

# Council Meeting

## Agenda

**Date: Wednesday 29 June 2022**

**Time: 5.30pm**

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

The *COVID-19 Omnibus (Emergency Measures) Act 2020* enables councils to hold meetings electronically. This measure is intended to ensure the safety of members of the public, Councillors and Council staff.

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

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

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

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## Contents

<b>1. Opening and Acknowledgment of Country</b>	<b>3</b>
<b>2. Statement of Commitment</b>	<b>3</b>
<b>3. Disclosures of Conflict of Interest</b>	<b>4</b>
<b>4. Apologies</b>	<b>4</b>
<b>5. Confirmation of the Minutes of the Previous Meeting</b>	<b>5</b>
<b>6. Public Question Time</b>	<b>5</b>
<b>7. Petitions</b>	<b>7</b>
<b>8. Record of Committees</b>	<b>7</b>
8.1 Finance and Operations Committee	7
8.2 Planning and Development Committee	7
8.3 Assemblies of Councillors, Advisory and External Committees	9
<b>Officer Reports</b>	<b>11</b>
9.1 Authorisation of Signing and Sealing of Documents	11
9.2 Benalla Rural City Council 2022/23 Budget	13
9.3 Benalla Rural City Council Financial Plan 2023 to 2032	31
9.4 Facility Hire Subsidy Program Policy Review	35
9.5 Commemorative Memorial Guidelines Policy Review	39
9.6 Roadside Fatality Memorial Guidelines Policy Review	43
9.7 Mayor and Councillors' Attendance at Committees and Civic Functions	47
9.8 Council Actions Pending	51
<b>10. Reports by Councillors</b>	<b>53</b>
<b>11. Notices of Motion</b>	<b>53</b>
<b>12. Notices of Rescission Motion</b>	<b>53</b>
<b>13. Urgent Business</b>	<b>53</b>
<b>14. Confidential Business</b>	<b>55</b>
14.1 Confidential Report by Councillors	57
14.2 Confidential Council Actions Pending	57
<b>15. Reopening of the meeting to the public</b>	<b>59</b>
<b>16. Closure of the meeting</b>	<b>59</b>

# Agenda

**Chair** Councillor Bernie Hearn (Mayor)

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

**In attendance** Dom Testoni Chief Executive Officer  
Robert Barber General Manager Corporate  
Cathy Fitzpatrick Manager Finance  
Adrian Gasperoni Manager Assets and Infrastructure  
Greg Robertson Manager Facilities and Information Technology  
David Jenkins Finance Coordinator  
Jessica Beaton Governance Coordinator

## 1. Opening and Acknowledgment of Country

The chair will 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.*

## 2. Statement of Commitment

The Councillors will recite the following Statement of Commitment:

*I declare,*

*that as a Councillor of Benalla Rural City*

*I will undertake on every occasion*

*to carry out my duties in the best interests of the community*

*and that my conduct shall maintain the standards of our Councillor Code of Conduct*

*so that I may faithfully represent*

*and uphold the trust placed in the Council*

*by the people of Benalla and District.*

## Governance Matters

This Council Meeting is conducted in accordance with the *Local Government Act 2020* and the Benalla Rural City Council *Governance Rules 2020*.

## Recording of Council Meetings

In accordance with the *Governance Rules 2020* clause 6.4 meetings of Council will be audio recorded and made available for public access, with the exception of matters identified as confidential items in the agenda.

## Behaviour at Meetings

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

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

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

## 3. 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.

## 4. Apologies

<b>Recommendation:</b>
<b>That the apology/ies be accepted and a leave of absence granted.</b>

## 5. Confirmation of the Minutes of the Previous Meeting

The minutes have been circulated to Councillors and posted on the Council website [www.benalla.vic.gov.au](http://www.benalla.vic.gov.au) pending confirmation at this meeting.

**Recommendation:**

**That the Minutes of the Council Meetings held on Wednesday 25 May 2022 and Wednesday 8 June 2022 be confirmed as true and accurate records of the meetings.**

## 6. Public Question Time

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

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

A question may be on any matter except if it:

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

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

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

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

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

**Recommendation:**

**That the question(s) and answer(s) be noted.**

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## 7. Petitions

## 8. Record of Committees

### 8.1 Finance and Operations Committee

The reports and recommendations of the Finance and Operations Committee meetings held on Wednesday 25 May 2022 and Wednesday 15 June 2022 are attached as **Appendix 1**.

**Recommendation:**

**That the reports and recommendations of the Finance and Operations Committee meetings held on Wednesday 25 May 2022 and Wednesday 15 June 2022 be adopted.**

### 8.2 Planning and Development Committee

The reports and recommendations of the Planning and Development Committee meetings held on Wednesday 22 June 2022 are attached as **Appendix 1**.

**Recommendation:**

**That the reports and recommendations of the Planning and Development Committee meeting held on Wednesday 22 June 2022 be adopted.**

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**Business****1. Public Question Time**

No questions were submitted to the meeting.

**2. Proposed 2022/23 Budget – Hearing Of Submissions**

The report presented submissions received on the proposed 2022/23 *Budget*.

It is noted that the following persons addressed the meeting in relation to their submissions:

- Warren Sun
- June Howard

**Cr O'Brien / Cr Davis:**

**That an extension of three minutes be given to Warren Sun.**

**Carried**

**Cr O'Brien / Cr Gunaratne:**

**That an extension of three minutes be given to June Howard.**

**Carried**

**Cr Claridge / Cr Davis :**

**That submissions be received.**

**Carried**

### 3. Draft *Benalla Rural City Council Financial Plan 2023 to 2032* – Hearing Of Submissions

The report presented submissions received on the draft *Benalla Rural City Council Financial Plan 2023 to 2032*.

**Cr Davis / Cr O'Brien:**

**That submissions be received.**

**Carried**

Recommendations of the Finance and  
Operations Committee meetings  
held on Wednesday 25 May 2022

## Business

### 1. Public Question Time

No questions were submitted to the meeting.

### 2. Presentation: North East Multicultural Association

North East Multicultural Association President Ian Prentice and Outreach Worker Jess Winter delivered a presentation on the organisations activities.

### 3. Proposed 2022/23 Budget – Consideration of Submissions

The report considered submissions received on the proposed 2022/23 Budget.

Cr Hearn / Cr Davis:

That the report be noted.

Carried

### 4. Draft Benalla Rural City Council Financial Plan 2023 to 2032 – Consideration of Submissions

The report considered submissions received on the draft Benalla Rural City Council Financial Plan 2023 to 2032.

Cr Hearn / Cr Claridge:

That the report be noted.

Carried

**5. Draft *Benalla Rural City Council Youth Strategy 2022-2026* – Consideration of Submissions**

The report presented submissions received on the *Benalla Rural City Council Youth Strategy 2022-2026*.

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

- 1. That submissions be received.**
- 2. That the *Benalla Rural City Council Youth Strategy 2022-2026* be adopted.**

**Carried**

**6. 2021/2022 Community Sponsorship Program**

The report presented funding applications under the 2021/22 Community Sponsorship Program.

**Cr Davis / Cr O'Brien:**

- 1. That \$500 grants from the 2021/22 Community Sponsorship Program be allocated to the Benalla Aviation Museum and Golden Vale Golf Club.**
- 2. That a \$330 grant from the 2021/22 Community Sponsorship Program be allocated to U3A Benalla.**

**Carried**

## 7. Appointment of Benalla Festival Advisory Committee Members

The report presented nominations received for appointment to the Benalla Festival Advisory Committee.

**Cr Firth / Cr Claridge:**

**That the following nominees be appointed to the Benalla Festival Advisory Committee as Community Representatives:**

- **Caroll Bolitho**
- **Stephanie Brack**
- **Vince Branigan**
- **Wayne Godfrey**
- **Dianne Harper.**

**Carried**

## 8. Appointment of Benalla Australia Day Advisory Committee Members

The report presented nominations received for appointment to the Australia Day Advisory Committee.

**Cr Hearn / Cr Davis:**

**That the nominees below be appointed to the Australia Day Advisory Committee:**

- **Amanda Challis – Benalla Australia Day Committee/Rotary Club of Benalla**
- **Robyn Goudie – Thoona Australia Day Committee**
- **Jade Kirk – Tatong Australia Day Committee**
- **Warren Rex Nankervis – Community Representative**
- **Vicki Sherriff – Community Representative**
- **Christine Werner – Goorambat Australia Day Committee**
- **Diane Young – Devenish Australia Day Committee.**

**Carried**

## 9. *Financial Hardship Policy Review*

The report presented for consideration the draft *Financial Hardship Policy*.

Cr Claridge / Cr Davis:

1. That the *Financial Hardship Policy* be adopted.
2. That the *Financial Hardship Policy* be reviewed once the *Local Government Legislation Amendment (Rating Reform and Other Matters) Bill 2022* becomes legislation.

Carried

## 10. *Investment Policy Review*

The report presented for consideration the reviewed and updated *Investment policy*.

Cr Firth / Cr Hearn:

1. That the *Investment Policy* be adopted.
2. That the *Investment Policy* be reviewed in June 2026.

Carried

## 11. *Procurement Policy Review*

The report presented for consideration the reviewed and updated *Procurement Policy*.

Cr Hearn / Cr Firth:

1. That the *Procurement Policy* be adopted.
2. That the *Procurement Policy* be reviewed by 31 May 2025.

Carried

## **12. Future Provision of Commonwealth Home Support Program and Home and Community Care Program for Younger People**

The report provided an update on the transition of Aged and Disability Services.

**Cr Hearn / Cr Claridge:**

- 1. That the Council cease the provision of aged and disability services on 30 June 2022.**
- 2. That Council staff continue to work with the Australian and Victorian governments and new service providers Calvary, Community Accessibility and Gateway Health to ensure an efficient and timely transition of aged and disability services.**
- 3. That the contribution and efforts of current and past Aged and Disability Services staff be acknowledged.**

**Carried**

Recommendations of the Finance and  
Operations Committee meeting  
held on Wednesday 15 June 2022



**Business****1. Public Question Time**

There were no questions submitted to the meeting.

**2. Planning And Building Approvals – May 2022**

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

**Cr Hearn / Cr O'Brien:**  
**That the report be noted.**

**Carried**

**3. Petition: Declare Churchill Reserve an Off-leash Area**

The report discussed the community consultation following receipt of a petition to declare Churchill Reserve as an area where dogs may be exercised off-leash.

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

- Jo Cooper spoke against the proposal to declare Churchill Reserve as an area where dogs may be exercised off-leash.
- Darryl Mauger spoke in support of the proposal to declare Churchill Reserve as an area where dogs may be exercised off-leash.

**Cr Davis / Cr O'Brien**  
**That an extension of three minutes be given to Darryl Mauger.**

**Carried**

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

- 1. That the report be noted.**
- 2. That the option of a designated fenced dogs-off-leash area within or in proximity of Churchill Reserve be investigated and reported back to the Council.**

**Carried**

#### 4. Benalla Airport – Intention to Lease Land

The report finalised the matter of intention to lease land to Luke Anthony Bourne for the development of aircraft hangarage at the Benalla Airport.

**Cr Davis / Cr O'Brien :**

1. That in accordance with Section 115 of the *Local Government Act 2020*, a lease agreement be entered into with Luke Anthony Bourne for Hangar sites 13 and 28 at the Benalla Airport, Samaria Road, Benalla for a term of five years commencing 1 July 2022 with an option for four further terms of five years.
2. That the Chief Executive Officer be authorised to execute lease documentation on behalf of the Council.

