

Council Meeting

Agenda

Date: Wednesday 7 September 2022

Time: 5.30pm

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

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

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Agenda

Chair	Councillor Bernie Hearn (Mayor)	
Councillors	Councillor Danny Claridge	
	Councillor Peter Davis	
	Councillor Don Firth	
	Councillor Punarji Hewa Gunaratne	
	Councillor Justin King	
In attendance	Councillor Gail O'Brien	
	Dom Testoni	Chief Executive Officer
	Robert Barber	General Manager Corporate
	Adrian Gasperoni	Manager Assets and Infrastructure
	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

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

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 pending confirmation at this meeting.

Recommendation:

That the Minutes of the Council Meeting held on Wednesday 3 August 2022 and Wednesday 31 August 2022 be confirmed as a 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 Recommendations from Delegated Committees

The recommendations of the Finance and Operations Committee meeting held on Wednesday 24 August 2022 are attached as **Appendix 1**.

The recommendations of the Planning and Development Committee meeting held on Wednesday 31 August 2022 are attached as **Appendix 2**.

Recommendation:

- 1. That the recommendations of the Finance and Operations Committee meeting held on Wednesday 24 August 2022 be adopted.**
- 2. That the recommendations of the Planning and Development Committee meeting held on Wednesday 31 August 2022 be adopted.**

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Business

1. Public Question Time

It is recorded that Sabine Smyth tabled two questions.

1. *In accordance with the Aboriginal Heritage Act 2006 anyone developing public land is required to complete a Cultural Heritage Management Plan and seek a written issue of a Notice of Approval prior to work commencing. On what date was this Cultural Heritage Management Plan completed for the Visitor Information Centre & Museum Redevelopment, and when was a notice of approval granted by the Yorta Yorta Nation Aboriginal Corporation?*

The Chief Executive Officer answered that Council officers undertook a self-assessment checklist for the provision of a Cultural Heritage Management Plan as provided by the Aboriginal Heritage Planning Tool. The proposed works have been identified as exempt from the requirements of a Cultural Heritage Management Plan under the *Aboriginal Heritage Act and Regulations*.

2. *Council obtained a previous Notice of Approval for Plan 13879 to build a car-park near a registered Aboriginal Victoria Heritage Site in Mitchell Street. According to the CEO's email to me at the time, a number of recommendations were developed about that site. What were these recommendations and what effort has been made to make sure they were followed?*

The CEO answered that recommendations in regard to the Cultural Heritage Management Plan were developed in consultation with the Yorta Yorta Nation Aboriginal Corporation and were as follows:

In the unlikely event that cultural material is found during works, the contingencies detailed in Section 12 will determine the course of action that must be undertaken.

- All future works in regards to the activity covered by this Cultural Heritage Management Plan are to be restricted to the extent of the Activity Area;
- In the case of the discovery of Aboriginal cultural heritage, the provisions outlined in the Contingency Plans presented in Sections 12.1 – 12.2.4 should be followed; and
- If any human skeletal remains are discovered then the provisions outlined in the Contingency Plans presented in Section 12.1.1 – 12.1.5 should be followed.

Contingency measures were provided to manage the unexpected discovery of cultural heritage places found during the course of the activity.

Cr Hearn / Cr Firth:

That the questions and answers be noted.

Carried

2. Biannual Audit and Risk Committee Report

The report presented a summary of the Audit and Risk Committee's activities in the 2021/22 financial year.

Cr Claridge / Cr Gunarante:

That the report be noted.

Carried

3. 2022/2023 Community Sponsorship Program

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

Cr Hearn / Cr Claridge:

That a \$500 grant from the 2022/2023 Community Sponsorship Program be allocated to FCJ College Benalla.

Carried

4. Community Department Activity Report For The Quarter Ended 30 June 2022

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

Cr O'Brien / Cr Gunarante:

That the report be noted.

Carried

5. Finance Department Activity Report For The Quarter Ended 30 June 2022

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

Cr Firth / Cr Hearn:

That the report be noted.

Carried

6. People and Performance Department Activity Report For The Quarter Ended 30 June 2022

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

Cr Claridge / Cr Gunarante:

That the report be noted.

Carried

7. Councillor Expenses For The Quarter Ended 30 June 2022

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

Cr Claridge / Cr Hearn:

1. That the report be noted.

2. That the *Professional Development for Councillors Policy* be reviewed and updated to define professional development.

Carried

Business**1. Public Question Time**

No questions were submitted to the committee meeting.

2. Planning And Building Approvals – July 2022

The report details planning permit applications and building approvals for July 2022.

Cr Davis / Cr Firth:

That the report be noted.

Carried

3. Draft Waste Services Policy – Consideration of Submissions

The report considers submissions received on the revised *Waste Services Policy*.

Cr Firth / Cr King:

1. That the report be noted.

2. That the *Waste Services Policy* be considered for adoption at the Council Meeting on 7 September 2022.

Carried

A division of the vote was called.

Votes in favour of the motion:

Cr Danny Claridge

Cr Peter Davis

Cr Don Firth

Cr Justin King

Cr Gail O'Brien

Cr Bernie Hearn

Votes against the motion:

Cr Punarji Hewa Gunarante

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

The report presents the activities of the Assets and Infrastructure department for the quarter ended 30 June 2022.

Cr Hearn / Cr Davis:
That the report be noted.

Carried

5. Development Department Activity Report For The Quarter Ended 30 June 2022

The report presents the activities of the Development department for the quarter ended 30 June 2022.

Cr King / Cr Firth:
That the report be noted.

Carried

6. Facilities and Information Technology Department Activity Report For The Quarter Ended 30 June 2022

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

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

Carried

8.2 Assemblies of Councillors, Advisory and External Committees

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

The record of Assemblies of Councillors since the report presented at the meeting on 3 August 2022 is attached as **Appendix 1**.

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

July 2022

13 July 2022	Assembly of Councillors - Business Review
20 July 2022	Benalla Festival Advisory Committee
26 July 2022	Audit and Risk Committee
27 July 2022	Assembly of Councillors
29 July 2022	Australia Day Advisory Committee

Recommendation:

That the report be noted.

