

Council Meeting

Minutes

Date: Wednesday 12 February 2025

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

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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	Robert Barber	Acting Chief Executive Officer
	Nilesh Singh	Interim General Manager Corporate
	Cathy Fitzpatrick	Manager Finance
	Adrian Gasperoni	Manager Assets and Infrastructure
	Courtney Naughton	Manager Economic Development and Sustainability
	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 items 4.4, 4.5 and 4.13.

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 Blore:

That the Minutes of the Council Meeting held on 18 December 2024 be confirmed as a true and accurate record of the meeting.

Carried

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.

Members of the public could watch the live broadcast of the meeting at **www.benalla.vic.gov.au**

1. Public Question Time

It is recorded that Mrs Elly Smith tabled a question regarding the Link Island Bridge.

Will Council please give an update on progress of the reinstatement of the Link Island footbridge, and reasons why work has not yet commenced despite North East Water having completed their work at Christmas 2024.

The Acting Chief Executive Officer advised:

- Now that North East Water has moved its water supply assets, design work to repair the bridge can be finalised.
- Once the design is finalised tenders to the works will be invited.
- The project is expected to be completed by 30 June 2025.
- The project is funded by the Victorian Government's Council Flood Support Fund.

Cr Gunaratne / Cr Tolliday:
That the question and answer 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 February 2025 were presented.

Cr Gunaratne / Cr Merkel:
That the recommendations of the Finance and Planning Committee meeting held on Wednesday 5 February 2025 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 was presented.

December 2024

10 December	Audit and Risk Committee Meeting
11 December	CEO Employment and Remuneration Committee Meeting
18 December	Assembly of Councillors – Business Review

January 2025

14 January	Australia Day Advisory Committee
28 January	Benalla Art Gallery Redevelopment Project Control Group
29 January	Communications Advisory Committee
29 January	Assembly of Councillors – Business Review

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

Carried

Officer Reports

4.1 Financial Report For The Half Year Ended 31 December 2024

The report presented the financial result compared to budget for the quarter ended 31 December 2024 and presents outcomes from the 2024/25 half-year budget review.

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

Carried

4.2 Finance Department Activity Report For The Quarter Ended 31 December 2024

The report presented an overview of the functions of the Finance Department for the quarter ended 31 December 2024.

Cr Tolliday / Cr Blore:
That the report be noted.

Carried

4.3 Capital Works Program Status Update As At 31 December 2024

The report presented an update on the Capital Works Program as at 31 December 2024.

It is noted that Councillor Justin King left the meeting at 6.27pm while a question was raised regarding the *Midland Highway North Benalla Shared Path Project*. Councillor Justin King returned to the meeting at 6.29pm.

Cr David / Cr Tolliday:
That the report be noted.

Carried

It is noted that Councillor Justin King declared a material conflict of interest in the following item in relation to the *Midland Highway North Benalla Shared Path Project*.

4.4 Assets and Infrastructure Department Activity Report For The Quarter Ended 31 December 2024

The report presented the activities of the Assets and Infrastructure department for the quarter ended 31 December 2024.

Cr Davis / Cr Tolliday:

That dot-point nine under the Capital Projects section of the report be excised.

Carried

Cr King / Cr Gunaratne:

That the report be noted except for dot-point nine under the Capital Projects section.

Carried

Councillor Justin King left the meeting at 6.34pm to allow for discussion on dot-point nine under the Capital Projects section the report.

Cr Tolliday / Cr Blore:

That dot-point nine under the Capital Projects section of the report be noted.

Carried

Councillor Justin King returned to the meeting at 6.36pm.

It is noted that Councillor Puna Hewa Gunaratne declared a material conflict of interest in the following item in relation to the grant application received from the Benalla Migrants Association. Councillor Puna Hewa Gunaratne and left the meeting at 6.37pm.

4.5 2024/25 Major Event Funding Program

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

Cr Davis / Cr Blore:

That \$2,000 grants from the 2024/25 Major Event Funding program be allocated to the Benalla Migrants Association, Albert Heaney Oval Reserve Committee of Management, and the Austin 7 Club.

Carried

Councillor Puna Hewa Gunaratne returned to the meeting at 6.42pm.

4.6 Public Interest Disclosure Policy

The report presented for consideration the reviewed and updated *Benalla Rural City Council Public Interest Disclosure Policy*.

