

Council Meeting

Minutes

Date: Wednesday 13 December 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.

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

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Minutes

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

In attendance Dom Testoni Chief Executive Officer
Robert Barber General Manager Corporate
Adrian Gasperoni Manager Assets and Infrastructure
Greg Robertson Manager Facilities and Information Technology
Jessica Beaton Governance Coordinator

Opening and Acknowledgment of Country

The Chair opened the meeting at 5.30pm 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.

Apologies

No apologies were submitted to the meeting.



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*.

Recording of Council Meetings

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

Disclosures of Conflict of Interest

No conflicts of interest were disclosed to the Chair.

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 pending confirmation at the meeting.

Cr Davis / Cr King:

That the Minutes of the Council Meeting held on 15 November 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 noted that Greg Murphy tabled the below question regarding the *Benalla Indoor Recreation Centre (BIRC) Redevelopment Project*.

Why was the Benalla Squash and Racquetball Association not informed of nor invited to the recent meeting held by Council on Thursday November 30th regarding the new sports stadium to be built?

The Chief Executive Officer answered that the meetings that occurred were held with the Benalla Indoor Recreation Centre and Churchill Reserve Committees of Management to brief the committees on the *Benalla Indoor Recreation Centre Redevelopment Project*. As the Benalla Squash and Racquetball Association are not members of either Committee of Management they were not invited.

The Benalla Squash and Racquetball Association will be invited to provide input into the project with the wider community consultation set to commence in the coming weeks.

It is noted that Jillian Merkel tabled the below questions regarding the Council's use of Acknowledgement of Country.

Given Benalla had overwhelming results with 69.8 percent of its constituents voting NO, rather than aligning Benalla Council with State politics, will you also put it to the vote to axe the welcome to Country blurb at meetings and on official correspondence, in line with your residents vote? If not, why not?

The Chief Executive Officer answered that the Council has no plans to axe the welcome to Country at meetings and on official correspondence. An Acknowledgement of Country is a way of showing awareness of, and respect for, the Aboriginal Traditional Owners of the land on which a meeting or event is being held.

Cr King / Cr O'Brien:

That the questions and answers be noted.

Carried

2. Petitions

No petitions were submitted to the Council Meeting.

Record of Committees

3.1 Recommendations from Finance and Planning Committee

The recommendations of the Finance and Planning Committee meeting held on Wednesday 6 December 2023 were provided to Councillors.

Cr Davis / Cr Gunaratne

That the recommendations of the Finance and Planning Committee meeting held on Wednesday 6 December 2023 be adopted.

Carried

Councillor Berine Hearn joined the meeting at 5.37pm.

3.2 Assemblies of Councillors, Advisory and External Committees

The record of Assemblies of Councillors since the report presented at the meeting on 15 November 2023 were provided to Councillors.

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

November 2023

3 November 2023	Lakeside Precinct Accessibility Access Working Group
8 November 2023	Assembly of Councillors – Business Review
15 November 2023	Assembly of Councillors – Homes Victoria Briefing
15 November 2023	Communications Advisory Committee
20 November 2023	Benalla Street Art Advisory Committee
21 November 2023	Audit and Risk Committee
22 November 2023	Assembly of Councillors – Benalla Sports Stadium Briefing
29 November 2023	Assembly of Councillors – Business Review
30 November 2023	Assembly of Councillors – ARTC Inland Rail Briefing

Cr King / Cr Davis:

That the report be noted.

Carried

Officer Reports

4.1 Draft Annual Financial Report and Draft Performance Statement For The Year Ended 30 June 2023

The report presented for in principle approval the *Annual Financial Report* and *Performance Statement* for the year ended June 2023.

Cr Hearn / Cr King:

1. That Council approves in principle the *Benalla Rural City Council Annual Financial Report for the Year Ended 30 June 2023* and *Benalla Rural City Council Performance Statement for the Year Ended 30 June 2023*.
2. That Mayor Cr Danny Claridge, Cr Bernie Hearn and Chief Executive Officer Dom Testoni be authorised to certify the *Benalla Rural City Council Annual Financial Report For the Year Ended 30 June 2023* and *Benalla Rural City Council Performance Statement For the Year Ended 30 June 2023* in their final form after any changes recommended or agreed to by the auditor have been made.

