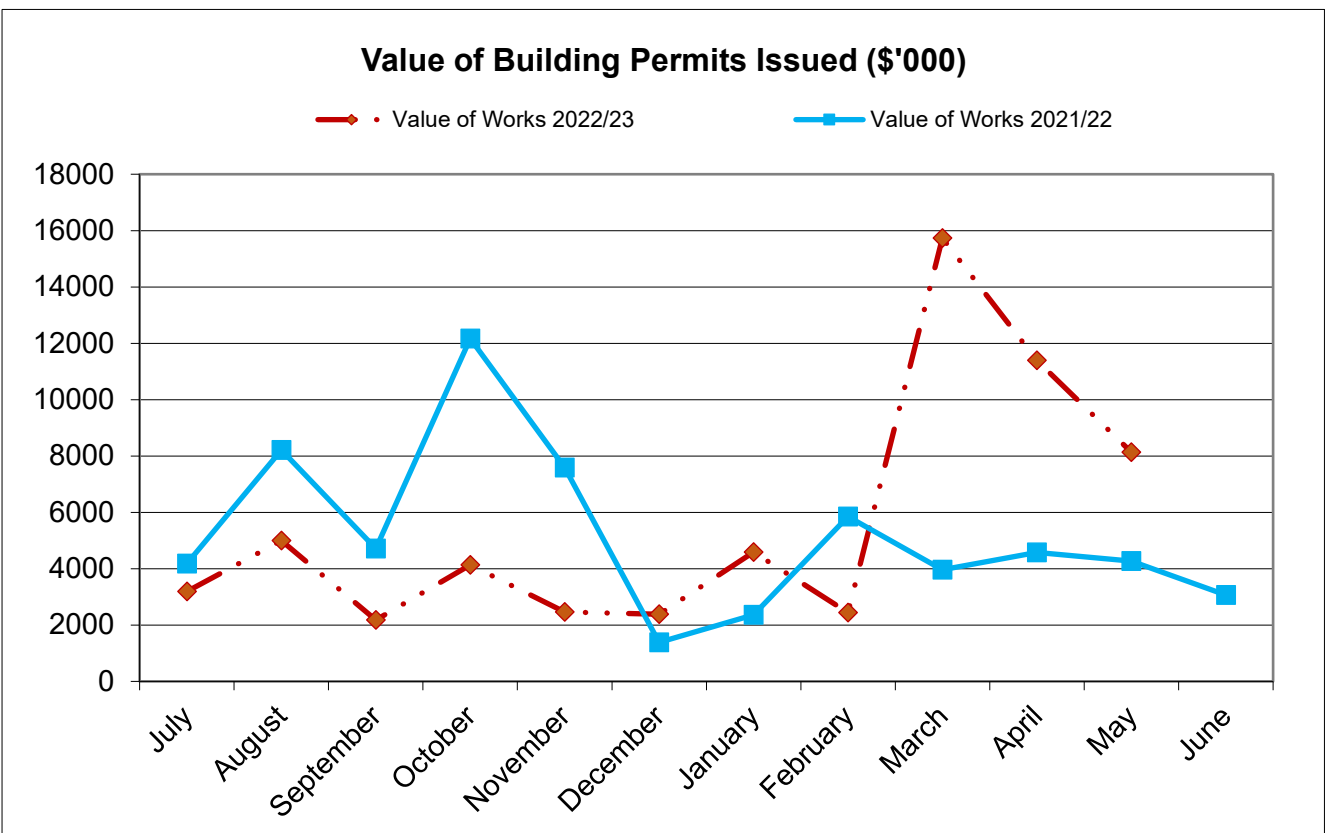
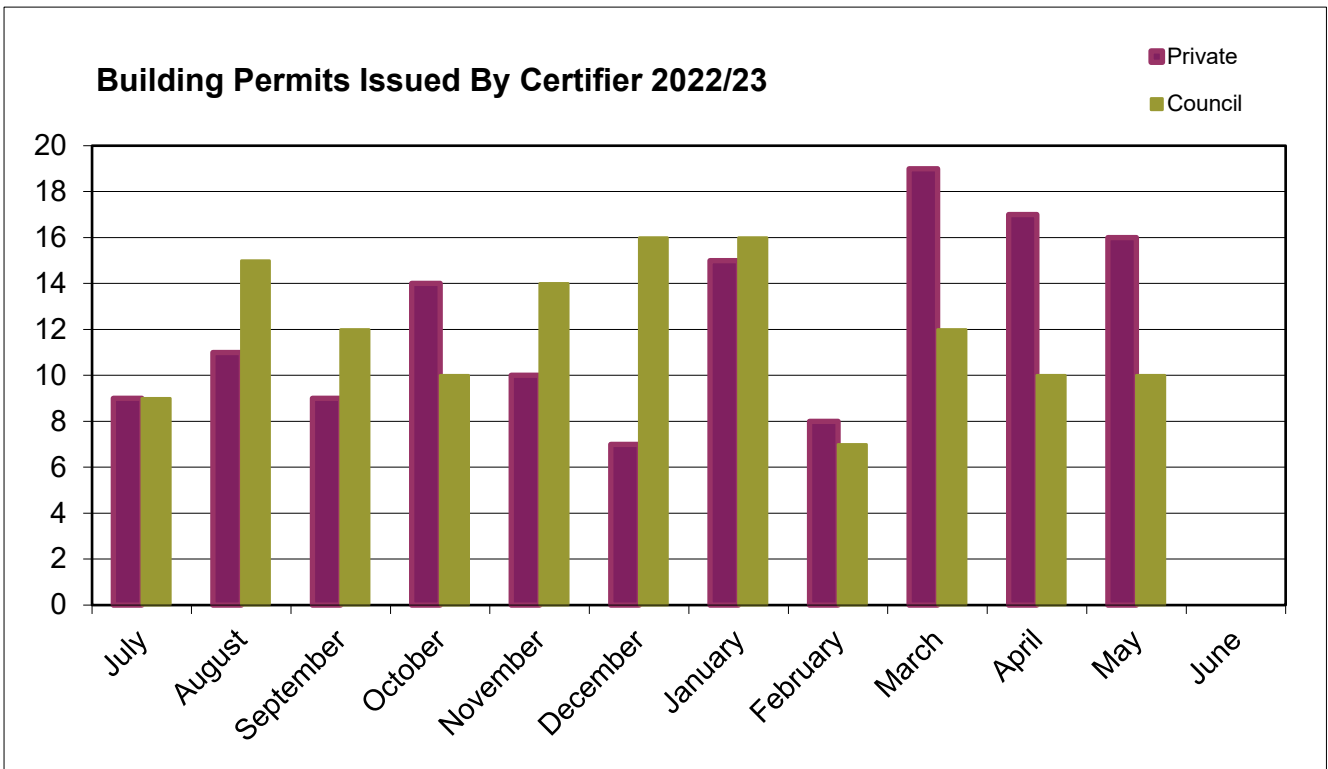
May 2023

