

Benalla Rural City Council

Council Meeting

Agenda

Date: Wednesday 28 May 2025

Time: 6pm

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

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Agenda

Chair	Councillor Bernie Hearn (Mayor)	
Councillors	Councillor Justin King (Deputy Mayor)	
	Councillor David Blore	
	Councillor Peter Davis	
	Councillor Puna Hewa Gunaratne	
	Councillor Jillian Merkel	
In attendance	Councillor Nathan Tolliday	
	Peter Keane	Chief Executive Officer
	Robert Barber	General Manager Corporate
	Jane Archbold	Manager Community
	Adrian Gasperoni	Manager Assets and Infrastructure
	Janine McMaster	Manager People and Performance
	Courtney Naughton	Manager Economic Development and Sustainability
	Jess Pendergast	Governance Coordinator

Opening and Acknowledgement of Country

The Chair will open the meeting and recite 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

Recommendation:

That the apology/ies be accepted.

Statement of Commitment

The Councillors will recite 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.

Governance Matters

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

Question Time and Public Submissions

Any person wishing to participate in Question Time or Public Submissions in accordance with Rule 7.2 and 7.3 of the *Governance Rules 2020* should contact the Council by emailing council@benalla.vic.gov.au or telephoning the Governance Coordinator Jess Pendergast on (03) 5760 2600.

Recording of Council Meetings

In accordance with Rule 6.4 of the *Governance Rules 2020* the Council Meeting will be livestreamed via the Council's website and an audio recording will be made of the proceedings and made available for public access, with the exception of matters identified as confidential items in the agenda.

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

Behaviour at Meetings

Members of the public present at a meeting must remain silent during the proceedings other than when specifically invited to address the Committee.

The Chair may remove a person from a meeting for interjecting or gesticulating offensively after being asked to desist, and the chair may cause the removal of any object or material that is deemed by the Chair to be objectionable or disrespectful.

The Chair may call a break in a meeting for either a short time, or to resume another day if the behaviour at the Council table or in the gallery is significantly disrupting the Meeting.

Disclosures of Conflict of Interest

In accordance with the *Local Government Act 2020*, a Councillor must declare any Conflict of Interest pursuant to Section 130 of the Act in any items on this Agenda.

At the time indicated in the agenda, a Councillor with a conflict of interest in an item on that agenda must indicate they have a conflict of interest by clearly stating:

- the item for which they have a conflict of interest;
- whether their conflict of interest is general or material; and
- the circumstances that give rise to the conflict of interest.

Immediately prior to the consideration of the item in which they have a conflict of interest, a Councillor must indicate to the Meeting the existence of the conflict of interest and leave the Meeting.

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.

Recommendation:

That the Minutes of the Council Meeting held on Wednesday 23 April 2025 and Wednesday 30 April 2025 be confirmed as true and accurate records of the meetings.

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.

Questions of the Council will not be allowed during any period when the Council has resolved to close the meeting in respect of a matter under section 66 (1) of the *Local Government Act 2020* (the Act).

A question may be on any matter except if it:

- is considered malicious, defamatory, indecent, abusive, offensive, irrelevant, trivial, or objectionable in language or substance;
- relates to confidential information as defined under the Act;
- relates to the personal hardship of any resident or ratepayer; or
- relates to any other matter which the Council considers would prejudice the Council or any person.

No more than two questions will be accepted from any person at any one meeting. All questions and answers must be as brief as possible, and no discussion may be allowed other than by Councillors for the purposes of clarification.

Like questions may be grouped together and a single answer provided. The Chair may nominate a Councillor, the Chief Executive Officer or another member of Council staff to respond to a question.

Recommendation:

That the question(s) and answer(s) be noted.

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 14 May 2025 are attached as **Appendix 1**.

Recommendation:

That the recommendations of the Finance and Planning Committee meeting held on Wednesday 14 May 2025 be adopted.

Business**1. Financial Report For The Quarter Ended 31 March 2025**

The report presented the financial results compared to budget for the quarter ended 31 March 2025 and presents outcomes from the 2024/25 third quarter budget review.

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

Carried**2. Finance Department Activity Report For The Quarter Ended 31 March 2025**

The report presented an overview of the functions of the Finance Department for the quarter ended 31 March 2025.

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

Carried**3. Capital Works Program Update As At 31 March 2025**

It is noted that Councillor Justin King declared a material conflict of interest regarding the *Benalla Indoor Recreation Centre Redevelopment Project* and a general conflict of interest regarding the North Benalla Shared Pathway. Councillor Justin King left the meeting at 6.13pm.

The report presented an update on the Capital Works Program as at 31 March 2025.

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

Carried

Councillor Justin King returned to the meeting at 6.21pm.

4. Assets and Infrastructure Department Activity Report For The Quarter Ended 31 March 2025

The report presented the activities of the Assets and Infrastructure department for the quarter ended 31 March 2025.

Cr King / Cr Merkel:

That the report be noted.

Carried

5. Economic Development and Sustainability Department Activity Report For The Quarter Ended 31 March 2025

The report presented the activity of the Economic Development and Sustainability Department for the quarter ending 31 March 2025.

Cr Gunaratne / Cr Hearn:

That the report be noted.

Carried

6. Facilities and Information Technology Department Activity Report for the Quarter Ended 31 March 2025

The report presented the activities of the Facilities and Information Technology Department for the quarter ended 31 March 2025.

Cr Tolliday / Cr King:

That the report be noted.

Carried

7. People and Performance Department Activity Report For The Quarter Ended 31 March 2025

The report presented the activities of the People and Performance Department for the quarter ended 31 March 2025.

Cr King / Cr Blore:

That the report be noted.

Carried

8. Community Department Activity Report for the Quarter Ended 31 March 2025

The report presented the activities of the Community Department for the quarter ended 31 March 2025.

Cr King / Cr Blore:

That the report be noted.

Carried

9. 2024/2025 Quick Response Grants

It is noted that Councillor David Blore declared a general conflict of interest regarding the *Benalla Sustainable Future Group*. Councillor David Blore left the meeting at 7.04pm.

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

Cr Hearn / Cr Gunaratne:

That \$500 grants from the 2024/2025 Quick Response Grant program be awarded to Goorambat Veterans' Retreat Group, Benalla Sustainable Future Group and Benalla branch of the Cake Decorators Association of Victoria.

Carried

Councillor David Blore returned to the meeting at 7.07pm.

10. Building and Planning Approvals – March 2025

It is noted that Councillor Jillian Merkel declared a general conflict of interest regarding a planning permit application at 66 Inglis Road, Benalla. Councillor Jillian Merkel left the meeting at 7.07pm.

The report detailed planning permit applications and building approvals for March 2025.

Cr Blore / Cr Gunaratne:

That the report be noted.

Carried

Councillor Jillian Merkel returned to the meeting at 7.14pm.

11. Development Department Activity Report for the Quarter Ended 31 March 2025

The report presented the activities of the Development department for the quarter ended 31 March 2025.

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

Carried

12. Urgent Business

No urgent business was submitted to the meeting.

Recommendations of the Finance and
Planning Committee meeting held
on Wednesday 14 May 2025

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 are attached as **Appendix 1**.

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

2 April 2025	Communications Advisory Committee
2 April 2025	Assembly of Councillors – Business Review
8 April 2025	Accessibility Reference Group
16 April 2025	Assembly of Councillors – Business Review
23 April 2025	Assembly of Councillors – Business Review
29 April 2025	Local Safety and Traffic Liaison Committee

Recommendation:

That the report be noted.