Carried

4.2 2023/24 Quick Response Grants Program and Major Event Funding

The report presented funding applications for 2023/24 Quick Response Grants and Major Event Funding.

Cr Gunaratne / Cr Davis:

1. That a \$500 grant from the 2023/2024 Quick Response Grant program be allocated to Thoona Memorial Hall and Public Library.
2. That a \$2,000 grant from the Major Event Funding program be allocated to Benalla Lawn Tennis and Croquet Club Inc.

Carried

4.3 Benalla Indoor Recreation Centre Redevelopment Project

The report outlined the community consultation program for the *Benalla Indoor Recreation Centre (BIRC) Redevelopment project*.

Cr Firth / Cr Hearn:

1. That the *Benalla Indoor Recreation Centre Redevelopment Project Community Engagement Plan* be adopted.
2. That the *Benalla Indoor Recreation Centre Redevelopment Project* be placed on public exhibition for a period of at least 28 days.

Carried

4.4 Benalla Sports and Equestrian Reserve Committee

The report discussed nominations received for appointment to the *Benalla Sports and Equestrian Reserve Committee*.

Cr Hearn / Cr Davis:

That the debate on this matter be deferred until the Council Meeting on 14 February 2024 to allow the *Benalla Sports and Equestrian Reserve* user groups to endorse their representative on the *Benalla Sports and Equestrian Reserve Committee* and the *Instrument of Sub-Delegation from the Chief Executive Officer to Community Asset Committees* be updated.

Carried

Cr Davis / Cr Gunaratne:

That standing orders be suspended to allow for discussion on the item.

Carried

Standing orders were suspended at 6.30pm.

Cr Davis / Cr Gunaratne:

That standing orders resume.

Carried

Standing orders resumed at 6.32pm.

4.5 Council Plan 2021/2025 Action Plan To 30 June 2025

The report presented for consideration actions to be incorporated into the *Council Plan 2021-2025 Action Plan To 30 June 2025*.

Cr King / Cr Hearn:

- 1. That the actions detailed in Appendix 1 be incorporated into the *Council Plan 2021-2025 Action Plan To 30 June 2025*.**
- 2. That quarterly updates on the status of the actions detailed in Appendix 1 be reported to the Council.**

Carried

4.6 Mayor and Councillors' Attendance at Committees and Civic Functions

The Mayor and Councillors attendance at meetings and events from the period 6 November 2023 to 10 December 2023 were presented.

It is noted that:

- Councillor Gail O'Brien was not in attendance at the Christmas Celebration and lighting of the tree on 1 December 2023. The Accessibility Reference Group meeting on 5 December 2023 was cancelled.
- Councillor Punarji Hewa Gunaratne attended the 2023 Benalla Festival Review meeting on 29 November 2023 and the Finance and Planning Committee meeting on 6 December 2023.
- Councillor Justin King was not in attendance at the Lima school Community Christmas Catch Up.
- Councillor Bernie Hearn was not in attendance at the Accessibility Reference Group meeting on 5 December 2023 as it was cancelled.

Cr Firth / Cr King:

That the report be noted.

Carried

Appendix 1: Council Plan 2021-2025 Action Plan To 30 June 2025

Theme 1: Community

Objective 1.1: A healthy, safe and resilient community

Strategy	Action
<p>Work closely with community and key stakeholders to plan for emergencies and build community resilience.</p>	<ul style="list-style-type: none"> ▪ Investigate Benalla Rural City's preparedness to respond to emergencies.
<p>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.</p>	<ul style="list-style-type: none"> ▪ Implement and monitor Benalla Rural City Municipal Health and Wellbeing Action Plan.
<p>Work together with key health, welfare and community organisations and networks to support better learning, development and wellbeing outcomes for community members.</p>	<ul style="list-style-type: none"> ▪ Work with the State Government to plan for future Benalla Rural City kindergarten infrastructure and workforce needs.
<p>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.</p>	<ul style="list-style-type: none"> ▪ Adopt and implement the Disability Action Plan.

