

Finance and Planning Committee

Agenda

Date: Wednesday 31 July 2024

Time: 5.30pm

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

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

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

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

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Agenda

Chair Cr Bernie Hearn

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

In attendance Dom Testoni Chief Executive Officer
 Robert Barber General Manager Corporate
 Cathy Fitzpatrick Manager Finance
 Nilesh Singh Manager Development
 Tom Arnold Community Development and Recreation Coordinator
 Nathan Gasperoni Environment and Sustainability Coordinator
 Jess Pendergast Governance Coordinator

Opening and Acknowledgment of Country

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

Apologies

Recommendation:
That the apology/ies be accepted.

Governance Matters

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

Recording of Council Meetings

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

Behaviour at Meetings

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

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

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

Disclosures of Conflict of Interest

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

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

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

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

Confirmation of the previous Meeting Minutes

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

Recommendation:

That the Minutes of the Finance and Planning Committee meetings held on Wednesday 19 June 2024 be confirmed as a true and accurate record of the meeting.

Business

1. Draft Benalla Rural City Council Climate and Environmental Strategy – Hearing of Submissions

SF/1893

Nathan Gasperoni – Environment and Sustainability Coordinator

PURPOSE OF REPORT

The report presents submissions received on the draft *Benalla Rural City Council Climate and Environment Strategy*.

BACKGROUND

The Council at its meeting on Wednesday 19 April 2023, resolved to develop a draft *Benalla Rural City Council Climate and Environment Strategy*, following the review of the Environment Strategy 2016-2020, and Climate Change Adaptation Action Plan 2013-2025.

Council officers began the development of the draft *Benalla Rural City Council Climate and Environment Strategy 2024 – 2029* (Climate and Environment Strategy) by holding community consultation and workshop session at the following locations:

- Baddaginnie Hall on 15 June 2023
- Swanpool Hall on 20 June 2023
- Goorambat Hall on 22 June 2023
- Benalla CWA Hall on 26 June 2023.

The draft *Climate and Environment Strategy* outlines the proactive and strategic approach to environmental matters and identifies priorities for management for Benalla Rural City over the next five years. The strategic direction of the draft *Climate and Environment Strategy* is accompanied by key actions the Council will seek to take over the next five years as well as highlighting important recent projects within Benalla Rural City.

The draft *Climate and Environment Strategy* was presented to the Council at its meeting on 29 May 2024, where it resolved:

That the Benalla Rural City Council Climate and Environment Strategy 2024-2029 be placed on public exhibition for a period of at least 28 days.

Community consultation opened Thursday 30 May 2024. A public notice was placed on the Council's website on 31 May 2024 and in the *Benalla Ensign* on 5 June 2024.

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

The submission period closed Thursday 27 June 2024.

DISCUSSION

At the close of the submission period 12 submissions had been received. Four written submissions and eight online submissions were received.

Submissions are attached as **Appendix 1**.

In accordance with the Council’s *Governance Rules 2020*, submitters have been invited to address the Finance and Planning Committee in support of their submissions.

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

- *A connected, involved and inclusive community.*

Environment

- *Healthy protected and natural environment.*
- *Sustainable practices.*

Leadership

- *Good governance.*
- *Engaged and informed community.*
- *Effective and responsive advocacy.*

COMMUNITY ENGAGEMENT

In accordance with the Council’s *Community Engagement Policy*, community engagement was 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 Participation	Promise to the community	Techniques used
Consult	We will provide information and consider feedback prior to making a decision.	<ul style="list-style-type: none"> ▪ Draft Strategy presented in a public report to the Council. ▪ Report and draft Strategy published on Council’s website. ▪ Public Notice published in <i>Benalla Ensign</i> ▪ Feedback invited via the Council’s HIVE website. ▪ Feedback invited via social media.

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 on the draft *Benalla Rural City Council Climate and Environment Strategy* will be considered at the Finance and Planning Committee meeting on 28 August 2024.

Recommendation:

That the submissions be received.

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Have Your Say

Submissions - Draft Climate and Environment Strategy 2024-2029

Jun 17, 2024 - Jun 26, 2024

Project: Climate and Environment Strategy

Response No:
1

Contribution ID: 2817

Member ID:

Date Submitted: Jun 26, 2024, 06:19 PM

Q1 First Name

Short Text Lynda

Q2 Last Name

Short Text Orr

Q3 Email

Email

Q4 Contact number

Number

Q5 Please provide your feedback on the Draft Climate and Environment Strategy here

Long Text

You know climate change is a HOAX stop sucking up to corporations - solar is dead - it has no future on a large scale - wake up!
Time for transparency! Time to put money back into health services - get that poor excuse of a hospital up to date & relevant.

Q6 You can opt to provide your feedback as a 'Formal Submission', where your name is included with your feedback in public reports. Would you like your submission to be considered as a formal submission?

Multi Choice

Yes, I would like this to be considered as a formal submission and understand that my name will be included with my feedback in public reports.

Q7 Upload supporting document (if applicable).

File Upload

Q8 How did you hear about this consultation?

Multi Choice

Social Media

Response No:
2

Contribution ID: 2814

Member ID:

Date Submitted: Jun 25, 2024, 09:41 PM

Q1 First Name

Short Text Moussa

Q2 Last Name

Short Text Taouk

Q3 Email

Email

Q4 Contact number

Number

Q5 Please provide your feedback on the Draft Climate and Environment Strategy here

Long Text

1. Fortnightly collection of red bins is highly undesirable. Currently our bin is usually nearly full every week. For us, the contents of the bin are unavoidable as it's mostly made up of food loose plastic packaging etc. If you propose that there are ways to reduce the weekly volume of rubbish then it would be necessary for you to assess the contents and suggest how exactly the volume can be reduced.

2. It would help a lot if the council's action plan items had financial costs and gains associated with them. That way it would be easier to assess which items are more and which less costly to implement, and which is 'worth it' and which is maybe not.

3. All items need to have a measurable "measure of success". Otherwise there is a risk that we're costing ourselves quantities of money without ever being able to know whether what is proposed is being achieved or not, or whether it's as effective as it was initially thought.

4. In addition it's important to have a review timeframe where these action items are revisited so that if they are not delivering on the initial vision/promise then they need to be changed or cancelled before more resources are used up on a failing project.

5. I'm not supportive of educating young children around climate change issues. There is already tangible anxiety especially among young adults around this topic, and I don't think it's helpful to load up little children with the challenges that we are dealing with especially when the solutions are still being debated and proven on a societal level.

6. Finding out about this document on Facebook is not ideal because it's a matter of chance that I saw the link shared by another person. Perhaps this kind of planning / documentation can be emailed out so that the receipt of it is more certain.

Q6 You can opt to provide your feedback as a 'Formal Submission', where your name is included with your feedback in public reports. Would you like your submission to be considered as a formal submission?

Multi Choice

Yes, I would like this to be considered as a formal submission and understand that my name will be included with my feedback in public reports.

Q7 Upload supporting document (if applicable).

File Upload

Q8 How did you hear about this consultation?

Multi Choice

Social Media

Response No:
3

Contribution ID: 2813

Member ID:

Date Submitted: Jun 25, 2024, 07:33 PM

Q1 First Name

Short Text

Narelle

Q2 Last Name

Short Text

Martin

Q3 Email

Email

Q4 Contact number

Number

Q5 Please provide your feedback on the Draft Climate and Environment Strategy here

Long Text

Please see attached letter

Q6 You can opt to provide your feedback as a 'Formal Submission', where your name is included with your feedback in public reports. Would you like your submission to be considered as a formal submission?

Multi Choice

Yes, I would like this to be considered as a formal submission and understand that my name will be included with my feedback in public reports.

Q7 Upload supporting document (if applicable).

File Upload

https://haveyoursay.benalla.vic.gov.au/download_file/467

Q8 How did you hear about this consultation?

Multi Choice

Word of Mouth


25 June 2024

Benalla Rural City Council

By email

Re: Benalla Rural City Council Draft Climate and Environment Strategy

From: Narelle Martin
Director
Regional Change Agency



Thank you for the opportunity of commenting on the draft Benalla Rural City Council (BRCC) Climate and Environment Strategy. I write as an ex-employee of Benalla Rural City Council, and as a professional working in environment matters in a range of capacities including with local government in Victoria, Canada and currently NSW. In 2013 I was employed on a part time basis as an Environmental Sustainability officer with BRCC.

Congratulations for developing the draft and for the opportunities provided to the community to comment on the content and direction of BRCC in this space, as outlined in Appendix 4.

I have reviewed four documents:

- Draft Climate and Environment Strategy
- Appendix 2: Corporate Greenhouse Gas Emissions Inventory FY 2022/23 Benalla Rural City Council (Ironbark Sustainability)
- Appendix 3: Benalla Rural City Net Zero Action Plan (Ironbark Sustainability)
- Appendix 4: Climate and Environment Strategy Community Engagement Report

What I have found a bit puzzling is that the report from Ironbark Sustainability (Appendix 3) has very helpful information, but I did not see a clear statement within the Draft Climate Action and Environment Strategy about what the BRCC is actually going to do. Has Council previously passed resolutions around climate change or net zero?

There are a number of statements about Net Zero Action Plan on page 20 including:

“ Other councils around BRCC have set targets between 2030-2050. The Council has recently endorsed a Net Zero Action Plan which has set a net zero target for all corporate emissions excluding waste by 2035/2036 and including waste by 2040/2041. This Action Plan sits under the short-term planning objectives within the Council Plan.

In response to workshops conducted earlier this year and feedback from the community, Council has set a vision to be net zero by 2040/41. Council has developed a Net Zero Action Plan in 2024 which aligns with this focus area. The

actions in that plan have been added to provide continuity between the two documents.”

I find these statements very confusing. Has the Net Zero Plan written by Ironbark Sustainability been adopted by Council, when was it adopted and what was the recommendation and resolution?

This may be clarified through a diagram showing the relationship of the documents.

I also note the Tables in each section of the Climate and Environment Strategy for example Table 2 Net Zero Action Plan. Is this derived from the Ironbark Sustainability report, and are these the actions that have been endorsed by Council? For all of these tables (Table 3, Biodiversity Action Plan; Table 4 Circular Economy Action Plan; Table 5: Water Sensitive Communities Action Plan; and Table 6: Sustainable Communities Action Plan) I would recommend including nominating the staff position who will be responsible for ensuring that this action will be undertaken.

I have checked the BRCC website and note reference to the [Benalla Rural City Climate Change Adaptation Action Plan 2013-2025 page](#). However this page is not available on the website. There does not appear recent information about climate change activities completed by BRCC, and the only reference in the web site change to Net Zero was to the current draft Climate and Environment Strategy which is available for review. I have noted the reference in a media release that BRC is bringing together two previous reports into one, which I understand is the draft Environment Plan out for review.

At a minimum I would suggest that the Draft Climate and Environment Strategy should include an overview of actions taken by BRCC over the last ten years, as well as any resolutions passed by Council which support action on climate change, emissions reduction, fleet transition to electric vehicles and equipment, and a table of actions to date (for example solar installations on council properties and related emissions reductions). This helps to position the activities of the RCB and the trajectory of decisions made, background to the document, and investments to date to reduce costs, energy and fuel use, and emissions.

I note that the Net Zero Action Plan states “summary of actions recommended for Benalla Rural City Council to implement over the rest of this decade to be on a trajectory to achieve net zero emissions by 2035/36 (excluding landfill) and 2040/41 (including landfill).”¹

The table of actions on page 11 is useful. While I note that some of the tables provide a payback period it may also be helpful if the document included a payback period for all of the recommended actions to give council a clearer sense of potential priority actions.

Within the Draft Strategy is a summary of actions in the section “Action Plan”(pages 32-34). I refer to my comments above, particularly the need to identify who will be responsible to undertake these actions.

¹ Ironbark Sustainability, [Benalla Rural City Net Zero Action Plan](#), page 10.

It would also be helpful to identify how the actions in these six areas relate to the comments and input from the community included as Appendix 4. This could include a matrix or similar showing where the recommended actions come from relative to the reports from consultants, existing plans and community input.

The Draft Strategy would benefit from an evaluation and review section so that the community and others can continue to identify actions completed and progress made over time.

Could you clarify whether there is an Appendix 1 that goes with the Climate and Environment Strategy? This may be an editing issue.

It may also be helpful to be explicit that the Net Zero documents only address the Council operations. As such it could be valuable to identify what activities, if any, identified by the community could also be undertaken as part of the approach being recommended in the draft Climate and Environment Strategy.

Thank you again for the opportunity of providing feedback for this draft Climate and Environment Strategy. I will be very interested in the final document.

Yours sincerely

Narelle Martin
B.Ec., M.Env.St., M.A.P.P.

Director
Regional Change Agency

Response No:
4

Contribution ID: 2811

Member ID:

Date Submitted: Jun 24, 2024, 05:14 PM

Q1 First Name

Short Text Anonymous

Q2 Last Name

Short Text

Q3 Email

Email

Q4 Contact number

Number

Q5 Please provide your feedback on the Draft Climate and Environment Strategy here

Long Text

Very supportive of Council's strategy and general direction. I would be interested in Council considering a tip shop as part of the reuse/reduce/recycle strategy, so that items other than textiles could be available for reuse at a nominal cost. I have used these at other Council tips in the past-Eaglehawk and Campaspe-and they have been popular and well used

Q6 You can opt to provide your feedback as a 'Formal Submission', where your name is included with your feedback in public reports. Would you like your submission to be considered as a formal submission?

Multi Choice

No, I would like to submit my feedback as a general submission. I do not want my name published with my feedback.

Q7 Upload supporting document (if applicable).

File Upload

Q8 How did you hear about this consultation?

Multi Choice

Social Media

Response No:
5

Contribution ID: 2810

Member ID:

Date Submitted: Jun 24, 2024, 04:11 PM

Q1 First Name

Short Text Jenny

Q2 Last Name

Short Text Monger

Q3 Email

Email

Q4 Contact number

Number

Q5 Please provide your feedback on the Draft Climate and Environment Strategy here

Long Text See attached document

Q6 You can opt to provide your feedback as a 'Formal Submission', where your name is included with your feedback in public reports. Would you like your submission to be considered as a formal submission?

Multi Choice

Yes, I would like this to be considered as a formal submission and understand that my name will be included with my feedback in public reports.

Q7 Upload supporting document (if applicable).

File Upload

https://haveyoursay.benalla.vic.gov.au/download_file/466

Q8 How did you hear about this consultation?

Multi Choice

Word of Mouth

Submission for Climate and Energy Strategy

I submit the following points

Table 2 Net Zero Action Plan - Focus area 1

Twelve Actions are listed but not identified.

I object to the following statement which is listed as ongoing "council to demonstrate leadership in response to climate change". So far councillors have shown no interest in any measure initiated by the community to alleviate climate change. There needs to be positive action in the life of this document.

Table 3 Biodiversity Action Plan - Focus area 2

Many fine sentiments are listed here but much can be done in urban areas without "a lot of words". For example, it would be easy to increase green areas which absorb carbon dioxide from the air and provide shade to lower temperatures. Actions required

- ✓ encourage residents to plant their nature strips with low-growing vegetation
- ✓ allow two trees per property on the nature strip. These need to be big enough to give significant shade, and native trees (eg eucalypts) could be alternated with deciduous trees. A large green canopy has a significant cooling effect on roads, houses etc. NOTE The current street tree plan does not comply with the above suggestion

Table 6 Sustainable communities - Focus area 5

Some local councils already have a comprehensive list of native plants suitable for home gardens.

- ✓ Council could purchase a range of plants suitable for NE gardens and have them available at a reasonable price in Spring each year.

Regarding sustainable housing, council shows no leadership at all

There is no room in current subdivisions for trees in owners' blocks. This would greatly enhance the cooling of houses, and trees are proven to provide medical and physical health benefits. There appears to be no thought given to sustainable house design and requirements

- ✓ Main rooms should face North for heating in winter, and wide eaves should be mandatory for shading in Summer
- ✓ Gas appliances and heating should be banned in all new housing
- ✓ Hot Water is cheap when supplied by a Heat Pump. These should also be mandatory in new houses

Response No:
6

Contribution ID: 2809

Member ID:

Date Submitted: Jun 24, 2024, 03:20 PM

Q1 First Name

Short Text Howard

Q2 Last Name

Short Text Bartlett

Q3 Email

Email

Q4 Contact number

Number

Q5 Please provide your feedback on the Draft Climate and Environment Strategy here

Long Text

Subdivisions with building envelopes can provide significant savings to subdividers and client buyers as well as new communities:

- increased lot yield
- reduced development costs per lot
- more space in parks, road reserves and lots for landscaping
- more open space
- lots with frontages opposite public open space

The standards set in the Benalla Planning Scheme by Clause 54 (single dwellings) and Clause 55 (two or more dwellings on a lot) set a very low bar for the assessment of the primary design considerations discussed (Sunlight, Open Space, Access and Privacy).

Clause 54.04-1 (Side and Rear Setbacks) is simplistic and has unintended consequences concerning the overshadowing of neighbours, their north-facing windows and secluded private open space, roof design and overlooking to and by neighbours.

