

# Council Meeting

## Agenda

**Date: Wednesday 16 November 2022**

**Time: 6pm**

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

Council Meetings are live streamed and recorded. Members of the public are encouraged to watch the live broadcast of the meeting at **[www.benalla.vic.gov.au](http://www.benalla.vic.gov.au)**

Any person wishing to participate in Question Time or Public Submissions in accordance with Rule 7.2 and 7.3 of the *Governance Rules 2020* should contact the Council by emailing [council@benalla.vic.gov.au](mailto:council@benalla.vic.gov.au) or telephoning Governance Coordinator Jessica Beaton on (03) 5760 2600.

In accordance with Rule 6.4 of the *Governance Rules 2020* an audio recording will be made of the proceedings of the meeting.

PO Box 227  
1 Bridge Street East  
Benalla Victoria 3671  
Tel: 03 5760 2600  
[council@benalla.vic.gov.au](mailto:council@benalla.vic.gov.au)  
[www.benalla.vic.gov.au](http://www.benalla.vic.gov.au)

## Contents

|  |           |
|--|-----------|
| <b>Opening and Acknowledgment of Country .....</b>   | <b>3</b>  |
| <b>Disclosures of Conflict of Interest.....</b>  | <b>4</b>  |
| <b>Apologies.....</b>  | <b>4</b>  |
| <b>Confirmation of the Minutes of the Previous Meeting .....</b>   | <b>4</b>  |
| <b>5. Public Question Time.....</b>  | <b>5</b>  |
| <b>6. Petitions .....</b>  | <b>7</b>  |
| <b>Record of Committees.....</b>   | <b>7</b>  |
| 3.1 <i>Recommendations from Delegated Committees.....</i>  | <i>7</i>  |
| 3.2 <i>Assemblies of Councillors, Advisory and External Committees .....</i>   | <i>9</i>  |
| <b>Officer Reports.....</b>  | <b>11</b> |
| 4.1 <i>Election of the Mayor and Deputy Mayor .....</i>  | <i>11</i> |
| 4.2 <i>Establishment of the Finance and Planning Committee.....</i>  | <i>15</i> |
| 4.3 <i>Determining the Meeting Cycle of Council and Committees 2022/23 .....</i>   | <i>19</i> |
| 4.4 <i>Appointment of Council Representatives to Advisory Committees,<br/>        Peak Industry Bodies and Regional and Community Based Committees .....</i> | <i>21</i> |
| 4.5 <i>Appointment of the Council's Official Newspaper for 2022/2023 .....</i>   | <i>25</i> |
| 4.6 <i>Emergency Flood Works.....</i>  | <i>27</i> |
| 4.7 <i>Financial Report For The Quarter Ended 30 September 2022.....</i>   | <i>31</i> |
| 4.8 <i>Mayor and Councillor's Attendance at Committees and Civic Functions .....</i>   | <i>39</i> |
| 4.9 <i>Council Actions Pending .....</i>   | <i>45</i> |
| <b>Councillor Reports.....</b>   | <b>47</b> |
| 5.1 <i>Councillor Service Awards .....</i>   | <i>47</i> |
| 5.2 <i>Reports by Councillors .....</i>  | <i>47</i> |
| <b>6. Notices of Motion .....</b>  | <b>47</b> |
| <b>7. Notices of Rescission Motion .....</b>   | <b>47</b> |
| <b>8. Urgent Business.....</b>   | <b>47</b> |
| <b>Confidential Business .....</b>   | <b>49</b> |
| 9.1 <i>Tender for CM22.032 Public Building and Amenities Cleaning Services 2022-24 .....</i>   | <i>51</i> |
| 9.2 <i>Chief Executive Officer Key Performance Indicators.....</i>   | <i>55</i> |
| 9.3 <i>Confidential Report by Councillors .....</i>  | <i>57</i> |
| 9.4 <i>Confidential Council Actions Pending .....</i>  | <i>57</i> |
| <b>9. Reopening of the meeting to the public .....</b>   | <b>59</b> |
| <b>Closure of the meeting .....</b>  | <b>59</b> |

# Agenda

|                      |                                   |   |
|----------------------|-----------------------------------|---|
| <b>Councillors</b>   | Councillor Danny Claridge         |   |
|                      | Councillor Peter Davis            |   |
|                      | Councillor Don Firth              |   |
|                      | Councillor Bernie Hearn           |   |
|                      | Councillor Punarji Hewa Gunaratne |   |
|                      | Councillor Justin King            |   |
|                      | Councillor Gail O'Brien           |   |
| <b>In attendance</b> | Dom Testoni                       | Chief Executive Officer                       |
|                      | Robert Barber                     | General Manager Corporate                     |
|                      | Cathy Fitzpatrick                 | Manager Finance                               |
|                      | Adrian Gasperoni                  | Manager Assets and Infrastructure             |
|                      | Greg Robertson                    | Manager Facilities and Information Technology |
|                      | Jessica Beaton                    | Governance Coordinator                        |

## Opening and Acknowledgment of Country

The Chief Executive Officer will open the meeting and recite 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.*

## Governance Matters

This Council Meeting is 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* clause 6.4 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.

## Behaviour at Meetings

Members of the public present at a meeting must remain silent during the proceedings other than when specifically invited to address the Committee.

The Chair may remove a person from a meeting for interjecting or gesticulating offensively after being asked to desist, and the chair may cause the removal of any object or material that is deemed by the Chair to be objectionable or disrespectful.

The Chair may call a break in a meeting for either a short time, or to resume another day if the behaviour at the Council table or in the gallery is significantly disrupting the Meeting.

## Disclosures of Conflict of Interest

In accordance with the *Local Government Act 2020*, a Councillor must declare any Conflict of Interest pursuant to Section 130 of the Act in any items on this Agenda.

At the time indicated in the agenda, a Councillor with a conflict of interest in an item on that agenda must indicate they have a conflict of interest by clearly stating:

- the item for which they have a conflict of interest;
- whether their conflict of interest is general or material; and
- the circumstances that give rise to the conflict of interest.

Immediately prior to the consideration of the item in which they have a conflict of interest, a Councillor must indicate to the Meeting the existence of the conflict of interest and leave the Meeting.

## Apologies

**Recommendation:**

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

## Confirmation of the Minutes of the Previous Meeting

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.

**Recommendation:**

**That the Minutes of the Council Meetings held on 12 October 2022 and 26 October 2022 be confirmed as true and accurate records of the meetings.**

## 5. Public Question Time

The Council's *Governance Rules 2020* provide the opportunity for members of the public to lodge written questions of broad interest to the Council and the community.

Questions of the Council will not be allowed during any period when the Council has resolved to close the meeting in respect of a matter under section 66 (1) of the *Local Government Act 2020* (the Act).

A question may be on any matter except if it:

- is considered malicious, defamatory, indecent, abusive, offensive, irrelevant, trivial, or objectionable in language or substance;
- relates to confidential information as defined under the Act;
- relates to the personal hardship of any resident or ratepayer; or
- relates to any other matter which the Council considers would prejudice the Council or any person.

No more than two questions will be accepted from any person at any one meeting.

All questions and answers must be as brief as possible, and no discussion may be allowed other than by Councillors for the purposes of clarification.

Like questions may be grouped together and a single answer provided.

The Chair may nominate a Councillor, the Chief Executive Officer or another member of Council staff to respond to a question.

|                        |
|------------------------|
| <b>Recommendation:</b> |
|------------------------|

|   |
|---|
| <b>That the question(s) and answer(s) be noted.</b> |
|---|

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## 6. Petitions

### Record of Committees

#### 3.1 Recommendations from Delegated Committees

The recommendations of the Finance and Operations Committee meeting held on Wednesday 9 November 2022 are attached as **Appendix 1**.

The recommendations of the Planning and Development Committee meeting held on Wednesday 9 November 2022 are attached as **Appendix 2**.

**Recommendation:**

- 1. That the recommendations of the Finance and Operations Committee meeting held on Wednesday 9 November 2022 be adopted.**
- 2. That the recommendations of the Planning and Development Committee meeting held on Wednesday 9 November 2022 be adopted.**

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**Business****1. 2022/2023 Community Sponsorship Program**

The report presented funding applications under the 2022/23 Community Sponsorship Program.

**Cr Hearn / Cr O'Brien:**

**That \$500 grants from the 2022/2023 Community Sponsorship Program be allocated to Rotary Club of Benalla, Stroke Association of Victoria (SAV), Lima School Community Centre Committee and Thoona and District Progress Association Incorporated.**

**Carried**

**2. People and Performance Department Activity Report for The Quarter Ended 30 September 2022**

The report presented the activities of the People and Performance Department for the quarter ended 30 September 2022.

**Cr Claridge / Cr Gunarante:**

**That the report be noted.**

**Carried**

**3. Finance Department Activity Report for The Quarter Ended 30 September 2022**

The report presented an overview of the functions of the Finance Department for the quarter ended 30 September 2022.

**Cr Hearn / Cr Firth:**

**That the report be noted.**

**Carried**

**4. Community Department Activity Report for The Quarter Ended 30 September 2022**

The report presented activity for the Community Department for the quarter ended 30 September 2022.

**Cr O'Brien / Cr Hearn:**

**That the report be noted.**

**Carried**

**5. Councillors Expenses For The Quarter Ended 30 September 2022**

The report detailed expenditure associated with Councillors' mobile phone usage, attendance at professional development courses and conferences and seminars, and reimbursement of expenses incurring during the quarter ended 30 September 2022.

**Cr Hearn / Cr Gunarante:**

**That the report be noted.**

**Carried**

**Closure of Meeting**

The committee meeting closed at 6.28pm.

**Business****1. Planning And Building Approvals – September 2022**

The report detailed planning permit applications and building approvals for September 2022.

**Cr King / Cr Firth:**

**That the report be noted.**

**Carried**

**2. Development Department Activity Report For the Quarter Ended 30 September 2022**

The report presented the activities of the Development department for the quarter ended 30 September 2022.

**Cr King / Cr Hearn:**

**That the report be noted.**

**Carried**

**3. Benalla Landfill and Resource Recovery Centre Transfer Station Fees**

The report discussed the proposed Benalla Landfill and Resource Recovery Centre transfer station charges.

**Cr Firth / Cr O'Brien:**

**That the Benalla Landfill and Resource Recovery Centre transfer station charges be considered for adoption at the Planning and Development Committee meeting on 7 December 2022.**

**Carried**

**4. Assets and Infrastructure Department Activity Report For The Quarter Ended 30 September 2022**

The report presented the activities of the Assets and Infrastructure department for the quarter ended 30 September 2022.

**Cr Firth / Cr King:**

**That the report be noted.**

**Carried**

**5. Facilities and Information Technology Department Activity Report For The Quarter Ended 30 September 2022**

The report presented the activities of the Facilities and Information Technology department for the quarter ended 30 September 2022.

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

**That the report be noted.**

**Carried**

**Closure of Meeting**

The meeting closed at 7.12pm.

### 3.2 Assemblies of Councillors, Advisory and External Committees

Under Council's *Governance Rules 2020* the Chief Executive Officer is required to provide a written record of the Assemblies of Councillors at a scheduled Council Meeting.

The record of Assemblies of Councillors since the report presented at the meeting on 12 October 2022 is attached as **Appendix 1**.

Copies of the Minutes from the following meetings have been provided to councillors under separate cover.

#### September 2022

|                   |  |
|-------------------|--|
| 1 September 2022  | Assembly of Councillors – Benalla Art Gallery Redevelopment Update |
| 7 September 2022  | Benalla Airport Advisory Committee Meeting                         |
| 12 September 2022 | Assembly of Councillors – Thales Site Visit                        |
| 14 September 2022 | Assembly of Councillors – The Voice Project Briefing               |
| 14 September 2022 | Benalla Festival Advisory Committee Meeting                        |
| 20 September 2022 | Assembly of Councillors – Aged Friendly Reference Group Update     |
| 21 September 2022 | Assembly of Councillors – Business Review                          |

#### October 2022

|                 |  |
|-----------------|--|
| 3 October 2022  | Benalla Local Safety and Traffic Liaison Committee |
| 5 October 2022  | Communications Advisory Committee                  |
| 11 October 2022 | Accessibility Reference Group Meeting              |
| 12 October 2022 | Benalla Festival Advisory Committee Meeting        |
| 18 October 2022 | Audit and Risk Committee Meeting                   |
| 26 October 2022 | Communications Advisory Committee Meeting          |
| 26 October 2022 | Assembly of Councillors – Business Review          |

**Recommendation:**

**That the report be noted.**

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## Record of Assemblies of Councillors, Advisory and External Committees

September - October 2022

### Assembly of Councillors – Benalla Art Gallery Redevelopment Update

11am Wednesday 1 September 2022, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

|  |  |                                   |
|--|--|-----------------------------------|
| <b>Chair</b>   | Councillor Bernie Hearn (Mayor)                            |                                   |
| <b>Councillors</b>   | Councillor Danny Claridge                                  |                                   |
|  | Councillor Peter Davis                                     |                                   |
|  | Councillor Don Firth                                       |                                   |
|  | Councillor Punarji Hewa Gunaratne                          |                                   |
|  | Councillor Justin King                                     |                                   |
|  | Councillor Gail O'Brien                                    |                                   |
| <b>In attendance</b>                                       | Dom Testoni  | Chief Executive Officer           |
|  | Robert Barber  | General Manager Corporate         |
|  | Adrian Gasperoni   | Manager Assets and Infrastructure |
|  | Eric Nash  | Director Benalla Art Gallery      |
| <b>Apologies:</b>  | Councillor Don Firth and Councillor Punarji Hewa Gunarante |                                   |
| <b>Conflicts of Interest disclosed:</b>                    | Nil  |                                   |
| <b>Items discussed:</b>                                    |  |                                   |
| 1. Presentation: Benalla Art Gallery Redevelopment Project |  |                                   |

### Benalla Airport Advisory Committee

3pm Wednesday 7 September 2022, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

|   |                           |   |
|---|---------------------------|---|
| <b>Chair:</b>                           | Councillor Peter Davis    | Council Representative                        |
| <b>Committee:</b>                       | Councillor Danny Claridge | Council Representative                        |
|   | Tim Shirley               | Gliding Club of Victoria                      |
|   | Craig Morrison            | Benalla Aviation Museum                       |
|   | Mark Carr                 | Commercial Operator                           |
|   | Joni Jones                | Balloon Association of Victoria               |
|   | Rob Evans                 | Benalla Aero Club Inc                         |
| <b>In attendance:</b>                   | Greg Robertson            | Manager Facilities and Information Technology |
|   | Elise Wood                | Senior Facilities Officer                     |
| <b>Apologies:</b>                       | Tim Shirley               |   |
| <b>Conflicts of Interest disclosed:</b> | Nil                       |   |
| <b>Items discussed:</b>                 |                           |   |
| 1. User Group Reports                   |                           |   |
| 2. General Business                     |                           |   |

**Assembly of Councillors – Thales Site Visit**

10.30am Monday 12 September 2022, Thales Australia, 525 Yarrawonga Road, Benalla .

