

Finance and Planning Committee

Agenda

Date: Wednesday 28 August 2024

Time: 5.30pm

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

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

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Agenda

Chair Cr Bernie Hearn

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

In attendance

Dom Testoni	Chief Executive Officer
Robert Barber	General Manager Corporate
Jane Archbold	Manager Community
Grant Banks	Interim Manager Economic Development and Sustainability
Cathy Fitzpatrick	Manager Finance
Adrian Gasperoni	Manager Assets and Infrastructure
Greg Robertson	Manager Facilities and Information Technology
Nilesh Singh	Manager Development
Joel Ingham	Planning Coordinator
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

It is noted that Councillor Punarji Hewa Gunaratne is on an approved leave of absence.

Recommendation:
That the apology/ies be accepted.

Governance Matters

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

Recording of Council Meetings

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

Behaviour at Meetings

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

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

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

Disclosures of Conflict of Interest

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

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

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

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

Confirmation of the previous Meeting Minutes

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

Recommendation:

That the Minutes of the Finance and Planning Committee meetings held on Wednesday 31 July 2024 be confirmed as a true and accurate record of the meeting.

Business

1. Planning Application For The Use and Development Of Land For A Sawmill At 232 Mt Samaria Road, Samaria

DA5251

Joel Ingham – Planning Coordinator
Nilesh Singh – Manager Development

PURPOSE OF REPORT

This report assesses a planning application received for the use and development of land for a sawmill at 232 Mt Samaria Road, Samaria.

BACKGROUND

Site Address	232 Mt Samaria Road, Samaria
Existing Use	The land is predominantly used for grazing purposes with exception of the southeast corner of the site which contains shedding, vehicle access and stacks of timber for the purpose of sawmilling.
Proposal	Use and development of the land for a sawmill.
Applicant	Mr Troy Spencer (Planography)
Zone	Farming Zone (FZ)
Overlays	Bushfire Management Overlay (part)
Referrals	<ul style="list-style-type: none"> ▪ Goulburn Broken Catchment Management Authority ▪ Goulburn Murray Water

PROPOSAL

The proposal seeks approval to use and development the land for a sawmill (industry). The land has been informally utilized for the processing of timber for a number of years however the applicant seeks to formalise the operation by way of a planning permit. Specifically, the proposal will:

- Occupy a land area of 10,869 square metres in the southeast corner of the site.
- Utilise existing infrastructure for the operation, including two existing sheds. Mill Shed one will be setback 76 metres from the property frontage (east) while Mill Shed two will be setback 29 metres from the southern boundary.
- Two milling machines, one powered by a tractor the other by a generator.
- Access via two crossovers from Mt Samaria Road, Samaria with internal road around the perimeter of the buildings.

- Operating hours:
 - Monday to Friday – 7.30am – 5.30pm
 - Saturday – 9am – 4pm
 - Sunday – Closed.
- Maximum of four staff on site at any given time.
- Operation includes bulk wholesale orders and direct to public orders via a delivery service including up to two vehicle movements per day.
- Storage of milled timber pending sale on site.
- No additional building works are required to operate the business.
- Access and egress via existing crossover and driveways on site and connected via an existing gravel driveway.
- Informal gravel car parking within the eastern portion of the site for staff.

A plan of the proposal is attached in **Appendix 1**.

Site and Surrounds

An inspection of the site and the surrounding area has been undertaken.

The land is located on the western side of Mt Samaria Road, Samaria and is an irregular shape, with a frontage of approximately 454 metres to the road. The site has a total area of 35.24 hectares.

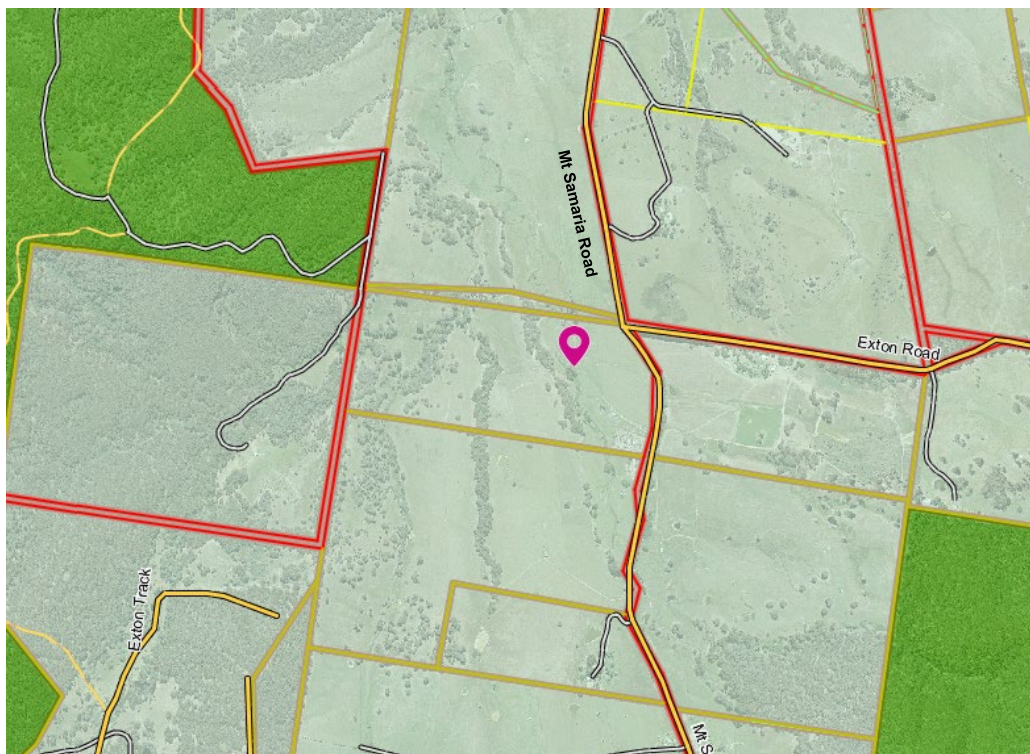
The site is undulating, with a relatively flat portion of the site to the east (frontage) and is bisected by a number of drainage paths with vegetation forming corridors along the waterways. The land is otherwise cleared of vegetation and used for grazing purposes.

The proposal is seeking to continue use of existing infrastructure located within the southeast of the site. The area contains two open sheds housing machinery (tractor and mobile mill), two accessways and an internal gravel road, with some stockpiles of timber or timber product located throughout.

There is an existing dwelling directly south of the lot at 278 Mt Samaria Road, Samaria in the same ownership as the subject site. The dwelling is setback approximately 18 metres from the shared boundary (northern) with the sawmill operation. The property also contains outbuildings associated with the dwelling.

The surrounding land is generally farming in nature, with associated dwellings and infrastructure scattered throughout in a variety of sizes, from 16 to 81 hectares. West, south and east of the site is surrounded by Mt Samaria State Park.

LOCALITY MAP



Public Notification

The planning application was advertised in accordance with Section 52 of the Planning and Environment Act 1987 and Council’s policy by way of the following:

- placing a sign on the Mt Samaria Road frontage of the site.
- sending notices to all adjoining and opposite landowners and occupiers.

One objection was received to the proposal; however, it was signed by six individuals, from three different addresses) and two supporting submissions were received. The objections can be summarised as follows:

Amenity issues

- Noise impacts from operation of machinery.
- Visual impact of proposal on landscape.

Traffic issues

- Impact to Mt Samaria Road from heavy machinery servicing the site.
- Safety issues of large vehicles sharing the road.

Contrary to policy

- Contrary to the purpose of the Farming Zone (loss of agricultural land).
- Does not achieve setbacks included in Farming Zone.

Impact on native vegetation and fauna (noise).

Impact on waterways

- Impacts on waterways from sawmill run off (lack of stormwater management plan).
- Inappropriate effluent disposal for the operation (above and beyond sewerage).

Operational issues

- Current business operating outside of any formal hours.
- Current business not undertaking loading and delivery within the site.

Other

- Unclear how much water is used on site and whether it has appropriate approvals.
- Bushfire risk.
- Inaccuracies in supporting documentation, in particular the Environmental Management Plan.
- Current business utilises the property next door and this should be included as part of the proposal.

The supporting submission indicates limited impact from the current operations, including noise.

Planning Scheme Provisions

Municipal Planning Strategy

Clause 02.03-2 Environmental and landscape values seeks to protect large areas of public land, including Mount Samaria Park and protect significant landscape features, ridges and viewlines.

Clause 02.03-3 Environmental risks and amenity seeks to locate new industrial development to reduce the risk of adverse amenity impacts.

Clause 02.03-4 Natural resource management seeks to protect agricultural land. In protecting agricultural areas Council seeks to support proposals for non-agricultural uses in rural areas only where they are compatible with surrounding agricultural use and can be justified in terms of broader community benefit.

Planning Policy Framework (PPF)

Clause 13.05 – 1S Noise management seeks to assist in the management of noise effects on sensitive land uses.

The clause includes the following strategies:

- *Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions.*
- *Minimise the impact on human health from noise exposure to occupants of sensitive land uses (residential use, childcare centre, school, education centre, residential aged care centre or hospital) near the transport system and other noise emission sources through suitable building siting and design (including orientation and internal layout), urban design and land use separation techniques as appropriate to the land use functions and character of the area.*

Clause 13.07-1S Land use compatibility seeks to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

The following strategies apply:

- *Ensure that use or development of land is compatible with adjoining and nearby land uses.*
- *Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.*
- *Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.*
- *Protect existing commercial, industrial and other uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.*

Clause 14.01-1S Protection of agricultural land seeks to protect the state's agricultural base by preserving productive farmland.

The following strategies apply:

- *Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.*
- *Protect productive farmland that is of strategic significance in the local or regional context.*
- *Protect productive agricultural land from unplanned loss due to permanent changes in land use.*
- *Prevent inappropriately dispersed urban activities in rural areas.*
- *Protect strategically important agricultural and primary production land from incompatible uses.*
- *In considering a proposal to use, subdivide or develop agricultural land, consider the:*
 - *Desirability and impacts of removing the land from primary production, given its agricultural productivity.*
 - *Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.*
 - *Compatibility between the proposed or likely development and the existing use of the surrounding land.*
 - *The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.*
 - *Land capability.*

Zones

Clause 35.07 Farming Zone (FZ)

The proposal is located within the Farming Zone. The purpose of the Farming Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

Decision Guidelines

Relevant decision guidelines include:

General issues:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *Any Regional Catchment Strategy and associated plan applying to the land.*
- *The capability of the land to accommodate the proposed use or development, including the disposal of effluent.*
- *How the use or development relates to sustainable land management.*
- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*
- *How the use and development makes use of existing infrastructure and services.*

Agricultural issues and the impacts from non-agricultural uses:

- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The capacity of the site to sustain the agricultural use.*
- *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*
- *Any integrated land management plan prepared for the site.*

- *Whether Rural worker accommodation is necessary having regard to:*
 - *The nature and scale of the agricultural use.*
 - *The accessibility to residential areas and existing accommodation, and the remoteness of the location.*
 - *The duration of the use of the land for Rural worker accommodation.*

Environmental issues:

- *The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.*
- *The impact of the use or development on the flora and fauna on the site and its surrounds.*
- *The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.*
- *The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.*

Design and siting issues:

- *The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.*
- *The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.*
- *The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.*
- *The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.*
- *Whether the use and development will require traffic management measures*

Overlay

Clause 44.06 Bushfire Overlay

Part of the land is in a Bushfire Overlay. The Overlay is located over the western portion of the site and does not impact the proposal.

Particular Provisions

Clause 52.06 Car parking provides parameters around the provision of car parking in relation to use and development.

The use of the land for industry 2.9 spaces per 100 square metres of net floor area. The application proposes six car parking spaces on site.

The proposed floor area of the development is 192 square metres which requires 5.6 car parking spaces.

Referrals

External Referrals/Notices:

Referrals/Notice	Advice/Response/Conditions
Goulburn Broken Catchment Management Authority (S52)	No objection subject to conditions.
Goulburn Murray Water (S52)	No objection subject to conditions. GMW note that at present the proponent does not hold required licenses with GMW for the Take and Use of Water from a groundwater bore.

Internal Referrals/Notices:

Referrals/Notice	Advice/Response/Conditions
Environmental Health	No objection
Engineering	No objection subject to conditions

Objectors Concerns

Amenity issues:

- Impact of proposal on landscape.
- Not in keeping with character of the area (visually impactful within close proximity to road).
- Adverse impact caused by noise (operation of machinery) emissions.

Traffic issues:

- Safety concerns caused by increased heavy vehicle traffic on narrow and, in sections unmade, road.
- Degradation to existing road caused by additional heavy vehicle traffic.

Contrary to policy:

- Contrary to purpose of the Farming Zone.
- Removes a large area of agricultural land from production (including stockpiles of by-product and waste).
- Does not achieve (minimum) setbacks as detailed for development in Farming Zone.

Operational issues:

- It is unclear whether the applicant has approval to utilise bore water allocation for commercial use.
- No information in relation to water source for dust suppression on site.
- Lack of stormwater management plan to control leachates from timber into soil and water and impact waterways.
- Lack of adequate fire management plan for the site.
- Inaccuracies within the Environmental Management Plan for the site.

Other:

- Impact on flora and fauna not addressed, including impact from noise and traffic.

ASSESSMENT*Amenity issues*

The applicant proposes to formalize a sawmill operation that currently operates on site. While it is acknowledged that a timber business has operated on or generally near the site for some years, the exact nature and establishment of the business is not considered to allow for permission under existing use rights at Clause 63.01 of the Benalla Planning Scheme.

The sawmill is associated with an existing dwelling and associated outbuildings directly south of the sawmill, on a different title. Outside of this dwelling, the sawmill is located approximately 380 metres southwest of the closest dwelling in a rural location.

Noise from a tractor and generator are not out of place within an agricultural setting, however it is accepted that these noises, combined with mill noise, could potentially increase emissions on site to something out of the ordinary in a rural setting.

The applicant provided an Acoustic Report in support of the proposal, prepared by Waveform Acoustics (dated 7 August 2023). The Report found that the proposal complies with the daily decibel limits for noise emission as recommended by Environment Protection Authority Publication 1411 *Noise from Industry in Regional Victoria*. As an additional measure it is considered the applicant could ameliorate dominant noise emissions via a wall system within the existing roof line to enclose the machinery in sheds. This will be included as a condition on any planning permit issued.

Similarly, the proposal does provide for stockpiling of product on site, often in a manner that is readily visible from the street frontage. The Council consider the visual impact of the proposal can be mitigated by requiring landscaping within the front 3 metres of the site, of appropriate shrubs or vegetation that obscure the sawmill operation from the road.

Landscaping is a common response to mitigating potential visual impacts and is utilised in the Farming Zone to soften the visual intrusion of other non-agricultural uses such as solar farms. Landscaping will be required as part of any planning permit issued.

Given the relatively modest scope of the operation, it is considered appropriate that it run during normal business hours of 7.30am–5.30pm and 9am–4pm Saturday, to ensure potential noise emissions from the operation is limited to general daylight hours.

Dust

The proposal is well setback from any surrounding development and it is unlikely any dust emissions will breach any regulatory limits. This can be managed via a planning condition on any planning permit issued.

Traffic

The proposal is supported by a *Traffic Impact Assessment* prepared by One Mile Grid, dated 29 August 2023.

The Assessment found that the majority of the route is two-vehicle width, with approximately 520 metres immediately adjacent the site one vehicle width. The Assessment noted that there is minimal existing and proposed traffic flow and in this instance it is acceptable. The Council's Engineer reviewed the proposal and associated assessment and recommended conditions in relation to the number of vehicle movements generated and the maximum size of vehicle permitted, in response to safety concerns. The proposal is for a low impact industry on the site and the traffic generation is not uncommon in a rural area.

There is adequate vehicle movement within the space and the existing access and egress is to be utilised. In relation to loading and unloading, a condition can be placed on any planning permit issued requiring these activities take place within the property boundary.

Sufficient car parking has been provided on site, including up to six car park spaces for which will be formalised as part of any planning permit issued.

Impact on natural environment and waterways

The rear boundary of the current operation is located approximately 20 metres from a small waterway bisecting the site. The rear of the land is used for the storage of materials and timber. The applicant has provided details in relation to proposed stormwater management on site, as part of its Environmental Management Plan. The application was referred to Goulburn Murray Water (GMW). GMW areas of interest are surface water and groundwater quality, use and disposal. GMW did not object to the proposal subject to conditions to be placed on any planning permit issued. This includes a condition requiring the appropriate licensing approval for any bore water to be obtained.

The proposal was also informally referred to the Goulburn Broken Catchment Management Authority (GBCMA) given the proximity of the designated waterway to the west and a small tributary waterway to the north. GBCMA did not object to the proposal provided any logging works and activities (such as stockpiling) not extend north or west of the permitter table drain.

In addition, the proposal was referred to the Council's Engineer. A detailed stormwater management plan will be required as part of any planning permit issue, demonstrating that the proposal can appropriately manage the flow and quality of surface water and groundwater.

The Council's Environmental Health Officer reviewed the application and had no objections to the proposal and provided no conditions.

Contrary to policy

The proposal is located in the Farming Zone. There is strong policy support for agriculture, other than primary production and resource development uses within state policy. Many of the decision guidelines in the Farming Zone promote a primacy of agricultural uses over the other uses, including that of a dwelling or other accommodation uses, anticipating the Farming Zone to operate as a working agricultural zone, with different amenity expectations than in residential areas. It is expected that people living in such areas will be subject to noise, odour, dust and other amenity impacts arising from agricultural and primary production uses of the land.

Similarly, decision guidelines for use of the land for a dwelling in the Farming Zone are not directed toward protecting residential amenity but rather ensuring that the dwelling does not prevent the ongoing agricultural use of adjoining land.

The Council must therefore consider to what level a non-agricultural use can impinge on the surrounding amenity within a farming zone.

It is likely that the operation of the site has occurred organically over time, with the proximity of the land to the road and existing dwelling forming a basis for the location of the business, as well as existing topographical features on site, particularly a waterway to the west of the current location.

The proposal is nonetheless well setback from surrounding dwellings not in the same ownership, with the closest dwelling located approximately 380m to the northeast.

The proposal states they have a contract with an existing timber harvester. It may be that this contract alters with time however the application is for a sawmill, not a timber harvesting operation and the assessment is based on the information provided against the merits of the Benalla Planning Scheme.

It is noted that there are no specific setbacks that a proposed use and development must meet within the Farming Zone, rather the provision at Clause 35.07-4 requires that buildings and works within listed setbacks trigger the need for a planning permit. The proposal does not include buildings and works as these are existing on site. Nevertheless, any proposal is based on its individual merits against the policy and decision guidelines of the Benalla Planning Scheme once any requirement for a permit has been triggered.

This proposed use must be balanced with the considerations of local policy and the community. The policy balance must be considered with reference to Clause 71.02-3 Integrated decision making, which requires an integrated and balanced approach to planning decision making which focuses on net community benefit.

To that end, the proposal provides for a modest timber production (sawmill) on site, servicing surrounding properties and businesses. The proposal is deemed to have a noise impact that is acceptable within rural areas and will not impact the current use of the remainder of the site for grazing nor fragment agricultural uses in the area. Limited development is proposed on the site which can be remediated once the use is extinguished.

While the operation is modest, there is economic opportunity, both directly via timber harvesters servicing the site, but further in offering a local resource for industry and construction in Benalla and surrounds.

Other matters

The proposal is within a Bushfire Prone Area. The Bushfire Prone Area relates primarily to building regulations for development within the area and does not trigger a planning assessment under the Benalla Planning Scheme.

It is however appropriate that the applicant give consideration to fire risk on site, as is included in the Environmental Management Plan.

COUNCIL PLAN 2021-2025 IMPLICATIONS**Community**

- *A connected, involved and inclusive community.*

Livability

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

Economy

- *Thriving business and industry.*
- *Flourishing tourism.*

Environment

- *Healthy and protected natural environment.*
- *Sustainable practices.*

LEGISLATIVE AND STATUTORY IMPLICATIONS

A decision by the Council to determine that a permit should be granted for the proposal may be appealed to VCAT by the objectors and/or the applicant against conditions of the permit;

In the instance that the Council decides to refuse to grant a permit the applicant also has a right of appeal to VCAT.

FINANCIAL IMPLICATIONS

The Council, as the responsible authority under the *Planning and Environment Act 1987*, must determine the permit application.

If the Council decision is appealed by any party to VCAT, the Council has a statutory role in being a party to the appeal and informing and assisting VCAT.

