

Finance and Planning Committee

Agenda

Date: Wednesday 15 May 2024

Time: 5.30pm

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

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* the Committee meeting will be lived streamed via the Council's website and an audio recording will be made of the proceedings of the meeting.

Members of the public are encouraged to watch the live broadcast of the meeting at www.benalla.vic.gov.au

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Agenda

Chair Cr Bernie Hearn

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

In attendance Dom Testoni Chief Executive Officer
 Robert Barber General Manager Corporate
 Jane Archbold Manager Community
 Cathy Fitzpatrick Manager Finance
 Janine McMaster Manager People and Performance
 Courtney Naughton Manager Economic Development and Sustainability
 Nilesh Singh Manager Development
 Greg Robertson Manager Facilities and Information Technology
 Jess Pendergast Governance 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.

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 10 April 2024 be confirmed as a true and accurate record of the meeting.

Business

1. Financial Report for Quarter Ended 31 March 2024

SF/1519

Cathy Fitzpatrick – Manager Finance

PURPOSE OF REPORT

The report presents the financial result compared to budget for third quarter ended 31 March 2024 and presents outcomes from the 2023/24 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 data 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 2024 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 2024 was a surplus of \$1.708 million which was \$1.825 million more favorable than the budgeted deficit of \$ 0.117 million as shown in Table 1 below.

Full Year (30 June 2024) Forecast Operating Result Compared to Budget

The forecast operating result for the year ending 30 June 2024 has been updated to reflect the budget review aligned with the forecast result for the draft Budget 2024/25.

The forecast operating result for the year ending 30 June 2024 is a deficit of \$5.209 million which is an unfavorable variance of \$14.663 million compared to the budgeted surplus of \$9.454 million as shown in Table 1 below.

Table 1 – Net Operating Result For the Period Ended 31 March 2024 and Third Quarter Forecast Compared To Budget As At 30 June 2024

Income Statement	Notes	2023/24 YTD Actuals \$'000	2023/24 YTD Budget \$'000	2023/24 YTD Variance \$'000	2023/24 Full Year Budget \$'000	2023/24 Q3 EOY Forecast \$'000	2023/24 Budget Forecast Variance \$'000
Income/Revenue							
Rates and charges	1	\$22,116	\$21,810	\$306	\$21,899	\$22,228	\$329
Statutory fees and fines	2	\$484	\$454	\$30	\$607	\$607	\$0
User fees	3	\$2,909	\$2,710	\$199	\$3,622	\$3,618	-\$4
Grants - operating	4	\$2,128	\$2,532	-\$404	\$6,839	\$3,258	-\$3,581
Grants - capital	5	\$649	\$0	\$649	\$14,356	\$4,256	-\$10,100
Contributions -monetary and non-monetary	6	\$396	\$90	\$306	\$257	\$399	\$142
Net gain (or loss) on disposal of property, infrastructure, plant, and equipment	7	\$901	\$21	\$880	\$25	\$901	\$876
Other income	8	\$778	\$220	\$558	\$231	\$878	\$647
Unearned income		(\$49)	\$0	\$49	\$0	\$0	\$0
Total Revenue		\$30,312	\$27,837	\$2,475	\$47,836	\$36,145	-\$11,691

Income Statement	Notes	2023/24 YTD Actual \$'000	2023/24 YTD Budget \$'000	2023/24 YTD Variance \$'000	Full Year Budget \$'000	Q3 EOY Forecast \$'000	EOY Budget Forecast Variance \$'000
Expenses							
Employee costs	9	\$9,729	\$10,060	\$331	\$13,450	\$13,629	-\$179
Materials and services	10	\$11,398	\$11,064	-\$334	\$15,743	\$17,797	-\$2,054
Depreciation	11	\$6,356	\$5,918	-\$438	\$7,891	\$8,323	-\$432
Amortisation - intangible assets	12	\$295	\$190	-\$105	\$253	\$394	-\$141
Amortisation - right of use assets		\$255	\$256	\$1	\$341	\$343	-\$2
Doubtful debts - allowance for impairment losses		-	-	\$-	\$14	\$14	\$0
Borrowing costs		\$93	\$87	-\$6	\$116	\$116	\$0
Finance costs - leases		\$21	\$14	-\$7	\$19	\$19	\$0
Other expenses	13	\$457	\$365	-\$92	\$555	\$719	-\$164
Total expenses		\$28,604	\$27,954	-\$650	\$38,382	\$41,354	-\$2,972
Surplus/(deficit) for the period		\$1,708	(\$117)	\$1,825	\$9,454	(\$5,209)	-\$14,663

Income Statement Notes:

1. Rate and Charges favourable variance due to supplementary rates and charges and additional revenue in lieu of rates and penalty interest income resulting in a favourable overall variance of \$305,846. Forecast favourable variance to 30 June \$329,441.
2. Statutory Fees and Fines: Favourable YTD variance of \$29,935, significant variances:
 - Permit Fees YTD favourable variance \$17,779
 - Fines YTD favourable variance \$5,338
 - Certificate Charges YTD favourable variance \$6,340

Minimal impact on the 30 June forecast.

3. User Fees: Favourable variance budget YTD due to timing in YTD budget lines. YTD favourable variance is \$199,170.

Significant favourable variance: Drainage head works income not included in the *2023/24 Budget*.

This income is included in full year forecast; however, this has been offset by forecast reduced Landfill Admission income of \$125,629. Overall result is a minimal change to the forecast User Fee income as at 30 June.

4. Operating Grants. Grant funding has a budget YTD unfavourable result of \$404,575 due to Financial Assistance Grant funding being paid in June 2023 which impacts YTD 2023/24 budget result by \$723,390.

The YTD impact was offset by additional non budgeted non-recurring operational grant funding received of \$318,092, including the following unbudgeted significant amounts:

Council Flood Support Fund	\$100,000
Council Rapid Antigen Testing Program	\$60,000
Free From Violence Local Government Project	\$50,000
Roadside Weed and Pest Management Program	\$41,956
Benalla Economic Diversification Plan	\$10,000
Premiers’ Reading Challenge	\$6,302
Government Paid Parental Leave	\$47,697

Operating grants funding has a 30 June forecast unfavourable result of \$3,580,892. The change in payment timing for Financial Assistance Grants will have a \$4,540,990 unfavourable impact on the full year forecast.

This was offset by the receipt of the following funding:

Natural Disaster Claims Funding	\$560,913
Benalla CBD Pedestrian Safety Treatments Projects	\$35,288

As well as the forecast of additional grant income for the following programs:

Free From Violence Local Government Project	\$100,000
Benalla Economic Diversification Plan	\$130,000

- 5. Capital Grants: Budget YTD favourable variance of \$649,400 due to the payment of Roads to Recovering funding. This funding was budgeted for receipt later in the year.

Full year forecast 30 June result is an unfavourable variance of \$10,100,037 million due to a reforecast of the anticipated flood asset restoration funding from \$10 million to \$250,000.

- 6. Contributions: Favourable YTD budget variance of \$305,865 due to timing differences and additional funding contributions. Significant contributions included:

Street Art	\$125,000
Public Open Space Contributions	\$88,767
Tobacco Funding	\$19,600
Art Gallery – Robert Salzar	\$18,500
Alliance CH Flexible Packages	\$10,776
Rotary Club – Parks and Gardens	\$10,500
FReeZa	\$10,426
Art Gallery – Community Heritage Funding	\$8,341
Art Gallery - Darling Travel Funding	\$5,000

Forecast results to 30 June reflects additional income and timing alliance with a favourable variance of \$141,829.

- 7. Net gain (or loss) on disposal of property, infrastructure, plant, and equipment: Favourable variance due to unbudgeted sale of Enterprise Park land.

Forecast at 30 June 2024 favourable is a \$901,000 favourable variance, however, this may change once road assets are revalued as part of end of year fair value assessments.

8. Other income: Favourable YTD budget variance of \$557,977 due to more than budgeted interest received. End of year 30 June forecast is expected to be favourable \$646,700.

Expenses

9. Employee costs: YTD budget has a favourable variance of \$331,361 primarily due to staff movements. Forecast results to 30 June is expected to be unfavourable by \$179,659 due to additional labour costs for several grant funded positions and additional services provided as a result weather events.

10. Materials and services: YTD unfavourable budget variance of \$334,294. Significant variance due to staff shortage at the Benalla Landfill and Resource Recovery Centre requiring the engagement of contract staff. Impacts of flood and storm events on numerous contracts and a variation in the timing of the delivery of services. Significant variances:

Contract payments	\$340,946
EPA Levy	\$334,946
Contract Staff	\$185,591
Services (non-contract) to Council	\$156,836
Memberships and subscriptions	\$70,776

30 June forecast unfavourable variance of \$2,054,009. Impacted by carry forward expenditure items from 2022/23 totalling \$930,000 and the delivery of additional grant funded projects.

Full year forecast difference is related to \$930,560 of carry forward still not expended and additional EPA levy forecast higher by \$294,390 and \$479,955 forecast higher on consultants related to capital expenditure scoping projects, including Benalla Indoor recreation Centre planning and design \$228,014, January 2024 storm event \$100,000, Emergency events \$97,051 and Benalla CBD Pedestrian Safety Treatments project \$35,288.

Materials and services expenditure to 31 March 2024 is detailed in **Appendix 1**.

11. Depreciation: YTD unfavourable budget variance \$438,200 and full year forecast 30 June unfavourable variance of \$432,068 due to revaluation of Buildings and Rads assets as at 30 June 2023.
12. Amortisation intangible assets: YTD unfavourable budget variance of \$105,233 due to adjustment in the calculation of the landfill airspace at 30 June 2023.

Full year forecast 30 June has an unfavourable forecast of \$140,306 due to an airspace amortisation adjustment of \$35,076 per quarter.

13. Other expenses: YTD budget unfavourable variance of \$91,487 and full year forecast variance of \$164,024 is primarily due to the payment of community contributions for the Town Projects program which was not included in the 2023/24 Budget, but were forecast as part of the Local Roads and Community Infrastructure Program phase three carry forward funding.

CAPITAL PROJECTS PROGRAM RESULT

The Capital Projects Program result for the nine months ended 31 March 2024 was expenditure of \$4.467 million which was \$4.282 million less than the budgeted expenditure of \$8.749 million as shown in Table 2 below.

An update on the Capital Projects program will be presented to the Council meeting on 29 May 2024.

Table 2 – Capital Program result for the period ending 31 March 2024 and Third Quarter Forecast to 30 June 2024

Asset By Type	2023/24 YTD Budget \$'000	2023/24 YTD Actuals \$'000	2023/24 YTD Variance \$'000	2023/24 Full Year Budget \$'000	2023/24 Q3 Year Forecast \$'000
Bridges	\$391	\$63	\$328	\$500	\$538
Roads	\$5,241	\$1,684	\$3,557	\$12,046	\$2,670
Footpaths	\$94	\$344	-\$250	\$185	\$506
Drainage	\$1,057	\$190	\$867	\$1,182	\$436
Buildings	\$951	\$950	\$1	\$2,931	\$1,237
Plant, Machinery and Equipment – Capital	\$414	\$112	\$302	\$650	\$650
Fixtures, IT, Fittings and Furniture, Artworks	\$30	\$252	-\$222	\$30	\$386
Computers and Telecoms	\$90	\$28	\$62	\$452	\$310
Library Stock	\$84	\$89	-\$5	\$96	\$96
Waste Management	\$25	\$157	-\$132	\$2,633	\$154
Recreational, Leisure, Community	\$0	\$0	\$0	\$0	\$0
Parks, Open Spaces and Streetscapes	\$20	\$368	-\$348	\$20	\$635
Aerodromes	\$0	\$0	\$0	\$25	\$0
Off-Street Car Parks	\$0	\$146	-\$146	\$0	\$170
Other	\$352	\$84	\$268	\$456	\$485
Total	\$8,749	\$4,467	\$4,282	\$21,206	\$8,273

INVESTMENT STRATEGY

During 2023/24 the Council undertook the statutory process to sell land at Enterprise Park, Benalla. Following settlement of the land sale and throughout the Councillor proposed 2024/25 Budget workshops, the investment of cash funds from the sale was discussed. In particular, it was proposed that specific reserve funds be established for future projects and programs.

Local government sector cash management business practices do recommend against the establishment of separate reserve bank accounts for specific activities. All interest earnings from investments are recognised in the operating statement yearly. Banks are required to pay interest earned yearly. Overall, cash investment management is a principal part of the cash flow management in the 4-year budget and 10-year Long Term Financial Plan

Council Policy – 29 Investment Policy requires the Council’s investment portfolio to be reported to the Council on a quarterly basis which is included in the Finance Department quarterly report. Cash is managed and invested in accordance with operational peaks and troughs, being mindful of short-term cash requirements of Council, no specific reserve has a nominated value of investment.

It would be possible to identify this specific cash investment bundle \$1.570 million into an investment package in June 2024 and report quarterly on the investment of those funds and earned interest levels as part of its overall investment management strategy.

Annually as part of the Council’s Annual Budget process each year consideration for any associated change in value of this bundled investment amount can be determined as part of the Capital Expenditure Program.

The intention outlined below was for one cash investment for these functions and any interest earnings to be reinvested for these purposes:

Local Authorities Superannuation Fund Defined Benefit Plan	\$500,000
Lake Mokoan Inlet Channel	\$695,000
Open Space Contribution	\$375,000
Total	\$1,570,000

Local Authorities Superannuation Fund Defined Benefit Plan

The Council has an ongoing obligation to fund any investment shortfalls in the Local Authorities Superannuation Fund Defined Benefit Plan scheme. The most recent call on local government was in 2012/13 where the Council was required to pay \$1.8 million to top up its share in scheme.

The amount and timing of any liability is dependent on the global investment market. At present, the actuarial ratios are at a level such that additional calls from the sector are unlikely in the next 12 months. Annual interest earnings can be reinvested in the fund to be accessed to pay a call as required.

Lake Mokoan Inlet Channel Reserve

Lake Mokoan Reserve Inlet Channel Reserve \$695,000 is separately recognised in the Council's financial reports in the balance sheet under Equity in the reserves item. It is not required to be separately cash backed.

The Lake Mokoan Inlet Channel Reserve is for maintenance of Lake Mokoan channels providing funds to maintain a yearly management program with small capital uses (new culverts) over 60 years. The intent is to invest \$695,000 recognising any interest earnings yearly and reinvested to future fund capital works associated with the channel.

Open Space

This \$375,000 cash investment will be used to fund open space projects in future capital works programs. Interest earned will be reinvested.

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

Leadership

- Good governance.
- High performance culture.

FINANCIAL IMPLICATIONS

The 30 June 2024 \$5.209 million deficit forecast (a \$14,663 million unfavourable variance) has been significantly impacted by the reduction of grant income:

- Capital grant income reforecast of the anticipated flood asset restoration funding from \$10 million to \$250,000.
- Financial Assistance Grant funding budgeted in 23/24 \$4,540,990, however, funds were received in the 22/23 financial year.

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.**

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Materials and services expenditure to 31 March 2024

Appendix 1

Materials and Services	2023/24 YTD Actuals	2023/24 YTD Budgets	2023/24 YTD Variance
04: Vandalism	\$ 500.00	\$ 6,471.00	\$ 5,971.00
05: Contract Staff	\$ 262,932.12	\$ 77,391.00	-\$ 185,541.12
06: Catering & Refreshments	\$ 33,107.96	\$ 27,720.00	-\$ 5,387.96
07: Materials	\$ 769,512.46	\$ 838,201.00	\$ 68,688.54
08: Contract Payments	\$ 3,789,584.12	\$ 3,448,638.00	-\$ 340,946.12
09: Merchandise	\$ 49,106.25	\$ 44,397.00	-\$ 4,709.25
10: Functions & Receptions	\$ 38,078.38	\$ 21,033.00	-\$ 17,045.38
11: Stores Issues	\$ 173,683.28	\$ 121,356.00	-\$ 52,327.28
12: Repairs & Maintenance	\$ 277,392.28	\$ 322,917.00	\$ 45,524.72
18: Lease Payments	\$ 5,980.40	\$ 81,261.00	\$ 75,280.60
20: Bank Charges	\$ 42,833.22	\$ 41,472.00	-\$ 1,361.22
21: Advertising & Promotion	\$ 56,461.60	\$ 53,055.00	-\$ 3,406.60
23: Exhibitions	\$ 66,855.10	\$ 59,058.00	-\$ 7,797.10
24: Insurance	\$ 500,071.76	\$ 628,196.00	\$ 128,124.24
25: Legal Expenses	\$ 107,864.58	\$ 136,634.00	\$ 28,769.42
26: Consultants General	\$ 243,962.07	\$ 375,786.00	\$ 131,823.93
27: Membership & Subscriptions	\$ 232,412.25	\$ 161,646.00	-\$ 70,766.25
28: Security Expenses	\$ 29,325.84	\$ 30,024.00	\$ 698.16
29: Postage & Freight	\$ 38,538.01	\$ 42,273.00	\$ 3,734.99
30: Printing, Copying & Stationery	\$ 43,441.32	\$ 78,111.00	\$ 34,669.68
31: Rent	\$ 36,784.24	\$ 41,139.00	\$ 4,354.76
32: Computer Support/Software	\$ 641,535.66	\$ 579,488.50	-\$ 62,047.16
33: Internal Plant Hire Expense	\$ 4,655.50	\$ 163,098.00	\$ 158,442.50
35: Travel Expenses	\$ 10,155.34	\$ 2,250.00	-\$ 7,905.34
36: Meeting Expenses	\$ 4,279.50	\$ 4,545.00	\$ 265.50
37: Staff Training / Courses	\$ 96,690.98	\$ 102,726.00	\$ 6,035.02
38: Vehicle Expenses	\$ 6,753.38	\$ -	-\$ 6,753.38
39: Electricity	\$ 316,326.83	\$ 392,913.00	\$ 76,586.17
40: Water Consumption	\$ 33,686.04	\$ 56,637.00	\$ 22,950.96
41: Gas	\$ 20,705.60	\$ 26,046.00	\$ 5,340.40
42: Telephone	\$ 70,151.11	\$ 111,771.00	\$ 41,619.89
43: Contributions & Reimbursements	-\$ 26,305.53	\$ 26,102.00	\$ 52,407.53
47: Green Waste Mulching	\$ 60,397.09	\$ 15,975.00	-\$ 44,422.09
49: Machine Hire	\$ 12,804.77	\$ 7,875.00	-\$ 4,929.77
51: E.P.A. Levy	\$ 1,179,564.86	\$ 844,974.00	-\$ 334,590.86
52: Domestic Animals Levy	\$ -	\$ 10,440.00	\$ 10,440.00
53: Management Committees	\$ 50,074.73	\$ 108,387.00	\$ 58,312.27
54: Cleaning Expenses	\$ 188,491.13	\$ 167,432.00	-\$ 21,059.13
103: Vehicle Fuel	\$ 287,603.19	\$ 257,589.00	-\$ 30,014.19
104: Vehicle Maintenance - Standard	\$ 23,929.20	\$ 62,847.00	\$ 38,917.80
105: Vehicle Lease Payments	\$ 20,799.97	\$ 12,141.00	-\$ 8,658.97
109: Canteen Trading Purchases	\$ 14,946.12	\$ 5,589.00	-\$ 9,357.12
110: Performing Fees	\$ 59,115.30	\$ 37,422.00	-\$ 21,693.30
126: Landfill Daily Cover	\$ -	\$ 10,251.00	\$ 10,251.00
127: Landfill Rock Supplied	\$ 30,818.81	\$ 27,558.00	-\$ 3,260.81
128: Gas Monitoring - Landfill	\$ 6,560.00	\$ 14,382.00	\$ 7,822.00
130: PAG Meal Costs	\$ -	\$ 63.00	\$ 63.00
131: Diesel Rebate (Negative Expense)	-\$ 46,242.00	-\$ 20,619.00	\$ 25,623.00
138: Councillors Training	\$ 3,507.63	\$ 11,025.00	\$ 7,517.37
140: Carry Forward Expenditure	\$ 1,730.00	\$ -	-\$ 1,730.00
144: Vehicle Maintenance - Repairs	\$ 145,933.31	\$ 103,950.00	-\$ 41,983.31
145: Tyres Purchased for Plant	\$ 36,160.99	\$ 13,365.00	-\$ 22,795.99
146: Registrations	\$ 19,192.44	\$ 17,514.00	-\$ 1,678.44
16: Services (Non Contract) To Council	\$ 1,233,889.85	\$ 1,077,053.76	-\$ 156,836.09
160: Audit / Monitoring costs Landfill	\$ 40,050.60	\$ 111,375.00	\$ 71,324.40
170: Museum Fees	\$ -	\$ 792.00	\$ 792.00
179: Electric Vehicle (EV) Charging	\$ 797.42	\$ -	-\$ 797.42
199: Internal Charge - Expense	\$ 41,475.98	\$ 13,833.00	-\$ 27,642.98
34: Goods Delivered (Contractual)	\$ 9,801.33	\$ 50,346.00	\$ 40,544.67
Total	\$ 11,398,464.37	\$ 11,063,915.26	-\$ 334,549.11

2. Finance Department Activity Report For The Quarter Ended 31 March 2024

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 2024.

