

Benalla Rural City Council

# Finance and Planning Committee

## Minutes

Date: Wednesday 25 March 2026

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

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# Minutes

<b>Chair</b>	Councillor David Blore	
<b>Councillors</b>	Councillor Bernie Hearn (Mayor)	
	Councillor Justin King (Deputy Mayor)	
	Councillor Vince Branigan	
	Councillor Peter Davis	
	Councillor Jillian Merkel	
<b>Electronic Attendance</b>	Councillor Puna Gunaratne	
<b>In attendance</b>	Peter Keane	Chief Executive Officer
	Robert Barber	General Manager Corporate
	Adrian Gasperoni	Manager Assets and Infrastructure
	Courtney Naughton	Manager Economic Development and Sustainability
	Greg Robertson	Manager Facilities and Information Technology
	Nilesh Singh	Manager Development
	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

No apologies were submitted to the meeting.

## 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 and made available for public access, with the exception of matters identified as confidential items in the agenda.

Members of the public can watch the recorded broadcast of the meeting at [www.benalla.vic.gov.au](http://www.benalla.vic.gov.au)

## 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 this meeting.

**Cr Davis / Cr Hearn:**

**That the Minutes of the Finance and Planning Committee meeting held on Wednesday 18 February 2026 be confirmed as a true and accurate record of the meeting.**

**Carried**

## Business

### 1. Planning Permit Application For Use And Development Of A Place Of Assembly (Wedding And Events Venue) And Accommodation At 140 Darktown Road, Lurg

The report assessed a planning application received to use and develop the subject site for a place of assembly (wedding and events venue) and accommodation.

It is recorded that the following people made submissions on the item:

- Michelle McGath spoke in support of the planning application.
- Lianna Ramage spoke against the planning application.
- Michele Ramage spoke against the planning application.
- Leanne Maxwell from Regional Planning Services spoke in support of the planning application.
- Lee Barr spoke against the planning application.

#### **Cr Hearn / Cr Merkel:**

**That Council having caused notice of Planning Application No. P091-25 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 140 Darktown Road Lurg for the use and development of land for Accommodation and a Place of Assembly (Wedding Events) and subject to the following conditions:**

- 1. Before the use and development starts, plans must be approved and endorsed by the responsible authority. The plans must:**
  - a. Be prepared to the satisfaction of the responsible authority.**
  - b. Be drawn to scale with dimensions.**
  - c. Submitted in electronic form.**
  - d. Be generally in accordance with plans submitted with the application, but amended to show the following details:**
    - i. Provide details of proposed signage including location, dimensions, elevations, colouring and wording.**
    - ii. Location of drainage channels and swales.**
- 2. The layout of the proposed development must not be altered from the layout on the approved endorsed plans without the written consent of the responsible authority.**
- 3. At any time no more than 200 patrons may be permitted on the land. The responsible authority may consent in writing to vary this requirement.**
- 4. The use and development must comply with the recommendations of the Acoustic Engineering Report, prepared by DDEG, dated 01/10/2025, to the satisfaction of the responsible authority.**

- 5. The use and development must comply with the Bushfire Emergency Management Plan to the satisfaction of the responsible authority.**
- 6. Prior to the commencement of the use an updated Event Management Plan must be submitted to and endorsed by the responsible authority. The Event Management Plan must be amended as follows:**
  - a. The plan must be updated to comply with all conditions of this permit.**
  - b. Measures to ensure that all guests leave the site by 11pm.**
  - c. Measures to ensure that there will be no short term accommodation or camping on the site other than that approved within the existing dwelling.**
  - d. Measures to ensure that all guests are restricted to the event area during the course of an event. Only wedding photos may be taken outside of the event area.**
  - e. Measures to ensure that the Responsible Authority is contacted in writing prior to each wedding/event undertaken on the land.**
  - f. Measures to encourage patrons to use a bus service to attend a wedding/event.**
  - g. Detailing the preferred route for access to and from the facility by patrons. The preferred route must not include Bostock Road.**
  - h. Details of how the operator will advise patrons of the preferred access route and car parking arrangements.**
- 7. The use and development must be managed so that the amenity of the area is not detrimentally affected through the:**
  - a. Transport of materials, goods or commodities to or from the land.**
  - b. Appearance of any building, works or materials.**
  - c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.**

**to the satisfaction of the responsible authority.**
- 8. At all times noise emanating from the land must comply with the requirements of the Environmental Protection Regulations 2021 (as amended from time to time) as measured to the satisfaction of the responsible authority.**
- 9. Noise Protocol means the Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, published by the Environment Protection Authority on its website, as in force from time to time.**
- 10. Noise measurements of actual in operation noise levels must be undertaken at the permit holders expense every three weddings/events over a period of twelve months to determine if the use is achieving compliance with the noise protocol. If the monitoring finds compliance is not being achieved with noise protocol additional noise mitigation measures must be implemented without delay to the satisfaction of the responsible authority.**

