

Benalla Rural City Council

Finance and Planning Committee

Agenda

Date: Wednesday 25 March 2026

Time: 6pm

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

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Agenda

Chair	Councillor David Blore
Councillors	Councillor Bernie Hearn (Mayor) Councillor Justin King (Deputy Mayor) Councillor Vince Branigan Councillor Peter Davis Councillor Puna Hewa Gunaratne Councillor Jillian Merkel
In attendance	Peter Keane 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 Joel Ingham Planning Coordinator Jess Pendergast Governance Coordinator

Opening and Acknowledgement 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 apology/ies be accepted.

Governance Matters

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

Public Submissions

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

Recording of Council Meetings

In accordance with Rule 6.4 of the *Governance Rules 2020* the Committee Meeting will be livestreamed via the Council's website. An audio recording will be made of the proceedings and made available for public access, with the exception of matters identified as confidential items in the agenda.

Members of the public can watch the live broadcast of the meeting at www.benalla.vic.gov.au

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 Minutes of the Previous Meeting

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 18 February 2026 be confirmed as a true and accurate record of the meeting.

Business

1. Planning Permit Application For Use And Development Of A Place Of Assembly (Wedding And Events Venue) And Accommodation At 140 Darktown Road, Lurg

Ref:683252461-156

P091-25

Joel Ingham – Planning Coordinator
Nilesh Singh – Manager Development

PURPOSE OF REPORT

This report assesses a planning application received to use and develop the subject site for a place of assembly (wedding and events venue) and accommodation.

BACKGROUND

Site Address	140 Darktown Road Lurg
Existing Use	Existing dwelling and agriculture
Proposal	Use and development of a place of assembly (wedding and events venue) and accommodation.
Applicant	Leanne Maxwell (Regional Planning Services)
Zone	Farming Zone (FZ) Permit trigger: <ul style="list-style-type: none">▪ Clause 35.07 (use in a FZ)▪ Clause 35.07-4 (buildings and works in a FZ)
Overlays	<ul style="list-style-type: none">▪ Vegetation Protection Overlay Schedule 3 (VPO3)
Particular Provisions	<ul style="list-style-type: none">▪ Clause 52.06 – Car Parking▪ Clause 53.06 – Music Entertainment Venues
Referrals	<ul style="list-style-type: none">▪ Engineering▪ Environmental Health

PROPOSAL

The applicant is seeking to use and develop the site for a place of assembly to provide for weddings and events and accommodation. The proposal is generally described as follows:

- The wedding venue is proposed to operate no more than 15 times a year with an average of 100 guests but allowing for a maximum of 200 guests.
- The accommodation is proposed to be provided in the existing dwelling, and it is expected the accommodation will be used by wedding guests.
- Operationally the following is anticipated:
 - Accommodation to be provided to the bride and groom and immediate family.
 - Catering and alcohol is to be self-catered and provided by the wedding organiser. This could include food vans.
 - It is intended that hired staff will be required to have the appropriate RSA licence to serve wedding guests.
 - Music is to be provided in accordance with the wedding organiser and to be either a small live band/group or pre-recorded. A noise limiter will be applied to equipment.

- Weddings are anticipated to be generally on Friday-Sunday, however, it will be dependent on the user and operate seven days a week, with weddings to cease functioning at 11.30pm with music and serving of alcohol ceasing at 11pm.
- All guests apart from guests staying at the accommodation will be made to leave the premises by midnight.
- All noise will be managed in accordance with the Environment Protection Authority Victoria (EPA) regulations.
- A booking diary, Bushfire Emergency Management Plan and Event Management Plan will be maintained.
- The wedding venue, in the existing shed, and accommodation in the existing dwelling are setback 214m from Darktown Road, Lurg.
- An existing corrugated galvanized shed will be converted into a wedding venue/barn type building. The overall footprint is 17.25m by 13.9m with a total area of 239.775m².
- Alterations to the shed include:
 - East elevation – double barn style sliding doors each with dimensions of 2.4m wide by 2.5m high. An awning over the proposed sliding doors.
 - North elevation – one barn style sliding door with dimensions of 2.4m wide and 2.4m high. A small awning with an overall width of 1.4m is proposed to be constructed from 100mm x 100mm hardwood posts and galvanised roof cladding.
 - West elevation – one window constructed of poly carbonate with a total width of 7.4m.
 - South elevation – one louvre window with dimensions of 800mm by 1000mm to be constructed from poly carbonate, and double barn style sliding doors each with dimensions of 2.4m wide by 2.5m high.
- Weddings will only be held in the converted shed, with the wedding party being escorted in 1-2 cars by the event manager to the hilltop for photo opportunities. Weddings will not be held on the hilltop.
- Three portable toilet facilities will be located adjacent to the venue/shed.
- A gravel driveway will provide access to the venue and dwelling and will also provide access to a gravel carpark of 60 car spaces, including two disabled spaces.
- Hours of operation are proposed as:
 - 7 days a week
 - 10am to 12am
 - no alcoholic drinks served after 11pm
 - music ceases by 11pm
 - all guests to leave site by 12am.

Plans prepared by Taylor Design Group are attached as **Appendix 1**.

Site and Surrounds

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

The subject site is an irregular shaped parcel of land on the south side of Darktown Road, Lurg and comprises three parcels. The proposed use and development is for Crown Allotment 20, shown as Parcel A in the extract below.

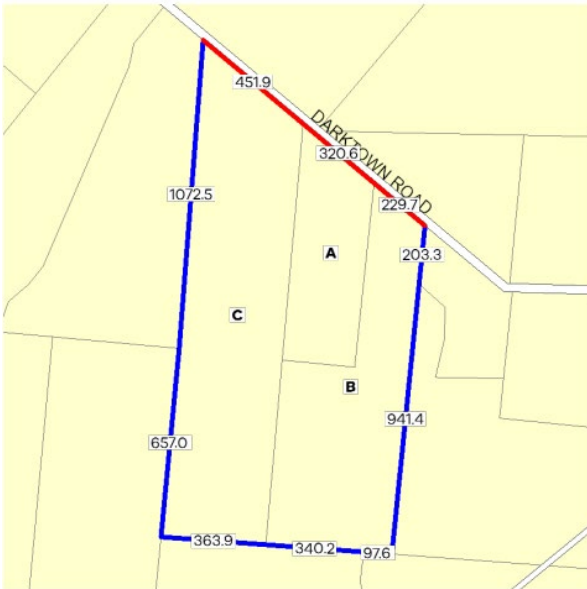


Figure 1 - Subject site property parcels (Source: www.dtp.vic.gov.au)

Winton Creek runs to the north of Darktown Road, Lurg and a tributary of this, with an online dam that is in the north of the subject site, transects the property.

Surrounding and nearby properties are generally used for agricultural purposes, and some have dwellings. The nearest dwelling is to the north of Darktown Road, Lurg approximately 400m from the activity.

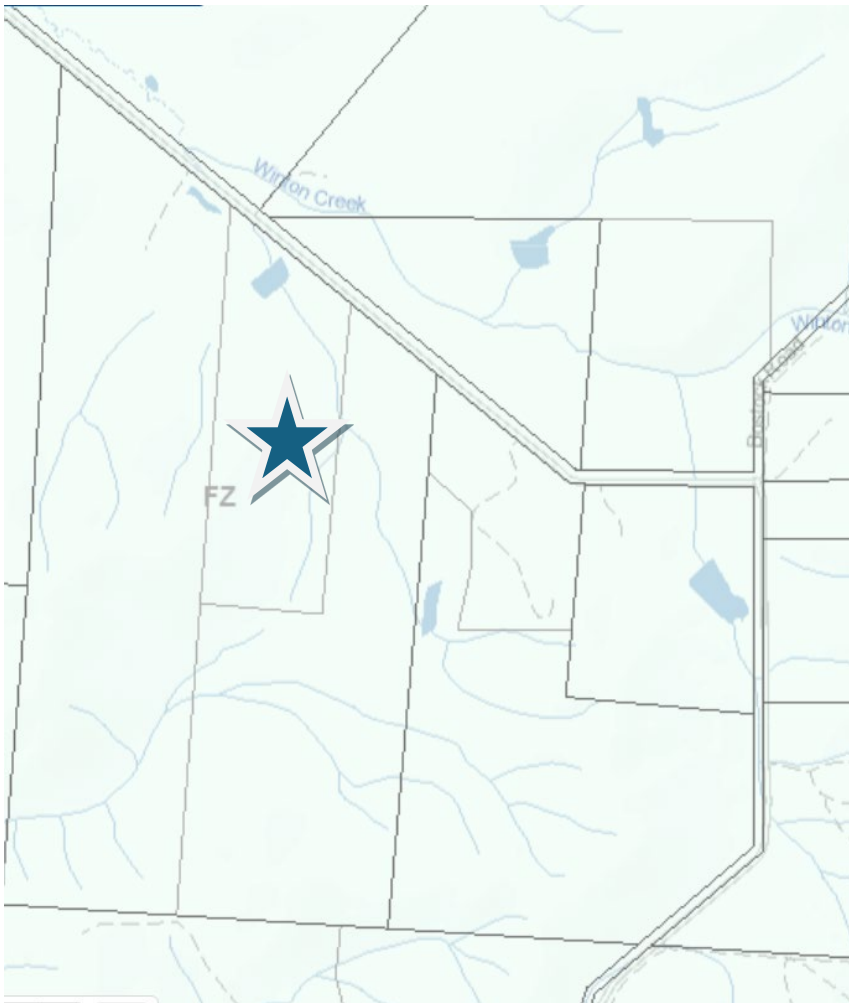


Figure 2 - Subject site with the star and location of Winton Creek (Source: www.dtp.vic.gov.au)

Background Documents

Various supporting background reports were submitted with the application material including:

- Planning Report prepared by Regional Planning Services.
- Acoustic Engineering Report prepared by DDEG dated 1 October 2025.
- Traffic Impact Assessment prepared by Infrastructure Support Services dated 11 August 2025.
- Cultural Heritage Management Plan prepared by Bligh Gilding Consulting approved on 17 June 2025.
- Bushfire Emergency Management Plan.
- Event Management Plan.

Acoustic Report

The Acoustic report identified the nearest Noise Sensitive Areas (NSAs) as:

1. 155 Darktown Road Lurg - 400m distance from proposed venue.
2. 181 Darktown Road Lurg - 400m distance from proposed venue.
3. 228 Darktown Road Lurg - 1km distance from proposed venue.
4. 147 Bostock Road Lurg - 1.4km distance from proposed venue.
5. 72 Darktown Road Lurg - 650m distance from proposed venue.

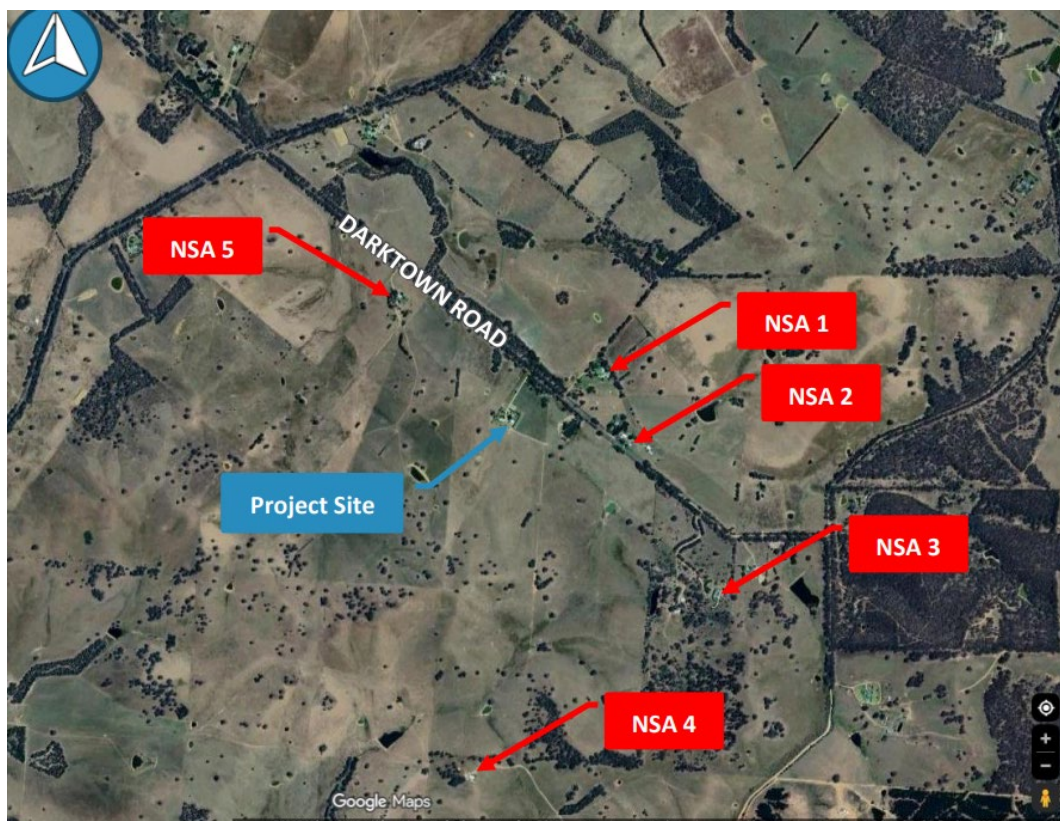


Figure 3 - Locations of potentially affect Noise Sensitive Areas (Source: Acoustic Engineering Report prepared by DDEG and dated 1 October 2025)

Noise measurements were taken to establish existing background noise. Noise limits were then modelled for day, evening and night.

The Acoustic Report provides a series of recommendations to manage noise and more particularly to control noise from music including not playing during the 'night' period which in accordance with the EPA Regulations (Regulation 123) is after 11pm Monday-Saturday and after 10pm Sundays and public holidays.

