

Finance and Operations Committee

Agenda

Date: Wednesday 15 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

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 or telephoning Governance Coordinator Jessica Beaton on (03) 5760 2600.

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

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Agenda

Chair	Councillor Justin King	
Councillors	Councillor Danny Claridge	
	Councillor Peter Davis	
	Councillor Don Firth	
	Councillor Bernie Hearn (Mayor)	
	Councillor Punarji Hewa Gunaratne	
	Councillor Gail O’Brien	
In attendance	Dom Testoni	Chief Executive Officer
	Robert Barber	General Manager Corporate
	Jane Archbold	Manager Community
	Cathy Fitzpatrick	Manager Finance
	Adam Saddler	Manager Economic Development and Sustainability
	Tom Arnold	Community Development Coordinator
	Jessica Beaton	Governance Coordinator

Acknowledgment of Country

We, the Benalla Rural City Council, acknowledge the traditional custodians of the land on which we are meeting. We pay our respects to their Elders past and present and to Elders from other communities who may be here today.

Apologies

Recommendation:

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

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 Finance and Operations Committee Meetings held on Wednesday 11 May 2022 and Wednesday 25 May 2022 be confirmed as true and accurate records of the meetings.

Governance Matters

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

Recording of Council Meetings

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

Behaviour at Meetings

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

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

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

Disclosures of Conflict of Interest

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

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

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

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

Business

1. 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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2. Presentation: North East Multicultural Association

SF/1531-07

Jane Archbold – Manager Community

President Ian Prentice The North East Multicultural Association (NEMA) and Jess Winter, Outreach Worker will deliver a presentation on NEMA activities.

NEMA provides support services to new and established migrants and services culturally and linguistically diverse residents in five local government areas – Alpine, Benalla, Indigo, Mansfield and Wangaratta.

NEMA monitors social issues affecting multicultural members of the community and assists in the development of strategies to address these issues, additionally advocating on behalf of these diverse groups and individuals.

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3. Proposed 2022/23 Budget – Consideration of Submissions

SF/3919-04

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

PURPOSE OF REPORT

The report considers submissions received on the proposed 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.

DISCUSSION

At the close of the submission period 11 submissions had been received from:

- | | |
|--|-------------------|
| ▪ Warren Sun | ▪ Linda Lee |
| ▪ Nigel Bowen | ▪ Miranda |
| ▪ Tanya Johnstone | ▪ June Howard |
| ▪ Rhys | ▪ Caroline Wallis |
| ▪ Sabine Smyth | ▪ Alice Crichton |
| ▪ Benalla Residents for Accountable Governance | ▪ Anonymous |

Submissions are attached as **Appendix 1**.

In accordance with the Council’s *Governance Rules 2020*, submitters were invited to address the Finance and Operations Committee on 25 May 2022 in support of their submissions. Two submitters: Warren Sun and June Howard addressed the committee.

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

No.	Submission	Summary	Officer Comment
1	Warren Sun	<ul style="list-style-type: none"> ▪ Installation of lights on Baddaginnie-Benalla Road 	<ul style="list-style-type: none"> ▪ \$65,000 allocated in proposed <i>2022/23 Budget</i>.
2	Linda Lee	<ul style="list-style-type: none"> ▪ Ensure safe footpaths and put new pathways in residential areas. ▪ Put in decent playgrounds. ▪ Increase maintenance of public areas, particularly, the Mural. ▪ Keep up maintenance of rural roads. ▪ Drop the idea of a new cinema centre. 	<ul style="list-style-type: none"> ▪ Proposed <i>2022/23 Budget</i> allocates \$524,000 to footpath works. ▪ Proposed <i>2022/23 Budget</i> allocates \$170,000 to Playground Replacement Program. ▪ Regular mowing and maintenance already undertaken. ▪ Proposed <i>2022/23 Budget</i> allocated \$410,000 to resealing, \$750,000 to gravel resheet program and \$260,000 to shoulder resheet program. Financial Plan includes a significant increase in road maintenance funding. ▪ Visitor Information Centre redevelopment project tender awarded. Works to start in June 2022.

No.	Submission	Summary	Officer Comment
3	Nigel Bowen	<ul style="list-style-type: none"> ▪ No footpaths in some areas. ▪ Existing facilities need upgrades. ▪ Be more selective in obtaining grant money. ▪ Council needs to get back to basics and reduce costs. ▪ Rates are too high for the return. 	<ul style="list-style-type: none"> ▪ Proposed 2022/23 Budget allocates \$524,000 to footpath works.
4	Miranda	<ul style="list-style-type: none"> ▪ Build a fenced dog park. 	<ul style="list-style-type: none"> ▪ Proposed 2022/23 Budget allocates \$100,000 to a dog park/s.
5	Tanya Johnstone	<ul style="list-style-type: none"> ▪ Upgrade bike track. 	<ul style="list-style-type: none"> ▪ Proposed 2022/23 Budget allocates \$100,000 to upgrade the skatepark and BMX track. \$140,000 in other funding identified to upgrade area.
6	June Howard	<ul style="list-style-type: none"> ▪ Devenish drainage project. 	<ul style="list-style-type: none"> ▪ Revised design completed. Pipes ordered. Community meeting to be held.
7	Rhys	<ul style="list-style-type: none"> ▪ Upgrade squash and racquet ball courts. 	<ul style="list-style-type: none"> ▪ Proposed 2022/23 Budget allocates \$300,000 to develop engineering plans and technical drawings for the redevelopment of the Benalla Indoor Recreation Centre.

No.	Submission	Summary	Officer Comment
8	Caroline Wallis	<ul style="list-style-type: none"> ▪ Increase disabled parking. Annual allocation to upgrade accessible parking is required. ▪ Disability Action Plan outdated. ▪ Need a functional disability advisory committee. ▪ Pedestrian crossing required in Bridge Street (CBD). 	<ul style="list-style-type: none"> ▪ To be referred to Assets and Infrastructure. ▪ Audit of all abilities car parking to be conducted. ▪ Referred to Community Development as an operational matter. ▪ Benalla Central Business District Streetscapes Concepts recently endorsed for public exhibition includes new Bridge Street CBD pedestrian crossings.
9	Sabine Smyth	<ul style="list-style-type: none"> ▪ No Asset Plan. ▪ Allocate funding to undertake drainage works at Benalla Migrant Camp. ▪ Lack of community consultation on Budget and Financial Plan. ▪ Reconsider Visitor Information Centre cinema café complex. 	<ul style="list-style-type: none"> ▪ Asset Plan endorsed for public exhibition. Plans for individual assets to be progressively developed. ▪ Grant application to fund implementation of Benalla Migrant Centre Conservation Management Plan lodged. \$300,000 allocated in Financial Plan (2027/28) to undertake BARC Huts Precinct Development. ▪ Community engagement undertaken in accordance with Community Engagement Policy. ▪ Visitor Information Centre redevelopment project tender awarded. Works to start in June 2022.

No.	Submission	Summary	Officer Comment
10	Alice Crichton	<ul style="list-style-type: none"> ▪ Stop cinema shed proposal. ▪ Spend more on asset renewal and upgrade. ▪ Develop parks and recreation facilities, especially outside Benalla. ▪ Fund Climate Change Action Adaptation Plan. ▪ Build a shared community facility. ▪ Allocate money to Implement National Action Plan for Endometriosis. ▪ Fund a substantial anti-racism program. 	<ul style="list-style-type: none"> ▪ Visitor Information Centre redevelopment project tender awarded. Works to start in June 2022. ▪ Financial Plan significantly increases asset renewal and upgrade spending. ▪ Proposed 2022/23 Budget allocates \$170,000 to Playground Replacement Program. ▪ Environment Strategy and Climate Change Adaptation Strategy being reviewed. ▪ Not previously identified as a community need. ▪ Referred to Municipal Public Health and Wellbeing Committee for consideration.
11	Benalla Residents for Accountable Governance	<ul style="list-style-type: none"> ▪ Cease development of proposed cinema. ▪ Underspend on asset renewal and upgrade. ▪ Footpaths that are safe and fit for purpose. ▪ Council needs plan to reduce rates. 	<ul style="list-style-type: none"> ▪ Visitor Information Centre redevelopment project tender awarded. Works to start in June 2022. ▪ Financial Plan significantly increases asset renewal and upgrade expenditure. ▪ Proposed 2022/23 Budget allocates \$524,000 to footpath works. ▪ Reduction in rates difficult given the Council's uncertain long-term financial sustainability.
12	Anonymous	<ul style="list-style-type: none"> ▪ More playgrounds, including shading, required. 	<ul style="list-style-type: none"> ▪ Proposed 2022/23 Budget allocates \$170,000 to Playground Replacement Program.

COUNCIL PLAN 2021-2025**Leadership**

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

FINANCIAL IMPLICATIONS

Following consideration of submissions and information obtained after the release of the proposed budget, budget amendments below will be presented to the Council for consideration.

Capital Works

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
Total	\$420,000		\$420,000

Bridge and Major/Culverts expenditure amended following a review of a recently completed condition and assessment report.

Amendments to some projects funded under the Local Roads and Community Infrastructure funding program will also be proposed.

Operating Income

It will be proposed that Waste Management charges increase by 10 per cent in 2022/23 for Industrial General Waste, Industrial Processed Timber and Industrial Contaminated Fill to help meet increases in Victoria Government Waste Levy rates.

The proposed budget did not increase these charges.

Operating Expenditure

It will be proposed that operating expenditure be increased by \$105,000 as detailed below:

Expense	Details	Amount
Materials and Services	Building condition assessments to inform asset management plans.	\$60,000
Materials and Services	Survey and design works to identify a solution to drainage issues at The Culdesac, Benalla.	\$45,000

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.

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* will be considered for adoption at the Council meeting on 29 June 2022.