**Carried**

#### 5. Benalla Rural City Council Asset Plan 2022-2032

The report considered the outcome of the *Benalla Rural City Council Asset Plan 2022-2032* public exhibition.

**Cr Davis / Cr O'Brien:**

**That the *Benalla Rural City Council Asset Plan 2022-2032* be adopted.**

**Carried**

## 6. Draft *Waste Services Policy*

The report presented for consideration the draft *Waste Services Policy*.

**Cr Firth / Cr Davis:**

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

- **That the draft *Waste Services Policy* be endorsed for public exhibition for a period of at least 28 days.**
- **That the draft *Waste Services Policy* community consultation program seek feedback on fortnightly refuse collection in rural areas.**

**Carried**

Recommendations of the Planning and  
Development Committee meetings  
held on Wednesday 22 June 2022



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

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

The record of Assemblies of Councillors since the report presented at the meeting on 25 May 2022 is attached as **Appendix 1**.

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

#### May 2022

Tuesday 3 May	Community Plan Implementation Steering Committee
Wednesday 4 May	Benalla Airport Advisory Committee
Wednesday 4 May	Assembly of Councillors - Business Review
Wednesday 11 May	Benalla Festival Advisory Committee
Thursday 19 May	Lakeside Precinct Accessibility Access Working Group
Tuesday 24 May	Benalla Art Gallery Committee

**Recommendation:**

**That the report be noted.**

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May 2022

**Community Implementation Steering Committee**

4pm Tuesday 3 May 2022, Benalla Community Care Ray Sweeny Centre (Activity Room 1)

**Chair** Daniel Grey Community Representative

**Committee** Councillor Gail O'Brien Council Representative

Councillor Punarji Hewa Gunaratne Council Representative

Doris Billingsley Community Representative

David Blore Community Representative

Susan Campbell Community Representative

Mark Foletta Community Representative

Michael Hedderman Community Representative

**In attendance** Dom Testoni Chief Executive Officer

Jane Archbold Manager Community

Tom Arnold Community Development Coordinator

Narelle Doyle Administration Officer

**Apologies:** Councillor Punarji Hewa Gunaratne, Daniel Grey, Jane Archbold, Dom Testoni, Mark Foletta

**Conflicts of Interest disclosed:** Nil

**Items discussed:**

1. Draft Report Updating Progress Made Against 2016 Community Plan
2. Community Forum Reporting On Progress Against 2016 Community Plan And 2021 Census Data
3. Examples Of Community Panels In Other LGAs
4. Remodelling How We Monitor Community Plan Going Forward
5. Expressions Of Interest For Community Members To Attend Communities In Control 2022
6. Other Business

**Benalla Airport Advisory Committee**

3pm Wednesday 4 May 2022, Civic Centre (Council Meeting Room)

**Chair:** Councillor Peter Davis Council Representative

**Committee:** Councillor Danny Claridge Council Representative  
Tim Shirley Gliding Club of Victoria  
Craig Morrison Benalla Aviation Museum  
Mark Carr Commercial Operator  
Joni Jones Balloon Association of Victoria  
Rob Evans Benalla Aero Club Inc.  
Greg Robertson Manager Facilities and Information Technology  
Elise Wood Senior Facilities Officer

**In attendance:** Aneiki Pierce Administration Officer

**Apologies:** Mark Carr, Joni Jones, and Rob Evans

**Conflicts of Interest disclosed:** Nil

**Items discussed:**

1. Report from Airport Manager
2. User Group Reports
3. Upcoming Airport Masterplan Review and Update
4. General Business

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

5.30pm Wednesday 4 May 2022, Civic Centre (Council Meeting Room)

**Chair** Councillor Bernie Hearn (Mayor)

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

**In attendance** Dom Testoni Chief Executive Officer  
Robert Barber General Manager Corporate  
Adrian Gasperoni Manager Assets and Infrastructure  
Greg Robinson Manager Facilities and Information Technology  
Adam Saddler Manager Economic Development and Sustainability  
Nilesh Singh Manager Development  
Tom Arnold Community Development Coordinator  
Ashley Bishop Asset Management Coordinator  
Joel Ingham Planning Coordinator

**Apologies:** Nil

**Conflicts of Interest disclosed:** Item 1 and Item 2

### **Items discussed:**

1. Planning Application No. P0035/21 – To Use And Develop The Land For A Second Dwelling – 888 Tatong-Tolmie Road, Tatong
2. 2021/2022 Annual Grant Program and Major Event Funding Program
3. Draft *Benalla Rural City Council Asset Plan 2022-2032*
4. Presentation: Proposed Alternative Storage for Glider Trailers
5. Presentation: Proposed Benalla Art Trail
6. Presentation: Denny Street Courtyard Consultation
7. Enterprise Park

**Benalla Festival Advisory Committee**

4.30pm Wednesday 11 May 2022, Civic Centre (Council Meeting Room)

<b>Chair</b>	Councillor Don Firth	Council Representative
<b>Councillors</b>	Councillor Justin King	Council Representative
	Caroll Bolitho	Community Representative
	Vince Branigan	Community Representative
	Di Harper	Community Representative
<b>In attendance</b>	Sharon Geer	Events Coordinator
	Kirstein Hein	Administration Officer

**Apologies:** Kirstein Hein

**Conflicts of Interest disclosed:** Nil

**Items discussed:**

1. Planning For The 2022 Benalla Festival – 29 October 2022 – 6 November 2022
2. Marketing and Promotion
3. General Business

## **Lakeside Precinct Accessibility Access Working Group**

9.30am Thursday 19 May 2022, Civic Centre (Council Meeting Room)

<b>Chair:</b>	Councillor Bernie Hearn (Mayor)	Council Representative
<b>Committee:</b>	Sue Campbell OAM	Community Representative
	John Hanlon OAM	Community Representative
	Cheryl-Anne Menere	Community Representative
	David Moore	Community Representative
	Sheryle Stubbs	Community Representative
<b>In attendance:</b>	Adrian Gasperoni	Manager Assets and Infrastructure
	Bree Glass	Administration Officer
	Briana Beggs	Administration Officer
<b>Apologies:</b>	Sheryle Stubbs	

**Conflicts of Interest disclosed:** Nil

### **Items discussed:**

1. Welcome
2. Terms of Reference
3. Discuss Options
4. General Business

**Benalla Art Gallery Committee**

6pm Tuesday 24 May 2022, Civic Centre (Council Meeting Room)

**Chair** Barbara Alexander AO

<b>Councillors</b>	Councillor Danny Claridge	Council Representative
	Councillor Peter Davis	Council Representative
	Tim Abdallah	General Member
	Brad Hearn	Friends of Benalla Art Gallery Representative
	Winsome McCaughey AO	General Member
	Bess Nolan-Cook	CEO Tourism North East Victoria
	Anna Parle	General Member
	Fiona Stephens	General Member
	Alice Tallis	General Member

<b>In attendance</b>	Adam Saddler	Manager Economic Development and Sustainability
	Eric Nash	Director Benalla Art Gallery

**Apologies:** Bess Nolan-Cook

**Conflicts of Interest disclosed:** Nil

**Items discussed:**

1. Benalla Art Gallery Director's Report – May 2022
2. Exhibition Schedule 2022
3. Friends of Benalla Art Gallery Report – May 2022
4. Benalla Art Gallery Acquisition Trust Report – May 2022
5. Gallery Redevelopment Report

## **Officer Reports**

### **9.1 Authorisation of Signing and Sealing of Documents**

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## 9.2 Benalla Rural City Council 2022/23 Budget

SF/3919-04

Cathy Fitzpatrick – Manager Finance  
Robert Barber – General Manager Corporate  
Dom Testoni – Chief Executive Officer

### PURPOSE OF REPORT

The report presents for consideration and adoption the *2022/23 Budget*.

### BACKGROUND

The Council at its meeting on Wednesday 20 April 2022 resolved:

1. *That the proposed 2022/23 Budget be endorsed for public exhibition for a period of 28 days from 21 April 2022.*
2. *That submissions relating to the proposed 2022/23 Budget be heard at a meeting of the Finance and Operations Committee on 25 May 2022.*
3. *That the Council consider submissions relating to the proposed 2022/23 Budget at a Council meeting on 15 June 2022.*
4. *That the Council consider the adoption of the 2022/23 Budget at a meeting of the Council on Wednesday 29 June 2022.*

Public notice of the proposed *2022/23 Budget* was given on the Council's website on 21 April 2022 and in the *Benalla Ensign* on Wednesday 27 April 2022.

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

A community information session was held on Tuesday 3 May 2022 at the Benalla Civic Centre.

The submission period closed 5pm Thursday 19 May 2022.

At the close of the submission period 11 submissions had been received.

There have been no material changes proposed to the final *2022/23 Budget* following the consideration of submissions.

### DISCUSSION

The *2022/23 Budget* has been distributed under separate cover and is available for download from the Council's website.

## **Key Financial Issues**

### ***Rates and Charges***

Base rate revenue will increase by 1.75 per cent in accordance with the State Government's Fair Go Rates system.

Rates and charges are budgeted to raise \$20.679 million in 2022/23 with general rates contributing \$14.176 million.

The Municipal Charge increases to \$260.85 from \$256.38 and will raise \$2.054 million. Waste services charges increase by 5 per cent.

Property assessments increase by 121 from 8,165 in 2021/22 to 8,286 in 2022/23.

### ***User Fees***

It is proposed that existing fees and charges increase by an average of 1.75 percent and will raise \$4.602 million.

### ***Borrowings***

No new loans are proposed in 2022/23. While borrowings of \$1 million were included in the Council's long term financial plan to part fund the 2022/23 Capital Works Program, cash flow analysis indicates that new borrowings are not required in 2022/23.

Borrowings as at 30 June 2023 will be \$2.808 million a decrease of \$978,000 from 30 June 2022.

### ***Employee costs***

In 2022/23, total employee costs are forecast to decrease by 14 per cent from \$14.197 million to \$12.138 million.

The decrease is primarily the result of the transition of Council-provided aged and disability services to other providers and the end of the 'Working for Victoria' employment program.

### ***Operating Result***

The 2022/23 operating result is budgeted to be a surplus of \$1.529 million. The surplus is primary due to the receipt of \$7.644 million of capital grant income.

This has been offset by a reduction in operating grant income with 75 per cent of the Australian Government's Financial Assistance Grants pre-paid in 2021/22.

**New Expenditure**

Following previous community consultation on the Council's long-term financial plan, the 2022/23 Budget includes funding allocations to the following initiatives:

Detailed technical drawings for the Benalla Indoor Recreation Centre:	\$300,000
Review and update the Benalla Airport Masterplan:	\$100,000
Development of a concept plan to link the Benalla Station precinct to the Benalla CBD:	\$50,000
Increase in funding to Christmas decorations (now \$50,000)	\$33,000
Development of a feasibility study for the Benalla Civic Solar Project:	\$30,000

**Capital Works**

The budget includes capital works of \$16.053 million. New works total \$8.727 million with \$7.326 million of works carried forward from 2021/22.

The capital works program is funded by grants: \$7.644 million and Council cash: \$8.409 million.

The budgeted 2022/23 Asset Renewal (asset renewal and upgrade expense/asset depreciation) financial performance indicator is 174.70 per cent due to \$13.083 million of renewal and upgrade capital works.