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Record of Assemblies of Councillors, Advisory and External Committees

April 2025

Communications Advisory Committee

1pm Wednesday 2 April 2025, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

Chair	Councillor Bernie Hearn (Mayor)	Councillor Representative
Councillors	Councillor David Blore	Councillor Representative
	Councillor Peter Davis	Councillor Representative
In attendance	Robert Barber	Acting Chief Executive Officer
	Jane Archbold	Manager Community
	Grant Banks	Communications and Engagement Coordinator
	Tracey Beaton	Executive Coordinator

Apologies: Councillor Peter Davis**Conflicts of Interest disclosed:** Nil**Items discussed:**

1. Review of Actions From The Previous Meeting
2. Current Community and Community Engagement Projects
3. Update on Council Facebook Page
4. General Business

Assembly of Councillors – Business Review

6pm Wednesday 2 April 2025, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

Chair	Councillor Jillian Merkel	
Councillors	Councillor Bernie Hearn (Mayor)	
	Councillor Justin King (Deputy Mayor)	
	Councillor David Blore	
	Councillor Peter Davis	
	Councillor Puna Hewa Gunaratne	
	Councillor Nathan Tolliday	
In attendance	Robert Barber	Acting Chief Executive Officer
	Nilesh Singh	Interim General Manager Corporate
	Adrian Gasperoni	Manager Assets and Infrastructure
	Tom Arnold	Community Development and Recreation Coordinator

Apologies: Nil**Conflicts of Interest disclosed:** Nil**Items discussed:**

1. Presentation: U3A Benalla
2. Presentation: Benalla Rural City Open Space Strategy
3. Proposed 2025/26 Budget

Accessibility Reference Group

10.30am Tuesday 8 April 2025, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

Chair Marissa Batten Community Development and Recreation Officer

Committee

Councillor Puna Hewa Gunaratne	Councillor Representative
Councillor David Blore	Councillor Representative
Annemarie Broughton	Community Representative
Amanda Challis	Community Representative
Stuart Green	Community Representative
David Horan	Community Representative
Cheryl-Anne Menere	Community Representative
Keith Menere	Community Representative
Denise Meyer	Community Representative
Barbara Schedilch	Community Representative
Faye Squires	Community Representative
Caroline Wallis	Community Representative
Naylan McDonell	Service Provider Representative

Apologies: Councillor Gunaratne, Keith Menere and Barbara Schedilch.

Not in attendance Stuart Green, David Horan, Denise Meyer and Caroline Wallis

Conflicts of Interest disclosed: Nil

Items discussed:

1. Appointment of Chairperson
2. Terms of Reference
3. Open Space Strategy
4. Council Project Updates
5. General Business

Assembly of Councillors – Business Review

6pm Wednesday 16 April 2025, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

Chair Councillor Nathan Tolliday

Councillors Councillor Bernie Hearn (Mayor)
Councillor Justin King (Deputy Mayor)
Councillor David Blore
Councillor Peter Davis
Councillor Puna Hewa Gunaratne
Councillor Jillian Merkel

In attendance Robert Barber Acting Chief Executive Officer
Nilesh Singh Interim General Manager Corporate
Cathy Fitzpatrick Manager Finance

Apologies: Councillor Justin King

Conflicts of Interest disclosed: Nil

Items discussed:

1. Proposed 2025/26 Budget
2. Draft Revenue and Rating Plan 2025-2029
3. Benalla Art Gallery Redevelopment Project Update
4. Benalla Indoor Recreation Centre Redevelopment Project Update
5. Audit and Risk Committee – Independent Committee Members
6. Benalla Rural City Council Enterprise Agreement Update

Assembly of Councillors – Business Review

7pm Wednesday 23 April 2025, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

Chair Councillor Bernie Hearn (Mayor)

Councillors Councillor Justin King (Deputy Mayor)
Councillor David Blore
Councillor Peter Davis
Councillor Puna Hewa Gunaratne
Councillor Jillian Merkel
Councillor Nathan Tolliday

In attendance Robert Barber Acting Chief Executive Officer
Nilesh Singh Interim General Manager Corporate
Cathy Fitzpatrick Manager Finance

Apologies: Nil

Conflicts of Interest disclosed: Nil

Items discussed:

1. Proposed 2025/26 Budget

Local Safety and Traffic Liaison Committee

2pm Tuesday 29 April 2025, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

Chair	Adrian Gasperoni	Manager Assets and Infrastructure
Committee	Councillor Bernie Hearn (Mayor)	Councillor Representative
	Cr David Blore	Councillor Representative
	Benalla Uniform – Representative	Victoria Police
	Benalla Highway Patrol – Representative	Victoria Police
	Benalla Proactive – Representative	Victoria Police
	Kylie Cotter	Benalla P-12 College
	Shaun Mason	FCJ College Benalla
	David Morrow	Cooinda Village
	John Stafford	Regional Roads Victoria
	Christy Webb	Regional Roads Victoria
	Stephen Dowe	Senior Projects and Technical Services Officer
In attendance	Brianna Beggs	Administration Officer
	Kerrie Croxford	Victoria Police
	Lisa Aitkinson	Victoria Police

Apologies: Shaun Mason and John Stafford

Not in attendance Kylie Cotter, David Morrow and Mary Dunstan

Conflicts of Interest disclosed: Nil

Items discussed:

1. Inland Rail Project Update
2. Review of Action Sheet
3. Project Updates
4. Opportunities to Work Together

Officer Reports

4.1 Benalla Festival Advisory Committee Terms of Reference

Ref: 870788216-18266

Kate Nolan – Events and Tourism Officer

Courtney Naughton – Manager Economic Development and Sustainability

PURPOSE OF REPORT

The report presents the updated and reviewed *Benalla Festival Advisory Committee Terms of Reference*.

BACKGROUND

The *Benalla Festival Advisory Committee* (the Committee) was formed to facilitate and deliver the yearly Benalla Festival event in Benalla Rural City.

The Committee has the following duties and functions:

- To develop a Benalla Festival program which engages both the local community and visitors.
- To facilitate community groups to participate in the Benalla Festival.
- To actively promote the Benalla Festival.
- To source funding and sponsorship.

The Council at its meeting on 18 December 2024 appointed three councillors to the Committee:

- Cr Justin King
- Cr Jillian Merkel
- Cr Nathan Tolliday.

DISCUSSION

The *Benalla Festival Advisory Committee Terms of Reference* (Terms of Reference) have been reviewed and updated following discussions with Council staff and the *Benalla Festival Advisory Committee*.

Changes were made to the membership section of the Committees Terms of Reference. The Terms of Reference now include the number of councillors, Council officers and community representatives that can be appointed to the Committee.

5. Membership

5.1 The Committee will comprise up to 10 members:

- *up to three councillors*
- *up to two Council officers, nominated by the Chief Executive Officer*
- *a maximum of five community representatives.*

The revised *Benalla Festival Advisory Committee Terms of Reference* are attached as **Appendix 1**.

COUNCIL PLAN 2021-2025 IMPLICATIONS

Leadership

- *Good governance.*
- *High performance culture.*
- *Engaged and informed community.*
- *Effective and responsive advocacy.*

COMMUNITY ENGAGEMENT

In accordance with the Council's *Community Engagement Policy*, it is proposed that due to administrative nature of the Terms of Reference, community engagement be undertaken at the 'Inform' level under the International Association for Public Participation's IAP2 public participation spectrum as detailed in the table below:

Level of Public Participation	Promise to the community	Techniques to be used
Inform	We will provide information	<ul style="list-style-type: none">▪ Terms of Reference presented in a public report to the Council.▪ Report published on the Council's website.▪ Adopted Terms of Reference to be published on the Council's website.

