

Benalla Rural City Council

Council Meeting

Agenda

Date: Wednesday 10 September 2025
Time: 6pm
Venue: Civic Centre (Council Meeting Room)
13 Mair Street, Benalla

Contents

Opening and Acknowledgement of Country	3
Apologies	3
Statement of Commitment	4
Disclosures of Conflict of Interest.....	5
Confirmation of the Minutes of the Previous Meeting	5
1. Public Question Time.....	6
2. Petitions	7
Record of Committees.....	7
3.1 <i>Recommendations from Finance and Planning Committee</i>	<i>7</i>
3.2 <i>Assemblies of Councillors, Advisory and External Committees</i>	<i>9</i>
Officer Reports.....	11
4.1 <i>Audit and Risk Committee Chair Report</i>	<i>11</i>
4.2 <i>Capital Works Program Status as at 30 June 2025.....</i>	<i>15</i>
4.3 <i>Assets and Infrastructure Department Activity Report For The Year Ended 30 June 2025</i>	<i>19</i>
4.4 <i>2025/26 Quick Response Grants Program</i>	<i>23</i>
4.5 <i>Draft CP 14 Councillor Confidentiality Policy</i>	<i>25</i>
4.6 <i>Councillor Policies For Review.....</i>	<i>27</i>
4.7 <i>Mayor and Councillors' Attendance At Conferences and Events</i>	<i>31</i>
4.8 <i>Council Actions Pending</i>	<i>35</i>
5. Reports by Councillors	37
6. Notices of Motion	37
7. Notices of Rescission Motion	37
8. Urgent Business.....	37
Confidential Business	38
9.1 <i>Tender Report For CM25.056 Building and Amenities Cleaning Service 2025-27.....</i>	<i>39</i>
9.2 <i>Confidential Reports by Councillors</i>	<i>45</i>
9.3 <i>Confidential Council Actions Pending</i>	<i>45</i>
10. Reopening of the meeting to the public	47
Closure of the meeting	47

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

Councillor Nathan Tolliday

In attendance Robert Barber Acting Chief Executive Officer

Jane Archbold Manager Community

Adrian Gasperoni Manager Assets and Infrastructure

Greg Robertson Manager Facilities and Information Technology

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 Peter Davis has applied for a leave of absence from 1 September 2025 to 15 September 2025.

It is noted that Councillor Bernie Hearn has applied for a leave of absence from 24 September 2025 to 5 October 2025.

Recommendation:

1. That the apology be noted.
2. That the leave of absence from Councillor Peter Davis be accepted.
3. That the leave of absence from Councillor Bernie Hearn 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 6 August 2025 be confirmed as a true and accurate record of the meeting.

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 27 August 2025 are attached as **Appendix 1**.

Recommendation:

That the recommendations of the Finance and Planning Committee meeting held on Wednesday 27 August 2025 be adopted.

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1. Planning Permit Application For The Use And Development Of The Land For Extractive Industry (Sand Mine) At 223 Cooper Road And 1726 Dookie-Devenish Road, Devenish

The report assessed a planning application received for extractive industry at 223 Cooper Road Devenish and 1726 Dookie-Devenish Road, Devenish.

It is noted that the following persons requested to speak on the item:

- Ken Whiteman spoke in support of the planning permit application.
- Nick Malkin spoke in support of the planning permit application.
- June Howard spoke against the planning permit application.
- Julie Emmanuel spoke against the planning permit application.

Cr Hearn / Cr Tolliday:

That an extension of three minutes be granted to Ken Whiteman.

Carried

Cr Merkel / Cr Blore:

That an extension of three minutes be granted to June Howard.

Carried

Cr King / Cr Blore:

That an extension of three minutes be granted to June Howard.

Carried

Cr King / Cr Tolliday:

That an extension of three minutes be granted to Julie Emmanuel.

Carried

Cr Hearn / Cr King:

That Council having caused notice of Planning Application No. P064-25 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to refuse to grant a permit under the provisions of the Benalla Planning Scheme in respect of the land known and described as 223 Cooper Road and 1726 Dookie Devenish Road, Devenish for the use and development of land for extractive industry in accordance with the plans as lodged with the application dated 28 March 2025 and subject to the following grounds:

- 1. The proposal is contrary to purposes of the Rural Living Zone, including:**
 - a. removing the land and surrounding land from potential residential use**
 - b. removing the land from agricultural use**
 - c. failure to protect landscape**
 - d. failing to make provision for sustainable land use practice.**

2. The proposal is inconsistent with and will adversely impact the current and future development of the township of Devenish.
3. The proposal is inadequately setback from existing and future, incompatible uses and development, to the proposed mineral extraction.
4. The noise from the development and use combined with inadequate setbacks is likely to have material adverse impact on nearby residential uses.
5. The dust from the development and use combined with inadequate setback is likely to have material adverse impact on conflicting residential and other uses.
6. The proposal is contrary to the purposes of the Farming Zone and agricultural policy broadly in its inappropriate removal of agricultural land.
7. The proposal represents the likely first in a series of proposals in time for the extraction of the resource on this and adjoining (commonly owned or controlled land) and should be considered in the potential development context. It is inappropriate that the application has been deliberating sized to fall precisely at the maximum level of extraction to avoid the proper assessment and development measures associated with a work authority under the *Mineral Resources (Sustainable Development) Act 1990*.

Carried

2. Planning Application To Construct And Display An Electronic Promotion Sign At 26 Bridge Street, Benalla

The report assessed a planning application received to construct and display an electronic promotion sign at 26 Bridge Street East, Benalla.

It is noted that the Luke Course spoke in support of the planning application.

Cr King / Cr Hearn:

That an extension of three minutes be granted to Luke Course.

Carried

Cr Blore / Cr King:

That Council having caused notice of Planning Application No. P012-25 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Refuse a Permit under the provision of the Benalla Planning Scheme in respect of the land known and described as 26 Bridge Street East, Benalla for the erection and display of an electronic promotion sign subject to the following grounds:

1. **The proposed sign does not meet the Municipal Planning Strategy including Clause 02.02-5 of the Benalla Planning Scheme as it will have a detrimental impact upon views from Lake Benalla.**
2. **The proposed sign does not meet the objective of Clause 11.03-1L of the Benalla Planning Scheme as it will have a detrimental impact upon the nearby landmark building at the intersection of Bridge Street East and Nunn Street Benalla.**

3. The proposed sign does not meet the objective of Clause 12.05-2S of the Benalla Planning Scheme as it will have a detrimental impact upon nearby parkland.
4. The proposed sign does not meet the objective of Clause 15.01-1S of the Benalla Planning Scheme as it will have a detrimental impact on amenity, the natural and built environment.
5. The proposed sign does not meet the objective of Clause 15.01.1S of the Benalla Planning Scheme as it does not promote good urban design along the abutting transport corridor.
6. The proposed sign does not meet the objective of Clause 15.01-5S of the Benalla Planning Scheme as it will have a detrimental impact on the character of the Benalla town centre.
7. The proposed sign does not accord with the requirements of the Design and Development Overlay Schedule 6 in the Benalla Planning Scheme as it does not integrate with the architectural style and character of the building and streetscape.
8. The proposed sign does not accord with the requirements of the Design and Development Overlay Schedule 6 in the Benalla Planning Scheme as it will have a marked impact on the adjacent heritage buildings and conservation area in general.
9. The proposed sign does not meet the purpose Clause 52.05 of the Benalla Planning Scheme as it is not compatible with the existing or desired future character and will adversely affect both the natural and built environment.

Carried

A division of the vote was called.

Votes recorded in favour of the motion:

Cr Bernie Hearn (Mayor)

Cr Justin King (Deputy Mayor)

Cr Puna Hewa Gunaratne

Cr David Blore

Cr Jillian Merkel

Votes recorded against the motion:

Cr Nathan Tolliday

The motion was **carried**.

3. Planning Permit Application for Buildings and Works to the Existing Office Building at 18 Bridge Street East, Benalla

The report discussed the planning application received for buildings and works at 26 Bridge Street East, Benalla to replace the door and window and repaint a section of the front façade.

Cr Hearn / Cr Merkel:

- 1. That the report be noted.**
- 2. That a report on Planning Permit Application for Buildings and Works to the Existing Office Building at 18 Bridge Street East, Benalla be presented to the Finance and Planning Committee meeting on Wednesday 10 December 2025.**

Carried

4. Building and Planning Approvals – July 2025

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

Cr King / Cr Blore:

That the report be noted.

Carried

5. Draft Benalla Rural City Council Domestic Animal Management Plan 2026-2029

The report presented for consideration the draft *Benalla Rural City Council Domestic Animal Management Plan 2026-2029*.

Cr Hearn / Cr Merkel:

That the Finance and Planning Committee, acting under its delegated authority of the Council, resolve that the draft *Benalla Rural City Council Domestic Animal Management Plan 2026-2029* be endorsed and placed on public exhibition for a period of at least 28 days.

Carried

6. Appointment Of A Council Representative To The *Heritage Advisory Working Group*

The report discussed the appointment of a Council Representative to the *Heritage Advisory Working Group*.

Cr Tolliday / Cr Gunaratne:

That the Finance and Planning Committee, acting under its delegated authority of the Council, resolve that Cr David Blore be appointed as the Council representative on the *Heritage Advisory Working Group* for the balance of the 2024/25 Council Year.

Motion lost

Cr King / Cr Merkel:

That the Finance and Planning Committee, acting under its delegated authority of the Council, resolve that Cr Bernie Hearn be appointed as the Council representative on the *Heritage Advisory Working Group* for the balance of the 2024/25 Council Year.

Carried

A division of the vote was called.

Votes recorded in favour of the motion:

Cr Bernie Hearn (Mayor)

Cr Justin King (Deputy Mayor)

Cr Puna Hewa Gunaratne

Cr David Blore

Cr Jillian Merkel

Cr Peter Davis

Votes recorded against the motion:

Cr Nathan Tolliday

The motion was **carried**.

7. 2025/26 Quick Response Grants Program

The report presented funding applications for 2025/26 Quick Response Grants.

Cr Blore / Cr Hearn:

That \$750 grants from the 2025/2026 Quick Response Grant program be awarded to the Tatong Market and More Inc and to Benalla and District Preschool Partnership - Bernard Briggs Kindergarten.

Carried

8. Benalla Street Art Festival Advisory Committee Terms of Reference

The report presented the updated and reviewed *Benalla Street Art Festival Advisory Committee Terms of Reference*.

Cr Blore / Cr King:

That the *Benalla Street Art Festival Advisory Committee Terms of Reference – August 2025* be adopted.

Carried

9. Economic Development And Sustainability Department Activity Report For The Quarter Ended 30 June 2025

The report presented the activity of the Economic Development and Sustainability Department for the quarter ending 30 June 2025.

Cr Tolliday / Cr Merkel:

That the report be noted.

Carried

10. Finance Department Activity Report For The Quarter Ended 30 June 2025

The report presented an overview of the functions of the Finance Department for the quarter ended 30 June 2025.

Cr King / Cr Tolliday:

That the report be noted.

Carried

11. Urgent Business

No urgent business was submitted to the meeting.

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.

July and August 2025

16 July 2025	Assembly of Councillors – Business Review
23 July 2025	Communications Advisory Committee
28 July 2025	Benalla Street Art Advisory Committee
30 July 2025	Assembly of Councillors – Business Review
5 August 2025	Benalla Airport Advisory Committee
11 August 2025	Benalla Local Safety and Traffic Liaison Committee
11 August 2025	Benalla Art Gallery Advisory Committee
14 August 2025	Benalla Festival Advisory Committee
19 August 2025	Audit and Risk Committee
20 August 2025	Assembly of Councillors – Business Review

Recommendation:

That the report be noted.