These problems can be avoided with building envelopes approved as a standard condition of the permit to subdivide.

Cost savings from smaller lots come with an obligation to improve the environment and amenity of future residents and communities than provided by the planning scheme.

Unfortunately, existing residential lots do not benefit from an approved building envelope. It is recommended that this be rectified by empowering the Council to approve them if requested by two or more adjoining owners.

Q6 You can opt to provide your feedback as a 'Formal Submission', where your name is included with your feedback in public reports. Would you like your submission to be considered as a formal submission?

Multi Choice

Yes, I would like this to be considered as a formal submission and understand that my name will be included with my feedback in public reports.

Q7 Upload supporting document (if applicable).

File Upload

https://haveyoursay.benalla.vic.gov.au/download_file/465

Q8 How did you hear about this consultation?

Multi Choice

Other: Benalla Sustainable Future Group

Benalla Call to Action for Sustainable Development

2406 2024

On 27 December 2023, the Australian Government established the National Housing Supply and Affordability Council (the Council).

The Council's role is to build an evidence base and provide expert advice that will support policy making to improve outcomes across the housing spectrum.

The Council's first Annual Report "State of the Housing System 2024" (<https://nhsac.gov.au/sites/nhsac.gov.au/files/2024-05/state-of-the-housing-system-2024.pdf#page207>) analyses of the role of the stakeholders including Federal, State and Local Government, private sector (including not for profit agencies) and the community.

The forward on Page 1 states:

In this report, the Council presents an overview of the state and functioning of Australia's housing system. It assesses demand and supply conditions and how these factors influence dwelling prices and rents. The report assesses housing affordability in Australia across tenure, age and income groups, and focuses in detail on cohorts of vulnerable people. It describes the Council's projections for the long-term housing outlook and provides an assessment of the suitability of the Australian Government's 1.2 million new homes target, which forms part of the National Housing Accord. The report concludes by identifying focus areas for improving the housing system.

In Australia, the 'planning system' under which land is made available for housing development comprises 4 elements (National Supply and Affordability Council p18):

1. *formulation of strategic spatial policy strategies*
2. *translation of the strategies into statutory plans comprising allowable land use designations ('zoning') and accompanying rules and standards for the siting and design of development*
3. *assessment of development proposals against these statutory plans, which, depending on the scale and impacts of land use and building, is typically performed by local governments.*
4. *review of development assessment decisions by dedicated courts or administrative tribunals, where allowable under planning legislation*

Dissatisfaction is expressed daily about scarcity, appropriateness, affordability and quality of housing stock.

The supply of housing is not keeping pace with demand and low completions and approvals in part reflect the challenges associated with achieving adequate investment returns (National Supply and Affordability Council p 66).

This discussion paper looks at Element 2 and 3 from the point of view of a benevolent subdivider willing to work with Benalla Rural City to expedite planning decisions and facilitate the rapid supply of residential lots to new markets by building confidence in the administration of the planning scheme.

The changes recommended here ensure cost savings to subdividers are achieved with a necessary obligation to ensure the amenity of future residents is improved to an extent not possible with strict adherence to the Standards set out in Clause 54 of the Benalla Planning Scheme.

Proposals by the State Government to limit third party rights of notice and review for erection of dwellings which comply with standards is premature without simple changes to the setback from boundaries required by Clause 54.04-1 (Side and Rear Setbacks).

It is recommended that all new residential subdivisions and existing residential lots be provided with this environmental protection.

The Opportunity.

The Victorian Planning Provisions (VPP) is a statewide template applied by every Council in its planning scheme.

It sets out the way land can be used and developed, what discretion is available to the Planning Authority (the local council) and what rights are available to applicants and third parties to be consulted and to make submissions.

The VPP provides Housing Affordability Strategies (VPP Clause 16.01-25)

- Ensuring land supply continues to be sufficient to meet demand.
- Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.

- Promoting good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community.
- Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes.

The purpose of the General Residential Zone is more specific. VPP Clause 32.08 include:

- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Comprehensive information is available from State and Federal agencies.

Your Home (<https://www.yourhome.gov.au/>)

Sustainability Victoria (<https://www.sustainability.vic.gov.au/energy-efficiency-and-reducing-emissions/building-or-renovating/energy-smart-housing-manual>)

Energy Smart Subdivision Design

All planning schemes provides guidance for investors and owner occupiers at clause 54 for single dwellings and clause 55 for two or more dwellings on a lot. Clause 56 guides subdividers.

Objectives and Standards (one way to meet objectives) are also provided in these clauses.

Clause 56 (Residential Subdivision) enables building envelopes to be approved as part of the subdivision process. This is an opportunity to define alternative standards and record them on future titles. The building envelopes can have effect forever or expire at some stage in the future.

Clause 56.04-2

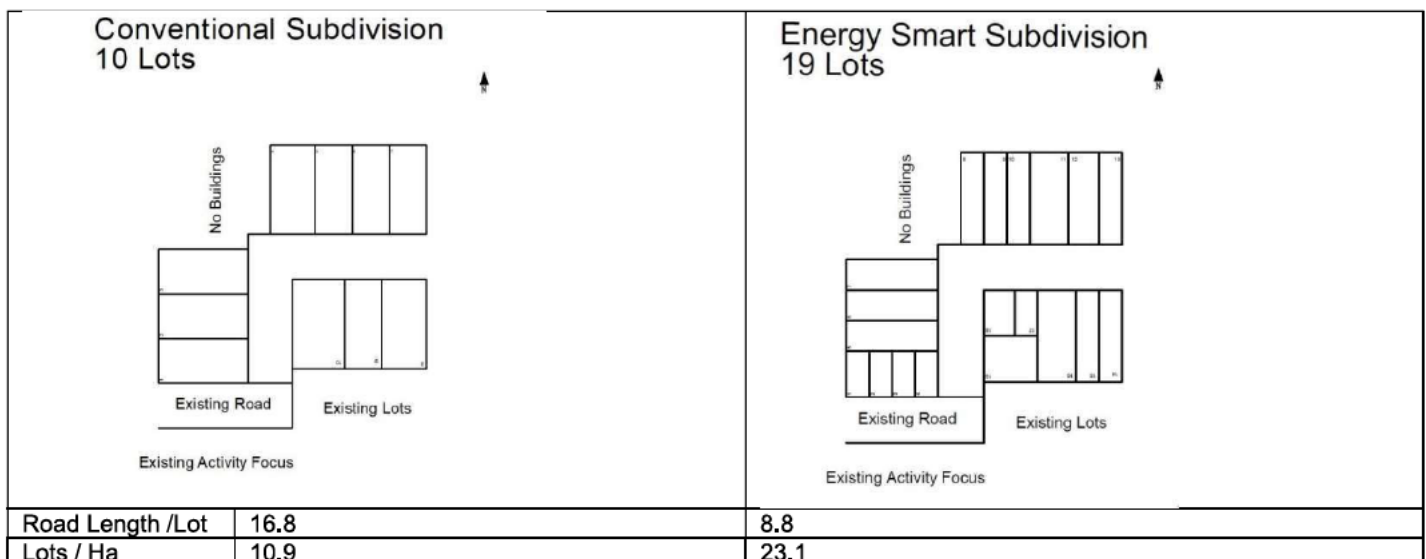
A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

The objectives of the relevant standards are met, and

The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988 or is specified as a covenant in an agreement under Section 173 of the Act,

Significant savings in the total house land package can be achieved if:

- Smaller lots are sold at a competitive prices as single lots or in precincts.
- Smaller buildings costs less to build.



Energy Smart Lots costs less to develop for the subdivider, with about half the road length and double the lot yield. Innovative sales strategies tapping latent demand and improve sales rates can reduce holding costs for the subdivider.

The subdivider will need to demonstrate in its planning application how the proposal meets Housing Affordability Strategies and also how alternative siting provisions meet objectives in Clause 54.

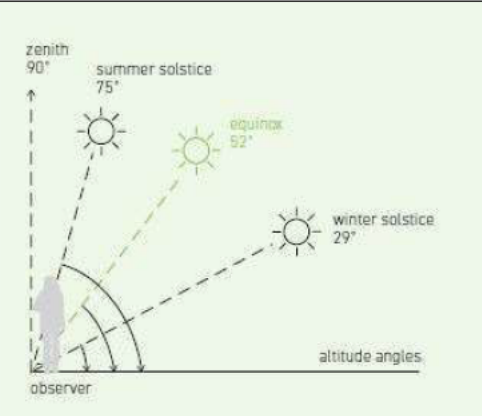
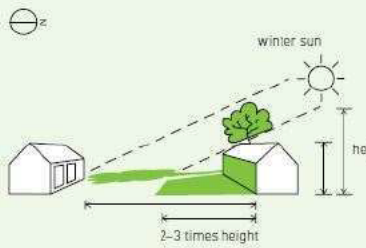
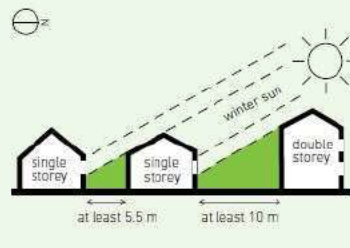

In other words the Planning Application will need to demonstrate how additional lots have increased the choices available to buyers but also that the amenity provided on each lot AND neighbouring lots exceeds the baseline set out in Clause 54.

The Energy Smart Housing Manual provides a wealth of information for housing users designers and builders. The introduction provides an overview.

If you're building or renovating your home, make the most of your investment by incorporating energy efficiency into the design.

Investing in good design as early as possible will provide a home with increased comfort levels year-round and offer the opportunity to save on water and energy bills now and into the future. The Energy Smart Housing Manual will help you comply with the 6 Star Standard regulations, or exceed minimum standards and reduce construction costs.

This is a resource for prospective home builders, renovators, builders, local councils and students to use as a guide. The manual illustrates sustainable home design – incorporating building practices – and allow users to create a comfortable and high-quality home.

<p>SOLAR NOON ANGLES FOR MELBOURNE</p> <p>Energy Smart Housing Manual Figure 2 Page 12</p>	
<p>OBJECTS CAST SHADOWS TWO TO THREE TIMES THEIR HEIGHT IN WINTER</p> <p>Energy Smart Housing Manual Figure 3.6 Page 26</p>	<div style="display: flex; justify-content: space-around;"> <div data-bbox="598 1144 1013 1547"> <p>FIGURE 3.16: OBJECTS CAST SHADOWS TWO TO THREE TIMES THEIR HEIGHT IN WINTER.</p>  </div> <div data-bbox="1013 1144 1465 1547"> <p>FIGURE 3.17: ALLOW ADEQUATE DISTANCE FROM OBSTRUCTIONS TO THE NORTH</p>  </div> </div>
<p>Clause 54.04-1 Side and Rear Setbacks</p> <p>The shadow of an imaginary 3.6m high wall on a south boundary is shown in red.</p>	
<p>The diagram clarifies a standard set out in the planning scheme. Standards contains requirements to meet objectives. A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objectives, an alternative design solution may be considered.</p>	

Alternative Standards for assessing Energy Smart Subdivision Proposals.

Sunshine and Seasons

Response to the movement of the sun during the day and throughout the year.

Shading impacts at noon on the winter solstice are shown.

The alternative standard is more restrictive than existing standards which specify Noon at the equinox.

Dwellings are located close to the south boundary to provide more usable outdoor space on the north side of the lot.

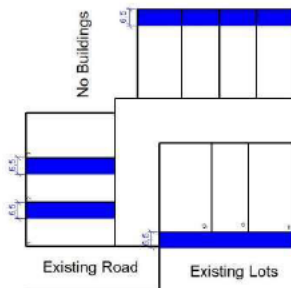
Shading windows in summer by eaves and pergolas on the north side of the house is facilitated.

Windows facing east and west are discouraged.

Conventional Subdivision

10 Lots

WINTER SHADOW
FROM IMAGINARY 3.6M HIGH WALL

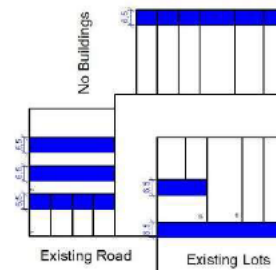


Existing Activity Focus

Energy Smart Subdivision

19 Lots

WINTER SHADOW
FROM IMAGINARY 3.6M HIGH WALL



Existing Activity Focus

Open Space

Concentrates secluded private open space on the north side of houses.

Avoids narrow spaces in side setbacks.

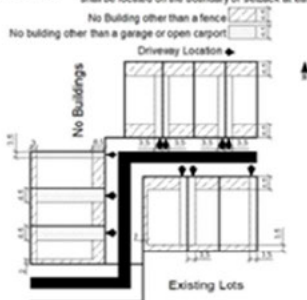
Reduces front setbacks to increase north facing open space at the rear.

Avoids narrow unuseable spaces such as side setbacks.

Conventional Subdivision SETBACKS

10 Lots

Building located close to a boundary shown thus --- shall be located on the boundary or setback at least 1.0m

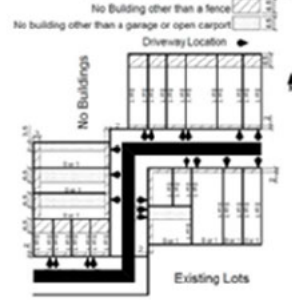


Existing Activity Focus

Energy Smart Subdivision SETBACKS

19 Lots

Building located close to a boundary shown thus --- shall be located on the boundary or setback at least 1.0m



Existing Activity Focus

Access

Driveway, garage and carport locations to enable correct orientation of the house.

18m wide road reserves provides wider nature strips for planting and ninety degree parking.

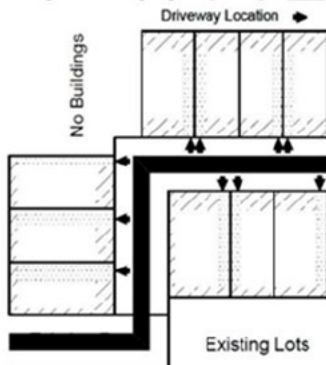
Visitors can park on crossovers without obstructing footpaths.

Convenient access from the yard to the street for gardeners and rubbish removal.

Conventional Subdivision ACCESS

10 Lots

No Building other than a fence
No building other than a garage or open carport

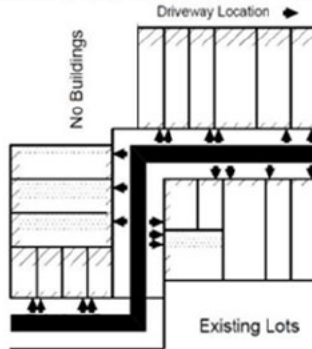


Existing Lots

Energy Smart Subdivision ACCESS

19 Lots

No Building other than a fence
No building other than a garage or open carport



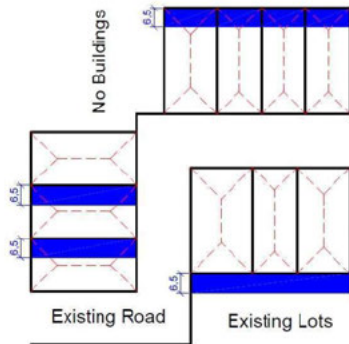
Existing Activity Focus

Privacy

Dwellings and secluded private open spaces are more usable if they are not overlooked and neighbours activities are unobtrusive.

Conventional Subdivision
10 Lots

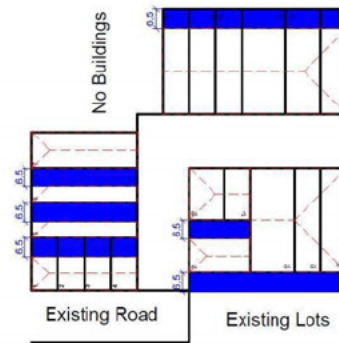
WINTER SHADOW
FROM IMAGINARY 3.6M HIGH WALL
Roof form meeting VPP Clause 54.04 -1



Existing Activity Focus

Energy Smart Subdivision
19 Lots

WINTER SHADOW
FROM IMAGINARY 3.6M HIGH WALL
Roof Form derived from Energy Smart Manual



Existing Activity Focus

VPP Clause 54.04-1 (side and rear setbacks) has the effect of forcing ridge lines parallel to side boundaries. For north/south orientated lots windows facing east and west can overlook the neighbours windows and secluded open space.

For east/west orientated lots, a dwelling on the south boundary with limited high windows can reduce or eliminate overlooking issues.

These principle when applied to conventional lots will improve house design and reduce negative impacts such as overlooking and overshadowing.

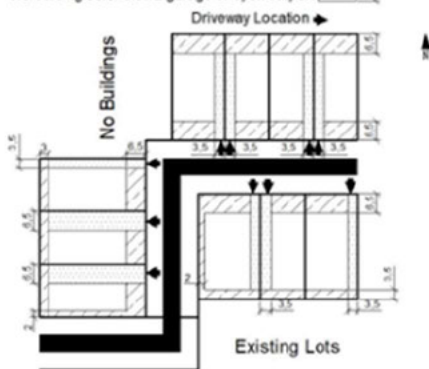
The Energy Smart roof form have east west ridge lines providing north and south facing roofs better suited to locating PV cells. This avoids roof drainage between buildings when wall are close to each side of a boundary. No box gutters or touching eaves gutters. All glazing is north facing, opening onto secluded private open space.