<p>Recommendation: That the report be noted.</p>

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please Note: upon Mr Stewart Courtts' advice, this message is also copied in Dr. Helen Haines, Member for Indi

Dear New Mayor, Cr Bernie Hearn,

Appendix 1

Warm congratulations on you being the newly elected Mayor of Benalla. I am particularly impressed by your "election manifesto" that you "listen to community; eager to work for the best outcomes", as well as your first Mayor's Message: "caring for our neighbours".

Over a year ago, I and my neighbours wrote to Benalla Rural Council with a petition for installing street lights covering the area of blocks/numbers 28, 30, 32, 34, and 36 of Baddaginnie-Benalla Road. Every night the whole area (about 210 meters long) becomes pitch-black. This pitch-dark situation is very likely to cause personal safety hazards, such as tripping across the drainages/ditches along the footpath (which after rain are often filled with flood water, such as shown in the attached pictures taken this morning), or stepping over snakes (one Council contracted tradesman warned me about the snake holes near my house.) In any case, we do not dare to come out on foot in this home surrounding area.

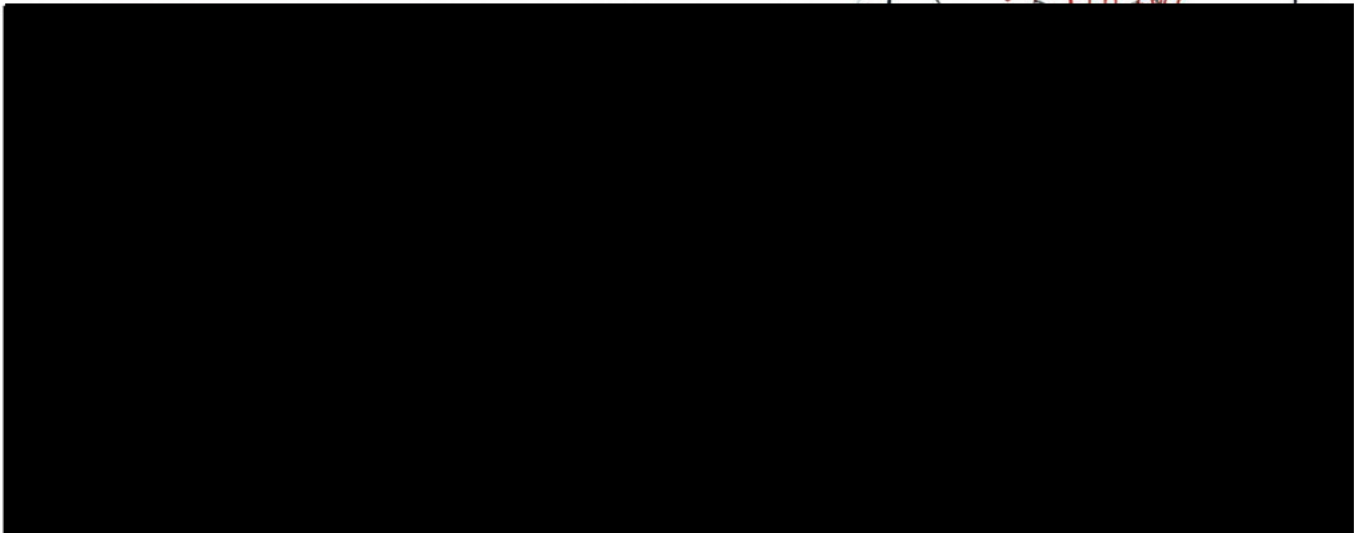
Like the previous year all our neighbours including those from the near-by households in the cul-de-sac express their sympathy and support for this petition. Please consider and take appropriate measure to rectify this hazardous condition.

Grateful thanks. Warren Sun, 23 Dec, 2021

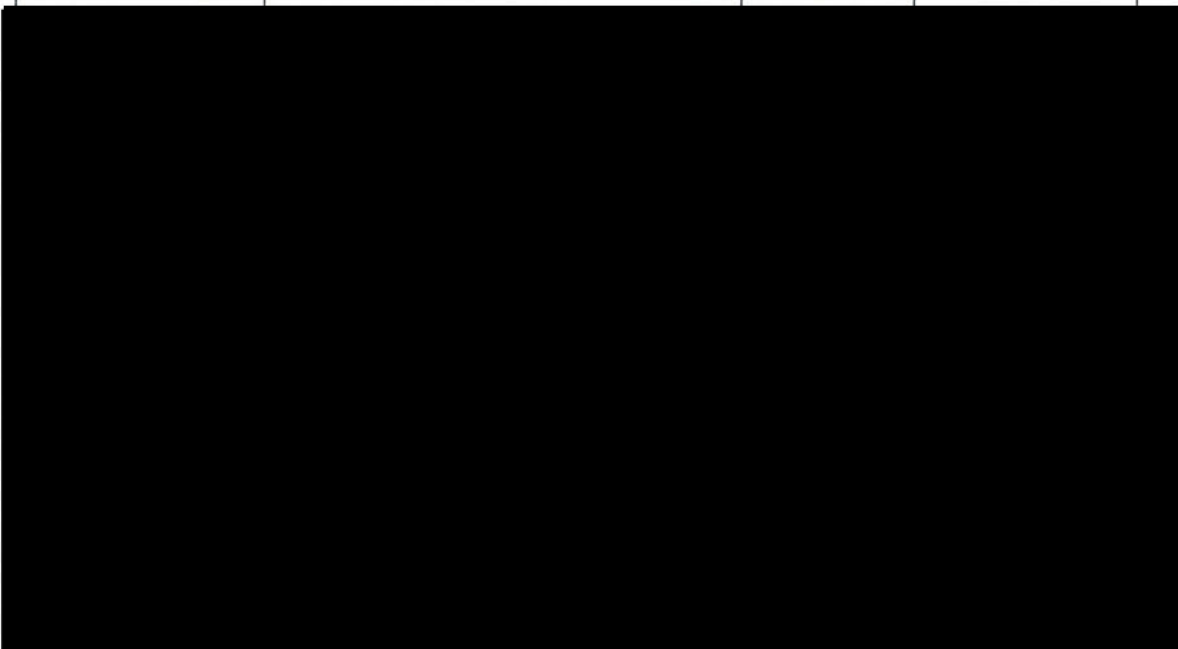
BENALLA RURAL CITY COUNCIL

Also From residents and citizens below:

11 FEB 2022



Name	Address	Telephone	Signature
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From: [Linda Lee](#)
To: [Benalla Council Email](#)
Subject: Proposed 2022/23 budget Submission
Date: Friday, 11 March 2022 11:44:23 AM

To whom it may concern,

Having received your colourful newsletter last week, I was impressed to think that council was interested in its residents views regarding the budget - how our rates would be put to work.

I therefore endeavoured this week to complete the survey as suggested at "haveyoursay.benalla.vi.gov.au". I struggled to find the said budget survey so I rang the council office for guidance. Can you imagine my dismay as I got passed around from one receptionist to another, each unable to assist me. Upon enquiring, they found out that the draft budget isn't available until the 20th April but if I wished I could make any comments by email or letter. But what about the advertised survey? This amazed me as I thought our input may be of value in developing the budget alongside community needs and concerns. If the idea of an online survey is "fake news" how much of the given newsletter is also "fake news". I have enjoyed getting these in the past and believing that our council was industrious for the residents of the rural city.

So just in case any of our councillors ARE interested in community views as they prepare the budget, I thought I would offer my ideas.

1. In consideration of our mums with prams and our aging population using walking frames, sticks, and scooters could we ensure all footpaths are safe and smooth and new pathways are put in existing residential areas.

2. Put in decent playgrounds for OUR little ones. Wangaratta and Shepparton show us up with their concern for their children. Their play equipment is interesting, suited to various ages, and safe.

3. Speaking of safety, this leads me to maintenance of our public areas. This requires more than lawn mowing, which is well done.

On a visit to the mosaic sculpture there was bottle tops, broken glass and weeds growing through the pavement, cobwebs decorate the ceilings, graffiti scrawled on the tiles and leaf litter gathering in the courtyard. Could we have maintenance done regularly to make it an inviting and safe place for both residents and tourists to visit? The idea of putting in gardens will only mask the sculpture from visitors and hide it from the councillors having to look down on it from their offices.

4. We were thrilled to find we had a grader to maintain our road shoulders but does it only operate part time? Over a month it managed to improve three (3) roads. Being a rural resident and aware of the state of our roads, I should think more work would need to be done to keep up maintenance of the vast areas of country roads in our shire.

5. Drop the idea of a new cinema centre. The current one is suitable and attractive and the distance to it is negligible. Extend the bus service if necessary. (Well done on the bus service extension out along the Wangaratta Road!)

Please don't destroy our riverside environment. I'm not impressed by the "shed" you propose to put in to house toilets and changerooms and a cafe near the splash park, although I agree they are needed! The beautiful and creative architecture of our past has been replaced by tin boxes and financial budgeting

These are just a few thoughts. I hope you will consider them

Linda Lee
Resident.

From: no-reply@harvestdp.com
To: [Benalla Council Email](#)
Subject: Proposed 2022/23 budget Submission
Date: 29 March 2022

Proposed 2022/23 Budget Submission

Submission:

For many years rate payers have been asking for better footpaths. There are so many streets in Benalla that have NO footpaths at all. Some of these streets are very busy, like Witt Street, and the only place to walk is on the road/verge and it is only a matter of time before someone is hit by a vehicle. Recently I had the opportunity to travel through many Victorian and South Australian towns and took particular notice of the amenities of these towns. Some and not isolated to, Like Cohuna have fantastic facilities. In the heart of the Cohuna town they have a Tourist Information centre, Excellent New playground with a sand beach with pier, competition grade skate park and a Free caravan park. This town puts Benalla to shame as it has so much to offer and attracts visitors to stop. Sure we have the Splash park and that is great, the skate park is under developed and needs an upgrade. Many other existing facilities need upgrades, but we see more and more partially funded and poorly costed facilities receiving long term commitments that we cannot afford. The ongoing costs of these facilities is killing us. Do we really need the council to be building facilities that are surely outside of the Councils core business and more related to a private development. Make Benalla more attractive for visitors and business and the town will grow. Council need to balance the spend and stop chasing the grants that demand a council share that the town cannot afford. Limit these long term commitments on the "must haves" rather than the "wants" just because some Government cash is available. Council needs to get back to basics and try to reduce costs. Our rates are and have always been too high for the return.