Appendix 1: Council Plan 2021-2025 Action Plan To 30 June 2025

Theme 1: Community

Objective 1.2: A connected, involved and inclusive community

Strategy	Action
Support and promote opportunities for the community to participate in a range of social, recreational, and arts and cultural programs, activities and events.	<ul style="list-style-type: none"> ▪ Investigate development of an off-leash dog park in the east of Benalla. ▪ Investigate the feasibility of creating a 'Barkley Street Community Precinct' at the former Benalla P-12 College campus.
Encourage, support, value and celebrate volunteering in the community.	<ul style="list-style-type: none"> ▪ Develop and implement a Volunteer Engagement strategy.
Celebrate and promote history and cultural diversity.	<ul style="list-style-type: none"> ▪ Create opportunities for new culturally diverse citizens to be actively involved in Council programs and activities.
Continue to respectfully engage, include, celebrate and promote Aboriginal and Torres Strait Islander culture and people.	<ul style="list-style-type: none"> ▪ Develop and implement <i>Benalla Rural City Council Aboriginal Reconciliation Plan</i>.
Promote, support and actively engage with smaller rural communities.	<ul style="list-style-type: none"> ▪ Develop and implement <i>Rural Township plans</i>.

Appendix 1: Council Plan 2021-2025 Action Plan To 30 June 2025

Theme 2: Liveability

Objective 2.1: Vibrant public spaces and places

Strategy	Action
<p>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.</p>	<ul style="list-style-type: none"> ▪ Deliver Mitchell Street Lakeside Park project. ▪ Meet agreed key milestones of the Benalla Indoor Recreation Centre Redevelopment project. ▪ Deliver Benalla Art Gallery Redevelopment project. ▪ Adopt and start implementation of the <i>Fawkner Drive Precinct Masterplan</i>.
<p>Ensure open spaces and public places in existing and developing communities are thoughtfully planned, connected up, green, sustainable, accessible, engaging and inclusive and consider the needs of an ageing community.</p>	<ul style="list-style-type: none"> ▪ Develop a concept plan to link the Benalla Station Precinct and Benalla Central Business District. ▪ Develop and adopt an <i>Open Space</i> strategy. ▪ Install all abilities playground equipment.
<p>Beautify streetscapes, landscaping, signage and town entrances.</p>	<ul style="list-style-type: none"> ▪ Deliver the Bridge Street Streetscape project. ▪ Upgrade town signage and entry gateways.
<p>Enhance and maintain key places of significance.</p>	<ul style="list-style-type: none"> ▪ Update Benalla Airport Master Plan.
<p>Advocate for and act on opportunities to protect, maintain and preserve heritage assets.</p>	<ul style="list-style-type: none"> ▪ Adopt <i>Benalla Rural City Heritage Study</i>.

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Appendix 1: Council Plan 2021-2025 Action Plan To 30 June 2025

Theme: Liveability

Objective 2.2: Connected and accessible roads, footpaths, transport and parking

Strategy	Action
Deliver and maintain accessible and safe footpaths and cycle paths in existing and new neighbourhoods.	<ul style="list-style-type: none">▪ Review and update <i>Pathways to the Future – Shared Path Project</i> strategy.▪ Deliver Kerb and Channel Replacement program.
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">▪ Implement Benalla Rural City Council Drainage strategy.▪ Finalise Devenish Drainage Upgrade project.
Plan for population growth and accessibility for all.	<ul style="list-style-type: none">▪ Develop <i>Benalla Rural City Growth</i> strategy.

Appendix 1: Council Plan 2021-2025 Action Plan To 30 June 2025

**Theme 3: Economy
Objective 3.1: Thriving business and industry**

Strategy	Action
Work together with key stakeholders to engage, support, strengthen, enhance and diversify local business. Attract new investment, business and industry to the Benalla Rural City to facilitate business growth and job creation.	<ul style="list-style-type: none"> ▪ Develop the <i>Economic Diversification</i> plan. ▪ Develop a <i>Benalla Rural City Economic Development Strategy</i>.

**Theme 3: Economy
Objective 3.2: Flourishing tourism**

Strategy	Action
Strengthen the visitor economy through growth of events and promotion of unique assets and experiences and visitor attractions. Grow, enhance and promote sports, arts and culture tourism opportunities.	<ul style="list-style-type: none"> ▪ Review and update the <i>Events and Tourism</i> strategy. ▪ Reinvigorate and deliver the <i>Benalla Street Art Festival</i>.