**Chair** Councillor Bernie Hearn (Mayor)

**Councillors** Councillor Danny Claridge  
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

**Apologies:** Councillor Don Firth, Councillor Punarji Hewa Gunarante and Councillor Justin King

**Conflicts of Interest disclosed:** Nil

**Items discussed:**

1. Thales Australia

**Assembly of Councillors – The Voice Project Briefing**

Noon Wednesday 14 September 2022, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

**Chair** Councillor Bernie Hearn (Mayor)

**Councillors** Councillor Danny Claridge  
Councillor Peter Davis  
Councillor Don Firth  
Councillor Punarji Hewa Gunaratne  
Councillor Justin King  
Councillor Gail O'Brien

**In attendance** Dom Testoni Chief Executive Officer

**Apologies:** Councillor Don Firth and Councillor Punarji Hewa Gunarante

**Conflicts of Interest disclosed:** Nil

**Items discussed:**

2. Presentation: The Voice Project



**Benalla Festival Advisory Committee**

4.30pm Wednesday 14 September 2022, Customer Service Centre (Geoff Oliver Meeting Room), 1 Bridge Street East, Benalla.

|                       |   |                               |
|-----------------------|---|-------------------------------|
| <b>Chair:</b>         | Councillor Don Firth                                      | Council Representative        |
| <b>Committee:</b>     | Councillor Justin King                                    | Council Representative        |
|                       | Caroll Bolitho  | Community Representative      |
|                       | Stephanie Brack   | Youth Development Coordinator |
|                       | Vince Branigan  | Community Representative      |
|                       | Wayne Godfrey   | Community Representative      |
|                       | Di Harper   | Community Representative      |
| <b>In attendance:</b> | Sharon Geer   | Events Coordinator            |
|                       | Kirsten Hein  | Administration Officer        |
| <b>Apologies:</b>     | Councillor Justin King, Stephanie Brack and Wayne Godfrey |                               |

**Conflicts of Interest disclosed:** Nil

**Items discussed:**

1. Planning for the 2022 Benalla Festival
2. Marketing and Promotion
3. General Business

**Assembly of Councillors – Aged Friendly Reference Group Update**

Noon Wednesday 20 September 2022, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

|                      |  |                         |
|----------------------|--|-------------------------|
| <b>Chair</b>         | Councillor Bernie Hearn (Mayor)  |                         |
| <b>Councillors</b>   | Councillor Danny Claridge  |                         |
|                      | Councillor Peter Davis   |                         |
|                      | Councillor Don Firth   |                         |
|                      | Councillor Punarji Hewa Gunaratne  |                         |
|                      | Councillor Justin King   |                         |
|                      | Councillor Gail O'Brien  |                         |
| <b>In attendance</b> | Dom Testoni  | Chief Executive Officer |
| <b>Apologies:</b>    | Councillor Don Firth, Councillor Punarji Hewa Gunarante, Councillor Gail O'Brien |                         |

**Conflicts of Interest disclosed:** Nil

**Items discussed:**

1. Aged Friendly Reference Group Update

## **Assembly of Councillors – Business Review**

6pm Wednesday 21 September 2022, Civic Centre (Council Meeting Room), 13 Mair Street, Benalla.

**Chair** Councillor Bernie Hearn (Mayor)

**Councillors** Councillor Danny Claridge  
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  
Adrian Gasperoni Manager Assets and Infrastructure  
Nilesh Singh Manager Development  
Tom Arnold Community Development Coordinator  
Bronwyn Chapman Environmental Sustainability Coordinator  
Joel Ingham Planning Coordinator  
Nathan Gasperoni Environmental Sustainability Officer

**Apologies:** Councillor Don Firth

**Conflicts of Interest disclosed:**

**Items discussed:**

1. Presentation: Goulburn Murray Climate Alliance
2. Presentation: Save Barkly Street Campus Committee
3. Planning Application for a Multi Lot Subdivision (33 Lots) and the removal of native vegetation and the creation of an easement, Bourke Drive, Benalla
4. Planning Permit Application P0102/22 – To Construct Horse Stables and a horse walker at 5835 Midland Highway, Benalla
5. Benalla Heritage Stakeholder Engagement Plan
6. Proposed Tesla Carpark Project
7. Benalla Landfill and Resource Recovery Centre Transfer Station
8. Potential Removal of a heritage oriental plane tree – 11 Bridge Street East, Benalla
9. Council Meeting Cycle Review

## **Benalla Local Safety and Traffic Committee**

2pm Monday 3 October 2022, Civic Centre (Council Meeting Room), 13 Mair Street, Benalla.

|   |  |                                   |
|---|--|-----------------------------------|
| <b>Chair:</b>                           | Adrian Gasperoni   | Manager Assets and Infrastructure |
| <b>Committee:</b>                       | Councillor Bernie Hearn (Mayor)  | Council Representative            |
|   | Councillor Justin King   | Council Representative            |
|   | Lisa Aitkinson   | Victoria Police                   |
|   | Mark Byers   | Victoria Police                   |
|   | Jessica Bollen   | Department of Transport           |
|   | Karlyne Carr   | Victoria Police                   |
|   | Sean Carter  | Regional Roads Victoria           |
|   | Sina Rezadad   | Regional Roads Victoria           |
|   | Tony Clark   | Benalla P-12 College              |
|   | Kerri Croxford   | Victoria Police                   |
|   | Gavin Duncan   | Victoria Police                   |
|   | David Gillespie  | Victoria Police                   |
|   | Fran Gottschling   | Victoria Police                   |
|   | Shaun Hillier  | Victoria Police                   |
|   | Shaun Mason  | FCJ College Benalla               |
|   | David Morrow   | Cooinda Village                   |
|   | John Stafford  | Regional Roads Victoria           |
|   | Cristy Webb  | Regional Roads Victoria           |
| <b>In attendance:</b>                   | Nilesh Singh   | Manager Development               |
|   | Jenny Lamond   | Victoria Police                   |
|   | Briana Beggs   | Administration Officer            |
| <b>Apologies:</b>                       | Councillor Justin King, Mark Byers, Karlyne Carr, Tony Clark, Kerri Croxford, Gavin Duncan, Fran Gottschling, Shaun Hillier, Shaun Mason, David Morrow |                                   |
| <b>Conflicts of Interest disclosed:</b> | Nil  |                                   |
| <b>Items discussed:</b>                 |  |                                   |
|   | 1. Presentation: Manager Development   |                                   |
|   | 2. Inland Rail Project Update  |                                   |
|   | 3. Review of Action Sheet  |                                   |
|   | 4. Project Updates   |                                   |
|   | 5. Opportunities to Work Together / General Business   |                                   |

**Communications Advisory Committee**

1.20pm Wednesday 5 October 2022, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

**Chair** Councillor Bernie Hearn (Mayor)

**Councillors** Councillor Danny Claridge

Councillor Peter Davis

**In attendance** Dom Testoni Chief Executive Officer

Grant Banks Communications and Engagement Coordinator

**Apologies:** Nil

**Conflicts of Interest disclosed:** Nil

**Items discussed:**

1. Council Meeting 'Round Up' in Benalla Ensign
2. Facebook Comments
3. Dealing with Media Enquires and Cold Calls
4. Ideas for Monthly Benalla Ensign Page
5. Communications and Engagement Coordinator Update
6. General Business

**Accessibility Reference Group**

10.30am Tuesday 11 October 2022, Waminda House 19 Ballintine Street, Benalla

|   |  |                                   |
|---|--|-----------------------------------|
| <b>Chair:</b>                           | Sheryle Stubbs   | Community Representative          |
| <b>Committee:</b>                       | Councillor Bernie Hearn (Mayor)  | Council Representative            |
|   | Councillor Don Firth   | Council Representative            |
|   | Councillor Gail O'Brien  | Council Representative            |
|   | Fiona Ashcorft   | Intereach                         |
|   | Annemarie Broughton  | Community Representative          |
|   | Amanda Challis   |                                   |
|   | David Horan  |                                   |
|   | Cheryl-Anne Menere   | Community Representative          |
|   | Keith Menere   | Community Representative          |
|   | Joan Vance   | Community Representative          |
| <b>In attendance:</b>                   | Adrian Gasperoni   | Manager Assets and Infrastructure |
|   | Tom Arnold   | Community Development Coordinator |
|   | Janine Brooks  | Community Development Officer     |
| <b>Apologies:</b>                       | Councillor Bernie Hearn (Mayor), Councillor Gail O'Brien, Annemarie Broughton and Joan Vance |                                   |
| <b>Conflicts of Interest disclosed:</b> | Nil  |                                   |
| <b>Items discussed:</b>                 |  |                                   |
|   | 1. Business Arising  |                                   |
|   | 2. Guest Speaker: Manager Assets and Infrastructure  |                                   |
|   | 3. Advocacy and Blue Book Issues   |                                   |
|   | 4. Future Speakers Wish List   |                                   |
|   | 5. Community Connect – Open Forum Other Business   |                                   |

**Benalla Festival Advisory Committee**

4.30pm Wednesday 12 October 2022, Customer Service Centre (Geoff Oliver Meeting Room), 1 Bridge Street East, Benalla.

|                       |                          |                               |
|-----------------------|--------------------------|-------------------------------|
| <b>Chair:</b>         | Councillor Don Firth     | Council Representative        |
| <b>Committee:</b>     | Councillor Justin King   | Council Representative        |
|                       | Caroll Bolitho           | Community Representative      |
|                       | Stephanie Brack          | Youth Development Coordinator |
|                       | Vince Branigan           | Community Representative      |
|                       | Wayne Godfrey            | Community Representative      |
|                       | Di Harper                | Community Representative      |
| <b>In attendance:</b> | Sharon Geer              | Events Coordinator            |
|                       | Kirsten Hein             | Administration Officer        |
|                       | Will Smith               | Youth Engagement Officer      |
| <b>Apologies:</b>     | Di Harper and Will Smith |                               |

**Conflicts of Interest disclosed:** Nil

**Items discussed:**

1. Planning for the 2022 Benalla Festival
2. Marketing and Promotion
3. Logistics
4. General Business

**Audit and Risk Committee Meeting**

5pm Tuesday 18 October 2022, Civic Centre (Council Meeting Room), 13 Mair Street, Benalla.

**Chair** Mr Cameron Gray

**Committee** Councillor Peter Davis

Councillor Justin King

Mr Michael Hedderman

Ms Rita Ruyters

Mr John Stapleton

**In attendance** Councillor Danny Claridge

Councillor Don Firth

Councillor Bernie Hearn (Mayor)

Councillor Punarji Hewa  
Gunaratne

Councillor Gail O'Brien

Dom Testoni Chief Executive Officer

Robert Barber General Manager Corporate

Cathy Fitzpatrick Manager Finance

Ryan Schischka External Auditor – Johnsons MME

**Apologies:** Nil

**Conflicts of Interest disclosed:** Councillor Danny Claridge

**Items discussed:**

1. Meeting with Auditors
2. Draft Annual Financial Report and Draft Performance Statement
3. Victorian Auditor-General's Office Draft Closing Report and Draft Financial Management Letter for the year ending 30 June 2022
4. General Business

**Communications Advisory Committee**

1.30pm Wednesday 26 October 2022, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

**Chair** Councillor Bernie Hearn (Mayor)

**Councillors** Councillor Danny Claridge

Councillor Peter Davis

**In attendance** Dom Testoni Chief Executive Officer

Grant Banks Communications and Engagement Coordinator

**Apologies:** Nil

**Conflicts of Interest disclosed:** Nil

**Items discussed:**

1. Pop-up Community Engagement Opportunities for Councillors
2. Ideas for Monthly Benalla Ensign Page
3. Communications and Engagement Coordinator Update
4. General Business



**Assembly of Councillors – Business Review**

6.30pm Wednesday 26 October 2022, Civic Centre (Council Meeting Room), 13 Mair Street, Benalla.