Name:

Nigel

From: no-reply@harvestdp.com
To: [Benalla Council Email](#)
Subject: Proposed 2022/23 Budget Submission
Date: 23 April 2022

Proposed 2022/23 Budget Submission

Submission:

Build a fenced dog park with amenities such as water, seating and toilets.

Name:

Miranda

From: no-reply@harvestdp.com
To: [Benalla Council Email](#)
Subject: Proposed 2022/23 budget Submission
Date: 24 April 2022

Proposed 2022/23 Budget Submission

Submission:

I read in the budget that \$100k is allocated to the skate park/BMX track. As the bike track has had zero spent on it for the past 10+ years, I hope that the larger portion of these funds are used to remodel this track rather than further funds spent on the skate park. Whilst BMX bikes can be ridden at the skate park, there is a large amount of kids in town that ride mountain bikes and the current BMX track has minimal small and larger jumps to accommodate these bikes, Our kids love riding and would welcome an improved facility. I'm also sure the kids would like to be involved with the planning of a new & improved track if you give them the chance. Allowing them to be involved in the design would give them pride in any redevelopment.

Name:

Tanya

From: no-reply@harvestdp.com
To: [Benalla Council Email](#)
Subject: Proposed 2022/23 Budget Submission
Date: 24 April 2022

Proposed 2022/23 Budget Submission

Submission:

Devenish for 20 plus years we have been promised that the drainage will be fixed. Stage 1 of stage 3 commenced. What a disaster. All we have now are gaping trenches that don't drain and have become cesspools, breeding mossier and a dangerous for traffic and children. All the money was spent on stage 1, hence stage 2 and 3 gone into the black hole. In last 5+ years we have been advised the money is there to fix the drainage. Still nothing has happened, empty promises from council. Some of The councilors say the money is there but covid has stopped the works enough is enough where is the CE

Name:

June

From: no-reply@harvestdp.com
To: [Benalla Council Email](#)
Subject: Proposed 2022/23 budget Submission
Date: 23 April 2022

Proposed 2022/23 Budget Submission

Submission:

An upgrade of the squash and racquet ball courts is desperately needed, along with the basketball stadium. Benalla facilities are terrible compared to other towns.

Name:

Rhys

From: [Caroline Wallis](#)
To: [Benalla Council Email](#)
Subject: 2022/23 Budget Submission
Date: Sunday, 24 April 2022 8:17 AM

Good morning Councillors,

I'd like to share our story so you have some context for my input into the new Council budget. It has taken me 18 months to feel ready to do this. I appreciate your time and hope you read the whole email - it's a little long (sorry).

On 17th July 2020 just as Covid hit with a vengeance, my then 63 year old, very fit and healthy husband suffered a devastating massive stroke. This was completely out of the blue as he had no symptoms of being unwell, had never smoked, was very fit and active - what happened to him could happen to anyone. He spent months in hospital and rehabilitation having lost the use of his right side, his communication severely impacted, and eventually he came home a different person. No longer able to work, I became his fulltime carer.

After much encouragement I convinced him to venture out for the first time, in November 2020 to a cafe in Benalla. Naturally he is wheelchair bound but with much assistance he can transfer from the car to the chair. So with an encouraging smile on my face to cover up my anxiety and trepidation, we got into town and parked at the signposted accessible parking bay closest to the cafe we wanted to go to. When I went to the passenger side door I realised we had a huge problem. The curb was full of water. It seems that this parking spot is the one that collects the excess water, as all the others up the road were clear. The second problem was there was no way I could get the wheelchair anywhere near my husband for him to safely get out of the car and into the chair because the curb is in the way. It appears that Benalla Council has placed a sign indicating accessible parking - even with the symbol of a person in a wheelchair - at a spot that nobody in a wheelchair can use. The parking space is a normal parking space with a lovely sign and nothing more. I took a photo, lodged an enquiry as I thought this must be a mistake and received a call from an employee who assured me the council has to meet its quota of accessible parking spaces and that's why this spot is marked accessible. I tried to explain that it is not accessible in any way, and that what Council has is a number of signs! Not actually accessible parking. I was told how expensive accessible parking was and the Council doesn't have the money. I suggested perhaps it was an issue of prioritising resources. I was then invited to attend the next meeting of the parking group and assured I would receive contact. I stated I doubted that would happen but I would wait and happily attend. Well, as expected no such contact ever occurred.

Being a fulltime carer takes an enormous amount of physical, emotional and spiritual energy and I had better things to do with my time than chase up something that clearly wasn't going to change. I had bigger problems to deal with so I let it go. However I knew that when things were a little more settled, I would want to do something in future to address this appalling lack of service for people with mobility problems. So, I checked Council's website and your disability action plan is hopelessly out of date, and it appears your Council does not have any real actions addressing accessibility, only plans and signs that meet the state's requirements for councils to take 'action'.

I understand that there are other priorities such as sport, recreation, arts, roads etc. And now it is annual Council budget time again and I have decided to raise this issue with you directly. Now I am living this life of a carer, I can tell you it is extremely difficult for people with mobility problems to get around Benalla safely. Surely you can find \$40 or \$50k each year to upgrade your sign posts so that they become really accessible parking spaces that allow sufficient room, which includes room behind the vehicle, to allow people to participate in the activities of this town that you all take for granted. My husband now has an electric wheelchair that I will need to transport in our horse float and I am too terrified to take him into town and park somewhere because I don't know where we can do that in a way that ensures I can load the wheelchair back in the float when we get back. Someone is bound to park behind us. So basically we don't go anywhere.

Anyway, very long story short, please try to imagine what life is like for people like my husband. Please put some money and real passion and interest into these issues, not just tick a box to please the state that Benalla Council has sufficient parking spaces per head of population when all you have is signage. People like us become very isolated and feel shut out of Benalla because it is just so difficult to get around. Just crossing the street pushing a man in a wheelchair is a nightmare because of the steepness of the curbs and lack of pedestrian crossing. I actually plan our parking for medical appointments so that I don't have to cross a road with the wheelchair, and we never park in the designated accessible parking bays you have because they are dangerous! It's really crazy stuff - straight out of an episode of Utopia, seriously.

Like you, I had no idea how bad it was in Benalla until it happened to us. Now my eyes are open and I wish the council's were as well.

In a nutshell, I'd like to see Council commit to a **functional disability advisory committee** that is actually taken seriously and listened to; an **update of the disability action plan** that outlines actions that are supported by the annual budget; an **annual allocation to upgrade accessible parking spaces** - even just one per year - based on proper consultation and input from people who actually use them - not the road engineers who know nothing about real life users; the **creation of at least one pedestrian zebra crossing** in the middle of the main street and a **plan to gradually improve the steepness of the curbs** (sorry I don't know the engineering term for it) where you cross the road - at the moment most are so steep the wheelchair almost tips over when we cross (eg at the set of lights in the middle of the CBD) and I have to go down with my husband facing backwards, then quickly spin him around and race across the road before the lights change, quickly spin him around backwards again to pull the chair up the curb - it's terrifying and dangerous and frankly, humiliating.

Thank you for listening. I know we are not alone in this situation.

your sincerely

Caroline and Bernie Wallis

From: [Sabine Smyth](#)
To: [Benalla Council Email](#)
Subject: 2022/23 Budget Submission
Date: Wednesday, 18 May 2022 9:37:29 PM

My Submission to the 2022/2023 Budget

From Sabine Smyth 18th May 2022

I strongly object to this Financial Plan.

The BRC Financial Plan 2022-2023 should be presented to the community alongside an Asset Plan. 'The Asset Plan ensures effective management and stewardship of community assets' (Page 3 of your Financial Plan). However there is no Asset Plan on the council website, that I can see. It says in your Council Plan 2021-2025 that : As an Asset Owner, "Council owns (or is a custodian) and has responsibility for capital, operating and maintenance costs."

This is relevant because there is at least one community asset that is repeatedly overlooked, the former Benalla Migrant Camp Site. There has been no action (although urgent repairs were flagged in 2018) on the implementation of Council's Conservation Management Plan for the site, for three years. Again there is no recommendation to this budget/financial plan for urgent works.

Yes I am aware that Ms Elise Wood is lodging an application for funding to repair Hut 65; I wrote a letter of support for her funding submission and I keep my fingers crossed it is successful. I am also aware that this particular funding source (Living Heritage Grants) has had seven rounds, and this is the last one.

I ask will Council at least allocate some funds for drainage works for the site, preceded by an inspection and advice by a drainage specialist?

I now make a final comment about community engagement in regards to a Council Budget/Financial Plan. Openness, Accountability and honesty are essential to build high levels of trust amongst citizens.

Without transparency, effective community engagement, planning, financial management and any number of Council responsibilities cannot be properly transformed. While many matters were considered confidential under the old Local Government Act, under the new Act it is now only limited to matters where 'public availability of this information is contrary to the public interest.' Councils should note that public transparency principles, at section 58 of the Act, must be applied to all aspects of a Council's operations and decision making.

It is not against public interest to have competently explained, the reason behind major spending such as the Visitor Information Centre cinema café complex. You have so far not answered direct questions, you have not shared with the community, reports or summaries of professional advice you received for this project. You have not explained to us in what way this expensive liability investment will benefit the whole community, or attract sufficient visitation to warrant its build. You have not published your business case.