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 Council having caused notice of Planning Application No. P0143/22 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a Notice of Decision to Grant a Permit under the provisions of the Benalla Planning Scheme in respect of the land known and described as 232 Mt Samaria Road, Samaria for the use and development of the land for a Sawmill (Industry) in accordance with the endorsed plans and subject to the following conditions:

1. **Within three months of the issue of the planning permit, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted but modified to show:**
 - a. **Wall system of corrugated metal to provide attenuation around both milling machines**
 - b. **A 3m wide landscape buffer, prepared by a qualified person, detailing the location of planting or establishment, botanical and common names, height at maturity of the vegetation (locally indigenous species that will grow to bushy/shrub proportions) and ongoing management of the vegetation to be planted for the purposes of landscaping and screening. All works constructed or carried out must be in accordance with the endorsed plans to the satisfaction of the responsible authority.**
2. **Within six months of the issue of the planning permit, landscaping must be completed in accordance with the endorsed plan to the satisfaction of the Responsible Authority.**
3. **Within six months of the issue of the planning permit, the works required by Condition No. 1(a) of the permit, must be completed to the satisfaction of the Responsible Authority.**
4. **Within three months of the issue of the planning permit, an updated Environmental Management must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit. The plan must be updated to correct mistakes identified as part of the assessment process.**

Hours of Operation

5. **The permitted use (including the arrival and departure of heavy vehicles) must operate only between the following hours, except with the prior written consent of the Responsible Authority**
 - a. **Monday to Friday 7.30am – 5.30pm**
 - b. **Saturday 9.00am – 4.00pm**
 - c. **Sunday Closed**
 - d. **Public holidays Closed**
6. **The use must be managed, to the satisfaction of the responsible authority, so that the amenity of the area is not detrimentally affected through the:**
 - a. **Transport of materials, goods or commodities to or from the land;**
 - b. **Appearance of any building, works or materials;**
 - c. **Emissions of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;**
 - d. **Presence of vermin; or**
 - e. **Other matters.**

- 7. Appropriate measures must be implemented throughout any construction activities and/or operation of the sawmill to rectify and/or minimise mud or other debris being carried onto public roads from the subject land, to the satisfaction of the Responsible Authority.**
- 8. Transport movements generated by the sawmill shall accord with the Transport Impact Assessment Report by One Mile Grid dated 29 August 2023 submitted with the application. The maximum sized vehicle permitted on Mt Samaria Road is a 19m semi-trailer.**
- 9. Within six months of the issue of the planning permit, the provision of carparking (six spaces) must be provided as detailed on Drawing 22054-2 Rev B. The carparking bays shall be:**
 - a. all weather surface,**
 - b. constructed and completed to the satisfaction of the Responsible Authority,**
 - c. suitably drained,**
 - d. marked to indicate each car space.**
- 10. No additional vehicle crossings may be constructed apart from those endorsed on the approved plan.**
- 11. Within six months of the issue of the planning permit, all stormwater and surface water discharging from the site, buildings and works must be controlled and managed on site to the satisfaction of the responsible Authority. No effluent or polluted water of any type may be allowed to enter nearby waterways.**
- 12. Within three months of the issue of the planning permit, a properly prepared drainage discharge plan with computations to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies must be provided. The information submitted must show the details listed in the council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual.**
- 13. The information and plan must include:**
 - a. details of how the works on the land are to be drained,**
 - b. computations on discharge emanating from the sawmill area,**
 - c. measures to enhance stormwater discharge quality from the sawmill area and protect downstream waterways including design calculation summaries of treatment elements,**
 - d. maintenance schedules for treatment elements.**

Within six months of the issue of the planning permit, all works must be constructed in accordance with those plans to the satisfaction of the Responsible Authority.
- 14. The loading and unloading of goods from vehicles must only be carried out on the land subject to this permit.**

Goulburn Murray Water Conditions

15. All construction and ongoing activities must be in accordance with EPA Publication 1834.1 Civil Construction, Building and Demolition Guide (September 2023).
16. All uncontaminated stormwater from impervious surfaces and roofed areas must be directed to the legal point of discharge as identified by the Responsible Authority. Pollution control devices must be installed to prevent the discharge of contaminated stormwater (including spilt fuel and oils) to the environment and stormwater system.
17. Any works to discharge stormwater to any waterway must be in accordance with the relevant Works on a Waterway Licence as issued by the Goulburn Broken Catchment Management Authority.
18. An application for a Works Licence and/or Licence to Take and Use Water must be obtained where groundwater supplies are taken and used for commercial purposes.

Goulburn Broken Catchment Management Authority

19. The logging works and activities (such as stockpiling) should not extend north or west of the perimeter table drain.

Permit Expiry

20. In accordance with the Planning and Environment Act 1987 a permit for the use expires if:
 - a. the use does not start within two years after the issue of the permit (where a use permit only is issued); or
 - b. the use is discontinued for a period of two years.

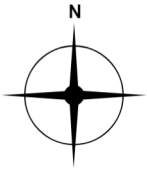
The Responsible Authority may extend the commencement date if a request is made in writing by the owner or the occupier of the land to which the permit applies before the permit expires or within 6 months afterwards.

The Responsible Authority may extend the time within which the development is to be completed if the development has commenced and a request in writing is made by the owner or the occupier of the land to which it applies within 12 months after the permit expires.

General Notes

- The granting of this permit does not obviate the necessity for compliance with the requirements of any other authority under any act, regulation or local law.
- An asset protection permit is required prior to the commencement of any works on site.
- Before undertaking any works that cross onto public land or roads, the permit holder must obtain a permit from the relevant authority giving Consent to Work within a Road Reserve.
- This permit does not authorise the commencement of any demolition works. Before any such development may commence, the applicant must apply for and obtain appropriate building permit approval.

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Site: **232 Mt Samaria Road, Samaria**

Drawing: **22054-2**

Project: **22054**

Title: **Site Plan - Sawmill (Close-up)**

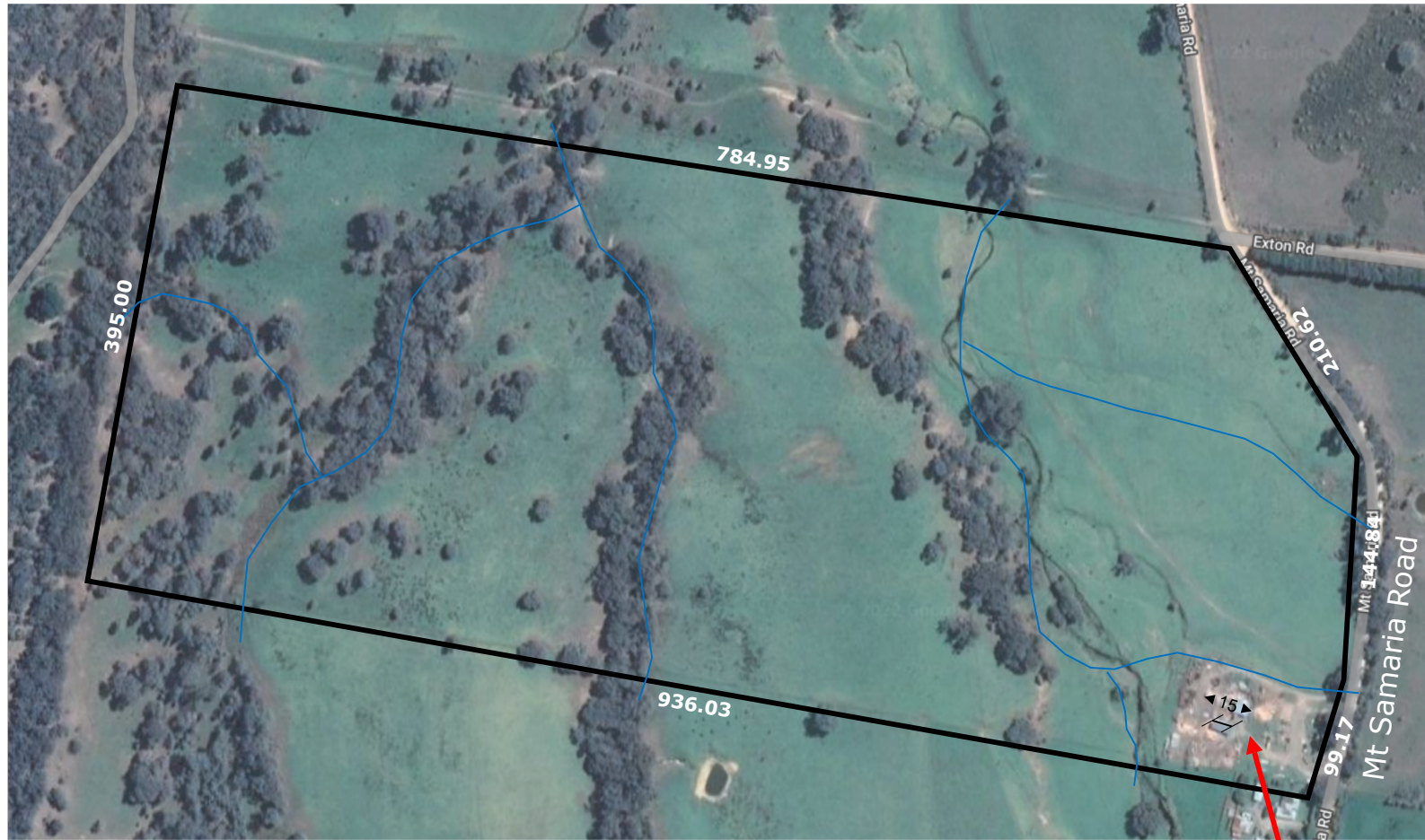
Scale: **1:500**

Date: **18/09/2022**


Rev: **A**



Planography

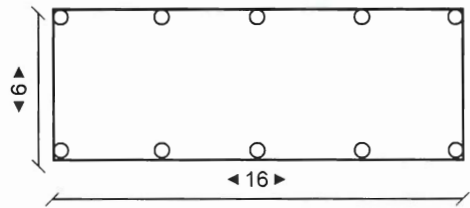


Sawmill Location - Close up
(refer to Drawing 22054-2)

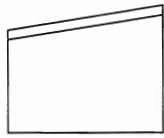
Site:	232 Mt Samaria Road, Samaria	Drawing:	22054-1	Project:	22054	 Planography	Planography Pty Ltd PO Box 366 Euroa Vic 3666 admin@planography.com.au Ph: 0437620174
Title:	Site Plan - Whole Property	Scale:	1:500	Date:	18/09/2022		

Shed 1

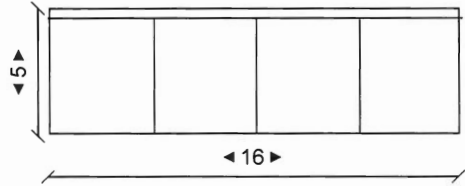
Schedule - Materials
 ■ Corrugated Iron Roofing
 ■ Free standing (no walls)



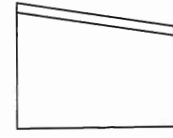
Floor Plan



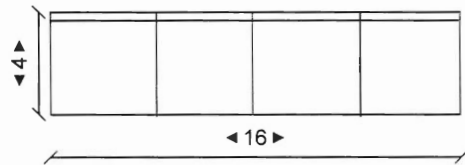
East Elevation



North Elevation



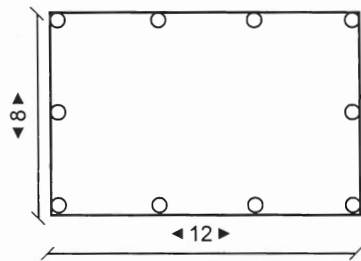
West Elevation



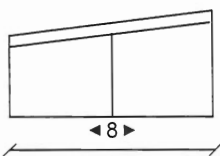
South Elevation

Shed 2

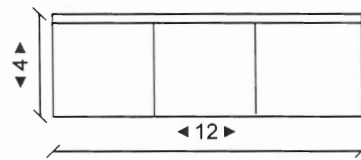
Schedule - Materials
 ■ Corrugated Iron Roofing
 ■ Free standing (no walls)



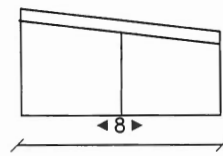
Floor Plan



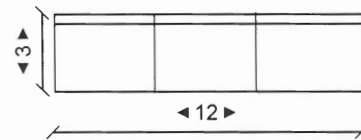
East Elevation




North Elevation



West Elevation



South Elevation

Site 232 Mt Samaria Road, Mt Samaria	Drawing 22054-1	Project 22054	Drawn TS	 Landography	Planography Pty Ltd PO Box 366 6 Binney Street Euroa Vic 3666 Ph: 0437620174
Title Mill Shed Plans	Scale 1:400	Date 27/11/2023	Rev A		

2. Building and Planning Approvals – July 2024

SF/255

Sarah Ford – Building Coordinator
 Joel Ingham – Planning Coordinator
 Nilesh Singh – Manager Development

PURPOSE OF REPORT

The report details planning permit applications and building approvals for July 2024.

Planning Permit Applications Determined under Officer Delegation

File No		Description	Property Address	Decision
1	DA7095	Use and development of land for a dwelling	240 Asbury Road, Lurg	Approved
2	DA7675	Construction of an agricultural shed	790 Goorambat – Dookie College Road, Major Plains	Approved
3	DA7360	Construction of a shed	6 Mayfair Drive, Benalla	Approved
4	DA7656	Construction of a dwelling and shed	18 Mayfair Drive, Benalla	Approved
5	DA1472	Alterations and additions to a shop and construction and display of signage	52 Bridge Street East, Benalla	Approved
6	DA7672	Construction of a dwelling	11 Thoroughbred Lane, Benalla	Approved
7	DA3748	Construction of a dwelling extension	562 Jones Road, Mt Bruno	Approved
8	DA3758	Use and development of land for a Child Care Centre, to display and construct business identification signage and the removal of native vegetation	1-21 Four Mile Road, Benalla	Approved
9	DA7094	Construction of a verandah	7 Hall Drive, Benalla	Approved
10	DA7663	Construction of a shed	9 Byrne Street, Benalla	Approved
11	DA3661	Two-lot subdivision (boundary realignment)	223 Cooper Road, Devenish	Approved
12	DA7655	Use and development of the land for a dwelling	161 Baddaginnie – Benalla Road, Benalla	Approved
13	DA4626	Construction of a fence	2-4 Carrier Street, Benalla	Approved
14	DA7631	Variation of a building envelope and construction of a dwelling	8 Thoroughbred Lane, Benalla	Approved
15	DA7676	Construction of a front fence	9 Nunn Street, Benalla	Approved
16	DA2679	Two-lot subdivision	42 Grant Drive, Benalla	Approved
17	DA4385	Buildings and works for a building associated with an education facility	57 Samaria Road, Benalla	Approved

File No		Description	Property Address	Decision
18	DA6837	Use and development of land for a dwelling	55 Lakeside Drive, Chesney Vale	Approved (Notice of Decision)
19	DA7653	Two-lot subdivision and the removal of an easement	39 Gandini Lane, Lima South	Approved (Notice of Decision)
20	DA7593	Construction of a dwelling to the rear of the existing dwelling and a two-lot subdivision	105 Faithfull Street, Benalla	Approved (Notice of Decision)
21	DA7640	Five-lot subdivision	12 Hagenauer Lane, Benalla	Approved (Notice of Decision)

Planning Permit Amendments Determined Under Officer Delegation

There were no planning permit amendments determined under officer delegation during the month of July 2024.

Planning Permits Issued Under VicSmart

File No		Description	Property Address
1	DA3661	Two-lot subdivision (boundary realignment)	223 Cooper Road, Devenish
2	DA7675	Construction of an agricultural shed	790 Goorambat – Dookie College Road, Major Plains

Planning Permit Applications Determined by the Council

There were no planning permit applications determined by the Council during the month of July 2024.

Planning Permit Amendments Determined by the Council

There were no planning permit applications determined by the Council during the month of July 2024.

Planning Permit Applications Withdrawn or Lapsed

File No		Description	Property Address	Decision
1	DA5361	Construction of a shed	25 Tulley Road, Lima East	Withdrawn – planning permit not required

Notices of Decision

File No		Description	Property Address
1	DA6837	Use and development of land for a dwelling	55 Lakeside Drive, Chesney Vale
2	DA7653	Two-lot subdivision and the removal of an easement	39 Gandini Lane, Lima South
3	DA7593	Construction of a dwelling to the rear of the existing dwelling and a two-lot subdivision	105 Faithfull Street, Benalla
4	DA7640	Five-lot subdivision	12 Hagenauer Lane, Benalla

A Notice of Decision (NOD) is issued when Council has decided to grant a planning permit when objection(s) are received regarding the application.

An objector may appeal to Victorian Civil and Administrative Tribunal (VCAT) against the decision to grant the permit within 21 days of a Notice of Decision being issued. After 28 days if no appeal has been lodged Council will issue the Planning Permit.

Planning Permit Applications Determined by VCAT

There were no planning permit applications determined by VCAT during the month of July 2024.

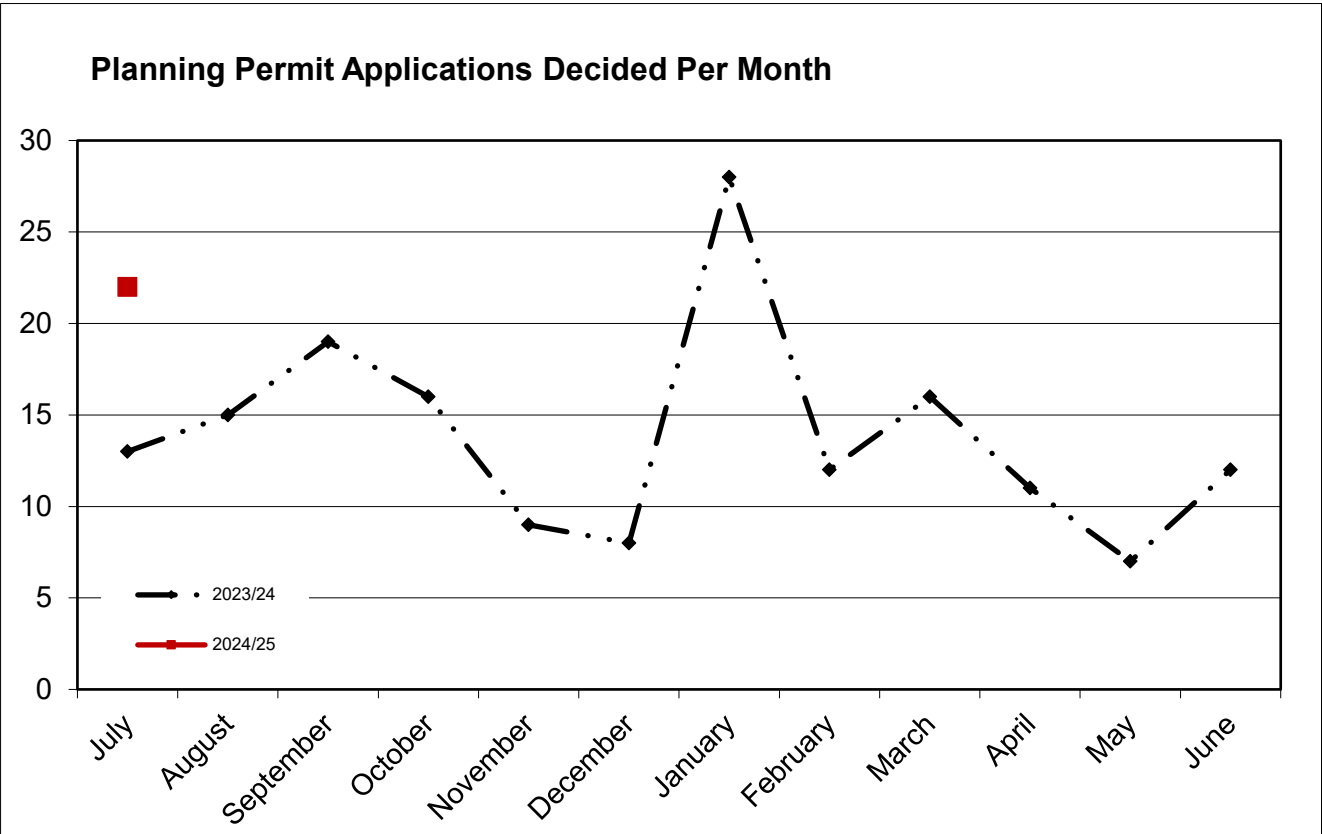
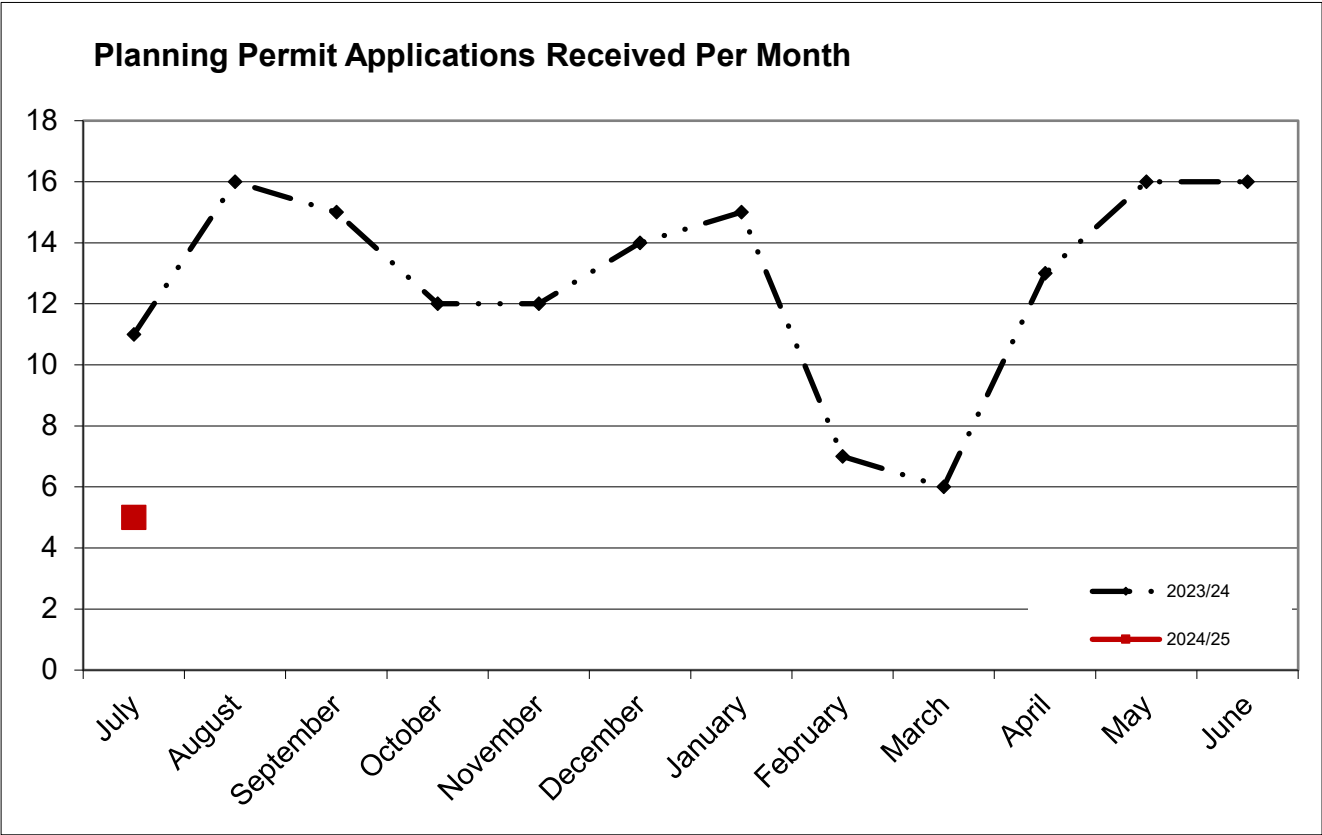
Planning Permit Amendments issued at the direction of VCAT