It also recommends installing an electronic music noise limiter to set appropriate levels. This should be installed by a suitably qualified person and be installed so it cannot be easily tampered with and includes a 'traffic light' style monitor display to provide visual prompts if noise is becoming close to the permissible limit or exceeds it.

The Acoustic Report also recommends deliveries should only be permitted:

- 7am to 10pm Monday to Saturday
- 9am to 10pm Sundays and Public Holidays.

Private waste collections should only be permitted:

- 7am to 8pm Monday to Saturday
- 9am to 8pm Sundays and Public Holidays

The Acoustic Report concludes that subject to the implementation of advice in the report, the proposed use will satisfy the applicable acoustic legislation and guidelines.

Traffic Impact Assessment

This report addressed the impact on the local road networks, access to the site, car parking requirements, buses, loading and bicycle parking.

The report notes that the existing road network to site is sealed and the pavement varies from 6m plus in width to approximately 5m in width from Brock Road, Lurg to the site entry.

Approximately 650m east of the site the road becomes unsealed and appears to service four properties.

Expected usage of the site includes:

- venue management and staff
- commercial waste collection
- commercial deliveries
- guest bus access and parking
- guest passenger vehicle access and car parking.

The venue will cater for up to 200 guests, but it is expected that events will generally cater for 100 to 120 guests. Fifteen events per annum are expected.

It is expected that traffic generated for site will consist of:

- 75 per cent of guest arriving by bus – three buses maximum.
- 25 per cent of guests arriving by passenger vehicle.
- management and staff will arrive by passenger vehicle.
- commercial waste collection and deliveries will be via single unit trucks.

The report identifies expected maximum number of traffic movements per event day:

- passenger car – 60
- 40+ seater bus – 10
- waste collection – 4
- deliveries – 16.

The plans submitted with the application show 60 car spaces, including two disabled spaces and one bus park, although the traffic report notes that four bus parking spaces will be provided.

Bushfire Emergency Management Plan

The Bushfire Emergency Management Plan outlines the procedures for evacuation and shelter-in-place to protect guests in the event of a fire. It includes important contact details, actions to be undertaken at the beginning of the bushfire danger period, cancellation policy, actions during a bushfire, evacuation procedures, shelter in place procedures, emergency assembly area and procedures after a bushfire.

Event Management Plan

The Event Management Plan addresses hours of operation, management of music, management of alcohol consumption, traffic management, requirements for noise control, bookings, security and crowd management, incident management procedures and toilet facilities.

Public Notification

The planning application was advertised by letters to adjoining property owners and occupiers and a sign on site.

Eight objections were received.

Objections relate to the following matters:

- Bushfire risk
- Impacts on privacy
- Venue is promoted as using parts of the site (hilltop) not included in the planning application.
- Lack of bushfire management plan
- Uncertainty about compliance with permit conditions
- Negative impact from amplified music
- Night time noise limits are exceeded
- Measures in Acoustic Report to manage noise are unrealistic and unenforceable
- No clear accountability if noise management measures fail
- No assessment of loud music on livestock. Lambing sheep are closer to the venue than five noise sensitive areas (NSA)
- Conflict with the rural zoning purpose
- The use is incompatible with the purpose and operations of the zone
- Impacts viability of existing agricultural enterprises and lifestyle of the residents
- Loss of residential amenity
- Some potentially sensitive noise areas have not been included in the acoustic report
- Negative impact to nearby stock including behaviour, milk yield and fertility
- Artificial lighting will disturb wildlife such as the regent honeyeater
- Risk of ongoing noise breaches

- Negative agricultural impacts
- No net benefit to the community
- Noise impact
- Stress to working dogs who have increased hearing
- Impact of increased traffic to Darktown Road, Lurg
- Increased road maintenance required
- Poor sight lines at the crossroad at the end of Darktown Road, Lurg
- Increased traffic will cause a risk to bike riders
- Devaluation of property
- Application doesn't state the availability of water supply in the event of a fire
- Light spill/disturbance from carpark and exiting vehicles
- Guests may inadvertently enter private property and introduce a biosecurity risk.

Planning Scheme Provisions

Municipal Planning Strategy (MPS)

Clause 02.03-2 (Environmental and landscape values) recognises the scenic values of the foothills, valleys and cleared grazing country is a valued characteristic of the municipality. In managing and protecting landscape character, Council seeks to:

- *Protect large areas of public land, including Mount Samaria Park and the Warby Ranges Park.*
- *Protect significant landscape features, ridges and viewlines.*

Clause 02.03-3 (Environmental risks and amenity) recognizes the potential for land use conflicts. In minimising the potential for land use conflicts, Council seeks to:

- *Discourage residential development or other sensitive uses if it will lead to land use conflict with an agricultural or industrial use, or service utility.*
- *Locate new industrial development to reduce the risk of adverse amenity impacts.*

Clause 02.03-4 (Natural Resource Management) recognizes that the rural areas of the municipality comprise high quality and versatile agricultural land. This asset can be threatened by inappropriate subdivision and housing development.

Rural activities produce off-site effects that can be incompatible with residential uses.

Farming practices in rural areas should not be diminished by encroachment of incompatible development in rural zones. Fragmentation of high-quality agricultural land is discouraged, and farm consolidation is a fundamental long-term objective.

In protecting agricultural areas, Council seeks to:

- *Limit subdivision and new dwellings on high quality and versatile agricultural land.*
- *Maintain the sustainable use and productive potential of rural land.*
- *Discourage non-agricultural uses where they will impact agriculture.*
- *Avoid the fragmentation of productive agricultural land by subdivision, particularly lots for housing.*

- *Encourage alternative agricultural pursuits.*
- *Support proposals for non-agricultural uses in rural areas only when they are compatible with surrounding agricultural use and can be justified in terms of broader community benefit.*
- *Encourage agricultural practices that are not detrimental to the environment.*
- *Encourage the consolidation of farm lots.*
- *Locate intensive animal industries in areas that minimise land use conflict.*

Clause 02.03-7 (Economic development) recognises tourism as a key economic influence in Benalla but one this is relatively underdeveloped with great potential. In supporting tourism, Council seeks to:

- *Support event based and lifestyle tourism opportunities.*
- *Encourage use and development that maximises tourism opportunities.*

Clause 02.03-9 of the Municipal Planning Strategy (Infrastructure) recognises the importance of planning for infrastructure and seeks to:

- *Improve infrastructure to small towns to promote sustainability and development.*
- *Ensure domestic wastewater treatment facilities are maintained and monitored.*
- *Encourage development on lots that are capable of retaining treated wastewater onsite.*

Planning Policy Framework (PPF)

Clause 12 (Environmental and Landscape Values) seeks to protect and conserve areas with identified landscape values.

Clause 13 (Environmental Risks and Amenity) recognises the need to identify, prevent and minimise the risk of harm to the environment, human health and amenity through:

- *Land use and development compatibility.*
- *Effective controls to prevent or mitigate significant impacts.*

Clause 13.02-1S (Bushfire Planning) applies to land that is:

- *Within a designated bushfire prone area.*
- *Subject to a Bushfire Management Overlay; or*
- *Proposed to be used or developed in a way that may create a bushfire hazard.*

The objective is “to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life” and strategies give priority to the protection of human life.

Clause 13.05-1S (Noise Management) has the objective “to assist the management of noise effects on sensitive land uses”. Relevant policies to consider are:

- *Environment Protection Regulations under the Environment Protection Act 2017.*
- *Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues (Publication 1826, Environment Protection Authority, May 2021).*

Clause 14.01 (Agriculture) has the objective to protect the state's agricultural base by preserving productive farmland. In considering a proposal to use or develop agricultural land consider the:

- *Desirability and impacts of removing the land from primary production, given its agricultural productivity.*
- *Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.*
- *Compatibility between the proposed or likely development and the existing use of the surrounding land.*
- *The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.*
- *Land capability.*

Clause 14.02-1S (Catchment Planning and Management) seeks to assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment. Relevant strategies include:

- *Retain natural drainage corridors with vegetated buffer zones at least 50 metres wide along each side of a waterway to:*
 - *Maintain the natural drainage function, stream habitat and wildlife corridors and landscape values,*
 - *Minimise erosion of stream banks and verges, and*
 - *Reduce polluted surface runoff from adjacent land uses.*
- *Ensure that development at or near waterways provide for the protection and enhancement of the environmental qualities of waterways and their instream uses.*
- *Ensure that water quality infrastructure is designed to minimise risk of harm to surface waters and groundwater.*

Clause 14.02-2S (Water Quality) seeks to protect water quality. Relevant strategies include:

- *Ensure that land use activities potentially discharging contaminated runoff or wastes to waterways are sited and managed to minimise such discharges and to protect the quality of surface water and groundwater resources, rivers, streams, wetlands, estuaries and marine environments.*
- *Avoid detrimental impacts on groundwater resources and minimise risk of harm to human health and the environment from proposed land use or development.*

Clause 14.01-2S (Sustainable agricultural land use) seeks to encourage sustainable land use. Relevant strategies include:

- *Ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources.*
- *Support the development of innovative and sustainable approaches to agricultural and associated rural land use practices.*
- *Encourage diversification and value-adding of agriculture through effective agricultural production and processing, rural industry and farm-related retailing.*
- *Assist genuine farming enterprises to embrace opportunities and adjust flexibly to market changes.*
- *Support agricultural investment through the protection and enhancement of appropriate infrastructure.*
- *Facilitate ongoing productivity and investment in high value agriculture.*

Clause 15.01-6S (Design for Rural Areas) seeks to ensure development respects valued areas of rural character. Relevant strategies include:

- *Ensure that the siting, scale and appearance of development protects and enhances rural character.*
- *Protect the visual amenity of valued rural landscapes and character areas along township approaches and sensitive tourist routes by ensuring new development is sympathetically located.*
- *Site and design development to minimise visual impacts on surrounding natural scenery and landscape features including ridgelines, hill tops, waterways, lakes and wetlands.*

Clause 15.-1-6L (Rural design) applies to the construction of a building a rural zones. Strategies include:

- *Encourage the use of muted colours for building materials.*
- *Encourage siting and design that reduces the visual impact of the building on the landscape.*

Clause 17.04 (Tourism) seeks to encourage tourism development that maximises the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination. Strategies include:

- *Encourage the development of a range of well-designed and sited tourist facilities, including integrated resorts, accommodation, host farm, bed and breakfast and retail opportunities.*
- *Seek to ensure that tourism facilities have access to suitable transport.*
- *Promote tourism facilities that preserve, are compatible with and build on the assets and qualities of surrounding activities and attractions.*
- *Create innovative tourism experiences.*
- *Encourage investment that meets demand and supports growth in tourism.*

Clause 17.04-1L (Facilitating tourism) provides the following relevant strategies.

- *Encourage new tourism use and development and expansion of existing activities, including wineries.*
- *Support new and upgraded infrastructure, such as roads and trails, to service tourist developments.*
- *Support proposals that encourage outdoor education and adventure type activities.*

The *Economic Development and Tourism Strategy (Benalla Rural City, 2014)* is a reference document in the planning scheme at Clause 17.04-1L.

Although a relatively dated document it does recognise the benefit that tourism can provide to the local economy.

The strategy notes there is an opportunity to highlight local produce and identifies a lack of accommodation opportunities which encourage visitors to stay overnight and therefore contribute positively to the local economy.

Clause 19.03-03S Integrated Water Management seeks to sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach. Strategies include protecting and improving the health of water bodies including creeks and rivers.

Zone

Clause 35.07 Farming Zone (FZ)

Pursuant to the Benalla Planning Scheme the subject site is included in a Farming Zone (FZ). The purpose of the FZ is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

Clause 35.07-1 of the FZ requires a planning permit to use the site for the following proposed uses:

- *accommodation*
- *place of assembly.*

Clause 35.07-4 of the FZ requires a planning permit for the associated buildings and works.

Relevant decision guidelines include:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
- How the use and development makes use of existing infrastructure and services.

Agricultural issues and the impacts from non-agricultural uses

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

Accommodation issues

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

Environmental issues

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

Design and siting issues

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

Clause 35.07-7 of the FZ notes that sign requirements are at Clause 52.05, Category 4 which apply to sensitive areas and applies the maximum limitation to signs.

Overlays

Pursuant to the Benalla Planning Scheme the subject site is included in the Vegetation Protection Overlay Schedule 3 (VPO3). The purpose of the VPO is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To protect areas of significant vegetation.*
- *To ensure that development minimises loss of vegetation.*
- *To preserve existing trees and other vegetation.*
- *To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.*
- *To maintain and enhance habitat and habitat corridors for indigenous fauna.*
- *To encourage the regeneration of native vegetation.*

Clause 42.02-2 of the VPO requires a planning permit to remove, destroy or lop any vegetation specified in a schedule to this overlay unless it is exempt under the table in Clause 42.02-3 or in accordance with a native vegetation precinct plan specified in Clause 52.16.

Schedule 3 relates to the Regent Honeyeater Habitat/Lurg Ironbark Vegetation Protection Area. The objective is to protect and stop the removal of native vegetation in areas that support the Regent honeyeater.

It is noted that the proposed development does not require the removal of native vegetation.

Referrals

No external referrals were required. The application was referred to relevant internal departments.