Finance

- Quarter 3 review of forecast result for 30 June 2024 considering impacts against budget phasing 2023/24 and CAPEX 2023/24 given impact of amended flood restoration activities.
- Released 2024/25 Budget Program and Business Planning Guidance Instructions.
- Internal Audit undertaken - External Audit Preparedness
- The Finance Team attended a two-day training workshop on strategic asset management system.
- Finance Staff attended fringe benefit tax training.
- Ongoing assessment of proposed new financial computer system as a part of the CODI project.

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
31/03/24	\$114,503	\$141,413	\$281,064	\$500,271	\$1,037,251
31/12/23	\$357,687	\$153,944	\$96,030	\$142,074	\$749,735
30/09/23	\$87,821	\$83,695	\$125,195	\$348,241	\$644,952
30/06/23	\$34,236	\$95,687	\$128,329	\$492,225	\$750,477
31/03/23	\$76,473	\$7,629	\$117,961	\$618,359	\$820,422

Investment Portfolio

In accordance with the Investment Policy, details of investments held at 31 March 2024 are provided in the following table.

Table 1. Investments held at 31 March 2024

Bank	Short-term credit rating	Investment type	Amount invested '000	Interest rate	Term (days)	Maturity date
Westpac	A-1+	TD	\$2,104	5.20%	154	29-Apr-24
ANZ	A-1+	TD	\$3,900	4.81%	121	24-May-24
Westpac	A-1+	TD	\$5,170	5.06%	151	29-Jul-24
NAB	A-1+	TD	\$3,215	4.98%	182	07-Aug-24
Westpac	A-1+	TD	\$1,130	4.97%	245	25-Nov-24
Westpac	A-1+	TD	\$1,002	4.97%	245	25-Nov-24
NAB	A-1+	TD	\$978	4.98%	275	21-Dec-24
Subtotal			\$17,499			
CBA	A-1+	At call	\$4,276	0.25%		
CBA	A-1+	Operating	\$6,733	3.85%		
Subtotal			\$11,009			
Total			\$28,508			

*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 2024 are attached in **Appendix 1**.

Loan terms are:

Loan Number	Type	Term
16 to 17	Variable	10 years
18	Fixed – principal and interest	10 years
19	Variable	10 years
20	Fixed	10 years
21	Fixed	10 years
22	Variable	10 Years

Procurement

Contracts and Works Awarded Under Delegation

The purpose of this sections is to inform the Council and Community of publicly advertised tenders which have been awarded under delegation for the period 1 January 2024 – 31 March 2024.

Fifteen contracts were awarded for the period 1 January 2024 – 31 March 2024.

Details of awarded contracts have been provided to councillors as a confidential attachment (refer **Appendix 2**).

Delegation of Procurement Authority to Chief Executive Officer

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

The following table provides a summary of approvals for the period 1 January 2024 – 31 March 2024 (inc. GST).

Date Endorsed	Type	Amount
4/3/2024	Fire Services Property Levy Collections – third instalment 23/24	\$401,181
23/2/2024	EPA Victoria – Quarterly Waste Levy – October to December 2023	\$336,513

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.
- E-notice stats:
 - EzyBill – 551 (+31)
 - BPAY View – 406 (+0)

EzyBill allows access to rate notices from any device, making payment both easy and convenient.

BPAY is an easy and secure way to pay and manage bills from your online banking.

Rates and Charges Revenue

Third instalment notices were issued on 23 January 2024 with payment due by 28 February 2024. Reminder notices were issued on 14 March 2024. There were 1,008 notices issued for debts totaling just under \$1.123 million.

Valuation objections have now been finalised by Valuer-General Victoria. The 45 objections were accepted and resulted in a reduction of over \$40,000 rate revenue.

There is one final supplementary valuation batch to be processed.

Appendix 3 details the overall rates and charges generated and collected and apportions the unpaid balance between arrears from previous years of \$567,000 and unpaid charges levied in the current year amounting to \$5.04 million.

Rate arrears collected in the current year amount to \$361,000. This figure decreased in the previous quarter and remains lower (-12 percent) than the same quarter last year. This change, compared to the previous quarter, may be a result of cost-of-living pressures affecting ratepayers’ capacity to pay.

Collections, as a proportion of overall levied amounts, are down compared to the same quarter last year (-1.90 percent). The cost-of-living crisis and relaxed formal collection activity has likely contributed to this increase.

Appendix 4 provides a graph summary comparing the 2023/24 rate instalments due with the total instalments paid as at 31 March 2024.

Spatial data management

The following table includes spatial data management statistics.

Task	March 2024	December 2023	September 2023	June 2023
Rural Road numbers and urban addresses issued (not part of new subdivisions)	10	16	25	1
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.	451	162	56	94
Totals	461	180	90	110

Corporate GIS

- Mapping file audit completed and translated their projection from GDA94 to GDA2020.
- Ongoing corporate GIS tasks, including GIS training and auditing mapbase to correspond to the VicMap data.

COUNCIL PLAN 2021-2025 ACTION PLAN

Leadership

Good Governance		
Strategy	Action	March Quarter Update
Deliver responsible budget outcomes linked to strategy that maintain financial sustainability and deliver value for money and rating fairness.	Ongoing development of <i>Financial Plan</i>	<ul style="list-style-type: none"> ▪ Budget Forecast result for 30 June 2024 completed. ▪ Prepared proposed 2024/25 Budget for release in May 2024.

FINANCIAL IMPLICATIONS

Operating Budget result for the period ending 31 March 2024

	Notes	2023/24 YTD Actuals \$'000	2023/24 YTD Budget \$'000	2023/24 YTD Variance \$'000	2023/24 Full Year Budget\$ '000	2023/24 Full Year Forecast \$'000
Accounting Services	1	(\$100)	\$554	\$657	(\$2,189)	\$114
Property and Valuations	2	(\$17,729)	(\$17,396)	\$333	(\$17,412)	(\$17,731)
Acquisition and Disposal of Council Properties	3	(\$901)	(\$21)	\$881	(\$25)	(\$901)
Total		(\$18,731)	(\$16,862)	\$1,869	\$19,626	\$18,519

Notes:

1. Interest expense favourable variance of \$657,001 as interest expenses actual lower than budgeted. Partly offset by unfavourable additional online transaction charges and higher expenses of \$9,555.
Forecast at 30 June 2024 unfavourable due to Victoria Grants Commission payment for 2023/24 being received in 2022/23.
2. Additional Rates and Charges revenue supplementary rates and charges \$333,362.
Forecast return on supplementary rates will not be altered until valuation objections finalised.
3. Disposal of Council Properties favourable variance as the Sale of Land - Enterprise Park was not budgeted for in 2023/24. Forecast at 30 June 2024 favourable \$901,000 impact of infrastructure road assets still to be finalised as part of end of year fair value assessment.

Recommendation:

That the report be noted.

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Loans held at 31 March 2024

Interest to be paid:

Loan Number	2023/2024 Year	2024/2025 Year	2025/2026 Year	2026/2027 Year	2027/2028 Year	2028/2029 Year	2029/2030 Year	2030/2031 Year	2031/2032 Year	Totals
16	\$5,139	-	-	-	-	-	-	-	-	\$5,139
17	\$12,127	\$4,059	-	-	-	-	-	-	-	\$16,186
18	\$5,630	\$3,561	\$1,372	-	-	-	-	-	-	\$10,563
19	\$10,796	\$8,071	\$4,961	\$1,686	-	-	-	-	-	\$25,514
20	\$9,499	\$7,528	\$5,395	\$3,286	\$1,062	-	-	-	-	\$26,771
21	\$9,778	\$8,146	\$6,487	\$4,773	\$3,010	\$1,174	-	-	-	\$33,367
22	\$77,822	\$68,731	\$58,357	\$47,983	\$37,709	\$27,235	\$16,861	\$6,487	-	\$341,187
Total Interest Payable	\$130,792	\$100,096	\$76,571	\$57,728	\$41,781	\$28,410	\$16,861	\$6,487	\$0	\$458,727

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
16	\$133,677	-	-	-	-	-	-	-	-	\$133,677
17	\$108,961	\$105,790	-	-	-	-	-	-	-	\$214,751
18	\$54,570	\$56,639	\$58,819	-	-	-	-	-	-	\$170,027
19	\$52,170	\$54,924	\$58,034	\$52,895	-	-	-	-	-	\$218,023
20	\$51,654	\$53,625	\$55,758	\$57,867	\$50,061	-	-	-	-	\$268,966
21	\$48,971	\$50,602	\$52,262	\$53,976	\$55,738	\$57,671	-	-	-	\$319,221
22	\$190,000	\$190,000	\$190,000	\$190,000	\$190,000	\$190,000	\$190,000	\$190,000	-	\$1,520,000
Total Principal Payable	\$640,002	\$511,581	\$414,873	\$354,738	\$295,799	\$247,671	\$190,000	\$190,000	\$0	\$2,844,664

Rates and Charges Collections Report

As at 2 Apr 2024

	Rates	Interest	Legal	Total	Comments
Arrears as at 01/7/2023	\$860,264	\$50,692	\$16,794	\$927,750	Unpaid amounts up to and including the 2022/23 rating year
Payments					
30/09/2023	-\$59,898	-\$8,507	-\$810	-\$69,215	
31/12/2023	-\$174,171	-\$6,249	-\$1,013	-\$181,433	
31/03/2024	-\$103,808	-\$4,264	-\$2,224	-\$110,296	
30/06/2024					
Total	-\$337,878	-\$19,020	-\$4,047	-\$360,945	
Arrears Rates Balance	\$522,387	\$31,672	\$12,747	\$566,805	Arrears Unpaid as at 01/04/2023

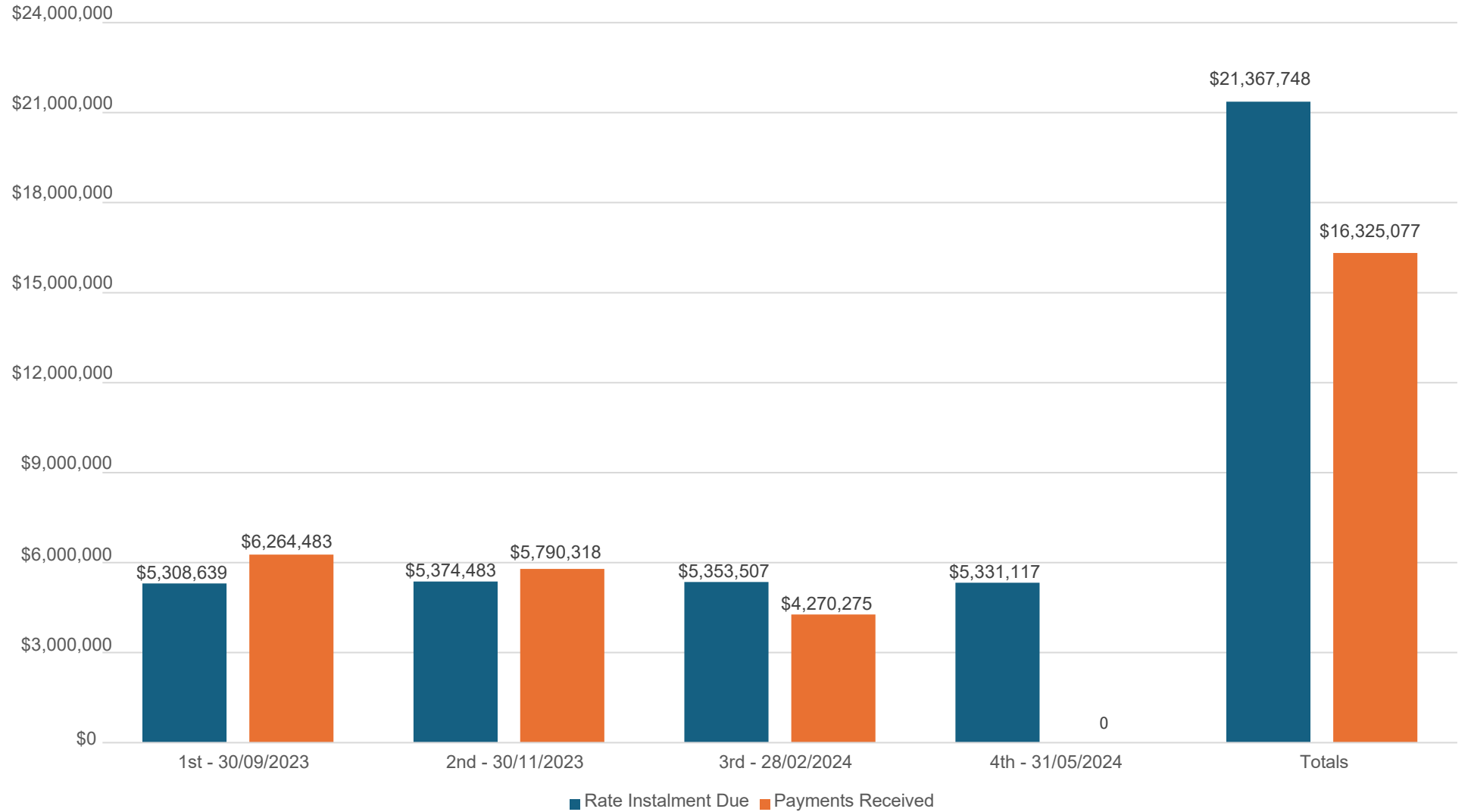
Current Rates/Charges	Rates	Interest	Legal	Total	Comments
Raised					2022/23 Rates including Municipal and Waste Management Charges (includes additional rates levied on new houses and subdivided lands)
30/09/2023	\$21,610,933	\$6,254	\$5,739	\$21,622,926	
31/12/2023	\$165,110	\$19,697	\$4,708	\$189,515	
31/03/2024	-\$32,099	\$20,879	\$1,511	-\$9,708	
30/06/2024					
Total	\$21,743,944	\$46,831	\$11,958	\$21,802,733	

Pension Concessions	Rates	Interest	Legal	Total	Comments
					State Govt - reimbursed by DHHS
30/09/2023	-\$424,351	\$0	\$0	-\$424,351	
31/12/2023	-\$4,811	\$0	\$0	-\$4,811	
31/03/2024	-\$5,824	\$0	\$0	-\$5,824	
30/06/2024					
TOTAL	-\$434,985	\$0	\$0	-\$434,985	

Net Rates for Collection	Rates	Interest	Legal	Total	Comments
	\$21,308,959	\$46,831	\$11,958	\$21,367,748	Payments received to date for current year rates
Payments					
30/09/2023	-\$6,262,005	-\$1,335	-\$1,144	-\$6,264,484	
31/12/2023	-\$5,781,428	-\$8,699	-\$191	-\$5,790,318	
31/03/2024	-\$4,259,131	-\$10,032	-\$1,111	-\$4,270,275	
30/06/2024					
TOTAL	-\$16,302,564	-\$20,067	-\$2,446	-\$16,325,077	

	Rates	Interest	Legal	Total	Comments
Current Rates Balance	\$5,006,395	\$26,764	\$9,513	\$5,042,671	Current Unpaid as at 2/04/2024
Balance Remaining	\$5,528,782	\$58,436	\$22,259	\$5,609,476	Balance as at 2/04/2024

2023/24 Rates and Charges - Due and Collected to 31 March 2024



3. Development Department Activity Report For The Quarter Ended 31 March 2024

SF/255

Nilesh Singh – Manager Development

PURPOSE OF REPORT

The report presents the activities of the Development department for the quarter ended 31 March 2024.

Strategic Planning

- 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. In the meantime, the Regional Planning Hub has provided the Council with the remaining allocated funds to complete the study works (Stage 2). Procurement has been completed to engage a heritage consultant to complete 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 (Stage 1). The Heritage Working Group has held one meeting to date and has provided valuable feedback for implementation into the Heritage Study.
- Procurement for technical reports to progress the Benalla Urban Growth Study is in progress and many of the tenders have been awarded. Work on the technical reports including Cultural Heritage, Native vegetation and Traffic Studies have begun and will inform how residential growth can be achieved in the area to the west of Mansfield Road and to the northwest of Benalla.

Statutory Planning

- 28 applications received during the quarter.
- 57 applications decided during the quarter.
- 62.96 per cent of applications were decided within statutory timeframes.
- 250 phone calls received.

Building Surveying

- 194 building inspections.
- 92 building certificates.
- 21 building permits issued.
- 51 private building permits issued.
- 496 phone calls.

Public Health

- Reports of landlords not communicating with building occupants, rental agents and properly maintaining building safety when renting commercial buildings to food premises operators. This creates occupational health and safety issues, insurance, and public safety issues. Council's development department can assist businesses with compliance to meet their legislative requirements.

Compliance

- The compliance team impounded 85 domestic animals.
- Responded to 116 domestic animal related requests.
- 44 dogs and cats were returned to their homes.

Emergency Management

- Pandemic Plan review and rewrite completed with able assistance from local GP, Public Health Coordinator and Regional Manager Department of Health.
- Municipal Emergency Animal Welfare Plan completed with able assistance from Compliance and Department of Agriculture.
- Initial notification form the Goulburn Broken Catchment Management Authority of \$180,000 Department of Energy, Environment and Climate Action funded grant for full flood study for Baddaginnie catchment.

Manager Development

Septic Tanks

- 18 'Permit to Install' issued.
- 14 'Certificate to Use' issued.
- 86 septic inspections conducted.

Wastewater Referrals for Planning Permit

- 25 applications were referred for planning comments to Manager Development for wastewater comments for 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 2024, seven applications to the value of \$1,895.70 in fee dispensations were approved:

Community Events	1
Fundraising	2
Burning Off	0
General	1
Food premises Late Registrations	0
Planning Matters	2
Building Matters	0
Other	1

Applications Received:

Applicant	Permit Type	Value
Benalla Saints Netball Club	Planning Permit	\$1,361
Eddie Zammit Pty Ltd	Planning Permit	\$214.70
Sauce	Community Event Permit	\$64
Benalla Lions Club	Fundraising Permit	\$64
Anglican Parish of Benalla	Fundraising Permit	\$64
Breast Screen Victoria	General Permit	\$64
Services Victoria	General Permit	\$64
Total		\$1,895.70

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.	Investigate Benalla Rural City’s preparedness to respond to emergencies.	Working with partner agencies in preparing for emergencies.

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 in the east of Benalla.	Locations investigated, however, parking is an issue for all the sites. The Barkly Street School site could house a dog park which is central and has the capability of on and off site parking. Do be considered as part of master plan.

Livability

Vibrant public spaces and places		
Strategy	Action	March Quarter Update
Advocate for and act on opportunities to protect, maintain and preserve heritage assets.	Adopt <i>Benalla Rural City Heritage Study</i> .	Consultant has been appointed for Stage 2 and work has commenced with a community reference group meeting as per the adopted stakeholder engagement plan.