**Chair** Councillor Bernie Hearn (Mayor)

**Councillors** Councillor Danny Claridge  
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

**Apologies:** Nil

**Conflicts of Interest disclosed:** Nil

**Items discussed:**

1. Meeting Cycle of Council and Committee Meetings
2. Appointment of Council Representatives to Advisory Committees, Peak Industry Bodies and Regional and Community Based Committees
3. Benalla Rural City Flood Update
4. Benalla Art Gallery Redevelopment Project Update
5. Benalla Performing Arts and Convention Centre Update
6. EV Charging Station Update



## Officer Reports

### 4.1 Election of the Mayor and Deputy Mayor

SF/808-07

Dom Testoni – Chief Executive Officer

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#### INTRODUCTION

Under the *Local Government Act 2020* a Mayor is to be elected at a Council meeting that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.

Subject to section 167, any Councillor is eligible for election or re-election to the office of Mayor.

#### Election of Mayor

Section 25 of the Act states:

1. The election of the Mayor must—
  - a. be chaired by the Chief Executive Officer; and
  - b. subject to this section, be conducted in accordance with the Governance Rules.
2. Subject to subsections (5) and (6), the Mayor must be elected by an absolute majority of the Councillors.
3. If an absolute majority of the Councillors cannot be obtained at the meeting, the Council may resolve to conduct a new election at a later specified time and date.
4. If only one Councillor is a candidate for Mayor, the meeting must declare that Councillor to be duly elected as Mayor.
5. In this section, absolute majority means the number of Councillors which is greater than half the total number of the Councillors of a Council.

#### Procedures for Election of Mayor

The Returning Officer must invite nominations for the office of Mayor and the following procedures will apply to the conduct of the election:

- 2.2.1. there must first be a determination of the term of appointment of the Mayor
- 2.2.2. voting will be carried out by show of hands
- 2.2.3. any Councillor is eligible for election or re-election to the office of Mayor
- 2.2.4. nominations for the position of Mayor must be moved and seconded
- 2.2.5. any Councillor nominated may refuse nomination

2.2.6. where only one nomination is received, the Councillor must be declared elected

2.2.7. where two or more nominations are received, the Councillor with an absolute majority of votes must be declared elected except that:

2.2.8. the Chief Executive Officer must invite nominations for the office of Mayor and confirm acceptance of the nomination with the nominee.

2.2.9. where in an election for the Mayor:

1. only one candidate has been nominated, that candidate must be declared elected
2. two candidates have been nominated, a vote must be taken and the candidate who receives an absolute majority of votes must be declared elected.
3. two candidates have been nominated and no candidate receives the number of votes equal to half the Councillors of the Council, a second vote will be conducted.
4. where, after a second vote, where two candidates have been nominated and no candidate receives the number of votes equal to half the Councillors of the Council the Chief Executive Officer will seek the meeting to resolve to conduct a new election at a meeting to be held at 6 pm the following day.
5. more than two candidates have been nominated and no candidate receives the number of votes equal to or greater than half the Councillors of the Council: a. the candidate with the fewest number of votes cast must be eliminated.
  - a. the names of the remaining candidates must be put to the vote again.
  - b. the procedure in a and b above must be continued until there remain only two candidates, at which point the candidate to be declared elected is to be determined by the procedures outlined above in this sub-rule; and
  - c. in the event of two or more candidates having an equality of votes and one of them having to be declared a defeated candidate (where there are three or more candidates with equal votes) the Chief Executive Officer will conduct a vote for one candidate to be defeated.

### **Term of Appointment of the Mayor**

Under Section 26 of the act, before the election of the Mayor, the Council must determine by resolution whether the Mayor is to be elected for a 1 year or a 2 year term.

**Recommendation:**

**That the term of appointment of the Mayor be for one/two year(s).**

The Chief Executive Officer will call for nominations for the position of Mayor.

**Recommendation:**

**That Councillor ..... be elected as Mayor of Benalla Rural City Council for the 2022/23 Council Year.**

The Chief Executive Officer declares Councillor ..... elected as Mayor for the 2022/23 Council Year.

Upon being elected, the Mayor may make a ceremonial speech. The purpose of the ceremonial Mayoral speech is to outline priorities for the year ahead based on the adopted Council Plan.

Once the Mayor has been elected, the Chief Executive Officer must vacate the Chair and the Mayor must take the Chair for the balance of the meeting, where the following matters may be dealt with:

- a. Appointment of a Deputy Mayor
- b. Determining the Meeting Cycle for the next 12 months of Council and Committee meetings
- c. Appointment of Council representatives to advisory committees, peak industry bodies and regional and community-based committees
- d. Appointment of the Council's official newspaper
- e. Any other matter considered necessary by the CEO.

**Establish the position of Deputy Mayor**

The Council may resolve to establish the position of Deputy Mayor. The procedure for the election of Mayor will apply to the election of the Deputy Mayor with any necessary modifications.

**Recommendation:**

**That the position of Deputy Mayor be established.**

### Term of Appointment of the Deputy Mayor

Under Section 26 of the act, before the election of the Deputy Mayor, the Council must determine by resolution whether the Deputy Mayor is to be elected for a 1 year or a 2 year term.

**Recommendation:**

**That the term of appointment of the Deputy Mayor be for one/two year(s).**

The Mayor will call for nominations for the position of Deputy Mayor.

**Recommendation:**

**That Councillor ..... be elected as Deputy Mayor of Benalla Rural City Council for the 2022/23 Council Year.**

The Mayor declares Councillor ..... elected as Deputy Mayor for the 2022/23 Council Year.

### Statement of Commitment

The Councillors will recite the following Statement of Commitment:

*I declare,  
that as a Councillor of Benalla Rural City  
I will undertake on every occasion  
to carry out my duties in the best interests of the community  
and that my conduct shall maintain the standards of our Councillor Code of Conduct  
so that I may faithfully represent  
and uphold the trust placed in the Council  
by the people of Benalla and District.*

## 4.2 Establishment of the Finance and Planning Committee

SF/2034

Jessica Beaton – Governance Coordinator

Robert Barber – General Manager Corporate

### PURPOSE OF REPORT

The report presents the Instrument of Delegation for the establishment of the Finance and Planning Committee as a Delegated Committee under the *Local Government Act 2020*.

### BACKGROUND

The Council, at its meeting on 26 August 2020, resolved to establish the Finance and Operations Committee and the Planning and Development Committee as Delegated Committees of Council.

The Council may appoint members to a delegated committee and, at any time, remove a member from a special committee.

Delegated committees are established to assist the Council with executing specific functions or duties. By instrument of delegation the Council may delegate these functions and its powers under the *Local Government Act 2020* (the Act), except the following powers (Section 11(2)):

- a. the power of delegation;
- b. the power to elect a Mayor or Deputy Mayor;
- c. the power to grant a reasonable request for leave under section 35;
- d. subject to subsection (3), the power to appoint the Chief Executive Officer, whether on a permanent or acting basis
- e. the power to make any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
- f. the power to approve or amend the Council Plan;
- g. the power to adopt or amend any policy that the Council is required to adopt under this Act;
- h. the power to adopt or amend the Governance Rules;
- i. the power to appoint the chair or the members to a delegated committee;
- j. the power to make, amend or revoke a local law;
- k. the power to approve the budget or revised budget;
- l. the power to borrow money;
- m. subject to section 181H(1)(b) of *the Local Government Act 1989*, the power to declare general rates, municipal charges, service rates and charges and special rates and charges;
- n. any power, duty or function prescribed by the regulations for the purposes of this subsection.

Members of a Delegated Committee are not authorised by the Instrument of Delegation to:

1. Enter into contracts, or incur expenditure, for an amount which exceeds \$500,000;
2. Act on something already done by a member of Council staff acting as a delegate of the Council;
3. Act on a resolution that the Council has resolved.
4. Make decision which are inconsistent with a:
  - a. policy
  - b. strategy formally adopted by the Council.
5. Exercise the powers which, by force of section 11(2) of the *Local Government Act 2020*, or s 188 of the *Planning and Environment Act 1987*, cannot be delegated.

#### DISCUSSION

The Finance and Planning Committee will combine the powers and functions of the Finance and Operations and Planning and Development Committees.

The *Instrument of Delegation for Delegated Committees of Council* is attached as **Appendix 1**.

The instrument includes a schedule which sets out the powers, functions, exceptions, conditions and limitations of the Finance and Planning Review Committee.

Upon signing and sealing of the *Instrument of Delegation for Delegated Committees*:

- The Finance and Operations and the Planning and Development Committees will dissolve as Delegated Committees of Council and all delegations will be revoked.
- The Finance and Planning Review Committee will be established as a Delegated Committee of Council.

#### COUNCIL PLAN 2021-2025 IMPLICATIONS

##### Leadership

- *Good governance.*
- *High performance culture.*



## COMMUNITY ENGAGEMENT

In accordance with the Council's *Community Engagement Policy*, it is proposed that community engagement be undertaken at the 'inform' level under the International Association for Public Participation's IAP2 public participation spectrum as detailed in the table below:

| Level of Public Participation | Promise to the community     | Techniques to be used  |
|-------------------------------|------------------------------|--|
| Inform                        | We will provide information. | <ul style="list-style-type: none"> <li>Public report presented to the Council.</li> <li>Finance and Planning Review Committee activities reported in the Annual Report.</li> </ul> |

## LEGISLATIVE AND STATUTORY IMPLICATIONS

It is considered that the report is consistent with the *Charter of Human Rights and Responsibilities Act 2006* and *Gender Equality Act 2020*.

## FINANCIAL IMPLICATIONS

The implementation of the *Instrument of Delegation for Delegated Committees of Council* will be accommodated within the existing budget.

An allocation is made each year in the governance program budget for the Council subscription to Maddocks Lawyers Delegations and Authorisations Service. In 2022/23 the cost will be \$3000 ex GST.

### Recommendation:

1. In exercise of the powers conferred by s 63 of the *Local Government Act 2020* (the Act), the Council resolves that:
2. From the date of this resolution, the Finance and Planning Review Committee be established as a Delegated Committee.
3. The purposes of the Delegated Committee are those set out in the *Instrument of Delegation for Delegated Committees of Council*.
4. The members of the Delegated Committee are all the elected members of the Council.
5. The Chair of the Finance and Planning Review Committee is to be appointed by the Mayor.
6. A quorum for the Committee is a whole number that is an absolute majority, which is the number of members that is greater than half the total number of members of the Delegated Committee.
7. All members of the Delegated Committee have voting rights on the Delegated Committee.

- 8. The members of the Delegated Committee be delegated the powers, duties and functions set out in the *Instrument of Delegation for Delegated Committees of Council*.**
- 9. The *Instrument of Delegation for Delegated Committees of Council*:**
  - a. comes into force immediately when the common seal of Council is affixed to the Instrument; and**
  - b. remains in force until the Council determines to vary or revoke it.**
- 10. The powers, duties and functions conferred on the members of the Delegated Committee by the Instrument must be exercised in accordance with any guidelines or policies Council may from time to time adopt.**
- 11. The instrument be sealed.**

# BENALLA

## RURAL CITY COUNCIL

BENALLA RURAL CITY

# C4 Instrument of Delegation

Delegated Committees of Council

December 2022

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## C4 Instrument of Delegation - Delegated Committees of Council

Benalla Rural City Council (**Council**) delegates to each person who is from time to time appointed as a member of the Delegated Committees established by resolution of Council passed on 16 November 2022 and known as the

- "Finance and Planning Committee"

The powers and functions set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 16 November 2022;
2. a delegate can only exercise the delegations contained in this Instrument of Delegation while acting as a member of the Finance and Planning Committee at a meeting of the Committee;
3. the delegation:
  - 3.1 comes into force immediately when the common seal of Council is affixed to this Instrument of Delegation;
  - 3.2 remains in force until Council resolves to vary or revoke it; and
  - 3.3 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts.
4. all members of the Finance and Planning Committee will have voting rights on the Delegated Committee.

The **COMMON SEAL** of the **BENALLA RURAL CITY COUNCIL**

was affixed by authority of the Council on the

Sixteenth day of November 2022

in the presence of:

.....  
Mayor / Councillor

.....  
Chief Executive Officer

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# Schedule

## Finance and Planning Committee

### Powers and functions

1. To exercise Council's powers, discretions and authorities to perform Council's functions under the *Planning and Environment Act 1987* or *Building Act 1990* in accordance with relevant policies and guidelines of the Council and to do all things necessary or convenient to be done for or in connection with the performance those functions, duties and powers.
2. To exercise Council's functions, powers and to perform Council's duties conferred by any legislation for those purposes in connection with:
  - i. capital works projects;
  - ii. the provision of infrastructure;
  - iii. land use;
  - iv. environmental issues; or
  - v. local laws
  - vi. governance
  - vii. financial operations
  - viii. social and cultural development
  - ix. the operation of the Council's organisational administration.
3. To enter into contracts, and to incur expenditure to a maximum monetary limit of \$500,000;
4. To do all things necessary or convenient to be done for or in connection with the performance those functions, duties and powers.

### Exceptions, conditions and limitations

The members of the Delegated Committee are not authorised by this Instrument to:

1. Enter into contracts, or incur expenditure, for an amount which exceeds \$500,000;
2. Act on something already done by a member of Council staff acting as a delegate of the Council;
3. Act on a resolution that the Council has resolved.
4. Make decision which are inconsistent with a:
  - a. policy
  - b. strategy formally adopted by the Council.
5. Exercise the powers which, by force of section 11(2) of the *Local Government Act 2020*, or s 188 of the *Planning and Environment Act 1987*, cannot be delegated.