Referrals	Advice/Response/Conditions
Engineering	Consent subject to conditions
Environmental Health	Consent subject to conditions

Particular Provisions

Clause 53.06 Live Music Entertainment Venues has the purpose:

- *To recognise that live music is an important part of the State’s culture and economy.*
- *To encourage the retention of existing and the development of new live music entertainment venues.*
- *To protect live music entertainment venues from the encroachment of noise sensitive residential uses.*
- *To ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise.*
- *To ensure that the primary responsibility for noise attenuation rests with the agent of change.*

In this clause:

live music entertainment venue means:

- *a food and drink premises, nightclub, function centre or residential hotel that includes live music entertainment*
- *a rehearsal studio*
- *any other venue used for the performance of music and specified in clause 3.0 of the schedule to this clause, subject to any specified condition or limitation.*

noise sensitive residential use means:

- *a community care accommodation, dwelling, residential aged care facility, residential village, retirement village, rooming house or small second dwelling.*

A live music entertainment venue must be designed, constructed and managed to minimise noise emissions from the premises and provide acoustic attenuation measures that would protect a noise sensitive residential use within 50m of the venue.

General Provisions

Clause 65.01 Decision Guidelines – Approval of an Application or Plan. Before deciding on an application the responsible authority must consider, as appropriate:

- *The matters set out in section 60 of the Act.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
- *The impact the use or development will have on the current and future development and operation of the transport system.*

CONSIDERATION OF OBJECTIONS

Some of the matters raised in the objections are not relevant planning considerations including property devaluation and behaviour concerns of patrons leaving the site.

Noise

The Acoustic Report has measured existing noise and modelled noise from the proposed use and provides recommendations to be implemented to meet the relevant EPA requirements (EPA Publication 1826 – Noise Limit and Assessment Protocol for the Control of Noise from Commercial Industrial and Trade Premises and Entertainment Venues).

It's important to note that the EPA Regulation 116 defines operating time periods as follows:

- Day period means Monday to Saturday (except public holidays), from 7am to 6pm.
- Evening period means Monday to Saturday, from 6pm to 1pm and Sundays and public holidays from 7am to 10pm.
- Night period refers to 10pm to 7am the following day.

The Acoustic Report did identify some non-compliances for four of the five noise sensitive areas (NSA) but goes on to state that minor noise management measures can be implemented to ensure compliance with the EPA Noise Protocol Part II.

If a planning permit is granted, given the night period commences at 10pm it is reasonable for music to cease at 10pm and allow for guests to exit the site by 11pm.

Bushfire Risk

The subject site is not included in a Bushfire Management Overlay under the Benalla Planning Scheme but is included in a designated bushfire prone area. The application did not require referral to the CFA, under Clause 13.02-1S of the Benalla Planning Scheme it does require bushfire risk to be assessed.

A Bushfire Emergency Management Plan (BEMP) has been submitted with the application material and can form part of a planning permit if one is granted. It addresses both evacuation and shelter-in-place requirements and actions.

A copy of the BEMP will be kept at both the Wedding Venue and the Lodge Cottage. The BEMP includes:

- contact details and responsibilities of the two fire wardens
- emergency contact list
- actions to be undertaken before the bushfire danger period has commenced
- actions to be undertaken at the beginning of the bushfire danger period
- events will be cancelled on extreme and Code Red days
- actions during a bushfire
- evacuation procedure including the location of an emergency assembly point
- Shelter-in-place procedures in the event the site cannot be evacuated including an emergency assembly point and shelter in place location
- actions after a bushfire.

It is considered that the BEMP has addressed the risk of bushfire and implements appropriate bushfire protection measures to address the identified bushfire risk. No new buildings are proposed that would introduce another element of risk.

Traffic Impacts

Brock Road, Lurg has a seal of 6m plus and Darktown Road, Lurg has a seal of approximately 5m in width. Traffic movements would typically be spread out across a couple of days allowing for preparation including delivery and removal of portable toilets, food vans, the event itself and removal of waste.

Traffic movements will be limited by using buses to minimise car movements for guests.

If a permit is granted, a reduction in the number of events per year will reduce any negative impact on the local road network. A permit condition can also require the entry from Darktown Road, Lurg to the cattle grid at the entry to be sealed to reduce the tracking of mud onto the local road.

The Traffic report notes that the existing road network can cater for the additional traffic generated by the proposed development. It does advise that at the entry, sight distances to the west need to be considered due to a number of sapling trees to the west of the entry. It also notes that all parking and deliveries need to occur on-site.

The Traffic Impact Assessment can be endorsed under the planning permit if one is granted.

Location of wedding events

The landowner has confirmed that wedding events will only take place in the shed identified as the venue. The only activity that will occur on the hilltop is photo opportunities for the wedding party, who will be transported there by the operator in 1-2 cars and supervised.

There will be no wedding ceremonies taking place on the hilltop.

Impact on rural lifestyle

The subject site will continue to operate as a cattle farm and agriculture remains the primary activity on the site. The proposed place of assembly does introduce a new use to the area, but if a permit is granted it will only be permitted to have up to twelve events per year, so an average of one per month. It also takes advantage of an existing shed, so there is no increase in built form.

This is considered to provide a balanced outcome for what is a discretionary use within the Farming Zone and is not expected to adversely affect either the subject site or nearby land for agricultural use.

ASSESSMENT

Officers support the proposed use and development as it meets relevant policy provisions in the planning scheme, particularly as it relates to tourism and economic development.

Municipal Planning Strategy and Planning Policy Framework

Planning policy encourages the retention and protection of agricultural land. The proposed place of assembly is repurposing existing buildings on site, with the only loss of land being for the car park and some additional access to the car park.

Given the overall area of the site is 116ha this is considered a minor and acceptable impact.

The proposal will also provide some additional, albeit minor, employment opportunities and will contribute positively to the local economy.

Destination weddings create opportunities for guests to stay in the local area/towns, thereby adding to the local economy and tourist potential.

The site is not included within a Bushfire Management Overlay. The submitted Bushfire Management Emergency Plan is considered adequate to address the proposed use.

Farming Zone

The purpose of the Farming Zone generally relates to providing for and encouraging the retention of land for agricultural purposes. The subject site is currently used for farming purposes, largely for cattle and will continue to be used as a cattle farm. The landowners also have an established farm in NSW and understand the operations of a farm.

The proposed place of assembly is largely taking place in existing buildings such as the dwelling and shed. The existing accessway is to be used, although the carparking will slightly reduce the area available for agriculture. This area for car parking is in an area already associated with the more domestic/residential part of the site.

The subject site forms part of three parcels that total 116ha in area, so the area set aside for carparking will have a negligible effect on the agricultural production of the site.

Land Use Compatibility

Measures to mitigate off site amenity impacts can be implemented via the planning permit to improve land use compatibility.

It is therefore recommended that music cease by 10pm and guests vacate the site by 11pm.

The subject site's primary use is for agriculture and is used for cattle. The application proposes using the site for wedding venues up to fifteen times per year.

To achieve a balanced outcome, it is reasonable to restrict events to no more than twelve times per year.

An appropriately conditioned planning permit can provide a balance allowing the different uses to satisfactorily co-exist.

Car Parking

The Benalla Planning Scheme requires 0.3 car spaces per patron. At a maximum of 200 patrons the car parking demand therefore is 60 car spaces. Plans submitted with the application show this amount of car parking, plus an additional area for bus parking.

It is assumed that if more than one bus attends the site, then car parking spaces will be available to accommodate an additional bus/es.

Hours of Operation

Proposed hours of operation are:

- Monday to Sunday 10am to 12am as follows:
 - No alcoholic drinks served after 11pm
 - Music to cease by 11pm
 - All guests to be off-site by 12am.

Given the EPA classifications of day, evening and night, with evening ceasing and night commencing at 10pm, it is considered reasonable to apply the following hours of operation:

- 9am to 11pm Monday to Sunday
- Music must cease by 10pm Monday to Sunday
- Closed Christmas Day.

Amenity Impacts

Noise

Should a permit be granted conditions can be included to mitigate the risk of off-site amenity impacts such as compliance with the recommendations in the acoustic report, reduced hours of operation and a reduced number of events.

Light spill

External lighting can be baffled to avoid off-site impacts. With respect to lights from vehicles exiting the site, there are no dwellings immediately opposite the access to Darktown Road, Lurg.

Objections

The eight objections received raised concerns that were generally common and related largely to off-site amenity impacts, bushfire risk and compatibility of land uses.

Several planning permit conditions are proposed to reduce the risk of off-site impacts from the proposed uses.

The reduction of hours of operation will mitigate the risk of noise during night hours and a reduction in the number of permitted events will reduce the overall impact.

COUNCIL PLAN 2025-2029 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.*
- *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. P091-25 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 140 Darktown Road Lurg for the use and development of land for Accommodation and a Place of Assembly (Wedding Events) and subject to the following conditions:

- 1. Before the use and development starts, plans must be approved and endorsed by the responsible authority. The plans must:**
 - a. Be prepared to the satisfaction of the responsible authority.**
 - b. Be drawn to scale with dimensions.**
 - c. Submitted in electronic form.**
 - d. Be generally in accordance with plans submitted with the application, but amended to show the following details:**
 - i. Provide details of proposed signage including location, dimensions, elevations, colouring and wording.**
 - ii. Location of drainage channels and swales.**
- 2. The layout of the proposed development must not be altered from the layout on the approved endorsed plans without the written consent of the responsible authority.**
- 3. At any time no more than 200 patrons may be permitted on the land.
The responsible authority may consent in writing to vary this requirement.**
- 4. The use and development must comply with the recommendations of the Acoustic Engineering Report, prepared by DDEG, dated 01/10/2025, to the satisfaction of the responsible authority.**
- 5. The use and development must comply with the Bushfire Emergency Management Plan to the satisfaction of the responsible authority.**
- 6. Prior to the commencement of the use an updated Event Management Plan must be submitted to and endorsed by the responsible authority. The Event Management Plan must be amended as follows:**
 - a. The plan must be updated to comply with all conditions of this permit.**
 - b. Measures to ensure that all guests leave the site by 11pm.**
 - c. Measures to ensure that there will be no short term accommodation or camping on the site other than that approved within the existing dwelling.**
 - d. Measures to ensure that all guests are restricted to the event area during the course of an event. Only wedding photos may be taken outside of the event area.**
- 7. The use and development must be managed so that the amenity of the area is not detrimentally affected through the:**
 - a. Transport of materials, goods or commodities to or from the land.**

- b. Appearance of any building, works or materials.
- c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, team, soot, ash, dust, wastewater, waste products, grit or oil.

to the satisfaction of the responsible authority.

8. At all times noise emanating from the land must comply with the requirements of the Environmental Protection Regulations 2021 (as amended from time to time) as measured to the satisfaction of the responsible authority.
9. Noise Protocol means the Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, published by the Environment Protection Authority on its website, as in force from time to time.
10. All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service to the satisfaction of the responsible authority.
11. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level to the satisfaction of the responsible authority
12. Waste collection must be conducted in EPA Publication 1254 'Noise Control Guidelines' and shall not occur after 8pm and before 7am weekdays or before 9am on all other days.
13. Deliveries must be conducted in accordance with EPA Publication 1254 'Noise Control Guidelines' and shall not occur after 10pm and before 7am weekdays or 9am all other days.
14. The use must only operate between the following times:
 - a. 9am to 11pm Monday to Sunday
 - b. Music must cease by 10pm Monday to Sunday
 - c. Closed Christmas Day.
 - d. No more than twelve (12) weddings/events may occur on the land in any calendar year.

The responsible authority may consent in writing to vary these requirements.

15. All waste and recyclables must be stored in and collected from an area set aside for this purpose. This area must be graded, drained and screened from public view to the satisfaction of the responsible authority.
16. All waste material not required for further on-site processing must be regularly removed from the site to the satisfaction of the responsible authority. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created, to the satisfaction of the responsible authority.
17. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.
18. No fewer than sixty (60) car parking spaces must be provided on the land.

19. Before the use starts, the areas set aside for the parking of vehicles and bicycles, and access lanes as shown on the endorsed plans must be:
 - a. Constructed of compacted crushed rock.
 - b. Properly formed to such levels that they can be used in accordance with the plans.
 - c. Drained.
 - d. Line marked to indicate each space and all access lanes.
 - e. Clearly marked to show direction of traffic along access lanes and driveways.

To the satisfaction of the responsible authority.

At all times car spaces, access lanes and driveways must be kept available for these purposes.

Once constructed these areas must be maintained to the satisfaction of the responsible authority.

20. No native vegetation may be removed from the land unless with the further written consent of the responsible authority.

Engineering Conditions

21. The proposed works must not cut off natural drainage from adjacent properties.
22. Any damage to Council assets (i.e. roads, table drains etc) shall be repaired at the cost of the applicant to the satisfaction of the Responsible Authority.
23. No additional vehicle accesses may be constructed apart from those endorsed on the approved plan.
24. The applicant shall provide drawings prepared by a Registered Engineer to demonstrate the dimensions of the vehicle parking and manoeuvring areas and including the method of how the bays will be marked on the gravel surface. Details of the vehicle parking shall be submitted to Council for endorsement prior to the commencement of works.
25. The vehicle parking drawings shall also demonstrate how the surface will be drained to minimise erosion and including proposed sediment control.
26. Prior to the commencement of use, the vehicle access must be upgraded to include a pipe and headwalls at the applicant's expense. The Access must be in accordance with the Infrastructure Design Manual (IDM) standard drawing SD255 for a rural entrance and include setback to the gate as detailed on the IDM standard drawing. The applicant shall provide a drawing prepared by a Registered Engineer that will demonstrate that the width of the crossing will accommodate the design vehicle (bus) and to provide two-way vehicle access to Darktown Road.
27. All stormwater generated from proposed impervious areas shall be retained on site and discharged such that it does not cause nuisance to adjoining properties.

Environmental Health Conditions

28. Prior to the commencement of use the developer/applicant must provide a plan that shows that the wastewater system of the existing dwelling is wholly contained within Crown Allotment 20, Section B, Parish of Tatong. In the event it is not located within Crown Allotment 20, Section B, Parish of Tatong, the boundary must be realigned to accommodate the wastewater or the wastewater system must be relocated within the confines of Crown Allotment 20, Section B, Parish of Tatong under a separate wastewater permit prior to the commencement of use.
29. All sewage and sullage wastewater from the proposed development site must be discharged into a new on site wastewater management system which is approved under the Australian Standards, retains all wastes within the boundaries of the land, and is located to the satisfaction of the Responsible Authority.

