

Council Meeting

Minutes

Date: Wednesday 18 December 2024

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

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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 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 and made available for public access, with the exception of matters identified as confidential items in the agenda.

A handwritten signature in black ink, consisting of stylized, overlapping loops and a long, sweeping horizontal line extending to the right.

Minutes

Chair Councillor Bernie Hearn (Mayor)

Councillors Councillor David Blore
Councillor Peter Davis
Councillor Puna Hewa Gunaratne
Councillor Justin King
Councillor Jillian Merkel
Councillor Nathan Tolliday

In attendance Dom Testoni Chief Executive Officer
Robert Barber General Manager Corporate
Cathy Fitzpatrick Manager Finance
Adrian Gasperoni Manager Assets and Infrastructure
Eric Nash Interim Manager Economic Development and Sustainability
Tom Arnold Community Development and Recreation Coordinator
Jess Pendergast Governance Coordinator

Opening and Acknowledgement 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.

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 Model 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

See item 3.1, 4.2, 4.7 and 9.2.

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 Blore / Cr Davis:

That the Minutes of the Council Meeting held on 26 November 2024 be confirmed as a true and accurate record of the meeting.

Carried

1. Public Question Time

It is noted that Carol Sonogan submitted the following question:

Will Council ensure that it allocates sufficient funds for reinstatement of a bridge crossing at Link Island, damaged on 5 October 2023? After the current delay of 14 months, what date will the bridge crossing be completed?

The Chief Executive Officer answered that the Council has allocated \$295,000 in the 2024/25 Budget for the Link Island Bridge project.

The Council is planning to have the bridge reinstated by 30 June 2025 now that North East Water are in the process of removing critical water infrastructure from the current bridge.

Cr Tolliday / Cr Merkel:

That the question and answer be noted.

Carried



2. Petitions

No petitions were submitted to the Council Meeting.

Record of Committees

It is noted that Councillor Peter Davis declared a material conflict of interest in the following item.

3.1 Recommendations from Finance and Planning Committee

The recommendations of the Finance and Planning Committee meeting held on Wednesday 31 July 2024 were presented.

Cr Blore / Cr King:

That the recommendations of the Finance and Planning Committee meeting held on Wednesday 4 December 2024 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, Advisory and External Committees for October and November 2024 were presented.

October and November 2024

8 October 2024	Audit and Risk Committee Meeting
27 November 2024	Assembly of Councillors – Council Plan 2025-2029
27 November 2024	Chief Executive Officer Employment and Remuneration Committee Meeting
27 November 2024	Assembly of Councillors – Business Review

Cr King / Cr Blore:

That the report be noted.

Carried



Officer Reports

4.1 Financial Report For The Quarter Ended 30 September 2024

The report presented the financial result compared to budget for the first quarter ended 30 September 2024 and presents forecast outcomes to 30 June 2025.

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

Carried

It is noted that Councillor Justin King declared a material conflict of interest in the following item.

4.2 2024/25 Capital Works Program Update

The report presented an update on the 2024/25 Capital Works Program.

Cr Davis / Cr Gunaratne:
That item 5 in Table 1 and item 10 in Table 2 of the report be excised.

Carried

Cr Gunaratne / Cr King:
That the report be noted except for item 5 in Table 1 and item 10 in Table 2.

Carried

Councillor Justin King left the meeting at 6.28pm to allow for discussion on item 5 in Table 1 and item 10 in Table 2 of the report.

Cr Davis / Cr Blore:
That the item 5 in Table 1 and item 10 in Table 2 of the report be noted.

Carried

Councillor Justin King returned to the meeting at 6.31pm.

4.3 2024/25 Major Event Funding Program

The report presented funding applications for the 2024/25 Major Event Funding Program.

Cr Davis / Cr Blore:
That a \$1,000 grant from the 2024/25 Major Event Funding program be allocated to the Benalla Lawn Tennis and Croquet Club Inc.

Carried

4.4 2024/25 Quick Response Grants Program

The report presented funding applications for 2024/25 Quick Response Grants.

Cr King / Cr Tolliday:

That a \$500 grant from the 2024/2025 Quick Response Grant program be allocated to Odyssey Victoria.

