

**CITY OF  
BALLARAT**



**Ordinary Council Meeting**

**30 January 2019**

Council Chamber, Town Hall, Sturt Street, Ballarat

**MINUTES**

**Public Copy**

**MINUTES OF A MEETING OF BALLARAT CITY COUNCIL HELD IN THE COUNCIL CHAMBER, TOWN HALL, STURT STREET, BALLARAT ON WEDNESDAY 30 JANUARY 2019 AT 7:00PM**

**MINUTES**

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## 1. OPENING DECLARATION

**Councillors:** *"We, the Councillors of the City of Ballarat, declare that we will carry out our duties in the best interests of the community, and through collective leadership will maintain the highest standards of good governance."*

**Mayor:** *"I respectfully acknowledge the Wadawurrung and Dja Dja Wurrung People, the traditional custodians of the land, and I would like to welcome members of the public in the gallery."*

## 2. APOLOGIES FOR ABSENCE

### 2.1 Present

Mayor Samantha McIntosh  
Cr Belinda Coates  
Cr Mark Harris  
Cr Des Hudson  
Cr Amy Johnson  
Cr Daniel Moloney  
Cr Jim Rinaldi  
Cr Grant Tillett

Ms Justine Linley - Chief Executive Officer  
Mr Terry Demeo - Director Infrastructure and Environment  
Mr Neville Ivey - Director Community Development  
Mr Glenn Kallio - Director Business Services  
Ms Angelique Lush - Director Development and Planning  
Mr Cameron Gray - Director Innovation and Organisational Improvement  
Mr Cameron Montgomery - Executive Manager Safety, Risk and Compliance Services  
Mr Stuart Meerbach - Executive Manager Information Services  
Ms Ali Evans - Administration Officer Statutory Compliance  
Ms Sarah Anstis - Administration Officer Statutory Compliance

### 2.2 Apologies

Cr Ben Taylor

## RESOLUTION:

**That the apology be accepted.**

**Moved: Cr Des Hudson**  
**Seconded: Cr Jim Rinaldi**

**CARRIED**  
**(R03/19)**

## 3. DISCLOSURE OF INTEREST

Nil

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**4. CONFIRMATION OF MINUTES**

**RESOLUTION:**

**That the Minutes of the Council Meeting on 12 December 2018 as circulated be confirmed.**

**Moved: Cr Belinda Coates**

**Seconded: Cr Daniel Moloney**

**CARRIED**

**(R04/19)**

**5. MATTERS ARISING FROM THE MINUTES**

Nil

**6. PUBLIC QUESTION TIME****QT01/19 - Mr Frank Williams - Invermay Park****Question**

Mr Williams asked why City of Ballarat allowed a developer to remove a significant tree on Kline Street knowing it was an important part of the Koala Corridor?

**Answer**

Mr Terry Demeo, Director Infrastructure and Environment  
Taken on notice to fully investigate.

**QT02/19 - Mr Frank Williams - Invermay Park****Question**

Mr Williams asked why City of Ballarat issued planning permits for works to heritage homes in Wendouree Parade?

**Answer**

Mr Terry Demeo, Director Infrastructure and Environment  
Taken on notice to investigate specific area and addresses.

Cr Grant Tillett requested a report to a Councillor briefing to cover all elements of our requirements in relation to the retention of trees.

**QT03/19 - Mr Gary Fitzgerald - Ballarat East****Question**

Mr Fitzgerald asked if City of Ballarat would be publicly acknowledging Cr Hudson's recognition in the Australia Day Honours as a recipient of the Medal of the Order of Australia.

**Answer**

Mayor Samantha McIntosh formally acknowledged Cr Hudson for his contributions and for receiving the Medal of the Order of Australia. The Mayor presented Cr Hudson with a bottle of wine and a signed letter in recognition.

Cr Hudson accepted the gift commenting that he was humbled for the experience and to be awarded the medal. Cr Hudson noted that he has been fortunate through Victoria Police and several terms of Council to be able to work with young people to make a difference. Cr Hudson specifically acknowledge the great work of volunteers in this field.

