

Finance and Planning Committee

Agenda

Date: Wednesday 10 May 2023

Time: 5.30pm

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

Committee 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

Any person wishing to participate in public submissions in accordance with Rule 7.3 of the *Governance Rules 2020* should contact the Council by emailing council@benalla.vic.gov.au or telephoning Governance Coordinator Jess Pendergast 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
www.benalla.vic.gov.au

Contents

Opening and Acknowledgment of Country	3
Apologies.....	3
Confirmation of the previous Meeting Minutes	4
Business	5
1. <i>Proposed Arthur Baird Memorial Sculpture – Hearing of Submissions.....</i>	<i>5</i>
2. <i>Financial Report For The Quarter Ended 31 March 2023.....</i>	<i>7</i>
3. <i>Finance Department Activity Report For The Quarter Ended 31 March 2023</i>	<i>17</i>
4. <i>Capital Works Program Update As At 31 March 2023.....</i>	<i>23</i>
5. <i>Assets and Infrastructure Department Activity Report For The Quarter Ended 31 March 2023</i>	<i>29</i>
6. <i>2022/23 Community Grants Program.....</i>	<i>35</i>
7. <i>2022/2023 Quick Response Grants.....</i>	<i>41</i>
8. <i>Child Safety and Wellbeing Policy.....</i>	<i>43</i>
9. <i>Facilities and Information Technology Department Activity Report For The Quarter Ended 31 March 2023.....</i>	<i>47</i>
10. <i>Proposed Fenced Dog Park at Churchill Reserve Benalla</i>	<i>51</i>
11. <i>Building and Planning Approvals – March 2023</i>	<i>55</i>
12. <i>Development Department Activity Report For The Quarter Ended 31 March 2023</i>	<i>63</i>
13. <i>Urgent Business.....</i>	<i>67</i>
Closure of Meeting.....	67

Agenda

Chair Councillor Danny Claridge

Councillors Councillor Peter Davis
 Councillor Don Firth
 Councillor Bernie Hearn (Mayor)
 Councillor Punarji Hewa Gunaratne
 Councillor Justin King
 Councillor Gail O’Brien

In attendance

Dom Testoni	Chief Executive Officer
Robert Barber	General Manager Corporate
Jane Archbold	Manager Community
Cathy Fitzpatrick	Manager Finance
Adrian Gasperoni	Manager Assets and Infrastructure
Courtney Naughton	Manager Economic Development and Sustainability
Greg Robertson	Manager Facilities and Information Technology
Nilesh Singh	Manager Development
Tom Arnold	Community Development Coordinator
Joel Ingham	Planning Coordinator
Jess Pendergast	Governance Coordinator
Wayne Rich	Compliance Coordinator

Opening and Acknowledgment of Country

The Chair 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.

Apologies

Recommendation:

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

Governance Matters

This Committee 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.

Confirmation of the previous Meeting Minutes

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

Recommendation:

That the Minutes of the Finance and Planning Committee Meeting held on Wednesday 5 April 2023 be confirmed as a true and accurate record of the meeting.

Business

1. Proposed Arthur Baird Memorial Sculpture – Hearing of Submissions

SF/1893

Courtney Naughton – Manager Economic Development and Sustainability
Lucy Hansen – Communications and Engagement Officer

PURPOSE OF REPORT

This report presents the submissions received on the *proposed Arthur Baird Memorial Sculpture*.

BACKGROUND

The Council at its meeting on 15 March 2023, resolved:

That the proposed Arthur Baird Sculpture Project be endorsed and placed on public exhibition for a period of at least 28 days.

Notice of the proposal was given on the Council's website on 24 March 2023 and in the *Benalla Ensign* on 29 March 2023.

Feedback was sought via the Council's website and promoted on social media.

The submission period closed 5pm Friday 14 April 2023.

DISCUSSION

At the close of the submission period 110 submissions had been received. One written submission and 109 online submissions were received.

Submissions are attached as **Appendix 1**.

Summary of Online Submissions:

Project support:	76.15 percent of respondents supported the project. 23.85 percent of respondents do not support the project.
Location:	58.72 percent of respondents agreed that the Benalla Library was the best location for the proposed sculpture.
Location alternative suggestions:	41.28 percent of respondents didn't agree with the proposed location at the Benalla Library and offered the following location suggestions: <ul style="list-style-type: none"> ▪ Benalla Airport ▪ Benalla Gardens ▪ Benalla Lake foreshore ▪ Benalla Lake walking track ▪ Witt Street, Benalla roundabout ▪ Moorabbin Aviation Museum

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

- *A connected, involved and inclusive community.*

Livability

- *Vibrant public spaces and places.*

Economy

- *Flourishing tourism. Irrelevant*

Leadership

- *Engaged and informed community.*

COMMUNITY ENGAGEMENT

Community engagement was undertaken at the ‘Consult’ level under the International Association for Public Participation’s IAP2 public participation spectrum.

FINANCIAL IMPLICATIONS

In November 2020, Council was successful at securing \$150,000, as part of the \$2.5 million Building Works Package.

This funding was secured to deliver an art sculpture trail on the shores of Lake Benalla. The proposed Arthur Baird project fits within the larger concept of delivering an art sculpture trail to the Benalla Lakeside precinct.

The project will be 100 percent covered through this funding. The cost has been quoted at \$90,000 (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

Submissions will be considered at the Council Meeting on 24 May 2023.

Recommendation:
That submissions be received.

Closed

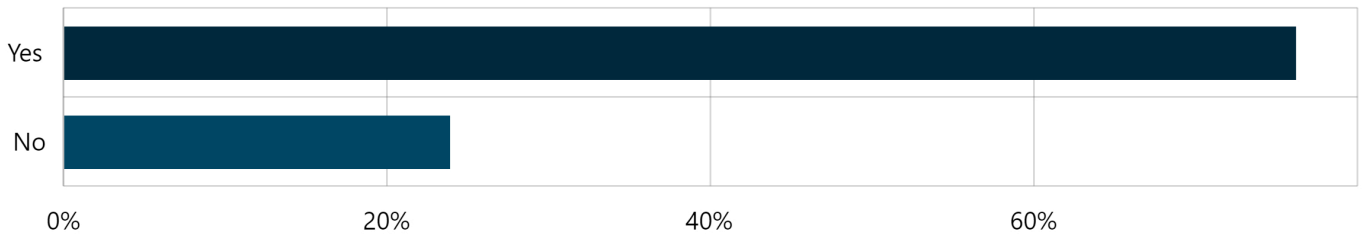
Proposed Arthur Baird Sculpture

109
Contributions

Contribution Summary

1. Do you support the proposal for the Arthur Baird kinetic aircraft sculpture installation? Required

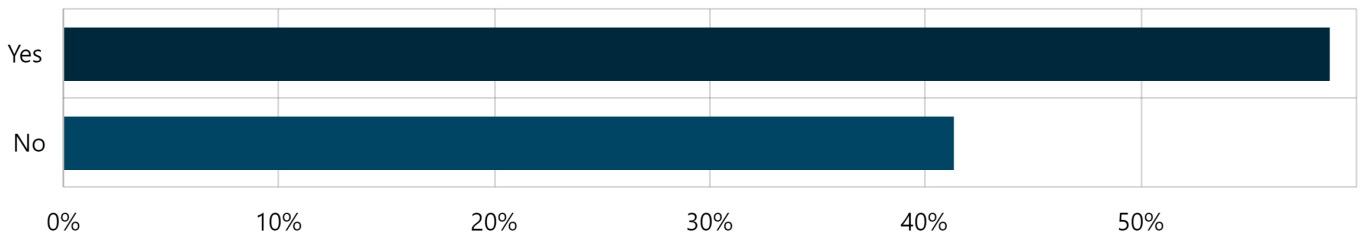
Multi Choice | Skipped: 0 | Answered: 109 (100%)



Answer choices	Percent	Count
Yes	76.15%	83
No	23.85%	26
Total	100.00%	109

2. Do you think the Benalla Library precinct is the best location for the sculptur Required

Multi Choice | Skipped: 0 | Answered: 109 (100%)



Answer choices	Percent	Count
Yes	58.72%	64
No	41.28%	45
Total	100.00%	109

3. If no, please specify preferred location.

Long Text | Skipped: 69 | Answered: 40 (38.5%)

No.	Name:	Preferred Location:	Date of Submission:
1	Nigel Bowen	Somewhere on the lake walking track the encourages visitor to get out of the car to see it.	23 March 2023
2	Anonymous	Move the Sir Edward Weary Dunlop sculpture from the gardens to the front of the Sir Edward Weary Dunlop Learning Centre (Library) and put this new statue in the gardens.	23 March 2023
3	Anonymous	The library already has Sir Edward Weary Dunlop portrait and bust and is the Weary Dunlop Learning Weary so makes more sense to move the existing Weary Dunlop Statue to the library and the proposed Arthur Baird statue at the gardens.	23 March 2023
4	Darren Skelton	Benalla Airport precinct	24 March 2023
5	Anonymous	I think the airport and glider precinct would be a much better location. It is where the aviation museum is and could draw more people to both it and the self guided tour around the migrant camp.	24 March 2023
6	Michael Hedderman	It is great to recognise former Benalla resident's achievements. Would such a sculpture be better placed at the Aerodrome? Such a placement would attract visitors and community alike to the other attractions on offer in that precinct.	24 March 2023
7	Anonymous	The proposed spot for the sculpture is not really on the shores of the lake, it might be better served on the other side of the library so that it may be seen from the Monash Bridge.	24 March 2023
8	Anonymous	1) if to be part of sculpture trail, place it between the library and the bridge on the grassy area. 2) alternatively, place at the airport in the vicinity of the Aviation Museum.	24 March 2023
9	Jenny Doxey	At the Benalla airport would be more suitable. Airport and his career cannot be separated. This sculpture would be more appreciated by those who use this sight	24 March 2023
10	Mary-Lou Davis OAM	Like the idea. Location should be at the airport or the aviation museum. Get Qantas to subsidise the sculpture.	24 March 2023
11	Happy Smurf	The airport precinct would be a better place for the sculpture	24 March 2023
12	Elizabeth Lang	The best asset Benalla has is it's lake and surrounding natural environment and green space. Can you please not clutter this beautiful natural space any further? Sydney road entrance or gliding club would be better.	24 March 2023
13	Lou McCloskey	The Benalla aerodrome/airport	24 March 2023
14	Anonymous	No location suggestion, as I do not support this particular one.	24 March 2023
15	Anonymous	I think it should be in the gardens or along the walking track.	24 March 2023
16	Wendy Baker	I would prefer the location of the sculpture be at the airport. This location seems far more appropriate. Keep the Library as as library and community meeting space. Don't compromise it as an arts space.	24 March 2023

No.	Name:	Preferred Location:	Date of Submission:
17	Kay Anderson	I think a statue of Sir Edward Weary Dunlop would be better near the library given that the library is named after him. Move "Weary" to the library and put this one in the gardens maybe near the rocket park or where "Weary" is now	24 March 2023
18	Anonymous	With the proposed re landscaping of this area, a concept that will clutter our beautiful foreshore and natural landscape a sculpture located here would just get "lost". Even more so with the white structure that has been built to the right of the proposed statue site. Perhaps the airport precinct maybe more appropriate?	25 March 2023
19	Cath Begley	Because I don't support this particular sculpture design I cannot recommend this being the best location. The entry to Benalla from Melbourne is in need of some development. Why over crowd a natural space that already has a natural beauty such as the lake foreshore near the library	25 March 2023
20	Tom Yates	The roundabout at Witt St and Bridge St intersection , being in close proximity to Benalla airport.	25 March 2023
21	Anonymous	I think somewhere prominent where residents and visitors can enjoy it. It looks like an amazing sculpture.	25 March 2023
22	Regina Laity-Plex	Close to the Art Gallery in the open space between the Gallery and the road. This location is visited more frequently by visitors. The lake side is a lovely setting for art. The sculpture in this position will also be visible from the opposite side of the lake, it would be seen while driving over the Bridge, also visible from the splash park and the new Visitor centre balcony. The Library precinct should be keep open in order to keep it flexible for festival events. A sculpture in this area will not be noticed by as many visitors to our town.	26 March 2023
23	Sharon Edwards	There is no place for it, go back to the drawing board.	26 March 2023
24	L. Harris	Inappropriate sculpture, Inappropriate location. Better options to represent a Benalla sculpture and why keep impacting on the library space and lake foreshore to make a cluttered mess. LESS IS MORE.....is very relevant!	28 March 2023
25	Wende Sturgess	I had read the story of Arthur Baird quite some time ago and when I visited Longreach last year, I saw the significance of his contribution to the formation and establishment of QANTAS at the museum there. I am fully supportive of a memorial to him as he was also a Benalla World War 1 veteran. I can provide photos of him at Longreach if required but I'm sure you may already have them from other sources. I know some think the airport may be a good site and I have no problem with that if the majority concur. However I think that near the library is better as the sculpture will be in the precinct near other ones such as Weary Dunlop and can be more readily seen by visitors to our town.	28 March 2023
26	Jenny Monger	It should be at Benalla Aviation Museum where it would be "in context" and information about Arthur Baird would be available in the Museum.	30 March 2023
27	Anonymous	Benalla Aerodrome	3 April 2023
28	Anonymous	Perhaps it should be located at the airfield as more appropriate.	4 April 2023

No.	Name:	Preferred Location:	Date of Submission:
29	Mark Tylinski	Benalla Airport seems a far more appropriate location.	4 April 2023
30	Anonymous	No situation as statue not necessary	4 April 2023
31	Lisa van Kerkwijk	I'm worried about vandalism, the teens will probably climb, damage or spray paint near the library next to the skate park. I propose out the front of the airport museum, it will be much safer, looked after and appreciated by the many pilots and aircraft enthusiasts, as well as attract even more people to visit.	4 April 2023
32	Anonymous	Somewhere near Benalla air field as it is more relevant. Even in the roundabout as you enter Benalla at the turn off to the gliding club.	4 April 2023
33	John Currie	At the Airfield would be more appropriate.	5 April 2023
34	Anonymous	Airport	5 April 2023
35	Sabine Smyth	Benalla Airport near the Gliding Centre or the front of the site.	5 April 2023
36	David Moore	Benalla airport.	7 April 2023
37	Lisa Reade	As I don't live in this area, I cannot comment if this is the best location for the sculpture.	9 April 2023
38	John Hanlon	Benalla Airport is the appropriate site for this sculpture. Positioned in the vicinity of the Air Museum it would be viewed by the many visitors with an interest in aviation, who would otherwise bypass the proposed site. The Air Museum could also display a full history of Arthur Baird achievements to compliment the sculpture.	12 April 2023
39	Anonymous	Moorabin Aviation Museum	13 April 2023
40	Anonymous	Not in a carpark. Gardens would align it with Dunlop monument. Could be damaged in the carpark.	13 April 2023

4. Comments

Long Text | Skipped: 54 | Answered: 56 (55%)

No.	Name:	Comments:	Date of Submission:
1	Barry O'Connor	I would suggest that the proposed memorial sculpture is long overdue, as this man appeared to have been very efficient, yet very humble in his outstanding achievements. He not only served the Australian and British forces in an excellent manner during WW1, but then provided and supervised the maintenance operation for QANTAS in its first 28 years of operation. Not only did he supervise the maintenance facilities, he also flew thousands of hours on mail runs during the early years. In fact he logged more hours than some of the official 'pilots'. He came from a family that also made a significant contribution to the Benalla region.	22 March 2023
2	David Beer	Looks like a very worthwhile project.	22 March 2023
3	Doug Brockfield	I've been a member of the QANTAS Founders Museum for many years, and a great lover of the Qantas story. Well done Barry and Chick. About time Arthur Baird got more recognition.	22 March 2023
4	Scott Upston	Fantastic to see this finally may get off the ground (pardon the pun). Arthur has contributed significantly as a serviceman and a key player in the aviation industry. To be able to acknowledge that service and his contribution to the aviation industry would be significant not only to his family but the wider community who would benefit from hearing his story. Who knows it may inspire the next generation of engineers!	22 March 2023
5	Nigel Bowen	No one knows who this person is, so why are we Celebrating them with a sculpture. The art trail funding should be directed to recognise someone or something that is truly worthy. Like migration as Benalla played a significant roll in supporting migrants in the post war period. I just think that we could do better.	23 March 2023
6	Darren Skelton	Benalla's foreshore precinct is highly valued for its open space environment. Sadly, council has approved a number of memorials and other works which have impacted adversely on the foreshore. Recognition, where relevant and warranted, is wonderful. The Weary Dunlop Memorial is a spectacular example. Other recent projects are sadly not. When it comes to the foreshore, one of city's greatest assets, less is more.	24 March 2023
7	Anonymous	Would be interested in knowing exactly how much of the \$150000 this sculpture will use. There is little point securing funding for an 'art trail' and using it all on 1 sculpture.	24 March 2023
8	Anonymous	Whilst Council does not have to fund this, who is responsible for any ongoing maintenance?	24 March 2023
9	Anonymous	I think this is a fantastic idea. Benalla has some great former residents. Not only will this honour Mr Baird it's another great tourism drawcard by the lake.	24 March 2023
10	Millicent Lang	Less is more. Just because you get money it doesn't mean you have to spend it. You will pay to maintain? There are ongoing costs. The lakeside is crammed with no consensus on planning. Just leave the landscape alone. Also, a focus on women in history rather than men would be an advancement as Melbourne council has been doing.	24 March 2023
11	Jenny Doxey	No more crowding out of the Benalla lake and it's open space which is Benalla greatest asset and must be preserved. Otherwise Benalla will end up looking like another poor outer Melbourne suburb.	24 March 2023

12	Mary-Lou Davis OAM	Research further and use the grant for a sculpture of some local famous women or a tribute to all the migrants that have contributed in making this town for what it is today using the location you are considering.	24 March 2023
13	Elizabeth Lang	Please focus on footpaths and support for people in need. Leave the natural environment for us to enjoy.	24 March 2023
14	Andrew Hick	Good work - keep this stuff coming please ?	24 March 2023
15	Anonymous	I feel further research needs to go into a more appropriate "Benalla" person. Surely there is someone in Benalla's history who has given back to the town in a significant way.	24 March 2023
16	Anonymous	I think we could honour many other ppl or things that benalla love. I also think a wood/tree carving would be a better choice you could also honour many ppl in one item.	24 March 2023
17	Wendy Baker	I personally have never heard of Arthur Baird however on reading some of the history he obviously played an important role in Australia's aviation history. I would prefer to see a smaller sculpture and one that forms part of the proposed sculpture trail. The proposed sculpture does not personally appeal to me.	24 March 2023
18	Steven Edwards	Go back to the start and do proper consultation. This is a terrible idea. Waste of tax and rates money. I watched the council meeting. Why have you been sitting on this money since 2020 and rushing to use it suddenly???? Poor thinking and planning.	24 March 2023
19	Sonia Bourke	As a member of the Benalla community I am disappointed there has been very little consultation about this plan. I have never heard of Arthur Baird before now and struggle to see the connection, his contribution or relevance to Benalla. I also feel that we should be looking to honour a female such as Prue Acton or Ellen Kelly, their stories and connection to this area are well known to the wider community.	25 March 2023
20	Anonymous	Very disappointed at the lack of community consultation around this project. Would it not be more prudent to focus on someone more "connected" relevant and well known to our community?	25 March 2023
21	Cath Begley	I would have preferred consultation with a range of designs not just 1 design. Perhaps a list of ideas to start with is a better process that enables the public to select there preferred sculpture concept. I'm an local art teacher so I understand that not everyone will agree to on a single design however there was no consultation with the public for a 'range' of possible concepts to begin with. That would have been a more authentic form of consultation. Personally I believe this sculpture doesn't reflect the contemporary culture of our community.	25 March 2023
22	Anonymous	In favour but only if 100% funded by Spring Street and not a penny from Council.	25 March 2023
23	Anonymous	We don't need more art we need better inferstructuer. Fix our roads, footpaths and gutters so people can safely get to the art.	25 March 2023
24	Pamela O'Connor	Benalla should be proud of those who have come before us and have contributed greatly in their field of expertise and accomplishment, of which Arthur Baird is truly one of them. Our Community should acknowledge these accomplishments as they are a foundation for those still to come to achieve and make their own mark in their individual fields. A true Son of Benalla who we should recognize and be very proud of.	25 March 2023

25	Tom Yates	This sculptural piece needs to be site specific , ie in a situation that has some relationship to aviation . In Benalla this is obviously the airport . Tom Yates ...grad diploma in public art , RMIT University .	25 March 2023
26	Anonymous	I really like the idea of more public art in Benalla.	25 March 2023
27	Sharon Edwards	Do it properly or don't do it.	26 March 2023
28	Anonymous	Great to see this great man from Benalla recognised	27 March 2023
29	Katherine Beard	Arthur Baird's legacy, engineering genius and enormous contribution to Australian aviation is well overdue for recognition, noting too the high level of interest in the historical origins of Qantas with the recent release of the Hudson Fysh biography and the 100 year anniversary of Qantas in Nov 2022. Arthur is a credit to the Benalla region and the country at large, and integral to the growth of the nation in the 20th century. A modest man, he was humble and didn't seek the limelight. Hence recognition of his contribution to aviation in Australia has gone largely unremarked, though Qantas' exemplary safety record and reputation would not exist without him! On the 100th anniversary of Qantas, here is an opportunity to celebrate a local Benalla lad who literally changed the way we travel the country. His engineering smarts saved the day both during the war and afterwards, contributing to the establishment of the Royal Flying Doctors and Qantas - two lynchpins of Australian enterprise and culture. Many members of the Beard family are still resident in the Benalla/Shepparton and northern Victorian area, including Jean Flukely (maiden name Beard), who is Arthur Baird's niece. She is 101 years old and living in Benalla at the Cooina nursing home. She remembers her uncle well and would have a lot to say about him. The family is very proud of Arthur. His intellect, grit and determination, work ethic and problem-solving skills would be a fitting reminder to newer generations of Benalla locals (especially the children who visit the library) that soaring to great heights from Benalla roots is entirely possible.	27 March 2023
30	Susan Pearce	I am ambivalent about the proposed statue. The aviation connection is tenuous. He might have been a 'part' of aviation history but he was not a 'the major contributor' or Qantas would already have honored him in statue form. I am definite that if created it should not be installed near the Library or Lake Benalla foreshore area.....its huge size would look ridiculous and not compliment anything around it. If created at all, it should only be located near the airport.	27 March 2023
31	Ian Herbert	A fitting memorial and location that fits in well with the aviation history of Benalla and today's 'Glider City' fame. Congratulations to Barry O'Connor and all those involved in this project.	28 March 2023
32	L. Harris	Sadly,..yet again this is an 11th hour token community consultation! Decisions appear to be already determined. Where is the artist tender process? Where is the initial ideation input to the community .with potential options and a thought out thorough process? I question whether a community grant can be spent and implemented in this way the council is going about this.! I also feel that if " community grant" money has to be spent in a certain way, by a certain time it is sensible and in the best interest of council and the community to say thanks anyway but we haven't had time to undertake the NECESSARY community consultation, concept development or Artist tender process, to get this right and follow correct procedure so unless more time is allocated to do the ground work adequately it would be in the best interest of the whole community/ council included to pass up the grant until the process can be undertaken appropriately and legally under community grant protocol.! And we have some incredible artists, designers and creative minds, including landscape designers in our Community let's utilise their input and skills.	28 March 2023

33	Anonymous	From the survey questions, the decision has been made and this survey is to meet the requirements of appeasing the community. I like the concept and the idea of a memorial to Arthur Baird. The sculpture would have to be explained to me as to "what and why" it exists. Don't planes have larger wings?	29 March 2023
34	Anonymous	I think a sculpture of Arthur Baird is wrong. It seems like grappling trying to think of a person born in Benalla for a sculpture. Is it for a sculpture rail, why not Nellie Kelly as suggested, or near the lake a big local turtle and/or platypus. Not just a person nobody has heard about. Total waste of money.	30 March 2023
35	Jenny Monger	I find the sculpture most unattractive but it would be ok at the airfield.	30 March 2023
36	Meg Dillon	Consultation was great idea. Hope this can be the start of a Sculpture Trail round the lake. Great drawcard to the town and starts to mark us as a cultural centre of NE Vic. Chicago has an impressive sculpture trail through its CBD and I gather Dubbo has a nice one too. Our Art Gallery also has a large bronze sculpture of a lurching man which might also be considered as an outdoor sculpture if mounted on a plinth. Great consultation on the Street Art plans for 2023 too.	1 April 2023
37	Maureen Matthews	I welcome the Benalla Rural City Council proposal to recognise a 4th Famous Son of Benalla, in Arthur Baird. As I have a family connection to Arthur Baird, I look forward to a positive result, to this sculpture project.	3 April 2023
38	Anonymous	Arthur Baird certainly achieved notable status as Chief Engineer with Qantas. He was only in Benalla as a child. Need to consider people who have put their time into promoting Benalla and working for the general public.	3 April 2023
39	Caroline Burns	Don't care where it is... it's hideous... no one would have any idea what the hell it is.	4 April 2023
40	Anonymous	It will be seen by many people near the library.	4 April 2023
41	Brendan Beard	I believe it is extremely important to remember Arthur Baird as one of the pioneers of Australian aviation. There is no better place for him to be remembered than where he was born and grew up.	4 April 2023
42	J & R Zajac	A great idea to commemorate a local hero.	4 April 2023
43	Kevin Teasdale	To recognize Arthur Baird a local Benalla man who has been an integral part of Qantas an iconic airline known around the world. This is a great way to honour his contribution to Australia.	4 April 2023
44	Anonymous	What did this man do for Benalla? Why not celebrate someone who has contributed to the betterment of this town. There are many women who fit this category. Why was the community not consulted first for their views? A grant is never free.	4 April 2023
45	Malcolm Sanders	Great achievements need to be recognized and Arthur Baird certainly meets all the honour we can give to him. His family and Benalla citizens can feel proud he was a local. Weary Dunlop and Heck Waller also have made history and Benalla should stand and admire Arthur Baird also as a great Australian. The proposed sculpture is a fitting tribute and we all should support this project. Malcolm Sanders 51yr resident of Benalla	4 April 2023
46	Anonymous	The library is the Sir Edward 'Weary' Dunlop Learning Centre. There should only be a statue of him there to mark his significance in that area. Anyone else would just be confusing and irrelevant.	4 April 2023
47	Anonymous	Also there is no information provided on the figures underneath the Materials, significance. Are the important people in Benalla aviation history.?	5 April 2023

48	Sabine Smyth	<p>I am against a sculpture at this location. This unattractive thing will stick out like a sore thumb and be fully visible from Nunn Street. Please leave the few undeveloped negative green spaces we have left around our lake, for aesthetic reasons. We had a beautiful foreshore before the ill-considered placement of little itzy-bitsy structures everywhere. A sculpture about an aviation guy near the library – why ?</p> <p>I am against a sculpture being selected without there being a transparent process around how Arthur Baird was chosen ahead of other locally significant people (were there any others considered?). It appears to me that Council did not test the community's views on whether or not this person was at all meaningful to them. To me Arthur Baird is meaningless, I had never heard of him and find him unremarkable in comparison to significant local figures. The fact that Qantas does not want to chip in – is that a clue?</p> <p>In all of Australia except Benalla, there seems to be an effort made to acknowledge that a community is not just men. We need to consider a sculpture of a woman.</p> <p>How was this sculpture group permitted to choose the artist if they are not funding the sculpture? I hope due process was followed with such an expensive piece of 'moving metal bits'. From a community viewpoint this whole proposal so far seems to lack due process and transparency.</p> <p>Nothing at all should be placed near the lake, without consulting our Registered Aboriginal Council, the Yorta Yorta Nations Council. Have the Yorta Yorta been consulted or is there once again, no Cultural Heritage Management Plan? This whole area appears to be facing haphazard development. Will you please just hold on and do things professionally!</p> <p>A sculpture committee was formed a few years ago under the guidance of the late Cr Geoff Oliver. The committee was a community committee and got as far as narrowing in on a proposal for a sculpture of Ellen Kelly (when Geoff sadly passed away.) Why has the work this committee did been disregarded in favour of this random proposal? A sculpture of Ellen Kelly would honor Geoff's memory and work harmoniously with our tourism product around the Kelly Story.</p> <p>I encourage you to ask the wider community with a specific survey which they would prefer – a sculpture of Ellen Kelly (Ned's mother) or Arthur Baird. I would guess that you will find Arthur and his 'swinging bits and pieces sculpture' will lose out easily.</p> <p>There has been no consultation at community level about this sculpture up to this point. A topic, a location and an artist appear to have been chosen, and it all once again gives the appearance that our Council, including senior management do not care about the community's views. Hopefully I am wrong?</p>	5 April 2023
49	Ken O'Connor	<p>This is certainly a very worthwhile project to preserve the memory of this great, previously little known, Australian Aviation Pioneer.</p>	6 April 2023
50	David Moore	<ol style="list-style-type: none"> 1. The proposal has limited aesthetic merit and appeal. 2. It is time for a sculpture representing women. 3. Community consultation must occur before a "fait accompli" proposal is presented to the community. This project has not had an open and transparent process. 4. Can Council assure the community that awarding State Government Grant monies to a project that has not had open and transparent public tender processes will not expose Council to legal proceedings? <p>Benalla has several artists who could assist in the development of a public art trail consultation process. This could include an opportunity for the community to participate in a survey to identify notable citizens worthy of memorials. Among these artists are David Laity, Pauline Fraser, Simon Klose, Frank Burgers and Tim Bowtell, all successful artists who exhibit in numerous galleries.</p>	7 April 2023

51	Nick Van Elk	I think money could be spent on more important things than a sculpture. Everything seems to be pointing towards pleasing tourists rather than residents.	7 April 2023
52	Adrian Beard	I am a great nephew of Arthur Baird and would be very pleased to have recognition of his great contribution to air travel. The Library precinct is an excellent place for this.	9 April 2023
53	Anonymous	I think a sculpture of Ellen Kelly and children would be more appropriate.	11 April 2023
54	Milton Grant	A location near the library on the lake side would attract attention of people travelling over the bridge and would perhaps form a walking link from "Weary", the Monash bridge and the sculpture. A good proposal.	12 April 2023
55	Sandra Beard	A fitting memorial to Arthur Baird who was raised in the Benalla area until he went to Melbourne to further his studies. Probably in today's jargon we would say "he thought outside the box" in a brave new industry that has led to the vastness of Australia being more manageable.	13 April 2023
56	Anonymous	Thorough research has been presented by Barry O'Connor, Chick Walker and their team, to undeniably support the recognition of Baird to honour his life's work as a Founding Father of the Australian Aviation industry, in particular, QANTAS and which extended throughout his military service.	13 April 2023

31/03/2023

CEO Dom Testoni and Benalla City Councillors
Benalla Rural City

Proposed Aircraft sculpture to Alfred Baird

It never ceases to amaze me that the BRCC continues to deliver to the community decisions made behind closed doors without community consultation or research. Pop it in the Ensign Classifieds, and 'have your say' when it's really all decided.

