

Council Meeting

Minutes

Date: Wednesday 29 June 2022

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 were encouraged to watch the live broadcast of the meeting at www.benalla.vic.gov.au

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



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Minutes

Chair Councillor Bernie Hearn (Mayor)

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

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

The Council Meeting opened at 5.30pm.

1. Opening and Acknowledgment of Country

The chair recited the following Acknowledgement of Country.

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



2. Statement of Commitment

The Councillors recited the following Statement of Commitment:

*I declare,
that as a Councillor of Benalla Rural City
I will undertake on every occasion
to carry out my duties in the best interests of the community
and that my conduct shall maintain the standards of our Councillor Code of Conduct
so that I may faithfully represent
and uphold the trust placed in the Council
by the people of Benalla and District.*

3. Disclosures of Conflict of Interest

No conflicts of interest were disclosed to the meeting.

4. Apologies

No apologies were submitted to the meeting.

A handwritten signature in black ink, located in the bottom right corner of the page. The signature is stylized and appears to be a cursive representation of a name.

5. Confirmation of the Minutes of the Previous Meeting

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

Cr Davis / Cr Firth:

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

Carried

It is noted that David Blore submitted a question to the Council meeting on 25 May 2022 where the question was taken on notice. A response was provided to David Blore on 31 May 2022 and can be found below.

It has come to my attention that the proposed cinema and cafe forming part of the Visitor Information Centre redevelopment project in Mair Street Benalla is a prohibited use of the land under the planning scheme zone (Public Park and Recreation Zone, clause 36-02.1) applying to the site.

Benalla Rural City Council has a statutory duty as the responsible authority under the Planning and Environment Act 1987 to administer, apply and enforce the provisions of the Benalla Planning Scheme. I note that the permit exemption provisions of the Act and planning scheme may only apply in circumstances where a permit is required, and able to be issued.

Were this proposal to be proposed by a private developer, Council would have no option but to reject it, and if necessary seek an enforcement order in VCAT under section 120 of the Act against such a use. I note that this option, of seeking an enforcement order from VCAT, is open to any person under section 120, or under section 114 for an interim enforcement order, and is not limited to responsible authorities. Under what legislative authority is the Council pursuing a project which includes an element clearly prohibited by its own planning scheme?

The subject site at 14 Mair Street, Benalla is located within a Public Park and Recreation Zone (PPRZ) under the provisions of the Benalla Planning Scheme.

Pursuant to Clause 36.02-1 (PPRZ) of the planning scheme a retail premises use which includes a food and drink premises (café) does not require a planning permit subject to the following condition:



A use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Safety Act 2010, the Port Management Act 1995, or the Crown Land (Reserves) Act 1978.

Any future use of the land which is owned and managed by the Council will be undertaken by or on behalf of the public land manager (Council) and as a result the retail premises component of the use will not require a planning permit. A proposed retail use of the site can be leased to a separate entity to undertake the use on behalf of the Council.

A cinema is a use that is not listed within the table of uses pursuant to Clause 36.02-1 of the planning scheme. Any other use not in Section 3 of the table of uses is a permit not required use subject to the provision outlined above. In this instance the proposed use of the cinema will also be undertaken by or on behalf of the public land manager.

You acknowledge within the preamble of your question that “were the proposal to be proposed by a private developer, Council would have no option to reject it”. This is true and the Council at no point to date have advised that the development will be undertaken by a private developer. We can advise that this development is being undertaken by the Council and any future uses within the building will be undertaken by or on behalf of the public land manager.

To answer your question more directly it is considered that the proposed uses envisaged for the visitor information centre redevelopment are not prohibited under the provisions of the Benalla Planning Scheme based on the advice detailed above.

6. Public Question Time

No questions were submitted to the Council Meeting.



7. Petitions

No petitions were submitted to the meeting.

8. Record of Committees

8.1 Finance and Operations Committee

The reports and recommendations of the Finance and Operations Committee meetings held on Wednesday 25 May 2022 and Wednesday 15 June 2022 were provided to Councillors.

Cr Gunaratne / Cr Claridge:

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

Carried

8.2 Planning and Development Committee

The reports and recommendations of the Planning and Development Committee meetings held on Wednesday 22 June 2022 were provided to Councillors.

Cr Gunaratne / Cr Davis:

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

Carried



8.3 Assemblies of Councillors, Advisory and External Committees

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

The record of Assemblies of Councillors since the report presented at the meeting on 25 May 2022 was provided to Councillors in the Agenda.

