

# Finance and Planning Committee

## Minutes

Date: Wednesday 4 December 2024

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

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# Minutes

**Chair** Councillor Peter Davis

**Councillors** Councillor David Blore  
Councillor Bernie Hearn (Mayor)  
Councillor Puna Hewa Gunaratne  
Councillor Justin King  
Councillor Jillian Merkel  
Councillor Nathan Tolliday

**In attendance** Dom Testoni Chief Executive Officer  
Robert Barber General Manager Corporate  
Adrian Gasperoni Manager Assets and Infrastructure  
Nilesh Singh Manager Development  
Tom Arnold Community Development and Recreation Coordinator  
Joel Ingham Planning Coordinator  
Jess Pendergast Governance Coordinator

## Opening and Acknowledgement of Country

The Chair opened the meeting at 6pm 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 Bernie Hearn is on an approved leave of absence.

**Cr King / Cr Blore:**  
**That the apology be accepted.**

**Carried**

## Disclosures of Conflict of Interest

See item 1.

## Confirmation of the Minutes of the Previous Meeting

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

**Cr Gunaratne / Cr Merkel:**

**That the Minutes of the Finance and Planning Committee meeting held on 11 September 2024 be confirmed as a true and accurate record of the meeting.**

**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 Rule 6.4 of the *Governance Rules 2020* the Committee Meeting was livestreamed via the Council's website. An audio recording was made of the proceedings.



## Business

It is noted that Councillor Peter Davis declared a material conflict of interest in the following item and left the meeting at 6.05pm.

### 1. Planning Permit Application – Cattle Feedlot At 492 Irvine Road, Thoona

It is noted that Mr Chris Gibson made a submission on the item and spoke in support of the planning permit application.

**Cr Tolliday / Cr Blore:**

**That an extension of three minutes be granted to Mr Chris Gibson.**

**Carried**

The report presented planning permit application P0009/24 to vary the existing cattle feedlot use from 1400 to 1600 Standard Cattle Units (SCU) and buildings and works associated with the Cattle Feedlot (Covered Pen) at 492 Irvine Road, Thoona.

**Cr Tolliday / Cr Blore:**

**That Council having caused notice of Planning Application No. P0009/24 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 492 Irvine Road, Thoona for the extension of an existing cattle feedlot in accordance with the endorsed plans and subject to the following conditions:**

- 1. The entire use and/or development hereby permitted must also comply with the National Guidelines for Beef Cattle Feedlots 2013 (NGBCF), unless the NGBCF is contrary to the Victorian Code for Cattle Feedlots 1995 (VCCF) or the NGBCF imposes a lower standard than the VCCF.**
- 2. Amended Plans Required.**

**Before the development starts, 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 the permit. The plans must be drawn to scale with dimensions and a minimum of three copies (or as specified) must be provided. Such plan must be generally in accordance with the application, but modified to show:**

  - a Any new proposed chemical storage areas;**
  - b The location and orientation of floodlighting and/or security lighting, if proposed.**
- 3. Drainage Discharge Plan.**

**The drainage layout detailed on the drawings prepared by Gordon Gibson Nominees Drawing Number 0601 (Rev 3) shall be endorsed and form part of the planning permit.**
- 4. Layout Not Altered**

**The use and/or development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.**





**5. Audits and Reviews.**

- a Site performance inspections, site audits and reviews of the feedlot operation and WMP must be undertaken by an auditor accredited under the National Feedlot Accreditation Scheme consultant on an annual basis.**
- b Any complaints received by the responsible authority and passed to the operator in relation to any environmental or waste management issues are to be documented and acted on at the time of receipt and provided to the auditor when inspection occurs.**
- c Within four weeks of the inspection and upon a report from the audit by the National Feedlot Accreditation Scheme, the permit holder must forward a copy of a report on the inspection and audit to the responsible authority. The report must be accompanied with an action plan that sets out how the operations and WMP will be modified to address any areas of non-compliance or other issues identified.**
- d Any corrective actions are to be outlined by the applicant with a reasonable timeframe for implementation for approval by the Responsible Authority. The timeline must reflect the risk and/ or community impact of the issue.**
- e Once corrective actions are outlined by the applicant and approved the Responsible Authority will notify the objectors of how they can access the audit report and plan for corrective actions.**

**6. General Amenity.**

**The use and/or development of the land must not unreasonably adversely affect the amenity of the area, by way of:**

- a Processes carried on the land;**
- b The transportation of materials, goods or commodities to or from the land;**
- c The appearance of any buildings, works or materials;**
- d The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, grit, or oil; or**
- e The presence of vermin.**