You may dismiss my comments but I am a concerned citizen who for 60 years has watched what made Benalla an attractive and liveable environment rapidly deteriorate from multiple decisions made in recent years by BRCC and this is one of them.

A sculpture with little or no relevance other than date of birth for Arthur Baird hardly qualifies for a \$90,000 investment. The acknowledgement of his contribution to Qantas is appropriately done in the Australian Aviation Hall of Fame and is not appropriate alongside the Benalla library.

The proposed Arthur Baird sculpture is a very poor decision up for consideration as it is a *'fait accompli'*. There has been no previous community consultation and obviously BRCC did not take seriously the rap they received from VCAT that their community consultation was lacking. Neither has there been an open tender process for community consideration. Has this decision involved the local indigenous community and has the Cultural Heritage Management Plan been applied?

Arthur Baird was born in Benalla and made no other contribution to Benalla. There are numerous people both alive and dead who were not only born in Benalla but have left a lasting legacy for the benefit of the community and if you were going to erect a sculpture should rightly be considered.

Let's begin with Alfred Sangwell who was not born in Benalla, but designed our Botanical Gardens in 1886 and were opened in 1886. They have existed since then and given great pleasure to the community of Benalla for more than 140 years. Not to mention the number of tourists who have appreciated his work and contributed to our economy. Where is his sculpture?

Mr Lorry Ledger, who lived his whole life on the outskirts of Benalla and devoted his time and money for the benefit of Benalla, his legacy is a contribution to the Art Gallery in bricks and mortar in the 1970's and an art collection contributing to a gallery collection now valued at 30 million dollars that the community and tourists continually enjoy and add to the economic prosperity of Benalla. Where is his sculpture?

You could argue that Weary Dunlop was a man just born in Benalla in 1907 the home of his boyhood and youth, but his contribution to humanity was outstanding as a soldier, surgeon and subsequently a war hero. I knew people who were at war with him and his compassion and personal integrity was described as outstanding. He deserved a statue and magnificent that it is.

Sculptures are erected to individual people as a show of respect and appreciation for the contribution they made to society in multiple ways, not just because they may have been born in a place. They are also designed to make people reflect on why there is a statue to this person.

Every time I walk past Weary Dunlop I remember my father who fought and died in that war, fighting in the jungle so you and I can live in a free country. Statues need meaning not just fill a space.

I am not in favour of the statue or its location. The foreshore of the lake is being filled with trivia when the grassy slopes leading to the lake, which once was a muddy creek, but thanks to the foresight of others in the 1970's designed and changed the course of the river to make a lake for our enjoyment. The lake was to have grassy banks and a walk in nature which is now becoming a fun park full of badly designed buildings and objects. No architect I know would want his name attached to a building as the ugly black VIC building attached to another building with no reference or synergy at all. Pods, Aboriginal gardens, skate parks, splash parks, sundials totally out of proportion to its site, a caravan park, ugly 'lunch room' outside the library and now meaningless statues. Not to mention other projects not yet for public consumption until a "fait accompli". An Art trail may be great vision but unless professionally done with what would be millions of dollars, will just add to the tackiness of the environment. Now is not the time.

As a council you are alienating yourselves from the community on a daily basis with all your wonderful ideas and no community involvement. Where is the strategy for the future development of Benalla, a socially disadvantaged town, with homeless people, more empty shops, lost banks, lost major stores and coffee shops owned by locals, businesses going broke, some up for sale and will close if they don't sell. Reduction in staff at the concrete factory and as a result Benalla has more houses for rent than any other town in Victoria according to the media. And you want to spend \$90,000 on a sculpture which has no significance other than a birthdate to our community. This doesn't demonstrate a financially robust community but one in decline and with misplaced priorities.

I think it's time the BRCC had a long look at its strategy direction, management, consultation process and include the community that pays your wages. You might be surprised at the outcome if you took this direction and brought the community with you. Let's invest in the real issues in our community.

Yours sincerely

Jane Grimwade

2. Financial Report For The Quarter Ended 31 March 2023

SF/1519

Cathy Fitzpatrick – Manager Finance

PURPOSE OF REPORT

The report presents the financial result compared to budget for third quarter ended 31 March 2023 and presents outcomes from the 2022/23 third quarter budget review.

BACKGROUND

Section 97 of the *Local Government Act 2020* requires that at the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a meeting that is open to the public.

The budget report must include a comparison of the actual and budgeted results to date and an explanation of any material variations. In addition, the second quarterly report of a financial year must include a statement by the Chief Executive Officer as to whether a revised budget is, or may be, required.

OPERATING RESULT

Year To Date 31 March 2023 Operating Result Compared to Budget

The report contains the Standard Income Statement and Statement of Capital Projects. The operating result for the quarter ended 31 March 2023 was a surplus of \$3.470 million which was \$2.446 million more favourable than the budgeted surplus of \$1.024 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 budget review aligned with the forecast result for the proposed Budget 2023/24.

The forecast operating result for the year ending 30 June 2023 is a surplus of \$3.775 million, which is a favorable variance of \$2.246 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 31 March 2023 and Third Quarter Forecast Compared To Budget As At 30 June 2023

	Notes	2022/23 YTD Actual \$'000	2022/23 YTD Budget \$'000	2022/23 YTD Variance \$'000	2022/23 Full Year Budgets \$'000	Q3 Review Forecast Expense \$'000	EOY Forecast Budget Variance \$'000
Income/Revenue							
Rates and charges	1	\$20,889	\$20,566	\$324	\$20,679	\$20,973	294
Statutory fees and fines	2	\$430	\$359	\$71	\$474	\$586	112
User fees	3	\$2,509	\$2,600	-\$91	\$4,602	\$3,500	-1,102
Grants - operating recurring	4	\$2,430	\$2,150	\$279	\$2,642	\$3,053	411
Grants - operating non-recurring	5	\$1,383	\$407	\$976	\$542	\$1,824	1,282
Grants - capital recurring		\$0	\$0	\$0	\$975	\$1,640	665
Grants - capital non-recurring	6	\$20	\$0	\$20	\$6,669	\$9,486	2,817
Contributions	7	\$180	\$60	\$120	\$180	\$248	68
Net gain (or loss) on disposal of property, infrastructure, plant and equipment		\$0	\$0	\$0	\$25	\$25	0
Other income	8	\$371	\$62	\$309	\$73	\$353	280
Total income / revenue		\$28,213	\$26,205	\$\$2,008	\$36,862	\$41,688	4,826

	Notes	2022/23 YTD Actual \$'000	2022/23 YTD Budget \$'000	2022/23 YTD Variance \$'000	2022/23 Full Year Budget \$'000	Q3 Review Forecast Expense \$'000	EOY Forecast Budget Variance \$'000
Expenses							
Employee costs	9	\$8,951	\$9,099	\$147	\$12,138	\$12,243	-\$105
Materials and services	10	\$10,148	\$9,577	-\$572	\$13,807	\$15,252	-\$1,445
Bad and doubtful debts - allowance for impairment losses		\$0	\$0	\$0	\$14	\$14	-\$0
Borrowing costs	11	\$86	\$68	-\$17	\$91	\$131	-\$40
Other expenses	12	\$312	\$333	\$21	\$949	\$1,020	-\$71
Finance costs - leases		\$21	\$26	\$5	\$35	\$27	\$8
Amortisation - intangible assets	13	\$160	\$239	\$79	\$477	\$477	\$0
Amortisation - right of use assets		\$249	\$250	\$1	\$334	\$338	-\$4
Depreciation	14	\$4,815	\$5,589	\$773	\$7,489	\$8,411	-\$922
Total expenses		\$24,743	\$25,180	\$437	\$35,333	\$37,913	-\$2,580
Surplus/(deficit) for the period		\$3,470	\$1,024	\$2,446	\$1,529	\$3,775	\$2,246

Income Statement Notes:

1. Rates and charges favourable variance due to supplementary rates and charges and additional revenue in lieu of rates favourable by \$322,946. Other favourable variances associated with reduced collection costs due to application of COVID-19 Financial Hardship Policy.

Forecast favourable variance to 30 June overall \$294,000.

2. Statutory fees and fines: Favourable variance \$71,111 significant items:

▪ Permit Fees	\$41,850
▪ Fines	\$17,443
▪ Certificate Charges	\$9,980

Forecast favourable variance to 30 June 2023 overall \$0.112 million due to increased Building Approval Service \$89,550, Fines \$13,918 and Certificate Charges \$8,500.

3. User fees: Unfavourable variance year to date overall \$91,000.

Significant favourable variances:

▪ Landfill Service fees	\$96,775
▪ BPACC Operation	\$78,416
▪ Art Gallery Fees and Sales	\$42,461
▪ Facilities fees	\$7,580

Unfavourable variances:

▪ BRCC internal charge #	\$304,746
▪ Animal fee and release fees	\$11,503

In 2022/23 \$1.528 million of internal revenue will not be recognised as a result of Internal Audit recommended changes to business processes.

Forecast results to 30 June 2023 are expected to be unfavourable by \$1.102 million.

4. Operating grants – recurring: Additional grant funding has increased revenue by \$279,000 due to additional funded grants for several services.

▪ Social inclusion action group full grant	\$161,147
▪ Youth Programs– funding increased	\$63,408
▪ Financial Assistance Grant 22/23 Operations	\$58,930
▪ Financial Assistance Grant 22/23 Roads	\$15,384

Forecast results to 30 June 2023 is a favourable variance of \$411,000 due to increase in Financial Assistance Grants and full year unbudgeted Social Inclusion Action Group grant \$213,000.

5. Operating grants - non-recurring: Favourable variance \$0.976 million additional grant funding not budgeted for in the 22/23 year:

▪ Flood Assistance State Government	\$1,000,000
-------------------------------------	-------------

Forecast results to 30 June 2023 are expected to be favourable \$1.281 million recognising additional funding not budgeted for in 2022/23 year and transfer of some grants changing to recurring given renewal of funding agreements. Significant additional items include:

▪ Living Heritage Grant – Benalla Migrant Camp Conservation	\$97,000
▪ Benalla Economic Diversification Plan – additional funding	\$80,000

6. Capital grants - non-recurring: YTD favourable variance \$20,000 additional funding for L2P Program additional car purchase.

End of year favourable \$2.817 million attributed to unbudgeted grants received:

▪ National Disaster Fund – Flood October 2022	\$5,774,916
---	-------------

Unfavourable variance of \$2.8 million due to a delay in commencement of the Benalla Art Gallery Redevelopment project.

7. Contributions: Favourable variance \$120,000 as additional contribution funding received and timing variations:

▪ Australia Day events contributions	\$32,000
▪ Public Open Space contribution	\$24,200
▪ Art Gallery Project funding	\$17,365
▪ Umbrella Project - Library	\$15,000
▪ Tobacco funding	\$11,772
▪ Friends of Library	\$10,000
▪ Art Gallery donations	\$8,341
▪ Drinking fountain contribution	\$5,000

Forecast results to 30 June 2023 is not expected to further alter significantly.

8. Other income: Favourable variance of \$309,000 due to interest received favourable \$292,211 and reimbursements associated with WorkCover and Long Service Leave transfers of \$17,003.

End of year forecast is expected to be favourable by \$280,000.

9. Employee costs: Overall favourable by \$147,266 due to staff movements and additional labour requirements to deliver several grants (some grants were received and recognised in 2021/22 financial year) however delivery also incurred salary costs in 2022/23.

Forecast results to 30 June 2023 is expected to be unfavourable by \$105,465. Impacted by additional labour costs for several grant funded positions. Significant items include Social Inclusion Action Group grant as mentioned in item 4 Operating Grants – Recurring.

10. Materials and services: 2022/23 internal expense charges of \$1.1 million will not be recognised as a result of Internal Audit recommended changes to business processes.

Overall forecast results were unfavourable by \$572,000. Impacted by significant increase in contract payments \$969,000 and materials \$292,000. Offset by reduced Consultants \$211,000 and significantly no internal charge \$341,000.

Forecast results to 30 June is expected to be unfavourable \$1.445 million. Impacted by carry forward project expenditure 21/22 \$0.812 million and significant additional forecast specifically:

▪ Landfill – EPA levy (income collection offsets)	\$241,221
▪ Electricity	\$120,000
▪ Services non contract	\$108,344
▪ Fuel	\$63,190

Materials and Services expenditure to 31 March 2023 is detailed in **Appendix 1**.

11. Borrowing costs: Unfavourable variance of \$17,000 due to increased interest charges. Forecast to 30 June 2023 is expected to be an unfavourable variance of \$40,000.

12. Other expenses: Favourable variance of \$21,341 primarily due to delayed internal audits and community contributions to events delayed by COVID-19.

Forecast to 30 June is expected to be an unfavourable variance of \$70,982. Significant additional items:

▪ Social Inclusion Action Group grant - contributions	\$50,000
▪ Audit fees	\$15,000
▪ Social isolation initiatives program contributions to community	\$5,982

13. Amortisation intangible assets: Favourable variance of \$78,551 as Landfill - Cell 3 did not open until September 2022.

Forecast results to 30 June is not expected to alter significantly.

14. Depreciation: Favourable variance of \$773,000 as some 2022/23 capital works projects were delayed due to COVID-19 restrictions.

Forecast result to 30 June is unfavorable \$922,000 as capital project will be finalised in 2023 and revaluation of infrastructure assets expected to incur additional depreciation costs.

Capital Projects Program Result

The Capital Projects Program result for the six months ended 31 March 2023 was expenditure of \$956,000 which was \$211,000 less than the budgeted expenditure of \$9.305 million as shown in Table 2 below.

Table 2 – Capital Program result for the period ending 31 March 2023 and Third Quarter Forecast to 30 June 2023

Asset By Type	2022/23 YTD Actual \$'000	2022/23 YTD Budget \$'000	2022/23 YTD Variance \$'000	2022/23 Full Year Budget \$'000	2022/23 Full Year Forecast \$'000	EOY Forecast Budget Variance \$'000
Bridges	\$171	\$355	\$184	\$420	\$150	\$270
Roads	\$6,373	\$2,821	-\$3,552	\$2,821	\$9,191	-\$6,370
Footpaths	\$311	\$749	\$438	\$749	\$749	\$0
Drainage	\$87	\$382	\$295	\$948	\$426	\$522
Buildings	\$1,432	\$2,954	\$1,522	\$5,850	\$3,050	\$2,800
Plant, Machinery and Equipment – Capital	\$329	\$60	-\$269	\$395	\$615	-\$220
Fixtures, IT, Fittings and Furniture, Artworks	\$71	\$500	\$429	\$520	\$520	\$0
Computers and Telecoms	\$91	\$251	\$160	\$512	\$91	\$421
Library Stock	\$88	\$96	\$8	\$96	\$90	\$6
Waste Management	\$115	\$166	\$51	\$2,305	\$247	\$2,058
Recreational, Leisure, Community	\$0	\$100	\$100	\$100	\$100	\$0
Parks, Open Spaces and Streetscapes	\$345	\$360	\$15	\$717	\$1,125	-\$408
Aerodromes	\$0	\$65	\$65	\$65	\$65	\$0
Off-Street Car Parks	\$57	\$60	\$3	\$60	\$66	-\$6
Other	\$45	\$386	\$341	\$495	\$503	-\$8
Total	\$9,516	\$9,305	-\$211	\$16,053	\$16,988	-\$935

Variance explanations are detailed in Item 4: Capital Works Program Update.

COUNCIL PLAN 2021-2025 IMPLICATIONS

Leadership

- Good governance.
- High performance culture.

FINANCIAL IMPLICATIONS

Significant additional operating and capital grant income and contributions have been received throughout 2022/23 year. Materials and Services is significantly higher as a result of carry forward expenditure items from 2021/22 \$812,000 and the additional expenditure required for grant projects (some income part recognised 2021/221) and others in 2022/23 associated with Emergency Events – Flood October 2022.

The forecast result is based on the Council’s status as at 31 March 2023 and the impact of flood and storm events and ongoing costs are estimated based on available data.

Additional current year capital and operating grants received are forecast to be acquitted in 2022/23.

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.

Level of Public Participation	Promise to the community	Techniques to be used
Inform	We will provide information	<ul style="list-style-type: none"> ▪ Report presented to Council. ▪ Report published on Council’s website.

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*.

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.

Recommendation:
That the report be noted.

This page intentionally left blank

Materials and Services	2022/23 YTD Actuals	2022/23 YTD Budgets	2022/23 YTD Variance
04: Vandalism	\$ 1,363.64	\$ 6,240.00	\$ 4,876.36
05: Contract Staff	\$ 124,727.29	\$ 72,588.00	-\$ 52,139.29
06: Catering & Refreshments	\$ 40,202.90	\$ 17,453.00	-\$ 22,749.90
07: Materials	\$ 790,685.25	\$ 498,152.08	-\$ 292,533.17
08: Contract Payments	\$ 3,877,224.20	\$ 2,908,128.00	-\$ 969,096.20
09: Merchandise	\$ 64,278.41	\$ 33,591.00	-\$ 30,687.41
10: Functions & Receptions	\$ 16,123.48	\$ 20,790.00	\$ 4,666.52
11: Stores Issues	\$ 181,276.81	\$ 118,929.00	-\$ 62,347.81
12: Repairs & Maintenance	\$ 263,223.95	\$ 299,023.94	\$ 35,799.99
18: Lease Payments	\$ 24,283.00	\$ 69,687.00	\$ 45,404.00
20: Bank Charges	\$ 35,168.93	\$ 39,510.00	\$ 4,341.07
21: Advertising & Promotion	\$ 73,286.08	\$ 42,401.00	-\$ 30,885.08
23: Exhibitions	\$ 93,125.21	\$ 56,250.00	-\$ 36,875.21
24: Insurance	\$ 482,906.09	\$ 699,728.00	\$ 216,821.91
25: Legal Expenses	\$ 123,599.24	\$ 112,744.00	-\$ 10,855.24
26: Consultants General	\$ 70,926.48	\$ 282,160.00	\$ 211,233.52
27: Membership & Subscriptions	\$ 181,009.82	\$ 125,472.94	-\$ 55,536.88
28: Security Expenses	\$ 22,044.19	\$ 27,626.03	\$ 5,581.84
29: Postage & Freight	\$ 29,584.22	\$ 40,278.00	\$ 10,693.78
30: Printing, Copying & Stationery	\$ 31,322.48	\$ 79,715.00	\$ 48,392.52
31: Rent	\$ 34,828.84	\$ 39,192.00	\$ 4,363.16
32: Computer Support/Software	\$ 597,112.33	\$ 556,320.11	-\$ 40,792.22
33: Internal Plant Hire Expense	-\$ 2,961.66	\$ 338,825.00	\$ 341,786.66
35: Travel Expenses	\$ 5,163.43	\$ 1,605.00	-\$ 3,558.43
36: Meeting Expenses	\$ 960.33	\$ 4,353.00	\$ 3,392.67
37: Staff Training / Courses	\$ 129,297.17	\$ 97,500.00	-\$ 31,797.17
38: Vehicle Expenses	\$ 1,570.29	\$ -	-\$ 1,570.29
39: Electricity	\$ 311,472.65	\$ 304,514.00	-\$ 6,958.65
40: Water Consumption	\$ 42,922.67	\$ 53,235.00	\$ 10,312.33
41: Gas	\$ 20,256.70	\$ 20,883.00	\$ 626.30
42: Telephone	\$ 63,341.96	\$ 104,408.00	\$ 41,066.04
43: Contributions & Reimbursements	\$ 2,557.60	\$ 24,669.00	\$ 22,111.40
47: Green Waste Mulching	\$ 37,172.16	\$ 15,225.00	-\$ 21,947.16
49: Machine Hire	-\$ 15.00	\$ 7,500.00	\$ 7,515.00
51: E.P.A. Levy	\$ 632,840.03	\$ 626,250.00	-\$ 6,590.03
52: Domestic Animals Levy	\$ 0.06	\$ 9,942.06	\$ 9,942.00
53: Management Committees	\$ 50,074.78	\$ 103,236.00	\$ 53,161.22
54: Cleaning Expenses	\$ 139,829.72	\$ 155,817.00	\$ 15,987.28
103: Vehicle Fuel	\$ 290,296.28	\$ 195,060.00	-\$ 95,236.28
104: Vehicle Maintenance - Standard	\$ 14,010.71	\$ 68,318.00	\$ 54,307.29
105: Vehicle Lease Payments	\$ 18,709.73	\$ 16,643.46	-\$ 2,066.27
109: Canteen Trading Purchases	\$ 7,857.51	\$ 3,819.00	-\$ 4,038.51
110: Performing Fees	\$ 69,842.82	\$ 22,839.00	-\$ 47,003.82
126: Landfill Daily Cover	\$ 5,355.00	\$ 18,840.00	\$ 13,485.00
127: Landfill Rock Supplied	\$ 29,601.93	\$ 17,127.00	-\$ 12,474.93
128: Gas Monitoring - Landfill	\$ 10,440.00	\$ 13,701.00	\$ 3,261.00
130: PAG Meal Costs	\$ 93.30	\$ -	-\$ 93.30
131: Diesel Rebate (Negative Expense)	-\$ 32,455.00	-\$ 37,500.00	-\$ 5,045.00
138: Councillors Training	\$ 6,708.42	\$ 10,500.00	\$ 3,791.58
140: Carry Forward Expenditure	\$ 78,582.03	\$ -	-\$ 78,582.03
144: Vehicle Maintenance - Repairs	\$ 133,098.01	\$ 108,156.00	-\$ 24,942.01
145: Tyres Purchased for Plant	\$ 27,057.55	\$ 12,741.00	-\$ 14,316.55
146: Registrations	\$ 16,976.76	\$ 16,686.00	-\$ 290.76
16: Services (Non Contract) To Council	\$ 781,147.34	\$ 942,153.73	\$ 161,006.39
160: Audit / Monitoring costs Landfill	\$ 44,383.36	\$ 102,765.00	\$ 58,381.64
170: Museum Fees	\$ -	\$ 759.00	\$ 759.00
199: Internal Charge - Expense	\$ 45,088.22	\$ 4,329.00	-\$ 40,759.22
34: Goods Delivered (Contractual)	\$ 8,834.11	\$ 45,885.00	\$ 37,050.89
Grand Total	\$ 10,148,413.81	\$ 9,576,763.35	-\$ 571,650.46

3. Finance Department Activity Report For The Quarter Ended 31 March 2023

SF/1519
Cathy Fitzpatrick – Manager Finance

PURPOSE OF REPORT

The report presents an overview of the functions of the Finance Department for the quarter ended 31 March 2023.

Finance

- Preparation of proposed 2023/24 Budget.
- Reviewed financial data as at 31 March 2023 and undertook Third Quarter Review and forecast for 30 June 2023.
- Commenced planning and systems review for 2023 Financial Statements and Performance Statements.
- Participated in an internal audit on Revenue and Internal Charges.
- Ongoing participating in CODI IT replacement project working group - defining finance system and rate system requirements.

Sundry Debtors

An analysis of the unpaid sundry accounts as at that date with comparative data for the previous year is as follows:

Debtors Balances:

Date	90 days	60 days	30 days	Current	Total
31/03/23	\$76,473	\$7,629	\$117,961	\$618,359	\$820,422
31/12/22	\$60,095	\$115,348	\$174,703	\$441,560	\$791,706
30/09/22	\$51,004	\$6,093	\$64,942	\$378,602	\$500,642
30/06/22	\$39,404	\$9,579	\$53,089	\$633,443	\$735,515
31/03/22	\$256,068	\$162,834	\$42,295	\$628,796	\$1,089,993

Investment Portfolio

In accordance with the Investment Policy, details of investments held at 31 March 2023 are provided in the following table.

Table 1. Investments held at 31 March 2023

Bank	Short-term credit rating	Investment type	Amount invested '000	Interest rate	Term (days)	Maturity date
NAB	A-1+	TD	\$3,087	3.56%	90	07-May-23
Westpac	A-1+	TD	\$2,015	4.00%	181	25-May-23
NAB	A-1+	TD	\$927	3.50%	182	21-Jun-23
ANZ	A-1+	TD	\$3,900	3.20%	212	24-Jul-23
Westpac	A-1+	TD	\$1,078	4.36%	186	25-Sep-23
Westpac	A-1+	TD	\$951	4.77%	270	24-Nov-23
Subtotal:			\$11,958			
CBA	A-1+	At call	\$4,266	0.25%		
CBA	A-1+	Operating	\$6,496	3.10%		
Subtotal:			\$10,762			
Total:			\$22,720			

*TD refers to general term deposits where the use of interest earned is not restricted.

These funds are required to meet the Council’s short-term commitments, including capital and operating supplier payments, employee payroll costs and loan repayments.

Loan Portfolio

Details of existing loans held at 31 March 2023 are attached in **Appendix 1**.

All loans have been taken out on a 10-year term.

Contracts and Works Awarded Under Delegation

The purpose of this section is to inform the Council and Community of publicly advertised tenders which have been awarded under delegation for the period 1 January 2023 – 31 March 2023.

Five contracts were awarded during the period.

Date Endorsed	Contract Name	Tender Type	Contractor
8 March 2023	Cinema - Design and Construct	Public Tender	Spectre Cinema Integration (MGS Group Pty Ltd)
9 March 2023	Town Hall Heating Ventilation and Air Conditioning	Public Tender	Auselec Pty Ltd
23 March 2023	Victorian Telecommunication Services Shared Data Plan and Mobile Phones	State Government contract	Telstra Limited
23 March 2023	Victorian Telecommunication Services Community Care Building	State Government contract	Telstra Limited
29 March 2023	<i>Safer Places</i> River Walk Lighting and Botanical Gardens	Public Tender	Webster Electrical & Lighting Pty Ltd

Confidential tender award amounts have been provided to councillors as a confidential attachment.

