

Benalla Rural City Council

Council Meeting

Minutes

Date: Wednesday 25 June 2025

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

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Minutes

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	Peter Keane	Chief Executive Officer
	Robert Barber	General Manager Corporate
	Cathy Fitzpatrick	Manager Finance
	Courtney Naughton	Manager Economic Development and Sustainability
	Alison Angus	Visitor Economy Coordinator
	Tom Arnold	Community and Recreation Coordinator
	Jess Pendergast	Governance Coordinator

Opening and Acknowledgement of Country

The Chair opened the meeting at 6.03pm 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.

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 recorded broadcast of the meeting at **www.benalla.vic.gov.au**

Disclosures of Conflict of Interest

See item 4.5 and 4.9.

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 Wednesday 28 May 2025 be confirmed as a true and accurate record of the meeting.

Carried

1. Public Question Time

It is noted that Julie Green submitted the following question.

Will BRCC follow similar approach that Loddon Shire Council have done overnight, passing a motion calling the Governor to NOT sign the ESVF Tax?

The Chief Executive Officer answered that Benalla Rural City Council passed a motion regarding the *Emergency Services Volunteer Fund* at its meeting on 23 April 2025.

That the Council:

1. Endorse Rural Councils Victoria's proposed amendments to the Emergency Services Volunteer Fund Bill:
 - a. Recalculate the levy formula so rural communities are not disproportionately footing the bill for emergency services across Victoria.
 - b. Guarantee that funds taken from rural communities are returned to those same local areas through direct emergency services funding.
 - c. Designate the State Revenue Office as the responsible authority to collect the levy (not councils).
2. That a *Benalla Rural City Council Emergency Services Volunteer Fund Levy Advocacy Strategy* 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.

The *Fire Services Property Amendment (Emergency Services and Volunteers Fund) Act 2025* gained royal assent on 27 May 2025.

Benalla Rural City Council will continue to advocate via *Rural Councils Victoria* and *Hume Region Local Government Network* against the introduction of the ESVF Levy.

Cr King / Cr Gunaratne:

That the question and answer be noted.

Carried

2. Petitions

2.1 Council to establish an LGBTIQA+ Sub-Committee of the Social Inclusion Action Group

A petition containing 12 signatories was received requesting the Council establish an LGBTIQA+ Sub-committee of the Social Inclusion Action Group.

Cr Blore / Cr Gunaratne:

1. **That the petition be received.**
2. **That a report be presented to the Finance and Planning Committee on 23 July 2025.**

Carried

Record of Committees

3.1 Recommendations from Finance and Planning Committee

The recommendations of the Finance and Planning Committee meetings held on Wednesday 4 June, Wednesday 11 June and Wednesday 18 June 2025 were presented.

Cr Davis / Cr Merkel:

That the recommendations of the Finance and Planning Committee meetings held on Wednesday 4 June, Wednesday 11 June and Wednesday 18 June 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 for the month of May 2025 were presented.

May 2025

Wednesday 7 May	Assembly of Councillors - Business Review
Thursday 8 May	Benalla Indoor Recreations Centre Redevelopment Project Steering Committee
Thursday 8 May	Assembly of Councillors – Draft Council Plan 2025-2029
Monday 12 May	Benalla Street Art Advisory Committee
Tuesday 20 May	Audit and Risk Committee
Wednesday 21 May	Assembly of Councillors – Councillor Inductions – Conflict of Interest Workshop
Wednesday 21 May	Assembly of Councillors - Business Review
Monday 26 May	Benalla Street Art Advisory Committee

Cr Blore / Cr Tolliday:

That the report be noted.

Carried

Officer Reports

4.1 *Benalla Rural City Destination Management Plan 2025-2029*

The report presented for consideration and adoption the *Benalla Rural City Destination Management Plan 2025-2029*.

Cr Davis / Cr Blore:

That the *Benalla Rural City Destination Management Plan 2025-2029*, as amended, be adopted.

Carried

4.2 *Benalla Rural City Council 2025/26 Budget*

The report presented for adoption the *Benalla Rural City Council 2025/26 Budget*.

Cr King / Cr Tolliday:

1. Adoption of the 2025/26 Budget

That the Council:

- having considered the results of the community engagement undertaken by Council, the *2025/2026 Budget* presented to this meeting be adopted by Council in accordance with section 94 of the *Local Government Act 2020*.
- note the *2025/26 Budget* also incorporates a Budget for the 2026/2027, 2027/2028 and 2028/2029 Financial Years.