FINANCIAL IMPLICATIONS

Operating Budget result for the period ending 31 March 2024

	Notes	2023/24 YTD Actuals	2023/24 YTD Budget	2023/24 YTD Variance	2023/24 Full Year Budget	2023/24 Full Year Forecast
Development Operations		\$173,589	\$182,911	\$9,322	\$244,506	\$244,506
Planning	1	\$18,015	\$97,271	\$79,256	\$135,970	\$213,032
Building	2	\$216,205	\$257,766	\$41,561	\$344,458	\$241,264
Compliance		\$497,613	\$507,494	\$9,881	\$693,319	\$690,897
Public Health	3	\$28,076	\$67,833	\$39,757	\$90,751	\$126,851
Emergency Management	4	\$28,076	\$2,795	-\$70,439	\$23,910	\$126,851
Total		\$1,006,731	\$1,116,070	\$109,338	\$1,532,913	\$1,641,741

Notes:

1. Favourable variance due to income for permit fees and awaiting project consultancy payments (Heritage and Benalla West Growth Plan).
2. Favourable variance due to delay on consultant invoice for Municipal Building Surveyor services.
3. Favourable variance due to delay on consultant invoice for Immunisation service provider.
4. No funding received in the current year. There is carry forward funding from the prior year which has been forecast and offsets the year-to-date actuals.

Recommendation:

That the report be noted.

4. Building and Planning Approvals – March 2024

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 2024.

Planning Permit Applications Determined under Officer Delegation

File No	Description	Property Address	Decision	
1	DA1292	Construction of buildings and works	89 Sydney Road, Benalla	Approved
2	DA7639	Two lot subdivision	Moore Lane, Lurg	Approved
3	DA5692	Construction of a storage shed/change rooms	Benalla Showgrounds, Bridge Street West, Benalla	Approved
4	DA3758	Three lot subdivision	1-21 Four Mile Road, Benalla	Approved
5	DA2113	Development of land for restricted retail premises, create and alter access to a road in a Transport Zone 2 and the reduction in car parking requirements	203-209 Bridge Street East, Benalla	Approved
6	DA7615	Construction of a dwelling and associated outbuilding	86 Inglis Road, Benalla	Approved
7	DA6170	Use and development of a dwelling	10 Tulley Road, Lima East	Approved
8	DA6290	External painting of a building in a Heritage Overlay	1 Bridge Street East, Benalla	Approved
9	DA6881	Development of shipping containers	36 Baddaginnie – Warrenbayne Road, Baddaginnie	Approved
10	DA7063	Construction of five dwellings	17 Mary Street, Benalla	Approved
11	DA5957	Use of land for a restaurant	7 Park Street, Goorambat	Approved
12	DA5700	Construction of an outbuilding	106 Benalla Street, Benalla	Approved
13	DA7131	Construction of an inground swimming pool	36 Hall Drive, Benalla	Approved
14	DA4409/3	The use and development of the land for a camping and caravan park including additional camping and caravan park facilities	105 and 115 Sydney Road, Benalla	Approved
15	DA5178	Six lot subdivision	Lakeside Drive, Chesney Vale	Approved (Notice of Decision)

Planning Permit Amendments Determined Under Officer Delegation

File No		Description	Property Address	Decision
1	DA6743	Construction of an inground swimming pool	13 Hall Drive, Benalla	Approved

Planning Permits Issued Under VicSmart

File No		Description	Property Address
1	DA7639	Two lot subdivision	Moore Lane, Lurg
2	DA6881	Development of shipping containers	36 Baddaginnie – Warrenbayne Road, Baddaginnie

Planning Permit Applications Determined by the Council

There were no planning permit applications determined by the Council during the month of March 2024.

Planning Permit Amendments Determined by the Council

There were no planning permit applications determined by the Council during the month of March 2024.

Planning Permit Applications Withdrawn or Lapsed

There were no planning permit applications withdrawn or lapsed during the month of March 2024.

Notices of Decision

File No.		Description	Property Address
1	DA5178	Six lot subdivision	Lakeside Drive, Chesney Vale

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.

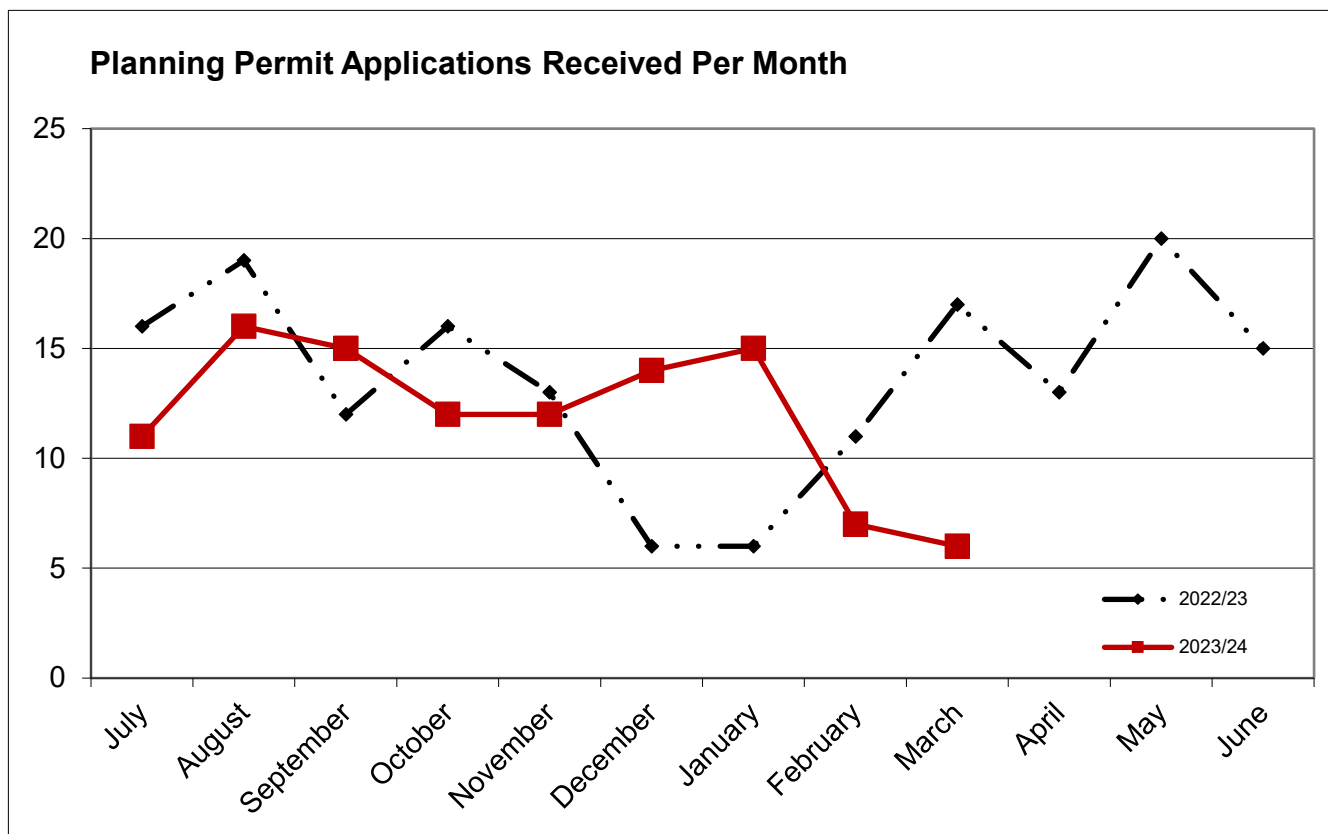
Planning Permit Applications Determined by VCAT

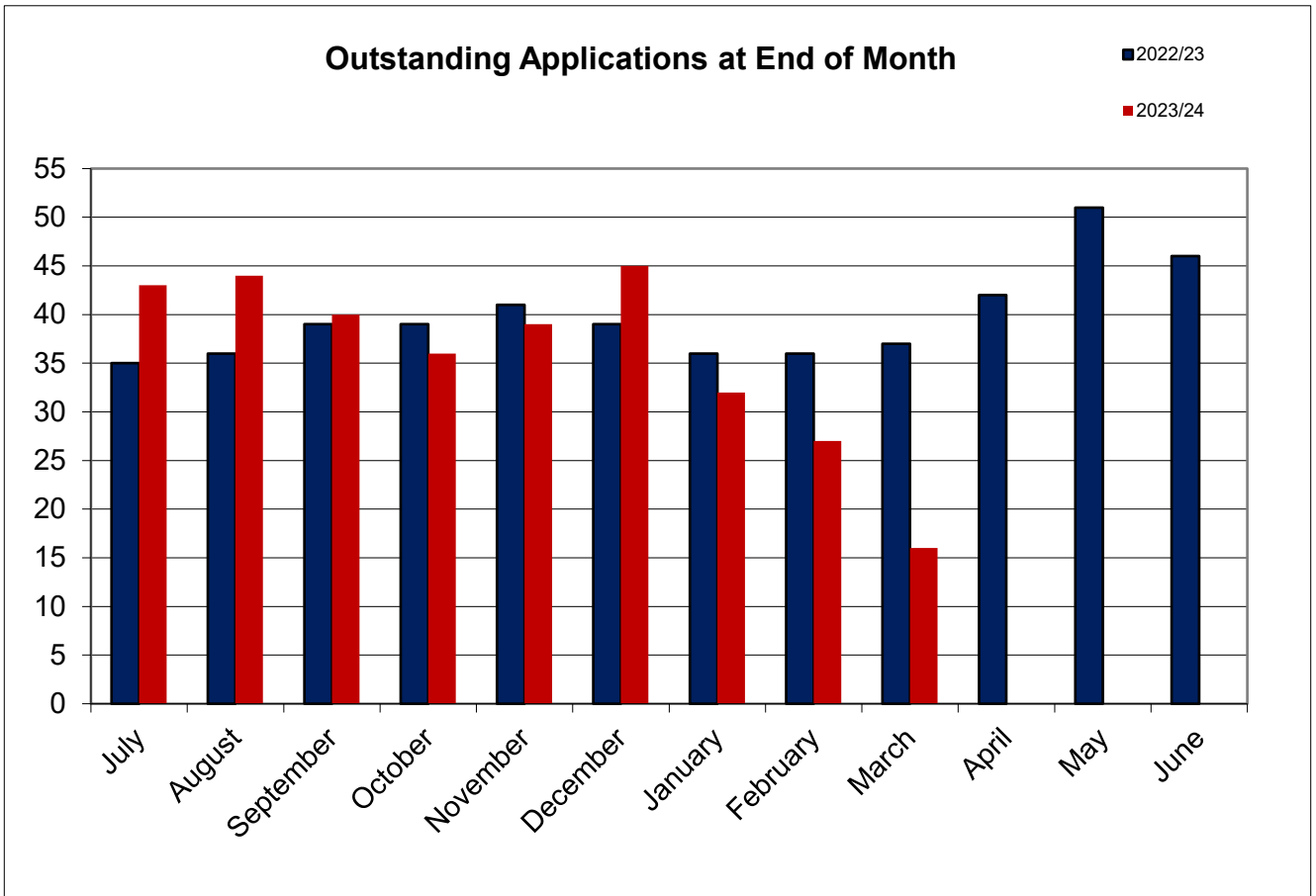
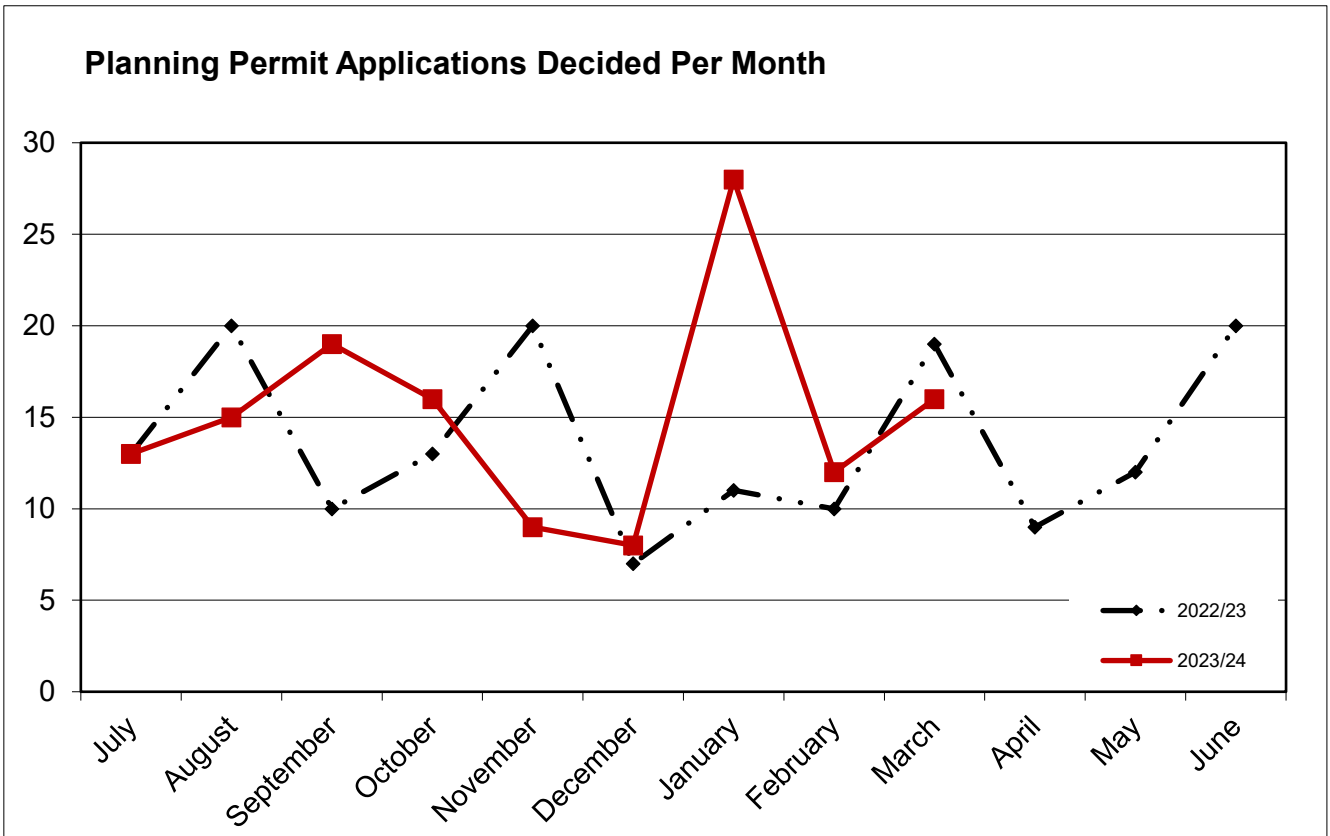
There were no planning permit applications determined by VCAT during March 2024.

Matters Before VCAT

DA7395	Use and development of land for extractive industry (Sand quarry) at 1726 Dookie Devenish Road, Devenish
Status	<p>At a Council meeting on 19 April 2023 it was resolved that the Council refuse to grant a permit for the use and development of the land for extractive (sand quarry). The applicant has lodged an appeal to VCAT.</p> <p>The appeal was heard on the 4 March 2024 with representatives from Council, the objectors and the applicants present. The Tribunal has affirmed Council's decision and directed that no permit is granted.</p> <p>In summary the Tribunal found that:</p> <p><i>In our view, the noise and dust impacts are two issues that cannot be dealt with via planning permit conditions as the outcome of these assessments is not known. The impact of the approval of the proposed use on land that is within 500 metres of land capable of being developed with accommodation (thereby requiring referral under Clause 52.09), and the impact this may have on the development outcomes for the Devenish township is also a matter that has not been adequately considered in the proposal.</i></p> <p>A copy of the decision is attached as (Appendix 1).</p>