Works include \$2.821 million on roads, \$420,000 on bridges and \$600,000 on footpaths. Drainage works total \$948,000. \$170,000 is allocated to a playground renewal program and \$100,000 to dog park construction costs.

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

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

**FINANCIAL IMPLICATIONS**

Following consideration of submissions and information obtained post release of the proposed budget, amendments detailed below have been made to the proposed 2022/23 Budget.

## Operating Income

Income has increased by \$1.141 million primarily due to an increase in rates and charges of \$257,000, operating grants \$483,000 and capital grants \$402,000.

The increase in rates and charges is primarily due to budgeted revenue in lieu of rates increasing from \$200,000 to \$400,000.

To help meet increases in Victorian Government waste levy rates, Industrial Waste Management Charges at the Benalla Landfill and Resource Recovery Centre have been budgeted to increase by 10 per cent.

## Operating Expenditure

Major changes to operating expenditure are:

Expense	Details	Amount
Materials and Services	Building condition assessments to inform asset management plans.	\$60,000
Materials and Services	Survey and design work to identify a solution to drainage issues at The Culdesac, Benalla.	\$45,000
Materials and Services	Benalla Festival additional allocation	\$37,000
Other Expenses	Local Roads and Community Infrastructure Program – Rural Township Projects expenditure transferred to operating expenditure from capital works expenditure.	\$300,000

## Capital Works

Bridge and Major/Culverts expenditure has been amended following a recently completed condition and assessment report.

Proposed Budget		Final Budget	
Bridges/Major Culverts Proposed Budget	Amount	Bridges/Major Culverts Final Budget	Amount
Dookie-Devenish Road	\$220,000	Warrenbayne West Road	\$145,000
Feldtmans Road	\$200,000	Kilfeera Road	\$130,000
		Evans Road	\$93,000
		Tatong-Moorngag Road	\$52,000
<b>Total</b>	<b>\$420,000</b>		<b>\$420,000</b>

Budgeted 2022/23 capital works have increased from \$15.149 million in the proposed budget to \$16.053 million in the final budget. The increase is primarily due to carried forward capital works from 2021/22 to 2022/23 increasing by \$1.234 million.

### **Borrowings**

The proposed budget included borrowings of \$1 million to part fund the 2022/23 Capital Works Program. However, a cash flow analysis based on the latest financial intelligence indicates that new borrowings will not be required in 2022/23.

### **LEGISLATIVE AND STATUTORY IMPLICATIONS**

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

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

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

### **CONCLUSION**

The *2022/23 Budget* is based on sound financial principles, prudent debt management and responsible asset management in what are difficult financial times for rural councils.

Increased external assistance from other levels of government will be required to ensure the long-term financial sustainability of Benalla Rural City and similar sized councils across Victoria.

#### **Recommendation:**

##### **1. Adoption of the 2022/23 Budget**

###### **That the Council:**

- having considered the results of the community engagement undertaken by Council, the *2022/2023 Budget* presented to this meeting be adopted by Council in accordance with section 94 of the *Local Government Act 2020*.
- note the *2022/23 Budget* also incorporates a Budget for the 2023/2024, 2024/2025 and 2025/2026 Financial Years.

##### **2. Fees and Charges**

- That each of the fees, charges and penalties referred to in the Schedule of Fees of Charges (the Schedule) contained in the Budget be fixed in the respective amounts specified in the Schedule.

### **3. Declaration of Rates and Charges**

#### **Amount Intended to be Raised:**

An amount of \$20,226,000 (or such greater amount as is lawfully levied as a consequence of this Recommendation being adopted) be declared as the amount which Council intends to raise by general rates, the municipal charge and the annual service charge (described later in this Recommendation), which amount is calculated as follows:

<b>General Rates</b>	<b>\$14,176,000</b>
<b>Municipal Charge</b>	<b>\$2,054,000</b>
<b>Annual Service Charge</b>	<b>\$3,996,000</b>

### **4. General Rates**

- 4.1 That the Council declare a general rate in respect of the 2022/2023 Financial Year.**
- 4.2 That the Council further declared that the general rate be raised by the application of differential rates.**
- 4.3 That the differential rate be respectively declared for rateable land having the respective characteristics specified below, which characteristics will form the criteria for each differential rate so declared.**
  - 4.3.1 Residential Land (Benalla)**

Any land which is:

    - a) used or adapted to being used primarily for residential purposes; and**
    - b) located within the Benalla urban area.**
  - 4.3.2 Residential Land (Rural Township)**

Any land which is:

    - a) used or adapted to being used primarily for residential purposes; and**
    - b) located outside the Benalla urban area in an area zoned TZ (Township Zone) or LDRZ (Low Density Residential Zone) under the Benalla Planning Scheme.**
  - 4.3.3 Business Land**

Any land which is:

    - a) used or adapted to being used primarily for commercial or industrial purposes; and**
    - b) not Rural Land – Farmland.**

**4.3.4 Vacant Land (Benalla)**

Any land:

- a) on which no habitable building is erected; and
- b) which is located within the Benalla urban area.

**4.3.5 Vacant Land (Rural Township)**

Any land:

- a) on which no habitable building is erected; and
- b) is located outside the Benalla urban area in an area zoned TZ (Township Zone) or LDRZ (Low Density Residential Zone) under the Benalla Planning Scheme.

**4.3.6 Rural Land – Non-Farming**

Any land which is:

- a) not Rural Land – Farmland; and
- b) located in an area zoned RLZ (Rural Living Zone), FZ (Farm Zone), RCZ (Rural Conservation Zone) or UFZ (Urban Floodway Zone) under the Benalla Planning Scheme.

**4.3.7 Rural Land – Farmland**

Any land which is:

- a) not less than 2 hectares in area; and
- b) used primarily for the business of grazing (including agistment), dairying, pig-farming, poultry farming, fish farming, tree farming, bee-keeping, viticulture, horticulture, fruit growing, the growing of crops of any kind or combination of any such activities.

- 4.4 differential rate will be determined by multiplying the Capital Improved Value of each rateable land (categorised by the characteristics described in paragraph 2.3 of this Resolution) by the relevant percentages indicated in the following table:**

Property Category	Cents in the dollar of Capital Improved Value
Residential (Benalla)	0.003479
Residential (Rural Township)	0.002847
Business properties	0.006110
Vacant Land (Benalla)	0.006094
Vacant Land (Rural Township)	0.002890
Rural Land (Non-Farming)	0.002747
Rural Land (Farmland)	0.002246

- 4.5 considers that each differential rate will contribute to the equitable and efficient carrying out of Council functions, and that:
    - 4.5.1 the respective objectives of each differential rate be those specified in the Schedule to this Resolution; and
    - 4.5.2 the respective types or classes of land which are subject to each differential rate be those defined in the Schedule to this Resolution; and
    - 4.5.3 the respective uses and levels of each differential rate in relation to those respective types or classes of land be those described in the Schedule to this Resolution; and
    - 4.5.4 The relevant:
      - a) uses of;
      - b) geographical locations of;
      - c) planning scheme zoning of; and
      - d) types of building onthe respective types or classes of land be those identified in the Schedule to this Resolution.
  - 4.6 Confirm that no amount is fixed as the minimum amount payable by way of general rate in respect of each rateable land within the municipal district.
  - 4.7 In accordance with Section 4(1) of the *Cultural and Recreational Lands Act 1963*, the amount of rates payable in respect of each of the rateable lands to which that Act applies be determined by having regard to the services provided by Council in relation to such lands and having regard to the benefit to the community derived from such recreational lands. This amount shall be 0.004259 multiplied the Capital Improved Value of that rateable land.
5. Municipal Charge
- 5.1 That the Council declare a Municipal Charge in respect of the 2022/2023 Financial Year.
  - 5.2 That the Municipal Charge be declared to cover some of the Council's administrative costs.
  - 5.3 That the Municipal Charge be in an amount of \$260.85 for each rateable property within the municipal district.
6. Annual Service Charge
- 6.1 That the Council declare an annual service charge in respect of the 2022/2023 Financial Year.
  - 6.2 That the annual service charge be declared for the collection and disposal of refuse, and be levied in respect of all rateable land within the municipal district.

**6.3 That the annual service charge be in the sum of, and be based on the criteria, specified below:**

<b>Type of Receptable Made Available for Provision of Service</b>	<b>Per Rateable Property</b>
<b>Urban Areas</b>	
80 It Organic - 80 It Waste with Recycle	<b>\$374.50</b>
120 It Organic - 80 It Waste with Recycle	<b>\$414.00</b>
240 It Organic - 80 It Waste with Recycle	<b>\$498.50</b>
80 It Organic - 120 It Waste with Recycle	<b>\$457.00</b>
120 It Organic - 120 It Waste with Recycle	<b>\$540.00</b>
240 It Organic - 120 It Waste with Recycle	<b>\$622.00</b>
80 It Organic - 240 It Waste with Recycle	<b>\$705.50</b>
120 It Organic - 240 It Waste with Recycle	<b>\$787.50</b>
240 It Organic - 240 It Waste with Recycle	<b>\$870.50</b>
<b>Rural Areas</b>	
80 It Waste with Recycle	<b>\$374.50</b>
120 It Waste with Recycle	<b>\$540.00</b>
240 Waste with Recycle	<b>\$870.50</b>
<b>Additional Collection Options</b>	
Additional Bin - Organic	<b>\$247.50</b>
Additional Bin - Waste	<b>\$198.00</b>
Additional Bin – Recycle	<b>\$211.00</b>
Weekly Collection – Waste	<b>\$217.50</b>
Weekly Collection - Recycle	<b>\$179.50</b>

**7. Incentive**

**That no incentive be declared for the early payment of the general rates, Municipal Charge or annual service charge previously declared.**

**8. Extra Instalment Options**

**That the Council may, in addition to payment quarterly on the dates specified in section 167 of the *Local Government Act 1989*, by further Resolution, specify other options as to the manner in which the general rates, Municipal Charge and annual service charge may be paid.**

**9. Consequential**

**9.1 That it be recorded that the Council requires any person to pay interest on any amounts of rates and charges which:**

**9.1.1 that person is liable to pay; and**

**9.1.2 have not been paid by the date specified for their payment, such interest to be calculated in accordance with section 172(2) of the *Local Government Act 1989*.**

**9.2 That the General Manager Corporate be authorised to levy and recover the general rates, municipal charge and annual service charge in accordance with the *Local Government Act 1989* and *Local Government Act 2020*.**

**10. That all submitters on the proposed *2022/23 Budget* be written to thanking them for their submission and advising of the Council's decision to adopt the *2022/23 Budget*.**

**11. That the Chief Executive Officer be authorised to effect minor administrative and wording changes to the *2022/23 Budget* if required.**

## The Schedule

### **Residential (Benalla)**

**Objective:** The objective of this differential rate is to ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including (but not limited to) the:

- construction and maintenance of infrastructure assets
- development and provision of health and community services
- provision of general administration and support services.

### **Types and Classes**

**Any land which is:**

- used or adapted to being used primarily for residential purposes; and
- located within the Benalla urban area.

### **Use and Level of Differential Rate**

The money raised by the differential rate will be applied to the items of expenditure described in the Budget. The level of the differential rate is the rate that Council considers is necessary to achieve the objectives specified above.

### **Geographic Location**

Situated in the Benalla urban area.

