

# Finance and Planning Committee

## Minutes

Date: Wednesday 5 March 2025

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

## Contents

<b>Opening and Acknowledgement of Country .....</b>	<b>3</b>
<b>Apologies .....</b>	<b>3</b>
<b>Disclosures of Conflict of Interest.....</b>	<b>4</b>
<b>Confirmation of the Minutes of the Previous Meeting .....</b>	<b>4</b>
<b>Business.....</b>	<b>5</b>
1. <i>Planning Application – Multi Lot Subdivision (six lots) at CA25 and CA26 High Street, Baddaginnie.....</i>	<i>5</i>
2. <i>Building and Planning Approvals – November and December 2024 .....</i>	<i>7</i>
3. <i>2024/2025 Quick Response Grants .....</i>	<i>8</i>
4. <i>2024/2025 Major Events Grant Funding.....</i>	<i>8</i>
5. <i>Australia Day Advisory Committee Terms of Reference.....</i>	<i>8</i>
6. <i>Urgent Business.....</i>	<i>8</i>
<b>Closure of Meeting.....</b>	<b>9</b>

# Minutes

<b>Chair</b>	Councillor Peter Davis	
<b>Councillors</b>	Councillor David Blore	
	Councillor Bernie Hearn (Mayor)	
	Councillor Puna Hewa Gunaratne	
	Councillor Justin King	
	Councillor Jillian Merkel	
	Councillor Nathan Tolliday	
<b>In attendance</b>	Robert Barber	Acting Chief Executive Officer
	Nilesh Singh	Interim General Manager Corporate
	Joel Ingham	Interim Manager Development
	Courtney Naughton	Manager Economic Development and Sustainability
	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

No apologies were submitted to the meeting.

## Disclosures of Conflict of Interest

No conflicts of interest were disclosed.

## 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 Tolliday / Cr Blore:**

**That the Minutes of the Finance and Planning Committee meeting held on 5 February 2025 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.

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)

## Business

### 1. Planning Application – Multi Lot Subdivision (six lots) at CA25 and CA26 High Street, Baddaginnie

The report assessed a planning application received for a six lot subdivision at CA25 and CA26 High Street, Baddaginnie.

It is noted that Simon Kennedy from Onleys Survey Design made a submission on the item and spoke in support of the planning application.

#### **Cr King / Cr Blore:**

**That Council having caused notice of Planning Application No. P0101/24 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 CA25 and CA26, High Street, Baddaginnie, for the subdivision of land into six lots in accordance with the plans as lodged with the application dated 13 September 2024 and subject to the following conditions:**

- 1. The subdivision as shown on the endorsed plan must not be altered without the prior written permission of the Responsible Authority.**
- 2. The owner of the land must enter into an agreement with:**
  - a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and**
  - b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**
- 3. Before the issue of a Statement of Compliance for the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:**
  - a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and**
  - b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**
- 4. All sewage and sullage waste water from any proposed development must be discharged into a new onsite septic tank system which is approved by the Environment Protection Authority and retains all wastes within the boundaries of the land in accordance with the *Land Capability prepared by A.C Geotechnical Pty Ltd for Jeremy Sloan with report number 24281, Corner High Street and Clarendon Street Baddaginnie* to the satisfaction of the Responsible Authority.**

5. Prior to certification of the plan of subdivision under the Subdivision Act 1988 the wastewater envelopes must be identified on the plan of subdivision as a restriction as provided by the *Land Capability prepared by A.C Geotechnical Pty Ltd for Jeremy Sloan with report number 24281, Corner High Street and Clarendon Street Baddaginnie* to the satisfaction of the responsible authority.
6. Prior to the issue of a Statement of Compliance under the *Subdivision Act 1988*, the owner/subdivider must enter into an agreement with the responsible authority, pursuant to Section 173 of the *Planning and Environment Act 1987*. This agreement must be registered by the responsible authority pursuant to Section 181 of the *Planning and Environment Act 1987* on the titles to the lots resulting from approval of the subdivision and the costs of preparation and registration of the agreement must be met by the owner/subdivider. The agreement must provide for the following:
  - That any dwelling to be erected on any lot created must comply with the recommendations of the *Land Capability prepared by A.C Geotechnical Pty Ltd for Jeremy Sloan with report number 24281, Corner High Street and Clarendon Street Baddaginnie*.
7. The proposed works must not cut off natural drainage from adjacent properties.
8. Any damage to Council assets (i.e. roads, table drains etc) shall be repaired at the cost of the applicant to the satisfaction of the Responsible Authority.
9. No additional vehicle accesses may be constructed apart from those endorsed on the approved plan.
10. Prior to the Statement of Compliance, the vehicle accesses must be constructed to include a pipe and headwalls at the applicant's expense. The access must be in accordance with the Infrastructure Design Manual SD255 requirements for a rural entrance.
11. Prior to the Statement of Compliance, all lots shall be serviced with a stormwater connection to the legal point of discharge as recommended in the Onley report, Stormwater Management Plan dated 4 September 2024.
12. Prior to the Statement of Compliance, the owner of the land must enter into an Agreement (in a form satisfactory to the Responsible Authority) with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987. The agreement must provide for:
  - Each lot must have stormwater detention constructed and maintained on the property, as recommended in the Onley report, Stormwater Management Plan dated 4 September 2024.
13. Prior to the Statement of Compliance, the table drain along the frontage of the site in High Street must be cleaned and levelled to allow stormwater to flow to the satisfaction of the Responsible Authority.

#### **AusNet Services**

14. The plan of subdivision submitted for certification must be referred to AusNet Electricity Services Pty Ltd in accordance with Section of the *Subdivision Act 1988*.
15. The applicant must –
  - a) Enter into an agreement with AusNet Electricity Services Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.

- b) Provide electricity easements internal and external to the subdivision in favour of AusNet Electricity Services Pty Ltd to service the lots on the plan of subdivision and/or abutting lands as required by AusNet Electricity Services Pty Ltd. The provision of reserves for electricity substations may also be required.

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

- a) the plan of subdivision is not certified within two years of the date of this permit;
- b) the subdivision is not completed within five years of the date of certification of the plan of subdivision.

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 six 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.

#### 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.
- A subdivision approved under a planning permit does not constitute the certification of a Plan of Subdivision. A separate application should be made by a licensed land surveyor.
- Prior to any works being carried out in relation to any part of the septic system a permit for the works must be obtained from the Benalla Rural City Council.
- 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.

**Carried**

## 2. Building and Planning Approvals – November and December 2024

The report detailed planning permit applications and building approvals for January 2025.

**Cr Gunaratne / Cr Blore:**  
**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 Hearn:**

**That a \$500 grant from the 2024/2025 Quick Response Grant program be allocated to Swanpool and District Community Development Association.**

**Carried**

### 4. 2024/2025 Major Events Grant Funding

The report presented funding applications for the 2024/25 Major Event Funding Program.

**Cr Hearn / Cr King:**

**That a \$2,000 grant from the 2024/25 Major Event Funding program be allocated to the Molyullah Recreation and Public Hall Reserve Committee.**

**Carried**

### 5. Australia Day Advisory Committee Terms of Reference

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

**Cr Hearn / Cr Blore:**

**That the *Australia Day Advisory Committee Terms of Reference* be adopted.**

**Carried**

### 6. Urgent Business

No urgent business was submitted to the meeting.



### **Closure of Meeting**

The Committee meeting closed at 6.30pm.

**The minutes were confirmed on the ninth day of April 2025.**

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