FINANCIAL IMPLICATIONS

There are no material financial implications with the development or implementation of the Committee's Terms of Reference.

LEGISLATIVE AND STATUTORY IMPLICATIONS

It is considered that the report is consistent with the *Charter of Human Rights and Responsibilities Act 2006* and *Gender Equality Act 2020*.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflicts of interest in this matter.

Recommendation:

That the updated *Benalla Festival Advisory Committee Terms of Reference* be adopted.



Terms of Reference

Benalla Festival Advisory Committee

March 2025

Document Control

Terms of Reference adopted by Council:	xxx
Version Number:	V1

1. Title

The advisory committee will be known as the Benalla Festival Advisory Committee (the Committee).

2. Purpose

The purpose of the Committee is to facilitate and deliver the Benalla Festival.

3. Duties and Functions

The Committee has the following duties and functions:

- 3.1 To develop a Benalla Festival program which engages both the local community and visitors.
- 3.2 To facilitate community groups to participate in the Benalla Festival.
- 3.3 To actively promote the Benalla Festival.
- 3.4 To source funding and sponsorship.

4. Delegations

- 4.1 The Committee has no delegated power to act on behalf of the Council or commit the Council to any expenditure.
- 4.2 The Committee is an Advisory Committee of Council. It has no delegated power from the Council.

5. Membership

- 5.1 The Committee will comprise up to 10 members:
 - Up to three Councillors
 - Up to two Council officers, nominated by the Chief Executive Officer
 - A maximum of five community representatives.
- 5.2 The Council will appoint Councillors and community representatives.
- 5.3 Any person appointed to the Committee shall hold office for a period of three years.
- 5.4 Following the completion of their term of appointment, members of the Advisory Committee shall be eligible for re-appointment for a further term.
- 5.5 A member of the Committee may resign from their position at any time in writing.
- 5.6 If the member who resigns is a community representative as specified in 5.1, the Council shall invite nominations for community representatives to fill the vacancy.

- 5.7 Members are encouraged to attend all meetings of the Benalla Festival Advisory Committee. If a member fails to attend three consecutive meetings of the Committee without obtaining a leave of absence that member shall be deemed to have resigned from the Committee. The Council shall follow the procedure set out in Clause 5.6 to fill the vacancy.
- 5.8 The Advisory Committee shall recommend to Council on the appointment of all persons.
- 5.9 The Council may decline to appoint any person who has been nominated or recommended for appointment to the Advisory Committee.
- 5.10 The Committee shall provide the Council with a list of names of the persons nominated by the Benalla Festival Advisory Committee.
- 5.11 The Council may in its absolute discretion decline to appoint to the committee any such person who has been nominated or recommended for appointment.
- 5.12 The Benalla Festival Advisory Committee will nominate and elect a chairperson at its October meeting each year.
- 5.13 The Committee may appoint any sub-committees which it considers necessary to carry out its functions.
- 5.14 The role of Chairperson shall be:
 - a. To chair all meetings of the Advisory Committee.
 - b. To act as official spokesperson for the Advisory Committee.
 - c. To act as the liaison person between the Advisory Committee and the Council.

6. Frequency of Meetings

The frequency of meetings will be determined by the Committee.

7. Quorum

The quorum for a meeting will be no less than a majority of the members appointed to the committee.

8. Support

Administration support will be provided by the Economic Development and Sustainability department to:

- provide appropriate notice of meetings.
- circulate meeting documentation.
- take the minutes for each meeting.
- track the decisions of the Working Group.
- keep appropriate records of the meeting documentation, including the confirmed minutes.

9. Review of Terms of Reference

- 9.1 The Committee's terms of reference may be reviewed at any time by the Council to accommodate changes in legislation, regulations, policy gaps, new technology or systems, as well as remain consistent with industry best practice.
- 9.2 The Council shall consult with the committee prior to amending the Committees terms of reference.

Draft

4.2 Draft Benalla Rural City Council Plan 2025-2029 Development Update

Ref: 388623326-386

Tom Arnold – Community Development and Recreation Coordinator
Jane Archbold – Manager Community

PURPOSE OF REPORT

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

BACKGROUND

Section 90 of the *Local Government Act 2020* requires that the Council must prepare and adopt a Council Plan for a period of at least the next four financial years after a general election in accordance with its deliberative engagement practices.

A Council Plan must include the following:

- the strategic direction of the Council
- strategic objectives for achieving the strategic direction
- strategies for achieving the objectives for a period of at least the next four financial years
- strategic indicators for monitoring the achievement of the objectives
- a description of the Council's initiatives and priorities for services, infrastructure amenity
- any other matters prescribed by the regulations.

The *Municipal Public Health and Wellbeing Plan* is integrated within the Council Plan due to the inherent role the council plays in fostering community wellbeing.

Ninety Mile Consulting (NMC) continue to assist the Council in the development of the *Benalla Rural City Council Plan 2025–2029*.

Engagement Summary

Community Panel

- 15 community members were appointed in December via an Expression of Interest (EOI) process. A total of 34 community members submitted an EOI. Those appointed represent a range of key demographic groups within Benalla Rural City.
- Three Community Panel meetings have been held on 21 January, 18 March and 6 May. Two further sessions are planned to allow Community Panel members to review the draft plan and to attend a final session with Council staff to evaluate the effectiveness of our first Community Panel.

Community Surveys

- A total of 226 surveys were received. The Community Survey closed on 6 April.
- The survey was promoted through Council's website and social media, Have Your Say, brochures, postcards, the Benalla Ensign, Council's intranet, and to external working groups and advisory committees.
- Community Survey results, including all comments made by the community, have been provided to Community Panel members and the Council.

Other Engagement Activities

- U3A Listening Session: 20 attendees
- Tomorrow Today's Full Impact Squad
- Nearly 200 young people engaged through five school visits conducted - Benalla P-12 (Waller Street campus), St. Joseph's, Australian Christian College, FCJ College, Benalla P-12 (Faithful Street campus). 139 feedback forms from students at these sessions have been submitted.
- Creating Community Connections Expo
- Benalla Community Market
- Devenish Market
- Pop-ups in the main street and outside Coles Supermarket
- Rural community visits - Swanpool Community Spirit BBQ, Molyullah Fish and Chip Night and Lurg Community Gathering.

Interviews

- NMC has conducted 71 interviews, including 21 staff members and 50 external key stakeholders from local businesses, community organisations and interested community members.

Workshops

- NMC hosted six themed workshops over February and March 2025.