Expiry

30. This permit will expire if one of the following circumstances applies:
 - a. The development is not started within two (2) years of the date of this permit.
 - b. The development is not completed within four (4) years of the date of this permit.
 - c. The use is not commenced within four (4) years of the date of this 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.

General Notes

1. The granting of this permit does not obviate the necessity for compliance with the requirements of any other authority under any act, regulation or local law.
2. This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.
3. 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.
4. Prior to any works being carried out in relation to any part of the onsite wastewater system a permit for the works must be obtained from the Benalla Rural City Council.
5. Business identification signage for the subject site cannot exceed 3m² in area.
6. The *Environment Protection Act 2017* imposes duties on individuals and-or businesses undertaking the activity permitted by this permit. If your business engages in activities that may give rise to a risk to human health or the environment from pollution or waste, you must understand those risks and take action to minimise them as far as reasonably practicable. *For further information on what the laws mean for Victorian businesses and community go to <https://www.epa.vic.gov.au/general-environmental-duty>.*

2. Planning Permit Application For Buildings And Works To The Existing Building At 18 Bridge Street East, Benalla

Ref: 683252461-120
PO40-25

Nilesh Singh – Manager Development
Joel Ingham – Planning Coordinator

PURPOSE OF REPORT

The report discusses the planning application received for buildings and works at 26 Bridge Street East, Benalla to replace the door and window and repaint a section of the front façade.

BACKGROUND

A report on the planning application was presented to the Finance and Planning Committee meeting on Wednesday 23 July 2025, where the committee resolved:

That business item 3. Planning Permit Application for Buildings and Works to the Existing Office Building at 18 Bridge Street East, Benalla be deferred to the Finance and Planning Committee meeting on Wednesday 27 August 2025 for the provision of additional information.

A further report was presented to the Finance and Planning Committee on Wednesday 27 August 2025, where the committee resolved:

That a report on Planning Permit Application for Buildings and Works to the Existing Office Building at 18 Bridge Street East, Benalla be presented to the Finance and Planning Committee meeting on Wednesday 10 December 2025.

A third report was presented to the Finance and Planning Committee on Wednesday 10 December 2025, where the committee resolved:

That a report on Planning Permit Application for Buildings and Works to the Existing Office Building at 18 Bridge Street East, Benalla be presented to the Finance and Planning Committee meeting on Wednesday 25 March 2026.

DISCUSSION

The application seeks retrospective approval for buildings and works within a Heritage Overlay that have been undertaken without a planning permit. The works undertaken include:

1. Repainting the front façade in Monument Grey.
2. Replacement of the existing timber-framed front door and associated trim with a new aluminum-framed glazed door.
3. Replacement of the front steel-framed window with a new aluminum-framed window to match the new door.

Following the Finance and Planning Committee meeting on Wednesday 23 July 2025 an on-site meeting was undertaken with the proponent on site with Council representatives including the planning coordinator and heritage advisor.

The application was scheduled to be considered by the Council in December 2025.

It was agreed that the proponent would seek alternative designs to be more in-line with the historical significance of the building. More time has been given to the proponent to seek assistance and advice from others, including Council's heritage advisor, to submit an appropriate design response.

The applicant emailed Council on 27 November 2025 advising that due to personal circumstances she has not had enough time to seek alternative designs as raised in the on-site meeting on the 23 July 2025. The applicant seeks that the matter be deferred to a meeting in the new year.

Based on correspondence received from the applicant, it was considered that there would be a genuine attempt to seek alternative designs to try and resolve the issues.

There has been no further correspondence received from the applicant. As such, it is recommended that a report be presented to a Finance and Planning Committee meeting in May 2026.

***COUNCIL PLAN 2025-2029* IMPLICATIONS**

Community

- *A healthy, safe and resilient community.*

Liveability

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

Economy

- *Sustainable growth.*

Environment

- *Healthy and protected natural environment.*
- *Circular economy.*
- *Sustainable waste management.*

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.

CONCLUSION

Additional time has been granted to the proponent to seek advice and submit an alternative design that is more in-line with the historical significance of the building.

However, the applicants have been given sufficient time to provide the alternative design. If the information requested is not provided by the May Finance and Planning meeting it will be recommended that the planning permit application be refused and enforcement action be undertaken.

Recommendation:

- 1. That the report be noted.**
- 2. That a report on the Planning Permit Application for Buildings and Works to the Existing Office Building at 18 Bridge Street East, Benalla be presented to the Finance and Planning Committee meeting on Wednesday 6 May 2026.**

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3. Building and Planning Approvals – January and February 2026

Ref: 2005329054-546
Sarah Ford - Building Coordinator
Joel Ingham – Planning Coordinator
Nilesh Singh – Manager Development

PURPOSE OF REPORT

The report details planning permit applications and building approvals for January and February 2026.

Planning Permit Applications Determined under Officer Delegation

January

Permit No.	Description	Property Address	Decision
1 VS027-25	Construction of a shed	45 Golden Vale Road, Benalla	Approved
2 P147-25	Construction of a dwelling	16 Kookaburra Street, Benalla	Approved
3 VS025-25	Construction of a shed	7 School Road, Warrenbayne	Approved
4 VS026-25	Construction of a garage	15 Lavery Street, Benalla	Approved
5 VS023-25	Construction of a pergola	562 Jones Road, Mount Bruno	Approved

February

Permit No.	Description	Property Address	Decision
1 P015-26	Construction of a patio	15 Market Street, Benalla	Approved
2 P141-25	Construction of three buildings for the purpose of storage	36 Lowens Lane, Benalla	Approved
3 P136-25	Construction of a warehouse	21 McPherson Road, Benalla	Approved
4 P125-25	Use and development of land for a dwelling and the removal of native vegetation	884 Kelleher Road, Goomalibee	Approved
5 P134-25	Construction of a dwelling and shed	791 Irvine Road, Taminick	Approved

Planning Permit Amendments Determined Under Officer Delegation

There were no planning permit amendments determined under officer delegation during the months of January and February.

Planning Permits Issued Under VicSmart

January

Permit No.	Description	Property Address	Decision
1 VS027-25	Construction of a shed	45 Golden Vale Road, Benalla	Approved
2 VS025-25	Construction of a shed	7 School Road, Warrenbayne	Approved
3 VS026-25	Construction of a garage	15 Lavery Street, Benalla	Approved
4 VS023-25	Construction of a pergola	562 Jones Road, Mount Bruno	Approved

February

There were no VicSmart planning permits issued during the month of February.

Planning Permit Applications Determined by the Council

January

There were no planning permit applications determined by the Council during the month of January 2026.

February

Permit No.		Description	Property Address	Decision
1	P055-25	Use and development of land for a warehouse, creation of access to a Transport Zone 2, removal of native vegetation and installation of business identification signage.	331 Sydney Road, Benalla	Approved (Notice of Decision)

Planning Permit Amendments Determined by the Council

There were no planning permit amendments determined by the Council during the months of January and February 2026.

Planning Permit Applications Withdrawn or Lapsed

There were no planning permit applications withdrawn or lapsed during the months of January and February 2026.

Notices of Decision

January

There were no Notice of Decisions issued during the months of January 2026.

February

Permit No.		Description	Property Address
1	P055-25	Use and development of land for a warehouse, creation of access to a Transport Zone 2, removal of native vegetation and installation of business identification signage.	331 Sydney Road, Benalla

A Notice of Decision (NOD) is issued when Council has decided to grant a planning permit when an 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

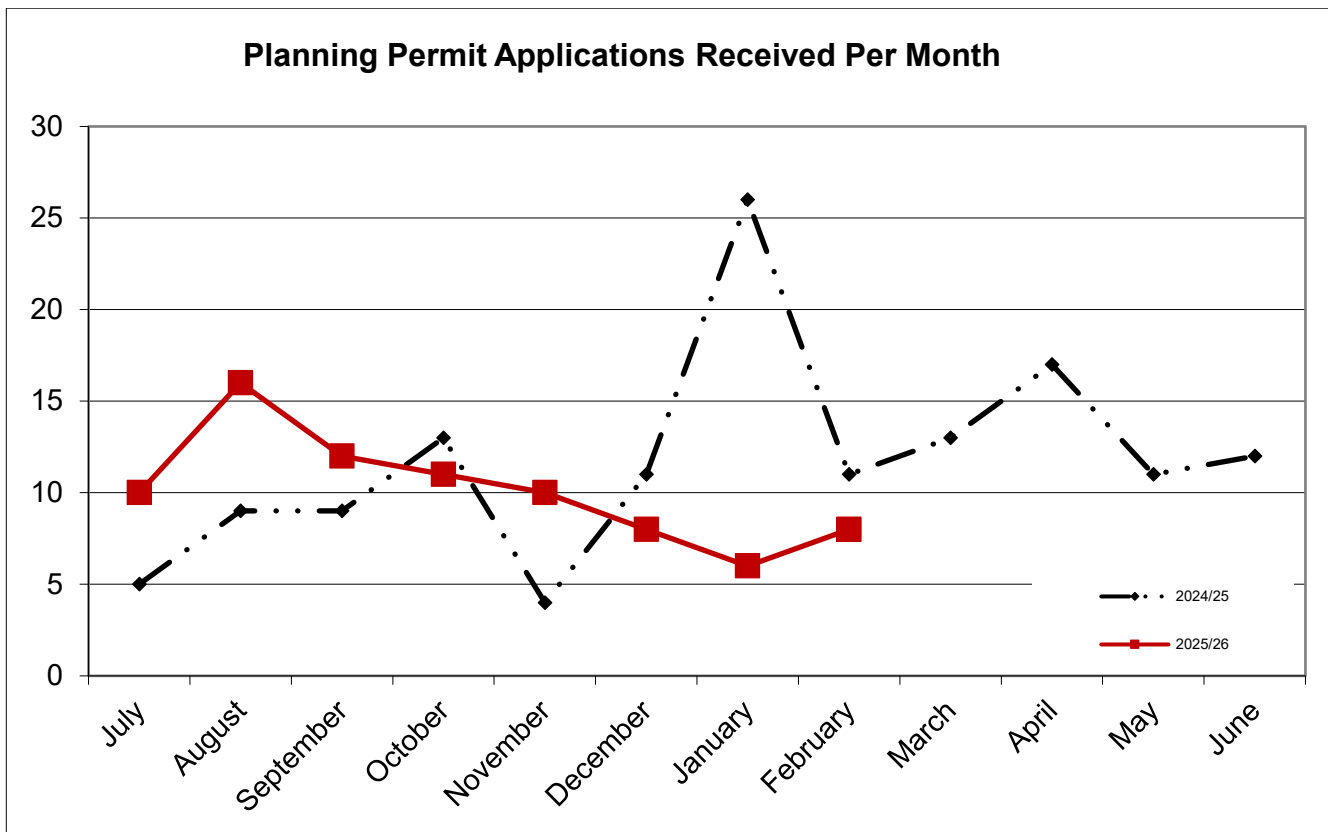
There were no planning permit applications determined by VCAT during the months of January and February 2026.

Matters Before VCAT

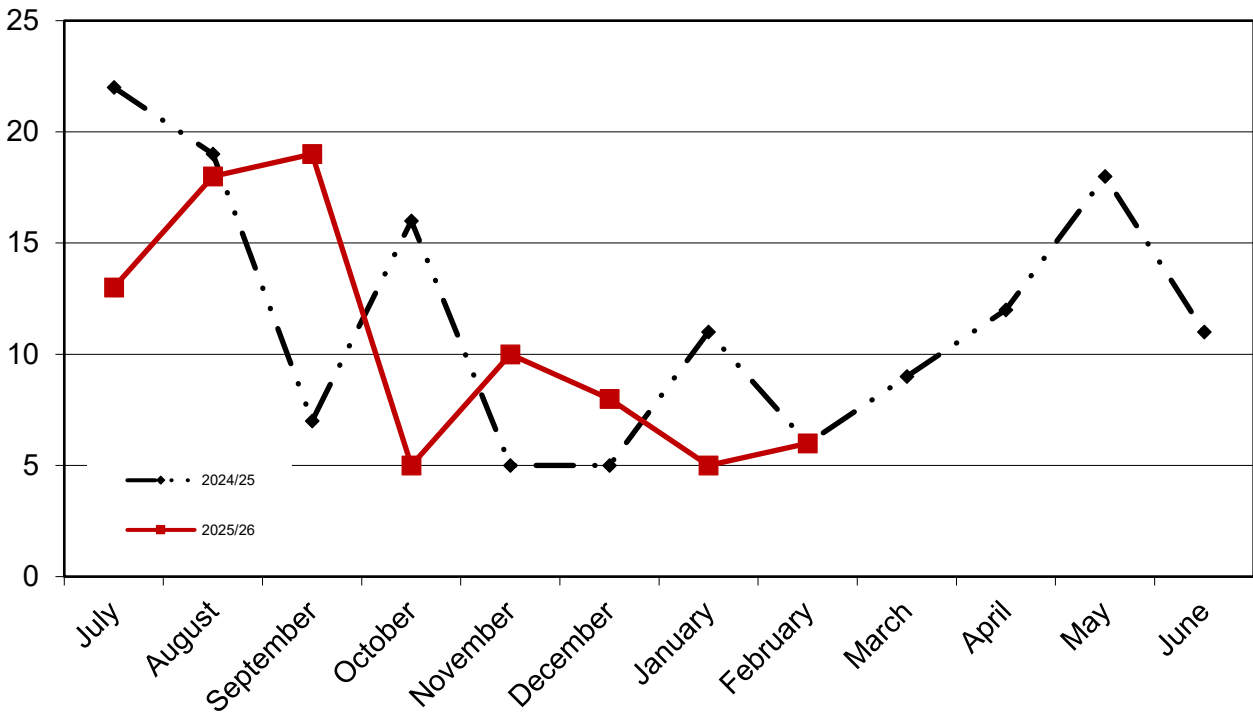
P012-25	26 Bridge Street East, Benalla
Status	<p>Planning Permit No. P012-25 was refused by Council on 10 September 2025 to construct and display an electronic promotion sign at 26 Bridge Street East, Benalla. The applicant has appealed this decision to the Tribunal. On the 24 September 2025 the Tribunal ordered that a compulsory conference (mediation) would be conducted on 12 December 2025 with the main hearing date to be heard on 6 March 2026.</p> <p>At the compulsory conference on 12 December 2025 the parties to the proceeding could not come to a resolution.</p> <p>The applicant has submitted amended plans to the Tribunal showing a reduction in the size of the sign to remove the skirting board at the bottom of the sign. The reduction is still considered to be unacceptable to the site and surrounds. The main hearing will be heard on 6 March 2026.</p>