**7. Chemicals must be stored in a secure covered building at all times when not in use. A secondary containment system must be provided for the fuel storage in accordance with the EPA Publication 347 Bunding Guidelines 1992 or as amended.**

**8. Internal accesses.**

**Before the use begins all internal access roads to the new pens must be surfaced with crushed rock, formed, finished and drained to the satisfaction of the responsible authority in accordance with the Infrastructure Design Manual.**

**9. Traffic.**

- a The approved heavy vehicle transport route to and from the site must be as per drawings provided by Gordon Gibson Nominees drawing number 0801 & 0802 dated 05/18.**
- b The responsible authority is to be paid a fee of 0.75 per cent of the total construction costs for these works for the approval of said plans plus 2.5 per cent for supervision of construction, such fees to be paid prior to the commencement of any works.**

## **10. Waste Management**

- a** The use must be undertaken in accordance with the waste management plan prepared by EnviroAg Australia dated 28 March 2024 and as amended from time to time as required by Condition 5.
- b** Solid waste within the animal pens is to be managed in accordance with the Code to achieve the performance outcomes under Part 6.
- c** Dead cattle must not be disposed of on site.
- d** Solid waste storage and processing is to be managed in accordance with the Code to achieve the performance outcomes under Parts 5 & 6 as outlined in the Waste Management Plan.
- e** Land application of solid waste on the site subject to this application is to be undertaken at a rate appropriate for the soil type and the type of pasture/crop grown. The rate of application should ensure relevant N,P and K uptake such that there can be no discharge of excess nutrients to any waterways.
- f** Solids removed from the feed pad must not be spread within 40 metres of any natural drainage lines, the Rural Flood Overlay or any active flow paths.
- g** Liquid waste water management is to be in accordance with the Code to achieve the performance outcomes under Part 6 as outlined in the Waste Management Plan.
- h** Unless otherwise approved in writing by the responsible authority all water from the retention dams must be re-used within the boundaries of the lot. If climatic conditions are significantly wetter than average for an extended period of time written approval must be sought from EPA for the overflow to land may operate.
- i** Retention dams which must be designed with a minimum capacity and freeboard to enable the run off from 1:50 year storm to be retained. Overflow must not cause erosion.
- j** All wastewater drains are to be maintained to have a minimum capacity to hold water generated by a 1:20 year rain event.
- k** Following each de-sludging of the retention dams, evidence is to be provided that they have a maximum hydraulic conductivity  $1 \times 10^{-9} \text{m/s}$  so as to minimise ground water contamination. Any new retention dams must comply with this standard.

## **11. Odours.**

Management of operations is to ensure that offensive odours and dust that adversely impact upon the amenity of nearby sensitive land use is minimised. If the Responsible Authority determines that the amenity of nearby residents is adversely affected by the emission of an unreasonable level of odour from the subject land, the permit holder must take such action as is required to prevent those emissions to the satisfaction of the Responsible Authority. This may include but is not limited to adjusting stocking density in the pens, treating or removing waste materials, or any other actions reasonably required to rectify the emission of offensive odour.

- 12.** All construction must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

### **Minister for Agriculture Conditions**

13. The use and development of the cattle feedlot must comply with the Victorian Code for Cattle Feedlots – August 1995 to the satisfaction of the responsible authority.
14. The permit allows up to a maximum of 1,600 Standard Cattle Units
15. The use and development of the cattle feedlot must be in accordance with:
  - a. *“Waste Management Plan – Proposed feedlot expansion to 1,600 SCU”, prepared by EnviroAg Australia to the satisfaction of responsible authority.*
  - b. *“Odour Assessment – Proposed feedlot expansion to 1,600 SCU”, prepared by EnviroAg Australia to the satisfaction of responsible authority.*
  - c. *“Hydrological Modelling – Proposed feedlot expansion to 1,600 SCU, Long Gully Feedlot, Thoona, VIC”, prepared by EnviroAg Australia to the satisfaction of responsible authority.*