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Record of Assemblies of Councillors, Advisory and External Committees

July and August 2025

Assembly of Councillors – Business Review

6pm Wednesday 16 July 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	Peter Keane	Chief Executive Officer
	Robert Barber	General Manager Corporate
	Adrian Gasperoni	Manager Assets and Infrastructure
	Nilesh Singh	Manager Development
	Courtney Naughton	Manager Economic Development and Sustainability
	Joel Ingham	Planning Coordinator

Apologies: Nil**Conflicts of Interest disclosed:** Cr King declared conflicts of interest on items 4 and 5.**Items discussed:**

1. Presentation: Benalla Health Maternity Services
2. *Benalla Street Art Festival Advisory Committee – Terms of Reference*
3. Asset Management Framework Policy
4. *Benalla Indoor Recreation Centre Redevelopment Project Update*
5. *Draft Benalla Landfill and Resource Recovery Centre Masterplan*
6. Planning Permit Application to Construct 13 Dwellings At 68 Bridge Street West, Benalla
7. Planning Permit Application For Buildings and Works To The Existing Office Building At 18 Bridge Street, Benalla
8. Planning Permit Application To Construct And Display An Electronic Promotion Sign At 26 Bridge Street, Benalla

Communications Advisory Committee

1pm Wednesday 23 July 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	Peter Kean	Chief Executive Officer
	Jane Archbold	Manager Community
	Grant Banks	Communications and Engagement Coordinator
	Tom Arnold	Community Development and Recreation Coordinator
	Tracey Beaton	Executive Coordinator

Apologies: Nil

Conflicts of Interest disclosed: Nil

Items discussed:

1. Review of Actions From The Previous Meeting
2. Current Community and Community Engagement Projects
3. Opportunities
4. General Business

Benalla Street Art Advisory Committee

5.30pm Monday 28 July 2025, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

Chair	Raelene Stratton	Community Representative
Committee	Cr Jillian Merkel	Councillor Representative
	Cr Nathan Tolliday	Councillor Representative
	Ian Gonzaga	Community Representative
	Alex Ross	Community Representative
	Joyce Clarke	Community Representative
	Lauren Bruce	Community Representative
In attendance	Courtney Naughton	Manager Economic Development and Sustainability
	Eric Nash	Director Benalla Art Gallery
	Alison Angus	Visitor Economy Coordinator
	Sara Bowie	Administration Officer

Apologies: Lauren Bruce and Eric Nash

Conflicts of Interest disclosed: Nil

Items discussed:

1. Review of Actions Pending
2. Draft Terms of Reference Discussion
3. Sponsorship Discussion
4. General Business

Assembly of Councillors – Business Review

6.05pm Wednesday 30 July 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 Peter Keane Chief Executive Officer

Robert Barber General Manager Corporate

Jane Archbold Manager Community

Cathy Fitzpatrick Manager Finance

Adrian Gasperoni Manager Assets and Infrastructure

Courtney Naughton Manager Economic Development and Sustainability

Greg Robertson Manager Facilities and Information Technology

Grant Banks Communications and Engagement Coordinator

Apologies: Nil

Conflicts of Interest disclosed: Nil

Items discussed:

1. Draft *Benalla Airport Masterplan*
2. Intention to Lease Land – Ballon Over Australia Pty Ltd
3. Draft *Benalla Rural City Council Plan 2025-2029*
4. Benalla Festival Advisory Committee Nominations
5. Australia Day Advisory Committee Nominations
6. *Benalla Art Gallery Redevelopment Project* Update
7. Draft *Benalla Rural City Council Financial Plan 2025/256 to 2034/35*
8. Draft *Benalla Rural City Council Road Management Plan 2025-2029*
9. Draft *Benalla Rural City Council Asset Plan 2025-2029*
10. *2025 Local Government Community Satisfaction Survey*

Benalla Airport Advisory Committee

3.30pm Tuesday 5 August 2025, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

Chair	Cr Bernie Hearn (Mayor)	Councillor Representative
Committee	Cr Peter Davis	Councillor Representative
	Mark Carr	Commercial Operator
	Andy Davidson	Gilding Club of Victoria
	Rob Evans	Benalla Aeropark Club Inc.
	Joni Jones	Balloon Association of Victoria
	Craig Morrison	Benalla Aviation Museum
In attendance	Greg Robertson	Manager Facilities and Information Technology
	Elise Wood	Facilities Coordinator
	Georgia Spencer	Administration Officer
Invitees:	Rob Morris	To70 Aviation Australia

Apologies: Anna Parle and Andrew Ashton

Conflicts of Interest disclosed: Nil

Items discussed:

1. Draft *Benalla Airport Masterplan*

Local Safety and Traffic Liaison Committee

2pm Monday 11 August 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
	Kerri Croxford	Victoria Police
	Jenni Lamond	Victoria Police
	Lisa Aitkinson	Victoria Police
	Kylie Cotter	Benalla P-12 College
	Joseph Mount	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

Apologies: Lisa Aitkinson

Not in attendance Kylie Cotter, David Morrow and Joseph Mount

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

Benalla Art Gallery Advisory Committee

5.30pm Monday 11 August 2025, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

Chair	Barbara Alexander OA	
Committee	Cr Jillian Merkel	Councillor Representative
	Cr Puna Hewa Gunaratne	Councillor Representative
	Tim Abdallah	General Member
	Andrew Ashton	Friends of Benalla Art Gallery delegate
	Winsome McCaughey AO	General Member
	Elizabeth Costello	Tourism North East delegate
	Anna Parle	General Member
	Fiona Stephens	General Member
In attendance	Alice Tallis	General Member
	Courtney Naughton	Manager Economic Development and Sustainability
	Eric Nash	Director Benalla Art Gallery
	Peter Keane	Chief Executive Officer
	Adrian Gasperoni	Manager Assets and Infrastructure
	Penny Whitehead	Benalla Art Gallery Foundation Business Development

Apologies: Anna Parle and Andrew Ashton

Conflicts of Interest disclosed: Nil

Items discussed:

1. *Benalla Art Gallery Redevelopment Project* – Stage 1 Update

Benalla Festival Advisory Committee

4pm Tuesday 14 August 2025, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

Chair	Cr Justin King (Deputy Mayor)	
Committee	Cr Jillian Merkel	Councillor Representative
	Cr Nathan Tolliday	Councillor Representative
	Caroll Bolitho	Community Representative
	Stephanine Brack	Community Representative
	Vince Branigan	Community Representative
	Adam Toms	Community Representative
In attendance	Courtney Naughton	Manager Economic Development and Sustainability
	Kate Nolan	Tourism and Events Officer
	Sara Bowie	Administration Officer

Apologies: Cr Nathan Tolliday

Conflicts of Interest disclosed: Nil

Items discussed:

1. Expression of Interest for Events
2. Opening Night/Launch
3. Benalla by the Lake event update
4. General Business

Audit and Risk Committee Meeting

5pm Tuesday 19 August 2025, Civic Centre (Council Meeting Room), 13 Mair Street, Benalla.

Chair Mr Cameron Gray

Committee Councillor Peter Davis
Councillor Puna Hewa Gunaratne
Mr Stephen Paterson
Ms Rita Ruyters
Mr Wilson Tang

In attendance Peter Keane Chief Executive Officer
Robert Barber General Manager Corporate
Adrian Gasperoni Manager Assets and Infrastructure
Cathy Fitzpatrick Manager Finance
Janine McMaster Manager People and Performance
Richard Burbury Senior Asset Management Officer
Kate Parker Corporate Risk Coordinator

Internal Auditors Brad Ead AFS Auditors

External Auditors Jason Gilbert Crowe

Apologies: Nil

Conflicts of Interest disclosed: Nil

Items discussed:

1. *Benalla Rural City Council Interim Management Letter For The Financial Year Ending 30 June 2025*
2. Internal Audit Program
3. Meeting with Auditors
4. Draft Assets Valuation Revaluation Report August 2025
5. Risk Management Update
6. Procurement Process Exemptions
7. Reports From Regulatory and Integrity Agencies
8. Audit and Risk Committee Compliance Management Items
9. General Business

Assembly of Councillors – Business Review

6pm Wednesday 20 August 2025, Civic Centre (Council Meeting Room) 13 Mair Street, Benalla.

Chair Councillor Puna Hewa Gunaratne

Councillors Councillor Bernie Hearn (Mayor)
Councillor Justin King (Deputy Mayor)
Councillor David Blore
Councillor Peter Davis
Councillor Jillian Merkel
Councillor Nathan Tolliday

In attendance	Peter Keane	Chief Executive Officer
	Robert Barber	General Manager Corporate
	Adrian Gasperoni	Manager Assets and Infrastructure
	Courtney Naughton	Manager Economic Development and Sustainability
	Greg Robertson	Manager Facilities and Information Technology
	Nilesh Singh	Manager Development
	Joel Ingham	Planning Coordinator
	Eric Nash	Director Benalla Art Gallery
	Wayne Rich	Compliance Coordinator

Apologies: Cr Nathan Tolliday

Conflicts of Interest disclosed: Nil

Items discussed:

1. Presentation: North East Water
2. Planning Application For The Uses And Development Of The Land For Extractive Industry (Sand Mine) at 223 Cooper Road and 1726 Dookie-Devenish Road, Devenish
3. Draft *Benalla Rural City Domestic Animal Management Plan 2025-2029*
4. Regulation of Glider Trailers at Benalla Airport
5. 2023/2024 Victorian Government Safe Systems Pedestrian Infrastructure Program – Benalla Pedestrian Safety Improvements
6. *Benalla Art Gallery Redevelopment Project Operational Plan*

Officer Reports

4.1 Audit and Risk Committee Chair Report

Ref: 870788216-18865

Robert Barber – General Manager Corporate

PURPOSE OF REPORT

The report presents a summary of the Audit and Risk Committee's 2024/25 activities.

BACKGROUND

The Council has established an Audit and Risk Committee (the Committee) pursuant to Section 53 of the *Local Government Act 2020* (the Act) to support the Council in discharging its oversight responsibilities related to financial and performance reporting, risk management, fraud prevention systems and control, maintenance of a sound internal control environment, assurance activities including internal and external audit and Council's performance with regard to compliance with its policies and legislative and regulatory requirements.

The Committee has no executive authority and no delegated financial responsibilities and is therefore independent of management.

Cr Peter Davis and Cr Puna Gunaratne represent the Council on the Committee.

The Committee, through the Chief Executive Officer, also has access to appropriate management and administrative support to enable it to discharge its responsibilities effectively.

Current Independent members of the Committee:

Name	Appointed
Cameron Gray (Chairperson)	26 August 2020
Rita Ruyters	26 August 2020
Stephen Paterson	23 April 2025
Wilson Tang	23 April 2025

Independent members are appointed for an initial three-year term and can be reappointed for an additional three years. Independent members can serve a maximum of six years.

In accordance with the *Local Government Act 2020* the Audit and Risk Committee is required to report its activities to the Council.

DISCUSSION

Meetings

To date, the Committee has met three times in 2025:

1. 18 February 2025
2. 20 May 2025
3. 20 August 2025

Attendance

Member	18 February	20 May	20 August
Cameron Gray	✓	✓	✓
Rita Ruyters	✓	✓	✓
Cr Peter Davis	✓	✓	✓
Cr Puna Hewa Gunaratne	✓	✓	✓
Stephen Paterson		✓	✓
Wilson Tang		✓	✓

Activities

Key activities undertaken by the Committee included:

Compliance Management

- **Victorian Auditor-General's Office** reports considered: Reporting on Local Government Performance: Follow-up; *Results of 2023-24 Audits: Local Government*; and *Status Report Local Government Update July 2025*.
- Key policies; fraudulent or corrupt behaviour; significant compliance matters and annual work program considered.

External Audit

- Met with external auditors without management.
- Benalla Rural City Council Audit Strategy Memorandum For The Financial Year Ending 30 June 2025 *endorsed*.
- *Benalla Rural City Council Interim Management Letter For The Financial Year Ending 30 June 2025 accepted*.
- Draft *Assets Valuation Revaluation Report August 2025* reviewed.

Internal Control Environment

- Strategic Internal Audit Program monitored.
- Implementation of internal audit recommendations monitored.
- *Internal Audit planning document: Governance* endorsed.
- *Internal Audit planning document: ICT and Cyber Security Strategy and Governance* endorsed.
- *Internal Audit Report: Statutory Planning* accepted.
- Audit and Risk Committee Performance Self-Assessment undertaken.
- *Internal Audit Report: Governance* accepted.
- Procurement process exemptions considered.

Risk Management

- Monitoring of the Council's risk management systems and processes, including occupational health and safety and insurance.
- Draft *BRCC Business Continuity Plan* reviewed.
- *JLT Public Sector Risk Report* reviewed.

CONCLUSION

Committee chair Cameron Gray will present the *Audit and Risk Committee Chair Report*.

Recommendation:

That the *Audit and Risk Committee Chair Report* be accepted.

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4.2 Capital Works Program Status as at 30 June 2025

Ref: 1573044422-1206

Adrian Gasperoni – Manager Assets and Infrastructure

PURPOSE OF REPORT

The report presents an update on the Capital Works Program as at 30 June 2025.

BACKGROUND

Capital projects are funded from general revenue and grant funding. An update on the status of key capital projects is discussed below.