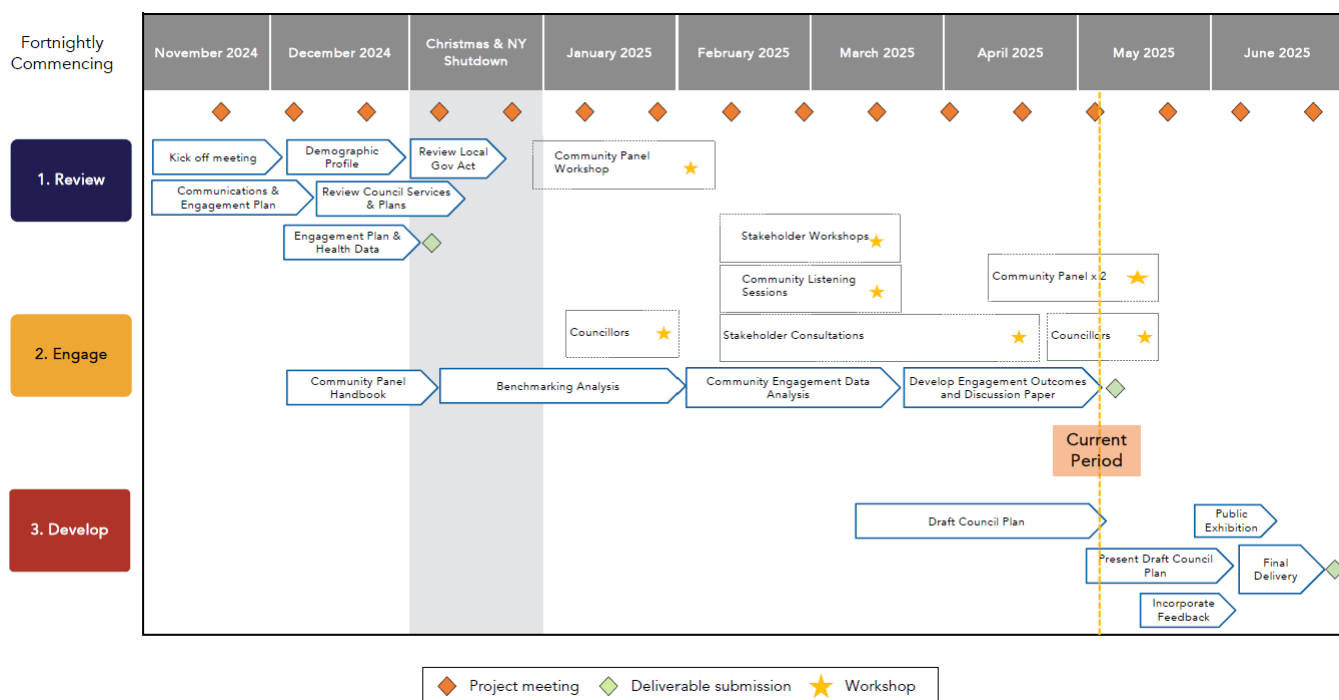
Theme	Attendees
Environment	16
Community Workshop 1	17
Community Workshop 2	11
Arts, Culture, and Tourism	20
Business and Economy	14
Benalla Health and Wellbeing Partnership	18

DISCUSSION

The draft *Benalla Rural City Council Plan 2025–2029* is progressing well, however, it is anticipated that there will be a minor variation to the original planned timeline. The focus for NMC over the last month has involved reviewing data and outcomes and working with the Community Panel, staff and Councillors to begin drafting the Council Plan.

The next phase will involve presenting the draft *Benalla Rural City Council Plan 2025-2029* to the Council in June, before the draft document goes out on public exhibition. During this time the Community Panel will also be consulted and feedback received from the community will be considered before the final *Benalla Rural City Council Plan 2025-2029* is delivered.

Timeline Summary



COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

- A connected, involved and inclusive community.

Leadership

- Good governance.
- Engaged and informed community.
- Effective and responsive advocacy.

COMMUNITY ENGAGEMENT

In accordance with the Council's *Community Engagement Policy*, it is proposed, due to the administrative nature of the report, that community engagement be undertaken at the 'Inform' level under the *International Association for Public Participation's IAP2 public participation spectrum* as detailed in the table below:

Level of Public Participation	Promise to the community	Techniques to be used
Inform	We will provide information	<ul style="list-style-type: none"> Promotion of achievements via media, websites and social media. Public report presented to the Council.

FINANCIAL IMPLICATIONS

The Council has allocated \$50,000 to the development of the draft *Benalla Rural City Council Plan 2025-2029* in the *2024/25 Budget*. To date \$36,854 has been expended.

LEGISLATIVE AND STATUTORY IMPLICATIONS

It is considered that the report is consistent with the *Charter of Human Rights and Responsibilities Act 2006* and *Gender Equality Act 2020*.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflicts of interest in this matter.

Recommendation:

That the report be noted.

4.3 Draft Councillor Internal Resolution Policy

Ref: 1138149297-12820
Robert Barber – General Manager Corporate
Jess Pendergast – Governance Coordinator

PURPOSE OF REPORT

The report presents for consideration the *Councillor Internal Resolution Policy*.

BACKGROUND

Recent changes to the *Local Government Act 2020* (the Act) introduced a legislated Model Councillor Code of Conduct (the Code) for all Victorian councils, together with the supporting requirement for councils to adopt any prescribed procedures for dealing with alleged breaches of that Code.

In line with that requirement, a prescribed internal resolution procedure for breaches of the Code has been included in the *Local Government (Governance and Integrity) Regulations 2020* (the Regulations).

As part of the management of alleged breaches of the Code, section 140 of the Act requires councils to adopt an internal resolution procedure. Regulation 12A requires that the procedure be in place by 1 July 2025 and that it contains the prescribed procedures from Schedule 1A of the Regulations.

The procedure must contain the following:

- a conciliation process to be conducted by the Mayor, or where the Mayor is a party to the dispute or otherwise unable to act, the Deputy Mayor or another person
- any other process the Council considers appropriate
- details of:
 - how a matter that is an alleged breach is to be dealt with, including the circumstances in which the available processes may be used
 - how a Councillor can access the procedure, including initiating a request to have a matter dealt with through the available processes
 - roles and responsibilities of parties to a matter
 - roles, functions and duties of the person conducting each relevant process
 - any support Council will make available to parties or the person conducting the process
 - the form and availability of a record of any agreement, resolution or outcome reached through a process.

DISCUSSION

The legislated *Model Councillor Code of Conduct* replaced the *Benalla Rural City Councillor Code of Conduct*. The *Benalla Rural City Councillor Code of Conduct* already contained an internal resolution policy and procedure, the *Model Councillor Code of Conduct* does not have the same provisions.

The *Councillor Internal Resolution Policy* has some practical similarities to the internal resolution procedure outlined in the *Benalla Rural City Councillor Code of Conduct*, there are minor differences in content.

To meet the regulatory requirements, the new procedure introduces Mayor assisted conciliation instead of Mayoral negotiation.

The processes contained in the *Councillor Internal Resolution Policy* are designed to support and facilitate maintenance of effective working relationships between Councillors and are encouraged as options rather than compulsory.

The *Councillor Internal Resolution Policy* is attached as **Appendix 1**.

As the *Councillor Internal Resolution Policy* only applies to a dispute between Councillors concerning an alleged breach of the Code, there is no direct community impact. Accordingly, no community consultation will be required.

Once adopted, a copy of the *Councillor Internal Resolution Policy* will be circulated to Councillors and will be made available on the Council's website.

***COUNCIL PLAN 2021-2025* IMPLICATIONS**

Leadership

- *Good governance.*
- *High performance culture.*
- *Effective and responsive advocacy.*

COMMUNITY ENGAGEMENT

In accordance with the Council's *Community Engagement Policy*, it is proposed, due to the administrative nature of the Policy, that community engagement be undertaken at the 'Inform' level under the International Association for Public Participation's IAP2 public participation spectrum as detailed in the table below:

Level of Public Participation	Promise to the community	Techniques to be used
Inform	We will provide information	<ul style="list-style-type: none">▪ Policy presented in a public report to the Council.▪ Policy to be published on the Council's website.

FINANCIAL IMPLICATIONS

There are no material financial implications with the development of the policy. The Council will meet costs associated with the engagement of an independent mediator when required.

LEGISLATIVE AND STATUTORY IMPLICATIONS

It is considered that the report is consistent with the *Charter of Human Rights and Responsibilities Act 2006* and *Gender Equality Act 2020*.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflicts of interest in this matter.