Delegation of Procurement Authority to Chief Executive Officer

No expenditure for statutory charges or other matters were approved by the Chief Executive Officer for the period 1 January 2023 – 31 March 2023.

Procurement

- Continued to progress procurement for Capital Projects Program 2022/23, additional grant projects and forward planning for future procurement activities and contract requirements.
- Eleven procurements initiated.
- Release of one procurement opportunities on e-tender portal.
- Online and face-to-face Procurement and Contract Management training ongoing.

Revenue, Property and Valuations

- Third instalment notices issued to all ratepayers. Third instalment reminder notices issued for overdue balances.
- Supplementary Valuation batches finalised in preparation for rate modelling (budget).
- Third instalment remittance return submitted to the State Revenue Office for the Fire Services Property Levy.
- Municipal Rates Concession biennial audit finalised.
- Review of Rates database to identify all properties that are not currently receiving the municipal rates concession and are owner-occupied by owners who are over > 66 years of age.
- E-notice stats:
 - EzyBill – 346 (+32) EzyBill allows users to access rate notices from any device.

— BPAY View – 397 (-1) BPAY is an easy and secure way to pay bills via online banking.

Rates and Charges Revenue

- Third instalment notices were issued on 23 January 2023 with payment due by 28 February 2023.
- Reminder notices were issued on 8 March. There were 971 notices issued for debts totalling just over \$817,000.
- Valuation objections have now been finalised for the 2022/23 rating year.

Appendix 2 details the overall rates and charges generated and collected and apportions the unpaid balance between arrears from previous years of \$438,000 and unpaid charges levied in the current year amounting to \$4.38 million.

Rate arrears collected in the current year amount to \$406,000 bringing the total arrears collected this financial year to 48 percent. This figure is slightly lower (-2 percent) than 1 January 2022 – 31 March 2022 Quarter.

Collections, as a proportion of overall debt, are slightly up compared to 1 January 2022 – 31 March 2022 Quarter (+0.44 percent). However, the number of properties with outstanding balances has increased by 48 properties. This may indicate that some larger overdue balances have been paid, while more properties are falling into 'low-level' arrears.

It is expected that the arrears balance carried into 2023/24 will be similar to the current financial year, however, it is also expected that this figure will not reduce in line with previous years due to the introduction of new legislation that will restrict the way councils are able to collect rates debts in a timely manner.

Appendix 3 provides a graph summary of the 2022/23 rate instalments as at 31 March 2023.

Spatial Data Management

The following table includes spatial data management statistics.

Task	March 2023	December 2022	September 2022	June 2022
Rural Road numbers and urban addresses issued. (excluding new subdivisions)	9	14	23	12
M1s forwarded to the Spatial Information Division of DEECA to update the State mapping datasets with new addresses and Council Property Numbers and rectify anomalies	203	252	83	371
Maintenance and auditing parcels on Mapbase	220	280	105	390

Corporate GIS

- Provided property and rates data extract of addresses and crown description linked to the Council property assessment numbers to Land Use Victoria – Department of Transport and Planning for the annual Property Information Quality Audit (PIQA).
- Contributed to current data audit of Victoria’s authoritative geocoded databases, VicMap Address and VicMap Property. The data is available on VicMap Open Data portal and is

used by Government departments, including emergency services, utility companies, it is also linked to the Victorian Titles Office.

COUNCIL PLAN 2021-2025 ACTION PLAN

Leadership

Action	March Quarter Update
Manage the procurement of goods and services to provide transparency and best value for money.	<ul style="list-style-type: none"> Ongoing staff training via Online and face-to-face for BRCC Procurement Policy and Procedural Guide lines as required by the Local Government Act 2020
Deliver responsible budget outcomes linked to strategy that maintain financial sustainability and deliver value for money and rating fairness.	<ul style="list-style-type: none"> Under took full Quarter 3 review of forecast result for 30 June 2023 considering Flood and Storm events impacts against budget phasing 2022/23 and mid-year review 2022/23. Conducted Councillor workshops on development 2023/24 Budget.

FINANCIAL IMPLICATIONS

	Notes	2022/23 YTD Actual	2022/23 YTD Budget	2022/23 YTD Variance	2022/23 Full Year Forecast	2022/23 Full Year Budget
Accounting Services	1	(\$280,302)	\$26,250	\$306,552	(\$34,286)	\$112,928
Property and Valuations	2	(\$16,776,931)	(\$16,442,179)	\$334,752	(\$16,775,743)	(\$16,480,259)
Acquisition and Disposal of Council Properties		\$0	\$0	\$0	(\$25,000)	(\$25,000)
Total		(\$17,057,233)	(\$16,415,929)	\$641,304	(\$16,835,029)	(\$16,392,330)

Notes:

1. Favourable variance \$58,930 due to Financial Assistance Grant 2022/23. Interest received favourable variance \$292,211, offset by interest expense unfavourable variance \$19,028 as actual interest expenses higher than budgeted.
2. Rate and charges revenue supplementary rates and charges and additional revenue in lieu of rates favourable overall by \$322,946 other favourable variances associated with reduced collection costs due to application of *COVID-19 Financial Hardship Policy*.

Recommendation:

That the report be noted.

This page intentionally left blank

Loans held at 31 March 2023

Interest to be paid:

Loan Number	2022/2023 Year	2023/2024 Year	2024/2025 Year	2025/2026 Year	2026/27 Year	2027/28 Year	2028/29 Year	2029/30 Year	2030/31 Year	Totals
15A (Variable)	\$1,922									\$1,922
15B (Variable)	\$4,322									\$4,322
16 (Variable)	\$10,547	\$4,059								\$14,606
17 (Variable)	\$13,038	\$8,243	\$1,869							\$23,151
18 (Fixed)	\$7,615	\$5,630	\$3,561	\$1,372						\$18,178
19 (Variable)	\$9,395	\$9,652	\$7,093	\$4,434	\$1,655					\$32,229
20 (Fixed)	\$11,385	\$9,499	\$7,528	\$5,395	\$3,286	\$1,062				\$38,156
21 (Fixed)	\$11,305	\$9,775	\$8,142	\$6,483	\$4,768	\$3,006	\$1,170			\$44,652
22 (Variable)	\$61,002	\$68,894	\$59,698	\$50,687	\$41,677	\$32,753	\$23,655	\$14,645	\$5,635	\$358,646
Total Interest Payable	\$130,601	\$155,753	\$87,893	\$68,371	\$51,387	\$36,822	\$24,826	\$14,645	\$5,635	\$535,933

Principle to be paid:

Loan Number	2022/2023 Year	2023/2024 Year	2024/2025 Year	2025/2026 Year	2026/27 Year	2027/28 Year	2028/29 Year	2029/30 Year	2030/31 Year	Totals
15A (Variable)	\$105,376									\$105,376
15B (Variable)	\$229,677									\$229,677
16 (Variable)	\$142,051	\$130,479								\$272,529
17 (Variable)	\$106,617	\$111,868	\$72,299							\$290,783
18 (Fixed)	\$52,585	\$54,570	\$56,639	\$58,819						\$222,612
19 (Variable)	\$50,307	\$51,486	\$54,045	\$56,705	\$56,073					\$268,615
20 (Fixed)	\$49,768	\$51,654	\$53,625	\$55,758	\$57,867	\$50,061				\$318,734
21 (Fixed)	\$47,444	\$48,974	\$50,606	\$52,266	\$53,980	\$55,743	\$57,558			\$366,568
22 (Variable)	\$190,000	\$190,000	\$190,000	\$190,000	\$190,000	\$190,000	\$190,000	\$190,000	\$190,000	\$1,710,000
Total Principal Payable	\$973,824	\$639,029	\$477,214	\$413,547	\$357,919	\$295,804	\$247,558	\$190,000	\$190,000	\$3,784,895

Rates and Charges Collections Report

31 March 2022

	Rates	Interest	Legal	Total	Comments
Arrears as at 1 July 2022	\$787,623	\$49,123	\$6,687	\$843,433	Unpaid amounts up to and including the 2021/22 rating year.
Payments 30/09/2022	-\$86,799	-\$11,854	-\$400	-\$99,053	
31/12/2022	-\$180,746	-\$4,197	-\$545	-\$185,488	
31/03/2023	-\$118,254	-\$2,516	-\$482	-\$121,252	
Total	-\$385,799	-\$18,567	-\$1,427	-\$405,793	
Arrears Rates Balance	\$401,824	\$30,556	\$5,260	\$437,640	<i>Arrears Unpaid as at 31 March 2023</i>

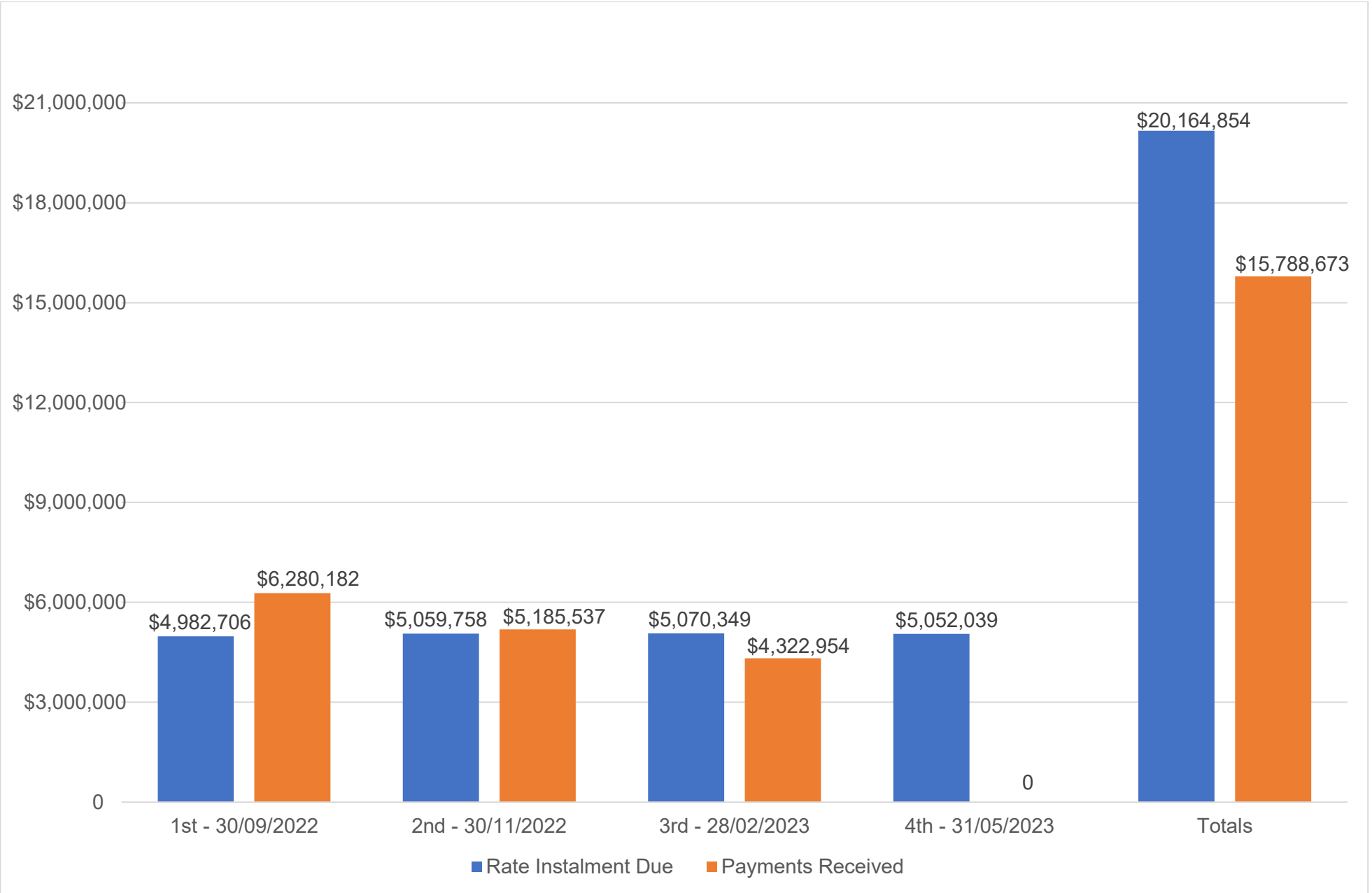
Current Rates/Charges	Rates	Interest	Legal	Total	Comments
Raised 30/09/2022	\$20,313,793	\$4,453	\$4,161	\$20,322,406	2022/23 Rates including Municipal and Waste Management Charges (includes additional rates levied on new houses and subdivided lands)
31/12/2022	\$197,175	\$15,839	\$5,300	\$218,315	
31/03/2023	\$35,344	\$17,841	\$468	\$53,653	
Total	\$20,546,311	\$38,133	\$9,929	\$20,594,374	

Pension Concessions	Rates	Interest	Legal	Total	Comments
30/09/2022	-\$417,421	\$0	\$0	-\$417,421	State Govt - reimbursed by DFFH.
31/12/2022	-\$3,595	\$0	\$0	-\$3,595	
31/03/2023	-\$8,503	\$0	\$0	-\$8,503	
Total	-\$429,519	\$0	\$0	-\$429,519	

	Rates	Interest	Legal	Total	Comments
Net Rates for Collection	\$20,116,792	\$38,133	\$9,929	\$20,164,855	Payments received to date for current year rates
Payments 30/09/2022	-\$6,277,617	-\$1,675	-\$891	-\$6,280,182	
31/12/2022	-\$5,175,074	-\$8,047	-\$2,416	-\$5,185,537	
31/03/2023	-\$4,310,167	-\$10,373	-\$2,414	-\$4,322,954	
Total	-\$15,762,857	-\$20,095	-\$4,208	-\$15,788,673	

	Rates	Interest	Legal	Total	Comments
Current Rates Balance	\$4,353,935	\$18,038	\$4,208	\$4,376,182	<i>Current unpaid as at 31 March 2023</i>
Balance Remaining	\$4,755,759	\$48,594	\$9,468	\$4,813,821	<i>Balance as at 1 April 2023</i>

**2022/23 Rates and Charges
Due and Collected to 31 March 2023**



4. Capital Works Program Update As At 31 March 2023

SF/1242

Adrian Gasperoni – Manager Assets and Infrastructure

PURPOSE OF REPORT

The report presents an update on the Capital Works Program as at 31 March 2023.

BACKGROUND

Capital projects are funded from general revenue and grant funding. An update on the status of key capital projects is discussed below.

DISCUSSION

Capital Projects

A Capital Projects status report is attached as **Appendix 1**.

Highlights for the year to date include:

- Visitor Information Centre Redevelopment progressing. Estimated completion by the end of June 2023.
- Footpath projects progressing, first package complete with the second package 90 percent complete. Further footpath works proposed at the Mackellar Street, Benalla playground and Jaycee Island playground. Works to be undertaken in fourth quarter.
- Aerodrome sealing works in front of hangers complete.
- Hanger Lane works progressing, sealing of section of Barc Avenue complete at Benalla Airport. Estimated completion by the end of June 2023.
- Waller Street, Benalla and Witt Street, Benalla resurfacing works complete, including the asphaltting of the section at the Sydney Road and Witt Street, Benalla roundabout.
- Witt Street, Benalla asphalt patch at rail crossing deferred until May 2023.
- Reseal program for 23/24 finalised. Scoping for reseal prep works undertaken. Works to commence in fourth quarter.
- Cowan Street basin progressing, works projected to be complete early May 2023.
- Old Farnley Road, Benalla and Transfer Station Road, Benalla sealed.
- Devenish Drainage – public tender for construction to be undertaken in the coming weeks.
- Midland Highway, Benalla shared path to racecourse consultation with abutting land owners to be completed by May 2023.

Emergency Events

Benalla Rural City has been affected by several emergency events over the past 14 months.

A brief update on the events is provided below.

January 2022 Storm Event

In January 2022, a severe storm event damaged community asset (roads), throughout the north and north-eastern areas of the municipality. The cost of damage was at the time estimated to be in the range of \$10 to \$15 million.

Initial 'emergency works' were undertaken to ensure the community assets were available to a safe standard, and access for residents to their properties was maintained. The cost of those initial emergency works was more than \$1.6 million.

The remainder of the flood recovery (i.e. asset restoration) works were planned to be undertaken at a later stage.

Under Disaster Recovery Funding Arrangements (DRFA) provisions, the Council must follow its procurement process for the remainder of the asset affected flood recovery works.

Five separate works packages were procured, with several tenders received, however, in October 2022, Benalla Rural City, together with other areas across Victoria, was affected with a more severe emergency event, causing significant flooding throughout the municipality.

Following discussions with the DRFA representatives, it was agreed that asset recovery and restoration works affected by both the January and October 2022 events would be managed as part of the October 2022 flood recovery works.

This meant that eight assets relating to the January 2022 event are yet to be restored.

The roads listed below are scheduled to be repaired in the first half of 2023/24 financial year.

- Saunders Road, Goorambat
- Brown Road, Bridge Creek
- Eleven Mile Creek Road, Glenrowan West
- Taylor Road, Goorambat
- Old Tolmie Road, Tatong
- Spinks Lane, Goorambat
- Sudholz Road, Upper Lurg
- Goorambat Chesney Road, Goorambat.

October 2022 Flood Event

The significant flood event in October 2022 affected several municipalities across the state of Victoria. Benalla Rural City suffered significant damage to community assets such as, roads, bridges and drainage.

The estimated damage from this event is estimated to exceed \$20 million.

The Council's road network has been inspected, and more than 160 assets identified as requiring some level of flood restoration.

Emergency works relating to the October 2022 flood event has seen an expenditure of more than \$5 million to date.

January 2023 Storm Event

Benalla Rural City was hit by another storm event in January 2023.

Damage from this event saw a significant number of trees as well as community and private structures damaged.

Due to the nature of the event and the urgency surrounding the cleanup work, and to ensure safety was preserved throughout the affected area (i.e. mainly contained within the Benalla central business district). The majority of relief works have been completed.

The estimated costs associated with the January 2023 storm event will exceed \$550,000.

COUNCIL PLAN 2021-2025

Community

- *A healthy, safe and resilient community.*
- *A connected, involved and inclusive community.*

Livability

- *Vibrant public spaces and places.*
- *Connected and accessible roads, footpaths, transport and parking.*

Environment

- *High quality efficient and sustainable waste management.*
- *Sustainable practices*

Leadership

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

FINANCIAL IMPLICATIONS

The Capital Projects Program result for the six months as at 31 March 2023 was expenditure of \$9.516 million which was \$0.211 million less than the budgeted expenditure of \$9.305 million as shown in Table 2 below.

Table 1 – Capital Program result for the period ending 31 March 2023 and Third Quarter Forecast to 30 June 2023

Asset By Type	Notes	2022/23 YTD Actual \$'000	2022/23 YTD Budget \$'000	2022/23 YTD Variance \$'000	2022/23 Full Year Forecast \$'000	2022/23 Full Year Budget \$'000	EOY Forecast Budget Variance \$'000
Bridges	1	\$171	\$355	\$184	\$150	\$420	\$270
Roads	2	\$6,373	\$2,821	-\$3,552	\$9,191	\$2,821	-\$6,370
Footpaths	3	\$311	\$749	\$438	\$749	\$749	\$0
Drainage	4	\$87	\$382	\$295	\$426	\$948	\$522
Buildings	5	\$1,432	\$2,954	\$1,522	\$3,050	\$5,850	\$2,800
Plant, Machinery and Equipment – Capital		\$329	\$60	-\$269	\$615	\$395	-\$220
Fixtures, IT, Fittings and Furniture, Artworks	6	\$71	\$500	\$429	\$520	\$520	\$0
Computers and Telecoms	7	\$91	\$251	\$160	\$91	\$512	\$421
Library Stock		\$88	\$96	\$8	\$90	\$96	\$6
Waste Management	8	\$115	\$166	\$51	\$247	\$2,305	\$2,058
Recreational, Leisure, Community	9	\$0	\$100	\$100	\$100	\$100	\$0
Parks, Open Spaces and Streetscapes		\$345	\$360	\$15	\$1,125	\$717	-\$408
Aerodromes	10	\$0	\$65	\$65	\$65	\$65	\$0
Off-Street Car Parks		\$57	\$60	\$3	\$66	\$60	-\$6
Other	11	\$45	\$386	\$341	\$503	\$495	-\$8
Total		\$9,516	\$9,305	-\$211	\$16,988	\$16,053	-\$935

Notes:

1. Emergency works carried out on James Road, Warrenbayne bridge. Majority of programmed bridge works carried forward to 2023/24.
2. Emergency road works totaled \$4.287 million to 31 March 2023.
3. Footpath works delayed due to unavailability of contractors. Works to be completed prior to 30 June 2023.
4. Cowan Steet Basin project (\$221,000 budget) to be completed in May 2023. Devenish drainage works (\$154,000) delayed.
5. The Visitor Information Centre Redevelopment project expenditure less than budgeted due to phasing of the budget. Project expected to be completed by 30 June 2023.
6. Town Hall Upgrade project (\$400,000 budget) delayed. Project to be completed by 30 June 2023.
7. \$180,000 funding for Rural Councils Transformation Project not required. Recommended that allocation be reassigned to Council Vehicle Fleet Purchase Program.
8. Variance primarily due to delay/re-evaluation of Gas Extraction project (\$156,000 budget). Offset by unbudgeted year to date expenditure associated with Landfill Cell 3B (\$19,450), transfer station (\$51,523) and Stage 2 Landfill Rehabilitation (\$44,384).
Full-Year forecast less than budgeted primarily due to several rehabilitation projects carried forward to 2023/24.
9. Skate Park and BMX Track upgrade on hold pending completion of the Fawckner Drive Precinct Plan.
10. Forecast Aerodrome projects (Airport Tie Down \$25,000 and Airport Operations Lighting \$40,000) deferred.
11. Several forecast projects delayed, including Botanical Gardens Light Replacement (\$80,000 budget and Bridge Street Streetscape Upgrade (\$262,000 less expenditure than forecast).

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.

Level of Public Participation	Promise to the community	Techniques to be used
Inform	We will provide information	<ul style="list-style-type: none"> ▪ Report presented to Council. ▪ Report published on Council’s website.

LEGISLATIVE AND STATUTORY IMPLICATIONS

The report complies with section 97 of the *Local Government Act 2020*.

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.

Recommendation:

- 1. That the report be noted.**
- 2. That \$180,000 of capital works expenditure be reassigned from the Rural Councils Transformation Project to the Council Vehicle Fleet Purchase program.**

Project	Asset Class	Start Date	End Date	Duration	Days Completed	Progress	Budget	Actual Expenditure	Notes
Visitor Information Redevelopment	Buildings	12/08/2022	29/06/2023	230	193	75%	\$ 3,050,000.00	\$ 1,595,186.00	1
Art Gallery Redevelopment	Buildings	1/11/2022	30/06/2024	300	112	5%	\$ 3,000,000.00	\$ 37,965.00	2
Audio Visual Chamber	Buildings	1/10/2022	2/12/2022	45	143	100%	\$ 62,000.00	\$ 62,175.00	
Major Plant Replacement Program	Plant, Machinery and Equipment	1/12/2022	30/06/2023	75	82	75%	\$ 365,000.00	\$ 293,505.00	3
Public Playground Renewal	Plant, Machinery and Equipment	1/10/2022	28/04/2023	150	143	100%	\$ 170,000.00	\$ 173,235.00	4
Town Hall: HVAC Renewal, Fitout Internal, Sound and Lighting - LRCI 3	Fixtures, Fittings and Furniture	23/01/2023	9/06/2023	100	29	25%	\$ 400,000.00	\$ 2,179.00	5
Old Farley Road upgrade -LRCI 1	Roads	1/12/2022	11/01/2023	30	82	100%	\$ 180,000.00	\$ 180,000.00	
Kerb and Channel Renewal Program LRCI-2 & LRCI 3	Roads	1/01/2023	16/06/2023	120	51	10%	\$ 300,000.00	\$ 1,530.00	6
Fawckner Drive upgrade Stage 2 LRCI-3							\$ 254,000.00	\$ 254,000.00	
Witt Street	Roads	1/11/2022	23/01/2023	60	112	100%	\$ 315,000.00	\$ 315,000.00	
Crack Sealing	Roads	1/09/2022	7/12/2022	70	173	25%	\$ 22,000.00	\$ -	7
RTR Regulation Program	Roads	1/08/2022	2/12/2022	90	204	100%	\$ 70,000.00	\$ 70,000.00	
Reseal Program	Roads	1/12/2022	17/05/2023	120	82	100%	\$ 410,000.00	\$ 410,000.00	
Seal Road Prep 21/22	Roads	1/12/2022	14/06/2023	140	82	100%	\$ 277,000.00	\$ 277,000.00	
Gravel Resheet Program	Roads	1/01/2023	16/06/2023	120	51	100%	\$ 550,000.00	\$ 342,000.00	8
Shoulder Resheet program	Roads	1/01/2023	2/06/2023	110	51	100%	\$ 260,000.00	\$ 260,000.00	9
Footpath Renewal Strategy	Footpaths and Cycleways	1/08/2022	21/10/2022	60	204	100%	\$ 100,000.00	\$ 100,000.00	
Footpath 21/22	Footpaths and Cycleways	1/11/2022	20/02/2023	80	112	100%	\$ 73,000.00	\$ 73,000.00	
Mair Street Footpath upgrade	Footpaths and Cycleways	1/12/2022	30/06/2023	90	82	10%	\$ 80,000.00	\$ 13,895.00	10
New Footpath Midland Highway to Equestrian Precinct - LRCI-2	Footpaths and Cycleways	15/12/2022	30/06/2023	120	68	10%	\$ 170,000.00	\$ 12,200.00	11
New Footpath Works LRCI-3	Footpaths and Cycleways	15/01/2023	16/06/2023	110	37	75%	\$ 300,000.00	\$ 224,126.00	
Lakeside Walk boardwalk renewal LRCI-3	Footpaths and Cycleways	23/01/2023	26/05/2023	90	29	20%	\$ 150,000.00	\$ 7,542.00	12
Drainage Strategy	Drainage	23/01/2023	30/06/2023	115	29	5%	\$ 573,000.00	\$ 6,638.00	13
Devenish Drain	Drainage	1/10/2022	9/06/2023	180	143	30%	\$ 180,000.00	\$ 111,160.00	14
Cowan Street Basin	Drainage	1/07/2022	19/05/2023	250	235	95%	\$ 300,000.00	\$ 184,753.00	15
Outdoor Activation	Rec, Leisure and Community Facilities	1/12/2022	30/06/2023	120	82	60%	\$ 250,000.00	\$ 108,000.00	16
Bridges	Bridges	1/11/2022	30/06/2023	130	112	15%	\$ 420,000.00	\$ 31,493.00	17
Depot Storage Shed	Buildings	1/02/2023	6/06/2023	90	20	10%	\$ 100,000.00		18
Depot Staff Amenities Refurbishment	Buildings	1/02/2023	6/06/2023	90	20	0%	\$ 100,000.00		19
Cinema Fitout	Buildings	1/12/2022	31/05/2023	130	82	50%	\$ 400,000.00	\$ 239.00	20
Mural Precinct Upgrade	Footpaths and Cycleways	1/12/2022	28/06/2023	150	82	0%	\$ 100,000.00		21
October 2023 Flood Event (Emergency Works)	Roads	1/11/2022	30/04/2023	415	112	25%	\$ 6,000,000.00	\$ 5,238,700.00	22
Grand Total							\$ 18,981,000.00	\$ 10,385,521.00	

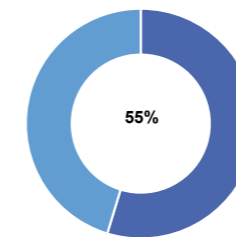
Notes:

- Project is forecast to be completed by the end of the financial year.
- Design work for the Masterplan and Stage 1 works expected to be finalised by the end of the financial year.
- New Water Truck has been delivered, but still awaiting the arrival of the new Mower, which is now expected to arrive in late May, early June.
- All new playgrounds have been installed. Associated footpath/pathways to McKellar Street and JC Island Playgrounds to be constructed in May/June.
- Works on the new HVAC has commenced. Works including improvements to the Audio and Visual systems expected to commence this financial year and completed early next financial year.
- Scope of Works finalised, awaiting availability of contractors. Very likely that works will not be completed, this financial year.
- Crack Sealing due to commence in coming weeks.
- Gravel Resheeting Program completed. Balance of budget has been redirected in undertaking further reseals in 2022/2023, with flood recovery works covering a larger area of the unsealed road network.
- Shoulder Resheet Program Completed.
- Mair Street Footpath and Muriel Pathway to be undertaken upon completion of VIC Redevelopment.
- Consultation with adjoining landholders being finalised. Project expected to commence construction in the new financial year.
- Sustainable materials have been ordered, with works to commence later in May.
- Drainage Strategy Planning and Design commenced. Not expected to be completed in current financial year.
- Pipes on-site. Initial costings received from Contractors for the construction works has warranted the project requiring a more formalised procurement process. Works expected to commence in the new financial year.
- Cowan Street Basin nearing completion.
- Majority of the Outdoor Activation works will be completed prior to the end of the financial year.
- Bridge will be carried over to 2023/2024.
- Finalising procurement. Expected to be delivered before end of financial year.
- Project to be carried over into 2023/2024.
- Works expected to be completed by the end of June.
- Mair Street Footpath and Muriel Pathway to be undertaken upon completion of VIC Redevelopment.
- All emergency works have now been completed. Asset Restoration Scope and Procurement Packages to be development in coming months.