With a blank wall on the south boundary there are no overlooking issues.

Building Envelopes- Setbacks

Conventional Subdivision SETBACKS
10 Lots

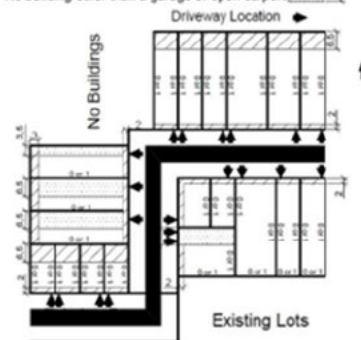
Building located close to a boundary shown thus shall be located on the boundary or setback at least 1.0m
No Building other than a fence 0 or 1
No building other than a garage or open carport 0 or 1



Existing Activity Focus

Energy Smart Subdivision SETBACKS
19 Lots

Building located close to a boundary shown thus shall be located on the boundary or setback at least 1.0m
No Building other than a fence 0 or 1
No building other than a garage or open carport 0 or 1



Existing Activity Focus

Setback key

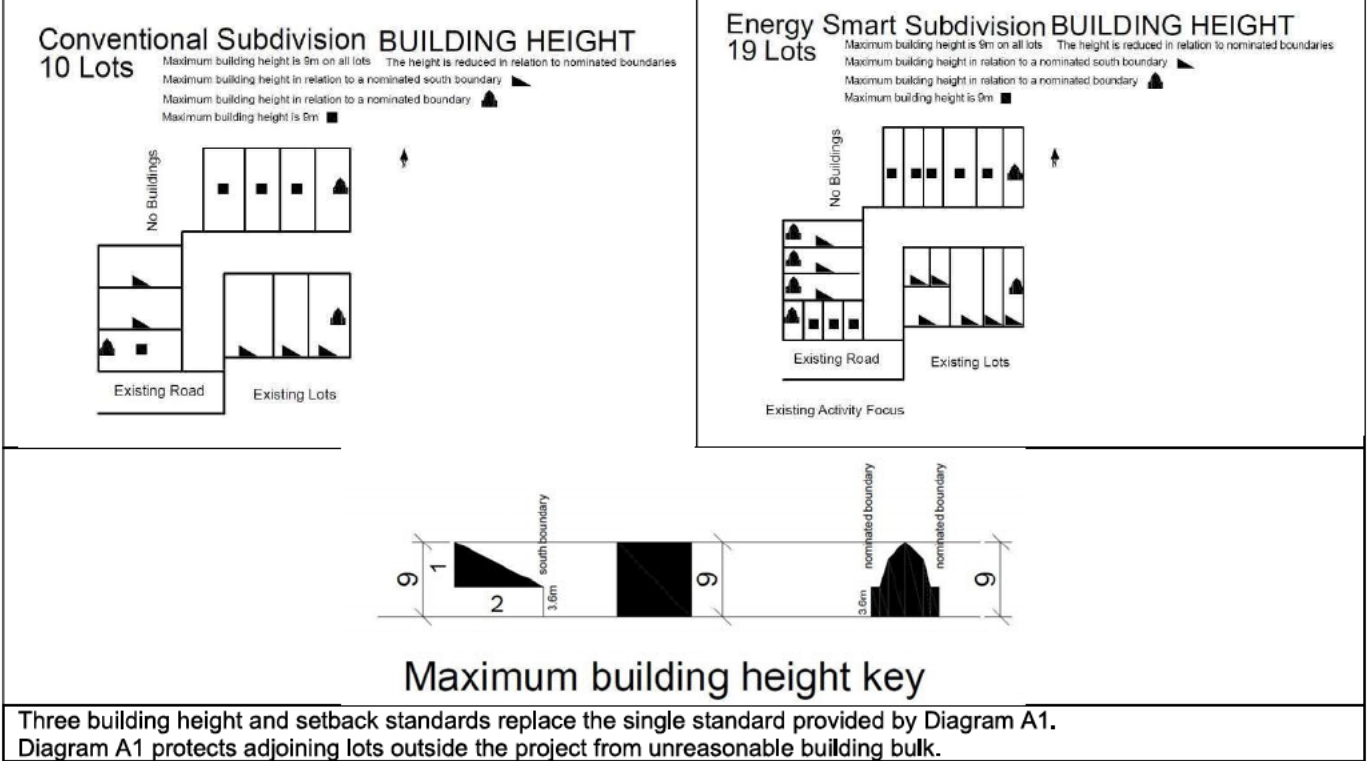
A building located close to a boundary shown thus 0 or 1 shall be located on the boundary or setback at least 1.0m

No building other than a fence 0 or 1

No building other than a garage or open carport 0 or 1

Driveway Location

Building Envelope - Height



Planning / Sales Process

The subdivider should be encouraged to invite expressions of interest before the subdivision and building envelopes are finalised.

Changes to the subdivision and building envelopes can be made in line with market feedback before the formal submission of the planning application.

The plan of subdivision provides a range of lot sizes with the smallest lots located in precincts.

A limited range of lot dimensions and orientations would assist designers to work for multiple owners.

Approved building envelopes are required for every lot as a condition of the planning permit.

Sample house plans demonstrating how designers apply the building envelopes could assist the Council assess the proposed building envelopes.

The building envelope condition should require approval before the subdivision plan is certified under the Subdivision Act.

Subdivisions with building envelopes can provide significant benefits to subdividers and client buyers:

- increased lot yield
- reduced development costs per lot
- more space in parks, road reserves and on lots for landscaping
- more open space
- lots with frontages opposite public open space

The regulations enable Building Surveyors to assess compliance with the approved building envelopes saving Council's work load.

The Agent is appointed and selling starts when the subdivision plan is Certified, and the Section 173 agreement is executed.

The Statement of Compliance is issued when civil works are complete and incomplete works such as landscaping have been bonded.

Where to From Here

The standards set by clause 54 (single dwellings) and Clause 55 (two or more dwellings on a lot) set a very low bar in relation to primary design considerations discussed here (Sunlight, Open Space, Access and Privacy).

The Planning Scheme enables recording of an alternative set of Standards to meet housing objectives for subdivisions.

No Alternative Standards can be agreed to by councils for single dwellings on existing lots in residential zones.

The assessment of the Clause 54 has been made a requirement of the building regulations by an arrangement called Rescode.

Owners of existing lots hoping to protect existing amenity cannot apply for a planning permit to register a building envelope.

Proposals for two or more dwellings can be delayed by objection and appeal if proposals rely on the minimum standards in Clause 55 the planning scheme.

This could bring the standards into disrepute, resulting in developers withdrawing investment in much needed housing.

Recommendation

That the Rural City of Benalla:

encourages owners of existing residential lots to understand the potential impact of Clause 54.04-1 (Side and Rear Setbacks) in relation to overshadowing at noon on the winter solstice.

requests the minister to amend Clause 54 be to read.

A building envelope for two or more existing lots may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

The objectives of the relevant standards are met, and

The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988 or is specified as a covenant in an agreement under Section 173 of the Act.

requires all subdivisions in residential zones to submit building envelopes for approval as a condition of the planning permit to subdivide before the subdivision is Certified under the Subdivision Act 1988

Response No:
7

Contribution ID: 2799

Member ID:

Date Submitted: Jun 21, 2024, 03:43 PM

Q1 First Name

Short Text Anonymous

Q2 Last Name

Short Text

Q3 Email

Email

Q4 Contact number

Number

Q5 Please provide your feedback on the Draft Climate and Environment Strategy here

Long Text

The Council needs to have a net zero goal sooner than 2040. All other actions look good, especially transitioning the fleet to low carbon and increasing biodiversity on roadsides.

Q6 You can opt to provide your feedback as a 'Formal Submission', where your name is included with your feedback in public reports. Would you like your submission to be considered as a formal submission?

Multi Choice

No, I would like to submit my feedback as a general submission. I do not want my name published with my feedback.

Q7 Upload supporting document (if applicable).

File Upload

Q8 How did you hear about this consultation?

Multi Choice

Council Website

Response No:
8

Contribution ID: 2783

Member ID:

Date Submitted: Jun 17, 2024, 03:03 PM

Q1 First Name

Short Text Jay

Q2 Last Name

Short Text Martin

Q3 Email

Email

Q4 Contact number

Number

Q5 Please provide your feedback on the Draft Climate and Environment Strategy here

Long Text Good afternoon,
the master plan is heavy on platitudes and virtue signalling but light on substance. I am concerned with yet another net-zero plan that will ultimately cost ratepayers more with less value for dollar. I am also concerned with your advice that council has a reconciliation action plan and the impact this may have on the ratepayers of Benalla. Council should acknowledge the referendum results in our part of Victoria regarding indigenous affairs. We do not want to see council waste taxpayer funds on virtue signaling projects such as net zero, climate emergency, indigenous reconciliation matters etc. History has shown these to be the desire of fringe minorities and not the will of the majority as shown by the referendum. Has there been a ROI study been conducted on the purchase of EV's by council. EVs purchased by CFA and DEECA sit idle in car parks due to their impracticalities and costs. Council should avoid wasting money on EVs and look at hybrid vehicles which make more sense. Council should focus on core matters and not repeat the failures of other councils on imposing anti ratepayer policies such as fortnightly waste collection. If this is imposed many of us in rural areas will simply revert to burning our rubbish which would be ultimately worse for the environment. Core values, roads, rates and rubbish. Forget monuments and wasted money on virtue signalling/ feel good projects

Q6 You can opt to provide your feedback as a 'Formal Submission', where your name is included with your feedback in public reports. Would you like your submission to be considered as a formal submission?

Multi Choice

Yes, I would like this to be considered as a formal submission and understand that my name will be included with my feedback in public reports.

Q7 Upload supporting document (if applicable).

File Upload

Q8 How did you hear about this consultation?

Multi Choice

Social Media

From: [Ian Holmes](#)
To: [Benalla Council Email](#)
Subject: Response to BRCCs Climate and Environment Strategy Paper
Date: Monday, 17 June 2024 11:45:46 AM
Attachments: [Michael Shellenberger.docx](#)
[Lomborg, False Alarm graphs.pdf](#)
[Kininmonth, THE MEDIEVAL WARM PERIOD AND THE HOCKEY STICK.docx](#)
[Ridley, Matt. 2020. CO2 and Global Greening.docx](#)
[Ridley, Matt. 2018. Global Cooling.docx](#)
[Sanson, Urban Heat Island effect in Melbourne.pdf](#)
[Seifert, Five-climate-forcing-mechanisms.pdf](#)
[Response to Draft BRCC Climate and Environment Strategy Paper, Ian Holmes.docx](#)

Please be cautious

This email was sent from outside of your organisation

Greetings Benalla Rural City Council,
Please accept my submission to BRCCs climate response strategy, see attached.
I have also attached some background references FYI.
Regards from Ian Holmes,

[REDACTED]
[REDACTED]
[REDACTED]

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<https://www.mailguard.com.au/mg>

Response to Draft BRCC Climate and Environment Strategy **2024-2029 Paper**

By Ian Holmes.

Before I comment on the contents of the BRCC Draft Strategy Paper I need to address the assumptions on which it is based.

Is the climate changing?

Yes, it always has and always will do so.

Is the current change and direction due to the CO2 increase?

Probably. The factors affecting climate are incredibly complex and will be debated for decades to come. CO2 is claimed to be a major climate forcing factor.

Amongst the many climate forcing mechanisms, Earth Orbit Oscillations (EOO) stand out. EOOs have an approximately 800-year cycle between which global temperatures keep oscillating. The peak of the current EOO upcycle is set for 2060 after which global temperatures will fall until the next bottom of the cycle in 2510. [15].

Is a rise in CO2 a bad thing?

Probably not. CO2 is plant food. BRCC is a farming shire. Satellite records show increased global greening as CO2 levels have increased. <https://science.nasa.gov/earth/climate-change/co2-is-making-earth-greener-for-now/>

Another study published in 2020 confirmed “the rising atmospheric CO2 concentration as the dominant driver” of a 31 percent increase in global terrestrial gross primary production since 1900. [13].

Is the science settled?

No, science does not work that way. The first principle of science is to question everything. “A fact is something that is known or proven to be true. A scientific fact cannot be established by consensus of opinion, or by the popular vote, or because it is morally good.” “Far too often climate science has demonstrated noble cause corruption”. [5]. “The strong moral sense that accompanies climate science, seeking to save the world from catastrophic anthropogenic climate change, is part of the problem, because high moral purposes can lead to questionable interpretive practices. [8].

Science is inherently an error ridden undertaking, which advances through the detection and correction of error. Aynesley Kellow.

Science is the belief in the ignorance of experts. Richard Feynman.

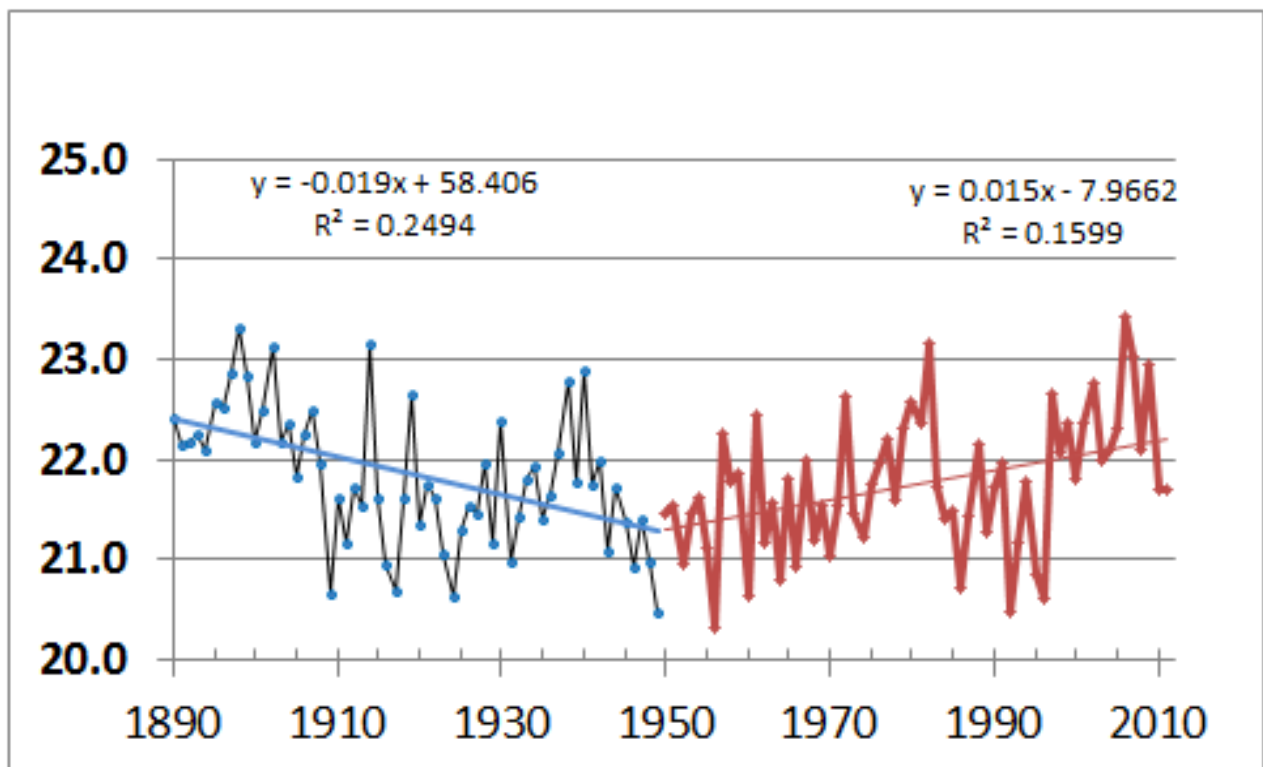
Of all sciences’ many values, the greatest must be the freedom to doubt. Richard Feynman.

Science involves groups of scientists defending paradigms until they no longer could do so. Thomas Kuhn 1962.

Is it global warming or is it climate change?

Benalla's temperature records go back to 1882 but the earlier records have disappeared from BOM's website. (Fortunately, I had saved the data when I looked at them in 2011). The Federation Drought from 1895 to 1903 was the worst drought ever recorded in Australia. Temperatures were very high then. Removing those temperatures from the record creates the impression that our local climate has a >100 year warming trend. But including those earlier records shows a completely different story.

Chart 1: BOM Raw Average Annual Maximum Daily Temperature Records from Shadforth Street, Benalla, Station 082002. (The Benalla Weather Station Moved from Shadforth St to the Airport in November 2006, a more exposed and hotter site, Station 082170).



You will note that local (and Australia wide) temperatures showed a cooling trend from the first records until 1950 and the concern amongst scientists as recently as 1972 was that a new ice age was starting. [12]. If you wish to “prove” global warming, you select 1950 as the start date.