11. **Noise measurements as required by Condition No. 10 of this permit must be submitted to the Responsible Authority within two weeks of noise measurements taking place.**
12. **In the event of unreasonable noise being generated by activities conducted from the subject land and being established by Council planning officers as likely to be causing a disturbance to nearby property, then further noise testing by a suitably qualified acoustic consultant must be undertaken to assess whether activities on the site are breaching the EPA permissible noise levels and to advise what measures must be implemented to minimise the problem to the satisfaction of the responsible authority.**
13. **All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service to the satisfaction of the responsible authority.**
14. **All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level to the satisfaction of the responsible authority**
15. **Waste collection must be conducted in EPA Publication 1254 'Noise Control Guidelines' and shall not occur after 8pm and before 7am weekdays or before 9am on all other days.**
16. **Deliveries must be conducted in accordance with EPA Publication 1254 'Noise Control Guidelines' and shall not occur after 10pm and before 7am weekdays or 9am all other days.**
17. **The use must only operate between the following times:**
  - a. **9am to 11pm Thursday to Sunday**
  - b. **Music must cease by 10pm**
  - c. **Closed Christmas Day.**
18. **No more than twelve (12) weddings/events may occur on the land in any calendar year.**
19. **Prior to the commencement of the use, the operator under this permit must prepare a Complaints Handling Procedure, to the satisfaction of the Responsible Authority, including (but not necessarily limited to) the following matters:**
  - a. **A register of complaints that sets out:**
    - i. **The date of a complaint;**
    - ii. **Details of the complaint with name, contact number and address if relevant;**
    - iii. **Action to investigate the complaint and , if appropriate, action to rectify the complaint and date of the action;**
    - iv. **Details of any subsequent contact with the complainant regarding the complaint and any action taken to resolve the complaint as appropriate;**

- v. A process and timeframe for review of the Complaints Handling Procedure by management.
  - b. A process and timeframe for the operator to consult with and consider solutions proposed by the local community members to resolve complaints and any identified issues.
  - c. A process and timeframe for regular submission of copies of the Complaints Handling Procedure to the Responsible Authority.
20. The complaints register and the Complaints Handling Procedure shall be made available for examination by the Responsible Authority at all reasonable times on request by the Responsible Authority.
21. All waste and recyclables must be stored in and collected from an area set aside for this purpose. This area must be graded, drained and screened from public view to the satisfaction of the responsible authority.
22. All waste material not required for further on-site processing must be regularly removed from the site to the satisfaction of the responsible authority. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created, to the satisfaction of the responsible authority.
23. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.
24. No fewer than sixty (60) car parking spaces must be provided on the land.
25. Before the use starts, the areas set aside for the parking of vehicles and bicycles, and access lanes as shown on the endorsed plans must be:
- a. Constructed of compacted crushed rock.
  - b. Properly formed to such levels that they can be used in accordance with the plans.
  - c. Drained.
  - d. Line marked to indicate each space and all access lanes.
  - e. Clearly marked to show direction of traffic along access lanes and driveways.

To the satisfaction of the responsible authority.

At all times car spaces, access lanes and driveways must be kept available for these purposes. Once constructed these areas must be maintained to the satisfaction of the responsible authority.

26. No native vegetation may be removed from the land unless with the further written consent of the responsible authority.

#### **Engineering Conditions**

27. The proposed works must not cut off natural drainage from adjacent properties.
28. 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.

29. No additional vehicle accesses may be constructed apart from those endorsed on the approved plan.
30. The applicant shall provide drawings prepared by a Registered Engineer to demonstrate the dimensions of the vehicle parking and manoeuvring areas and including the method of how the bays will be marked on the gravel surface. Details of the vehicle parking shall be submitted to Council for endorsement prior to the commencement of works.
31. The vehicle parking drawings shall also demonstrate how the surface will be drained to minimise erosion and including proposed sediment control.
32. Prior to the commencement of use, the vehicle access must be upgraded to include a pipe and headwalls at the applicant's expense. The Access must be in accordance with the Infrastructure Design Manual (IDM) standard drawing SD255 for a rural entrance and include setback to the gate as detailed on the IDM standard drawing. The applicant shall provide a drawing prepared by a Registered Engineer that will demonstrate that the width of the crossing will accommodate the design vehicle (bus) and to provide two-way vehicle access to Darktown Road.
33. All stormwater generated from proposed impervious areas shall be retained on site and discharged such that it does not cause nuisance to adjoining properties.

#### **Environmental Health Conditions**

34. Prior to the commencement of use the developer/applicant must provide a plan that shows that the wastewater system of the existing dwelling is wholly contained within Crown Allotment 20, Section B, Parish of Tatong. In the event it is not located within Crown Allotment 20, Section B, Parish of Tatong, the boundary must be realigned to accommodate the wastewater or the wastewater system must be relocated within the confines of Crown Allotment 20, Section B, Parish of Tatong under a separate wastewater permit prior to the commencement of use.
35. All sewage and sullage wastewater from the proposed development site must be discharged into a new on site wastewater management system which is approved under the Australian Standards, retains all wastes within the boundaries of the land, and is located to the satisfaction of the Responsible Authority.