### **Use of Land**

Any residential use permitted under the Benalla Planning Scheme.

### **Planning Scheme Zoning**

The characteristics of planning scheme zoning are applicable to the determination of land which will be subject to the rate applicable this category. The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Benalla Planning Scheme, will be LDRZ – Low Density Residential Zone, GRZ – General Residential Zone, UFZ – Urban Floodway Zone or MUZ – Mixed Use Zone. Residences established in other zones with existing non- conforming rights or planning approval are also eligible for inclusion in this category.

### **Types of Buildings**

The types of buildings on the land within this differential rate are all buildings which are now constructed on the land or which are constructed prior to the expiry of the 2022/23 financial year.

**Residential (Rural Township)**

**Objective:** The objective of the Residential (Rural Township) differential rate is that the reduced benefits received by the lower density properties.

**Types and Classes**

**Any land which is:**

- used or adapted to being used primarily for residential purposes; and
- located outside the Benalla urban area in an area zoned TZ (Township Zone) or LDRZ (Low Density Residential Zone) under the Benalla Planning Scheme.

**Use and Level of Differential Rate**

The money raised by the differential rate will be applied to the items of expenditure described in the Budget. The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land.

The level of the differential rate is the rate that Council considers is necessary to achieve the objectives specified above.

**Geographic Location**

Situated in a Rural Township location.

**Use of Land**

Any residential use permitted under the Benalla Planning Scheme.

**Planning Scheme Zoning**

The characteristics of planning scheme zoning are applicable to the determination of land which will be subject to the rate applicable to this category. The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Benalla Planning Scheme, will be TZ – Township Zone or LDRZ – Low Density Residential Zone. Residences established in other zones with existing non-conforming rights or planning approval are also eligible for inclusion in this category.

**Types of Buildings**

The types of buildings on the land within this differential rate are all buildings which are now constructed on the land or which are constructed prior to the expiry of the 2022/23 financial year.

**Business**

**Objective:** The objective of the Business differential rate is to recognise the benefits derived by this class of property, including higher infrastructure investment and general support services.

**Types and Classes**

**Any land which is:**

- used or adapted to being used primarily for commercial or industrial purposes; and
- not Rural Land – Farmland.

**Use and Level of Differential Rate**

The money raised by the differential rate will be applied to the items of expenditure described in the Budget. The level of the differential rate is the rate that Council considers is necessary to achieve the objectives specified above.

**Geographic Location**

Wherever located in the municipal district.

**Use of Land**

Any business use permitted under the Benalla Planning Scheme.

**Planning Scheme Zoning**

The characteristics of planning scheme zoning are applicable to the determination of land which will be subject to the rate applicable to this category. The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Benalla Planning Scheme will be, C1Z – Commercial 1 Zone, C2Z – Commercial 2 Zone, IN1Z – Industrial 1 Zone, IN2Z – Industrial 2 Zone, TZ – Township Zone, IN3Z – Industrial 3 Zone or MUZ – Mixed Use Zone. Businesses established in other zones (i.e. GRZ – General Residential Zone) with existing non-conforming rights or planning approval are also eligible for inclusion in this category.

**Types of Buildings**

The types of buildings on the land within this differential rate are all buildings which are now constructed on the land or which are constructed prior to the expiry of the 2022/23 financial year.

**Vacant Land (Benalla)**

**Objective:** The objective of the Vacant Land (Benalla) is to encourage development of this class of land.

**Types and Classes****Any land:**

- on which no habitable building is erected; and
- which is located within the Benalla urban area.

**Use and Level of Differential Rate**

The money raised by the differential rate will be applied to the items of expenditure described in the Budget. The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land.

The level of the differential rate is the rate that Council considers is necessary to achieve the objectives specified above.

**Geographic Location**

Situated in the Benalla urban area.

**Use of Land**

Any use permitted under the Benalla Planning Scheme.

**Planning Scheme Zoning**

The characteristics of planning scheme zoning are applicable to the determination of land which will be subject to the rate applicable to this category. The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Benalla Planning Scheme, will be LDRZ – Low Density Residential Zone (situated adjacent to the Benalla urban area), GRZ – General Residential Zone, UFZ - Urban Flood Zone or MUZ – Mixed Use Zone.

**Types of Buildings**

The types of buildings on the land within this differential rate are all buildings which are constructed on the land or which are constructed prior to the expiry of the 2022/23 financial year.

**Vacant Land (Rural Township)**

**Objective:** The objective of the Vacant Land (Rural Township) differential rate is to encourage development of this class of property while taking into account the reduced benefits received by lower density properties.

**Types and Classes****Any land:**

- on which no habitable building is erected; and
- is located outside the Benalla urban area in an area zoned TZ (Township Zone) or LDRZ (Low Density Residential Zone) under the Benalla Planning Scheme.

**Use and Level of Differential Rate**

The money raised by the differential rate will be applied to the items of expenditure described in the Budget. The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land.

The level of the differential rate is the rate that Council considers is necessary to achieve the objectives specified above.

**Geographic Location**

Situated in a Rural Township location.

**Use of Land**

Any use permitted under the Benalla Planning Scheme.

**Planning Scheme Zoning**

The characteristics of planning scheme zoning are applicable to the determination of land which will be subject to the rate applicable to this category. The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Benalla Planning Scheme, will be TZ – Township Zone or LDRZ – Low Density Residential Zone (situated in a Rural Township.)

Properties located adjacent to established Township precincts, with a land area of generally less than 5ha and located in the Farm Zone – FZ, will be included in this category.

**Types of Buildings**

The types of buildings on the land within this differential rate are all buildings which are now constructed on the land or which are constructed prior to the expiry of the 2022/23 financial year.

**Rural (Non-Farming)**

**Objective:** The objective of the Rural - Non Farming differential rate is to recognise the reduced infrastructure investment and provision of services to this class of property.

**Types and Classes**

**Any land which is:**

- not Rural Land – Farmland; and
- located in an area zoned RLZ (Rural Living Zone), FZ (Farm Zone), RCZ (Rural Conservation Zone) or UFZ (Urban Floodway Zone) under the Benalla Planning Scheme.

**Use and Level of Differential Rate**

The money raised by the differential rate will be applied to the items of expenditure described in the Budget by Council. The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land.

The level of the differential rate is the rate that Council considers is necessary to achieve the objectives specified above.

**Geographic Location**

Situated in a rural location (excluding areas immediately adjacent to rural township precincts).

**Use of Land**

Any use permitted under the Benalla Planning Scheme.

**Planning Scheme Zoning**

The characteristics of planning scheme zoning are applicable to the determination of land which will be subject to the rate applicable to this category. The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Benalla Planning Scheme, will be RLZ – Rural Living Zone or FZ – Farming Zone or RCZ – Rural Conservation Zone or UFZ – Urban Floodway Zone.

**Types of Buildings**

The types of buildings on the land within this differential rate are all buildings which are now constructed on the land or which are constructed prior to the expiry of the 2022/23 financial year.

**Rural (Farmland)**

**Objective:** The objective of the Rural – Farmland differential rate is to recognise the reduced infrastructure investment and provision of services to this class of property. The differential rate also recognises the land stewardship and amenity that large rural holdings provide to the rural landscape.

**Types and Classes**

**Any land which is:**

- not less than 2 hectares in area; and
- used primarily for the business of grazing (including agistment), dairying, pig-farming, poultry farming, fish farming, tree farming, bee-keeping, viticulture, horticulture, fruit growing, the growing of crops of any kind or combination of any such activities.

**Use and Level of Differential Rate**

The money raised by the differential rate will be applied to the items of expenditure described in the Budget by Council. The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land.

The level of the differential rate is the rate that Council considers is necessary to achieve the objectives specified above.

**Geographic Location**

Wherever located in the municipal district.

**Use of Land**

Any use permitted under the Benalla Planning Scheme.

**Planning Scheme Zoning**

The characteristics of planning scheme zoning are applicable to the determination of land which will be subject to the rate applicable to this category. The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Benalla Planning Scheme will be FZ – Farming Zone, RCZ – Rural Conservation Zone or subject to an approved land use activity, RLZ – Rural Living Zone or LDRZ – Low Density Residential Zone or IN1Z – Industrial One Zone.

**Types of Buildings**

The types of buildings on the land within this differential rate are all buildings which are now constructed on the land or which are constructed prior to the expiry of the 2022/23 financial year.

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### 9.3 Benalla Rural City Council Financial Plan 2023 to 2032

SF/1489-07

Cathy Fitzpatrick – Manager Finance  
Robert Barber – General Manager Corporate  
Dom Testoni – Chief Executive Officer

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#### PURPOSE OF REPORT

The report presents for consideration and adoption the *Benalla Rural City Council Financial Plan 2023 to 2032*.

#### BACKGROUND

The Council at its meeting on Wednesday 20 April 2022 resolved:

1. *That the draft Benalla Rural City Council Financial Plan 2023 to 2032 be endorsed for public exhibition for a period of 28 days from 21 April 2022.*
2. *That submissions relating to the draft Benalla Rural City Council Financial Plan 2023 to 2032 be heard at a meeting of the Finance and Operations Committee on 25 May 2022.*
3. *That the Council consider submissions relating to the draft Benalla Rural City Council Financial Plan 2023 to 2032 at a Council meeting on 15 June 2022.*
4. *That the Council consider the adoption of the Benalla Rural City Council Financial Plan 2023 to 2032 at a meeting of the Council on Wednesday 29 June 2022.*

Public notice of the draft *Benalla Rural City Council Financial Plan 2023 to 2032* (Financial Plan) was given on the Council's website on 21 April 2022 and in the *Benalla Ensign* on Wednesday 27 April 2022.

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

A community information session on the draft *Financial Plan 2022 to 2032* was held on Tuesday 3 May 2022 at the Benalla Civic Centre.

The submission period closed 5pm Thursday 19 May 2022.

At the close of the submission period one submission had been received. No changes have been made as a result of the submission.

The Financial Plan has been provided under separate cover and is available for download from the Council website.

## DISCUSSION

The Financial Plan has been updated with final figures from the *2022/23 Budget*, key financial results in the Financial Plan include:

- Ongoing accounting deficits from 2024, however, the cash position continues to improve throughout the life of the plan peaking in 2032 at \$29 million.
- An improving liquidity ratios, with the Working Capital ratio reaching 496 per cent in 2032.
- Decreasing indebtedness. Only one loan of \$1 million is projected over the 10-year term of the plan.
- Increasing renewal gap. The Asset Renewal ratio is below 50 per cent for most future years. With an improving cash position, there is an opportunity for the Council to increase asset renewal and upgrade capital works expenditure.

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

### **Leadership**

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

## **LEGISLATIVE AND STATUTORY IMPLICATIONS**

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

## **FINANCIAL IMPLICATIONS**

Costs associated with the development of the *Financial Plan 2023 to 2032* were met from existing budget allocations.

The Financial Plan is prepared as part of the Council's integrated approach to reporting. It supports the Community Vision and Council Plan by guiding how the community's needs and aspirations will be financially resourced.

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

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

**CONCLUSION**

While every attempt is made to produce accurate forecasts, the Council recognises the Financial Plan is a rolling plan.

There are a number of dynamic variables that may influence the outcomes expressed in the Financial Plan, including the rate capping framework, grants received and growth in property numbers.

As such, the financial statements and indicators in the Financial Plan will be regularly reviewed post adoption to re-assess the Council's ongoing financial sustainability with up-to-date information.