I attended BOM's Dr Lynette Bettio's talk at BSFG on 24/5/2024. She showed a similar chart but selected 1920 as the start date. Her trendline showed a warming trend from 1920 to present day. She is a global warming believer, and her job security depends on ongoing funding of BOM. Climate alarmism brings in funding to BOM. Follow the money.

She told me of a new website which is designed to predict climate change impacts on nominated Australian Districts by 2050.

<https://myclimateview.com.au/>

Using this site, BOM predicts less extreme changes for Benalla than those stated in BRCCs draft paper. Eg Benalla's average maximum temperature (Currently 22.2C) could become more like present day Cobram which is 80km north of Benalla (currently 23.4C) by 2050. Annual rainfall is predicted to actually increase by 15mm. So these changes are not going to be life changing for BRCC residents, farmers and ratepayers. BRCC should keep our climate related responses and strategies in perspective.

Are Australia's temperatures getting warmer?

Compared to when? Not if we look back to the earliest Australian records from the 1850s. Note that over the past two decades BOM has changed the recording systems and thermometers in weather stations which leads to higher temperatures being recorded. They have also "corrected" the early data to now show warming trends. Suburbia has encircled historic weather stations so that the urban heat island effect has caused higher recent local temperatures. [2, 6, 7, 11, 14].

Is there an increase in weather extremes?

Actually no, despite the media's fascination with disasters all round the world. [4, 10, 16].

Is there an increase in severity of wildfires in Australia?

Actually no. Forest and land management changes are the cause of recent wildfire issues, not climate change. [6, 16].

Can the efforts of BRCC change the world environment?

No. So we should not waste ratepayers sweat and money trying to save the world.

Can the efforts of BRCC change the local environment?

Yes, and we should address these issues only. Be sensible, spend in moderation, and only on factors that will give an economic or local environmental benefit or return.

Should BRCC be bullied into spending ratepayers' money on issues that feel good but can have no impact on the world climate?

No

BRCC's Five Key Focus Areas

Key Focus Area 1: Net Zero

It is sensible to minimise C consumption in the BRCC but not if the costs are significant, or have downsides. Eg hybrid vehicles are more practical and cost effective than EVs. Even our current government is coming to the realisation that an over-zealous approach to Net Zero is leading to higher energy costs and unreliable electricity supplies. Be wary of setting too hasty targets that will come back to haunt you eg Net Zero by 2040/41.

("2023 being the hottest year on record", depends on how the records are manipulated). [8].

Batteries are currently not cost effective or durable, but technology is changing rapidly and they are becoming cheaper per kWh. Don't rush in to purchasing them as a community or microgrid. They will get better and cheaper, so deferring purchase is smart business.

Note that the district rainfall and temperature changes predicted by BOM in their My Climate View website are minimal.

The change to EVs has stalled and prices are dropping. Second hand EVs are very hard to sell. The retained value of EVs is terrible. It is financially irresponsible to put this burden on our ratepayers. Note the chart below reports on results prior to the severe reduction in new EV prices seen this year with the influx of cheaper Chinese EVs. This will decrease the retained value of EVs even further.

Average value retention for used cars in Australia in December 2023

Vehicle age	Electric cars	Entire market
0–2 years	82.8%	95.5%
2–4 years	57.6%	85.9%
5–7 years	24.1%	68.8%

Source: AutoGrab

[One benefit of EVs to be considered under Geopolitical Risks is if there was a major disruption to our sea trade routes and we were unable to source petrol and diesel, then EVs would become highly desirable as they can run (indirectly) on coal, sun and wind power, all of which we have in abundance].

The provision of charging stations in BRCC can have flow on benefits as EV owners are forced to spend time and hopefully money in the city while waiting for their EVs to charge up. Siting locations should take this into account.

Every Australian knows that light coloured vehicles reflect heat and dark ones suck it up. A zero-cost policy is for BRCCs fleet to be white or light coloured. I think that light coloured vehicles may have a slightly higher resale value as well. This should be stated as an action plan.

As BOM has projected that local climate changes will be minimal by 2050, BRCC changes in policies and practices made to address these should be appropriate to the minimal changes anticipated.

Key Focus Area 2: Increase Biodiversity

Biodiversity is vital as mentioned, but it is habitat loss, not climate change that is the main cause of the loss of biodiversity. It is very hard to “increase” biodiversity, “Preserve” biodiversity might be a more realistic KFA.

The right tree in the right place is important. Planting local indigenous species eg Eucalypts, in or close to urban environments is creating a potential hazard. Eucalypts are notorious for being fire hazards compared to many deciduous trees which make very effective fire

suppressors. Also, many Eucalypts are spontaneous branch droppers (widow makers) when under water stress or other causes. These are a risk to the public and a potential public liability.

Do not select for local species, but select species that thrive to the north of Benalla, as they will be suitable as the climate warms.

Plane trees are noted as being highly allergenic and a cause of asthma.

Key Focus Area 3: Circular Economy

Retaining vehicles for longer is the simplest way of conserving resources. Modern vehicles are very reliable and with regular servicing will usually run for >200,000km and possibly 500,000km without significant maintenance costs. The cost per kilometre will drop over the life of a vehicle until it starts to need major maintenance. The optimum cost/benefit time to change over fleet vehicles should be investigated and monitored.

The resale shop at the resource recovery centre should be fast-tracked. There is a depressing amount of usable items that end up as landfill due to current regulations. Utilising unemployed kids to sort, repair and do the legwork at the shop would teach them life skills. If they take advantage of the trophies that they find there then that will contribute to the shire's recycling targets.

Note that recycling is unlikely to pay for itself. An independent Australia-wide study many years ago determined that recycling was only cost effective in the two main cities of Sydney and Melbourne where land prices are astronomical. In the rest of the country sending everything to landfill was the least-cost option when all costs were taken into account.

Key Focus Area 4: Water Sensitive Communities

No comments. I agree with the principles as described.

Key Focus Area 5: Sustainable Communities

Embrace design excellence and innovation: I cannot comprehend how the rooves of houses in the new subdivisions are so dark, mostly black. This drives up the Urban Heat Island effect and creates an increased demand for electricity for air-conditioning at peak demand times in the summer. How did this get passed by our Planning Department?

No mention has been made of designating a fixed minimum percentage area for greenery in new subdivisions. It seems that the developers take all the profit, but BRCC has to provide the parks and green spaces (privatising the profit and socialising the costs). Modern residential block sizes are too small to safely grow large trees. Therefore, a developer should be required to allocate space for trees and community activities in the development.

References:

1. **Brady, Howard Thomas. 2018.** Mirrors and Mazes. A Guide through the Climate Change Debate.
2. **D'Aleo, J and Watts, A. 2010,** Science and Public Policy Institute, Surface temperature records: policy-driven deception.
3. **Kininmonth, William. 2021.** The Medieval Warm Period.
4. **Lomborg, Bjorn. 2020.** False Alarm. How Climate Panic Cost us Trillions, Hurts the Poor and Fails to Fix the Planet.
5. **Marohasy, Jennifer. 2020.** Climate Change. The Facts 2020. P3
6. **Marohasy, Jennifer. 2020.** Climate Change. The Facts 2020. P237 -
7. **Marohasy, Jennifer. 2020.** Climate Change. The Facts 2020. P224
8. **Marohasy, Jennifer. 2020.** Climate Change. The Facts 2020. 241-
9. **Marohasy, Jennifer. 2020.** Climate Change. The Facts 2020. P279.
10. **Maunder, John: 2023.** Climate Change. A Realistic Perspective P223 –
11. **Oke, T.R. 1973.** City size and the urban heat island. Atmospheric Environment 7: 769-779.
12. **Ridley, Matt. 2018.** The Times.
13. **Ridley, Matt. 2020.** The Property and Environment Research Center
14. **Samson, Tim. 2024.** Diggers Journal
15. **Seifert, J & Lemke, F, 2012.** Five Climate Forcing Mechanisms Govern 20,000 Years of Climate Change.
16. **Shellenberger, Michael. 2020.** Apocalypse Never.

From: [David Blore](#)
To: [Benalla Council Email](#)
Subject: Submission to Draft BRCC Climate and Environment Strategy
Date: Wednesday, 26 June 2024 9:58:36 AM
Attachments: [Submission to Benalla Rural City Council on Climate and Environment Strategy.docx](#)

Please be cautious

This email was sent from outside of your organisation

Good morning:

Further to my discussions with the Mayor this week on the call for submissions to the above Council document, I am pleased to submit the document below on behalf of the Benalla Sustainable Future Group (BSFG). I commend the work that has been done so far on this project and look forward to BSFG being able to contribute significantly to its further development.

Regards

David Blore
President



Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<https://www.mailguard.com.au/mg>

Submission to Benalla Rural City Council

Response by Benalla Sustainable Future Group to the Draft Climate and Environment Strategy June 2024

Summary

BSFG appreciates that much work has occurred in preparing this draft Strategy and applaud its presentation to the community for feedback. Nonetheless we are surprised that it has taken twelve months from the community consultations in May last year to reach this point.

BSFG has always stood ready to contribute towards the production of this Strategy, as happened extensively in the development of the predecessor Adaptation Plan in 2013. That offer still stands. Climate and Environment are **the** key focus areas for our Group.

We have grave concerns with the draft Strategy as exhibited. It:

- is unnecessarily wordy, and includes sections which are simply unnecessary, or could be massively shortened or included as addenda
- appears skewed to environmental issues despite the interaction between climate change and the environment: there are 122 references to “environment” versus 19 to “climate change” in the document, indicative of this skew
- fails to acknowledge that rapid climate change as is now being experienced is largely a result of mankind’s emissions from fossil fuels
- fails to show (or possibly understand) that adaptation will not provide long-term solutions for our community as climate change accelerates in the face of inaction to address the causes
- fails to show any clear analysis of the municipality’s exposure to the risks to the community and environment from climate change
- is internally focussed and largely fails to mention its responsibilities for advocating on behalf of the community to other levels of government or government agencies
- does not identify how it will lead and work with the community in joint efforts to mitigate, plan for and ameliorate the societal, economic and environment impacts of climate change at the local scale
- mentions leadership but gives no concrete examples of how it will demonstrate this important function.
- lacks the declaration of a Climate Emergency as eagerly sought by the community which is an easy symbolic first step to demonstrate leadership to the local community and beyond, without which the Council’s commitment to action to protect its community from the impacts of rapid human-induced climate change is highly questionable.
- mixes tasks and outcomes as actions
- provides little or no data on targets for outcomes or order of budget input to achieve these outcomes, or to enable meaningful reporting on progress
- demonstrates little rigor in analysis or in matching proposals against risks and key challenges
- includes Case Studies (on relatively minor examples of action) which contribute little other than words to the overall outcomes of the Strategy

- does not show any use of the SMART approach, a basic tool to ensure strategies are effective, relevant and actionable: **S**pecific, **M**easurable, **A**chievable, **R**elevant and **T**ime-bound. A great tool to ensure that ideas become action.

Detailed Comments

1. The need for a Mayor's Message is questioned. In any case, the last sentence is inappropriate language for such a document.
2. We are concerned that (as noted) there is much information of a general nature about our municipality. The need for this is questionable. If considered essential it could be included as an addendum and précised to only the key points in the main Strategy.
3. Conversely, there is no simple summary of the likely changes to our climate over the Strategy period, identifying how these changes will impact our municipality including the key threats to the local community, and providing a roadmap to addressing them. For example, already being highly susceptible to riverine and flash flooding, or to the impacts of extreme heat on the elderly due to our age and economic profile¹, or to the local economic impacts of a vastly reduced snow season², or the changes to agricultural production due to changed rainfall and temperature patterns.
4. The **Summary** does not mention Climate Change at all, focussing mainly on environmental considerations with a brief nod to net zero and sustainability. The same fundamental flaw recurs in the **Introduction to the Strategy**. This is despite all credible sources identifying climate change as the most significant challenge to our planet and human existence (alongside nuclear war) that we face.
5. The laudatory wording on past achievements throughout the Strategy is unnecessary, especially when included with no reference or detail on what was achieved or comparison to the original target or benchmark (see later comments in 9.).
6. While much is made of the Council's intentions regarding EVs in the fleet, no clarity is provided about opportunities for more EVs for public use, including the previously mooted Woolworths charging sites. The number of public charging stations is well below comparable or smaller towns.
7. The section **About BRCC** (p5) is unnecessary and a repetition of other higher-level Council documents. Again, a short and simple statement would be more than sufficient.
8. The section **Traditional Owners** can also be summarised.
9. The sections **Community Vision** through to **UN's Sustainable Development Goals** are verbose and of questionable value. It's noteworthy that while there is an **Internal and Strategic Context**, there is no analysis of the external context (i.e. the Benalla community and beyond): the words focus solely on the Council. This is a major failing which permeates throughout the draft document.
10. **Environment Strategy Achievements** does not provide data against targets or budgets, or context of what remains to be done. Some of the measures of implementation are (hopefully) ongoing but still need an indicator of progress. This document should be focussed on the future. Reporting of past achievements should not form part of a future-focussed Strategy (see item 5. above): other reporting processes are available and more appropriate.

¹ <https://www.theguardian.com/environment/article/2024/jun/20/mexico-central-america-us-heatwave>

² <https://www.9news.com.au/national/snow-season-perisher-thredbo-slashed-up-to-half-ski-industry-at-risk-of-collapse-climate-change/10b3454e-3e63-41a1-b48d-a99fc40d59e1>

11. Other areas of concern with the draft include the following: -

- a. The lack of clear objectives for managing land development including tree cover, open space requirements, mandating light-coloured roofs and other considerations, including how endangered and critically endangered species will be protected.
- b. No substantive mention is made of waste reduction or recycling opportunities, or the Council's long-foreshadowed waste management committee. Nonetheless BSG's own WasteWise Group is working collaboratively with Council on this issue, and has achieved significant gains already as well as fostering a region-wide group (North East Waste Alliance) of volunteers, Councils and agency representatives.
- c. There should be exploration of joint recycling opportunities with our neighbouring municipalities, and a consistent pricing structure around e-waste just as an example, which is free to recycle at some nearby Councils' facilities. Consistency with pricing e.g. for silage wrap is also a concern for the farming community.
- d. Trees and tree cover: much more needs to be done in this space (see footnote 2). Many opportunities are available to involve and include the community in this work, but there is no recognition of this potential in the draft document. Mapping needs to include targets for increases addressing a range of needs including wildlife corridors. Mapping the tree canopy of Benalla without setting a target for improvement does nothing for the environment or addressing the worst impacts of climate change. Comments in the consultations a year ago emphasised the need for more trees in Benalla Rural City.
- e. In reference to the food garden, we note that there are others working as volunteers in the food space, for example, with the food co-operative at the Uniting Church hall, Tomorrow Today and existing community garden being prime examples. Supporting and extending the community's efforts would bolster scarce volunteer resources and work with rather than against those efforts.
- f. Loss of soil carbon through conventional farming systems and subsequent soil dehydration, significantly disrupting the mediating effect of water upon climate and temperature is another very significant factor not addressed by this draft. Fossil fuel contributes approximately 30% of our total emissions, and agriculture contributes a similarly significant proportion. BRCC is a rural city with agriculture as a key industry. As such, supporting organic, GMO free regenerative farming systems which re-carbonise the soil will play a significant role in reversing emissions.

Much more detailed commentary could be provided along with specific notes on sections of prime concern, one of which being the need for progress against targets, completion data and times as stated a number of times above. However, we believe that in its current form the Strategy falls well short of an acceptable standard and requires major work. We therefore strongly advocate for a redraft of this document prior to adoption by Council.

As noted at the start of our submission, BSG stands ready to contribute to such work alongside Council and the community. In addition and beyond this Strategy, BSG would be especially pleased to work with BRCC on the following examples of possible collaboration: -

1. developing programs to address simple solutions for example achieving measurable greening of Benalla Rural City
2. achieving improved planning outcomes
3. undertaking a joint initiative of low-cost residential energy loss assessments
4. working together on promoting energy-efficient low cost upgrades to housing.

Council may be also aware of other opportunities where the skills and enthusiasm of our members could be put to good use (in addition to the projects we already undertake) for the benefit of the Benalla Rural City community.

David Blore

President, Benalla Sustainable Future Group

24 June 2024

From: [P & J Schwarzman](#)
To: [Benalla Council Email](#)
Subject: Attention Tom Arnold and Nathan Gasperoni
Date: Thursday, 27 June 2024 11:06:01 AM
Attachments: [JS subm BRC Climate & Env Strat 06-24.docx](#)

Please be cautious

This email was sent from outside of your organisation

Re: Submission to BRCC's Draft Climate and Environment Strategy

Good Morning Tom and Nathan,

Apologies for my late submission to the above Strategy; I have been unwell. After speaking with Anieki at the front desk this morning, I have attached my submission; please find it below.

Congratulations on the work that has clearly gone into this. I appreciate that steps have been made towards addressing Climate Change and Environmental Protection in the Benalla Municipality.

Kind Regards,

Judy Schwarzman

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<https://www.mailguard.com.au/mg>

Submission to Benalla Rural City Council's Draft Climate and Environment Strategy, June 2024.