Recommendation:

- 1. That *Councillor Internal Resolution Policy* be adopted.**
- 2. That *Councillor Internal Resolution Policy* be reviewed in May 2029.**

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CP 11 Councillor Internal Resolution Policy

Responsible Officer:	General Manager Corporate
Document type:	Council Policy
Reference:	CP 11
Adopted by Council:	
Date of next review:	May 2029

Policy Objective

This policy is designed to minimise cost and disruption of disputes to Council and individual Councillors and, where possible, avoid disputes escalating and becoming the subject of an internal arbitration.

This Councillor Internal Resolution Policy (the Policy) is adopted under and in accordance with section 140 of the *Local Government Act 2020* (Act) and regulation 12A of the *Local Government (Governance and Integrity) Regulations 2020*.

This Policy can be used when dealing with alleged breaches of the *Model Councillor Code of Conduct*.

Policy

Disputes between councillors may arise in a variety of circumstances. This Policy is to apply to those disputes in which one councillor (the Complainant) alleges that another Councillor (the Respondent) has breached the *Model Councillor Code of Conduct*.

This Policy provides both parties to a dispute with support and encouragement to resolve the dispute in a manner that enables the councillors to move forward and maintain effective working relationships.

In this Policy, any reference to the Mayor also encompasses the Deputy Mayor and a Councillor mutually selected by the involved parties in situations where the Mayor and/or Deputy Mayor are either directly involved in the dispute or otherwise unable to facilitate the conciliation process.

Parties and other participants are expected to maintain confidentiality concerning the dispute and the operation of this Policy.

It is acknowledged that this Policy will not be suitable for resolution of all disputes between Councillors.

The following disputes are not covered by this Procedure:

- a. differences between Councillors in relation to policy or decision making, which are appropriately resolved through discussion and voting in Council Meetings.
- b. complaints made against a Councillor or Councillors by a member or members of Council staff, or by any other external person.
- c. allegations of sexual harassment.
- d. disclosures made about a Councillor under the *Public Interest Disclosures Act 2012*, which can only be made to the Independent Broad-based Anti-corruption Commission.
- e. allegations of criminal misconduct, which should be immediately referred to Victoria Police or the relevant integrity authority.

Definitions

- **Complainant:** The Councillor/s who has reported an allegation of a breach of the *Model Councillor Code of Conduct*.
- **Respondent:** The Councillor who is the subject of allegation.
- **Conciliation:** The process through which the Mayor (or Deputy Mayor) identifies issues in dispute, develops options, considers alternatives, and endeavours to reach agreement between parties.
- **External Mediation:** A structured negotiation process in which an independent person, known as a mediator, assists the parties to identify and assess options and negotiate an agreement to resolve their dispute.

Procedure

A flowchart of the Councillor Internal Resolution Procedure is attached as **Appendix 1**.

First Stage of Councillor Internal Resolution – Discussion

A Complainant is encouraged to raise their issue directly with the Respondent in a respectful and courteous manner, either in person or in writing, where they feel comfortable to do so.

Councillors are encouraged to recognise that:

- a. certain behaviors and communications may be perceived by others to be causing issues or offence that may not have been intended
- b. it can be useful to reflect on their own behaviour or motivation and possible contribution to the dispute, whether intended or not
- c. dealing with the dispute early is more likely to avoid the issue escalating and resolve it before it threatens the effective operation of Council.

It is useful to frame any issue from the councillor's perspective, for example, "I felt disrespected when you said / did ...", rather than accusing another person of holding a particular position or taking a negative action deliberately.

A councillor should let the other councillor know how they feel and ask for an explanation, rather than making accusations or assumptions.

Councillors must take personal responsibility and endeavour to resolve their differences in an informal, but at all times, courteous and respectful manner, recognising that they have been elected to represent the best interests of the community.

Second Stage of Councillor Internal Resolution – Conciliation

Where a direct conversation between councillors has not been successful in resolving the dispute, or a councillor does not feel comfortable communicating directly with another councillor, the second stage of this Procedure is Conciliation.

1. Initiating Conciliation

A Complainant initiating conciliation must notify the Mayor and the Respondent of the dispute by completing a Conciliation Application Form. The form (refer **Appendix 2**) must:

- a. specify the names of the Complainant and Respondent
- b. specify the provision (or provisions) of the *Model Councillor Code of Conduct* alleged to have been breached
- c. detail what was said or done by the Respondent to constitute a breach of the *Model Councillor Code of Conduct*
- d. attach any supporting information to provide examples of the behaviour complained of (eg screenshots or emails)
- e. be dated and signed by the Complainant.

A completed *Conciliation Application Form* must be provided to the Mayor.

The Mayor, within five working days receipt of the *Conciliation Application Form*, will:

- a. Provide written acknowledgement of receipt of the *Conciliation Application Form* to the Complainant.
- b. Provide a copy of the *Conciliation Application Form* to the Respondent.
- c. Notify the Councillor Conduct Officer of the application.
- d. Gain consent from the Complainant and Respondent to engage in conciliation.
- e. Attempt to convene a meeting.

2. Participating in conciliation

Councillors are not obliged to engage in Conciliation but should only decline to participate if they honestly and reasonably believe that their participation would adversely affect their health or wellbeing or would otherwise be unsafe.

A Respondent declining to participate in the conciliation must advise the Complainant and the Mayor of their unwillingness to participate, and the reasons for it. That advice must be provided no more than one week after receiving the Conciliation Application Form.

3. Conduct of Conciliation

Conciliation is to be conducted by the Mayor except when the Mayor is a party to the dispute or otherwise unavailable to conduct conciliation. In that case the Deputy Mayor will assume the role of the Mayor in the Conciliation.

If both the Mayor and the Deputy Mayor are parties to the dispute or otherwise unavailable to conduct the Conciliation, the role of the Mayor must be performed by a councillor jointly chosen for the purpose by the parties.

4. Roles and responsibilities

The role of the Mayor is to provide guidance to the parties to the dispute about the Standards of Conduct in the *Model Councillor Code of Conduct* and actively explore whether the dispute can be resolved by agreement between them.

The role of the Complainant and Respondent is to explain their respective positions and, in a show of goodwill, actively explore the possibility of resolving the dispute by agreement.

All Councillors are responsible for conducting themselves in a courteous and respectful manner at all times during the Conciliation.

The Councillor Conduct Officer is appointed by the Chief Executive Officer. The role of the Councillor Conduct Officer is to provide the Mayor with the administrative support necessary to arrange and conduct the Conciliation.

The Councillor Conduct Officer is currently the General Manager Corporate.

5. Support from Council

Council, through the Councillor Conduct Officer, will provide administrative assistance to the Mayor when arranging a time and place for conciliation, including any technical assistance that may be required. Council will make a venue available to the councillors within Council's offices that is private and suited to the conciliation process.

Council staff will not provide any substantive guidance or advice about the subject matter of the dispute, or pay the costs of legal advice or representation for any Councillor in connection with this Procedure. Parties to a dispute may seek their own legal or other advice at their own cost, if they choose to do so.

6. End or termination of Conciliation

Conciliation will end or be terminated if any of the following occurs:

- a. the parties cannot jointly choose a councillor to conduct the conciliation within one week of being asked to do so
- b. the Respondent notifies the Mayor that they do not wish to participate in conciliation, and the reasons for it, within one week of receiving the *Conciliation Application Form*
- c. Conciliation has not occurred within four weeks of the Complainant submitting the *Conciliation Application Form*
- d. Conciliation has occurred and the parties have been unable to resolve the dispute
- e. the dispute has been resolved.

The time for conciliation may be extended by agreement between the parties to the dispute, whether or not the matter has been escalated to one of the formal dispute resolution procedures outlined in the Act.