You have approved a budget and financial plan, which recommends the allocation of ratepayer monies towards the high risk prospect of building a café and cinema in a flood plain. Even before a brick is laid, there is a one million dollar cost blow-out in this project, announced in the local paper. Please take the time to reconsider this project, in the community's interest.
Sabine Smyth

From: [Alice Crichton](#)
To: [Benalla Council Email](#)
Subject: Proposed 2022/23 Budget Submission
Date: Thursday, 19 May 2022 4:03:38 PM

Draft Budget 2022-23 Submission Form

Submission

My written submission on the draft Budget 2022-23

We need to stop the cinema shed proposal. We have a very low level of available cash when compared to the state average and other similar councils. We cannot afford a project that has blown out by \$1 million, we have borrowed too heavily to finance the project, and we cannot afford the on-going cost if we ever want to properly fund the basic infrastructure that we, as residents, rely on the council to provide. The council's determination to push ahead with this project, despite the absence of a business case and insufficient community engagement, risks damaging the community's trust in the council's ability to manage our shared resources.

We need to spend more on asset renewal and upgrade, especially for our footpaths and bike lanes. We also need to manage and develop parks and recreation facilities, especially outside the Benalla city. Badaginnie does not have a recreation reserve that is fit for purpose and accessible for local residents. They need one and we should be funding it as it is a basic service of the council, and much more important than building a new cinema less than 20 years after we built the last one. We have a very high rate of obesity within our local government area (see <https://www.centralhumecpc.org/wp-content/uploads/2020/02/Benalla-LGA-Data-Profile-2020-CHPCP.pdf>) with up to 70% of men overweight or obese. A high level of overweight and obesity today will translate in to expensive chronic conditions in to the future – type 2 diabetes, cancer, heart disease to name a few. We can prevent these future chronic diseases right now by directing our resources towards building the infrastructure people need to stay healthy, and that means making it easy to walk or cycle and making recreation space attractive and accessible. Public health is the essential work of all local governments, and Benalla needs to take a leading role in preventing future disease. The budget should prioritise commit funds to fully implement the Climate Change Action Adaption Plan 2013-2025. This commitment of funds should include updating the plan as it is currently overdue for review. We should direct our resources to preparing for less comfortable weather in to the future, and the community and the BRCC should work together for future benefit.

This budget should prioritise a funding commitment to building a facility that is accessible for everyone within the local government area and does not require payment so that people can meet and socialise comfortably without cost, especially during periods of heat and cold. We have no shared community centre within our local government area and we sorely need one.

We should have a reusable (“cloth”) nappy rebate. A reusable nappy rebate will save us money in the long term – both in collection costs and landfill costs. As a community, we have decided that the cost of bringing up a baby in BRCC should be shared, which is why we provide additional waste collection service to the parents and carers of babies. For each year that we do this, it costs the BRCC \$207.50, and families can have this service for up until their baby is 3 years old. I understand that the free upgrade to weekly bin collection for parents is to assist with the removal of disposable nappies. Offering residents a small, one-off payment to encourage the use of reusable nappies will reduce the amount of money we spend on waste collection and landfill costs. Additionally, the council offering a free service only that only benefits parents who use disposable nappies is inequitable – if we accept that new parents need help to manage the cost of waste generated by a child, we have to provide assistance to every type of nappy that is generated. It is inequitable that BRCC will only provide substantial subsidy to parents who generate waste through using disposable nappies and nothing to parents who choose reusable nappies. We should be giving parents the choice between weekly bin collection and reusable nappy rebate. By offering a small payment of \$150, which is a sum offered by other councils with a nappy rebate, we can save \$600 we currently spend on additional waste collection for Benalla’s smallest residents.

BRCC should allocate money to implement the National Action Plan for Endometriosis (<https://www.health.gov.au/resources/publications/national-action-plan-for-endometriosis>). Every level of government has a role to play in this plan, and BRCC should take a leading role in addressing this public health issue.

BRCC should commit money to a substantial anti-racism program. We have a serious problem with racism within our local government area, and we ought to prioritise making a real effort to address it for the benefit of all of our residents and businesses.

Would you like to speak at a Council meeting in support of your submission?

No, I do not wish to speak to my submission

Name

Alice Crichton

From: [letushaveoursay](#)
To: [Benalla Council Email](#)
Subject: Proposed 2022/23 Budget Submission
Date: Thursday, 19 May 2022 4:06:13 PM

Draft Budget 2022-23 Submission Form

Submission

My written submission on the draft Budget 2022-23

Benalla Residents for Accountable Governance (BResAG)'s Budget Submission.

BResAG requests that the Benalla Rural City Council cease the development of the proposed cinema site in Mair St Benalla. After reviewing the budget, it is obvious to us that this project is unaffordable at this time and will eat up money that should be spent on basic infrastructure improvement and maintenance. An example of an infrastructure improvement that should occur with the money in this budget is the development of the recreation space available in Badaginnie so that residents in that town are able to exercise and play locally.

This budget does not provide adequate resources to catch up for the on-going underspend on asset renewal and asset upgrade. We have been spending less than a third of the amount we should be spending on asset renewal and asset upgrade, and this budget does not address this problem. Benalla Rural City Council commitment to chronic underspending on maintaining and upgrading our infrastructure comes at the cost of residents' health and wellbeing. We need footpaths that are safe and fit for purpose (including meeting current safety codes), cycling paths that are connected and safe, and access to safe spaces where residents can meet and exercise. The cost of this underspend is transferred on to residents and business owners through grazed knees, broken bones, and smashed windscreens caused by our crumbling infrastructure. Please use our available money to implement the recommendations in the "Pathways to the Future" report so that we can have a safe transportation network that meets state safety codes.

Benalla Rural City Council should have a plan to reduce our rates in the future. Our rates are higher than the state average and higher than similar councils. We should plan to make rates more affordable in the future by practicing restraint now – that means that we should not be diving in to projects that will use up all of our available cash and tie us to future expenditure. Benalla's residents and businesses deserve to have a budget that pays for the basic infrastructure that we all need to live a healthy and safe life.

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

Benalla Residents for Accountable Governance

From: [Anonymous](#)
To: [Benalla Council Email](#)
Subject: Proposed 2022/23 Budget Submission Thursday,
Date: 19 May 2022 4:12:41 PM

Draft Budget 2022-23 Submission Form

Submission

My written submission on the draft Budget 2022-23

I want lots more playgrounds and I want them to be shaded. I like playing at the park near Avon St but there is no shade in summer so it's not very fun. I like the new park in Goorambat but I want more parks and fun places.

Would you like to speak at a Council meeting in support of your submission?

No, I do not wish to speak to my submission

Name

I do not wish to be identified in the public submissions report

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

SF/1489-07

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

PURPOSE OF REPORT

The report considers submissions received on the draft *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* 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.

DISCUSSION

At the close of the submission period one submission had been received from Jane Rushworth (refer **Appendix 1**).

In accordance with the Council's *Governance Rules 2020*, submitters were invited to address the Finance and Operations Committee on 25 May 2022 in support of their submissions.

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

No	Submission	Summary	Officer Comment
1	Jane Rushworth	<ul style="list-style-type: none"> ▪ Would like in the plan's introduction an explanation on how the document supports Benalla Rural City Community Vision. 	<ul style="list-style-type: none"> ▪ Reference to Community Vision in Section 1.1 Strategic Planning Principles. ▪ Format of plan is in line with the Victoria State Government's Financial Plan Better Practice Guide.

COUNCIL PLAN 2021-2025

Leadership

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

FINANCIAL IMPLICATIONS

The *Benalla Rural City Council Financial Plan 2023 to 2032* will be updated to reflect changes to the proposed *2022/23 Budget*.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

The *Benalla Rural City Council Financial Plan 2023 to 2032* will be considered for adoption at the Council meeting on 29 June 2022.

Recommendation:

That the report be noted.

From: no-reply@harvestdp.com
To: [Benalla Council Email](#)
Subject: Draft Financial Plan 2022 to 2032 Submission
Date: 4 May 2022

Draft Financial Plan 2022 to 2032 Submission

Submission:

Hello,

Benalla's community values are reflected daily in every decision we make.

Our vision describes ""thriving"" in an ""inclusive"" and ""welcoming"" community.

I would like this document's introduction to include explanations about how the 2023-32 Financial Plan supports our community vision for environmental health and gender equity, and to include the references that support that explanation.

The purpose of my request is to overtly link how our community values drive our financial planning.

Kind regards,

Name:

Jane Rushworth

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

SF/1269

Jane Archbold – Manager Community
Tom Arnold – Community Development Coordinator
Stephanie Brack – Youth Development Coordinator

PURPOSE OF REPORT

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

BACKGROUND

The Council at its, Finance and Operations Committee on 13 April 2022 resolved:

1. That the draft *Benalla Rural City Council Youth Strategy 2022-2026* be endorsed.
2. That the *Benalla Rural City Council Youth Strategy 2022-2026* be placed on public exhibition for a period of at least 28 days.

Public notice of the draft *Benalla Rural City Council Youth Strategy 2022-2026* was given on the Council's website on Friday 22 April 2022 and in the *Benalla Ensign* on Wednesday 27 April 2022.

The draft *Benalla Rural City Council Youth Strategy 2022-2026* was also presented to the Benalla Youth Service Providers Network and also promoted via the Council's website and social media.

The submission period closed 5pm Thursday 27 May 2022.

DISCUSSION

At the close of the submission period two submissions have been received.

- Cienna Hughes
- Charlie Davies.

Submissions are attached as **Appendix 1**.

In accordance with the Council's *Governance Rules 2020*, submitters were invited to address the Finance and Operations Committee in support of their submissions. No request to speak were received from submitters.

Feedback was received from councillors, at the Finance and Operations Committee meeting held on 13 April 2022, regarding the themes of racism and multiculturalism within the consultation report and whether they could be more specifically addressed within the strategy.

Council staff have considered this feedback and believe that the strategy adequately addresses the subject within the *Connect* theme, action 3.7:

“[Our community will:] Be a safe place to live, where young people’s diversity and culture is respected and celebrated.”

Specific actions, projects, and initiatives addressing all themes identified within the strategy and consultation report will appear within annual action plans.

The annual action plans will be developed in collaboration with young people, local youth networks, and other key stakeholders.

No changes to the draft *Benalla Rural City Council Youth Strategy 2022-2026* are proposed after considering the formal submissions and other feedback received.