# **BENALLA**

## **RURAL CITY COUNCIL**

Benalla Rural City Council  
(Insert Date)

PO BOX 227  
BENALLA VIC 3671

(03) 5760 2600  
[council@benalla.vic.gov.au](mailto:council@benalla.vic.gov.au)

[www.benalla.vic.gov.au](http://www.benalla.vic.gov.au)



### 4.3 Determining the Meeting Cycle of Council and Committees 2022/23

SF/808-07

Dom Testoni – Chief Executive Officer

#### PURPOSE OF REPORT

The report proposes a schedule of Council Meetings for 2022/23.

#### BACKGROUND

The *Local Government Act 2020* provides that the conduct of Council Meetings is at the Council's discretion. The *Governance Rules 2020* states that:

*The date, time and place of all Meetings for the following Council Year is to be fixed by the Council at a Council Meeting after the election of the Mayor but not later than the last Council Meeting of the calendar year.*

The Council may call unscheduled Council Meetings or Delegated Committee Meetings during the year. If an unscheduled meeting is called, the Chief Executive Officer must arrange for a notice of the meeting on the Council's website as soon as practicable after the time and date has been determined.

Council Meetings and Delegated Committee meetings are held on Wednesdays in the Civic Centre, 13 Mair Street, Benalla, unless otherwise advised. Meetings commence at 5.30pm. During daylight savings time meetings commence at 6pm.

Meetings are livestreamed using videoconferencing technology to enable public participation.

#### DISCUSSION

In accordance with the *Governance Rules 2020*, the Council, by resolution may determine certain meetings be held solely as face-to-face (in-person) meetings.

The proposed schedule of Council and Committee meetings for 2022/23 is attached as **Appendix 1**.

**Recommendation:**

**That the 2022/23 Schedule of Meetings for the Council and the Finance and Planning delegated committee be adopted.**

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| Date                                | Meeting Name                           | Time                                   |
|-------------------------------------|--|--|
| Wednesday, 30 November 2022         | Assembly of Councillors                | 6pm                                    |
| Wednesday, 7 December 2022          | Finance and Planning Committee Meeting | 6pm                                    |
| Wednesday, 14 December 2022         | Council Meeting                        | 6pm                                    |
| <i>December 2022 - January 2023</i> |  | <i>Christmas and New Year's Recess</i> |
| Wednesday, 25 January 2023          | Assembly of Councillors                | 6pm                                    |
| Wednesday, 1 February 2023          | Finance and Planning Committee Meeting | 6pm                                    |
| Wednesday, 1 February 2023          | Assembly of Councillors                | 6pm                                    |
| Wednesday, 8 February 2023          | Council Meeting                        | 6pm                                    |
| Wednesday, 22 February 2023         | Assembly of Councillors                | 6pm                                    |
| Wednesday, 1 March 2023             | Finance and Planning Committee Meeting | 6pm                                    |
| Wednesday, 8 March 2023             | Assembly of Councillors                | 6pm                                    |
| Wednesday, 15 March 2023            | Council Meeting                        | 6pm                                    |
| Wednesday, 29 March 2023            | Assembly of Councillors                | 5.30pm                                 |
| Wednesday, 5 April 2023             | Finance and Planning Committee Meeting | 5.30pm                                 |
| Wednesday, 12 April 2023            | Assembly of Councillors                | 5.30pm                                 |
| Wednesday, 19 April 2023            | Council Meeting                        | 5.30pm                                 |
| Wednesday, 3 May 2023               | Assembly of Councillors                | 5.30pm                                 |
| Wednesday, 10 May 2023              | Finance and Planning Committee Meeting | 5.30pm                                 |
| Wednesday, 17 May 2023              | Assembly of Councillors                | 5.30pm                                 |
| Wednesday, 24 May 2023              | Council Meeting                        | 5.30pm                                 |
| Wednesday, 7 June 2023              | Assembly of Councillors                | 5.30pm                                 |
| Wednesday, 14 June 2023             | Finance and Planning Committee Meeting | 5.30pm                                 |
| Wednesday, 21 June 2023             | Assembly of Councillors                | 5.30pm                                 |
| Wednesday, 28 June 2023             | Council Meeting                        | 5.30pm                                 |
| Wednesday, 19 July 2023             | Finance and Planning Committee Meeting | 5.30pm                                 |
| Wednesday, 26 July 2023             | Assembly of Councillors                | 5.30pm                                 |
| Wednesday, 2 August 2023            | Council Meeting                        | 5.30pm                                 |

| Date                         | Meeting Name                           | Time   |
|------------------------------|--|--------|
| Wednesday, 16 August 2023    | Assembly of Councillors                | 5.30pm |
| Wednesday, 23 August 2023    | Finance and Planning Committee Meeting | 5.30pm |
| Wednesday, 30 August 2023    | Assembly of Councillors                | 5.30pm |
| Wednesday, 6 September 2023  | Council Meeting                        | 5.30pm |
|                              |  |        |
| Wednesday, 20 September 2023 | Assembly of Councillors                | 6pm    |
| Wednesday, 27 September 2023 | Finance and Planning Committee Meeting | 6pm    |
| Wednesday, 4 October 2023    | Assembly of Councillors                | 6pm    |
| Wednesday, 11 October 2023   | Council Meeting                        | 6pm    |
|                              |  |        |
| Wednesday, 25 October 2023   | Assembly of Councillors                | 6pm    |
| Wednesday, 1 November 2023   | Finance and Planning Committee Meeting | 6pm    |
| Wednesday, 8 November 2023   | Assembly of Councillors                | 6pm    |
| Wednesday, 15 November 2023  | Council Meeting                        | 6pm    |
|                              |  |        |
| Wednesday, 29 November 2023  | Assembly of Councillors                | 6pm    |
| Wednesday, 6 December 2023   | Finance and Planning Committee Meeting | 6pm    |
| Wednesday, 6 December 2023   | Assembly of Councillors                | 6pm    |
| Wednesday, 13 December 2023  | Council Meeting                        | 6pm    |
|                              |  |        |

#### 4.4 Appointment of Council Representatives to Advisory Committees, Peak Industry Bodies and Regional and Community Based Committees

SF/808-07

Dom Testoni – Chief Executive Officer

Nominations for appointment of Council representatives to various committees, peak industry bodies and regional and community organisations in 2023 are detailed in Table 1.

**Table 1: 2022/23 Council Representatives to Advisory Committees, Peak Industry Bodies and Regional and Community-Based Committees**

| <b>Advisory Committees</b>   | <b>Nominated<br/>2022/23<br/>Representative/s</b>                                | <b>Officer</b>                                  | <b>Meetings</b>                          |
|--|--|---|--|
| Australia Day Advisory Committee   | Cr Hearn<br>Cr O'Brien   | Manager Economic Development and Sustainability | Bi-monthly or as required<br>10am Friday |
| Benalla Airport Advisory Committee   | Cr Claridge<br>Cr Davis  | Manager Facilities and Information Technology   | Bi-monthly<br>4pm Wednesday              |
| Benalla Festival Advisory Committee  | Cr Firth<br>Cr King  | Manager Economic Development and Sustainability | Monthly or as required<br>4pm Wednesday  |
| Benalla Sports and Equestrian Reserve Advisory Committee                           | Committee to be dissolved in 2023 and replaced with a community asset committee. | Open Spaces Coordinator                         | Bi-monthly<br>4pm Monday                 |
| Chief Executive Officer Performance Review Advisory Committee                      | All Councillors and an independent advisor                                       | General Manager Corporate                       | Quarterly                                |
| Communications Advisory Committee  | Cr Claridge<br>Cr Davis<br>Cr Hearn  | Chief Executive Officer                         | Monthly                                  |
| <b>Steering Committees</b>   | <b>Nominated<br/>2022/23<br/>Representative/s</b>                                | <b>Officer</b>                                  | <b>Meetings</b>                          |
| Former Migrant Camp Conservation Management Plan Implementation Steering Committee | Cr Claridge<br>Cr Gunaratne  | Manager Facilities and Information Technology   | Quarterly                                |

| <b>Reference &amp; Working Groups</b>                | <b>Nominated 2022/23 Representative/s</b> | <b>Officer</b>                           | <b>Meetings</b>                    |
|--|---|--|------------------------------------|
| Accessibility Reference Group                        | Cr Firth<br>Cr O'Brien<br>Cr Hearn        | Community Development Coordinator        | Monthly<br>10.30am Thursday        |
| Lakeside Precinct Accessibility Access Working Group | Cr Hearn                                  | Manager Assets and Infrastructure        |                                    |
| <b>Statutory Committees</b>                          | <b>Nominated 2022/23 Representative/s</b> | <b>Officer</b>                           | <b>Meetings</b>                    |
| Municipal Emergency Management Committee             | Cr Hearn                                  | Manager Development                      | Quarterly<br>Thursday work hours   |
| <b>External Working Groups</b>                       | <b>Nominated 2022/23 Representative/s</b> | <b>Officer</b>                           | <b>Meetings</b>                    |
| Benalla Local Safety and Traffic Liaison Committee   | Cr Hearn<br>Cr King                       | Manager Assets and Infrastructure        | Monthly<br>4pm Tuesday             |
| Benalla Youth Service Providers Network              | Cr Firth                                  | Community Development Coordinator        | Bi-monthly<br>Thursday 1pm – 3pm   |
| Live4Life Partnership Group                          | Cr O'Brien                                | Youth Development Coordinator            | Bi-monthly<br>Wednesday 2pm – 3pm  |
| <b>Regional Associations</b>                         | <b>Nominated 2022/23 Representative/s</b> | <b>Officer</b>                           | <b>Meetings</b>                    |
| Goulburn Murray Climate Alliance                     | Cr Gunarante                              | Environmental Sustainability Coordinator | Quarterly<br>10am-5pm<br>Tues/Weds |
| Hume Region Local Government Network                 | Cr Hearn                                  | Chief Executive Officer                  | Quarterly<br>10am Thursday         |
| Ovens Murray Regional Partnerships                   | Chief Executive Officer                   | Chief Executive Officer                  | Monthly<br>Thursday or Friday      |

| <b>Industry Associations</b>  | <b>Nominated<br/>2022/23<br/>Representative/s</b> | <b>Officer</b>          | <b>Meetings</b>              |
|---|---|-------------------------|------------------------------|
| Municipal Association of Victoria   | Cr Claridge                                       | Chief Executive Officer | Quarterly<br>10am Thursday   |
| Rural Councils Victoria Inc   | Chief Executive Officer                           | Chief Executive Officer | Quarterly<br>10am Thursday   |
| <b>Boards of Management</b>   | <b>Nominated<br/>2022/23<br/>Representative/s</b> | <b>Officer</b>          | <b>Meetings</b>              |
| North East Victoria Tourism Board Incorporated                                  | Chief Executive Officer                           | Chief Executive Officer | Bi-monthly<br>Thursday       |
| <b>External Organisations</b>   | <b>Nominated<br/>2022/23<br/>Representative/s</b> | <b>Officer</b>          | <b>Meetings</b>              |
| Benalla P-12 College School Council   | Cr Gunaratne                                      | Chief Executive Officer | After hours                  |
| Benalla Historical Society Incorporated   | Cr Claridge                                       | Chief Executive Officer | Monthly<br>4pm Wednesday     |
| <b>Incorporated</b>   | <b>Nominated<br/>2022/23<br/>Representative/s</b> | <b>Officer</b>          | <b>Meetings</b>              |
| Benalla Family Research Group   | Cr Claridge                                       | Chief Executive Officer | Monthly<br>11am<br>Wednesday |
| Benalla Gardens Oval Committee of Management Incorporated                       | Cr Davis  | Open Spaces Coordinator | After hours                  |
| Benalla Indoor Recreation Centre Committee of Management Incorporated           | Cr Firth<br>Cr Hearn<br>Cr Gunaratne              | Open Spaces Coordinator | After hours                  |
| Benalla Showgrounds and Recreation Reserve Committee of Management Incorporated | Cr King   | Open Spaces Coordinator | After hours                  |
| Churchill Reserve Committee of Management Incorporated                          | Cr Firth<br>Cr Gunaratne<br>Cr King               | Open Spaces Coordinator | Bi-monthly<br>6pm Tuesday    |
| Early Years Network   | Cr King   | Manager Community       | Monthly<br>4pm Monday        |

| <b>Incorporated</b>  | <b>Nominated<br/>2022/23<br/>Representative/s</b> | <b>Officer</b>                                | <b>Meetings</b>                   |
|--|---|---|-----------------------------------|
| Health and Wellbeing Partnership Group                               | Cr O'Brien  | Manager Community                             | Bi-monthly<br>1.30pm first Monday |
| State Gliding Centre Committee of Management Incorporated            | Cr Claridge                                       | Manager Facilities and Information Technology | Saturday AM                       |
| United Friendly Society Reserve Committee of Management Incorporated | Cr Firth<br>Cr Hearn                              | Open Spaces Coordinator                       | Bi-monthly<br>Tuesday 6pm         |

### **Audit and Risk and Benalla Art Gallery Committees**

The terms of reference for the Audit and Risk Committee and the Benalla Art Gallery Committee allow for two councillor representatives to form part of the committees. As three councillors (refer table below) have been nominated for each committee, a vote will be required to elect two councillor representatives to these committees.

| <b>Committee</b>    | <b>Nominated<br/>2022/23<br/>Representatives</b>       | <b>Officer</b>                                  | <b>Meetings</b>           |
|---------------------|--|---|---------------------------|
| Audit and Risk      | Chair of the F&P Committee<br>Cr Davis<br>Cr Gunaratne | General Manager Corporate                       | Four times a year         |
| Benalla Art Gallery | Cr Claridge<br>Cr Davis<br>Cr Gunaratne                | Manager Economic Development and Sustainability | Bi-monthly<br>6pm Tuesday |

### **Recommendation:**

- 1. That the appointment of Council representatives to various committees, peak industry bodies and regional and community organisations for the 2022/23 Council Year as detailed in Table 1 be approved.**
- 2. That that the Chair of the Finance and Planning Committee and Cr ..... be appointed to the Audit and Risk Committee**
- 3. That Cr..... and Cr..... be appointed to the Benalla Art Gallery Committee.**



#### 4.5 Appointment of the Council's Official Newspaper for 2022/2023

SF/808-07

Dom Testoni – Chief Executive Officer

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The *Local Government Act 2020* does not specifically require the Council to nominate an official newspaper. Such a nomination was required under the *Local Government Act 1989*.