7. Record of outcome

The Mayor must document any agreement that is reached between the Complainant and Respondent (refer **Appendix 3**).

The agreement must be signed by the Complainant, Respondent and Mayor.

Copies must be provided to the Complainant and Respondent, and the original must be retained by the Mayor.

Where one party does not comply with the agreement, the other party has recourse to external mediation.

If no agreement is reached the Mayor, preferably with the active support of the parties to the dispute may seek assistance from an external mediator.

External Mediation

If reconciliation of the dispute is not possible, it is the responsibility of the Mayor to seek assistance from an external mediator to resolve the dispute.

The Complainant and Respondent must be informed of the decision to engage an external mediator.

The request for external mediation must be submitted to the Councillor Conduct Officer (CCO).

The Council will cover the cost of the external mediation.

Participation in external mediation

The CCO is to ascertain (in writing) if the Complainant and Respondent are prepared to attend external mediation.

- If one party declines to participate in an external mediation, they are to provide their reasons in writing to the Councillor Conduct Officer.
- If the other party agrees to participate in an external mediation, the CCO is to advise the Complainant, Respondent, the Mayor and Chief Executive Officer of the outcome.
- If the Complainant and Respondent accept the CCO is to engage the services of an external mediator to conduct the mediation at the earliest practicable opportunity.

Record of outcome

The mediator is to document any agreement reached at the meeting.

Copies of the agreement are to be provided to both parties.

If the parties cannot resolve the dispute at the meeting, a further meeting may be convened with the consent of both parties.

Where one party does not comply with the agreement, the other party has recourse to the formal dispute resolution procedure where the matter relates to an alleged breach of the *Model Councillor Code of Conduct*.

Where the dispute remains unresolved, the Complainant has recourse to the formal dispute resolution procedure where the matter relates to an alleged breach of the *Model Councillor Code of Conduct*.

Formal Dispute Resolution Procedure

This Policy operates alongside the formal dispute resolution procedures outlined in the *Local Government Act 2020*.

The formal dispute resolution procedure applies to misconduct, serious misconduct and gross misconduct.

Section 141 and 154 of the Act provides the process and procedure for internal arbitration process and Councillor Conduct Panels concerning a breach of the Standards of Conduct set out in the *Model Councillor Code of Conduct*.

An application under this section must be made within three months of the alleged misconduct occurring.

An internal arbitration process refers to the process provided for under section 141 of the *Local Government Act 2020* in which an arbiter is appointed to a council by the Principal Councillor Conduct Registrar (PCCR) to hear an allegation of misconduct by a councillor.

A Councillor Conduct Panel (CCP) hearing refers to the process provided for under section 154 of the *Local Government Act 2020* in which a CCP is formed by the Principal Councillor Conduct Registrar (PCCR) to hear an allegation of serious misconduct by a councillor.

Suspension of Councillor Internal Resolution Policy During Election Period

Applications made and resolution processes conducted under this policy must be suspended during the election period for a general election. If a conciliation application is made against or by a person who is a councillor before a general election and the person is not returned to the office of Councillor as a result of the general election the application lapses.

Review

This policy may be reviewed at any time by the Council to accommodate changes in legislation, regulations, policy gaps, new technology or systems, as well as remain consistent with industry best practice.

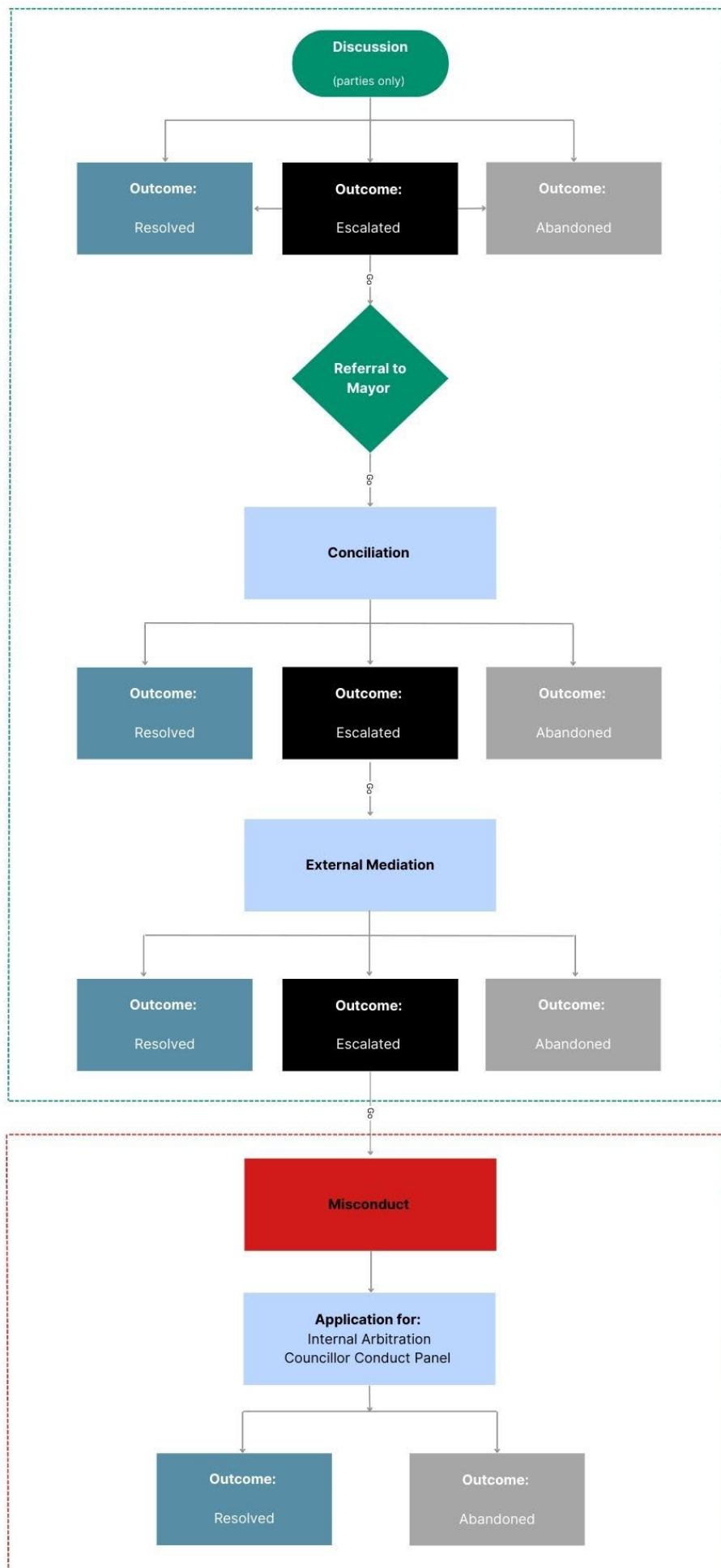
Related Policies

- *Model Councillor Code of Conduct*
- *Guidance on the Model Councillor Code of Conduct*
- *Local Government Victoria – Fact Sheet: Internal Arbitration Process*
- *Local Government Victoria - Fact Sheet: Councillor Conduct Panels*

Related Legislation

- *Local Government Act 2020*
- *Local Government (Governance and Integrity) Regulation 2020*

Councillor Internal Resolution Procedure Flowchart



Conciliation Application Form

Name of Complainant:	
Name of Respondent:	
Provision of Model Councillor Code of Conduct Breached:	
Action constituting breach:	
<i>Include dates, times and detailed descriptions of the action complained of.</i> Attach any further documents as necessary.	

This form must be dated and signed by the Complainant.