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Record of Assemblies of Councillors, Advisory and External Committees

July 2022

Assembly of Councillors – Business Review

5.30pm Wednesday 13 July 2022, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla

Chair Councillor Bernie Hearn (Mayor)

Councillors

Councillor Danny Claridge

Councillor Peter Davis

Councillor Don Firth

Councillor Punarji Hewa Gunaratne

Councillor Justin King

Councillor Gail O'Brien

In attendance

Dom Testoni	Chief Executive Officer
Robert Barber	General Manager Corporate
Nilesh Singh	Manager Development
Joel Ingham	Planning Coordinator

Apologies: Nil

Conflicts of Interest disclosed: Nil

Items discussed:

1. Presentation: Benalla Planning Scheme Review
2. Planning Application No. P0021/22 – Multi Lot Subdivision (43 lots), and the creation of an access to a Transport Zone 2, Sydney Road, Benalla
3. Planning Application No. P0041/22 – Display an Electronic Promotion Sign, 159-161 Bridge Street East, Benalla
4. 2022 Local Government Community Satisfaction Survey
5. Benalla Rural City Council Governance Rules 2020 Update
6. Benalla Performing Arts and Convention Centre Update

Benalla Festival Advisory Committee

4.30pm Wednesday 20 July 2022, Customer Service Centre (Geoff Oliver Meeting Room)

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

Conflicts of Interest disclosed: Nil

Items discussed:

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

Audit and Risk Committee

5pm Tuesday 26 July 2022, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla

Chair: Mr Cameron Gray

Committee: Councillor Justin King Council Representative

Councillor Peter Davis Council Representative

Mr Michael Hedderman

Ms Rita Ruyters

Mr John Stapleton

In attendance: Dom Testoni Chief Executive Officer

Robert Barber General Manager Corporate

Cathy Fitzpatrick Manager Finance

Apologies: Councillor Peter Davis

Conflicts of Interest disclosed: Nil

Items discussed:

1. Meeting with Auditors
2. Interim Management Letter 2021-22
3. Internal audit Program
4. Risk Management Update
5. Procurement Process Exemptions
6. Victorian Auditor-General's Office Reports
7. Audit and Risk Committee Miscellaneous Items
8. Audit and Risk Committee Report to Council
9. General Business

Assembly of Councillors

4.45pm Wednesday 27 July 2022, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla

Chair Councillor Bernie Hearn (Mayor)

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

In attendance Dom Testoni Chief Executive Officer

Apologies: Councillor Peter Davis and Councillor Punarji Hewa Gunaratne

Conflicts of Interest disclosed: Nil

Items discussed:

1. Presentation: Agricultural Victoria

Australia Day Advisory Committee

10am Wednesday 29 July 2022, Customer Service Centre (Geoff Oliver Meeting Room)

Chair:	Councillor Bernie Hearn (Mayor)	Council Representative
Committee:	Councillor Punarji Gunarante	Council Representative
	Amanda Challis	Community Representative
	Robyn Goudie	Community Representative
	Jade Kirk	Community Representative
	Rex Nankervis	Community Representative
	Vicki Sherriff	Community Representative
	Christine Werner	Community Representative
	Diane Young	Community Representative
In attendance:	Sharon Geer	Events Coordinator
	Kirstein Hein	Administration Officer

Apologies: Councillor Punarji Gunaratne, Jade Kirk, Rex Nankervis, Vicki Sherriff and Kirstein Hein

Conflicts of Interest disclosed: Nil

Items discussed:

1. Australia Day Program – Thursday 26 January 2023
2. Australia Day Awards
3. General Business

Officer Reports

9.1 Authorisation of Signing and Sealing of Documents

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9.2 Waste Services Policy Review

SF/5085

Adrian Gasperoni – Manager Assets and Infrastructure

PURPOSE OF REPORT

The report presents for consideration and adoption the *Waste Services Policy*.

BACKGROUND

The Planning and Development Committee at its meeting on 22 June 2022, acting under its delegated authority of the Council, resolved:

That the Waste Services Policy be endorsed and placed on public exhibition for a period of at least 28 days.

Public notice of the revised *Waste Services Policy* was given on the Council's website on 23 June 2022 and in the *Benalla Ensign* on Wednesday 6 July 2022.

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

The submission period closed 5pm Thursday 21 July 2022. At the close of the submission period three submissions were received.

Submissions were considered by Council at the Planning and Development Committee meeting on 31 August 2022.

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

DISCUSSION

The *Waste Services Policy* has been updated to reflect current roles, responsibilities, services, etc. No changes to the policy were proposed after considering the formal submissions and other feedback received.

The *Waste Services Policy* is attached as **Appendix 1**.

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

- *A healthy, safe and resilient community.*

Leadership

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

Environment

- Healthy and protected natural environment.
- High quality efficient and sustainable waste management.
- Sustainable practices.

COMMUNITY ENGAGEMENT

In accordance with the Council's *Community Engagement Policy*, community engagement for the *Waste Services Policy* was undertaken at the 'consult' level under the International Association for Public Participation's IAP2 public participation spectrum.

FINANCIAL IMPLICATIONS

The implementation of the Waste Services Policy will be accommodated within the existing budget.

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

While not impacting the adoption of the Waste Services Policy, it is proposed that the Council consider establishing a working group consisting of councillors, staff community members, and community service club representative to investigate the merits of ideas such as a second-hand materials 'tip shop' and 'repair café' as proposed in the Benalla Sustainable Future Group submission.

A report on the proposed working group will be presented to the December 2022 Planning and Development Committee meeting, following the opening of the Benalla Landfill Resource and Recovery Centre Transfer Station.

Recommendation:

1. That the *Waste Services Policy* be adopted.
2. That the *Waste Services Policy* be reviewed in September 2026.
3. That a report on the establishment of a Waste Reduction Working Group be presented to the December 2022 Planning and Development Committee meeting.

CP 27 Waste Services Policy

Responsible Officer:	Manager Assets and Infrastructure
Document type:	Council Policy
Reference:	CP 27
Approved by:	Council
Adopted by Council:	7 September 2022
Date of next review:	September 2026

Policy Objective

This policy details the waste management services that the Council offers to residents, businesses and other groups in the community.

Introduction

Sustainable waste management is a key part of economic and community development and the Council plays an important role in assisting the community to minimise waste, increase resource recovery and finding alternatives to landfill disposal.

The Council helps residents and businesses achieve this by providing a waste management service to most residential and commercial properties along with waste minimisation education.

Businesses and Commercial Properties

Persons or corporations operating a business or industry may seek an exemption in writing for the levied Waste Management collection charges if written evidence of an alternate service is provided and this option is accepted by Council.

Businesses and commercial properties may be able to access services to suit them. This may include the provision of multiple collections during the service program, additional services or cancellation of services. These additional services will be charged in accordance with the Council's budget on a cost recovery basis, where the Council and contractor can facilitate the request.

Where Council cannot offer a business a waste management service to suit the needs of the business under its domestic collection contract, it is recommended that the business source a private collection.

Residential Services

Urban and Rural Waste Service Provision

Council provides a number of different waste, recycling and organics bin size options to allow customers to select the bins that meet their needs.