Judy Schwarzman 27/06/2024

This Draft shows some positive steps in addressing Climate Change and in protecting our environment. Thank you for the great amount of work that has gone into it.

Possibly the most important strategy towards achieving a sustainable civilisation, which is often overlooked however, is that of reducing our energy consumption individually and as a whole community through social and behavioural change.

See "The Path to a Sustainable Civilisation" by Mark Diesendorf and Rod Taylor.

Below, I have made points relating to each section which I hope will provide relevant assistance in including views which I believe are shared by growing sections of the community.

Page 3

Executive Summary

- "an active and sustainable transport network" –
- Needs a statement of intent to connect & improve bike paths in an Action Plan following – 'Net Zero' and/or 'Sustainable Communities'.

Page 4

Introduction to the Strategy

- "Council aims to respond to environmental concerns held by the community" –
- Needs to include Climate Change concerns.

Page 5

About

Par 2

- "Benalla Rural City was established as an agricultural and pastoral district in the 1840s".
- No mention of the frontier wars and dispossession of Original Inhabitants only 2 years prior in 1838.
- March 1839 saw the establishment of Police Barracks at Benalla (the first European building in Benalla) lead by Major James Nunn, to protect the invaders from attempts by the Original Inhabitants to retaliate in the face of dispossession of families and clans, lands, food supplies and cultural customs. A summary from pages 17 and 18 of "*Original Rights': Colonial Invasion and Aboriginal Resistance in Benalla and Northern Victoria 1838-1858*" by Hamish McPherson, 2024. Available from Benalla Tourist Information Centre.
- This part of Benalla's History needs to be told to uphold:
 - the focus area on **Page 3 par 3 of the Executive Summary**: "....promoting inclusion with the local Aboriginal Advisory Group", and
 - **Page 7 - Traditional Owners, dot point 7**: - reconciliation - Truth-telling is part of reconciliation.

Page 9

Internal and Strategic Context

Par 1

- Needs to include **Climate**: ... will help shape Benalla Rural City as a leading partner in **taking action on Climate Change at a local level**, and providing a healthier and cleaner environment ...
- Typo "...the Council will *employee* principles...." Should be 'employ'

Page 12

Environment Strategy Achievements

BRC actions from last strategy implemented:

- **Dot Point 6:** “Working alongside the Goulburn Murray Catchment Authority (GMCA) on regional projects such as; Naturally Cooler Towns and Resilient Public Estate.”
- What was done locally in these projects, and when?

Additional actions implemented:

- **Dot Point 1:** “Tree planting day.”
- Did Council work in conjunction with another body on this?
- When and where was this Tree Planting Day held, and how many trees were planted?

Page 13

Environmental Context

- “Our environmental context in numbers: **Insert Gaphic to show figures.**”
- The Graphic is missing, and the list of figures below needs dates, time periods or rates to give meaning and further context to make it relevant.

Page 14

- **Par 2:** “.....Lake Benalla, which is a significant natural feature of local and regional importance...”
- As pointed out earlier, Lake Benalla was man-made in 1973. It may have naturalised features but is not strictly natural.

Landscape

Par 2

- “It is a **predominantly rural area**, with the majority of the land used for agricultural purposes, including wool and meat production, dairying and crop farming...”
- In what ways is **natural carbon sequestration** being implemented in our predominately rural area? A large contributor to carbon emissions is conventional agricultural practices with soil dehydration that follows. When water cannot penetrate the soils, the cooling effect of water on climate and temperature is lost.
- As BRCC is a Rural City Council, the support and promotion of regenerative farming systems and the planting of many more trees to re-carbonise the soil would significantly reduce the municipality’s carbon emissions and help with climate cooling.
- The following from CSIRO <https://www.csiro.au/en/research/environmental-impacts/climate-change/climate-change-qa/sources-of-co2>

Energy production is the largest contributor to Australia's carbon emissions. This is followed by transport, agriculture, and industrial processes. Specifically:

- energy (burning fossil fuels to produce electricity) contributed 32.6 per cent of the total emissions
- stationary energy (including manufacturing, mining, residential and commercial fuel use) 22.3 per cent
- transport 21.1 per cent
- agriculture 17.7 per cent
- fugitive emissions 10.2 per cent
- industrial processes 7 per cent

- waste 2.9 per cent.

In the Benalla Council area, Agriculture is the second highest emitter after Transport. Source: Snapshot Climate

Page 16

Flora and Fauna

- How is Benalla RCC assisting in species preservation, apart from the Regent Honeyeater and the Grey Crowned Babbler?

Page 18

Climate Change Context

Par 2

- “All of this is expected to continue to increase in the future if nothing is done to combat climate related disasters.”
- Instead of “climate related disasters” – the focus should be on **combatting Climate Change itself** and should read “**...if nothing is done to combat Climate Change.**”
- Climate Change is the driver of “The state (is) becoming hotter and overall drier with extreme weather events” and of the climate related disasters, so it is Climate Change that we need to combat first, to reduce the resulting disasters.

Paragraphs 4 & 5 **Community responsibility**

- Need to be clearer that local municipality GHG emissions reduction **as a whole** (not just BRCC corporate operations) can and must **rapidly reach net zero** and contribute towards the same rapid reductions across Victoria and Australia.
- Declaring a Climate Emergency, as many other LGA’s across Australia have done, will give notice to the BRCC community that Council is serious about Climate Change. Not many residents will read or comment on this Draft Climate and Environment Strategy, but they will notice the declaration of a Climate Emergency and look towards Council for guidance and leadership. Many in the community need education on this and BRCC cannot afford to allow a complacent business-as-usual approach to persist in this community.

Community awareness is critically important, especially given that the community is also accountable along with Council:-

- “The actions in each focus area align with the Council Plan on developing short-term action plans that sit within each theme **to hold Council and the community accountable** to progress in implementing these actions.” **Page 18, Key Areas, Paragraph 2.**

Page 19

Key Focus Area 1: Net Zero

- Setting these Net Zero Targets is a very positive step. Could it be brought forward?

Par 2

- “Setting an aspirational net zero target demonstrates commitment to actions based on factors such as **available budget, political will or community expectations**”
- “**...available budget**” suggests that priority for net zero targets can be set as something secondary to business-as-usual.
- “**...community expectations**” of rapidly achieving net zero in Benalla need to be raised as a priority through Council leadership, so that the budget for achieving net zero emissions can also be prioritised.

Page 21

Table 2: Net Zero Action Plan

- “Council to employ an Officer to a minimum of 0.6 FTE position to assist in the delivery of the Strategy and Net Zero Action Plan. 2025/26”
- 2025 would be late enough.
- No mention of reducing emissions from the Agriculture sector which represents the second highest emissions in Benalla Municipality. See comment about Page 14 Landscape, above.
- No mention of time frames for more EV charging stations to support net zero targets. Benalla has very few available.
- Better connected and safer bike paths across Benalla would encourage more people to make more bike trips instead of car trips, so reducing emissions. Driver awareness and courtesy needs improvement. Bike lanes with parked cars and council signs blocking them do not assist with safety.

Page 23

Key Focus Area 2: Increase Biodiversity

Some very positive steps listed

- “Promoting biodiversity benefits in human-centred settings, such as **soil conservation practices, carbon sequestration...**” These two practices could be included in **Table 3: Biodiversity Action Plan**.
- “Council to increase tree planting program to create habitat for fauna and flora. 2024/25” – **more shade trees are desperately needed to be planned for and planted in new subdivisions, lower socio economic areas and open public spaces in Benalla. Climate Change heat disproportionately affects those without resources to pay for power for cooling, solar panels or retrofitting houses.**

Page 27

Table 4: Circular Economy Action Plan

- “Council to implement a glass separation bin by 2027.” **This date has been pushed out a long way – why?** More glass (after the CDS’s introduction) could be separated out of recycle bins to prevent contamination of paper and cardboard
- “Provide educational programs in response to waste epidemic promoting reuse, recycle and repair. Ongoing” **Need more of this.**
- “Council to increase resource recovery opportunities at Councils owned and operated Resource Recovery Centre, including the **feasibility of a resale shop. 2026/27**” – **Only the feasibility of a resale shop? Very slow progress on this.**
- “Case Study: Clothes swap and textile recycling” – **Very positive moves**

NB Page numbers 26 and 27 are repeated!

Table 5: Water Sensitive Communities Action Plan

- Needs to include rubbish leaving town via the West Main Drain below Boger St.
- Are there plans to include residents on septic systems into the town sewerage system?
- Are there State Government incentives to upgrade old septic systems?

Key Focus Area 5: Sustainable Communities

- Very good actions listed
- “Council to create a food share space. 2025/26”. Does this mean a building and staff to share free food in like the charities, or a food share garden similar to that at the Uniting Church? If the latter, supporting and promoting the volunteer work already existing would strengthen rather than weaken volunteer resources.
- “Embed Environmentally Sustainable Design (ESD) principles into all new developments. Ongoing”
I see several problems with new subdivisions that will create less liveable if not un-liveable housing, and more expensive to operate:
 1. removing native vegetation,
 2. having narrow nature strips that, even without overhead power lines, cannot accommodate desperately needed large shade trees,
 3. allowing houses so large that there is no room for trees on private land
 4. with block orientation that make passive solar house orientation impossible or difficult.
 5. having no inclusion of a treed public park area within the subdivision, but trading this important amenity (in the face of Climate Change) for offsets which are not transparent and deprive the subdivision and Benalla of trees in its own area.

Submission to the Benalla Rural City Council
Re: the BRC Climate and Environment Strategy 2024-2029

Preamble:

We are two ordinary members of the BRC community and our views are by no means unusual in our networks. Our conversations, observations, and interactions with other members of this community lead us to believe that there are very few people here who are convinced about the doctrine of man-made climate change. Just as in the referendum for 'The Voice to Parliament', the enthusiasts make a lot of noise and the majority conservatives who rely on common sense largely keep their opinions to themselves.

For instance, farmers know that all life forms are carbon-based so there could be no serious danger in an increase of this trace gas (which currently constitutes only 0.04% of earth's atmosphere), but efforts to reduce it involve imperilling our economy and our way of life. They know that it does not make sense to treat carbon as the enemy because the carbon cycle is fundamental not only to all life on earth but also to a healthy environment.

Experienced scientists of integrity have serious questions about the present climate ideology, and so should we when it is our money and our children's future that are on the line. This is why we are writing to you with our comments about the current **Climate and Environment Strategy**.

We thank you for all the effort that has gone into this document; it is obvious that a great deal of thought has been given to the task. We do not wish to bury it, but to point to some significant shortcomings that could be remedied and to make some positive suggestions.

Assumptions that are not based in fact are like incorrect measurements for a construction project, where even an error of one centimetre can skew an entire building. We see this phenomenon operating in the popular view of climate; that view is based on computer modelling, which is only as good as the information fed into it. Howard Thomas Brady says, "Underlying the confusion and exaggeration in the climate debate are the scientists playing with their computers and tuning their climate models. Many of the present models have led to panic and poor decisions that threaten economic development and human welfare without providing any future benefit." *1. (p.13)*

We believe that the costs of implementing the Net Zero Strategy would be considerable – probably beyond the capacity of BRC, especially if the population declines (highly likely, given the national trend).

However, most of the scenarios and corresponding needs in the risk management

First of all, changes in the Victorian climate according to the Victorian government site referenced in this plan are projections from CSIRO Climate Science Centre data. This is an example of computer modelling; depending on what information was entered into that model, the projections could be slightly correct or wildly inaccurate. One example of data entered could be the period of time used for comparison; another variable could be the accuracy and reliability of past weather information. There is a widespread view that recent BOM data and forecasts contain serious inaccuracies, so there is doubt about their usefulness for climate projections. **Has anyone without a climate change bias checked the accuracy of these computer-modelled forecasts?**

Further to this consideration, **a sound and wise risk management approach**, where there is uncertainty about the causes for and probability of change, should involve a genuine comparison of the two possible scenarios (not two versions of the one scenario) viz it should entail a comparison of the two scenarios that are based on the two contrary sets of assumptions. In this case, there should be a robust comparison/contrast of:

- (a) an outcome if the CO2 hypothesis is true (the current Strategy); and
- (b) an outcome if it is not true.

We would suggest enlarging your risk management analysis utilising this comparison.

We note that under the goal of “Net Zero” (page 20) the Action of “Declare a Climate Emergency” is included. **We consider this course of action reckless**, because it would evoke fear and invite draconian measures (we saw this happen during the covid years); thus it goes against the goal of “Sustainable Communities”.

On page 21 of the Draft Strategy there is the suggestion of employing an extra staff person “to assist in the delivery of the Strategy and Net Zero Action Plan.” Given the comprehensive nature of the Net Zero philosophy, we envisage this **bureaucratic role** taking over most of the decision-making in the BRC.

On page 22, there is the decision to include EV's in the replacement cycle of BRC vehicles. **Please take into account** that EV's are becoming less popular and the charging of them more fraught – witness the withdrawal of Tesla from the business of charger station construction. This is a business with an uncertain future. Our principal comment about the discussion of and plans in relation to “**Biodiversity**” (on pages 23f) is that **LandCare** already provides leadership and practical assistance in this field.

There are some admirable aspirations under the goal of “**Circular Economy**” (pages 25-27), but whether they can do more than reduce landfill is debatable. One of them - a “statewide ban of single-use plastics” - appears to be outside Council's remit.

analysis are to be expected in our Australian climate, which has always been one of extremes i.e. flood and drought, therefore we believe that most of the actions designed to mitigate their effects would not be wasted.

By the way, one of the effects of increased solar activity (as presently observed) is severe storms and the accompanying heavy rainfall – nothing to do with human-induced climate change, in fact. **What action by BRCC is proposed to manage the risks associated with CME (coronal mass ejections) and solar flares?** Are the power companies in our region prepared appropriately for these risks?

In relation to management of the risks of the high Summer temperatures experienced regularly in our region, what role does the BRC have to play in monitoring and enforcing building standards that could make a difference in how residents fare in Summer? For instance, **is the Council aware of the benefits of passive solar, of the effects of choice of cladding colour, of the importance of correct orientation of buildings, of the urban heat island effect, and so on? Can the BRC encourage home owners to build or to retrofit their houses so as to reduce the burden on the electricity grid, to increase comfort, and to avoid an evacuation scenario? Can the BRC direct town planning so as to mitigate against the urban heat island effect?**

Survival Skill Training

As the climate is changing - and in our opinion that may have a lot more to do with the Solar Cycles than about human intervention - and because there is a feeling of anxiety and powerlessness about climate change, especially in young people, **we suggest** that money may be better spent on focussing locally on reinforcing our communities and creating courses around community level self reliance. ²

We recommend that the committee and councillors read “The Delinquent Teenager who was Mistaken for a Climate Expert”³ to gain a more rounded view of the IPCC which produces the Climate Bible from which Governments create policies.

We would also urge every Councillor and staff member to read 'Mirrors and Mazes: a guide through the climate change debate', by Howard Thomas Brady ¹. This is a great overview of the complex subject of climate change and is easy to read.

Draft Climate and Environment Strategy

This document includes a graphic of the UN 17 Sustainable Development Goals. Our question in relation to this is: Why should we do what unelected global bureaucrats tell us to do? This is a risky business. There are plenty of sources of helpful information in our own culture and our own country to guide our decision-making, and heeding these does not involve being accountable to foreign powers.

It is good to consider actions to conserve and use **Water** wisely (pages 28-31), since the Australian climatic pattern has always included cycles of drought and flooding rain, and Benalla is a town built on a flood plain. We understand that the task of dealing with the problems that regular flooding entails is quite complex and not straightforward. **Do we have good water engineers?**

In addition to addressing the weed infestation in Lake Benalla, what plans does the Council have for **ensuring that buildings are not erected in high-risk flood zones?** This would be a great way to express “water sensitivity”.

Sorry to sound negative, but we **discern a risk** in going down the path of the SDG's. In essence, it risks the community devaluing what we have already and getting side-tracked from the simplest and most common-sense approach to these things. It also risks investment in an ideology (man-made climate change) and project ('saving the planet') that have shaky foundations.

It is by no means clear that “climate change” as popularly described is a significant threat to our communities. Giving power to outside entities is a threat, as is weakening our system of democracy. We need more meaningful and shared decision-making for our local communities, not decisions made behind closed doors with gags due to so-called confidential information: if the decision is going to affect our lives we are entitled to share in it.

Thank you for reading this submission. We hope that you find it useful.

Grace Beer
128 Castle Hill Road
Moorngag 3673
5768 2619

Maeve Larkin
Tatong-Tolmie Road
Tatong 3673
5767 2323

References

1. *Brady, H. T. - 'Mirrors and Mazes: A Guide through the climate change debate', pub 2017*
2. <https://scienceforgeorgia.org/climate-survival-training/>
3. https://www.amazon.com/Delinquent-Teenager-Mistaken-Worlds-Climate/dp/1466453486/-ref=sr_1_1?ie=UTF8&sr=8-1

G.Beer & M. Larkin
June 25, 2024

2. Petition: Council to Include Squash Courts in the *Benalla Indoor Recreation Centre Redevelopment Project*

SF/816

Jess Pendergast – Governance Coordinator

Robert Barber – General Manager Corporate

PURPOSE OF REPORT

The report discusses a petition requesting the Council Include Squash Courts in the *Benalla Indoor Recreation Centre Redevelopment Project*.