Signature of Complainant: _____ **Date:** _____

Provide completed form to the Mayor.

Form received by the Mayor on: _____

Conciliation Record Form

The role of the Mayor is to provide guidance to the parties to the dispute about the Standards of Conduct in the *Model Councillor Code of Conduct* and actively explore whether the dispute can be resolved by agreement between them.

Conciliation Meeting Record

Meeting Date:	
Location	
In attendance:	
Complainant	
Respondent	

Notes:

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Agreement:



Signed by Complainant:	Signed by Respondent:
Date:	Date:

A signed copy of the agreement must be provided to both parties.

4.4 Mayor and Councillors' Attendance At Conferences and Events

Ref: 36167913-9115

Tracey Beaton – Executive Coordinator

The Mayor and Councillors, listed in alphabetical order, attended meetings and events as detailed below during the period from 14 April 2025 to 18 May 2025.

Mayor Councillor Bernie Hearn	
16 April	Councillor Only Time
	L2P Program Get Together
	Assembly of Councillors - Business Review
23 April	Councillor Only Time
	Official Announcement Grant to Midland Freight - Forestry Transition Fund
	Council Meeting
	Assembly of Councillors - Business Review
24 April	Benalla P-12 College ANZAC Day Assembly
	Official Opening of the Benalla Costume and Kelly Museum
25 April	Benalla RSL Sub-Branch, Anzac Day Dawn Service
	Benalla RSL Sub-Branch Anzac Day March and Service
29 April	Benalla Local Safety and Traffic Liaison Committee
	Visit to Benalla Saints Football and Netball Club
30 April	Additional Council Meeting
1 May	Benalla Rural City Council Careers Expo
2 May	2025 National Heritage Festival Opening Event
	Benalla Art Gallery Launch Anna Mackrell: A Well Structured Nature
3 May	Benalla Clydesdale and Heavy Horse Driving Day
4 May	2025 National Heritage Festival Closing Event
5 May	2025-2029 Benalla Destination Plan Workshop
7 May	Councillor Only Time
	Assembly of Councillors - Business Review
8 May	Benalla Indoor Recreation Centre Redevelopment Project Steering Committee
	2025-2029 Council Plan Workshop
13 May	Proposed 2025/26 Budget Community Information Session
14 May	Benalla West Stage 1 Development - Homes Victoria Briefing
	Councillor Only Time
	Governance Internal Audit Meeting
	Finance and Planning Committee Meeting
15 May	Municipal Association Victoria Pre-State Council Dinner
16 May	Municipal Association Victoria State Council Meeting
	Benalla Art Gallery Launch - Mary Tonkin: Rambles

Deputy Mayor Councillor Justin King	
16 April	Councillor Only Time
23 April	Councillor Only Time
	Council Meeting
	Assembly of Councillors - Business Review
24 April	Official Opening of the Benalla Costume and Kelly Museum
25 April	Benalla RSL Sub-Branch, Anzac Day Dawn Service
	Benalla RSL Sub-Branch Anzac Day Service
29 April	Visit to Benalla Saints Football and Netball Club
30 April	Additional Council Meeting
1 May	Benalla Rural City Council Careers Expo
	AGM Lima School Community Centre Committee Meeting
6 May	Governance Internal Audit Meeting
7 May	Councillor Only Time
	Assembly of Councillors - Business Review
8 May	2025-2029 Council Plan Workshop
9 May	Baddaginnie Wine and Cheese night
10 May	Benalla Saints Sports Club President and Sponsors Lunch
13 May	Proposed 2025/26 Budget Community Information Session
14 May	Benalla West Stage 1 Development - Homes Victoria Briefing
	Councillor Only Time
	Finance and Planning Committee Meeting
16 May	International Day Against Homophobia, Biphobia, Intersexphobia and Transphobia Flag Raising Ceremony
	Tatong Autumn Vibes Event

Councillor David Blore	
16 April	Councillor Only Time
	Assembly of Councillors - Business Review
21 April	Molyullah Easter Sports
22 April	Benalla Family Research Group Committee Meeting
23 April	Councillor Only Time
	Council Meeting
	Assembly of Councillors - Business Review
24 April	Benalla P-12 College ANZAC Day Assembly
	Official Opening of the Benalla Costume and Kelly Museum
29 April	Benalla Local Safety and Traffic Liaison Committee Meeting
30 April	Additional Council Meeting
2 May	2025 National Heritage Festival Opening Event
4 May	2025 National Heritage Festival Closing Event
5 May	2025-2029 Benalla Destination Plan Workshop
7 May	Councillor Only Time
	Benalla Historical Society Committee Meeting
	Assembly of Councillors - Business Review

Councillor David Blore (Cont.)	
8 May	2025-2029 Council Plan Workshop
9 May	Baddaginnie Wine and Cheese night
14 May	Benalla West Stage 1 Development - Homes Victoria Briefing
	Councillor Only Time
	Benalla Historical Society Committee Meeting
	Finance and Planning Committee Meeting
15 May	Goulburn Murray Climate Alliance Quarterly Board Meeting
16 May	International Day Against Homophobia, Biphobia, Intersexphobia and Transphobia Flag Raising Ceremony
	Tatong Autumn Vibes Event

Councillor Peter Davis	
16 April	Councillor Only Time
	Assembly of Councillors - Business Review
23 April	Council Meeting
	Assembly of Councillors - Business Review
25 April	Benalla RSL Sub-Branch, Anzac Day Dawn Service
30 April	Additional Council Meeting
3 May	Benalla Clydesdale and Heavy Horse Driving Day
7 May	Councillor Only Time
	Assembly of Councillors - Business Review
8 May	Benalla Indoor Recreation Centre Redevelopment Project Steering Committee
	2025-2029 Council Plan Workshop
10 May	Moorngag Hall Community Night
	Benalla West Stage 1 Development - Homes Victoria Briefing
	Councillor Only Time
	Finance and Planning Committee Meeting

Councillor Puna Hewa Gunaratne	
16 April	Councillor Only Time
	Assembly of Councillors - Business Review
23 April	Council Meeting
	Assembly of Councillors - Business Review
30 April	Additional Council Meeting
7 May	Assembly of Councillors - Business Review
8 May	2025-2029 Council Plan Workshop
9 May	Baddaginnie Wine and Cheese night
14 May	Finance and Planning Committee Meeting
16 May	Municipal Association Victoria State Council Meeting

Councillor Jillian Merkel	
16 April	Councillor Only Time
	Assembly of Councillors - Business Review
23 April	Council Meeting
	Assembly of Councillors - Business Review
24 April	Benalla P-12 College ANZAC Day Assembly
25 April	Benalla RSL Sub-Branch Anzac Day Service
30 April	Additional Council Meeting
5 May	2025-2029 Benalla Destination Plan Workshop
7 May	Councillor Only Time
	Assembly of Councillors - Business Review
8 May	2025-2029 Council Plan Workshop
12 May	Benalla Street Advisory Committee Meeting
14 May	Benalla West Stage 1 Development - Homes Victoria Briefing
	Councillor Only Time
	Finance and Planning Committee Meeting

Councillor Nathan Tolliday	
16 April	Assembly of Councillors - Business Review
23 April	Council Meeting
	Assembly of Councillors - Business Review
24 April	Benalla P-12 College ANZAC Day Assembly
	Live4Life Partnership Meeting
	Official Opening of the Benalla Costume and Kelly Museum
25 April	Benalla RSL Sub-Branch, Anzac Day Dawn Service
	Benalla RSL Sub-Branch Anzac Day March and Service
30 April	Additional Council Meeting
4 May	Visit to Devenish Men's Shed
4 May	2025 National Heritage Festival Closing Event
7 May	Councillor Only Time
	Assembly of Councillors - Business Review
8 May	2025-2029 Council Plan Workshop
9 May	Baddaginnie Wine and Cheese night
12 May	NE Tracks LLEN Committee Meeting and AGM
	Benalla Street Advisory Committee Meeting
14 May	Benalla West Stage 1 Development - Homes Victoria Briefing
	Councillor Only Time
	Finance and Planning Committee Meeting
16 May	International Day Against Homophobia, Biphobia, Intersexphobia and Transphobia Flag Raising Ceremony
	Governance Internal Audit Meeting

Recommendation:

That the report be noted.

