

Council Meeting

Agenda

Date: Wednesday 26 June 2024

Time: 5.30pm

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

Any person wishing to participate in Question Time or Public Submissions in accordance with Rule 7.2 and 7.3 of the *Governance Rules 2020* should contact the Council by emailing council@benalla.vic.gov.au or telephoning the Governance Coordinator Jess Pendergast on (03) 5760 2600.

In accordance with Rule 6.4 of the *Governance Rules 2020* the Council Meeting will be livestreamed via the Council's website and an audio recording will be made of the proceedings.

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

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Agenda

Chair	Councillor Danny Claridge (Mayor)	
Councillors	Councillor Peter Davis	
	Councillor Don Firth	
	Councillor Bernie Hearn	
	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
	Tom Arnold	Community Development and Recreation Coordinator
	Keith Biglin	Project Manager
	Jess Pendergast	Governance Coordinator

Opening and Acknowledgment of Country

The Chair will open the meeting and recite the following Acknowledgement of Country.

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

Apologies

Councillor Punarji Hewa Gunaratne has requested a leave of absence from 1 August 2024 to 31 August 2024.

Recommendation:

That a leave of absence be granted to Cr Punarji Hewa Gunaratne form 1 August 2024 to 31 August 2024.

Statement of Commitment

The Councillors will recite the following Statement of Commitment:

I declare,

that as a Councillor of Benalla Rural City

I will undertake on every occasion

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

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

so that I may faithfully represent

and uphold the trust placed in the Council

by the people of Benalla and District.

Governance Matters

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

Recording of Council Meetings

In accordance with Rule 6.4 of the *Governance Rules 2020* the Council Meeting will be livestreamed via the Council's website and an audio recording will be made of the proceedings and made available for public access, with the exception of matters identified as confidential items in the agenda.

Behaviour at Meetings

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

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

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

Disclosures of Conflict of Interest

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

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

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

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

Confirmation of the Minutes of the Previous Meeting

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

Recommendation:

That the Minutes of the Council Meeting held on 29 May 2024 be confirmed as a true and accurate record of the meeting.

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.

2. Petitions

2.1 The Council to Include Squash Courts in the *Benalla Indoor Recreation Centre Redevelopment Project*

A petition containing 615 signatories has been received requesting the Council include six squash courts in the *Benalla Indoor Recreation Centre Redevelopment Project*.

Refer **Appendix 1**.

The full petition has been provided to councillors under separate cover in the MS Team Group.

Recommendation:

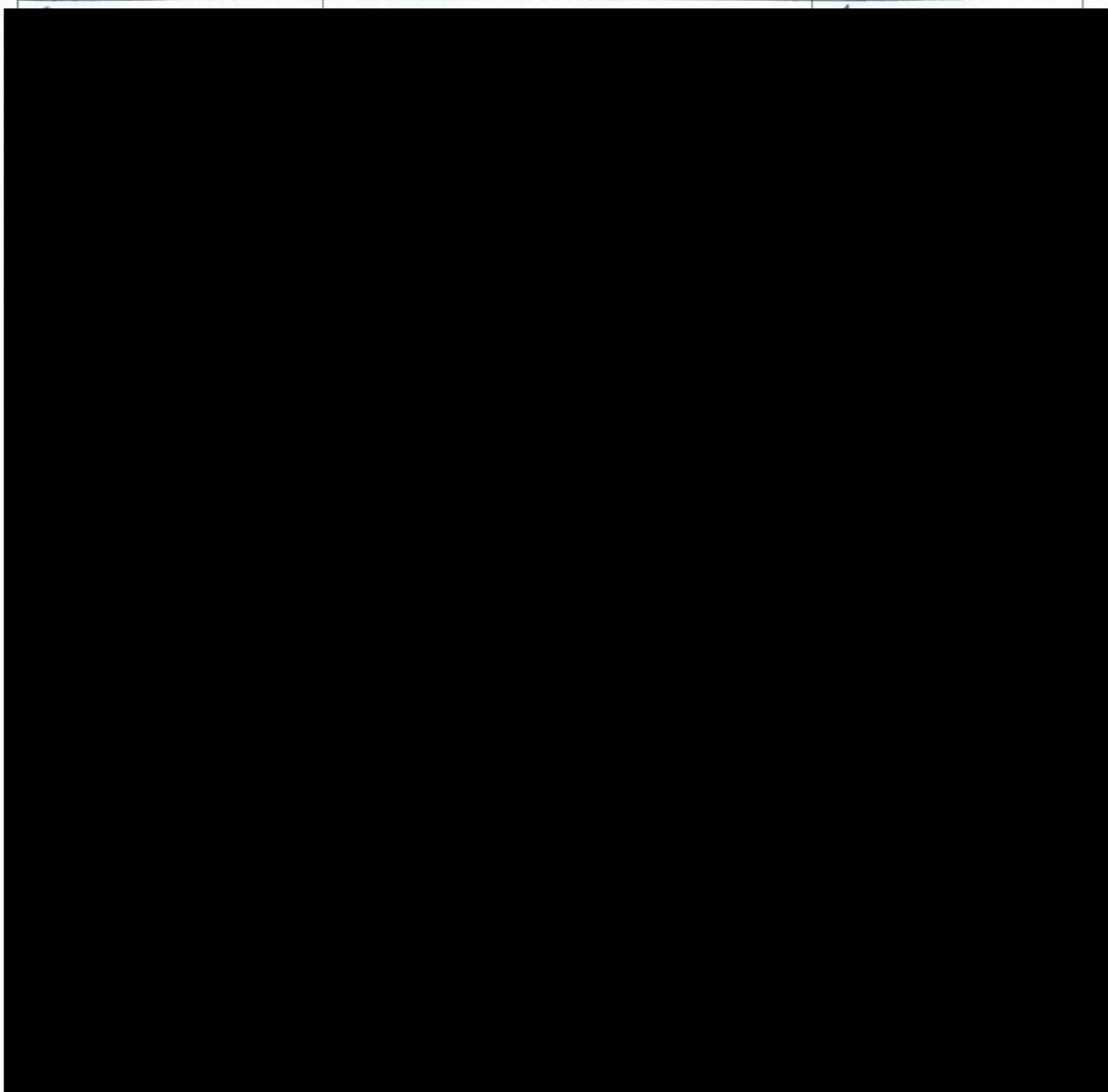
1. That the petition be received.
2. That a report be presented to the Finance and Planning Committee.

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Petition to Benalla Rural City Council

We the undersigned petition the Benalla Rural City Council that we want 6 squash courts to be built in the new Indoor Sporting Stadium that is soon to be constructed in Benalla.

Name	Address	Signature
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Authorised by Benalla Squash & Racquetball Association Inc. and Benalla Squash Club Inc.

Record of Committees

3.1 Recommendations from Finance and Planning Committee

The recommendations of the Finance and Planning Committee meeting held on Wednesday 19 June 2024 are attached as **Appendix 1**.

Recommendation:

That the recommendations of the Finance and Planning Committee meeting held on Wednesday 19 June 2024 be adopted.

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Business

1. Proposed 2024/2025 Budget – Consideration of Submissions

The report considered submissions received on the proposed *2024/25 Budget*.

The *2024/25 Budget* will be considered for adoption at the Council meeting on 26 June 2024.

Cr King / Cr Firth:

That the report be noted.

Carried

2. Draft Fair Access Policy – Consideration of Submissions

The report considered submissions received for the draft *Fair Access Policy*.

The *Fair Access Policy* will be considered for adoption at the Council Meeting on 26 June 2024.

Cr Davis / Cr O'Brien:

That the report be noted.

Carried

3. Proposed Name Change of Benalla Senior Citizens Community Centre

The report considered feedback received in relation to the proposed name change for the *Benalla Senior Citizens Community Centre*.

It is noted that Margret Jenkins made a submission on the item and addressed the committee.

Cr King / Cr O'Brien:

- 1. That the Council rename *Benalla Senior Citizens Community Centre* to *Benalla Seniors and Community Centre*.**
- 2. That Geographic Names Victoria (VICNAMES) be advised of the name change.**

Carried

4. Proposal for a Mobile Phone Tower at Goorambat Recreation Reserve

The report discussed feedback received regarding the proposal to lease land for a Mobile Phone Tower at the Goorambat Recreation Reserve.

Cr Gunaratne / Cr Davis:

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

- 1. That the Council enter into a lease of land with Amplitel Pty Ltd for a period of 20 years.**
- 2. That the Chief Executive Officer be authorised to execute contract documentation.**

Carried

5. Building and Planning Approvals – April 2024

The report detailed planning permit applications and building approvals for April 2024.

Cr Firth / Cr Gunaratne:

That the report be noted.

Carried

It is noted that Councillor Punarji Hewa Gunaratne declared a general conflict of interest in the following item and left the meeting at 5.59pm.

6. 2023/2024 Quick Response Grants Program

The report presented funding applications for 2023/24 Quick Response Grants.

Cr Firth / Cr O'Brien:

That \$500 grants from the 2023/2024 Quick Response Grant program be allocated to Tatong Archery Club, Swanpool & District Community Development Association Inc., Lurg Hall and Reserve Committee of Management and Benalla Migrants Association Inc.

Carried

Councillor Punarji Hewa Gunaratne returned to the meeting at 6.08pm.

3.2 Assemblies of Councillors, Advisory and External Committees

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

The record of Assemblies of Councillors, Advisory and External Committees are attached as **Appendix 1**.

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

May 2024

8 May 2024	Communications Advisory Committee Meeting
8 May 2024	Assembly of Councillors – Business Review
13 May 2024	Benalla Street Art Advisory Committee Meeting
21 May 2024	Audit and Risk Committee Meeting

June 2024

3 June 2024	Benalla Local Safety and Traffic Liaison Committee Meeting
5 June 2024	Communications Advisory Committee Meeting
5 June 2024	Assembly of Councillors – Business Review
12 June 2024	Assembly of Councillors – Business Review

Recommendation:

That the report be noted.