DISCUSSION

Capital Projects

Highlights for the year to date include:

- Link Island Bridge renewal works completed.
- Culvert upgrade at Racecourse Road, Benalla commenced.
- Culvert upgrade at Gillies Street, Benalla commenced.
- Culvert upgrade on Webb Road, Goomalibee completed.
- Kerb and Channel replacement program completed.
- Gravel road re-sheeting program completed.
- Shoulder re-sheeting program completed.
- Road resealing program completed.
- Works for Midland Highway Footpath to Equestrian Precinct (North Benalla Shared Path) works awarded, due to commence in, early September 2025, weather permitting.
- Planning and Design work continuing with the *Benalla Indoor Recreation Centre Redevelopment Project*.
- Quotation accepted for The Culdesac drainage upgrade for an alternate pump with tender to go out in second quarter of 2025/26.
- Design process ongoing for the TAC Safe Local Roads \$2M Program funding.
- Victorian Safe System Pedestrian Infrastructure Program Funding (Bridge & Carrier Street Pedestrian Crossings) – Design process ongoing, works to commence during the third quarter.
- Blackspot Funding announced for Goorambat-Thoona Road/ Bungeet Road. Goorambat intersection upgrade, design process commenced.
- Capital Works project handover to Asset Management Officer for annual financial reporting.

A Capital Works Program Status Report is attached as **Appendix 1**.

COUNCIL PLAN 2021-2025

Community

- *A healthy, safe and resilient community.*
- *A connected, involved and inclusive community.*

Livability

- *Vibrant public spaces and places.*
- *Connected and accessible roads, footpaths, transport and parking.*

Environment

- *High quality efficient and sustainable waste management.*
- *Sustainable practices.*

Leadership

- *Good governance.*
- *High performance culture.*

FINANCIAL IMPLICATIONS

The Capital Projects Program result for the year ended 30 June 2025 was expenditure of \$4.14 million which was \$2.55 million less than the budgeted expenditure of \$6.686 million as shown in Table 1 below.

Table 1 – Capital Program result for the period ending 30 June 2025

	Notes	2024/25 YTD Actuals	2024/25 Full Year Budget	2024/25 YTD Variance
Buildings	1	\$521,841	\$3,662,000	\$3,140,159
Computers and telecommunications		\$191,310	\$180,000	-\$11,310
Fixture fittings and furniture	2	\$27,641	\$120,000	\$92,359
Library stock		\$89,550	\$96,000	\$6,450
Plant and equipment		\$1,175,881	\$1,160,000	-\$15,882
Bridge	3	\$712,610	\$600,000	-\$112,610
Drainage	4	\$44,404	\$972,000	\$927,596
Footpath	5	\$383,672	\$248,001	-\$135,671
Other Infrastructure	6	\$0	\$367,000	\$367,000
Parks open space and streetscapes	7	\$359,833	\$75,001	-\$284,832
Recreational, leisure and community		\$7,895	\$0	-\$7,895
Roads	8	\$2,735,136	\$2,186,001	-\$549,135
Waste management	9	\$25,069	\$1,350,000	\$1,324,931
Total		\$6,274,842	\$11,016,003	\$4,741,162

Notes:

1. Variance mainly due to the delay with the Benalla Art Gallery Development Project (\$2,800,000).
2. Variance mainly due to the delay with the Benalla Art Gallery CCTV Upgrade (\$80,000), due to delays with the Benalla Art Gallery Redevelopment Project.
3. Variance mainly due to works involved major culverts budgeted as part of Drainage Strategy funding (\$152,637).
4. Variance due to Drainage Strategy works not commencing as budgeted and Drainage Strategy works being redirected from Bridges.
5. Variance mainly due to the North shared Path works not being undertaken and completed as budgeted.
6. Variance mainly due to works undertaken were assessed Parks, Open Space and Streetscapes Assets
7. Variance due to Parks, Open Spaces and Streetscapes works being redirected from Other Infrastructure.
8. Variance due to additional Grant Funding received, Black Spot Projects \$68,337 and additional Roads to Recovery funding \$292,576. \$162 was used to fund the balance of the Gravel Resheeting Program for 2024/2025.
9. Variance due to the Rehabilitation of Cell 2A not commencing until 2025/2026 as budgeted.

Recommendation:

That the report be noted.

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Capital Works Project Status as at 2 September 2025

Benalla Rural City Council Project Status Report as at 2 September 2025	Original Project Budget	Forecast Project Budget	Stage	Project Risk	Notes
3134A.TAC001: TAC Safe Local Roads - State Govt Total program 2m	\$ -	\$ 2,000,000	Planning and Design	Low	Planning and Design for four projects has commenced.
31150.BRD084: Bridge Renewal Program	\$ 191,000	\$ 191,000	Not Started	Low	
3134A.BLKS24: Blackspot Funding - relocate splitter islands various Benalla locations	\$ -	\$ 232,560	Delivery	Low	Awaiting for SP Ausnet to upgrade localised street lights and Road Safety Audit. Expected to be completed in April.
3134A.KCR001: Kerb and Channel Renewal Program	\$ 190,000	\$ 190,000	Procurement	Low	
3134A.REG002: Regulation Program - R2R	\$ 64,000	\$ 64,000	Planning and Design	Low	
3134A.RPR108: Crack Sealing - Council Funded Component	\$ 24,000	\$ 24,000	Delivery	Low	
3134A.RPR223: Sealed Roads Preparation for Resealing	\$ 200,000	\$ 200,000	Planning and Design	Low	
3134A.RSH047: Shoulder Resheet Program	\$ 1098,000	\$ 1098,000	Planning and Design	Low	
3134A.RSR140: Reseal Program - RTR	\$ 1351,000	\$ 1351,000	Delivery	Low	Expected to commence in October/November.
3134A.RSR141: Sealing of Gravel Roads Program	\$ 50,000	\$ 50,000	Planning and Design	Low	
3134A.RUR114: Gravel Resheet Program	\$ 889,000	\$ 889,000	Planning and Design	Low	
31360.FPA032: Footpath Renewal Strategy	\$ 100,000	\$ 100,000	Procurement	Low	On Target.
31360.FPA041: Footpaths	\$ 102,000	\$ 102,000	Procurement	Low	On Target.
31360.FPA132: New footpath Midland Hwy to Equestrian Precinct	\$ 103,000	\$ 382,500	Delivery	Low	Works commenced 1 September 2025.
31370.DRA044: Drainage Strategy	\$ 1244,000	\$ 1244,000	Delivery	Low	Works have commenced.
31370.DRA045: The Culdesac - Drainage	\$ 400,000	\$ 400,000	Delivery	Low	Works have commenced.
31370.PAP001: Pits and pipes, CQ ID NA	\$ 74,000	\$ 74,000	Planning and Design	Low	Ongoing.
31380.BUI185: Benalla Indoor Recreation Centre Roof Renewal	\$ 450,000	\$ 450,000	Construction	Low	Due to be completed in September.
31380.BUI198: VIC Basement Concrete Sealing	\$ 50,000	\$ 50,000	Planning and Design	Low	
31380.BUI192: Benalla Art Gallery Redevelopment	\$ 3000,000	\$ 6515,000	Planning and Design	Low	Expected to commence Procurement process in the middle of September 2025.
31390.CPM192: Major Plant	\$ 630,000	\$ 630,000	Procurement	Low	
31390.CPS192: Small Plant Upgrade	\$ 30,000	\$ 30,000	Procurement	Low	Ongoing.
31390.CPV001: Vehicle Replacement Strategy	\$ 200,000	\$ 200,000	Planning and Design	Low	
31391.BCP017: HVAC Renewal	\$ 32,000	\$ 320,000	Not Started	Low	
31391.BCP019: Community Christmas Tree	\$ 50,000	\$ 50,000	Procurement	Low	
31393.CPE035: IT Projects - identified in service plan	\$ 180,000	\$ 180,000	Planning and Design	Low	
31394.LIB100: Library Purchases - Hub	\$ 96,000	\$ 96,000	Not Started	Low	
31410.LFIL37: Waste Management - Cell 3B Construction	\$ 951,000	\$ 951,000	Procurement	Low	
31420.BMX001: Pump Track (BMX) design / construction	\$ 1000,000	\$ 1000,000	Procurement	Low	Tender Report expected to be presented to Council in September.
31430.OSP142:Playground Replacement Program	\$ 50,000	\$ 50,000	Planning and Design	Low	
31430.OSP143:Devenish Playground Fence Replacement	\$ 30,000	\$ 30,000	Planning and Design	Low	
31430.OSP144:McKellar St Playground Fence	\$ 80,000	\$ 80,000	Planning and Design	Low	
31430.OSP145:Saleyards dog Park (2)	\$ 250,000	\$ 250,000	Planning and Design	Low	
31440.AER008:Benalla Airfield Runway/Taxiway Lighting	\$ 250,000	\$ 250,000	Planning and Design	Low	

4.3 Assets and Infrastructure Department Activity Report For The Year Ended 30 June 2025

Ref: 1573044422-1047

Adrian Gasperoni – Manager Assets and Infrastructure

PURPOSE OF REPORT

The report presents the activities of the Assets and Infrastructure department for the quarter ended 30 June 2025.

Assets and Infrastructure

Assets and Infrastructure department continued to provide maintenance throughout the municipality, there was a focus on gravel road grading and nature strip tree maintenance.

Highlights for the quarter are detailed below.

Operations

- Completed grading of 147 kilometers of gravel roads.
- Completed grading of 41 kilometers of sealed road shoulders.
- Replaced 60 square metres of concrete footpath in the following areas:
 - Carrier Street, Benalla
 - Waller Street, Benalla
 - Kilfeera Road, Benalla
 - Goodenia Drive, Benalla
 - Sir Edward Drive, Benalla
- Carried out sealed road maintenance.
- Carried out routine rural drainage maintenance.
- Carried out rural carriageway tree pruning maintenance.
- Carried out urban kerb and channel cleaning of approximately 80 streets with the street sweeper.
- Carried out footpath maintenance works throughout Benalla, including grinding and patching.
- Operations staff attended the Benalla Rural City Careers Expo.

Depot

- 160 Tonne of 20-millimetre crushed rock for stock at depot (for gravel road and shoulder maintenance).
- 280 Tonne of 40-millimetre crushed rock for stock at depot (for gravel road and shoulder maintenance).
- 200 Tonne of 75-millimetre crushed rock for stock at depot (for gravel road and shoulder maintenance).
- 45 Tonne of 7-millimetre premix for stock at depot (for sealed road maintenance).
- 75 Tonne of 7-millimetre pre-coat for stock at depot (for sealed road maintenance).

- 5,000 litres of bitumen emulsion for stock at depot (for sealed road maintenance).
- The second Medium Rigid Truck arrived in April 2025 with the third Heavy Rigid Truck expected to arrive in late October 2025.
- The new Woodchipper arrived in April 2025.
- The new Pick-Up Mower for the Botanical Gardens arrived in April 2025.

Parks and Gardens and Open Spaces

- Parks, Gardens and Open spaces staff attended the Benalla Rural City Careers Expo
- Flying fox installation completed
- Completed the Benalla Indoor Recreation Centre re-roofing
- Completed the annual rose pruning Benalla Botanical Gardens
- Completed the annual pea straw mulching at the Benalla Botanical Gardens
- Tree root barriers installations undertaken.
- Carried out routine tree pruning maintenance.
- Carried out routine playground maintenance throughout the municipality.
- Carried out routine nature strip maintenance.
- Carried out dining pod maintenance in Benalla and Baddaginnie townships.

Asset Management

The following table outlines requests for works received through the *Asset Edge – Reflect* program of inspection and *Customer Request Management System*.

Task	September 2024	December 2024	March 2025	June 2025
Defects overdue on roads and drains - safety only:				
Link roads	12	12	10	7
Collector roads	19	16	14	11
Access roads	10	8	9	29
Defects overdue on footpaths - safety only	0	0	0	1
Defects rectified - routine maintenance and safety – road, footpath and parks	233	198	227	144
Defects and maintenance - items outstanding - road, footpath and parks	310	307	283	251
Unsealed roads graded (km)	154	191	90	147
Sealed road shoulders graded (km)	0	0	16	41

Waste

- EPA Quarterly Levy Return Audit, with notice for EPA Licence Audit in April 2025.
- Quarterly leachate ground water, and landfill gas monitoring completed.
- Commenced the tender process for the construction of Cell 3B and the Construction Audit of Cell 3B.
- Completed the tender process for the Landfill Compactor Hire.

- Completed the tender process for the Telehandler.
- Undertook Landfill costing review.
- Local Government reporting completed.
- Sustainability Victoria reporting completed.
- Recycling Victoria reporting completed
- Sustainability Victoria grant completed.
- Environment Protection Authority Victoria *Permission Information and Performance Statements* reporting completed.
- Have completed the transition to Council only staff at the Landfill.