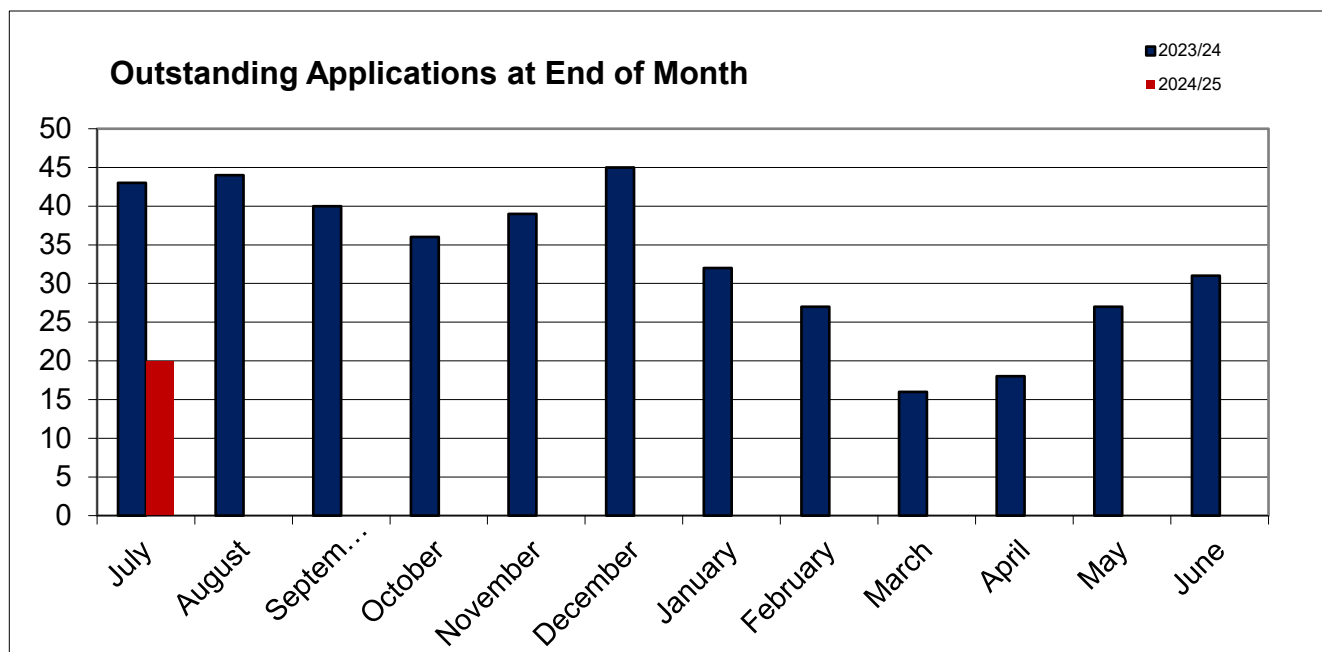
File No	Description	Property Address
1 DA5957	Use of land for a restaurant	7 Park Street, Benalla

Matters Before VCAT

DA5957	7 Park Street, Goorambat
Status	<p>Planning Permit No. P0142/23 was issued on 7 March 2024 for the use of land for a restaurant at 7 Park Street, Goorambat. The use has the following characteristics:</p> <ul style="list-style-type: none"> ▪ Preparation of food on premises for takeaway and eat in meals. ▪ Up to 20 patrons on site at any one time. ▪ Two to three staff at any one time. ▪ Hours of operation between Friday to Tuesday – 8am to 4pm and public holidays. ▪ Eight car parking spaces to be provided on site. <p>Conditions of the permit required the upgrade of the intersection with Park Street and Halls Road and a contribution to the maintenance of Park Street as a result of the proposed use. The applicant is appealing these conditions of the permit. The Tribunal hearing will be on 23 July 2024.</p> <p>The tribunal hearing was on 23 July 2024 with the applicant and Council representatives in attendance. The Tribunal order was issued on 25 July 2024. The order was to vary the decision of Council by way of the following:</p> <ul style="list-style-type: none"> ▪ Deleting conditions 5, 6 and 7 from the permit. ▪ Altering conditions 2 and 3 of the permit to remove the wording in both conditions ‘This may be varied if agreed in writing with the Responsible Authority’. <p>A copy of the Tribunal Decision attached in Appendix 1.</p>

Planning Permit Applications



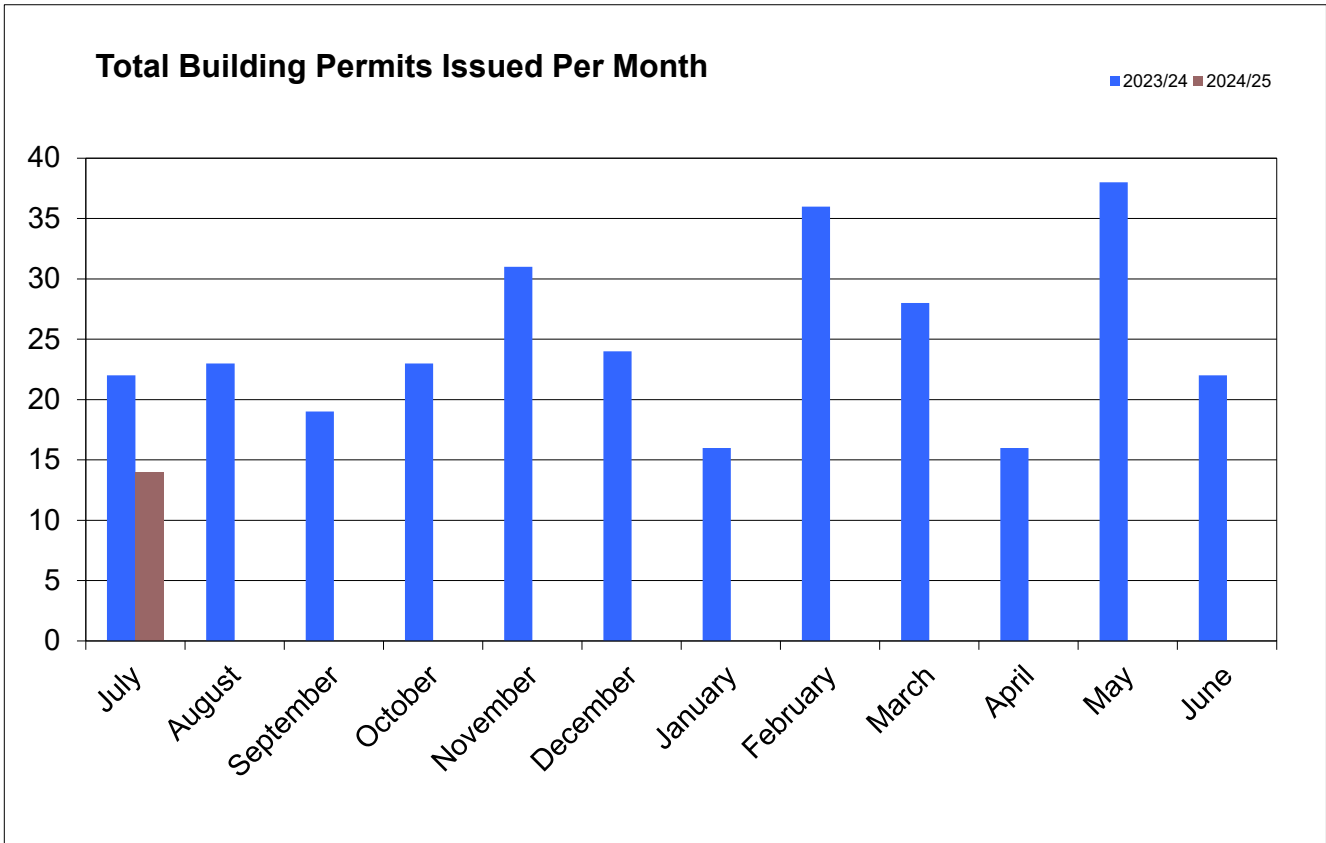
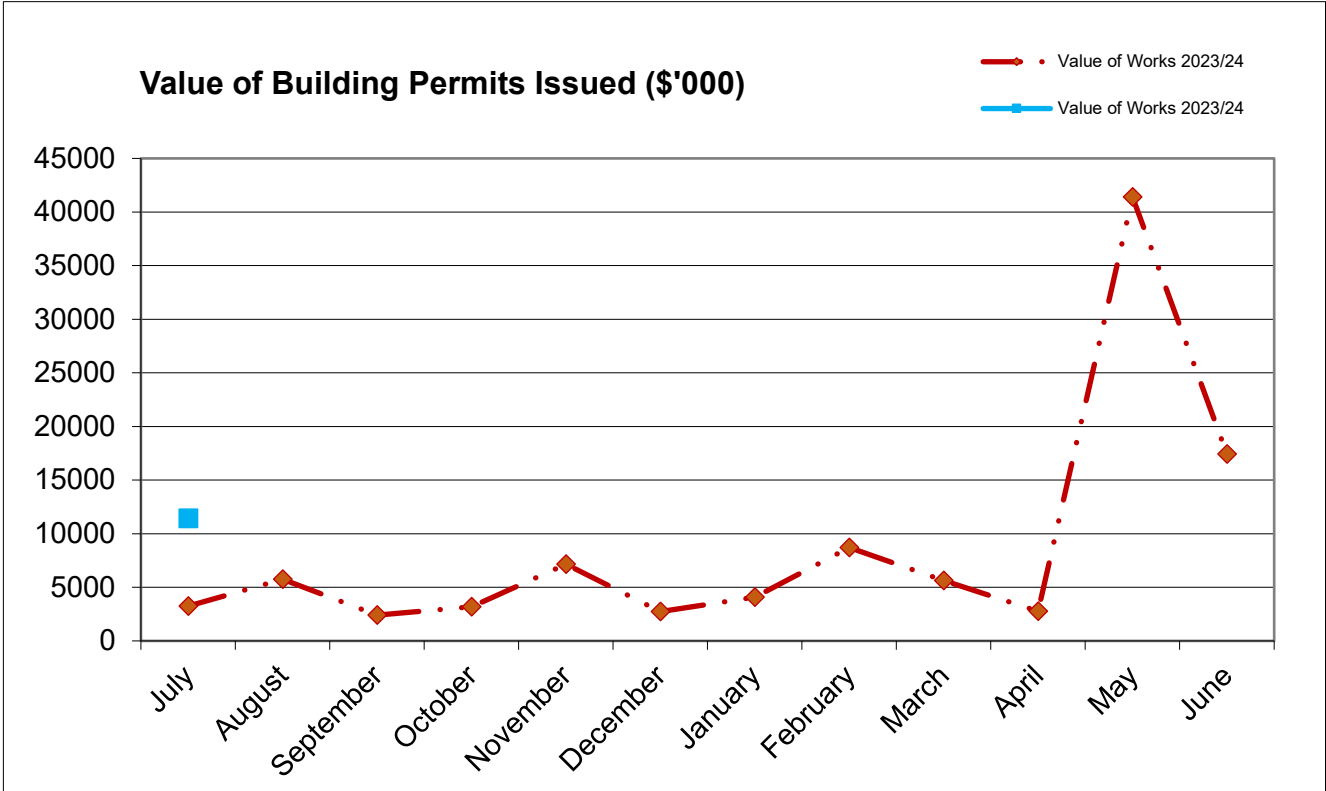


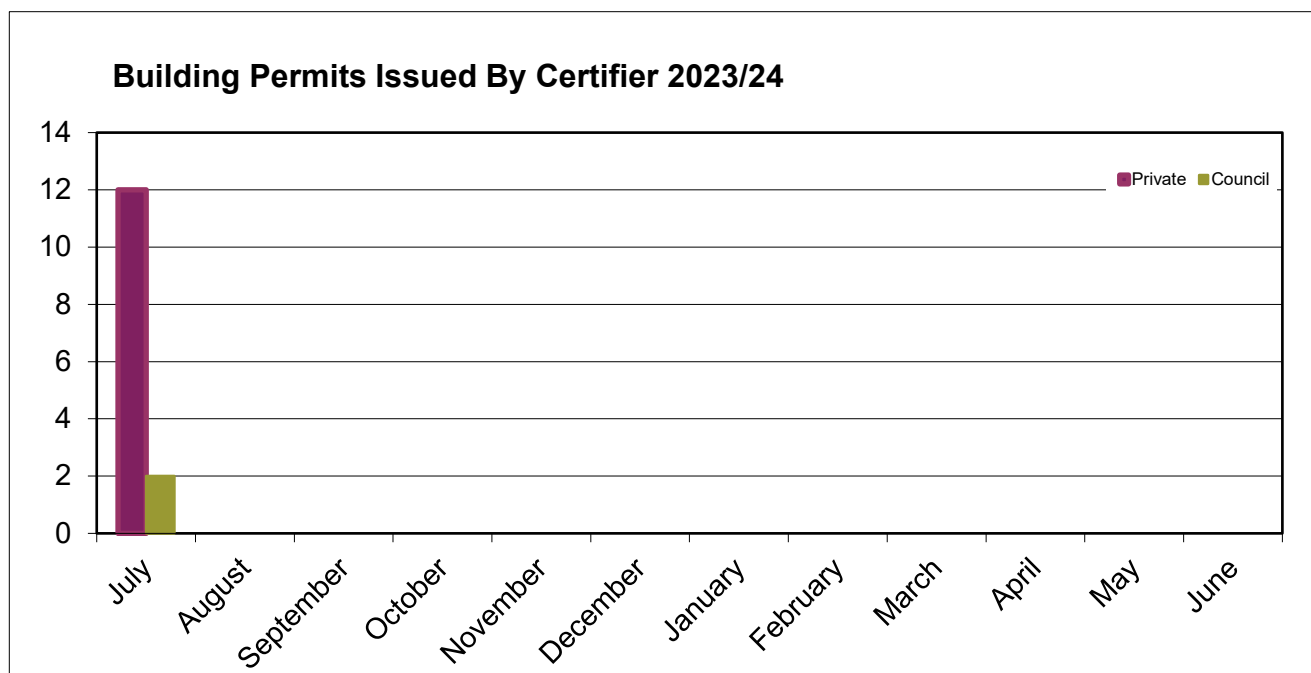
Building Approvals Issued by Council and Private Practitioners

July 2024

File No	Description	Property Address	Value	
1	DA4891/1	Demolition of dwelling	35 Egmont Street, Benalla	\$24,152
2	DA7645	Removal of dwelling	56 Arundel Street, Benalla	\$4,000
3	DA7442	Construction of dwelling and garage	38 Smythe Street, Benalla	\$341,844
4	DA1506	Installation of a modular/transportable building	18-20 Samaria Road, Benalla	\$853,000
5	DA6736	Installation of a fiberglass swimming pool and safety barrier	3746 Midland Highway, Lima South	\$121,989
6	DA758/6	Construction of new administration building (balance of works)	20 Faithfull Street, Benalla	\$7,900,535
7	DA7671	Construction of dwelling and garage	28 Roynic Parade, Benalla	\$267,315
8	DA7398	Construction of dwelling and garage	60 Kilfeera Road, Benalla	\$625,970
9	DA6736	Construction of a shed	3746 Midland Highway, Lima South	\$166,872
10	SF/2845	Construction of dwelling and garage	22 Ambridge Ave, Benalla	\$325,520
11	DA6288	Construction of a carport	19 Glenfern Court, Benalla	\$15,830
12	DA5137	Construction of a swimming pool and safety barrier	70 Barkly Street, Benalla	\$81,440
13	SF/2845	Construction of a dwelling and garage	22 Ambridge Ave, Benalla	\$328,770
14	DA7656	Construction of a dwelling and garage	18 Mayfair Drive, Benalla	\$372,921
Total			\$11,430,158	

Building Permits Issued by Certifier by Month





COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

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

Livability

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

Economy

- Population growth.

Environment

- Healthy and protected natural environment.

Leadership

- Good governance.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

Recommendation:

That the report be noted.

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VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

PLANNING AND ENVIRONMENT LIST

VCAT REFERENCE NO. P453/2024
PERMIT APPLICATION NO.P0142/23

CATCHWORDS

20 seat restaurant operating five days a week 8am to 4pm; Access via unsealed road; Council seeks condition for Applicant to construct intersection of unsealed road with main road through town; Whether condition fairly and reasonably relates to the permitted use and serves a planning purpose.

APPLICANT	Rich Austin
RESPONSIBLE AUTHORITY	Benalla Rural City Council
SUBJECT LAND	7 Park Street, GOORAMBAT VIC 3725
HEARING TYPE	Hearing
DATE OF HEARING	23 July 2024
DATE OF ORDER	25 July 2024
CITATION	Austin v Benalla Rural CC [2024] VCAT 701

ORDER

Amend VCAT application

- 1 Pursuant to section 127 of the *Victorian Civil and Administrative Tribunal Act 1998* (Vic), the application for review is amended to include a review of conditions 2 and 3 (as well as conditions 5, 6 and 7).

Conditions changed

- 2 The decision of the responsible authority is varied.
- 3 The Tribunal directs that planning permit P0142/23 must contain the conditions set out in planning permit P0142/23 issued by the responsible authority on 7 March 2024 and amended on 10 April 2024 with the following modifications:
 - (a) Condition 2 is amended to read:
 - 2 A total of 20 patrons and a maximum of 3 staff are to be permitted on site at any one time.
 - (b) Condition 3 is amended to read:
 - 3 The hours of operation are Friday to Tuesday and public holidays 8am to 4pm.
 - (c) Conditions 5, 6 and 7 are deleted.



- (d) Remaining conditions 8 to 12 in the planning permit are renumbered 5 to 9 accordingly.
- 4 The responsible authority is directed to issue a modified planning permit in accordance with this order.