Planning Permit Applications



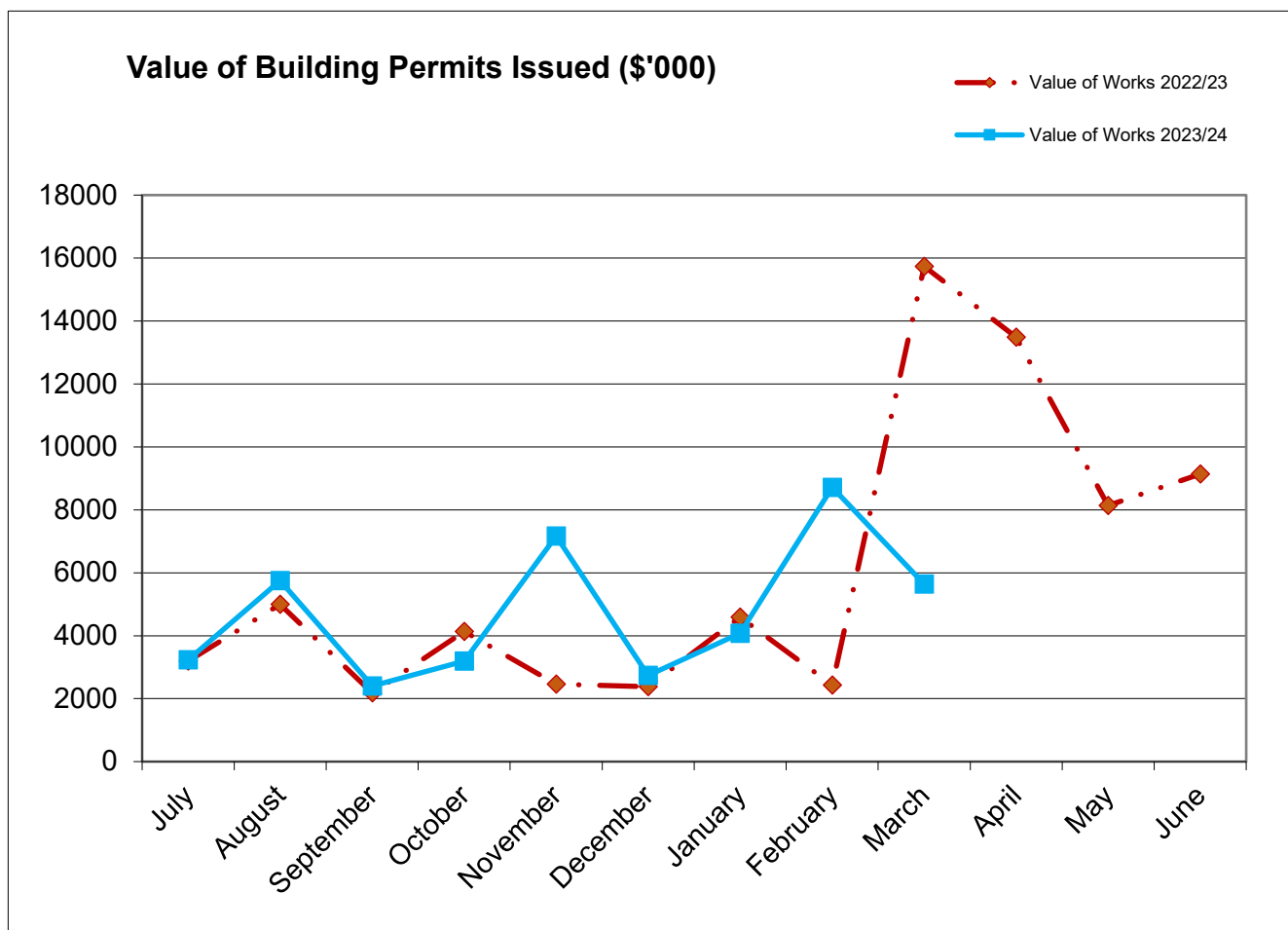


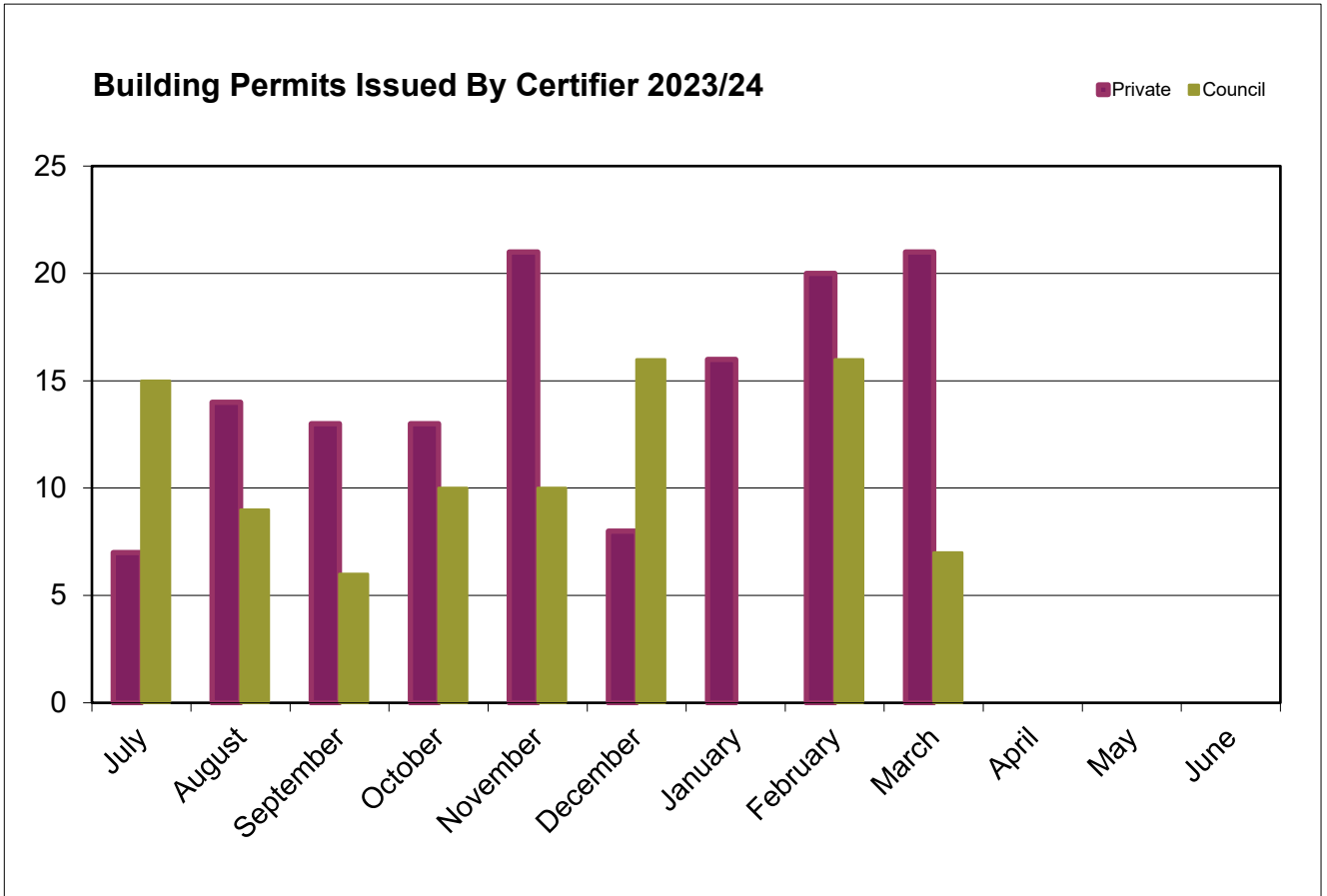
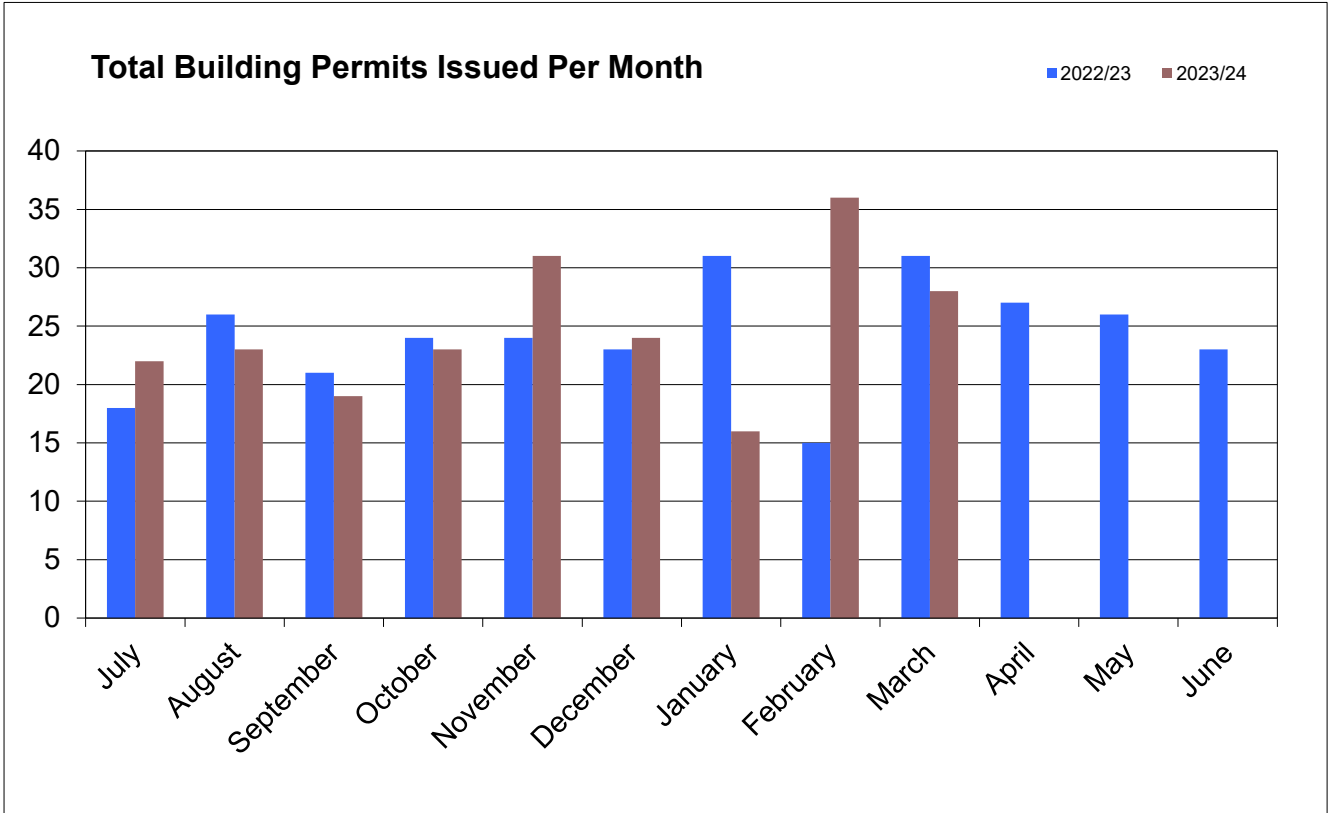
Building Approvals Issued by Council and Private Practitioners

File No		Description	Property Address	Value
1	DA7375	Construction of a shed	22A Salisbury Street, Benalla	\$14,200
2	DA76	Construction of a carport	19 Warana Court, Benalla	\$35,000
3	DA7231	Construction of a dwelling extension	25 Coster Street, Benalla	\$209,715
4	DA3203	Construction of a dwelling, alfresco and shed	66 Monds Avenue, Benalla	\$230,205
5	DA7569	Construction of a shed	33 Benalla Street, Benalla	\$27,403
6	DA7643	Re-stump a dwelling	75 Waller Street, Benalla	\$9,600
7	DA4488	Construction of a shed	43 Salisbury Street, Benalla	\$29,805
8	DA5532	Re-stump a dwelling	10 Lavery Street, Benalla	\$49,390
9	DA7367	Construction of a shed	10 Mayfair Drive, Benalla	\$56,978
10	DA7506	Construction of a garage	29 Senator Drive, Benalla	\$14,199
11	DA3787	Construction of a farm shed	523 Bostock Road, Lurg	\$39,011
12	DA7622	Construction of a farm shed	138 Sawyer Road, Samaria	\$105,125
13	DA7634	Construction of a dwelling and garage	38 Weary Dunlop Drive, Benalla	\$477,448
14	DA7360	Construction of a dwelling and garage	6 Mayfair Drive, Benalla	\$441,170
15	DA1582	Construction of a shed	6 Goodwin Street, Benalla	\$28,730
16	DA7131	Construction of a swimming pool and safety barrier	36 Hall Drive, Benalla	\$69,900
17	DA7428	Construction of a dependent persons unit	141 Sudholz Road, Glenrowan West	\$369,500
18	DA7638	Construction of a dwelling and garage	36 Moran Street, Benalla	\$380,437
19	DA7630	Construction of a swimming pool and safety barrier	199 Nooramunga Road, Devenish	\$60,000
20	DA756	Construction of a dwelling extension and alteration	103 Hooper Road, Goorambat	\$239,800
21	DA7637	Construction of a dwelling and garage	34 Moran Street, Benalla	\$376,629
22	DA6762	Construction of a swimming pool and safety barrier	1189 Stewarton Road, Stewarton	\$66,240
23	DA2154/2	Two-storey police station - construction of civil works associated with courthouse carpark	17-19 Bridge Street West, Benalla	\$10,000

File No	Description	Property Address	Value	
24	DA7582	Construction of units and consulting rooms	48 Thomas Street, Benalla	\$1,509,276
25	DA7641	Construction of a dwelling and garage	36 Livingston Boulevard, Benalla	\$317,750
26	DA6196	Construction of a carport	141 Cowan Street, Benalla	\$28,820
27	DA7642	Construction of a dwelling and garage	40 Moran Street, Benalla	\$375,097
28	DA5328	Construction of a swimming pool and safety barrier	935 Love Road, Stewarton	\$69,470
Total			\$5,640,898	

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.

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.

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P574/2023
PERMIT APPLICATION NO. P0082/22

CATCHWORDS

Proposed sand mine operation, amenity impacts, no expert evidence, quality of information about dust and noise impacts

APPLICANT	BCA Asset Management Group Pty Ltd
RESPONSIBLE AUTHORITY	Benalla Rural City Council
RESPONDENTS	Brenden Turley June Howard, Teresa Schultz & Others
REFERRAL AUTHORITY	Department of Jobs, Precincts and Regions – Earth & Energy Resources and Stone Extraction
SUBJECT LAND	1726 Dookie-Devenish Road DEVENISH VIC 3726
HEARING TYPE	Hearing
DATE OF HEARING	4 March 2024
DATE OF ORDER	16 April 2024
CITATION	BCA Asset Management Group Pty Ltd v Benalla RCC [2024] VCAT 330

ORDER

No permit granted

- 1 In application P574/2023 the decision of the responsible authority is affirmed.
- 2 In planning permit application P0082/22 no permit is granted.

K Birtwistle
Presiding Member

Colin McIntosh
Member



APPEARANCES

For BCA Asset Management Group Pty Ltd	C McKenzie, town planner of Planning Appeals
For Benalla Rural City Council	A Sherman, solicitor of Russell Kennedy Lawyers
For June Howard, Teresa Schultz & Others	J Livingstone, town planner of JLP Melbourne
For Brendan Turley	No appearance
For Department of Jobs, Precincts and Regions – Earth & Energy Resources and Stone Extraction	No appearance

INFORMATION

Description of proposal	Use and develop the land for the purpose of Extractive Industry (Sand Quarry)
Nature of proceeding	Application under section 77 of the <i>Planning and Environment Act 1987</i> (Vic) – to review the refusal to grant a permit.
Planning scheme	Benalla Planning Scheme
Zone and overlays	Part Rural Living Zone ('RLZ') Part Farming Zone ('FZ') Abuts land in the Transport Zone 1 and Transport Zone 3
Permit requirements	Clause 35.03-1 – Use of land for extractive industry in the RLZ Clause 35.03-4 – Construction or carrying out of works associated with a section 2 use in the RLZ. Clause 35.07-1 – Use of land for extractive industry in the FZ. Clause 35.07-4 – Construction or carrying out of works associated with a section 2 use in the FZ. Clause 52.08-1 – Use and development of land for earth and energy resource industry.



Land description	The review site is irregular in shape and abuts the Benalla – Yarrawonga Railway line (Benalla – Oaklands Railway Line) to the east and Devenish-Dookie Road to the north-west. It has an area of 29.16 hectares, is vacant and currently utilised for grazing.
Tribunal inspection	Unaccompanied inspection of the review site and a number of respondent properties on 15 March 2024



REASONS¹

WHAT IS THIS PROCEEDING ABOUT?

- 1 BCA Asset Management Group Pty Ltd (the ‘applicant’) lodged an application with the Benalla Rural City Council (the ‘council’) seeking permission to extract sand from land at 1726 Dookie-Devenish Road, Devenish (‘review site’).
- 2 The council directed that notice of the permit application be given and received a number of objections to the proposal and a number of these objectors are respondents in this proceeding. The permit application was also referred to Department of Jobs, Precincts and Regions – Earth Energy Resource and Stone Extraction and Heritage Victoria. Those authorities did not oppose the grant of the permit.
- 3 Despite receiving a report from its town planning officer recommending the grant of a permit, the council decided to refuse the permit application on one ground, being that ‘the proposal will have an unreasonable amenity impact to adjoining properties with regards to noise and dust emissions and traffic impact to the surround (sic) road network’.
- 4 Following a Practice Day Hearing on 12 October 2023, the Tribunal issued Orders requiring that council provide amended grounds of refusal by 12 October 2023. This occurred and the council’s amended grounds of refusal are as follows:

The proposal will have unreasonable amenity impact to adjoining properties:

- with regard to noise and dust emissions.
- traffic impact to the surrounding road network.

The proposal is contrary to purposes of the RLZ, including:

- removing the land and surrounding land from potential residential use;
- removing the land from agricultural use;
- failure to protect landscape;
- failing to make provision for sustainable land use practice.

The proposal is inconsistent with and will adversely impact the current and future development of the township of Devenish.

The proposal is inadequately setback from existing and future, incompatible uses and development, to the proposed mineral extraction.

¹ The submissions of the parties, any supporting exhibits given at the hearing and the statements of grounds filed have all been considered in the determination of the proceeding. In accordance with the practice of the Tribunal, not all of this material will be cited or referred to in these reasons.



The noise from the development and use combined with inadequate setbacks is likely to have material adverse impact on nearby residential uses.

The dust from the development and use combined with inadequate setback is likely to have material adverse impact on conflicting residential and other uses.

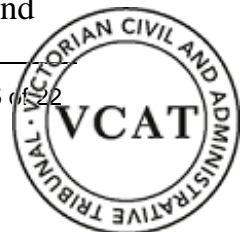
The Permit Application and further information provided with the application is significantly deficient such that it should be refused as it cannot be adequately assessed, including:

- no noise assessment;
- no dust or air quality assessment;
- no adequate detail of the staging (if any) of the works;
- no adequate detail of proposed excavation methods, storage of material, loading or other operational guidance;
- no environment management (or like) plans of any kind; and
- no assessment of drainage impact on Site or beyond.

The proposal is contrary to the purposes of the FZ and agricultural policy broadly in its inappropriate removal of agricultural land.

The proposal represents the likely first in a series of proposals in time for the extraction of the resource on this and adjoining (commonly owned or controlled land) and should be considered in the full development context. It is inappropriate that the application has been deliberately sized by design to fall precisely at the maximum level of extraction to avoid the proper assessment and development measures associated with a work authority under the *Mineral Resources (Sustainable Development) Act 1990* ('MRSDA').

- 5 The applicant has now lodged an application with the Tribunal seeking the review of the council's decision. It maintains that planning policy supports the proposed quarry and the operation can be managed so that there would not be unreasonable impacts on the amenity of the area.
- 6 The respondents are nearby residents. They are concerned that the proposal will result in unreasonable impacts to themselves, and have broader concerns about the impact the use may have on future development in the Devenish township.
- 7 We must assess whether the permit application will produce an acceptable outcome having regard to the relevant policies and provisions in the scheme. Clause 71.02-3 requires the decision-maker to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development. Determining whether the proposal will produce an acceptable outcome requires us to weigh and balance a wide range of considerations. In this case, these focus on the benefits of sand extraction (for one landowner and



potential construction activities) and the negative or unknown impacts on amenity, as well as the future development impacts on a small rural township.

- 8 After considering the submissions, the details of the proposal, the relevant matters under the planning scheme and aided by our site inspection, we conclude that no permit should be granted.
- 9 We find that there is no overriding policy support for the proposal, particularly where we cannot be satisfied, on the material before us, that dust and noise emissions can be managed to meet the relevant guidelines and will not result in unreasonable impacts on the neighbouring residential properties and broader Devenish township.
- 10 Our reasons for coming to these conclusions are as follows.

Background

- 11 The review site is known as Lot 2 on LP 207243 (Lot A shown in image below). It is part of a broader landholding which also includes Lot 1 (Lot B) and 2 (Lot C) on Plan of Subdivision 624198. The planning application applies only to Lot 2 on LP 207243.

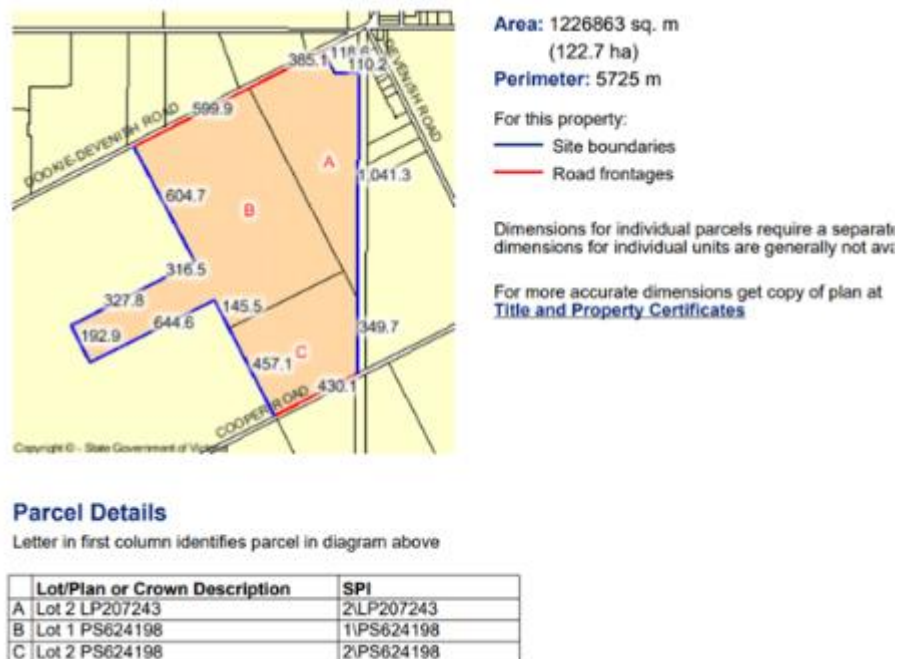


Figure 1: Review site and surrounding land

- 12 The review site is not affected by clause 44.07 – State Resource Overlay, nor is it in an Extractive Industry Interest Area or a Strategic Extractive Resource Area.
- 13 Planning Permit No P0112/10 was issued on 5 November 2010 for use and development for mining (Sand Mine) on Lots 1 and 2 on PS 624198, and an associated work authority was approved on or about 26 July 2011. Council says that sand extraction took place from the land from about January 2011 until, it is suspected, August 2014.² A ‘Work Authority Area Plan’ formed part of the endorsed plans under the planning permit. The WAAP appears to extend into part of the review site.



Figure 2: Work Authority Area Plan – Source: Council submission

- 14 The planning permit was cancelled at the request of BCA Asset Management Group Pty Ltd, also the Applicant for Review (‘applicant’) in this proceeding, on 12 October 2021 at the direction of the Tribunal due to the change of ownership of the broader site. Council advises that the associated work authority is no longer in place.

Proposal considered by the council.

- 15 The review site sits at the edge of the town of Devenish, a small township on the outskirts of Benalla. The town comprises a main street, and forms part of the regions Silo art trail, with three military service themed silo

² In *BCA Asset Management Group Pty Ltd v Benalla Rural CC* [2021] VCAT 1150 at [50] the Tribunal noted that in or about October or November 2015, extraction of sand from the land ceased.

murals in the centre of town and an additional mural on a building wall just off the main street.