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Record of Assemblies of Councillors, Advisory and External Committees

April 2024

Communications Advisory Committee

1.30pm Wednesday 8 May 2024, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

Chair Councillor Danny Claridge (Mayor)

Councillors Councillor Bernie Hearn

Councillor Peter Davis

In attendance

Dom Testoni	Chief Executive Officer
Courtney Naughton	Manager Economic Development and Sustainability
Grant Banks	Communications and Engagement Coordinator
Tracey Beaton	Executive Coordinator

Apologies: Nil

Conflicts of Interest disclosed: Nil

Items discussed:

1. Review of Actions From Previous Meeting
2. Media Highlights For The Past Month
3. Upcoming Community Engagement and Current HIVE Projects
4. Unveiling of Arthur Baird Sculpture
5. General Business

Assembly of Councillors – Business Review

5.30pm Wednesday 8 May 2024, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

Chair Councillor Gail O'Brien

Councillors Councillor Danny Claridge (Mayor)

Councillor Peter Davis

Councillor Don Firth

Councillor Bernie Hearn

Councillor Punarji Hewa Gunaratne

Councillor Justin King

In attendance

Robert Barber	General Manager Corporate
Courtney Naughton	Manager Economic Development and Sustainability
Tom Arnold	Community Development and Recreation Coordinator
Nathan Gasperoni	Environmental Sustainability Coordinator

Apologies: Nil

Conflicts of Interest disclosed: Nil

Items discussed:

1. Proposed Name Change of Benalla Seniors Citizens Community Centre
2. Draft *Benalla Rural City Council Climate and Environment Strategy*

Benalla Street Art Advisory Committee

5.30pm Monday 13 May 2024, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

Chair:	Raelene Stratton	Community Representative
Committee:	Councillor Don Firth	Council Representative
	Councillor Gail O'Brien	Council Representative
	Toby Benador	Community Representative
	Ian Gonzaga	Community Representative
	Alex Ross	Community Representative
	Joel Spencer	Community Representative
	Courtney Naughton	Manager Economic Development and Sustainability
	Catherine Macmillan	Business Development Coordinator
In attendance:	Charlie Vincent	Tourism North East Victoria
Apologies:	Charlie Vincent	

Conflicts of Interest disclosed: Nil

Items discussed:

1. Festival Review
2. Festival Frequency and Timing
3. Curator Contact Renewal
4. Final Milestone Report
5. Other Business

Audit and Risk Committee Meeting

5pm Tuesday 21 May 2024, Civic Centre (Council Meeting Room), 13 Mair Street, Benalla.

Chair	Mr Cameron Gray	
Committee	Councillor Peter Davis	
	Councillor Bernie Hearn	
	Ms Rita Ruyters	
In attendance	Dom Testoni	Chief Executive Officer
	Robert Barber	General Manager Corporate
	Cathy Fitzpatrick	Manager Finance
	Janine McMaster	Manager People and Performance
Internal Auditor	Brad Ead	AFS
External Auditor	Jason Gilbert	Crowe

Apologies: Nil

Conflicts of Interest disclosed: Nil

Items discussed:

1. Meeting with Auditors
2. Benalla Rural City Council Audit Strategy Memorandum For The Financial Year Ending 30 June 2024
3. Internal Audit Program
4. Gender Equality Program Update
5. Risk Management
6. Procurement Process Exemptions
7. Proposed 2024/25 Budget
8. Reports From Regulatory and Integrity Agencies
9. Audit and Risk Compliance Management Items
10. General Business

Benalla Local Safety and Traffic Committee

2pm Monday 3 June 2024, Civic Centre (Council Meeting Room), 13 Mair Street, Benalla.

Chair:	Robert Barber	General Manager Corporate
Committee:	Councillor Bernie Hearn	Council Representative
	Councillor Justin King	Council Representative
	Lisa Aitkinson	Victoria Police
	Mark Byers	Victoria Police
	Kylie Cotter	Benalla P-12 College
	Gavin Duncan	Victoria Police
	Fran Gottschling	Victoria Police
	Shaun Mason	FCJ College Benalla
	David Morrow	Cooinda Village
	John Stafford	Regional Roads Victoria
	Cristy Webb	Regional Roads Victoria
In attendance:	Briana Beggs	Administration Officer
	David Johnson	Victoria Police
Apologies:	Nil	
Not in Attendance	Mark Byers, Gavin Duncan, Fran Gottschling, Edward Graham, Kylie Cotter, Shaun Mason, David Morrow and John Stafford	

Conflicts of Interest disclosed: Nil

Items discussed:

1. Inland Rail Project Update
2. Review of Action Sheet
3. Project Updates
4. Opportunities to Work Together and General Business

Communications Advisory Committee

1.30pm Wednesday 5 June 2024, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

Chair	Councillor Danny Claridge (Mayor)	
Councillors	Councillor Bernie Hearn	
	Councillor Peter Davis	
In attendance	Dom Testoni	Chief Executive Officer
	Courtney Naughton	Manager Economic Development and Sustainability
	Grant Banks	Communications and Engagement Coordinator
	Tracey Beaton	Executive Coordinator

Apologies: Nil

Conflicts of Interest disclosed: Nil

Items discussed:

1. Review of Actions From The Previous Meeting
2. Media Highlights For The Past Month
3. Upcoming Community Engagement and Current HIVE Project
4. Unveiling of Arthur Baird Sculpture
5. Review of Communications Strategy Actions
6. General Business

Assembly of Councillors – Business Review

6.10pm Wednesday 5 June 2024, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

Chair Councillor Peter Davis
Councillors Councillor Danny Claridge (Mayor)
Councillor Don Firth
Councillor Bernie Hearn
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
Courtney Naughton Manager Economic Development and Sustainability
Tom Arnold Community Development Coordinator
Eric Nash Benalla Art Gallery Director

Apologies: Cr Justin King

Conflicts of Interest disclosed: Cr Bernie Hearn declared a general conflict of interest for Item 1.

Items discussed:

1. Benalla Indoor Recreation Centre Redevelopment Project Steering Committee Nominations
2. Benalla Art Gallery Redevelopment Project Update

Assembly of Councillors – Business Review

5.30pm Wednesday 12 June 2024, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

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

In attendance Dom Testoni Chief Executive Officer
Robert Barber General Manager Corporate
Cathy Fitzpatrick Manager Finance
Courtney Naughton Manager Economic Development and Sustainability
Greg Robertson Manager Facilities and Information Technology
Tom Arnold Community Development and Recreation Coordinator

Apologies: Nil

Conflicts of Interest disclosed: Cr O'Brien declared a general conflict of interest in item 1. Cr O'Brien and Cr Gunaratne declared a material conflict of interest in item 3. Cr Firth and Cr King declared a general conflict of interest in item 3.

Items discussed:

1. Proposed 2024/25 Budget – Consideration of Submissions
2. Draft Fair Access Policy – Consideration of Submission
3. Grant Applications for the 2023/2024 Community Grants Program
4. Benalla Street Art Festival Wrap Up
5. Proposal for a Mobile Phone Tower at Goorambat Recreation Reserve
6. Benalla North Shared Path Project Update

Officer Reports

4.1 Benalla Rural City Council 2024/2025 Budget

SF/2485-09

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

PURPOSE OF REPORT

The report presents for adoption the *2024/25 Budget*.

BACKGROUND

The Council at its meeting on Wednesday 1 May 2024 resolved:

1. *That the proposed 2024/25 Budget be endorsed for public exhibition for a period of at least 28 days from 2 May 2024.*
2. *That submissions relating to the proposed 2024/25 Budget be heard at a meeting of the Finance and Planning Committee on 5 June 2024.*
3. *That the Council consider submissions relating to the proposed 2024/25 Budget at a Council meeting on 19 June 2024.*
4. *That the Council consider the adoption of the 2024/25 Budget at a meeting of the Council on Wednesday 26 June 2024.*

Public notice of the proposed *2023/24 Budget* was given on the Council's website on 2 May 2024 and in the *Benalla Ensign* on Wednesday 15 May 2024.

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

A community information session was held on Thursday 23 May 2024 at the Benalla Civic Centre.

The submission period closed 5pm Thursday 30 May 2024.

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

There have been no material changes proposed to the final *2024/25 Budget* following consideration of submissions.

DISCUSSION

The *2024/25 Budget* has been distributed under separate cover and is available for download from the Council's website.

Key Financial Issues

Operating Result

The 2024/25 Budget includes an operating surplus of \$184,000 based on income of \$38.956 million and expenditure of \$38.772 million.

The adjusted operating result is a deficit of \$3.403 million. The underlying deficit demonstrates the Council's reliance on funding from other levels of government.

Rates and Charges

Rates and Municipal Charges are increased by 2.75 percent in line with the Victorian Government's Fair Go Rate system rate cap.

Rates and Charges are budgeted to raise \$23.041 million a \$813,000 increase from the 2023/24 forecast.

General rates and Municipal charge are budgeted to raise \$18.040 million in 2024/25.

Revenue in lieu of rates is budgeted to be \$416,000 in 2024/25.

Waste charges increase by 5 percent and will raise \$4.534 million.

User Fees

User fees will raise \$3.546 million in 2024/25 a decrease of \$72,000 primarily due to a reduction in budgeted developer contributions.

Operating Grants

Operating grants will contribute \$6.588 million if revenue in 2024/25. Full receipt of the Council's Financial Assistance Grant allocation (\$4.770 million) is budgeted to be received in 2024/25, however, based on previous experience a significant portion of this funding may be pre-paid in the 2023/24 financial year.

Capital Grants

Budgeted capital grants total \$4.356 million. Significant budgeted capital grants comprise \$2.712 million from the Victorian Government for the Benalla Art Gallery Redevelopment project, \$975,000 in Roads to Recovery funding and \$567,000 from the Australian Government's Local Roads and Community Infrastructure Fund.

Employee Costs

Employee costs are budgeted to increase by \$188,000, including a \$55,000 increase in Superannuation Guarantee payments, to \$13.817 million.

To assist in servicing new subdivisions and public open space, the employment of an additional Parks and Garden employee has been included in the *2024/25 Budget* at a total cost of \$80,454.

Materials and Services

Materials and Services expenditure is budgeted to be \$15.564 million, \$2.233 million less than 2023/24.

Consultants General expenditure increases from \$991,000 to \$1.521 million. New expenditure includes:

▪ Churchill Reserve Masterplan	\$100,000
▪ Barkly Street Precinct Plan	\$100,000
▪ Benalla Planning Scheme Review	\$60,000
▪ Council Plan 2025-2029	\$50,000
▪ Open Space Strategy	\$50,000
▪ Domestic Animal Management Plan	\$5,000

Materials and Services budgeted expenditure also includes \$130,000 towards the 2024 Council election.

Other Expenses

Other expenses expenditure of \$589,000 includes a \$36,000 increase in the Council's Community Support and Major Events Funding programs.

Cash

At the end of the financial year, the Council's cash position is budgeted and forecast to be:

2024/25: \$15.883 million

2025/26: \$16.171 million

2026/27: \$15.705 million

2027/28: \$12.539 million.

Borrowings

No new borrowings are budgeted for 2024/25. Borrowings decrease from a forecast \$2.215 million at 30 June 2024 to a projected \$641,000 at 30 June 2028.

Properties

The total number of assessments is budgeted to increase to 8,495 from 8,366 in 2023/24. The Residential (Benalla) rating category increases by 80 and the Vacant Land (Benalla properties) rises by 43 to 246.

Capital Works

Capital works total \$11.016 million in 2024/25. Key areas of expenditure include:

- Buildings \$3.162 million
- Roads \$2.186 million
- Waste management \$1.350 million
- Plant, machinery and equipment \$1.160 million
- Drainage \$972,000.

New asset expenditure is \$2.822 million, asset renewal \$6.567 million and upgrade \$1.627 million.

Capital works are funded by Council cash \$6.659 million and grants \$4.357 million.

New major capital projects budgeted for in 2024/25 include:

Major plant replacement	\$930,000
Reseal program	\$901,000
Gravel re-sheet program	\$852,000
Drainage strategy	\$534,000
Benalla Indoor Recreation Centre roof renewal	\$450,000
Drainage – The Culdesac	\$400,000.

Capital works expenditure of \$3.040 million is budgeted to be carried forward from 2023/24.

Fees and Charges

Several changes (refer below) have been made to the fees and charges set out in the proposed 2024/.