However, the Council's *Public Transparency Policy* formalises the Council's support for transparency in its decision-making processes and the public awareness of the availability of Council information.

The Council recognises that the local newspaper is valuable mechanism for informing and engaging the community and sees value in continuing the convention of nominating a local newspaper as the publication where public notices and other advertisements will be placed when required.

**Recommendation:**

**That the Council nominate the *Benalla Ensign* as the official newspaper for the purpose of public notices for the 2022/23 Council Year.**

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## 4.6 Emergency Flood Works

SF/1239

Adrian Gasperoni – Manager Assets and Infrastructure  
Robert Barber – General Manager Corporate

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### PURPOSE OF REPORT

The report seeks the Council's authorisation for the Chief Executive Officer to approve all emergency work requisitions and invoice payments associated with the October 2022 flood event.

### BACKGROUND

Council managed assets within Benalla Rural City have been identified for emergency work, because of the October 2022 flood event and ongoing rain. Costs have also been incurred as the Council provided other response, relief and recovery services during and following the event.

Many roads across Benalla Rural City have been impacted by rain and flooding over recent weeks. Staff have been working tirelessly undertaking a municipality-wide impact assessments to identify the worst impacted roads and other assets requiring emergency repairs. A list of these roads is attached as **Appendix 1**.

Staff continue to inspect and assess all assets, including road pavements, bridges, and structures across the road network.

### DISCUSSION

The Council has applied to the *National Disaster Financial Assistance* scheme for funding assistance to help meet the significant cost of its response, relief and recovery efforts.

Under the scheme, councils undertaking emergency works are exempt from following their usual procurement processes.

Emergency works provisions within the financial assistance scheme are defined as urgent activities necessary following an eligible disaster to temporarily restore an essential public asset to enable it to operate/be operated at an acceptable level of efficiency to support the immediate recovery of a community, and take place:

- prior to the state commencing essential public asset reconstruction works in accordance with these arrangements, or
- prior to or at the time as immediate reconstruction works and where no essential public asset reconstruction works are required.

Quotes to undertake emergency works were sought from two local contractors which indicated that they had sufficient resources to undertake works in a timely manner.

To Friday 11 November 2022, requisitions totalling \$6.324 million have been raised for Andrew Goldman Excavations Pty Ltd (Goldmans) and Extons Pty Ltd (Extons) to undertake emergency road repair works and other response, relief, and recovery activities.

### **COUNCIL PLAN 2021-2025 IMPLICATIONS**

#### **Community**

- *A healthy, safe and resilient community.*

#### **Environment**

- *Healthy and protected natural environment.*
- *Sustainable practices.*

#### **Leadership**

- *Good governance.*
- *High performance culture.*
- *Engaged and informed community.*
- *Effective and responsive advocacy.*

### **COMMUNITY ENGAGEMENT**

In accordance with the Council's *Community Engagement Policy*, it is proposed that community engagement be undertaken at the 'Inform' level under the International Association for Public Participation's IAP2 spectrum as detailed in the table below:

| <b>Level of Public Participation</b> | <b>Promise to the community</b> | <b>Techniques to be used</b>  |
|--------------------------------------|---------------------------------|---|
| Inform                               | We will provide information     | <ul style="list-style-type: none"> <li>▪ Public report presented at council meeting.</li> <li>▪ Report published on website.</li> </ul> |

### **FINANCIAL IMPLICATIONS**

Requisitions totaling \$6.324 million have been raised to Goldmans (\$4.432 million) and Extons (\$1.892 million).

Goldmans has been engaged to undertake emergency road works. Extons has been contracted to undertake emergency road works and to provide other response, relief and recovery activities, including the provision of sand for sandbags, supply of pumps and hard waste collection.

Under Disaster Recovery Funding Arrangements (DRFA), the Council is obligated to pay the first \$100,000 of costs associated with a declared event with the balance to be paid from the scheme. An initial \$30 million application, including \$5 million of emergency works, has been applied for under DRFA.

Under the Council's *Procurement Policy*, the Delegation of Authority to the Chief Executive Officer to award contracts is \$300,000. This report seeks the Council's authorisation for the CEO to approve all requisitions and invoice payments related to the October 2022 flood event to enable the timely engagement of contractors to undertake emergency works.

Non-emergency works associated with the October 2022 flood event will be procured in accordance with the *Procurement Policy* with a public tender conducted for works greater than \$300,000 (ex. GST).

#### **OFFICER DECLARATION OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any general or material conflicts of interest in this matter.

#### **CONCLUSION**

Although left with little option but to undertake emergency works as quickly as possible, the multi-million-dollar engagement of contractors is a financial risk to the Council in terms of cash flow and the timely approval of DRFA applications.

To this end, discussions have taken place with DRFA representatives to ascertain if the claim approval process can be expedited and whether the scheme would consider prepayment of all or significant portions of claims while they are being assessed. These discussions have also been undertaken at a State level.

The flood event has also highlighted a deficiency in the Council's *Procurement Policy* with the CEO not given an exemption to approve emergency works valued at more than \$300,000 (ex. GST). It is proposed that an amendment to the policy be considered by the Council in early 2023.

#### **Recommendation:**

- 1. That the Chief Executive Officer be authorised to approve all emergency works requisitions and invoice payments associated with the October 2022 flood event.**
- 2. That a report on October 2022 flood event emergency works expenditure be presented to the Ordinary Meeting of Council on 14 December 2022.**

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## October 2022 Flood Damaged Roads

### List Of Emergency Road Works

| Primary Location                  | Primary Location                    |
|-----------------------------------|-------------------------------------|
| Arundel Street, Benalla           | Asbury Road, Lurg                   |
| Ballintine Road, Stewarton        | Baines Lane, Benalla                |
| Barrs Lane, Benalla               | Basin Road, Benalla                 |
| Benalla-Boundary Road, Stewarton  | Benalla Lake Walking Track          |
| Benalla-Warrenbayne Road, Benalla | Benalla-Warrenbayne Road, Stewarton |
| Berger Road, Devenish             | Bostock Road, Lurg                  |
| Boweya-St James Road, Boweya      | Boxwood Road, Devenish              |
| Brock Road, Lurg                  | Burness Road, Tarnook               |
| Carrol Road, Baddaginnie          | Chesney Vale Road, Chesney Vale     |
| Chesney Road, Goorambat           | Clarke Street (south), Benalla      |
| Coys Hill Road, Thoona            | Creamery Lane, Lima East            |
| Davies Road, Warrenbayne          | Devenish-Wangaratta Road            |
| Dobson Road, Benalla              | Ethell Road, Lima                   |
| Exton Road, Samaria               | Firth Road, Benalla                 |
| Forshaw Road, Baddaginnie         | Four Mile Road, Benalla             |
| Gandini Lane, Lima East           | Garden Street, Benalla              |
| Gardiner Road, Lurg               | Glenrowan-Boweya Road, Taminick     |
| Goorambat-Dookie College Road     | Goorambat-Thoona Road               |
| Green Road, Lurg                  | Griffiths Track, Mount Bruno        |
| Goudie Road, Chesney Vale         | Grant Road, Lurg                    |
| Greta Road, Glenrowan West        | Hanlon Road, Goomalibee             |
| Harrison Avenue, Benalla          | Holdsworth Road, Benalla            |
| Hoysted Road, Benalla             | Hurrell Road, Benalla               |
| Irvine Road North, Taminick       | James Road, Warrenbayne             |
| Jones Road, Tatong                | Kealy Road, Benalla                 |
| Kennedy Lane, Benalla             | Kilfeera Road, Benalla              |
| Kitson Court, Benalla             | Lima Road, Lima                     |
| Lima East Road, Lima East         | Love Road, Stewarton                |

| Primary Location                          | Primary Location   |
|---|--|
| Mack Road, Baddaginnie                    | Major Plains Road, Stewarton                                 |
| McConnan Street, Benalla                  | McGill Street, Benalla                                       |
| Midland Highway (road reserve)            | Mitchell Road, Tatong  |
| Molyullah Tatong Road, Molyullah          | Moore Road, Goorambat  |
| Munro Avenue, Benalla                     | Mt Samaria Road, Samaria                                     |
| Nicholson Court, Benalla                  | O'Deas Road, Molyullah                                       |
| O'Deas Road South, Molyullah              | Old Lurg Road, Lurg  |
| Old Thoona Road, Goorambat                | Pearce Road, Lima East                                       |
| Police Track, Lima East                   | Porters Road, Benalla  |
| Rayner Road, Upper Lurg                   | Reef Hills Road, Benalla                                     |
| Renkin Road, Lima                         | Robinson Road, Warrenbayne                                   |
| Rogash Road, Upper Ryans Creek            | Rothesay Road, Tatong  |
| Upper Ryans Creek Road, Upper Ryans Creek | Saleyard Road, Benalla                                       |
| Sawyer Road, Samaria                      | School House Road, Samaria                                   |
| Steves Lane, Benalla                      | Steel Road, Benalla  |
| Stow Road, Warrenbayne                    | Swanpool-Lima Road   |
| Swanpool Service Road, Swanpool           | Swanpool-Warrenbayne Road, Warrenbayne                       |
| Tarnook Road, Goomalibee                  | Thoona-Boweya Road, Thoona                                   |
| Tiger Hill Road, Tatong                   | Trewin Road, Benalla   |
| Tulley Road, Lima EAst                    | Upper Lurg Road, Upper Lurg                                  |
| Upper Ryans Creek Road                    | Upper Taminick Road, Taminick                                |
| Warnock Road, Swanpool                    | Warrenbayne Post Office Road, Warrenbayne                    |
| Warrenbayne West Road, Warrenbayne        | Watchbox Creek Road, Molyullah                               |
| Wattle Creek Road, Lurg                   | Wattle Creek Road, Winton<br>(From race track to Greta Road) |
| Webb Road, Stewarton                      | Wedge Street, Benalla  |
| Whites Road, Warrenbayne                  | Winton-Lurg Road, Lurg                                       |
| Yellum Track, Swanpool                    |  |



## 4.7 Financial Report For The Quarter Ended 30 September 2022

SF/15119

Cathy Fitzpatrick – Manager Finance

### PURPOSE OF REPORT

The report presents the financial result compared to budget for first quarter ended 30 September 2022 and presents forecast outcomes to 30 June 2023.

### BACKGROUND

Section 97 of the *Local Government Act 2020* requires that at least every three months the Chief Executive Officer must ensure that a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is presented to the Council.

### OPERATING RESULT

#### Year to date 30 September 2022 operating result compared to budget

The report contains the Standard Income Statement and Statement of Capital Projects. The operating result for the quarter ended 30 September 2022 was a surplus of \$13.997 million which was \$239,000 more favourable than the budgeted surplus of \$13.758 million as shown in Table 1 below.

#### Full Year 30 June 2023 Forecast Operating Result compared to budget

The forecast operating result for the year ending 30 June 2023 has been updated to reflect the first quarter budget review.

The forecast operating result for the year ended 30 June 2023 is a surplus of \$426,000, which is an unfavourable variance of \$1.103 million compared to the budgeted surplus of \$1.529 million as shown in Table 1 below.