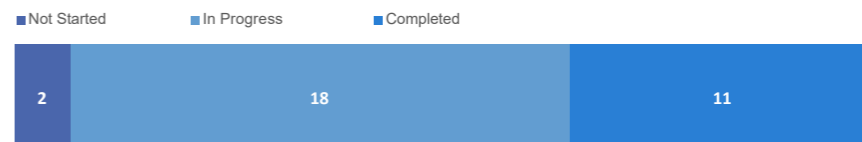
Project Budget v Actual



Budget Spent



Overall Task Progress



5. Assets and Infrastructure Department Activity Report For The Quarter Ended 31 March 2023

SF/1242

Adrian Gasperoni – Manager Assets and Infrastructure

PURPOSE OF REPORT

The report presents the activities of the Assets and Infrastructure department for the quarter ended 31 March 2023.

Assets and Infrastructure

Assets and Infrastructure department continued to provide maintenance throughout the municipality and undertake capital works projects, as well continuing to provide emergency asset restoration works throughout the municipality following the Flood and Storm events over the past 14 months.

Highlights for the quarter are detailed below.

Operations

- Completed grading of more than 188 kilometers of unsealed roads.
- Completed grading of 66 kilometers of gravel shoulders on sealed roads.
- Completed grading of 22 kilometers of limited access roads.
- Resealed 530m² of footpath in Salisbury Street, Benalla.
- Resealed 300m² of footpath in Arundel Street, Benalla.
- Replaced 10m² of concrete footpath in Statesman Drive, Benalla.
- Replaced 28m² of concrete footpath in Diplomat Court, Benalla.
- Replaced 25m² of concrete footpath in Clarke Street, Benalla.
- Replaced 6m² of footpath in Coish Avenue, Benalla.
- Provided traffic management for the Benalla Airshow.
- Carried out emergency works following the January 2023 storm event.
- Carried out routine maintenance on fireplugs throughout the Benalla township.
- Carried out routine maintenance on the sealed road network with the jet patcher.
- Training opportunity for six staff to obtain backhoe licenses.

Parks and Gardens and Open Spaces

- Carried out renewal works on the retaining walls at four local playgrounds and laid 250m³ of soft fall mulch in preparation for the playground renewals.
- Carried out irrigation maintenance for the Benalla Botanical Gardens.
- Completed the annual weed management of the three corner jack.
- Carried out routine garden bed maintenance, pest control and plant management.
- Completed installation of the shelter at the Sir Edward 'Weary' Dunlop Learning Centre.
- Attended to a large number of recovery works following the January 2023 storm event, which included removal of fallen trees, logs and branches, cleaning and pressure washing pathways and surfaces and repairing nature strip damage.
- Assisted with public consultation for the Fawckner Drive, Benalla Precinct plan.
- Attended Benalla Gardens Oval Committee of Management meeting.

Waste

- Finished the flood recovery works from October 2022
- Completed sealing of Old Farnley Road and the internal ring road of transfer station.
- Carried out remedial works for Old Farnley Road.
- Final stages of Resource Recovery Collective – Hume
- Completed quarterly leachate and ground water testing and quarterly gas monitoring.
- Transfer station preparations.
- Temporary compactor machine being sourced by contractor due to compactor breakdown.
- Introduced a temporary shredding location at the Moira Reserve to process the large amount of green waste following the January storm event.
- EPA finalised the reports for improvement notice for the removal of over stacking from cell3A.

Asset Management

The following table outlines requests for works received through the *Asset Edge - Reflect* program of inspection and *Customer Request Management System*.

Task	June 2022	September 2022	December 2022	March 2023
Defects overdue on roads and drains - safety only:				
Link roads	1	3	1	14
Collector roads	1	1	2	15
Access roads	2	2	1	12
Defects overdue on footpaths - safety only	1	1	0	0
Defects rectified - routine maintenance and safety – road, footpath and parks	286	432	407	209
Defects and maintenance - items outstanding - road, footpath and parks	374	354	298	346
Unsealed roads graded (km)	80	99	132	188
Sealed road shoulders graded (km)	0	0	12	66

COUNCIL PLAN 2021-2025

Livability

Vibrant public spaces and places		
Strategy	Action	December Quarter Update
Maintain and develop sport and recreation facilities and reserves, parks, gardens, playgrounds, and walking and cycling paths to increase passive and active community participation and social connection.	Deliver <i>Benalla Ceramic Mural Precinct Upgrade project</i> . Deliver <i>Mitchell Street Lakeside Park project</i> . Progress the <i>Benalla Indoor Recreation Centre Redevelopment Project</i> .	Path works to be undertaken with Mair Street Footpath Upgrade. Works expected to commence in June 2023.
Ensure open spaces and public places in existing and developing communities are thoughtfully planned, connected, green, sustainable, accessible, engaging and inclusive and consider the needs of an ageing community.	Deliver the Playground Renewal Program.	New Playgrounds due to be completed in April.

Vibrant public spaces and places		
Strategy	Action	December Quarter Update
Beautify streetscapes, landscaping, signage and town entrances.	Deliver the Bridge Street Streetscape project.	Ongoing focus with maintaining and improving entrances to our townships through improved signage and streetscape work will continue.

Connected and accessible roads, footpaths, transport and parking		
Strategy	Action	December Quarter Update
Deliver and maintain accessible and safe footpaths and cycle paths in existing and new neighbourhoods.	<ul style="list-style-type: none"> ▪ Deliver Kerb and Channel Replacement program. ▪ Deliver Lakeside Walk Boardwalk Renewal project. ▪ Deliver new footpath works ▪ Review and update <i>Pathways to the Future – Shared Path Project strategy</i>. 	<ul style="list-style-type: none"> ▪ Program commenced and will continue through the remainder of the financial year ▪ Sustainable material currently being sought ▪ Program commenced and will continue through the remainder of the financial year ▪ Remaining priorities from strategy have been identified and expected to be delivered within current financial year
Maintain and improve drainage, bridges, parking and road networks to meet the needs of the current and future population.	<ul style="list-style-type: none"> ▪ Deliver Fawckner Drive, Benalla Upgrade project. ▪ Develop and adopt a <i>Benalla Rural City Council Asset Plan</i>. ▪ Implement <i>Benalla Rural City Council Drainage Strategy</i>. 	<ul style="list-style-type: none"> ▪ Project complete ▪ Benalla Rural City Council Asset Plan Adopted ▪ Priority projects from the strategy identified and planning and scoping commenced.

Environment

High quality, efficient and sustainable waste management		
Strategy	Action	December Quarter Update
Actively promote responsible behaviours to reduce waste.	Review and update <i>Waste Management Policy</i> , considering the introduction of hard waste collection and ‘tip vouchers’.	<ul style="list-style-type: none"> ▪ Review and Adoption of Waste Policy complete
Provide efficient and sustainable waste management services.	Bring Benalla Landfill and Resource Recovery Centre Transfer Station into operation.	<ul style="list-style-type: none"> ▪ Transfer Station expected to open on 1 May 2023.

FINANCIAL IMPLICATIONS

Operating Budget result for the period ending 31 March 2022

	Notes	2022/23 YTD Actual	2022/23 YTD Budget	2022/23 YTD Variance	2022/23 Full Year Forecast	2022/23 Full Year Budget
Capital Projects Operations	1	\$235,089	\$546,443	\$311,354	\$370,101	\$727,455
Operations Support	2	\$1,401,202	\$199,840	-\$1,201,362	\$1,468,380	\$303,460
Plant Operations	3	\$155,363	(\$10,320)	-\$165,683	\$167,663	(\$13,750)
Operations and Capital Grant Income		(\$25,000)	\$0	\$25,000	(\$11,130,708)	(\$7,644,000)
Sealed Roads	4	\$2,768,780	\$2,236,293	-\$532,487	\$3,414,901	\$2,980,830
Unsealed Roads	5	\$813,069	\$1,289,701	\$476,632	\$1,683,987	\$1,717,851
Bridges	6	\$554,817	\$431,304	-\$123,513	\$876,656	\$574,997
Drainage	7	\$462,330	\$588,552	\$126,222	\$638,759	\$783,748
Mechanics Workshop		\$62,584	\$60,118	-\$2,466	\$68,499	\$79,973
Street Cleaning	8	\$32,565	\$56,768	\$24,203	\$73,537	\$75,537
Roadsides		\$393,220	\$405,573	\$12,353	\$535,483	\$540,220
Parks and Gardens	9	\$633,888	\$764,983	\$131,095	\$1,012,731	\$1,018,355
Asset Management Services	10	\$97,706	\$190,397	\$92,691	\$158,707	\$253,146
Landfill	11	\$76,629	\$1,056,255	\$979,626	\$1,635,166	\$1,226,316
Kerbside Waste	12	(\$2,298,258)	(\$2,431,625)	-\$133,367	(\$1,692,480)	(\$1,570,480)
Recreation	13	\$109,987	\$202,860	\$92,873	\$270,500	\$270,500
Total		\$5,473,970	\$5,587,142	\$113,172	(\$448,118)	\$1,324,156

Notes:

1. Favourable variance primarily due to costs associated with scoping future projects \$265,326 less than budgeted.
2. Unfavourable variance primarily due to unbudgeted emergency events operational expenditure (\$1.295 million).
3. Unfavourable variance due to fuel costs being \$103,000 more than budgeted.

4. Unfavourable variance primarily due to depreciation being \$475,000 more than budgeted.
5. Favourable variance mainly due to depreciation and salary and oncosts expenses being less than budgeted. Operational efforts have focussed on emergency works.
6. Unfavourable variance mainly due to depreciation being \$226,000 more than budgeted. Offset by savings in routine bridge maintenance as operational efforts focussed on emergency works.
7. Favourable variance due to operational expenses being less than forecast. Savings have been mainly due to drains in rural areas being maintained/cleaned through flood recovery works. Floods also generally provide an opportunity for significant cleaning of drainage network due to excessive fast-flowing water.
8. Favourable variance due to operational expenses being less than forecast as limited street cleaning undertaken in the quarter. Normal street cleaning program to recommence in fourth quarter.
9. Favourable variance mainly due to Street Tree expenses being less than budgeted. Street trees were significantly affected by the January 2023 ‘tornado event’, however, it is expected that with the completion of the storm clean-up works an increase in street tree pruning will take place in the following quarter.
10. Favourable variance due to operational expenses being less than budgeted primarily due to staff member on Long Service Leave.
11. Favourable variance due to depreciation being \$823,000 less than budget and more than budgeted Landfill income. Offset by more than budgeted Salaries and Oncosts.
12. Unfavourable variance due to contract expenses being \$136,000 more than budgeted.
13. Favourable variance primarily due to depreciation being less than budget.

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

6. 2022/23 Community Grants Program

SF/2857

Jane Archbold – Manager Community

Tom Arnold – Community Development Coordinator

PURPOSE OF REPORT

The report presents applications recommended for funding under the 2022/23 Community Grant Program.

BACKGROUND

The Community Grants Program is an annual funding allocation designed to encourage not-for-profit community-based organisations to seek funding up to \$2,500 for projects and activities to assist in building healthy, vibrant and sustainable communities across the Benalla Rural City.

In February 2023, Council invited interested community groups and not-for-profit organisations to apply for assistance under the Community Grants Program. Applications were open between the 6 February and 24 March 2023. The Community Grant Program was promoted in the local media, in the Council's Community News, Council website, social media and local networks.

DISCUSSION

39 Community Grant applications were received, requesting over \$84,000 in funding. Applications were assessed against set criteria by a panel of BRCC staff members. The panel have recommended 32 applications receive funding through the program.

Grant application details and proposed funding amounts are presented in the following table:

Table1: Recommended Successful Community Grant Applications

Applicant	Details	Amount Requested	Proposed Assistance
Astronomy Benalla Inc	Equipment Acquisition Plan - Stage 2	\$2,500	\$2,500
Benalla Agricultural & Pastoral Society Inc	Promotion of 2023 Benalla Spring Show	\$2,500	\$2,500
Benalla and District Preschool Partnership	Storage Shed for Munro Avenue Kindergarten	\$628	\$628
Benalla and District Preschool Partnership	Bernard Briggs Kindergarten - Digital Camera	\$549	\$549
Benalla Aviation Museum and Men's Shed	CCTV Security System replacement	\$2,500	\$2,500

Applicant	Details	Amount Requested	Proposed Assistance
Benalla Bushwalking Club	First Aid training to members of bushwalking club.	\$2,025	\$2,025
Benalla Family Research Group Inc	Purchase of large TV Monitor to display records.	\$1,299	\$1,299
Benalla Garden Club Inc	70th birthday celebration	\$933	\$683
Benalla Historical Society Inc.	Upgrade and refurbishment of shelving	\$2,216	\$2,216
Benalla Lawn Tennis and Croquet Club Inc	Split system air conditioner for clubhouse	\$2,500	\$2,500
Benalla Men's Shed	Dust extractors for Men's Shed	\$2,244	\$2,244
Benalla Migrants Association Inc	Diwali @ Mural – cultural celebration of Diwali in November 2023.	\$2,500	\$2,500
Benalla Netball Association	Replacement of canteen door to a roller door	\$2,500	\$2,500
Benalla Saints Past Players and Officials	Gravel / crushed rock to top-dress the carpark area and erect bollards around small brick building.	\$1,507	\$1,507
Benalla Theatre Company Inc	Musical - The Drowsy Chaperone	\$2,500	\$2,500
Benalla Yarn Bombers Incorporated	Benalla Rugged Up -installation of textile art works around Benalla for the month of August	\$1,700	\$1,700
For the Good of Devenish	White Ant treatment for the Trewin Museum	\$2,500	\$2,500
Goorambat Football Netball Club	Community Seating Project – picnic table	\$2,310	\$2,310
Goorambat Public Hall Reserve Committee of Management Inc	Supply and install new lighting circuit and switch wiring for Goorambat hall.	\$2,500	\$2,500
Let Us Entertain You Inc (LUEY)	Benalla Short Film Festival	\$2,500	\$2,500
Live Art Benalla and GANEA	Mural Music 2023 - free afternoon of local music and art at Benalla's iconic Ceramic Mural, featuring all local musicians.	\$2,500	\$2,500
Lurg Hall and Reserve Committee of Management	Mural for Amenities block at the Old Lurg School- Don McKenzie Reserve	\$2,500	\$2,500
Moorngag Hall and Recreation Centre	Purchase of a Defibrillator kit for the Community Hall	\$1,905	\$1,905

Applicant	Details	Amount Requested	Proposed Assistance
NESAY Inc	TV for waiting room in the Benalla Community Services Hub	\$2,500	\$2,500
Room at the Table Inc	Tabletop Role-player Gaming Room Makeover	\$2,500	\$1,500
Rotary Club of Benalla Inc	Bus Shelters for Benalla in Smyth Street and Benalla West Housing Estate	\$2,500	\$1,250
Swanpool Bowling Club Inc	Outdoor water cooler	\$2,500	\$2,500
Tatong Community Centre and Recreation Reserve	New mower for Tatong for grounds maintenance	\$2,500	\$2,500
Thoona Memorial Hall and Public Hall	Australia Day recipients Honour Board	\$1,100	\$1,100
U3A Benalla	Replacement of Photocopier	\$2,500	\$1,250
Waminda Community House Inc	Wednesdays@Waminda - two hour weekly session for children and a one hour weekly session for parents/carers on a term by term basis.	\$2,500	\$2,500
Warrenbayne Recreation Reserve Committee Inc.	Ride-on Lawn Mower for grounds maintenance	\$2,500	\$2,500
Total		\$68,416	\$64,666

Seven additional applications totaling \$15,808 were unsuccessful in obtaining funding.

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

- *A healthy, Safe and resilient community.*
- *A connected, involved and inclusive community.*

Leadership

- *Engaged and informed community.*

FINANCIAL IMPLICATIONS

The 2022/23 Budget allocates \$79,666 to the Annual Grants Program. Up to \$64,666 of this is allocated to the Community Grants Program and Youth Participation Grants. The \$15,000 balance is directed toward monthly Community Sponsorship Grants.

COMMUNITY ENGAGEMENT

In accordance with the Council's *Community Engagement Policy*, it is proposed that, due to administrative nature of the program, community engagement be undertaken at the 'Inform' level under the International Association for Public Participation's IAP2 public participation spectrum.

Level of Public Participation	Promise to the community	Techniques to the used
Inform	We will provide information	<ul style="list-style-type: none"> ▪ Promotion of program via media, website and social media. ▪ Program presented in public reports to the Council. ▪ Outcomes advised directly to applicants. ▪ Grant presentation ceremony. ▪ Outcomes detailed in Annual Report. ▪ Media release.

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*.

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.

Recommendation:

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

- 1. That \$64,666 be allocated from the 2022/2023 Community Grants Program to:**

Applicant	Assistance
Astronomy Benalla Inc	\$2,500
Benalla Agricultural & Pastoral Society Inc	\$2,500
Benalla and District Preschool Partnership	\$628
Benalla and District Preschool Partnership	\$549
Benalla Aviation Museum and Men's Shed	\$2,500
Benalla Bushwalking Club	\$2,025
Benalla Family Research Group Inc	\$1,299
Benalla Garden Club Inc	\$683

Benalla Historical Society Inc.	\$2,216
Benalla Lawn Tennis and Croquet Club Inc	\$2,500
Benalla Men's Shed	\$2,244
Benalla Migrants Association Inc	\$2,500
Benalla Netball Association	\$2,500
Benalla Saints Past Players and Officials	\$1,507
Benalla Theatre Company Inc	\$2,500
Benalla Yarn Bombers Incorporated	\$1,700
For the Good of Devenish	\$2,500
Goorambat Football Netball Club	\$2,310
Goorambat Public Hall Reserve Committee of Management Inc	\$2,500
Let Us Entertain You Inc (LUEY)	\$2,500
Live Art Benalla and GANEA	\$2,500
Lurg Hall and Reserve Committee of Management	\$2,500
Moorngag Hall and Recreation Centre	\$1,905
NESAY Inc	\$2,500
Room at the Table Inc	\$1,500
Rotary Club of Benalla Inc	\$1,250
Swanpool Bowling Club Inc	\$2,500
Tatong Community Centre and Recreation Reserve	\$2,500
Thoona Memorial Hall and Public Hall	\$1,100
U3A Benalla	\$1,250
Waminda Community House Inc	\$2,500
Warrenbayne Recreation Reserve Committee Inc.	\$2,500

This page intentionally left blank

7. 2022/2023 Quick Response Grants

SF/2857

Jane Archbold – Manager Community

Tom Arnold – Community Development Coordinator

PURPOSE OF REPORT

The report presents funding applications for 2022/23 Quick Response Grants.

BACKGROUND

The Quick Response grant program enables local community groups, clubs and organisations to seek funding to increase their capacity to work in partnership with the Council and others to address local needs and enhance the local community.

The program distributes grants up to \$500 allowing local clubs, groups and organisations the opportunity to seek funds when the need arises.

DISCUSSION

Applications for consideration under the 2022/23 Quick Response Grant program are detailed in the table below.

Applicant	Details	Amount Requested	Proposed Assistance
Benalla Play Group	Funding to establish a 12-week trial for a Benalla play group. Weekly two-hour session will be hosted for parents/carers and children. Funding will assist in venue hire.	\$500	\$500
Benalla Heritage Network	The network is collaborating to produce a five-day Benalla Heritage Festival from May 3-7 2023. Twenty-five free events will be offered under the marketing umbrella of the National Trust's National Heritage Week 2023, which is themed 'Shared Stories'. Funding will go towards the production and distribution of a professionally designed program brochure.	\$500	\$500
CALMKids Yoga	CALMKids Yoga offers weekly sessions, during school terms, that focus on the tools of yoga - connection to body and breath, interpersonal skills as well as building confidence in oneself. The group is seeking funding for Yoga equipment.	\$500	\$500
Total		\$1,500	\$1,500

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

- *A healthy, Safe and resilient community.*
- *A connected, involved and inclusive community.*

Leadership

- *Engaged and informed community.*

COMMUNITY ENGAGEMENT

In accordance with the Council's *Community Engagement Policy*, it is proposed that, due to administrative nature of the Quick Response Grant Program, community engagement be undertaken at the 'Inform' level under the International Association for Public Participation's IAP2 public participation spectrum.

Level of Public Participation	Promise to the community	Techniques to be used
Inform	We will provide information	<ul style="list-style-type: none"> ▪ Promotion of program via website and social media. ▪ Program presented in public reports to the Council. ▪ Outcomes advised directly to applicants. ▪ Outcomes detailed in Annual Report.

FINANCIAL IMPLICATIONS

The *2022/23 Budget* allocates \$15,000 to the Quick Response Grant program. To date, \$12,000 in Quick Response Grant funding has been allocated.

To ensure transparency and accountability, where assistance is provided in meeting the cost of Council facility hire, the payment is reflected in relevant ledger accounts via an internal transaction.

For example, if the Council agrees to meet the hire cost of the Benalla Town Hall a credit would be made to the Town Hall income ledger account and a debit made to the Annual Grant Program expense ledger account.

In addition, recipients of support throughout the financial year are detailed in the Annual Report.

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.

Recommendation:
That \$500 grants from the 2022/2023 Quick Response Grant program be allocated to Benalla Play Group, Benalla Heritage Network, and CALMKids Yoga.

8. *Child Safety and Wellbeing Policy*

SF/2868-02
Jane Archbold – Manager Community

PURPOSE OF REPORT

The report presents for consideration the *Child Safety and Wellbeing Policy and Child Safe Code of Conduct*.

BACKGROUND

The *Child Safety and Wellbeing Policy* (the Policy) explains what the Council must do to keep children safe from abuse and harm and how the Council must commit to ensuring the safety and well-being of all children and young people.

The Policy follows the laws and rules created to protect children and young people in Victoria including criminal law, the *Victorian Child Safe Standards* (the Standards) and the *Reportable Conduct Scheme* (the Scheme) and existing mandatory reporting (child protection) requirements.

The Policy gives details on what Council staff should do if they think a child is at risk of abuse or harm. The Policy states that the Council will take all reports of harm seriously and take prompt action.

All persons working for or with the Council, including Councillors, employees, contractors, and volunteers, must always think and act to protect children and young people.

This Policy will replace administrative policy AP58 *Child Safe Standards* approved on 6 September 2017. The Policy has been developed in line with the MAV's *Child Safe Standards Practice and Resource Guide* July 2022 and under the guidance of a cross departmental Child Safe Working Group which has been meeting monthly since March 2022.

The policy was endorsed by the Council's Leadership Team at its April 2023 meeting after seeking feedback from staff.

The *Child Safety and Wellbeing Policy* (refer **Appendix 1**) and *Child Safe Code of Conduct* (**Appendix 2**) are attached.

DISCUSSION

In 2012 the Victorian Government reviewed how religious and other non-government organisations handle child abuse as part of the Betrayal of Trust Inquiry. The inquiry's report made recommendations, which were acted on by the Victorian government and included:

- criminal law reform – offences relating to grooming, failure to protect and failure to disclose.
- the creation of child safe organisations – mandatory Child Safe Standards and the Reportable Conduct Scheme.

In 2015, the Victorian *Child Wellbeing and Safety Act 2005* was changed to include the Standards. Initially there were seven standards, and these were replaced with 11 new standards in July 2021. Organisations that provide services to children and young people must develop policies and procedures that follow these Standards.

Further, in 2017 the *Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021* was amended, giving powers to the Commission for Children and Young People (CCYP) to oversee the Reportable Conduct Scheme. The Scheme requires organisations to report and investigate allegations of child abuse and child-related misconduct.

The new Standards set out fifty minimum requirements and 104 compliance indicators which outline the actions and documents needed to safeguard children and young people. The new Standards key changes include requirements:

- To involve families and communities in an organisation's efforts to keep children and young people safe.
- For a greater focus on safety for Aboriginal children and young people.
- To manage the risk of child abuse in online environments.
- For greater clarity on the governance, systems, and processes to keep children and young people safe.

The 11 Standards are:

1. Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
2. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
3. Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
4. Families and communities are informed and involved in promoting child safety and wellbeing.
5. Equity is upheld and diverse needs respected in policy and practice.
6. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
7. Processes for complaints and concerns are child focused.
8. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
9. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
10. Implementation of the Child Safe Standards is regularly reviewed and improved.
11. Policies and procedures document how the organisation is safe for children and young people.

The standards require organisations to implement policies to prevent, respond to and report allegations of child abuse and harm caused by adults or other children. The Commission for Children and Young People (CCYP) is the regulator for the Standards for Councils.

As the Council provides several children and youth services other ‘sector regulators’ assist co-regulate the Standards. The Department of Health is the sector regulator for Maternal and Child Health services, and the Human Services Regulator is the sector regulator for Department of Families, Fairness and Housing funded child, families, and youth services.

There are penalties for not complying with the Standards, being up to \$20,000 for an organisation.

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

- *A healthy, Safe and resilient community.*
- *A connected, involved and inclusive community.*

Livability

- *Vibrant public spaces and places.*

Leadership

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

COMMUNITY ENGAGEMENT

In accordance with the Council’s *Community Engagement Policy*, it is proposed that, due to administration nature of the Policy, 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"> ▪ Policy presented in a public report to the Council. ▪ Policy to be published on Councils website. ▪ Policy promoted through media release.

FINANCIAL IMPLICATIONS

The development of the Policy has been accommodated within existing staff resources; however, the implementation of the Policy will require additional costs including training for all staff, volunteers and Councillors and the possible employment of external providers to undertake assessment of any allegations.

LEGISLATIVE / 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*.

The Policy complies with following key statutory legislation:

- *Local Government Act 2020*
- *Victorian Charter of Human Rights and Responsibilities Act 2006*
- *Child Wellbeing and Safety Act 2005 (Vic)*
- *Children Youth and Families Act 2005 (Vic)*
- Victorian Reportable Conduct Scheme (Vic)
- *Worker Screening Act 2020 (Vic)*
- *Privacy and Data Collection Act 2020 (Vic)*
- *Health Records Act 2020 (Vic)*

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

Adoption of the *Child Safety and Wellbeing Policy* is the first step in the Council becoming a Child Safe organisation.

Recommendation:

1. That *Child Safety and Wellbeing Policy* and the *Child Safe Code of Conduct* be adopted.
2. That the *Child Safety and Wellbeing Policy* and the *Child Safe Code of Conduct* be reviewed in May 2027.

CP03 Child Safety and Wellbeing Policy

Responsible Officer:	Chief Executive Officer
Document Type:	Council Policy
Reference:	CP 3
Adopted by:	Council
Date Adopted:	
Date of Next Review:	

Policy Objective

Benalla Rural City Council commits to ensuring the safety and wellbeing of all children and young people.

This Policy explains what Council must do to keep children safe from abuse and harm. It follows the laws and rules created to protect children and young people in Victoria including criminal law, the Child Safe Standards (the Standards) and the Reportable Conduct Scheme (the Scheme) and existing mandatory reporting (child protection) requirements.

The Policy also explains what people who work for the Council should do if they think a child is at risk of abuse or harm. All people who work for or with Council, including Councillors, employees, contractors, and volunteers, must always think and act to protect children and young people. Children and young people will be informed of their rights and will be encouraged to speak up. Council will take all reports of harm seriously and take prompt action.

Policy Scope

This Policy covers all children and young people who use Council's programs and services in person or online in spaces owned or managed by the Council.