The prices are structured to reflect the service cost to the Council and are geared toward encouraging residents to reduce waste to landfill. Current waste service charges can be found on the Council's website www.benalla.vic.gov.au

The area the waste collection service operates thus:

- Organics bin collected weekly
- Recycling and Refuse bins collected on alternate fortnights.

A map of this mandatory organics collection area is attached as **Appendix 1**.

Property owners may request to have their property included or excluded from the urban area. The property must be directly adjacent to the current boundary and clearly be a large rural farm rather than a lifestyle allotment to warrant exclusion.

In the balance of the municipality, a refuse and recycling bin is provided and will be collected thus:

- Refuse bin weekly
- Recycling collected fortnightly.

Mobile bins that are provided by the Council are the Council's property and must be left at the property they were issued to.

The Council will replace bins that have been lost or stolen and undertake bin repairs on bins that have been damaged.

The Council provides a mandatory waste collection to all properties with habitable houses that are located within the Benalla municipality and have a road that can be accessed by a collection vehicle.

The waste management charge is set each year by the Council during its budget deliberations. Waste collection and associated charges are levied as approved by Council each year, whether or not the service is used and incorporated within the properties annual rate notice.

Additional services are available upon request and attract an additional fee depending on the size, frequency and service chosen.

Current available waste service choices are:

Urban

Organics - Weekly Collection	Recycling - Fortnightly	Refuse - Fortnightly
80 litres	120 litres	80 litres
120 litres	240 litres	120 litres
240 litres	360 litres	240 litres

Rural

Recycling - Fortnightly	Refuse - Weekly
120 litres	80 litres
240 litres	120 litres
360 litres	240 litres

Additional Bin Services

To encourage household and businesses to maximise diversion from landfill additional services can be purchased including:

- Extra bins – Organics, Recycling and Rubbish collected in accordance with the current schedule.
- Weekly Collections – Rubbish and Recycling where the additional bins will not place an undue load on the collection system.
- Additional bins must be of the same size or smaller as the property's existing bin services.

A restriction shall be placed on the amount of weekly collections that are allowed to avoid strain on the system in terms of OH&S and vehicle movements.

All charges will be made on a cost recovery basis as adopted each year as part of the fees and charges.

Route Extensions

Where the owner/occupier of a rural property wishes to receive a waste and recycling collection service and is not on an established collection service route, the owner/occupier of the property can arrange to place their bins at the nearest cross road that is on a collection route and receive the standard waste collection charge.

The defined service area may be extended by the Manager Assets and Infrastructure after considering matters such as viability, access and safety of movement for the waste collection vehicle and other road users.

If requirements for access and safety of movement of the waste collection vehicle are met, an extension to the waste collection route will only be considered where the road is on Council's Register of Public Roads and the additional distance travelled per service by the collection vehicle does not exceed two kilometers.

This includes any additional distance travelled to a location where the vehicle can safely turn around if required.

Access using private roads to provide waste collection can be approved where a specific access agreement has been negotiated with the Council, collection service and the landowner and agreed in writing. This is not a preferred option for the management of bin services.

It may be possible for Council to offer collection to ratepayers in other adjoining municipalities in proximity to the border with Benalla Rural City. Requests will be investigated on a case by case basis, with the same requirements to that of a route extension. For this service to take place it must be agreed with the relevant Council that ratepayer resides in.

If a service is to be offered, the Council will enter into an agreement with the relevant Council and service user to either:

- bill the relevant Council separately for the collection
- have the adjoining Council invoice the ratepayer direct
- come to a mutual agreement regarding the costs on quid pro quo basis

New Waste Services

A new service may be applied for at any time. Application forms are available from the Customer Service Centre or on Council's webpage.

New dwelling applications are required to include a certificate of occupancy to discourage construction and demolition waste being placed in any bins.

Once an application has been received it will be processed and referred to the Council's contractor for the supply of new bins and then forwarded to the Council's rates section for inclusion on the Council's rates database system.

Generally, new service bins will be delivered to the property within five business days of the receipt of application.

Cancelling Services

Existing waste services on properties can only be cancelled if the dwelling is uninhabitable. This will be considered on a case by case basis.

Tenanted Properties

Only the property owner or their agent are able to change bin options for the property where there is an extra cost involved. Tenants that require an upsize of bins are required to provide confirmation from the property owner or real estate agent.

Vacant Blocks

Waste services are not provided to vacant blocks and do not attract a waste management charge.

Missed Collection

If a bin is genuinely missed by the collection contractor, as opposed to not being presented in time and the resident informs Council before 2pm the bin will usually be collected that day. If a resident calls after 2pm then the missed service will be collected on the next business day.

Bins are required to be presented kerbside / roadside by 6am on the day of scheduled collection, it is preferred that bins are put out for emptying the night before.

Special Needs Waste Collections

Residents of properties within the urban boundary who have a special needs requirement for the disposal of nappies or medical condition, can complete an application form at the Customer Service Centre for a weekly general waste rubbish collection. Evidence supporting the application such as birth certificate for nappies or doctors confirmation for medical condition is to be supplied when the application is lodged.

A database of the properties receiving the special weekly service will be maintained and the continued need for the service will be reviewed in January of each year by way of completing a new application form confirming the on-going nature of the requirement.

Where the need relates to disposal of nappies, this additional service remains free of charge. It is only available for the child's permanent residence and until the youngest child is four years old or out of nappies. Where medical waste is involved the service is free of charge for the duration of the condition generating the need for the service.

Any weekly service requests for children over four-years or other special needs will be considered on a case-by-case basis. The Council may request documentation from a relevant source (i.e. Medical Practitioner) to support the request.

Downsizing and Upsizing

Upsizing or downsizing bin requests can occur by completing an application form and this results in a debit/credit adjustment to be included on the rates/instalment notice for the property.

The application form can be found on the Council's website www.benalla.vic.gov.au

Requests for refuse (general waste) and organics bin types are limited to every 12 months or when the property changes hands.

There is no associated cost in upsizing or downsizing of recycling bins.

Contamination

If a bin is found to hold contaminated or inappropriate material, an educative and enforcement process will commence, escalating as follows:

- In the first instance the bin will be stickered to inform the resident that the incorrect material was placed in the bin.
- In the second instance the Council will send a letter to the property occupier informing them that the bin was again presented for collection with contamination evident.
- In the third instance the bin will be removed from the property for the next collection cycle.
- In the fourth instance the bin will be removed from the property and not replaced until the user commits to abide by the requirements to use the bin correctly. Please note that should the bin be removed, Waste Management charges will continue to accrue on the property as normal.

All costs associated with the removal and reinstatement of the bin after contamination will be passed onto the property owner

Whilst the Council does not wish to take such drastic steps as outlined in the third and fourth instance, the contamination of each of the collection services brings financial penalties to the Council and the broader community.

