

# Finance and Planning Committee

## Minutes

**Date:** Wednesday 28 August 2024

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

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

Members of the public were encouraged to watch the live broadcast of the meeting at [www.benalla.vic.gov.au](http://www.benalla.vic.gov.au)

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## Contents

**Opening and Acknowledgment of Country ..... 3**

**Apologies ..... 3**

**Confirmation of the previous Meeting Minutes ..... 4**

**Business ..... 5**

1. *Planning Application For The Use and Development Of Land For A Sawmill At 232 Mt Samaria Road, Samaria ..... 5*

2. *Building and Planning Approvals – July 2024..... 8*

3. *Development Department Activity Report For The Quarter Ended 30 June 2024..... 8*

4. *Economic Development and Sustainability Activity Report For The Quarter Ended 30 June 2024 ..... 9*

5. *Assets and Infrastructure Department Activity Report For The Quarter Ended 30 June 2024 ..... 9*

6. *Benalla Indoor Recreation Centre Redevelopment Project Steering Committee Terms of Reference Amendments ..... 9*

7. *Facilities and Information Technology Department Activity Report For The Quarter Ended 30 June 2024 ..... 10*

8. *Finance Department Activity Report For The Quarter Ended 30 June 2024 ..... 10*

9. *Community Department Activity Report For The Quarter Ended 30 June 2024 ..... 10*

10. *2024/2025 Quick Response Grants Program..... 11*

11. *People and Performance Department Activity Report For The Quarter Ended 30 June 2024 ..... 11*

12. *Urgent Business ..... 11*

**Closure of Meeting..... 11**



# Minutes

**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
Jane Archbold	Manager Community
Grant Banks	Interim Manager Economic Development and Sustainability
Cathy Fitzpatrick	Manager Finance
Adrian Gasperoni	Manager Assets and Infrastructure
Greg Robertson	Manager Facilities and Information Technology
Nilesh Singh	Manager Development
Joel Ingham	Planning Coordinator
Jess Pendergast	Governance Coordinator

## Opening and Acknowledgment of Country

The Chair opened the meeting at 5.30pm and recited 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

It is noted that Councillor Punarji Hewa Gunaratne is on an approved leave of absence.

**Cr Firth / Cr Claridge:**  
**That the apology be accepted.**



**Carried**

### **Governance Matters**

The Committee Meeting was 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* Committee 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.

### **Disclosures of Conflict of Interest**

See item 6.

### **Confirmation of the previous Meeting Minutes**

The minutes have been circulated to Councillors and posted on the Council website [www.benalla.vic.gov.au](http://www.benalla.vic.gov.au) pending confirmation at this meeting.

**Cr Firth / Cr Claridge:**

**That the Minutes of the Finance and Planning Committee meetings held on Wednesday 31 July 2024 be confirmed as a true and accurate record of the meeting.**

**Carried**



**Business****1. Planning Application For The Use and Development Of Land For A Sawmill At 232 Mt Samaria Road, Samaria**

This report assessed a planning application received for the use and development of land for a sawmill at 232 Mt Samaria Road, Samaria.

It is noted that Troy Spencer made a submission on the item and spoke in support of the planning permit.

**Cr Davis / Cr Firth:**

That Council having caused notice of Planning Application No. P0143/22 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a Notice of Decision to Grant a Permit under the provisions of the Benalla Planning Scheme in respect of the land known and described as 232 Mt Samaria Road, Samaria for the use and development of the land for a Sawmill (Industry) in accordance with the endorsed plans and subject to the following conditions:

1. Within three months of the issue of the planning permit, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted but modified to show:
  - a. Wall system of corrugated metal to provide attenuation around both milling machines
  - b. A 3m wide landscape buffer, prepared by a qualified person, detailing the location of planting or establishment, botanical and common names, height at maturity of the vegetation (locally indigenous species that will grow to bushy/shrub proportions) and ongoing management of the vegetation to be planted for the purposes of landscaping and screening. All works constructed or carried out must be in accordance with the endorsed plans to the satisfaction of the responsible authority.
2. Within six months of the issue of the planning permit, landscaping must be completed in accordance with the endorsed plan to the satisfaction of the Responsible Authority.
3. Within six months of the issue of the planning permit, the works required by Condition No. 1(a) of the permit, must be completed to the satisfaction of the Responsible Authority.



4. Within three months of the issue of the planning permit, an updated Environmental Management must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit. The plan must be updated to correct mistakes identified as part of the assessment process.

#### Hours of Operation

5. The permitted use (including the arrival and departure of heavy vehicles) must operate only between the following hours, except with the prior written consent of the Responsible Authority
- Monday to Friday 7.30am – 5.30pm
  - Saturday 9.00am – 4.00pm
  - Sunday Closed
  - Public holidays Closed
6. The use must be managed, to the satisfaction of the responsible authority, so that the amenity of the area is not detrimentally affected through the:
- Transport of materials, goods or commodities to or from the land;
  - Appearance of any building, works or materials;
  - Emissions of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - Presence of vermin; or
  - Other matters.
7. Appropriate measures must be implemented throughout any construction activities and/or operation of the sawmill to rectify and/or minimise mud or other debris being carried onto public roads from the subject land, to the satisfaction of the Responsible Authority.
8. Transport movements generated by the sawmill shall accord with the Transport Impact Assessment Report by One Mile Grid dated 29 August 2023 submitted with the application. The maximum sized vehicle permitted on Mt Samaria Road is a 19m semi-trailer.
9. Within six months of the issue of the planning permit, the provision of carparking (six spaces) must be provided as detailed on Drawing 22054-2 Rev B. The carparking bays shall be:
- all weather surface,
  - constructed and completed to the satisfaction of the Responsible Authority,
  - suitably drained,
  - marked to indicate each car space.
10. No additional vehicle crossings may be constructed apart from those endorsed on the approved plan.
11. Within six months of the issue of the planning permit, all stormwater and surface water discharging from the site, buildings and works must be controlled and managed on site to the satisfaction of the responsible Authority. No effluent or polluted water of any type may be allowed to enter nearby waterways.