Everyone who works with or for Council must understand child safety. This includes Councillors, Council employees, volunteers, and students on work experience or placement. All of these groups must follow the Policy, the Standards and reporting requirements. Council also requires other groups it works with, like lease holders, contractors and grant recipients, to understand child safety and to follow this Policy.

Third parties engaged by Council are required to follow child safety legislation and principles as part of their contractual agreement with Council. An exception applies to conditions relating to the Reportable Conduct Scheme; individuals employed by contracted organisations are not considered Council employees under the Scheme.

Background

In 2012 the Victorian Government reviewed how religious and other non-government organisations handle child abuse as part of the Betrayal of Trust Inquiry. The inquiry's report made recommendations, which were acted on by the Victorian government and included:

- criminal law reform – offences relating to grooming, failure to protect and failure to disclose
- the creation of child safe organisations – mandatory Child Safe Standards and the Reportable Conduct Scheme.

In 2015, the Victorian *Child Wellbeing and Safety Act 2005* was changed to include the Victorian Child Safe Standards (the Standards). Initially there were seven standards, and these were replaced with 11 new standards in July 2021. Organisations that provide services to children and young people must develop policies and procedures that follow these Standards.

Further, in 2017 the *Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021* was amended, giving powers to the Commission for Children and Young People (CCYP) to oversee the Reportable Conduct Scheme. The Scheme requires organisations to report and investigate allegations of child abuse and child-related misconduct.

Council has committed to being a child safe organisation, complying with all relevant legislation, including the Child Safe Standards and the Reportable Conduct Scheme.

1. The Eleven Child Safe Standards

The Standards are a compulsory framework that support organisations providing services to children to promote the safety of children. They require organisations to implement policies to prevent, respond to and report allegations of child abuse and harm caused by adults or other children.

1. Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
2. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
3. Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
4. Families and communities are informed and involved in promoting child safety and wellbeing.
5. Equity is upheld and diverse needs respected in policy and practice.
6. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
7. Processes for complaints and concerns are child-focused.
8. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
9. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
10. Implementation of the Child Safe Standards is regularly reviewed and improved.
11. Policies and procedures document how the organisation is safe for children and young people.

Every organisation that has to comply with the Standards has a regulator: the Commission for Children and Young People (CCYP) is the regulator for the Standards for Councils. As Council provides several types of children and youth services other 'sector regulators' assist co-regulate the Standards.

The Department of Health is the sector regulator for Maternal and Child Health services, and the Human Services Regulator is the sector regulator for Department of Families, Fairness and Housing funded child, families and youth services. There are penalties for not complying with the Standards, being up to \$20,000 for an organisation.

2. Reporting a Child Safety Concern

All workers at Council have a duty to keep children safe from harm. They must follow the rules for reporting set out in this policy.

Council understands that reporting concerns about abuse can be hard for employees. They should seek help and support from their manager, a member of the Internal Response Team (IRT), or Council's Employee Assistance Program (EAP) during the reporting process.

2.1 The Victorian Reportable Conduct Scheme

Council is committed to ensuring the safety and wellbeing of children and young people and is taking active steps to ensure that all allegations are properly reported and investigated fairly.

The Reportable Conduct Scheme is a mandatory reporting scheme that requires the reporting of all allegations of child abuse against Councillors, employees, contractors, and volunteers to the Commission of Children and Young People. The scheme sits alongside other existing reporting processes, such as Child Protection, criminal law (Police), and mandatory reporting, and does not replace these reporting requirements.

There are five types of 'reportable conduct' listed in the *Child and Safety Wellbeing Act 2005*:

- sexual offences (against, with or in the presence of, a child)
- sexual misconduct (against, with or in the presence of, a child)
- physical violence (against, with or in the presence of, a child)
- behaviour that causes significant emotional or psychological harm
- significant neglect.

A reportable allegation is made when a person makes an allegation based on reasonable belief that a Councillor, employee, volunteer or contractor has committed a reportable conduct or misconduct that may involve reportable conduct, either within or outside work. Reasonable belief is more than a suspicion, there must be some objective basis, but it does not require proof or certainty. A person is likely to have reasonable belief if they:

- observed the conduct themselves
- heard directly from a child that the conduct occurred
- received information from another credible source (including another witness).

A report can be made by anyone including children, young people, parents/carers, Councillors, employees, volunteers, contractors, or members of the community.

The Chief Executive Officer (CEO) is responsible for responding to all reportable conduct allegations and ensuring that they are appropriately investigated. In accordance with the Reportable Conduct Scheme guidelines the CEO is required to:

- respond to a Reportable Conduct allegation made against a worker or volunteer from their organisation, by ensuring that allegations are appropriately investigated
- report allegations which may involve criminal conduct to the police
- notify the Commission of allegations within three business days after becoming aware of the allegation
- provide the Commission with certain detailed information about the allegation within 30 days after becoming aware of the allegation
- after the investigation has concluded, provide the Commission with certain information including a copy of the findings of the investigation
- ensure that their organisation has systems in place to:
 - prevent reportable conduct from being committed by a worker or volunteer within the course of their employment
 - enable any person to notify the CEO of a reportable allegation
 - enable any person to notify the Commission of a reportable allegation involving the CEO
 - investigate and respond to a reportable allegation against a worker or volunteer from that organisation.

Failure of the CEO to comply with the three-day and 30-day notification period without a reasonable excuse is a criminal offence.

2.2 Mandatory Reporting

Mandatory reporting means that certain people must tell the authorities if they have a reasonable belief that a child is being abused or mistreated.

Under the *Children Youth and Families Act 2005 (Vic)*, Council's Maternal and Child Health Nurses are mandatory reporters. They are legally required to contact the Department of Families, Fairness and Housing (Child Protection) on telephone 1300 360 391. They must report if a child has suffered or is likely to suffer significant harm, and the child's parents have not protected or are unlikely to protect the child.

The penalty for failing to make a mandatory report in Victoria is 10 penalty units.

2.3 Criminal Law Reform

In Victoria, three new criminal offences have been introduced to help protect children. All adults are required to take action to protect children from sexual abuse and report any concerns to the police. These offences only apply to sexual abuse of children under 16 years of age and not other forms of abuse or neglect reportable under the Scheme and Child Protection. Council also has obligations to report any suspected crimes to protect children.

Under the *Crimes Amendment Act 2014 (Vic)* Council has legal obligations in the reporting of the following criminal offences to protect children from harm. If a reported allegation may be a criminal offence the CEO must report the allegation to both Victoria Police and the Commission for Children and Young People.

The three offences are:

- **Grooming offence:** This targets behaviour that aims to prepare a child for sexual activity. It applies to anyone over 18 years of age who communicates by words or conduct, online or face-to-face with a child or someone taking care of a child with the intention of sexual activity. The maximum penalty is 10 years in prison.
- **Failure to disclose offence:** This applies to anyone over 18 years of age who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 years of age but does not report it to the police. The maximum penalty is three years in prison.
- **Failure to protect offence:** This applies when a person in a position of authority in an organisation knows about the risk of sexual abuse of a child by an adult in the organisation but does not act to protect the child. The maximum penalty is five years in prison.

3. Policy Context

In developing the *Child Safety and Wellbeing Policy* the following laws and references are relevant.

Related Policies

United Nations Convention on the Rights of the Child

Child Safe Code of Conduct

Staff Code of Conduct

Councillor Code of Conduct

Council Complaints Handling

Council Information Policy

Council Procurement Policy

Council Risk Management Policy

Council Volunteer Policy

Council Recruitment Policy

Council Staff Induction Policy

Council Electronic Communications

Council IT Policy – Acceptable Use

Council Community Plan 2016 - 2036

Council Youth Strategy 2022-2026

Council Plan 2022-2025 (incorporating the Municipal Public Health and Wellbeing Plan)

Benalla Early Years Strategic Plan

Related Legislation

Local Government Act 2020

Victorian Charter of Human Rights and Responsibilities Act 2006

Child Wellbeing and Safety Act 2005 (Vic)

Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Bill (Vic)

Children Youth and Families Act 2005 (Vic)

Crimes Amendment Act 2014 (Vic)

Victorian Reportable Conduct Scheme (Vic)

Child Information Sharing Scheme (Vic)

Worker Screening Act 2020 (Vic)

Privacy and Data Collection Act 2020 (Vic)

Health Records Act 2020 (Vic)

National Redress Scheme

4. Statement of Commitment to Child Safety

Council has a zero-tolerance approach to the abuse or harm of children and young people. Council acknowledges that abuse and neglect of children and young people can have lifelong impacts on their development and later outcomes. Council will not allow any harm to come to children and will ensure everyone who works with or for Council, including staff, volunteers, and contractors, know how to keep children safe and how to report abuse.

All children have the right to feel safe and valued when they participate in Council programs and activities both in-person or online, and Council will make sure they know their rights. Council also wants to create a community where everyone, no matter age, gender identity or other identity, sexual orientation, ethnicity, religious beliefs, ability or family background, feels included and respected.

Council recognises the distinctive history, experiences and cultural rights of Aboriginal and Torres Strait Islander children and is committed to creating a culturally safe and inclusive environment in which their identity, experience and culture is respected and valued.

Keeping children safe is Council's top priority and this Policy outlines the policies, procedures and practices in place to make sure this happens. This Statement of Commitment to Child Safety will be shown on all council websites, job advertisements, employee and volunteer position descriptions, and other relevant materials.

5. Working with Children Check

Council carefully chooses its employees, contractors, and volunteers to make sure that only appropriate people work there. Council's hiring process includes making sure everyone knows about the commitment to keeping children safe by displaying the Statement of Commitment to Child Safety.

All new staff are required to undertake a Police Security Check and all new staff and volunteers working in child facing roles are required to obtain a Working with Children Check. All existing staff within the Community department and in other areas across the organisation with child-facing roles are required to have a current Working with Children Check.

These checks are managed in line with Council's Recruitment Policy and the Community Services Working with Children Check Policy and the Police Check Policy.

Staff/volunteers do not need a Working with Children Check if they are:

- under the age of 18 years
- a parent volunteer whose child ordinarily participates in the activity
- a sworn police officer who has not been suspended from duty
- a teacher that has current registration with the Victorian Institute of Teaching.

Council complies with all relevant regulatory and legal requirements when recruiting staff to ensure its employees and customers are not placed under unreasonable risk.

6. Code of Conduct/Standards of Behaviour

Employee and Volunteer Responsibilities:

All employees or volunteers of Council are responsible for ensuring the safety and wellbeing of children and young people. This includes following the *Child Safe Code of Conduct*, which will be signed prior to commencement with Council. Additionally, all employees, Councillors and volunteers must abide by their Code of Conduct.

Contractor Responsibilities:

All Council contractors are required to acknowledge and accept the *Child Safe Code of Conduct* as part of their contractor induction process. Contractors must address any questions or concerns about the Code with their contract manager and abide by it at all times while performing their contracted services. Any suspected or alleged breaches of the Code will be investigated and may result in termination of the contract.

7. Responding to Child Safety Concerns

Council is committed to keeping children and young people safe and will take prompt action to protect them if there is a concern about their safety. Council will also fairly and thoroughly handle any complaints and report any safety issues.

A **child safety concern** is any issue that has or could impact negatively on the safety and wellbeing of children and young people.

A **child safety complaint** is an expression of dissatisfaction to an organisation related to one or more of the following:

- the organisation's services or dealings with individuals
- allegations of abuse or misconduct by a staff member, a volunteer or another individual associated with the organisation
- disclosures of abuse or harm made by a child
- the conduct of a child at the organisation
- the inadequate handling of a prior concern
- general concerns about the safety of a group of children or activity.

Within this Policy, a **Child Safety Incident** is defined as:

- any **child safety concern** where Council personnel, in the course of their work, form a **reasonable belief** that a child or young person has suffered, or is likely to suffer, abuse or harm - whether caused by an adult OR by another child
- any **child safety complaint** against Benalla Rural City Council, including any allegation of Reportable Conduct made against Council personnel (excluding contractors), either within work or outside of work
- any breach of Council's Child Safety and Wellbeing Policy, including the Child Safe Code of Conduct.

The main aims of Council's approach to Child Safety Incidents are ensuring that:

- risks to children's safety are minimised
- incidents where child abuse is either suspected or has occurred are appropriately dealt with on a case-by-case basis by making sure that organisational procedures are followed as per this Policy
- all legislative requirements and Council processes regarding reporting are met as soon as possible
- Council's practices, processes and culture are consistent with legislation, the Standards, and the objective of being a child safe organisation.

Council will take a trauma-informed approach to Child Safety Incidents, that:

- recognises that emotional, physical or sexual abuse and other negative life experiences such as racism or violence constitute a trauma
- understands that the impact of abuse on children can be profound, especially when it occurs at developmentally vulnerable times of their life
- uses strategies to help children participate in complaints processes without causing further trauma
- considers that staff or volunteers may have experienced trauma and provide ways for them to receive support.

The four steps that all Council personnel must follow regarding any child safety incident, allegation, disclosure or reasonable concerns of abuse or neglect, or breaches of policy are outlined in **Appendix 1** of the policy.

7.1 Creating a Child-Focused Complaints Culture

Making a complaint and raising safety concerns can be a difficult and stressful time, particularly for children and young people. Council will ensure a child-focused complaints culture, focusing on children and their safety, reflected in the complaint handling system and being embedded in council policies, procedures, communication strategies and training. This will foster a positive complaints culture:

- by demonstrating a practical commitment to children exercising their right to speak up
- by ensuring that children are not only safe, but also feel safe
- where Council leaders actively communicate that complaints are welcome from anyone, are taken seriously, and are a valuable source of information which can help improve the organisation
- by ensuring that when a complaint is raised, the organisation deals with it promptly, thoroughly and fairly.

Council's *Complaints Handling Policy* will be updated to support a positive complaints culture.

Council personnel will support anyone wishing to make a child safety complaint about Council by:

- providing publicly available information about how they can raise child safety complaints about Council, how those concerns will be responded to and investigated, in a manner that is child-friendly, accessible, age-appropriate, and in a range of language and formats as needed
- welcoming and encouraging them to make a complaint, without judgement or dispute
- explaining the different ways that they can submit a complaint, either through Council and/or external authorities, and supporting them to access their preferred avenue
- supporting them to complete the Child Safety Complaints Process summarised on page 10, for example by:
 - providing interpreters or translations
 - assisting them to complete documentation (hard-copy or electronic)
 - explaining that they can remain anonymous if they wish
 - providing a supported handover or referral (where possible / appropriate) when needing to involve another Council employee or an external authority in the complaints process.

Child Safety Complaints Process

WHO can make a complaint?

Child or young person

Parent or carer

Council personnel

Others in the community

WHAT can it be about?

Any child safety complaints about Council or its personnel, including:

- the organisation's services or dealings with individuals
- allegations of abuse or misconduct by a Council employee, contractor, volunteer, placement student, Councillor, or other individual associated with Council
- disclosures of abuse or harm made by a child
- the conduct of a child at the organisation.
- the inadequate handling of a prior concern
- general concerns about the safety of a group of children or activity.

Call 000 without delay if child is in immediate danger

HOW can a complaint be made?

A choice of...

- Face-to-face verbal report at any Council service or facility, Monday to Friday 8.30am – 5pm
- Website: Complete and submit the form "Report a Problem" on Council's website www.benalla.vic.gov.au
- Email: council@benalla.vic.gov.au
- Letter: Customer Relations Coordinator, Benalla Rural City Council, PO Box 227, Benalla Vic 3671
- Phone call: Customer Relations Team 03 5760 2600
- Directly to the Commission for Children and Young People: <https://ccyp.vic.gov.au/report-an-allegation/>

WHAT happens next?

Council personnel will:

- offer support to the child or young person, the parents or carers, the person who reports, and the accused Council personnel
- initiate internal processes by completing and submitting a Child Safety Incident Report in Elumina for action by Council's Child Safe Internal Response Team, as soon as possible after the complaint is made and within 24 hours.
- for Customer Service staff, enter the complaint into CRMS as per the usual complaints process - the Customer Service Coordinator will then complete and submit the Child Safety Incident Report Form
- In accordance with the **Reporting Obligations and Procedures** in Council's Child Safety and Wellbeing Policy, assess whether the matter should/must be reported to any external authorities, and make the report/s as soon as possible if required.

Outcomes:

- Investigation completed; outcome decided; relevant Council personnel, parents, carers and child notified of outcome of investigation; disciplinary action taken if required; policies and procedures reviewed and updated where necessary.

8. Roles and Responsibilities

Safeguarding children and young people is a shared responsibility within Council.

It is the responsibility of all Council employees, volunteers, students, contractors and Councillors to create and maintain a child safe culture. Specific responsibilities for each role are outlined in the table below.

Councillors

- Be aware of and comply with their obligations and responsibilities in relation to child safety and wellbeing under the relevant legislation, the *Councillor Code of Conduct* and this *Child Safety and Wellbeing Policy* (including the *Child Safe Code of Conduct*).
- Upon election to Council and then every two years, undertake training/education in relation to child safety and wellbeing, including identifying, preventing and reporting child abuse and harm.
- May choose to obtain a volunteer WWC Check or may be exempt on the basis of being a teacher with the Victorian Institute of Teaching or a Victorian or Australian Federal Police Officer.
- Direct CEO to provide an environment in facilities and activities which Council directly operates and provides activities where children and young people feel safe, empowered and can participate.
- Report all child safety concerns to Council's CEO and provide such assistance as the CEO might require complying with Council's legislative obligations.
- All Councillors are required to report child abuse whether it has or is suspected to have taken place in the home, community or a Council service.
- Where a child is in immediate danger call 000.

Chief Executive Officer (CEO)

The CEO will be notified of all child safe incident reports.

The CEO is responsible for meeting specific obligations under the Reportable Conduct Scheme. These obligations include:

- notifying the Commission for Children and Young People within three working days of becoming aware of an allegation
- membership of the Child Safe Incident (CSI) Group which is established when a moderate or critical incident has occurred: other members will include the relevant IRT member, the manager/s of the department/s involved and the Manager of People and Performance
- investigating any allegations (subject to Police clearance on criminal matters) and notifying the Commission who is undertaking the investigation
- managing any risks to children
- updating the Commission within 30 calendar days, providing information on the reportable allegation and any action taken
- notifying the Commission of investigation findings and any disciplinary actions (or why no action was taken)
- The CEO may also receive reports of suspected incidents of child abuse from Councillors in line with the Child Safe Reporting Process.

Leadership Team

- Strengthen and model Council's child safe culture.
- Ensure appropriate governance structures and resources are in place to fulfil Council's obligations under the Child Safe Standards.
- Ensure regular communication and discussions take place with staff on child safety to build a sense of child safety being everyone's responsibility.
- Ensure the organisation has appropriate policies and procedures in place for the prevention and reporting of child abuse.
- Ensure allegations of child abuse are reported and fully investigated.
- Ensure support is provided for all of Council in undertaking their child safety and wellbeing obligations.
- Promote regular discussion on child safety as being everyone's responsibility.
- Ensure all of Council has access to and are aware of their obligations under the relevant legislation, Code of Conduct and Council's policies and procedures in relation to child safety and wellbeing.
- Take reasonable steps to identify any potential risks to child safety and wellbeing within their department and that these risks are removed or minimised.
- Ensure that all Council staff, volunteers and contractors receive and undertake regular training/education in relation to identifying, preventing and reporting child abuse.
- Ensure that confidentiality and privacy of all personal information is maintained in line with relevant legislation and Council's policies and procedures.

Child Safe Working Group

- Ensure a child safe culture is a key focus and commitment across the organisation through education, communication, advocacy, and review.
- Prepare a Child Safe Policy that identifies Council's role and responsibilities of staff, Councillors, contractors and volunteers and the development of other documents as required.
- Provide strategic guidance to support the implementation of Child Safe Standards.
- Ensure Benalla Rural City Council is at the forefront of being a child safe organisation and reinforcing that child safety is of paramount importance to Council.
- Remain aware of internal and external child safety issues.
- Action findings from child safety reviews or investigations and facilitate changes to relevant Council policies where appropriate.

Supervisors (Team Leaders, Coordinators, Managers)

- Promote regular discussion on child safety as being everyone's responsibility.
- Ensure all of Council has access to and are aware of their obligations under the relevant legislation, Code of Conduct and Council's policies and procedures in relation to child safety and wellbeing.
- Take reasonable steps to identify any potential risks to child safety and wellbeing within their department and that these risks are removed or minimised.
- Ensure that all Council staff, volunteers and contractors receive and undertake regular training/education in relation to identifying, preventing and reporting child abuse.

- Receive and refer any child safety concerns to a member of Council's Child Safe Internal Response Team and/or the relevant authority depending on the urgency of the issue.
- Act to protect a child or young person and initiate internal processes for reporting and/or investigation of allegations, including the disciplinary process if required.
- Ensure that confidentiality and privacy of all personal information is maintained in line with relevant legislation and Council policy.

Child Safe Internal Response Team (IRT) member

- Act as the first point of contact for receiving reports of child safety concerns or allegations of abuse.
- Review any submitted Child Safety Incident Report Form to ensure that the following steps have been completed, and direct the original reporter to complete anything that has been missed or, if not possible/appropriate, do this on their behalf:
 - all reasonable steps have been taken to protect the child/young person from harm, or further harm
 - appropriate care and support have been provided to the child/young person and others involved in the incident
 - all required information is included on the form
 - all legislative requirements and Council processes regarding reporting have been met
- Provide rapid response, and oversight and management of, all potential incidents of Reportable Conduct, including:
 - determining if the allegation meets the criteria for Reportable Conduct under the Reportable Conduct Scheme, and if so, forwarding the report to the CEO immediately
 - managing the investigation of all allegations of Reportable Conduct
 - supporting the CEO to fulfill their obligations under the Reportable Conduct Scheme, including reporting obligations
- Review any child safety incidents and investigations and recommend changes to relevant Council policies where appropriate.
- Provide advice to Council personnel on child safety matters and reporting requirements.
- Support the notification of child safety concerns or allegations to relevant authorities.
- Assist alleged victims and their families to access counselling and support services.
- Source appropriate support to Council personnel who report (or are impacted by) Child Safety Incidents, including offering support via the Employee Assistance Program (EAP) or other appropriate organisations if desired.

People and Performance

Recruitment

- Ensure recruitment practices are conducted in line with requirements under the Victorian Child Safe Standards.
- Place Council's public Statement of Commitment to Child Safety (or a shorter version of it) in all job advertisements, employee position descriptions, and volunteer task descriptions.

- Ensure appropriate child safety checks and screening processes are undertaken prior to offering positions, including National Police Checks and robust referee checks.
- Ensure all Council personnel required to have a current Working With Children Check under this policy have a valid/current appropriate check upon commencement.
- Ensure new Council personnel have access to and are aware of this Child Safety and Wellbeing Policy.
- Ensure all employees and volunteers review and sign acceptance of the Child Safe Code of Conduct on commencing their role within Council.
- Ensure all contractors review and acknowledge acceptance of the Child Safe Code of Conduct at their induction.
- Ensure that new Council personnel are provided with training/education in relation to child safety and wellbeing, including identifying, preventing and reporting child abuse and harm, as part of their induction on commencement.

Training

- Ensure that all Council personnel are provided with this Child Safety and Wellbeing Policy to inform them of Council's expectations, practices and approach in relation child safety.
- Ensure that all Council employees, volunteers and students are provided with training/education every two years in relation to child safety and wellbeing, including identifying, preventing and reporting child abuse and harm.
- Keep records of the completion of child safety training by Council personnel.
- Reflect a culture of child safety in organisational development activities.
- Support staff to build resilience and cope with child abuse incidences, e.g. through Council's EAP counselling service.
- Provide support to Council personnel who report (or are impacted by) Child Safety Incidents, including offering support via the EAP or other appropriate organisations if desired.

Disciplinary Procedures

- Manage Council's disciplinary procedures as they apply to the Child Safety and Wellbeing Policy.

Council employees, volunteers and students

- Be aware of and comply with their obligations and responsibilities in relation to child safety and wellbeing under the relevant legislation and this Child Safety and Wellbeing Policy and the Child Safe Code of Conduct.
- If required under this Policy, ensure that they hold a valid/current/appropriate Working With Children Check and that their details are up to date.
- Upon commencement with Council and then every two years undertake training/education in relation to child safety and wellbeing, including identifying, preventing and reporting child abuse and harm.
- Report all concerns and reasonable beliefs in relation to a child or young person being abused or at risk of being abused in accordance with this Policy .
- Provide an environment where children and young people feel safe, empowered and can participate.
- Take reasonable steps to identify and remove or minimise any potential risks to child safety and wellbeing within their work area.

Contract Managers

- All Council personnel with the responsibility for managing contracts where third parties are engaged to provide services to or on behalf of Council are responsible for ensuring those contractors are:
 - provided with this Child Safety and Wellbeing Policy
 - at induction review and acknowledge acceptance of the Child Safe Code of Conduct
 - compliant with this Policy as part of their contractual agreements with Council - with the exception of items pertaining to the Reportable Conduct Scheme (not applicable to contractors).

Contractors and agency/labour hire workers

- Be aware of and comply with this Child Safety and Wellbeing Policy and the Child Safe Code of Conduct as part of their contractual agreement with Council – except for matters pertaining to the Reportable Conduct Scheme, as individuals employed by contracted organisations are not considered Council employees under the Scheme.
- Keep records regarding Working With Children Checks for relevant workers.

Licence/lease holders

- Lessees / licensees of Council facilities are obligated under the lease / licence to conduct their activities at Council venues in accordance with the Child Safe Standards and keep records of Working With Children Checks for relevant workers and/or volunteers.

Funded organisations (e.g. Council grant recipients)

- Be aware of and comply with this Child Safety and Wellbeing Policy and the Child Safe Code of Conduct as part of their funding agreement with Council – except for matters pertaining to the Reportable Conduct Scheme, as individuals employed by funded organisations are not considered Council employees under the Scheme.

9. Recruitment, Support and Training

Council carefully chooses employees, contractors, and volunteers to fit the Child Safe culture of the organisation. Council includes Child Safety in all job advertisements and requires all new employees to go through pre-employment screening, including referee checks, police checks and a Working with Children Check before starting at Council.

Council will ensure all employees, contractors, and volunteers know how to act around children and young people and what is expected of them. Council provides training on how to keep children safe, including how to be safe with children from different cultures and backgrounds, with disabilities, and who are part of the LGBTQI+ community.

All employees and volunteers must take online training on child safety as soon as they start working with Council and every two years after that. Employees who work with children must also take additional training on Child Protection and Mandatory Reporting as is relevant to their role.

Employees and volunteers who work with children must attend workshops to learn about different types of abuse, Council's Child Safety Policy, reporting, and record-keeping. These workshops help employees and volunteers know what to look for and how to support

children who may be at risk of abuse or harm. Ongoing supervision and support are also provided to these staff.

Council makes sure all employees and volunteers know about the child safety reporting process. This helps make sure Council is keeping children and young people safe in all its programs and services.

10. Governance

Council's CEO and Leadership Team lead a child safe culture and ensure all Councillors, employees, contractors, volunteers and contracted organisations are supported in undertaking their roles and responsibilities in a safe and transparent manner. Child safety is an integral part of the organisational strategy and continuous improvement.

The Child Safe Working Group was established as an internal advisory group and includes members from all Council departments. The group's Terms of Reference sets out the governance role around the implementation of the Victorian Child Safe Standards and the Reportable Conduct Scheme. The group assists Council identify ways to strengthen child safety within the organisation and ensures Council leadership remain aware of the implementation of the Standards and the Scheme.

11. Risk Management

Council recognises the importance of a risk management approach to minimising the potential for child abuse or harm to occur and use this to inform our policies, procedures and activity planning. Council has a Risk Management Policy and Framework under which it undertakes a systematic approach to identifying events that could prevent, delay or enhance the achievement of strategic and operational objectives. Child safety risks will be considered in the context of this Framework.

12. Review

This Policy will be reviewed according to Council's compulsory policy review cycle of four years. It may be reviewed at any time by Council to accommodate changes in legislation, regulations, policy gaps, new technology or systems, as well as remain consistent with industry best practice.