Table 1 – Net Operating Result for the period ended 30 September 2022

| Income Statement                        | Notes | 2022/23 YTD<br>Actuals<br>(Income)<br>Expense<br>\$'000 | 2022/23<br>YTD<br>Budgets<br>(Income)<br>Expense<br>\$'000 | 2022/23<br>YTD<br>Variance<br>\$'000 | Full Year<br>Budgets<br>(Income)<br>Expense<br>\$'000 | Full-Year<br>Review<br>Forecast<br>(Income)<br>Expense<br>\$'000 | YTD<br>Variance<br>\$'000 |
|---|-------|---|--|--------------------------------------|---|--|---------------------------|
| <b>Revenue</b>                          |       |   |  |                                      |   |  |                           |
| Rates and Charges                       | 1     | (\$20,433)  | (\$20,340)   | \$93                                 | (\$20,679)  | (\$20,679)   | \$0                       |
| User Charges - Statutory Fees and Fines |       | (\$124)   | (\$114)  | \$9                                  | (\$474)   | (\$474)  | \$0                       |
| User Charges                            | 2     | (\$984)   | (\$839)  | \$145                                | (\$4,602)   | (\$4,602)  | \$0                       |
| Operating Grants – Recurring            |       | (\$851)   | (\$845)  | \$6                                  | (\$2,642)   | (\$2,721)  | \$79                      |
| Operating Grants – Non-Recurring        |       | (\$80)  | (\$76)   | \$4                                  | (\$542)   | (\$642)  | \$100                     |
| Capital Grants - Recurring              |       | \$0   | \$0  | \$0                                  | (\$975)   | (\$975)  | \$0                       |
| Capital Grants - Non-Recurring          | 3     | (\$12)  | \$0  | \$12                                 | (\$6,669)   | (\$6,991)  | \$322                     |
| Contributions                           | 4     | (\$29)  | (\$13)   | \$16                                 | (\$181)   | (\$197)  | \$16                      |
| Proceeds on Sale of Assets              |       | \$0   | \$0  | \$0                                  | (\$25)  | (\$25)   | \$0                       |
| Other Income                            | 5     | (\$79)  | (\$41)   | \$38                                 | (\$73)  | (\$168)  | \$95                      |
| <b>Total Revenue</b>                    |       | <b>(\$22,592)</b>                                       | <b>(\$22,267)</b>  | <b>\$325</b>                         | <b>(\$36,862)</b>                                     | <b>(\$37,474)</b>  | <b>\$612</b>              |

| Income Statement                       | Notes | 2022/23<br>YTD<br>Actuals<br>(Income)<br>Expense<br>\$'000 | 2022/23<br>YTD<br>Budgets<br>(Income)<br>Expense<br>\$'000 | 2022/23<br>YTD<br>Variance<br>\$'000 | Full Year<br>Budgets<br>(Income)<br>Expense<br>\$'000 | Full-Year<br>Review<br>Forecast<br>(Income)<br>Expense<br>\$'000 | YTD<br>Variance<br>\$'000 |
|--|-------|--|--|--------------------------------------|---|--|---------------------------|
| <b>Expenses</b>                        |       |  |  |                                      |   |  |                           |
| Employee Costs                         | 6     | \$3,167  | \$3,187  | \$20                                 | \$12,138  | \$12,292   | (\$154)                   |
| Materials and Services                 | 7     | \$3,767  | \$3,460  | (\$307)                              | \$13,807  | \$14,928   | (\$1,121)                 |
| Doubtful Debts                         |       | \$0  | \$0  | \$0                                  | \$14  | \$14   | 0                         |
| Finance Costs                          |       | \$21   | \$23   | \$2                                  | \$91  | \$91   | 0                         |
| Other Expenses                         |       | \$97   | \$105  | \$8                                  | \$949   | \$949  | 0                         |
| Finance Costs Leases                   |       | \$8  | \$9  | \$1                                  | \$35  | \$35   | 0                         |
| Amortisation Intangible Assets         | 8     | \$8  | \$119  | \$112                                | \$477   | \$477  | 0                         |
| Right of Use Assets                    |       | \$83   | \$83   | \$1                                  | \$334   | \$334  | 0                         |
| Depreciation                           | 9     | \$1,445  | \$1,522  | \$77                                 | \$7,489   | \$7,929  | (\$440)                   |
| <b>Total Expenses</b>                  |       | <b>\$8,594</b>   | <b>\$8,509</b>   | <b>(\$86)</b>                        | <b>\$35,333</b>                                       | <b>\$37,048</b>  | <b>(\$1,715)</b>          |
| <b>Net Operating (Surplus) Deficit</b> |       | <b>(\$13,997)</b>  | <b>(\$13,758)</b>  | <b>\$239</b>                         | <b>(\$1,529)</b>                                      | <b>(\$426)</b>   | <b>(\$1,103)</b>          |

## Financial Overview

### Notes:

1. **Rates and Charges:** Rate revenue is more than budgeted due to supplementary rate revenue of \$91,013. No change in forecast is proposed as consideration of objections to valuations, which may impact final rate revenue, are yet to be determined.
2. **User Charges:** favourable due to greater Landfill income Admission charges by \$43,056, commercial accounts inclusive of EPA Levy collection by \$60,048, BPACC operations by \$37,040 and Benalla Art Gallery by \$29,907.

No change in forecast is proposed from this review.

3. **Capital Grants Non-Recurring:** Favourable variance due to the Benalla Art Gallery receiving an unbudgeted grant of \$12,365.

Results to 30 June forecast to be favourable due to additional unbudgeted grants received:

|  |           |
|--|-----------|
| Benalla City Council Lighting the Lake       | \$242,000 |
| Outdoor Activation Funding 2022/23           | \$61,133  |
| Benalla Building Works Package carry forward | \$18,750  |

4. **Contributions:** Additional funding received and not budgeted for in 2022/23 year from Visit Victoria as a contribution of \$16,000 towards the Benalla Festival.

Forecast results to 30 June are forecast to be favourable by \$16,000.

5. **Other Income:** Favourable variance of \$38,201 due to:

|  |          |
|--|----------|
| Reimbursements associated with Long Service Leave Transfers and Workcover                                      | \$24,818 |
| interest Earned - Interest Income has increased significantly due to rising interest rates favourable variance | \$15,440 |

30 June 2023 result forecast to be favourable by \$95,000.

6. **Employee Costs:** Favourable by \$20,454 for the first quarter due to staff vacancies.

Forecast results to 30 June expected to be unfavourable by \$154,050 as carry forward expenditure items from 2021/22 impacting employee costs.

7. **Materials and Services:** Unfavourable variance of \$306,782. Many service items have been impacted by 2021/22 COVID-19 deliver delays, accordingly additional carry forward expenditure is forecast.

**Appendix 1** details Materials and Services expenditure for the first quarter.

Forecast results to 30 June are expected to be unfavourable recognising carry forward items from the 2021/22 *Budget* account for \$1.034 million additional expenditure, generated from grant funded projects and contributions requiring acquittal of funds in 2022/23.

8. **Amortisation Intangible Assets:** Favourable variance \$119,000 as no expense raised this quarter for use of cell airspace as Cell 3A costing is being finalised.

9. **Depreciation:** Favourable variance of \$77,374 as additional 2021/22 capital expenditure items finalised in 2022/23 impacting waste, information technology, plant and road assets depreciation costs.

Forecast results to 30 June is unfavourable variance of \$440,045 as these additional items impact the full-year result.

**CAPITAL PROJECTS PROGRAM****Year to date 30 September 2022 Capital Projects Program compared to budget**

As of 30 September 2022 total capital works expenditure year to date was \$0.908 million, the year-to-date budget \$0.804 million resulting in an unfavourable variance \$104,000.

**Table 3 – Capital Projects Program Statement as of 30 September 2022**

| <b>CAPEX Projects by Asset Type<br/>as at 30 September 2022</b> | <b>Notes</b> | <b>2022/23<br/>YTD<br/>Actual<br/>\$'000</b> | <b>2022/23<br/>YTD<br/>Budget<br/>\$'000</b> | <b>2022/22<br/>YTD<br/>Variance<br/>\$'000</b> |
|---|--------------|--|--|--|
| Bridges   | <b>1</b>     | \$1  | \$0  | (\$1)  |
| Roads   |              | \$358  | \$322  | (\$36)   |
| Footpaths   |              | \$22   | \$20   | (\$2)  |
| Drainage  |              | \$3  | \$0  | (\$3)  |
| Buildings   | <b>2</b>     | \$145  | \$203  | \$58   |
| Plant, Machinery & Equipment                                    | <b>3</b>     | \$1  | \$0  | (\$1)  |
| Fixtures, IT, Fittings & Furniture, Artworks                    |              | \$17   | \$18   | \$1  |
| Computers and Telecommunications                                |              | \$129  | \$128  | (\$1)  |
| Library book stock  |              | \$80   | \$81   | \$1  |
| Waste Management and WIP  | <b>4</b>     | \$35   | \$10   | (\$25)   |
| Recreational, Leisure, Community                                |              | \$0  | \$0  | \$0  |
| Parks, Open Spaces and Streetscapes                             |              | \$95   | \$12   | (\$83)   |
| Aerodromes  |              | \$0  | \$0  | \$0  |
| Off-Street Car Parks  |              | \$6  | \$0  | (\$6)  |
| Other Infrastructure  |              | \$16   | \$10   | (\$6)  |
| <b>Total Capital Works</b>                                      |              | <b>\$908</b>                                 | <b>\$804</b>                                 | <b>(\$104)</b>                                 |

**Notes:**

1. **Roads:** Unfavourable variance of \$36,204 for 2021/22 Sealed Roads Preparation costs attributed to Roads to Recovery Program 2021/22, with work required to be completed by 30 September 2022.
2. **Buildings:** Favourable variance of \$58,000 due to weather impact on program delivery.
3. **Waste Management:** Unfavourable variance due to unbudgeted Cell 3 finalisation costs of \$15,990 and Transfer Station building establishment costs \$19,250.
4. **Parks, Open Spaces and Streetscapes:** Unfavourable variance due to Outdoor Activation 2021/22 grant funded projects being finalised early 22/23.

**PROCUREMENT****Contracts and Works Awarded Under Delegation**

The purpose of this sections is to inform the Council and Community of publicly advertised tenders which have been awarded under delegation for the period 1 July 2022 – 30 September 2022.

No contracts were awarded for the period 1 July – 30 September 2022.

**Delegation of Procurement Authority to Chief Executive Officer**

As per the *Procurement Policy*, instances where the Chief Executive Officer approved expenditure for statutory charges or other matters, generally consistent with the approved or revised budget, be reported quarterly.

The following table provides a summary of approvals.

| Date Approved  | Description                         | Amount<br>(ex. GST) |
|----------------|-------------------------------------|---------------------|
| 11 August 2022 | WorkCover 2022/23 Insurance Renewal | \$369,328           |

**COUNCIL PLAN 2021-2025 IMPLICATIONS****Leadership**

- Good governance.
- High performance culture.

**FINANCIAL IMPLICATIONS**

The forecast result is based on BRCC status as at 30 September 2022, no impact of the recent October flood event on ongoing costs were estimated as at time of writing impacts were still being accessed.

Additional capital and operating grants received will be forecast in the mid-year review at 31 December 2022.

Significant carry forward expenditure items from 2021/22 totalling \$1.034 million will impact 2022/23 financial results mainly in Employee Costs and Materials and Services. Additional expenditure required for grant projects (income recognised 2021/22) expenditure will also occur in 2022/23.

**Recommendation:****That the report be noted.**



| <b>2022/23<br/>Materials and Services as at 30<br/>September 2022</b> | <b>YTD<br/>Actuals</b> | <b>YTD<br/>Budgets</b> | <b>YTD<br/>Variance</b> | <b>Full Year<br/>Budget</b> |
|---|------------------------|------------------------|-------------------------|-----------------------------|
| 04: Vandalism   | \$0                    | \$2,080                | \$2,080                 | \$8,329                     |
| 05: Contract Staff  | \$42,879               | \$22,852               | (\$20,027)              | \$91,409                    |
| 06: Catering & Refreshments   | \$10,809               | \$5,845                | (\$4,964)               | \$23,596                    |
| 07: Materials   | \$273,155              | \$153,344              | (\$119,811)             | \$721,669                   |
| 08: Contract Payments   | \$1,033,891            | \$906,825              | (\$127,066)             | \$3,839,105                 |
| 09: Merchandise   | \$15,720               | \$9,066                | (\$6,654)               | \$36,270                    |
| 10: Functions & Receptions  | \$125                  | \$6,930                | \$6,805                 | \$27,723                    |
| 11: Stores Issues   | \$118,408              | \$39,643               | (\$78,765)              | \$158,588                   |
| 12: Repairs & Maintenance   | \$53,151               | \$57,973               | \$4,822                 | \$397,351                   |
| 18: Lease Payments  | \$20,036               | \$23,229               | \$3,193                 | \$92,917                    |
| 20: Bank Charges  | \$8,240                | \$13,170               | \$4,930                 | \$52,689                    |
| 21: Advertising & Promotion   | \$20,874               | \$13,121               | (\$7,753)               | \$57,737                    |
| 23: Exhibitions   | \$26,687               | \$18,750               | (\$7,937)               | \$75,000                    |
| 24: Insurance   | \$445,064              | \$456,640              | \$11,576                | \$711,305                   |
| 25: Legal Expenses  | \$30,587               | \$33,681               | \$3,094                 | \$149,003                   |
| 26: Consultants General   | \$100,178              | \$74,617               | (\$25,561)              | \$482,236                   |
| 27: Membership & Subscriptions  | \$65,387               | \$56,822               | (\$8,565)               | \$155,475                   |
| 28: Security Expenses   | \$6,031                | \$7,324                | \$1,293                 | \$36,650                    |
| 29: Postage & Freight   | \$11,013               | \$13,426               | \$2,413                 | \$53,710                    |
| 30: Printing, Copying & Stationery                                    | \$18,242               | \$25,701               | \$7,459                 | \$107,192                   |
| 31: Rent  | \$11,315               | \$13,064               | \$1,749                 | \$52,257                    |
| 32: Computer Support/Software   | \$399,898              | \$372,870              | (\$27,027)              | \$602,585                   |
| 33: Internal Plant Hire Expense                                       | \$89,482               | \$113,060              | \$23,578                | \$453,186                   |
| 35: Travel Expenses   | \$1,099                | \$535                  | (\$564)                 | \$2,145                     |
| 36: Meeting Expenses  | \$0                    | \$1,314                | \$1,314                 | \$5,810                     |
| 37: Staff Training / Courses  | \$43,721               | \$32,500               | (\$11,221)              | \$130,000                   |
| 38: Vehicle Expenses  | \$570                  | \$0                    | (\$570)                 | \$0                         |
| 39: Electricity   | \$127,682              | \$102,516              | (\$25,166)              | \$404,024                   |
| 40: Water Consumption   | \$7,336                | \$13,945               | \$6,609                 | \$71,012                    |
| 41: Gas   | \$5,625                | \$6,961                | \$1,336                 | \$27,849                    |
| 42: Telephone   | \$18,856               | \$35,693               | \$16,837                | \$142,782                   |
| 43: Contributions & Reimbursements                                    | \$1,052                | \$8,223                | \$7,171                 | \$32,894                    |
| 47: Green Waste Mulching  | \$0                    | \$5,075                | \$5,075                 | \$20,300                    |
| 49: Machine Hire  | (\$11,600)             | \$2,500                | \$14,100                | \$10,000                    |
| 51: E.P.A. Levy   | \$277,007              | \$208,750              | (\$68,257)              | \$835,000                   |