COUNCIL PLAN 2021-2025

Community

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

Economy

- *Diverse education and employment.*

Leadership

- *Engaged and informed community.*

GENDER EQUALITY ACT

Under the *Gender Equality Act 2020* the Council is required to undertake a gender impact assessment when developing or reviewing any policy, program or service that has a direct and significant impact on the public.

A gender equity assessment found the Strategy has an overall positive gender impact.

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*.

FINANCIAL IMPLICATIONS

Costs associated with implementation of the *Benalla Rural City Council Youth Strategy 2022-2026* will be accommodated within existing budget allocations.

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

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From: no-reply@harvestdp.com
To: [Benalla Council Email](#)
Subject: Draft Youth Strategy 2022-2026 Submission Form
Date: Wednesday, 27 April 2022 6:12:17 PM

Draft Youth Strategy 2022-2026 Submission Form

My written submission on the draft Youth Strategy 2022-2026

pop up outdoor cinema was a good idea would like to see more

Would you like to speak at a Council meeting in support of your submission?

No, I do not wish to speak to my submission

Name

Cienna

From: no-reply@harvestdp.com
To: [Benalla Council Email](#)
Subject: Draft Youth Strategy 2022-2026 Submission Form
Date: Sunday, 1 May 2022 7:50:22 PM

Draft Youth Strategy 2022-2026 Submission Form

My written submission on the draft Youth Strategy 2022-2026

I think a lot of young people in my area are under employed and seem to have a lot of spare time to do drugs with their friends and listen to doof doof music which disturbs our nice quiet neighbourhood. Also a lot of the youth seem to be involved with cars or motorbikes and enjoy revving up the motors also disturbing the peace, this seems to occur mostly on Friday night/ Saturday. It is even getting to the point that we go out or prefer not to be home at these times! We are older residents and enjoy the quiet life of a country town while living close to the city, Benalla is unique in this.

Would you like to speak at a Council meeting in support of your submission?

No, I do not wish to speak to my submission

Name

charlie

6. 2021/2022 Community Sponsorship Program

SF/2857

Tom Arnold – Community Development Coordinator

Jane Archbold – Manager Community

PURPOSE OF REPORT

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

BACKGROUND

The Community Sponsorship Program enables local community groups, clubs and organisations to seek funding to increase their capacity to work in partnership with the Council and others to address local needs and enhance the local community.

The Community Sponsorship Program distributes grants up to \$500 on a monthly basis, allowing local clubs, groups and organisations the opportunity to seek funds when the need arises.

DISCUSSION

Applications for consideration under the 2021/22 Community Sponsorship Program are detailed in the table below.

Applicant	Details	Amount Requested	Proposed Assistance
Benalla Aviation Museum and Men's Shed.	Provision of a new chain safety barrier for members of the public visiting the Museum during the 2022 Benalla Festival and future activities. The barrier is designed to allow visitors access to the public toilet block and prevent public access to the active tarmac area during aircraft operations.	\$500	\$500
U3A Benalla	U3A Benalla are seeking funding to have a brochure printed by Benalla Printing outlining their activities to attract more members. The brochure would be for distribution to venues including Real Estate Agencies, Doctor's Surgeries, the Benalla Library and the Information Hub run by Age Friendly Benalla. U3A Benalla would like the Council to include the brochure in the new residents pack they distribute to new residents coming to live in Benalla.	\$330	\$330

Applicant	Details	Amount Requested	Proposed Assistance
Room at the Table Inc.*	<p>The funding application will be used to contribute to the running costs of Room at the Table Inc, such as our contribution to the State Gliding Centres maintenance fund, power and insurances.</p> <p>As a Non For Profit our bills are not covered by grants and due to the continued lockdowns of 2021, we never gained the momentum we were hoping for with our Grand Opening and getting more people through the doors.</p> <p>As an organisation, we rely on our door fee rather than memberships with less people attending due to lockdowns (we were shut for one third of the time we could have been open). Despite that, we still have bills to pay to keep the doors open.</p>	\$500	\$0
Golden Vale Golf Club	<p>The Golden Vale Golf Club is in need of financial assistance to maintain the grounds and machinery to improve the course and surrounding common. The Golden Vale Golf Club hopes this will attract new visitors.</p>	\$500	\$500
Total		\$1830	\$1330

*The Room at the Table application is not recommended for funding due to the funded activities described within the application being assessed as an operational cost, which is the responsibility of the applicant.

The Community Development Coordinator has spoken with the applicant and advised it of the recommendation and provided links to an alternative funding source that may be able to assist.

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

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

Leadership

- *Engaged and informed community.*

COMMUNITY ENGAGEMENT

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

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

FINANCIAL IMPLICATIONS

The *2021/22 Budget* allocates \$15,000 to the Community Sponsorship. To date, \$7,360 in Community Sponsorship grant funding has been allocated.

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

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

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

Recommendation:

- 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.**

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7. Appointment of Benalla Festival Advisory Committee Members

SF/1795

Adam Saddler – Manager Economic Development and Sustainability
Sharon Geer – Events Coordinator

PURPOSE OF REPORT

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

BACKGROUND

The Benalla Festival is an annual event presented by the Council and overseen by the Benalla Festival Advisory Committee.

The objectives of the Committee, under its Terms of Reference, are to:

- organise the annual Benalla Festival
- develop a Benalla Festival program which engages both the local community and visitors
- facilitate community groups to participate in the Benalla Festival
- actively promote the Benalla Festival
- source funding and sponsorship.

In accordance with the Terms of Reference, the Committee shall comprise of:

- (a) Benalla Rural City Councillor/s
- (b) Council Officer/s nominated by the Chief Executive Officer
- (c) Community representatives.

The Council, at its meeting on Wednesday 10 November 2021, appointed two Councillor representatives:

- Cr Don Firth
- Cr Justin King.

DISCUSSION

Community representative nominations were invited through the Benalla Ensign, the Council's corporate website and social media.

Five nominations were received as detailed in the following table:

Nominee	Status
Caroll Bolitho	Existing Committee Member
Stephanie Brack	New Nominee
Vince Branigan	Existing Committee Member
Wayne Godfrey	New Nominee
Dianne Harper	Existing Committee Member

Completed nomination forms have been provided to councillors under separate cover.

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

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

Leadership

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

FINANCIAL IMPLICATIONS

Costs associated with administering the Benalla Festival Advisory Committee will be met from existing budget allocations.

LEGISLATIVE AND STATUTORY IMPLICATIONS

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

Recommendation:

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

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

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8. Appointment of Benalla Australia Day Advisory Committee Members

SF/1793

Adam Saddler – Manager Economic Development and Sustainability
Sharon Geer – Events Coordinator

PURPOSE OF REPORT

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

BACKGROUND

The Australia Day Advisory Committee oversees the annual Benalla Rural City Australia Day ceremonies and celebrations.

In accordance with the Terms of Reference, the Committee:

- assists in the development of celebrations that embrace and encourage the Rural City community to participate in Australia Day
- assists the Council in the program development of the major Australia Day Awards Ceremony
- advises and assists the Council with the development of the Award nomination guidelines
- in partnership with Council, appoints a selection panel for the Australia Day Award nominees.

In accordance with the Terms of Reference, the Committee shall comprise of:

- (a) Representatives of the Council and Council Officers
- (b) One representative of each of the Benalla Rural City Australia Day Committees
- (c) A minimum of five and maximum of seven community representatives.

The Council, at its meeting on Wednesday 10 November 2021, appointed Councillor representatives:

- Cr Bernie Hearn (Mayor)
- Cr Punarji Gunaratne.

The Committee is supported by the following community groups:

- Benalla Australia Day Committee
- Devenish Australia Day Committee
- Goorambat Australia Day Committee
- Tatong Australia Day Committee
- Thoona Australia Day Committee.

Community groups also deliver Australia Day ceremonies at Baddaginnie, Goomalibee, Molyullah, Swanpool/Lima and Warrenbayne.

DISCUSSION

Nominations for the Australia Day Advisory Committee were invited through the Benalla Ensign, the Council's corporate website and social media.

Five nominations were received for one representative of each of the Benalla Rural City Australia Day committees:

Nominee	Community Group Representation	Status
Amanda Challis	Benalla Australia Day Committee/Rotary Club of Benalla	Existing Committee Member
Robyn Goudie	Thoona Australia Day Committee	Existing Committee Member
Jade Kirk	Tatong Australia Day Committee	Existing Committee Member
Christine Werner	Goorambat Australia Day Committee	Existing Committee Member
Diane Young	Devenish Australia Day Committee	Existing Committee Member

Two nominations were received for the community representative positions:

Nominee	Status
Warren Rex Nankervis	Existing Committee Member
Vicki Sherriff	Existing Committee Member

Completed nomination forms have been provided to councillors under separate cover.

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

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

Leadership

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

FINANCIAL IMPLICATIONS

Costs associated with administering the Committee will be met from existing budget allocations.

LEGISLATIVE AND STATUTORY IMPLICATIONS

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

Recommendation:

That the 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.**

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9. *Financial Hardship Policy Review*

SF/3956

Cathy Fitzpatrick – Manager Finance
Robert Barber – General Manager Corporate

PURPOSE OF REPORT

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

BACKGROUND

The *COVID-19 Financial Hardship Policy* was first adopted by Council at its meeting on 15 April 2020.

The *COVID-19 Financial Hardship Policy* was reviewed in March 2022 and adopted by the Council at its meeting on 23 March 2022, where the Council resolved:

1. That the *COVID-19 Financial Hardship Policy (March 2022 Review)* be adopted.
2. That the *COVID-19 Financial Hardship Policy* be reviewed by in June 2022.

Following the June 2022 review of the *COVID-19 Hardship Policy*, a draft *Financial Hardship Policy (Appendix 1)* has been created with the intention of replacing the existing *COVID-19 Financial Hardship Policy*.