Section 1.6 Benalla Cinema

Cinema Fundraisers		Proposed Fee	Amended Fee
Cinema Hire	Per Screening	\$435.00	\$463.00
Cost of Movie Hire (if not currently screening) New	Per Screening	NA	\$300.00

Section 1.9: Other Fees

Property and Valuations		Proposed Fee	Updated Statutory Fee
Land information Certificates	Per cert.	\$28.90	\$29.70
Land information Certificates: - 24 Hour Service	Per cert.	\$87.00	\$90.00
Freedom of Information			
FOI - Access to information	Per request	\$31.80	\$32.70

Section 3 - Waste Management

Other		Proposed Fee	Amended Fee	Details
Special Event Bins Hire	Per Bin	\$21.50	\$39.00	Reflects new kerbside collection contract charge.
Emptying an Event Bin New	Per Bin	NA	\$33.00	Reflects new kerbside collection contract charge.

Section 3 – Waste Management (cont.)

Contaminated Fill	Proposed Fee	EPA Levy	Amended Fee
Contaminated Fill (Residential) m3	\$115.00	\$155.29	\$160.00
Clean Concrete/Bricks			
Clean Concrete/Bricks (Residential) m3	\$71.50	\$175.14	\$180.00
Clean Concrete/Bricks (Industrial/Commercial) Per Tonne	\$122.00	\$116.76	\$130.00
Clean Fill			
Clean Fill (Residential) m3	\$50.00	\$155.29	\$160.00
Clean Fill (Industrial/Commercial) By Application Only Per tonne	\$119.00	\$116.76	\$130.00

Section 5 Environmental Health Service

Caravan Parks/Movable Dwellings	Proposed Fee	Updated Statutory Fee
Total number of sites (other than camp sites) not exceeding 25	Per reg. \$245.65	\$278.00
Total number of sites (other than camp sites) exceeding 25 but not exceeding 50	Per reg. \$491.30	\$555.00
Total number of sites (other than camp sites) exceeding 50 but not exceeding 100	Per reg. \$982.00	\$1,110.00
Total number of sites (other than camp sites) exceeding 100 but not exceeding 150	Per reg. \$1,488.35	\$1,682.00

OTHER ITEMS FOR FUTURE CONSIDERATION

At the time of finalising the *2024/25 Budget*, there are material, but unconfirmed, items that will need to be brought to account early in the 2024/25 financial year.

Operating revenue will be impacted by forecast increased grant income from Financial Assistance Grants program \$680,000, the Road to Recovery Program \$290,000 and a \$40,000 grant from the Victorian Government’s Local Sports Infrastructure Fund to part-fund development of an Open Space strategy. Once confirmed, these increases will be brought to account at the first quarter budget review.

It is also expected that Benalla Rural City Council will receive \$343,000 under the Disaster Recovery Funding Arrangements' Betterment Program.

Significant capital projects to be considered by the Council early in the 2024/25 financial year include:

- The Victoria Government's \$15 million grant to the Benalla Indoor Recreation Centre Redevelopment project. Details of the grant will be presented to the Council.
- A \$375,000 Council contribution to the construction of a pump track in the Fawckner Drive Precinct. This contribution will be considered when the grant funding agreement for the Victorian Government's \$300,000 allocation to the project is presented to the Council.
- A Council contribution of \$550,000, including \$200,000 of interest earned, to the \$6 million Benalla Art Gallery Redevelopment Project. Australian Government grant funding documentation relating to the redevelopment is scheduled to be presented to the Council for consideration in August 2024.
- A \$295,000 allocation to Link Island Bridge repairs funded from the Victorian Government's 2022-23 Council Flood Support Fund. Technical specifications and costings for this project are being finalised and will be presented to the Council in August.

COUNCIL PLAN 2021-2025

Leadership

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

FINANCIAL IMPLICATIONS

Taking into consideration community submissions and information received, no material amendments to the proposed *2024/25 Budget* are recommended.

COMMUNITY ENGAGEMENT

Community engagement has been undertaken at the 'Involve' level on the IAP2 Public Participation Spectrum.

LEGAL OR STATUTORY IMPLICATIONS

The proposed *2024/25 Budget* has been developed to ensure compliance with the *Local Government Act 2020* and *Local Government (Planning and Reporting) Regulations 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 proposed *2024/25 Budget* as having an overall neutral gender impact.

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 *2024/25 Budget* is based on sound financial principles, prudent debt management and responsible asset management.

As detailed in the *2024/25 Budget*, the Council continues to face challenges to its long-term financial sustainability. Rate capping, the escalation of costs for materials and services, ageing infrastructure and the changing nature of government funding all put at risk the financial sustainability of small rural councils and their ability to meet community expectations for new and improved infrastructure and services.

To address the Council’s underlying deficit position, service delivery will continue to be examined to identify efficiencies, other levels of government will be advocated to increase funding and other potential revenue sources explored, including ongoing residential development and the attraction of business and industry to expand and vary Benalla Rural City’s rate base.

Recommendation:

1. Adoption of the *2024/25 Budget*

That the Council:

- having considered the results of the community engagement undertaken by Council, the *2024/2025 Budget* presented to this meeting be adopted by Council in accordance with section 94 of the *Local Government Act 2020*.
- note the *2024/25 Budget* also incorporates a Budget for the *2025/2026, 2026/2027 and 2027/2028 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 \$23,041,000 (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 waste management charge (described later in this Recommendation), which amount is calculated as follows:

General Rates	\$15,790,000
Municipal Charge	\$2,250,000
Waste Management Charge	\$4,534,000

4. General Rates

- 4.1 That the Council declare a general rate in respect of the 2024/2025 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 4.3 of this Resolution) by the relevant percentages indicated in the following table:

Property Category	Cents in the dollar of Capital Improved Value
Residential (Benalla)	0.003314
Residential (Rural Township)	0.002589
Business properties	0.005406
Vacant Land (Benalla)	0.004821
Vacant Land (Rural Township)	0.002405
Rural Land (Non-Farming)	0.002416
Rural Land (Farmland)	0.001893

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 0.003853 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 2024/2025 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 \$277.50 for each rateable property within the municipal district.

6. Waste Management Charge

6.1 That the Council declare a waste management charge in respect of the 2024/2025 Financial Year.

6.2 That the waste management 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 waste management 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	\$412.50
120 It Organic - 80 It Waste with Recycle	\$456.00
240 It Organic - 80 It Waste with Recycle	\$549.00
80 It Organic - 120 It Waste with Recycle	\$503.00
120 It Organic - 120 It Waste with Recycle	\$595.00
240 It Organic - 120 It Waste with Recycle	\$685.50
80 It Organic - 240 It Waste with Recycle	\$777.50
120 It Organic - 240 It Waste with Recycle	\$867.50
240 It Organic - 240 It Waste with Recycle	\$959.50
Rural Areas	
80 It Waste with Recycle	\$412.50
120 It Waste with Recycle	\$595.00
240 Waste with Recycle	\$959.50
Additional Collection Options	
Additional Bin - Organic	\$272.00
Additional Bin - Waste	\$217.50
Additional Bin – Recycle	\$232.50
Weekly Collection – Waste	\$239.00
Weekly Collection - Recycle	\$197.00

7. Incentive

That no incentive be declared for the early payment of the general rates, municipal charge or waste management 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 waste management 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 waste management charge in accordance with the *Local Government Act 1989* and *Local Government Act 2020*.
10. That all submitters on the proposed *2024/25 Budget* be written to thanking them for their submission and advising of the Council's decision to adopt the *2024/25 Budget*.
11. That the Chief Executive Officer be authorised to effect minor administrative and wording changes to the *2024/25 Budget* if required.

The Schedule

Residential (Benalla)

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

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

Types and Classes:

Any land which is:

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

Use and Level of Differential Rate:

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

Geographic Location:

- Situated in the Benalla urban area.

Use of Land:

- Any residential use permitted under the Benalla Planning Scheme.

Planning Scheme Zoning:

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

Types of Buildings:

- The types of buildings on the land within this differential rate are all buildings which are now constructed on the land or which are constructed prior to the expiry of the 2024/25 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 2024/25 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 2024/25 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 2024/25 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 2024/25 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 2024/25 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 2024/25 financial year.

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4.2 Benalla Rural City Council *Fair Access Policy*

SF/265

Tom Arnold – Community Development and Recreation Coordinator
Jane Archbold – Manager Community

PURPOSE OF REPORT

This report presents for consideration the *Fair Access Policy*.

BACKGROUND

In 2020, the Victorian State Government passed the *Gender Equality Act* which is designed to improve workplace gender equality in the Victorian Public Sector. As the level of government closest to the community, Victorian Councils have a mandate to create healthy, safe, and inclusive communities.

The *Fair Access Policy Roadmap* is an Australia-first policy that aims to give women and girls better and fairer access to community sports and recreation infrastructure. Developed by the Office for Women in Sport and Recreation in partnership with VicHealth and Sport and Recreation Victoria, the policy requires all Victorian local government authorities (LGAs) to have in place a gender equitable access and use policy (or equivalent) by 1 July 2024 to remain eligible for state government community sports infrastructure funding.

The development of the Fair Access Policy (refer **Appendix 1**) has been enabled through ongoing support from *The Office for Women in Sport and Recreation*, who have provided policy templates, hosted workshops, and shared resources. The Council has adapted the templates provided to suit the context of Benalla Rural City.

The draft *Fair Access Policy* was placed on public exhibition between Friday 26 April and Thursday 30 May 2024, resulting in one submission. This submission was heard at the Finance and Planning Meeting held Wednesday 5 June 2024 and the feedback was considered at the 19 June 2024 Finance and Planning Meeting.

DISCUSSION

There have been no material changes proposed to the *Fair Access Policy* (the Policy) following consideration of submissions.

The Policy seeks to address known barriers experienced by women and girls in accessing and using community sports infrastructure and applies to community sports infrastructure where the Council is the land manager and operator of the facility.

The Policy aims to progressively build capacity and capabilities of the Council in the identification, and elimination of systemic causes of gender inequality in policy, programs, communications, and delivery of services in relation to community sports infrastructure.

The Policy and subsequent action plan, provide the framework for the Council to undertake the necessary and proportionate steps to improve access and participation to sports and recreation opportunities for women and girls in Benalla Rural City.

COUNCIL PLAN 2021-2025 IMPLICATIONS**Community**

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

Leadership

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

COMMUNITY ENGAGEMENT

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

The *Fair Access Policy* will be published on the Council's website and promoted on social media following its adoption.

FINANCIAL IMPLICATIONS

The implementation of policies will be accommodated within the existing budget.

LEGISLATIVE AND STATUTORY IMPLICATIONS

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

Recommendation:

- 1. That the *Fair Access Policy* be adopted.**
- 2. That the *Fair Access Policy* be reviewed in June 2028.**

CP 06 Fair Access Policy

Responsible Officer:	Manager Community
Document Type:	Council Policy
Reference:	CP 06
Approved by Leadership Team	5 April 2024
Adopted by Council:	26 June 2024
Date of Next Review:	June 2028

Policy Objective

The Fair Access Policy (the Policy) seeks to address known barriers experienced by women and girls in accessing and using community sports infrastructure.