References

Commission for Children and Young People, *A Guide for Creating a Child Safe Organisation*

Commission for Children and Young People, *Reportable Conduct Scheme*, available at <https://ccyp.vic.gov.au/reportable-conduct-scheme/>

Commission for Children and Young People, *Child Safe Standards*
<https://ccyp.vic.gov.au/child-safe-standards/the-11-child-safe-standards/>

Municipal Association of Victoria, *Child Safe Standards, MAV Practice and Resources Guide*

Australian Institute of Family Studies, *Child safe organisations: information for organisations on how to keep children safe*

National Office for Child Safety, *Keeping Our Kids Safe: cultural safety and the National Principles for Child Safe Organisations*

Definitions

Aboriginal

The term Aboriginal in this Policy is inclusive of Aboriginal and Torres Strait Islander peoples.

Child or young person

In this Policy the term child or young person includes children and young people under the age of 18 years.

Child abuse

Child abuse is defined in the *Child Wellbeing and Safety Act 2005 (Vic)* as including:

- a sexual offence committed against a child
- an offence committed against a child under section 49M(1) of the Crimes Act 1958 (Vic), such as grooming
- physical violence against a child
- causing serious emotional or psychological harm to a child
- serious neglect of a child.

Child-related work

Under the *Worker Screening Act 2005*, 'child-related work' is work in either a voluntary or paid capacity, that usually involves direct contact with a child, at a place or involving an activity listed in the Act, including:

- Camps
- Child care services
- Child employment -supervisors
- Child minding
- Child protection services
- Children's services
- Clubs and associations
- Coaching and tuition
- Counselling services
- Educational institutions
- Entertainment & party services
- Foster care
- Gym or play facilities
- Kinship care
- Out-of-home care services
- Paediatric wards
- Photography services
- Refuges
- Religion

- School crossings
- Student exchange programs / homestay arrangements
- Talent and beauty competitions
- Transport.

Full definitions of these are provided at the [Working with Children Check Victoria website](#).

Child safe culture

A child safe culture means an organisation has shared attitudes, values, policies and practices that prioritise the safety of children.

Child safe organisation

A child safe organisation is one that creates a culture, adopts strategies and takes action to promote child wellbeing and prevent harm to children and young people.¹

A child safe organisation consciously and systematically:

- creates an environment where children’s safety and wellbeing are at the centre of thought, values and actions
- places emphasis on genuine engagement with and valuing of children and young people
- creates conditions that reduce the likelihood of harm to children and young people
- creates conditions that increase the likelihood of identifying any harm
- responds to any concerns, disclosures, allegations or suspicions of harm.

Child Safe Standards

The Victorian Child Safe Standards are a compulsory framework that support organisations to promote the safety of children by requiring them to implement policies to prevent, respond to and report allegations of child abuse and harm. New updated Standards were released by the Victorian Government in 2021 and apply from 1 July 2022.

Child safety

In the context of the Child Safe Standards, ‘child safety’ means measures to protect a child from child abuse or harm.

Child Safety and Wellbeing Policy

A Child Safety and Wellbeing Policy clarifies the organisation’s expectations about child safety and wellbeing systems and practices and how the organisation is meeting the Standards. The policy holds staff and the organisation to account and may include statements to children, families, staff, volunteers and the community that an organisation is committed to child safety and wellbeing, as well as describing how that commitment will be met.

Internal Response Team (IRT) member

A Child Safe Internal Response Team member is a person that people within the organisation’s community can go to with any child safety concerns or complaints. Their contact details are widely advertised around the organisation.

Communities

Communities means a group of people with whom a child shares common interests, experiences, social background, nationality, culture, beliefs or identity.

Council personnel

Includes Council employees (ongoing and casual), volunteers, students on placement with Council, contractors and agency staff engaged by Council, and Councillors.

Cultural rights

Cultural rights are the rights of each child (either individually or as part of a group of people) to develop and express their background, customs, social behaviour, language, religion or spirituality, beliefs and way of living.

Aboriginal people have distinct cultural rights to enjoy their identity and culture; maintain the use of their language; maintain their kinship ties; and maintain their relationship with the land, waters and other resources with which they have a connection under traditional laws and customs.

Cultural safety

Cultural safety is the positive recognition and celebration of cultures. It is more than just the absence of racism or discrimination and more than 'cultural awareness' and 'cultural sensitivity'. It empowers people and allows them to contribute and feel safe to be themselves.

Culturally and linguistically diverse

Culturally and linguistically diverse is a broad and inclusive term for communities with diverse language, ethnic background, nationality, dress, traditions, food, societal structures, art and religion characteristics.

Direct contact

Any contact between a person and a child that involves:

- physical contact; or
- face to face contact; or
- contact by post or other written communication; or
- contact by telephone or other oral communication; or
- contact by email or other electronic communication.

Disability

Disability means:

- the total or partial loss of a body part or a bodily function (such as mobility, sight or hearing)
- the presence in the body of organisms that may cause disease
- malformation or disfigurement
- a mental or psychological disease or disorder
- learning difficulties.

Disability may be permanent, non-permanent or an increased chance of developing a disability in future. Disability also includes behaviour that may be a symptom or expression of disability even if that disability is not formally diagnosed.

Disclosure

A disclosure in the context of child safety is the process by which a child conveys or attempts to convey that they are being, or have been, abused. Disclosure can be verbal, non-verbal or indicated through behaviour. A disclosure may be accidental or intentional, partial or complete and victims may disclose in different ways to different people throughout their lives.

Adults may also convey that they were abused as a child or that they may have perpetrated abuse.

Duty of care

Council has a duty of care that is reasonable to prevent the abuse of a child by an individual associated with Council while the child is under Council's care, supervision, or authority.

Empowerment

Empowerment is building up children and strengthening their confidence in themselves and in an organisation. It involves equipping children with the skills and knowledge to make informed decisions and enabling them to increase control of their lives.

Equity

Equity is a state of fairness in which all children are equal and can participate fully and safely in an organisation, regardless of their background, characteristics or beliefs. This requires that organisations understand that some children have different needs and may require different supports or assistance to feel safe, well and to participate fully.

Families

Families means people who make up the family unit for a child. Families may be made up of a wide variety of relationships, including those who are related by blood, marriage, adoption, kinship structures or other extended family structures. Families may include people who share in the daily tasks of living or share a very close, personal relationship.

Governance

Governance is an organisation's leadership, oversight and accountability processes. Governance includes an organisation's rules as to who has the authority to make decisions, how decisions should be made and monitored and how people are to be held to account.

Harm

Harm is damage to the health, safety or wellbeing of a child, including as a result of child abuse by adults or the conduct of other children. It includes physical, emotional, sexual and psychological harm. Harm can arise from a single act or event and can also be cumulative, that is, arising as a result of a series of acts or events over a period.

Human rights

Human rights refer to all the rights of children, including those in the Universal Declaration of Human Rights, the *United Nations Convention on the Rights of the Child* and the *Charter of Human Rights and Responsibilities Act 2006* (Vic). Rights include a child's right to safety, information and participation in an organisation.

Inclusive environment

Organisations with an inclusive environment:

- value all children
- respect their rights
- challenge all forms of discrimination
- understand and respond to the needs and capabilities of all children and their families, including Aboriginal children and their families
- adjust their approaches to ensure all children feel safe, welcome and can participate.

Internal Response Team (IRT) member

A Child Safe Internal Response Team member is a person that people within the organisation's community can go to with any child safety concerns or complaints. Their contact details are widely advertised around the organisation.

Mandatory reporting

In accordance with the *Children Youth and Families Act 2005 (Vic)*, the legal obligation of certain groups of people to report a reasonable belief of child physical or sexual abuse to child protection authorities.

Online environments

Online environments are any technological platforms which an organisation uses or controls, such as computers, phones, websites, intranet, social media and video conference facilities regardless of where such platforms may be accessed by children.

Organisational culture

Organisational culture is the system of shared assumptions, values and beliefs that influence the way people behave in an organisation, and how these factors contribute to the organisational environment.

Participation

Participation refers to opportunities for children to have their say and to inform decision-making. This includes engaging children in conversation where ideas are shared. This requires organisations to listen, to hear and to make appropriate changes based on what children share.

Physical environments

Physical environments are the physical places where an organisation operates or conducts activities, such as a building, facility or space and includes physical environments operated by third parties.

Policies

Policies are the documented rules, expectations and positions of the organisation.

Position of Authority

Someone who has the power or responsibility to reduce or remove a substantial risk of sexual abuse, knows about the risk of sexual abuse of a child under their care, but does not act to protect the child.

Practices

Practices are the rules, expectations, actions or processes that are commonly or usually done by, or within, the organisation, regardless of whether those rules, expectations, actions or processes are written down.

Procedures

Procedures are the documented actions and processes that put into operation the organisation's policies.

Processes

Processes are a systematic series of actions directed at achieving a particular outcome.

Reasonable belief

A belief is considered 'reasonable' if a reasonable person, doing the same work, would have formed the same belief on those grounds. It does not require proof. A reasonable belief may be formed through disclosures, observations or other information of which a person has become aware.

Regulator

A regulator is an organisation that enforces the Standards and helps you to follow the rules. Regulators provide information and guidance to organisations to help them comply with the Standards. They also have legal powers to hold organisations to account if they are not complying with the Standards.

Reportable allegation

In accordance with the definition provided in the *Child Wellbeing and Safety Act 2005 (Vic)*, any information that leads a person to form a reasonable belief that an employee has committed Reportable Conduct, or misconduct that may involve Reportable Conduct, whether or not the conduct or misconduct is alleged to have occurred within the course of the person's employment.

Reportable conduct

In accordance with the definition in the *Child Wellbeing and Safety Act 2005 (Vic)*, one or more of the following:

- sexual offences committed against, with or in the presence of a child
- sexual misconduct committed against, with or in the presence of a child
- physical violence against, with or in the presence of a child
- any behaviour that causes significant emotional or psychological harm to a child
- significant neglect of a child.

Risk

In the context of the Child Safe Standards, risk is exposure to the chance for harm or abuse of a child to occur in connection with an organisation.

Risk management

Risk management involves identifying, preventing and minimising risk as much as is reasonably possible.

Supervision

Supervision, in reference to staff and volunteers, refers to an organisation's oversight of the conduct of staff and volunteers. Supervision may include providing staff and volunteers with resources, training and support as well as monitoring their conduct.

Supervisor

Employees with supervisory responsibilities - the person to whom another employee reports (according to the reporting employee's position description). The Supervisor can be any position responsible for supervising employees, however titled.

Systems

Systems, in the context of child safety, is a broad term used to describe related or coordinated procedures or processes of the organisation, which work together towards preventing, responding to and reporting of allegations of child abuse and harm.

Volunteer

Volunteer means any person engaged by or a part of an organisation who provides a service without receiving a financial benefit, regardless of whether their role relates to children. There is no minimum period of engagement to be considered a volunteer.

Wellbeing

Wellbeing is a positive state of physical, mental and emotional health. It generally means feeling safe, happy and healthy more than momentarily.

Working With Children Check

A Working With Children Check is the process whereby an assessment is undertaken by the issuing authority (Department of Justice and Community Safety) to determine whether a person is suitable to work in child-related work.

Appendix 1 – Child Safety Incident Procedure

The four steps that all Council personnel must follow regarding any child safety incident, allegation, disclosure or reasonable concerns of abuse or neglect, or breaches of policy are:

- 1. Responding**
- 2. Reporting**
- 3. Sharing of Information**
- 4. Supporting**

Responding

Immediate responses must ensure the safety of children and young people, Council personnel and members of the public. Reduce the harm and risk to those impacted by the incident by:

- calling 000 if required
- making the surroundings safe to prevent immediate recurrence of the incident, by removing potentially harmful person(s), increasing supervision of children, moving other children to a safe place, alerting others to risks that extend beyond the local environment for example, other areas within Council
- provide immediate care to the child or young person and others involved in the incident by addressing; physical and emotional well-being, arranging for coverage of duties and supervision; facilitating access to counselling Employee Assistance Program (EAP).

Responding to a disclosure/allegation

When responding to a disclosure or allegation by a child or young person, Council personnel will respond by:

- listening to the allegation or disclosure supportively, without dispute
- clarifying the basic details, without seeking detailed information or asking suggestive or leading questions
- providing reassurance that the child or young person has done the right thing in telling you, that they are believed, and immediate action will be taken in response to the disclosure/allegation
- explaining to the child or young person that other people may need to be told, in order to stop what is happening. Do not promise to keep any information a secret
- reporting the matter as per organisational policy requirements to a member of the Internal Response Team (IRT)
- recording notes as early as possible to ensure all information is captured before completing Council's Child Safe Incident Report on Elumina.

In responding to the child or young person their specific needs will need to be considered e.g. the unique qualities of a child including, for example, whether the child is Aboriginal or Torres Strait Islander, has a disability, identifies as LGBTQI+, has a culturally and linguistically diverse background and/or is unable to live at home.

Even if there is no immediate response required, any event of disclosure or allegation by a child or young person must be reported and documented as with all other incidents.

Reporting

Following the immediate response, Council personnel will report Child Safety Incidents by:

- following the **Child Safety Incident Reporting Process for Council Personnel** on page 13
- fulfilling the relevant **Reporting Obligations and Procedures** detailed below.

Reporting Obligations and Procedures

Any Council staff or volunteer must report Child Safety Incidents each time they become aware of abuse or harm. Internal and external reporting processes must be completed as described in this Policy.

Internal Reporting

Council personnel must report **ALL Child Safety Incidents** internally by:

- notifying a member of the Internal Response Team verbally immediately/as soon as possible
- completing a **Child Safety Incident Report** in Elumina within 24 hours of the incident.

If Council personnel become aware of a Child Safety Incident via Council's Customer Complaints Process or any other complaints process, they must complete a Child Safe Incident Report in Elumina by transferring the information contained within the complaint to that form and providing any other relevant information available and submit it as above.

Child Safety Incident Reporting Process for Council Personnel

WHO must report?

Employees

Contractors

Volunteers

Students

Councillors



WHAT to report?

Any Child Safety Incident (i.e. all child safety concerns or complaints), including:

- direct or indirect disclosure of child abuse or harm (i.e. sexual, physical, emotional, psychological, neglect, grooming or exposure to family violence)
- allegation, suspicion or observation of child abuse or harm
- breach of Council's Child Safety and Wellbeing Policy, including the Child Safe Code of Conduct
- Child safety complaints against Council or its personnel
- environmental risks that could increase the likelihood of abuse occurring.



Call 000 without delay if child is in immediate danger



HOW to report?

Notify a member of Council's Child Safe Internal Response Team (IRT) verbally as soon as possible to:

- determine what **immediate action** needs to take place to protect the child or young person from harm (or further harm), including whether the Police or Child Protection need to be contacted ASAP;
- start completing a **Child Safety Incident Report Form** in Elumina, which will provide guidance on whether a report also needs to be made to any external authorities;
- decide if **further advice** is needed about how to proceed.

If further advice is needed **during business hours**, contact a member of Council's Child Safe IRT, who are suitability trained and experienced staff that can provide advice on child safety matters and reporting requirements. They are:

- Manager of People and Performance - 5760 2661
- Manager of Community - 5761 2210
- Manager of Facilities and Information Technology - 5760 2689
- Manager Assets and Infrastructure - 5760 2695

OR if **after hours**, contact your Manager or another appropriate senior Manager.

THEN:

- Report the incident to all required **external authorities** as guided by the Child Safety Incident Report Form - **EXCEPT** for Reportable Conduct notifications to the Commission for Children and Young People, which must be done by the CEO.
- Complete and submit the **Child Safety Incident Report Form** in Elumina for action by Council's Child Safe Internal Response Team (including details of all external reports made) no more than 24 hrs after incident.

External Reporting

Council has external reporting requirements, including legal reporting obligations.

External reporting obligations vary depending on the nature and circumstances of the Child Safety Incident. The reporting obligations and procedures for different types of Child Safety Incidents are summarised in the table below.

All Reportable Conduct incidents that require external authority notification to the Commission for Children and Young People must be reported to the CEO. External notifications required by organisational policy and governing legislation must be initiated by a member of the Internal Response Team (IRT).

External Reporting Summary Table

Type of Child Safety Incident	Reporting Obligations and Procedures
Physical abuse (against or in the presence of a child)	Report to: <ul style="list-style-type: none"> a member of Council's Child Safe Internal Response Team, verbally and as soon as possible and submit a Child Safety Incident Report in Elumina. <p>AND</p>
Sexual abuse (against or in the presence of a child, including attempted)	<ul style="list-style-type: none"> Child Protection (Department of Fairness, Families and Housing), if the child or young person has suffered or is likely to suffer significant harm as a result of the abuse. <p>AND</p> <ul style="list-style-type: none"> Victoria Police, if: <ol style="list-style-type: none"> the child or young person is in immediate danger; and/or alleged or suspected criminal conduct has occurred, such as physical or sexual abuse (including grooming) of children, or family violence; and/or you have a reasonable belief that an adult has committed or attempted a sexual offence (including grooming) against a child under 16 years of age.
Grooming (criminal offence)	
Emotional or psychological abuse	Report to: <ul style="list-style-type: none"> a member of Council's Child Safe Internal Response Team, verbally and as soon as possible and submit a Child Safety Incident Report in Elumina. <p>AND</p>
Neglect	<ul style="list-style-type: none"> Child Protection (Department of Fairness, Families and Housing), if the child or young person has suffered or is likely to suffer significant harm as a result of the abuse or neglect. <p>AND</p> <ul style="list-style-type: none"> Victoria Police, if the child or young person is in immediate danger.
Reportable conduct	<p>If the alleged perpetrator is a Council employee, volunteer, student or Councillor, the abuse or harm may constitute Reportable Conduct under the Reportable Conduct Scheme.</p> <p>In these situations, you must still complete the above reporting requirements and processes.</p> <p>The Child Safety Internal Response Team will support the CEO to fulfil the additional organisational reporting obligations under the Reportable Conduct Scheme, including notifying the Commission for Children and Young People. These reporting obligations must be undertaken by the CEO, not other Council personnel.</p>
Failure to disclose (criminal offence)	Report to: <ul style="list-style-type: none"> a member of Council's Child Safe Internal Response Team, verbally and as soon as possible and submit a Child Safety Incident Report in Elumina. <p>AND</p>
Failure to protect (criminal offence)	<ul style="list-style-type: none"> Victoria Police.

Reporting Child-on-Child Sexual Abuse

Child-on-child sexual abuse is a serious and complex issue that may require police and Child Protection (DFFH) intervention and or other additional support services for all children/young people involved.

Where child on child abuse should be reported or referred to will depend on the particular circumstances of the event and the children and/or young people involved.

Council personnel should speak with a member of the Internal Response Team to determine if there is a case of reportable abuse, and if so where to direct the report.

Key Reporting Contacts

Internal Response Team:

- Manager People and Performance
03 5760 2661

Manager Community
03 5761 2210
- Manager Facilities and Information Technology
03 5760 2689
- Manager Assets and Infrastructure
03 5760 2695

External departments

- Department of Fairness, Families and Housing
1300 360 391
After hours - 13 12 78
- Benalla Police
03 5760 0200
- Victorian Commission for Children and Young People
1300 782 978

Sharing Information

When an incident is reported, where appropriate, information will be shared with the child or young person, their family, and relevant Council personnel as soon as possible. The process will meet the needs of the parties involved and any investigation requirements.

Council will maintain confidentiality and privacy for all parties, except if doing so would pose a risk to the child or young person's safety or the investigation. If the incident requires reporting to external agencies, Council will consult with Child Protection or police to determine what information can be shared with parents/caregivers.

The decision to share information will take into account the safety of those involved, the advice of police and Child Protection, the rights of those impacted to privacy and confidentiality, and the need for those impacted to know about the incident.

If an incident needs to be reported to external agencies, Council personnel will consult with Child Protection and/or police to determine what information can be shared with parents/care givers. This can include:

- not contacting the parents/care givers in circumstances where they have been alleged to have been engaged in the abuse, or, the child is a mature minor and does not wish their parent/care giver to be contacted
- contacting the parents/care givers and provide agreed information as soon as possible.

Police and/or child protection will be consulted about the disclosing of information to the child/young person, their families and Council personnel.

The decision to share information will consider:

- whether the ongoing safety of those involved in or impacted by the incident is compromised by the sharing or non-sharing of information
- the advice of police and child protection (care will be taken not to compromise their investigations)
- the rights of those impacted by the incident to privacy, confidentiality, procedural fairness and a presumption of innocence in accordance with Council's policies and employment law, and;
- the need (of those potentially impacted by the incident) to know of the incident.

Support

Supporting the needs of those impacted by the incident should include considerations of cultural safety for:

- the child/young person and their family (this includes any specific support needs for those from an Aboriginal and Torres Strait Islander; Culturally and Linguistically Diverse; or person with a disability background; LGBTQI+, or a child or young person who is unable to live at home)
- other children or young people as witnesses to incident
- Council personnel who witness and/or reported the incident
- any staff or volunteer, councillor or contractor against whom a complaint is made, for example, offering EAP
- other staff or volunteer, councillor or contractor impacted by the incident.

All other staff or volunteer or contractor who are aware of the incident note that:

- any allegation does not mean the person is guilty, and that the allegation will be properly investigated and will include the right to 'procedural fairness'; and
- they are not to discuss the matter with any person, except as directed by police, child protection authorities and/or Benalla's Internal Response Team member and only in direct relation to investigation of the allegation.

BENALLA

RURAL CITY COUNCIL

BENALLA RURAL CITY COUNCIL

CHILD SAFE CODE OF CONDUCT

February 2023

The Benalla Rural City Council is committed to creating and maintaining a child safe organisation. This Code helps Council manage the risks that may arise through adult interactions with children and young people.

All Council personnel – employees, contractor, volunteers, students and Councillors – are required to meet the expectations of appropriate behaviour with children and young people, and to identify and report inappropriate behaviour.

Children are defined in this Code as anyone under 18 years old.

Council Personnel will:

- place the interests of any child being abused, or at risk of being abused above the interests of the organisation or other individuals within it
- behave in a professional manner and be a positive role model to children and young people
- take all reasonable steps to protect children and young people from abuse and harm
- treat all children equally and with respect and dignity
- promote the safety of all children and young people
- listen to and treat the safety concerns of children seriously, particularly if they tell you that they or another child has been or is at risk of being abused
- participate in training to maintain child safety requirements
- provide welcoming, safe and accessible environments where children are encouraged to set their own personal goals, express their creativity and are free from judgment and ridicule
- encourage children and young people to share their views, especially on issues that are important to them
- promote the cultural safety, participation and empowerment of Aboriginal children, children and young people with culturally and/or linguistically diverse backgrounds, or with a disability
- demonstrate a zero-tolerance approach to racism and other forms of discrimination, and act on any incidents of this whether from adults or other children and young people
- inform children and young people if any physical contact is required and ask them if they are comfortable with this interaction e.g. administering first aid. Physical contact is appropriate if it fits within a position description, is positive for the child and never used for discipline or to harm the child in any way
- treat all concerns and allegations of child abuse seriously and respond consistently with the procedure outlined in the *Child Safety and Wellbeing Policy*
- report any breach of the Code of Conduct by Council personnel to your Supervisor, or the next level manager where the concern involves your supervisor, immediately
- contact Victoria Police immediately on 000 in an emergency or where it is believed that there is an immediate risk to the safety or wellbeing of a child or young person.

Council personnel **will not**:

- engage in behaviour or use language that is intended to harm, abuse, bully, harass, shame, humiliate or cause emotional or psychological harm
- purposefully establish or maintain a relationship with a child and/or their family outside of work for an inappropriate purpose
- initiate unnecessary physical contact with a child or young person, or do things of a personal nature for them that they can do for themselves
- be alone with a child or young person unnecessarily
- conduct a sexual relationship with a child or indulge in any form of sexual contact with them
- solicit, conduct or accept requests from children and/or their families for private services (i.e. babysitting, non-authorized home visits, or private lessons) delivered outside of work
- provide personal contact details (i.e. phone number, home address, email/social media addresses) to children and the parents of children you interact with at work
- use social media/online platforms to solicit or befriend a child or have online contact with a child that is not transparent to Council and part of an approved program or activity
- take, use or publish unauthorised photos or videos of children for council programs and activities
- use technology or devices for viewing or sharing child abuse materials
- use personal devices to take images of children
- engage in discussions of a mature or adult nature with or in the presence of a child
- ask a child to keep any communication secret from their family
- show favouritism or preference to one child over others e.g. offering gifts or special treatment
- discriminate against any child because of gender, sexuality, culture, race, ethnicity, religion, or disability
- ignore or disregard any suspected or disclosed child abuse.

Council personnel (excluding contractors) are required to:

- review and acknowledge their acceptance of the Policy (including the Code) during their induction period
- review and acknowledge their acceptance of the Code as part of their required e-learning
- for positions where contact with children is probable, read the Code before they commence any duties that involve direct contact with children
- raise any queries about the Code with their Supervisor immediately
- act in accordance with the Code at all times while working for Council.

Council contractors are required to:

- review and acknowledge their acceptance of the Policy (including the Code) during the contractor induction process
- raise any queries about the Code with their Council contract manager immediately
- Act in accordance with the Code at all times while working for Council
- Suspected or alleged breaches of this Code will be investigated on a case-by-case basis and may result in termination of the contract
- Any behaviour that constitutes a criminal offence under the *Crimes Act 1958* will be treated as a criminal matter and reported to Victoria Police. This applies to all known criminal offences involving a child irrespective of whether it occurred while undertaking Council business.

Please indicate your role within Council:

- Employee Contractor Councillor
 Volunteer Student

What happens if you breach this Code of Conduct?

Suspected or alleged breaches of this Code of Conduct will be investigated in accordance with the staff Counselling and Discipline Policy, the *Staff Code of Conduct*, the *Volunteer Code of Conduct* and the *Councillor Code of Conduct*.

Any behaviour that constitutes a criminal offence under the *Crimes Act 1958* will be treated as a criminal matter and reported to Victoria Police. This applies to all known criminal offences involving a child irrespective of whether it occurred while undertaking Council business.

Incidences of ‘reportable conduct’ will be investigated and reported to the Commission for Children and Young People. This includes sexual offences, sexual misconduct, and physical violence against, with, or in the presence of a child. It also includes any behaviour that is likely to cause significant emotional or psychological harm to a child, and significant neglect.

Disciplinary action may include suspension of employment or termination of employment/volunteering, contractor or student arrangements with the organisation.

I have read this document and I understand the contents. I agree to adhere to this Code of Conduct:

Name: Date:

Position:



BENALLA

RURAL CITY COUNCIL

Benalla Rural City Council
February 2023

PO BOX 227
BENALLA VIC 3671

(03) 5760 2600
council@benalla.vic.gov.au

www.benalla.vic.gov.au

9. Facilities and Information Technology Department Activity Report For The Quarter Ended 31 March 2023

SF/1544

Greg Robertson – Manager Facilities and Information Technology

PURPOSE OF REPORT

The report presents the activities of the Facilities and Information Technology Department for the quarter ended 31 March 2023.

Facilities Management

- Commencement of new cleaning contractors for the whole of Council cleaning contract.
- Installation of Festoon Lighting in Nunn Street, Benalla.
- Degraded sections of aviation trafficable hardstand at the Benalla Airport were resealed.



Airport hardstand reseal works underway.



Festoon Lighting at night (Nunn Street, Benalla).

Information and Communications Technology (ICT)

- ICT conducted a Credential Harvesting Phishing Campaign. Just 2.5% of all campaign recipients entered their credentials. This is a good result and shows staff have a high level of phishing and email scam awareness.
- Commenced migration of production servers to new server hardware. End users will notice moderate software speed enhancements, and increased storage space. The project ensures Council software continues to operate on server hardware that is under support and warranty. Typical production server life is five years, and it is anticipated production services will move to a cloud-based solution next time this work is required.
- The Collaborative Digital Transformation (CODI) Project is underway, and ICT staff continued to work on this project. The project was formally referred to as the Rural Councils Transformation Project (RCTP).
The project is in cooperation with Mansfield Shire, Strathbogie Shire and Murrundindi Shire, and most project members voted to change to the name to CODI.

CODI project will replace the following core software systems at each Council by end of 2024:

- Finance System (may include Human Resources and Payroll software if within budget).
- Rates and Property.
- Customer Management.
- Information Management (Records).
- Planning, Building and Regulatory Services.

Benalla Aquatic Centre YMCA

- Centre membership finished the quarter at 406 memberships, an increase on the previous total of 365 at the same time last year.
- Swimming lesson memberships finished the quarter at 564 members.

Highlight

- Year to date visits to the Benalla Aquatic Centre YMCA totaled 27,117. This is a marked increase compared to the same time last year when year to date visits totaled just 5,844.