| <b>2022/23<br/>Materials and Services as at 30<br/>September 2022</b> | <b>YTD<br/>Actuals</b> | <b>YTD<br/>Budgets</b> | <b>YTD<br/>Variance</b> | <b>Full Year<br/>Budget</b> |
|---|------------------------|------------------------|-------------------------|-----------------------------|
| 52: Domestic Animals Levy   | \$0                    | \$0                    | \$0                     | \$13,260                    |
| 53: Management Committees   | \$3,943                | \$34,412               | \$30,469                | \$137,657                   |
| 54: Cleaning Expenses   | \$45,136               | \$51,539               | \$6,403                 | \$207,793                   |
| 103: Vehicle Fuel   | \$81,406               | \$65,020               | (\$16,386)              | \$260,101                   |
| 104: Vehicle Maintenance - Standard                                   | \$8,363                | \$23,488               | \$15,125                | \$92,175                    |
| 105: Vehicle Lease Payments   | \$17,532               | \$16,643               | (\$889)                 | \$16,647                    |
| 109: Canteen Trading Purchases  | \$2,823                | \$1,273                | (\$1,550)               | \$5,092                     |
| 110: Performing Fees  | \$18,955               | \$7,613                | (\$11,342)              | \$30,450                    |
| 126: Landfill Daily Cover   | \$0                    | \$6,280                | \$6,280                 | \$25,121                    |
| 127: Landfill Rock Supplied   | \$22,602               | \$5,709                | (\$16,893)              | \$22,838                    |
| 128: Gas Monitoring - Landfill  | \$770                  | \$4,567                | \$3,797                 | \$18,270                    |
| 131: Diesel Rebate (Negative Expense)                                 | (\$6,893)              | (\$12,500)             | (\$5,607)               | (\$50,000)                  |
| 138: Councillors Training   | \$1,390                | \$3,500                | \$2,110                 | \$14,000                    |
| 140: Carry Forward Expenditure  | \$21,124               | \$0                    | (\$21,124)              | \$0                         |
| 144: Vehicle Maintenance - Repairs                                    | \$34,234               | 436,052                | \$1,818                 | \$144,210                   |
| 145: Tyres Purchased for Plant  | \$3,421                | \$4,247                | \$826                   | \$16,991                    |
| 146: Registrations  | \$16,298               | \$5,562                | (\$10,736)              | \$22,250                    |
| 16: Services (Non Contract) To Council                                | \$168,068              | \$297,098              | \$129,030               | \$1,356,033                 |
| 160: Audit / Monitoring costs Landfill                                | \$25,076               | \$34,255               | \$9,179                 | \$137,025                   |
| 170: Museum Fees  | \$0                    | \$253                  | \$253                   | \$1,015                     |
| 171: Volunteer (Internal Charge) expenses                             | \$0                    | \$0                    | \$0                     | \$96,042                    |
| 199: Internal Charge - Expense  | \$27,637               | \$1,459                | (\$26,178)              | \$1,111,058                 |
| 34: Goods Delivered (Contractual)                                     | \$2,094                | \$15,295               | \$13,201                | \$61,189                    |
| <b>Grand Total</b>  | <b>\$3,766,593</b>     | <b>\$3,459,811</b>     | <b>(\$306,782)</b>      | <b>\$13,807,016</b>         |

#### 4.8 Mayor and Councillor's Attendance at Committees and Civic Functions

SF/808-08

Tracey Beaton - Executive Coordinator

The Mayor and Councillors, listed in alphabetical order, attended meetings and events as detailed below during the period from 3 October 2022 to 6 November 2022.

| <b>Councillor Danny Claridge</b> |   |
|----------------------------------|---|
| 4 October                        | Political and Planning challenges for Local Government  |
|                                  | Cooinda Annual General Meeting 2022   |
| 5 October                        | Councillor Only Time  |
|                                  | Communications Advisory Committee   |
|                                  | Benalla Historical Society Committee Meeting  |
|                                  | Finance and Operations Committee Meeting  |
|                                  | Planning and Development Committee Meeting  |
| 7 October                        | U3A Sustainability Group Meeting  |
| 12 October                       | Councillor Only Time  |
|                                  | Council Meeting   |
| 13 October                       | MAV 2022 Annual Conference and Annual Dinner  |
| 18 October                       | Benalla Family Research Group Committee Meeting   |
| 20 October                       | Visit by Brad Battin Shadow Minister for Emergency Services and Brad Hearn Liberal Candidate for Euroa  |
| 25 October                       | MAV 2022 State Election Campaign Briefing   |
| 26 October                       | Councillor Only Time  |
|                                  | Communications Advisory Committee   |
|                                  | Additional Council Meeting  |
|                                  | Assembly of Councillors - Business Review   |
| 28 October                       | Rural Councils Victoria Annual General Meeting  |
| 2 November                       | Assembly of Councillors - Briefing on the Forestry Transition Plan  |
|                                  | Benalla Historical Society Committee Meeting  |
| 4 November                       | Announcement regarding the Benalla Indoor Recreation Centre by the Hon. Jaclyn Symes MP, Attorney-General and Minister for Emergency Services |
|                                  | Tomorrow Today's Community Celebration  |
| 5 November                       | Benalla By the Lake Food and Wine Festival  |
| 6 November                       | A Day in Denny Street Market  |
|                                  | Benalla Shorts Film Festival  |

| <b>Councillor Peter Davis</b> |  |
|-------------------------------|--|
| 5 October                     | Councillor Only Time   |
|                               | Communications Advisory Committee  |
|                               | Finance and Operations Committee Meeting   |
|                               | Planning and Development Committee Meeting   |
| 12 October                    | Councillor Only Time   |
|                               | Council Meeting  |
| 17 October                    | Benalla Gardens Oval Committee of Management Meeting   |
| 18 October                    | Benalla Art Gallery Redevelopment Meeting  |
|                               | BRCC Audit and Risk Committee Meeting  |
| 20 October                    | Visit by Brad Battin Shadow Minister for Emergency Services and Brad Hearn Liberal Candidate for Euroa   |
| 26 October                    | Councillor Only Time   |
|                               | Additional Council Meeting   |
|                               | Assembly of Councillors - Business Review  |
| 27 October                    | Announcement regarding the Benalla Indoor Recreation Centre by Liberal candidate for Euroa Brad Hearn and Nationals candidate for Euroa Annabelle Cleeland |
|                               | Announcement regarding GOTAFE Benalla by the Hon. Jaclyn Symes MP, Attorney-General and Minister for Emergency Services                                    |
| 2 November                    | Assembly of Councillors - Briefing on the Forestry Transition Plan   |
| 3 November                    | Benalla Art Gallery Trust Meeting  |
| 4 November                    | Announcement regarding the Benalla Indoor Recreation Centre by the Hon. Jaclyn Symes MP, Attorney-General and Minister for Emergency Services              |

| <b>Councillor Don Firth</b> |   |
|-----------------------------|---|
| 6 October                   | Benalla Air Show Meeting                    |
| 11 October                  | Accessibility Reference Group Meeting       |
| 12 October                  | Councillor Only Time                        |
|                             | Benalla Festival Advisory Committee Meeting |
|                             | Council Meeting                             |
| 18 October                  | BRCC Audit and Risk Committee Meeting       |
| 20 October                  | Benalla Airshow Meeting                     |
| 24 October                  | Benalla Festival Advisory Committee Meeting |
| 26 October                  | Councillor Only Forum                       |
|                             | Additional Council Meeting                  |
|                             | Assembly of Councillors - Business Review   |
| 27 October                  | Benalla Airshow Meeting                     |

### Councillor Don Firth

|            |   |
|------------|---|
|            | Announcement regarding GOTAFE Benalla by the Hon. Jaclyn Symes MP, Attorney-General and Minister for Emergency Services |
| 2 November | Assembly of Councillors - Briefing on the Forestry Transition Plan  |
|            | Benalla Festival Advisory Committee Meeting   |
| 3 November | Edge FM Radio Interview – Benalla Festival  |
| 4 November | 3NE Radio Interview – Benalla Festival  |
| 5 November | ABC Radio Interview – Benalla Festival  |
|            | Village Precinct at the Mural – Pop Up Arts Entertainment   |
|            | Benalla By the Lake Food and Wine Festival  |
| 6 November | A Day in Denny Street Market  |
|            | Benalla Shorts Film Festival  |

### Councillor Punarji Hewa Gunaratne

|            |  |
|------------|--|
| 4 October  | Cooinda Annual General Meeting 2022                                |
| 5 October  | Finance and Operations Committee Meeting                           |
|            | Planning and Development Committee Meeting                         |
| 12 October | Council Meeting  |
| 18 October | BRCC Audit and Risk Committee Meeting                              |
| 26 October | Additional Council Meeting   |
|            | Assembly of Councillors - Business Review                          |
| 2 November | Assembly of Councillors - Briefing on the Forestry Transition Plan |
| 4 November | Tomorrow Today's Community Celebration                             |
| 5 November | Benalla By the Lake Food and Wine Festival                         |
| 6 November | A Day in Denny Street Market                                       |
|            | Benalla Migrant Camp Open Day                                      |
|            | Benalla Shorts Film Festival                                       |

### Mayor Councillor Bernie Hearn

|            |   |
|------------|---|
| 3 October  | ABC Goulburn Murray Radio Interview - Mental Health First Aid |
|            | Benalla Local Safety and Traffic Liaison Committee            |
| 4 October  | Cooinda Annual General Meeting 2022                           |
| 5 October  | Councillor Only Forum   |
|            | Communications Advisory Committee                             |
|            | Finance and Operations Committee Meeting                      |
|            | Planning and Development Committee Meeting                    |
| 6 October  | Citizenship Ceremony  |
| 11 October | Accessibility Reference Group meeting                         |

| Mayor Councillor Bernie Hearn |  |
|-------------------------------|--|
|                               | ABC Radio Interview - Living Here Heritage Grant   |
| 12 October                    | Councillor Only Forum  |
|                               | Council Meeting  |
| 13 October                    | MAV 2022 Annual Conference and Annual Dinner   |
| 15 October                    | ABC Radio Interview – Flood Event  |
| 16 October                    | Weekend Today Interview – Flood Event  |
| 17 October                    | Waminda Committee Meeting  |
| 18 October                    | BRCC Audit and Risk Committee Meeting  |
| 20 October                    | Visit by Brad Battin Shadow Minister for Emergency Services and Brad Hearn Liberal Candidate for Euroa   |
| 26 October                    | Councillor Only Forum  |
|                               | Communications Advisory Committee  |
|                               | Additional Council Meeting   |
|                               | Assembly of Councillors - Business Review  |
| 27 October                    | Announcement regarding the Benalla Indoor Recreation Centre by Liberal candidate for Euroa Brad Hearn and Nationals candidate for Euroa Annabelle Cleeland |
|                               | Announcement regarding GOTAFE Benalla by the Hon. Jaclyn Symes MP, Attorney-General and Minister for Emergency Services                                    |
| 28 October                    | Rural Councils Victoria Annual General Meeting   |
| 30 October                    | Tatong Tavern Octoberfest  |
| 4 November                    | Announcement regarding the Benalla Indoor Recreation Centre by the Hon. Jaclyn Symes MP, Attorney-General and Minister for Emergency Services              |
|                               | Tomorrow Today's Community Celebration   |
|                               | Benalla Art Gallery opening of new exhibition "The Outlaws' Inn" by Jacqui Stockdale   |
| 5 November                    | Devenish Silo Art of Honour – Remembrance Day Service  |
|                               | Benalla By the Lake Food and Wine Festival   |
|                               | Gliding Club of Victoria's 70 years in Benalla Celebratory Dinner  |
| 6 November                    | A Day in Denny Street Market   |
|                               | Benalla Shorts Film Festival   |