**Recommendation:**

**That the *Benalla Rural City Council Financial Plan 2023 to 2032* be adopted.**

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## 9.4 Facility Hire Subsidy Program Policy Review

SF/3497

Greg Robertson – Manager Facilities and Information Technology

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### PURPOSE OF REPORT

The report presents for consideration the reviewed and updated *Facility Hire Subsidy Program Policy*.

### BACKGROUND

The purpose of the *Facility Hire Subsidy Program Policy* (refer **Appendix 1**) is to provide guidance in the application of the Schedule of Fees and Charges for the use of Council owned and operated facilities.

The policy ensures the Schedule of Fees and Charges are applied in a way that recognises the contribution of Friends and user-groups to the operation of the Council's facilities and the delivery of community services.

The Council, at its meeting on 25 May 2022, resolved:

1. *That the Benalla Rural City Council Facility Hire Subsidy Program Policy be endorsed for public exhibition.*
2. *That the Benalla Rural City Council Facility Hire Subsidy Program Policy be considered for adoption at the Council Meeting on Wednesday 29 June 2022.*

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

The submission period closed 5pm Thursday 23 June 2022.

### DISCUSSION

At the close of the submission period two submissions were received from:

- Geraldine McCorkell
- DeSales Turner

Submissions are attached as **Appendix 2**.

The policy is being reviewed in accordance with Council's Administration Policy *Management Guidelines Policy*.

The policy was endorsed by the Council's Leadership Team at its May 2022 meeting.

A summary of submissions and officer comments can be found in the table below:

No.	Submission	Summary	Officer Comment
1	Geraldine McCorkell	<ul style="list-style-type: none"> <li>Friends of the Library contributed significantly to furnishing and supporting the Pat Claridge meeting room and subsequently were able to use the room for their meetings.</li> </ul>	<ul style="list-style-type: none"> <li>Community groups are recognised for their contributions in a meaningful and transparent way via the scoring matrix in the Policy.</li> </ul>
2	DeSales Turner	<ul style="list-style-type: none"> <li>Council to support not-for-profit community led organisations through offering affordable rates for use or subsidisation of rental fees.</li> <li>Groups which make contribution to be recognised for the contribution they make.</li> </ul>	<ul style="list-style-type: none"> <li>The policy supports user groups by offering subsidisation of facility Hire fees.</li> <li>Community groups are recognised for their contributions in a meaningful and transparent way via the scoring matrix in the Policy.</li> </ul>

No changes to the *Facility Hire Subsidy Program Policy* are proposed after considering the formal submissions and other feedback received.

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

#### **Community**

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

#### **Leadership**

- *Good governance.*
- *Engaged and informed community.*

### **FINANCIAL IMPLICATIONS**

Implementation of the policy will be accommodated within the existing budget allocations.

**LEGISLATIVE OR STATUTORY IMPLICATIONS**

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

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**Recommendation:**

- 1. That submissions be noted.**
- 2. That the *Facility Hire Subsidy Program Policy* be adopted.**
- 3. That the *Facility Hire Subsidy Program Policy* be reviewed in August 2026.**

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## CP 13 Facility Hire Subsidy Program Policy

<b>Responsible Officer:</b>	Manager Facilities and Information Technology
<b>Document type:</b>	Council Policy
<b>Reference:</b>	CP 13
<b>Approved by Leadership Team:</b>	6 May 2022
<b>Adopted by the Council</b>	29 June 2022
<b>Date of next review:</b>	August 2026

### Policy Objective

The Policy provides guidance in the application of the Schedule of Fees and Charges for the use of Council owned and operated facilities for Council Officers who directly manage Council facilities and for Committees of Management, appointed by the Council, that receive maintenance funding and that are operating in accordance with funding agreements.

The Policy ensures the Schedule of Fees and Charges are applied in a way that recognises the contribution of Friends and user-groups to the operation of the Council's facilities and the delivery of community services.

It also ensures the Schedule of Fees and Charges are applied in a transparent and formalised way.

### Background

The section 77 of the *Local Government Act 2020* allows the Council by resolution to determine a fee, charge, fare or rent in relation to any property, undertaking, good, service or other act, matter or thing.

This policy is designed to meet community expectations that Council resources are distributed fairly, procedures are reasonable and decisions are consistent. The policy and associated procedures also ensure the program is as clear and transparent as possible.

### Which user groups does this Policy relate to?

This Policy relates to user groups that use facilities that are either owned by the Council, managed by the Council or subsidised through funding agreements by the Council. These facilities are identified in the Schedule of Fees and Charges.

## Calculating Facility Hire Subsidy

The level of subsidisation is determined by assessing each user group against the criteria listed below.

Criteria	Category A (4 points)	Category B (3 points)	Category C (2 points)	Category D (1 point)
<b>Reactive &amp; Ongoing maintenance</b>	Takes responsibility for internal & external reactive maintenance. Contributes to capital upgrades above \$20,000 pa.	Takes responsibility for almost all of the internal & external reactive maintenance. Contributes to capital upgrades less than \$20,000 pa.	N/A	Does not take responsibility for internal & external reactive maintenance
<b>Extent of Service provided by organisation</b>	Broad community is a beneficiary of service provided by the organisation	Service is significantly used by number of specific sections of local community (families & children)	While the organisation provides a direct service to only a small number in the local community, it forms part of a larger service provision	Service only used by small number of local community
<b>Extent of accessibility of facility to community.</b>	Facility or capital contribution is accessible to many in Benalla Rural City community	Facility or capital contribution is generally accessible to community	Facility has limited accessibility to community	Facilities not accessible to others in community or limited access with funds
<b>Number/Type of Service Providers</b>	A unique service (only one in Benalla Rural City)	One of a number of providers of a community service in local area	One of a number of providers meeting a less critical community need (in terms of Council identified services) or meeting an identified recreational need.	Provider meets social or recreational needs only.
<b>Ability to charge fees &amp; raise income</b>	Limited or no ability to raise revenue	Some ability to raise revenue & charge fees which may be varied to reflect ability of clients to pay.	Has ability to charge fees & raise revenue	Operates on profit basis
<b>Access to Other Sources of Funding - service operating grants</b>	No access to other funding sources	Limited access to other sources of funding (no more than 5% total)	Access to other sources of funding such as State, Federal or Local funding which provided between 5 and 30% of total funding.	Access to other sources of funding - State, Federal & Local funding which provided more than 30% of funding.

Criteria	Category A (4 points)	Category B (3 points)	Category C (2 points)	Category D (1 point)
<b>Do they provide direct competition to commercial ventures</b>	No. Main activity is not a commercial activity	While main business is not a commercial activity, some aspects of business are in direct competition	While they are in direct competition with commercial providers they provide added or differentiated service to users	In direct competition with commercial providers
<b>Does their service impact on Council's need to provide similar service?</b>	Without this service provision Council would be required to provide additional service	Lack of service would have some impact on Council's provision	Service is not core responsibility of local government but could be provided	Service is not responsibility of local government
<b>Organisation status and structure</b>	The organisation is locally based: stand alone and not for profit. It has a voluntary management committee, comprised partly of local area representatives.	The organisation is locally based; has a regional focus; is stand alone (financially independent & self governing) and not for profit. It has a voluntary management committee, comprised partly of local area representatives.	The organisation is a locally based service outlet or project that is part of a larger not for profit organisation. It has a voluntary advisory committee, comprised partly of local area representatives.	The organisation is a locally based service outlet or project that is part of a larger not for profit organisation. There is limited, or no local area representation on the advisory committee or similar. Or a for profit organisation
<b>Capacity to undertake range of administrative and management responsibilities</b>	Dependent on assistance from volunteers for all administrative and management functions.	Paid staff undertake some of the administrative and management functions and volunteers assist with other tasks	Staff undertake majority of administrative and management functions with additional assistance provided by umbrella organisation.	Umbrella organisation carried out majority of administrative and management functions.
<b>Social and community benefit</b>	Service is unique and specific and meets high level of need OR service meets identified social/community needs, with most service users from low socio-economic background.	Service meets identified social/community needs, with service users from range of socio-economic backgrounds.	Service meets a broad social / community need.	Service is valued by community but it is not focused on meeting an identified local social/community need.

Category	Level of Subsidy	Points	Hire fee subsidy
A	High	38+	85%
B	Medium	32+	50%
C	Low	23+	25%
D	None	15 points or less	0%

## Types of contributions

### “In-Kind” contribution in lieu of cash payment

#### *In-Kind:*

The Council acknowledges the contributions of user-groups. These contributions include undertaking maintenance activities, which offsets the maintenance or operating costs of a facility or venue.

#### *Note relating to in-kind contributions:*

To ensure the Council’s assets are maintained in a way suitable to the Council, all works undertaken on Council facilities must be approved in writing and in advance, by the appointed Council’s Manager, Facilities. Where necessary, works will be overseen by a Council Officer.

Contributions of cash or in-kind by user groups to a facility do not convey ownership or preferential access to that facility.

The Council, at its discretion, may request that any work which alters the state of a Council facility be removed to return the facility to its previous state.

User groups who wish to undertake maintenance work as an alternative to payment of subsidised hire fees must contact the appointed Council Facility Manager prior to work beginning to discuss the validity and need of the proposed works.

Examples of works may include:

- a. Planned Maintenance e.g. cyclical painting, non-urgent repairs
- b. Reactive Maintenance e.g. electrical or plumbing repairs

## Cash Contributions

The Council acknowledges the cash contributions user groups make to the operation of Council facilities. Like in-kind contributions, these contributions provide user groups with eligibility to this Policy.

### **Procedure to apply for Facility Hire Subsidy**

User groups can apply on an annual basis in advance for the application of the Facility Hire Subsidy. The Subsidy will be applied at the discretion of the Council.

User groups need not have made a cash or in-kind contribution in the previous year order to qualify. See the *Facility Hire Subsidy Guidelines and Application Form*.

### **Reporting of Facility Hire Subsidy**

All financial subsidies provided by the Council, which relate to the application of Fees and Charges will be available to the public and may be reported in the Annual Report and other publications as determined by the Council.

### **Review**

This policy may be reviewed at any time by the Council to accommodate changes in legislation, regulations, policy gaps, new technology or systems, as well as remain consistent with industry best practice.



**From:** [no-reply@harvestdp.com](mailto:no-reply@harvestdp.com)  
**To:** [Benalla Council Email](#)  
**Subject:** Facility Hire Subsidy Program Policy Submission  
**Date:** Thursday, 2 June 2022 6:43:23 PM

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# Facility Hire Subsidy Program Policy Submission

Submission received through the Have Your Say website.

## **Submission:**

The Friends of the Library contributed significantly to furnishing and supporting the Pat Claridge meeting room and subsequently were able to use the room for our meetings. We hope this continues.

## **Name**

Geraldine McCorkell



**From:** [no-reply@harvestdp.com](mailto:no-reply@harvestdp.com)  
**To:** [Benalla Council Email](#)  
**Subject:** Form Submission  
**Date:** Thursday, 9 June 2022 12:56:30 PM

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# Facility Hire Subsidy Program Policy Submission

Submission received through the Have Your Say website.

**Submission:**

I think it is important for Council to support not-for-profit community led organisations through offering affordable rates for use or subsidation of rental fees. Such groups, for example NEA, which is a 100% volunteer run organisation make an ENORMOUS contribution to the life of Benalla and ought to be recognized for the contribution they make.