P064-25	223 Cooper Road and 1726 Dookie Devenish Road, Devenish
Status	<p>Planning Permit No. P064-25 was refused by Council on 10 September 2025 to use and develop the land for an extractive industry (Sand Quarry). The applicant has appealed this decision to the Tribunal. On the 3 November 2025 the Tribunal ordered that a compulsory conference (mediation) would be conducted on 16 January 2026 with the main hearing date to be heard on 20, 21 and 22 April 2026.</p> <p>A compulsory conference was held on 11 February 2026, and the matter was not resolved. The main hearing dates have not been altered.</p>

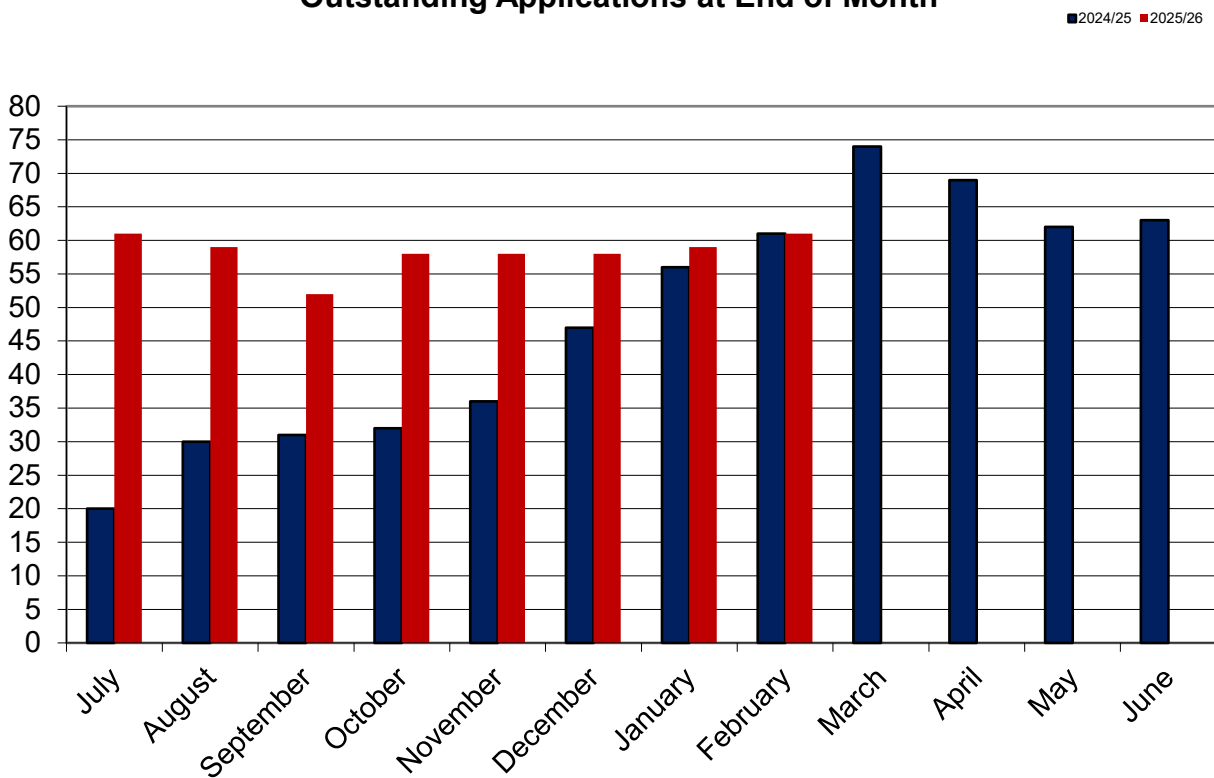
Planning Permit Applications



Planning Permit Applications Decided Per Month



Outstanding Applications at End of Month



Building Approvals Issued by Council and Private Practitioners

January

Permit No.		Description	Property Address	Value
1	2526709014570	Alterations to an existing building, extension to an existing building	562 Jones Road, Mount Bruno	\$100,000
2	5801820609899	Construction of a new building	683 Goomalibee Road, Goomalibee	\$607,192
3	2787927611974	Farm hay shed	221 Asbury Road, Lurg	\$17,500
4	9346707748902	Farm shed	1000 Lima East Road, Lima East	\$49,577
5	7924687297637	Shed	33 Barkly Street, Benalla	\$81,859
6	3291932947950	Construction of dwelling and garage	1055 Odea Road, Molyullah	\$782,037
7	9491466451873	Demolition of a dwelling and shed	82 Waller Street, Benalla	\$19,250
8	4767088873512	Construction of covered area	5809 Midland Highway, Benalla	\$14,000
9	1113651364748	Construction of free-standing shed	120 Lakeside Drive, Chesney Vale	\$45,000
10	3790043635719	Construction of a dwelling and garage	68 Inglis Road, Benalla	\$440,000
11	9384424181253	Construction of a swimming pool and child safety barrier	165 Tulley Road, Lima East	\$69,265
12	4746509332231	Construction of a swimming pool and child safety barrier	281 Benalla-Warrenbayne Road, Benalla	\$72,135
13	9992490768929	Construction of a swimming pool and child safety barrier	83 Willis Little Drive, Benalla	\$85,730
14	4557672370812	Construction of a swimming pool and safety barrier	1577 Dookie-Devenish Road, Devenish	\$65,327
15	3905892908586	Alterations and additions to dwelling	26 Benson Street, Benalla	\$250,000
16	1152076966466	Construction of a shed	2395 Midland Highway, Swanpool	\$28,618
17	9160401784496	Construction of garage/shed	37 Roynic Parade, Benalla	\$27,500
18	6556857826656	Construction of a single storey dwelling and garage	5 Kookaburra Street, Benalla	\$433,550
19	9052603891460	Construction of dwelling to lockup	50 Inglis Road, Benalla	\$342,542
20	4470170013736	Farm shed	320 Whites Road, Warrenbayne	\$50,000
21	9518653436698	Construction of two sheds	56 Samaria Road, Benalla	\$104,214
22	2280302349988	Construction of a new dwelling and garage	4 Courser Road, Benalla	\$418,950
23	6269868326967	Construction of a single storey dwelling and garage	33 Courser Road, Benalla	\$363,250
24	8722456489149	Construction of a single storey dwelling and garage	11 Woods Drive, Benalla	\$382,100

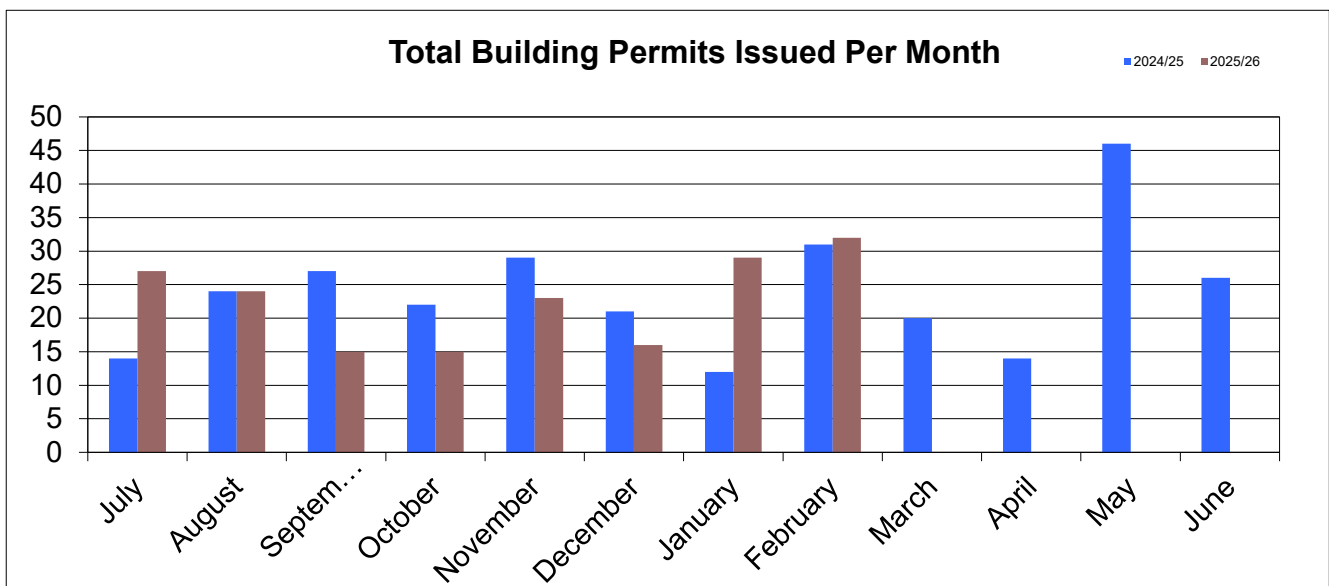
Permit No.		Description	Property Address	Value
25	2352134679740	Construction of a single storey dwelling and garage	16 Kookaburra Street, Benalla	\$420,450
26	3999806384478	Demolition of all buildings on the site, including outbuilding	14 Gray Street, Benalla	\$40,000
27	9415379810041	Construction of a new dwelling and garage	75 Willis Little Drive, Benalla	\$477,625
28	1198155352639	Construction of a small second dwelling	1594 Benalla-Tocumwal Road, Devenish	\$318,073
29	8364509982074	Construction of a dwelling and garage	8 Ambridge Avenue, Benalla	\$397,570
Total				\$6,503,314

February

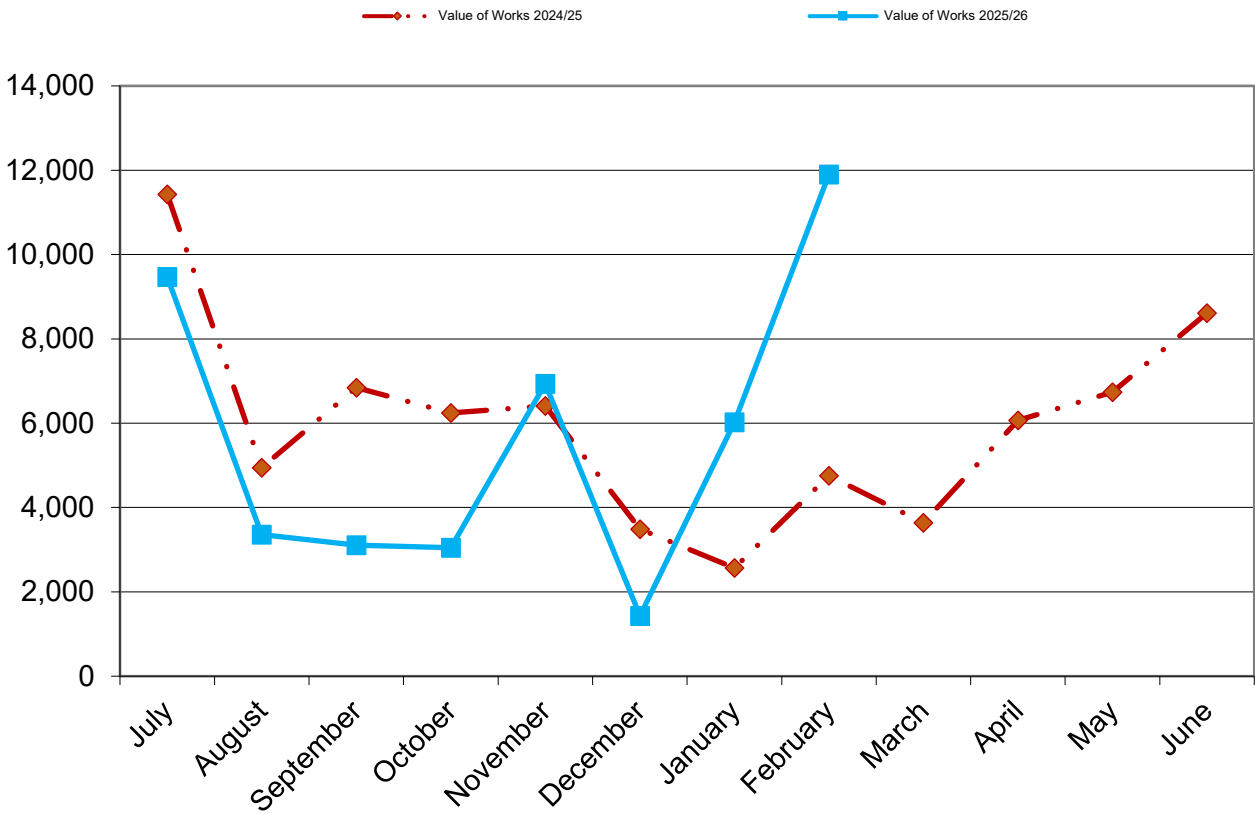
Permit No.		Description	Property Address	Value
1	1482232271692	Construction of a dwelling and garage	9 Courser Road, Benalla	\$376,700
2	8090276941586	Construction of two dwellings	63 Waller Street, Benalla	\$785,564
3	6951032928047	Re-erection single storey dwelling and garage	105 Faithfull Street, Benalla	\$16,100
4	3967056336226	Construction of a new carport	130 Clarke Street, Benalla	\$11,670
5	4952846696187	Construction of a shed	139 Swanpool-Warrenbayne Road, Swanpool	\$54,000
6	6528727422088	Construction of two dwellings and associated carports	5 Mary Street, Benalla	\$1,384,852
7	3341323652484	Construction of a dwelling and garage	6 Courser Street, Benalla	\$379,600
8	5838067013690	Construction of a dwelling and garage	7 Courser Road, Benalla	\$378,050
9	1376974837202	Construction of a dwelling and garage	18 Courser Road, Benalla	\$395,600
10	7174396897703	Proposed construction of dwelling and garage	41 Livingston Boulevard, Benalla	\$410,320
11	4018747479286	Construction of a new dwelling and garage	17 Woods Drive, Benalla	\$383,400
12	5961509248465	Construction of a dwelling and garage	25 Courser Road, Benalla	\$378,000
13	1601765291741	Construction of a dwelling and garage	20 Courser Road, Benalla	\$680,600
14	8272706982434	Construction of a dwelling and garage	23 Woods Drive, Benalla	\$372,700
15	3690889529665	Construction of a dwelling and garage	16 Courser Road, Benalla	\$383,950
16	8657410227980	Construction of a dwelling and garage	21 Woods Drive, Benalla	\$377,850