2. Fees and Charges

- That each of the fees, charges and penalties referred to in the Schedule of Fees of Charges (the Schedule) contained in the Budget be fixed in the respective amounts specified in the Schedule.

3. Declaration of Rates and Charges

Amount Intended to be Raised:

An amount of \$23,509,000 (or such greater amount as is lawfully levied as a consequence of this Recommendation being adopted) be declared as the amount which Council intends to raise by general rates, the municipal charge and the waste management charge (described later in this Recommendation), which amount is calculated as follows:

General Rates	\$16,446,000
Municipal Charge	\$2,352,000
Waste Management Charge	\$4,711,000

4. General Rates

- ##### **4.1 That the Council declare a general rate in respect of the 2025/2026 Financial Year.**

- 4.2** That the Council further declared that the general rate be raised by the application of differential rates.
- 4.3** That the differential rate be respectively declared for rateable land having the respective characteristics specified below, which characteristics will form the criteria for each differential rate so declared.
- 4.3.1 General**
All land except where otherwise classified.
- 4.3.2 Residential (Rural Township)**
Any land used primarily for residential purposes and on which there is a building affixed to the land which is designed and constructed primarily for residential purposes and can lawfully be used as a place of residence.
- 4.3.3 Business**
Any land used primarily for a commercial or industrial business purpose which is used primarily for commercial or industrial purposes or is obviously adapted or designed to be used primarily for commercial or industrial purposes.
- 4.3.4 Vacant Land (Benalla)**
Any land on which no dwelling improvements (excluding sheds or other minor constructions) have been constructed and is land where a permit to build a dwelling is reasonably expected to be approved.
- 4.3.5 Vacant Land (Rural Township)**
Any land on which no dwelling improvements (excluding sheds or other minor constructions) have been constructed and is land where a permit to build a dwelling is reasonably expected to be approved.
- 4.3.6 Rural 1**
Any land which is:
1. does not have the characteristics of Residential (Rural Township) land, Business land, Vacant Land (Rural Township) land, or Rural 2 Land; and
 2. is not less than 2ha.
- 4.3.7 Rural 2**
- 1.1 which is not less than 40ha in area; or
 - 1.2.(i) is a component of a single farm enterprise [as defined in Section 9A(5) of the *Fire Services Property Levy Act 2012*], and when combined total an area not less than 40ha; and
 - 1.2.(ii) is not less than 2ha.
- 4.4** Differential rate will be determined by multiplying the Capital Improved Value of each rateable land (categorised by the characteristics described in paragraph 4.3 of this Resolution) by the relevant percentages indicated in the following table:

Property Category	Cents in the dollar of Capital Improved Value
General	0.003409
Residential (Rural Township)	0.002590
Business	0.005378
Vacant Land (Benalla)	0.005014

Vacant Land (Rural Township)	0.003068
Rural 1	0.002444
Rural 2	0.001938

- 4.5** considers that each differential rate will contribute to the equitable and efficient carrying out of Council functions, and that:
- 4.5.1** the respective objectives of each differential rate be those specified in the Schedule to this Resolution; and
 - 4.5.2** the respective types or classes of land which are subject to each differential rate be those defined in the Schedule to this Resolution; and
 - 4.5.3** the respective uses and levels of each differential rate in relation to those respective types or classes of land be those described in the Schedule to this Resolution; and
 - 4.5.4** The relevant:
 - a) uses of;
 - b) geographical locations of;
 - c) planning scheme zoning of; and
 - d) types of building on
 the respective types or classes of land be those identified in the Schedule to this Resolution.
- 4.6** Confirm that no amount is fixed as the minimum amount payable by way of general rate in respect of each rateable land within the municipal district.
- 4.7** In accordance with Section 4(1) of the *Cultural and Recreational Lands Act 1963*, the amount of rates payable in respect of each of the rateable lands to which that Act applies be determined by having regard to the services provided by Council in relation to such lands and having regard to the benefit to the community derived from such recreational lands. This amount shall be 0.003926 multiplied the Capital Improved Value of that rateable land.

