

Planning and Development Committee

Minutes

Date: Wednesday 16 February 2022

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

The *COVID-19 Omnibus (Emergency Measures) Act 2020* enables councils to hold meetings electronically. This measure is intended to ensure the safety of members of the public, Councillors and Council staff.

The Council Meeting Room has limited capacity for public attendance. Accordingly, members of the public were encouraged to watch the live broadcast of the meeting at www.benalla.vic.gov.au

In accordance with the Governance Rule 6.4 an audio recording was made of the proceedings of the meeting.

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Minutes

DC

Chair	Councillor Danny Claridge	
Councillors	Councillor Peter Davis Councillor Don Firth Councillor Bernie Hearn (Mayor) Councillor Punarji Hewa Gunaratne Councillor Justin King Councillor Gail O'Brien	
In attendance	Dom Testoni	Chief Executive Officer
	Robert Barber	General Manager Corporate
	Adrian Gasperoni	Manager Assets and Infrastructure
	Nilesh Singh	Manager Development
	Joel Ingham	Planning Coordinator
	Wayne Rich	Compliance Coordinator
	Jessica Beaton	Governance Coordinator

The meeting opened at 6.18pm.

Apologies

It is noted that Cr Justin King has requested a leave of absence from 12 February to 20 February 2022.

Cr O'Brien / Cr Davis:

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

Carried

Confirmation of the Minutes of the Previous Meeting

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

Cr Davis / Cr Firth:

That the Minutes of the Planning and Development Committee Meeting held on Wednesday 8 December 2021 be confirmed as a true and accurate record of the meeting.

Carried

Disclosures of Conflict of Interest

No conflicts of interest were disclosed to the meeting.

DC

Business**1. Public Question Time**

No questions were submitted to the meeting.

2. Planning Application No. P0133/21 – To Use And Develop The Land For A Dwelling And The Creation Of An Access To A Road Zone Category 1 – 2187 Benalla Tatong Road, Tatong

The report assessed a planning application received for the use and development of land for the purpose of a dwelling at 2187 Benalla Tatong Road, Tatong.

It is noted that the following persons made submissions on the item:

- Mrs Emma Kubeil spoke in support of approving the planning application
- Mrs Sarah Wallis spoke against approving the planning application
- Mr Dennis Scott spoke against approving the planning application
- Mr Trent Hamilton spoke in support of approving the planning application.

Cr Firth / Cr Davis:

That Council having caused notice of Planning Application No. P0133/21 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 refuse to grant a Permit under the provisions of the Benalla Planning Scheme in respect of the land known and described as 2187 Benalla Tatong Road, Tatong, for the use and development of a dwelling in accordance with the endorsed plans, with the application dated 7 September 2021 on the following grounds:

- 1. Adequate justification has not been provided to detail that a dwelling is required on the land for the agricultural use.**
- 2. The proposed dwelling will reduce the availability of land for agricultural production on site.**
- 3. The proposed dwelling will lead to a proliferation of dwellings in the area which will reduce the potential for agricultural production.**
- 4. The proposed dwelling will make it difficult for surrounding properties to expand existing farming operations.**

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Cr Hearn / Cr Davis:**That standing orders be suspended to allow for discussion on the matter.****Carried****Cr Davis / Cr Hearn:****That standing orders be resumed.****Carried**

A division was called.

Votes recorded in favour of the motion:

Cr Peter Davis

Cr Don Firth

Cr Punarji Hewa Gunaratne

Cr Danny Claridge

Votes recorded against the motion:

Cr Bernie Hearn Against

Cr Gail O'Brien Against

The motion was **Carried**.

3. Building and Planning Approvals – November and December 2021

The report detailed planning permit applications and building approvals for November and December 2021.

Cr Hearn / Cr Firth:**That the report be noted.****Carried**

4. Draft *Domestic Animal Management Plan 2021-2025* – Consideration of Submissions

The report considered submissions received on the draft *Domestic Animal Management Plan 2021-2025*.

Cr Davis / Cr Hearn:

That the *Benalla Rural City Council Domestic Animal Management Plan 2021-2025* be considered for adoption at the Council Meeting on 23 February 2022.

Carried

5. Draft *Road Management Plan 2021-2025* – Consideration of Submissions

The report considered submissions received on the draft *Road Management Plan 2021 – 2025*.

Cr Hearn / Cr O’Brien:

That the *Benalla Rural City Council Road Management Plan 2021-2025* be considered for adoption at the Council Meeting on 23 February 2022.

Carried

Closure of Meeting

The meeting closed at 7.30pm.

Confirmed this sixteenth day of March 2022

Signed:



Cr Danny Claridge - Chair