

Benalla Rural City Council

# Additional Council Meeting

## Agenda

Date: Wednesday 1 October 2025

Time: 6pm

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

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# Agenda

**Chair** Councillor Justin King (Deputy Mayor)

**Councillors** Councillor Bernie Hearn (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

Tom Arnold Community Development and Recreation Coordinator

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

It is noted that Councillor Bernie Hearn is on an approved leave of absence from 24 September 2025 to 5 October 2025.

### **Recommendation:**

**That the apology/ies be noted.**

## 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*.

## 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](http://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.

## Officer Reports

### 1. 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.

### 2. 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 Report for CM25.067 Design and Construction Fawckner Drive Pump Track

##### **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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### **3. Reopening of the meeting to the public**

**Recommendation:**

**That the meeting be reopened to the public.**

### **Closure of the meeting**