

Council Meeting

Minutes

Date: Wednesday 24 May 2023

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

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



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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
	Jane Archbold	Manager Community
	Janine McMaster	Manager People and Performance
	Courtney Naughton	Manager Economic Development and Sustainability
	Jess Pendergast	Governance Coordinator

Opening and Acknowledgment of Country

The Chair opened the meeting at 5.40pm 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.*



Governance Matters

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

Disclosures of Conflict of Interest

See item 4.7.

Apologies

No Apologies were submitted to the meeting.

Confirmation of the previous Meeting Minutes

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

Cr Davis / Cr Claridge:

That the Minutes of the Council Meetings held on Wednesday 19 April 2023 be confirmed as a true and accurate record of the meeting.

Carried



1. Public Question Time

The Council's *Governance Rules 2020* provide the opportunity for members of the public to lodge written questions of broad interest to the Council and the community.

It is recorded that Lynda Orr tabled the below questions:

Can Council guarantee residents and rate payers that there will be NO Drag Queen Story Time performed at any Benalla Council run establishments in the future?

The Chief Executive Officer answered no.

Can Council explain the proposed borders of the proposed Smart City, 15 minute/20minute neighbourhood.

The Chief Executive Officer answered that there is no Benalla Rural City Council proposed borders.

Cr Firth / Cr Claridge:

That the questions and answers be noted.

Carried

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 5 April 2023 were presented.

Cr King / Cr Davis:
That the recommendations of the Finance and Planning Committee meeting held on Wednesday 5 April 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 have been provided to councillors under separate cover.

April 2023

3 April 2023	Benalla Local Safety and Traffic Liaison Committee Meeting
4 April 2023	Accessibility Reference Group Meeting
12 April 2023	Benalla Festival Advisory Committee Meeting
12 April 2023	Assembly of Councillors – Business Review

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 Arthur Baird Memorial Sculpture

This briefing considered submissions received on the *Arthur Baird Memorial Sculpture*.

The letter of support from the QANTAS Founders Museum that was provided to all councillors during the meeting is attached.

Cr Firth / Cr Claridge:

- 1. That the *Arthur Baird Memorial Sculpture project* be approved.**
- 2. That the *Arthur Baird Memorial Sculpture* be located in the car park of the Sir Edward 'Weary' Dunlop Learning Centre as proposed in the community engagement program.**

Carried

A division of the vote was called.

Votes recorded in favour of the motion:

Cr Danny Claridge

Cr Peter Davis

Cr Don Firth

Cr Bernie Hearn (Mayor)

Cr Justin King

Cr Gail O'Brien

Votes recorded against the motion:

Cr Gunaratne

The motion was **carried**.



Qantas Founders Outback Museum Pty Ltd.

ABN 76 109 494 788

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Longreach
QLD 4730

Ph 61 (0)7 4658 3737
Fax 61 (0)7 4658 0707
Website www.qfom.com.au



17th May 2023

To Whom It May Concern

Qantas Founders Museum is pleased to offer this letter of support to the Benalla Rural City Council for the installation of a memorial to Wilfred Arthur Baird – Arthur Baird.

Mr Baird was a driving force in the establishment of Australia's aviation industry. In addition to his time with QANTAS, he also assisted Reverend John Flynn establish the Royal Flying Doctors in Queensland.

The memorial will serve as a great reminder to locals and visitors of the importance of Arthur's legacy to Australian aviation engineering and mechanical standards.

Wilfred Arthur Baird, the man who created the engineering standards for Qantas and whose reputation continues to pervade, in the most positive way. His legacy continues to inspire into the 21st century.

The installation of the proposed sculpture - **On a wing and a prayer** is a fitting memorial to Arthur.

We fully support the recognition of Arthur Baird in the town he was born.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Alleyne Johnson', written over a horizontal line.

Alleyne Johnson
General Manager
The Trustee for the Qantas Foundation Memorial Trust
and Qantas Founders Museum
Email: ajohnson@qfom.com.au
Phone: 07 4658 3737

*Welcome to the story of Qantas.
Qantas began in this region of outback Queensland in 1920.*

This museum, dedicated to the story of Qantas, is an Australia wide community and volunteer project and is entirely funded by public support.

A handwritten signature in black ink, appearing to be 'AJ', written over a horizontal line.

4.3 Establishment of the *Benalla Street Art Advisory Committee*

The report presented for consideration the establishment of a *Benalla Street Art Advisory Committee*.

Cr King / Cr Claridge:

1. That the *Benalla Street Art Advisory Committee* be established.
2. That the *Benalla Street Art Advisory Committee Terms of Reference* be adopted.
3. That Cr Firth and Cr O'Brien be appointed as the councillor representatives on the *Benalla Street Art Advisory Committee* for the 2022/23 Council year.
4. That an expression of interest process be undertaken to obtain representatives from key stakeholder groups and community representatives to join the *Benalla Street Art Advisory Committee*.

Carried

4.4 *Media Policy Review*

The report presented for consideration the reviewed and updated *Media Policy*.

Cr O'Brien / Cr Davis:

1. That the *Media Policy* be adopted.
2. That the *Media Policy* be reviewed in May 2027.

Carried

4.5 *Social Media Policy Review*

The briefing presented for consideration the reviewed and updated *Social Media Policy*.