COUNCIL PLAN 2021-2025 ACTIONS

Livability

Vibrant public spaces and places		
Strategy	Action	March Quarter Update
Maintain and develop sport and recreation facilities and reserves, parks, gardens, playgrounds, and walking and cycling paths to increase passive and active community participation and social connection.	Meet agreed key milestones of the <i>Benalla Indoor Recreation Centre Redevelopment project</i> .	Benalla Indoor Recreation Centre Redevelopment Project, currently meeting agreed milestones.
	Deliver <i>Benalla Art Gallery Redevelopment project</i> .	Select Request for Tender to commence in September 2025
	Deliver <i>Benalla Ceramic Mural Precinct Upgrade project</i> .	Mural Precinct upgrade Project, majority of path works completed.
	Progress the <i>Benalla Indoor Recreation Centre Redevelopment Project</i> .	Design to focus on the Centre to be located on Churchill Reserve.
Ensure open spaces and public places in existing and developing communities are thoughtfully planned, connected, green, sustainable, accessible, engaging and inclusive and consider the needs of an ageing community.	Develop and adopt an Open Space strategy.	Consultants appointed in November 2024 to develop the draft <i>Benalla Rural City Council Open Space Strategy 2026-2040</i> .
	Install all abilities playground equipment.	Project Completed.
Beautify streetscapes, landscaping, signage and town entrances.	Deliver the Bridge Street Streetscape project.	Lighting, Notice Boards have been installed within the Bridge Street precinct. Ongoing focus with maintaining and improving entrances to our townships through improved signage and streetscape work will continue.

Connected and accessible roads, footpaths, transport and parking		
Strategy	Action	March Quarter Update
Deliver and maintain accessible and safe footpaths and cycle paths in existing and new neighbourhoods.	Review and update <i>Pathways to the Future – Shared Path Project strategy</i> .	Majority of priorities from strategy have been delivered. A review of existing Strategy and identifying new priorities to be undertaken in 2025/2026.
	Deliver Kerb and Channel Replacement program.	Kerb and Channel Program completed.
	Deliver new footpath works	New footpath projects ongoing.
Maintain and improve drainage, bridges, parking and road networks to meet the needs of the current and future population.	Implement Benalla Rural City Council Drainage Strategy.	Priority projects from the strategy identified and works initial priority works completed.
	Finalise Devenish Drainage Upgrade project.	Devenish Drain Upgrade Project completed.

Environment

High quality, efficient and sustainable waste management		
Strategy	Action	March Quarter Update
Provide efficient and sustainable waste management services.	Finalise disposal arrangements for environmentally sustainable disposal of kerbside-collected food organics and garden organics.	New Contract with Rural City of Wangaratta for the disposal of kerbside – collected food organics and garden organics has been executed.

Leadership

Good governance		
Strategy	Action	March Quarter Update
Deliver responsible budget outcomes linked to strategy that maintain financial sustainability and deliver value for money and rating fairness.	Develop and implement a Project Management framework.	Recruitment of Project Management Officer to be undertaken.
	Implement a best practice asset management approach.	Recruitment of Asset Management Officer completed New Officer commenced in June 2025.

Recommendation:

That the report be noted.

4.4 2025/26 Quick Response Grants Program

Ref: 1536132109-965

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

PURPOSE OF REPORT

The report presents funding applications for 2025/26 Quick Response Grants.

BACKGROUND

The Quick Response grant program enables local community groups, clubs and organisations to seek funding to increase their capacity to work in partnership with the Council and others to address local needs and enhance the local community.

The program distributes grants up to \$750 allowing local clubs, groups and organisations the opportunity to seek funds when the need arises.

DISCUSSION

Applications for consideration under the 2025/26 Quick Response Grant program are detailed in the table below.

Applicant	Details	Amount Requested	Proposed Assistance
Cake Decorators Association Victoria – Benalla Branch	The Benalla Cake Decorators are seeking \$750 to assist with the purchase of a \$999 Kenwood Patisserie Mixer, with a contribution of \$249 from the group. The mixer will be available for members to loan, providing access to professional equipment that supports learning and practice. It will help transform the challenge of hand-mixing into the ability to create cakes that inspire pride, creativity, and joy.	\$750	\$750
North Eastern Archers Inc	North Eastern Archers is seeking \$650 to support its annual Save the Daylight archery event, part of the Archery Victoria calendar. The event attracts both new and experienced archers, particularly metropolitan visitors who stay in Benalla for the weekend. The grant will fund the hire of an All-Abilities portable toilet, ensuring accessibility for archers with disabilities and providing a family-friendly change space for parents with young children. This will make the event more inclusive, encourage higher participation and strengthen Benalla Rural City's profile as a welcoming host for statewide sporting events.	\$650	\$650
Total		\$1,400	\$1,400

COUNCIL PLAN 2021-2025 IMPLICATIONS

Community

- *A healthy, Safe and resilient community.*
- *A connected, involved and inclusive community.*

Leadership

- *Engaged and informed community.*

COMMUNITY ENGAGEMENT

In accordance with the Council's *Community Engagement Policy*, it is proposed that community engagement be undertaken at the 'Inform' level under the International Association for Public Participation's IAP2 public participation spectrum.

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 program via media, website and social media.▪ Program presented in public reports to the Council.▪ Outcomes advised directly to applicants.▪ Outcomes detailed in Annual Report.

FINANCIAL IMPLICATIONS

The *2025/26 Budget* allocates \$15,000 to the Quick Response Grant program. To date \$3,500 in Quick Response Grant funds have been awarded, leaving \$11,500 in the funding pool.

Recipients of support throughout the financial year are detailed in the Annual Report.

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 a \$750 grant from the *2025/2026 Quick Response Grant program* be awarded to the Cake Decorators Association Victoria – Benalla Branch.**
- 2. That a \$650 grant from the *2025/2026 Quick Response Grant program* be awarded to the North Eastern Archers Inc.**

4.5 Draft CP 14 Councillor Confidentiality Policy

Ref: 1138149297-13022

Robert Barber – Acting Chief Executive Officer
Jess Pendergast – Governance Coordinator

PURPOSE OF REPORT

The report presents the draft *CP 14 Councillor Confidentiality Policy*.

BACKGROUND

A Governance audit was conducted by the Councils Internal Auditors AFS in April 2025. The internal audit report noted that there was an opportunity for the Council to consider adopting a Councillor Confidentiality Policy in-line with Victorian Local Governance Association Model Policies. Whilst not mandatory, the policy was recommended as part of the recent local government reforms.

A Councillor Confidentiality Policy specifies when information provided to councillors must be managed securely to protect private or confidential information.

DISCUSSION

A draft *CP 14 Councillor Confidentiality Policy* (refer **Appendix 1**) has been developed in line with the Victorian Local Governance Association (VLGA) model policies, aimed at enhancing councillor conduct and strengthening good governance practices.

The draft *Councillor Confidentiality Policy* responds to the Model Councillor Code of Conduct, and ensures councillors are always operating with integrity and good governance front of mind.

The purpose of the draft *Councillor Confidentiality Policy* (the Policy) is to ensure that all Benalla Rural City councillors understand and comply with their legal and ethical obligations in handling confidential information, to protect Council's strategic, financial, and commercial interests, safeguard personal privacy, whilst maintaining the trust and confidence of the community.

The policy establishes clear principles and expectations for accessing, using, storing, and disclosing confidential information responsibly, in accordance with the Local Government Act 2020 (Vic), the Model Councillor Code of Conduct, and other relevant legislation.

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 that, due to 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 Councils website.

FINANCIAL IMPLICATIONS

There are no material financial implications with the development and implementation of the Policy.

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*.

All policies were reviewed in accordance with *Management Guidelines* administration guidelines.

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 **CP 14 Councillor Confidentiality Policy** be adopted.
2. That **CP 14 Councillor Confidentiality Policy** be reviewed in September 2029.

CP 14 Councillor Confidentiality Policy

Responsible Officer:	Chief Executive Officer
Document type:	Council Policy
Reference:	CP 14
Adopted by Council:	
Date of next review:	

Policy Objective

To ensure that all councillors of Benalla Rural City Council understand and comply with their legal and ethical obligations in handling confidential information, to protect Council's strategic, financial, and commercial interests, safeguard personal privacy, whilst maintaining the trust and confidence of the community.

The policy establishes clear principles and expectations for accessing, using, storing, and disclosing confidential information responsibly, in accordance with the *Local Government Act 2020*, the *Model Councillor Code of Conduct*, and other relevant legislation.

Policy Scope

The *Model Councillor Code of Conduct* requires that councillors diligently use Council processes to become informed about matters which are subject to Council decisions.

To assist councillors in fulfilling this obligation, they are provided with the information necessary to enable them to fully understand matters on which decisions are to be made. This includes information relating to decisions intended to be presented to Council meetings, meetings of delegated committees and to decisions to be made by an officer under delegation.

The public availability of information leading to Council decisions is to be facilitated in accordance with the public transparency principles in the *Local Government Act 2020*.

However, the confidentiality of this information is important in some circumstances, as the provision of information in confidence enables Council officers to provide frank and fearless advice to councillors and facilitates open and candid discussion. It is also necessary to comply with confidentiality provisions in law relating to confidential, personal or health information.

This policy provides a mechanism for the provision of information subject to confidentiality restrictions to councillors and places controls on the disclosure of that information in accordance with the *Local Government Act 2020*.

Public Transparency

The *Local Government Act 2020* contains nine overarching governance principles, which a Council must give effect to in the performance of its role. One of the principles is that “the transparency of Council decisions, actions and information is to be ensured”.

The requirement for transparency is core to the democratic system and is one way that Councils are held accountable to their communities. However, the transparency of Council information is not absolute, and may be subject to reasonable limitations in some circumstances.

The *Local Government Act 2020* provides that Council information be publicly available unless:

- The information is confidential
- Public availability of the information would be contrary to the public interest.

The *Privacy and Data Protection Act 2014* requires that Councils collect, hold, manage, use, disclose and transfer personal information in accordance with the Information Privacy Principles set out in that act.

The *Health Records Act 2001* provides that Councils must not do an act, or engage in a practice, that is an interference with the privacy of an individual.

Documents Where Public Availability Would Be Contrary To Public Interest

In order to support Council’s deliberative process, it is necessary to provide councillors with information which, if disclosed, would be contrary to the public interest. This includes, but is not limited to, documents which contain confidential information.

The *Model Councillor Code of Conduct* provides that a councillor “must act with integrity, exercise reasonable care and diligence and take reasonable steps to avoid any action which may diminish the public’s trust and confidence in the integrity of local government, including by not making Council information publicly available where public availability of the information would be contrary to the public interest.”

Documents where public availability would be contrary to the public interest are classified as internal documents.

Internal documents are:

- Documents containing confidential information
- Documents containing exempt matter
- Documents provided to councillors in relation to Strategy meetings, including meeting agendas, officer briefing papers and their attachments, handouts and presentations
- Drafts of officer reports prepared for Council meetings or meetings of delegated committees

- Opinion or advice prepared by an officer, or consultation or deliberation that has taken place between officers and a councillor in relation to the deliberative processes of the Council, including in the form of emails, memos and other communications between Council officers and councillors
- Documents classified as an internal document by the Chief Executive Officer in accordance with the Classification of internal documents section of this policy.

Internal documents may not be disclosed by councillors unless the Council or the Chief Executive Officer has determined that they should be publicly available. Disclosure in any other circumstances constitutes a breach of this policy and the *Model Councillor Code of Conduct*.

Confidential Information

A councillor must not intentionally or recklessly disclose confidential information, unless the Council has determined that it should be publicly available (except in the circumstances set out at section 125 of the *Local Government Act 2020*). Confidential information is defined as:

- *Council business information*: information that would prejudice the Council's position in commercial negotiations if prematurely released.
- *security information*: information that if released is likely to endanger the security of Council property or the safety of any person.
- *land use planning information*: information that if prematurely released is likely to encourage speculation in land values.
- *law enforcement information*: information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person.
- *legal privileged information*: information to which legal professional privilege or client legal privilege applies.
- *personal information*: information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.
- *private commercial information*: information provided by a business, commercial or financial undertaking that relates to trade secrets; or if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.
- confidential meeting information: the records of meetings closed to the public under section 66(2)(a) of the *Local Government Act 2020*.
- internal arbitration information: information specified in section 145 of the *Local Government Act 2020*.
- Councillor Conduct Panel confidential information: being information specified in section 169 of the *Local Government Act 2020*.
- information prescribed by the regulations to be confidential information for the purposes of this definition.
- information that was confidential information for the purposes of section 77 of the *Local Government Act 1989*.

Confidential information may not be disclosed by councillors unless it is information that the Council has determined should be publicly available in accordance with section 125 of the *Local Government Act 2020* or where its disclosure is otherwise permitted or required by law. Disclosure in any other circumstances constitutes a breach of this policy and the *Local Government Act 2020*.