Rachel Naylor
Senior Member

APPEARANCES

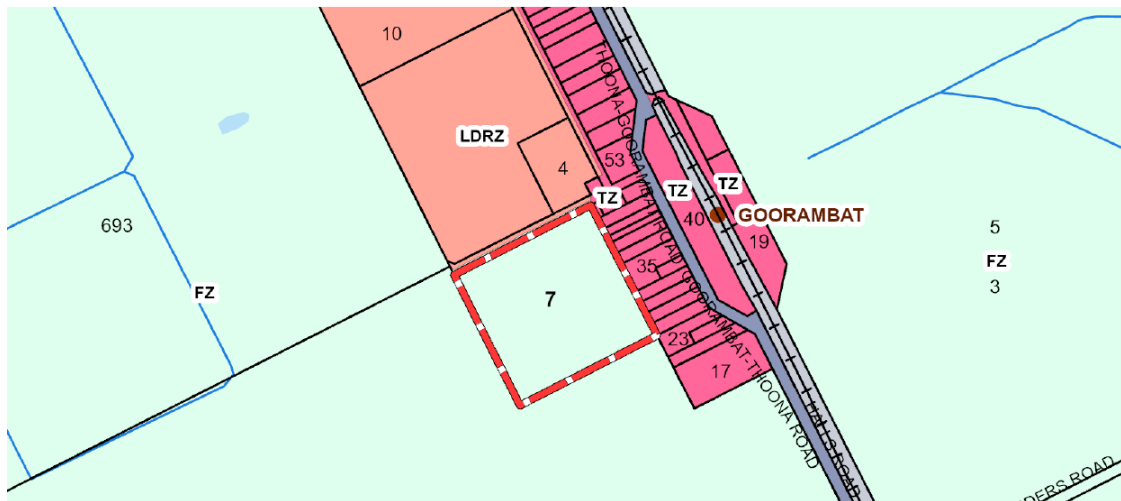
For applicant	James Livingston, planning consultant of JLP Melbourne
For responsible authority	Matthew Beazley, special counsel of Russell Kennedy

Mr Beazley tabled a lay evidence statement from Malcolm Bromley, coordinator technical services for Benalla Rural City Council about the estimated cost for the construction of the Park Street/Halls Road intersection including the first 10m of Park Street. Neither the Tribunal nor the Applicant wished to ask questions about this statement, so the statement was accepted, and Mr Beazley did not call Mr Bromley to present his statement.



INFORMATION

Land description	The site has a square shape of about 6.37 hectares. It contains a dwelling and a number of outbuildings in the northeast corner of the site with access to Park Street. Park Street is an unsealed road.
Description of permit	The use of land for a restaurant with up to 20 patrons and 3 staff. The restaurant will operate Friday to Tuesday 8am to 4pm. The restaurant will be in one of the existing outbuildings and will be provided with 8 car spaces.
Nature of proceeding	Application under section 80 of the <i>Planning and Environment Act 1987</i> (Vic) – to review conditions 5, 6 and 7 contained in the permit.
Planning scheme	Benalla Planning Scheme
Zone and overlays	The site is within the Farming Zone (FZ) The land to the north is zoned Low Density Residential The land to the northeast, east and southeast is zoned Township No overlay controls apply to the site



Permit requirement	Clause 35.07-1 To use the site for the purpose of a restaurant in FZ
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REASONS¹

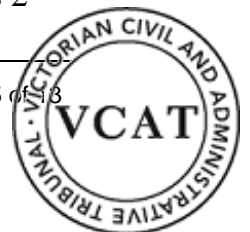
Overview

- 1 The Council has granted planning permission for a small restaurant (Park St Pantry) in an existing outbuilding on the site at 7 Park Street, Goorambat. The restaurant is permitted to have up to 20 patrons and three staff and operate five days a week (Friday to Tuesday) and public holidays 8am to 4pm.
- 2 This application seeks to review three of the conditions contained in the permit. They relate to roadworks required to be undertaken on two roads from which this site has vehicular access, being Park Street and the intersection of Park Street and Halls Road.
- 3 The Applicant submits there has been a lack of transparency by the Council about the intention to impose these permit conditions. The Applicant explains it had no knowledge of these conditions until the permit was issued. I agree with the Council's submission that there is nothing unusual about this. There is no requirement for a Responsible Authority to advise Applicants of proposed permit conditions before a permit is issued under the *Planning and Environment Act 1987* (Vic). A Responsible Authority decides what conditions to impose on an application and then issues its decision containing the conditions. If a permit applicant is unhappy with the conditions, that is what this type of review right is all about – enabling permit applicants the opportunity to seek a review of permit conditions imposed by either a referral authority or a responsible authority.
- 4 In this proceeding, the three conditions under review are:
 5. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads from the subject land, to the satisfaction of the Responsible Authority.
 6. The applicant shall construct and seal the intersection of Park Street and Halls Road for a distance of at least 10m from the edge of the existing seal. The works are to be undertaken in accordance with the Infrastructure Design Manual and to the satisfaction of the Responsible Authority.

¹ The submissions and evidence of the parties and the supporting exhibits given at the hearing have all been considered in the determination of the proceeding. In accordance with the practice of the Tribunal, not all of this material will be cited or referred to in these reasons.



7. The applicant shall contribute to future costs associated with maintenance of the gravel road surface of Park Street in the event that Council receives complaints from abutting landowners due to the additional traffic generated by the proposed changed of land use. The cost apportionment will be calculated on the percentage increase in traffic volumes Council will undertake traffic counts to establish typical traffic volumes prior to the commencement of the change in land use.
- 5 The Council agreed in its written submission circulated before the hearing that conditions 5 and 7 can be deleted from the permit. Hence, there is a consent position between the parties that these conditions can be deleted, and I do not need to consider these conditions any further.
- 6 The Council also suggested an alternative wording for condition 6 as follows:
- Before the use commences, the applicant must enter into an agreement with the Responsible Authority in accordance with Section 173 of the Planning and Environment Act 1987. The agreement must be to the satisfaction of the Responsible Authority and must provide for the following:
- The applicant shall at its cost, construct and seal the intersection of Park Street and Halls Road for a distance of at least 10m from the edge of the existing seal. The works are to be undertaken in accordance with the Infrastructure Design Manual and to the satisfaction of the Responsible Authority.
- This agreement is to be registered on the title of the land and any cost associated with the process including preparation, lodging and checking of the agreement must be borne by the owner.
- 7 This content of the agreement does not state when the roadwork needs to be undertaken. The Council advised at the start of the hearing that the roadwork should be done before the use commences.
- 8 This revised version of condition 6 is still opposed by the Applicant. The Applicant submits it is unfair and unreasonable to impose such a requirement on this permit.
- 9 Having considered the submissions and other documentation filed by the parties, the content of the Tribunal's electronic file, the planning scheme and the *Planning and Environment Act 1987* (Vic), I have decided to delete condition 6. The nature of this dispute is quite confined. The parties provided aerial images and photographs. During the hearing, the parties and the Tribunal shared further images and street views via the 'zoom' platform being used to conduct the hearing. As such, I have decided that I have sufficient information before me to consider the issues raised by the parties without undertaking an inspection of the site and surrounds. For reasons that are explained later, I have also decided to amend conditions 2 and 3 as was offered by the Applicant during the hearing.



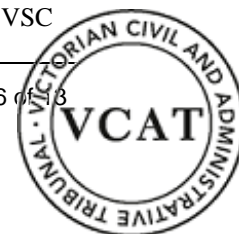
A valid planning permit condition

- 10 The parties agree that a valid planning permit condition must:
- Fairly and reasonably relate to the permitted use or development such that there must be a real connection between the permission granted and the limitation placed upon it.
 - Serve a planning purpose that can be ascertained from the planning scheme and relevant planning legislation.
 - Not be imposed for an ulterior or extraneous purpose.²
- 11 The parties agree that condition 6 has not been imposed for an ulterior or extraneous purpose. The Applicant agrees with the Council's submission that the condition could serve a planning purpose by reference to the policies relating to roads, and land use and transport integration in the planning scheme. The Council's submission highlights the following:
- i The objective of the Roads policy at clause 18.02-4S is 'to facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure'. Strategies include planning and developing the road network to 'ensure people are safe on and around roads' and 'improve road connections for all road users'.
 - ii The objective of the Land use and transport integration policy at clause 18.01-1S is 'to facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport'. Strategies include planning land use and development to 'protect existing transport infrastructure from encroachment or detriment that would impact on the current or future function of the asset' and 'plan movement networks and adjoining land uses to minimise disruption to residential communities and their amenity'.

The current function of the road assets servicing this site

- 12 Condition 6 seeks the construction of the Park Street and Halls Road intersection for a distance of at least 10m from the edge of the existing seal. Mr Bromley illustrates the area to be constructed as shown on the following page.

² These 'principles' were referred to by the Council by reference to *Maroondah v Scott* [2008] VSC 42 at [22] and the Applicant accepted the relevance of this.





Extract from Mr Bromley's evidence statement annexure

- 13 The current condition of the proposed construction area is evident in the street view image below, which was shared with the parties by the Tribunal during the hearing.



Extract from Google Earth Street view on 23 July 2024

- 14 The Council describes the intersection as being in 'fairly good' condition and has not expressed any concern with the current safety of this intersection.

- 15 Park Street is an unsealed road about 120 metres long³ with a swale drain on its north side. The Council has no concern with the existing condition of this road.



Applicant's photos looking southwest (left photo) and northeast (right photo) along Park Street

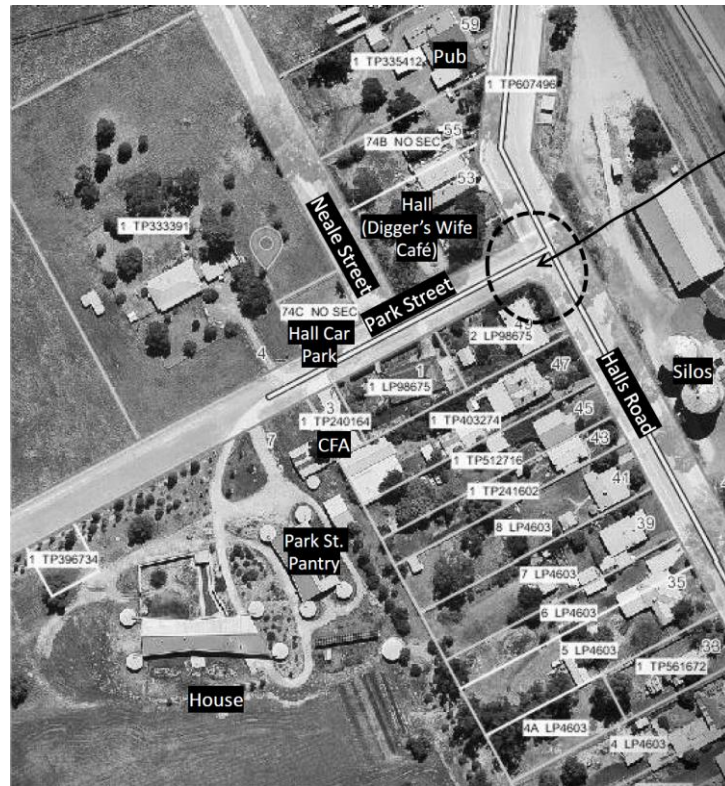
- 16 Park Street is not a typical residential street. This is because of the nature of the land uses and vehicles using this street. The Applicant's annotated aerial analysis on the following page illustrates that there are two dwellings and the house on this site that use Park Street for vehicle access. There is also:

- The Goorambat-Stewarton CFA brigade with a fire truck and at least one other vehicle located next door to this site and relying on Park Street for vehicle access.
- A vacant parcel of land on the west corner of Neale and Park Streets that is used for parking by the community hall.
- A community hall with land that abuts Halls Road, Park Street and Neale Street. This land has had a playground added near Park Street in the last couple of years. The hall also has a permit for a food and drink premises for 50 persons (30 inside and 20 outside) operating 8am to 2pm seven days a week. The parties note this food and drink premises closed at the start of July 2023, so the permit remains 'live' now.⁴

³ This length is from Mr Bromley's initial engineering referral response during the planning application process.

⁴ Under the *Planning and Environment Act 1987* (Vic), a permit for a land use ceases if the respective land is not used for the permitted purpose for a period of two years.

- Neale Street runs along the back of properties fronting Halls Road between Park Street and Trewin Road. It provides rear gated access to the Halls Road properties. The Applicant submits it also provides access to a firewood business located on the west side of Neale Street.



Extract from the Applicant's documents

- 17 I accept the Council's submission that Neale Street is primarily akin to a rear secondary access for the properties with frontage to Halls Road. So, the focus of my consideration has been on the properties along Park Street. As I have already said, there are a mix of land uses and activities in Park Street, and the existing traffic in Park Street includes a CFA fire truck.
- 18 Neither the Council nor the Applicant have presented any material such as traffic surveys about the existing level of traffic or the type of vehicles that use Park Street.

Does condition 6 fairly and reasonably relate to the permitted use?

- 19 As explained already, a key consideration is whether there is a real connection between the permission granted and the limitation placed upon it to construct the intersection of Halls Road and Park Street.
- 20 Mr Bromley's evidence statement estimates the cost of constructing the intersection will be \$26,000 excluding GST. The Council advised at the start of the hearing that it was agreeable to this figure being the maximum contribution to be paid by the Applicant pursuant to condition 6. The

Applicant still opposes this condition, submitting this requirement is neither fair nor reasonable.

- 21 Neither the Council nor the Applicant have presented any material about the anticipated traffic generation resulting from this permitted use. Mr Bromley’s initial engineering referral response during the planning application process states:

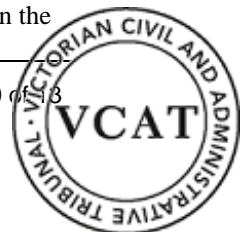
The application will increase traffic on the road, however depending on the popularity of the business, it would be difficult to ascertain expected traffic generation using traditional transport generation estimation for restaurant type businesses.

- 22 During the hearing, the Council suggested the following:

4 vehicles per hour	8 hr trading x 5 days =	320 movements per week
3 vehicles per hour	8 hr trading x 5 days =	240 movements per week

- 23 The Council points out Goorambat has about 400 people living in the town⁵, and this permit for the establishment of a local restaurant has the potential to be supported well by the local township. The Council submits the above suggested traffic movements are not insignificant numbers on a dirt road and will impact on the safety of the Halls Road/Park Street intersection, including pedestrian safety.
- 24 The Applicant submits this is a small town and the permitted restaurant is not on a main road. The Applicant describes the main purpose of this permitted use as ‘to combine a love of cooking, baking, and predominantly locally grown produce with providing a ‘hub’ for locals’. ‘A secondary bonus’ says the Applicant is to hopefully capture some of the tourist trade travelling through the area, including those visiting nearby silos that feature artwork. The Applicant submits no one knows if the traffic of this permitted restaurant will make the intersection of Halls Road and Park Street deteriorate in either condition or safety. The Applicant points out the Council accepts the intersection is safe now, but is also saying if the intersection is improved, it will be better. The Applicant submits it is not fair and reasonable to place the cost of constructing this intersection upon just this permitted use, including requiring this construction to be completed before the restaurant land use even commences operation.
- 25 Mr Bromley’s suggestion in his initial referral response appears to assume a requirement for roadworks would be linked to the success of the restaurant as it states:

⁵ I note the Applicant’s submission refers to a population of about 300 people. Nothing turns on the variation in population stated by the two parties in this case.



The permit could include a condition on direct contribution to periodic granular resurfacing and grading of the road and or a condition that requires the applicant to contribute to the construction and sealing of the road if the restaurant proves popular.

(underlining is Tribunal emphasis)

26 I am not persuaded it is fair and reasonable to require the permitted restaurant to construct the Park Street/Hals Road intersection. I am also not persuaded this limitation has a real connection that warrants the roadworks being undertaken before the permitted use commences. The reasons why I have reached this decision include:

- There are other land uses that use Park Street for vehicle access, including at least one larger and heavier CFA vehicle that would contribute to the wear and tear of the condition of the road and intersection.
- This permitted land use contains a lesser intensity of activity than the valid food and drink permit at the community hall. That permit has no car parking requirement, but the reality is that this food and drink premises also has the capacity to generate on-street parking and traffic in the surrounding streets.
- There is no information before me to indicate what the existing traffic levels are, what type of vehicles are using the road, or what level of pedestrian activity there is along the Halls Road footpath either side of Park Street.
- There is no information before me to estimate what the anticipated traffic generation of this permitted restaurant will be.
- Given Park Street and its intersection with Halls Road are in good condition and raise no safety concerns, no necessity for roadworks to be undertaken now has been demonstrated. Also, the lack of any information or empirical analysis of anticipated traffic provides no reasons why the intersection needs to be constructed now before the permitted restaurant commences.
- I agree with the suggestion of Mr Bromley that the pertinent consideration regarding the condition of Park Street and the intersection with Halls Road may arise if the permitted restaurant ‘proves popular’.

- Up to 20 patrons and 3 staff over a five day period is not a large or heavily patronised venue. I am not persuaded that the extent of road construction sought is necessary for a reasonably small scale operation.
- 27 The condition of Park Street and the intersection can be reviewed again in the future if the permitted restaurant is successful. This could occur if the restaurant sought to expand its patron numbers or times of operation. There is one aspect of the permit though that restrains this potential. Conditions 2 and 3 that control the patron numbers, staff numbers and times of operation (days per week and hours per day) each end with the following sentence:
- This may be varied if agreed in writing with the responsible authority.
- 28 The parties agreed that this wording means the patron numbers and times of operation could be varied merely by seeking Council consent rather than going through a formal amendment to the permit process as set out in Division 1A of the *Planning and Environment Act 1987* (Vic). If a formal amendment process was undertaken, the permit applicant and the Council could consider the impact of any increase in activity upon the condition of Park Street and the intersection with Halls Road. A formal application to amend the permit would enable the Council to impose new or amended conditions to suit the particular circumstances, including any roadworks considered to fairly and reasonably relate to the amended permitted land use.
- 29 The Applicant advised during the hearing that if I decided to delete condition 6, conditions 2 and 3 could be amended to remove the sentence quoted above in paragraph 27. The Applicant is content to undertake a formal amendment to the permit process if they wish to vary the patron numbers or days and times of operation in the future. This is an acceptable planning outcome, particularly as I have decided to delete condition 6. Accordingly, I have amended this VCAT review application to include a review of conditions 2 and 3.
- 30 I also agree with the Applicant's submission that, if the condition of Park Street and/or the Park Street and Halls Road intersection deteriorate and/or become unsafe in the future, the Council has other alternative legislative provisions to pursue roadwork construction, including with adjacent land owner contributions.
- 31 For these reasons, condition 6 is deleted and conditions 2 and 3 have been amended.

Conclusion

32 For the reasons given above, the decision of the responsible authority is varied by deleting and amending conditions contained in the planning permit.

Rachel Naylor
Senior Member



3. Development Department Activity Report For The Quarter Ended 30 June 2024

SF/255

Nilesh Singh – Manager Development

PURPOSE OF REPORT

The report presents the activities of the Development department for the quarter ended 30 June 2024.

Strategic Planning

- Initial community consultation has been undertaken for the Heritage Study in accordance with the engagement plan adopted at a Planning and Development Committee Meeting on 5 October 2022. The concept of the consultation was to allow the public to provide feedback regarding what they would like to see included in the Heritage Overlay. Nine submissions were received as a result of the consultation which will inform the completion of the draft Heritage Study document. The draft Heritage Study is currently being finalised and will once complete will be advertised to all affected landowners in accordance with the engagement plan. This will take place towards the end of July 2024.
- The Council have been successful in obtaining funding from the Regional Planning Hub (State Government) to the amount of \$150,000. The funding will facilitate the procurement of all remaining technical reports required to inform the Benalla Urban Growth area. In addition, the funding will allow the Council to undertake a structure plan for the area and to proceed to a planning scheme amendment to appropriately rezone the land. Technical reports including, land capability, traffic, environmental, bushfire and cultural heritage have all commenced with the cultural heritage report completed to draft stage.

Statutory Planning

- 47 applications received during the quarter.
- 28 applications decided during the quarter.
- 67.86 per cent of applications were decided within statutory timeframes.
- 267 phone calls received.

Building Surveying

- 238 building inspections.
- 76 building certificates.
- 26 building permits issued.
- 50 private building permits issued.
- 451 phone calls.

Public Health

- Waminda Community House was unable to host the Council’s monthly community immunisation sessions due to structural building safety issues being identified.
After consideration of a number of alternative locations, the Salvation Army have stepped up to host the immunisation sessions and emergency food distribution for July and August 2024.

Compliance

- The compliance team impounded 127 domestic animals.
- Responded to 306 domestic animal related requests.
- 85 dogs and cats were returned to their homes.

Emergency Management

- Working with Goulburn Broken Catchment Management Authority (GBCMA) on funding bid for a full Baddaginnie Flood Study. GBCMA previously requested council cooperation GBCMA insisted they would be ready to proceed by late May, however due to workload GBCMA have put a hold.
- Development of Municipal Emergency Management Planning Committee training exercise completed.
- Development of Fire Sub-plan is continuing.

Manager Development

Septic Tanks

- 15 ‘Permit to Install’ issued.
- 10 ‘Certificate to Use’ issued.
- 75 septic inspections conducted.