4.5 Council Actions Pending

Council Actions Pending are detailed in **Appendix 1**.

Recommendation:

That the report be noted.

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Council Actions Pending

Action No.	Meeting Name	Item	Action	Officer	Status/notes
1.	F&P Committee 14-May-25	9	2024/2025 Quick Response Grants That \$500 grants from the 2024/2025 Quick Response Grant program be awarded to Goorambat Veterans' Retreat Group, Benalla Sustainable Future Group and Benalla branch of the Cake Decorators Association of Victoria.	MC	Completed
2.	Council Meeting 30-April-25	2	Draft Benalla Rural City Council Revenue and Rating Plan 2025-2029 1. That the draft <i>Benalla Rural City Council Revenue and Rating Plan 2025-2029</i> be endorsed for public exhibition for a period of at least 28 days from 1 May 2025. 2. That submissions relating to the draft <i>Benalla Rural City Council Revenue and Rating Plan 2025-2029</i> be heard at an additional meeting of the Finance and Planning Committee on 4 June 2025. 3. That the Council consider submissions relating to the draft <i>Benalla Rural City Council Revenue and Rating Plan 2025-2029</i> at an additional meeting of the Finance and Planning Committee on 18 June 2025. 4. That the Council consider the adoption of the <i>Benalla Rural City Council Revenue and Rating Plan 2025-2029</i> at a meeting of the Council on Wednesday 25 June 2025.	MF	1. Completed 2. In progress 3. In progress 4. In progress
3.	Council Meeting 30-April-25	1	Proposed 2025/26 Budget 1. That the amended proposed <i>2025/26 Budget</i> be endorsed for public exhibition for a period of at least 28 days from 1 May 2025. 2. That submissions relating to the proposed <i>2025/26 Budget</i> be heard at an additional meeting of the Finance and Planning Committee on 4 June 2025. 3. That the Council consider submissions relating to the proposed <i>2025/26 Budget</i> at an additional meeting of the Finance and Planning Committee on 18 June 2025. 4. That the Council consider the adoption of the <i>2025/26 Budget</i> at a meeting of the Council on Wednesday 25 June 2025.	MF	1. Completed 2. In progress 3. In progress 4. In progress

Action No.	Meeting Name	Item	Action	Officer	Status/notes
4.	Council Meeting 23-April-25	4.3	<p>Emergency Services and Volunteer Fund Levy</p> <p>That the Council:</p> <ol style="list-style-type: none"> Endorse Rural Councils Victoria's proposed amendments to the Emergency Services Volunteer Fund Bill: <ol style="list-style-type: none"> Recalculate the levy formula so rural communities are not disproportionately footing the bill for emergency services across Victoria. Guarantee that funds taken from rural communities are returned to those same local areas through direct emergency services funding. Designate the State Revenue Office as the responsible authority to collect the levy (not councils). That a <i>Benalla Rural City Council Emergency Services Volunteer Fund Levy Advocacy Strategy</i> be developed and implemented, including, written representation to Victorian State Government Treasurer and upper house crossbench MPs and the members of the upper and lower house of Parliament covering Benalla Rural City. 	GMC	<p>1. Completed</p> <p>2. Completed</p>
5.	Council Meeting 23-April-25	4.1	<p>2024/2025 Major Event Funding Program</p> <p>That \$445 from the 2024/25 Major Event Funding program be allocated to the Benalla Heritage Network.</p>	MC	Completed.
6.	Council Meeting 13-Dec-23	4.4	<p>Benalla Sports and Equestrian Reserve Committee</p> <p>That the debate on this matter be deferred until the Council Meeting on 14 February 2024 to allow the <i>Benalla Sports and Equestrian Reserve</i> user groups to endorse their representative on the <i>Benalla Sports and Equestrian Reserve Committee</i> and the <i>Instrument of Sub-Delegation from the Chief Executive Officer to Community Asset Committees</i> be updated.</p>	CEO	Report to be presented to the Finance and Planning Committee 23 July 2025.

Action No.	Meeting Name	Item	Action	Officer	Status/notes
7.	Council Meeting 24-April-24	4.1	Benalla Indoor Recreation Centre Redevelopment Project <ol style="list-style-type: none"> 1. That the Council give in principle support for the Benalla P-12 College Barkly Street Campus as the preferred site location for the <i>Benalla Indoor Recreation Centre Redevelopment project</i>. 2. That the Chief Executive Officer negotiate with the Department of Education for the Council to acquire crown land at 51-54 Barkly Street, Benalla. 3. That the <i>Benalla Indoor Recreation Centre Redevelopment Project Steering Committee</i> be established. 4. That the amended <i>Benalla Indoor Recreation Centre Redevelopment Project Steering Committee Terms of Reference</i> be adopted. 5. That Cr Don Firth and Cr Bernie Hearn be appointed as the Councillor representatives on the <i>Benalla Indoor Recreation Centre Redevelopment Project Steering Committee</i> for the remainder of the 2023/24 Council year. 6. That invitations to join the <i>Benalla Indoor Recreation Centre Redevelopment Project Steering Committee</i> be extended to: <ul style="list-style-type: none"> ▪ Hume Region Community Infrastructure, Place, Sport and Recreation Victoria, Basketball Victoria, President Benalla Basketball Association, Chair of the Benalla Indoor Recreation Centre Committee of Management. 7. That an expression of interest process be undertaken to obtain two community member <i>Benalla Indoor Recreation Centre Redevelopment Project Steering Committee</i> representatives. 	MAI	<ol style="list-style-type: none"> 1. Completed 2. In progress 3. Completed 4. Completed 5. Completed 6. Completed 7. Completed

5. Reports by Councillors

Recommendation:

That the report(s) be noted.

6. Notices of Motion

7. Notices of Rescission Motion

8. Urgent Business

Business can only be admitted as urgent business by resolution of the council, and only then if it:

- relates to or arises out of a matter which has arisen since distribution of the agenda; and
- cannot be deferred until the next Council Meeting without having a negative impact on the Council, the municipality or the local community; and
- cannot be addressed through the Customer Request Management System.

A Councillor proposing that a matter be admitted as urgent business must lodge it in writing with the Chief Executive Officer by 4pm on the day of the meeting.

The Chief Executive Officer will advise the Mayor of any matter that the Chief Executive Officer determines appropriate for the Council to consider admitting as urgent business.

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Confidential Business

It is 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 CM25.082 Provision of Insurance Broking and Risk Management Services for 2026-2028
- 9.2 Tender for Contract CM25.062 Shared Use Path Construction – Midland Highway, Benalla
- 9.3 Tender Variation for Contract CM25.020 Benalla Indoor Recreation Centre Roof Renewal – Design and Construct
- 9.4 Confidential Reports by Councillors
- 9.5 Confidential Council Actions Pending

Recommendation:

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*.

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10. Reopening of the meeting to the public

Recommendation:

That the meeting be reopened to the public.

Closure of the meeting