Ms Justine Linley the Chief Executive Officer, on behalf of the organisation, expressed the significant contribution Cr Hudson has shown to the community over many years and that the staff are proud to work with and for him.

**7. REPORTS FROM COMMITTEES/COUNCILLORS****GB01/19 - Cr Belinda Coates**

Cr Coates tabled a petition regarding the current parking arrangement outside Ballarat Health Services, Steele Houghton, Bill Crawford and Talbot Place Centres located in Dana Street. This petition concerns the current short-term parking for both workers and visitors to these locations. The petition requests that Council review parking arrangements to factor some other options.

**RESOLUTION:**

**That the petition be referred to the Chief Executive Officer for a report to a future Council Meeting.**

**Moved: Cr Belinda Coates**

**Seconded: Cr Mark Harris**

**CARRIED**

**(R05/19)**

Cr Coates echoed and congratulated the other 2019 recipients for the Medal of the Order of Australia, David MacPhail and Peter Reid and acknowledged their work and contribution.

Cr Coates referred to questions made during Public Question Time at the December Ordinary meeting about January 26. Cr Coates noted that a subsequent meeting with Indigenous Community members was held on 22 January 2019, which informed a briefing to Councillors held on 23 January 2019.

**RESOLUTION:**

**That Council receive a report within 6 months with feedback, progress and any recommendations for the 'January 26' working group.**

**Moved: Cr Belinda Coates**

**Seconded: Cr Mark Harris**

**CARRIED**

**(R06/19)**

**GB02/19 - Cr Amy Johnson**

Cr Johnson acknowledged the level of activity over the summer period in relation to events and we should be proud of being directly involved in. Of particular note was the Australian Road Cycling Championships held in Ballarat and Buninyong. Cr Johnson further acknowledged the Summer Sundays event, the Australia Day fire works at Lake Wendouree, the Ballarat Beer Festival and the Organs of the Ballarat Goldfields.

Cr Johnson attended her first Visit Ballarat board meeting this week as the new Councillor representative.

**GB03/19 - Cr Grant Tillett**

Cr Tillett acknowledged the good work by VicRoads on the completed construction of the roundabout on the North side of the Western Highway on Creswick Road.

Cr Tillett attended the Organs of the Goldfields presentations which were high quality and were full houses at every venue.

Cr Tillett received two noise complaints relating to venues in Ballarat over the long weekend, namely the Red Hot Summer Tour in the North Gardens and the Learmonth Hotel. Cr Tillett requested information on the rules regarding noise restrictions, how they are implemented and enforced.

Cr Tillett commented that with regard to the Miners Rest Saleyards, numerous issues and complaints regarding the Saleyards not operating in accordance with requirements have been raised. An Environment Protection Authority (EPA) Abatement notice has been issued requiring attention by February 14th.

**GB04/19 - Cr Mark Harris****RESOLUTION:**

**Request leave of absence from 12 February 2019 to 23 February 2019.**

**Moved: Cr Jim Rinaldi**

**CARRIED**

**Seconded: Cr Daniel Moloney**

**(R07/19)**

**GB05/19 - Cr Daniel Moloney**

Cr Moloney requested a briefing for options to consider New Years Eve celebrations.

**GB06/19 - Cr Samantha McIntosh, Mayor**

The Mayor also acknowledged the works undertaken at the Creswick Road/Midland Highway roundabout referred to by Cr Tillett and asked for contact to be made with VicRoads to ensure that as a major entrance to Ballarat that it is planted appropriately.

The Mayor also acknowledged the success of the many events held in Ballarat over the Summer including the Australian Road Cycling Championships, Summer Sundays, Red Hot Summer Tour and Organs of the Goldfields.

**RESOLUTION:**

**That Council accept the Councillor reports.**

**Moved: Cr Daniel Moloney**

**CARRIED**

**Seconded: Cr Jim Rinaldi**

**(R08/19)**

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## 8. PRESENTATIONS

A presentation was made by the Save Civic Hall Group.