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

May 2022

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

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

Carried



Officer Reports

9.1 Authorisation of Signing and Sealing of Documents

No documents were presented for signing and sealing.

9.2 Benalla Rural City Council 2022/23 Budget

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

Cr Firth / Cr King:

1. Adoption of the *2022/23 Budget*

That the Council:

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

2. Fees and Charges

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

3. Declaration of Rates and Charges

Amount Intended to be Raised:

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

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

4. General Rates

- 4.1** That the Council declare a general rate in respect of the 2022/2023 Financial Year.
- 4.2** That the Council further declared that the general rate be raised by the application of differential rates.
- 4.3** That the differential rate be respectively declared for rateable land having the respective characteristics specified below, which characteristics will form the criteria for each differential rate so declared.
- 4.3.1 Residential Land (Benalla)**
Any land which is:
- a) used or adapted to being used primarily for residential purposes; and
 - b) located within the Benalla urban area.
- 4.3.2 Residential Land (Rural Township)**
Any land which is:
- a) used or adapted to being used primarily for residential purposes; and
 - b) located outside the Benalla urban area in an area zoned TZ (Township Zone) or LDRZ (Low Density Residential Zone) under the Benalla Planning Scheme.
- 4.3.3 Business Land**
Any land which is:
- a) used or adapted to being used primarily for commercial or industrial purposes; and
 - b) not Rural Land – Farmland.
- 4.3.4 Vacant Land (Benalla)**
Any land:
- a) on which no habitable building is erected; and
 - b) which is located within the Benalla urban area.
- 4.3.5 Vacant Land (Rural Township)**
Any land:
- a) on which no habitable building is erected; and
 - b) is located outside the Benalla urban area in an area zoned TZ (Township Zone) or LDRZ (Low Density Residential Zone) under the Benalla Planning Scheme.

4.3.6 Rural Land – Non-Farming

Any land which is:

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

4.3.7 Rural Land – Farmland

Any land which is:

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

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

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

- 4.5** considers that each differential rate will contribute to the equitable and efficient carrying out of Council functions, and that:

- 4.5.1** the respective objectives of each differential rate be those specified in the Schedule to this Resolution; and
- 4.5.2** the respective types or classes of land which are subject to each differential rate be those defined in the Schedule to this Resolution; and
- 4.5.3** the respective uses and levels of each differential rate in relation to those respective types or classes of land be those described in the Schedule to this Resolution; and

4.5.4 The relevant:

- a) uses of;
 - b) geographical locations of;
 - c) planning scheme zoning of; and
 - d) types of building on
- the respective types or classes of land be those identified in the Schedule to this Resolution.

4.6 Confirm that no amount is fixed as the minimum amount payable by way of general rate in respect of each rateable land within the municipal district.

4.7 In accordance with Section 4(1) of the *Cultural and Recreational Lands Act 1963*, the amount of rates payable in respect of each of the rateable lands to which that Act applies be determined by having regard to the services provided by Council in relation to such lands and having regard to the benefit to the community derived from such recreational lands. This amount shall be 0.004259 multiplied the Capital Improved Value of that rateable land.

5. Municipal Charge

5.1 That the Council declare a Municipal Charge in respect of the 2022/2023 Financial Year.

5.2 That the Municipal Charge be declared to cover some of the Council's administrative costs.

5.3 That the Municipal Charge be in an amount of \$260.85 for each rateable property within the municipal district.

6. Annual Service Charge

6.1 That the Council declare an annual service charge in respect of the 2022/2023 Financial Year.

6.2 That the annual service charge be declared for the collection and disposal of refuse, and be levied in respect of all rateable land within the municipal district.

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

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

7. Incentive

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

8. Extra Instalment Options

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

9. Consequential

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

9.1.1 that person is liable to pay; and

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

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

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

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

Carried

A division of the vote was called.

Votes in favour of the motion:

Cr Danny Claridge

Cr Peter Davis

Cr Don Firth

Cr Justin King

Cr Gail O'Brien

Cr Bernie Hearn

Votes against the motion:

Cr Punarji Hewa Gunaratne

The motion was **carried**.

The Schedule

Residential (Benalla)

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

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

Types and Classes

Any land which is:

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

Use and Level of Differential Rate

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

Geographic Location

Situated in the Benalla urban area.

Use of Land

Any residential use permitted under the Benalla Planning Scheme.