The Policy aims to progressively build capacity and capabilities of Benalla Rural City Council (the Council) in the identification, and elimination of systemic causes of gender inequality in policy, programs, communications, and delivery of services in relation to community sports infrastructure.

Benalla Rural City Council will undertake take the necessary and proportionate steps towards implementation of the Fair Access Policy.

Background

Sport is a highly visible and valued feature of Benalla Rural City’s culture and identity. The sport and active recreation sector provide opportunities for enriching our communities through the promotion of respect and fair mindedness for all people, while also supporting the physical and mental wellbeing of all Victorians.

The Council is well positioned to design and implement place-based, integrated actions plans that progress gender equality in community sport.

The Victorian Government is committed to developing an environment for all Victorians to live in a safe and equal society, have access to equal power, resources, and opportunities, and are treated with dignity, respect, and fairness.

A reform agenda has been developed to change the systems that have perpetuated gender inequality by designing an enduring structure that requires implementation and tracking of progress over time.

This reform agenda includes addressing the traditional structures and way community sport and recreation organisations operate through the implementation all nine recommendations from the *2015 Inquiry into Women and Girls in Sport and Active Recreation*. This includes recommendation six:

“...encourage facility owners and managers to review access and usage policies to ensure women and girls have a fair share of access to the highest quality facilities at the best and most popular times”

and

“facilitating a universal adoption of [policies, strategies and audit tools] will drive change further”

As a defined entity of the *Gender Equality Act 2020*, the Council will be required from 31 March 2021 to conduct *Gender Impact Assessments* (GIA) on all new policies, programs, communications, and services, including those up for review, which directly and significantly impact the public.

The access and use of community sports infrastructure is an example of policy that has a direct and significant impact on the public.

Statement of Intent

This Statement of Intent establishes the expectation that gender equality is considered and prioritised in all current and future planning, policy, service delivery and practice as they relate to community sports infrastructure.

- a. Benalla Rural City Council recognises that gender equality is the attainment of equal rights, responsibilities, and opportunities of women, men, trans and gender diverse people. Equality does not mean that women, men, trans and gender diverse people will become the same but that their rights, responsibilities, and opportunities will not depend on their gender.
- b. Benalla Rural City Council recognises that gender equity is the provision of fairness and justice in the distribution of benefits and responsibilities based on gender. The concept recognises that people may have different needs and power related to their gender and these differences should be identified and addressed in a manner that rectifies gender related imbalances.

Policy Scope

The Policy enables effective and efficient integration of the requirements of the *Gender Equality Act 2020*, the *Local Government Act 2020* and the *Public Health and Wellbeing Act 2008* and other legislative frameworks.

The scope of the Policy is to support the Council to take positive action towards achieving gender equity in the access and usage of community sports infrastructure.

This complies with the Gender Equality Act 2020 and aligns with Municipal Public Health and Wellbeing Plans or Council Strategies:

Reform Agenda	Objectives
<p>To support Benalla Rural City Council to take positive action towards achieving gender equity in the access and use of community sports infrastructure</p>	<p>To build capacity and capabilities of Benalla Rural City Council in the identification and elimination of systemic causes of gender inequality in policy, programs, communications, and delivery of services in relation to community sport and recreation.</p> <p>To ensure an effective place-based response for the gender equitable use and access of community sports infrastructure.</p> <p>To promote gender equality in policies, programs, communications, and services as they relate to community sports infrastructure.</p>

For Benalla Rural City Council, the Policy applies to community sports infrastructure with Council being the land manager and/or operator of the facility.

Policy Framework

The Policy is designed to comply with the Gender Equality Act 2020, and the wider Victorian Government gender equality strategy.

Benalla Rural City Council acknowledges:

- a. the disadvantaged position some individuals have had in the sport and recreation sector because of their gender; and
- b. that achieving gender equality will require diverse approaches for women, men, trans and gender diverse people to achieve similar outcomes for people of all genders.

Benalla Rural City Council will:

1. engage fairly and equitably with all staff, governance working groups, state sporting organisations, regional sport assemblies (where applicable) and members of our sport and recreation community, regardless of their gender, in a positive, respectful, and constructive manner; and
2. engage in the process of gender impact assessments to assess the implications for women, men, trans and gender diverse people of any planned action, including policies and communications. This is a strategy for making all voices, concerns and experiences, an integral dimension of the design, implementation, monitoring of policies and programs.

Fair Access Principles

The Fair Access Principles have been developed by the Office for Women in Sport and Recreation, Sport and Recreation Victoria and VicHealth, in consultation with representatives from local government and the state sport and recreation sector.

This Policy and any resultant action plan are based on six principles of inclusivity, full participation, equal representation, encouraging and supporting user groups, and prioritising user groups committed to equality.

The Council considers that these principles provide clear direction, while also enabling adaption to the specific environment of Benalla Rural City.



Compliance and Monitoring

a. Actions

The Council commits to undertake a GIA on all current community sports infrastructure access and use policies and processes, and to consider opportunities to strengthen gender equitable access and use of community sports facilities in alignment with the Fair Access Principles.

If the process of assessing current policies and processes identifies opportunities to develop or strengthen gender equitable access and use of community sports facilities in alignment with the Fair Access Principles. The Council commits to developing and adopting a locally relevant gender equitable access and use policy and action plan no later than 1 October 2024.

The Council acknowledges that the requirement to have a gender equitable access and use policy and action plan (or equivalent) in place, and the ability to demonstrate progress against that policy and action plan (or equivalent), will form part of the eligibility criteria for Victorian Government funding programs relating to community sports infrastructure from 1 July 2024.

The Council has also identified specific actions to progress gender equitable access and use of community sports infrastructure in its Fair Access Action Plan.

b. Responsibility

The General Manager Corporate is responsible for implementing the Council's Fair Access Policy. Management personnel, staff, volunteers, and stakeholders (for example SSAs and RSAs) at the Council have a shared responsibility to support the policy, as outlined below.

- To promote a gender-aware and gender-responsive culture and community and championing the Fair Access Policy.
- To promote, encourage and facilitate the achievement of gender equality and improvement in the status of women and girls in sport and active recreation.
- Lead the review of sport and recreation policies and process
- Develop and adopt gender equitable access and use policies
- To communicate policy updates to all staff and members
- To monitor compliance and issues
- To promote, encourage and facilitate the achievement of gender equality and improvement in the status of women and girls
- Support the undertaking of Gender Impact Assessment and submission of progress reports as per the Gender Equality Act 2020 obligations
- Support the review of sport and recreation policies and processes
- Support the formal adoption process of a new or revised gender equitable policies
- Undertake Gender Impact Assessment and submission of progress reports as per the Gender Equality Act 2020 obligations
- To communicate and educate sport and recreation infrastructure user groups and users.
- To adhere to and communicate the policy when required.
- To attend training / awareness programs.

Definitions

Committees of Management

For the purposes of this document, refers to committees appointed by the Department of Land, Water, Environment and Planning under the *Crown Land (Reserves) Act 1978* to manage recreation reserves where community sport training and games are held.

Community Asset Committees

For the purposes of this document, refers to committees appointed by Council under the Local Government Act 2020 to manage recreation reserves where community sports infrastructure is located and utilised for community sport activities.

Community Sports Infrastructure

Publicly owned local, rural, regional, or state level sport and recreation infrastructure operated and maintained primarily for the purpose of facilitating community sport activities, including sporting grounds, surfaces, facilities, and pavilions.

Gender

How you understand who you are and how you interact with other people. Many people understand their gender as being a man or woman. Some people understand their gender as a mix of these or neither. A person's gender and their expression of their gender can be shown in different ways, such as through behaviour or physical appearance.

Gender diverse

An umbrella term for a range of genders expressed in different ways. Gender diverse people use many terms to describe themselves. Language in this area is dynamic, particularly among young people, who are more likely to describe themselves as non-binary.

Gender equality

The equal rights, responsibilities and opportunities of women, men and trans and gender-diverse people. Equality does not mean that women, men and trans and gender diverse people will become the same but that their rights, responsibilities, and opportunities will not depend on their gender.

Gender equity

The provision of fairness and justice in the distribution of benefits and responsibilities based on gender. The concept recognises that people may have different needs and power related to their gender and these differences should be identified and addressed in a manner that rectifies gender related imbalances.

Gender Impact Assessment, or GIA

A requirement under the *Gender Equality Act 2020* to be carried out on policies, programs and services which have a direct and significant impact on the public. The assessment must evaluate the effects that a policy, program or service may have on people of different genders.

Public land management groups

For the purposes of this document, are the Committees of Management appointed under the *Crown Land (Reserves) Act 1978* and responsible for the management of recreation reserves where community sport training and games are held.

Transgender, or trans

Someone whose gender does not only align with the one assigned at birth. Not all trans people will use this term to describe themselves.

Related Policies

Benalla Rural City Council Plan 2021-2025

Benalla Rural City Council Gender Equality Action Plan 2022-2025

Benalla Rural City Community Plan 2016-2036

Related Legislation

Local Government Act 2020

Victorian Charter of Human Rights and Responsibilities Act 2006

Gender Equality Act 2020 (Vic)

Local Government Act 2020 (Vic)

Equal Opportunity Act 2010 (Vic)

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.

4.3 2023/2024 Quick Response Grants

SF/2857

Tom Arnold – Community Development and Recreation Coordinator
Jane Archbold – Manager Community

PURPOSE OF REPORT

The report presents funding applications for 2023/24 Quick Response Grants.

BACKGROUND

The Quick Response grant 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 program distributes grants up to \$500 allowing local clubs, groups and organisations the opportunity to seek funds when the need arises.

DISCUSSION

Applications for consideration under the 2023/24 Quick Response Grant program are detailed in the table below.

Applicant	Details	Amount Requested	Proposed Assistance
Probus Club of Benalla Rose City Inc	Rose City Probus Christmas Lunch Probus are seeking funding to assist in the cost of hiring the Benalla Lakeside Community Centre for their Christmas Lunch event.	\$500	\$500
Total		\$500	\$500

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

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

Leadership

- *Engaged and informed community.*

COMMUNITY ENGAGEMENT

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

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

FINANCIAL IMPLICATIONS

The *2023/24 Budget* allocates \$15,000 to the Quick Response Grant program. To date, \$8,400 in Quick Response Grant funding has been allocated.

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:

That a \$500 grant from the 2023/2024 Quick Response Grant program be allocated to Probus Club of Benalla Rose City Inc.

4.4 2023/2024 Community Grants Program Report

SF/265

Tom Arnold – Community Development and Recreation Coordinator
Jane Archbold – Manager Community

PURPOSE OF REPORT

The report presents applications recommended for funding under the 2023/24 Community Grant Program.

BACKGROUND

The Council's *2023/24 Budget* allocates \$79,666 to the Community Support Program. Up to \$64,666 of this is allocated to the Community Grants Program and Youth Participation Grants.

The \$15,000 balance is directed toward Quick Response Grants.

The Community Grants Program is an annual funding allocation designed to encourage not-for-profit community-based organisations to seek funding up to \$2,500 for projects and activities to assist in building healthy, vibrant and sustainable communities across the Benalla Rural City.