5. Municipal Charge

- 5.1** That the Council declare a Municipal Charge in respect of the 2025/2026 Financial Year.
- 5.2** That the Municipal Charge be declared to cover some of the Council's administrative costs.
- 5.3** That the Municipal Charge be in an amount of \$286.00 for each rateable property within the municipal district.

6. Waste Management Charge

- 6.1** That the Council declare a waste management charge in respect of the 2025/2026 Financial Year.
- 6.2** That the waste management charge be declared for the collection and disposal of refuse, and be levied in respect of all rateable land within the municipal district.
- 6.3** That the waste management charge be in the sum of, and be based on the criteria, specified below:

Type of Receptable Made Available for Provision of Service	Per Rateable Property
Urban Areas	
80 It Organic - 80 It Waste with Recycle	\$424.50
120 It Organic - 80 It Waste with Recycle	\$469.50
240 It Organic - 80 It Waste with Recycle	\$565.00
80 It Organic - 120 It Waste with Recycle	\$518.00
120 It Organic - 120 It Waste with Recycle	\$612.50
240 It Organic - 120 It Waste with Recycle	\$706.00
80 It Organic - 240 It Waste with Recycle	\$800.50
120 It Organic - 240 It Waste with Recycle	\$893.50
240 It Organic - 240 It Waste with Recycle	\$988.00
Rural Areas	
80 It Waste with Recycle	\$424.50
120 It Waste with Recycle	\$612.50
240 Waste with Recycle	\$988.00
Additional Collection Options	
Additional Bin - Organic	\$280.00
Additional Bin - Waste	\$224.00
Additional Bin – Recycle	\$239.00
Weekly Collection – Waste	\$246.00
Weekly Collection - Recycle	\$202.50

7. Incentive

That no incentive be declared for the early payment of the general rates, municipal charge or waste management charge previously declared.

8. Extra Instalment Options

That the Council may, in addition to payment quarterly on the dates specified in section 167 of the *Local Government Act 1989*, by further Resolution, specify other options as to the manner in which the general rates, Municipal Charge and waste management charge may be paid.

9. Consequential

9.1 That it be recorded that the Council requires any person to pay interest on any amounts of rates and charges which:

9.1.1 that person is liable to pay; and

9.1.2 have not been paid by the date specified for their payment, such interest to be calculated in accordance with section 172(2) of the *Local Government Act 1989*.

9.2 That the General Manager Corporate be authorised to levy and recover the general rates, municipal charge and waste management charge in accordance with the *Local Government Act 1989* and *Local Government Act 2020*.

- 10. That the *2025/26 Budget* include new borrowings of \$2,000,000 to potentially part-fund Building projects in the 2025/26 Capital Works Program.**
- 11. That all submitters on the proposed *2025/26 Budget* be written to thanking them for their submission and advising of the Council's decision to adopt the *2025/26 Budget*.**
- 12. That the Chief Executive Officer be authorised to effect minor administrative and wording changes to the *2025/26 Budget* if required.**
- 13 That \$10,000 be allocated in 2025/26 to Waminda Community House and the Chief Executive Officer be authorised to finalise the funding arrangement with results reported back to the Council.**

Carried

A division of the vote was called.

Votes recorded in favour for the motion:

Cr Bernie Hearn (Mayor)

Cr Justin King (Deputy Mayor)

Cr David Blore

Cr Peter Davis

Cr Jillian Merkel

Cr Nathan Tolliday

Votes recorded against the motion:

Cr Puna Hewa Gunaratne

The motion was carried.

4.3 Benalla Rural City Council Revenue and Rating Plan 2025-2029

The report presented for consideration and adoption the *Benalla Rural City Council Revenue and Rating Plan 2025-2029*.

Cr King / Cr Blore:

That the *Benalla Rural City Council Revenue and Rating Plan 2025-2029* be adopted.

Carried

4.4 Benalla Rural City Council Plan 2025-2029 Development Update

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

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

Carried

4.5 2024/2025 Community Grants Program

It is noted that Cr Justin King declared a general conflict of interest with the grant applications from Benalla Netball Association and Benalla District Junior Football Club. Cr King claimed an exemption under s.129 of the *Local Government Act 2020* as a family member is a member of the above groups but not an office holder.

It is noted that Cr Puna Hewa Gunaratne declared a material conflict of interest with the grant application from the Benalla Gymnastics Club. Cr Gunaratne has a family member who is an office bearer for the organisation.

