

# Council Meeting

## Minutes

**Date:** Wednesday 12 October 2022

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

The Council Meeting was live streamed. Members of the public were encouraged to watch the live broadcast of the meeting at [www.benalla.vic.gov.au](http://www.benalla.vic.gov.au)

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

PO Box 227  
1 Bridge Street East  
Benalla Victoria 3671  
Tel: 03 5760 2600  
[council@benalla.vic.gov.au](mailto:council@benalla.vic.gov.au)  
[www.benalla.vic.gov.au](http://www.benalla.vic.gov.au)

## Contents

Opening and Acknowledgment of Country .....	3
Statement of Commitment .....	3
Disclosures of Conflict of Interest.....	4
Apologies.....	4
Confirmation of the Minutes of the Previous Meeting .....	4
1. Public Question Time.....	4
2. Petitions .....	4
Record of Committees.....	5
3.1 Recommendations from Delegated Committees.....	5
3.2 Assemblies of Councillors, Advisory and External Committees .....	6
Officer Reports.....	7
4.1 Authorisation of Signing and Sealing of Documents .....	7
4.2 Professional Development for Councillors Policy Review .....	7
4.3 Mayor and Councillor's Attendance at Committees and Civic Functions .....	7
4.4 Council Actions Pending .....	8
5. Reports by Councillors .....	8
6. Notices of Motion .....	9
7. Notices of Rescission Motion .....	9
8. Urgent Business .....	9
Confidential Business .....	10
9.1 Tender for CM22.040 Gravel Road and Sealed Road shoulder Re-Sheets of Various Council Roads 2022/23 Program .....	11
9.2 Tender for CM22.037 Spray Sealing and Associated Services 2022/23 Program .....	11
9.3 Confidential Report by Councillors.....	12
9.4 Confidential Council Actions Pending .....	12
9. Reopening of the meeting to the public .....	13
Closure of the meeting .....	13



# Minutes

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

**The Council Meeting commenced at 6pm.**

## Opening and Acknowledgment of Country

The chair recited the following Acknowledgement of Country.

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

## Statement of Commitment

The Councillors recited the following Statement of Commitment:

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





### **Disclosures of Conflict of Interest**

No conflicts of interest were disclosed to the meeting.

### **Apologies**

No apologies were submitted to the meeting.

### **Confirmation of the Minutes of the Previous Meeting**

The minutes were circulated to Councillors and posted on the Council website [www.benalla.vic.gov.au](http://www.benalla.vic.gov.au) pending confirmation at the meeting.

**Cr Davis / Cr Claridge:**

**That the Minutes of the Council Meeting held on 7 September 2022 be confirmed as a true and accurate record of the meeting.**

**Carried**

### **1. Public Question Time**

No questions were submitted to the Council Meeting.

### **2. Petitions**

No petitions were submitted to the meeting.



## Record of Committees

### 3.1 Recommendations from Delegated Committees

The recommendations from the Finance and Operations Committee meeting and the Planning and Development Committee meeting held on Wednesday 5 October 2022 were provided to Councillors.

**Cr Davis / Cr O'Brien:**

1. That the recommendations of the Finance and Operations Committee meeting held on Wednesday 5 October 2022 be adopted.
2. That the recommendations of the Planning and Development Committee meeting held on Wednesday 5 October 2022 be adopted.

**Carried**

### 3.2 Assemblies of Councillors, Advisory and External Committees

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

The record of Assemblies of Councillors since the report presented at the meeting on 7 September 2022 was presented.

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

#### August 2022

9 August 2022	Accessibility Reference Group Meeting
10 August 2022	Benalla Local Safety and Traffic Liaison Committee
10 August 2022	Benalla Festival Advisory Committee Meeting
17 August 2022	Assembly of Councillors Business Review
18 August 2022	Assembly of Councillors
23 August 2022	Benalla Art Gallery Committee Meeting
31 August 2022	Assembly Of Councillors

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

**Carried**



## Officer Reports

### 4.1 Authorisation of Signing and Sealing of Documents

No documents were submitted for signing and sealing.

### 4.2 *Professional Development for Councillors Policy Review*

The report presented for consideration the revised and updated *Professional Development for Councillors Policy*.

**Cr King / Cr Davis:**

- 1. That *Professional Development for Councillors Policy* (as amended) be adopted.**
- 2. That *Professional Development for Councillors Policy* (as amended) be reviewed in November 2025.**

**Carried**

### 4.3 Mayor and Councillor's Attendance at Committees and Civic Functions

The Mayor and Councillors attendance at meetings and events from the period 29 August 2022 to 2 October 2022 were provided to Councillors.

It is noted that Councillor Don Firth was on an approved leave of absence and was not in attendance at:

- Benalla Indoor Recreation Centre Annual General Meeting on 15 September 2022.
- Assembly of Councillors Aged Friendly Reference Group Briefing on 20 September 2022.

**Cr Claridge / Cr King:**

**That the report be noted.**

**Carried**



#### 4.4 Council Actions Pending

Council Actions Pending were provided to councillors.

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

**Carried**

#### 5. Reports by Councillors

Councillor O'Brien reported on her attendance at:

- Benalla Gold Cup on Friday 23 September 2022.
- Celebration of Michael Cook's exhibition 'Invasion' at the Benalla Art Gallery on Saturday 1 October 2022.

Councillor Claridge reported on the Friends of Benalla Performing Arts and Convention Centre (BPACC) Committee:

- The Friends of BPACC were established in 2005 and have fundraised for BPACC and have supplied ushers and bar staff to help run the facility.

The Friends of BPACC have funded five small theatre seasons with money raised through fundraisers:

- The Burt Bacharach Songbook
- Wendy Stapleton
- The Traveling Wilburys (tribute band)
- Songs of Bernadette Robinson
- David Hobson.

**Cr King / Cr Claridge:**  
**That the report(s) be noted.**

**Carried**





**6. Notices of Motion**

No notices of motion were submitted to the Council Meeting.

**7. Notices of Rescission Motion**

No notices of rescission motion were submitted to the Council Meeting.

**8. Urgent Business**

No urgent business was presented to the meeting.



**Confidential Business**

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

- 9.1 Tender for CM22.040 Gravel Road and Sealed Road shoulder Re-Sheets of Various Council Roads 2022/23 Program
- 9.2 Tender for CM22.037 Spray Sealing and Associated Services 2022/23 Program
- 9.3 Confidential Reports by Councillors
- 9.4 Confidential Council Actions Pending

**Cr Davis / Cr King:**

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

**Carried**



**9. Reopening of the meeting to the public**

**Cr Davis / Cr Claridge:**

**That the meeting be reopened to the public.**

**Closure of the meeting**

The Council Meeting closed at 6.59pm.

**Confirmed this sixteenth day of November 2022.**

**Signed:**



**Chair – Cr Bernie Hearn (Mayor)**