- 16 The application considered by council sought approval for extractive industry (sand quarry) on a site to the south-west of the township, with the proposed works area for the sand extraction being 5 hectares and having an excavation depth not greater than 5 metres. The proposed hours of operation were 7am to 7pm Monday to Friday and Saturday 7am to 1pm. No details were provided in relation to public holidays.
- 17 The application indicated a maximum of two staff, with the provision of 8 car parking spaces (6 visitor and 2 staff), an on-site portable office, screen planting along the northern and eastern parts of the site, and a 2.5 metre high bund wall around the extraction pit. The application proposed that a 40,000 litre water truck would be on site and utilised at all times while the sand quarrying is taking place to mitigate dust. Access to the review site was shown via a new access point from Dookie-Devenish Road.
- 18 The site plan accompanying the application has the following notes:
 - Portable office (not in position and scale), staff parking (not in position and scale) and visitor parking (not in position and scale).
- 19 The site plan shows the extraction area extending to the western boundary of the review site (ie. abutting the boundary with Lot B which is in common ownership with the review site).

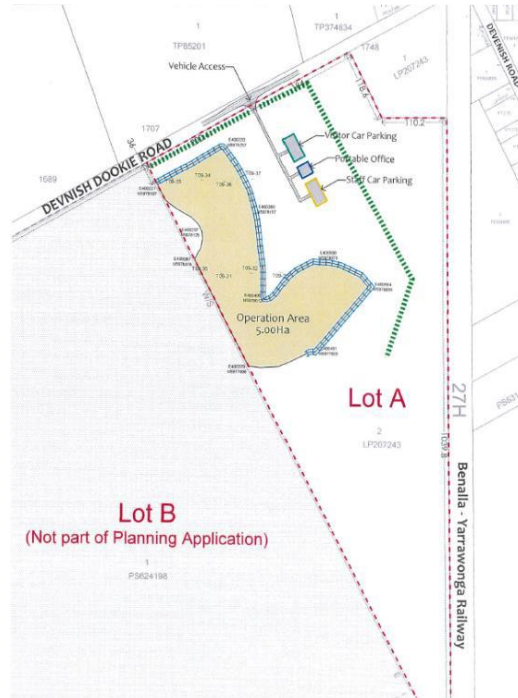


Figure 3: Site plan – Source: Council submission

- 20 Prior to Council consideration of the application, it requested further information, and this was provided in the form of:

- a revised Planning Report prepared by WPA (revision 2 dated 5 September 2022) ('Town Planning Report');
- a revised Traffic Impact Assessment Report prepared by Trafficworks and dated 5 September 2022 ('TIA');
- a Hydrology Desktop Assessment prepared by Geotesta dated 24 August 2022; and
- a Stormwater Management Plan prepared by Aixom Consulting Engineers dated 31 August 2022 ('SMP').

Additional documentation circulated after the council decision.

- 21 On 19 February 2024, the applicant filed with the Tribunal and served on the parties, the following documentation:
- An Environmental Management Risk Register dated 6 October 2023;
 - A Desktop Acoustic Assessment prepared by Marshall Day and dated 19 February 2024; and
 - Borelogs prepared by EPSM Consulting Engineers dated October 2023.
- 22 Council identified in its submissions that the status of these documents is unclear. In summary, they say that the documents:
- are not expert evidence;
 - were not submitted with the permit application so they were not considered by Council when it considered the application including when it amended its grounds of refusal;
 - have not been provided as part of a PNPE9 package of material. PNPE9 material should have been provided by the Applicant on or about 11 January 2024; and
 - were provided to the Council and parties approximately 1 day prior to the provision of submissions by the parties to the Tribunal and other parties.
- 23 The applicant indicated prior to the hearing that the additional reports / documents are intended to form part of its submissions and are not expert evidence. We have treated these documents as such and not as expert evidence.

IS THE PROPOSAL SUPPORTED BY PLANNING POLICY?

- 24 While the focus of submissions presented by the Council and residents is on the impacts on amenity, the Council also contends that the overall thrust of planning policy does not support the proposal. The council contends that the proposed sand quarry is located too close to the nearest dwellings and is inherently incompatible with this residential use. It submits that the



establishment of a sand quarry so close to residential properties would be contrary to the intent of Clause 52.09.

- 25 Clause 52.09 applies to Extractive Industry and Extractive Industry Interest Areas. The purpose of this provision is:

To ensure that use and development of land for extractive industry does not adversely affect the environment or amenity of the area during or after extraction.

To ensure that excavated areas can be appropriately rehabilitated.

To ensure that stone resources, which may be required by the community for future use, are protected from inappropriate use and development.

- 26 This clause applies to an application to use or develop land:

For extractive industry;

Within an Extractive Industry Interest Area; or

Within 500 metres of an existing or proposed extractive industry operation.

- 27 The application is exempt from the requirement for a work plan under Section 77G of the *Mineral Resources (Sustainable Development) Act 1990* (Vic) ('MRSDA'), as the proposed work area does not exceed 5 hectares, the extraction the depth does not exceed 5 metres and the work does not require blasting or clearing of native vegetation.

- 28 An application must be referred under section 55 of the *Planning and Environment Act 1987* (Vic) to the person or body specified as the referral authority in Clause 66, if the application is to use or develop land for:

Extractive industry; or

Accommodation in a rural zone is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

- 29 Under Clause 52.09-4, before deciding on an application to use and develop land for extractive industry, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

The effect of the proposed extractive industry on any native flora and fauna on and near the land.

The impact of the proposed extractive industry on sites of cultural and historic significance, including any effects on Aboriginal places.

The effect of the proposed extractive industry on the natural and cultural landscape of the surrounding land and the locality generally.

The ability of the proposed extractive industry to contain any emissions within the boundaries of the land in accordance with relevant legislation. [Tribunal emphasis]



The effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area. [Tribunal emphasis]

The ability to rehabilitate the affected land to a form or for a use which is compatible with the natural systems or visual appearance of the surrounding area.

The ability to rehabilitate the land so it can be used for a purpose or purposes beneficial to the community.

The effect of the proposed extractive industry on groundwater quality and the impact on any affected water uses.

The impact of the proposed extractive industry on surface drainage and surface water quality.

Any proposed provisions, conditions or requirements in a work plan that has received statutory endorsement under the *Mineral Resources (Sustainable Development) Act 1990*.

- 30 Under Clause 52.09-6, the use and development of land for extractive industry must comply with the following requirements, to the satisfaction of the responsible authority:

Except in accordance with a permit, no alteration may be made to the natural condition or topography of the land within 20 metres of the boundary of land. This does not apply to driveways, drains, bund walls or landscaping.

Shrubs and trees must be planted and maintained to screen activity on the land.

Parking areas must be provided for employees' cars and all vehicles used on the land.

STRATEGIC CONTEXT

- 31 Planning Scheme Amendment C5 which was gazetted on 19 April 2013, applied the RLZ to the front part of the site as well as other land in the immediate vicinity. The zoning map is shown in Figure 3. In essence this means that both part of the review site and its neighbouring land in common ownership is now zoned for Rural Living purposes.
- 32 Land on the opposite side of the railway land is zoned a mix of Township Zone (generally reflecting the Devenish township area) and RLZ.

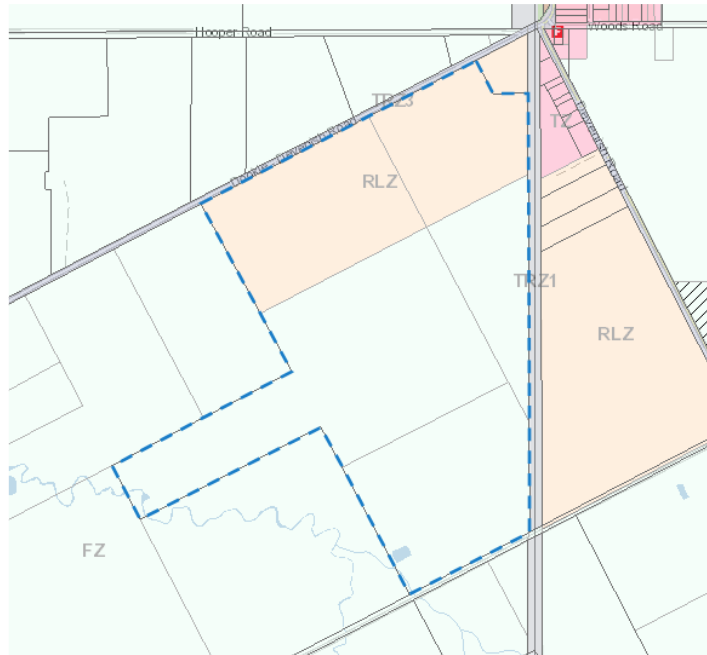


Figure 3: Zoning – Source: Council submission



Figure 4: Review site – Source: Council submission

Quality of information before us.

33 All parties acknowledged that amenity impacts, principally air and noise, are the main concern. Planning Practice Note 89, *Extractive Industry and Resources*, acknowledges that these factors must be taken into account:

“In assessing the potential material detriment, the responsible authority should take into account that possible impacts from extractive industry, such as dust, noise, vibration and transport, may impact properties some distance away.”

- 34 One of the amended grounds of refusal is that the permit application and further information provided with the application is significantly deficient, such that the application should be refused, as it cannot be adequately assessed, including:
- no noise assessment;
 - no dust or air quality assessment;
 - no adequate detail of the staging (if any) of the works;
 - no adequate detail of proposed excavation methods, storage of material, loading or other operational guidance;
 - no environment management (or like) plans of any kind; and
 - no assessment of the drainage impacts on the site or beyond.
- 35 The council says there is no detail as part of the application, regarding:
- the extraction method or machinery to be used;
 - the volume of sand to be extracted;
 - the amount of time it would take to extract the sand before supplies are depleted;
 - the staging (if any) of the quarrying in the quarry pit;
 - haulage routes (if any) within the site;
 - slimes management (if any);
 - management of visual impact on the landscape;
 - possible progressive rehabilitation (if any);
 - details of storage of material (location and areas of stockpiles); or
 - details of loading and unloading areas.
- 36 While subsequent information has been provided during the hearing, we share the frustrations of the council and respondents about the quality of information regarding the proposal. We found critical supporting information to be either lacking, or conflicting. We found that detail about the proposal continued to emerge during oral submissions of the applicant, which is an unsatisfactory state of affairs, particularly in an application which has an elevated risk due to the nature of the proposal.
- 37 In essence, we agree with council's criticisms about the information lodged with the application. Most critically from an amenity perspective:
- The planning report accompanying the application notes that the proposed work area is about 300 metres from the nearest residential dwelling, but provides no detail of the dwelling being referred to, and yet the subsequent Desktop Acoustic Assessment (Marshall Day

report) circulated prior to the hearing identifies a dwelling within 132 metres of the site.

- The assertion in the planning report that the central location of the quarry pit³ and the absence of blasting will ensure that noise and dust will not adversely impact the surrounding land is not supported by expert evidence. It does not address that dust and noise can be emitted by other factors beyond blasting.
- The assertion in the planning report that having operations conclude at 7pm on weekdays means that surrounding residents will not be exposed to unreasonable noise in the evening, does not recognise the proposed operation requires consideration of day and evening noise limits under relevant Environment Protection Authority ('EPA') legislation, noting the operating time periods for commercial, industrial and trade premises set by the EPA are Day – 7am to 6pm Monday to Saturday except public holidays, Evening – 6 pm to 10 pm Monday to Saturday and 7 am to 10 pm and Sundays and public holidays Night – 10 pm to 7 am the following day.

- 38 Critically, in our view, the application was not accompanied by a noise impact assessment or an air emissions impact assessment. As such, there is no information to support the assertions contained in the planning report that the proposal addresses these matters in an acceptable manner.
- 39 More information regarding the proposal is gleaned from the applicant's submission. The applicant's submission (at 8.2) is that the proposal will operate in accordance with the *Code of Practice for Small Quarries*. It submits that the quarry will operate between Monday-Friday 7am-4pm, Saturday 7am-1pm and no work on Sunday / Public Holidays. These hours differ from those applied for.
- 40 It describes that the operation will commence with the site preparation phase, involving the creation of the site access, internal access road, parking and site office, as well as the removal of overburden⁴ to create earth bunds across the site frontage and along the eastern side behind the parking and site office area, to provide visual screening and noise attenuation to nearby properties. This phase is expected to take between three and six months.
- 41 The applicant's submission is that the sand extraction phase will only commence after the site preparation, including earth bunds, have been completed. This operational phase will involve machinery extracting, screening and stockpiling sand within the work area, for collection and removal by trucks.

³ Noting that the quarry pit is actually not centrally located on the review site, but immediately abutting the adjacent land in common ownership that does not form part of this application.

⁴ We take the term "overburden" to be the initial top soil layer below which is the sand layer to be extracted.



- 42 The submission states that the proposal is for no more than 6 trucks (12 truck movements) per day. The expectation is for two staff and up to six site visitors (16 passenger vehicle movements) to enter and leave per day. It says that at this scale, the applicant expects the sand extraction phase to take approximately two years.
- 43 Following completion of the sand extraction phase, the applicant's submission is that the site will then be rehabilitated to Council's satisfaction. The applicant's intended approach as part of the site rehabilitation is to seek planning approval for a residential subdivision of the Rural Living Zone part of the site and approval for a complementary use, such as a caravan park with watersports facilities, on the Farming Zone part of the site.
- 44 In that sense, the applicant says that the proposal is a limited scale, relatively short duration activity that will not prejudice the ultimate longer term use of the site in accordance with the zoning and relevant planning policies.
- 45 The *Code of Practice for Small Quarries* addresses noise impacts as part of operational management, with recommendations including:
- Using bund walls for line-of sight attenuation.
 - Limiting hours generally to 7am-6pm (Monday to Friday) and 7am-1pm (Saturday).
 - Maintaining access and internal roads in good condition.
 - Identifying preferred truck routes to minimise nuisance noise.
 - Maintaining and lubricating equipment.
 - Locating materials processing in the least noise sensitive area.
 - Fitting mufflers, housing or silencers.
 - Fitting multi-frequency reverse beepers (squawkers).
- 46 Clause 13.06-1S Air quality management states as one of the strategies to protect and improve air quality:
- Ensure, wherever possible, that there is suitable separation between land uses that pose a human health risk or reduce amenity due to air pollutants, and sensitive land uses (residential use, child care centre, school, education centre, residential aged care centre or hospital).
- 47 Similarly, Clause 17.03-2S Sustainable Industry lists one of the strategies to facilitate the sustainable operation of industry as:
- Provide adequate separation and buffer areas between sensitive uses and offensive or dangerous industries and quarries to ensure that residents are not affected by adverse environmental effects, nuisance or exposure to hazards.

- 48 Both these clauses identify *Recommended separation distances for industrial residual air emissions*⁵ as a relevant document to consider when making decisions. This document is also referenced in the *Code of Practice for Small Quarries*. These clauses and the EPA publication are directly relevant to the consideration of the potential amenity impact, in this case in regard to dust, from the proposed sand mine.
- 49 As noted in the EPA publication:
- This guideline contains a list of recommended minimum separation distances that aims to minimise the off-site impacts on sensitive land uses arising from unintended, industry-generated odour and dust emissions. In some instances, the appropriate separation distance may vary from that recommended in this guideline as a result of site-specific operational or environmental conditions.
- 50 The publication recommends a separation distance of 250 metres for a quarry that does not use explosives. In this case, the separation distance is not met at three residences with one dwelling only just over half the recommended separation distance from the proposed quarry operations.
- 51 The Tribunal is cognizant that the separation distances specified in the EPA publication are based on good pollution control technology and practice. The guidelines state:
- “It needs to be recognised that where there are industrial air emissions from premises, even with good pollution control technology and practice, there may still be unintended emissions which must be anticipated and allowed for.”

Noise

- 52 The applicant says that noise can be managed by appropriate permit conditions, having regard to the Acoustic Assessment that formed part of the applicant’s submission. Relevantly, this document is the first to provide accurate information about the separation distances from proposed quarry operational areas to nearby sensitive uses.

⁵ Publication 1518, Environment Protection Authority.





Figure 5: Separation distances – Source: Marshall Day Report

- 53 The closest residence to the operation quarry area is 1707 Dookie-Devenish Road at a distance of about 132 metres. The next closest residence is at 955 Devenish Road (not 935 as noted on the above Figure) at 208 metres.
- 54 The Desktop Acoustic Assessment prepared by Marshall Day (dated 19 February 2024) concluded that the site could be managed so as to not produce unreasonable noise but recommended that the proposed earth bund of 2.5 metres be increased to 3 metres, nominated maximum allowable noise levels for equipment items and that a noise management plan should be developed.
- 55 We accept the council’s criticism that the report considers what appears to be a different proposal from that before us, assuming a maximum of four staff on site, up to six truck movements entering and exiting the site per day, and a three metre earth bund in the place of the screen planting. It also refers to hours of operation as 7am to 4pm on Monday to Friday and 7am to 1pm on Saturday. It also references the *Code of Practice for Low Risk Mines* rather than the *Code of Practice for Small Quarries*. The report also states that there will be stockpiles of no greater than 5 metres on the site, but no stockpile locations are not shown on the site plan.
- 56 This noise assessment report has been prepared after council made its decision on the planning permit application. It is not in the form of expert evidence and contains a number of qualifying statements including:

This desktop assessment is intended to inform the feasibility of the quarry from an acoustic perspective, and provide indicative details of acoustic mitigation measures that may be required.

The assessment is based on operational information provided by BCA and a number of assumptions, which are identified throughout this

report, regarding operational aspects have had to be made as further details regarding site layout, operations and specific equipment selections become available, the noise modelling and assessment should be refined.⁶ [Tribunal emphasis]

57 Given that no expert was called to give evidence in this matter, it becomes a matter of the weight, if any, to be attributed to this report. We consider that a noise assessment that is capable of being scrutinised and reviewed, is a necessary part of the information instrumental in determining whether the noise amenity of the area would be protected. The absence of such a review, and the ability to cross examine the expert author is a fundamental failure of this application. We have given the desktop assessment report no weight and find that noise impacts of the proposal are not appropriately addressed to our satisfaction.

Dust

58 The council and the respondents raise concerns about the potential for dust from the proposed extraction pit and the impacts of trucks carting within the site. Concerns in relation to dust were:

- The deposition of dust on the adjacent properties.
- The absence of dust modelling.
- The ability and commitment of the applicant to ongoing dust management.

59 The effect of dust emissions is a matter to be considered under Clause 52.09. Further, the policy at Clause 13.06-1S relating to air quality seeks to ensure, where possible, that there is suitable separation between land uses that reduce amenity due to air pollutants and sensitive land uses (including residential land use).

60 There has been no dust impact assessment for the proposal. As referred to previously, the location of the extraction pit does not meet buffer distance requirements. In our view, this elevates the level of scrutiny that should be applied with respect to potential dust emissions. It is therefore not helpful, in our view, that expert evidence was not adduced by the applicant in this proceeding.

61 A document entitled *Environmental Management Risk Register* prepared by the applicant, formed part of the applicant's submission and provided the following with respect to air quality and dust:

10. Minimising Dust Generation:

Limiting the movement of plant, equipment and deliveries to work areas and access tracks only.

Access tracks to be crushed rock.

⁶ At p.5

Watercart onsite at all times.

11. Dust Suppression:

Wetting down the areas of operation with water trucks using site reclaimed water or nearby mains water. These areas include the operational areas where works occur (excavation and fill placement areas, crushed rock placement areas) and secondary areas including the access tracks etc.

12. Contingencies:

Restricting works on high wind days may reduce dust creation when loose material is shifted. Works will be planned to avoid operations where a major impact of dust can occur.