Permit No.		Description	Property Address	Value
17	3564263749076	Construction of a dwelling and garage	31 Woods Drive, Benalla	\$394,400
18	1735377911693	Construction of a dwelling and garage	19 Courser Drive, Benalla	\$374,650
19	5127695206614	Construction of a new dwelling and garage	15 Woods Drive, Benalla	\$365,850
20	5319706865443	Construction of a dwelling and garage	13 Woods Drive, Benalla	\$377,950
21	4224433615882	Construction of dwelling and garage	28 Senator Drive, Benalla	\$539,000
22	1923747639321	Construction of dwelling and garage	14 Courser Road, Benalla	\$539,000
23	3329942169725	Construction of dwelling and garage	17 Courser Road, Benalla	\$564,000
24	2826308630292	Construction of a single storey dwelling and garage	21 Roynic Parade, Benalla	\$392,750
25	8104917948478	Construction of a single storey dwelling and garage	19 Woods Drive, Benalla	\$394,850
26	8291827595322	Construction of a swimming pool and barrier	10 Weary Dunlop Drive, Benalla	\$86,113
27	2738420009497	Construction of a dwelling and garage	1 Courser Road, Benalla	\$374,422
28	8946699089108	Construction of a dwelling and garage	13 Courser Road, Benalla	\$385,865
29	4354239900987	Lock up dwelling to completion, carport and shed	50 Inglis Road, Benalla	\$246,000
30	9515498052514	Commercial shed - farming purposes	96 Escreet Road, Warrenbayne	\$60,000
31	8318589872804	Construction of a swimming pool or spa barrier	55 Lakeside Drive, Chesney Vale	\$7,056
32	7228329338927	Construction of a machinery shed	45 Golden Vale Road, Benalla	\$27,000
Total				\$11,897,862

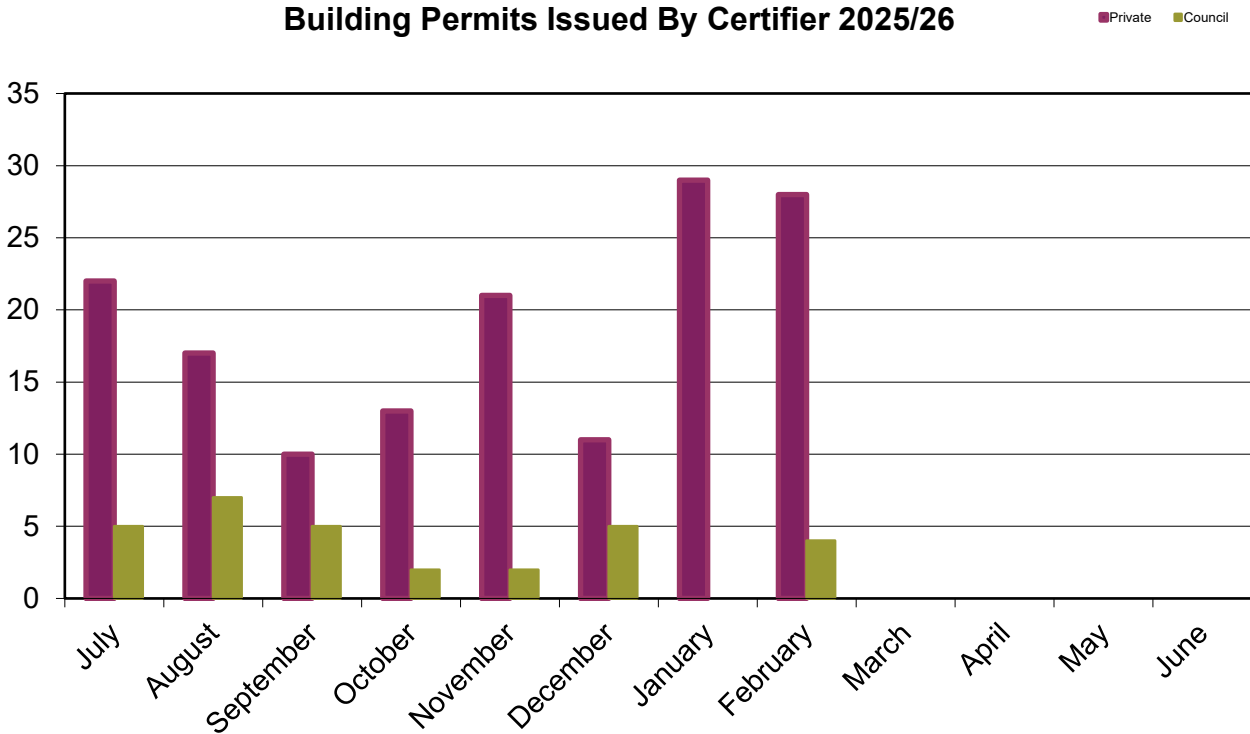
Building Permits Issued by Certifier by Month



Value of Building Permits Issued (\$'000)



Building Permits Issued By Certifier 2025/26



COUNCIL PLAN 2025-2029 IMPLICATIONS

Community

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

Liveability

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

Economy

- *Sustainable 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.

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4. Proposed Tesla Carpark Licence at Barkly Street, Benalla

Ref: 1545273666-234

Nathan Gasperoni – Environment and Sustainability Coordinator
Courtney Naughton – Manager Economic Development and Sustainability

PURPOSE OF REPORT

The report presents a proposal from Tesla to lease a section of carparking on Barkly Street, Benalla for the purpose of installing and operating Electric Vehicle (EV) Chargers.

BACKGROUND

The current proposal includes eight dedicated carpark spaces for electric vehicle charging. Barkly Street, Benalla location was suggested when the previously selected sites were found not suitable.

The infrastructure to be installed would include eight Tesla V4 supercharger posts, two charging cabinets and one main switchboard. There is also an existing transformer on site that will be upgraded.

The project would be funded, constructed, and run by Tesla. Tesla would also be required to pay the Council a fee. The proposed fee is \$1,500 per car park per year.

The Council would be required to run community consultation on the proposed location.

DISCUSSION

The infrastructure to be installed at the proposed site would include eight Tesla V4 supercharger posts, two charging cabinets and one main switchboard. The charges will also be accessible to non-Tesla electric vehicles.

There is an existing transformer on site that will be upgraded by Ausnet.

The project would be funded, constructed, and run by Tesla. The proposed *Tesla Carpark Lease* agreement is for an initial five years with two additional terms of five years each.

There are very few publicly available EV chargers in Benalla Rural City. The two EV chargers situated in Denny Street, Benalla carpark averaged 188 charging sessions a month for the 2024/25 financial year and 240 a month for the past six months.

The increase in chargers would provide local EV drivers with more security in finding an available charger for quick top ups, while also making other EV owners more likely to visit Benalla.

The installation of the chargers would also provide positive economic flow on effects for local businesses by attracting people with electric vehicles travelling along the Hume Freeway to Benalla.

This project would also show further support for sustainable transport options within the community. Therefor providing more encouragement for local residents to consider low-emission vehicle options.

It will also provide the Council with income to put towards its own parking and related projects.

Council staff conducted targeted community consultation regarding the potential site to understand its current usage with stakeholders.

The key stakeholders included:

- The Centre
- Benalla Flexible Learning Centre
- Department of Education.

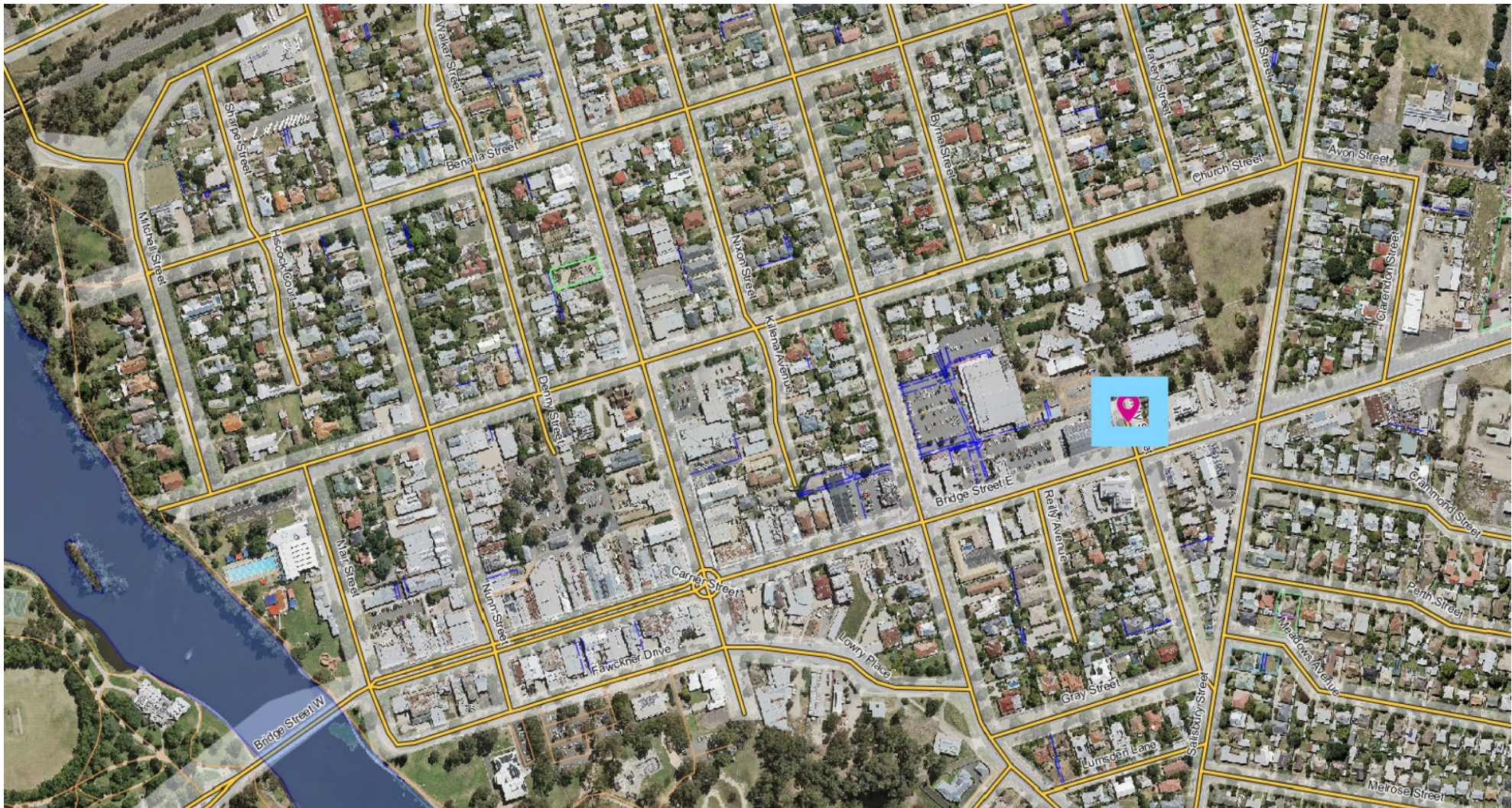
The main focus of this direct engagement was to discover how much these groups use the carpark on a regular basis and whether they have any major concerns with the introduction of EV chargers at the site.

Council staff directly engaged key stakeholders to obtain feedback on the potential lease of the car park and to determine their current usage of the site.

The following comments were provided to Council staff from current site users:

Key Stakeholder	Comment
Staff member from The Centre	<p>Car parking in Barkly Street, Benalla in the dead end beside Aldi, is used by some of our staff and clients. I have observed that the parking in the centre and at the curb in this section of Barkly Street is extensively used by many people who work locally.</p> <p>This section of the street is often at capacity by 9am on weekdays. I have observed that the other dead end of Barkly Street on the Church Street side very rarely has any cars parked in it. Perhaps this would be a good position for the proposed electric vehicle charging stations.</p>
Staff member from Benalla Flexible Learning Centre	<p>This parking is full most days of the week. Our staff, students and parents use this space for parking. As well as the Cases building which is also on our property, they do training several times a month and participants use this parking area.</p> <p>This parking area is also used by staff at the Department of Education and The Centre.</p>

Proposed Carpark Location and Layout





COUNCIL PLAN 2025-2029 IMPLICATIONS

Economy

- *Flourishing visitor economy and sustainable growth.*

Environment

- *Circular economy, renewable energy and sustainable waste management.*

Liveability

- *Connected and accessible roads, footpaths, transport and parking.*

FINANCIAL IMPLICATIONS

The cost of the associated community consultation on the project will be accommodated within the existing budget allocation.