#### **Expiry**

30. 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 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.

## 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. 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.
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. Prior to any works being carried out in relation to any part of the onsite wastewater system a permit for the works must be obtained from the Benalla Rural City Council.
5. Business identification signage for the subject site cannot exceed 3m<sup>2</sup> in area.
6. 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. For further information on what the laws mean for Victorian businesses and community go to <https://www.epa.vic.gov.au/general-environmental-duty>.

Motion Defeated

A division of the vote was called.

*Votes recorded in favour of the motion:*

Cr Bernie Hearn

Cr Jillian Merkel

Cr David Blore

*Votes recorded against the motion:*

Cr Justin King

Cr Vince Branigan

Cr Peter Davis

Cr Puna Gunaratne

The motion was **defeated**.

**Cr Hearn / Cr Merkel:**

**That standing orders be suspended to allow for discussion on item 1.**

**Carried**

Standing orders were suspended at 6.43pm.

**Cr King / Cr Davis:**

**That standing orders resume.**

**Carried**

Standing orders resumed at 6.46pm.

**2. Planning Permit Application For Buildings And Works To The Existing Building At 18 Bridge Street East, Benalla**

The report discussed the planning application received for buildings and works at 26 Bridge Street East, Benalla to replace the door and window and repaint a section of the front façade.

**Cr Hearn / Cr Davis:**

**1. That the report be noted.**

**2. That a report on the Planning Permit Application for Buildings and Works to the Existing Office Building at 18 Bridge Street East, Benalla be presented to the Finance and Planning Committee meeting on Wednesday 22 July 2026.**

**Carried**

**3. Building and Planning Approvals – January and February 2026**

The report detailed planning permit applications and building approvals for January and February 2026.

**Cr Davis / Cr Branigan:**

**That the report be noted.**

**Carried**

**4. Proposed Tesla Carpark Licence at Barkly Street, Benalla**

The report presented a proposal from Tesla to lease a section of carparking on Barkly Street, Benalla for the purpose of installing and operating Electric Vehicle (EV) Chargers.

**Cr King / Cr Hearn:**

**The Finance and Planning Committee, acting under its delegated authority of the Council, resolve:**

- **That the proposed *Tesla Carpark Lease* at Barkly Street, Benalla proposal be endorsed and released for public exhibition for a period of at least 28 days.**

**Carried**

## 5. Event Funding Program Guidelines

The report discussed proposed changes to the *Major Event Grant Funding Guidelines* for the delivery of events within Benalla Rural City Council.

**Cr Davis / Cr Merkel:**

1. That the budget for the *Event Funding Program* be increased to \$15,000 in the *2026/27 Budget*.
2. That the *Event Funding Program Guidelines* be adopted.

Carried

## 6. Benalla Festival Advisory Committee Terms of Reference

The report presented the updated and reviewed *Benalla Festival Advisory Committee Terms of Reference*.

**Cr King / Cr Merkel:**

That the revised *Benalla Festival Advisory Committee Terms of Reference* be adopted.

Carried

## 7. Australia Day Advisory Committee Terms of Reference

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

**Cr Hearn / Cr King:**

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

Carried

## **8. Petition: Reopen The Reserve Located To The South of Willis Little Drive, Benalla**

This report discussed a petition received by Council requesting the reopening of the reserve located to the south of Willis Little Drive, Benalla.

It is recorded that the following person made a submission on the item:

- Desma Versteegen spoke in support of the petition.

**Cr Hearn / Cr King:**

- 1. That the report be noted.**
- 2. That Council officers meet with petitioners to further discuss public access to the Willis Little Drive Reserve.**
- 3. That a report on outcomes from the proposed meeting be presented to the Council by 31 May 2026.**

**Carried**

## **9. Draft *Benalla Airport Masterplan* – Consideration of Submissions**

The report considered submissions received on the draft *Benalla Airport Masterplan*.

**Cr Davis / Cr Hearn:**

**That the report be noted.**

**Carried**

## **10. 2025/26 Quick Response Grants Program**

The report presented funding applications for 2025/26 Quick Response Grants.

**Cr Hearn / Cr Merkel:**

**That \$750 grants from the 2025/2026 Quick Response Grant program be awarded to Tomorrow Today Education Foundation and the Benalla Branch of the Commonwealth Clydesdale Society.**

**Carried**

## 11. Local Government Performance Reporting Framework – Report Of Operations For Half-Year Ending 31 December 2025

The report presented half-year service performance indicator results under the Local Government Performance Reporting Framework.

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

**Carried**

## 12. Urgent Business

No urgent business was submitted.

## Closure of Meeting

The meeting closed at 7.55pm.

**The minutes were confirmed on the sixth day of May 2026.**

Signed:                     *David Blore*                    6.5.26  
                    Cr David Blore – Chair