COUNCIL PLAN 2021-2025 ACTION PLAN

Livability

Vibrant public spaces and places		
Strategy	Action	March Quarter Update
Maintain the amenity and cleanliness of townships, public spaces, roadsides, and community facilities.	Deliver Benalla Town Hall Infrastructure Upgrade project.	<ul style="list-style-type: none"> ▪ Installation of the major heating and cooling upgrade is underway.
Enhance and maintain key places of significance.	Update Benalla Airport Master Plan.	<ul style="list-style-type: none"> ▪ Partial Airport hardstand reseal complete. ▪ BARC Avenue at the Benalla Airport resealing works completed

Leadership

High performance culture		
Strategy	Action	March Quarter Update
Improve customer experience through responsive, timely, efficient, well planned, and accessible services.	Review, update and implement the <i>Benalla Rural City Council Information Technology and Communications strategy</i> .	<ul style="list-style-type: none"> ▪ Migration of core function to new production servers ▪ Continued involvement in project CODI.

FINANCIAL IMPLICATIONS

	Notes	2022/23 YTD Actual	2022/23 YTD Budget	2022/23 YTD Variance	2022/23 Full Year Forecast	2022/23 Full Year Budget
Facilities	1	\$1,245,789	\$1,709,990	\$464,201	\$2,484,139	\$2,421,758
Information Technology	2	\$1,105,818	\$1,245,127	\$139,309	\$1,527,827	\$1,496,827
Benalla Airport	3	(\$152,742)	\$128,946	-\$23,796	\$210,869	\$172,483
Saleyards	4	\$7,615	\$20,214	\$12,599	\$27,574	\$26,959
Aquatic Centre		(\$551,953)	\$524,961	-\$26,992	\$745,949	\$699,949
Total		\$3,063,916	\$3,629,238	\$565,322	\$4,996,358	\$4,817,975

Notes:

1. Favorable variance mainly due to depreciation being less than budget.
2. Favorable variance mainly due to depreciation being less than budget.
3. Unfavorable variance mainly due to lease income phasing.
4. Favorable variance mainly due to maintenance works less than budgeted.

Recommendation:

That the report be noted.

This page intentionally left blank

10. Proposed Fenced Dog Park at Churchill Reserve Benalla

SF/5200

Wayne Rich – Compliance Coordinator
Nilesh Singh – Manager Development

PURPOSE OF REPORT

The report discusses the proposed construction of a fenced off-leash dog park at Churchill Reserve Benalla.

BACKGROUND

The Council order under Section 26 of the *Domestic Animals Act 1994* (the Act) requires all dogs to be restrained by way of leash or cord in all public places within the municipality unless otherwise signed.

The order contains four identified public areas where dogs may be exercised off leash under effective control. All of these areas are frequently utilised by the community for this purpose and are not fenced.

Feedback from the dog walking community has indicated that there is a need for areas where dogs may be exercised off leash that are enclosed by fencing. Fenced off leash dog parks were also strongly supported during community consultation for the *Domestic Animals Management Plan 2021 – 2025*.

A fenced off leash dog park would benefit many dog owners who are not comfortable with their dogs' immediate recall ability. A fenced area will allow dogs to be exercised and socialised safely.

Community Consultation on the construction of fenced dog parks in Benalla was conducted November 2022. The Council received 382 submissions that identified preferred locations for fenced dog parks. Churchill Reserve was identified as one of the top three locations preferred by residents.

As the public proposal to allow off leash dogs in Churchill Reserve was not supported by the Churchill Reserve Committee of Management, a compromise was reached with the committee that a fenced park may be allowed within the complex, under certain conditions.

These conditions are:

- The fenced area may only be constructed in the corner of the reserve behind the soccer fields at the intersection of Clarke and Bond Street, Benalla.
- That Council guarantee that there will be no issues caused by uncollected dog feces in the reserve.
- That Council guarantee that there will be no disturbance to the other user groups at the reserve due to the presence of off leash dogs.

DISCUSSION

Compliance staff have compiled a draft design for a fenced off-leash dog park to fit within the required boundaries at Churchill Reserve.

The draft design is attached as **Appendix 1**.

The design includes:

- A black powder coated chain link fence around the perimeter of the area.
- Two airlock style gates.
- Three bench seats.
- One water station with dog water bowl.
- Two tunnel and mound constructions.

Fencing should be at least 1.6 meters high to discourage dogs from attempting to escape the area.

Airlock style gates consist of two gates separated by a 'staging area' so that one gate can remain closed whilst the other is being opened to prevent accidental escaping of dogs. The gates provide a safe space for dogs to transition from 'on leash' to 'off leash'.

There needs to be at least two entry/exit points to minimise dog and people congestion and reduce any risk of dog convergence on newcomers entering the park.

Bench seating needs to be spaced around the park, away from entry gates to reduce congestion and provide good views of the dog play areas. Seating needs to be kept to a minimum to encourage dog owners to move and stay connected and interact with their dogs.

The water station is required to keep dogs hydrated and allow their cooling systems to work efficiently. It should be located away from entry/exit points to minimise congestion and have facilities for people to drink as well. The water station should have an attached bowl that is large enough for all size dogs to drink and easily emptied and cleaned.

Tunnel and mound construction is preferable to an agility course as it provides an activity zone for dogs to experience different smells and surface textures. It also provides visual barriers to interrupt dogs from running and slamming into each other whilst playing. Tunnel and mounds create a visual barrier for dogs to take refuge for a "time out" when overwhelmed or over stimulated. Agility courses are rarely used by dog park attendees due to the many distractions in the park, and are more likely to be used inappropriately by children as a de facto playground, which carries the risk of injury.

In addition to these items, the dog park should also have a double access gate for maintenance and mowing, poo bag dispensers, park rules signs at both entrances, and a circulation path.

A meandering path within the fenced area encourages owners to walk with their dogs, allowing them to exercise effective control, enhancing the dog/owner relationship and preventing dog to dog conflict by avoiding concentrations of dogs in one area.

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

- *A healthy, safe and resilient community.*
- *A connected, involved and inclusive community.*

Livability

- *Vibrant public spaces and places.*
- *Connected and accessible roads, footpaths, transport and parking.*

Leadership

- *Engaged and informed community.*
- *Effective and responsive advocacy.*

COMMUNITY ENGAGEMENT

In accordance with the Council’s *Community Engagement Policy*, community engagement will 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"> ▪ Public report presented to Council. ▪ Report and design published on Council’s website.

Community consultation on the construction of fenced dog parks in Benalla was conducted in November 2022 by the Council.

The Council received 382 submissions that identified preferred locations for fenced dog parks. Churchill Reserve was identified as one of the top three locations preferred by residents.

FINANCIAL IMPLICATIONS

\$100,000 is allocated in the 2022/23 Capital Works Program Budget to the construction of a dog park.

LEGISLATIVE AND STATUTORY IMPLICATIONS

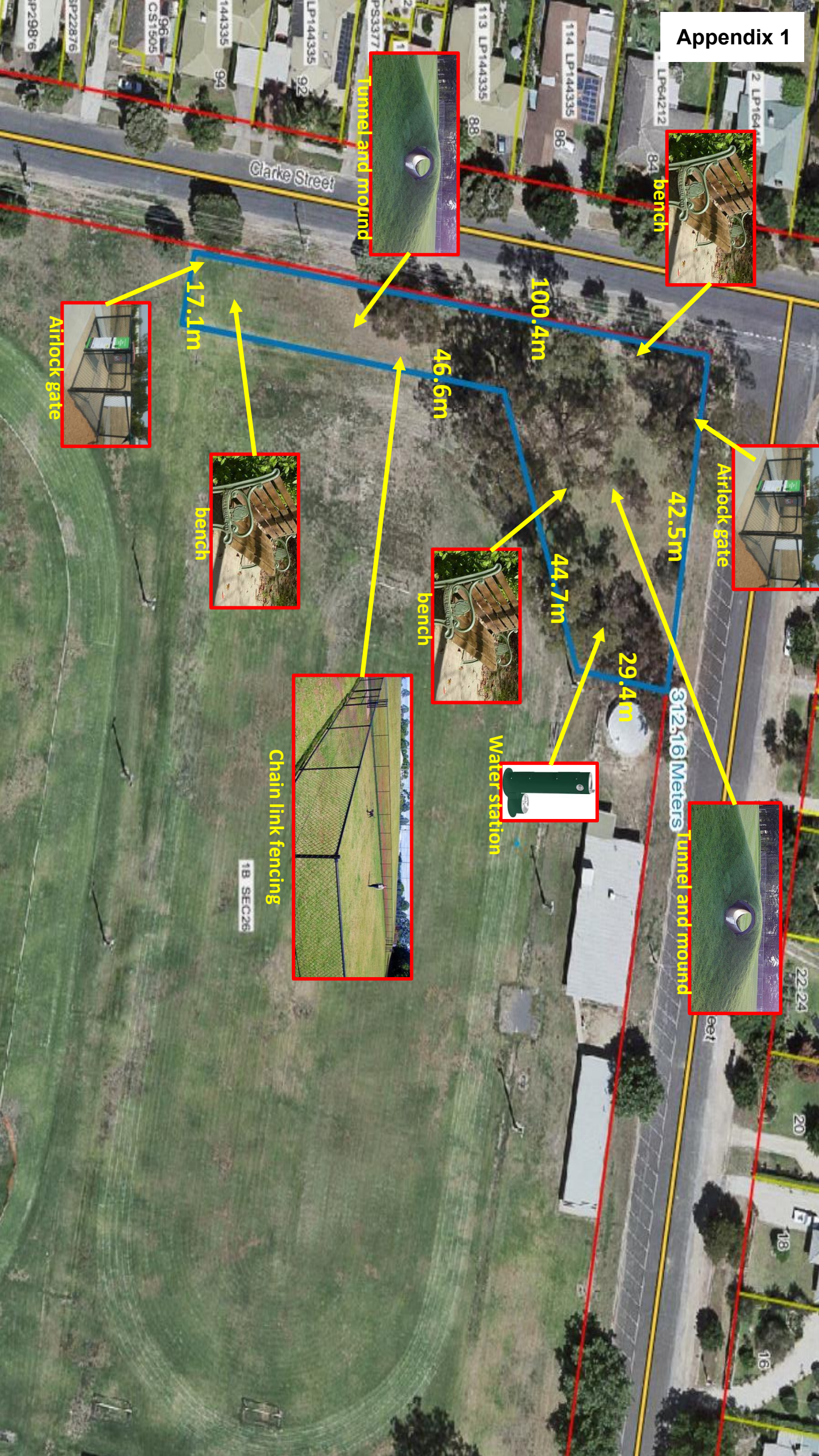
It is considered that the report is consistent with the *Charter of Human Rights and Responsibilities Act 2006* and *Gender Equality Act 2020*.

OFFICER DECLARATION OF CONFLICT OF INTEREST

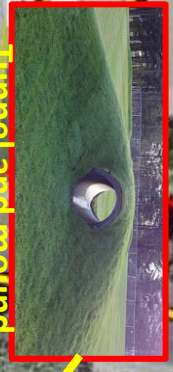
No officers involved in the preparation of this report have any general or material conflicts of interest in this matter.

Recommendation:

That the Council endorses the construction of a fenced off-leash dog park at Churchill Reserve, Benalla.



bench



Tunnel and mound



Airlock gate



bench



bench



Chain link fencing



Water station



Tunnel and mound



Airlock gate

17.1m

46.6m

100.4m

44.7m

42.5m

29.4m

312.16Meters

1B SEC26

Clarke Street

Street

LP29876, LP22876, CS1505, 96, 144335, 94, LP144335, 92, PS3377, 113 LP144335, 88, 114 LP144335, 86, LP61212, 84, 2 LP16411, LP144335, 84, 22-24, 20, 18, 16

11. Building and Planning Approvals – March 2023

SF/255

Sarah Ford – Building Coordinator
 Joel Ingham – Planning Coordinator
 Nilesh Singh – Manager Development

PURPOSE OF REPORT

The report details planning permit applications and building approvals for March 2023.

Planning Permit Applications Determined under Officer Delegation

File No		Description	Property Address	Decision
1	DA7353	Construction of a swimming pool	8 Mayfair Drive, Benalla	Approved
2	DA7505	Construction of a carport	10 Waller Street, Benalla	Approved
3	DA1950	Construction of a swimming pool	3 Market Street, Benalla	Approved
4	DA5920	Removal of native vegetation	Hairs Lane, Road Reserve, Benalla	Approved
5	DA7442	Construction of a dwelling	38 Smythe Street, Benalla	Approved
6	DA5289	Construction of an electric vehicle charging station within a Heritage Overlay	Denny Street, Benalla	Approved
7	DA4297	Construction of a swimming pool	20 River Gum Avenue, Benalla	Approved
8	DA2806	Two lot subdivision	39 Salisbury Street, Benalla	Approved
9	DA1350	Construction of an outbuilding	2546 Midland Highway, Swanpool	Approved
10	DA6883	Construction of a dwelling	1055 O’Dea Road, Molyullah	Approved
11	DA4754	External painting of a building in a Heritage Overlay	53 Bridge Street East, Benalla	Approved
12	DA1682/3	Use of land to sell packaged liquor	2/37 Sydney Road, Benalla	Approved
13	DA4063	Construction of a shed	723 Lake Mokoan Road, Chesney Vale	Approved
14	DA7471	Construction of a dwelling	4 Mayfair Drive, Benalla	Approved
15	DA3836	Extension to an existing dwelling	28 Deas Street, Benalla	Approved

Planning Permit Amendments Determined Under Officer Delegation

File No		Description	Property Address
1	DA7390	Construction of a dwelling, carport, and associated outbuildings	45 Benson Street, Benalla

Planning Permits Issued Under VicSmart

File No		Description	Property Address
1	DA4063	Construction of a shed	723 Lake Mokoan Road, Chesney Vale
2	DA1350	Construction of an outbuilding	2546 Midland Highway, Swanpool
3	DA4754	External painting of a building in a Heritage Overlay	53 Bridge Street East, Benalla
4	DA5289	Construction of an electric vehicle charging station within a Heritage Overlay	Denny Street, Benalla
5	DA2806	Two lot subdivision	39 Salisbury Street, Benalla

Planning Permit Applications Determined by the Council

File No		Description	Property Address	Decision
1	DA6602	Construction of two dwellings to the rear of the existing dwelling	15 Dunn Street, Benalla	Approved (Notice of Decision)

Planning Permit Amendments Determined by the Council

There were no planning permit amendments determined by Council during March 2023.

Planning Permit Applications Withdrawn or Lapsed

File No		Description	Property Address	Decision
1	DA6728	Extension to an existing outbuilding	154 Kealy Road, Benalla	Withdrawn – planning permit not required
2	DA5654	Construction of a fence within a Heritage Overlay	9 Mitchell Street, Benalla	Withdrawn

Notices of Decision

File No		Description	Property Address
1	DA6602	Construction of two dwellings to the rear of the existing dwelling	15 Dunn Street, Benalla

A Notice of Decision (NOD) is issued when Council has decided to grant a planning permit when objection(s) are received regarding the application.

An objector may appeal to Victorian Civil and Administrative Tribunal (VCAT) against the decision to grant the permit within 21 days of a Notice of Decision being issued. After 28 days if no appeal has been lodged Council will issue the Planning Permit.

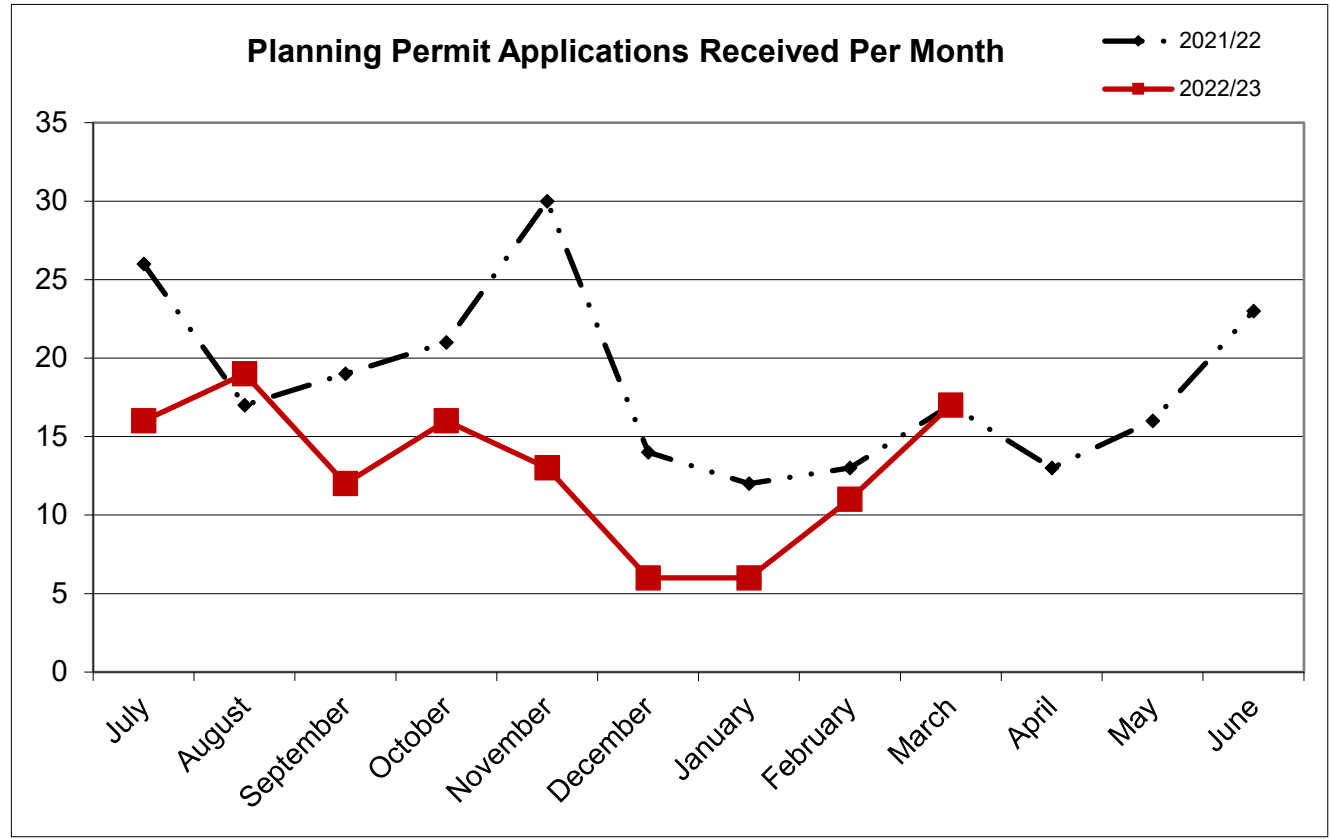
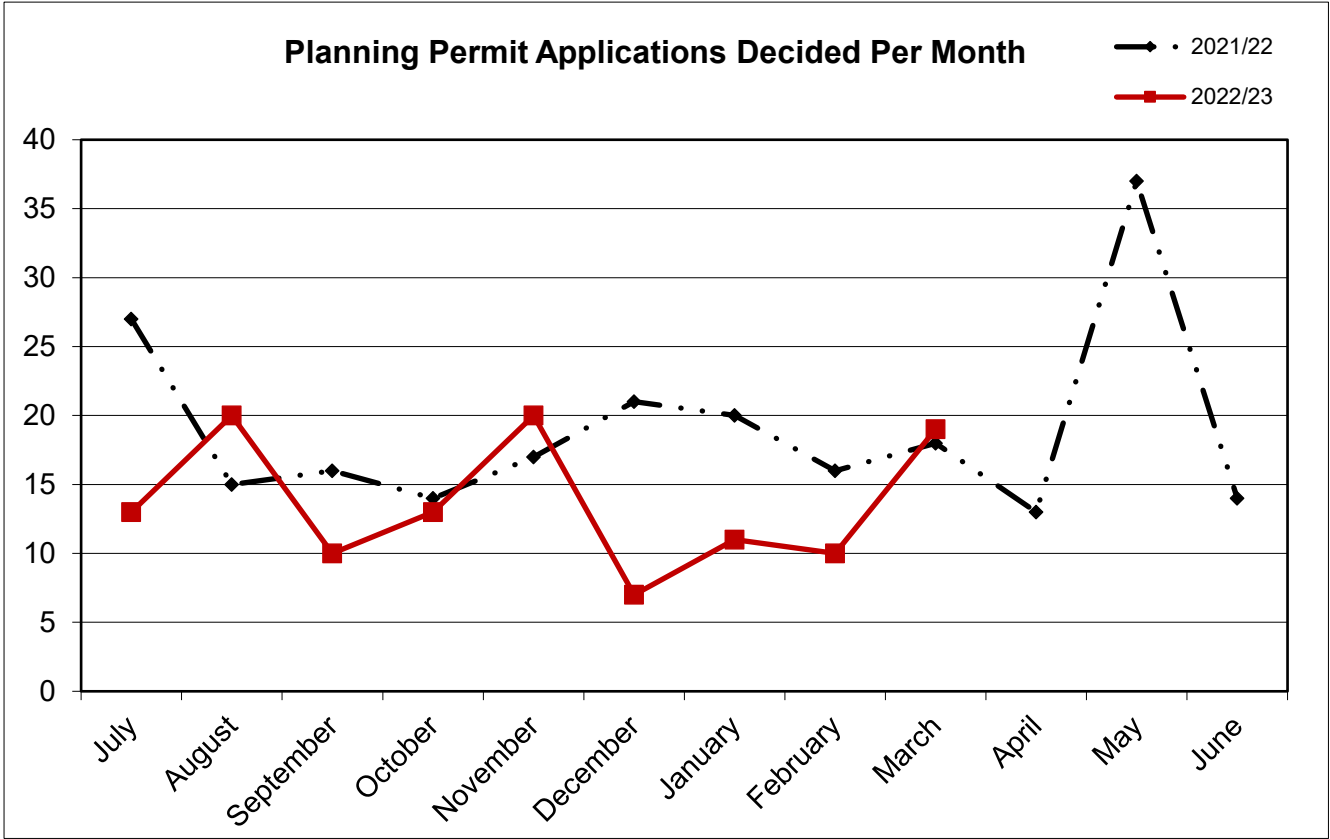
Planning Permit Applications Determined by VCAT

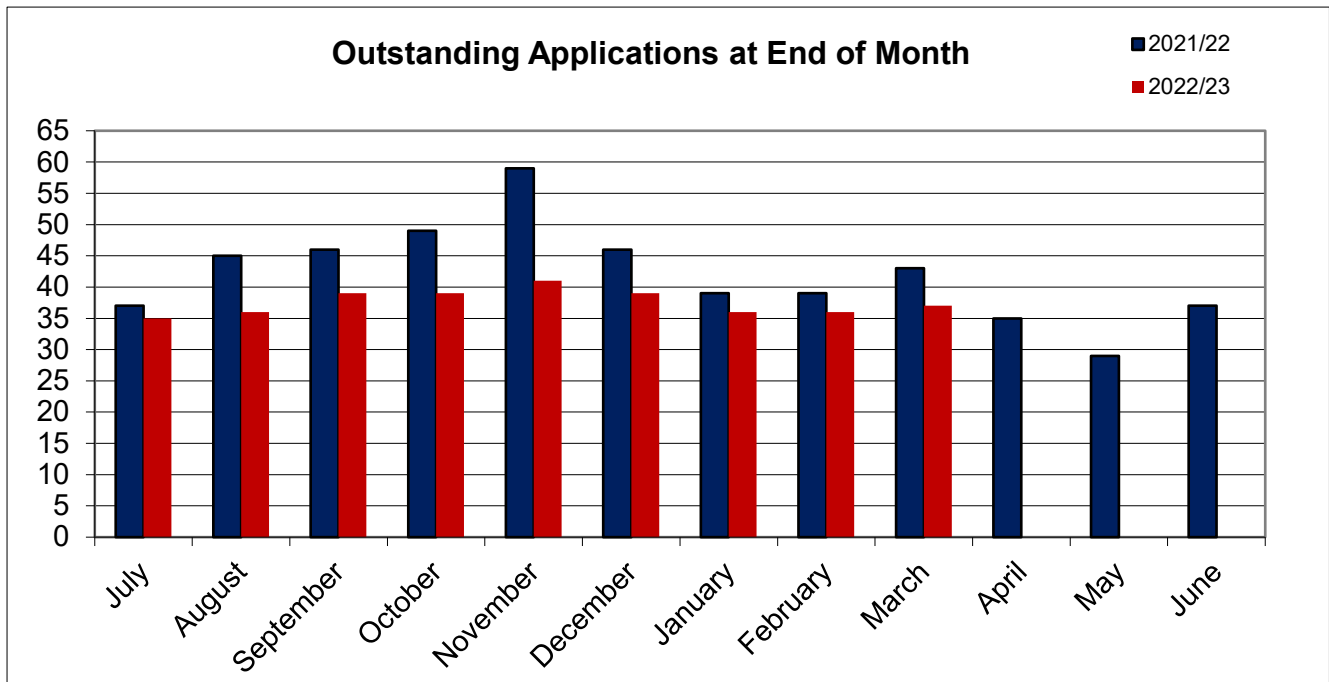
File No		Description	Property Address	Decision
1	DA393/2	Construction and display of an illuminated electronic promotion sign	159-161 Bridge Street East, Benalla	Approved

Matters Before VCAT

DA393/2	159-161 Bridge Street East, Benalla – Electronic Sign
Status	At a Planning and Development Committee meeting on 27 July 2022 it was resolved that the Council refuse to grant a permit for the display of an electronic promotion sign. The applicant lodged an appeal to VCAT on 27 September 2022. The Tribunal hearing was heard on 3 February 2023 with the applicant and Council's representative in attendance. On 30 March 2023 the Tribunal set aside Council's decision and allowed the issue of a planning permit subject to conditions. The Tribunal order is provided in Appendix 1 .
DA7055	Use and development of land for a second dwelling at 888 Tatong Tolmie Road, Tatong
Status	At a Planning and Development Committee meeting on 18 May 2022 it was resolved that the Council refuse to grant a permit for a second dwelling on the land. The refusal was based on grounds of objection received from the Country Fire Authority. The applicant has lodged an appeal to VCAT. The VCAT hearing which was due to be heard on the 17 & 20 February 2023 has been adjourned at the request of the applicant. The new hearing date will now be for five days on 24, 25 & 26 July 2023 – 31 July and 1 August 2023.