Construction of earth walls which will assist with wind blocks

Operations will be contained to the operation zone that will be excavated in to the ground to a max depth of 5m refer to cross section

- 62 This document, prepared by the applicant, is not in the form of expert evidence. It does not analyse the impacts of dust arising from the site operations. It provides no meteorological data about wind movements, or wind erosion impacts. It assumes that the bund walls will assist in blocking dust. It assumes that operations in the ground will not generate dust. It does not identify a measurable trigger for what is a high wind day.
- 63 While the application says a water truck is to be on site for use while quarrying operations are taking place, there is no indication that this is sufficient for the proposal or how/ when it will be operated bearing in mind that only two persons are proposed to be on-site.
- 64 The absence of dust evidence that can be tested by the parties and the Tribunal is fatal to the application. Based on what is before us, we cannot be satisfied that the proposed operational controls and monitoring reflect best practice and that dust emissions from the sand quarry will not adversely impact on air quality at the nearby residential properties.
- 65 This is particularly the case where the stated intention of separation distances as express in EPA Publication 1518 is to provide 'advice on recommended separation distances between industrial land uses that emit odour or dust, and sensitive land uses'. In this case, the separation distance is not satisfied for multiple properties, with one residence barely half the recommended separation distance from the proposed quarry operational area.
- 66 We accept that where separation distances are not satisfied, a site specific variation may be sought. The EPA publication provides a guide to the criteria that must be considered during the assessment of site-specific variation to the recommended separation distances.

Criteria	Explanation
Transitioning of the industry	Existing industry has formally indicated that it will transition out of an area and over a specified timeframe
Plant equipment and operation	The industrial plant and equipment have an exceptional high standard of emission control technology,
Environmental risk assessment	An environmental risk assessment has been completed that demonstrates a variation is justified.
Size of the plant	The plant is significantly smaller or larger than comparable industries.
Topography or meteorology	There are exceptional topographic or meteorological characteristics which will affect dispersion of emissions.
Likelihood of emissions	Particular emissions are either highly likely or highly unlikely to occur

- 67 In the absence of this assessment of whether the proposed separation distances would be adequate to prevent residual dust emissions impacting on residential amenity, the Tribunal is not able to determine that the amenity of the area would be protected.
- 68 While we agree that further information has emerged prior to, and during, the hearing, we are not satisfied that this supports the issue of a permit as sought. Because the proposal is within 250 metres of sensitive residential properties, we consider that the issue of noise and dust has not been adequately resolved to our satisfaction.

OTHER ISSUES

- 69 As is evident from our consideration above, the application has suffered from a lack of certainty about operational matters. Key information such as the methodology for quarrying, the type of machinery and equipment to be used, whether sand stockpiling will occur, how sand heaps are managed to prevent emissions and the like is missing.
- 70 We also question whether there is sufficient overburden material from the excavation site such as to be able to construct a three metre bund wall to the extent now proposed. If there is not suitable quantity of material available from the site, where is the additional material to be gained from and what impacts will this give rise to?

- 71 The council and respondents are concerned that the applicant intends to expand operations into the abutting land in its ownership. This concern was not assisted by the application proposing to extract right up to the property boundary, despite clause 52.09-6 preferring no works within 20 metres of property boundaries. While the applicant conceded during the hearing that it would be satisfied that the plan be amended to provide the 20 metre setback from the boundary, this element of the proposal has raised concerns that the current proposal has been prepared to avoid the need to gain a Work Authority under the relevant legislation.
- 72 We make no comment on this issue, and have considered the application before us as being only related to the review site. Had we been of a mind to issue a permit we would have required no quarrying works within 20 metres of the property boundary consistent with clause 52.09-6, noting that we have no understanding of the reduced quantum of material that would then be available for extraction.
- 73 We also agree with the respondents that one of the most important considerations in quarrying applications is the post closure land rehabilitation. There are too many historic examples of sites where this is not addressed. In this matter, there is little consideration as to how this will be done. No rehabilitation plan has been provided so it is unclear how the proposal will be rehabilitated, contrary to the decision guidelines at clause 52.09. Rehabilitation should not be an afterthought or a matter left to conditions. In relation to rehabilitation, we do not have sufficient detail about how the site will be rehabilitated and returned to a rural living/farming land use.

CONCLUSION

- 74 In some cases, policies and objectives in the planning scheme can be seen as competing against one another. The planning scheme calls for an integrated approach to decision making where the objectives of policies are balanced and a decision made in favour of net community benefit. As such, our task is to ‘weigh up’ policies that apply. In our weighing up of the relevant provisions of the Benalla Planning Scheme, we have reached a conclusion that the proposal does not achieve a net community benefit.
- 75 Clause 52.09 seeks to both protect natural resources from development that may cause land use conflicts, and also to prevent amenity conflicts that may arise as a result of new proposals to undertake extractive industries. Clause 52.09 also seeks to ensure that excavated areas can be appropriately rehabilitated. In our view, the noise and dust impacts are two issues that cannot be dealt with via planning permit conditions as the outcome of these assessments is not known. The impact of the approval of the proposed use on land that is within 500 metres of land capable of being developed with accommodation (thereby requiring referral under Clause 52.09), and the impact this may have on the development outcomes for the Devenish

township is also a matter that has not been adequately considered in the proposal.

- 76 For the reasons given above, the decision of the responsible authority is affirmed. No permit is granted.

K Birtwistle
Presiding Member

Colin McIntosh
Member

5. Community Department Activity Report For The Quarter Ended 31 March 2024

SF/1534

Jane Archbold – Manager Community

PURPOSE OF REPORT

The report presents the activities of the Community Department for the quarter ended 31 March 2024.

Community Development

- Community Grants opened on Friday 1 March 2024. A community information session was held at the Senior Citizen and Community Centre on Thursday 14 March 2024 and was attended by a variety of local community groups. Grants Close on Sunday 28 April 2024.
- Consultation for Site Selection for the Benalla Indoor Recreation Centre Redevelopment closed on Friday 9 February 2024. The consultation was highly successful with 716 surveys completed and over 2000 website visits.
- The *Fawckner Drive Masterplan Report* was adopted by Council. The report will enable Council to strategically plan and deliver projects within the precinct. The immediate priority for the Masterplan is the Pump Track upgrade. A funding application has been submitted to the State Government Regional Community Sports Infrastructure Fund to deliver the Pump Track upgrade.
- One Quick Response Grant was awarded during this period to Benalla and District Junior Football League.
- Development of the draft *Fair Access Policy* was completed during the period including participation in workshops and local communities of practice facilitated by the Office for Women in Sport and Recreation and Regional Sports Assemblies.
- Feedback has been received from Reconciliation Australia in relation to the first draft of Council's Reflect Reconciliation Action Plan (RAP). After discussions with both the Aboriginal and Torres Strait Islander Advisory Group and the RAP working group, the draft has been updated and resubmitted to Reconciliation Australia. After a two stage EOI process a local Aboriginal artist has been commissioned to produce an original artwork to feature in the RAP. The artwork will be launched at this year's NAIDOC week event on Tuesday 9 July.
- The Health and Wellbeing Partnership meeting was held on 5 February 2024, the group continues to maintain strong membership from local service providers.

Youth Development

- The Council's Live4Life program received more than 60 crew applications to join the 2024 Live4Life crew with only 50 available spots between the two schools. Those with successful applications participated in an Induction Day at the Benalla Lakeside Community Centre on 21 February 2024.
- A FReeZA Recruitment Arvo was held on 28 February 2024 at the Benalla Town Hall. Eight young people attended, sharing their ideas for events and activities in Benalla Rural City. The group have started planning for a dance party in May 2024. Future afternoons will be held throughout the year.

- Twelve young people (aged between 17-25 years) completed their Responsible Serving of Alcohol (RSA) training for \$20 at the Town Hall on 25 January 2024.
- Wangaratta and Benalla’s Youth Development teams have brought their Youth Services Provider Networks together to help support a greater turn out and reduce the pressure on services who work in both Wangaratta and Benalla. The first meeting of this broader network was held in Wangaratta and online with over 15 people in attendance.
- Benalla hosted the North East Battle of the Bands Grand Final on 20 January 2024 at The Shed with more than 300 people attending. This was a joint initiative with Benalla, Mansfield, Indigo, Wangaratta, Albury, Alpine, Strathbogrie and Towong Council’s joining together. Six soloists and six bands performed three songs each. The winners were soloist Samara Bright and Dylan Cosgriff and the Omens. DICE from Perth were headliners on the day with an amazing response to a larger band performing in Benalla.
- The L2P program assisted 48 learner drivers in January, 51 in February and 51 in March 2024. An average of 22 volunteers actively drove over the quarter, providing over 800 driving hours to participants and 66 professional driving lessons were undertaken.
- Eleven young people got their licence during the quarter, with the program achieving the 200 licence in March 2024.
- The L2P program had 17 social media posts over the quarter with an average engagement of 323 people and 42 likes, reactions and five comments.
- Rotary agreed to fund \$3,500 to help the L2P program run a trial for older drivers. The trial has already attracted a lot of interest with nine out of the ten places filled.
- Funding for 2024/25 has been announced and the program has again applied for 50 places, to continue meeting the needs of the Benalla community.



Social Inclusion Action Group (SIAG)

- The SIAG Committee met twice during the quarter. Both meetings had a focus on discussing the “Social Connection Grants” that had been received. Of the eight applications, seven were unanimously voted for, demonstrating some exciting upcoming events to build resilience and connection within our community. These grants have various aims such as promoting positive mental health through art therapy and creating awareness of environmental issues and encouraging sustainability.
- Robbie from Ending Loneliness Together delivering Social Inclusion 101 training is set to attend the next SIAG meeting in May. The SIAG Committee gained immense knowledge and understanding on the relationship between loneliness and mental health at the first session held late last year and it was agreed he would return to complete the second part of the training in May 2024.

- The SIAG are currently consulting with Tomorrow Today and other partners on a potential 'All Ages and Abilities Come and Try Day'. The proposed idea is to encourage residents of all ages and abilities within the Benalla Rural City to enjoy a fun day while learning about what Benalla has to offer and increase community connections and social inclusion.
- Further discussions are being had with the Aboriginal and Torres Strait Islander Advisory Group on ideas to support culturally safe connection and inclusion for Aboriginal community members. Current ideas include Aboriginal Arts and Craft workshops, Reconciliation Week events and Proud and Deadly awards. The SIAG is currently working to support and promote a significant NAIDOC week event on Tuesday 9 July 2024.



Maternal and Child Health (MCH)

- Thirty three birth notices were received but 36 enrolments (meaning new to area) for the Quarter January to March 2024.
- First Time Parents' Group and First Time Dad's Group Both commencing in April 2024.
- There are currently 42 families enrolled in the Enhanced MCH program, with seven being antenatal clients, enrolled early in the program for increasing vulnerability.
- The MCH Service received a funding letter for additional funding under the *More Support for Mums Dads and Babies* initiative. Given that Benalla's MCH Service was unsuccessful in the 'Dad's Grant Project' some of this funding may be used to expand our current Dad's program, it will also assist in facilitation of our Sleep and Settling program and Infant program and the running of community group sessions.
- A Kindergarten Connections meeting was held on 27 February 2024 with most Benalla kindergartens and childcare centres represented. The Kindergarten Infrastructure and Service Plan (KISP) and Benalla LGA Workforce Plan for Early Childhood Education Centres were discussed and information on services available in Benalla was updated. A preliminary draft Workforce Plan for Early Childhood Education Centres was submitted to the department for feedback. The final version of the workforce plan is to be submitted to the department in May after considering feedback from the department and local providers.

Integrated Family Services (IFS)

- Integrated Family Services Team Leader has been nominated to sit as part of the consultation process with Communities and Families Transformation Program, for the statewide redevelopment of communities and family's technology system (case-note and statistical reporting software used by Family Services and Child Protection).
- The Family Services team have commenced training and mentoring in relation to working with Young Persons using Violence in the Home. This training is being provided by the Centre for Excellence in Child and Family Welfare and funded by the Ovens Murray Child and Family Services Alliance. The need for the training across the region was recognised following an increase in referrals through The Orange Door noting a presence of young people using violence in the home as one of the complex issues identified as a support need for the families.

- Family Services target hours are sitting at 112 percent. IFS has supported 44 families throughout quarter three, inclusive of 127 child/young person (aged 0-17).
- Benalla Supported Playgroup (SPG) continues to host the Goulburn Ovens Murray Region Supported Playgroup Community of Practice (CoP). Facilitated by the Parenting Research Centre and Playgroups Victoria, the CoP offers a space for continued training and networking for SPG facilitators in our region.

Age Friendly Benalla

- Two meetings of the Age Friendly Benalla Reference Group were held over the quarter with the group continuing to assist the Ageing Well Officer to work on priorities identified in the Action Plan.
- Through January and February continued to provide materials such as brochures and posters for the Age Well in Benalla Info Hub which commenced at Room 2 in the Senior Citizens Community Centre on the 13 March. Promoting the service to community organisations such as Waminda, Salvation Army, Benalla Health to inform the community that this service is available to them on a fortnightly basis. The Age Well in Benalla Info Hub is staffed by volunteers.
- Attended a meeting with Department of Families, Fairness and Housing (DFFH) to discuss the success of 2023 Seniors Festival and to plan and discuss the festival for 2024. The meeting was attended by staff from Campaspe, Greater Shepparton, Indigo Mansfield, Moira, Wangaratta, and Wodonga councils where ideas for possible events for this year's Seniors Festival were discussed.
- Attended SIAG Needs Analysis meeting and have had discussion with SIAG coordinator as to how we can work together in our programs. Current community events that are being held are also promoting the Age Well in Benalla Info Hub to support all our communities.

Regional Assessment Service (RAS)

- Over the quarter the assessment team have received 82 new referrals, completed 42 assessments and 110 support plan reviews.
- Regional Assessment service is finishing at the end of June 2024 when a Single Assessment model will commence with a different agency.
- The Commonwealth has indicated their intention to extend the current RAS program for six months from 1 July to 31 December 2024, to support the onboarding of new assessment providers procured via the open tender. The Commonwealth is running a limited tender, closing 22 April 2024, for providers to deliver RAS in Victoria for the period of the RAS extension from 1 July to December 2024.
- A new provider Uniting Age Well has opened on the My Aged Care portal offering domestic assistance support. The number of clients seeking domestic assistance remains high with local providers unable to cater for all seeking this service.
- A number of concerns have been raised by the RAS team including uncertainty around the transition process to the new provider, when and how to notify clients and the broader community and time to undertake new training whilst continuing to service referrals as they come in.
- Plans are underway to support our three assessment officers as we transition out of the delivery of this service in June 2024.

Highlights

Over the quarter the first three of 11 Rural Community Events were staged. The Social Inclusion Action Group, working in partnership with the Mental Health and Wellbeing Local, and each rural community organised to fund a community event in participating communities, aiming to reduce social isolation and promote positive mental health outcomes in the smaller communities. Thus far, all three events have received positive reports from the organisers and attendees.

These rural events have been well supported by Councillors, which the rural communities have immensely appreciated. Surveys were distributed at each event seeking community feedback into potential future community events and activities that could be piloted.

COUNCIL PLAN 2021-2025 ACTION PLAN

Community

A healthy, safe and resilient community		
Strategy	Action	March Quarter Update
With our community and key stakeholders address the priorities of the Victorian Public Health and Wellbeing Plan 2019-2023: healthy eating and active living; mental wellbeing, sexual and reproductive health, reducing tobacco related harm and harmful alcohol and drug use and preventing violence and injury, drug-resistant infections and climate change and its impact on health.	Implement and monitor Benalla Rural City Municipal Health and Wellbeing Action Plan.	Resourced one meeting of the Benalla Health and Wellbeing Partnership Group. Continually seeking feedback from the partnership of any programs and activities undertaken that align with the MPHWPB. It has been agreed that future meetings of the partnership group will focus on various themes identified by the group, the first of these focusing on drug and alcohol services.
Work together with key health, welfare and community organisations and networks to support better learning, development and wellbeing outcomes for community members.	Work with the State Government to plan for future Benalla Rural City kindergarten infrastructure and workforce needs.	A Kindergarten Connections meeting was held on 27 February with the majority of Benalla kindergartens and childcare centres represented. The Kindergarten Infrastructure and Service Plan (KISP) and Benalla LGA Workforce Plan for Early Childhood Education Centres were discussed and information on services available in Benalla was updated. A preliminary draft Workforce Plan for Early Childhood Education Centres was submitted to the department for feedback. The final version of the workforce plan is to be submitted to the department in May after considering feedback from the department and local providers.

A healthy, safe and resilient community		
Strategy	Action	March Quarter Update
Offer programs, services, activities and events that support, develop and connect community members of all abilities and lead the community in being age friendly and child and Covid safe.	Adopt and implement the Disability Action Plan.	Due to staffing limitations Accessibility Reference Group did not meet over the quarter. Plans are to have the draft Disability Action Plan endorsed by the ARG and be submitted to graphic designer in Quarter 4. Child Safe Working Group continues to meet, with majority of staff having received training from Child Safe Strategies. Follow up sessions being planned for teams across the organisation facilitated by members of the working group. Age Well in Benalla Info Hub re-opened during the quarter promoting services and activities available in Benalla for older people.

A connected, involved and inclusive community		
Strategy	Action	March Quarter Update
Continue to respectfully engage, include, celebrate and promote Aboriginal and Torres Strait Islander culture and people.	Develop and implement Benalla Rural City Council Aboriginal Reconciliation Plan.	Feedback has been received from Reconciliation Australia in relation to the first draft of Council’s Reflect Reconciliation Action Plan (RAP). After discussions with both the Aboriginal and Torres Strait Islander Advisory Group and the RAP working group, the draft has been updated and resubmitted to Reconciliation Australia.
Promote, support and actively engage with smaller rural communities.	Develop and implement Rural Township plans.	Township Plans shared at SIAG community events for feedback. Township projects funded through LRCI program underway.

Leadership

A connected, involved and inclusive community		
Strategy	Action	March Quarter Update
Promote, support and actively engage with smaller rural communities.	Continue to improve community engagement processes and new ways to engage.	Policy adopted and engagement now the responsibility of the Communications and Engagement Coordinator.

FINANCIAL IMPLICATIONS

Operating Budget result for the period ending 31 March 2024

	Notes	2023/24 YTD Actuals	2023/24 YTD Budgets	2023/24 YTD Variance	2023/24 Full Year Budget	2023/24 Full Year Forecast
Community Operations	1	\$481,700	\$593,379	\$111,679	\$920,036	\$1,291,380
Youth Programs	2	\$46,969	\$14,131	-\$32,838	\$98,974	\$177,891
ADS Assessment		\$14,633	\$15,042	\$409	\$17,096	\$145,078
FCS Maternal Child Health		\$86,481	\$101,220	\$14,739	\$136,108	\$340,805
FCS Family & Childrens Services	3	\$143,027	\$58,197	-\$84,830	\$117,231	\$222,648
ADS Aged & Disability Services		\$8,745	\$10,845	\$2,100	\$14,500	\$18,873
ADS Social Support		\$0	\$63	\$63	\$737	\$0
Total		\$781,555	\$792,877	\$11,323	\$1,304,682	\$2,196,675

Notes:

1. Favourable variance primarily due to difficulties with staff recruitment.
2. Unfavourable variance due to additional grant funding, expenditure to occur 23/24.
3. Unfavourable variance due to the delivery of programs funded by grants received in prior years (unearned income).

Recommendation:

That the report be noted.