In March 2024 the Council invited interested community groups and not-for-profit organisations to apply for assistance under the Community Grants Program.

Applications were open between 1 March and 28 April 2024. The Community Grant Program was promoted in the local media, in the Council's Community News, Council website, social media, local networks and to all previous recipients of Council grant funding.

A grant information session for interested groups was held at *the Benalla Senior Citizens Community Centre* on Thursday 14 March 2024.

DISCUSSION

Forty-three Community Grant applications were received, requesting \$88,445 in funding.

Applications were assessed against set criteria by a panel of BRCC staff members. The panel have recommended 35 applications receive funding through the program.

Grant application details and proposed funding amounts are presented in the following table:

Table 1: Successful Grant Applications

No.	Applicant	Details	Amount Requested	Proposed Assistance
1.	Astronomy Benalla Inc.	Equipment Acquisition Plan - Stage 3. Various telescope upgrades.	\$1,840	\$1,840
2.	Baddaginnie Community Inc	Sun Blinds & Oven Repair for Baddaginnie Hall.	\$1,950	\$1,950
3.	Benalla Agricultural & Pastoral Society Inc.	Benalla Show - printing the schedule booklet.	\$2,500	\$ 2,500
4.	Benalla All Blacks Football and Netball Club	New flooring for netball changerooms.	\$2,500	\$1,020
5.	Benalla And District Fire Brigades Group History Committee	Benalla and District Fire Brigade Group History Project – Electronic honour board.	\$1,200	\$1,200
6.	Benalla Gardens Tennis Club	Clubroom Upgrade – Kitchen and storage.	\$2,500	\$2,500
7.	Benalla Girl Guides Victoria (Girl Guides Victoria)	Repaint Girl Guides Hall.	\$2,500	\$2,500
8	Benalla Lawn Tennis and Croquet Club	A new honour board.	\$2,500	\$2,500
9.	Benalla Little Athletics Centre Inc.	Equipment Upgrades for 2024/25 – Discus, shot puts, hurdles and other items.	\$2,500	\$2,500
10.	Benalla Migrants Association Inc	Siva Singh Book Launch.	\$2,500	\$1,028
11.	Benalla National & International Short Film Festival	Benalla Shorts 2024.	\$2,500	\$2,500
12.	Benalla Pony Club	Kitchen Upgrade	\$2,500	\$2,500
13.	Benalla Saints Past Players and Officials	Purchase of Hot Water Unit.	\$1,165	\$1,165
14.	Benalla Theatre Company Inc	Mystery on the Orient Express - Venue Hire.	\$2,500	\$2,500
15.	Cake Decorators	Demonstration AV equipment	\$2,500	\$1,439
16.	For the Good of Devenish	Devenish Museum and Hall – White Ant control.	\$2,500	\$2,500
17.	Goorambat & District Community Group	Community shared garden initiative, growing of vegetable and plants.	\$2,500	\$2,500
18.	Goorambat Football and Netball Club	4 high-efficiency outdoor heaters, strategically placed under the verandah of the club's facilities.	\$2,500	\$2,500
19.	Goorambat Public Hall Reserve Committee of Management	Refurbishing Main Hall Interior walls of Goorambat Hall.	\$2,500	\$2,500

No.	Applicant	Details	Amount Requested	Proposed Assistance
20.	Goulburn And North East Arts Alliance	Annual Mural Music 2024.	\$2,500	\$2,500
21.	Molyullah Recreation & Public Hall Reserve Committee of Management	Community seating – Picnic tables for area surrounding hall.	\$2,500	\$2,000
22.	Molyullah Upper Ryans Creek Heritage	Provide a story board about the establishment of the Tucker Village Settlement and the draining of the Molyullah Swamp.	\$2,000	\$2,000
23.	Moorngag Hall and Recreation Reserve	Purchase of Bain Marie kitchen equipment.	\$1,980	\$1,980
24.	Munro Avenue Kindergarten	Purchase of outdoor sandpit play equipment	\$2,160	\$1,279
25.	North East Multicultural Association	Harmony Day Celebration Benalla March 2025.	\$2,500	\$2,500
26.	Robinson Martial Arts Association Inc.	Robinson Jiu Jitsu's YOWI-24 Program (Youth, Women, Indigenous) is aimed at providing self-defense training to more Victorian youths, women, and indigenous Victorians - The program will provide successful applicants with membership and the required uniform (Gi), free of charge.	\$2,500	\$1,650
27.	Rose City Country Music Club Inc.	Venue Hire.	\$2,000	\$2,000
28.	Swanpool & District Community Development Association (S&DCDA)	Hume & Hovell Memorial Cairn Plaque Replacement.	\$1,375	\$1,375
29.	Tatong Heritage Group Inc	Repairs to Information Booth in Tatong.	\$2,500	\$2,500
30.	Tatong Market & More Incorporated	Childrens' activities for market.	\$944	\$944
31.	Tatong Memorial Hall	Sewing machine for quilting.	\$2,500	\$2,500
32.	The Lions Club of Benalla Inc	Refurbishing Benalla's Street Seats	\$2,500	\$2,000
33.	Thoona Recreation Reserve	Thoona Recreation Reserve Water Tank.	\$1,600	\$1,600
34.	Warrenbayne Recreation Reserve Committee Inc.	Termite repairs to toilets, new flashing and skirting for hall.	\$2,500	\$2,500
35.	Winton Cemetery Trust	Sprayer with trailer.	\$1,796	\$1,796
Total			\$70,510	\$70,766

Proposed unsuccessful grant application details are presented in the following table:

Table 2: Unsuccessful Grant Applications

No.	Applicant	Details	Amount Requested
1	U3A Benalla Inc	Venue Assistance Grant	\$2,290
2	Benalla and District Preschool Partnership - Bernard Briggs Kindergarten	Installation of child-safe toilet doors at Bernard Briggs Kindergarten.	\$1,949
3	Benalla Swimming Club	Upgrade of Swimming start blocks	\$2,500
4	EdSpace	Noise cancelling headphones	\$3,000
5	Live Art Benalla	Live Art Benalla Program 2024 - 2025	\$2,500
6	Ride Avenue Pre School- Incorporated	Winton Wetlands Indigenous and Environmental Excursion	\$1,060
7	Rotary Club of Benalla Inc	Accessible Seating and Table in Fawckner Drive Precinct	\$2,500
Total			\$15,799

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

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

Leadership

- *Engaged and informed community.*

FINANCIAL IMPLICATIONS

The *2023/24 Budget* allocates \$79,666 to the Annual Grants Program.

Up to \$64,666 of this is allocated to the Community Grants Program. The \$15,000 balance is directed toward the Quick Response Grant Program.

It is proposed that the unspent \$6,100 be reallocated from the Quick Response Grant Program to cover the shortfall in the recommended Community Grants allocation.

COMMUNITY ENGAGEMENT

In accordance with the Council’s *Community Engagement Policy*, it is proposed that, due to administrative nature of the program, 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 the used
Inform	We will provide information	<ul style="list-style-type: none"> ▪ Promotion of program via media, website and social media. ▪ Program presented in public reports to the Council. ▪ Outcomes advised directly to applicants. ▪ Grant presentation ceremony. ▪ Outcomes detailed in Annual Report. ▪ Media release.

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 unspent \$6,100 be reallocated from the Quick Response Grant Program to the Community Grants Program.**
- 2. That an allocation of \$70,766, as detailed in Table 1, be allocated from the 2023/2024 Community Grants Program.**

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4.5 Benalla Rural City Council Election Period Policy

SF/1561-03

Dom Testoni – Chief Executive Officer
Jess Pendergast – Governance Coordinator

PURPOSE OF REPORT

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

BACKGROUND

The *Election Period Policy* (refer **Appendix 1**) has been developed to ensure transparency, good governance and accountability are adhered to by Councillors and officers so that general elections held for Benalla Rural City Council are conducted in a manner that is ethical, fair and equitable and are publicly perceived as such.

The *Election Period Policy* (the policy) will assure the community that Benalla Rural City Council will not use public resources in election campaigning or make major decisions that may bind the incoming council, while continuing to function on behalf of the community.

DISCUSSION

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

In addition to supporting probity and confidence in the election process, observance of the election period is a statutory requirement. The *Local Government Act 2020* (the Act) governs municipal elections and requires the Council to prepare, adopt and maintain an Election Period Policy in relation to procedures to be applied by the Council during the period leading up to a general election. The statutory requirements are minimum governance standards.

Staff and Delegated Committee members must act in accordance with this policy during the election period.

Council committee members who are candidates for election are expected to comply with this policy.

Definitions and election dates for the 2024 Local Government Elections have been updated within the policy.

COUNCIL PLAN 2021-2025 IMPLICATIONS

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 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.

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 *Election Period Policy* be adopted.**
- 2. That *Election Period Policy* be reviewed in June 2028.**

CP 21 Election Period Policy

Responsible Officer:	Chief Executive Officer
Document Type:	Council Policy
Reference:	CP 21
Adopted by Council:	26 June 2024
Date of Next Review:	June 2028

Policy Scope

INTRODUCTION

The Election Period Policy has been developed to ensure transparency, good governance and accountability are adhered to by Councillors and officers so that general elections held for Benalla Rural City Council are conducted in a manner that is ethical, fair and equitable and are publicly perceived as such.

In addition to supporting probity and confidence in the election process, observance of the election period is a statutory requirement. The *Local Government Act 2020* (the Act) governs municipal elections and requires the Council to prepare, adopt and maintain an Election Period Policy in relation to procedures to be applied by the Council during the period leading up to a general election. The statutory requirements are minimum governance standards.

The policy will assure the community that Benalla Rural City Council will not use public resources in election campaigning or make major decisions that may bind the incoming council, while continuing to function on behalf of the community.

Policy Objective

- To ensure the highest standard of good governance is achieved by the incumbent Council and all Council staff.
- To supplement the requirements of the Act with additional measures to ensure that best practice is achieved in supporting the fair and unbiased conduct of general elections.
- To ensure that Council elections are conducted in an environment that is open and fair to all candidates by outlining: the use of council resources, council publications, functions and events, requests for information, liaison with the media and Councillor expenditure in the lead up to an election.
- To recognise that the incumbent Council will require support, information and resources to fulfil its role as elected representatives of the community within the confines of this policy.

Policy Legislation

This policy should be read in conjunction with the Act, particularly the following sections-

3.1 Section 69: Governance Rules to include election period policy

1. A Council must include an election period policy in its Governance Rules.
2. An election period policy must prohibit any Council decision during the election period for a general election that—
 - a. relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer; or
 - b. commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or
 - c. the Council considers could be reasonably deferred until the next Council is in place; or
 - d. the Council considers should not be made during an election period.
3. An election period policy must prohibit any Council decision during the election period for a general election or a by-election that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.
4. A Council decision made in contravention of subsection (2)(a) or (b) is invalid.
5. Any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is invalid by virtue of subsection (4) is entitled to compensation from the Council for that loss or damage.

3.2 Section 123: Misuse of position

1. A person who is, or has been, a Councillor or member of a delegated committee must not intentionally misuse their position—
 - a. to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or
 - b. to cause, or attempt to cause, detriment to the Council or another person.