Planning Scheme Zoning

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

Types of Buildings

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

Residential (Rural Township)

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

Types and Classes

Any land which is:

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

Use and Level of Differential Rate

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

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

Geographic Location

Situated in a Rural Township location.

Use of Land

Any residential use permitted under the Benalla Planning Scheme.

Planning Scheme Zoning

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

Types of Buildings

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

Business

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

Types and Classes

Any land which is:

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

Use and Level of Differential Rate

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

Geographic Location

Wherever located in the municipal district.

Use of Land

Any business use permitted under the Benalla Planning Scheme.

Planning Scheme Zoning

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

Types of Buildings

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

Vacant Land (Benalla)

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

Types and Classes

Any land:

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

Use and Level of Differential Rate

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

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

Geographic Location

Situated in the Benalla urban area.

Use of Land

Any use permitted under the Benalla Planning Scheme.

Planning Scheme Zoning

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

Types of Buildings

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

Vacant Land (Rural Township)

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

Types and Classes

Any land:

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

Use and Level of Differential Rate

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

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

Geographic Location

Situated in a Rural Township location.

Use of Land

Any use permitted under the Benalla Planning Scheme.

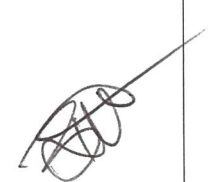
Planning Scheme Zoning

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

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

Types of Buildings

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



Rural (Non-Farming)

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

Types and Classes

Any land which is:

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

Use and Level of Differential Rate

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

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

Geographic Location

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

Use of Land

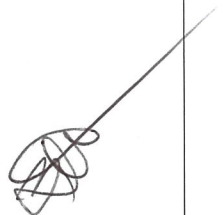
Any use permitted under the Benalla Planning Scheme.

Planning Scheme Zoning

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

Types of Buildings

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



Rural (Farmland)

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

Types and Classes

Any land which is:

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

Use and Level of Differential Rate

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

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

Geographic Location

Wherever located in the municipal district.

Use of Land

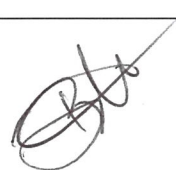
Any use permitted under the Benalla Planning Scheme.

Planning Scheme Zoning

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

Types of Buildings

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



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9.3 Benalla Rural City Council Financial Plan 2023 to 2032

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

Cr Claridge / Cr King:

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

Carried

A division of the vote was called.

Votes in favour of the motion:

Cr Danny Claridge

Cr Peter Davis

Cr Don Firth

Cr Justin King

Cr Gail O'Brien

Cr Bernie Hearn

Votes against the motion:

Cr Punarji Hewa Gunaratne

The motion was **carried**.

9.4 Facility Hire Subsidy Program Policy Review

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

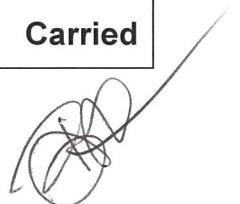
Cr Davis / Cr Gunaratne:

1. That submissions be noted.

2. That the *Facility Hire Subsidy Program Policy* be adopted.

3. That the *Facility Hire Subsidy Program Policy* be reviewed in August 2026.

Carried



9.5 Commemorative Memorial Guidelines Policy Review

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

Cr Gunaratne / Cr King:

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

Carried

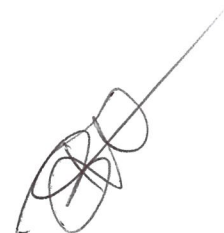
9.6 Roadside Fatality Memorial Guidelines Policy Review

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

Cr King / Cr Davis:

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

Carried

A handwritten signature in black ink, consisting of a series of loops and a long diagonal stroke extending upwards and to the right.

9.7 Mayor and Councillors' Attendance at Committees and Civic Functions

The Mayor and Councillors attendance at meetings and events from the period 14 May 2022 to 19 June 2022 were provided to Councillors for consideration.

It is noted that:

- Councillor King was not in attendance for the National Volunteer Week 2022 Celebration at the Benalla Art Gallery on 26 May 2022.
- Councillor Claridge attended the online MAV Rural North East Regional Meeting on the 16 June 2022.

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


Carried

9.8 Council Actions Pending

Council Actions Pending were provided to Councillors.

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

Carried

A handwritten signature in black ink, appearing to be 'Cr King' or similar, with a large, stylized flourish.

10. Reports by Councillors

- Cr Firth reported that he attended the Australian Local Government Association (ALGA) - National General Assembly in Canberra with Cr Hearn and Cr Claridge from the 19 June 2022 to 22 June 2022.