BACKGROUND

A petition containing 615 signatories (refer **Appendix 1**) has been received requesting the Council include six squash courts in the *Benalla Indoor Recreation Centre Redevelopment Project*.

The petition was presented to the Council at its meeting on 26 June 2024, where it resolved:

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

The full petition has been provided to councillors under separate cover in the MS Team Group.

The Council, at its meeting on 13 December 2023, adopted the *Benalla Indoor Recreation Centre Redevelopment Project Community Engagement Plan* and placed the *Benalla Indoor Recreation Centre Redevelopment Project* on public exhibition.

Community engagement took place between 14 December 2023 and 9 February 2024. The focus of the first stage of community engagement was to determine community's preferred site for the redevelopment.

The three sites considered were:

- current Benalla Indoor Recreation Centre – Ackerly Avenue, Benalla.
- disused Benalla P-12 College Barkly Street Campus – 41-55 Barkly Street; Benalla.
- Churchill Recreation Reserve – 103 Waller Street, Benalla.

On 10 April 2024 community engagement results were presented to the Council's Finance and Planning Committee. Seven hundred and sixteen responses were received revealing varying preferences among community members with the Benalla P-12 College Barkly Street Campus emerging as the most favoured site.

The Council gave in principle support for the Benalla P-12 College Barkly Street Campus as the preferred site location for the *Benalla Indoor Recreation Centre Redevelopment Project* and established the *Benalla Indoor Recreation Centre Redevelopment Project Steering Committee* at its Meeting on 24 April 2024.

DISCUSSION

The *Benalla Indoor Recreation Centre Redevelopment Streeting Committee* (the Committee) plays a crucial role in delivery and ensuring project success of the *Benalla Indoor Recreation Centre Redevelopment Project* to the community.

The Committee will ensure the design of the *Benalla Indoor Recreation Centre Redevelopment Project* is inclusive, for purpose, represents the community and will also provide guidance and direction based on the community’s needs.

The Committee will consider the issues raised within the petition requesting the Council to include six squash and racquetball courts in the *Benalla Indoor Recreation Centre Redevelopment Project* at the design stage of the project.

The design stage of the *Benalla Indoor Recreation Centre Redevelopment Project* will require further community consultation to ensure the design is fit for purpose and meets the current and future needs of the community. The Committee and the Benalla Rural City community will be consulted on the proposal to include six squash and racquetball courts in the redevelopment.

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

- *A connected, involved and inclusive community.*

Livability

- *Vibrant public spaces and places.*

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 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.

Recommendation:

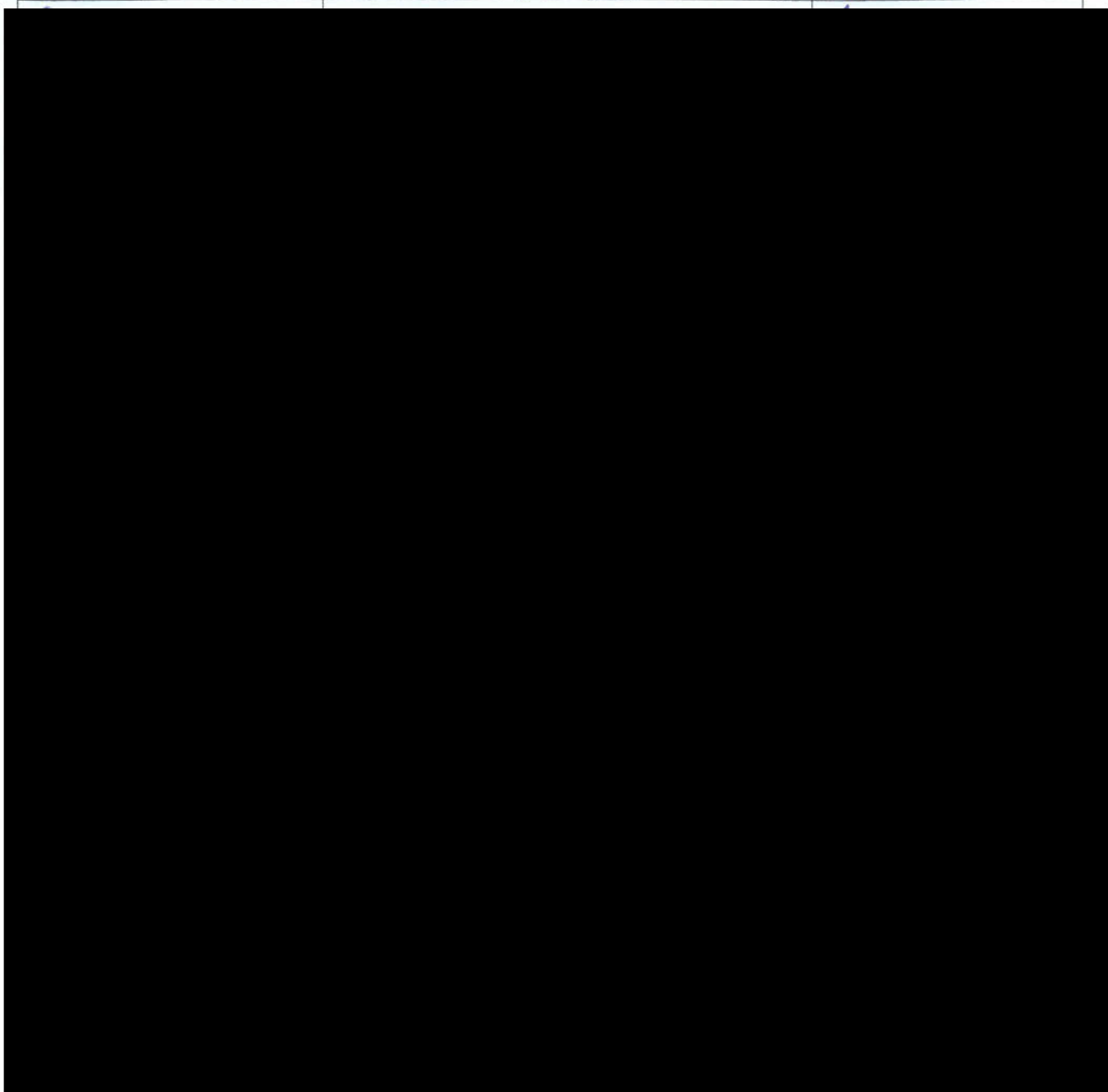
1. That the petition be noted.
2. That the *Benalla Indoor Recreation Centre Redevelopment Project Steering Committee* consider the issues raised within the petition during the design stage of the *Benalla Indoor Recreation Centre Redevelopment Project*.

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Petition to Benalla Rural City Council

We the undersigned petition the Benalla Rural City Council that we want 6 squash courts to be built in the new Indoor Sporting Stadium that is soon to be constructed in Benalla.

Name	Address	Signature
------	---------	-----------



Authorised by Benalla Squash & Racquetball Association Inc. and Benalla Squash Club Inc.

3. 2024/2025 Quick Response Grants Program

SF/2857

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

PURPOSE OF REPORT

The report presents funding applications for 2024/25 Quick Response Grants.

BACKGROUND

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

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

DISCUSSION

Applications for consideration under the 2024/25 Quick Response Grant program are detailed in the table below.

Applicant	Details	Amount Requested	Proposed Assistance
Benalla Migrant Camp Inc.	<p>Benalla Migrant Camp Pop-Up Exhibition Launch</p> <p>Grant funding will help cover the costs associated with installing a temporary display for the Benalla Migrant Camp Exhibition at the Visitor Information Centre and holding a launch in this space on 21 July 2024.</p> <p>The display necessitated the purchase of new frames and easel/stands and print extra copies of photos currently displayed at Hut 11.</p>	\$500	\$500
Total		\$500	\$500

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

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

Leadership

- *Engaged and informed community.*

COMMUNITY ENGAGEMENT

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

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

FINANCIAL IMPLICATIONS

The *2024/25 Budget* allocates \$15,000 to the Quick Response Grant program.

Recipients of support throughout the financial year are detailed in the Annual Report.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

Recommendation:

That a \$500 grant from the 2024/2025 Quick Response Grant program be allocated to Benalla Migrant Camp.

4. Building and Planning Approvals – May and June 2024

SF/255

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 May and June 2024.

Planning Permit Applications Determined under Officer Delegation

May 2024

File No	Description	Property Address	Decision	
1	DA4646	Nine lot subdivision	24 Olivers Road, Benalla	Approved
2	DA3465	Construction of an outbuilding	20 Aquila Rise, Samaria	Approved
3	DA3330	Construction of a shed	13 Stacey Street, Benalla	Approved
4	DA4615	Construction of a second dwelling and a two lot subdivision	6 Perth Street, Benalla	Approved
5	DA7551	Construction of a shed	3 Short Street, Benalla	Approved
6	DA164/1	Three lot subdivision	117 Mackellar Street, Benalla	Approved

June 2024

File No	Description	Property Address	Decision	
1	DA1154	Use and development of land for a dwelling	102 Hayes Road, Swanpool	Approved
2	DA7650	Construction of a dwelling	26 Mayfair Drive, Benalla	Approved
3	DA1399	Development of a telecommunication facility	251 Baileys Road, Taminick	Approved
4	DA7658	Removal of a tree within a Heritage Overlay	21-23 Bridge Street East, Benalla	Approved
5	DA742	Buildings and works including a Wet Electrostatic Precipitator	42 Benalla-Yarrowonga Road, Benalla	Approved
6	DA6988	Vegetation removal	Hume Freeway and Winton-Glenrowan Road, Road Reserves, Winton	Approved
7	DA7645	Removal of a dwelling within a Heritage Overlay	56 Arundel Street, Benalla	Approved
8	DA6320	Alterations and additions to the existing dwelling	92 Benalla Street, Benalla	Approved

Planning Permit Amendments Determined Under Officer Delegation

May 2024

File No		Description	Property Address	Decision
1	DA2927	Construction of two carports	59 Benson Street, Benalla	Approved

June 2024

File No		Description	Property Address	Decision
1	DA5477	Construction of a dwelling and the use of the existing dwelling for group accommodation	156 Glenrowan-Boweya Road, Glenrowan	Approved

Planning Permits Issued Under VicSmart

May 2024

File No		Description	Property Address
1	DA164/1	Three lot subdivision	117 Mackellar Street, Benalla
2	DA3465	Construction of an outbuilding	20 Aquila Rise, Samaria

June 2024

There were no VicSmart planning permits issued during the month of June 2024.

Planning Permit Applications Determined by the Council

There were no planning permit applications determined by the Council during the months of May and June 2024.

Planning Permit Amendments Determined by the Council

There were no planning permit applications determined by the Council during the months of May and June 2024.

Planning Permit Applications Withdrawn or Lapsed

May 2024

There were no planning permit applications withdrawn or lapsed during the month of May 2024.

June 2024

File No		Description	Property Address	Decision
1	DA7633	Construction of two driveway crossovers	Benalla-Yarrowonga Road, Benalla	Lapsed
2	DA7667	Construction of a shed	176 Racecourse Road, Benalla	Withdrawn
3	DA7631	Construction of a dwelling	8 Thoroughbred Lane, Benalla	Withdrawn

Notices of Decision

There were no Notice of Decisions issued during the months of May and June 2024.

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

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

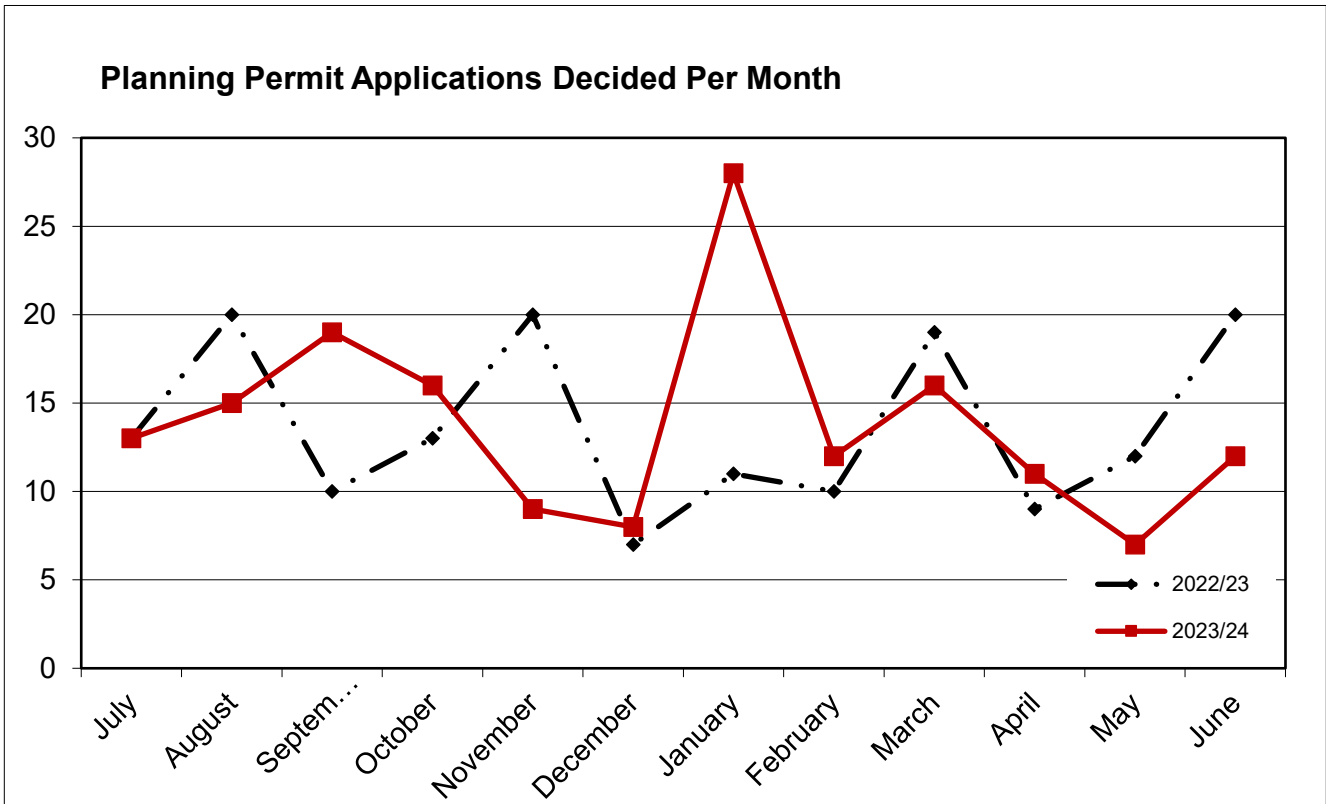
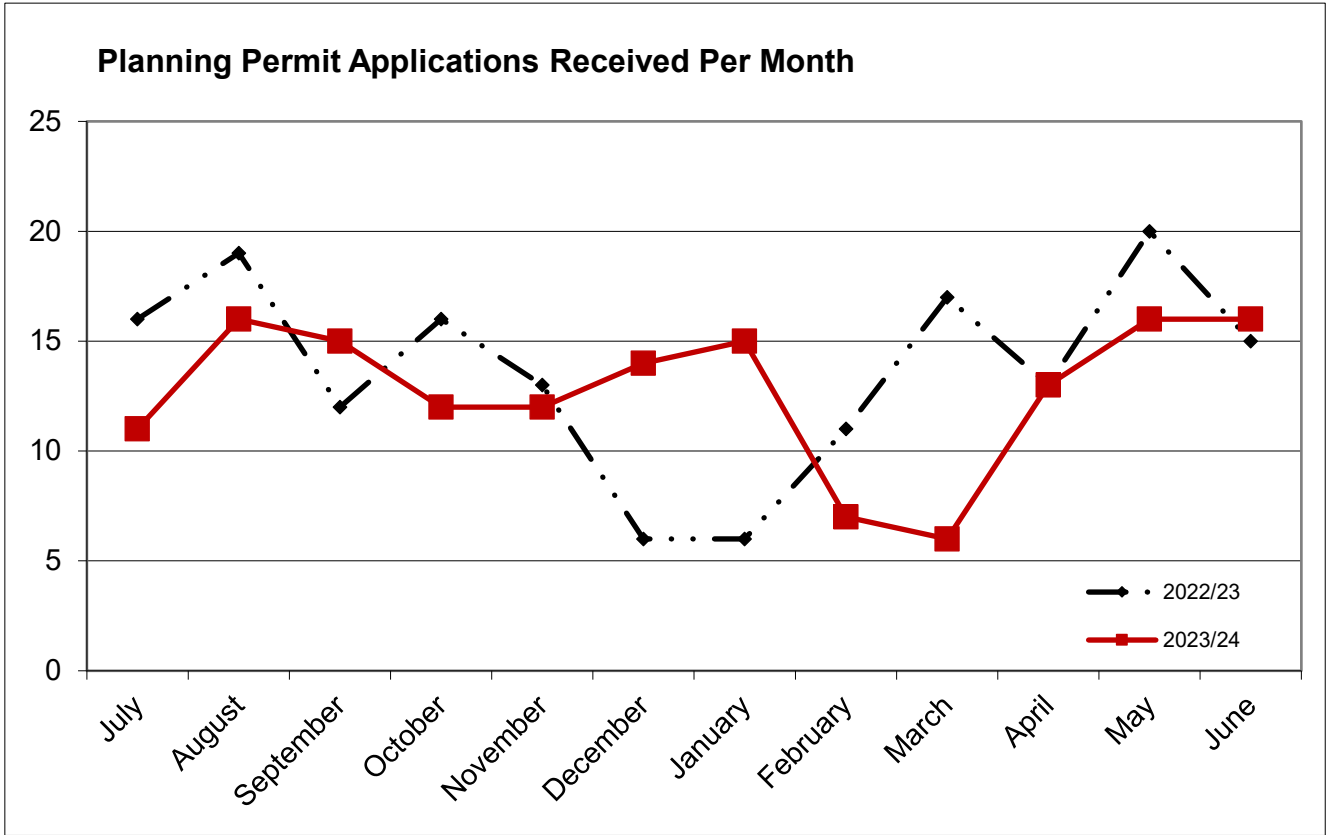
Planning Permit Applications Determined by VCAT