Managing Confidential Information

It is important to ensure that the release of any Council Information occurs in accordance with established Council policies and procedures and in compliance with relevant legislation. Councillors and members of staff have an obligation to ensure that Confidential Information is managed appropriately.

This means ensuring that:

- Confidential Information is appropriately titled and watermarked when provided to councillors.
- Access to and usage of Confidential Information is limited to appropriate and legitimate Council purposes, not for non-official purposes or personal use or gain.
- The release of Confidential Information may be authorised by the Chief Executive Officer, legislative requirement, or Order of a Court, Tribunal or Commission.
- Information discussed during a closed session of a Council meeting and associated documentation must not be disclosed to others not in attendance at the closed session.
- No personal benefit is obtained, either directly or indirectly

Confidential reports, agendas and minutes provided to councillors in hard copy will be:

- Printed on green paper.
- Watermarked 'confidential' or have the words 'Confidential – Councillor Use Only' on the document.
- Delivered to councillors in a sealed pouch.

Electronic agendas and minutes containing confidential information will not be provided via email. Electronic agendas and minutes containing confidential information will be available to councillors in their MS Teams group.

Council restricts the entry of information into public AI Tools that is:

- Marked 'Confidential', 'Official Sensitive', 'Protected Sensitive' or 'internal document'
- Confidential business reports and attachments issued to councillors in agendas and minutes.
- Not already public or not intended for public release.
- Restricted by the *Public Transparency Policy*.
- Information that is defined as 'confidential information' under s125 of the *Local Government Act 2020*.

Information classified as Official Sensitive, Protected Sensitive or Confidential must not be entered into public AI tools unless all such content is redacted.

Confidential Information at Advisory Committees, Project Working Groups, Delegated Committees and Council Meetings

As a minimum, the following may occur relating to matters addressed at Advisory Committees, Project Working Groups, Delegated Committees and Council Meetings:

- The CEO may make a declaration that information concerning a specific matter is to be treated as confidential and the information will remain confidential unless or until Council resolves to the contrary.
- An item on a meeting agenda, including the information contained in the documentation or supporting material, that is declared confidential by the CEO or Chair is to remain confidential until the Council or relevant Committee resolves to the contrary.
- If the Council exercises its powers to close a meeting to members of the public, all information in relation to the matters discussed during that closed meeting or the closed portion of the meeting is confidential, unless and until the Council resolves to the contrary.
- Confidential information will be clearly identified, where possible, as confidential.
- Any information of a type deemed to be confidential is presumed to be confidential to Council and must not be released without seeking advice from the CEO.

Assemblies of Councillors Briefing Session

Councillor briefing sessions:

- Are confidential.
- Enable staff to present proposals and opinions to councillors some of which may not be acceptable to councillors and therefore never presented to Council.
- Allow councillors and staff to have in-depth discussions and contribute freely.
- Assist councillors in making informed decisions if and when the issues are presented to Council for decision.

Classification Of Internal Documents

In addition to those internal documents listed, a document may be classified as an internal document by the Chief Executive Officer.

In determining whether a document should be classified as an internal document, the Chief Executive Officer must commence the assessment from the position of acknowledging the presumption in favour of documents remaining unclassified.

A document may be classified as an internal document only if:

- It contains matter in the nature of opinion, advice or recommendation prepared by an officer or member of the council, or consultation or deliberation that has taken place between officers, member of the council, or an officer and a member of the council, in the course of, or for the purpose of, the deliberative processes involved in the functions of the Council
- The public availability of the information would be contrary to the public interest.

In determining whether a document should be classified as an internal document, the Chief Executive Officer must identify any relevant public interest factors favouring disclosure and nondisclosure, balance the relevant factors favouring disclosure and nondisclosure; and decide whether disclosure of the information would, on balance, be contrary to the public interest.

In making a public interest assessment, the following considerations shall be regarded as irrelevant to the assessment and not be used to influence the outcome:

- Whether the information could cause embarrassment to, or a loss of confidence in, the Council
- The extent to which the document may be misinterpreted or misunderstood by the public.

Documents provided to councillors that have been classified as internal documents will be clearly identified by marking them with a watermark, footer or equivalent designation.

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*
- *Public Transparency Policy*

Related Legislation

- *Local Government Act 2020*
- *Victorian Charter of Human Rights and Responsibilities Act 2006*
- *Freedom of Information Act 1982*
- *Health Records Act 2001*
- *Local Government (Governance and Integrity) Regulations 2020*
- *Privacy and Data Protection Act 2014*

4.6 Councillor Policies For Review

Ref: 1138149297-13023

Robert Barber – Acting Chief Executive Officer
Jess Pendergast – Governance Coordinator

PURPOSE OF REPORT

The report presents the reviewed and updated *CP 08 Professional Development for Councillors Policy*, *CP 15 Councillor Resources and Reimbursement Policy*, *CP 37 Councillor Staff Interaction Policy* and *CP 38 Councillor Gift Policy*.

BACKGROUND

Policies are reviewed in accordance with Council's Administration *Policy Management Guidelines Policy*.

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

DISCUSSION

CP 08 Professional Development for Councillors Policy

CP 08 Professional Development for Councillors Policy was previously reviewed and adopted by the Council at its meeting on 12 October 2022.

The purpose of the *Professional Development for Councillors Policy* (the Policy) is to encourage councillors to avail themselves of opportunities to attend appropriate professional development courses and conferences and seminars which may be of benefit to the individual Councillor and/or Council as a whole.

Councillor Code of Conduct references have been removed and replaced with *Model Councillor Code of Conduct*. From 26 October 2024, the *Local Government Act 2020* requires all councillors to observe the *Model Councillor Code of Conduct*. The Model Code of Conduct is prescribed in Schedule 1 to the *Local Government (Governance and Integrity) Regulations 2020*.

The reviewed and updated *CP 08 Professional Development for Councillors Policy* is attached as **Appendix 1**.

CP 15 Councillor Resources and Reimbursement Policy

CP 15 Councillor Resources and Reimbursement Policy was previously reviewed and adopted by the Council at its meeting on 15 December 2021.

The purpose of the *Councillor Resources and Reimbursement Policy* (the Policy) is to support Councillors and members of Delegated Committees to perform their role as defined under Section 40 of the *Local Government Act 2020* (the Act) by ensuring that expenses reasonably incurred in the performance of their role are reimbursed.

The policy also provides guidance on the process for reimbursement of expenses and reporting requirements. The policy is intended to ensure that Councillors and members of Delegated Committees are supported to perform their duties without disadvantage.

Language in the policy has been updated to reflect updates from the *Local Government Act 2020* and the *Local Government (Governance and Integrity) Regulations 2020*.

Council Staff job titles have been updated, and processes have been updated to reflect current practice.

The reviewed and updated *CP15 Councillor Resources and Reimbursement Policy* is attached as **Appendix 2**. Additions to the policy are reflected in red and strikeouts refer to information that has been removed.

CP 37 Councillor Staff Interaction Policy

CP 37 Councillor Staff Interaction Policy (the Policy) was previously reviewed and adopted by the Council at its meeting on 19 May 2021.

The purpose of the Policy is to

- recognise the respective roles and responsibilities of Councillors and Council Staff, in particular the Chief Executive Officer (CEO), in accordance with the *Model Councillor Code of Conduct* and the *Staff Code of Conduct*
- assist Councillors and Council Staff in respecting the roles and responsibilities of others in the organisation
- maintain transparent decision making and governance arrangements
- support compliance with the provisions of the *Local Government Act 2020* (the Act), in particular Part 6 Division 1 – Improper Conduct; and
- recognise the responsibilities of the Council in ensuring that it meets the responsibilities of the *Occupational Health and Safety Act 2004* and the *Equal Opportunity Act 2010* to protect people from risks to their health and safety including harassment, bullying, violence and discrimination.

Councillor Code of Conduct references have been removed and replaced with *Model Councillor Code of Conduct*. From 26 October 2024, the *Local Government Act 2020* requires all councillors to observe the Model Councillor Code of Conduct. The Model Code of Conduct is prescribed in Schedule 1 to the *Local Government (Governance and Integrity) Regulations 2020*.

The references to the General Manager Corporate under section 3 of the policy have been removed. The reviewed and updated *CP 37 Councillor Staff Interaction Policy* is attached as **Appendix 3**. Strikeouts refer to information that has been removed.

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 that, due to 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 Councils website.

FINANCIAL IMPLICATIONS

There are no material financial implications for the review and implementation of the Policies.

Expenses related to *CP 15 Councillor Resources and Reimbursement Policy* will be accommodated within existing budget allocations.

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*.

All policies were reviewed in accordance with *Management Guidelines* administration guidelines.

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.

APPENDICES

Appendix 1 – *CP 08 Professional Development for Councillors Policy*

Appendix 2 – *CP 15 Councillor Resources and Reimbursement Policy*

Appendix 3 – *CP 37 Councillor Staff Interaction Policy*

Recommendation:

That the following Council Policies be adopted and reviewed in September 2029:

- *CP 08 Professional Development for Councillors Policy*
- *CP 15 Councillor Resources and Reimbursement Policy*
- *CP 37 Councillor Staff Interaction Policy.*

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CP 08 Professional Development for Councillors Policy

Responsible Officer:	Chief Executive Officer
Document type:	Council Policy
Reference:	CP 08
Adopted by Council:	
Date of next review:	

Policy Objective

The policy encourages councillors to avail themselves of opportunities to attend appropriate professional development courses and conferences and seminars which may be of benefit to the individual councillor and/or Council as a whole.

The policy also acknowledges the obligation of councillors to be properly informed on all matters pertaining to the Council and to assist in this education process, councillors are encouraged to attend professional development courses and conferences and seminars with relevance to local government.

Definitions

- **Professional Development:** Learning to maintain or improve professional credentials such as academic degrees, formal coursework, attending conferences, training, development programs, courses or seminars.
- **Reasonable:** in relation to expenses and costs, means expenses and costs incurred in performing official duties and functions or Council business which, in amount and nature, are consistent with public expectations.
- **Councillor Representative:** Councillor responsible for and appointment to represent a committee, working group, advisory committee, peak industry body and regional and community based committees.

Procedure

Details of professional development courses and conferences and seminars which may be relevant and of interest to Councillors will be circulated to councillors through the weekly Councillors' Briefing Paper.

Councillors considering undertaking a course or attending a conference or seminar need to receive approval from the Mayor, in consultation with the Chief Executive Officer.

Individual professional development expenditure should be tested against the following criteria:

- is it in the interest for the Benalla Rural City Council community
- does it reasonably meet the budget determined by Council
- is it directly relevant to the councillor's role
- is it able to be utilised during the councillor's term of office
- attendance at a conference presents a reputational risk to the Council.

The Chief Executive Office will arrange administration support once attendance is approved by the Mayor.

Professional Memberships and Subscriptions

Council is a member of:

- The Municipal Association of Victoria
- Rural Councils Victoria

Councillor Representative

Council nominates Councillor representatives at its annual general meeting of Council each year. Councillor representatives are appointed to committees, working groups, advisory committees, peak industry bodies and regional and community based committees.

Where a Councillor is attending a conference, seminar or event as an authorised Councillor representative of Council, the Council will:

- pay the registration fees on registration of the Councillor
- reimburse or pay all reasonable expenses for travel, transport, accommodation, meals and other necessary associated out of pocket expenses on production of appropriate tax invoices.

The costs of such authorised attendance are not part of and are additional to the Councillor's Professional Development Allowance.

Report to Council

Following attendance at a conference or seminar councillors will have the opportunity to present either a verbal or written report to at the Council Meeting under the item "Reports by Councillors".

Budget Consideration

The Council's Professional Development Budget allocation will be determined annually by Council as part of its annual budgetary process.

As a guideline, a notional sum of \$2,000 shall be allocated for use by each councillor.

Expenses Reporting

A quarterly report will be submitted to Council detailing year to date expenditure on councillors' attendance at professional development courses and conferences and seminars.

Details of all interstate and overseas travel will be recorded in Council's Register of Interstate and Overseas Travel which is available for public inspection.

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

- *Councillor Resources and Reimbursement Policy.*
- *Model Councillor Code of Conduct*
- *Recognition and Support, the Victorian Government's Policy Statement on Local Government Mayoral and Councillor Allowances and Resources.*
- *Information Guide on Mayor and Councillor Entitlements – Reimbursement of Expenses and Provision of Resources and Facilities Support for Victorian Mayors and Councillors.*

Related Legislation

- *Local Government Act 2020*
- *Local Government (Governance and Integrity) Regulations*
- *Local Government Amendment (Governance and Integrity) Act 2024*

CP 15 Councillor Resources and Reimbursement Policy

Responsible Officer:	Chief Executive Officer
Document type:	Council Policy
Reference:	CP 15
Adopted by Council:	
Date of next review:	

Purpose

This policy supports Councillors and members of Delegated Committees to perform their role as defined under Section 40 of the *Local Government Act 2020* (the Act) by ensuring that expenses reasonably incurred in the performance of their role are reimbursed.