Cr Merkel / Cr King:

- 1. That the *Benalla Rural City Council Public Interest Disclosure Policy* be adopted.**
- 2. That the *Benalla Rural City Council Public Interest Disclosure Policy* be reviewed in October 2028.**

Carried

4.7 Recording of Council Meetings Policy

The report presented for consideration the reviewed and updated *Benalla Rural City Council Recording of Council Meetings Policy*.

Cr Tolliday / Cr Blore:

- 1. That the *Benalla Rural City Council Public Recording of Council Meetings Policy* be adopted.**
- 2. That the *Benalla Rural City Council Public Recording of Council Meetings Policy* be reviewed in October 2028.**

Carried

4.8 Benalla Rural City Council Governance Rules 2020

The report presented the *Benalla Rural City Council Governance Rules 2020 (2025 Revision)*.

Cr Blore / Cr Merkel:

- 1. That the *Benalla Rural City Council Governance Rules 2020 (2025 Revision)* be adopted.**
- 2. That the *Benalla Rural City Council Governance Rules 2020 (2025 Revision)* be reviewed in March 2026.**

Carried

4.9 Appointment of Council Representatives to the Churchill Reserve Committee of Management Incorporated

The report discussed the appointment of Council Representatives to the *Churchill Reserve Committee of Management Incorporated*.

Cr Davis / Cr Gunaratne:

That Cr Nathan Tolliday and Cr Justin King be appointed as the *Churchill Reserve Committee of Management Incorporated* Council representatives for the 2024/25 Council Year.

Carried

4.10 CEO Credit Card Report For The Quarter Ended 31 December 2024

The report details expenditure associated with the corporate credit card issued to the Chief Executive Officer for the quarter ended 31 December 2024.

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

Carried

4.11 Councillors' Expenses For The Quarter Ended 31 December 2024

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

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

Carried

4.12 Mayor and Councillors' Attendance At Conferences and Events

The Mayor and Councillors, listed in alphabetical order, attended meetings and events as detailed below during the period from 9 December 2024 to 2 February 2025.

Cr Gunaratne / Cr Tolliday:
That the report be noted.

Carried

It is noted that Councillor Justin King declared a material conflict of interest regarding the *Benalla Indoor Recreation Centre Redevelopment Project*. Councillor Justin King left the meeting at 6.54pm.

4.13 Council Actions Pending

Council Actions Pending are detailed were presented.

Cr Blore / Cr Merkel:
That the report be noted.

Carried

Councillor Justin King returned to the meeting at 6.55pm.

5. Reports by Councillors

Cr Justin King reported on his attendance at:

- Tatong Australia Day breakfast and award presentation, Lima/Swanpool Australia Day morning tea and award presentation and the Benalla Rural City 2025 Australia Day Awards Ceremony on Sunday 26 January 2025.

Cr Nathan Tolliday reported on:

- Upcoming Benalla Street Art Festival. The 2025 Benalla Street Art Festival will be held from Friday 11 April to Sunday 13 April 2025.

Cr Peter Davis reported on his attendance at:

- Goorambat Australia Day breakfast and award presentation, Devenish Australia Day morning tea and award presentation and the Benalla Rural City 2025 Australia Day Awards Ceremony on Sunday 26 January 2025.

Cr Puna Hewa Gunaratne reported on his attendance at:

- Warrenbayne Australia Day breakfast and the Benalla Rural City 2025 Australia Day Awards Ceremony on Sunday 26 January 2025.

Cr David Blore reported on his attendance at:

- Molyullah Australia Day breakfast and award presentation and the Benalla Rural City 2025 Australia Day Awards Ceremony on Sunday 26 January 2025.

Cr Jillian Merkel reported on her attendance at:

- Thoona Australia Day breakfast and awards presentation and the Benalla Rural City 2025 Australia Day Awards Ceremony on Sunday 26 January 2025.

Cr Bernie Hearn reported on her attendance at:

- Baddaginnie Australia Day breakfast celebration, Benalla Australia Day breakfast and award presentation and Benalla Rural City 2025 Australia Day Awards Ceremony on Sunday 26 January 2025.
- Benalla Lions Club Carols by Candlelight event held in the Benalla Gardens on Sunday 15 December 2024.

Cr King / Cr Blore:

That the reports 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 Confidential Reports by Councillors

9.2 Confidential Council Actions Pending

Cr Tolliday / Cr Gunaratne:

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 Gunaratne: That the meeting be reopened to the public.	Carried
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Closure of the meeting

The Council Meeting closed at 7.04pm.

The minutes were confirmed on the nineteenth day of March 2025.

Signed: _____
Mayor Cr Bernie Hearn