### **Goulburn-Murray Water Conditions**

16. All construction and ongoing activities must be in accordance with EPA Publication 1834.1 Civil Construction, Building and Demolition Guide (September 2023).
17. Any effluent or wastewater generated from the feed pad/feed lot area must be discharged to an appropriately sized effluent pond via an appropriate drainage and collection system.
18. The effluent pond must be compacted to a permeability of no greater than  $1 \times 10^{-9}$  metre/second and be of sufficient capacity and design such that all effluent and liquid waste can be accommodated in the event that conditions are too wet for irrigation/re-use.
19. Contaminated stormwater from the feed pad/feed lot and manure stockpile area must be separated from uncontaminated stormwater and must not be discharged to any waterways.
20. The floor of the manure stockpile must be compacted and sealed such that no moisture is able to seep from the stockpile into the soil and the stockpile must be bunded to ensure all run-off is diverted to the effluent pond system.
21. Irrigation and wastewater reuse from the effluent ponds must be managed in accordance with the principles and requirements outlined in EPA Publications 1910.2 Victorian Guideline for Water Recycling and 1911.2 Technical Information for the Victorian Guideline for Water Recycling (March 2021) and 168: Guidelines for Wastewater Irrigation (April 1991).
22. Application of effluent to land either directly or through shandying with irrigation water must be done in a manner which optimises the uptake of water, nutrients and other pollutants such that they don't leach to groundwater or runoff to surface waters. The rate and application method must be consistent with the capability of the land and appropriate for the type of plant grown, the soil type and topography. N, P and K loading rates must not be exceeded. Appropriate harvesting must be undertaken to ensure nutrient removal.





23. Stormwater run-off from the shed must be dissipated as normal unconcentrated overland flow or directed to a storage tank or dam.

**Goulburn Broken Catchment Management Authority Conditions**

24. All drainage associated with the development should be managed and be retained on site.
25. To minimise groundwater contamination, the any new dam associated with effluent management should have a maximum hydraulic conductivity  $1 \times 10^{-9}$  m/s.
26. Time for starting and completion.

This permit will expire if one of the following circumstances applies:

- a The development is not started within two (2) years of the date of this permit.
- b The development is not completed within four (4) years of the date of this permit.
- c The use is not commenced within four (4) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or otherwise in accordance with Section 69 of the *Planning and Environment Act 1987*.

**General Notes**

- 1. The granting of this permit does not obviate the necessity for compliance with the requirements of any other authority under any act, regulation or local law.
- 2. A asset protection permit is required prior to the commencement of any woks on site.
- 3. A consent to work within a road reserve must be obtained from the Responsible Authority prior to the carrying out of any vehicle crossing works.
- 4. This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

**EPA Note**

- 1. The *Environment Protection Act 2017* came into effect on 1 July 2021. The *Environment Protection Act 2017* imposes duties on individuals and/or businesses undertaking the activity permitted by this permit. If your business engages in activities that may give rise to a risk to human health or the environment from pollution or waste, you must understand those risks and take action to minimise them as far as reasonably practicable.

Carried



Councillor Peter Davis returned to the meeting at 6.20pm at the conclusion of the item.

## **2. Building and Planning Approvals – September and October 2024**

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

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

**Carried**

## **3. 2024/2025 Quick Response Grants**

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

**Cr Tolliday / Cr Blore:**  
**That \$500 grants from the 2024/2025 Quick Response Grant program be allocated to:**

- **Benalla Homeless Response Group**
- **Rotary Club of Benalla**
- **Tatong Community Centre & Recreation Reserve Committee**
- **Lima School Community Centre Committee**
- **Winton Community Group**
- **Boweya Community**
- **Thoona Memorial Hall**
- **Benalla Table Tennis Association**
- **Devenish Public Hall Committee of Management Inc.**

**Carried**

## **4. Audit and Risk Committee Councillor Representatives**

The report considered the vacant Councillor Representative positions on the Audit and Risk Committee.

**Cr Gunaratne / Cr Blore:**  
**That the Finance and Planning Committee, acting under its delegated authority of the Council:**  
**Appoint Councillor Peter Davis and Councillor Puna Hewa Gunaratne as the Councillor representatives on the Benalla Rural City Council Audit and Risk Committee for the 2024/25 Council Year.**

**Carried**

## 5. Urgent Business

No urgent business was submitted to the meeting.

## Confidential Business

It was proposed that the following items be considered in confidential business pursuant to the *Local Government Act 2020* as they contain personal information or private commercial information that would result in the unreasonable disclosure of information about a person, their personal affairs or expose the business, commercial or financial undertaking if released:

- 6.1 Tender for Contract CM25.006 Supply and Delivery of a Truck Mounted Street Sweeper
- 6.2 Chief Executive Officer Employment and Remuneration Committee

**Cr Tolliday / Cr King:**

**That the meeting be closed to the public for the consideration of the confidential business item noted above pursuant to Sections 3(1) and Section 66(2)(a) of the *Local Government Act 2020*.**

**Carried**



## 7. Reopening of the meeting to the public

**Cr King / Cr Merkel:**

**That the meeting be reopened to the public.**

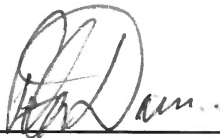
**Carried**

## Closure of Meeting

The Finance and Planning Committee meeting closed at 6.57pm.

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

Signed: \_\_\_\_\_



**Cr Peter Davis – Chair**