The misuse of any bin may result in the Council utilising the Community Local Law 2017 provisions and issuing a fine.

Clause 48 under 'Regulation of Household Refuse' states:

A person must not place in any refuse or recycling waste receptacle any material not expressly listed as permitted to be placed in the relevant receptacle by Council in its collection information published from time to time.

Under the current Community Local Law if residents are found to be misusing their bin Council can issue an on the spot fine of \$200. Council may issue a fine where more than two instances of misuse have been found.

The Council's staff will support households, as well as schools and community groups to change behaviours to use the bins correctly.

Refund of Rates for Services not Received

In the occurrence of paid waste rates without a collection ever occurring, the owner of the property may seek reimbursement. Reimbursement at the error of the Council will be up to a maximum of five years, if proven there was not waste collection in place.

Other request for reimbursement will be considered on a case-by-case basis. These reimbursements will be up to a maximum of five years.

Other Groups

High Density Developments

Special consideration may be given to high density developments such as nursing homes, retirement villages and multi-unit development where a reduced collection due to their population density and waste generation can be demonstrated.

Schools, Kindergartens and Child Care Centres

School, kindergartens and child care centres are able to increase or decrease waste management services as required, in the same manner as other businesses.

If required they may have a Council service at the scheduled cost for the year or may hire a private contractor.

Schools, kindergartens and child care centres are encouraged to educate students on appropriate waste behaviours by implementing recycling and organics recycling within the class or care room and demonstrating this philosophy across the premises.

The Council can also assist with providing educational material and arranging tours of various facilities to support the educational program and requests should be directed to the Resource and Recovery Coordinator.

Properties and Reserves managed by the Council and Council appointed Committees of Management

The Council will provide one bin service to each such property at no charge. Additional services will be provided on a fee for service basis.

Charities

Charities that maintain charity bins on private property are responsible for any illegal dumping that occurs. The Council will not generally approve public land for the location of charity bins due to illegal dumping issues.

Public Place Recycling

The Council encourages residents and visitors to practice their home recycling habits when out in the community. To support them, the Council provides street litter bins and is progressively installing recycling bins in high traffic areas.

Events

Special Events Bins

Special events bins may be hired from the Council by way of completing and submitting the application form. The hire rate will be set annually as part of the fees and charges.

Council staff will work with event organisers around the appropriate number of bins required and the correct placement of bins.

Recycling Trailer (for events)

The Council has an events recycling trailer that is available free of charge to encourage recycling at events. Booking the trailer for events is by way of completing and agreeing to the terms and conditions of use, then submitting the application form to Council.

The onus is on the applicant for the security of the trailer and they are expected to take reasonable steps to minimise the likelihood of damage or theft of the trailer and its contents.

Waste disposal charges may apply if the bins are returned contaminated.

Assistance for Natural Disasters

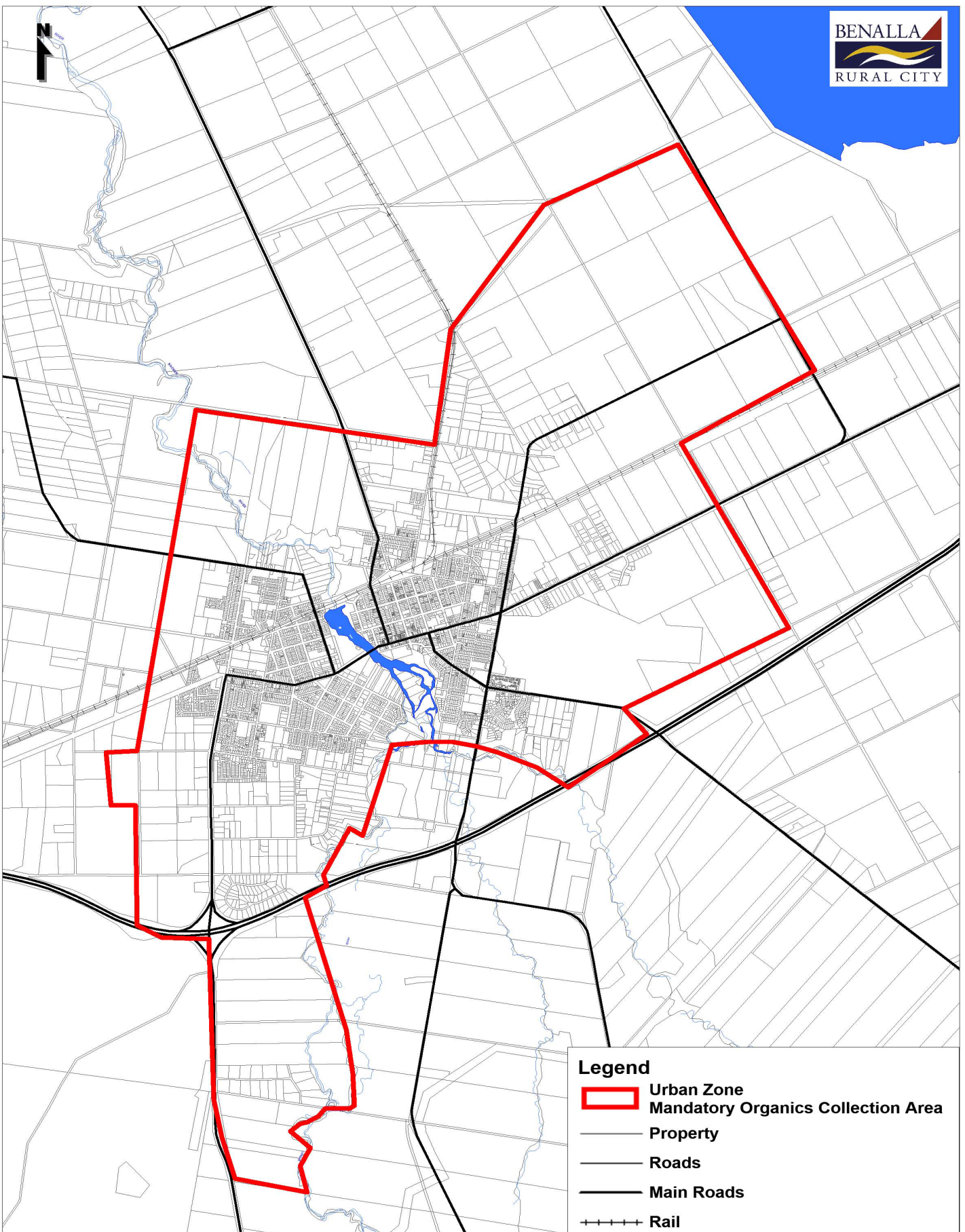
On written direction from the CEO, waste disposal fees may be waived in the event of a natural disaster. Council staff will record the value of the fee waivers associated with the event and this will be reported in the Asset and Infrastructure Department quarterly activity report.