Wastewater Referrals for Planning Permit

- 45 applications were referred for planning comments to Manager Development for wastewater comments for planning proposals.

Fee Dispensation

The Council supports community groups and not-for-profit organisations through fee dispensation or reduction and responding to other circumstances as warranted.

For the quarter ended 30 June 2024, seven applications to the value of \$320.00 in fee dispensations were approved:

Fundraising	1
Burning Off	1
General	3
Food premises Late Registrations	0
Planning Matters	0
Building Matters	0
Other	0

Applications Received:

Applicant	Permit Type	Value
Benalla Golf Club	Burning Off	\$64
Salvation Army	Fundraising	\$64
BreastScreen Vic	General	\$64
Legacy Group	General	\$64
Mobile Blood Donor Centre	General	\$64
Total		\$320

COUNCIL PLAN 2021-2025 ACTION PLAN

Community

A healthy, safe and resilient community		
Strategy	Action	June Quarter Update
Work closely with community and key stakeholders to plan for emergencies and build community resilience.	Investigate Benalla Rural City’s preparedness to respond to emergencies.	Working with partner agencies in preparing for emergencies.

A connected, involved and inclusive community		
Strategy	Action	June Quarter Update
Support and promote opportunities for the community to participate in a range of social, recreational, and arts and cultural programs, activities and events.	Investigate development of an Off-Leash Dog Park in the east of Benalla.	Locations investigated; however, parking is an issue for all the sites. The Barkly Street School site could house a dog park which is central and has the capability of on and off-site parking. To be considered as part of master plan.

Livability

Vibrant public spaces and places		
Strategy	Action	June Quarter Update
Advocate for and act on opportunities to protect, maintain and preserve heritage assets.	Adopt <i>Benalla Rural City Heritage Study</i> .	Consultant is working on responses received from the community on additional sites for the Heritage Study.

FINANCIAL IMPLICATIONS

	Notes	2023/24 Actuals	2023/24 Budget	Variance
Development Operations		\$241,132	\$244,506	\$3,374
Planning	1	(\$170,710)	\$135,970	\$306,680
Building		\$349,867	\$344,458	-\$5,409
Compliance	2	\$654,443	\$693,319	\$38,876
Public Health	3	\$81,089	\$90,751	\$9,662
Emergency Management	4	\$100,161	\$23,910	-\$76,251
Total		\$1,255,981	\$1,532,913	\$276,932

Notes:

1. Favourable variance due to income for permit fees and awaiting project consultancy payments for Heritage Study and Benalla West Growth Plan.
2. Favourable variance due to more income than budgeted and reduced out-of-hours call outs.
3. Favourable variance due to delay in immunisation service provider invoice.
4. Unfavourable variance primarily due to funding prepaid in 2022/23 with expenditure incurred in 2023/24.

Recommendation:

That the report be noted.

4. Economic Development and Sustainability Activity Report For The Quarter Ended 30 June 2024

SF/1893

Grant Banks – Interim Manager Economic Development and Sustainability

PURPOSE OF REPORT

The report presents the activity of the Economic Development and Sustainability Department for the quarter ending 30 June 2024.

ECONOMIC DEVELOPMENT

Future of Benalla and District Project

- The *Arts, Culture and Heritage Integrated Working Group* has met twice and is exploring a pilot project to test collaborative capacity of key Arts, Culture and Heritage places in Benalla.
- Benalla hosted DEECA, RMIT and other project Coordinators for a planning meeting held at Winton Motor Raceway. This was a good chance to put the spotlight on one of Benalla Rura City important assets.
- The project end date has been extended to the end of September 2024. The focus until this date is to investigate and scope work around a manufacturing precinct plan, assist the *Arts, Culture and Heritage Integrated Working Group* to submit a grant application to fund the pilot project and complete the final report.

BUSINESS DEVELOPMENT

Business Networking and Upskilling

- Coffee Connections networking events have continued to be held monthly on the second Wednesday of the month since July 2023. The attendance figures have grown this quarter from an average of ten to 20-30 people per session.
- The Victorian Small Business Bus visited Benalla on 17 April 2024 and was located outside the Town Hall offering free one-on-one business advice and mentoring.
- Business webinars are regularly scheduled on a variety of topics through Business Victoria, Innovation Melbourne and the ATO. These are promoted in the monthly business e-newsletter and listed as events on Supporting Benalla Business Facebook page.
- Face to face business events within our region are also cross promoted with other Councils.

Benalla Business Network

- Thanks to the monthly Coffee Connections gatherings, impetus to reinvigorate The Business Chamber (now Benalla Business Network) has progressed well with several interested business community members taking the initiative to drive the next stage.
- A handover with the previous Chair of the BBN Lindsay Thomas has occurred with key business people.
- An Annual General Meeting to formalise a new committee was held in June 2024.
- The new BBN office bearers from July 2024 are: Chair - Nathan Tolliday (GMCU); Secretary - Joel Spencer (Winton Motor Raceway); Treasurer – Karen Nankervis (My Beechworth Secretary). Current committee members include: Daniel Grey (Sureway), Annette Borradale (NE Tracks LLEN) and Nicola Tilbury (Open2View). New branding, a new website and events are planned.

COMMUNICATIONS AND COMMUNITY ENGAGEMENT

Media Coverage – Highlights from the quarter ended 30 June 2024

Media coverage for the period 1 April 2024 to 30 June 2024 was still heavily centred on the Benalla Street Art Festival, while other significant topics included the Benalla Indoor Recreation Centre redevelopment, Budget preparations, Benalla Art Gallery redevelopment funding, and the opening of the Arthur Baird sculpture.

In the reporting period, there were 754 mentions of Council activities across newspapers, websites, radio and television. These mentions had the potential to reach 1,125,175 people and were valued at \$2,612,191 in equivalent advertising space.

The top media outlets were:

- Benalla Ensign: This outlet mentioned Council the most, with 118 mentions.
- Wangaratta Chronicle: This outlet had the highest potential reach, up to 340,605 people.
- Cobram Courier: This outlet had the highest advertising space rate (ASR), valued at AUD 1,798,066.

In summary, the Council's media activities received significant coverage, reaching a large audience and having a high advertising value, with notable contributions from Benalla Ensign, Wangaratta Chronicle, and Cobram Courier.

Communications Activities

Further communications outputs for the reporting period include:

- Corporate Template Refresh - A refresh of corporate documents was initiated to reduce solid colour blocks and printer toner usage.
- Volunteer Services - Developed and mailed out a newsletter in coordination with Jackie Brennan for Volunteer Week. Supported Volunteer Week with a double-page spread in the Benalla Ensign. Planned another Volunteer Newsletter for the second half of 2024.
- Benalla Street Art Festival – Provided extensive communications and event delivery support for Benalla Street Art Festival.

Community Engagement Activities

- During the reporting quarter there were eight projects open on the Have Your Say Benalla online community engagement platform, these included the Proposed Budget, Destination Management Plan, Draft Climate and Environment Strategy, and Benalla Airport Master Plan review.
- Face to face community engagement events were held at Devenish Markets and Benalla Lakeside Markets during the quarter, with a vision board for the Council Plan 2021-2025 developed to be used at these community engagement events.

EVENTS

Benalla Festival

Planning has begun for the 2024 Benalla Festival. Blank Vault will coordinate the Lake Foreshore events on Saturday 9 November. EOIs to host an event were collected on the Benalla Festival website.

Major Event Funding

Major event funding recipients in this quarter included:

- Austin 7’s for Historic Winton
- Benalla Bowls Club for the Country Music Festival
- Citizenship Ceremony held on Thursday 20 June at the Benalla Art Gallery. Eight new Australian Citizens (incl one child) were welcomed. Families and individuals were from six countries including: Thailand, China and Sweden.



BENALLA CINEMA

Special Cinema Screenings

- Australian actor John Jarratt headed to Benalla on Monday 27 May 2024 as part of his cinema tour to promote the movie *What about Sal*. Mr Jarratt not only directs this Australian film, but also stars in it. After the completion of the movie, John conducted a Q&A.
- Benalla Cinema is normally closed on a Monday night and we are pleased to say that this event was a full house.

Cinema Comparison

- The Benalla Cinema attracted 2,874 patrons during the quarter ending 30 June 2024 compared to 1,997 patrons in the same quarter in 2023 when the cinema was located at Benalla Performance Arts and Convention Centre. This increase could be attributed to less patronage and films being released in 2023 following the easing of COVID-19 restrictions.
- June 2024 saw a high patronage numbers of 1,400 attend sessions for the month. This could be attributed high profile movies been screened. This positive growth indicates a strong performance for the Benalla Cinema.
- The future is positive for the cinema in Benalla. In addition to screening films the space has been activated to host a number of forms.

Benalla Visitor Information Centre

Visitor numbers for the quarter.

Month	Visitor numbers
April 2024	1,401
May 2024	1,786
June 2024	1,811
Total	4,998

TOURISM

Destination Management Plan

- An internal Destination Management Plan (DMP) workshop was held with a representative from Tourism Recreation Conversation for the DMP. The workshop purpose was to have council staff work with consultants on the planning of a tourism workshop and expectation of the DMP.

- An Industry Workshop was held at the Benalla Cinema on Monday 13 May 2024. Forty tourism industry delegates, members of the internal working group and a representative from Tourism Recreation Conversation came together for a DMP Industry workshop. This workshop was planning for what tourism in Benalla Rural City will look like for the next five years. It was an opportunity to think about what tourism looks like now and what it could look like in the future.

Historic Vehicle Tour

Friday 24 May 2024 saw 30 historic vehicles participate in the annual Historic Vehicle Tour event. The theme was 'Farms, Bushrangers and Racing'. Participants visited Murrungong and Yin Barun farms, Kooyong Creek wines, Ned Kelly Discovery Centre, Benalla Kelly and Costume Museum and completed laps around the Winton Motor Raceway. This event is held annually as part of the Historic Winton weekend.

BENALLA ART GALLERY

- For the quarter 1 April to 30 June 2024, Benalla Art Gallery welcomed 17,701 exhibition visitors, and staged 41 public and education programs for 656 participants.
- Benalla Art Gallery participated in the statewide *PHOTO 2024 International Festival of Photography* through two major exhibitions. The partnership increased exposure for the Gallery through the Festival's significant media and marketing channels, include statewide distribution of printed programs, advertising, and online communications. Major outcomes from the partnership included a national feature on Scotty So: +50 published in Artshub; attraction of the Director of the National Gallery of Victoria.
- Benalla Art Gallery's upgrade to ERCO LED Bluetooth dimmable lights for the Bennett and Ledger galleries, funded through the local roads and community infrastructure (LRCI) program, has been completed.
- Benalla Art Gallery launched five new major exhibitions in this quarter:
 - *Janet Leith: Melancholia*
 - *Hans Heysen and Matthew James MacNally: Light Shines, Shadow Falls*
 - *Claire Beausein: Smells Like Rain*
 - *Ruth Johnstone and Lesley Duxbury: Embrace the Eucalypt*
 - *Nocturne: Benalla Art Gallery Collection*
- Benalla Art Gallery Committee met on 18 June 2024, confirming the acquisition of 39 new works; four photographs by Bill Henson, a sculpture and painting by Mark Galea, and two collaborative paintings by Adnate and Tommy Day through the Cultural Gifts Program; a direct donation of the full suite of 25 photographic portraits from Scotty So's +50 exhibition as a direct donation by the artist; and a bequest of six Hermannsburg watercolours.
- Benalla Art Gallery has been selected by Creative Australia to participate in a 'Climate Action Carbon Audit' for 2023/2024; this program is designed for small to medium organisations and follows a successful pilot in the recent financial year. Invited organisations work with Pangolin Associates to review organisational data to assess their carbon emissions, resulting in the identification of points of reduction. For the Benalla Art Gallery, this will also assist any future funding applications for sustainability initiatives.
- Benalla Art Gallery has received treatment recommendations from Grimwade Centre for Cultural Materials Conservation for the restoration of the Benalla Ceramic Mural, however, is awaiting indicative costs of the recommendations from appropriate contractors.

Sustainable Environment

- Council has received a draft review of the *Holland Bio link Management Plan* from TREC Land Services. Council will take the draft plan through the approval process and look to continue work in the reserve.
- The draft *Benalla Rural City Climate and Environment Strategy 2024-2029* has been open for community consultation and that feedback has been accepted by the Council. The final draft will be completed with feedback considerations and presented to Council.
- Council committed to joining VECO 2.0, switching Council’s current electricity contracts to a renewable energy contract.
- *Council’s 2024/25 Roadside Weed and Pest Program* will begin shortly with Council receiving further funding from the State Government to treat noxious weeds and pests across the LGA.
- The Goulburn Murray Climate Alliance (GMCA) led Resilient Public Estate project has been completed and Council will look to assess and implement the findings within Council operations.
- The Neighbourhood Battery Initiative project that Council has been working on with a number of other GMCA and Central Victorian Greenhouse Alliance member Councils and Indigo Power is nearing the final stages with the final business cases to be completed in the next month.

COUNCIL PLAN 2021-2025 ACTION PLAN

Liveability

Vibrant public spaces and places		
Strategy	Action	June Quarter Update
Beautify streetscapes, landscaping, signage and town entrances.	Upgrade town signage and entry gateways.	Branding strategy to be developed in the 24/25 financial year and put out for community consultation.

Economy

Thriving business and industry		
Strategy	Action	June Quarter Update
Work together with key stakeholders to engage, support, strengthen, enhance and diversify local business.	Develop the Economic Diversification plan.	Workshops for three Innovation opportunities have been completed. The manufacturing ecosystem opportunity will be expanded on, with work relating to a manufacturing precinct plan. The Arts, Culture and Heritage Integrated Working Group was formed and has met twice.
	Develop a Benalla Rural City Small Business Attraction and Assistance program.	This will be an outcome of the Economic Development Strategy to be delivered in 24/25 Financial Year.
Attract new investment, business and industry to the Benalla Rural City to facilitate business growth and job creation.	Develop an Economic Diversification plan.	Opportunities were investigated during January to February 2024. Investment attraction will be the focus of the project throughout 2024. Currently assisting some applicants with funding applications to expand their operations.

Flourishing tourism		
Strategy	Action	June Quarter Update
Strengthen the visitor economy through growth of events and promotion of unique assets and experiences and visitor attractions.	Review and update the Events and Tourism strategy.	Stakeholder engagement undertaken for Council's new Destination Management Plan.

Environment

Healthy and protected natural environment		
Strategy	Action	June Quarter Update
Partner with agencies and the community to manage and enhance our natural environmental assets, water quality and river health across Benalla Rural City and support the Goulburn Broken Catchment Management Authority Regional Catchment Strategy and other regional environmental strategies.	Review and update the Environmental Strategy and the Climate Change Adaptation Plan.	Council officers continue to take part in the Goulburn Broken Catchment Management Authority Biodiversity Roundtable meetings. Council also continues to work with GeckoClan Landcare Network.

Sustainable practices		
Strategy	Action	June Quarter Update
Partner with business, industry and community to plan and implement local approaches and initiatives that respond to climate change.	Review, update and adopt Benalla Rural City Council Environment Strategy.	The draft <i>Benalla Rural City Climate and Environment Strategy</i> was presented to the Council for consideration.
Advocate, promote, support and encourage the use of renewable and clean energy and technology.	Encourage and facilitate the installation of more electric vehicle chargers in and around the Benalla CBD.	Council is continuing to work with businesses to provide Electric Vehicle charging infrastructure within the municipality. Denny Street carpark has two charging stations.

FINANCIAL IMPLICATIONS

Operating Budget result for the period ending 30 June 2024.

	Notes	2023/24 Actuals	2023/24 Budget	Variance
Economic Development and Sustainability	1	\$354,425	\$428,985	\$74,560
Art Gallery		\$585,631	\$569,652	-\$15,980
Benalla Cinema	2	\$193,653	\$240,516	\$46,863
Communication and Engagement	3	\$319,343	\$359,657	\$40,315
Events		\$303,615	\$294,418	-\$9,196
Tourism	4	\$418,678	\$319,874	-\$98,804
Environmental Sustainability		\$149,813	\$151,142	\$1,329
Business Development	5	\$153,370	\$193,650	\$40,280
Total		\$2,478,528	\$2,557,895	+79,367

Notes:

1. Favourable variance primarily due to salaries and on-costs being less than budgeted.
2. Favourable variance due to more than budgeted kiosk and membership income.
3. Favourable variance primarily due to less than budgeted salaries and on-costs and printing costs associated with the community newsletter and annual report.
4. Unfavourable variance primarily due to a budgeted \$75,000 Ned Kelly Tourism contribution not being received.
5. Favourable variance primarily due to a \$31,500 unspent budget allocation for a feasibility study into the proposed Benalla Civic Solar Project.

Recommendation:

That the report be noted.

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5. Assets and Infrastructure Department Activity Report For The Quarter Ended 30 June 2024

SF/1242

Adrian Gasperoni – Manager Assets and Infrastructure

PURPOSE OF REPORT

The report presents the activities of the Assets and Infrastructure department for the quarter ended 30 June 2024.

Assets and Infrastructure

Assets and Infrastructure department continued to provide maintenance throughout the municipality, as well as continuing to provide emergency asset restoration works throughout the municipality following the Flood and Storm events over the past two years.

Highlights for the quarter are detailed below.

Operations

- Completed grading of approximately 27 kilometers of gravel road shoulders.
- Completed grading of 154 kilometers of gravel roads.
- Replaced 8 square metres of concrete footpath in Faithfull Street, Benalla.
- Replaced 12 square metres of concrete footpath in Goodwin Street, Benalla.
- Replaced 21 square metres of concrete footpath in Mackellar Street, Benalla.
- Provided traffic management for the ANZAC Day march.
- Carried out routine carriageway clearance work on rural roads.
- Carrier out rural drain maintenance.
- Carried out annual leaf collection throughout Benalla.

Depot

- 111 Tonne of 14-millimeter crushed rock for gravel road and shoulder maintenance.
- 451 Tonne of 20-millimetre crushed rock for gravel road and shoulder maintenance.
- 417 Tonne of 40-millimetre crushed rock for gravel road and shoulder maintenance.
- 114 Tonne of 75-millimetre crushed rock for gravel road and shoulder maintenance.
- 144 Tonne of 7-millimetre premix stock at depot (for sealed road maintenance).

Parks and Gardens and Open Spaces

- Six tree root barriers were installed.
- Completed annual rose pruning in the Benalla Botanical Gardens.
- Removed 19 trees; three causing infrastructure damage, 14 dead or decayed, two for powerline clearance, one to accommodate a new crossover and one tree causing risk to the public.
- Completed planting of 104 nature strip trees, 29 of those planted at Brown Street, Devenish.

Waste

- 2024 storm damage tree works completed, with submission made for Disaster Recovery Funding Arrangements (DRFA) funding.
- 2022/23 DRFA eligible event submissions for funding nearing completion.
- Commenced procurement process for various Panel Tenders that have expired.
- Comprehensive four stream waste public consultation has commenced.
- Stage 2A rehabilitation at the Benalla Landfill and Resource Recovery Centre has just been approved by the EPA – awaiting final outcome letter.
- Cell 3 B at Benalla Landfill and Resource Recovery Centre has been approved by the EPA.

Asset Management

The following table outlines requests for works received through the *Asset Edge - Reflect* program of inspection and *Customer Request Management System*.

Task	September 2023	December 2023	March 2024	June 2024
Defects overdue on roads and drains - safety only:				
Link roads	3	1	14	12
Collector roads	1	2	15	19
Access roads	2	1	12	10
Defects overdue on footpaths - safety only	1	0	0	0
Defects rectified - routine maintenance and safety – road, footpath and parks	432	407	209	233
Defects and maintenance - items outstanding - road, footpath and parks	354	298	346	310
Unsealed roads graded (km)	99	132	188	154
Sealed road shoulders graded (km)	0	12	66	0

COUNCIL PLAN 2021-2025

Livability

Vibrant public spaces and places		
Strategy	Action	June Quarter Update
Maintain and develop sport and recreation facilities and reserves, parks, gardens, playgrounds, and walking and cycling paths to increase passive and active community participation and social connection.	<ul style="list-style-type: none"> ▪ Deliver <i>Benalla Ceramic Mural Precinct Upgrade project</i>. ▪ Progress the <i>Benalla Indoor Recreation Centre Redevelopment Project</i>. 	<ul style="list-style-type: none"> ▪ Majority of path works completed. ▪ Further Community Engagement and Consultation to commence in August 2024.

Vibrant public spaces and places		
Strategy	Action	June Quarter Update
Ensure open spaces and public places in existing and developing communities are thoughtfully planned, connected, green, sustainable, accessible, engaging and inclusive and consider the needs of an ageing community.	Deliver the Playground Renewal Program.	New Playgrounds installed and completed.
Beautify streetscapes, landscaping, signage and town entrances.	Deliver the Bridge Street Streetscape project.	Currently planning to redevelop Bridge Street, Benalla through landscape and streetscape improvements. Ongoing focus with maintaining and improving entrances to our townships through improved signage and streetscape work will continue.