It is noted that Cr Peter Davis declared a general conflict of interest with the grant application from Moira Benalla Club Inc. Cr Davis has a family member who is an office bearer for the organisation.

The report presented applications recommended for funding under the 2024/2025 Major and Minor Community Grant Programs.

Cr King / Cr Tolliday:
That the grant applications from Benalla Gymnastics Club and Moria Benalla Club Inc. be excised.

Carried

Cr Peter Davis and Cr Puna Hewa Gunaratne left the meeting at 7.08pm.

2025 Minor Community Grant Applications			
Applicant	Details	Amount Requested	Proposed Assistance
Benalla Gymnastics Club	Improving entry to the Gymnastics Club - Removal of large cupboards.	\$3,000	\$3,000
Moira Benalla Club Inc.	Moira House front fence replacement	\$3,000	\$3,000

Cr King / Cr Merkel:
That \$3,000 grants be awarded to Benalla Gymnastics Club and Moria Benalla Club Inc. from the 2024/2025 Community Grants program.

Carried

Cr Peter Davis and Cr Puna Hewa Gunaratne returned to the meet at 7.11pm.

2025 Minor Community Grant Applications				
No.	Applicant	Details	Amount Requested	Proposed Assistance
1.	Astronomy Benalla Inc.	Reflective night signage, eyepiece, gazebo	\$1,359	\$1,359
2.	Benalla and District Preschool Partnership - Bernard Briggs Kindergarten	Vegetable Garden Beds at Bernard Briggs Kinder	\$1,959	\$1,959
3.	Benalla Aviation Museum and Men's Shed	Men's Shed air conditioner replacement	\$2,360	\$2,360
4.	Benalla Bushrangers Cricket Club	Facilitated junior coaching afternoons.	\$3,000	\$3,000
5.	Benalla Bushwalking Club	First Aid Training	\$2,750	\$2,750
6.	Benalla District Junior Football Club	Canteen upgrade - Pie Warmer	\$1,000	\$1,000
7.	Benalla Health	Benalla Health 2025 Masquerade Ball	\$3,000	\$550
8.	Benalla Hockey Club	Various Hockey equipment and umpire training	\$2,515	\$1,520
9.	Benalla Men's Shed Inc.	Computer/Software/Printer Upgrades	\$2,950	\$2,950
10.	Benalla National and International Short Film Festival	Benalla Shorts 2025	\$3,000	\$3,000
11.	Benalla Netball Association	Netball Victoria skills development for netball umpires.	\$2,330	\$2,330
12.	Benalla RSL	Refurbishment of War Memorial. New plaque at cenotaph.	\$2,500	\$2,500
13.	Benalla Swimming Club	Purchase new training and competition equipment. Backstroke blocks and timers.	\$2,266	\$2,266
14.	Benalla Theatre Company Inc.	2025 musical - "9 to 5"	\$3,000	\$3,000
15.	Live Art Benalla	Fresh Juice artist development program and live music performance	\$3,000	\$3,000
16.	Molyullah Recreation and Public Hall Reserve Inc.	Outdoor tables and chairs	\$3,000	\$1,000
17.	North Eastern Archers Inc.	New target frames and targets	\$3,000	\$3,000
18.	Swanpool Bowls Club	Kitchen and BBQ equipment	\$3,000	\$2,700
19.	Swanpool Community Cinema	Four free community screenings for Seniors Festival, Benalla Festival, Heritage Month and Volunteers Week	\$2,550	\$2,550

2025 Minor Community Grant Applications				
No.	Applicant	Details	Amount Requested	Proposed Assistance
20.	Tatong Anglers Group Inc.	Upgrade Group Computer, Protective and Emergency Equipment	\$2,874	\$2,874
21.	Tatong Memorial Hall	Removal of hall roof vent	\$2,750	\$2,750
Total			\$54,163	\$48,418