Separation of materials will be required to reduce waste to landfill and maximise resource recovery for processing.

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.

Appendix 1 – Mandatory Organics Collection Area



BENALLA

I:\Gis\Environment\Waste_Collection\PDFs\Final\Benalla_Urban_Mandatory_Organics_Collection_Area_9Oct2014.pdf

9.4 Economic Development and Sustainability Department Activity Report For The Quarter Ended 30 June 2022

SF/1893

Robert Barber- General Manager Corporate
Dom Testoni – Chief Executive Officer

PURPOSE OF REPORT

The report presents the activity of the Economic Development and Sustainability Department for the quarter ending 30 June 2022.

ECONOMIC DEVELOPMENT

Business Development and Support

- Business Development Coordinator visited the Railway Hotel in Goorambat and the Tatong Tavern to meet with the owners. Discussions centred around how the towns were going, and what possible support Council could provide.
- Work has commenced on the preparation of the Local Development Strategy for the Benalla Local Government Area. The Local Development Strategy fund will support communities to transition away from dependence on the native forest timber industry and towards new and sustainable industries. A Smart Specialisation framework will be used in preparation of the strategy.
- The economic development team have continued to publish and distribute the Business in Benalla ENews. The fortnightly newsletter goes out to 1,800 subscribers.

Benalla Gigabit Project

The Benalla Gigabit project is progressing and awaiting registration with the Australian Communications and Media Authority.

The project aims to research the design and infrastructure to provide a viable business case to implement a superfast Gigabit community broadband network in Benalla Rural City.

Buy from NEVic

The project has moved to Startup Shakeup who will focus on delivering digital literacy workshops, one-on-one mentoring and the development of a Digital Knowledge Hub for businesses.

Startup Shakeup will manage the programs and recruit additional businesses to the portal. Startup Shakeup plan to launch the Digital Knowledge Hub at the Digital Innovation Festival in early September.

Industry Updates

Hands on Trades Expo was held at Winton Motor Raceway. BRCC had a stall there discussing careers within council. Was a fantastic day with students from all over the North East attending.

Outdoor Activation Fund

Under the Victorian Government's COVIDSafe Outdoor Activation Fund the Council received \$550,000 for works and promotion of outdoor facilities. There are a number of projects across the community to enhancing lighting, seating, community outdoor facilities, signage and trails.

Many of the projects are located in and around the central business district to satisfy government's funding criteria. Allocations have also been made to Swanpool, Goorambat, Devenish and Baddaginnie townships.

Completed projects include the Silo Art trail signage, lighting upgrades to pergolas in the Central Business District and the installation of dinning pods. Other projects are due to be completed by October 2022 following minor delays caused by weather and supply issues.

COMMUNICATIONS AND COMMUNITY ENGAGEMENT

- Grant Banks was appointed as the Communications and Engagement Coordinator.
- Cessation of the quarterly Council Newsletter which has now been replaced with a monthly full page "Connecting our Rural City" in the *Benalla Ensign*.
- Communications Team is endeavouring to increase the volume of media releases being supplied to local media outlets and images posted on Council's website and Facebook page.
- The Communications team is continually reviewing content for social media, ensuring messaging is clear and relevant.
- A full review of all social media channels has been undertaken and sites have been updated including the Benalla Rural City Facebook, Instagram and YouTube channel.
- Council's digital community engagement platform "Have Your Say" continues to be used successfully. A significant increase in projects listed online for community feedback. These included Churchill Reserve off leash dog area, Commemorative Memorials Guidelines Policy, Facility Hire Subsidy Program Policy, Roadside Fatality Memorial Guidelines Policy, Benalla Rural City Council Asset Plan 2022 to 2032, Benalla Future Workforce Strategy, Youth Strategy 2022-2026, Draft Benalla Rural City Council Financial Plan 2023 to 2032, Nature Strip Guidelines, Benalla Denny Street Car Park Courtyard, Outdoor Activation Funding – Installation of Parklets in Benalla CBD, and 2022-2023 Benalla Rural City Council Budget.
- The Communications team assisted Councillors to plan a face-to-face community engagement for the Benalla Denny Street Car Park Courtyard project.
- The Communications team provided assistance across the organisation on the delivery of key Council branded projects and associated activities. This included the Community Activation and Social Initiative (CASI) Directory, Community Cookbook, Community Activities Booklet, run of press and classified advertising.
- A review of corporate communications is underway and a Communications Strategy and a revised corporate style guide is being developed.

EVENTS

2023 HDHR Holden Nationals – all roads lead to Benalla

Benalla Rural City Council has secured the 2023 HDHR Holden Nationals to be held in Benalla from 9-12 June 2023. The announcement that Benalla was the winning location was made at the Club's Nationals in Canberra over the 2022 June long weekend.

Benalla was chosen for its many attributes including proximity, infrastructure, facilities, picturesque appeal and ease of mobility access to venues during the event. Council's events and tourism team have been working closely with organisers to provide the required information needed for capacity and capability assessment to host the event.

More than 100 vehicles are expected to be on display at the show and shine to be held on Saturday 10 June 2023 in Fawckner Drive, Benalla.

The Club will also tour the Silo Art Trail as part of the weekend.

Promotional Video

Council's tourism and events team have been working with a local film maker to produce a promotional video representing Benalla Rural City's key tourism attractions in line with Council's Tourism and Event Strategy. The video will be used as a tool for marketing and promotion purposes.

Historic Winton – Benalla Historic Vehicle Tour

The Benalla Historic Vehicle Tour was held as part of the Historic Winton weekend in May 2022.

The Historic Vehicle Tours were coordinated by the Council in partnership with the Austin 7 Club Inc.

Tours departed from Benalla Performing Arts and Convention Centre on Friday 27 May 2022. Participants were able to book the tours through Eventbrite.

The new tour initiatives offered three diverse self-guided tours to choose from:

- Silo, Pubs and Country Trail Tour
- Cheese, Wine and Wetlands Tour
- Amazing Roses and Wine Tour.

The tours will be promoted through the Visitor Information Centre and form a part of the 2022 Benalla Festival program.



Benalla Historic Vehicle Tours

Benalla Festival 2022

- Planning is underway for the 2022 Benalla Festival from 29 October – 7 November 2022.
- Expressions of interest for community groups and organisations to host an event as part of the program closed on 25 July 2022.
- The 2022 Festival program will feature some exciting new initiatives and will highlight the rural communities with events across the townships during the first weekend from 29 to 30 October 2022. The second weekend will feature events in Benalla from Friday 4 to Sunday 6 November 2022.
- New branding of the Benalla Festival has been developed.