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6. People and Performance Department Activity Report For The Quarter Ended 31 March 2024

SF/1538

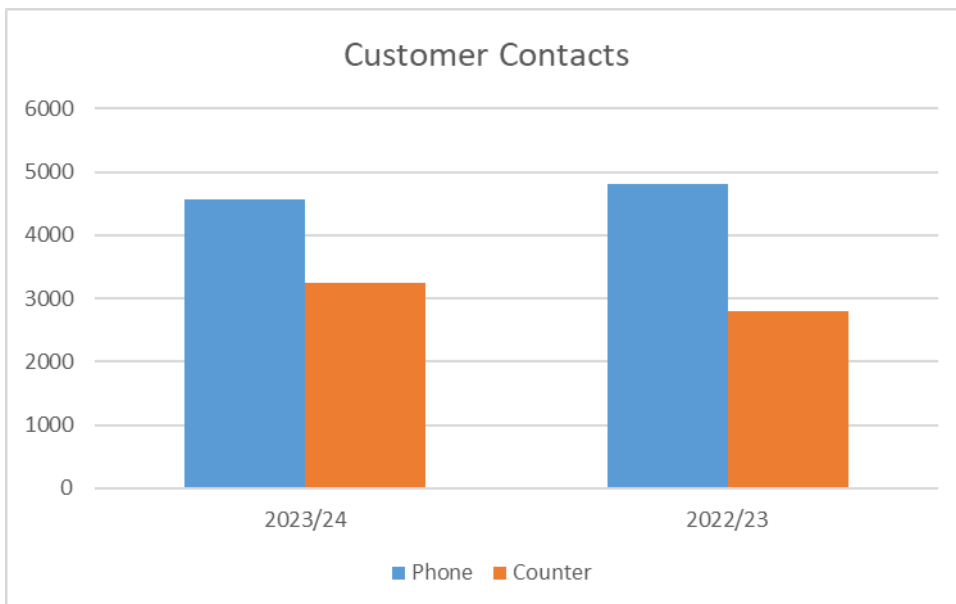
Janine McMaster – Manager People and Performance

PURPOSE OF REPORT

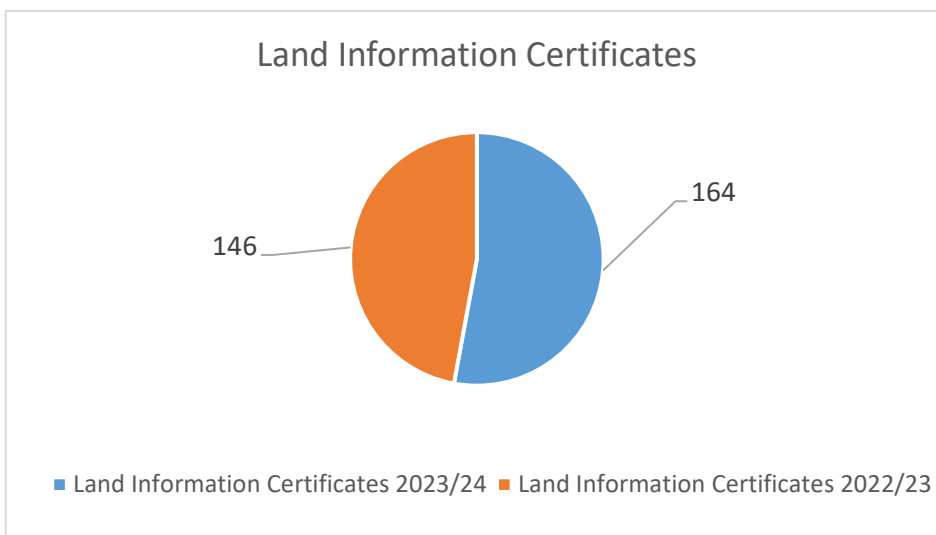
The report presents the activities of the People and Performance Department for the quarter ended 31 March 2024.

Customer Relations

- There was a shift this quarter with a 14 per cent increase to counter contacts versus 5 per cent decrease to phone contact compared to 2022/23.



- Land Information Certificates increased by 12 percent for the quarter compared to 2022/23.



Complaints Received for the period between 1 January 2024 to 31 March 2024

Category	Description
Benalla Landfill and Resource Recovery Centre	Incorrect information provided - regarding free organic waste.
Waste	Kerbside collection contractor – rubbish bin replacement, not to required standard.
Waste	Kerbside collection contractor – damage to bin due to rough handling.
Traffic Management	Closed road signage - potential safety hazard.
Open Spaces	Standard of roadside slashing - not satisfactory.

Human Resources

Service	December 2023	March 2024
Recruitment	4	9
Turnover	1	2
Training Applications	74	20
Workplace incidents	6	9
WorkCover claims	1	1

- The workplace incidents ranged from driving, equipment use, slip, trip or fall and, near miss. Of the nine incidents, there was one work cover claim submitted for a back injury due to a fall. The staff member has since returned to full duties.
- Ongoing maintenance and administration of the Human Resources functions, including the following areas: recruitment, interview, induction, organisational wide training and monitoring the training budget.
- Completed the new formatting of the staff position description. The proposed position description was endorsed by the Leadership Team at the March meeting and made available to staff for feedback. After some minor changes, the document will be re-presented to the next Leadership Team with a recommendation for their approval.
- Work continued on the New Employee Handbook in collaboration with the Communications and Engagement Coordinator.

Payroll

- Maintained Payforce database in response to changes in employee details and terms of employment.
- Responded to internal payroll enquiries.
- Prepared managers’ payroll reports each fortnight and other ad hoc and costing reports.
- Prepared data for Gender equity commissioner report, which was uploaded to the commissioner as required.
- Participated in Collaborative Digital Innovation (CODI) Project for payroll workshops.

Risk Management

Occupational Health and Safety

- Aggressive Customer training conducted for some staff with additional sessions now being arranged for the remainder of the organisation.
- All first aid kits were serviced with new kits being purchased as required.
- Skin checks were conducted for staff who work outdoors in various departments.
- New Evacuation plans were developed, approved and installed throughout all Council worksites.
- Routine fire extinguisher inspections were conducted.

OH&S continues to be monitored through the following regular:

- workplace site inspections - all site inspections were completed throughout March with no outstanding actions.
- designated Workplace Group meetings
- incident and hazard reporting and monitoring
- incident and hazard action lists
- reporting to the Leadership Team and OH&S Committee
- reporting at department team meetings.

Information Sessions

The Corporate Risk Coordinator attended the Municipal Association of Victoria's Best Practice Insurance Forum.

Information Management

- Ongoing processing of both electronic and hard copy information.
- Continuing to work with other stakeholders on the implementation of the joint Information Management solution as part of the Collaborative Digital Innovation (CODI) Project.
- Review and finalisation of the Business Classification System for the four Councils in the joint Information Management collaboration.

Volunteer Development

- 199 surveys regarding volunteer celebrations were sent out to all active volunteers. This data will be collated in February 2024. 71 surveys were returned with six being anonymous. The results are to be included in the Volunteer Newsletter due out May 2024.
- 13 applications received online from people wanting to volunteer during the Benalla Street Art Festival. The Volunteer Coordinator (VC) met with the applicants to assist them with completing the required Police Checks and Working with Children Checks. The VC also attended the meetings regarding the Benalla Street Art volunteers.

Volunteer activity for the quarter:

Volunteer Activity	Current 2024	
	Registered	Active
Arts and Tourism	59	34
Events and Festivals	18	10
Youth Programs (Live4Life) Not all students currently recorded in Data Sheet	23	21
L2P (Mentors only)	32	30
Gardens maintenance and Litter Reduction	28	21
Specialist Committees & Steering Groups (includes Age Friendly)	48	36
RedB4 Bookshop Benalla Library	66	39
Friends of Groups	53	37
Total	327	228

Sir Edward ‘Weary’ Dunlop Learning Centre (Benalla Library)

Over this period, Benalla Library has welcomed 15,580 patrons through our doors and loaned a total of 17,240 items.

Activity	January 2024	February 2024	March 2024
Total Visits	5,400	5,153	5,027
Total Loans	5,746	5,894	5,600
Total Members	3,849	3,889	3,883

January

- The ever-popular Spintronics and Turing Tumbles returned for the summer school holidays, as well as the weekly film screenings with snacks.
- During the school holidays Benalla Library ran a Dungeons and Dragons character creation session to gauge interest in a library led junior Dungeons and Dragons campaign.
- Benalla Library welcomed Tomorrow Today’s PEEP group in for their first week of the year. During the first week, PEEP operates out of the children’s area as an introduction to the library for the families within their programs and to develop a sense of ease and trust within the space.
- Our January author talk with Gabriel Bergmosser was extremely well received, with many patrons placing holds on his books through us or purchasing the books from Gabriel. Gabriel was a pleasure to host and will be welcome back any time.

February

- Benalla Library proudly welcomed the National Museum of Australia’s touring showcase Convict Tokens. These tokens were made by convicts around the time of their sentencing and were given to friends and loved ones as mementos. Many of the tokens are undated, but the dated tokens creation dates range from 1781 – 1856. Benalla Library will exhibit these tokens from Thursday 8 February – Saturday 27 April 2024.
- New programs introduced in February included a Walking Talking-Book Club, Scrabble Competitions, Card Game Club, Chatty Café Communi-tea, Silent Reading Sprints, and a Chess Club.
- During February, Benalla Library hosted two authors, Karen Viggars and local author Jess McLough. Both authors were extremely easy to listen to and engaged with patrons about the publishing process.
- Benalla Library engaged with Waminda House for an outreach story time and remote membership drive to help promote what the Benalla Library can offer.



March

- During March, Benalla Library hosted three author talks. We welcomed the hugely popular Fiona Lowe and Glenna Thomson, as well as expert acoustic ecologist Andrew Skeoch for a fantastic discussion on bird song and acoustic ecology.
- After a fantastic amount of interest, Benalla Library launched two junior Dungeons and Dragons groups and one teen group. The groups are developing their own world, creating their characters and lore, and (most importantly) battling evil foes to save innocent villagers.
- The Library Coordinator attended a weeklong State Library leadership course, Managing Self Managing Others. The course was held in Melbourne. Fifty applications were received, the Library Coordinator was one of 18 participants selected to attend.



COUNCIL PLAN 2021-2025 ACTION PLAN

Community

A Connected, Involved and Inclusive Community		
Strategy	Action	March Quarter Update
Encourage, support, value and celebrate volunteering in the community.	Develop and implement a Volunteer Engagement Strategy.	The Draft Benalla Rural City Council Volunteer Development and Engagement Strategy 2023-2025 will be presented to the Leadership Team at its May 2024 meeting.

Leadership

High Performance Culture		
Strategy	Action	March Quarter Update
Improve customer experience through responsive, timely, efficient, well planned, and accessible services.	Review and update the <i>Customer Relations Strategy</i> .	The draft <i>Benalla Rural City Council Customer Experience Strategy 2023-2025</i> will be presented to the Leadership Team at its May 2024 meeting.
Develop a skilled, efficient, and high performing customer focussed workforce.	Adopt and implement a <i>Benalla Rural City Council Workforce Plan</i> .	The Benalla Rural City Council Workforce Plan 2021-2025 is current. Workforce planning workshops have been held with the Leadership Team and all managers are now developing their department plans.

FINANCIAL IMPLICATIONS

Operating Budget result for the period ending 31 March 2024

	Notes	2023/24 YTD Actuals	2023/24 YTD Budgets	2023/24 YTD Variance	2023/24 Full Year Budget	2023/24 Full Year Forecast
People and Performance	1	\$405,416	\$560,498	\$155,082	\$748,515	\$737,170
Customer Relations	2	\$298,545	\$357,772	\$59,227	\$478,181	\$538,181
Records Management	3	\$186,463	\$236,010	\$49,547	\$315,302	\$315,302
Volunteer Development		\$36,912	\$43,754	\$6,842	\$59,917	\$59,917
Risk Management	4	\$592,877	\$717,872	\$124,996	\$754,928	\$754,928
Library		\$282,602	\$311,290	\$28,688	\$469,901	\$439,783
Total		\$1,802,814	\$2,227,196	\$424,382	\$2,826,744	\$2,845,281

Notes:

1. Favorable variance due to receipt of grant for the Free from Violence program. Staff training reduced during quarter one.
2. COVID RAP grant was received in the current year, expenditure during previous year. Favorable variance due to vacant positions within the Customer Relations team.
3. Favorable variance due to reduced staff resources.
4. Favorable variance due to reduced insurance costs and claims.

Recommendation:

That the report be noted.

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7. Economic Development and Sustainability Department Activity Report For The Quarter Ended 31 March 2024

SF/1893

Courtney Naughton – Manager Economic Development and Sustainability

PURPOSE OF REPORT

The report presents the activity of the Economic Development and Sustainability Department for the quarter ending 31 March 2024.

ECONOMIC DEVELOPMENT

Future of Benalla and District Project

- Three Entrepreneurial Discovery Workshops were held for three of our identified innovation opportunities. In January 2024 an Arts, Culture and Heritage workshop and a Eucalypt Derived Health Products workshop were delivered. Farm Forestry workshop was held in February 2024 with Murrindindi Shire. The workshops received good attendance, with between more than 15 people at each workshop.
- After holding the workshops, the Project Control Group continued with the Arts, Culture and Heritage opportunity through to the Innovation Working Group (IWG) phase of the project.
- In March 2024 membership of the Arts, Culture and Heritage IWG was finalised, with the first meeting scheduled for mid-April 2024.
- The project is due to be completed by the end of July 2024. The project team will run a Manufacturing Entrepreneurial Discovery Workshop, which will then proceed to an IWG. The Arts, Culture and Heritage IWG will have had four meetings, and will have elected a chair, and have settled on their work program moving forward.

BUSINESS DEVELOPMENT

Benalla Street Art Festival 2024

The Benalla Street Art Festival has been hailed a resounding success, with preliminary sensor data indicating more than 55,000 people visited the Benalla CBD during the weeklong event held between 21-28 March, 2024.

- Congratulations to the curator Eddie Zammit and his team, the Economic Development Team, along with Facilities, Planning and the Depot and the Advisory Committee, volunteers, sponsors and businesses who all assisted to create a wonderful festival
- Thanks to funding from the Victorian Government's Regional Events fund, Council was able to appoint curator Eddie Zammit whose role included engaging artists, branding, marketing and program design, plus sponsorship acquisition.
- The Street Art Advisory Committee met monthly and were heavily involved as volunteers during the Benalla Street Art Festival.
- Council's role included event management and logistics, recruitment of volunteers plus kind support and sponsorship, business engagement and fringe event co-ordination. Media and communications were also handled by our Comms team.

- A Street Art Business Window Decoration competition saw the following winners announced. First - Piccadilly Laneway Antiques and Collectibles; Second - Jillian Gaynor Studios and 3rd Carlisle Art. Four businesses were highly commended including: Stolz Furnishings, Ruby Blue Cafe, Heart of Art Benalla and Maltrim Upholstery.
- Data collection is being compiled with Sage sensors in place at three locations in the CBD (Library, Denny Street toilets and Hides bakery) in order to track pedestrian traffic. Initial figures are pleasing. A full report will be available at the conclusion of the two month trial period.

2024 Festival Data:

- Seventeen new murals were created in Benalla's central business district.
- Sixteen national and international artists lived in Benalla for a week or more.
- Fourteen volunteers were trained as safety observers for scissor lift duty.
- Seven exhibitions and pop-up studios were free to the public.
- Seven workshops were held at a variety of venues.
- Six walking tours were sold out.
- Five free live music events.
- Four talk panels.
- Three street art movies over four days.
- Three successful gastronomy and art experiences.
- Two trivia and comedy nights.
- One VIP artists and sponsors event.
- One Art Attack Kids Zone on the weekend.
- One business window competition.
- One Closing community party.

Business Networking and Upskilling

- Coffee Connections held in February and March 2024 with more than ten attendees at each session.
- Click Region – coffee chats for digital upskilling for small businesses held in March 2024.
- Business Chamber reinvigoration – ongoing discussions.
- Business Bus scheduled for 17 April 2024 outside the Town Hall for free 1:1 business advice.
- Online webinars through Business Victoria and Innovation Melbourne available.

Jobs and Skills

The North East Victorian Jobs Hub, a partnership of Benalla, Mansfield and Wangaratta Councils, had 809 jobs advertised this quarter.

Job location	Towns	Number
Benalla Rural City	Benalla, Devenish, Glenrowan	161
Mansfield Shire Council	Mansfield, Bonnie Doon, Mt Buller, Macs Cove, Howqua, Jamieson	108
Rural City of Wangaratta	Wangaratta, East Wangaratta, Milawa, Docker, Greta West	394
Moira	Yarrowonga	79
Indigo	Beechworth, Everton, Stanley, Yackandandah	23
Alpine & Towong	Bright, Myrtleford, Mount Beauty	31
Euroa		10
Murchison		3
Total		809

COMMUNICATIONS AND COMMUNITY ENGAGEMENT

Media Coverage – Highlights from the quarter ended 31 March 2024

Media coverage for the period 1 January 2024 to 31 March 2024 was dominated by the Benalla Street Art Festival. In total there were 233 media items published in the period that mentioned Benalla Street Art Festival, out of a total of 632 total mentions.

The top ten media outlets for content mentioning Benalla Street Art Festival during the period to 31 March 2024 were:

- Benalla Ensign
- Cobram Courier
- Yarrowonga Chronicle
- Shepparton News Online
- Kyabram Free Press
- Riverine Herald
- Corowa Free Press
- Southern Riverina News
- Campaspe News
- Deniliquin Pastoral Times

214 of the 233 mentions of Benalla Street Art Festival came from local sources with Benalla Ensign contributing 43 articles to this tally. The Benalla Street Art Festival reached 160,206 people in the three-month reporting period.

Community Engagement Activities

During this quarter there were two projects open on the Have Your Say Benalla online community engagement platform, these were:

- Benalla Indoor Recreation Centre Redevelopment
- Benalla Senior Citizens Community Centre – Proposed Name Change

Of the live projects, the Benalla Indoor Recreation Centre Redevelopment Project page received the largest number of visits (905) making up just over 70 per cent of site visits, showing the large public interest in this project.

Social media was also a strong driver of traffic to the Have Your Say website, showing the strategy to use Facebook as a primary communication channel as being effective. The high score for search engine referrals can be attributed to word of mouth and newspaper mentions of engagement projects, namely the Benalla Indoor Recreation Centre Redevelopment Project.

EVENTS

Australia Day

- Australia Day events were held on 26 January 2024 in Baddaginnie, Benalla, Devenish, Goomalibee, Goorambat, Lima, Molyullah, Tatong, Thoona and Warrenbayne and featured community breakfasts, morning tea and flag raising ceremonies.
- More than 300 people attended the Australia Day award presentations at Benalla Performing Arts and Convention Centre (BPACC). Twenty-seven award nominees were recognised and acknowledged for their achievements and contribution within the award categories of Citizen, Young Citizen and Junior Citizen of the Year, Community Group of the Year, Community Event or Project of the Year and District achievers.

Special Cinema Screenings

As part of the 2024 Australia Day celebrations, two movies were screened at the Benalla Cinema, Scary Girl rated PG and The Dry rated M.

Two sessions of the Peppa Pig Cinema Party and colouring in competition were held during the school holidays.

A double feature movie session was held for the release of Dune 2. Both Dune One and Two were played as a special one off.

Cinema Comparison

Month	BPACC	Patrons 2023	Benalla Cinema	Patrons 2024
January	66 sessions	1110	118 sessions	1760
February	56 sessions	603	69 sessions	603
March	64 sessions	566	100 sessions	765

Street Art

Benalla Cinema participated in the 2024 Benalla Street Art Festival. Three street art movies were shown during the festival:

- Exit Through the Gift Shop
- Martha: A picture Story
- Bromley – Light after Dark. (documentary).

Two sessions were held with David Bromley, Sean McDonald (director and Yuge Bromley). This experience allowed visitors to see firsthand some of Bromley's works in the Michael Savage Exhibition Gallery. All works on exhibition were also seen in the documentary.

Benalla Visitor Information Centre

Visitor numbers for the quarter:

Month	Visitor numbers
January 2024	1401
February 2024	963
March 2024	1832
Total	4192

The Costume and Kelly Museum was reopening to members of the public on Good Friday.

The Visitor Information Centre (VIC) will trial reduced hours of operation with a view to making them permanent. These hours have been revised in consultation with the Victorian Tourism Industry Council to ensure the VIC continues to accreditation requirements.

From 1 June 2024, the new VIC hours of operation will be:

- Weekdays 10am to 4pm
- Saturday 10am to 3pm
- Sunday 10am to 2pm.