**Name**

deSales Turner



## 9.5 Commemorative Memorial Guidelines Policy Review

SF/4356

Adrian Gasperoni – Manager Asset and Infrastructure

### PURPOSE OF REPORT

The report presents for consideration the reviewed and updated *Commemorative Memorial Guidelines Policy*.

### BACKGROUND

The purpose of the *Commemorative Memorial Guidelines Policy* (refer **Appendix 1**) is to provide a guideline for the establishment and maintenance of commemorative memorials.

The *Commemorative Memorial Guidelines Policy* works to outline the requirements and performance standards of a commemorative memorial, which is any plaque or monument reserved for the recognition or memory of an individual (or family), service organisation/club or group, having made a significant contribution to public life or having attracted national or international recognition.

The Council, at its meeting on 25 May 2022, resolved:

1. *That the Benalla Rural City Council Commemorative Memorial Guidelines Policy be endorsed for public exhibition.*
2. *That the Benalla Rural City Council Commemorative Memorial Guidelines Policy be considered for adoption at the Council Meeting on Wednesday 29 June 2022.*

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

The submission period closed 5pm Thursday 23 June 2022.

### DISCUSSION

At the close of the submission period one submission was received from DeSales Turner (refer **Appendix 2**).

The policy is being reviewed in accordance with Council's Administration Policy *Management Guidelines Policy*.

The policy was endorsed by the Council's Leadership Team at its October 2021 meeting.

A summary of submissions and officer comments can be found in the table below:

No.	Submission	Summary	Officer Comment
1	DeSales Turner	<ul style="list-style-type: none"> <li>Strongly support initiatives that recognise the good work of community members.</li> </ul>	<ul style="list-style-type: none"> <li>The policy supports the establishment of commemorative memorials for the recognition or memory of an individual (or family), service organisation/club or group, having made a very significant contribution to public life.</li> </ul>

The policy has been updated to include the following point to provide clarification regarding maintenance and associated cost of commemorative memorials.

- The application, design, manufacture and installation will be undertaken to the satisfaction of Council, with all costs borne by the applicant. Council will be responsible for the management and costs associated with the ongoing maintenance of commemorative memorials.

No other major changes to the policy are proposed after considering the formal submission received and other feedback received.

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

##### **Community**

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

##### **Livability**

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

##### **Leadership**

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

#### **FINANCIAL IMPLICATIONS**

Implementation of the policy will be accommodated within the existing budget allocation.

Council will be responsible for the management and costs associated with the ongoing maintenance of commemorative memorials.

**LEGISLATIVE AND STATUTORY IMPLICATIONS**

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

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**Recommendation:**

- 1. That the submission be noted.**
- 2. That the *Commemorative Memorial Guidelines Policy* be adopted.**
- 3. That the *Commemorative Memorial Guidelines Policy* be reviewed in July 2026.**

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## CP 10 Commemorative Memorials Guidelines Policy

<b>Responsible Officer:</b>	Manager Assets and Infrastructure
<b>Document type:</b>	Council Policy
<b>Reference:</b>	CP 10
<b>Approved by the Leadership Team:</b>	15 October 2021
<b>Adopted by Council:</b>	29 June 2022
<b>Date of next review:</b>	July 2026

### Policy Objective

The purpose of this policy is to provide a guideline for the establishment and maintenance of commemorative memorials.

### Procedure

#### Commemorative Memorial Plaque

Reserved for the recognition or memory of an individual (or family), service organisation/club or group, having made a very significant contribution to public life.

Plaques must be located at or near a place of ‘logical association’ and will only be permitted in exceptional circumstances.

Plaques will ideally be placed at ground level or be affixed to an appropriate item of street/park furniture at Council’s discretion.

#### Commemorative Memorial Monument

Reserved for the recognition or memory of an individual (or family), service organisation/club or group, having made an exceptional contribution to public life, typically having attracted national or international recognition.

Monuments will only be permitted in exceptional circumstances.

## **Location**

Monuments must be located at or near a place of 'logical association'

## **Construction**

Monuments should be constructed in a form and of materials which do not detract from the amenity of the area in which they are to be located. Ideally proponents of such memorials should consider the naming of a community facility or the construction of a suitable piece of community infrastructure as an alternative to a specific monument.

Any memorial or memorial plaque that has been placed without knowledge or approval from the Council will be removed.

## **Applications Approvals Process**

Applications for commemorative memorials are to be made to the Council for its "in-principle" approval. Following this approval community consultation will occur in accordance with the Council's *Community Engagement Policy*.

The Council will then consider the proposal taking into consideration the guidelines and any submissions received.

The application, design, manufacture and installation will be undertaken to the satisfaction of Council, with all costs borne by the applicant. Council will be responsible for the management and costs associated with the ongoing maintenance of commemorative memorials.

## **Review**

This policy may be reviewed at any time by the Council to accommodate changes in legislation, regulations, policy gaps, new technology or systems, as well as remain consistent with industry best practice.

## **Related legislation**

*Local Government Act 2020*

*Crown Land Reserves Act 1978*

*Planning and Environment Act 1987*

*Heritage Act 1995*

**From:** [no-reply@harvestdp.com](mailto:no-reply@harvestdp.com)  
**To:** [Benalla Council Email](#)  
**Subject:** Commemorative Memorial Guidelines Policy Submission  
**Date:** Thursday, 9 June 2022 1:09:20 PM

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# Commemorative Memorial Guidelines Policy Submission

Submission received through the Have Your Say website.

**Submission:**

Wonderful idea and i strongly support initiatives that recognize the good works of our community members.

**Name**

deSales Turner



## 9.6 *Roadside Fatality Memorial Guidelines Policy Review*

SF/4356

Adrian Gasperoni – Manager Asset and Infrastructure

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### PURPOSE OF REPORT

The report presents for consideration the reviewed and updated *Roadside Fatality Memorial Guidelines Policy*

### BACKGROUND

The purpose of the *Roadside Fatality Memorial Guidelines Policy* (refer **Appendix 1**) is to provide a guideline for the establishment and maintenance of roadside fatality memorials.

The Council, at its meeting on 25 May 2022, resolved:

1. *That the Council Policy Facility Hire Subsidy Program Policy be endorsed for public exhibition.*
2. *That the Council Policy Facility Hire Subsidy Program Policy be considered for adoption at the Council Meeting on Wednesday 29 June 2022.*

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

The submission period closed 5pm Thursday 23 June 2022.

### DISCUSSION

At the close of the submission period three submissions were received from:

- DeSales Turner
- Donna
- Elizabeth Grant

Submissions are attached as **Appendix 2**.

The policy is being reviewed in accordance with Council's Administration Policy *Management Guidelines Policy*.

The policy was endorsed by the Council's Leadership Team at its October 2021 meeting.

A summary of submissions and officer comments can be found in the table below:

No.	Submission	Summary	Officer Comment
1	DeSales Turner	<ul style="list-style-type: none"> <li>Against establishing roadside facility memorials.</li> <li>Roadside Memorials can be distracting for drivers and can deteriorate over time.</li> </ul>	<ul style="list-style-type: none"> <li>The Council recognises that some members of the community wish to mark the location of a fatal crash/incident on the road network or public reserve under the control of Council by the establishment of a fatality memorial.</li> <li>The policy provides a guideline on the establishment and maintenance of roadside memorials and requires memorials to be located in a position where it will not distract driver's attention</li> </ul>
2	Donna	<ul style="list-style-type: none"> <li>Strongly support the policy.</li> <li>Place signs where memorial is located.</li> </ul>	<ul style="list-style-type: none"> <li>Extra signs may cause a distraction to drivers. The policy requires roadside memorials to be located in a position where it will not distract driver's attention</li> </ul>
3	Elizabeth Grant	<ul style="list-style-type: none"> <li>Against establishing roadside facility memorials.</li> <li>Concerned that roadside memorials can be a distraction to drivers.</li> </ul>	<ul style="list-style-type: none"> <li>The Council recognises that some members of the community wish to mark the location of a fatal crash/incident on the road network or public reserve under the control of Council by the establishment of a fatality memorial.</li> <li>The policy provides a guideline on the establishment and maintenance of roadside memorials and requires memorials to be located in a position where it will not distract driver's attention</li> </ul>

No changes to the *Roadside Fatality Memorial Guidelines Policy* are proposed after considering the formal submissions and other feedback received.

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

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

**Livability**

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

**Leadership**

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

**FINANCIAL IMPLICATIONS**

Implementation of the policy will be accommodated within the existing budget allocation.

**LEGISLATIVE AND STATUTORY IMPLICATIONS**

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

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**Recommendation:**

- 1. That submissions be noted.**
- 2. That the *Roadside Fatality Memorial Guidelines Policy* be adopted.**
- 3. That the *Roadside Fatality Memorial Guidelines Policy* be reviewed in July 2026.**

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## CP 12 Roadside Fatality Memorial Guidelines Policy

<b>Responsible Officer:</b>	Manager Assets and Infrastructure
<b>Document type:</b>	Council Policy
<b>Reference:</b>	CP 12
<b>Approved by the Leadership Team:</b>	15 October 2021
<b>Approved by Council:</b>	29 June 2022
<b>Date of next review:</b>	July 2026

### Policy Objective

The purpose of this policy is to provide a guideline for the establishment and maintenance of roadside fatality memorials.

### Procedure

A fatality memorial is any object constructed, erected or placed on the road, or within the road reserves or in any Park, Reserve or other Council controlled land, to commemorate/indicate a fatality. Memorials may include items such as wooden crosses, coloured posts, flowers or any type of construction with or without plaques or inscriptions.

Benalla Rural City recognises that some members of the community wish to mark the location of a fatal crash/incident on the road network or public reserve under the control of Council by the establishment of a fatality memorial.

Benalla Rural City will deal sensitively with requests for the establishment of fatality memorials but will not encourage their placement.

## **Detailed requirements and Performance Standards**

In dealing with requests, the following criteria will be considered.

### **Location**

#### **Roadside**

- A memorial should be located in a position where it will not distract driver's attention from the driver task or interfere with the role of any traffic control item.
- A memorial should be located in a position where it will not be hazardous to passing traffic or prevent appropriate maintenance of the road reserve.
- Applicants should be made aware of any possible risk in visiting roadside memorials and should be advised on safe practices in this regard e.g. stopping clear of traffic. Wherever possible, the location should be chosen to minimise risk.

#### **Other Sites - Public Parks and Reserves**

- A memorial should be located in a position where it will not distract the driver's attention from the driver task or interfere with the role of any traffic control item.
- A memorial should be located in a position where it will not be hazardous to the public or prevent appropriate maintenance of the Public Park, Open Space or Reserve.

### **Construction**

- A memorial must be constructed of material or installed in a way that will not cause injury if struck by any vehicle or plant. Where a long-lasting memorial is required which incorporates a plaque, it should ideally be placed horizontally as close to the surface level as possible.

### **Other Issues**

- Any objection or complaint from nearby residents, road users or public park visitor regarding any aspects of memorials, including the activity of visitors to the memorial, should be carefully considered and if necessary, the memorial should be relocated or removed.
- Applicants should be advised that Benalla Rural City Council is not able to accept responsibility for the maintenance of memorials, or any loss, damage, removal or relocation of roadside memorials that may occur due to road or park maintenance or construction activities.
- In general, a time limit of twelve months will be allowed for memorials of a temporary nature.