Carried

4.5 Appointment of Council representative to Advisory Committees, Peak industry Bodies and Regional and Community-Based Committees

Nominations of appointment of Council representatives to various committees, peak industry bodies and regional and community organisations in 2024/25 are detailed in Table 1.

Table 1: 2024/25 Council Representatives to Advisory Committees, Peak Industry Bodies, Regional and Community-Based Committees

Advisory Committees	Representative/s	Officer	Meetings
Australia Day Advisory Committee	Cr Hearn Cr King	Manager Economic Development and Sustainability	Bi-monthly or as required 10am Friday
Benalla Airport Advisory Committee	Cr Hearn Cr Davis	Manager Facilities and Information Technology	Quarterly 2pm Tuesday
Benalla Art Gallery Advisory Committee	Cr Gunaratne Cr Merkel	Manager Economic Development and Sustainability	Bi-monthly 6pm Tuesday
Benalla Festival Advisory Committee	Cr King Cr Merkel Cr Tolliday	Manager Economic Development and Sustainability	Monthly or as required 4pm Tuesday
Benalla Street Art Advisory Committee	Cr Merkel Cr Tolliday	Manager Economic Development and Sustainability	Monthly 5.30pm Monday
Communications Advisory Committee	Cr Hearn Cr Blore Cr Davis	Chief Executive Officer	Monthly

Boards of Management	Representative/s	Officer	Meetings
North East Victoria Tourism Board Incorporated	Chief Executive Officer	Chief Executive Officer	Bi-monthly Thursday

Community Asset Committees	Representative/s	Officer	Meetings
Benalla Sports and Equestrian Reserve Committee	Cr Hearn	Open Spaces Coordinator	TBC



External Incorporated	Representative/s	Officer	Meetings
Benalla Family Research Group	Cr Blore	Chief Executive Officer	Monthly 11am Wednesday
Benalla Showgrounds and Recreation Reserve Committee of Management Incorporated	Cr King	Open Spaces Coordinator	After hours
State Gliding Centre Committee of Management Incorporated	Cr Hearn	Manager Facilities and Information Technology	Saturday AM
Churchill Reserve Committee of Management Incorporated	Cr Merkel Cr Tolliday	Open Spaces Coordinator	Bi-monthly 6pm Tuesday

External Organisations	Representative/s	Officer	Meetings
Benalla Historical Society Incorporated	Cr Blore	Chief Executive Officer	Monthly 4pm Wednesday

External Working Groups	Representative/s	Officer	Meetings
Benalla Local Safety and Traffic Liaison Committee	Cr Blore Cr Hearn	Manager Assets and Infrastructure	Bi Monthly 2pm Monday
Benalla Youth Service Providers Network	Cr Tolliday	Community Development Coordinator	Bi-monthly Thursday 1pm – 3pm
Live4Life Partnership Group	Cr Tolliday	Youth Development Coordinator	Bi-monthly Wednesday 2pm – 3pm
Health and Wellbeing Partnership Group	Cr Gunaratne	Manager Community	Bi-monthly 1.30pm first Monday

Reference Groups	Representative/s	Officer	Meetings
Accessibility Reference Group	Cr Blore Cr Gunaratne	Community Development Coordinator	Bi-Monthly 10.30am Tuesday

Internal Incorporated	Representative/s	Officer	Meetings
Benalla Gardens Oval Committee of Management Incorporated	Cr Davis	Open Spaces Coordinator	After hours
Benalla Indoor Recreation Centre Committee of Management Incorporated	Cr Blore Cr Hearn	Open Spaces Coordinator	After hours
United Friendly Society Reserve Committee of Management Incorporated	Cr Davis Cr Hearn	Open Spaces Coordinator	After hours



Regional Associations	Representative/s	Officer	Meetings
Goulburn Murray Climate Alliance	Cr Blore	Environmental Sustainability Coordinator	Quarterly 1pm Thursday
Hume Region Local Government Network	Mayor	Chief Executive Officer	Quarterly 10am Thursday
Ovens Murray Regional Partnerships	Chief Executive Officer	Chief Executive Officer	Monthly Thursday or Friday
North East Local Government Waste and Recycling Forum	Cr Blore	Manager Assets and Infrastructure	Quarterly