BENALLA ART GALLERY

- The Benalla Art Gallery participated in the PHOTO 2022 International Festival of Photography through two Official Exhibitions, Oculi: ACTS I-VII, and Atong Atem: Banksia.
- The Benalla Art Gallery was able to stimulate public spaces through the establishment of an after dark projection façade which screened Atong Atem's video work Banksia; and the installation Rachel Mounsey's community portraits as temporary public artworks in the Botanical Gardens, in conjunction with the exhibition OCULI: Acts I-VII.
- The Benalla Art Gallery hosted a number of public programs during the quarter. Beyond the weekend of focused PHOTO 2022 programming, the hosting of workshops for the inaugural FCJ Arts Festival was a distinct highlight. Hundreds of students from all year groups took part in a range of artistic activities, including painting, felting, stencil street art, observational drawing, tie-dyeing, documentary photography artist talks, performance poetry, Celtic singing, and smartphone video editing.
- Ledger Charitable Trust Funding was secured. Fifty thousand dollars in funding will allow the Benalla Art Gallery to engage a Collections Manager for the 2022/2023 financial year, and specifically to progress key projects related to digitisation, relocation planning, condition reporting, copyright, and collection management software functionality.
- Benalla Art Gallery and RACV Visual Arts curator, Ellen Wignell co-presented outcomes from the exhibition *Re-gathering* at the 2022 Australian Museums and Galleries Association (AMaGA) National Conference. The presentation explored the project's engagement of community to define curatorial parameters and inform artwork selection, while also providing a space for sharing, healing, and reflection. The Benalla Art Gallery were presenting in the same conference session as senior curatorial staff from the National Museum of Australia, and the Australian National Maritime Museum.

Exhibitions

Ledger Gallery

- The Ledger Collection: Benalla Art Gallery Collection from 1 April – 30 June 2022 (9116 attending).

Bennett Gallery

- Adrienne Doig: It's All About Me!, from 1 April – 3 April 2022 (356 attending).
- OCULI: Acts I-VII, from 29 April – 30 June 2022 (5618 attending).

Simpson Gallery

- The Human Figure: Benalla Art Gallery Collection, 1 April – 10 April 2022 (701 attending).
- Atong Atem: Banksia, 15 April – 26 June 2022 (3789 attending)

Total exhibition attendance for the quarter was 19,580.

SUSTAINABLE ENVIRONMENT

Collaboration with regional Councils – Goulburn Murray Climate Alliance

The Goulburn Murray Climate Alliance (GMCA) enables council to collaborate with 15 other councils and agencies in the alliance on climate change and new energy developments. The GMCA is currently forming a new strategic plan for the alliance for the next four years.

The GMCA is working with the Victorian Hydrogen Hub (VH2) to share information about hydrogen energy development. VH2 presented to the May GMCA meeting.

Enhancing the natural environment

Weed and pest management works for this financial year have been completed with Victorian Government funding. Control of weeds and pests benefits many important roadside habitat areas. It also benefits private landholders by preventing the spread of weeds from roadsides.

The program in 2021/22 saw work on 27 different species of weeds over 15.5 kilometres of roadside, along with targeted rabbit control in June. Funding is expected to enable the program to continue in 2022/23.

COUNCIL PLAN 2021-2025**Economy**

Strategy	June Quarter Update
Work together with key stakeholders to engage, support, strengthen, enhance and diversify local business.	Fortnightly Business in Benalla ENews to 1,800 subscribers.
Attract new investment, business and industry to the Benalla Rural City to facilitate business growth and job creation.	Responded to several requests for establishing and growing business in Benalla.
Strengthen the visitor economy through growth of events and promotion of unique assets and experiences and visitor attractions.	Liaised with Tourism North East on regional campaigns and the FY23 marketing efforts.
Grow, enhance and promote sports, arts and culture tourism opportunities.	Assessed the findings of the Sports Marketing Australia Facilities audit.
Improve accommodation offerings in the Benalla Rural City.	Responded to requests for establishing further accommodation offerings.
Work with key stakeholders to improve local learning and employment pathway opportunities that address skills gaps, align with future needs and support lifelong learning.	Liaised with GOTAFE for continuing education in Benalla. Facilitated sessions to determine priority actions for Stage 3 of the Benalla Deep Dive workforce development plan.
Broadly market Benalla Rural City's liveability.	Continue to promote Benalla Rural City as a place to live, work and invest through social media and other key publications.

Environment

Strategy	June Quarter Update
Partner with agencies and the community to manage and enhance our natural environmental assets, water quality and river health across Benalla Rural City and support the Goulburn Broken Catchment Management Authority Regional Catchment Strategy and other regional environmental strategies.	Officers participate in the GBCMA Biodiversity Reference Group which discusses biodiversity issues and enhances collaboration across the catchment.
Enable a safe and thriving natural environment.	Completed the weed and pest management program for this financial year, with Victorian government funding.

Strategy	June Quarter Update
Partner with business, industry and community to plan and implement local approaches and initiatives that respond to climate change.	Following the successful agriculture-based program with Landcare group GeckoClan for weed and pest control, no further work this quarter.
Advocate, promote, support and encourage the use of renewable and clean energy and technology.	Evie Networks has selected Benalla for the site of two high speed electric vehicle charging stations. Councils in the region have collaborated to develop a suitable licence agreement for the project.
Improve Council's sustainability performance through greater use of renewable energy and demonstrating sustainability leadership to the community.	Council officers are working with the Royal Melbourne Institute of Technology to investigate the feasibility of an energy microgrid system connecting key Council buildings.

Leadership

Strategy	June Quarter Update
Provide timely and effective communications in plain language to the community about Council services, activities and decision making.	Produced multiple media releases on a variety of Council activities, regular social media posts and production off the Council newsletter. Communications and Engagement Coordinator appointed.