Connected and accessible roads, footpaths, transport and parking		
Strategy	Action	June Quarter Update
Deliver and maintain accessible and safe footpaths and cycle paths in existing and new neighbourhoods.	<ul style="list-style-type: none"> ▪ Deliver Kerb and Channel Replacement program. ▪ Deliver Lakeside Walk Boardwalk Renewal project. ▪ Deliver new footpath works ▪ Review and update Pathways to the Future – Shared Path Project strategy. 	<ul style="list-style-type: none"> ▪ Program commenced and will be completed in 2024/225 Financial year. ▪ Project commenced and expected to be completed in August 2024. ▪ 2022/2023 Program completed. New footpath projects ongoing into 2024/2025 and beyond. ▪ Remaining priorities from strategy have been identified and expected to be delivered in 2024/2025.
Maintain and improve drainage, bridges, parking and road networks to meet the needs of the current and future population.	<ul style="list-style-type: none"> ▪ Deliver Fawckner Drive, Benalla Upgrade project. ▪ Develop and adopt a Benalla Rural City Council Asset Plan. ▪ Implement Benalla Rural City Council Drainage Strategy. 	<ul style="list-style-type: none"> ▪ Project complete ▪ Benalla Rural City Council Asset Plan Adopted ▪ Priority projects from the strategy identified and planning and scoping commenced.

Environment

High quality, efficient and sustainable waste management		
Strategy	Action	June Quarter Update
Actively promote responsible behaviours to reduce waste.	Review and update <i>Waste Management Policy</i> , considering the introduction of hard waste collection and ‘tip vouchers’.	Review and Adoption of Waste Policy complete
Provide efficient and sustainable waste management services.	Bring Benalla Landfill and Resource Recovery Centre Transfer Station into operation.	Transfer Station open and operating.

FINANCIAL IMPLICATIONS

Operating Budget result for the period ending 30 June 2024

	Notes	2023/24 Actuals	2023/24 Budget	2023/24 Variance
Capital Projects Operations	1	\$728,471	\$1,371,226	\$642,754
Operations Support	2	\$1,461,114	(\$101,932)	-\$1,563,046
Plant Operations	3	\$101,050	\$53,034	-\$48,016
Operations & Capital Grant Income	4	(\$3,693,683)	(\$14,361,258)	-\$10,667,575
Sealed Roads	5	\$3,296,246	\$2,943,978	-\$352,269
Unsealed Roads	6	\$1,327,473	\$1,774,557	\$447,084
Bridges	7	\$752,065	\$883,108	\$131,043
Drainage	8	\$942,811	\$699,137	-\$243,674
Mechanics Workshop		\$83,416	\$82,726	-\$690
Street Cleaning		\$63,548	\$75,764	\$12,216
Roadsides		\$583,096	\$550,174	-\$32,922
Parks & Gardens		\$1,053,868	\$1,054,891	\$1,023
Other Capital	9	\$7,014,654	\$21,302,000	\$14,287,346
Asset Management Services	10	\$68,711	\$251,571	\$182,860
Landfill	11	(\$266,401)	\$1,345,881	\$1,612,282
Kerbside Waste		(\$1,942,915)	(\$1,854,943)	\$87,972
Recreation	12	\$214,992	\$279,354	\$64,362
Total		\$11,788,516	\$16,349,268	\$4,560,750

Notes:

1. Favourable variance due to \$666,000 underspend on the *BIRC Redevelopment Project* with planning and design being delayed.
2. Unfavourable variance all due to Disaster Recovery Funding Arrangements funding income still outstanding for flood works.
3. Unfavourable variance mainly due to over expenditure of \$78,000 in fuel costs and higher than budgeted depreciation of \$20,000. Offset by less than budgeted Materials and Vehicle Maintenance expenditure.
4. Unfavourable variance primarily due to non-receipt of a budgeted \$10,000,000 Flood Asset Restoration Works grant.
5. Unfavourable variance mainly due to overspend in sealed road repairs and more than budgeted depreciation.
6. Favourable variance mainly due less than budgeted expenditure of \$190,000 in unsealed road repairs and \$250,000 less than budgeted depreciation costs.
7. Favourable variance primarily due to \$117,000 of budgeted major culvert condition assessments not undertaken.

8. Unfavourable variance primarily due to \$210,000 more than budgeted drain cleaning expenditure.
9. Favourable variance mainly due to \$10,000,000 of budgeted flood remediation works not undertaken, \$1,700,000 of capital projects at the Benalla Landfill not undertaken and \$2,500,000 not expended on the Benalla Art Gallery Redevelopment.
10. Favourable variance mainly due to \$147,000 less than budgeted Salary and Oncosts expenditure and \$122,000 of unbudgeted general fees income. Offset by \$77,000 more than budgeted contractor expenditure.
11. Favourable variance mainly due to a \$1.463 million reduction in the Benalla Landfill Rehabilitation provision.
12. Favourable variance mainly due to \$74,000 less than budgeted depreciation costs.

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

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6. *Benalla Indoor Recreation Centre Redevelopment Project Steering Committee Terms of Reference Amendments*

SF/5518

Adrian Gasperoni – Manager Assets and Infrastructure

Jess Pendergast – Governance Coordinator

PURPOSE OF REPORT

The report presents the amended *Benalla Indoor Recreation Centre Project Steering Committee Terms of Reference*.

BACKGROUND

The *Benalla Indoor Recreation Centre Project Steering Committee* (Steering Committee) was established by the Council at its meeting on Wednesday 24 April 2024.

The purpose of the Steering Committee is to:

- Ensure project success and support delivery of the Benalla Indoor Recreation Centre Redevelopment Project to the community.
- Ensure the design of the Benalla Indoor Recreation Centre Redevelopment Project is inclusive and fit for purpose.
- Represent the community and provide guidance and direction based on the community's needs.

The Steering Committee has the following duties and functions:

- Provide advice, directions and requirements to help with the design and quality of the Benalla Indoor Recreation Centre Redevelopment Project.
- Ensure the project is achievable and in line with community expectations.
- Review, endorse and reject, recommend, shape, and influence the outcomes and scope of the design.
- Gain and provide feedback to and from community stakeholders.
- Promote collaboration, research and input from the broader community and all stakeholders.
- Make recommendations to the Benalla Indoor Recreation Centre Project Control Group.
- Adhere to Councils code of conduct and values.

In accordance with the Steering Committee Terms of Reference, the committee comprises of:

- Up to two Councillor representatives.
- Up to two community members.
- Representatives from Hume Region Community Infrastructure, Place, Sport and Recreation Victoria and Basketball Victoria.
- The President of Benalla Basketball Association.
- The Chair of the Benalla Indoor Recreation Centre Committee of Management.
- Up to three Council Officers.

The Council at its meeting on 24 April 2024 appointed two Councillor representatives to the Steering Committee:

- Cr Don Firth
- Cr Bernie Hearn.

The Council at its meeting on 26 June 2024 appointed two community member representatives to the Steering Committee:

- Noel Baumgarten
- Simone Sammon

The CEO appointed the following officers to the Steering Committee:

- Manager Assets and Infrastructure
- Community Development and Recreation Coordinator
- Open Spaces Coordinator

DISCUSSION

The *Benalla Indoor Recreation Centre Project Steering Committee Terms of Reference* (Terms of Reference) have been amended following discussions with the Chief Executive Officer and the *Benalla Indoor Recreation Centre Project Steering Committee*.

The Steering Committee's Terms of Reference have been amended to include the Manager Assets and Infrastructure or delegate as the Chair of the Committee.

The amended changes to the Committee's Terms of Reference are as follows:

Section 4. *Membership*:

4.4 *Meetings of the Committee will be chaired by the Manager Assets and Infrastructure or delegate.*

The amended *Benalla Indoor Recreation Centre Project Steering Committee Terms of Reference* are attached as **Appendix 1**.

***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 due to administrative nature of the Terms of Reference, 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"> ▪ Terms of Reference presented in a public report to the Council. ▪ Terms of Reference to be published on the Council’s website.

FINANCIAL IMPLICATIONS

There are no material financial implications with the development or implementation of the Committee’s Terms of Reference.

LEGISLATIVE AND STATUTORY IMPLICATIONS

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

Recommendation:

That the amended *Benalla Indoor Recreation Centre Project Steering Committee Terms of Reference* be adopted.

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Terms of Reference

Benalla Indoor Recreation Centre Redevelopment Project Steering Committee

AUGUST 2024

Document Control

Draft terms of reference created:	February 2024
Terms of reference adopted by Council:	28 August 2024
Version number:	V2
Previous Revisions:	V1 – Adopted on 24 April 2024

1. Purpose

The purpose of the Benalla Indoor Recreation Centre Redevelopment Project Steering Committee is to:

- Ensure project success and support delivery of the *Benalla Indoor Recreation Centre Redevelopment Project* to the community.
- Ensure the design of the *Benalla Indoor Recreation Centre Redevelopment Project* is inclusive and fit for purpose.
- Represent the community and provide guidance and direction based on the community's needs.

2. Duties and Functions

The *Benalla Indoor Recreation Centre Redevelopment Project Steering Committee* has the following duties and functions:

- Provide advice, directions and requirements to help with the design and quality of the *Benalla Indoor Recreation Centre Redevelopment Project*.
- Ensure the project is achievable and in line with community expectations.
- Review, endorse and reject, recommend, shape, and influence the outcomes and scope of the design.
- Gain and provide feedback to and from community stakeholders.
- Promote collaboration, research and input from the broader community and all stakeholders.
- Make recommendations to the *Benalla Indoor Recreation Centre Redevelopment Project Control Group*.
- Adhere to Councils code of conduct and values.

3. Delegations

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

4. Membership

4.1 Membership of the Benalla Indoor Recreation Centre Redevelopment Project Steering Committee shall be comprised of the following members:

- Up to two Councilor representatives.
- Up to two Community member representatives.
- Up to three Council Officers (Community Development Coordinator, Project Manager and Open Spaces Coordinator).
- Representatives from Hume Region Community Infrastructure, Place, Sport and Recreation Victoria and Basketball Victoria.
- The President of Benalla Basketball Association.
- The chair of the Benalla Indoor Recreation Centre Committee.

4.2 The Council will appoint Councillors representatives and invite internal and external stakeholder representatives to join the committee.

4.3 The Community member representatives are appointed for the term of the project.

4.4 Meetings of the Committee will be chaired by the Manager Assets and Infrastructure or delegate.

4.5 The committee may seek the involvement of additional members with interests and expertise relevant to the task at hand.

4.6 A member of the Committee may resign from their position at any time.

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

5. Frequency of Meetings

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

5. 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 committee shall be recorded in proper minutes.
- 7.2. Agendas and notes of each meeting will be distributed to all members and published on the Council's website excluding matters identified in the agenda as confidential items.
- 7.3. The committee will provide reports on its activities as required.
- 7.4. The Council will be responsible for providing administration support to the Committee.

8. Advice to the group

- 8.1. The Committee may invite and obtain expert advice as required.
- 8.2. Any formal advice requested by the committee will be made available to all Committee members and, where relevant and appropriate, will be provided to the Council through meeting minutes and published on the Council's website excluding matters identified as confidential items.

9. Review of Terms of Reference

- 9.1. The *Benalla Indoor Recreation Centre Redevelopment Project Steering Committee Terms of Reference* will be reviewed in 2026.
- 9.2. The Committee's 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.
- 9.3. The Council shall consult with the Committee prior to amending the Committees terms of reference.

7. Facilities and Information Technology Department Activity Report For The Quarter Ended 30 June 2024

SF/1544

Greg Robertson – Manager Facilities and Information Technology

PURPOSE OF REPORT

The report presents the activities of the Facilities and Information Technology Department for the quarter ended 30 June 2024.

Facilities Management

- The Rocket Park public toilets were repeatedly vandalised requiring six replacement doors, after they were kicked in three times. CCTV has now been installed at the facility.
- Vandalism at all public toilets has increased, with taps and fittings being stolen repeatedly. Nine taps have been replaced in the past quarter, four brass floor grates, and stainless-steel lids on three toilets.
- Sign writing completed at the Benalla Visitor Information Centre to guide visitors into the Visitor Centre, Cinema and Museum. Sign writing completed on the Customer Service Centre to advise customers of new opening hours.
- The Benalla Art Gallery was broken into with the persons gaining access via a skylight on the roof. Cash from a donation box was stolen.
- Town Hall refurbishment works completed with works undertaken to the auditorium, basement, and first floor meeting spaces.
- The Baddaginnie public toilet refurbishment and solar power works were completed.
- The Aerodrome Security Access Renewal sent to all airport users. Due for return on 31 July 2024.

Information and Communications Technology (ICT)

- Microphones have been updated and a second screen installed in the Civic Centre Council Meeting Room.
- After a security systems hardware and software upgrade IT and Facilities are now able to manage all electronic security fobs in-house.
- Currently working hard on IT requirements for *Collaborative Digital Transformation Project* – Building and SharePoint configuration.
- Laptop and screen order placed to replace twin screen terminals for all office-based staff, the current ETA is September.

Benalla Aquatic Centre YMCA

- Centre Membership stands at 378, a decrease on the 444 memberships reported last quarter.
- Swimming Lesson memberships stand at 630 enrolments, up on the 589 Swimming Lesson memberships reported last quarter. Numbers have unexpectedly increased over the cooler months, likely due to additional classes being offered.

Highlight

- The strong performance of the Swimming Lessons at the Benalla Aquatic Centre.

COUNCIL PLAN 2021-2025 ACTION PLAN

Liveability

Vibrant public spaces and places		
Strategy	Action	June Quarter Update
Enhance and maintain key places of significance.	Update Benalla Airport Master Plan	<ul style="list-style-type: none"> ▪ Stakeholder engagement continued though the June quarter with good level of feedback received.

Leadership

High performance culture		
Strategy	Action	June Quarter Update
Improve customer experience through responsive, timely, efficient, well planned, and accessible services.	Review, update and implement the <i>Benalla Rural City Council Information Technology and Communications strategy</i> .	<ul style="list-style-type: none"> ▪ Replacement of network hardware commence and ordering of new staff computing hardware underway.
Improve customer experience through timely, efficient, well planned, and accessible services.	Participate in the Lower North Eastern Digital Transformation Partnership (CODI).	<ul style="list-style-type: none"> ▪ The Building Module for CODI is now live.

FINANCIAL IMPLICATIONS**Operating Budget result for the period ending 30 June 2024**

	Notes	2023/24 Actuals	2023/24 Budget	Variance
Facilities	1	\$3,322,869	\$2,645,208	-\$677,661
Information Technology	2	\$1,427,106	\$1,719,537	\$292,431
Benalla Airport	3	\$204,092	\$318,063	\$113,971
Saleyards	4	\$8,112	\$29,112	\$21,000
Aquatic Centre	5	\$840,753	\$783,246	-\$57,508
Total		\$5,802,933	\$5,495,166	-\$307,766

Notes:

1. Unfavourable variance depreciation expense for Council-owned facilities is \$911,265 more than budgeted due to revaluation of buildings in prior year. Forecast depreciation expense for year has been amended to align with new valuations. Offset by reduced Material and Services expenses as works restricted due to 23 October flood event. Also delayed repairs to the Living Heritage Grants Program, Former Benalla Migrant Camp Conservation works \$97,500 now to be undertaken in 24/25 year.
2. Favourable variance due to depreciation being less than forecast, lease payments for IT equipment not required as purchase equipment undertaken in 23/24 year.
3. Favourable variance as expenditure on Benalla Airport - Strategic Masterplan review consultation with stakeholders continues until late 2024. Masterplan to be finalised in 2024/25.
4. Favourable variance as Truck Wash income more in year due to flood event usage. Also, less expenditure on Saleyards repairs and maintenance due to weather conditions, works unable to be undertaken in 2023/24.
5. Unfavourable variance on contract management fees (CPI rise impact). Actual result was less than forecast as less service repairs and maintenance undertaken in 2023/24.

Recommendation:

That the report be noted.

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8. Finance Department Activity Report For The Quarter Ended 30 June 2024

SF/1519

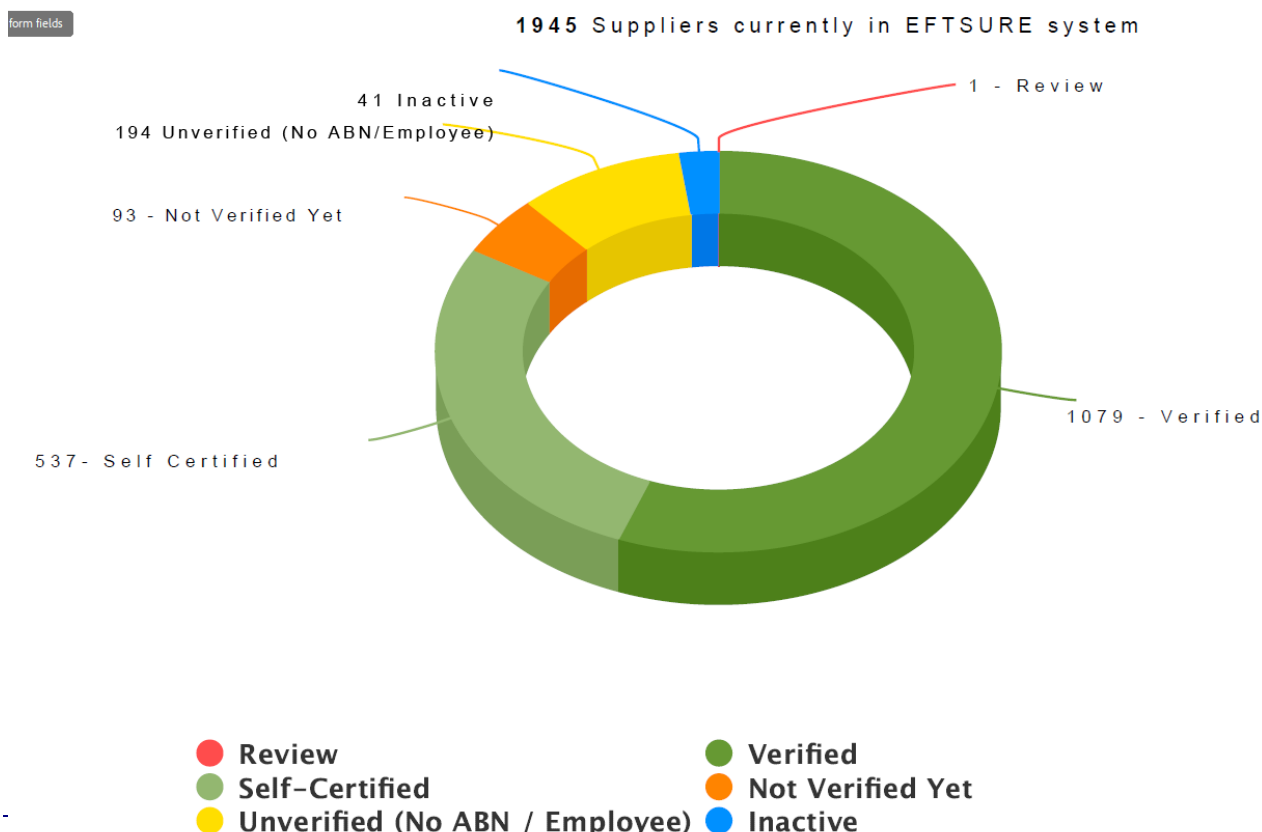
Cathy Fitzpatrick – Manager Finance

PURPOSE OF REPORT

The report presents an overview of the functions of the Finance Department for the quarter ended 30 June 2024.

Finance

- Quarter 4 review of forecast result for 30 June 2024 considering impacts against budget phasing 2023/24 and CAPEX 2023/24 given impact of amended flood restoration activities.
- Finalised 2024/25 Budget.
- Internal Audit undertaken - External Audit Preparedness
- Finance Team attended BRCC Strategic Asset Management System Review 2 day workshop
- Finance Staff member attended FBT training day.
- Ongoing involvement with 4 council CODI system assessment of new computer system issues
- Throughout 2023/24 Council’s procurement payment system has utilised Eftsure services to onboard Suppliers payment details. A snap shop of the creditors processed in this way is outlined below:



Sundry Debtors

An analysis of the unpaid sundry accounts as at that date with comparative data for the previous year is as follows:

Debtors Balances:

Date	90 days	60 days	30 days	Current	Total
30/06/24	\$38,726	\$0	\$391,383	\$265,867	\$695,977
31/03/24	\$114,503	\$141,413	\$281,064	\$500,271	\$1,037,251
31/12/23	\$357,687	\$153,944	\$96,030	\$142,074	\$749,735
30/09/23	\$87,821	\$83,695	\$125,195	\$348,241	\$644,952
30/06/23	\$34,236	\$95,687	\$128,329	\$492,225	\$750,477

Investment Portfolio

In accordance with the Investment Policy, details of investments held at 30 June 2024 are provided in the following table.