12. Within three months of the issue of the planning permit, a properly prepared drainage discharge plan with computations to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies must be provided. The information submitted must show the details listed in the council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual.

13. The information and plan must include:

- a. details of how the works on the land are to be drained,
- b. computations on discharge emanating from the sawmill area,
- c. measures to enhance stormwater discharge quality from the sawmill area and protect downstream waterways including design calculation summaries of treatment elements,
- d. maintenance schedules for treatment elements.

Within six months of the issue of the planning permit, all works must be constructed in accordance with those plans to the satisfaction of the Responsible Authority.

14. The loading and unloading of goods from vehicles must only be carried out on the land subject to this permit.

#### Goulburn Murray Water Conditions

15. All construction and ongoing activities must be in accordance with EPA Publication 1834.1 Civil Construction, Building and Demolition Guide (September 2023).

16. All uncontaminated stormwater from impervious surfaces and roofed areas must be directed to the legal point of discharge as identified by the Responsible Authority. Pollution control devices must be installed to prevent the discharge of contaminated stormwater (including spilt fuel and oils) to the environment and stormwater system.

17. Any works to discharge stormwater to any waterway must be in accordance with the relevant Works on a Waterway Licence as issued by the Goulburn Broken Catchment Management Authority.

18. An application for a Works Licence and/or Licence to Take and Use Water must be obtained where groundwater supplies are taken and used for commercial purposes.

#### Goulburn Broken Catchment Management Authority

19. The logging works and activities (such as stockpiling) should not extend north or west of the perimeter table drain.

#### Permit Expiry

20. In accordance with the Planning and Environment Act 1987 a permit for the use expires if:

- a. the use does not start within two years after the issue of the permit (where a use permit only is issued); or
- b. the use is discontinued for a period of two years.



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

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

#### General Notes

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

Carried

## 2. Building and Planning Approvals – July 2024

The report detailed planning permit applications and building approvals for July 2024.

Cr Claridge / Cr O'Brien:

That the report be noted.

Carried

## 3. Development Department Activity Report For The Quarter Ended 30 June 2024

The report presented the activities of the Development department for the quarter ended 30 June 2024.

Cr Davis / Cr King:

That the report be noted.

Carried





**4. Economic Development and Sustainability Activity Report For The Quarter Ended 30 June 2024**

The report presented the activity of the Economic Development and Sustainability Department for the quarter ending 30 June 2024.

**Cr King / Cr O'Brien:**

**That the report be noted.**

**Carried**

**5. Assets and Infrastructure Department Activity Report For The Quarter Ended 30 June 2024**

The report presented the activities of the Assets and Infrastructure department for the quarter ended 30 June 2024.

**Cr Davis / Cr Firth:**

**That the report be noted.**

**Carried**

Councillor Justin King declared a material conflict of interest in the following item and left the meeting at 6.22pm.

**6. *Benalla Indoor Recreation Centre Redevelopment Project Steering Committee Terms of Reference Amendments***

The report presented the amended *Benalla Indoor Recreation Centre Project Steering Committee Terms of Reference*.

**Cr Claridge / Cr Firth:**

**That the amended *Benalla Indoor Recreation Centre Project Steering Committee Terms of Reference* be adopted.**

**Carried**

Councillor Justin King returned to the meeting at 6.24pm.



**7. Facilities and Information Technology Department Activity Report For The Quarter Ended 30 June 2024**

The report presented the activities of the Facilities and Information Technology Department for the quarter ended 30 June 2024.

**Cr King / Cr Claridge:**  
**That the report be noted.**

**Carried**

**8. Finance Department Activity Report For The Quarter Ended 30 June 2024**

The report presented an overview of the functions of the Finance Department for the quarter ended 30 June 2024.

**Cr Claridge / Cr O'Brien:**  
**That the report be noted.**

**Carried**

**9. Community Department Activity Report For The Quarter Ended 30 June 2024**

The report presented the activities of the Community Department for the quarter ended 30 June 2024.

**Cr Firth / Cr Davis:**  
**That the report be noted.**

**Carried**

**10. 2024/2025 Quick Response Grants Program**

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

**Cr O'Brien / Cr Claridge:**

**That \$500 grants from the 2024/2025 Quick Response Grant program be allocated to the Carers and Parents Support Group and to the Benalla RSL.**

**Carried**

**11. People and Performance Department Activity Report For The Quarter Ended 30 June 2024**

The report presented the activities of the People and Performance Department for the quarter ended 30 June 2024.

**Cr Davis / Cr King:**

**That the report be noted.**

**Carried**

**12. Urgent Business**

No urgent business was submitted to the meeting.

**Closure of Meeting**

The Finance and Planning Committee meeting closed at 6.58pm.

**The minutes were confirmed on the fourth day of December 2024.**

Signed: \_\_\_\_\_  
**Cr Peter Davis**