## 9. ASSEMBLIES OF COUNCILLORS

### 9.1. ASSEMBLIES OF COUNCILLORS

**Division:** Business Services  
**Director:** Glenn Kallio  
**Author/Position:** Sarah Anstis - Administration Officer Statutory Compliance

#### RESOLUTION:

Council resolves to approve the report on Assemblies of Councillors as listed:

- 16 November 2018 Prosperity Portfolio Meeting Events and the Arts
- 20 November 2018 Community Development Councillor Portfolio Meeting
- 1 December 2018 Eureka Centre Community Advisory Committee
- 5 December 2018 Infrastructure and Environment Portfolio Meeting No 188
- 5 December 2018 Strategic Briefing
- 6 December 2018 Ballarat Airport Advisory Committee Meeting
- 7 December 2018 Prosperity Portfolio Meeting Economic Partnerships
- 12 December 2018 Community Safety Advisory Committee
- 12 December 2018 Clean Ballarat Advisory Committee Meeting
- 23 January 2019 Strategic Briefing

**Moved:** Cr Grant Tillett  
**Seconded:** Cr Daniel Moloney

**CARRIED**  
**(R09/19)**

#### EXECUTIVE SUMMARY

The purpose of this report is to provide Council with copies of Assembly of Councillor Records as required under section 80A(2) of the *Local Government Act 1989*.

**10. OFFICER REPORTS****10.1. PLP/2002/621/B 725 CRESWICK ROAD WENDOUREE EXTENSION TO LICENCED AREA AND LICENCED HOURS ASSOCIATED WITH FULL CLUB LICENCE AND INCREASE IN PATRON NUMBERS**

**Division:** Infrastructure and Environment  
**Director:** Terry Demeo  
**Author/Position:** Stephanie Durant – Principal Statutory Planner

**RESOLUTION:**

**Council resolves to:**

**Issue Amended Planning Permit PLP/2002/621B for the land located at 725 Creswick Road, Wendouree for an extension to the licensed area and specification of operational hours in associated with the Full Club Licence and an increase in patron numbers subject to the following Conditions:**

**1. Amended Plans Required**

**Before the use starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with plans submitted but modified to show:**

**a) Clear delineation of the alfresco dining and spectator seating areas**

**Unless otherwise approved in writing by the Responsible Authority, all buildings and works are to be constructed and or undertaken in accordance with the endorsed plans to the satisfaction of the Responsible Authority prior to the commencement of the use.**

**2. Approved Plans**

**The serving and consumption of liquor is restricted to the licensed area shown on the approved plans and must not be altered without the further written consent of the Responsible Authority.**

**3. Limit on Number of Patrons**

**Without the prior written consent of the Responsible Authority, not more than 1890 patrons may be present on the premises at any one time.**

**If a lesser number of patrons is determined acceptable by a Registered Building Surveyor and/or the Victorian Commission for Gambling and Liquor Regulation, the lesser number will apply.**

**4. Sale and Consumption of Liquor – Hours**

**Without the prior written consent of the Responsible Authority, the sale and consumption of liquor shall only occur within the licensed area between the following hours:**

**Club (Ground and First Floors)**

- Monday-Saturday 24 Hours
- Sunday 10am - 2am the following day
- Good Friday and Anzac Day 12pm -11pm

**Smoking Deck**

- Monday-Saturday 7am - 5am the following day
- Sunday 10am - 2am the following day
- Good Friday and Anzac Day 12pm -11pm

**Alfresco Dining \_**

- Monday-Saturday 7am-11pm
- Sunday 10am-11pm
- Good Friday and Anzac Day 12pm-11pm

**Spectator Seating**

- Friday 12pm-10pm
- Saturday 12pm-10pm
- Sunday 12pm-6pm

If reduced hours are determined acceptable by the Victorian Commission for Gambling and Liquor Regulation, the reduced hours will apply.

**5. Spectator seating and alcohol consumption**

The serving and consumption of alcohol within the spectator seating area must only be conducted in association with events at Eureka Stadium unless otherwise approved in writing by the Responsible Authority.

**6. Amenity**

The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:

- a) transport of materials, goods or commodities to or from the land;
- b) appearance of any building, works or materials;
- c) emission of noise, artificial light, vibration, smell, fumes, smoke,
- d) vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and
- e) presence of vermin or otherwise;

In the event of any nuisance being caused to the neighbourhood by activities related to the use and development the Responsible Authority may direct, in writing, such actions or works, as deemed appropriate, to eliminate or mitigate such nuisance be undertaken.