| <b>Councillor Justin King</b> |   |
|-------------------------------|---|
| 4 October                     | Broken River Classic Site Meeting   |
| 5 October                     | Councillor Only Forum   |
|                               | Benalla Festival Advisory Committee Meeting   |
|                               | Finance and Operations Committee Meeting  |
|                               | Planning and Development Committee Meeting  |
| 12 October                    | Councillor Only Forum   |
|                               | Benalla Festival Advisory Committee Meeting   |
|                               | Council Meeting   |
| 18 October                    | BRCC Audit and Risk Committee Meeting   |
| 20 October                    | Visit by Brad Battin Shadow Minister for Emergency Services and Brad Hearn Liberal Candidate for Euroa  |
|                               | Benalla Showgrounds and Recreation Committee  |
| 24 October                    | Benalla Festival Advisory Committee Meeting   |
| 26 October                    | Councillor Only Forum   |
|                               | Additional Council Meeting  |
|                               | Assembly of Councillors - Business Review   |
| 27 October                    | Announcement regarding GOTAFE Benalla by the Hon. Jaclyn Symes MP, Attorney-General and Minister for Emergency Services                       |
| 28 October                    | Rural Councils Victoria Annual General Meeting  |
| 2 November                    | Assembly of Councillors - Briefing on the Forestry Transition Plan  |
|                               | Benalla Festival Advisory Committee Meeting   |
| 4 November                    | Announcement regarding the Benalla Indoor Recreation Centre by the Hon. Jaclyn Symes MP, Attorney-General and Minister for Emergency Services |
| 5 November                    | Benalla By the Lake Food and Wine Festival  |
| 6 November                    | A Day in Denny Street Market  |

| <b>Councillor Gail O'Brien</b> |   |
|--------------------------------|---|
| 3 October                      | Benalla Health and Wellbeing Partnership Group  |
| 5 October                      | Councillor Only Forum   |
|                                | Finance and Operations Committee Meeting  |
|                                | Planning and Development Committee Meeting  |
| 12 October                     | Councillor Only Forum   |
|                                | Council Meeting   |
| 18 October                     | BRCC Audit and Risk Committee Meeting   |
| 26 October                     | Councillor Only Forum   |
|                                | Live4Life Benalla Partnership Meeting   |
|                                | Additional Council Meeting  |
|                                | Assembly of Councillors - Business Review   |
| 2 November                     | Assembly of Councillors - Briefing on the Forestry Transition Plan  |
| 4 November                     | Announcement regarding the Benalla Indoor Recreation Centre by the Hon. Jaclyn Symes MP, Attorney-General and Minister for Emergency Services |
|                                | Tomorrow Today's Community Celebration  |
|                                | Benalla Art Gallery opening of new exhibition "The Outlaws' Inn" by Jacqui Stockdale.   |
| 5 November                     | Benalla Photographers Exhibition  |
|                                | Benalla By the Lake Food and Wine Festival  |
| 6 November                     | A Day in Denny Street Market  |
|                                | Book Launch of Helen Topor's book "Neither King Nor Saint" at the Benalla Migrant Camp – Hut 11   |
|                                | Benalla Shorts Film Festival  |

**Recommendation:**

**That the report be noted.**



#### **4.9 Council Actions Pending**

Council Actions Pending are detailed in **Appendix 1**.

**Recommendation:**

**That the report be noted.**

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## Council Actions Pending

| Action No. | Meeting Name              | Item | Action   | Officer | Status/notes   |
|------------|---------------------------|------|--|---------|--|
| 1.         | P&D Committee<br>9-Nov-22 | 3    | <b>Benalla Landfill and Resource Recovery Centre Transfer Station Fees</b><br>That the Benalla Landfill and Resource Recovery Centre transfer station charges be considered for adoption at the Planning and Development Committee meeting on 7 December 2022.   | MAI     | Report to be presented to the Finance and Planning Committee on 7 December 2022.   |
| 2.         | F&O Committee<br>9-Nov-22 | 1    | <b>2022/2023 Community Sponsorship Program</b><br>That \$500 grants from the 2022/2023 Community Sponsorship Program be allocated to Rotary Club of Benalla, Stroke Association of Victoria (SAV), Lima School Community Centre Committee and Thoona and District Progress Association Incorporated.   | MC      | Completed  |
| 3.         | P&D Committee<br>5-Oct-22 | 4    | <b>Benalla Landfill and Resource Recovery Centre Transfer Station Charges</b><br>That the Planning and Development Committee, acting under its delegated authority of the Council, resolve:<br>That the proposed Benalla Landfill and Resource Recovery Centre Transfer Station charges below be endorsed for public exhibition for at least 28 days: <ul style="list-style-type: none"> <li>▪ General waste: \$82.00 1m3, \$62.00 3/4m3, \$41.00 1/2m3 and \$21.00 1/4m3</li> <li>▪ Organic green waste: \$19.00 1m3, \$14.00 3/4m3, \$9.50 1/2m3 and \$5.00 1/4m3</li> <li>▪ Processed timber: \$23.50 1m3</li> <li>▪ Contaminated fill: \$115.00 1m3</li> <li>▪ Concrete/bricks: \$71.50 1m3</li> <li>▪ Clean fill: \$50.00 1m3.</li> </ul> | MAI     | Report presented to Planning and Development Committee at its meeting on 9 November 2022 to hear submissions on the proposed Benalla Landfill and Resource Recovery Centre Transfer Station charges. |

| Action No. | Meeting Name                | Item | Action   | Officer | Status/notes   |
|------------|-----------------------------|------|--|---------|--|
| 4.         | Council Meeting<br>7-Sep-22 | 9.2  | <b>Waste Services Policy Review</b> <ol style="list-style-type: none"> <li>1. That the <i>Waste Services Policy</i> be adopted.</li> <li>2. That the <i>Waste Services Policy</i> be reviewed in September 2026.</li> <li>3. That a report on the establishment of a Waste Reduction Working Group be presented to the December 2022 Planning and Development Committee meeting.</li> <li>4. That Waste Reduction Working Group investigate a cloth nappy rebate initiative and report back to the Council in due course.</li> </ol> | MAI     | <ol style="list-style-type: none"> <li>1. Completed</li> <li>2. To be completed</li> <li>3. Report to be presented to Finance and Planning Committee on 7 December 2022.</li> <li>4. Committee to investigate</li> </ol> |
| 5.         | F&O Committee<br>24-Aug-22  | 7    | <b>Councillor Expenses For The Quarter Ended 30 June 2022</b> <ol style="list-style-type: none"> <li>1. That the report be noted.</li> <li>2. That the <i>Professional Development for Councillors Policy</i> be reviewed and updated to define professional development.</li> </ol>   | GMC     | <ol style="list-style-type: none"> <li>1. Completed</li> <li>2. In progress</li> </ol>   |
| 6.         | F&O Committee<br>27-Jul-22  | 2    | <b>Presentation: Benalla Centrelink Campaign</b> <ol style="list-style-type: none"> <li>1. That the Council reach out to Centrelink to send a representative to present to the Council.</li> <li>2. That the Council continue to advocate to the Federal Government for the re-opening of the Benalla Centrelink and National Disability Insurance Agency (NDIA) offices.</li> </ol>   | CEO     | <ol style="list-style-type: none"> <li>1. In progress</li> <li>2. Ongoing</li> </ol>   |
| 7.         | P&D Committee<br>22-Jun-22  | 3.   | <b>Petition: Declare Churchill Reserve an Off-leash Area</b> <ol style="list-style-type: none"> <li>1. That the report be noted.</li> <li>2. That the option of a designated fenced dogs-off-leash area within or in proximity of Churchill Reserve be investigated and reported back to the Council.</li> </ol>   | MD      | <ol style="list-style-type: none"> <li>1. Completed</li> <li>2. In progress</li> </ol>   |
| 8.         | F&O Committee<br>15-Jun-22  | 9.   | <b>Financial Hardship Policy Review</b> <ol style="list-style-type: none"> <li>1. That the <i>Financial Hardship Policy</i> be adopted.</li> <li>2. That the <i>Financial Hardship Policy</i> be reviewed once the <i>Local Government legislation Amendment (Rating Reform and Other Matters) Bill 2022</i> becomes legislation.</li> </ol>   | MF      | <ol style="list-style-type: none"> <li>1. Completed</li> <li>2. Legislation has been passed. A report will be presented once further clarification has been received.</li> </ol>   |

| Action No. | Meeting Name                 | Item | Action  | Officer | Status/notes   |
|------------|------------------------------|------|---|---------|--|
| 9.         | Council Meeting<br>25-May-22 | 9.7  | <b>Enterprise Park Industrial Estate – Potential Sale of Land</b><br>That the Chief Executive Officer be authorised to: <ol style="list-style-type: none"> <li>1. Engage a suitably qualified real estate agent to advise the Council in the potential disposal of Enterprise Park Industrial Estate (Land).</li> <li>2. Develop a formal expression of interest document and conduct an Expression of Interest process for the sale of the whole or any part of the Land being Lot G on the plan of subdivision PS830933R.</li> <li>3. Publish on Council's website a notice of Council's intention to sell the Land by means of an expression of interest process pursuant to which purchasers may bid for the whole or any part of the Land</li> <li>4. Obtain a current valuation of the Land.</li> </ol> | CEO     | <ol style="list-style-type: none"> <li>1. In progress</li> <li>2. In progress</li> <li>3. Pending</li> <li>4. Completed</li> </ol> |
| 10.        | Council Meeting<br>25-May-22 | 9.2  | <b>Benalla Central Business District Streetscape Concepts</b> <ol style="list-style-type: none"> <li>1. That the draft <i>Benalla Bridge Street Improvements Project</i> be endorsed for public exhibition.</li> <li>2. That the draft <i>Benalla Bridge Street Improvements Project</i> be placed on public exhibition for a period of at least 28 days.</li> </ol>  | MD      | <ol style="list-style-type: none"> <li>1. Completed</li> <li>2. Preparing consultation program</li> </ol>                          |

| Action No. | Meeting Name              | Item | Action   | Officer | Status/notes  |
|------------|---------------------------|------|--|---------|---|
| 11.        | Council Meeting 10-Feb-21 | 11.2 | <p><b>Notice of Motion: Hosting of a community and sporting group summit to understand the impact of COVID-19</b></p> <ol style="list-style-type: none"> <li>1. That the Council invite representatives from sporting and community clubs to participate in "round table" discussions to identify the challenges faced during the COVID-19 Pandemic with the intent to better understand the impact of the pandemic with a specific focus on: <ul style="list-style-type: none"> <li>▪ Financial impact</li> <li>▪ Participation rate impact (members/volunteers)</li> <li>▪ Social impact</li> </ul> </li> <li>2. That "round table" (or alternative 'one on one') discussions be facilitated in accordance with COVID-19 requirements by the Waste and Recreation Coordinator, Community Development Coordinator and Volunteer Development Coordinator in the normal cycle of interactions (i.e. Committee of Management meetings) across 3 months. Options of MS Teams and Zoom can be offered as a second means of facilitating discussions if required.</li> <li>3. That the Council use the Summit as an exercise to collect information.</li> <li>4. That the Council draft the information collected in a document that captures the impact of COVID-19 on sporting clubs and community groups within our community.</li> <li>5. That the report be developed and presented to the Council for adoption and be provided to Federal and State members for consideration.</li> </ol> | CEO     | <p>1. Pending</p> <p>2. Pending</p> <p>3. Pending</p> <p>4. Pending</p> <p>5. Pending</p> |

| Action No. | Meeting Name                 | Item | Action  | Officer | Status/notes   |
|------------|------------------------------|------|---|---------|--|
| 12.        | Council Meeting<br>10-Feb-21 | 11.1 | <p><b>Notice of Motion: Seeking development of COVID-19 Support Initiatives</b></p> <p>That the Council develop COVID-19 Support Initiatives (BCSI) that provide advice and support to the Benalla community through 2021/22.</p> <ol style="list-style-type: none"> <li>1. That the Council develop a community 2021/22 BCSI document (directory) that provides current advice and information relating to COVID-19 supports, including local providers and agencies, Government Departments and sectors from across the state.</li> <li>2. That the Council undertake a review to consider local supports for the Benalla community as part of the BCSI.</li> <li>3. That the Council consider the adoption of the final BCSI document upon its completion and the review be considered during the council budget process 2021/22.</li> </ol> | CEO     | <ol style="list-style-type: none"> <li>1. Completed</li> <li>2. In progress</li> <li>3. Ongoing. COVID-19 impacts considered during 2021/22 and 2022/23 Budget deliberations.</li> </ol> |





## Councillor Reports

### 5.1 Councillor Service Awards

The Mayor will present Councillor Peter Davis with his Municipal Association of Victoria 15 Year Councillor Service Award.

### 5.2 Reports by Councillors

**Recommendation:**

That the report(s) be noted.

## 6. Notices of Motion

## 7. Notices of Rescission Motion

## 8. Urgent Business

Business can only be admitted as urgent business by resolution of the council, and only then if it:

- relates to or arises out of a matter which has arisen since distribution of the agenda; and
- cannot be deferred until the next Council Meeting without having a negative impact on the Council, the municipality or the local community; and
- cannot be addressed through the Customer Request Management System.

A Councillor proposing that a matter be admitted as urgent business must lodge it in writing with the Chief Executive Officer by 4pm on the day of the meeting.

The Chief Executive Officer will advise the Mayor of any matter that the Chief Executive Officer determines appropriate for the Council to consider admitting as urgent business.

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**Confidential Business**

It is 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:

- 9.1 Tender for CM22.032 Public Building and Amenities Cleaning Services 2022-24
- 9.2 Chief Executive Officer Contract of Employment and Key Performance Indicators
- 9.3 Confidential Reports by Councillors
- 9.4 Confidential Council Actions Pending

**Recommendation:**

**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*.**

**9. Reopening of the meeting to the public**

**Recommendation:**

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

**Closure of the meeting**