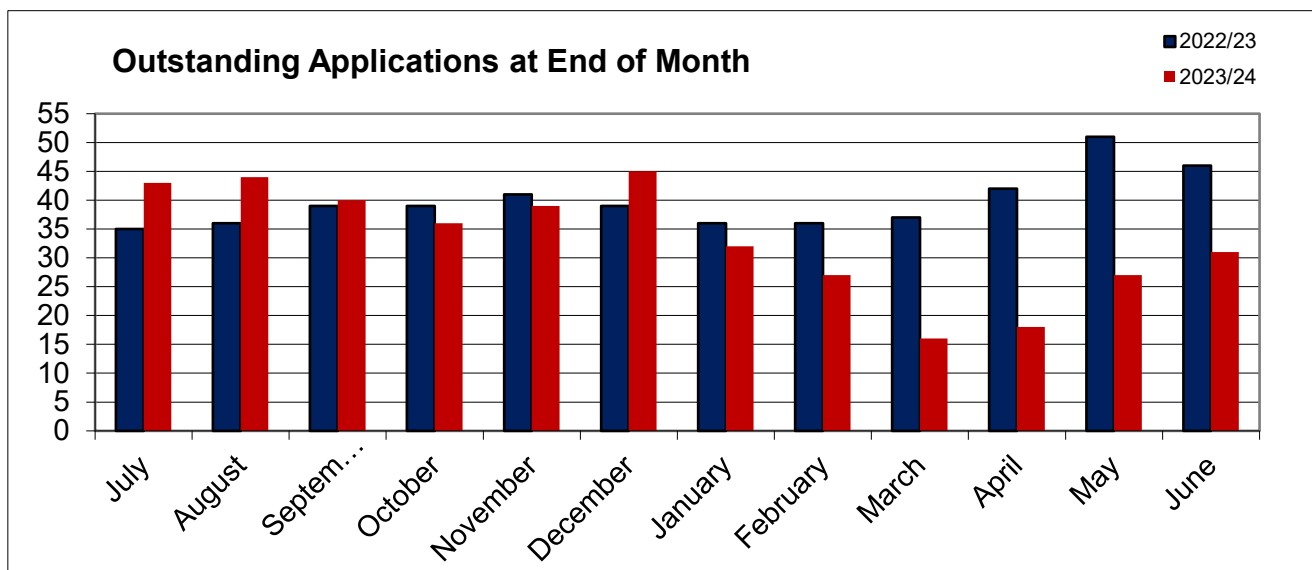
There were no planning permit applications determined by VCAT during May and June 2024.

Matters Before VCAT

DA5957	7 Park Street, Goorambat
Status	<p>Planning Permit No. P0142/23 was issued on 7 March 2024 for the use of land for a restaurant at 7 Park Street, Goorambat. The use has the following characteristics:</p> <ul style="list-style-type: none"> ▪ Preparation of food on premises for takeaway and eat in meals. ▪ Up to 20 patrons on site at any one time. ▪ Two to three staff at any one time. ▪ Hours of operation between Friday to Tuesday – 8am to 4pm and public holidays. ▪ Eight car parking spaces to be provided on site. <p>Conditions of the permit required the upgrade of the intersection with Park Street and Halls Road and a contribution to the maintenance of Park Street as a result of the proposed use. It is understood that the applicant is appealing these conditions of the permit, however, this has not yet been confirmed by the applicant or the Tribunal. The Tribunal hearing was heard on 23 July 2024. The member has reserved their decision for later.</p>

Planning Permit Applications





Building Approvals Issued by Council and Private Practitioners

May 2024

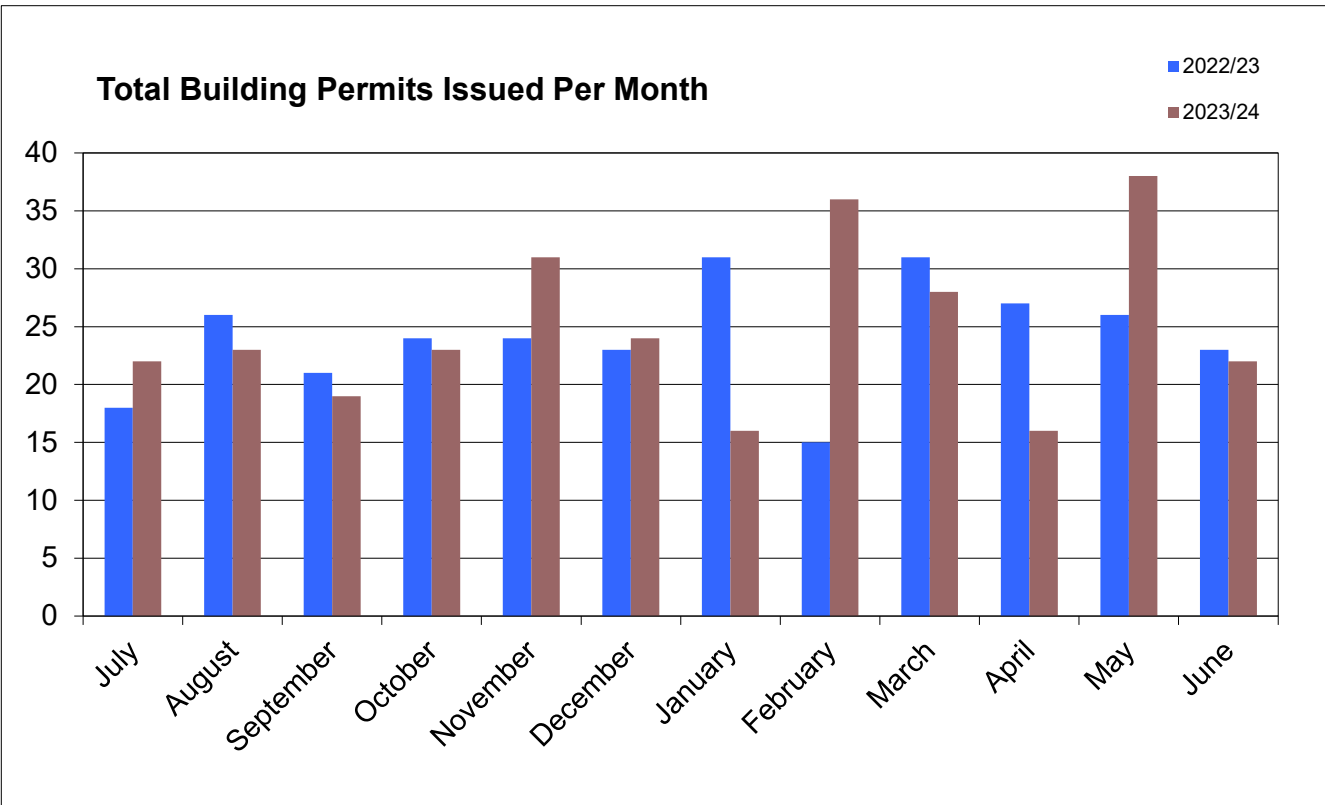
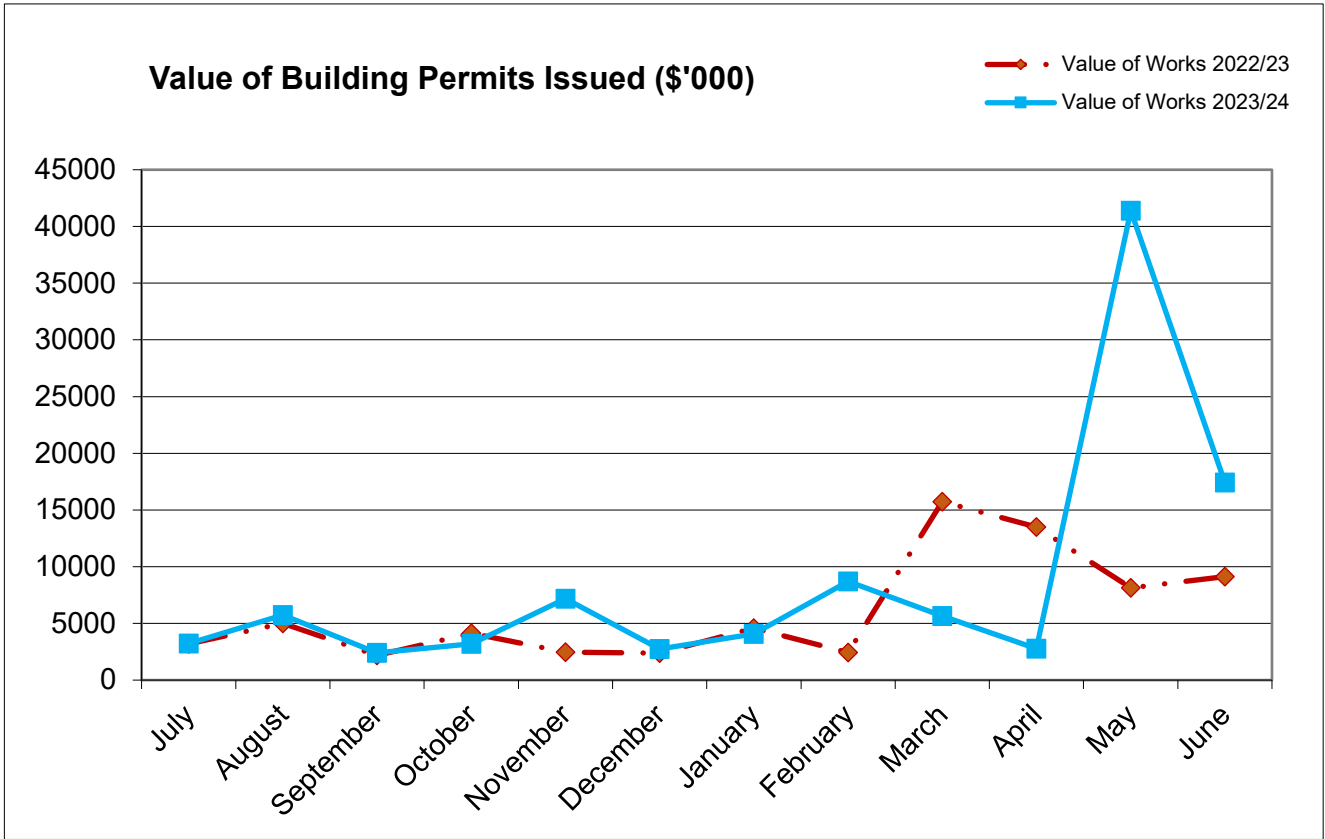
File No	Description	Property Address	Value	
1	DA7186	Construction of a shed	34 Dennis Road, Benalla	\$39,150
2	DA7563	Construction of a shed with attached dwelling	31 Kealy Road, Benalla	\$250,000
3	DA7603	Construction of a verandah and covered alfresco	68 Arundel Street, Benalla	\$15,900
4	DA7036	Construction of a dwelling extension	15 George Say Court, Benalla	\$125,223
5	DA5628	Construction of a shed	80 Kilfeera Road, Benalla	\$16,000
6	DA5521	Construction of a farm shed	298 Sloan Road, Tarnook	\$72,318
7	DA7427	Construction of a shed	26 Lowens Lane, Benalla	\$35,000
8	DA6784	Dwelling extension and pool shelter	140 Racecourse Road, Benalla	\$60,000
9	DA6224	Construction of a dwelling extension	16 King Street, Benalla	\$36,000
10	DA7542	Installation of a spa	80 Love Road, Devenish	\$8,200
11	DA3433	Construction of a lean-to	82-86 Nunn Street, Benalla	\$16,500
12	DA2075	Construction of a shed	89 Centre Road, Molyullah	\$34,040
13	DA7522	Construction of a farm shed	351 Glenrowan West Road, Glenrowan West	\$20,000
14	DA7185	Construction of a dwelling	344 Mitchell Road, Tatong	\$435,000
15	DA3926/2	Dwelling extension and garage	25 Brack Road, Taminick	\$1,575,114
16	DA7364	Installation of a swimming pool and safety barrier	58 Inglis Road, Benalla	\$61,525

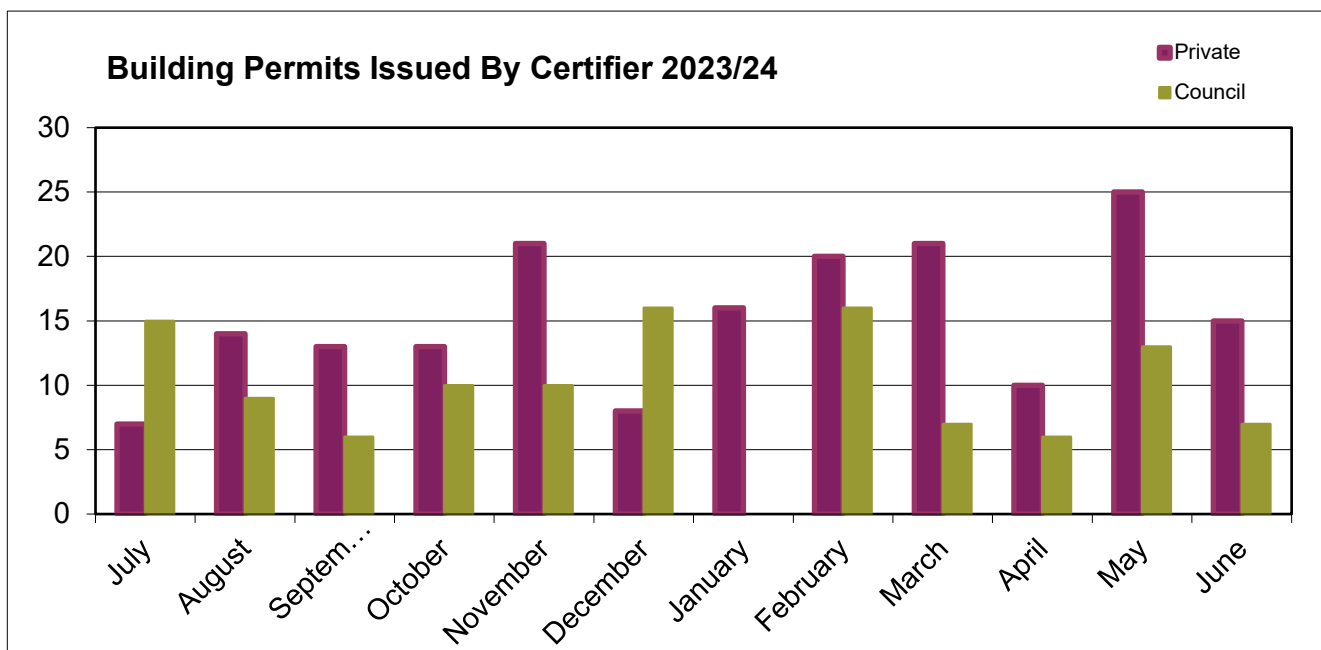
File No		Description	Property Address	Value
17	DA7344	Construction of a verandah and shed	37 Inglis Road, Benalla	\$74,000
18	DA6820	Construction of a dwelling extension (verandah)	112 Thomas Street, Benalla	\$10,924
19	DA4804	Construction of a shed	1628 Devenish Wangaratta Road, Mount Bruno	\$57,313
20	DA7646	Construction of a dwelling	26 Goodenia Drive, Benalla	\$274,965
21	DA7652	Construction of a dwelling and garage	25 Roynic Parade, Benalla	\$333,460
22	DA5485/2	Alterations to service station - Stage 1 (Demolition, site preparation and tank installation)	18-20 Bridge Street West, Benalla	\$170,000
23	DA7421	Construction of an outbuilding and carport	98 Lakeside Drive, Chesney Vale	\$20,560
24	DA5769/2	Construction of a shed	2187 Benalla Tatong Road, Tatong	\$142,040
25	DA4860	Construction of an outbuilding	72 Farrell Road, Benalla	\$32,507
26	DA7661	Construction of a dwelling and garage	24 Roynic Parade, Benalla	\$255,817
27	DA7662	Construction of a dwelling and garage	19 Roynic Parade, Benalla	\$333,805
28	DA5485/2	Construction of a service station (7-Eleven)	18-20 Bridge Street West, Benalla	\$2,653,000
29	DA7666	Construction of a shed	8 Jameson Court, Benalla	\$18,774
30	DA7147	Construction of a carport	74A Goodwin Street, Benalla	\$19,250
31	DA7599	Construction of a shed	1089 Upper Lurg Road, Upper Lurg	\$81,061
32	DA2154/2	Construction of a two storey police station - carpark, courthouse, office	17-19 Bridge Street West, Benalla	\$33,248,915
33	DA5989	Construction of a dwelling - footings and sub-floor only	204 Swanpool Road, Swanpool	\$21,500
34	DA6	Construction of a toilet block	413 Quinn Road, Broken Creek	\$398,921
35	DA5989	Completion of work for relocation of dwelling	4 Swanpool Road, Swanpool	\$58,000
36	DA6712	Demolition of a dwelling	693 Benalla Tocumwal Road, Goorambat	\$7,500
37	DA7660	Construction of a dwelling	174 Winton Glenrowan Road, Winton	\$367,709
38	DA7648	Construction of a dwelling extension - ensuite	16 Purcell Street, Benalla	\$15,340
Total				\$41,395,331