2025 Major Community Grant Applications				
No.	Applicant	Details	Amount Requested	Proposed Assistance
1.	Benalla All Blacks Football and Netball Club inc.	Installation of improved lighting and CCTV to deter vandalism.	\$7,000	\$7,000
2.	Benalla Lawn Tennis and Croquet Club inc.	Replacing the ceiling tiles in the main room of the clubhouse and upgrade to LED lighting.	\$7,000	\$7,000
3.	Benalla Rose City Band	Revamping music library	\$4,311	\$4,311
4.	Goorambat and District Community Group	Historical Information Display Boards	\$6,128	\$6,128
5.	Goorambat and District Football and Netball Club	Upgrading the existing court lighting to energy-efficient LED lights	\$7,000	\$7,000
6.	Lurg Hall and Recreation Reserve Committee	Upgrade of Kitchen and Hall Security – New oven and Double doors	\$5,278	\$5,278
7.	Moorngag Public Hall Committee Inc	Outdoor seating	\$5,000	\$5,000
8.	Scout Association of Australia, Victorian Branch, Benalla Scout Group	Replace roller door, repair plumbing, new trailer tires, new dishwasher	\$6,500	\$6,500
9.	Waminda Community House	Kitchen appliances upgrade	\$6,998	\$5,500
Total			\$55,215	\$53,717

Cr Davis / Cr Merkel:

1. That \$2,209 be reallocated from the Quick Response Grant Program to the Major Community Grant category.
2. That the \$5,582 unallocated in the Minor Community Grant category be reallocated to the Major Community Grant category.
3. That \$926 be reallocated from the Community Development budget to the Major Community Grant category
4. That \$102,135, as detailed in the tables above, be allocated from the 2024/2025 Community Grants Program.

Carried

4.6 Election Report Benalla Rural City Council – 2024 Local Government Elections

The report presented the *Election Report Benalla Rural City Council – 2024 Local Government Elections*.

Cr Gunaratne / Cr Blore:

That the *Election Report Benalla Rural City Council – 2024 Local Government Elections* be received.

Carried

4.7 Appointment of Councillor Representatives on the *Benalla Health and Wellbeing Partnership Group*

The report discussed the appointment of a Councillor Representative to the *Benalla Health and Wellbeing Partnership Group*.

Cr Davis / Cr Blore:

That Cr Bernie Hearn be appointed as the *Benalla Health and Wellbeing Partnership Group* Councillor representative for the balance of the 2024/25 Council Year.

Carried

4.8 Mayor and Councillors' Attendance At Conferences and Events

The Mayor and Councillors attendance at meetings and events as during the period from 19 May 2025 to 15 June 2025 were presented.

It is noted that Cr Justin King was in attendance at the Rossmore House opening at Coinda Village on Saturday 14 June 2025.

Cr King / Cr Gunaratne:

That the report be noted.

Carried

4.9 Council Actions Pending

It is noted that Cr Justin King declared a material conflict of interest in relation to the Benalla Indoor Recreation Centre Redevelopment Project. Cr Justin King left the meeting at 7.30pm.

Council Actions Pending were presented.

Cr Merkel / Cr Gunaratne:

That the report be noted.

Carried

Cr King returned to the meeting at 7.32pm.

5. Reports by Councillors

Cr Bernie Hearn (Mayor) reported on her attendance at:

- Molyullah Hall Committee Fish and Chip Night on Friday 13 June 2025.

Cr Justin King (Deputy Mayor) reported on his attendance at:

- Benalla Homelessness Response Group annual general meeting on Tuesday 24 June 2025.

Cr David Blore reported on his attendance at:

- Tomorrow Today 2025 Grants Presentation on 5 June 2025.

Cr Peter Davis reported on his attendance at:

- Rossmore House opening at Cooina Village on Saturday 14 June 2025.

Cr Puna Hewa Gunaratne reported on his attendance at:

- Benalla P-12 College Opening Ceremony of Administration and Food Technology Building on Wednesday 11 June 2025.

Cr Jillian Merkel reported on her attendance at:

- Devenish Biggest Morning Tea for cancer on Friday 13 June 2025.

Cr Gunaratne / Cr Tolliday:
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 Davis / Cr Blore:

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 7.37pm.

9.1 Confidential Reports by Councillors

No councillors presented confidential reports.

9.2 Confidential Council Actions Pending

Confidential Council Actions Pending were presented.

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

Carried

10. Reopening of the meeting to the public

Cr Davis / Cr King:

That the meeting be reopened to the public.

Carried

The meeting was reopened to the public at 7.39pm.

Closure of the meeting

The council meeting closed at 7.40pm.

The minutes were confirmed on the sixth day of August 2025.

Signed: _____
Mayor Cr Bernie Hearn