Penalty: 600 penalty units or imprisonment for 5 years.

2. An offence against subsection (1) is an indictable offence.
3. For the purposes of this section, circumstances involving the misuse of a position by a person who is, or has been, a Councillor or member of a delegated committee include—
 - a. making improper use of information acquired as a result of the position the person held or holds; or
 - b. disclosing information that is confidential information; or
 - c. directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff; or
 - d. exercising or performing, or purporting to exercise or perform, a power, duty or function that the person is not authorised to exercise or perform; or
 - e. using public funds or resources in a manner that is improper or unauthorised; or
 - f. participating in a decision on a matter in which the person has a conflict of interest.

4. This section—
 - a. has effect in addition to, and not in derogation from, any Act or law relating to the criminal or civil liability of Councillors or members of delegated committees; and
 - b. does not prevent the institution of any criminal or civil proceedings in respect of that liability.

3.3 Section 124: Directing a member of Council staff

A Councillor must not intentionally direct, or seek to direct, a member of Council staff—

- a. in the exercise of a delegated power, or the performance of a delegated duty or function, of the Council; or
- b. in the exercise of a power or the performance of a duty or function exercised or performed by the member as an authorised officer under this Act or any other Act; or
- c. in the exercise of a power or the performance of a duty or function the member exercises or performs in an office or position the member holds under this Act or any other Act; or
- d. in relation to advice provided to the Council or a delegated committee, including advice in a report to the Council or delegated committee.

Penalty:120 penalty units.

3.4 Section 304: Prohibition on Councillor or member of Council staff

1. A Councillor or member of Council staff must not use Council resources in a way that—
 - a. is intended to; or
 - b. is likely to—

affect the result of an election under this Act.

Penalty:60 penalty units.

2. A Councillor or member of Council staff must not use Council resources to intentionally or recklessly print, publish or distribute or cause, permit or authorise to be printed, published or distributed any electoral material during the election period on behalf of, or purporting to be on behalf of, the Council unless the electoral material only contains information about the election process or is otherwise required in accordance with, or under, any Act or regulation.

Penalty:60 penalty units.

Definitions

Where terms used in this policy are defined in the Act, their use in this policy is consistent with the definitions in the Act.

Definitions used in this policy which are not defined by the Act are:

Terms	Definitions
Chief Executive Officer	Chief Executive Officer of Benalla Rural City including their delegate.
Councillors	Councillors including the Mayor.

Terms	Definitions
Council Resources	Council stationery, motor vehicles, telephones, computers, office equipment, Council staff and contractors.
Election Period	<p>During the 'Election Period' for a Municipal General Election the council will be deemed to be in 'Caretaker Mode'. The election 'caretaker' period is defined by section 3(1) of the Act to commence at the time that nominations close on nomination day, and ends at 6pm on the election day.</p> <p>Therefore, the election period for the 2024 elections commences at noon on Tuesday, September 17, 2024 and ends at 6pm on Saturday, October 26, 2024.</p>
Electoral Matter	<p>Electoral matter as defined by the Act means "matter which is intended or likely to affect voting in an election, but does not include any electoral material produced by or on behalf of the election manager for the purposes of conducting an election". Further the Act stipulates that "without limiting the generality of the definition of electoral matter, matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on—</p> <ol style="list-style-type: none"> a. the election; or b. a candidate in the election; or c. an issue submitted to, or otherwise before the voters in connection with the election. d. advocates the policies of the Council or of a candidate e. refers to matters that are known to be contentious in the community and likely to be the subject of election debate.
Event or Function	Any planned gathering or social occasion organised or sponsored by Benalla Rural City.
Major Policy Decision	Any decision relating to the employment or remuneration of the Chief Executive Officer, entering into a contract or proposal, the total value of which is the greater of \$100,000 or one percent of the Council's revenue from rates and charges levied under section 158 of the Local Government Act 1989 in the preceding financial year, the allocation of community grants, major planning scheme amendments, or significant changes to Council plans or budget, decisions which would unreasonably bind an incoming Council.
Publication	Includes any means of publication including letters and information on the Internet and social media.
Public and Community Consultation	A process that involves an invitation or invitations to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy and includes discussion of that matter with the public. It does not include providing a statutory notice relating to planning permit applications or other decisions.
Significant Policy Decision	A decision which would bind an incoming Council that either relates to the commitment of substantial expenditure or action or a decision which affects the municipality and community that cannot be reversed.

Application

WHO THE POLICY APPLIES TO

Councillors must comply with the policy, regardless of whether they intend to nominate or have already nominated as candidates for election.

Staff and Delegated Committee members must act in accordance with this policy during the election period.

Council committee members who are candidates for election are expected to comply with this policy and in addition:

- a. submit apologies for any committee meetings or other activities held during the election period.
- b. return any council equipment, documents or information which is not available to the public for the duration of the election period.
- c. immediately resign from the committee upon election.

Other candidates for election are expected to comply with the obligations of this policy where they apply.

Prior to the election period the Chief Executive Officer will ensure that all members of Council staff are advised in regard to the application and scope of the caretaker procedures.

WHAT ACTIVITIES THE POLICY COVERS

The policy applies during an election period to cover:

- a. decisions that are made by the Council, a special committee or a person acting under delegation of the Council
- b. any material that is published by the Council or on the Council's behalf
- c. protocols for Council and Special Committee meetings
- d. public consultations
- e. attendance and participation in functions and events
- f. the use of Council resources
- g. access to Council information
- h. media and media services.

THE POLICY COMMITS THE COUNCIL TO

- avoid making significant new policies or decisions that could unreasonably bind an incoming Council.
- avoid making inappropriate decisions or using resources inappropriately.
- rescheduling the release of publications and communications where possible. Any publications and communications must be checked and certified by the Chief Executive Officer to ensure they do not contain any electoral matter before being released.
- ensuring that public resources, including staff time, are not used in election campaigning or in a way that may improperly influence the result of an election or advantage existing Councillors as candidates.
- ensuring that information held by the Council is made equally available and accessible to all candidates during the election.

Policy

This policy replaces and overrides any previous policy or document that refers to the Caretaker period.

During the election period, the business of council must continue and ordinary matters of administration must continue to be addressed.

The Council is committed to fair and democratic elections, and commits to comply with the restrictions, limitations and controls described in this policy to ensure that all candidates seeking election to council are treated fairly and equitably.

PROHIBITED DECISIONS

In accordance with section 69(2) of the Act the council is prohibited from making a decision during an election period for a general election that:

- a. relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer; or
- b. commits the council to expenditure exceeding one per cent of the council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or
- c. the council considers could be reasonably deferred until the next council is in place; or
- d. the council considers should not be made during an election period.

In accordance with section 69(3) of the Act the council is prohibited from making a decision during an election period for a general election or a by-election that would enable the use of council's resources in a way that is intended to influence, or is likely to influence, voting at the election.

The following decisions will not be made during an Election Period:

- Approval of contracts that require significant funding in future financial years or are regarded as politically sensitive.
- Decisions that have significant impacts on the council's income or expenditure or that relate to expenditure on politically sensitive matters.
- Allocation of community grants or other direct funding to community organisations.
- Major planning scheme amendments. Sale or discontinuance of roads, etc.
- Decisions of a politically sensitive nature.
- Setting advocacy positions.
- Policy or strategy decisions.

If the council considers that there are extraordinary circumstances where the municipality or the local community would be significantly disadvantaged by the council not making a particular decision, the Chief Executive Officer, or delegate, may make an application to the Minister for a compliance exemption in accordance with section 177 of the Act.

CARETAKER STATEMENT

During the election period, the Chief Executive Officer will ensure that a Caretaker Statement is included in every report submitted to the council or to a delegated committee of council for a decision.

The Caretaker Statement will specify one or more of the following.

- a. The recommended decision is not a decision prohibited by the Act and is a decision that falls within the guidance of the Election Period Policy.
- b. The recommended decision is outside the guidance of the Election Period Policy, but the following negative consequences of a failure to make a decision on this matter outweigh the consequences of binding an incoming council. [Insert description of negative consequences of failure to make decision].
- c. The recommended decision is a decision prohibited in the Act during an election period, but compliance exemption was sought from the Minister in accordance with section 177 of the Act and was granted by on [insert date].

During the election period, the council will not make a decision on any matter or report that does not include one of these Caretaker Statements.

Councillors will refrain from moving motions or raising matters at a meeting that could potentially influence voting at the election.

The agenda for council meetings held during the election period will make no provision for question time, notices of motion, and general business.

COUNCIL RESOURCES

1. It is an established democratic principle that public resources must not be used in a manner that would influence the way people vote in elections. The Council commits to this principle in that it will ensure Council resources are not used inappropriately during a Council election.
2. In accordance with section 304 of the Act, the Council will ensure that probity is observed in the use of all Council resources during the election period and Council staff are required to exercise appropriate discretion to ensure compliance with section 304 of the Act. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice must be sought from the Chief Executive Officer or the General Manager Corporate and Community.
3. In determining whether the use of Council resources during the election period is appropriate, officers will have regard to whether these same resources are available to other candidates at the election.
4. Council resources, including (but not limited to) offices, meeting rooms, officers, hospitality services, photographs, equipment, Council funded telephone numbers, iPads, motor vehicles and email addresses and stationery will be used exclusively for normal Council business during the election period and will not be used in connection with any election campaign.

5. Reimbursements of candidates' out-of-pocket expenses during the election period will only apply to costs that have been incurred in the performance of normal Council duties, and not for expenses that could be perceived as supporting or being connected with a candidate's election campaign. In the case of Councillor claims that cover a combination of Council and electoral business, the Chief Executive Officer may approve a partial reimbursement to cover Council activities.
6. Council logos, publications, letterheads, or other Benalla Rural City branding are not to be used for, or linked in any way to, a candidate's election campaign.
7. Council staff will not be asked to undertake any tasks connected directly or indirectly with the election campaign of a Councillor standing for re-election.
8. Officers will not provide candidates with access to databases, contact lists, property counts, email addresses or any other information that would assist in mailing or other distribution of election material.

Photos or images taken by or provided by the Council are not to be used by Councillors for the purposes of electioneering or in support of their election campaign. This includes photos or images provided by the Council for past Council activities. This applies equally to images on the Council website that may be able to be copied.

COUNCIL INFORMATION

1. The Council affirms that all candidates for the Council election will be treated equally.
2. For the purposes of this Policy any Councillor – whether standing for re-election or not – will be regarded as a candidate.
3. Requests for information to staff from Councillors or candidates will be referred to the GMC or CEO and recorded as a Councillor Request.
4. Any assistance and advice to be provided to candidates as part of the conduct of the Council election will be provided equally to all candidates.
5. Briefing material prepared by staff for Councillors during the caretaker period will relate only to factual matters or to existing Council services to assist Councillors in conducting normal day to day activities. Such information will not relate to policy development, new projects or matters that are the subject of public or election debate or that might be perceived to be connected with a candidate's election campaign.
6. Responses to candidates' requests will be provided by the Chief Executive Officer or their delegate. Only information that can be reasonably accessed will be released.
7. Section 123 of the Act prescribes serious penalties (600 penalty units or imprisonment, or both) for any Councillor who inappropriately makes use of their position or information obtained in the role of Councillor, to gain an advantage.
8. Any Freedom of Information (FOI) applications lodged during the caretaker period on matters such as expenses, costs etc regarding current Councillors will be dealt with where possible outside of the caretaker period (the FOI Act specifies a 30-day period in providing a response to a FOI application).
9. An Information Request Register will be maintained by the Customer Service Centre staff. This register will be a public document (available for inspection and available on the Council's website) that records all requests for information of a non-election nature by all candidates and the responses given to those requests as well as the name of the candidate making the request and the date request is made.