FINANCIAL IMPLICATIONS

	Notes	2021/22 Actuals	2021/22 Budgets	2021/22 Variance
Economic Development and Sustainability	1	\$18,500	\$254,011	\$235,510
Art Gallery	2	\$382,294	\$444,298	\$62,005
BPACC	3	\$144,093	\$233,550	\$89,457
Communications	4	\$194,539	\$216,646	\$22,107
Events	5	\$155,309	\$242,496	\$87,187
Tourism	6	\$220,459	\$239,031	\$18,572
Environmental Sustainability	7	\$133,988	\$94,601	-\$39,387
Business Development	8	\$562,753	\$505,166	-\$57,587
Total		\$1,811,935	\$2,229,800	\$417,865

Notes:

1. Favourable variance due to \$250,000 Economic Diversification Plan Grant Income received and recognised - \$18,000 spent until balance carried forward 22/23.
2. Favourable variance due to Benalla Art Gallery non monetary contribution of \$42,500 not in budget. Increase in donation and Gallery shop sales more than originally budgeted.
3. Favourable variance due more than budgeted cinema and kiosk sales by \$29,000. Kiosk and cinema, box office income and venue hire income were also more than originally projected. Original budget was developed taking into consideration COVID-19 restrictions.
4. Favourable variance due to salary costs less than anticipated due to role vacancy.
5. Favourable variance due to Benalla festival being included in original budget but did not run in the 2021/2022 year.
6. Favourable variance due to Wall to Wall festival contribution being budgeted, however, event did not run in 2021/2022.
7. Unfavourable variance due to Environmental Weeds and Pest Program being carried forward from the prior year.
8. Unfavourable variance due to multiple carry forward programs. Programs included Small Business program, 10GB City Project, Buy from North East program and Business Concierge and Hospitality Support Program.

Recommendation:

That the report be noted.

9.5 Mayor and Councillors' Attendance at Committees and Civic Functions

SF/808-08

Tracey Beaton - Executive Coordinator

The Mayor and Councillors, listed in alphabetical order, attended meetings and events as detailed below during the period from 25 July 2022 to 27 August 2022.

Councillor Danny Claridge	
27 July	Visitor Information Centre Redevelopment Sod-Turning Ceremony
	Councillor Only Forum
	Communications Advisory Committee Meeting
	Benalla History, Research and Archival Network Meeting
	Assembly of Councillors – Foot and Mouth Briefing
	Finance and Operations Committee Meeting
	Planning and Development Committee Meeting
	Chief Executive Officer Employment and Remuneration Committee Meeting
29 July	Golden Vale Golf Club Site Visit
2 August	Meeting with Golden Vale Golf Club and Benalla Golf Club
3 August	Councillor Only Forum
	Benalla Historical Society Meeting
	Council Meeting
16 August	Benalla Family Research Group Meeting
17 August	Councillor Only Forum
	Assembly of Councillors - Business Review
18 August	Benalla Art Gallery Redevelopment - Initial Architectural Design Presentation
	Vietnam Memorial Day Service
	Assembly of Councillors - Homes Victoria - Benalla West Estate Project
22 August	Tomorrow Today - Benalla Whole of Community Early Years Forum
23 August	Benalla Art Gallery Redevelopment - Architectural Design Presentation
	Junior Creative Writing Group's "Book Launch" at Benalla Library
	Benalla Art Gallery Committee Meeting
24 August	Councillor Only Forum
	Proposed MAV Rules 2022 – Information Session
	Finance and Operations Committee Meeting
26 August	VLGA Connect State Election Series
	Bush Diwan - Stories of Migration – Benalla Art Gallery

Councillor Peter Davis	
17 August	Councillor Only Forum
	Assembly of Councillors - Business Review
18 August	Benalla Art Gallery Redevelopment - Initial Architectural Design Presentation
	Assembly of Councillors - Homes Victoria - Benalla West Estate Project
23 August	Benalla Art Gallery Redevelopment - Architectural Design Presentation
	Benalla Art Gallery Committee Meeting
24 August	Councillor Only Forum
	Finance and Operations Committee Meeting
26 August	Bush Diwan – Stories of Migration – Benalla Art Gallery

Councillor Don Firth	
26 July	Benalla Festival – Benalla Airshow Meeting
27 July	Visitor Information Centre Redevelopment Sod-Turning Ceremony
	Councillor Only Forum
	Assembly of Councillors – Foot and Mouth Briefing
	Finance and Operations Committee Meeting
	Planning and Development Committee Meeting
	Chief Executive Officer Employment and Remuneration Committee Meeting
28 July	Benalla Youth Service Providers Network Meeting
3 August	Councillor Only Forum
	Benalla Festival Advisory Committee Meeting
	Council Meeting
9 August	Accessibility Reference Group Meeting
Meeting	Benalla Festival – Benalla By The Lake Food and Wine Festival Meeting
10 August	Benalla Festival Advisory Committee Meeting
11 August	Benalla Festival – Benalla Airshow Meeting
	RSL Annual V.P. Day Lunch
17 August	Councillor Only Forum
	Assembly of Councillors – Business Review
18 August	Vietnam Memorial Day Service
24 August	Councillor Only Forum
	Finance and Operations Committee Meeting

Councillor Punarji Hewa Gunaratne	
27 July	Finance and Operations Committee Meeting
	Planning and Development Committee Meeting
	Chief Executive Officer Employment and Remuneration Committee Meeting
3 August	Council Meeting
17 August	Assembly of Councillors – Business Review
22 August	Tomorrow Today – Benalla Whole of Community Early Years Forum
24 August	Finance and Operations Committee Meeting
26 August	Bush Diwan - Stories of Migration – Benalla Art Gallery

Mayor Councillor Bernie Hearn	
27 July	Visitor Information Centre Redevelopment Sod-Turning Ceremony
	Councillor Only Forum
	Communications Advisory Committee Meeting
	Assembly of Councillors – Foot and Mouth Briefing
	Finance and Operations Committee Meeting
	Planning and Development Committee Meeting
	Chief Executive Officer Employment and Remuneration Committee Meeting
	Municipal Emergency Management Plan Review Meeting
29 July	Australia Day Advisory Committee meeting
	Golden Vale Golf Club Site Visit
1 August	Benalla High School Action Group Meeting
2 August	Meeting with Golden Vale Golf Club and Benalla Golf Club
3 August	Councillor Only Forum
	Council Meeting
4 August	Ride Avenue Pre School Meeting
7 August	CFA National Emergency Medal Presentations Ceremony
9 August	Accessibility Reference Group Meeting
	Aged Friendly Meeting
	UFS Committee of Management Meeting
10 August	State Member for Northern Victoria Jaclyn Symes announced Lighting upgrades at Lake Benalla, Benalla Library and Botanical Gardens
	Benalla Local Safety and Traffic Liaison Committee Meeting
17 August	Councillor Only Forum
	Assembly of Councillors - Business Review

Mayor Councillor Bernie Hearn	
18 August	Vietnam Memorial Day Service
	Assembly of Councillors - Homes Victoria - Benalla West Estate Project
22 August	Tomorrow Today - Benalla Whole of Community Early Years Forum
24 August	Councillor Only Forum
	Proposed MAV Rules 2022 – Information Session
	Finance and Operations Committee Meeting
25 August	Partner forum to celebrate the success of Birmingham 2022 Commonwealth Games and the future of Victoria 2026
26 August	Murray Region Forestry Hub and Softwoods Working Group Quarterly Meeting
	VLGA Connect State Election Series