Table 1. Investments held at 30 June 2024

Bank	Short-term credit rating	Investment type	Amount invested '000	Interest rate	Term (days)	Maturity date
Westpac	A-1+	TD	5,170	5.06%	151	29-Jul-24
NAB	A-1+	TD	3,215	4.88%	182	07-Aug-24
Westpac	A-1+	TD	2,151	5.15%	183	30-Oct-24
ANZ	A-1+	TD	3,962	4.98%	184	24-Nov-24
Westpac	A-1+	TD	1,130	4.97%	245	25-Nov-24
Westpac	A-1+	TD	1,002	4.97%	245	25-Nov-24
NAB	A-1+	TD	978	4.98%	275	21-Dec-24
Subtotal	\$17,608					
CBA	A-1+	At call	\$4,279	0.25%		
CBA	A-1+	Operating	\$4,920	3.85%		
Subtotal			\$9,199			
Total			\$26,807			

*TD refers to general term deposits where the use of interest earned is not restricted.

These funds are required to meet the Council's short-term commitments, including capital and operating supplier payments, employee payroll costs and loan repayments.

Loan Portfolio

Details of existing loans held at 30 June are attached in **Appendix 1**.

Loan terms are:

Loan Number	Type	Term
16 to 17	Variable	10 years
18	Fixed – principal and interest	10 years
19	Variable	10 years
20	Fixed	10 years
21	Fixed	10 years
22	Variable	10 Years

Procurement

Contracts and Works Awarded Under Delegation

The purpose of this sections is to inform the Council and Community of publicly advertised tenders which have been awarded under delegation for the period 1 April 2024 – 30 June 2024.

Contracts awarded for the period 1 April 2024 – 30 June 2024. Total number: 6

Details of contracts awarded attached in confidential business **Appendix 2**.

Delegation of Procurement Authority to Chief Executive Officer

As per the *Procurement Policy*, instances where the Chief Executive Officer approved expenditure for statutory charges or other matters, generally consistent with the approved or revised budget, be reported quarterly.

The following table provides a summary of approvals. (including GST)

Date Endorsed	Type	Amount
4/6/2024	EPA Victoria - EPA Levy 1/1/24 to 31/3/24	\$405,752.57
28/6/2024	State Revenue Office – FSPL 4th Instalment	\$407,916.15

Revenue, Property and Valuations

- Fourth instalment notices issued to all ratepayers. Fourth instalment reminder notices issued for overdue balances.
- Software updates undertaken to ensure compliance with Victorian Electoral Commission requirements for 2024 Council Elections.
- End of Financial Year processes completed without issue.
- Fourth instalment remittance return submitted to the State Revenue Office for the Fire Services Property Levy.
- E-notice stats:
 - EzyBill – 569 (+18)
 - BPAY View – 403 (-3)

EzyBill allows access to rate notices from any device, making payment both easy and convenient.

BPAY is an easy and secure way to pay and manage bills from your online banking.

Rates and Charges Revenue

Third instalment notices were issued on 30 April with payment due by 31 May. Reminder notices were issued on 13 June. There were 1,099 notices issued for debts totaling just under \$1.611 million, however properties with larger debts who would not normally receive these notices were included.

Focus now turns to ensuring the system is updated with new valuations, and rates and charges are then levied.

Appendix 3 details the overall rates and charges generated and collected and apportions the unpaid balance between arrears from previous years of \$463,000 and unpaid charges levied in the current year amounting to \$837,000.

Rate arrears collected in the current year amount to \$465,000. This figure is quite similar to last quarter but is much higher (+52 percent) than Q4 last year. This change, compared to last year, is heavily influenced by Council utilising its powers under the Local Government Act 1989 to sell a property for unpaid rates; this property had quite a substantial overdue balance.

Collections, as a proportion of overall levied amounts, are down compared to Q4 last year (-1.14 percent), and down even further on Q4 of 2021/22 (-1.73 percent). The cost-of-living crisis and relaxed formal collection activity continues to contribute to the decrease in collections.

Appendix 4 provides a graph summary comparing the 2023/24 rate instalments due with the total instalments paid as at 30 June 2024.

Corporate GIS

SPATIAL DATA MANAGEMENT

The following table includes spatial data management statistics.

Task	June 2024	Mar 2024	Dec 2023	Sept 2023
Rural Road numbers and urban addresses issued (not part of new subdivisions)	3	10	16	25
M1s forwarded to the Spatial Information Division of DEECA to update the State mapping datasets with new addresses and Council Property Numbers and rectify anomalies.	50	451	162	56
Total	53	461	180	90

Corporate GIS

- Reviewing and auditing internal mapping datasets for the Benalla urban area to align with the State Government Digital Cadastre Modernisation (DCM) Vicmap spatial upgrade. This upgrade has improved the linework accuracy on all the Vicmap datasets across Victoria and is regularly downloaded into the Benalla Rural City corporate GIS.
- Provided Foott Waste staff with relevant information and overview of mapping data to assist with the rollout of the new waste service.

COUNCIL PLAN 2021-2025 ACTION PLAN

Leadership

Good Governance		
Strategy	Action	June Quarter Update
Deliver responsible budget outcomes linked to strategy that maintain financial sustainability and deliver value for money and rating fairness.	Ongoing development of <i>Financial Plan</i>	24/25 – 27/28 BRCC Budget adopted.

FINANCIAL IMPLICATIONS

	Notes	2023/24 Actuals	2023/24 Budget	Variance
Accounting Services	1	(\$40,009)	(\$2,188,975)	-\$2,148,966
Property and Valuations	2	(\$17,822,647)	(\$17,411,678)	\$410,969
Total		(\$17,862,657)	(\$19,600,653)	-\$1,737,996

Notes:

1. Interest expense favourable variance \$836,707 as interest expenses less than budgeted partly offset by unfavourable additional online transaction charges and higher expense \$25,827. Grant income unfavourable \$2.1 million at 30 June 2024 due to Victoria Grants Commission payment for 2023/24 being received in 2022/23.
2. Additional Rate and Charges revenue: Supplementary Rates and Charges \$410,969.

Recommendation:

That the report be noted.

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Appendix 1

Loans held at 30 June 2024

Interest to be paid:

Loan Number	2023/2024 Year	2024/2025 Year	2025/2026 Year	2026/2027 Year	2027/2028 Year	2028/2029 Year	2029/2030 Year	2030/2031 Year	2031/2032 Year	Totals
16	\$5,139	-	-	-	-	-	-	-	-	\$5,139
17	\$12,220	\$3,730	-	-	-	-	-	-	-	\$15,950
18	\$5,630	\$3,561	\$1,372	-	-	-	-	-	-	\$10,563
19	\$10,796	\$8,085	\$4,993	\$1,739	-	-	-	-	-	\$25,614
20	\$9,499	\$7,528	\$5,395	\$3,286	\$1,062	-	-	-	-	\$26,771
21	\$9,804	\$7,313	\$6,489	\$4,775	\$3,013	\$1,177	-	-	-	\$32,572
22	\$77,822	\$68,778	\$58,397	\$48,016	\$37,734	\$27,254	\$16,873	\$6,492	-	\$341,365
Total Interest Payable	\$130,911	\$98,996	\$76,645	\$57,817	\$41,810	\$28,431	\$16,873	\$6,492	\$0	\$457,974

Principle to be paid:

Loan Number	2023/2024 Year	2024/2025 Year	2025/2026 Year	2026/2027 Year	2027/2028 Year	2028/2029 Year	2029/2030 Year	2030/2031 Year	2031/2032 Year	Totals
16	\$133,677	-	-	-	-	-	-	-	-	\$133,677
17	\$81,036	\$106,773	-	-	-	-	-	-	-	\$187,808
18	\$54,570	\$56,639	\$58,819	-	-	-	-	-	-	\$170,027
19	\$52,085	\$54,571	\$57,663	\$53,704	-	-	-	-	-	\$218,023
20	\$51,654	\$53,625	\$55,758	\$57,867	\$50,704	-	-	-	-	\$268,966
21	\$36,592	\$51,435	\$52,259	\$53,973	\$55,736	\$57,671	-	-	-	\$307,756
22	\$190,000	\$190,000	\$190,000	\$190,000	\$190,000	\$190,000	\$190,000	\$190,000	-	\$1,520,000
Total Principal Payable	\$599,613	\$513,043	\$414,500	\$355,544	\$295,797	\$247,671	\$190,000	\$190,000	\$0	\$2,806,256

Rates and Charges Collections Report

As at 30 June 2024

	Rates	Interest	Legal	Total	Comments
Arrears as at 01/7/2023	\$860,264	\$50,692	\$16,794	\$927,750	Unpaid amounts up to and including the 2022/23 rating year
Payments					
30/09/2023	-\$59,898	-\$8,507	-\$810	-\$69,215	
31/12/2023	-\$174,171	-\$6,249	-\$1,013	-\$181,433	
31/03/2024	-\$103,808	-\$4,264	-\$2,224	-\$110,296	
30/06/2024	-\$87,644	-\$11,410	-\$4,790	-\$103,844	
Total	-\$425,522	-\$30,430	-\$8,837	-\$464,789	
Arrears Rates Balance	\$434,743	\$20,262	\$7,957	\$462,961	Arrears Unpaid as at 01/07/2023

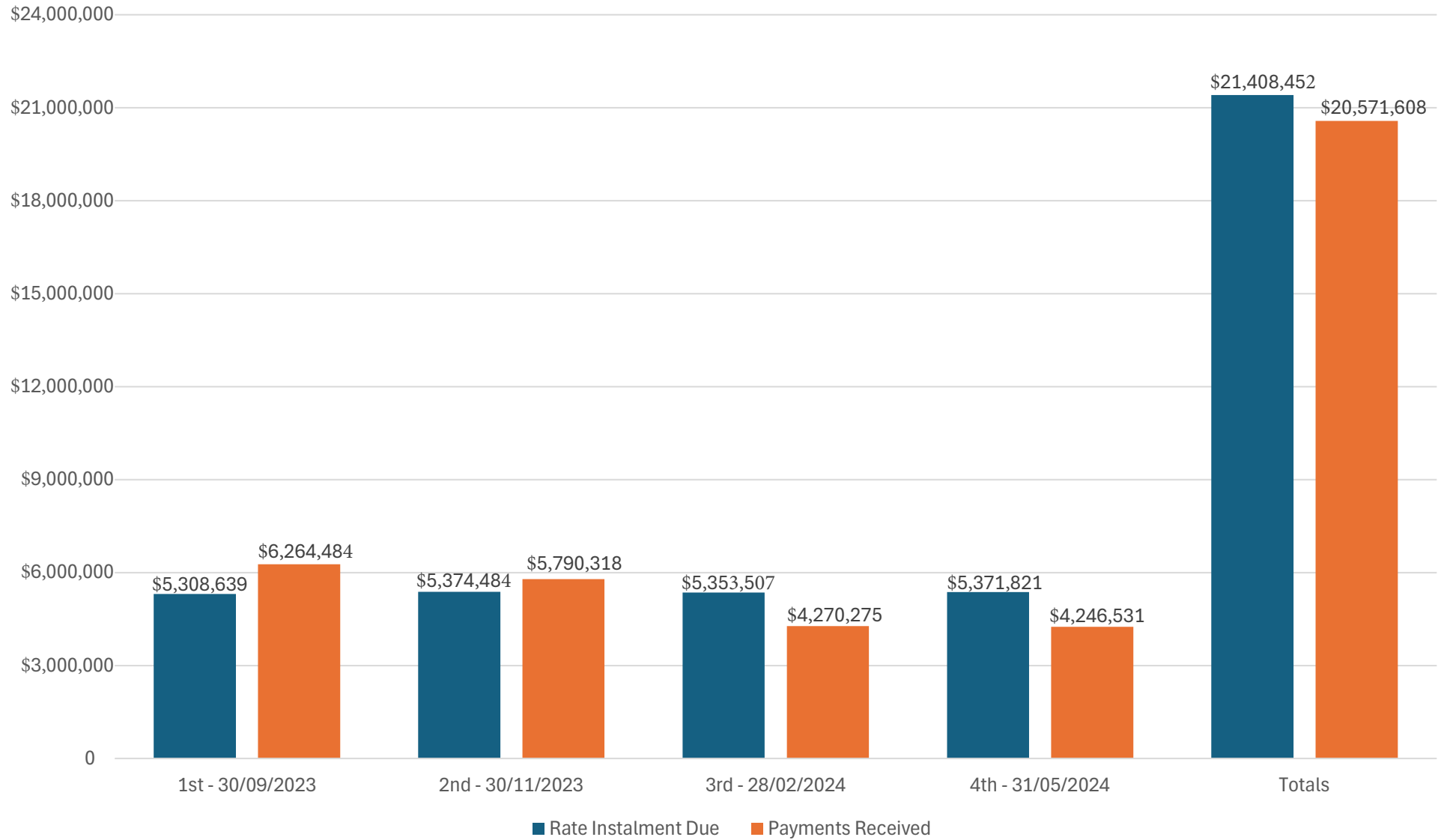
Current Rates/Charges	Rates	Interest	Legal	Total	Comments
Raised					2022/23 Rates including Municipal and Waste Management Charges (includes additional rates levied on new houses and subdivided lands)
30/09/2023	\$21,610,933	\$6,254	\$5,739	\$21,622,926	
31/12/2023	\$165,110	\$19,697	\$4,708	\$189,515	
31/03/2024	-\$32,099	\$20,879	\$1,511	-\$9,708	
30/06/2024	\$20,555	\$25,595	\$2,403	\$48,553	
Total	\$21,764,499	\$72,426	\$14,361	\$21,851,286	

Pension Concessions	Rates	Interest	Legal	Total	Comments
					State Govt - reimbursed by DHHS
30/09/2023	-\$424,351	\$0	\$0	-\$424,351	
31/12/2023	-\$4,811	\$0	\$0	-\$4,811	
31/03/2024	-\$5,824	\$0	\$0	-\$5,824	
30/06/2024	-\$7,849	\$0	\$0	-\$7,849	
TOTAL	-\$442,834	\$0	\$0	-\$442,834	

Net Rates for Collection	Rates	Interest	Legal	Total	Comments
	\$21,321,665	\$72,426	\$14,361	\$21,408,452	Payments received to date for current year rates
Payments					
30/09/2023	-\$6,262,005	-\$1,335	-\$1,144	-\$6,264,484	
31/12/2023	-\$5,781,428	-\$8,699	-\$191	-\$5,790,318	
31/03/2024	-\$4,259,131	-\$10,032	-\$1,111	-\$4,270,275	
30/06/2024	-\$4,226,786	-\$14,755	-\$4,990	-\$4,246,531	
TOTAL	-\$20,529,350	-\$34,822	-\$7,436	-\$20,571,608	

	Rates	Interest	Legal	Total	Comments
Current Rates Balance	\$792,315	\$37,604	\$6,926	\$836,844	Current Unpaid as at 01/07/2024
Balance Remaining	\$1,227,058	\$57,866	\$14,882	\$1,299,806	Balance as at 01/07/2024

2023/24 Rates and Charges - Due and Collected to 30 June 2024



9. Community Department Activity Report For The Quarter Ended 30 June 2024

SF/1534

Jane Archbold – Manager Community

PURPOSE OF REPORT

The report presents the activities of the Community Department for the quarter ended 30 June 2024.

Community Development

- The *Fair Access Policy* was adopted by the Council this quarter. The policy 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 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/or operator of the facility.
- Flying Fox procurement process was completed. This is part of the *Fawckner Drive Precinct Masterplan*, Council staff are now finalising when the works will be completed. The flying fox will have a traditional ‘pommel’ seat as well as an accessible ‘bucket’ style seat.
- A total of \$70,766 was awarded to 35 community organisations under this year’s annual community grants program. Ten Quick Response Grants were also awarded over the quarter.
- There has been a focus on meeting with Sports Clubs and Committees of Management to learn about needs, numbers, and how Council can assist as well as discussing Fair Access, recent Netball Court audits, AFL Victoria discussions on recent facility audits and partnership with Valley Sport for drop-in sessions.
- *Benalla Indoor Recreation Centre (BIRC) Redevelopment Steering Committee* EOI process was completed this quarter with two community members appointed. A draft consultation plan for *BIRC Redevelopment Project* was also completed.
- Council officers were successful in obtaining \$40,000 in grant funding through the 2023-24 Local Sports Infrastructure Fund (LSIF). The *Open Space Strategy* will significantly enhance planning decisions by providing a structured and forward-thinking approach to the development and management of open spaces. It will include assessments of the current state of open spaces in Benalla, gaps, future opportunities and cost estimates. These inclusions within the strategy will ensure that the Council is prepared for future infrastructure projects. The Council is contributing \$50,000 in addition to the LSIF funding.
- Open Space Coordinator and Community Development and Recreation Coordinator worked on gathering documentation in preparation for procurement for Pump Track design and construction.
- The Council considered and endorsed the communities request to rename the Benalla Senior Citizens Community Centre to a more inclusive name. The facility will be renamed *Benalla Seniors and Community Centre*.

- During this quarter Free from Violence (FFV) Health Checks were conducted with Councillors and department representatives. The Health Check supports the completion of the monitoring and evaluation plan, project plan and Council's objectives for the next 12 months.
- Family Violence training has been booked in for all Council staff in July 2024, and the training will be delivered by Gender Works. Before the training takes place and as a part of our FFV project all Council staff will be completing an attitudes questionnaire.

Youth Development

- Youth Mental Health First Aid (MHFA) training has been completed during Term 2 for Year 8 and Year 11 for Benalla P-12 College and Benalla FCJ College. Over 200 students were trained in this period in supporting a friend who is going through a mental health problem or crisis.
- Sixteen community members completed their Youth MHFA training over four Monday evenings during April and May 2024. The sessions were facilitated by Rachael Heywood from Tomorrow Today and Merryn Howell from Benalla Health. This training received over 28 EOI's, further training has been planned for November 2024.
- More than 130 Year 8 students enjoyed this year's Live4Life launch event on 1 May 2024 at the Benalla Indoor Recreation Centre. The day introduced all Year 8 students to the Live4Life program including key messages of Teen MHFA training and fun activities.
- Steph Brack Youth Development Coordinator received the Live4Life Community Champion Award for 2023. The award was presented to Steph at the Live4Life Annual Dinner, celebrating her exceptional dedication and impact in the community.
- Three afternoon sessions were held recruiting young people to join FReeZA over the quarter. The 2024 FReeZA group, comprising of eight young people focused on planning a rave event to be held in the coming months.
- On Friday 17 May 2024 the Council hosted a Flag Raising Ceremony and a community BBQ in a display of community unity for the International Day Against Homophobia, Biphobia, Interphobia, and Transphobia (IDAHOBIT). More than 60 people attended demonstrating the community's commitment to standing against LGBTQIA+ discrimination.
- Council staff and the Full Impact Squad were able to run a youth event on 25 May 2024 with funding from Youth Affairs Council Victoria. The event was a big version of 'capture the flag' held in the Benalla gardens. More than 40 young people attended with great results and hopes that this might turn into an annual game.
- The L2P program assisted 52 learner drivers in April, 52 in May and 44 in June 2024. An average of 23 volunteers actively drove over the quarter, providing over 900 driving hours to participants and 85 professional driving lessons were undertaken.
- Seven young people received their license during the quarter, totaling 31 licenses achieved for the whole financial year.



- Training for new L2P volunteers was held in Benalla on 1 June 2024, with three volunteers trained for Benalla, two from Alexandra and one from Wangaratta.
- Funding for 2024/25 has been announced and the program was approved for 52 places, to continue meeting the needs of the Benalla Rural City community. The new agreement is until June 2026.
- The pilot independence to drive program (older learners) funded by the Rotary Club has already exceeded our aim of 10 participants for the trial, with the first learner passing their drive test. The program is expected to run until September 2024. It has been proposed that a third party be engaged to write an evaluation on the trail program to present the findings to the Victorian Government and Transport Accident Commission (TAC).



Social Inclusion Action Group (SIAG)

- The SIAG Committee completed the second part of the Ending Loneliness Together training with Dr Robbie Eres. The training was widely praised by the group. The training focused on being able to observe the signs and symptoms of loneliness, how to properly engage and communicate with someone who may be feeling lonely, and how to address barriers in an individual's life that may lead to loneliness. The overarching aim of the training was to build capability within the SIAG, to promote positive outcomes of reducing loneliness and increasing positive mental health within our community.
- The Benalla SIAG has addressed the gaps identified in our committee, having recently recruited four new members. These individuals, all younger males have brought greater diversity in both gender and age to the group. Additionally, one member recently immigrated from Kenya in February 2024, and another from Canada. The composition of the group has enhanced our ability to engage in discussions and gather diverse perspectives, helping the group to better serve all demographics within the Benalla community.
- This year, the Benalla SIAG was the primary funder for the NAIDOC Week celebration. The *Aboriginal and Torres Strait Islander Advisory Group* requested up to \$10,000 to create a memorable event. Although not officially in this reporting period by all accounts, the day was a huge success, featuring a flag-raising ceremony, smoking ceremony, activities, games, interactive stalls, dancing, musicians, and catering. More than 250 community members attended, fostering social connections in a culturally appropriate way. Further details and final expenditure will be included in the next quarterly report.