School Holiday Program

Wild Action – The zoo that comes to you! conducted three shows at the Benalla Visitor Information Centre on Wednesday 17 January 2024 as part of the school holidays program. Three free shows were held with more than 80 attendees.

Tourism

During March 2024 the Visitor Economy Coordinator worked collaboratively with Tourism North East to update the Benalla tourism image gallery. Updated tourism assets included the Benalla splash park, Botanical Gardens, Aboriginal Gardens, Cinema, Ceramic Mural and operators, Dunmore Farm, Little Cedar Goats Cheese, The Merchant and Winton Motor Raceway.

These images will be used to promote the images not only through Enjoy Benalla, Tourism North East but also to update the image gallery through Visit Victoria.

Four tenders were received for the *Tourism Destination Management Plan*. The tender was awarded to *TRC Tourism* with Dr Alli Andersen being the project lead. An inception meeting was held with *TRC Tourism* in March to discuss the project timelines and the deliverables of the project. The development of the plan will commence in the next quarter.

Street Art Guided Tours

During the Benalla Street Art Festival tourism staff assisted with the organisation of six street art walking tours. Tours were conducted on Saturday, Sunday and on the last day of the festival at 11am and 3pm. Tours were well received with 20 visitors on each tour. Visitors came from Melbourne, Castlemaine, Benalla and as far as Jindabyne for these walking tours. Guides were members of the Benalla Street Art Committee, Benalla Street Art Festival Curator, and the Visitor Economy Coordinator. This was a ticketed event with the sales of the tickets (\$5.00) going back to the Benalla Street Art Festival.

Benalla Art Gallery

- For the quarter 1 January to 31 March 2023, Benalla Art Gallery welcomed 20,128 exhibition visitors, and staged 21 public and education programs for over 900 participants.
- Benalla Art Gallery participated in the statewide *PHOTO 2024 International Festival of Photography* through two major exhibitions. The partnership increased exposure for the Gallery through the Festival's significant media and marketing channels, include statewide distribution of printed programs, advertising, and online communications. Major outcomes from the partnership included a national feature on Scotty So: +50 published in Artshub; attraction of the Director of the National Gallery of Victoria.
- Benalla Art Gallery has received shipment of new ERCO LED Bluetooth dimmable lights for the Bennett and Ledger galleries, funded through the local roads and community infrastructure (LRICI) program. Installation of the lights and app-based controls are due to be in place by the end of April 2024.
- Preparations for five new exhibitions scheduled to commence in May 2024 were undertaken:
 - *Janet Leith: Melancholia*
 - *Hans Heysen and Matthew James MacNally: Light Shines, Shadow Falls*
 - *Claire Beausein: Smells Like Rain*
 - *Ruth Johnstone and Lesley Duxbury: Embrace the Eucalypt*
 - *Nocturne: Benalla Art Gallery Collection*
- Benalla Art Gallery continues to work with the Benalla Art Gallery Foundation to support future fundraising endeavours. In this period, this included a 1 hour lecture by the Gallery Director to the Melbourne Lyceum Club Art Appreciation Circle about the history, collection, programs, achievements, and future endeavours of Benalla Art Gallery.
- Benalla Art Gallery has engaged Grimwade Centre for Cultural Materials Conservation to develop a costed plan for the restoration of the Benalla Ceramic Mural, in concert with original artists Regina Laity-Plex and David Moore.

Sustainable Environment

- Review of the *Holland Bio link Management Plan* was undertaken with support from TREC Land Services.
- Community engagement on updating the *Holland Bio link Management Plan* will be commencing in April 2024.
- The final draft of the *Benalla Rural City Climate and Environment Strategy 2024-2029* was completed. The draft strategy will be presented at a Council Meeting.
- Council has submitted a Letter of Intent to join VECO 2.0 at the start of the 24/25 financial year, switching all of Council’s current electricity to renewable energy.
- The *2023/24 Roadside Weed Control Program* is nearing completion with substantial amount of Blackberry treated and some small treatments remaining.
- The environment team completed the *Roadside Weed Program Control plan 2023-2026* with the program endorsed by *Agriculture Victoria*.

COUNCIL PLAN 2021-2025 ACTION PLAN

Liveability

Vibrant public spaces and places		
Strategy	Action	March Quarter Update
Beautify streetscapes, landscaping, signage and town entrances.	Upgrade town signage and entry gateways.	Branding strategy to be developed in the 24/25 financial year and put out for community consultation.

Economy

Thriving business and industry		
Strategy	Action	March Quarter Update
Work together with key stakeholders to engage, support, strengthen, enhance and diversify local business.	<ul style="list-style-type: none"> ▪ Develop the Economic Diversification plan. 	<ul style="list-style-type: none"> ▪ EDP workshops for 3 of our Innovation opportunities have been completed, with one more to run in May. We had good attendance from across the Quadruple Helix. The Arts, Culture and Heritage opportunity will proceed to IWG stage.
	<ul style="list-style-type: none"> ▪ Develop a Benalla Rural City Small Business Attraction and Assistance program. 	<ul style="list-style-type: none"> ▪ This will be an outcome of the Economic Development Strategy to be delivered in 24/25 Financial Year.
Attract new investment, business and industry to the Benalla Rural City to facilitate business growth and job creation.	Develop an Economic Diversification plan.	Opportunities were investigated during January to February 2024. Investment attraction will be the focus of the project throughout 2024.

Flourishing tourism		
Strategy	Action	March Quarter Update
Strengthen the visitor economy through growth of events and promotion of unique assets and experiences and visitor attractions.	Review and update the Events and Tourism strategy.	<i>TRC Tourism</i> have been awarded the contract for Council's new Destination Management Plan. Internal project control group has been established and community surveyed developed.
Grow, enhance and promote sports, arts and culture tourism opportunities.	Reinvigorate and deliver the Benalla Street Art Festival.	Council delivered its first Benalla Street Art Event in March 2024. The event was highly successful and attracted a high number of visitors to the area the week that it was held.

Environment

Healthy and protected natural environment		
Strategy	Action	March Quarter Update
Partner with agencies and the community to manage and enhance our natural environmental assets, water quality and river health across Benalla Rural City and support the Goulburn Broken Catchment Management Authority Regional Catchment Strategy and other regional environmental strategies.	Review and update the Environmental Strategy and the Climate Change Adaptation Plan.	Council officers continue to take part in the Goulburn Broken Catchment Management Authority Biodiversity Roundtable meetings. Council also continues to work with GeckoClan Landcare Network.

Sustainable practices		
Strategy	Action	March Quarter Update
Partner with business, industry and community to plan and implement local approaches and initiatives that respond to climate change.	Review, update and adopt Benalla Rural City Council Environment Strategy.	The draft <i>Benalla Rural City Climate and Environment Strategy</i> has been completed and is ready to be presented to Council.
Advocate, promote, support and encourage the use of renewable and clean energy and technology.	Encourage and facilitate the installation of more electric vehicle chargers in and around the Benalla CBD.	Council is continuing to work with businesses to provide Electric Vehicle charging infrastructure within the municipality. Currently the Denny Street carpark has two charging stations.

FINANCIAL IMPLICATIONS

Operating Budget result for the period ending 31 March 2024.

	Notes	2023/24 YTD Actuals	2023/24 YTD Budgets	2023/24 YTD Variance	2023/24 Full Year Budget	2023/24 Full Year Forecast
Economic Development and Sustainability		\$334,654	\$343,448	\$8,794	\$428,985	\$446,142
Art Gallery	1	\$321,862	\$390,069	\$68,207	\$569,652	\$550,532
Benalla Cinema	2	\$149,318	\$180,083	\$30,765	\$240,516	\$188,805
Communications and Engagement	3	\$227,436	\$269,160	\$41,724	\$359,657	\$399,897
Events		\$250,112	\$255,226	\$5,114	\$294,418	\$313,681
Tourism		\$258,367	\$245,049	-\$13,318	\$319,874	\$352,962
Environmental Sustainability		\$104,818	\$113,173	\$8,355	\$151,142	\$183,662
Business Development		\$118,736	\$121,286	\$2,550	\$193,650	\$163,650
Total		\$1,765,303	\$1,917,494	\$152,191	\$2,557,895	\$2,599,332

Notes:

1. The favourable variance is due to more than budgeted income from the Benalla Art Gallery Gift shop and a delay in payments for program exhibitions.
2. The favourable variance is due to more than budgeted income from movie ticket sales over summer and the school holiday period.
3. The favourable variance is due to the communications newsletter no longer being printed in hardcopy. Savings will be reallocated to website upgrades for the cinema in the next quarter.

Recommendation:

That the report be noted.

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8. 2023/24 Major Event Funding Program

SF/2857

Kate Nolan – Event Coordinator

Courtney Naughton – Manager Economic Development and Sustainability

PURPOSE OF REPORT

The report presents funding applications for the 2023/24 Major Event Funding Program.

BACKGROUND

The Council’s Major Event Funding Program enables local community groups, clubs, organisations and external event groups to seek up to \$2,000 in funding to assist in the staging of events that will provide measurable economic benefit and enhance the image and liveability of Benalla Rural City.

DISCUSSION

Major Event Funding

Applications for consideration under the 2023/24 Major Event Funding program are detailed in the table below.

Applicant	Details	Amount Requested	Proposed Assistance
Austin 7 Club 24-26 May 2024 Winton Motor Raceway	Historic Winton 47 Historic Winton is Australia's longest running all historic car and motor bike race meeting. It features transport and heritage displays, including display laps of the circuit for the spectators to enjoy the sounds and sights of yesteryear. There are 49 circuit events plus practice conducted over the weekend. On Friday May 24, there is touring event around the Benalla district which is jointly conducted by the Benalla Rural City Council and the Austin 7 club. The economic benefit will see around 4014 people who will attend the event proving the flow on effect to the municipality, businesses, accommodation providers all benefit. The Austin 7 club rely on this income to continue to run the event to support the historic automotive scene and provide a focus and social point for senior citizens.	\$2,000	\$2,000
Total		\$2,000	\$2,000

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 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 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.

FINANCIAL IMPLICATIONS

The *2023/24 Budget* allocated \$12,000 to the Major Event Funding program. The total spend of \$12,000 has been fully allocated this financial year. However, The Historic Winton 47 Event is an event that has significant economic benefit to the region and meets the requirements of the fund. It is proposed that the \$2,000 overspend in the Major Event Funding program be offset by savings in the Event Attraction budget.

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, approve a \$2,000 grant from the 2023/24 Major Event Funding program to the Austin 7 Club.

9. Facilities and Information Technology Department Activity Report For The Quarter Ended 31 March 2024

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 2024.

Facilities Management

- Sir Edward Weary Dunlop Learning Centre – Investigated and found the source of a significant water leak from the roof. The leak is now repaired, and damaged plaster repainted.
- Frequent vandalism occurred during the quarter, impacted locations were Adventure Park Toilets, Airport Public Toilets, Denny Street Toilets, Splash Park Toilets, and the Cooper Pavilion public toilets at the show grounds. Formal police reports submitted, with CCTV where available.
- An unusual Notice to Airmen (NOTAM) was issued at the Benalla Airport on the advice of the Civil Aviation Safety Authority for panic weed which had accumulated in large windborne drifts around airport buildings and on aircraft movement areas. Staff increased inspections to twice daily for 14 days, during the two weeks that the NOTAM was declared.
- The Town Hall basement kitchen and multipurpose meeting space fit-out has commenced.

Information and Communications Technology (ICT)

- Went to market for a network hardware refresh jointly with Strathbogie and Murrindindi shires.
- Preparing a specification to go to market for discreet devices including laptops, monitors, and headsets, for staff still using the older computer terminals.
- eXtended Detection and Response (XDR) security software suite rolled out across laptop VMware computer fleet giving ICT a better insight into potential security threats in the environment.
- Implemented the Australian Protective Domain Name Server (AUPDNS) service offered by the Australian Federal Government. This routes all outgoing traffic through that service and blocks known malicious domains, adding another layer of protection against malware and phishing attacks.

Benalla Aquatic Centre YMCA

- Centre Membership stands at 405, one member less than this time last year.
- Swimming Lesson memberships stand at 660 enrolments, an increase of 71 enrolments compared to last quarter, and 96 more enrolments than this time last year.

Highlight

- The implementation of new ICT security initiatives to protect our network.

COUNCIL PLAN 2021-2025 ACTION PLAN

Liveability

Vibrant public spaces and places		
Strategy	Action	March Quarter Update
Enhance and maintain key places of significance.	Update Benalla Airport Master Plan.	Contract has been awarded for the review. Consultants have commenced stakeholder engagement meetings in-person and on-line.

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> .	The contract to refresh backend network switching infrastructure has been awarded. The successful tender is in the design phase of the project which will result in diverse patches for networking and built in systems redundancy.
Improve customer experience through timely, efficient, well planned, and accessible services.	Participate in the Lower North Eastern Digital Transformation Partnership (CODI).	The Building Module for CODI has gone live at Murrundinid Shire, with Benalla's go live date imminent.

FINANCIAL IMPLICATIONS

Operating Budget result for the period ending 31 March 2024

	Notes	2023/24 YTD Actuals	2023/24 YTD Budgets	2023/24 YTD Variance	2023/24 Full Year Budget	2023/24 Full Year Forecast
Facilities	1	\$2,737,542	\$1,982,937	-\$754,605	\$2,645,208	\$3,695,656
Information Technology	2	\$1,177,591	\$1,357,857	\$180,266	\$1,719,537	\$1,714,431
Benalla Airport	3	\$48,863	\$165,330	\$116,467	\$318,063	\$183,344
Saleyards	4	(\$4,387)	\$21,798	\$26,185	\$29,112	\$29,112
Aquatic Centre	5	\$692,016	\$587,430	-\$104,586	\$783,246	\$873,000
Total		\$4,651,625	\$4,115,353	-\$536,272	\$5,495,166	\$6,495,543

Notes:

- Unfavourable variance due to depreciation expense for Council-owned facilities is \$924,000 more than budgeted due to revaluation of buildings in prior year. Forecast depreciation expense for year has been amended to align with new valuations. Offset by reduced Material and Services expenses as works restricted due to 23 October flood event.
- Favourable variance primarily due to depreciation expenditure being less than forecast.
- Favourable variance as repairs and maintenance works delayed in first three months due to weather conditions. Expenditure on Living Heritage Grants Program, Former Benalla Migrant Camp Conservation projects works rephased to later in 2024.
Forecast expenditure for year reduced as depreciation expense for Benalla Airport less due to review of assets useful life and valuations in prior year.
- Favourable variance as truck wash income more than budgeted in first quarter due to flood event usage. Less expenditure on Saleyards repairs and maintenance due to weather conditions, works rephased to later in the financial year.
- Unfavourable variance on contract management fees (CPI rise impact). Forecast result reviewed accordingly.

Recommendation:

That the report be noted.

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10. Assets and Infrastructure Department Activity Report For The Quarter Ended 31 March 2024

SF/1242

Robert Barber – General Manager Corporate

PURPOSE OF REPORT

The report presents the activities of the Assets and Infrastructure Department for the quarter ended 31 March 2024.

Assets and Infrastructure

Assets and Infrastructure department continued to provide maintenance throughout the municipality, undertake capital works projects, as well as continuing to provide emergency asset restoration works following the Flood and Storm events over the past 24 months.

Highlights for the quarter are detailed below.

Operations

- Completed grading of approximately 143 kilometers of unsealed road.
- Completed grading of 4 kilometers of unsealed road shoulders.
- Replaced 21 square metres of concrete footpath Mackellar Street, Benalla.
- Replaced 22 square metres of concrete footpath in Waller Street, Benalla.
- Replaced 5 square metres of concrete footpath in Carrier Street, Benalla.
- Replaced 4.5 square metres of concrete footpath in Moran Street, Benalla.
- Replaced 4.5 square metres of concrete footpath in Denny Street, Benalla.
- Carried out routine maintenance on the sealed road network with the jet patcher.
- Carried out line marking maintenance throughout the urban and rural areas.
- Carried out routine drain maintenance of rural drains.
- Carried out major repairs to Eleven Mile Creek Road, Glenrowan West which was undermined by rabbits – 100 tonne of crushed road and 1000 kilograms of cement was used in the repairs.
- Carried out tree clearing and traffic management for the Warrenbayne Storm Event including five staff working through the night.
- Carried out pressure washing of walls in preparation for the 2024 Benalla Street Art Festival.
- Changed the Bridge Street and Witt Street, Benalla roundabout banners for the 2024 Benalla Street Art Festival.
- Four maintenance staff undertook Spotters Training.

Parks and Gardens and Open Spaces

- Carried out storm event clean up following the January 2024 Storm event in Warrenbayne.
- Installed three picnic settings that were funded by Rotary Club of Benalla.
- Update of the 2023/24 Electrical Line Clearance Management Plan.
- Committee of Management User Group Agreements were sent out to all user groups.
- Routine tree pruning was carried out.
- Undertook maintenance on all irrigation in the parks and gardens.
- Spraying program was completed for noxious weeds and reserves.
- Staff completed chipper and chainsaw training.

Waste

- Undertook drain repairs from the October 2023 flood event.
- The new kerbside contract implementation is underway.
- Renewed all weekly services for kerbside collection.
- Carried out repairs to leachate pumping infrastructure.
- Undertook a review of the waste management costs.
- Completed Local Government Reporting.
- Carried out landfill risk assessment plan as per EPA license.
- Undertook stage 2 landfill rehabilitation works for EPA.
- Undertook quarterly gas, ground water and leachate monitoring.

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 2023	Sept 2023	December 2023	March 2024
Defects overdue on roads and drains - safety only:				
Link roads	1	13	14	17
Collector roads	0	24	22	35
Access roads	2	13	15	122
Defects overdue on footpaths - safety only	0	0	14	2
Defects rectified - routine maintenance and safety – road, footpath and parks	461	252	185	207
Defects and maintenance - items outstanding - road, footpath and parks	197	348	352	358
Unsealed roads graded (km)	141	119	51	143
Sealed road shoulders graded (km)	45	4	15	0

FINANCIAL IMPLICATIONS

Operating Budget result for the period ending 31 March 2024

	Notes	2023/24 YTD Actuals	2023/24 YTD Budgets	2023/24 YTD Variance	2023/24 Full Year Budget	2023/24 Full Year Forecast
Capital Projects Operations	1	\$427,051	\$389,868	-\$37,183	\$1,371,226	\$803,552
Operations Support	2	\$1,078,417	\$320,778	-\$757,639	(\$101,932)	\$1,327,942
Plant Operations	3	\$113,826	\$39,717	-\$74,109	\$53,034	\$76,796
Operations and Capital Grant Income	4	(\$649,400)	(\$3,744)	-\$645,656	(\$14,361,258)	(\$4,256,221)
Sealed Roads	5	\$2,391,780	\$2,207,195	-\$184,585	\$2,943,978	\$3,864,706
Unsealed Roads	6	\$1,026,149	\$1,329,676	\$303,527	\$1,774,557	\$1,622,338
Bridges	7	\$556,486	\$662,241	\$105,755	\$883,108	\$886,325
Drainage	8	\$694,703	\$523,796	-\$170,907	\$699,137	\$696,221
Mechanics Workshop		\$57,490	\$61,897	\$4,407	\$82,726	\$82,726
Street Cleaning	9	\$42,235	\$56,711	\$14,476	\$75,764	\$75,764
Roadsides	10	\$794,039	\$412,091	-\$381,948	\$550,174	\$533,046
Parks and Gardens		\$790,757	\$789,830	-\$927	\$1,054,891	\$1,044,391
Asset Management Services	11	(\$490)	\$188,176	\$188,666	\$251,571	\$100,311
Landfill	12	\$796,203	\$999,890	\$203,687	\$1,345,881	\$1,263,525
Kerbside Waste	13	(\$2,680,566)	(\$2,459,553)	\$221,013	(\$1,854,943)	(\$1,854,943)
Recreation	14	\$137,181	\$209,457	\$72,276	\$279,354	\$199,839
Total		\$5,575,861	\$5,728,026	\$152,165	(\$4,952,733)	\$6,466,318

Recommendation:
That the report be noted.

11. Urgent Business

Closure of Meeting