**7. Patron Management Plan**

Before the use starts, a Patron Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the permit. Three copies of the plan must be submitted. The plan must include but is not limited to:

- a) Staffing and security arrangements for the premises designed to ensure the orderly arrival and departure of patrons;
- b) Signage to be used to encourage responsible off-site patron behaviour;
- c) The training of staff in the management of patron behaviour;
- d) Measures to control noise emissions from the premises;
- e) Measures to ensure external doors are kept closed during events and at all times whilst entertainment music is being played.
- f) Measures to manage patrons queuing to enter the premises;
- g) Collection of rubbish from roads, car parks and public reserves in the vicinity of the premise and external areas used by premise patrons; and
- h) A documented complaint response procedure to the satisfaction of the Responsible Authority including the provision of a:
  - Contact point during hours of operation;
  - Investigation and assessment process; and
  - Record management of complaints and corrective action taken to resolve the concern.

The Patron Management Plan must be implemented to the satisfaction the Responsible Authority. The patron management plan must not be modified unless with the further written consent of the Responsible Authority.

8. **Management /Supervision of Premises**

At all times during the operation of the use, there must be present on the premises a person over the age of eighteen (18) years who is responsible for ensuring that the activities on the premises and the conduct of persons attending the premises do not have a detrimental impact on the amenity of the locality to the satisfaction of the Responsible Authority (referred to in this permit as "the Manager").

The Manager must be authorised by the operator under this permit to make statements at any time on his / her behalf to any officer of the Responsible Authority and to Victoria Police and/or Liquor Licensing Victoria authorised under section 129 of the *Liquor Control Reform Act 1998*; and/or to take action on his/her behalf in accordance with a direction by such officer.

9. **Noise from Premises**

Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of music noise from public premises) No. N-2. Any works required to ensure and maintain the noise levels from the premises in compliance with this policy must be completed prior to the commencement of the use or occupation of the site and maintained thereafter, all to the satisfaction of the Responsible Authority.

**10. Permit Expiry**

**This Permit will expire if:**

- a) **The use does not start within two (2) years of the date of the permit;**  
or
- b) **Once commenced, if the use is discontinued for a period of two years.**

**The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards (for a request to extend the time to commence the use).**

**Moved: Cr Grant Tillett**

**CARRIED**

**Seconded: Cr Jim Rinaldi**

**(R10/19)**

**EXECUTIVE SUMMARY**

On 27 November 2017 an amendment application was lodged for an extension to the licensed area to accommodate the spectator stand in front of the club and to specify license hours and an increase in patron numbers at North Ballarat Sports Club at 725 Creswick Road Wendouree. The application was advertised and Council has received no objections. It is recommended that Council issue a Planning Permit subject to Conditions.

**10.2. PLATE UP BALLARAT STRATEGIC PARTNERSHIP APPLICATION**

**Division:** Development and Planning  
**Director:** Angelique Lush  
**Author/Position:** Jeff Johnson - Executive Manager Events and the Arts

**RESOLUTION:**

**Council resolves to:**

- 1. Approve a Strategic Partnership Grant to Plate & Glass Pty Ltd for \$35,000 (excl. GST) for one year.**
- 2. Acknowledge the success of Plate Up Ballarat in its first year of operation.**
- 3. Note that this funding will be provided with the conditions relevant to the Strategic Partnership Grant Program.**

**Moved: Cr Mark Harris**  
**Seconded: Cr Des Hudson**

**CARRIED**  
**(R11/19)**

**EXECUTIVE SUMMARY**

Plate Up Ballarat is a business registered to Plate & Glass Pty Ltd, established in 2015. The business aims to showcase the region and provide vital support to the local tourism industry boosting revenue, creating jobs, driving visitation & promoting overall awareness.

Plate & Glass Pty Ltd is seeking a Strategic Partnership with the City of Ballarat for \$60,000 (excl. of GST) per year for three (3) years to support its annual Plate Up Ballarat event and its annual Pie Competition.