- In response to a need identified in the community Benalla SIAG has been working in partnership with our Ageing Well Coordinator, to build a resource library for community groups and organisations. The resource library will allow groups to borrow items for events and activities by paying a refundable bond. Items acquired to date include a wheelchair ramp, a data projector, a portable PA speaker and microphone system, two laptops with chargers, and collapsible tables. The resource library will be expanded based on community feedback regarding additional needs. A consent form to facilitate the loaning of these items to community groups and organizations is being drafted.
- Benalla SIAG funded and held seven out of 11 remaining rural community events over the quarter. Feedback based on forms sent to the event organisers in each community revealed that more than 700 people attended these events. On average each event welcomed five to ten community members that had not previously attended an event in their area before and fostered five to ten new community connections, thus demonstrating that these events fostered social inclusion and community connection. The team have already been approached about the possibility of holding more rural community events in the future.
- Benalla SIAG has provided funding through a community grant application process, to six different organisations. These grants have various aims such as promoting positive mental health through art therapy and creating awareness of environmental issues and encouraging sustainability.

Maternal and Child Health (MCH)

- 34 Birth Notices received for the Quarter April to June, however 36 enrolments occurred as this figure included families new to Benalla.
- 475 children enrolled in MCH service.
- 39 families enrolled in Enhanced MCH Program with 395 Service hours this quarter (for perspective last financial year funded for 1387 hours averaging 346 hours per quarter)
- First Time Parents' Group Commenced on 18 April with a group of six to eight participants attending each week for eight weeks. The First Time Dads Group this quarter saw four to six dads participate for the four-week program.

Integrated Family Services (IFS)

- Integrated Family Services (Family Services and Family Liaison) have supported 53 families in the community during the quarter, inclusive of 143 child/young persons (pregnancy to 17years). Family Service target hours for the quarter was 109.58 percent achieved.
- The IFS team attended the Ovens Murray Community Services Symposium, *Stronger Together*, alongside 31 other community service agencies. Presentations were made by keynote speakers, including a live Lived Experiences performance "Listening to Voices", Matt and Sarah Brown "She Is Not Your Rehab" (discussing person using violence accountability), Professor Daryl Higgins (ACU) discussing the Australian Child Maltreatment Study, and Dr Anita Morris (DFFH) discussing the Trauma Informed Practice Framework.
- Supported Playgroup ran two days a week (Tuesdays and Thursdays) with 14 families attending across the two days. A new facilitator commenced in mid-June 2024.
- Funding was secured for a further 12 months for the fixed-term funding role within Family Services.

Age Friendly Benalla

- Training for volunteers was offered in early March 2024 prior to the Age Well in Benalla Info Hub reopening in mid-March 2024. Opening times for the hub have seen small numbers attending, most successfully having their queries answered. The hub has been visited by Coinda and Benalla Health to see how they can assist with community needs, and they are distributing the brochures advertising the hub.
- *Age Friendly Benalla Reference Group Meetings* continue monthly with the group updating Terms of Reference and reviewing progress against *Age Friendly Benalla Action Plan*.
- Ageing Well Officer has been working in partnership with the *Age Friendly Benalla Reference Group* and liaising with the Library, Art Gallery, Benalla Cinema, Swanpool Cinema and Opera Australia, in planning for a variety of events to be offered as part of the 2024 Seniors Festival in October. Council has been successful in securing an additional \$10,000 funding for priority group events as part of this year's Seniors Festival.
- Ageing Well Officer assisted in hosting a Crimestoppers Session for the community at the Benalla Visitors Information Centre on Thursday 27 June 2024 and has been liaising with coordinator of the Community Visitors Scheme to discuss possible volunteers to visit residents in Benalla Aged Care facilities or in their own home under home care package.

Regional Assessment Service (RAS)

- As of 30 June 2024, the Council transitioned out of providing the Regional Assessment Service. The Commonwealth Government have not announced who the new service provider for Regional Assessment Services will be in Benalla Rural City. Remaining clients who were waiting for an assessment were sent a letter prompting them to call My Aged Care if they hadn't been contacted.
- Over the past 12 months the Assessment team has processed 344 referrals, completed 162 assessments and completed 427 support plan reviews.
- It is important to acknowledge the incredible dedication and resilience of our Regional Assessment Service staff who have been on a long journey enduring extension after extension, continual changing goal posts, uncertainty in referral pathways and much more in their last few years with Council.

Highlights

- A successful National Reconciliation Morning Tea event was held at the Benalla Visitor Information Centre on Monday 27 May 2024. The invitation only event allowed Leadership from Benalla Rural City Council, Benalla Health, Victoria Police, and Councillors to build ties and connect with members of the Benalla and Torres Strait Islander Advisory Group. Aunty Cheryl Cooper spoke passionately about reconciliation, and all involved had the opportunity to view artefacts set up by the Advisory Group.



COUNCIL PLAN 2021-2025 ACTION PLAN

Community

A healthy, safe and resilient community		
Strategy	Action	June Quarter Update
With our community and key stakeholders address the priorities of the Victorian Public Health and Wellbeing Plan 2019-2023: healthy eating and active living; mental wellbeing, sexual and reproductive health, reducing tobacco related harm and harmful alcohol and drug use and preventing violence and injury, drug-resistant infections and climate change and its impact on health.	Implement and monitor Benalla Rural City Municipal Health and Wellbeing Action Plan.	Resourced two meetings of the Benalla Health and Wellbeing Partnership Group. The partnership continues to attract new service providers keen to link in with other providers servicing the Benalla area. Continually seeking feedback from the partnership of any programs and activities undertaken that align with the MPHWPB. It was agreed that future meetings of the partnership would focus on an agreed theme identified by the group. The June meeting covered drug and alcohol services, with homelessness to be the theme for the August meeting.
Work together with key health, welfare and community organisations and networks to support better learning, development and wellbeing outcomes for community members.	Work with the State Government to plan for future Benalla Rural City kindergarten infrastructure and workforce needs.	The Kindergarten Connections Group met on 18 June with most Benalla kindergartens and childcare centres represented. The Kindergarten Infrastructure and Service Plan (KISP) and Benalla LGA Workforce Plan for Early Childhood Education Centres (ECEC) were discussed including an updated ECEC Action Plan. The final Workforce Plan for Early Childhood Education Centres was submitted in early May to the department. Local representatives also attended the Ovens Murray Early Childhood Education School Industry Roundtable on 6 June.
Offer programs, services, activities and events that support, develop and connect community members of all abilities and lead the community in being age friendly and child and Covid safe.	Adopt and implement the Disability Action Plan.	Due to staffing limitations Accessibility Reference Group did not meet over the quarter. Plans are to have the draft Disability Action Plan endorsed by the ARG and be submitted to graphic designer in Quarter 4. Child Safe Working Group continues to meet, with majority of staff having received training from Child Safe Strategies. Follow up sessions being planned for teams across the organisation facilitated by members of the working group. Age Well in Benalla Info Hub re-opened during the quarter promoting services and activities available in Benalla for older people.

A connected, involved and inclusive community		
Strategy	Action	June Quarter Update
Continue to respectfully engage, include, celebrate and promote Aboriginal and Torres Strait Islander culture and people.	Develop and implement Benalla Rural City Council Aboriginal Reconciliation Plan.	Resourced 3 meetings of the Aboriginal and Torres Strait Islander Advisory Group over the quarter, with a focus on preparing for NAIDOC week in July. Received conditional endorsement from Reconciliation Australia for Council’s first Reflect Reconciliation Action Plan (RAP). After a two stage EOI process a local Aboriginal artist has been commissioned to produce an original artwork to feature in the final RAP. The artwork will be launched at this year’s NAIDOC week event on Tuesday 9 July.
Promote, support and actively engage with smaller rural communities.	Develop and implement Rural Township plans.	Township Plans were shared at SIAG community events for feedback. Township projects funded through LRCI program nearing completion.

Leadership

A connected, involved and inclusive community		
Strategy	Action	June Quarter Update
Promote, support and actively engage with smaller rural communities.	Continue to improve community engagement processes and new ways to engage.	Focus on smaller rural communities over the quarter with seven rural community events funded. Community Engagement Policy adopted. Policy to be reviewed in the next quarter in preparation for extensive engagement to be undertaken in the development of the 2025-2029 Council Plan and a number of major projects being undertaken.

FINANCIAL IMPLICATIONS

Operating Budget result for the period ending 30 June 2024

	Notes	2023/24 Actuals	2023/24 Budget	Variance
Community Operations	1	\$527,096	\$920,036	\$392,940
Community Development	2	(\$78,445)	\$0	\$78,445
Youth Programs	3	\$140,351	\$98,974	-\$41,377
ADS Assessment	4	\$131,814	\$17,096	-\$114,718
FCS Maternal Child Health	5	\$39,152	\$136,108	\$96,956
FCS Family & Children’s Services		\$119,046	\$117,231	-\$1,815
ADS Aged & Disability Services	6	(\$7,655)	\$14,500	\$22,155
ADS Social Support		\$0	\$737	\$737
Total		\$871,359	\$1,304,682	\$433,323

Notes:

1. Favourable variance due to difficulties with staff recruitment and underspend in Social Inclusion Action grant funding.
2. Favourable variance due to additional funds received for programs not included in forecast.
3. Unfavourable variance due to timing differences between the delivery of programs and receipt of grant funding.
4. Unfavourable variance due to additional costs associated with the Council exiting from the Regional Assessment Service.
5. Favourable variance due to underspend in Enhanced Maternal Child Health and Sleep and Settling programs.
6. Favourable variance due to additional grant funding received for Seniors Festival 2024.

Recommendation:

That the report be noted.

10. 2024/2025 Quick Response Grants Program

SF/2857

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

PURPOSE OF REPORT

The report presents funding applications for 2024/25 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 2024/25 Quick Response Grant program are detailed in the table below.

Applicant	Details	Amount Requested	Proposed Assistance
Carers and Parents Support Group	NOFASD Information and Training Day Grant funding will help cover the costs associated with running a comprehensive training and information session on National Organisation for Fetal Alcohol Spectrum Disorders (NOFASD). The presentation for parents, carers and professionals will be held on the 5 September 2024. The quick response grant funding will compliment funding provided by Benalla Rotary and Tomorrow Today.	\$500	\$500
Benalla RSL	Speaker for RSL The Benalla RSL are seeking funding to purchase two speakers and microphones. The RSL runs many events each year for the community and have found that its current speaker is not fit for purpose. In particular, ANZAC Day and Remembrance Day ceremonies are growing each year and the RSL needs to accommodate the larger crowds with improved speakers.	\$500	\$500
Total		\$1,000	\$1,000

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 *2024/25 Budget* allocates \$15,000 to the Quick Response Grant program. To date, \$500 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 \$500 grants from the 2024/2025 Quick Response Grant program be allocated to the Carers and Parents Support Group and to the Benalla RSL.

11. People and Performance Department Activity Report For The Quarter Ended 30 June 2024

SF/1538

Janine McMaster – Manager People and Performance

PURPOSE OF REPORT

The report presents the activities of the People and Performance Department for the quarter ended 30 June 2024.

Customer Relations

- Staff members from the Customer Service Centre and Sir Edward Weary Dunlop Learning Centre (Library) continue to rotate venues each week to enhance their skills across both worksites to ensure support to the customer facing teams when experiencing times of limited resources.

Complaints Received for the period between 1 April 2024 to 30 June 2024

Category	Description
Capital Works	Residents not notified of drainage works in the street – impacted the access to their properties.
Capital Works	Contractors over sprayed asphalt - damaged private properties.
Waste	Waste and Recycle bins are being collected from the one truck.
Waste	Missed bins – 79. Partially emptied bins – 26.
Events	Residents not notified of fireworks in the CBD - impact on animals across the municipality.
Events	Resident not notified of private fireworks - impact on the community and animals.
Traffic Management	Equipment used by the Infrastructure Works Team caused noise pollution when street cleaning.
Traffic Management	Grading completed on Goudie Road Chesney Vale - damaged driveway entrance.
Customer Relations	Double up rates instalment payment received over the counter. This should have been identified and not accepted.
Staff	Inappropriate and threatening behavior from a staff member to a resident.

Human Resources

- Ongoing maintenance and administration of the Human Resources functions, including the following areas: recruitment, interview, induction, organisational wide training and monitoring the training budget.

- Following the staff position description changes being finalised and approved, all current position descriptions are being changed to the new format. The new position descriptions will be distributed to staff as part of the Annual Staff Performance and Development Review process or as vacant positions are advertised.

Service	March 2024	June 2024
Recruitment	9	1
Turnover	2	4
Training Applications	20	20
Workplace incidents	9	0
WorkCover claims	1	0

Payroll

- Maintained Payforce database in response to changes in employee details and terms of employment.
- Responded to internal payroll enquiries.
- Prepared managers’ payroll reports each fortnight and other ad hoc and costing reports.
- Undertook training for the end of financial year payroll processing.
- Continue to participate in Collaborative Digital Innovation (CODI) Project for payroll workshops.

Risk Management

Occupational Health and Safety

- Test and Tag were conducted at the required work locations.
- Evacuation drills are to be arranged by the Area Wardens.
- Ongoing review of risk management policies and procedures as developed by Paladin Risk Management Services.
- Aggressive Customer training was presented to all staff across the Organisation. The training took place over three days.
- Visitor Information Centre and Benalla Cinema fire evacuation drill conducted.

OH&S continues to be monitored through the following regular:

- workplace site inspections - all site inspections were completed throughout March with no outstanding actions.
- designated Workplace Group meetings
- incident and hazard reporting and monitoring
- incident and hazard action lists
- reporting to the Leadership Team and OH&S Committee
- reporting at department team meetings.

Information Sessions

- The Corporate Risk Coordinator (CRC) attended an Echelon Claims webinar in May which provided small claims and under access customer support training.
- CRC attended an insurance renewal webinar update which was presented by JLT Risk Services.

Information Management

- Ongoing processing of both electronic and hard copy information.
- 20,779 electronic documents were saved into Content Manager this quarter.
- Continuing to work with other stakeholders on the implementation of the joint Information Management solution as part of the Collaborative Digital Innovation (CODI) Project.
- Attended an Organisational Change Management (OCM) full day workshop in Mansfield.

Volunteer Development

- Coffee with a Cop was held on 2 April 2024 at the Brew and Toasties location. The get together was aimed at providing an opportunity for the community to interact and connect with their local police and Benalla Rural City Council Compliance Officers on community safety issues.
- On 21 April 2024 the Volunteer Development Coordinator participated in the Come and Try Day and Youth Careers Expo held by Tomorrow Today Foundation at the Benalla Indoor Recreation Centre.
- Celebrations for National Volunteer Week were held at the Benalla Visitor Information Centre on Tuesday 21 May 2024. More than 30 volunteers attended a morning tea and were joined by Council staff, Mayor Danny Claridge and Councillors. The function provided an opportunity to celebrate and thank the Benalla Rura City Council volunteers and present them with a certificate to acknowledge their years of service.
- The Volunteer Development Coordinator and the Library Coordinator have been working together to develop new position descriptions for re-engaging volunteers at the library. Some of the roles that have been identified for Library Volunteers are home library deliveries and an Ending Loneliness Together team. This has been a successful campaign with two volunteers engaged for home library deliveries and another four enquiries for various volunteering roles.
- Articles for National Volunteer Week were published in the Benalla Ensign and through social media thanking our volunteers and providing the community with information on the various volunteering programs available.
- A biannual volunteer newsletter, THE CALL, was developed and distributed to all volunteers during National Volunteer Week 20 – 26 May 2024. The next newsletter will be published in December 2024.



- The Benalla Art Gallery Volunteers gathered for a celebratory get together on Monday 20 May 2024 at the Art Gallery. Erna Howell was thanked for her many years of volunteering as she has decided to retire.
- L2P Volunteers gathered at the Benalla Visitor Information Centre to celebrate Volunteer week where they enjoyed a movie and lunch as part of their celebrations.

Volunteer activity for the quarter:

Volunteer Activity	Current Volunteers 2024	
	Registered	Active
Arts and Tourism	43	31
Events and Festivals	19	11
Youth Programs (Live4Life) Not all students currently recorded in Data Sheet	41	41
L2P (Mentors only)	33	33
Gardens maintenance and Litter Reduction	27	21
Specialist Committees & Steering Groups (includes Age Friendly)	48	36
RedB4 Bookshop Benalla Library	42	39
Friends of Groups	44	43
Total	297	255

Sir Edward ‘Weary’ Dunlop Learning Centre (Benalla Library)

During this quarter the Benalla Library has welcomed 16,739 patrons through our doors and loaned a total of 16,688 items.

Over the 2023/2024 financial year, the Sir Edward Weary Dunlop Learning Centre has welcomed 59,709 patrons through the doors and loaned a total of 64,629 items.

Activity	April 2024	May 2024	June 2024
Total Visits	5,256	6,087	5,396
Total Loans	5,670	5,667	5,351
Total Members	3,906	3,913	3,955
New Members	54	45	50

April 2024

- Benalla Library jumped into the school holidays with the annual Easter Egg Hunt, where children searched for laminated Easter eggs throughout the library for a small chocolate prizes.
- The Benalla Library welcomed independent author Lee Lehner for an author talk.
- During the school holidays the Benalla Library continued with the popular Turing Tumbles and Spintronics, teaching children the basics of computer coding and engineering.

May 2024

- The Benalla Library hosted two author talks in partnership with Edgars Books - Kylie Orr and Amanda Hampson.

- The Benalla Library celebrated international Star Wars Day (May the 4th Be with You) with a film in the Kid’s Corner.
- The Education and Public Programs Officer attended an outreach event to Probus, highlighting all that the Benalla Library has to offer, our programs, and other ways the community can be involved, from community events to volunteering.
- The Library Officer began attending weekly classes in Youth Mental First Aid, to help diversify our team skills.

June 2024

- Benalla Library partnered with the Friends of Benalla Library for two events during June. An author talk with Vikki Petratis and Australia’s Biggest Morning Tea. Vikki Petratis delivered an enthralling discussion about her experiences in the true crime area of writing. The Australia’s Biggest Morning Tea was a successful event that raising over \$500 for cancer research.
- During the month, Benalla Library welcomed the Christian College for a library visit and craft activity. Patrons attended a sustainability and energy saving talk in partnership with Sustainability Victoria, launched a local picture book called “A Benalla Story,” and hosted a World-Wide Knit Day event.



COUNCIL PLAN 2021-2025 ACTION PLAN

Community

A Connected, Involved and Inclusive Community		
Strategy	Action	June Quarter Update
Encourage, support, value and celebrate volunteering in the community.	Develop and implement a Volunteer Engagement Strategy.	The Benalla Rural City Council Volunteer Development and Engagement Strategy 2023-2025 was adopted by the Leadership Team its May 2024 meeting.

Leadership

High Performance Culture		
Strategy	Action	June Quarter Update
Improve customer experience through responsive, timely, efficient, well planned, and accessible services.	Review and update the <i>Customer Relations Strategy</i> .	The <i>Benalla Rural City Council Customer Experience Strategy 2023-2025</i> was adopted by the Leadership Team at its May 2024 meeting.
Develop a skilled, efficient, and high performing customer focussed workforce.	Adopt and implement a <i>Benalla Rural City Council Workforce Plan</i> .	The Benalla Rural City Council Workforce Plan 2021-2025 is current. Workforce planning workshops have been held with the Leadership Team and all managers are now developing their department plans.

FINANCIAL IMPLICATIONS

Operating Budget result for the period ending 30 June 2024

	Notes	2023/24 Actuals	2023/24 Budget	Variance
People and Performance	1	\$642,082	\$748,515	\$106,433
Customer Relations	2	\$431,062	\$478,181	\$47,119
Records Management	3	\$260,719	\$315,302	\$54,582
Volunteer Development		\$52,728	\$59,917	\$7,190
Risk Management	4	\$678,127	\$754,928	\$76,801
Library		\$486,784	\$469,901	-\$16,883
Total		\$2,551,503	\$2,826,744	\$275,241

Notes:

1. Favorable variance primarily due to less than budgeted Salaries and On-costs (\$52,387) and Staff Training/Courses (\$30,543) expenditure.
2. Favorable variance primarily due to less than budgeted Contract Staff (\$26,642), Stationery (\$10,183), and Salaries and On-costs (\$7,883) expenditure.
3. Favorable variance primarily due to Salaries and On-costs expenditure \$42,609 less than budgeted.
4. Favorable variance primarily due to \$84,466 less than budgeted insurance costs and claims.

Recommendation:

That the report be noted.

12. Urgent Business

Closure of Meeting