The policy also provides guidance on the process for reimbursement of expenses and reporting requirements.

The policy is intended to ensure that Councillors and members of Delegated Committees are supported to perform their duties without disadvantage.

Policy Objective

This policy ensures that Councillor reimbursement of expenses and Councillor allowances are consistent with and in accordance with the Act and its Regulations, and meets the Act's principles of public transparency; achieving the best outcomes for the municipal community; and ensuring the ongoing financial viability of the Council.

- To establish the basis upon which councillors will be reimbursed for expenses in undertaking their role as a councillor.
- To establish support provided to councillors for approved activities.
- To establish levels of reimbursement which may be claimed by councillors.

Section 39 of the *Local Government Act 2020* (the Act) provides for allowances payable to the Mayor and councillors, and Section 40 for reimbursement of out of pocket expenses to councillors and members of Delegated Committees performing Council business.

In recognition of the special role of Mayor, the policy provides for the provision of some additional facilities and expenditure specific to the Mayoral office.

The Policy is consistent with the Victorian Government's Information guide for the Reimbursement of Expenses and Provision of Resources and Facilities Support for Victorian Mayors and councillors.

Principles

The fundamental test to be applied in determining whether or not a councillor expense is appropriately incurred and whether the expenditure is necessary, supplementary or incidental to, or consequent on, the exercise of Council duties.

Official duties of a councillor are defined for the purpose of this policy as duties performed by a councillor that are necessary or appropriate for the purposes of achieving the objectives of a Council having regard to any relevant Act, regulations, Ministerial Guidelines or Council policies.

Under section 40 of the Act, Councillors and members of delegated committees will be reimbursed for out-of-pocket expenses that:

- are bona fide expenses
- have been reasonably incurred in the performance of their role
- are reasonably necessary to perform that role.

Councillor expenses are those expenses necessarily incurred by Councillors for the purpose of Council business.

Council business can be reasonably defined as:

- Attending Council meetings, Council Committee meetings, formal briefing sessions and civic or ceremonial functions convened by the Council, the Mayor or the Chief Executive Officer.
- Attending meetings or workshops scheduled by the Council, the Mayor or the Chief Executive Officer.
- Attending a meeting or function as the nominated representative of Council or the Mayor.
- Attending meetings of community groups, organisations and statutory authorities to which the Councillor has been appointed as the Council delegate or the nominated representative of the Council.
- Attendance at site inspections or meetings relevant to a matter which is, or is anticipated to be, the subject of a decision of Council.
- Attending conferences as an attendee and/or speaker as Council's nominated representative or delegate and which:
 - are consistent with the Council's Objectives
 - will cover or present material with application/importance/relevance to current or future issues faced by the Council
 - are within the Councillor's annual budget allocations for the provision of training, conferences and seminars.

Expenses incurred by councillors when acting in a private capacity will not be reimbursed or paid.

Any costs incurred by a councillor which are not covered specifically within the policy will not be met, unless the councillor has received prior written authorisation from the Chief Executive Officer.

Reimbursement claims will not be processed without appropriate supporting evidence.

Expenses must be claimed no later than three months following the occurrence of the expense. Claims outside this timeframe will not be considered.

Councillors should at all times seek the most cost effective and economical option when conducting Council business.

Councillors must not use Council provided materials and/or facilities for election purposes. This applies to their own candidature or in assisting the candidature of others.

Procedure

1. Councillor and Mayoral Allowances

The *Victorian Independent Remuneration Tribunal* is responsible for setting the limits and ranges of Mayoral, Deputy Mayor and Councillor allowances and the allowance category for each Council.

The allowances are set based on the council's category, with Category 1 councils having lower allowances than Category 3 councils.

Any personal taxation implications from the receipt of allowances are the responsibility of individual councillors.

1.1 Councillor Allowance

Councillor allowances are paid monthly in advance before the last day of the prior month.

1.2. Mayor and Deputy Mayor Allowance

The Mayoral and Deputy Mayor allowance is paid monthly in advance before the last day of the prior month.

The Mayor and Deputy Mayor are not entitled to receive an allowance as a councillor if they receive a Mayoral allowance.

If a councillor is appointed by council resolution to act as Mayor/Deputy Mayor for a continuous period exceeding 50 days, the acting Mayor/Deputy Mayor may be paid a Mayoral allowance instead of a councillor allowance for that period.

1.3. Remote Area Allowance

In line with the recommendations from the *Victorian Independent Remuneration Tribunal* the remote area travel allowance is equal to \$48.90 per day for eligible Mayors, Deputy Mayors and Councillors, up to a maximum of \$6,112.50 per annum.

Where a councillor (including a Mayor) normally resides more than 100 kilometres (round trip) by the shortest possible practicable road distance from the location or locations specified for the conduct of ordinary, special or committee meetings of the Council or any municipal or community functions which have been authorised by Council resolution for the councillor to attend, he or she shall be entitled to be paid an additional allowance.

1.4. General

Section 39(5) of the Act states that Councillors have the discretion to elect to receive the entire allowance to which they are entitled, part of the allowance, or no allowance.

1.5. Superannuation Guarantee Equivalent

Mayoral and councillor allowances are subject to the addition of the equivalent of the superannuation guarantee.

~~1.6. Fees for Audit and Risk Committee members~~

~~Independent members of the Audit and Risk Committee will be paid a fee per meeting as follows:~~

- ~~▪ Chair: \$500~~
- ~~▪ Independent Community Members: \$400~~

2. Civic Support, Facilities and Equipment

2.1. Home and Workplace Facilities

Each councillor is entitled to the following home/workplace facilities:

- a **laptop** and specified accessories
- access to internet, email, and Council Meetings, Delegated Committee meetings and Councillor Assembly agendas and minutes from the lap top
- access to a printer and photocopier at the Benalla Civic Centre.

The quality and type of facilities and equipment will be at the discretion of the Chief Executive Officer on advice from the Manager Facilities and Information Technology.

The Council will pay all charges associated with the use of the technology devices for Council related business.

Councillors must adhere to the policies for security, maintenance and use of equipment.

The above facilities remain the property of the Council and must be returned within seven days of the cessation of a councillor's term of office.

2.2. Insurance

The Chief Executive Officer will ensure that policies of insurance are maintained in accordance with the provisions of the *Local Government Act 2020* and the *Workplace Injury Rehabilitation and Compensation Act 2013* to provide the relevant protections to councillors while performing their duties as a councillor.

2.3. Facilities for the Mayor

2.3.1. Mayoral Vehicle

A fully maintained vehicle including all associated costs such as servicing, fuel and insurance will be provided to assist the Mayor to carry out their duties and for private use during the Mayoral term.

The Mayoral vehicle will be managed in accordance with the Council's *Motor Vehicle Fleet Management Policy*.

2.3.2. Mayoral Regalia

Mayoral regalia is available for the Mayor on request, for use at official civic events.

2.3.3. Office Accommodation

Appropriate office accommodation will be provided at the Civic Centre to assist the Mayor perform their role.

2.4. Civic Entertainment and Hospitality

2.4.1. Meeting and Function Rooms

Subject to availability, meeting/function rooms owned and controlled by the Council can be booked by councillors, free of charge, for meetings, interviews and other functions provided they are associated with Council business.

2.4.2. Civic Hospitality

All formal civic entertainment functions will be coordinated by the Executive Coordinator and must have prior approval of the Chief Executive Officer.

2.4.3. External Hospitality

Councillors will be reimbursed reasonable expenses incurred while entertaining visiting dignitaries or Council business guests on behalf of the Council, including the reasonable cost of drinks accompanying a meal. The Chief Executive Officer must give prior approval to any such entertainment.

2.4.4. Partner Hospitality

Where an invitation to a function or event has been extended to the partner of a councillor, the cost of the hospitality for the partner will be reimbursed. The Chief Executive Officer must give prior approval to the reimbursement of costs for the partner.

2.4.5. Meals and Refreshments

Where Council or Committee meetings are held at times that extend through normal meal times, the Council will provide suitable meals and refreshments. All purchases of alcohol are to be approved by the Chief Executive Officer.

2.4.6. Stationery and Secretarial Support

Secretarial support will be made available for Councillors to assist them with diary management and in responding to correspondence, enquiries and request for service as part of their official duties as a councillor.

Councillors will be issued with business cards, diaries and compendia as required.

Upon request councillors will be provided with standard stationery held or obtained generally for the organisation's requirements.

The stationery may include writing implements, diaries, writing pad/books, paper and envelopes and the like.

Postage stamps and official letterhead will not be provided to councillors. Letterhead is only to be used by officers for Council business or the Mayor representing the Council. Councillors are to provide their own letterhead for electoral purposes.

The Chief Executive Officer will determine what is appropriate stationery and what quantities are appropriate.

Council business papers, personal mail and other Council information will be delivered to the councillors' nominated location weekly or as required.

2.4.7. Photocopying

A photocopy service will be provided for councillors should they need Council related documents copied. Requests for photocopying can be made through the Executive Coordinator.

2.4.8. Business Access

Each councillor will be provided with an access ~~fob~~ allowing 24-hour entry to the Benalla Civic Centre. ~~The Mayoral access fob will allow access to the Mayor's office.~~

2.4.9. Councillors with Disabilities

The Council may resolve to provide reasonable additional facilities and meet reasonable additional expenses to assist a councillor with a disability to perform their official Council duties.

3. Childcare and Family Care

Expenses for licensed childcare services (for children being cared for up to and including the age of 14 years will be paid or reimbursed by the Council, if claimed, when a councillor attends:

- Council meetings and council business related to Council meetings.
- Council functions.
- Meetings arising as a result of a councillor being appointed by the Council to an external body or committee except where the body itself reimburses the relevant care expenses.
- Conferences, study tours, training sessions and seminars in capacity as a councillor.
- Recognised childcare expenses consist of reasonably hourly fees and associated travelling expenses.

4. Communication Expenses

Councillors will be provided with a mobile telephone on request.

The Council will pay all appropriate connection fees, rental charges and business call charges. The direct cost of any private use must be reimbursed to the Council.

5. Travel Expenses and Arrangements

5.1. Use of Private Vehicles

Councillors using their own vehicle for travel for the purpose of their duties as a councillor will be reimbursed on a per kilometre basis for travel outside the municipality only. Reimbursements will be in accordance with rates under the Australian Taxation Office's 'Cents per kilometre' motor vehicle expense deduction method.

~~Councillors undertaking private travel arrangements in conjunction with any travel for the purpose of their duties as a councillor must ensure that all costs incurred for private purposes are clearly identified and appropriate records maintained.~~

Council will reimburse the costs of car parking, public transport, taxi/uber charges and toll fees incurred while undertaking duties associated with Council business, subject to the provision of original receipts and relevant details being provided.

When a ride share service or taxi service is used for Council related business, appropriate receipts are required for reimbursement to be claimed.

Where possible, the bookings and payment should be made in advance by Council through the EC, after receiving approval from the Mayor and CEO.

5.2. Use of Council Vehicles

Councillors have access to the Mayoral vehicle if it is not in use, for the purpose of undertaking Council business. When it is not available, councillors may request access to the Council fleet.

5.3. Infringement Notices

Councillors must not infringe against parking restrictions or any Victorian Road Rules and are personally liable for any infringement penalties received.

5.4. Interstate and International Travel

All application for international travel on Council business must be approved by the Council at Council Meeting.

All applications for interstate travel on Council business by the Mayor or councillors must be in writing and assessed and approved by the Chief Executive Officer.

Arrangements for travel and associated accommodation, car hire, etc. should be booked through the Executive Coordinator.

All interstate and international travel undertaken by councillors on Council business is recorded in the Interstate and International Travel Register.

5.5. Partner Travel

The costs of a partner accompanying a councillor on Council business (local, interstate or international) must be borne by the councillor unless there is a bona fide business purpose or necessity for the presence of a partner. Travel by a partner at Council expense must be approved in writing by the Chief Executive Officer, prior to departure.

6. Conferences, Training and Professional Development

6.1. Conferences and Training

Councillors sponsored by the Council to attend conferences and seminars shall have all reasonable expenses for travel, transport, accommodation, registration fees, meals and other out of pocket expenses relating to the conference or seminar reimbursed or paid.

Applications to attend conferences must be approved by the Mayor and CEO.