Officers have reviewed the Strategic Partnership funding request against the program guidelines and recommend providing \$35,000 (excl. GST) each year for three years to support the development of the program. It is expected this Partnership will help to establish the sustainability of Plate Up and associated events with the aim that the business is not reliant on grant funding from Council into the future. This grant allocation aligns with the purpose of the Strategic Partnership Program and the 2018 – 2028 (City of Ballarat) Events Strategy.

**10.3. BUSINESS EVENTS AND FESTIVALS GRANT APPLICATION - AUSTRALIAN CONTROLLED TRAFFIC FARMING ASSOC INC**

**Division:** Development and Planning  
**Director:** Angelique Lush  
**Author/Position:** Helen Arnts - Business Engagement Officer

**MOTION**

Council resolves to:

1. Approve a Business Events and Festivals Grant Application from Australian Controlled Traffic Farming Association Incorporated (ACTFA) for \$10,000 (excl. GST)

**Moved: Cr Grant Tillett**

**LOST**

**Seconded: Cr Samantha McIntosh**

**RESOLUTION**

Council resolves to:

1. Approve a Business Events and Festivals Grant Application from Australian Controlled Traffic Farming Association Incorporated (ACTFA) for \$3000 (excl. GST)

**Moved: Cr Des Hudson**

**CARRIED**

**Seconded: Cr Mark Harris**

**(R12/19)**

**EXECUTIVE SUMMARY**

The Business Events and Festivals Grants Program provides grants up to \$10,000 for events, festivals and awards which advance and encourage the participation of Ballarat-based businesses in the development of a stronger local economy.

This report outlines the Business Events and Festivals Grant application from Australian Controlled Traffic Farming Association Incorporated (ACTFA) who is seeking assistance to hold the 3rd International Controlled Traffic Farming Conference in Ballarat.

The 3<sup>rd</sup> International Controlled Traffic Farming Conference will be held at Federation University, Mount Helen Campus on 13–16 February 2019. Conference objectives are to:

- Raise awareness of Controlled Traffic Farming (CTF)
- Provide information and updates to Australian and overseas farmers and researchers on CTF practices
- Forge links between Australian farmers and the international CTF community
- Showcase Ballarat and Victoria to visitors from Australia and overseas

The expected number of attendees is between 200 - 300 with agriculture, agricultural machinery manufacturing and research and development being the industry focus. Local agricultural equipment companies will display their equipment at the Federation Uni Campus during the Conference. Conference delegates will attend Sovereign Hill for dinner and the Sound and Light Show. Local bus lines will be used for Conference field tours and airport transfer.

The grant application seeks funds of \$10,000 towards the costs for bus hire for a mid-Conference tour and Federation University hire and catering costs.

Prosperity Portfolio Councillors have reviewed the funding request and support the application, with a recommended amount of \$3,000 (excl. GST).

**10.4. INTERNATIONAL TRAVEL - TRAVEL AND RELATED EXPENSES APPROVAL**

**Division:** Development and Planning  
**Director:** Angelique Lush  
**Author/Position:** James Guy – Executive Manager Economic Partnerships

**RESOLUTION:****Council resolves to:**

1. Note the preapproved international travel for a Council Officer to attend a workshop from 3rd February to 5th February 2019 in Abu Dhabi, United Arab Emirates.
2. Approve International Travel for a Council Officer to attend a conference from 6 – 7 May 2019 in Wellington, New Zealand.
3. Note that all future international travel for Council Officers will be presented to Council as per the reviewed and adopted policies.

**Moved: Cr Des Hudson**  
**Seconded: Cr Grant Tillett**

**CARRIED**  
**(R13/19)**

**EXECUTIVE SUMMARY**

On 12 December 2018 Council resolved to 'amend the *Councillor Expense and Entitlements Policy* to require that any Councillor and Officer seeking approval for any International Travel is approved by Council' (R366/18).

Travel for Council Officers is administered by the *Travel and Related Expenses Policy*. Given the decision of the Council, this policy was reviewed, and amendments made in line with Council resolution R366/18. This amended policy was approved by the Executive Leadership Team on 14 January 2019, and now requires all overseas travel by Council Officers to be approved at Council.