On 20 June 2020 Cr Firth and Cr Claridge attended a breakfast meeting sponsored by the Australian Rail Track Corporation (ARTC). Inland Rail Chief Executive Rebecca Pickering addressed council representatives about the huge undertaking being delivered by Inland Rail. Cr Firth and Cr Claridge were able to pass on their appreciation and the successful outcomes of the Benalla Station Redevelopment.

On 21 June 2022 Cr Firth spoke with Executive Director, Centre for Population Damien White from the Federal Treasury and noted the importance of the federal grant the Council received in 2010. The grant allowed the Council to deliver the Urban Growth Storm Water Drainage project.

Councillors also spoke with the Mayor of Albury, Councillor Kylie King, about a future partnership focusing on improving rail connections between Seymour and Albury.

Cr Firth emphasised the importance of attending the National General Assembly in Canberra.

- Cr Claridge reported that he attended the MAV State Council Meeting on the 24 June 2022 with Cr Hearn. MAV President Cr David Clark outlined the MAV strategy for the coming year such as a review of rate capping implications, planning reforms, increase funding for emergency management and funding and policy support for climate change adaptation. The MAV Rules were also reviewed as they had not changed since 2006. The recommended rule changes included updates to how MAV member councils will submit matters for consideration and MAV memberships will now be for a two year period.
- Cr O'Brien reported that she attended the Sculpture Walk opening of Lotjpatj Natjan Danak Celebration at the Winton Wetlands Hub and Café on the 15 May 2022. Two hundred people attended the opening. Winton Wetlands is the largest wetland in the southern hemisphere.
- Cr O'Brien reported that she attended the International Day Against Homophobia, Biphobia and Transphobia (IDAHOBIT) Flag Raising Ceremony at the Benalla Civic Centre on 17 May 2022. Cr O'Brien commended the two Benalla P-12 College students for speaking at the ceremony.
- Cr O'Brien reported that she attended the Goorambat Community Annual General Meeting on 17 May 2022.
- Cr O'Brien reported that she attended the online Building Better Communities conference on 24 May 2022. The conference gave opportunities to hear from leaders working towards having greater community awareness on climate, community diversity, equity and merit.



- Cr O'Brien reported that she attended the Communities in Control conference on 24 May 2022.
- Cr O'Brien reported that she attended the 2022 Australian Local Government Women's Association (Vic) Conference on the 6 June 2022 with Cr Hearn. Key note speakers included Nartarsha Bamblett, outgoing member of the First People's Assembly, North East Region, Professor Catherine Bennett, Chair Epidemiology Deakin University and Laura Majewski, Senior Investigator Local Government Inspectorate.
- Cr O'Brien reported that she attended the Better Homes and Neighbours for a Changing Climate workshop in Wangaratta on 1 June 2022.
- Cr Hearn reported that she attended the Australian Local Government Association (ALGA) - National General Assembly in Canberra with Cr Firth and Cr Claridge from the 19 June 2022 to 22 June 2022.

This event provides an opportunity for Local Government to engage directly with the Federal Government, to develop national policy, and to influence the future direction of councils and communities, consider issues and debate motions.

One hundred and six motions were presented and voted on. Motions that are carried at the assembly are taken by the ALGA and are presented to the Federal Government for endorsement.

Over the three day event key note speakers included Hon Catherine King Minister for Infrastructure, Transport, Regional Development and Local Government, Hon Kirsty McBain Minister for Regional Development, Local Government and Territories, Tracey Roberts Federal Member for Pearce, Stan Grant the International Affairs Editor for the ABC and His Excellency Mr Vasyl Myroshnychenko, Ambassador of Ukraine to Australia.

Cr Claridge / Cr King:
That the reports be noted.

Carried



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11. Notices of Motion

No notices of motion were submitted to the meeting.

12. Notices of Rescission Motion

No notices of rescission motion were submitted to the meeting.

13. Urgent Business

No urgent business was submitted to the meeting.

14. Confidential Business

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

14.1 Confidential Reports by Councillors

14.2 Confidential Council Actions Pending

Cr Claridge / Cr Davis:

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

Carried



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15. Reopening of the meeting to the public

Cr Claridge / Cr Davis:

That the meeting be reopened to the public.


Carried

16. Closure of the meeting

The Council Meeting closed at 6.48pm.

Confirmed this third day of August 2022.

Signed:



Chair – Cr Bernie Hearn (Mayor)