If a councillor is attending a conference and will make a presentation on behalf of the Council, any presentation fees will be paid into the general revenue of the Council.

Any professional development being undertaken by a Councillor must be completed by the end of the financial year prior to a general election.

Unless in extenuating circumstances, requests for professional development opportunities will not be considered for the financial year just prior to election. This will ensure the incoming Council has full access the financial support required to deliver their induction and any other training required for a newly elected Council.

6.2. Professional Development

Councillors are encouraged to avail themselves of opportunities to attend appropriate professional development courses and conferences and seminars which may be of benefit to the individual councillor and/or Council as a whole.

Councillors have an obligation to be properly informed on all matters pertaining to the Council. To assist in this education process councillors are encouraged to attend professional development courses and conferences and seminars with relevance to local government.

Details of professional development courses and conferences and seminars which may be relevant and of interest to councillors will be circulated to all councillors through the weekly Councillors' Briefing Paper.

Attendance at Training, Conferences and Seminars is available to all Councillors and is subject to the following:

- Approval must consider the community benefit of attendance.
- If the cost is equal to or less than \$2,000, approval is to be sought from the Mayor

Governance subject to the above training allowance.

- Attendance at Training, Conferences and Seminars over the \$2,000 threshold must be approved by Council resolution.

Should a councillor express an interest in attending a particular professional development conference/seminar, notify the Executive Coordinator who will complete the registration and arrange accommodation and transport as required.

Once approval has been provided for a Councillor to attend training, a conference or seminar, the Councillor must attend.

6.2.1. Report to Council

Following attendance at a professional development course or conference/seminar councillors will be required to present either a verbal or written report to the Council at the next scheduled Council Meeting under the item "Reports by Councillors".

6.2.2. Budget Consideration

The Council's Professional Development Budget allocation will be determined annually by the Council as part of its annual budgetary process.

6.2.3. Reporting

A quarterly report will be submitted to the Council detailing year to date expenditure on councillors' attendance at professional development courses and conferences and seminars.

6.2.4. Expenses

The Council will reimburse councillors for necessary out of pocket expenses incurred during the professional development activity.

Reimbursement will be on the basis of actual costs incurred and will be subject to the presentation of original receipts. Reimbursement of all expenses will be authorised by the Chief Executive Officer and reported to the Council quarterly.

7. Management and Accountability

7.1. Expense Reimbursement Claims

When a councillor requires reimbursement of monies expended while conducting Council business, the following procedure should be followed:

- Obtain a relevant receipt or supporting documentation for expenditure. A statutory declaration will be required if receipts cannot be obtained.
- Provide the receipt to the Executive Coordinator no later than three month after the expenditure. The EC will complete a Reimbursement form.
- The Chief Executive Officer will endorse and approve all reimbursements.

7.2. Legal Advice Expenses

Any Councillor who obtains legal advice without the support of a Council resolution will be required to personally pay the expense incurred.

A Councillor may submit a Notice of Motion requesting that Council facilitate and fund legal advice expenses incurred as a result of a Councillor executing their duties.

Council will evaluate any Notice of Motion requesting legal advice against the following criteria:

- the extent to which the subject matter of the advice required relates to the Councillor's functions as a Councillor
- the extent to which the subject matter of the advice required relates to a matter before Council or the Councillor's representative role as a Councillor
- the extent to which the subject matter of the advice required will or is likely to be of interest to all Councillors
- the public interest
- any other relevant considerations.

In the event that legal advice relates to a writ, action or pending action against a Councillor(s), the Councillor(s) must supply a copy of the writ or action or provide the information which may lead to an action, to the CEO. The CEO will advise Council's insurers as soon as possible, in accordance with Council's insurance policy conditions.

8. Members of Council Delegated Committees

Non-Councillor members of Council Committees are not entitled to claim reimbursement of expenses incurred whilst exercising their duties as a committee member, unless specifically outlined in an Agreement or Terms of Reference established by Council for the committee. Exceptions may apply to individual cases where approval has been granted by the CEO.

9. Consequences of Breach

Any action by a Councillor or Committee Member in relation to matters contained in this policy which breaches obligations under the Act or the Model Councillor Code of Conduct, may result in action taken by Council pursuant to the Act and / or Code.

10. General Provisions

Councillors are to ensure that all equipment and other entitlements are correctly used and securely stored at all times.

Any person who ceases to be a councillor must immediately cease to use any equipment or other entitlement. The use of any Council business cards, Council letterhead, councillor name tag or any equipment or entitlement that may in any way be assumed by any person that the person holds the position of a councillor of the Benalla Rural City Council is prohibited and must cease immediately the entitlement to be a Councillor ceases.

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

- *Benalla Rural City Council Plan*
- *Benalla Rural City Community Plan*
- *VAGO Fraud and Corruption Controls Over Councillor Entitlements And Expenditure*
- *Model Councillor Code of Conduct*
- *Council Policy Fraud Prevention*
- *Victorian Independent Remuneration Tribunal – Allowance Payable to Mayors, Deputy Mayors and Councillors (Victorian)*
- *Local Government Inspectorate – Overview of Councillor Support and Expenses Policy*
- *Recognition and Support, the Victorian Government's Policy Statement on Local Government Mayoral and Councillor Allowances and Resources 2008*
- *Information Guide on Mayor and Councillor Entitlements – Reimbursement of Expenses and Provision of Resources and Facilities Support for Victorian Mayors and Councillors 2008*

Related Legislation

- *Local Government Act 2020*
- *Victorian Charter of Human Rights and Responsibilities Act 2006*
- *Local Government (General) Regulations 2015*
- *Local Government (Planning and Reporting) Regulations 2020*
- *Local Government (Governance and Integrity) Regulations*
- *Local Government Amendment (Governance and Integrity) Act 2024*

CP 37 Councillor Staff Interaction Policy

Responsible Officer:	Chief Executive Officer
Document type:	Council Policy
Reference:	CP 37
Adopted by Council:	
Date of next review:	

Policy Objective

The purpose of this policy is to:

- recognise the respective roles and responsibilities of Councillors and Council Staff, in particular the Chief Executive Officer (CEO), in accordance with the *Model Councillor Code of Conduct* and the *Staff Code of Conduct*
- assist Councillors and Council Staff in respecting the roles and responsibilities of others in the organisation
- maintain transparent decision making and governance arrangements
- support compliance with the provisions of the *Local Government Act 2020*(the Act), in particular Part 6 Division 1 – Improper Conduct; and
- recognise the responsibilities of the Council in ensuring that it meets the responsibilities of the *Occupational Health and Safety Act 2004* and the *Equal Opportunity Act 2010* to protect people from risks to their health and safety including harassment, bullying, violence and discrimination.

Principles

The Council employs the CEO and the CEO is responsible for the organisation, including how resources are allocated. Therefore the Councillors' primary point of communication is via the office of the CEO.

The Act makes it an offence for Councillors to direct, or seek to direct, a member of staff, under Section 124 (see **Appendix 1**).

Contact with other Council staff will be in accordance with the procedures supporting this policy.

Contact between Councillors and Council staff outside of this policy should not occur.

Councillors may receive community requests for support regarding a range of issues. Councillors and Council officers will honour their respective obligations to maintain probity, including adherence to privacy principles, in responding to such requests.

Where any Councillor or staff member has concerns about communications between Councillors and Council staff, the matter will be referred to the Chief Executive Officer who is responsible for the management of such interactions.

Procedure

Achieving good governance, clear and effective communication procedures for Councillors and Council staff are essential. In Benalla Rural City Council, the procedures which apply to Councillors and Council staff communication are:

1. Councillor and staff interactions

All communication between Councillors and Council staff will be courteous and respectful.

2. Customer Requests from or via Councillors

- 2.1 Customer Requests submitted by councillors are to be entered into the Customer Request Management System and handled in accordance with the Council's customer service standards.
- 2.2 Councillors will be kept informed of the progress of customer requests.
- 2.3 Staff should have consideration to the relevant privacy legislation and policies when updating councillors on customer requests concerning members of the public.

3. Councillor enquiries

- 3.1 Councillors will be briefed on business before the Council such as contracts and planning matters in regular Councillor briefings. If Councillors have questions regarding Council business outside of briefings, they should approach the CEO, who will liaise with the relevant officers.
- 3.2 Council staff who are approached directly by a Councillor outside of briefings, official meetings and Council committees for enquiries other than customer requests should refer the Councillor to the ~~General Manager Corporate~~ or Chief Executive Officer.
 - 3.2.1 The Executive Assistant to the Chief Executive Officer has a particular role in supporting the Mayor and Councillors in the administration of their duties and it is understood that there will be frequent direct communication. The Executive Coordinator will not be required to refer all enquiries consistent with carrying out this role to the CEO, but will keep records of all communications with Councillors where practicable.
- 3.3 The CEO or ~~General Manager Corporate~~ may subsequently authorise the appropriate staff member/s to communicate directly with the councillor.
- 3.4 The CEO and ~~General Manager Corporate~~ are to be copied in or otherwise formally advised of all communication between staff and Councillors.
- 3.5 Staff and Councillors should consider that all documents generated in the business of Council, including staff/Councillor interaction, are subject to the *Freedom of Information Act 1982*.

4. Prioritising Councillor enquiries

The CEO, General Manager Corporate and Managers are charged with responding to Councillor enquiries efficiently and with integrity and will do so by prioritising the most urgent matters that align with the Council's priorities and organisational service standards for responses.

5. The working environment

- 5.1 The Chief Executive Officer and General Manager Corporate will strive to ensure a working environment, including meeting and committee arrangements, which minimises the risk of improper direction.
- 5.2 Councillors can communicate with Council staff, in accordance with the relevant terms of reference, in working committees which include Councillors and staff members.
- 5.3 Councillors are provided with a security fob that gives access to the Benalla Civic Centre, where access is available to the Council Meeting Room and the Mayoral and CEO's Office, the kitchen and bathroom facilities.
Councillors should seek approval from the CEO before entering operational areas of the Council's working environment.
- 5.4 Councillors may contact the IT Help Desk directly for assistance with information technology or communications matters.

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*
- *CP 21 Election Period Policy*
- *Customer Service Charter*
- *Governance Rules 2020*
- *Staff Code of Conduct*

Related Legislation

- *Local Government Act 2020*
- *Occupational Health and Safety Act 2004*
- *Equal Opportunity Act 2010*
- *Freedom of Information Act 1982*
- *Local Government (Governance and Integrity) Regulations*
- *Local Government Amendment (Governance and Integrity) Act 2024*

From the Local Government Act 2020

124 Directing a member of Council staff

A Councillor must not intentionally direct, or seek to direct, a member of Council staff—

- (a) in the exercise of a delegated power, or the performance of a delegated duty or function, of the Council; or
- (b) in the exercise of a power or the performance of a duty or function exercised or performed by the member as an authorised officer under this Act or any other Act; or
- (c) in the exercise of a power or the performance of a duty or function the member exercises or performs in an office or position the member holds under this Act or any other Act; or
- (d) in relation to advice provided to the Council or a delegated committee, including advice in a report to the Council or delegated committee.

Penalty: 120 penalty units.

4.7 Mayor and Councillors' Attendance At Conferences and Events

Ref: 36167913-9436

Tracey Beaton – Executive Coordinator

The Mayor and Councillors attendance at meetings and events are detailed below for the period 28 July 2025 to 31 August 2025.