The project would be funded, constructed, and run by Tesla. Tesla would also be required to pay the Council a fee. The proposed fee is \$1,500 per car park per year.

Community Engagement

In accordance with the Council's *Community Engagement Policy*, community engagement be undertaken at the 'Consult' level under the International Association for Public Participation's IAP2 public participation spectrum as detailed in the table below:

Level of Public	Promise to the community	Techniques to be used
Consult	We will provide information and consider feedback prior to making a decision.	<ul style="list-style-type: none">▪ Feedback invited via the Council's website.▪ Feedback invited via social media channels.▪ Public Notice in the <i>Benalla Ensign</i> and on Council's website.▪ Report presented at a public meeting.▪ Public report posted on Council's website.

Public consultation on the proposed *Tesla Carpark Lease* at Barkley Street, Benalla will commence on Thursday 26 March 2026 and close at 5pm on Thursday 23 April 2026.

Community feedback will be invited via the Council's website and social media channels and through a formal public notice in the *Benalla Ensign*.

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.

CONCLUSION

Submissions relating to the proposed *Tesla Carpark Lease Agreement* will be heard at the Finance and Planning Committee meeting on Wednesday 6 May 2026.

Recommendation:

The Finance and Planning Committee, acting under its delegated authority of the Council, resolve:

- **That the proposed *Tesla Carpark Lease* at Barkly Street, Benalla proposal be endorsed and released for public exhibition for a period of at least 28 days.**

5. Event Funding Program Guidelines

Ref: 1545273666-239

Kate Nolan – Events and Tourism Officer

Courtney Naughton – Manager Economic Development and Sustainability

PURPOSE OF REPORT

The report discusses the proposed changes to the *Major Event Grant Funding Guidelines* for the delivery of events within Benalla Rural City Council.

BACKGROUND

Major Event Funding is one of the four current funding streams under Benalla Rural City Council's Annual Grants Program.

The Council's *Major Event Funding Program* supports local and external event organisers to deliver high-quality events that create measurable economic benefits, strengthen community connections, and enhance the vibrancy and liveability of Benalla Rural City.

The Council uses *SmartyGrants*, an online grants and application portal to administer all grant programs.

DISCUSSION

The Economic Development team have reviewed the guidelines for *Major Event Funding Program*.

It is proposed that the program be renamed to *Event Funding Program* to better reflect the program.

The following changes have been made to the guideline document:

- name updated to *Event Funding Program*.
- inclusion of the tiered funding and paragraph on Council in-kind support.
- removal of ineligible applicants from the first section under *Eligibility of Applicants*.
- renamed Ineligible applications to *Funding Exclusions*.
- dot points and inclusion and greater emphasis on Australia Tourism Data Warehouse (ATDW) have been updated under *Funding Terms and Conditions*.
- title and information updated under *Application and Further Information* section.

The *Event Funding Program Guidelines* document is attached as **Appendix 1**.

As a part of the review Council officers compared similar funding programs from other councils. The review included the following Councils: Alpine Shire, Rural City of Wangaratta, Greater Shepparton City Council and Strathbogie.

A table outlining other Council's event funding programs can be found below:

Council	Funding programs available for events
Alpine Shire	<ul style="list-style-type: none"> ▪ Tier 1, \$10,000 – Large scale tourism event. ▪ Tier 2, \$5,000 – Medium to large scale event ▪ Tier 3, \$2,000 – Small scale event.
Greater Shepparton City Council	<ul style="list-style-type: none"> ▪ Minor events - \$500 up to \$2,000 ▪ Major events - \$2,000 up to \$5,000.
Strathbogie Shire Council	Grants of up to \$5,000 are available but applicants must provide a minimum matching contribution to the value of \$1 for every \$5.
Rural City of Wangaratta	<ul style="list-style-type: none"> ▪ Marquee/Major events - \$5,000 for events with over 500 visitors ▪ Minor events - \$2,000 for events with under 500 visitors.

COUNCIL PLAN 2025-2029 IMPLICATIONS

Community

- *A connected, involved and inclusive community.*

Leadership

- *Good governance.*
- *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 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"> ▪ Adopted guidelines will be published on Council's website. ▪ Public report presented to Council.

FINANCIAL IMPLICATIONS

The current budget for *Event Funding Program* is \$12,000.

A budget request has been submitted to increase the funding pool to \$15,000 for the 2026/27 financial year. This is to further support those events that attract larger event numbers and require further financial assistance. By increasing the budget, the Council may attract more events to the region that require higher amount of financial support.

Council officers reviewed previous funding that has been allocated from 2023 to 2025 to establish a tier allocation for event funding.

This information is based on visitor numbers provided in funding applications and council officer attendance at some events.

Major Events Funding (Grants awarded between 2023 to 2025)		
Organisation Name	Total paid	Estimated attendees
Albert Heaney Oval Reserve Committee*	\$4,000	2,000
Austin 7 Club*	\$4,000	3,500
Benalla Bowls Club	\$2,000	250
Benalla Heritage Network	\$445	750
Benalla Lawn Tennis and Croquet Club Inc*	\$5,000	250-720
Benalla Lions Club Inc.*	\$4,000	500-1,000
Benalla Migrants Association Inc*	\$4,000	2,500
Benalla Racing Club*	\$6,000	2,000-2,500
Cake Decorates Association Victoria - Benalla Branch	\$2,000	250
Gliding Club of Victoria	\$1,400	6,000
Molyullah Recreation & Public Hall Reserve Inc	\$6,000	1,500-2,000
Moorngag Hall and Recreation Centre	\$2,000	650
Total funding allocated	\$40,845	

*received grants for multiple events between 2023 to 2025.

If the event funding budget is increased to \$15,000, funding allocation would be proposed to transition to a tiered model of:

- Major - Tier 1 – up to \$3000 for events that attract greater than 1000 visitors.
- Minor - Tier 2 – up to \$1500 for events that attract less than 1000 visitors.

If the budget remains \$12,000 then the following tiered model would be proposed:

- Major - Tier 1 – up to \$2000 for events that attract greater than 500 visitors.
- Minor - Tier 2 – up to \$1000 for events that attract less than 500 visitors.

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:

- 1. That the budget for the *Event Funding Program* be increased to \$15,000 in the 2026/27 Budget.**
- 2. That the *Event Funding Program Guidelines* be adopted.**

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6. *Benalla Festival Advisory Committee Terms of Reference*

Ref: 1545273666-237

Kate Nolan – Events and Tourism Officer

Courtney Naughton – Manager Economic Development and Sustainability

PURPOSE OF REPORT

The report presents the updated and reviewed *Benalla Festival Advisory Committee Terms of Reference*.

BACKGROUND

The *Benalla Festival Advisory Committee* (the Committee) was formed to facilitate and deliver the yearly Benalla Festival event in Benalla Rural City.

The Committee has the following duties and functions:

- To develop a Benalla Festival program which engages both the local community and visitors.
- To facilitate community groups to participate in the Benalla Festival.
- To actively promote the Benalla Festival.
- To source funding and sponsorship.

The Council at its meeting on 4 March 2026 appointed three Councillor representatives to the Committee:

- Cr Justin King
- Cr Jillian Merkel
- Cr Vince Branigan.

DISCUSSION

The *Benalla Festival Advisory Committee Terms of Reference* (Terms of Reference) have been reviewed and updated following discussions with Council staff and the *Benalla Festival Advisory Committee*.

Amendments have been made to Section 5 (Membership). The nomination of the Committee Chairperson will now take place in May to better align with the timing of the festival.

5. Membership

5.12 The Benalla Festival Advisory Committee will nominate a chairperson at its May meeting each year for the Councils consideration.

The revised *Benalla Festival Advisory Committee Terms of Reference* are attached as **Appendix 1**.

Following the adoption of the *Benalla Festival Advisory Committee Terms of Reference* the Council will call for nominations for new community members to join the Committee.

COUNCIL PLAN 2025-2029 IMPLICATIONS

Leadership

- *Good governance.*
- *High performance culture.*
- *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 Terms of Reference, 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">▪ Terms of Reference presented in a public report to the Council.▪ Report published on the Council's website.▪ Adopted Terms of Reference to be published on the Council's website.

FINANCIAL IMPLICATIONS

There are no material financial implications with the development or implementation of the Committee's Terms of Reference.

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 revised *Benalla Festival Advisory Committee Terms of Reference* be adopted.

7. *Australia Day Advisory Committee Terms of Reference*

Ref: 1545273666-238

Kate Nolan – Events and Tourism Officer

Courtney Naughton – Manager Economic Development and Sustainability

PURPOSE OF REPORT

The report presents the updated and reviewed *Australia Day Advisory Committee Terms of Reference*.

BACKGROUND

The *Australia Day Advisory Committee* (the Committee) was formed to facilitate and deliver a yearly Australia Day event in Benalla Rural City.

The Committee has the following duties and functions:

- To assist in the development of celebrations that embrace and encourage the Rural City community to participate in Australia Day.
- To assist Council in the program development of the major Australia Day Award ceremony.
- To advise and assist the Council with the development of the Award nomination guidelines.
- In partnership with the Council appoint a Selection Panel for the Australia Day Award nominees.

DISCUSSION

The *Australia Day Advisory Committee Terms of Reference* (Terms of Reference) have been reviewed and updated following discussions with Council staff and the *Australia Day Advisory Committee*.

Amendments have been made to Section 5 (Membership). The nomination of the Committee Chairperson will now take place in June to better align with the planning of Australia Day celebrations.

5. Membership

- 5.14 The Australia Day Advisory Committee will nominate a chairperson at its June meeting each year for the Councils consideration.

The revised *Australia Day Advisory Committee Terms of Reference* are attached as **Appendix 1**.

Following the adoption of the *Australia Day Advisory Committee Terms of Reference* the Council will call for nominations for new committee members to join the Committee. Community representatives and district representatives from the following districts, Lima/Swanpool, Molyullah, Goomalibee, Warrenbayne, Baddaginnie and Winton are required.

COUNCIL PLAN 2025-2029 IMPLICATIONS

Leadership

- *Good governance.*
- *High performance culture.*
- *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 Terms of Reference, 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">▪ Terms of Reference presented in a public report to the Council.▪ Report published on the Council's website.▪ Adopted Terms of Reference to be published on the Council's website.

FINANCIAL IMPLICATIONS

There are no material financial implications with the development or implementation of the Committee's Terms of Reference.

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 revised *Australia Day Advisory Committee Terms of Reference* be adopted.

8. Petition: Reopen The Reserve Located To The South of Willis Little Drive, Benalla

Ref: 1573044422-1318

Adrian Gasperoni - Manager Assets and Infrastructure

PURPOSE OF REPORT

This report discusses a petition received by Council requesting the reopening of the reserve located to the south of Willis Little Drive, Benalla.

BACKGROUND

A petition containing 18 signatories (**Appendix 1**) was received requesting the Council reopen to the public the reserve situated to the southern side of Willis Little Drive, Benalla.

The petition was presented at the Council Meeting on 19 November 2025, where the council resolved:

1. That the petition be received.
2. That a report be presented to the February 2026 Finance and Planning Committee.

DISCUSSION

A locality map showing the location of the reserve to the south of Willis Little Drive, Benalla can be found below:



The Willis Little Drive reserve is an area of approximately 5.6 hectares which is bounded by residential properties to the north on Willis Little Drive and the Holland Creek to the south. A second smaller section of 1.7 hectares runs west from the end of Willis Little Drive along the Holland Creek through to Samaria Road.

The reserve was formed during a large residential subdivision when a condition of the planning permit required that an area of land be set aside for public open space. The Council had been managing the larger section of the reserve to some degree for many years.

In 2012 Council officers agreed to allow volunteers to register and carry out simple manual tasks within the reserve. Since that time, there have been ongoing requests from members of this group for Council to supply materials, carry out additional weed and vermin control, to develop a formal management plan, to support funding applications for further conservation works and to get property fences surveyed and located on the correct alignments.

The Council at the time significantly increased the management regime within the reserve to try to alleviate these concerns and satisfy the requests of the supporters group including.

Despite these increased efforts, some adjoining residents continue to make requests and complaints about the management of the area.

Again, in July 2014 a safety issue was raised by a registered volunteer of the reserve at the time. A risk assessment was subsequently conducted which highlighted many risks present and as a result in 2015 the Council declared the Willis Little Drive Reserve a public exclusion zone until appropriate risk measures are in place. Since that time the reserve has been closed to the public. The Council has continued undertaking regular maintenance activities such as slashing and weed and vermin control.

In 2020 a risk assessment was conducted. The assessment revisited the risks to public that were previously identified in 2015 and control measures that should be considered if the reserve was opened to the public again.

Following the assessment, the following advice was provided to Council:

The involvement of any future urban Landcare group or similar would need to be re-assessed at the time and appropriate measures taken. This may include requiring site induction for all members, provision of their own insurance and risk management procedures etc.

Council officers have met with a representative of the petition to discuss the request. It was clarified that the group was seeking access to the reserve and not seeking to access the reserve to undertake environmental improvements or enhancements.

The representative was advised that individuals requiring access to their water pump (whether for domestic use or for fire-fighting purposes) do not require any form of permission from the Council.