COMMUNITY ENGAGEMENT AND PUBLIC CONSULTATION

Community Engagement of a limited kind normally associated with routine administration will only continue through the election period where it can be justified as necessary and not likely to influence the election. Significant community engagement on major strategy or policy issues will not occur, or if already commenced, should be discontinued during the election period.

Public consultation required under the *Planning and Environment Act 1987*, or matters subject to section 223 of the Act are not affected by this policy.

COUNCIL PUBLICATIONS

The Act specifically prohibits the Council publishing or distributing electoral matter thus providing fairness to all candidates by preventing elected representatives from receiving an advantage. The policy will assist the Council to meet these statutory obligations.

1. Section 304(2) of the Act prohibits Councillors or Council staff from using Council resources to intentionally or recklessly print, publish or distribute or cause, permit or authorise to be printed, published or distributed any electoral material during the election period.

This is to ensure that the Council does not use public funds that may influence or be seen to influence people's voting decisions.

2. Best practice recommended by Local Government Victoria – in line with State and Federal Governments – is where possible to limit the release of documents to those that are essential for the conduct of Council operations.
3. Section 304(2) of the Act refers specifically to 'electoral material'. Local Government Victoria suggests this can be broadly interpreted to refer to documents produced for the purpose of communicating with the community (including on the internet) and lists the following as examples:
 - Council newsletters
 - Advertisements and notices, except newspaper notices of meetings
 - Media releases
 - Leaflets and brochures
 - Mailouts to multiple addresses

The following examples are also included in this policy:

- Social media posts
- Council noticeboards
- New website material
- E-Newsletters
- Reports
- Material to publicise an event
- Publication and distribution of councillor speeches.

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

Benalla Rural City Council Plan 2021-2025

Benalla Rural City Community Plan 2016-2036

Related Legislation

Local Government Act 2020

Victorian Charter of Human Rights and Responsibilities Act 2006

4.6 Proposed Establishment of the *Benalla Art Gallery Project Control Group*

SF/1239

Keith Biglin – Project Manager

Jess Pendergast – Governance Coordinator

PURPOSE OF REPORT

The report presents for consideration the establishment of the *Benalla Art Gallery Project Control Group*.

BACKGROUND

In November 2020, the Council received \$3 million from the Victorian State Government budget for an upgrade to the Benalla Art Gallery within the framework of Regional Cultural Infrastructure Projects administered by the Department of Jobs, Precincts and Regions.

The *Benalla Art Gallery Redevelopment Project* will result in enhanced visitor amenities, gallery and café improvements.

In April 2022 Williasboag Architects were awarded the contract for the Benalla Art Gallery Redevelopment Architectural Services.

As a part of contract funding for the *Benalla Art Gallery Redevelopment Project*, the council is required to establish a Project Control Group to meet, discuss, and provide updates on the project.

In addition to the Victorian State Government grant, in May 2024 the Australian Government notified the Council that \$2.965 million would be allocated to the art gallery redevelopment from the Growing Regions Fund.

DISCUSSION

The purpose of the Benalla Art Gallery Project Control Group will be to:

- To provide oversight of the *Benalla Art Gallery Redevelopment Project*.
- Represent and provide guidance on Councils standards and requirements.
- Provide direction based on the organisations values and plans.
- Gain and provide community recommendations.

The Benalla Art Gallery Project Control Group will have the following duties and functions:

- Monitor project budget.
- Investigate opportunities for further funding.
- Monitor and identify potential risks and risk mitigation strategies.
- Ensure the budget, scope and design are agreed.
- Adhere to Councils code of conduct and values.

It is proposed that membership of the Benalla Art Gallery Project Control Group shall comprise of eight members:

- four Council officers.
- two Councillor representatives.
- Chair of Benalla Art Gallery Committee
- representative from Department of Jobs, Precincts and Regions.

The terms of reference for the *Benalla Art Gallery Project Control Group* are attached as **Appendix 1**.

The members of the Benalla Art Gallery Project Control Group will be appointed for the term of the project.

Meetings of the Benalla Art Gallery Project Control Group will be chaired by the Project Manager.

The Council will appoint Councillors representatives. The Chief Executive Officer will appoint Council Officers to the Project Control Group.

The CEO appointed four officers:

- Manager Assets and Infrastructure
- Manager Facilities and Information Technology
- Project Manager
- Benalla Art Gallery Director.

COMMUNITY ENGAGEMENT

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

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

COUNCIL PLAN 2021-2025 IMPLICATIONS**Livability**

- *Vibrant public spaces and places.*

Leadership

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

FINANCIAL IMPLICATIONS

There are no material financial implications with the establishment of the *Benalla Art Gallery Project Control Group*.

Costs associated with administering the Project Control Group 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.

CONCLUSION

It is proposed that a *Benalla Art Gallery Project Control Group* be established and the *Benalla Art Gallery Project Control Group Terms of Reference* be adopted.

Recommendation:

1. That the *Benalla Art Gallery Project Control Group* be established.
2. That the *Benalla Art Gallery Project Control Group Terms of Reference* be adopted.
3. That Cr _____ and Cr _____ be appointed as the councillor representatives on the *Benalla Art Gallery Project Control Group* for the 2023/24 Council year.

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Terms of Reference

Benalla Art Gallery Project Control Group

JUNE 2024

Document Control

Draft terms of reference created:	June 2024
Terms of reference adopted by Council:	26 June 2024
Version number:	V1

1. Purpose

The purpose of the Benalla Art Gallery Project Control Group is to:

- Manage, review and ensure the *Benalla Art Gallery Redevelopment Project* success through review and guidance of cost, time, quality and risks.
- Represent and provide guidance on Councils standards and requirements.
- Provide direction based on the organisations values and plans.
- Gain and provide community recommendations.

2. Duties and Functions

The Benalla Art Gallery Project Control Group has the following duties and functions:

- Monitor project budget.
- Investigate opportunities for further funding.
- Monitor and identify potential risks and risk mitigation.
- Ensure the budget, scope and design are agreed.
- Adhere to Councils code of conduct and values.

3. Membership

3.1 Membership of the Benalla Art Gallery Project Control Group shall be comprised of eight members.

- four Council officers.
- two Councilor representatives.
- Chair of Benalla Art Gallery Committee
- representative from Department of Jobs, Precincts and Regions.

3.2 The Council will appoint Councillors representatives. The Chief Executive Officer will appoint Council Officers to the Project Control Group.

3.3 The members of Project Control Group are appointed for the term of the project.

3.4 Meetings of the Project Control Group will be chaired by the Project Manager.

3.5 The Project Control Group may seek the involvement of additional members with interests and expertise relevant to the task at hand.

3.6 A member of the Project Control Group may resign from their position at any time.

3.7 Members are encouraged to attend all meetings of the Project Control Group. If a member fails to attend two consecutive meetings of the Project Control Group without obtaining a leave of absence that member shall be deemed to have resigned from the Project Control Group.

4. Delegations

The Project Control Group has no delegated power to act on behalf of the Council or commit the Council to any expenditure.

5. Frequency of Meetings

Meetings will be held monthly with extra meetings scheduled as required.

6. Quorum

The quorum for a meeting will be no less than a majority of the members appointed to the committee.

7. Reporting

7.1. The business of the Project Control Group shall be recorded in proper minutes.

7.2 Agendas and notes of each meeting will be distributed to all members.

7.3 The Project Control Group will provide reports on its activities as required.

7.4 The Council will be responsible for providing administration support to the Project Control Group.

8. Support

8.1. Administration support will be provided by the Assets and Infrastructure department to:

- provide appropriate notice of meetings.
- circulate meeting documentation.
- take the minutes for each meeting.
- track the decisions of the Project Control Group.
- keep appropriate records of the meeting documentation, including the confirmed minutes.

9. Advice to Committee

9.1. The Project Control Group may invite and obtain expert advice as required.

9.2. Any formal advice requested by the PCG will be made available to all Committee members and, where relevant and appropriate, will be provided to the Council through meeting minutes.

10. Review of Terms of Reference

- 10.1 The Project Control Groups terms of reference 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.
- 10.2 The Council shall consult with the Project Control Group prior to amending the Committees terms of reference.

4.7 Mayor and Councillors' Attendance at Committees and Civic Functions

SF/1557

Tracey Beaton - Executive Coordinator

The Mayor and Councillors, listed in alphabetical order, attended meetings and events as detailed below during the period from 13 May 2024 to 9 June 2024.

Mayor Councillor Danny Claridge	
13 May	Destination Management Plan Workshop
15 May	Councillor Only Time
	Finance and Planning Committee Meeting
	MAV State Council Meeting
17 May	Interview with Border Mail
20 May	North East Local Government Waste and Recycling Forum
	Interview with ABC Shepparton
21 May	Morning Tea to celebrate National Volunteer Week 2024
23 May	Proposed Budget Community Information Session
24 May	Interview with WIN Network
	Benalla Sustainable Future Group Shared Dinner and AGM
25 May	Chat with a Councillor - Benalla Lakeside Market
	Full Impact Squad Day in the Park
27 May	Reconciliation Morning Tea as part of National Reconciliation Week
	Tourism discussion with Moira Shire
29 May	Benalla GMCU Biggest Morning Tea Event
	Councillor Only Time
	Municipal Emergency Management Planning Committee Meeting
	Council Meeting
31 May	Interview with ABC Shepparton
	Molyullah Community Catch Up
5 June	Councillor Only Time
	Communications Advisory Committee Meeting
	Benalla Historical Society Committee Meeting
	Additional Finance and Planning Committee Meeting
	Assembly of Councillors - Business Review
6 June	Tomorrow Today Grants Presentation
7 June	Recycling Victoria Local Government Advisory Committee Meeting

Councillor Peter Davis	
13 May	Destination Management Plan Workshop
14 May	Benalla Art Gallery Foundation Meeting
15 May	Councillor Only Time
	Finance and Planning Committee Meeting
17 May	IDAHOBIT Flag Raising Ceremony
	Benalla Art Gallery Exhibition Launch: Claire Beausein; Hans Heysen and MJ MacNally; Ruth Johnstone and Lesley Duxbury
20 May	Benalla Art Gallery Drinks and Nibbles to celebrate National Volunteer Week
21 May	Morning Tea to celebrate National Volunteer Week 2024
	Audit and Risk Committee Meeting
22 May	Conflict of Interest Training
	Goorambat and District Community Group AGM Meeting
23 May	Child Safe Training
29 May	Councillor Only Time
	Council Meeting
31 May	Molyullah Community Catch Up
	Lurg Hall and Reserves Committee AGM Meeting
5 June	Councillor Only Time
	Communications Advisory Committee Meeting
	Additional Finance and Planning Committee Meeting
	Assembly of Councillors - Business Review