## **Applications Approval Process**

- Applications for the placement of temporary or permanent memorials shall be made to the Chief Executive Officer and will be considered in accordance with these policy guidelines.

## **Review**

This policy may be reviewed at any time by the Council to accommodate changes in legislation, regulations, policy gaps, new technology or systems, as well as remain consistent with industry best practice.

## **Related legislation**

*Local Government Act 2020*

*Crown Land Reserves Act 1978*

*Planning and Environment Act 1987*

*Heritage Act 1995*



**From:** [no-reply@harvestdp.com](mailto:no-reply@harvestdp.com)  
**To:** [Benalla Council Email](#)  
**Subject:** Roadside Fatality Memorial Guidelines Policy Submission  
**Date:** Thursday, 9 June 2022 1:03:08 PM

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# Roadside Fatality Memorial Guidelines Policy Submission

Submission received through the Have Your Say website.

**Submission:**

I am not in favour of establishing roadside facility memorials. While they may provide some solace for the berieved, I think the can be distracting for those who are driving. And over time the deteriorate and are left in place.

**Name**

deSales Turner



**From:** [no-reply@harvestdp.com](mailto:no-reply@harvestdp.com)  
**To:** [Benalla Council Email](#)  
**Subject:** Roadside Fatality Memorial Guidelines Policy Submission  
**Date:** Saturday, 11 June 2022 9:16:21 AM

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# Roadside Fatality Memorial Guidelines Policy Submission

Submission received through the Have Your Say website.

**Submission:**

I feel that this sort of thing can make people more aware of the possibilities of major accidents causing death where people see the memorials of those who died on our roads. Some people don't understand the risks taken when we get into our vehicle everyday that we could end up a statistic if we don't take care on the roads and to show that making poor choices can result in the loss of a loved one!! I think it's a great idea to advertise for road users to take more care on the road, so I support this totally!! I also think putting up signs where peoples memorial is to tell them not to be a statistic like this persons memorial on the side of the road

**Name**

Donna



**From:** [no-reply@harvestdp.com](mailto:no-reply@harvestdp.com)  
**To:** [Benalla Council Email](#)  
**Subject:** Roadside Fatality Memorial Guidelines Policy Submission  
**Date:** Monday, 20 June 2022 6:59:20 PM

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# Roadside Fatality Memorial Guidelines Policy Submission

Submission received through the Have Your Say website.

## **Submission:**

I am not in favour of roadside memorials. We do not place memorials at Hospitals, Aged Care Homes or houses where people have died. My husband was killed in a MVA in 1999. There is a small cross placed against the fence however I did not place it there. Witnesses to his accident asked my permission to place the cross. I contacted Vicroads and the cross was placed according to the rules at the time. It is not easily visible and I doubt that many have even noticed it. My feeling is that the place of someones death is not the best place for a memorial. There are other options. The obvious are cemeteries. I am concerned that the memorial can be a distraction to drivers and that people visiting the site become a hazard to motorists. When you know someone who has died in a MVA you do not need a memorial to remind you where they died. You never forget. Why risk another accident which could kill or maim by placing a distraction on the roadside. Most memorials do not follow the current Vicroads guidelines. Memorials can last for many years, long after anyone has visited. They should not be erected and if they are they should be removed.

**Would you like to speak at a Council meeting in support of your submission?** Yes, I would like to speak at a council meeting.

## **Name**

Elizabeth Grant



## 9.7 Mayor and Councillors' Attendance at Committees and Civic Functions

SF/808-07

Tracey Beaton - Executive Coordinator

The Mayor and Councillors, listed in alphabetical order, attended meetings and events as detailed below during the period from 14 May 2022 to 19 June 2022.

<b>Councillor Danny Claridge</b>	
17 May	IDAHOBIT - Progress Flag Raising Ceremony
18 May	Benalla History Network Meeting
	Councillor Only Forum
	Planning and Development Committee Meeting
24 May	Benalla Art Gallery Committee Meeting
25 May	National Simultaneous Storytime at the Benalla Library
	Councillor Only Forum
	Benalla Family Research Group Inc Annual General Meeting
	Council Meeting
	Additional Finance and Operations Committee Meeting
26 May	Celebrate National Volunteer Week 2022 at the Benalla Art Gallery
27 May	Benalla Family Fun Day at Lake Benalla Foreshore
1 June	Benalla Historical Society Committee Meeting
8 June	Councillor Only Forum
	Additional Council Meeting
	Assembly of Councillors - Business Review
9 June	Combined Local Government Waste Forum and North East Waste Regional Resource Group Meeting
15 June	Councillor Only Forum
	Finance and Operations Committee Meeting
16 June	Briefing on the Planning for a Safe Climate Advocacy Campaign

<b>Councillor Peter Davis</b>	
18 May	Councillor Only Forum
	Planning and Development Committee Meeting
24 May	Benalla Art Gallery Committee Meeting
25 May	Councillor Only Forum
	Council Meeting
	Additional Finance and Operations Committee Meeting
8 June	Councillor Only Forum
	Additional Council Meeting
	Assembly of Councillors - Business Review
9 June	Lima Community Centre Annual General Meeting
15 June	Councillor Only Forum
	Finance and Operations Committee Meeting

<b>Councillor Don Firth</b>	
17 May	IDAHOBIT - Progress Flag Raising Ceremony
18 May	Councillor Only Forum
	Planning and Development Committee Meeting
25 May	Councillor Only Forum
	Council Meeting
	Additional Finance and Operations Committee Meeting
31 May	United Friendly Society Reserve Committee of Management Meeting
6 June	Churchill Committee of Management General Meeting
8 June	Benalla P-12 College Year 9 Mock Job Interview Panel
	Councillor Only Forum
	Benalla Festival Advisory Committee Meeting
	Additional Council Meeting
	Assembly of Councillors - Business Review
9 June	Benalla Air Show Meeting
	Tomorrow Today 2022 Grants Presentation
14 June	Accessibility Reference Group Meeting
15 June	Councillor Only Forum
	Finance and Operations Committee Meeting

<b>Councillor Punarji Hewa Gunaratne</b>	
18 May	Planning and Development Committee Meeting
25 May	Council Meeting
	Additional Finance and Operations Committee Meeting

<b>Mayor Councillor Bernie Hearn</b>	
14 May	Exhibition Celebration of the Banksia at Benalla Art Gallery
16 May	LS Precast Site Visit
	Waminda Board of Management Meeting
17 May	IDAHOBIT - Progress Flag Raising Ceremony
18 May	Councillor Only Forum
	Planning and Development Committee Meeting
19 May	Lakeside Precinct Accessibility Access Working Group
20 May	Benalla Theatre Company Production of 'Mamma Mia'
25 May	Councillor Only Forum
	Council Meeting
	Additional Finance and Operations Committee Meeting
26 May	Celebrate National Volunteer Week 2022 at Benalla Art Gallery
2 June	Hume Region Mayor's Forum
	Lakeside Precinct Accessibility Access Working Group
	Lions Club of Benalla 2022 Changeover Dinner
6 June	2022 Australian Local Government Women's Association (Vic) Conference
7 June	Benalla P-12 College Year 9 Mock Interview Panel
8 June	Councillor Only Forum
	Additional Council Meeting
	Assembly of Councillors - Business Review
9 June	North East Mayor's in Parliament with Steph Ryan
14 June	Accessibility Reference Group Meeting
	Municipal Emergency Management Plan Committee Meeting
15 June	Finance and Operations Committee Meeting
16 June	Briefing on the Planning for a Safe Climate Advocacy Campaign
	MAV Rural North East Regional Online Meeting
18 June	2022 Benalla Fire Brigade Presentation Night

<b>Councillor Justin King</b>	
18 May	Councillor Only Forum
	Planning and Development Committee Meeting
25 May	Councillor Only Forum
	Council Meeting
	Additional Finance and Operations Committee Meeting
26 May	Celebrate National Volunteer Week 2022 at the Benalla Art Gallery
6 June	Benalla Local Safety and Traffic Liaison Committee Meeting
8 June	Councillor Only Forum
15 June	Councillor Only Forum
	Finance and Operations Committee Meeting
16 June	Briefing on the Planning for a Safe Climate Advocacy Campaign

<b>Councillor Gail O'Brien</b>	
14 May	Exhibition Celebration of the Banksia at Benalla Art Gallery
15 May	Celebrate the Sculpture Walk opening of Lotjpatj Natjan Danak at Winton Wetlands
17 May	IDAHOBIT - Progress Flag Raising Ceremony
	Goorambat Community Hall Annual General Meeting
18 May	Councillor Only Forum
	Planning and Development Committee Meeting
24 May	Communities in Control
25 May	Councillor Only Forum
	Council Meeting
	Additional Finance and Operations Committee Meeting
26 May	Celebrate National Volunteer Week 2022 at the Benalla Art Gallery
1 June	Better Homes and Neighbourhoods for a Changing Climate
6 June	2022 Australian Local Government Women's Association (Vic) Conference
	Councillor Only Forum
	Additional Council Meeting
	Assembly of Councillors - Business Review
15 June	Councillor Only Forum
	Finance and Operations Committee Meeting
16 June	Briefing on the Planning for a Safe Climate Advocacy Campaign

**Recommendation:**

**That the report be noted.**

## 9.8 Council Actions Pending

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

**Recommendation:**

**That the report be noted.**

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## Council Actions Pending From The Cycle Of Meetings Ended 29 June 2022

## Item 9.8 - Appendix 1

Action No.	Meeting Name	Item	Action	Officer	Status/notes
1.	P&D 22-Jun-22	6.	<b>Draft Waste Services Policy</b> That the Planning and Development Committee, acting under its delegated authority of the Council, resolve: <ol style="list-style-type: none"> <li>1. That the draft <i>Waste Services Policy</i> be endorsed for public exhibition for a period of at least 28 days.</li> <li>2. That the draft Waste Services Policy community consultation program seek feedback on fortnightly refuse collection in rural areas.</li> </ol>	MAI	1. Completed  2. In progress
2.	P&D 22-Jun-22	5.	<b>Benalla Rural City Council Asset Plan 2022-2032</b> That the <i>Benalla Rural City Council Asset Plan 2022-2032</i> be adopted.	MAI	Completed
3.	P&D 22-Jun-22	4.	<b>Benalla Airport – Intention to Lease Land</b> <ol style="list-style-type: none"> <li>1. That in accordance with Section 115 of the <i>Local Government Act 2020</i>, a lease agreement be entered into with Luke Anthony Bourne for Hangar sites 13 and 28 at the Benalla Airport, Samaria Road, Benalla for a term of five years commencing 1 July 2022 with an option for four further terms of five years.</li> <li>2. That the Chief Executive Officer be authorised to execute lease documentation on behalf of the Council.</li> </ol>	MFIT	Completed
4.	P&D 22-Jun-22	3.	<b>Petition: Declare Churchill Reserve an Off-leash Area</b> <ol style="list-style-type: none"> <li>1. That the report be noted.</li> <li>2. That the option of a designated fenced dogs-off-leash area within or in proximity of Churchill Reserve be investigated and reported back to the Council.</li> </ol>	MD	1. Completed 2. In progress