Councillor Justin King	
26 July	Audit and Risk Committee Meeting
27 July	Visitor Information Centre Redevelopment Sod-Turning Ceremony
	Councillor Only Forum
	Benalla Early Years Network Meeting
	Assembly of Councillors – Foot and Mouth Briefing
	Finance and Operations Committee Meeting
	Planning and Development Committee Meeting
	Chief Executive Officer Employment and Remuneration Committee Meeting
3 August	Councillor Only Forum
	Benalla Festival Advisory Committee Meeting
	Council Meeting
9 August	Benalla Festival - Fishing Event Meeting
10 August	State Member for Northern Victoria Jaclyn Symes announced Lighting upgrades at Lake Benalla, Benalla Library and Botanical Gardens
	Benalla Local Safety and Traffic Liaison Committee Meeting
	Benalla Festival Advisory Committee Meeting
17 August	Councillor Only Forum
	Assembly of Councillors - Business Review
18 August	Assembly of Councillors - Homes Victoria - Benalla West Estate Project
24 August	Councillor Only Forum
	Finance and Operations Committee Meeting
26 August	VLGA Connect State Election Series

Councillor Gail O'Brien	
27 July	Visitor Information Centre Redevelopment Sod-Turning Ceremony
	Councillor Only Forum
	Assembly of Councillors – Foot and Mouth Briefing
	Finance and Operations Committee Meeting
	Planning and Development Committee Meeting
	Chief Executive Officer Employment and Remuneration Committee Meeting
29 July	Australia Day Advisory Committee Meeting
1 August	Benalla Health and Wellbeing Partnership Group Meeting
9 August	Accessibility Reference Group Meeting
17 August	Councillor Only Forum
	Assembly of Councillors - Business Review
18 August	Vietnam Memorial Day Service
	Assembly of Councillors - Homes Victoria - Benalla West Estate Project
	Australian Local Government Women's Association Online Forum
22 August	Tomorrow Today - Benalla Whole of Community Early Years Forum
24 August	Councillor Only Forum
	Finance and Operations Committee Meeting
26 August	VLGA Connect State Election Series
	Bush Diwan - Stories of Migration – Benalla Art Gallery

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

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9.6 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 7 September 2022

Action No.	Meeting Name	Item	Action	Officer	Status/notes
1.	Additional Council Meeting 31-Aug-22	5	Benalla Rural City Council Governance Rules 2020 Update 1. That the <i>Governance Rules 2020</i> be adopted. 2. That the <i>Governance Rules 2020</i> be reviewed in July 2024, prior to the General Election.	GMC	1. Completed
2.	P&D Committee 31-Aug-22	3	Draft Waste Services Policy – Consideration of Submissions 1. That the report be noted. 2. That the <i>Waste Services Policy</i> be considered for adoption at the Council Meeting on 7 September 2022.	MAI	Completed
3.	F&O Committee 24-Aug-22	7	Councillor Expenses For The Quarter Ended 30 June 2022 1. That the report be noted. 2. That the <i>Professional Development for Councillors Policy</i> be reviewed and updated to define professional development.	GMC	1. Completed 2. In progress
4.	F&O Committee 24-Aug-22	3	2022/2023 Community Sponsorship Program That a \$500 grant from the 2022/2023 Community Sponsorship Program be allocated to FCJ College Benalla.	MC	Completed
5.	Council Meeting 3-Aug-22	9.2	Benalla Art Gallery Acquisition Trust Fund That the reforms proposed for the Benalla Art Gallery Acquisition Trust Fund be approved and that each Councillor and the Chief Executive Officer be authorised to execute all documents necessary to amend the Trust's governing rules and to appoint a new trustee to the Trust.	CEO	In progress
6.	F&O Committee 27-Jul-22	5	Benalla Rural City Council Governance Rules 2020 Update 1. That the revised <i>Governance Rules 2020</i> be endorsed for public exhibition. 2. That the revised <i>Governance Rules 2020</i> be considered for adoption at the Council Meeting on Wednesday 31 August 2022.	GMC	Completed

Action No.	Meeting Name	Item	Action	Officer	Status/notes
7.	F&O Committee 27-Jul-22	2	Presentation: Benalla Centrelink Campaign 1. That the Council reach out to Centrelink to send a representative to present to the Council. 2. That the Council continue to advocate to the Federal Government for the re-opening of the Benalla Centrelink and National Disability Insurance Agency (NDIA) offices.	CEO	1. In progress 2. Ongoing
8.	P&D Committee 22-Jun-22	3.	Petition: Declare Churchill Reserve an Off-leash Area 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.	MD	1. Completed 2. In progress
9.	F&O Committee 15-Jun-22	9.	Financial Hardship Policy Review 1. That the <i>Financial Hardship Policy</i> be adopted. 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.	MF	1. Completed 2. Legislation has been passed. A report will be presented once further clarification has been received.
10.	Council Meeting 25-May-22	9.7	Enterprise Park Industrial Estate – Potential Sale of Land 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 4. Obtain a current valuation of the Land.	CEO	1. In progress 2. In progress 3. Pending 4. Completed

Action No.	Meeting Name	Item	Action	Officer	Status/notes
11.	Council Meeting 25-May-22	9.2	Benalla Central Business District Streetscape Concepts <ol style="list-style-type: none"> 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	<ol style="list-style-type: none"> 1. Completed 2. Preparing consultation program
12.	Council Meeting 10-Feb-21	11.2	Notice of Motion: Hosting of a community and sporting group summit to understand the impact of COVID-19 <ol style="list-style-type: none"> 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"> ▪ Financial impact ▪ Participation rate impact (members/volunteers) ▪ Social impact 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. 3. That the Council use the Summit as an exercise to collect information. 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. 5. That the report be developed and presented to the Council for adoption and be provided to Federal and State members for consideration. 	CEO	<ol style="list-style-type: none"> 1. Pending 2. Pending 3. Pending 4. Pending 5. Pending

Action No.	Meeting Name	Item	Action	Officer	Status/notes
13.	Council Meeting 10-Feb-21	11.1	<p>Notice of Motion: Seeking development of COVID-19 Support Initiatives</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"> 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. 2. That the Council undertake a review to consider local supports for the Benalla community as part of the BCSI. 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. 	CEO	<p>1. Completed</p> <p>2. In progress</p> <p>3. Ongoing. COVID-19 impacts considered during 2021/22 and 2022/23 Budget deliberations.</p>

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 Chief Executive Officer Contract of Employment
- 14.2 Confidential Reports by Councillors
- 14.3 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