The impact of the COVID-19 pandemic established a need for an ongoing financial hardship policy to continue the provision of relief to ratepayers unable to meet their payment obligations to the Council because of the adverse financial situations.

The *COVID-19 Financial Hardship Policy* served the community well in providing an avenue for consideration of hardship during the pandemic.

DISCUSSION

The purpose of the *COVID-19 Financial Hardship Policy* was to provide the Council with a policy framework to provide financial relief to individuals and business needing assistance from the impacts of the Coronavirus Pandemic.

The *Financial Hardship Policy* will define Council's Policy for matters of financial hardship in regard to rates and other debts and aims to provide ratepayers with a clear and transparent understanding of options and assistance available if experiencing financial hardship.

Application of the *Financial Hardship Policy* will be monitored, and financial impacts assessed as a part of Finance Department activity quarterly report presented to Council.

The draft *Financial Hardship Policy* was endorsed by the Council's Leadership Team at its meeting on 3 June 2022.

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

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

Leadership

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

COMMUNITY ENGAGEMENT

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

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

FINANCIAL IMPLICATIONS

There are no material financial implications with the development or implementation of the Policy. The 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 the *Financial Hardship Policy* be adopted.**
- 2. That the *Financial Hardship Policy* be reviewed in June 2026.**

CP 34 Financial Hardship Policy

Responsible Officer:	Manager Finance
Document type:	Council Policy
Reference:	CP 34
Approved by:	Council
Date Adopted:	29 June 2022
Date of Next Review:	June 2026

Policy Objective

The purpose of this *Financial Hardship Policy* is to define Council's Policy for matters of financial hardship in regards to rates and other debts.

The policy aims to provide ratepayers with a clear and transparent understanding of options and assistance available if experiencing financial hardship.

Policy Scope

This Policy applies to those Ratepayers and other Debtors who are suffering financial hardship or would suffer financial hardship if that person paid the full amount of a rate or charge for which they are liable.

This Policy applies to those Ratepayers and other Debtors who make an application for a deferment of payment or the waiver of rates, charges and/or interest in accordance with Sections 170 and 171A of the *Local Government Act 1989* or Section 77 of the *Local Government Act 2020*.

This Policy does not apply to those Ratepayers and other Debtors who have been unable to pay their rates by the normal instalment due date/s and therefore require a payment plan for full payments of their rates and charges within a short period of time, that is, less than 12 months. In these instances the matter is managed by the Finance Department under the Debt Management Policy.

Definitions

Term	Definition
Council:	Benalla Rural City Council, being a body corporate constituted as a municipal Council under the <i>Local Government Act 2020</i> .
Debt:	Debt is the amount (of money) owed by a Debtor as a result of a transaction with Council.
Debtor:	Debtor refers to the individual, organisation or other party that owes a Debt as a result of a transaction with Council.
Financial Hardship	A Ratepayer/Debtor who is willing to pay their Debt but have insufficient money to do so.
Ratepayer:	Is the occupier of any rateable property who is liable to pay rates. This may be the property owner or a tenant who under the lease agreement is liable to pay rates.

Procedure

1. Application

- 1.1 Ratepayers or Debtors who seek a deferment of payment or the waiver of rates, charges, debts or interest must apply in writing and provide relevant information to substantiate their request.
- 1.2 Ratepayers and Debtors may be required to provide further information.
- 1.3 Ratepayers and Debtors may be required to verify the information provided.
- 1.4 It is preferred that Rates applications are completed using the appropriate Council-approved forms to ensure sufficient information is provided in the first instance.

2. Process for dealing with application made under section 1 of this policy

- 2.1 When an application is received it will be acknowledged in writing by the Revenue, Property and Valuations Coordinator.
- 2.2 Applications for deferment of payment shall be assessed on the basis that the payment would cause financial hardship.
- 2.3 Applications for waiver of rates, debts, charges and/or interest shall be assessed on the basis that the ratepayer or debtor is suffering or would suffer financial hardship if the ratepayer or debt paid the full amount for which they are liable.
- 2.4 If the application is for a debt of less than \$2,000 the application shall be assessed and processed by the Revenue, Property and Valuations Coordinator. All other applications will be referred to the Manager Finance and/or the General Manager Corporate.
- 2.5 If an application to waive all or part of the debt is supported – in writing – by a qualified financial counsellor, the Revenue, Property and Valuations Coordinator and the Manager Finance will review the application and make a recommendation to the General Manager Corporate.

- 2.6 The recommendations referred to in clauses 2.4 and 2.5 may include any of the following (or any combination of) options:
- 2.6.1 payment plan for full payment, with or without an interest charge, within a specified timeframe but not exceeding two years;
 - 2.6.2 defer payment, with or without interest charge, to an agreed date in the future but no later than two years;
 - 2.6.3 defer payment indefinitely, with or without interest charge, but such rates and charges that are unpaid shall remain as a “first charge on the land” in accordance with Section 156(6) of the *Local Government Act 1989*;
 - 2.6.4 waive interest charge on unpaid rates, debts and charges for a specified timeframe but not exceeding two years;
 - 2.6.5 waive rates, debts and charges, in full or in part, and waive interest charge for a specified timeframe but not exceeding two years.
- 2.7 Except for clause 2.6.3, the recommendation and subsequent decision must refer to the time period for which the decision will apply. At the expiration of the time period, the decision is to be reviewed and the Revenue, Property and Valuations Coordinator may require the Applicant to submit a new application to be considered in accordance with this Policy.

3. Review of decision

If the applicant is aggrieved by the decision of the General Manager Corporate they may seek a review of the decision by the Chief Executive Officer.

If the applicant is still aggrieved by the decision of the Chief Executive Officer they may refer the matter to the Victorian State Ombudsman.

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 Policies and Documents

Debt Management Policy

Benalla Rural City Council Rating and Revenue Plan 2021-2025

Benalla Rural City Council Plan 2021-2025

Rate Arrangement Application form

Rates Deferment Application form

Related Legislation

Local Government Act 1989

Local Government Act 2020

Penalty Interest Rates Act 1983

10. *Investment Policy Review*

SF/1517

Cathy Fitzpatrick – Manager Finance
Robert Barber – General Manager Corporate

PURPOSE OF REPORT

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

BACKGROUND

The *Investment Policy* (the Policy) was adopted by the Council in April 2021, however, given Council's large current cash holdings a review is required to manage appropriate spread of risk.

Key features of the Policy include:

- investments limited to an operating account, at call account and term deposits
- limits to the overall credit exposure of the investment portfolio
- limited exposure to individual institutions
- term limits on investments
- investments restricted to authorised deposit-taking institutions with a short-term credit rating of A-1 or higher
- a procedure to determine the amount and term of each investment taking into account cash flow requirements and rate of return.

DISCUSSION

The *Investment Policy* was last reviewed in April 2021.

Over recent months given the large amount of grant funding received in 2021/22 financial year and historically low interest rates, an update of the policy is recommended as current cash holding, total cash and investments on 31 March 2022 were \$26.454 million.

The recommended change is to alter individual institution limits from a dollar value to a percentage value. The intent of the amendment will limit no more than 40 per cent of all cash to be held by any one institution.

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

Changes made to the Policy are detailed in the table below:

Section	Recommended Change	Rationale
Overall Portfolio Limits	<ul style="list-style-type: none"> ▪ Individual A-1+ Institution Limit will not exceed 40 per cent A-1+ institutions move from \$3 million to 40 per cent. ▪ Individual A-1 Institution will not exceed 20 per cent move from \$1 million to 20 per cent. 	<ul style="list-style-type: none"> ▪ Limit exposure across A-1+ and A-1 deposit-taking institutions.
Term to Maturity	<ul style="list-style-type: none"> ▪ Maturity limit on term deposits increases from 270 days (nine months) up to 365 days (12 months). 	<ul style="list-style-type: none"> ▪ Change will enable the Council to access better investment interest in the current market with rising interest rates
Procedure	<ul style="list-style-type: none"> ▪ Recommendation of investment approved by Manager Finance now include (or GMC or CEO) 	<ul style="list-style-type: none"> ▪ In the current environment as investment rare required reviewed more often more than 1 officer is required to be available to approve investments.

The revised *Investment Policy* is attached as **Appendix 1**.

COUNCIL PLAN 2021-2025 IMPLICATIONS

Economy

- *Thriving business and industry.*

Leadership

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

COMMUNITY ENGAGEMENT

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

Level of Public Participation	Promise to the community	Techniques to be used
Inform	We will provide information	<ul style="list-style-type: none"> ▪ Policy presented in a public report to the Council. ▪ Policy to be published on Councils website.

FINANCIAL IMPLICATIONS

There are no material financial implications with the development or implementation of the Policy. The 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 the *Investment Policy* be adopted.**
- 2. That the *Investment Policy* be reviewed in June 2026.**

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CP 29 Investment Policy

Responsible Officer:	Manager Finance
Document type:	Council Policy
Reference:	CP 29
Adopted by:	Council
Date adopted:	29 June 2022
Date of next review:	June 2026

Policy Objective

To exercise the power to invest available funds at the most favourable rate of interest available at the time, with consideration to the preservation of capital, credit risk and liquidity:

- Preservation of capital is the principal objective of the Investment Policy.
- Credit risk will be considered before making any investment.
- Sufficient liquidity is to be maintained to meet anticipated commitments.

Background

Under section 103 of the *Local Government Act 2020* Council may invest money:

- (a) in Government securities of the Commonwealth
- (b) in securities guaranteed by the Government of Victoria
- (c) with an authorised deposit-taking institution
- (d) with any financial institution guaranteed by the Government of Victoria
- (e) on deposit with an eligible money market dealer within the meaning of the Corporations Act.
- (f) in any other manner approved by the Minister after consultation with the Treasurer either generally or specifically, to be an authorized manner of investment for the purposes of this section.

Authorised Deposit-taking Institutions (ADIs) are corporations which are authorised under the *Banking Act 1959*. ADIs include banks, building societies and credit unions.

All ADIs are subject to the same Prudential Standards but the use of the names 'bank', 'building society' and 'credit union' is subject to corporations meeting certain criteria.

