

Council Meeting

Agenda

Date: Wednesday 23 October 2024

Time: 6pm

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

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.

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.

Members of the public are encouraged to watch the live broadcast of the meeting at www.benalla.vic.gov.au

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Agenda

Chair Councillor Danny Claridge (Mayor)

Councillors Councillor Peter Davis
 Councillor Don Firth
 Councillor Bernie Hearn
 Councillor Punarji Hewa Gunaratne
 Councillor Justin King
 Councillor Gail O’Brien

In attendance Dom Testoni Chief Executive Officer
 Robert Barber General Manager Corporate
 Jess Pendergast Governance Coordinator

Opening and Acknowledgment of Country

The Chair will open the meeting and recite the following Acknowledgement of Country.
We, the Benalla Rural City Council, acknowledge the traditional custodians of the land on which we are meeting. We pay our respects to their Elders past and present and to Elders from other communities who may be here today.

Apologies

Recommendation:
That the apology/ies be accepted.

Statement of Commitment

The Councillors will recite the following Statement of Commitment:

I declare, that as a Councillor of Benalla Rural City

I will undertake on every occasion

to carry out my duties in the best interests of the community

and that my conduct shall maintain the standards of our Councillor Code of Conduct

so that I may faithfully represent

and uphold the trust placed in the Council

by the people of Benalla and District.

Governance Matters

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

Recording of Council Meetings

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

Behaviour at Meetings

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

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

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

Disclosures of Conflict of Interest

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

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

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

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

Officer Reports

1. *Benalla Rural City Council Annual Report 2023/24*

SF/1876-03
Cr Danny Claridge – Mayor
Dom Testoni – Chief Executive Officer

PURPOSE OF REPORT

The report presents for consideration the *Benalla Rural City Council Annual Report 2023/24*.

BACKGROUND

Sections 98 and 99 of the *Local Government Act 2020* (the Act), require councils to prepare an annual report in respect of each financial year.

An annual report must contain the following:

- a report of operations of the Council
- an audited performance statement
- audited financial statements
- a copy of the auditor's report on the performance statement
- a copy of the auditor's report on the financial statements under Part 3 of the Audit Act 1994
- any other matters prescribed by the regulations.

The draft *2023/24 Financial Report* and draft *2023/24 Performance Statement* were considered by the Council at its meeting on 16 October 2024 where the Council gave its in-principle approval of both reports. Both reports were subsequently submitted to the Victorian Auditor-General's Office for final audit opinions.

In accordance with section 100 (2)(a) of the *Local Government Act 2020*, the Council is required to present its *Annual Report 2023/24*, including audited financial statements, audited performance statement, and governance and management checklist at an open meeting by no later than the day before the 2024 Local Government Elections, which is Friday 25 October 2024.

DISCUSSION

The Annual Report provides an account to the community of the Council's performance to our community. The report details achievements against the goals of the Council Plan and performance against stipulated measures. It also provides a detailed account of the Council's financial management across the 2023/24 financial year.

The Annual Report has been provided under separate cover and is available for download on the Council's website.

COUNCIL PLAN 2021-2025 IMPLICATIONS

Leadership

- *Good governance*
- *Engaged and informed community*

FINANCIAL IMPLICATIONS

Costs associated with the production of the Annual Report were met from existing budget allocations.

COMMUNITY ENGAGEMENT

Section 100 of the *Local Government Act 2020* prescribes that the Mayor must report on the implementation of the Council Plan by presenting the annual report at a Council meeting open to the public.

Councillors and staff have been consulted in the development of the Annual Report with no community consultation proposed.

Level of public participation	Promise to community	Techniques to be used
Inform	We will provide information	<ul style="list-style-type: none"> ▪ Public notice in Benalla Ensign and on website that the Annual Report has been produced. ▪ Annual Report presented in a public report to the Council. ▪ Annual Report to be published on Council’s website. ▪ Annual Report made available for inspection.

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.

CONCLUSION

The *2023/24 Financial Report* and *2023/24 Performance Statement* have been submitted to the Victorian Auditor-General’s Office for final audit opinions. At the time of preparing this report, the Independent Auditor’s reports had not been received. However, these letters will be made available to the Council prior to this meeting and included in the final *Annual Report 2023/24*.

Once received by the Council, the Annual Report will be professionally formatted and made available for public inspection on the Council’s website, and at the Council’s Customer Service Centre and the Sir Edward ‘Weary’ Dunlop Learning Centre.

CARETAKER STATEMENT

The recommended decision is not a decision prohibited by the *Local Government Act 2020* and is a decision that falls within the guidance of the *Benalla Rural City Council Election Period Policy*.

Recommendation:

That the *Benalla Rural City Council Annual Report 2023/24* be received.

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2. Councillors’ Expenses For The Quarter Ended 30 September 2024

SF/1557

Tracey Beaton – Executive Coordinator

PURPOSE OF REPORT

The report details expenditure associated with Councillors’ mobile phone usage, attendance at professional development courses, conferences and seminars, and reimbursement of expenses incurred.

Councillors’ Information and Communication Expenses

Councillors' information and communication expenses for mobile phones and iPads are detailed in the table below:

Councillor	2024/25 Q1
Cr Claridge	\$147.24
Cr Davis	\$147.24
Cr Firth	\$51.81
Cr Gunaratne	\$147.24
Cr Hearn	\$147.24
Cr King	\$147.24
Cr O’Brien	\$147.24
Total (ex. GST):	\$935.28

Councillors' reimbursement of expenses

The Council at its meeting on 15 December 2021 adopted the *Councillor Resources and Reimbursement Policy*.

Councillors' reimbursements are detailed in the table below:

Date	Councillor	Reimbursement Details	Amount (ex. GST)
20/08/2024	Cr Claridge	EV Networks – EV Charging	\$24.51
22/08/2024	Cr Hearn	Accommodation - MAV State Council Meeting - Cr Claridge and Cr Hearn	\$752.18
12/09/2024	Cr Hearn	Accommodation – MAV Annual Conference – Cr Claridge and Cr Hearn	\$770.02
Total:			\$1,546.71

Councillors' attendance at training courses, conferences and seminars

The Council at its meeting on 12 October 2022 adopted the *Professional Development for Councillors Policy*. The policy states that a quarterly report be submitted to the Council detailing year to date expenditure on Councillors' attendance at professional development courses, conferences and seminars.

Date	Councillor	Description	Professional Development (ex. GST)	Conferences and Seminars (ex. GST)
22/08/2024	Cr Claridge & Cr Hearn	Accommodation - MAV Networking Event and State Council Meeting	\$0	\$752
27/08/2024	Cr Claridge, Cr Davis, Cr Hearn, Cr King & Cr O'Brien	IBAC Forum: Corruption risks in local government	\$0	\$0
12/09/2024	Cr Claridge & Cr Hearn	MAV Annual Conference and Dinner	\$0	\$1,390
12/09/2024	Cr Claridge & Cr Hearn	Accommodation - MAV Annual Conference and Dinner	\$0	\$770
Total:			\$0	\$2,912

FINANCIAL IMPLICATIONS

The *2024/25 Budget* allocates \$15,104 for Councillors' attendance at professional development courses, conferences and seminars.

Summary	Professional Development, Conferences and Seminars (ex. GST)
Quarter ended 30 September 2024	\$2,912
Total spend as at 30 September 2024	\$2,912

CARETAKER STATEMENT

The recommended decision is not a decision prohibited by the *Local Government Act 2020* and is a decision that falls within the guidance of the *Benalla Rural City Council Election Period Policy*.

Recommendation:
That the report be noted.

Closure of the meeting