**Theme 3: Economy
Objective: 3.4 Population growth**

Strategy	Action
Proactively plan for new residential development to support increased population and growth.	<ul style="list-style-type: none"> ▪ Advocate to the State Government to complete and deliver the <i>Benalla West</i> masterplan.

Appendix 1: Council Plan 2021-2025 Action Plan To 30 June 2025

**Theme 4: Environment
Objective 4.1: Healthy and protected natural environment**

Strategy	Action
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.	<ul style="list-style-type: none"> ▪ Review, update and adopt the <i>Environment Strategy</i>.

**Theme 4: Environment
Objective 4.2: High quality, efficient and sustainable waste management**

Strategy	Action
Actively promote responsible behaviours to reduce waste.	<ul style="list-style-type: none"> ▪ Implement recommendations from the Waste Reduction Working group.
Provide efficient and sustainable waste management services.	<ul style="list-style-type: none"> ▪ Finalise disposal arrangements for environmentally sustainable disposal of kerbside-collected food organics and garden organics.

**Theme 4: Environment
Objective 4.3: Sustainable practices**

Strategy	Action
Partner with business, industry and community to plan and implement local approaches and initiatives that respond to climate change.	<ul style="list-style-type: none"> ▪ Review, update and adopt <i>Environment Strategy</i>.
Advocate, promote, support and encourage the use of renewable and clean energy and technology.	<ul style="list-style-type: none"> ▪ Encourage and facilitate the installation of more electric vehicle chargers in and around the Benalla CBD.

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Appendix 1: Council Plan 2021-2025 Action Plan To 30 June 2025

**Theme 5: Leadership
Objective 5.1: Good governance**

Strategy	Action
Deliver responsible budget outcomes linked to strategy that maintain financial sustainability and deliver value for money and rating fairness.	<ul style="list-style-type: none"> ▪ Annually review, update and adopt the Benalla Rural City Council Long-term Financial Plan. ▪ Develop and implement a Project Management framework. ▪ Implement a best practice asset management approach.

**Theme 5: Leadership
Objective 5.2: High performance culture**

Strategy	Action
Improve customer experience through timely, efficient, well planned, and accessible services.	<ul style="list-style-type: none"> ▪ Review and update the <i>Customer Relations</i> strategy. ▪ Review, update and implement the <i>Benalla Rural City Council Information Technology and Communications</i> strategy. ▪ Participate in the Lower North Eastern Digital Transformation Partnership (CODI).
Develop a skilled, efficient and high performing customer focussed workforce.	<ul style="list-style-type: none"> ▪ <i>Adopt and implement a Benalla Rural City Council Workforce plan.</i>

**Theme 5: leadership
Objective 5.3: Engaged and informed community**

Strategy	Action
Create opportunities for deliberative engagement prior to decision making and actively improve and enhance Council's community engagement practices.	<ul style="list-style-type: none"> ▪ Continue to improve community engagement processes and new ways to engage.

4.7 Council Actions Pending

Council Actions Pending were provided to Councillors.

<p>Cr King / Cr Hearn: That the report be noted.</p>	<p>Carried</p>
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5. Reports by Councillors

Councillor Justin King reported on his attendance at:

- Christmas Celebration and lighting of the tree at the Benalla Lakeside Precinct on Friday 1 December 2023.

Councillor Don Firth reported on the:

- New access path at the Benalla Lakeside Precinct.

Councillor Danny Claridge reported on his attendance at:

- Benalla Business Coffee Connections on Wednesday 8 November 2023.
- Official opening of the new Benalla Mental Health and Wellbeing Local on Tuesday 21 November 2023.

<p>Cr Davis / Cr King: That the reports be noted.</p>	<p>Carried</p>
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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.

9. 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 Collaborative Digital Innovation (CODI) Information Management Pricing Update
- 9.2 Confidential Reports by Councillors
- 9.3 Confidential Council Actions Pending

Cr King / Cr O'Brien:

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 O'Brien / Cr Davis:

That the meeting be reopened to the public.

Carried

Closure of the meeting

The Council Meeting closed at 6.52pm.

The Minutes were confirmed on the fourteenth day of February 2024.

Signed:



Mayor Danny Claridge