Cr King / Cr Claridge:

1. That the *Social Media Policy* be adopted.
2. That the *Social Media Policy* be reviewed in May 2027.

Carried

4.6 Economic Development and Sustainability Department Activity Report For The Quarter Ended 31 March 2023

The report presented the activity of the Economic Development and Sustainability Department for the quarter ending 31 March 2023.

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

Carried

4.7 2022/23 Quick Response Grant Program

The report presented funding applications for 2022/23 Quick Response Grants.

Councillor Punarji Hewa Gunaratne disclosed a general conflict of interest in the above item.

Cr King / Cr Davis:
That the grant applications from Benalla P-12 College and U3A Benalla be excised and considered separately.

Carried

The grant applications for Benalla P-12 College and U3A Benalla were presented.

Cr Davis / Cr Claridge:
That \$500 grants from the 2022/2023 Quick Response Grant program be allocated to Benalla P-12 College and U3A Benalla.

Carried

Councillor Gunaratne left the meeting at 6.55pm

The grant application from Benalla Migrants Association Inc. was presented.

Cr Claridge / Cr King:
That a \$230 grant from the 2022/2023 Quick Response Grant program be allocated to Benalla Migrants Association Inc.

Carried

Councillor Punarji Hewa Gunaratne returned to the meeting at 7.04pm.



4.8 Community Department Activity Report For The Quarter Ended 31 March 2023

The report presented activity for the Community Department for the quarter ended 31 March 2023.

Cr O'Brien / Cr King:

That the report be noted.

Carried

4.9 People and Performance Department Activity Report For The Quarter Ended 31 March 2023

The report presented the activities of the People and Performance Department for the quarter ended 31 March 2023.

Cr Claridge / Cr O'Brien:

That the report be noted.

Carried

4.10 *Related Party Disclosure Policy Review*

The report presented for consideration the reviewed and updated *Related Party Disclosure Policy*.

Cr Davis / Cr King:

- 1. That the *Related Party Disclosure Policy* be adopted.**
- 2. That the *Related Party Disclosure Policy* be reviewed in May 2027.**

Carried



4.11 Benalla Sports and Equestrian Reserve Committee

The report discussed the proposal to establish the *Benalla Sports and Equestrian Reserve Committee* as a Community Asset Committee under s 47(1)(b) of the *Local Government Act 2020* (Act).

Cr Davis / Cr King:

In exercise of the powers conferred by s 63 of the *Local Government Act 2020* (the Act), the Council resolves that:

1. That the *Benalla Sports and Equestrian Reserve Committee* be established as a Community Asset Committee.
2. The purposes of the Community Asset Committee are those set out in the *Instrument of Sub-Delegation from the Chief Executive Officer to Community Asset Committees*.
3. The members of the Community Asset Committee be delegated the powers, duties and functions set out in the *Instrument of Sub-Delegation from the Chief Executive Officer to Community Asset Committees*:
 - a. upon the signing of the Instrument; and
 - b. remains in force until the Council determines to vary or revoke it.
4. The powers, duties and functions conferred on the members of the Community Asset Committee by the Instrument must be exercised in accordance with any guidelines or policies Council may from time to time adopt.
5. The instrument be signed by the Chief Executive Officer and the Mayor.

Carried

4.12 Councillors Expenses For The Quarter Ended 31 March 2023

The report detailed expenditure associated with Councillors' mobile phone usage, attendance at professional development courses, conferences and seminars, and reimbursement of expenses incurred.

Cr King / Cr Firth:

That the report be noted.

Carried



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

The Mayor and Councillors attendance at meetings and events during the period from 8 April 2023 to 14 May 2023 were presented.

It is noted Councillor Bernie Hearn was not in attendance at the Molyullah Easter Sports on 10 April 2023.

Cr O'Brien / Cr Gunaratne:

That the report be noted.

Carried

4.14 Council Actions Pending

Council Actions Pending were presented.

Cr King / Cr Claridge:

That the report be noted and actions number 18 and 19 be removed from the Council Actions Pending list.

Carried



5. Reports by Councillors

Cr Gail O'Brien reported on her attendance at:

- South Asian New Year Festival at Benalla Indoor Recreation Centre on Saturday 15 April 2023.
- ANZAC Commemorative Service in Devenish for the unveiling of the Vivian Bullwinkel plaque on Saturday 22 April 2023.
- Australian Local Government Women's Association 2023 National Conference in Cape Schanck from Wednesday 17 April to Saturday 20 April 2023.

Cr Justin King reported on his attendance at:

- Benalla ANZAC Dawn Service and Benalla ANZAC Day Service on Tuesday 25 April 2023.
- Pop up listening post at Benalla Lakeside Craft and Farmers Market on Saturday 21 April 2023.

Cr Danny Claridge reported on his attendance at:

- Tomorrow Today Luncheon to welcome the new CEO of the Ian Potter Foundation on Monday 1 May 2023.
- MAV online briefing on council safety and security in Council Meetings on Thursday 18 May 2023.
- MAV State Conference in Melbourne on Friday 19 May 2023.

Cr King / Cr Davis:

That the report(s) be noted.

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 Appointment of Independent Member for Audit and Risk Committee
- 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 O'Brien:

That the meeting be reopened to the public.

Carried

Closure of the meeting

The Council Meeting closed at 7.46pm.

Confirmed this twenty eighth day of June 2023.

Signed:



Chair – Cr Bernie Hearn (Mayor)