

Benalla Rural City Council

Council Meeting

Minutes

Date: Wednesday 19 March 2025

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

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Minutes

Chair Councillor Justin King

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

Electronic attendance Councillor Bernie Hearn (Mayor)

In attendance	Robert Barber	Acting Chief Executive Officer
	Nilesh Singh	Interim General Manager Corporate
	Jane Archbold	Manager Community
	Joel Ingham	Interim Manager Development
	Courtney Naughton	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 items 4.6 and 9.1.

Confirmation of the Minutes of the Previous Meeting

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

Cr Davis / Cr Tolliday:

That the Minutes of the Council Meeting held on 12 February 2025 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 can watch the live broadcast of the meeting at www.benalla.vic.gov.au

1. Public Question Time

It is recorded that Andrea Wymond tabled a question regarding the *Benalla Indoor Recreation Centre Redevelopment Project*.

Has a gender impact assessment been done for the Benalla Indoor Recreation Centre redevelopment with respect to facilities at the current BIRC site at Ackerly Avenue, Benalla?

The Acting Chief Executive Officer answered that no gender impact assessment has been completed. A gender impact assessment will be completed for any new facilities that are developed.

It is recorded that Paul O'Brien tabled a question regarding the *Benalla Indoor Recreation Centre Redevelopment Project*.

Current advertising material by the Council states that planning for the Benalla Indoor Recreation Centre has progress. To what stage has it progressed?

The Acting Chief Executive Officer answered that schematic designs are currently being considered. Existing services survey and geotechnical investigations for the Barkly Street site have also been completed.

It is recorded that Robert Elliot tabled a question regarding the *Benalla Indoor Recreation Centre Redevelopment Project*.

To date what is the monetary cost Council has spent on construction, plan reports and all other works for the BIRC Redevelopment project?

The Acting Chief Executive Officer answered that expenditure to date including investigation, planning and design work for the *Benalla Indoor Recreation Centre Redevelopment Project* is \$168,587.

It is recorded that Greg Murphy tabled a question regarding the *Benalla Indoor Recreation Centre Redevelopment Project*.

Has the Council received firm notification that they will definitely be able to have property at the Barkly Street Site to build the new indoor stadium?

The Acting Chief Executive Officer answered that no notification has been received. Negotiations with the State Government regarding the site at Barkly Street, Benalla continue.

It is recorded that Rick Walker tabled a question regarding the *Benalla Indoor Recreation Centre Redevelopment Project*.

When will the Council release the results of the second online survey concerning BIRC which was conducted in September 2024?

The Acting Chief Executive Officer answered that the objective of the survey was to assist architects with the design phase for the proposed Benalla Indoor Recreation Centre at Barkley Street, Benalla. Survey results will be posted on Council's website.

Cr Blore / Cr Merkel:

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 March 2025 were presented.

Cr Blore / Cr Gunaratne:

That the recommendations of the Finance and Planning Committee meeting held on Wednesday 5 March 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 were presented.

3 February 2025	Benalla Local Safety and Traffic Liaison Committee
3 February 2025	Benalla Street Art Advisory Committee
4 February 2025	Accessibility Reference Group
5 February 2025	Live4Life Benalla Partnership Meeting
11 February 2025	Australia Day Advisory Committee
17 February 2025	Benalla Street Art Advisory Committee
18 February 2025	Benalla Art Gallery Redevelopment Project Control Group
18 February 2025	Audit and Risk Committee
26 February 2025	Assembly of Councillors – Business Review

Cr Tolliday / Cr Gunaratne:

That the report be noted.

Carried

Officer Reports

4.1 Draft Council Plan 2025-2029 Update

The report presented a progress report on the development of the draft *Benalla Rural City Council Plan 2025-2029*.

Cr David / Cr Blore:

That the report be noted.

Carried

4.2 Benalla Planning Scheme Review

The report presented the Planning Scheme Amendment C45bena.