It was further agreed that the Council, in collaboration with the group representatives, would meet to discuss access to the reserve for residents of Willis Little Drive, Benalla. It was also noted that, at this time, the Council will not reopen the reserve to the public due to the identified risks.

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

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

COMMUNITY ENGAGEMENT

In accordance with the Council's *Community Engagement Policy*, it is proposed that community engagement be undertaken at the 'Inform' level under the International Association for Public Participation's IAP2 public participation spectrum 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">Public report presented to Council.Report published on Council's website.

FINANCIAL IMPLICATIONS

There are no material financial implications with accepting the petition. Measures to address the issues raised in the petition may have cost implications.

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.

CONCLUSION

Currently the Council is maintaining the reserve as a non-accessible reserve, undertaking slashing as required together with weed and vermin control. Before finalising a decision The Council should also consider the risks that have been previously identified and undertake further assessments to identify other potential risks.

Recommendation:

1. That the report be noted.
2. That Council officers meet with petitioners to further discuss public access to the Willis Little Drive Reserve.
3. That a report on outcomes from the proposed meeting be presented to the Council by 31 May 2026.

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9. Draft *Benalla Airport Masterplan* – Consideration of Submissions

Ref: 1964932628-364

Greg Robertson – Manager Facilities and Information Technology

PURPOSE OF REPORT

The report considers submissions received on the draft *Benalla Airport Masterplan*.

BACKGROUND

The first *Benalla Airport Masterplan* was adopted in 2015. The Masterplan paved the way for progressive improvements to airport management, operations, and infrastructure.

The introduction of the plan coincided with the council moving to direct management of the facility to ensure all Civil Aviation Safety Authority (CASA) *Aerodrome Certificate* requirements were appropriately managed and achieved.

The draft *Benalla Airport Masterplan* (the Masterplan) builds on a successful foundation of the 2015 plan and accommodates initial feedback from stakeholders.

The Masterplan provides a comprehensive roadmap for the development of Benalla Airport over the next 20 years, reinforcing its role as a critical economic and social asset in north-eastern Victoria.

The Masterplan, developed through extensive stakeholder consultation, including with aviation and non-aviation groups, outlines a strategic vision to enhance operational efficiency, safety, and community value while respecting the airport's heritage and environmental context.

Key initiatives include:

- Upgrading runway 08/26 to accommodate larger aircraft
- Expanding taxiways and aprons
- Developing new hangar precincts
- Improving drainage and access infrastructure.

The Masterplan also addresses non-aviation demands, such as tourism and industrial growth, with proposed visitor accommodations and mixed-use precincts.

Aligned with the National Airports Safeguarding Framework (NASF), the Masterplan prioritises airspace protection, noise management, and heritage preservation, including a recommended heritage overlay for significant structures like the BARC huts.

The implementation plan categorises projects into immediate, short-term, medium-term, and long-term priorities, with indicative costings provided for key developments.

Under the Masterplan, regular reviews, every five years, will ensure adaptability to market demands and stakeholder needs, fostering sustainable growth and innovation while maintaining safety and compliance.

The draft *Benalla Airport Masterplan* was placed on public exhibition for a period of at least 28 days following the Council Meeting on 6 August 2025.

Public notice of the draft *Benalla Airport Masterplan* was given on the Council’s website and the *Benalla Ensign* on 3 September 2025.

Feedback was also sought via the Council’s website and social media. The submission period closed 5pm Wednesday 17 September 2025.

DISCUSSION

At the close of the submission period 20 submissions were received.

Submissions have been distributed under sperate cover and are available for download in the Councillors MS Teams Group and on Council’s website.

In accordance with the Council's *Governance Rules 2020*, submitters were invited to address the Finance and Planning Committee on 15 October 2026 in support of their submissions. The following persons addressed the Committee:

- Michael Hedderman
- Shaun Driscoll
- Andy Davdison — Gliding Club of Victoria
- Paul Gibbs — Gold Rush Ballooning
- Francois Steyn — Balloon Association of Victoria (BAV)
- Mark Carr
- Martin Jacobson

The table below covers key themes identified in the submissions and officer comments:

Theme	Feedback Summary	Officer Comment
Runway 08/26 extension to 1500 meters	Both support and concerns raised regarding the extension of Runway 08/26. Concerns due to perceived obstacles, larger aircraft noise and cost. Amateur obstacle limitation plans submitted suggesting runway extension was not possible.	A qualified airport surveyor was engaged by Council to conduct a survey of obstacles for the proposed runway extension. The surveyor advises the proposed extension is technically feasible. The runway extension proposal is not new and was contained within the 2015 masterplan. Any capital project to extend the runway will be supported by Feasibility and Business cases. Revised masterplan to remove aspirations for Dash 8 aircraft but retain runway extension proposal. The proposed runway extension preserves airside ground for future development. It is important to retain this proposal so future opportunities for development are not lost.
New parallel taxiways to service Main Runway 08/26	Support for new taxiways to service Runway 08/26 to address traffic congestion and backtracking of aircraft	The Masterplan contains recommendations to construct a taxiway network to support Runway 08/26.

Theme	Feedback Summary	Officer Comment
Request to seal Runway 17/35	Request to seal grass Runway 17/35	The request may be considered unviable due to the very low utilisation of Grass Runway 17/35. Investment aspirations should remain consolidated into the main sealed runway, Runway 08/26.
Runup strip on Glider Strip 08/26	Request to seal the narrow 'run up strip' within Glider Strip 08/26	The request should be included as a recommendation within the revised masterplan.
New Hangar Precinct and Aviation Maintenance Facilities	Comments received on Hangar Precinct to ensure it accommodates wide variety of aircraft and Maintenance Facilities	The proposed Hangar Precinct accommodates hangers for a wide variety of aircraft design. Lease lots suitable for Aircraft Maintenance businesses are accommodated. Consideration to be given to expanding the hangar precinct in revised draft pan.
Glider Trailer Storage	Request for secure, roofed, hardstand glider trailer storage	Provision of Glider Trailer storage has been made in Precinct 4. Further detail on this precinct should be added to the revised masterplan.
Installation of Automatic Weather Information Station (AWIS)	Strong support for an AWIS	The masterplan contains a recommendation in support of an AWIS.
Public Viewing Areas and perimeter recreational track	Establish paths of travel to areas on the Airport which offer better viewing opportunities for gliding and ballooning operations and perimeter recreational track	Both proposals are feasible and should be included in the revised draft of masterplan.
Drainage / Flooding Issues	Concerns over closure of grass runway and glider strips after periods of wet weather. Other drainage issues.	The masterplan contains recommendations to improve drainage. These recommendations should be expanded in the revised masterplan. Further consideration to be given to new linkages to nearby available outfall drains.
Museum Improvements	Request to occupy the entire Bellman Hangar and improve the Museum offering.	The Aviation Museum are seeking full occupancy of the Bellam Hangar; however, part of the Hanger is occupied by an active Flight Training School, under a current tenancy arrangement. The interests of both parties should be considered in the masterplan.
Hangar Lane Precinct Improvements	Request for sealing of pavement, streetlights and toilets.	Action to seal the entirety of Hangar Lane and install additional street lighting should be incorporated into the masterplan. Refurbishment of the Heritage Listed amenities block should be included as a recommendation within the masterplan.
Closed Circuit Television (CCTV)	Request to install CCTV at the Airport	A network of CCTV has recently been installed at the Airport. Expansion to CCTV is made in-line with available budget and where CCTV may improve security.
House and Hangar Land	Request to incorporate House and Hangar Land	Precinct 3 could accommodate this request. Further consideration to be given to this idea in the revised masterplan.

Theme	Feedback Summary	Officer Comment
No drone zone signage	Request to install signage.	The Civil Aviation Safety Authority (CASA) publish clear guidelines regarding commercial and recreational drone operations. No anecdotal or formal incidents concerning drones interfering with airport operations are known.
Hut 65 gifting to Benalla Migrant Camp Inc	Feedback that this facility should be gifted to the Migrant Camp Inc	Benalla Migrant Camp Inc have agreed in-principal to a lease of the facility. The group do not wish the cost or administrative burden associated with owning and maintaining Heritage Listed building and affirm the benefits of the listed asset remaining in public ownership.
Aeropark Amenity	Comments regarding the poor amenity of the Aeropark	Further details to address this concern to be considered in the revised masterplan draft.
Terminal Building	Request for terminal building and for ambulance shelter facilities.	New terminal already identified in the plan. Air Ambulance transfers occur on the movement area. Transfers under a roofed area are not feasible as patients remain in the ambulance, under care and are typically there for a short length of time.
Land acquisition to the east of the airport	Proposal to acquire more land to the east of the airport	Not considered in the draft, however, further consideration required for inclusion into the revised masterplan.
Benalla Recreational Aviation Hub proposal	Proposal to create a recreational aviation hub	Further consideration to be given to the proposal, after meeting with representatives of the stakeholder group to establish detail.
Tourism, Heritage and better signage	Align the plan with the Destination Management Plan. Emphasis on preserving and enhancing the migrant camp heritage.	Consideration to be given to better align the masterplan with the Destination Management Plan in the revised masterplan. Additional recommendations around improved precinct signage and promotion to be added to the revised masterplan.

Council officers are collaborating with the airport consultant, To70 Aviation, to revise the draft *Benalla Airport Masterplan* in response to the public feedback received.

***COUNCIL PLAN 2025-2029* IMPLICATIONS**

Economy

- *Flourishing visitor economy*
- *Sustainable growth.*

Liveability

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

Leadership

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

FINANCIAL IMPLICATIONS

The development of the draft *Benalla Airport Masterplan* will be accommodated within the existing budget.

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

Work is underway to incorporate feedback into the masterplan with input from our Airport Consultants and advice from the CASA to ensure feedback requests can be technically accommodated within airport design regulations.

The *Benalla Airport Masterplan* will be considered for adoption following approvals from Civil Aviation Safety Authority (CASA) to ensure the document meets legislative and regulatory requirements.

Recommendation:

That the report be noted.

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10. 2025/26 Quick Response Grants Program

Ref: 1536132109-1083

Tom Arnold – Community Development Recreation Coordinator
Jane Archbold – Manager Community

PURPOSE OF REPORT

The report presents funding applications for 2025/26 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 \$750 allowing local clubs, groups and organisations the opportunity to seek funds when the need arises.

DISCUSSION

Applications for consideration under the 2025/26 Quick Response Grant program are detailed in the table below.

Applicant	Details	Amount Requested	Proposed Assistance
Tomorrow Today Education Foundation	<p><i>Future Elders Art Project</i></p> <p>Tomorrow Today is seeking support for the <i>Future Elders Art Project</i>, which will see Anganya program students work with local Aboriginal artist Chris Thorne to co-design and paint a mural during the 2026 Benalla Street Art Festival. The mural will reflect young people learning from Elders and celebrating culture.</p> <p>The project supports Aboriginal and Torres Strait Islander students involved in the Anganya program by strengthening cultural pride, creativity, and connection to community. The \$750 funding will contribute to engaging the artist, Chris Thorne and providing catering for participants, with all paint and equipment donated.</p>	\$750	\$750

Applicant	Details	Amount Requested	Proposed Assistance
Benalla Branch of the Commonwealth Clydesdale Society	<p><i>Benalla Clydesdale and Heavy Horse Driving Day</i></p> <p>The Benalla Branch of the Commonwealth Clydesdale Society is seeking \$750 to assist with catering for the Benalla Clydesdale and Heavy Horse Driving Day, on 2 May 2026 at the Moorngag Hall and Recreation Reserve.</p> <p>The event will bring together competitors and spectators from across Victoria to participate in and enjoy heavy horse driving activities. The day also provides opportunities for novices and newcomers to learn about the sport and develop new skills.</p> <p>The event continues to grow each year, attracting increasing participation and providing a social gathering for horse enthusiasts and the wider community.</p>	\$750	\$750
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*, it is proposed that community engagement be undertaken at the 'Inform' level under the International Association for Public Participation's IAP2 public participation spectrum.

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

FINANCIAL IMPLICATIONS

The *2025/26 Budget* allocates \$15,000 to the Quick Response Grant program. To date \$10,550 in Quick Response Grant funds have been awarded, leaving \$4,450 in the funding pool.

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 \$750 grants from the 2025/2026 Quick Response Grant program be awarded to Tomorrow Today Education Foundation and the Benalla Branch of the Commonwealth Clydesdale Society.

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11. Local Government Performance Reporting Framework - Report Of Operations For Half-Year Ending 31 December 2025

Ref: 795207869-5463

Robert Barber – General Manager Corporate

PURPOSE OF REPORT

The report presents half-year service performance indicator results under the Local Government Performance Reporting Framework.

BACKGROUND

The Council is required to prepare and publish a half-yearly report detailing its performance against service performance indicators under the State Government's Local Government Reporting Framework.

The Local Government Performance Reporting Framework is a mandatory system of performance reporting for all Victorian councils. It ensures that councils are measuring and reporting on their performance in a consistent way to promote transparency and accountability in the local government sector.

The framework is made up of 42 measures from a range of service areas, including roads, planning, animal management and waste.

The Council's full year report is published in its *Annual Report* and made available to the public via the Performance Report page on the *Local Government Victoria website*.

DISCUSSION

The *Benalla Rural City Council Local Government Performance Report of Operations as at 31 December 2025* is attached as **Appendix 1**. The report includes comments on material variances.

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 as detailed in the table below:

Level of Public Participation	Promise to the community	Techniques to the used
Inform	We will provide information	<ul style="list-style-type: none">▪ Report to the Council.▪ Report published on Council's website.

COUNCIL PLAN 2025-2029 IMPLICATIONS

Leadership

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

FINANCIAL IMPLICATIONS

There are no material financial implications in the collation of the data and 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 the report be noted.

12. Urgent Business

Closure of Meeting