Investment Guidelines

Investments are limited to:

Investment Type	Investment Purpose
Operating account	Day to day liquidity
At call account	Short term liquidity
Term deposits	Available funds

Investments in floating rate notes are prohibited.

Investments are to comply with the following criteria:

- Overall Portfolio Limits: limit the overall credit exposure of the investment portfolio.
- Credit Framework: limit the exposure to individual institutions.
- Term to Maturity: limit the term of investments.

Overall Portfolio Limits

To control the credit quality of the investment portfolio funds invested will only be placed with an Authorised Deposit-taking Institutions with a Standard and Poors short-term rating of A-1 or higher.

A-1 is the highest short-term category used by Standard and Poors. The obligator's capacity to meet its financial commitment on the obligation is strong. Within this category, certain obligations are designated with a plus sign (+) This indicates that the obligator's capacity to meet its financial commitment on these obligation is extremely strong.

The following framework limits the percentage of the portfolio exposed to any particular rating category.

Standard and Poors Short-Term Rating	Direct Investment Maximum
A-1+	100 per cent
A-1	40 per cent

Some examples of Authorised Deposit-taking Institutions are included in the following table (this list is not exhaustive):

Authorised Deposit-Taking Institution	Standard and Pours and Short-Term Rating
Australia and New Zealand Bank	A-1+
Bank of Western Australia	A-1+
Commonwealth Bank of Australia	A-1+
National Australia Bank	A-1+
Rabo Bank	A-1+
Westpac Bank	A-1+
AMP Bank	A-1
Macquarie Bank	A-1
Suncorp Bank	A-1

The Standard and Pours short-term credit ratings will be reviewed annually.

In order to minimise risky maintaining a diverse portfolio the following credit rating and institutional limits apply:

The following table sets out the financial limits per institution:

Standard and Pours Short-Term Rating	Individual Institution Limit	Maximum Investment Proportion
A-1+	40%	100%
A-1	20%	40%

In the event that a credit rating of an approved deposit-taking institution issuing the security falls below the required minimum, the necessary arrangements will be made to withdraw the deposits as soon as practical.

Term to Maturity

The portfolio will be invested within the following constraints.

Investment Type	Maturity Limit
Operating account	n/a
At call account	n/a
Term deposit	365 days

Background

The Finance Coordinator will determine the level and term of each investment after having reviewed Council's cash flow projection to enable commitments to be settled as and when they fall due.

The Finance Coordinator will obtain quotations from at least three appropriately rated Authorised Deposit-taking Institutions.

The preferred quotation will be the investment offering the highest rate of return, subject to the investment guidelines included in this Policy.

All funds invested will be invested under the name of "Benalla Rural City Council". No rights, powers or access to those funds is to operate in favour of any other party.

The Finance Coordinator's recommendation is to be approved by the Manager Finance or General Manager Corporate or Chief Executive Officer.

The Council's investment portfolio will be reconciled by the Finance Coordinator and reviewed by the Manager Finance on a monthly basis.

The Council's investment portfolio will be reported to the Council on a quarterly basis.

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.

The following economic circumstances may also give rise to a review of the policy.

- Changes may impact the financial institutions the Council may invest in.
- Change in short-term ratings by Standard and Poors.
- Shift in economic conditions.
- The ability of A-1+ Deposit-taking Institutions to remain competitive in interest rate pricing.

Related Legislation

Local Government Act 2020

Equal Opportunity Act 2010

Charter of Human Rights and Responsibilities Act 2006

Banking Act 1959

11. *Procurement Policy Review*

SF/1517

Cathy Fitzpatrick – Manager Finance
Robert Barber – General Manager Corporate

PURPOSE OF REPORT

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

BACKGROUND

The *Procurement Policy* (the Policy) was adopted by Council on 10 November 2021 in accordance with the *Local Government Act 2020*.

The purpose of the Procurement Policy is to:

- Provide guidance, consistency, and control over procurement activities.
- Demonstrate accountability to rate payers.
- Ensure compliance with legislation.
- Provide guidance on ethical behaviour in purchasing.
- Ensure openness and transparency of the decision-making process.

DISCUSSION

The policy has operated for six months and there have been a number of administrative changes with new legislation that should be incorporated into the policy for greater efficiency in the delivery of procurement services.

The Council frequently processes large payments (greater than \$330,000 inc. GST) for statutory charges and services that have been approved in the Budget process such as payroll, superannuation, taxation, the Fire Services Property Levy, EPA Levy, WorkSafe telecommunications, investments, street lighting, court and tribunal expenses, insurance charges generally consistent with the approved or revised budget.

The inclusion of the Chief Executive Officer authorisation for statutory charges and services that have been approved in the Budget process will enable business practices to continue. These items were previously exempt by Ministerial exemption in the *Local Government Act 1989* and was not incorporated in the *Local Government Act 2020*.

The amounts are required for operational spend and are budgeted and forecast within the Operating Statement annually.

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

Changes made to the Policy are detailed in the table below:

Section	Recommended Change	Rationale
Delegation of Authority to the Chief Executive Officer	<ul style="list-style-type: none"> ▪ Authorise the CEO to approve expenditure for statutory charges or other matters such as superannuation, taxation, the Fire Services Property Levy, EPA Levy, WorkSafe telecommunications, investments, street lighting, court and tribunal expenses, insurance charges generally consistent with the approved or revised budget. ▪ A summary of expenditure under this clause will be reported quarterly to the Council. 	<ul style="list-style-type: none"> ▪ Council is required to pay these amounts for statutory charges or other regulation charges such as superannuation, taxation, the Fire Services Property Levy, EPA Levy, WorkSafe which vary in value (depending on set government charges / volumes of items). ▪ Other fees and in regards telecommunications, investments, street lighting, court and tribunal expenses, insurance charges the amounts may exceed \$330,000 inclusive of GST but are generally consistent with the approved or revised budget. ▪ Some of these items were previously exempt by Ministerial exemption.
Child Safe Standards	<ul style="list-style-type: none"> ▪ New inclusion of requirements for compliance with Child Safe Standards required to be recognised by 1 July 2022 	<ul style="list-style-type: none"> ▪ Change will enable the Council to comply with Child Safe Standards.

The revised *Procurement Policy* is attached as **Appendix 1**.

COUNCIL PLAN 2021-2025 IMPLICATIONS

Economy

- *Thriving business and industry.*

Leadership

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

COMMUNITY ENGAGEMENT

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

Level of Public Participation	Promise to the community	Techniques to be used
Inform	We will provide information	<ul style="list-style-type: none"> ▪ Policy presented in a public report to the Council. ▪ Policy to be published on Councils website.

FINANCIAL IMPLICATIONS

There are no material financial implications with the development or implementation of the Policy. The 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 the *Procurement Policy* be adopted.**
- 2. That the *Procurement Policy* be reviewed by 31 May 2025.**

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CP 16 Procurement Policy

Responsible Officer:	Manager Finance
Document type:	Council Policy
Reference:	CP 16
Adopted by Council:	29 June 2022
Date of next review:	May 2025

Purpose

The purpose of the Procurement Policy is to:

- Provide guidance, consistency and control over procurement activities.
- Demonstrate accountability to rate payers.
- Ensure compliance with legislation.
- Provide guidance on ethical behaviour in purchasing.
- Ensure openness and transparency of the decision making process.

Objective

Section 108 of the *Local Government Act 2020* requires the Council to prepare, approve and comply with a Procurement Policy encompassing the principles, processes and procedures applied to all purchases of goods, services and works by the Council.

Scope

The Policy covers all procurement activities of the Council and is binding upon Councillors, Council staff, contractors and consultants while engaged by the Council.

Standards

The Council's procurement activities will be carried out to the professional standards required by best practice and in compliance with the:

- *Local Government Act 2020*
- Council Policies and Procedures
- *Council Code of Conduct*
- *Local Government Procurement Best Practice Guidelines*
- other relevant legislative requirements such as, but not limited to the *Competition and Consumer Act*, *Goods Act* and the *Environmental Protection Act*.

Policy Statement

The Council recognises that a procurement policy and supporting administrative procedures will support the achievement of the Council's strategic objectives.

The Council is committed to ensuring its purchasing practices are sustainable, efficient and deliver value for money, while encouraging a competitive environment amongst its suppliers and ensuring a safe working environment for its staff and contractors.

Principles

The Council's purchasing processes and procedures are based on the following principles:

▪ **Public Tender Threshold**

- **Goods, services and carrying out of works with an estimated value greater than \$300,000 (ex. GST)** will be procured through public tender unless an exception is granted by the Chief Executive Officer in consultation with the Council.
- **Goods, services and carrying out of works with an estimated value of equal to or less than \$300,000 (ex. GST)** may be procured via public tender, if this is considered the best approach to market, but will in most instances, be procured in accordance with the procedures i.e. Request for Quotation, Expression of Interest, a Council panel arrangement or a collaborative procurement arrangement.
- To achieve best value for money, a contract below \$300,000 (ex. GST) which is assessed as complex, strategic or high risk can also be procured via public tender or a public expression of interest. These market approaches are to be approved by the Chief Executive Officer and reported to the Audit and Risk Committee.

▪ **Delegation of Procurement Authority**

– **Delegations Reserved for the Council**

Only the Council can award contracts that are greater than:

- \$300,000 (ex GST) for goods, services or works.

– **Delegation of Authority to the Chief Executive Officer**

Awarding contracts for the acquisition of goods, works and services up to the value of \$300,000 excluding GST in respect of any one contract, unless the contract, purchase or payment has been previously approved by resolution of Council or a Delegated committee.

Approving expenditure for statutory charges or other matters such as superannuation, taxation, the Fire Services Property Levy, EPA Levy, WorkSafe, telecommunications, investments, street lighting, court and tribunal expenses, insurance charges generally consistent with the approved or revised budget. A summary of expenditure approvals for this expenditure will be reported in the quarterly financial report.