Cr Blore / Cr Gunaratne:

That Council prepare Amendment C45bena by undertaking the following actions:

- 1. Request under Section 8A(4) of the *Planning and Environment Act 1987* that the Minister for Planning authorise Benalla Rural City Council to prepare Amendment C45bena to the Benalla Planning Scheme.**
- 2. Request under Section 20(1) of the *Planning and Environment Act 1987* that the Minister for Planning exempt Benalla Rural City Council from the requirements of Section 19 of the *Planning and Environment Act 1987* and per the power under Section 20(2) of the *Planning and Environment Act 1987*, limit notification of the amendment to only prescribed Ministers and referral authorities for a period of 14 days.**
- 3. When authorised by the Minister for Planning, exhibit Amendment C45bena to the Benalla Planning Scheme in accordance with the Minister's instructions and conditions.**

Carried

4.3 Council Plan Action Plan 2021-2025 Status Update

The report presented an update on the *Council Plan 2021-2025 Action Plan to 30 June 2025* as at 31 December 2024.

Cr Davis / Cr Merkel:

That the report be noted.

Carried

4.4 Local Government Performance Reporting Framework – Report of Operations For Half Year Ending 31 December 2024

The report presented half-year service performance indicator results under the Local Government Performance Reporting Framework.

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

Carried

4.5 Mayor and Councillors' Attendance At Conferences and Events

The Mayor and Councillors attendance at meetings and events during the period from 3 February 2025 to 2 March 2025 were presented.

Cr Gunaratne / 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 *Benalla Indoor Recreation Centre Redevelopment Project*.

It is noted that Councillor Puna Hewa Gunaratne declared a material conflict of interest in the following item in relation to the Benalla Migrants Association.

4.6 Council Actions Pending

Councillor Justin King and Councillor Puna Hewa Gunaratne left the meeting at 6.52pm.

Cr Davis / Cr Tolliday
That Councillor David Blore Chair the meeting for item 4.6 Council Actions Pending.

Carried

Council Actions Pending were presented.

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

Carried

Councillor Justin King and Councillor Puna Hewa Gunaratne returned to the meeting at 6.54pm.

5. Reports by Councillors

Councillor David Blore reported on his attendance at:

- North East Local Government Waste and Recycling Forum Waste forum on Monday 17 March 2025 in Wangaratta.

Councillor Puna Hewa Gunaratne reported on his attendance at:

- Holi Festival of Colours event on Friday 14 March 2025 in Shepparton.

Councillor Bernie Hearn reported on her attendance at:

- Women on Farms gathering on Friday 14 March 2025 at the Benalla Visitor Information Centre.
- Mollyullah Fish n' Chip night on Friday 14 March 2025 at the Molyullah Reserve.

Councillor Peter Davis reported on his attendance at:

- 2025 Swanpool Community spirit BBQ on Friday 14 March 2025 at the Albert Heaney Oval in Swanpool.

Councillor Justin King reported on his attendance at:

- Benalla Market Council Plan 2025-2029 Listening Post on Saturday 22 February 2025.
- Benalla Art Gallery Foundation 2025 Giving Launch on Friday 28 February 2025 at the Benalla Art Gallery.
- Boho-Stilo's Track Fire Warrenbayne Community Meeting on 2 March 2025 held at the Warrenbayne Hall.

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

Carried

6. Notices of Motion

No notices of motion were received.

7. Notices of Rescission Motion

No notices of rescission motion were received.

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 Benalla Street Art Advisory Committee Nominations
- 9.2 Appointment of Chief Executive Officer
- 9.3 Confidential Reports by Councillors
- 9.4 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

10. Reopening of the meeting to the public

Cr Davis / Cr Gunaratne:

That the meeting be reopened to the public.

Carried

Closure of the meeting

The Council Meeting closed at 7.53pm.

The minutes were confirmed on the twenty third day of April 2025.

Signed: _____
Mayor Cr Bernie Hearn