Planning Permit Applications



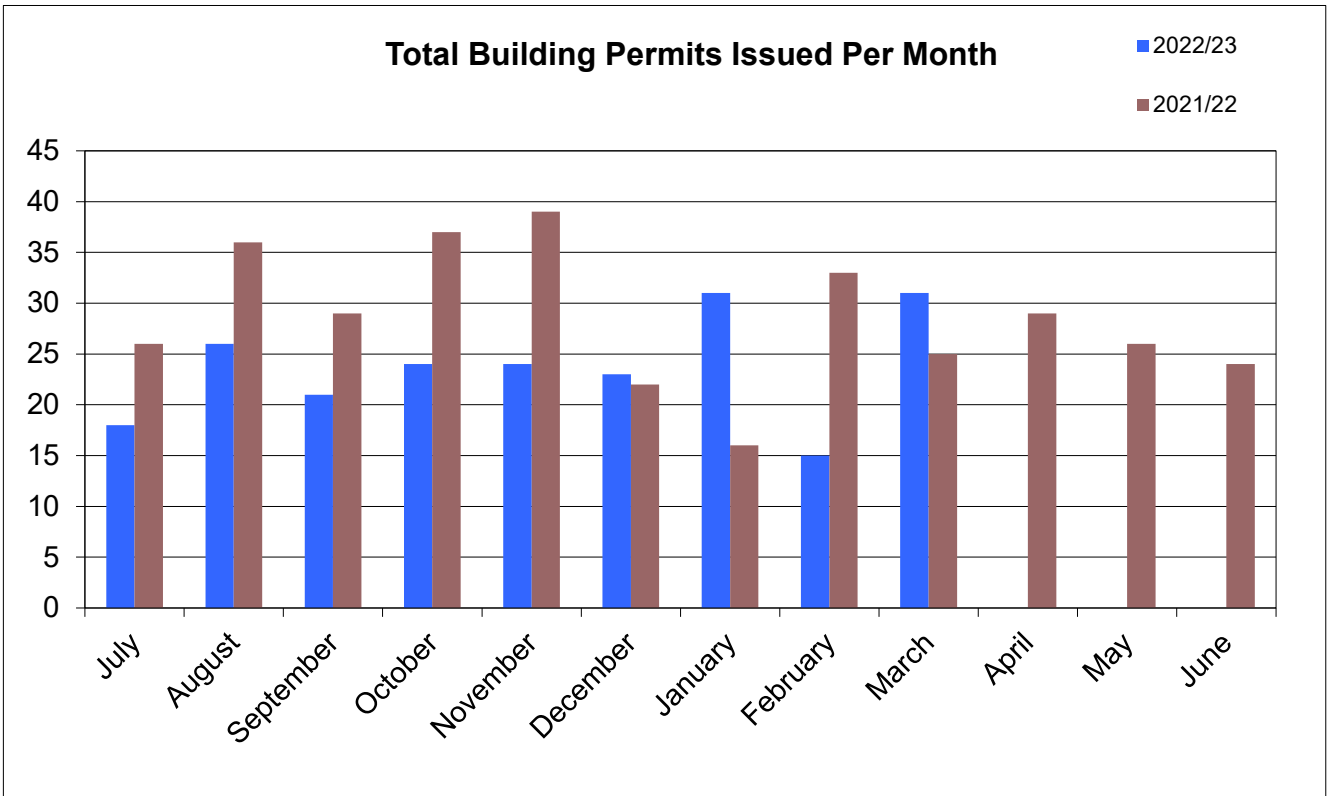
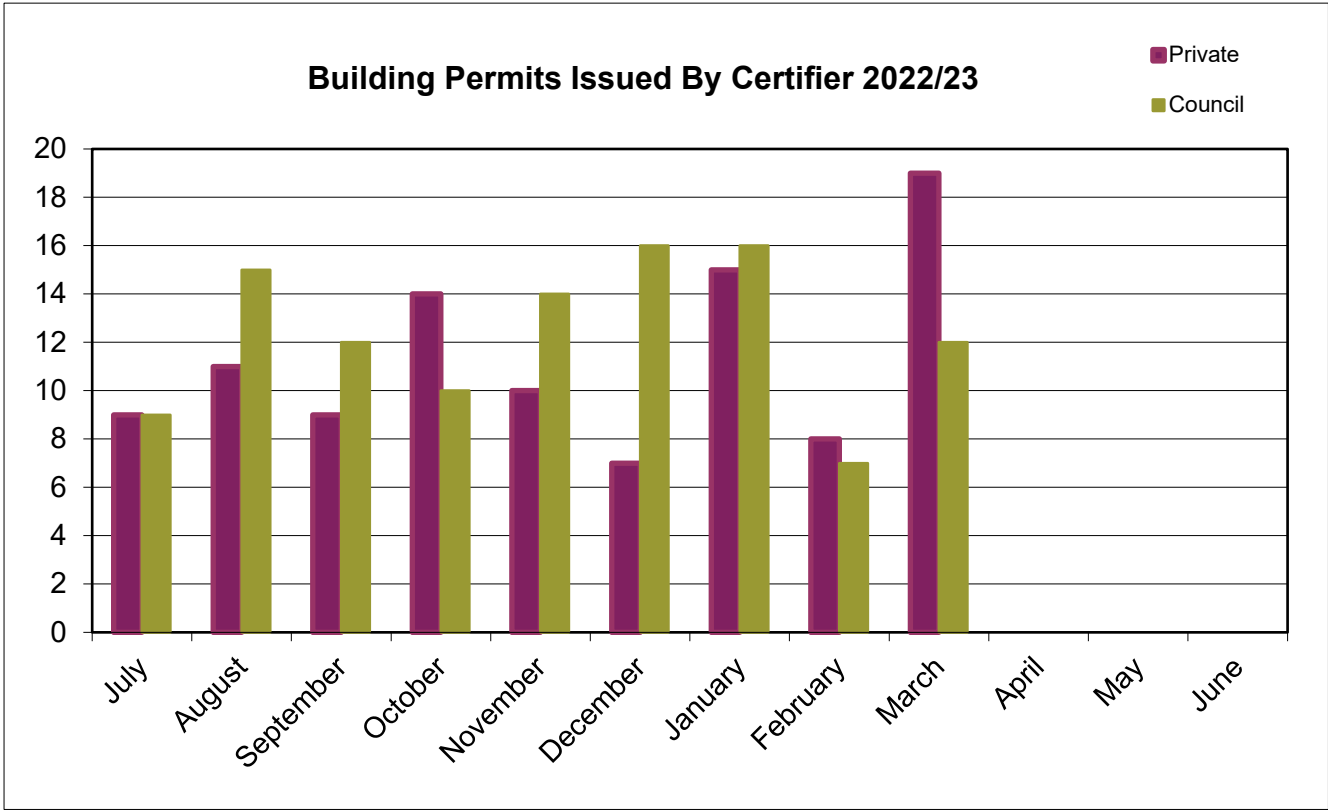


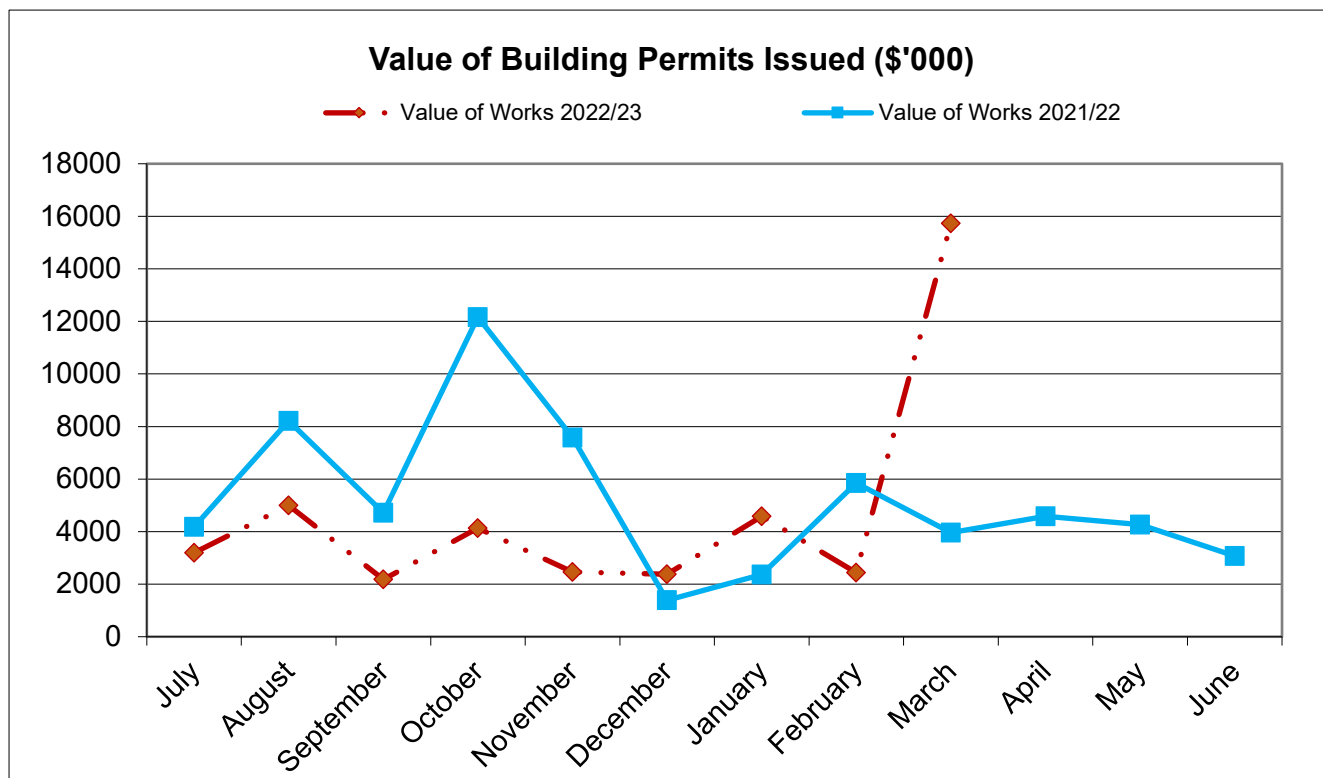
Building Approvals Issued by Council and Private Practitioners

File No	Description	Property Address	Value	
1	DA4063	Construction of a farm shed	723 Lake Mokoan Road, Chesney Vale	\$20,176
2	DA4565	Construction of a carport	27 River Gum Avenue, Benalla	\$15,119
3	DA5317	Construction of a shed	21 Noarana Drive, Benalla	\$59,400
4	DA7062	Construction of a verandah and carport	12 Lavery Street, Benalla	\$28,051
5	DA6635	Construction of a shed	63 Baines Lane, Benalla	\$57,000
6	DA3531/2	Construction of a farm shed	118 Yin Barun Road, Swanpool	\$61,000
7	DA6415	Construction of a carport and brick shed	11 Arundel Street, Benalla	\$12,796
8	DA3960	Removal of a dwelling	405 Benalla Warrenbayne Road, Benalla	\$60,000
9	DA5280	Convert a carport to a habitable room and construction of a carport	7 Heywood Street, Baddaginnie	\$13,187
10	DA7479	Demolition of a dwelling	543 O’Dea Road, Molyullah	\$5,000
11	DA3999	Construction of a verandah	17 Carrier Street, Benalla	\$65,000
12	DA7498	Dwelling re-stump	143 Mackellar Street, Benalla	\$33,495

File No		Description	Property Address	Value
13	DA7477	Construction of a swimming pool and safety barrier	34 Racecourse Road, Benalla	\$100,000
14	DA7486	Construction of a dwelling and garage	10 Everly Court, Benalla	\$339,403
15	DA7479	Construction of a dwelling	543 O'Dea Road, Molyullah	\$480,340
16	DA7496	Construction of a dwelling, garage and retaining wall	27 Roynic Parade, Benalla	\$271,963
17	DA7494	Construction of dwelling and garage	37 Senator Drive, Benalla	\$351,480
18	DA7490	Construction of a dwelling and garage	26 Roynic Parade, Benalla	\$277,810
19	DA3212/8	Single storey rehabilitation centre – site works and in-ground services	1619 Kilfeera Road, Molyullah	\$306,757
20	DA7495	Construction of a dwelling and garage	23 Roynic Parade, Benalla	\$326,192
21	DA3636	Change of use - ANZ to TAFE	24 Bridge Street East, Benalla	\$1,213,800
22	DA4297	Construction of a swimming pool and safety barrier	20 River Gum Avenue, Benalla	\$67,800
23	DA7195	Construction of a dwelling and carport	2911 Mansfield Whitfield Road, Tolmie	\$410,000
24	DA1722	Construction of a swimming pool and safety barrier	1777 Devenish Wangaratta Road, Mount Bruno	\$51,500
25	DA7501	Construction of a dwelling and garage	1 Everly Court, Benalla	\$272,285
26	DA7500	Construction of a dwelling and garage	3 Everly Court, Benalla	\$257,895
27	DA7503	Construction of a dwelling and garage	15 Livingston Boulevard, Benalla	\$257,840
28	DA2802	Construction of a dwelling and garage	22 Livingston Boulevard, Benalla	\$257,895
29	DA7493	Construction of a dwelling and garage	4 Meretz Avenue, Benalla	\$258,856
30	DA7471	Construction of a dwelling and garage	4 Mayfair Drive, Benalla	\$436,942
31	DA3212/8	Completion of works and demolition of existing building (rehabilitation)	1619 Kilfeera Road, Molyullah	\$9,019,525
Total				\$15,735,359

Building Permits Issued by Certifier by Month





COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

- A healthy, Safe and resilient community.
- A connected, involved and inclusive community.

Livability

- Vibrant public spaces and places.
- Connected and accessible roads, footpaths, transport and parking.

Economy

- Population growth.

Environment

- Healthy and protected natural environment.

Leadership

- Good governance.

Recommendation:
That the report be noted.

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P1162/2022
PERMIT APPLICATION NO. P0041/22

CATCHWORDS

Section 77 of the *Planning & Environment Act 1987*; Benalla Planning Scheme;
Electronic Promotion Sign – Visual Impacts

APPLICANT	Barzwood Trading Pty Ltd
REFERRAL AUTHORITY	Department of Transport
RESPONSIBLE AUTHORITY	Benalla Rural City Council
SUBJECT LAND	159-161 Bridge Street, Benalla VIC 3672
HEARING TYPE	Hearing
DATE OF HEARING	3 February 2023
DATE OF ORDER	30 March 2023
CITATION	Barzwood Trading Pty Ltd v Benalla Rural CC [2023] VCAT 342

ORDER

- 1 The decision of the Responsible Authority is set aside.
- 2 In permit application P0041/22 a permit is granted and directed to be issued for the land at 159-161 Bridge Street, Benalla in accordance with the endorsed plans and on the conditions set out in Appendix A. The permit allows:
 - Construction and display of an illuminated electronic promotion sign.

Tracy Watson
Member



APPEARANCES

For Applicant	Chris Barzen, Michael Wood & Karl Staer.
For Referral Authority	No appearance.
For Responsible Authority	Matthew Beazley, solicitor.

INFORMATION

Description of Proposal	It is proposed to install an illuminated electronic promotion sign.
Nature of Proceeding	Application under Section 77 of the <i>Planning and Environment Act 1987</i> – to review the refusal to grant a permit.
Planning Scheme	Benalla.
Zone and Overlays	Clause 34.01 – Commercial 1 Zone. Under Clause 34.01-9 signage is identified as Category 1 – Minimum limitation area pursuant to Clause 52.05-11. Clause 43.02 – Design and Development Overlay, Schedule 1 (Aerodrome Environs Area Benalla). Clause 45.09 – Parking Overlay (in part). Bridge Street is included in the Transport Zone 2.
Permit Requirements	The proposed sign requires a permit pursuant to Clauses 52.05-2 and 52.05-11. There are no permit triggers under the overlay provisions.
Relevant Scheme policies and provisions	Includes Clauses 15, 18, 34.01, 52.05, 65 and 71.02.
Land Description	The subject site is located on the northern side of Bridge Street East in Benalla. The subject site has a frontage of 37.19 metres, a depth of 32.61 metres and an overall site area of 1213m ² . A car wash, car detailing and drive-through coffee shop occupy the subject site.
Tribunal Inspection	2 March 2023.

REASONS¹

What is this proceeding about?

- 1 In August 2022, the Benalla Rural City Council issued a Notice of Decision to Refuse to Grant a Permit on four grounds relating to the proposal's visual impact. It is a decision that the permit applicant has requested be reviewed by the Tribunal.
- 2 I consider that the key question for determination is whether the proposed sign is acceptable in this location in terms of its visual impacts. The Council accepted that the proposed sign does not adversely impact the safety of pedestrian and vehicular traffic. This is because the Department of Transport does not object to the grant of a permit subject to specific conditions.
- 3 The Tribunal must decide whether a permit should be granted and, if so, what conditions should be applied. Having considered all submissions with regard to the applicable policies and provisions of the Benalla Planning Scheme, I have decided to set aside the decision of the Responsible Authority. My reasons follow.

Is the proposed sign acceptable in this location/ context?

Visual Impact

- 4 The Council argued that the proposed sign: is too visually dominant in this location (including its height and siting relative to the existing carwash building and nearby buildings); and is out of keeping with the area's character (including the nature of existing signage, none of which are illuminated electronic signs). The Council said that a non-illuminated promotional sign with a single, fixed image would be acceptable in this location, but opposed the digital, changing-image aspect of the proposed sign.
- 5 The subject site is part of a commercial linear strip which runs along Bridge Street. As demonstrated in the applicant's submission, this neighbourhood already includes a number of visually prominent business and promotion signs. The existing land use and development of the neighbourhood is reflected in its Commercial 1 zoning. The subject site also benefits from not being proximate to any existing residential properties. In other words, the scale and illumination of the proposed sign does not impact on existing residential amenity.
- 6 The subject site is within a Category 1 area (Minimum limitation) under Clause 52.05-11 of the planning scheme, which is the least restrictive of the four identified categories. The defined purpose for Category 1 areas is, "To

¹ I have considered all submissions and exhibits presented by the parties, along with the additional information submitted post-hearing. In accordance with the practice of the Tribunal, I do not recite or refer to all of the contents of those documents in these reasons.

provide for identification and promotion signs and signs that add vitality and colour to commercial areas.”

- 7 The minimal restriction and Category 1 area purpose is reflected in the fact that a non-illuminated promotion sign (which is a sign with an area of less than 18m²) does not even require a permit. The proposed sign has an area of 11.06m², which is well under the permissible maximum area for a promotion sign (that is, it is not a major promotion sign). The only reason that the proposed promotion sign requires planning permission is because it is an illuminated electronic sign.
- 8 It is also a relevant factor that there is an existing planning permit which approves signage, on the subject site, with exactly the same siting, height and dimensions as the proposed sign (albeit the approved sign is for business identification and not promotional purposes, and does not include any illumination). Although the approved business sign has not been installed, the sign’s supporting structure is in place. During my site inspection, this existing framing structure allowed me to readily appreciate the siting, height and form of the proposed sign relative to the existing carwash building and to other nearby buildings and signs in the area. My site inspection confirmed that the siting and overall dimensions of the proposed sign, including its maximum height of 6.5 metres above ground level, is consistent with the existing signage and development pattern of the area. In short, I am satisfied that the overall scale of the sign is respectful of its physical context, including the existing character of the area.
- 9 Clause 52.05-8 of the planning scheme includes a range of decision guidelines applicable to all signs, which I have considered. In relation to this proceeding, the decision guidelines are essentially seeking a sign which is consistent with its existing physical context and which does not cause any adverse road safety or visual clutter impacts. In terms of these decision guidelines, the subject site and surrounds is a non-sensitive area, distant from existing residences and without any particular views or vistas or other features (such as landscaping/ scenic values) that need to be protected.
- 10 The Clause 52.05-8 decision guidelines relating to the electronic, illuminated aspect of the proposed sign require a consideration of the following factors:
 - The impact of glare and illumination on the safety of pedestrians and vehicles.
 - The impact of illumination on the amenity of nearby residents and the amenity of the area.
 - The potential to control illumination temporally or in terms of intensity.
- 11 As I have already discussed, the impacts on safety and amenity are not issues of concern in this proceeding. In addition, the conditions of the permit will ensure that: the luminance of the sign is appropriately

controlled; the advertisement image change is instantaneous; and that each image must be displayed for at least 30 seconds before switching to a new image. The visual impact of the proposed sign is also reduced as it is limited to being a one-sided sign facing in an eastwards direction.

- 12 The draft permit conditions were discussed at the hearing, and the only substantial change I have made to these is to include an additional condition relating to the occasional use of the sign for the display of community related information. I have adjusted the Council's suggested wording of this additional condition to ensure that it does not conflict with the Department of Transport's requirement that the sign must not consist of present time or other contemporary update information relating to the news, weather or time.
- 13 For all of these reasons, I am satisfied that the proposed sign is acceptable and that its changing digital display can be appropriately managed by conditions of the permit.

Conclusion

- 14 For the reasons outlined above, I have determined to set aside the decision of the Responsible Authority.

Tracy Watson
Member

APPENDIX A

PERMIT APPLICATION NO:	P0041/22
LAND:	159-161 Bridge Street, Benalla VIC 3672
WHAT THE PERMIT ALLOWS:	<ul style="list-style-type: none">• Construction and display of an illuminated electronic promotion sign, generally in accordance with the endorsed plans.

CONDITIONS

1. The location and details of the sign as shown on the endorsed plans must not be altered or modified (for any reason) except with the prior written consent of the Responsible Authority.
2. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
3. The sign permitted by this permit must be maintained in good condition to the satisfaction of the Responsible Authority.
4. The sign hereby approved must display community-related advertising when requested by Benalla Rural City Council without charge on an ongoing basis to the satisfaction of the Responsible Authority.
5. If the sign is no longer required the sign and all supporting structures must be removed, and the site made good to the satisfaction of the Responsible Authority.
6. The sign must be installed totally within the boundary of the property.

Condition Nos. 7 to 19 required by the Department of Transport

7. The sign must be dimmable and have a suitable control system to enable maximum lighting levels to be set or adjusted if deemed necessary by the Responsible Authority and the Head, Transport Victoria.
8. Where illuminated during the day, the sign must be fitted with Photocell/s (light sensor/s) that measure the ambient light and control system technology that enables the luminance of the sign to automatically adjust relative to the measured ambient light level.

9. Any change to brightness levels must be applied during an image transition, not while an image is being displayed.
10. No advertisement must be displayed for less than 30 seconds.
11. The transition from one advertisement to another must be instantaneous.
12. The sign must not display content, images or text:
 - a. Giving the illusion of continuous movement.
 - b. Capable of being mistaken for traffic signals or traffic control devices, including red, amber or green circles, octagons, crosses or triangles.
 - c. Capable of being mistaken as an instruction to a road user, including the wording stop, give way, slow down, turn left or turn right.
 - d. Contain any animation.
 - e. Capable of being interpreted as projections beyond the face of the advertising screen such as through 3D technology.
 - f. Consisting of present time or other contemporary update information relating to news, weather or time.
 - g. Containing video, movie or television broadcasts.
13. The advertising area must not be split into two screens with different images.
14. The sign and any displayed advertisement must not include any ancillary extension, embellishment or accessorisation within or outside the permitted advertising area unless the Head, Transport for Victoria has agreed to in writing prior to its installation.
15. The use of sound or motion to activate the sign is not permitted.
16. The use of sound to interact with road users is not permitted.
17. The sign must not dazzle or distract road users due to its colouring.
18. In the event of an attack by a computer hacker or similar resulting in unauthorised display of visual images or any other display malfunction,

the electronic sign must shut down and cease any form of visual output until the malfunction is repaired.

19. This permit expires 15 years from the date of issue, at which time the sign and all supporting structures must be removed, and the site made good to the satisfaction of the Responsible Authority.
20. This permit will expire if the sign is not erected within 2 years of the date of this permit. In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the period referred to in this condition.

--- End of Conditions ---

12. Development Department Activity Report For The Quarter Ended 31 March 2023

SF/255
Nilesh Singh – Manager Development

PURPOSE OF REPORT

The report presents the activities of the Development department for the quarter ended 31 March 2023.

Strategic Planning

- In September 2019, the Council resolved to send Amendment C43 to the Minister for Planning for authorisation and then exhibit the amendment after authorisation. The amendment involves rezoning land at 167 Sydney Road, Benalla from Special Use Zone Schedule 3 to the Industrial 1 Zone. The amendment was submitted to the Minister for Planning for authorisation on 18 December 2020. Authorisation was given on 29 January 2021. Exhibition of the amendment has taken place with two objecting submissions received from a private land owner and North East Water. The proponent has been made aware of these submissions for further comment or discussion with the submitters.
- At a Planning and Development Committee Meeting on 5 October 2022 it was resolved to adopt the engagement plan for the Heritage Study. The engagement plan will now be implemented to obtain as much information as possible to inform the Heritage Study. Work is currently being undertaken by Heritage consultants to undertake the heritage study in consultation with key stakeholder groups as outlined in the engagement plan. The Heritage Committee will be commencing its meeting within the following quarter.
- At a Finance and Planning Committee meeting on 1 March 2023 it was resolved to adopt the Planning Scheme Review Report. Further work required by the report will need to be implemented by way of planning scheme amendments at a date to be determined. The Council has resolved to seek assistance from Regional Planning Hubs for this implementation.

Statutory Planning

- 37 applications received during the quarter.
- 40 applications decided during the quarter.
- 60 per cent of applications were decided within statutory timeframes.
- 392 phone calls received.

Building Surveying

- 319 phone calls received.
- 146 building inspections conducted.
- 32 building applications processed.
- 40 building applications lodged by private building surveyors.
- 108 building certificates issued.

Public Health

- Waiting on delivery of interim inhouse FoodTrader Oscar software from the State Health Department to coordinate and integrate only some limited mobile Environmental Health activities across Victoria at this stage.
- An outbreak of viral gastro at a school camp started with just a student and teacher affected then on return from the camp the majority of students and teachers developed n symptoms.
- Preparation for upcoming influenza immunisation program with Wodonga Council, State and Federal Health Department.

Compliance

- Impounded 50 domestic animals for the quarter.
- Received 107 related cat and dog requests by the community.
- Returned 42 cats and dogs to their families.

Emergency Management

- The Casey's Weir Emergency Water pump has been built. This unit is a major upgrade over the Honda unit that was stolen two years ago.
- The Heatwave Emergency Plan has been completed after consultation within the Council and with comment and feedback from the Municipal Emergency Management Planning Committee (MEMPC).
- The Municipal Emergency Animal Welfare Plan (MEAWP) is in its final review stages.
- Another round of Mobile Phone Blackspot funding has opened. A coordination meeting has been held involving several local councils and Federal Member for Indi Helen Haines. Council may put in a submission after input from Police and SES.

Manager Development**Septic Tanks**

- 15 'Permit to Install' issued.
- 16 'Certificate to Use' issued.
- 98 septic inspections conducted.

Engineering Referrals for Planning Permit

- 35 applications referred to engineering for comments on planning proposals.
- 15 Certification of a Plan of Subdivision issued.
- 5 Statement of Compliance of a Subdivision issued.
- 48 Legal Point of Discharge applications processed.

Wastewater Referrals for Planning Permit

Thirty applications referred for planning comments to engineering for comments on planning proposals.

Fee Dispensation

The Council supports community groups and not-for-profit organisations through fee dispensation or reduction and responding to other circumstances as warranted.

For the quarter ended 31 March 2023, four applications to the value of \$248 in fee dispensations were approved:

Community Events	0
Fundraising	1
Food premises Late Registrations	0
Planning Matters	0
Building Matters	0
Other	3

Applications Received:

Applicant	Permit Type	Value
Albury Wodonga Aboriginal Health Service	General Permit	\$62
Benalla RSL Sub Branch	General Permit	\$62
Anglican Church	Fundraising Permit	\$62
Benalla Migrant Association	Goods on Display Permit	\$62
Total		\$248

COUNCIL PLAN 2021-2025 ACTION PLAN

Community

A healthy, safe and resilient community		
Strategy	Action	March Quarter Update
Work closely with community and key stakeholders to plan for emergencies and build community resilience.	Develop a new <i>Municipal Emergency Management Plan (MEMP)</i> .	Developed and adopted by the Municipal Emergency Planning Committee.

A connected, involved and inclusive community		
Strategy	Action	March Quarter Update
Support and promote opportunities for the community to participate in a range of social, recreational, and arts and cultural programs, activities and events.	Investigate development of an Off-Leash Dog Park.	Report to Council in the May cycle for approval of location.

Livability

Vibrant public spaces and places		
Strategy	Action	March Quarter Update
Advocate for and act on opportunities to protect, maintain and preserve heritage assets.	Develop <i>Benalla Rural City Heritage Study</i> .	Consultant have completed stage one of the project which is the significance of areas and objects. Awaiting for committee meeting to clarify statement of significance.

FINANCIAL IMPLICATIONS

	Notes	2022/23 YTD Actual	2022/23 YTD Budget	2022/23 YTD Variance	2022/23 Full Year Forecast	2022/23 Full Year Budget
Development Operations	1	\$145,653	\$165,567	\$19,915	\$236,143	\$227,924
Planning	2	(\$17,628)	\$162,808	\$180,436	\$242,679	\$216,055
Building	3	\$211,006	\$129,045	-\$81,961	\$260,445	\$190,454
Compliance	4	\$502,430	\$525,107	\$22,677	\$641,354	\$657,571
Public Health	5	\$69,289	\$77,160	\$7,871	\$86,514	\$111,354
Emergency Management	6	(\$984,195)	\$2,161	\$986,356	(\$918,133)	\$22,992
Total		(\$73,446)	\$1,061,848	\$1,135,294	\$549,003	\$1,426,350

Notes:

1. Favourable variance in salaries due to delay in appointment of part time administrative staff member.
2. Favourable variance in salaries due to staffing. Underspent on consultants as Victoria Planning Authority Projects are being scoped. Favourable variance also due to income for permit fees.
3. Unfavourable variance due to Women in Building Surveyors Program was a carried forward item, expenditure was a forecast item.
4. Favourable variance due to additional School Crossing funding.
5. Favourable variance due to higher than anticipated permit and registration fees.
6. Favourable variance due to \$1 million of Emergency funding for (October 2022) Flood Event.

Recommendation:

That the report be noted.

13. Urgent Business

Closure of Meeting