June 2024

File No		Description	Property Address	Value
1	DA7356	Construction of a shed	10 Reidy Street, Benalla	\$9,810
2	DA7322	Construction of a farm shed	189 Derrick Road, Benalla	\$15,722
3	DA7542	Construction of a carport/shed	80 Love Road, Devenish	\$46,358
4	DA3330	Construction of a shed	13 Stacey Street, Benalla	\$14,826
5	DA7635	Construction of an open bay shed	638 Wattle Creek Road, Benalla	\$18,660
6	DA5143	Construction of a dwelling	161 Witt Street, Benalla	\$860,000
7	DA7611	Demolition dwelling and construction of new dwelling and garage	10 Harrison Avenue, Benalla	\$750,000
8	DA7647	Construction of a dwelling and garage	31 Roynic Parade, Benalla	\$270,815
9	DA7665	Construction of a dwelling and garage	34 Roynic Parade, Benalla	\$369,234
10	DA7609	Construction of a dwelling and garage	31 Senator Drive, Benalla	\$370,216
11	DA7668	Construction of a dwelling and garage	30 Senator Drive, Benalla	\$399,880
12	DA4416/3	Electrical substation to solar farm	116 Lee Road, Winton	\$530,000
13	DA7659	Construction of a dwelling and garage	77 Inglis Road, Benalla	\$595,412
14	DA3465	Construction of a garage	20 Aquila Rise, Samaria	\$22,603
15	DA6664	Construction of a shed	49 Noarana Drive, Benalla	\$60,064
16	DA758/6	Construction of an admin building P-12 College - Stage 2B	20 Faithfull Street, Benalla	\$7,900,535
17	DA1292/3	Demolition and Refurbishment Works	89 Sydney Road, Benalla	\$3,846,113
18	DA7671	Construction of a dwelling and garage	28 Roynic Parade, Benalla	\$267,315
19	DA7392	Installation of a swimming pool and safety barrier	41 Grant Drive, Benalla	\$106,000
20	DA7068	Construction of a verandah	38 Salisbury Street, Benalla	\$10,556
21	DA1472	Alterations to commercial building - Stage 1	52 Bridge Street, Benalla	\$100,000
22	DA1506	Placement of a transportable building	18-20 Samaria Road, Benalla	\$853,000
Total				\$17,417,119

Building Permits Issued by Certifier by Month





COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

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

Livability

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

Economy

- Population growth.

Environment

- Healthy and protected natural environment.

Leadership

- Good governance.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

Recommendation:

That the report be noted.

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5. Benalla Rural City Council Statutory and Strategic Planning Notification Polices

SF/3492

Nilesh Singh – Manager Development

PURPOSE OF REPORT

The report presents for adoption the *Statutory Planning Permit Application Notification Policy* and the *Strategic Planning Amendment Policy*.

BACKGROUND

Statutory Planning

The statutory planning application process, in a simplified form, is as follows:

- Planning application is received with supporting information.
- If the supporting information is insufficient to make a determination, then further information is required.
- Once further information is received, the application will be referred to referral authorities and assessed on whether or not the proposal requires notification to adjoining property owners.
- Upon the completion of notification, the Council can make a determination on the application based on any submissions received and the merits of the proposal in accordance with the Benalla Planning Scheme.

In some circumstances, the Benalla Planning Scheme will exempt a planning application from the need for notification to adjoining property owners. For example, under Clause 40.04-4 (Land Subject to Inundation Overlay) an application submitted under the provisions of this overlay is exempt from the notification to adjoining properties as the issue to be assessed is of a technical nature.

In cases where planning proposals are not exempt from notification under the provisions of the Benalla Planning Scheme, discretion generally lies with the Council as to how the proposal is advertised to the public. The extent of the notice required by the *Planning and Environment Act 1987* must reflect the extent of the likely impact of the use or action.

The *Statutory Planning Permit Application Notification Policy* (refer **Appendix 1**) outlines the type of proposals submitted and how this type of application should be notified to the public.

The purpose of the policy is to provide:

- guidance to Council officers about what is the appropriate amount of notification required for Planning Permit Applications
- consistency in the type of notification required for specific types of land uses.

Strategic Planning

The strategic planning process, in a simplified form, is as follows:

- Scope to undertake policy is submitted to Council and approved with a consultation plan.
- Policy is formulated with input.
- Notification of the policy is given to affected and adjoining properties and more broadly.
- Upon receiving submissions changes are incorporated into policy and submitted to Council for adoption. At this Council meeting permission will be sought to seek authorization from the Department of Environment, Land, Water and Planning to proceed with statutory amendment process. Permission will also be sought to exhibit the amendment after authorization has been received.
- Formal amendment documents are developed.
- Amendment exhibition process once again involves giving notification of the proposal to affected and adjoining landowners.
- Upon completion of the amendment exhibition process, if submissions have been received that cannot be resolved the report is presented to the Council outlining a response to the submissions. The submissions are then referred to an independent panel hearing.
- Once the recommendation has been received from the Panel regarding the amendment, this recommendation is forwarded to the Council for consideration.
- The Council then usually sends the amendment to the Department of Environment, Land, Water and Planning for final approval and notice in the Victoria Government Gazette.

Although notification of amendments during the statutory process is well defined under the provisions of the *Planning and Environment Act 1987*, the scope to which an amendment can be notified is generally at the discretion of the Council.

The *Strategic Planning Amendment Policy* (refer **Appendix 2**) defines how notice of an amendment should be given to affected properties.

The purpose of the policy is to provide:

- guidance to Council officers of what is the minimal amount of notification required for Planning Scheme Amendments
- consistency in the type of notification required for Planning Scheme Amendments.

DISCUSSION

Statutory Planning

The proposed policy provides clarity and consistency to applying the notification requirements within the *Planning and Environment Act 1987* and the Benalla Planning Scheme.

The policy generally allows for smaller proposals that are likely to cause limited impact on adjoining properties to either not be advertised or to be advertised by letter only to adjoining properties.

It is normal practice for multi-unit developments and subdivisions to be advertised by sending notices to adjoining landowners and placing a sign on each frontage of the land.

Larger applications such as large buildings, supermarkets and the like must be advertised more extensively by way of sending notices to adjoining landowners, placing a sign on the land and advertising for a minimum of two weeks in the local newspaper.

The proposed policy reflects this rationale. The policy has included as many types of uses and development as possible in order to provide clarity in determining the extent of notification for a proposal.

Strategic Planning

Once the planning scheme amendment is adopted by the Council and authorised by the Department of Environment, Land, Water and Planning, the Council is required to formally exhibit the amendment for a period of one month. The notification that takes place as part of the exhibition is prescribed in the *Planning and Environment Act 1987*.

The attached policy outlines that parties to be advised are as follows:

- notices sent to affect property owners/occupiers impacted directly by the amendment.
- notices sent to adjoining property owners/occupiers and relevant community groups.
- notices sent to referral authorities.
- notice in the local newspaper.
- notices sent to prescribed Ministers of State Government.
- notice in the Victoria Government Gazette.

Both policies were endorsed by the Leadership Team at its May 2024 meeting. The policies comply with the *Planning and Environment Act 1987* and the Benalla Planning Scheme.

***COUNCIL PLAN 2021-2025* IMPLICATIONS**

Livability

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

Environment

- *Healthy and protected natural environment.*
- *Sustainable practices.*

Leadership

- *Good governance.*
- *High performance culture.*

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"> ▪ Policy presented in a public report to the Council. ▪ Policy to be published on Councils website.

FINANCIAL IMPLICATIONS

The implementation of policies will be accommodated within the existing budget.

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

The proposed notification policies will ensure that Council planners provide a consistent approach to the notification of planning proposals and will also ensure that the public are involved to an appropriate level in the planning process.

Recommendation:

1. That the *Statutory Planning Permit Application Notification Policy* be adopted and reviewed in May 2028.
2. That the *Strategic Planning Amendment Notification Policy* be adopted and reviewed in May 2028.

CP 18 Statutory Planning Permit Application Notification Policy

Responsible Officer:	Manager Development
Document type:	Council Policy
Reference:	CP 18
Approved by the Leadership Team:	3 May 2024
Date Adopted by the Council:	31 July 2024
Date of next review:	May 2028

Policy Objective

The purpose of this policy is to provide:

- guidance to Council officers of what is considered to be the appropriate amount of notification required for Planning Permit Applications
- consistency in the type of notification required for specific types of land uses.

Background

Section 52 of the *Planning and Environment Act 1987* requires either the applicant or Council to give notice of Planning Permit Applications. However, in some circumstances, clauses within the Benalla Planning Scheme exempt specified types of applications from this requirement to give notice.

The purpose of this policy is to provide guidance to Council's Planning Officers regarding the appropriate requirements for the notification of Planning Permit Applications that Benalla Rural City Council considers acceptable. It should be noted that in special circumstances wider notice may be appropriate at the discretion of the Manager, General Manager or Chief Executive Officer.

Procedure

1. Application of Policy

This notification policy shall not apply to Planning Permit Applications where a clause of the Benalla Planning Scheme specifically excludes an application from the requirement to be notified.

The requirements for notification are set out in a table format for ease of use. The users in the table are by no means exhaustive but cover the majority of applications received by Council. Where Planning Permit Applications are not exempt from the notification requirements within the *Planning and Environment Act 1987*, adjoining property owners will be notified in accordance with the attached table.

Where a use is not specified in the table the decision to notify adjoining property owners/occupiers shall be at the discretion of the assessing officer and their superior, based on an assessment of whether the proposed use would cause material detriment to any person.

2. Notification Requirements

The types of notification required for specific land uses are set out in **Table 1**, which forms part of this policy.

Where an application is to be advertised between 15 December and 15 January, the minimum time for comment will be doubled to 20 business days for the convenience of residents.

Review

This policy may be reviewed at any time by the Council to accommodate changes in legislation, regulations, policy gaps, new technology or systems, as well as remain consistent with industry best practice.

Table 1 – Types of Notification Required

Type of Application	Type of Notice of Application Required			
	Letter to adjoining property owners / occupiers	Sign on site	Publishing Notice in Newspaper	Additional Requirements
Shop with combined leasable floor area above 2,000 square metres	√	√		
Adult sex book shop	√	√		
Amusement parlour	√	√		
Art Gallery	√	√		
Bar	√	√	√	
Bottle Shop	√	√		
Brothel	√	√	√	
Car park	√	√		
Child care centre	√	√		
Car sales	√	√		
Cinema or cinema based entertainment facility	√	√	√	
Corrective institution	√	√	√	
Education centre	√	√		
Function centre	√	√	√	
Funeral Parlour	√	√		
Gambling premises	√	√	√	
Hotel	√	√	√	
Indoor recreation facility	√	√		
Motel	√	√		
Motor repairs and panel beating	√	√		

Type of Application	Type of Notice of Application Required			
	Letter to adjoining property owners / occupiers	Sign on site	Publishing Notice in Newspaper	Additional Requirements
Motor vehicle, boat or caravan sales	√	√		
Nightclub	√	√	√	
Place of assembly	√	√		
Places of worship	√	√		
Restricted place of assembly	√	√		
Restricted retail premises	√			
Tavern	√	√	√	
Veterinary centre	√	√		
Industrial Development				
<i>(Where the proposed development is located on a site which is adjacent to an area zoned for residential purposes)</i>				
Benalla Planning Scheme exempts some uses and developments from notice requirements.				
Manufacturing sales	√	√		
Materials recycling	√	√		
Sawmill	√	√	√	
Solid fuel depot	√	√		
Store	√	√		
Timber yard	√	√		
Trade supplies	√	√		
Vehicle store	√	√		

Type of Application	Type of Notice of Application Required			
	Letter to adjoining property owners / occupiers	Sign on site	Publishing Notice in Newspaper	Additional Requirements
Warehouse	√	√		
Research and development centre	√	√		
Development In Rural Areas <i>(Other than residential development)</i>				
Winery	√	√		
Rural industry	√	√		
Primary produce sales	√	√		
Intensive animal husbandry Production	√	√	√	
Abattoir	√	√	√	
Removal of native vegetation	√	√		
Telecommunications facility	√	√		
Subdivision				
Residential subdivision <i>(creating less than 3 lots)</i>	√	√		
Residential subdivision <i>(creating between 4 and 10 lots)</i>	√	√		
Residential subdivision <i>(creating more than 10 lots)</i>	√	√		
Rural subdivision <i>(creating less than 10 lots)</i>	√	√		
Rural subdivision <i>(creating more than 10 lots)</i>	√	√		

CP 19 Strategic Planning Amendment Notification Policy

Responsible Officer:	Manager Development
Document type:	Council Policy
Reference:	CP 19
Approval by the Leadership Team:	3 May 2024
Date Adopted by the Council:	31 July 2024
Date of next review:	May 2028

Policy Objective

The purpose of this policy is to provide:

- guidance to Council officers of what is considered to be the minimal amount of notification required for Planning Scheme amendments
- consistency in the type of notification required for Planning Scheme amendments.

Background

The strategic planning amendment process is defined with an informal policy creation process and a statutory process. The notification taken out for both processes is similar, however, contains some minor differences.

Once a policy has been drafted it is generally best practice to allow for affect property owners, adjoining landowners and the public to have the ability to submit comments with regard to the policy. Any comments can then be incorporated into the policy prior to finalizing the policy.

Pursuant to Section 19 of the Planning and Environment Act 1987, the Responsible Authority must give certain notice of an application. This process is formally known as the exhibition period. The planning scheme amendment must be notified to specific referral authorities, Ministers of State Government and affected landowners as part of this process.

The scope of advertising an amendment to affected landowners, adjoining properties and the public at large is generally at the discretion of Council. This policy will outline to what extent a planning scheme amendment should be advertised.

Procedure

1. Application of Policy

The requirements for notification are set out in a table format for ease of use.

The planning scheme amendment types in the table are by no means exhaustive but cover the great majority of the types of amendments prepared by Council, in particular the ones that are most likely to create a level of community interest. Planning Scheme Amendments will be notified in accordance with the attached table.

Where a Planning Scheme Amendment type is not specified in the table, the decision to notify adjoining property owners/occupiers shall be at the discretion of the Planning Officer and their superior, based on an assessment of whether the proposed amendment would cause material detriment to any person.

2. Notification of Requirements

The types of notification required for specific land uses are set out in Table 1 below, which forms part of this policy.

Where an amendment is due to be advertised between 15 December and 15 January, the minimum time for comment will be doubled to two months for the convenience of all stakeholders.

Review

This policy may be reviewed at any time by the Council to accommodate changes in legislation, regulations, policy gaps, new technology or systems, as well as remain consistent with industry best practice.

Table 1

Type of Amendment	Type of Notice of Amendment required					
	Letter to affected property owners / occupiers	Letter to adjoining property owners / occupiers	Publishing Notice in Newspaper	Letter to prescribed Ministers of State Government	Letter to referral authorities	Notes
Notification of a Draft Policy prior to adoption by Council						
Anomaly/Corrective Amendment	√	*	√*	√	√*	*Notification at the discretion of the Planning Officer
Policy Based – New Planning Scheme Amendment	√	√	√	√	√	*Notification at the discretion of the Planning Officer
Notification of a Planning Scheme Amendment - Exhibition						
Anomaly/Corrective Amendment	√	√*	√	√	√	*Notification at the discretion of the Planning Officer
Policy Based – New Planning Scheme Amendment	√	√	√	√	√	*Notification at the discretion of the Planning Officer

6. Urgent Business

Closure of Meeting