

Council Meeting

Minutes

Date: Wednesday 8 February 2023

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

The Council Meeting was live streamed and recorded. Members of the public were encouraged to watch the live broadcast of the meeting at 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.



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Minutes

Chair	Councillor Bernie Hearn (Mayor)	
Councillors	Councillor Danny Claridge	
	Councillor Peter Davis	
	Councillor Don Firth	
	Councillor Punarji Hewa Gunaratne	
	Councillor Justin King	
	Councillor Gail O'Brien	
In attendance	Dom Testoni	Chief Executive Officer
	Robert Barber	General Manager Corporate
	Adrian Gasperoni	Manager Assets and Infrastructure
	Courtney Naughton	Manager Economic Development and Sustainability
	Eric Nash	Benalla Art Gallery Director
	Jessica Beaton	Governance Coordinator

Opening and Acknowledgment of Country

The Chair opened the meeting at 6pm and 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.*



2. Petitions

No petitions were submitted to the meeting.

Record of Committees

3.1 Recommendations from Finance and Planning Committee

The recommendations of the Finance and Planning Committee meeting held on Wednesday 1 February 2023 were presented.

Cr Firth / Cr King:

That the recommendations of the Finance and Planning Committee meeting held on Wednesday 1 February 2023 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.

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

December 2022

5 December 2022	Benalla Local Safety and Traffic Liaison Committee
7 December 2022	Assembly of Councillors
12 December 2022	Australia Day Advisory Committee
13 December 2022	Accessibility Reference Group

Cr Gunaratne / Cr O'Brien:

That the report be noted.

Carried

4.4 Proposed Discontinuance of Roads Abutting Nelson Road, Winton North

The report considers the discontinuance of roads abutting Nelson Road, Winton North.

Cr Firth / Cr Davis:

That Council, acting under clause 3 of Schedule 10 of the *Local Government Act 1989* (Act):

1. Having followed all the required statutory procedures pursuant to sections 207A and 223 of the Act, and being of the opinion that the government roads abutting Nelson Road, Winton North, being the land shown marked as 'lot 1' on each of the plans attached to this report as Appendix 1 (Roads), are not reasonably required for public use for the reasons set out in this report, resolves that the Roads be discontinued;
2. Directs that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the Act is to be published in the *Victoria Government Gazette*; and
3. Directs that any easements, rights or interests required to be created or saved over the Roads by any authority be done so and not be affected by the discontinuance of the Roads.

Carried

4.5 Mayor and Councillor's Attendance at Committees and Civic Functions

The Mayor and Councillors attendance at meetings and events during the period from 5 December 2022 to 28 January 2023 were presented.

Cr King / Cr Gunaratne:

That the report be noted.

Carried

4.6 Council Actions Pending

Council Actions Pending were presented.

Cr King / Cr Gunaratne:

That the report be noted.

Carried

6. Notices of Motion

No notices of motion were submitted to the meeting.

7. Notices of Rescission Motion

No notices of rescission motion were submitted to the meeting.

8. Urgent Business

No urgent business was submitted to the meeting.

Confidential Business

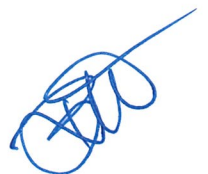
It was proposed that the following items be considered in confidential business pursuant to the *Local Government Act 2020* as they contain personal information or private commercial information that would result in the unreasonable disclosure of information about a person, their personal affairs or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

- 9.1 Enterprise Park Sale of Land Update
- 9.2 Confidential Reports by Councillors
- 9.3 Confidential Council Actions Pending

Cr Davis / Cr Claridge:

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



10. Reopening of the meeting to the public

Cr Davis / Cr Claridge:


That the meeting be reopened to the public.

Carried

Closure of the meeting

The Council Meeting closed at 7.04pm.

Confirmed this fifteenth day of March 2023.

Signed: 

Chair – Cr Bernie Hearn (Mayor)