Statutory Committees	Representative/s	Officer	Meetings
Chief Executive Officer Performance Review Committee	All Councillors and Independent Advisor	General Manager Corporate	Quarterly
Municipal Emergency Management Committee	Mayor	Manager Development	Quarterly Thursday work hours

Steering Committees and Project Control Groups	Representative/s	Officer	Meetings
Benalla Indoor Recreation Centre Redevelopment project Steering Committee	Cr Davis Cr Hearn	Manager Assets and Infrastructure	Monthly Thursdays 11am
Benalla Art Gallery Project Control Group	Cr Blore Cr King	Infrastructure	Monthly

Cr Tolliday / Cr Davis:

That the appointment of Council representatives to various committees, peak industry bodies, regional and community organisations for the 2024/25 Council Year as detailed in Table 1 be approved.

Carried

Municipal Association of Victoria

Municipal Association of Victoria allows for a representative and substitute to be appointed. While three councillors (refer table below) have been nominated, only two can be appointed.

Industry Associations	Representative/s	Officer	Meetings
Municipal Association of Victoria	Mayor Cr Gunaratne Cr King	Chief Executive Officer	Quarterly 10am Thursday



Cr King / Cr Davis:

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

Carried

Standing orders were suspended at 6.40pm.

Cr King / Cr Gunaratne:

That standing orders resume.

Carried

Standing orders resumed at 6.43pm.

Cr King / Cr Davis:

That Cr Bernie Hearn and Cr Justin King be appointed as Municipal Association of Victoria representatives for the 2024/25 Council Year.

Motion defeated

Cr Gunaratne / Cr Merkel:

That Cr Bernie Hearn and Cr Puna Hewa Gunaratne be appointed as Municipal Association of Victoria representatives for the 2024/25 Council Year.

Carried

4.6 Mayor and Councillors' Attendance At Conferences and Events

The Mayor and Councillors attendance at meetings and events during the period from 11 November 2024 to 8 December 2024 were presented.

It is noted that:

- Councillor Gunaratne did not attend the Friends of the Benalla Art Gallery Event on 29 November 2024 or the Winton Christmas Event on 6 December 2024.
- Councillor Davis did not attend the Friends of the Benalla Art Gallery Event on 29 November 2024.
- Councillor Davis was in attendance at England over 60's Cricket game at Benalla Gardens on 1 December 2024.
- Councillor Merkel did not attend the Friends of the Benalla Art Gallery Event on 29 November 2024.

Cr Davis / Cr Gunaratne:

That the report be noted.

Carried

It is noted that Councilor Justin King declared a material conflict of interest in the following item.

4.7 Council Actions Pending

Council Actions Pending were presented.

Cr King / Gunaratne:

That item 8 of the Council Actions Pending report be excised.

Carried

Cr Blore / Cr King:

That the Council Actions Pending report be noted except for item 8.

Carried

Councillor Justin King left the meeting at 6.49pm to allow for discussion on item 8 of the Council Actions Pending report.

Cr Gunaratne / Cr Tolliday:

That item 8 of the Council Actions Pending report be noted.

Carried

Councillor Justin King returned to the meeting at 6.52pm.

5. Reports by Councillors

No reports were presented from Councillors.

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.

Cr Davis / Cr King:

That standing orders be suspending to allow for discussion.

Carried

Standing orders were suspending at 6.53pm.

Cr Davis / Cr King:

That standing orders resume.

Carried

Standing orders resumed at 7.04pm.

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 Tender For Contract CM25.032 Gravel Road Re-sheeting Works on Various Council Roads within Benalla Rural City 24/25 Program
- 9.2 Tender For Contract CM25.033 Micro-surfacing Works on Various Council Roads within Benalla Rural City 2024/25 Program
- 9.3 Provision of Banking and Bill Payment Services 2025-2030
- 9.4 Chief Executive Officer Key Selection Criteria and Appointment of Acting Chief Executive Officer
- 9.5 Confidential Reports by Councillors
- 9.6 Confidential Council Actions Pending

Cr Tolliday / Cr Davis:

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

Confidential business commenced at 7.06pm.



10. Reopening of the meeting to the public

Cr Davis / Cr Blore:

That the meeting be reopened to the public.

Carried

Closure of the meeting

The Council Meeting closed at 7.52pm.

The minutes were confirmed on the twelfth day of February 2025.

Signed: 
Mayor Cr Bernie Hearn