– **Delegation of Authority to Council Staff**

Council procurement activities are undertaken using a Delegation of Procurement Authority allowing authorised and trained, Council staff to approve certain purchases, quotation, tender and contractual processes without prior referral to the Council. Council staff procurement delegations will be documented and reviewed annually.

- **Criteria used to evaluate for money**

Both qualitative and non-qualitative criteria will be used to evaluate value for money as described below and other factors as applicable.

- **Value for Money**

The Council's procurement activities will be carried out on the basis of obtaining value of money. Value for money means minimising the total cost of ownership over the lifetime of the requirement consistent with acceptable quality, reliability, delivery and risk considerations. Council is not required to accept the lowest tender or accept any tender.

- **Fair and Honest Dealing**

All prospective suppliers will be afforded an equal opportunity to tender or quote. Impartiality will be maintained in selecting suppliers so that no action is taken that could evoke criticism of Council.

- **Conduct of Councillors and Council Staff**

Council's procurement activities will be performed with unquestionable integrity and in a manner able to withstand the closest possible scrutiny. Councillors and Council staff will at all times conduct themselves in ways that are, and are seen to be, ethical and of the highest integrity.

- **Accountability and Transparency**

Accountability in procurement means being able to explain and provide evidence of what has happened during the process. The test of accountability is that an independent third party must be able to see clearly that a defined process has been followed and that the process is fair and reasonable.

The processes by which all procurement activities are conducted will be in accordance with the Council's Procurement Policy and supporting administrative procedures which ensure fairness and impartiality towards suppliers, consistency and transparency in the competitive process and provide security and confidentiality for the commercial interests of existing and potential suppliers.

The Council must be able to account for all procurement decisions made over the lifecycle of all purchased goods, services and works and provide feedback on them.

- **Sustainability**

All procurement of products and services have some level of impact on the environment that should be minimised to ensure sustainable procurement practices are undertaken within the context of purchasing on a value for money basis.

Council's procurement decisions and initiatives will be based on clear and transparent evidence, informed economic, environmental and social considerations. Therefore, to achieve sustainable procurement, Council will adopt a triple-bottom-line approach by considering economic, environmental and social sustainability.

The Council's procurement projects are to automatically consider the provision of reuse and recycling as part of the project planning process, including the consideration of whole life costs and disposal.

- Use resources sustainably.
- Maximise the sourcing of recycled products and use of recycled content in construction works.
- Make sure suppliers minimise their environmental impact and maintain environmentally responsible policies and practices.
- Reduce greenhouse gas emissions.

▪ **Social Procurement**

Social procurement involves using procurement processes and purchasing power to generate positive social outcomes in addition to the delivery of goods, services and works. Social procurement generates positive outcomes by building on initiatives already undertaken by the council in enhancing sustainable and strategic procurement practice, further enabling procurement to effectively contribute towards building stronger communities and meeting the social needs of the vulnerable parts of our community.

Aims to ensure value-for-money considerations are not solely focused on price but encompass opportunities to generate positive social outcomes that benefit the community in addition to the delivery of efficient goods, services and works.

▪ **Child Safe Standards**

Benalla Rural City Council is committed to creating and maintaining a child safe organisation, where protecting children and preventing and responding to child abuse is embedded in the everyday thinking and practice of all Councillors, employees, contractors, and volunteers.

This Policy reflects Council's intention to be compliant in meeting the requirements of the Victorian Child Safe Standards in the procurement of goods and services and across all Council owned and run facilities.

▪ **Local Content**

Council is committed to the strategic use of local suppliers to encourage economic development while remaining compliant with the *Competition and Consumer Act 2010* and other fair-trading legislation.

To encourage a focus on local business:

- a. Wherever possible and/or practicable, Council officers must seek at least one quotation from a local supplier.
- b. For procurement activities more than \$150,000 a benefit to local region will be considered and a 5 per cent weighting percentage will be assigned to the criteria element: 'Benefit to local region'. Council will fully examine where the business is based, percentage of local staff employed, percentage of local materials, plant and equipment used and what impact the business offers the local community.

Local is defined as a contractor or supplier having their registered office within a 100km radius of the Benalla Rural City Council Customer Service Centre at 1 Bridge Street East, Benalla.

▪ **Collaborative Procurement**

Council will seek to encourage procurement collaboration and knowledge sharing with other regional councils and entities.

In accordance with Section 108 (c) of the Act, the Council will seek to collaborate with other Councils and public bodies in the procurement of goods and services in order to take advantage of economies of scale.

Council staff must consider any opportunities for collaborative procurement in relation to a procurement process undertaken by Council.

Any Council report that recommends entering into a procurement arrangement must set out information relating to opportunities for collaborative procurement, including:

- the nature of those opportunities, if any, and the councils or public bodies with which they are available; and
- why Council did, or did not, pursue the identified opportunities for collaboration in relation that procurement process.

▪ **Operations and Process Improvement**

The Council will seek continual operational and process improvement including innovative and technological initiatives with the objective to reduce overall activity costs and achieve best practice.

▪ **Dispute Resolution**

Any dispute arising from the application of this policy will be referred to the Chief Executive Officer for investigation and resolution.

Review

The Policy must be reviewed at least once during each four-year term of Council as per section 108 (5) of the *Local Government Act 2020*.

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.

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

SF/4134

Jane Archbold – Manager Community
Robert Barber – General Manager Corporate
Dom Testoni – Chief Executive Officer

PURPOSE OF REPORT

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

BACKGROUND

In April 2019, a strategic review was undertaken to consider the Council's future role in the provision of aged and disability services.

A key driver of the review were the fundamental changes in the operating and funding environment for the aged and disability services sector due to the introduction of Commonwealth Home Support Programme (CHSP), Home and Community Care Program for Younger People (HACC-PYP) and the National Disability Insurance Scheme (NDIS).

The Council, at its meeting on 13 November 2019, resolved:

1. *That the report be noted.*
2. *That a formal expression of interest process be undertaken to identify potential alternative aged and disability services providers.*

In September 2020, after considering the outcomes of the expression of interest process, the Council resolved to continue to provide aged and disability services until 30 June 2022 and that an Aged and Disability Services Transition Plan be developed.

DISCUSSION

After extensive negotiations with the Australian and Victorian governments, transition plans have been developed for CHSP and HACC-PYP services.

The Australian Government has advised that from 1 July 2022, CHSP services would be delivered as detailed in the table below:

Service	Provider	Provider
Domestic Assistance	Calvary Community Care	Community Accessibility
Home Maintenance	Calvary Community Care	Community Accessibility
Home Modifications	Calvary Community Care	
Personal Care	Calvary Community Care	
Respite Care	Calvary Community Care	
Social Support Individual	Calvary Community Care	
Social Support Group	Calvary Community Care	
Volunteer Transport	Calvary Community Care	

Established in 1885, Calvary is a not-for-profit Catholic health care organisation providing aged care services throughout Australia.

Community Accessibility is a not-for-profit organisation delivering a range of community activities, home supports and transport assistance in Victoria and southern New South Wales.

There was a delay in awarding the Food Services contract with the Commonwealth recently advising that Community Accessibility had also been awarded the contract.

However, due to the delay in awarding the contract it is proposed that the Council provides food services ('meals-on-wheels') on behalf of Community Accessibility until 31 July 2022.

Costs associated with providing this service will be reimbursed by Community Accessibility which will be funded by the Commonwealth from 1 July 2022.

In February 2022, the Department of Health and Human Services advised that Gateway Health had been selected to provide HACC PYP services in Benalla Rural City from 1 July 2022.

Gateway Health is a community health service providing health and welfare services to individuals, families and communities across northeast Victoria and parts of southern New South Wales with offices in Wodonga, Wangaratta and Myrtleford.

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

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

Leadership

- *Good governance.*
- *Effective and responsive advocacy.*

OTHER STRATEGY IMPLICATIONS

The Council is committed to ensuring Benalla Rural City is an age-friendly community as outlined in *The Benalla Rural City Age Friendly Strategy 2020* adopted by the Council in February 2020.

Gender Equality Act

Under the *Gender Equality Act 2020* the Council is required to undertake a gender impact assessment when developing or reviewing any policy, program or service that has a direct and significant impact on the public.

A gender equity assessment found the policy as having an overall negative gender impact given that the exiting of Aged and Disability Services negatively impacts women staff members, who are predominantly employed in these roles,

COMMUNITY ENGAGEMENT

After the Council’s resolution to develop an Aged and Disability Services transition plan, community engagement has been undertaken at the ‘inform’ level under the International Association for Public Participation’s IAP2 public participation spectrum as detailed in the table below:

Level of Public Participation	Promise to the community	Techniques Used
Inform	We will provide information	<ul style="list-style-type: none"> ▪ Staff information sessions. ▪ Staff transition session, for example, superannuation, career planning, job search skills and interview techniques. ▪ Correspondence to clients, including follow up telephone calls. ▪ Media releases. ▪ Community information sessions. ▪ Open house sessions. ▪ Reports to the Council.

The consultation program detailed above follows an extensive community and stakeholder engagement program associated with the Aged and Disability Services Strategic Review undertaken in 2019.

FINANCIAL IMPLICATIONS

Staff entitlements, including applicable redundancy payments, are forecast to be \$996,000.

Negotiations continue with the Australian and Victorian governments on using unspent grant funding as at 30 June 2022 to offset costs associated with the transition of services.

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

Aged and disability services have been delivered locally by the Council, and its predecessors, for more than three decades. However, an emphasis on consumer choice and control, increasing costs, and a more competitive open market has made it difficult for the Council to efficiently deliver these vital services.

However, while the Council may not deliver aged and disability services into the future, it will continue to play an important role in ensuring older residents and people with a disability participate in community, feel secure and safe and have good physical and mental health and wellbeing.

To mark the end of an era and to acknowledge the contribution of Aged and Disability Services staff, a celebratory lunch will be held at the Benalla Racing Club on Saturday 2 July 2022.

Recommendation:

- 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.**

Closure of Meeting