Mayor Councillor Bernie Hearn	
28 July	Interview with Edge FM
30 July	MAV Regional Meeting – Goulburn Ovens Murray
	Chief Executive Officer Employment and Remuneration Committee Meeting
	Assembly of Councillors - Business Review Meeting
31 July	L2P Car Launch at Benalla Toyota
	2025 Benalla Fire Brigade Presentation Dinner
4 August	Benalla Health and Wellbeing Partnership Meeting
5 August	Interview with Edge FM
	Meeting with Annabelle Cleeland MP
	Benalla Airport Advisory Committee Meeting
6 August	Councillor Only Time
	Extraordinary Hume Region Local Government Network Meeting
	Council Meeting
7 August	Gecko Clan Landcare Bake Off
	Gender Works Free from Violence Training
8 August	Interview WIN News
11 August	Benalla Indoor Recreation Centre Redevelopment Project Steering Committee
	Benalla Local Safety and Traffic Liaison Committee Meeting
12 August	Visit from Her Excellency the Governor – The Honourable Margaret Gardner
	Tour with Her Excellency the Governor – The Honourable Margaret Gardner
14 August	Hands on Trades Career Expo and Networking Lunch
	Hume Region Local Government Mayor's Network Meeting
	Hume Region Local Government Mayors and CEOs Network Meeting
	Benalla Airport Users Group Meeting
18 August	RSL Memorial Service for Vietnam Veterans
20 August	Councillor Only Time
	Assembly of Councillors - Business Review Meeting
22 August	Official Opening of the Benalla P-12 Building
	Interview with WIN News
23 August	Benalla Lakeside Market – Councillors Community Engagement
	Farmers Day Out Event celebrating and supporting our local farming families
27 August	MAV and Goulburn Ovens Murray Region Intergovernmental Relations and Advocacy Workshop
	Councillor Only Time
	Finance and Planning Committee Meeting
28 August	Councillors Community Engagement in Bridge Street, Benalla

Deputy Mayor Councillor Justin King	
30 July	Chief Executive Officer Employment and Remuneration Committee Meeting
	Assembly of Councillors - Business Review Meeting
31 July	L2P Car Launch at Benalla Toyota
6 August	Councillor Only Time
	Council Meeting
7 August	Gender Works Free from Violence Training
12 August	Visit from Her Excellency the Governor – The Honourable Margaret Gardner
	Tour with Her Excellency the Governor – The Honourable Margaret Gardner
	Churchill Reserve Committee of Management Meeting
14 August	Hands on Trades Career Expo and Networking Lunch
	Benalla Festival Advisory Committee Meeting
19 August	Benalla Art Gallery Redevelopment Project Control Group Meeting
20 August	Councillor Only Time
	Assembly of Councillors - Business Review Meeting
22 August	Official Opening of the Benalla P-12 Building
23 August	Benalla Lakeside Market – Councillors Community Engagement
27 August	Councillor Only Time
	Finance and Planning Committee Meeting
28 August	Councillors Community Engagement in Bridge Street, Benalla

Councillor David Blore	
30 July	Chief Executive Officer Employment and Remuneration Committee Meeting
	Assembly of Councillors - Business Review Meeting
6 August	Councillor Only Time
	Benalla Historical Society Committee Meeting
	Council Meeting
7 August	Gender Works Free from Violence Training
11 August	Benalla Local Safety and Traffic Liaison Committee Meeting
12 August	Visit from Her Excellency the Governor – The Honourable Margaret Gardner
18 August	North East Local Government Waste and Recycling Forum
19 August	Benalla Family Research Group Meeting
	Benalla Art Gallery Redevelopment Project Control Group Meeting
20 August	Councillor Only Time
	Assembly of Councillors - Business Review Meeting
23 August	Benalla Lakeside Market – Councillors Community Engagement
22 August	Victorian Greenhouse Alliances Conference 2025
27 August	Councillor Only Time
	Finance and Planning Committee Meeting
28 August	Councillors Community Engagement in Bridge Street

Councillor Peter Davis	
30 July	Chief Executive Officer Employment and Remuneration Committee Meeting
	Assembly of Councillors - Business Review Meeting
31 July	L2P Car Launch at Benalla Toyota
	Benalla Airport Advisory Committee Meeting
6 August	Councillor Only Time
	Council Meeting
7 August	Gender Works Free from Violence Training
19 August	Audit and Risk Committee Meeting
20 August	Councillor Only Time
	Assembly of Councillors - Business Review Meeting
23 August	Benalla Lakeside Market – Councillors Community Engagement
27 August	Councillor Only Time
	Finance and Planning Committee Meeting

Councillor Puna Hewa Gunaratne	
30 July	Chief Executive Officer Employment and Remuneration Committee Meeting
	Assembly of Councillors - Business Review Meeting
6 August	Councillor Only Time
	Council Meeting
7 August	Gender Works Free from Violence Training
12 August	Visit from Her Excellency the Governor – The Honourable Margaret Gardner
18 August	Benalla Art Gallery Advisory Committee Meeting
19 August	Audit and Risk Committee Meeting
20 August	Councillor Only Time
	Assembly of Councillors - Business Review Meeting
23 August	Benalla Lakeside Market – Councillors Community Engagement
27 August	Finance and Planning Committee Meeting

Councillor Jillian Merkel	
28 July	Benalla Street Art Advisory Committee Meeting
30 July	Chief Executive Officer Employment and Remuneration Committee Meeting
	Assembly of Councillors - Business Review Meeting
6 August	Councillor Only Time
	Council Meeting
7 August	Gender Works Free from Violence Training
14 August	Benalla Festival Advisory Committee Meeting
18 August	Benalla Art Gallery Advisory Committee Meeting
20 August	Councillor Only Time
	Assembly of Councillors - Business Review Meeting
23 August	Benalla Lakeside Market – Councillors Community Engagement
25 August	Benalla Street Art Advisory Committee Meeting
27 August	Councillor Only Time
	Finance and Planning Committee Meeting

Councillor Nathan Tolliday	
28 July	Benalla Street Art Advisory Committee Meeting
30 July	Chief Executive Officer Employment and Remuneration Committee Meeting
	Assembly of Councillors - Business Review Meeting
31 July	L2P Car Launch at Benalla Toyota
6 August	Councillor Only Time
	Council Meeting
7 August	Gender Works Free from Violence Training
12 August	Visit from Her Excellency the Governor – The Honourable Margaret Gardner
	Churchill Reserve Committee of Management Meeting
25 August	Benalla Street Art Advisory Committee Meeting
27 August	Finance and Planning Committee Meeting

Recommendation:

That the report be noted.

4.8 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 27-Aug-25	8	Benalla Street Art Festival Advisory Committee Terms of Reference That the <i>Benalla Street Art Festival Advisory Committee Terms of Reference – August 2025</i> be adopted.	MEDAS	Completed
2.	F&P Committee 27-Aug-25	7	2025/26 Quick Response Grants Program That \$750 grants from the <i>2025/2026 Quick Response Grant program</i> be awarded to the Tatong Market and More Inc and to Benalla and District Preschool Partnership - Bernard Briggs Kindergarten.	MC	Completed
3.	F&P Committee 27-Aug-25	6	Appointment Of A Council Representative To The <i>Heritage Advisory Working Group</i> That the Finance and Planning Committee, acting under its delegated authority of the Council, resolve that Cr Bernie Hearn be appointed as the Council representative on the <i>Heritage Advisory Working Group</i> for the balance of the 2024/25 Council Year.	MD	Completed
4.	F&P Committee 27-Aug-25	5	Draft Benalla Rural City Council Domestic Animal Management Plan 2026-2029 That the Finance and Planning Committee, acting under its delegated authority of the Council, resolve that the draft <i>Benalla Rural City Council Domestic Animal Management Plan 2026-2029</i> be endorsed and placed on public exhibition for a period of at least 28 days.	MD	Completed
5.	F&P Committee 27-Aug-25	3	Planning Permit Application for Buildings and Works to the Existing Office Building at 18 Bridge Street East, Benalla 1. That the report be noted. 2. That a report on Planning Permit Application for Buildings and Works to the Existing Office Building at 18 Bridge Street East, Benalla be presented to the Finance and Planning Committee meeting on Wednesday 10 December 2025.	MD	1. Completed 2. In progress

Action No.	Meeting Name	Item	Action	Officer	Status/notes
6.	Council Meeting 6-Aug-25	6.2	<p>Notice of Motion: International Campaign to Abolish Nuclear Weapons Cities Appeal and Acknowledgement of the 80th Anniversaries of Hiroshima and Nagasaki Atomic Bombings</p> <p>That the Council:</p> <ol style="list-style-type: none"> 1. Acknowledges the 80th anniversaries of the US atomic bombings of the cities of Hiroshima and Nagasaki on 6 and 9 August 1945. We honour the 210,000+ victims of these attacks, and the Hibakusha and Hibaku Nisei who continue to live with the legacy of nuclear weapons. 2. Notes that Benalla Rural City Council is deeply concerned about the grave threat that nuclear weapons pose to communities throughout the world. We firmly believe that our residents have the right to live in a world free from this threat. 3. Notes that any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far-reaching and long-lasting consequences for people and the environment. 4. Endorses the International Campaign to Abolish Nuclear Weapons Cities Appeal, a global call from cities and towns in support of the UN Treaty on the Prohibition of Nuclear Weapons and calls on our national government to sign and ratify it without delay. 	CEO	<ol style="list-style-type: none"> 1. Noted 2. Noted 3. Noted 4. Noted
7.	Council Meeting 6-Aug-25	6.1	<p>Notice of Motion: Winton Wetlands</p> <ol style="list-style-type: none"> 1. That the Mayor, with advice from the Chief Executive Officer, writes to the Minister for Department of Energy, Environment and Climate Action (DEECA), the Hon. Steve Dimopoulos MP, seeking: <ul style="list-style-type: none"> ▪ To discuss the future management, operational direction, and long-term vision for the Winton Wetlands. ▪ Clarification of the decision-making process that led to the handover of the Winton Wetlands to DEECA. 2. That the Mayor and/or Chief Executive Officer engage and with representatives from DEECA regarding the future of the Winton Wetlands. 3. That the Mayor and/or Chief Executive Officer represent Benalla Rural City Council at all meetings or stakeholder forums concerning the future of Winton Wetlands and report back to the Council on progress and outcomes. 	CEO	<ol style="list-style-type: none"> 1. Completed 2. In progress 3. Noted
8.	Council Meeting 6-Aug-25	4.8	<p>2025 Victorian Local Government Community Satisfaction Surveys – Benalla Rural City Council</p> <ol style="list-style-type: none"> 1. That the <i>2025 Victorian Local Government Community Satisfaction Survey – Benalla Rural City Council</i> report be received. 2. That the <i>Local Community Satisfaction Survey Benalla Rural City Council 2025 Tailored Questions</i> report be received. 	GMC	<ol style="list-style-type: none"> 1. Completed 2. Completed

Action No.	Meeting Name	Item	Action	Officer	Status/notes
9.	Council Meeting 6-Aug-25	4.7	2025/26 Major Event Funding Program That a \$2,000 allocation from the 2025/26 Major Event Funding program be allocated to the Benalla Racing Club.	MEDAS	Completed
10.	Council Meeting 6-Aug-25	4.6	Draft Benalla Rural City Road Management Plan 2025-2029 That the draft <i>Benalla Rural City Council Road Management Plan 2025–2029</i> be endorsed and placed on public exhibition for a period of at least 28 days.	MAI	Completed
11.	Council Meeting 6-Aug-25	4.5	Draft Benalla Rural City Council Asset Plan and Draft Asset Management Policy That the draft <i>Benalla Rural City Council Asset Plan 2025–2029</i> and draft <i>Asset Management Policy</i> be endorsed and placed on public exhibition for a period of at least 28 days.	MAI	Completed
12.	Council Meeting 6-Aug-25	4.4	Draft Benalla Rural City Council Landfill and Resource Recovery Centre Masterplan 1. That the <i>Benalla Landfill and Resource Recovery Centre Masterplan</i> be adopted. 2. That the Council acknowledge that the <i>Benalla Landfill and Resource Recovery Centre</i> becomes the recognised regional landfill in Northeastern Victoria in accordance with <i>Recycling Victoria Strategic Plan 2023-2026</i> .	MAI	1. Completed 2. Completed
13.	Council Meeting 6-Aug-25	4.3	Draft Benalla Rural City Council Financial Plan 2025/26 to 2034/35 That the draft <i>Benalla Rural City Council Financial Plan 2025/26 to 2034/35</i> be endorsed and placed on public exhibition for a period of at least 28 days.	MF	Completed
14.	Council Meeting 6-Aug-25	4.2	Draft Benalla Rural City Council Plan 2025-2029 That the draft <i>Benalla Rural City Council Plan 2025-2029</i> be endorsed and placed on public exhibition for a period of at least 28 days.	MC	Completed
15.	Council Meeting 6-Aug-25	4.1	Draft Benalla Airport Masterplan That the draft <i>Benalla Airport Masterplan</i> be endorsed and placed on public exhibition for a period of at least 28 days.	MFIT	Completed.

Action No.	Meeting Name	Item	Action	Officer	Status/notes
16.	F&P Committee 23-July-25	1	Petition: Request for Council to establish an LGBTIQA+ Subcommittee of the Social Inclusion Action Group <ol style="list-style-type: none"> That the report and petition be noted. That the council undertake a further discussion around SIAG membership following the report. 	MC	<ol style="list-style-type: none"> Completed Report to be presented at the Assembly of Councillors briefing on 24 September 2025.
17.	Council Meeting 13-Dec-23	4.4	Benalla Sports and Equestrian Reserve Committee 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.	CEO	Report to be presented to the Finance and Planning Committee 1 October 2025.

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.

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 CM25.056 Building and Amenities Cleaning Service 2025-27
- 9.2 Confidential Reports by Councillors
- 9.3 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*.

10. Reopening of the meeting to the public

Recommendation:

That the meeting be reopened to the public.

Closure of the meeting