	File No	Description	Property Address	Value
1	DA1663	Construction of a farm shed	379 Swanpool Road, Moorngag	\$62,318
2	DA3694	Construction of a shed	125 Arundel Street, Benalla	\$8,500
3	DA6215	Construction of a shed	1170 Lake Mokoan Road, Chesney Vale	\$35,857
4	DA7214	Construction of a farm shed	313 Samaria Road, Benalla	\$35,849
5	DA7491	Relocation of a transportable dwelling	97 Sargeant Street, Thoona	\$50,000
6	DA7450	Construction of a shed	34 Boger Street, Benalla	\$26,288
7	DA5603	Construction of a farm shed and carport	2496 Samaria Road, Moorngag	\$100,009
8	DA7345	Relocatable dwelling	263 Greta Road, Winton	\$121,000
9	DA5477	Construction of a shed	156 Glenrowan Boweya Road, Glenrowan	\$60,000
10	DA4874	Construction of a dwelling	236 Granite Road, Upper Lurg	\$223,000
11	DA7204	Construction of a dwelling and garage	13 Box Lane, Benalla	\$308,562
12	DA7517	Construction of a spa safety barrier	46 Murray Road, Benalla	\$10,500
13	DA7507	Construction of a dwelling and garage	20 Livingston Boulevard, Benalla	\$301,130
14	DA7145	Construction of a dwelling	19 Bowcher Road, Chesney Vale	\$647,394

	File No	Description	Property Address	Value
15	DA7516	Construction of a dwelling and garage	7 Meretz Avenue, Benalla	\$383,487
16	DA7518	Construction of a dwelling and garage	11 Everly Court, Benalla	\$327,279
17	DA5433	Construction of a shed	4 Trewin Street, Benalla	\$9,500
18	DA7497	Construction of a dwelling and garage	12 Everly Court, Benalla	\$345,518
19	DA6901	Completion of a dwelling extension	35 Benalla Street, Benalla	\$10,000
20	DA3793	Completion of a swimming pool safety barrier	57 Grant Drive, Benalla	\$10,000
21	DA6313/2	Construction of a hotel, restaurant, and function centre	3 Gunn Road, Benalla	\$3,750,000
22	DA6366	Alterations to an existing church	46-48 Carrier Street, Benalla	\$214,310
23	DA7532	Construction of dwelling and garage	26 Senator Drive, Benalla	\$464,359
24	DA3326	Construction of a farm shed	1135 Mansfield Road, Benalla	\$11,000
25	DA7537	Construction of dwelling and garage	17 Livingston Boulevard, Benalla	\$289,290
26	DA7511	Construction of dwelling and garage	43 Senator Drive, Benalla	\$333,084
Total				\$8,138,234

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.

4. 2022/2023 Quick Response Grants

SF/2857

Tom Arnold – Community Development Coordinator
Jane Archbold – Manager Community

PURPOSE OF REPORT

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

BACKGROUND

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

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

DISCUSSION

Applications for consideration under the 2022/23 Quick Response Grant program are detailed in the table below.

Applicant	Details	Amount Requested	Proposed Assistance
Goorambat and District Community Group	Goorambat and District Community Group seek funding to paint the inside of community toilets located in the grounds of the Goorambat and District Community Hall. These toilets were established to provide a convenient facility close to the popular art trail exhibits for locals, the wider community, as well as the abundant visitors passing through town. The group require the funding to purchase paint and equipment to refresh the interior of toilet block to a desirable hygiene level for all users. The group have a volunteer willing to donate his labour in the painting of the interior of the toilets able to commence painting within a month.	\$500	\$500
Total		\$500	\$500

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

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

Leadership

- *Engaged and informed community.*

COMMUNITY ENGAGEMENT

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

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

FINANCIAL IMPLICATIONS

The *2022/23 Budget* allocates \$15,000 to the Quick Response Grant program. To date, \$13,230 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 a \$500 grant from the 2022/2023 Quick Response Grant program be allocated to Goorambat and District Community Group.

5. Urgent Business

Closure of Meeting