Councillor Don Firth	
13 May	Destination Management Plan Workshop
	Benalla Street Art Advisory Committee Meeting
15 May	Councillor Only Time
	Finance and Planning Committee Meeting
17 May	IDAHOBIT Flag Raising Ceremony
21 May	Morning Tea to celebrate National Volunteer Week 2024
22 May	Conflict of Interest Training
25 May	Chat with a Councillor - Benalla Lakeside Market
27 May	Benalla Indoor Recreation Centre Committee of Management Meeting
29 May	Councillor Only Time
	Council Meeting
5 June	Councillor Only Time
	Additional Finance and Planning Committee Meeting
	Assembly of Councillors - Business Review

Councillor Punarji Hewa Gunaratne	
15 May	Councillor Only Time
	Finance and Planning Committee Meeting
17 May	IDAHOBIT Flag Raising Ceremony
22 May	Conflict of Interest Training
21 May	Morning Tea to celebrate National Volunteer Week 2024
24 May	Benalla Sustainable Future Group Shared Dinner and AGM
26 May	"Plant a Tree Day" Benalla Sustainable Future Group
29 May	Benalla GMCU Biggest Morning Tea Event
	Council Meeting
5 June	Additional Finance and Planning Committee Meeting
	Assembly of Councillors - Business Review

Councillor Bernie Hearn	
13 May	Destination Management Plan Workshop
15 May	Councillor Only Time
	Finance and Planning Committee Meeting
	MAV State Council Meeting
21 May	Morning Tea to celebrate National Volunteer Week 2024
	Audit and Risk Committee Meeting
22 May	Conflict of Interest Training
23 May	Child Safe Training
25 May	Chat with a Councillor - Benalla Lakeside Market
27 May	Reconciliation Morning Tea as part of National Reconciliation Week
	Benalla Indoor Recreation Centre Committee of Management Meeting
29 May	Benalla GMCU Biggest Morning Tea Event
	Councillor Only Time
	Council Meeting
31 May	Molyullah Community Catch Up
3 June	Benalla Local Safety and Traffic Liaison Committee Meeting
5 June	Councillor Only Time
	Communications Advisory Committee Meeting
	Additional Finance and Planning Committee Meeting
	Assembly of Councillors - Business Review

Councillor Justin King	
15 May	Councillor Only Time
	Finance and Planning Committee Meeting
17 May	IDAHOBIT Flag Raising Ceremony
	Benalla Art Gallery Launch of three new exhibitions within the Bennett Gallery
21 May	Morning Tea to celebrate National Volunteer Week 2024
	Churchill Reserve Committee of Management Meeting
22 May	Conflict of Interest Training
25 May	Chat with a Councillor - Benalla Lakeside Market
29 May	Councillor Only Time
	Council Meeting
3 June	Benalla Local Safety and Traffic Liaison Committee Meeting

Councillor Gail O'Brien	
13 May	Destination Management Plan Workshop
	Benalla Street Art Advisory Committee Meeting
14 May	Arts, Culture and Heritage Innovation Working Group Meeting
15 May	Councillor Only Time
	Finance and Planning Committee Meeting
	Victorian Local Government Association Standing for Local Government
22 May	Conflict of Interest Training
24 May	Victorian Local Government Association Local Women Leading Change
	Benalla Sustainable Future Group Shared Dinner and AGM
25 May	Chat with a Councillor - Benalla Lakeside Market
27 May	Reconciliation Morning Tea as part of National Reconciliation Week
29 May	Benalla GMCU Biggest Morning Tea Event
	Councillor Only Time
	Council Meeting
31 May	Molyullah Community Catch Up
1 June	Tandoori Hut Grand Opening
3 June	Benalla Health and Wellbeing Partnership Meeting
5 June	Councillor Only Time
	Additional Finance and Planning Committee Meeting
	Assembly of Councillors - Business Review

Recommendation:

That the report be noted.

4.8 Council Actions Pending

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

Recommendation:

That the report be noted.

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Council Actions Pending

Action No.	Meeting Name	Item	Action	Officer	Status/notes
1.	F&P Committee 19-June-24	6	2023/2024 Quick Response Grants Program That \$500 grants from the 2023/2024 Quick Response Grant program be allocated to Tatong Archery Club, Swanpool & District Community Development Association Inc., Lurg Hall and Reserve Committee of Management and Benalla Migrants Association Inc.	MC	Completed
2.	F&P Committee 19-June-24	4	Proposal for a Mobile Phone Tower at Goorambat Recreation Reserve That the Finance and Planning Committee, acting under its delegated authority of the Council, resolve: 1. That the Council enter into a lease of land with Amplitel Pty Ltd for a period of 20 years. 2. That the Chief Executive Officer be authorised to execute contract documentation.	MFIT	In progress
3.	F&P Committee 19-June-24	3	Proposed Name Change of Benalla Senior Citizens Community Centre 1. That the Council rename <i>Benalla Senior Citizens Community Centre</i> to <i>Benalla Seniors and Community Centre</i> . 2. That Geographic Names Victoria (VICNAMES) be advised of the name change.	MC	In progress
4.	Council Meeting 29-May-24	4.2	2023/2024 Quick Response Grants Program That \$500 grants from the 2023/2024 Quick Response Grant program be allocated to North Eastern Archers, Benalla Squash Club, Benalla Health and Benalla Sustainable Future Group.	MC	Completed
5.	Council Meeting 29-May-24	4.1	Draft Benalla Rural City Council Climate and Environmental Strategy 2024-2029 That the <i>Benalla Rural City Council Climate and Environment Strategy 2024-2029</i> be placed on public exhibition for a period of at least 28 days.	MEDAS	In progress
6.	F&P Committee 15-May-24	1	Financial Report for Quarter Ended 31 March 2024 1. That the report be noted. 2. That the Open Space Contribution of \$375,000 be considered as a co-contribution towards the \$300,000 allocation from the Victorian Government for the development of the pump track as part of the <i>2024/25 Budget</i> .	MF	1. Completed 2. In progress

Action No.	Meeting Name	Item	Action	Officer	Status/notes
7.	Additional Council Meeting 1-May-24	1	<p>Proposed 2024/25 Budget</p> <ol style="list-style-type: none"> 1. That the proposed <i>2024/25 Budget</i> be endorsed for public exhibition for a period of at least 28 days from 2 May 2024. 2. That submissions relating to the proposed <i>2024/25 Budget</i> be heard at a meeting of the Finance and Planning Committee on 5 June 2024. 3. That the Council consider submissions relating to the proposed <i>2024/25 Budget</i> at a Council meeting on 19 June 2024. 4. That the Council consider the adoption of the <i>2024/25 Budget</i> at a meeting of the Council on Wednesday 26 June 2024. 	MF	<ol style="list-style-type: none"> 1. Completed 2. Completed 3. Completed 4. In progress
8.	Council Meeting 24-April-24	4.2	<p>Draft Fair Access Policy</p> <p>That the draft <i>Fair Access Policy</i> be endorsed for public exhibition for a period of at least 28 days.</p>	MC	Completed
9.	Council Meeting 24-April-24	4.1	<p>Benalla Indoor Recreation Centre Redevelopment Project</p> <ol style="list-style-type: none"> 1. That the Council give in principle support for the Benalla P-12 College Barkly Street Campus as the preferred site location for the <i>Benalla Indoor Recreation Centre Redevelopment project</i>. 2. That the Chief Executive Officer negotiate with the Department of Education for the Council to acquire crown land at 51-54 Barkly Street, Benalla. 3. That the <i>Benalla Indoor Recreation Centre Redevelopment Project Steering Committee</i> be established. 4. That the amended <i>Benalla Indoor Recreation Centre Redevelopment Project Steering Committee Terms of Reference</i> be adopted. 5. That Cr Don Firth and Cr Bernie Hearn be appointed as the Councillor representatives on the <i>Benalla Indoor Recreation Centre Redevelopment Project Steering Committee</i> for the remainder of the 2023/24 Council year. 6. That invitations to join the <i>Benalla Indoor Recreation Centre Redevelopment Project Steering Committee</i> be extended to: <ul style="list-style-type: none"> ▪ Hume Region Community Infrastructure, Place, Sport and Recreation Victoria ,Basketball Victoria, President Benalla Basketball Association, Chair of the Benalla Indoor Recreation Centre Committee of Management. 7. That an expression of interest process be undertaken to obtain two community member <i>Benalla Indoor Recreation Centre Redevelopment Project Steering Committee</i> representatives. 	MAI	<ol style="list-style-type: none"> 1. Completed 2. In progress 3. Completed 4. Completed 5. Completed 6. Completed 7. In progress

Action No.	Meeting Name	Item	Action	Officer	Status/notes
10.	Council Meeting 14-Feb-24	4.4	Fawckner Drive Masterplan 1. That the <i>Benalla Fawckner Drive Masterplan</i> be adopted. 2. That the <i>Benalla Fawckner Drive Masterplan Strategy Advocacy Document</i> be drafted.	MC	1. Completed 2. In progress
11.	Council Meeting 13-Dec-23	4.4	Benalla Sports and Equestrian Reserve Committee That the debate on this matter be deferred until the Council Meeting on 14 February 2024 to allow the <i>Benalla Sports and Equestrian Reserve</i> user groups to endorse their representative on the <i>Benalla Sports and Equestrian Reserve Committee</i> and the <i>Instrument of Sub-Delegation from the Chief Executive Officer to Community Asset Committees</i> be updated.	CEO	Several responses not received. Report to be presented at a future Council Meeting.
12.	F&P Committee 1-Mar-23	3	Planning Scheme Review Amendment – Benalla Planning Scheme Review That Council resolves to: 1. Note and forward the <i>Benalla Planning Scheme Review 2022</i> to the Minister for Planning in accordance with Section 12B (5) of the <i>Planning and Environment Act 1987</i> . 2. Seek assistance from Regional Planning Hubs to prepare and exhibit a planning scheme amendment to implement the <i>Benalla Planning Scheme Review 2022</i> .	MD	1. Completed 2. In progress
13.	F&O Committee 15-Jun-22	9.	Financial Hardship Policy Review 1. That the <i>Financial Hardship Policy</i> be adopted. 2. That the <i>Financial Hardship Policy</i> be reviewed once the <i>Local Government legislation Amendment (Rating Reform and Other Matters) Bill 2022</i> becomes legislation.	MF	1. Completed 2. Legislation has been passed. A report will be presented once government guidelines have been released.

5. Reports by Councillors

Recommendation:

That the report(s) be noted.

6. Notices of Motion

7. Notices of Rescission Motion

8. Urgent Business

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

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

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

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

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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 or private commercial information that would result in the unreasonable disclosure of information about a person, their personal affairs or expose the business, commercial or financial undertaking if released:

- 9.1 Benalla Indoor Recreation Centre Redevelopment project Steering Committee Nominations
- 9.2 Confidential Reports by Councillors
- 9.3 Confidential Council Actions Pending

Recommendation:

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

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10. Reopening of the meeting to the public

Recommendation:

That the meeting be reopened to the public.

Closure of the meeting