Action No.	Meeting Name	Item	Action	Officer	Status/notes
5.	F&O 15-Jun-22	12.	<b>Future Provision of Commonwealth Home Support Program and Home and Community Care Program for Younger People</b> <ol style="list-style-type: none"> <li>1. That the Council cease the provision of aged and disability services on 30 June 2022.</li> <li>2. That Council staff continue to work with the Australian and Victorian governments and new service providers Calvary, Community Accessibility and Gateway Health to ensure an efficient and timely transition of aged and disability services.</li> <li>3. That the contribution and efforts of current and past Aged and Disability Services staff be acknowledged.</li> </ol>	MC	Completed
6.	F&O 15-Jun-22	11.	<b>Procurement Policy Review</b> <ol style="list-style-type: none"> <li>1. That the <i>Procurement Policy</i> be adopted.</li> <li>2. That the <i>Procurement Policy</i> be reviewed by 31 May 2025.</li> </ol>	MF	1. Completed
7.	F&O 15-Jun-22	10.	<b>Investment Policy Review</b> <ol style="list-style-type: none"> <li>1. That the <i>Investment Policy</i> be adopted.</li> <li>2. That the <i>Investment Policy</i> be reviewed in June 2026.</li> </ol>	MF	1. Completed
8.	F&O 15-Jun-22	9.	<b>Financial Hardship Policy Review</b> <ol style="list-style-type: none"> <li>1. That the <i>Financial Hardship Policy</i> be adopted.</li> <li>2. That the <i>Financial Hardship Policy</i> be reviewed once the <i>Local Government legislation Amendment (Rating Reform and Other Matters) Bill 2022</i> becomes legislation.</li> </ol>	MF	1. Completed

Action No.	Meeting Name	Item	Action	Officer	Status/notes
9.	F&O 15-Jun-22	8.	<b>Appointment of Benalla Australia Day Advisory Festival Committee Members</b> That the nominees below be appointed to the Australia Day Advisory Committee: <ul style="list-style-type: none"> <li>▪ Amanda Challis – Benalla Australia Day Committee/Rotary Club of Benalla</li> <li>▪ Robyn Goudie – Thoona Australia Day Committee</li> <li>▪ Jade Kirk – Tatong Australia Day Committee</li> <li>▪ Warren Rex Nankervis – Community Representative</li> <li>▪ Vicki Sherriff – Community Representative</li> <li>▪ Christine Werner – Goorambat Australia Day Committee</li> <li>▪ Diane Young – Devenish Australia Day Committee.</li> </ul>	MEDAS	Completed
10.	F&O 15-Jun-22	7.	<b>Appointment of Benalla Festival Advisory Committee Members</b> That the following nominees be appointed to the Benalla Festival Advisory Committee as Community Representatives: <ul style="list-style-type: none"> <li>▪ Caroll Bolitho</li> <li>▪ Stephanie Brack</li> <li>▪ Vince Branigan</li> <li>▪ Wayne Godfrey</li> <li>▪ Dianne Harper.</li> </ul>	MEDAS	Completed
11.	F&O 15-Jun-22	6.	<b>2021/2022 Community Sponsorship Program</b> <ol style="list-style-type: none"> <li>1. That \$500 grants from the 2021/22 Community Sponsorship Program be allocated to the Benalla Aviation Museum and Golden Vale Golf Club.</li> <li>2. That a \$330 grant from the 2021/22 Community Sponsorship Program be allocated to U3A Benalla.</li> </ol>	MC	1. Completed  2. Completed

Action No.	Meeting Name	Item	Action	Officer	Status/notes
12.	F&O 15-Jun-22	5.	<b>Draft Benalla Rural City Council Youth Strategy 2022-2026 – Consideration of Submissions</b> 1. That submissions be received. 2. That the <i>Benalla Rural City Council Youth Strategy 2022-2026</i> be adopted.	MC	1. Completed 2. Completed
13.	Council Meeting 25-May-22	9.7	<b>Enterprise Park Industrial Estate – Potential Sale of Land</b> That the Chief Executive Officer be authorised to: 1. Engage a suitably qualified real estate agent to advise the Council in the potential disposal of Enterprise Park Industrial Estate (Land). 2. Develop a formal expression of interest document and conduct an Expression of Interest process for the sale of the whole or any part of the Land being Lot G on the plan of subdivision PS830933R. 3. Publish on Council's website a notice of Council's intention to sell the Land by means of an expression of interest process pursuant to which purchasers may bid for the whole or any part of the Land; and 4. Obtain a current valuation of the Land.	CEO	1. In progress          4. Completed
14.	Council Meeting 25-May-22	9.6	<b>Environment Protection Authority Victoria Waste Levy Payment Approval</b> 1. That payment of the EPA Victoria Waste Levy for \$316,805.70 (ex. GST) for the period of 1 January 2022 – 31 March 2022 be approved. 2. That the EPA Victoria Waste Levy payment be made before 5 July 2022.	CEO	1. Completed  2. Completed
15.	Council Meeting 25-May-22	9.5	<b>Roadside Fatality Memorial Guidelines Policy</b> 1. That the Benalla Rural City Council <i>Roadside Fatality Memorial Guidelines Policy</i> be endorsed for public exhibition. 2. That the Benalla Rural City Council <i>Roadside Fatality Memorial Guidelines Policy</i> be considered for adoption at the Council Meeting on Wednesday 29 June 2022.	MAI	1. Completed  2. Completed

Action No.	Meeting Name	Item	Action	Officer	Status/notes
16.	Council Meeting 25-May-22	9.4	<b>Commemorative Memorial Guidelines Policy</b> 1. That the Benalla Rural City Council <i>Commemorative Memorial Guidelines Policy</i> be endorsed for public exhibition. 2. That the Benalla Rural City Council <i>Commemorative Memorial Guidelines Policy</i> be considered for adoption at the Council Meeting on Wednesday 29 June 2022.	MAI	1. Completed 2. Completed
17.	Council Meeting 25-May-22	9.3	<b>Facility Hire Subsidy Program Policy</b> 1. That the Benalla Rural City Council <i>Facility Hire Subsidy Program Policy</i> be endorsed for public exhibition. 2. That the Benalla Rural City Council <i>Facility Hire Subsidy Program Policy</i> be considered for adoption at the Council Meeting on Wednesday 29 June 2022.	MFIT	1. Completed 2. Completed
18.	Council Meeting 25-May-22	9.2	<b>Benalla Central Business District Streetscape Concepts</b> 1. That the draft <i>Benalla Bridge Street Improvements Project</i> be endorsed for public exhibition. 2. That the draft <i>Benalla Bridge Street Improvements Project</i> be placed on public exhibition for a period of at least 28 days.	MD	1. Completed 2. Preparing consultation Program
19.	F&O 25-May-22	3	<b>Draft Benalla Rural City Council Financial Plan 2023 to 2032 – Hearing Of Submissions</b> That submissions be received.	MF	Completed
20.	F&O 25-May-22	2	<b>Proposed 2022/23 Budget – Hearing Of Submissions</b> That submissions be received.	MF	Completed
21.	P&O Committee 18-May-22	4	<b>Draft Benalla Rural City Council Asset Plan 2022-2032</b> That the Planning and Development Committee, acting under its delegated authority of the Council, resolve: 1. That the draft <i>Benalla Rural City Council Asset Plan 2022-2032</i> be endorsed for public exhibition. 2. That the draft <i>Benalla Rural City Council Asset Plan 2022-2032</i> be considered for adoption at the Planning and Development Committee on Wednesday 22 June 2022.	MAI	1. Completed 2. Completed

Action No.	Meeting Name	Item	Action	Officer	Status/notes
22.	P&O Committee 18-May-22	3	<b>Petition: Declare Churchill Reserve an Off Leash Area</b> <ol style="list-style-type: none"> <li>1. That the report be noted.</li> <li>2. That a report be presented to the Planning and Development Committee meeting on 22 June 2022, following consultation with the Churchill Reserve Committee of Management and surrounding Churchill Reserve residents.</li> </ol>	MD	<ol style="list-style-type: none"> <li>1. Completed</li> <li>2. Completed</li> </ol>
23.	Council Meeting 20-Apr-22	3	<b>Draft Benalla Rural City Council Financial Plan 2023 to 2032</b> <ol style="list-style-type: none"> <li>1. That the draft Benalla Rural City Council Financial Plan 2023 to 2032 be endorsed for public exhibition for a period of 28 days from 21 April 2022.</li> <li>2. That submissions relating to the draft Benalla Rural City Council Financial Plan 2023 to 2032 be heard at a meeting of the Finance and Operations Committee on 25 May 2022.</li> <li>3. That the Council consider submissions relating to the draft Benalla Rural City Council Financial Plan 2023 to 2032 at a Council meeting on 15 June 2022.</li> <li>4. That the Council consider the adoption of the Benalla Rural City Council Financial Plan 2023 to 2032 at a meeting of the Council on Wednesday 29 June 2022.</li> </ol>	MF	<ol style="list-style-type: none"> <li>1. Completed</li> <li>2. Completed</li> <li>3. Completed</li> <li>4. Completed</li> </ol>
24.	Council Meeting 20-Apr-22	2	<b>Proposed 2022/23 Budget</b> <ol style="list-style-type: none"> <li>1. That the proposed <i>2022/23 Budget</i> be endorsed for public exhibition for a period of 28 days from 21 April 2022.</li> <li>2. That submissions relating to the proposed <i>2022/23 Budget</i> be heard at a meeting of the Finance and Operations Committee on 25 May 2022.</li> <li>3. That the Council consider submissions relating to the proposed <i>2022/23 Budget</i> at a Council meeting on 15 June 2022.</li> <li>4. That the Council consider the adoption of the <i>2022/23 Budget</i> at a meeting of the Council on Wednesday 29 June 2022.</li> </ol>	MF	<ol style="list-style-type: none"> <li>1. Completed</li> <li>2. Completed</li> <li>3. Completed</li> <li>4. Completed</li> </ol>

Action No.	Meeting Name	Item	Action	Officer	Status/notes
25.	P&D Committee 16-Mar-22	2	<p><b>Benalla Airport – Intention To Lease Land</b></p> <p>That the Planning and Development Committee, acting under its delegated authority of the Council, resolve:</p> <p>That the Council give notice under section 115 of the <i>Local Government Act 2020</i> of its intention to enter into a lease with Luke Anthony Bourne for hangar land lease.</p> <p>The principal terms of the lease will be:</p> <ol style="list-style-type: none"> <li>1. A term of five years commencing on 1 July 2022 with an option of four further terms of five years.</li> <li>2. To waive lease costs until 30 June 2023, excluding the Fire Services Property Levy. From 1 July 2023, all applicable lease fees will be payable for the remaining term of the lease.</li> </ol> <p>The lease will be adjusted annually by the All-Groups Consumer Price Index except for the fifth anniversary of the commencement of the lease where the fee will be reviewed to market value.</p>	MFIT	Completed

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

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



## 10. Reports by Councillors

**Recommendation:**

That the report(s) be noted.

## 11. Notices of Motion

## 12. Notices of Rescission Motion

## 13. Urgent Business

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

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

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

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

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## 14. Confidential Business

It is proposed that the following items be considered in confidential business pursuant to the *Local Government Act 2020* as they contain personal information that would result in the unreasonable disclosure of information about a person or their personal affairs if released:

14.1 Confidential Reports by Councillors

14.2 Confidential Council Actions Pending

**Recommendation:**

**That the meeting be closed to the public for the consideration of the confidential business item noted above pursuant to Sections 3(1) and Section 66(2)(a) of the *Local Government Act 2020*.**

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

**Recommendation:**

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

**16. Closure of the meeting**