Overseas travel for one Council Officer to attend a workshop in the United Arab Emirates was approved by the Chief Executive Officer and the Officers participation was confirmed with the hosts and travel arrangements were booked prior to the policy amendment which occurred on 12 December 2018.

A Council Officer has also been invited to speak at a conference in New Zealand in May. Council Officers from time to time are invited to speak at conferences to promote the work of the City of Ballarat as a local government leader in various fields.

There are no costs for the City of Ballarat associated with either trip, with the hosts covering flights, accommodation and all other expenses.

**10.5. COUNCIL PLAN PROGRESS REPORT - QUARTER 1**

**Division:** Innovation and Organisational Improvement  
**Director:** Cameron Gray  
**Author/Position:** Jennifer Brophy – Business Support Officer – Innovation and Organisational Improvement

**RESOLUTION:****Council resolves to:**

- 1. Note the progress report for the Council Plan 2017–2021 for the first quarter of the 2018/19 financial year.**

**Moved: Cr Samantha McIntosh**

**CARRIED**

**Seconded: Cr Belinda Coates**

**(R14/19)**

**EXECUTIVE SUMMARY**

The purpose of this report is to present the progress update of Council's performance against the Council Plan 2017-2021. The period reported is from July 2018 to September 2018 (Quarter 1).

The three-month performance report, provided as an attachment, offers a summary of the progress against the four Council Plan goals; livability, prosperity, sustainability and accountability.

The intent of this report is to give Councillors and the Community the confidence that Council is on track to meet its commitments made in the Council Plan.

Highlights from this progress report include:

- Council launched its Gender Equity Strategy of 50/50 by 2020 and accompanying Gender Equity Action Plan in August 2018. This strategy is focused on what we need to do to improve gender equity within our organisation. The plan is available for viewing on Council's website.
- Launch of the Save Her Maj and Ballarat Now and Into the Future Advocacy campaigns in the lead up to the State and Federal Election.
- Council was successful in obtaining \$350,000 in funding through the City Deals and Smart Cities and Suburbs Program to deliver a citywide data platform, public Internet of Things network, and a 'Digital Living Lab' at the Lake Wendouree precinct.
- Beautification of entrances and boulevards has been completed
- Council's Social Policy Framework, which is a key action from the Municipal Health and Wellbeing Plan, has been developed following consultation and was to be presented to Council in November 2018 for adoption.

- Multiple Ballarat High Schools participated in '*Inspiration Day*' featuring presentations from young entrepreneurs and workshop session delivered by entrepreneur organisation Upstart.
- The announcement of four new Ballarat West Employment Zone tenants namely Westlab, Milestone Benchtops, Findlay Engineering and Pipecon.
- Signing of the Waste to Energy Heads of Agreement with global firm, Malaysian Resources Corporation Berhad (MRCB), allowing MRCB to undertake a due diligence study leading to a business case for a municipal Waste to Energy plant in the Ballarat West Employment Zone.

**10.6. ADOPTION OF REVISED 2018/19 BUDGET**

**Division:** Business Services  
**Director:** Glenn Kallio  
**Author/Position:** Glenn Kallio - Director Business Services

**RESOLUTION:****Council resolves:**

1. No submissions were received in respect to the Draft Revised 2018/19 Budget.
2. Pursuant to Section 130 of the *Local Government Act 1989*, to accept the Draft Revised 2018/19 Budget and Strategic Resource Plan 2018/22.
  - 2.1 Discloses that as at 30 June 2018 the total amount borrowed by Council is \$43.7 million
  - 2.2 Proposes that the total amount proposed to be borrowed during the financial year other than borrowings to refinance loans is \$10 million
  - 2.3 Projects that \$1 million will be redeemed during the financial year;
  - 2.4 Projects that as at 30 June 2019 Council borrowings will total \$52.7 million
  - 2.5 Projects that the cost of servicing the borrowings during the financial year will be \$2 million.
  - 2.6 Proposes that rates in the dollar for each type of rate to be levied for the 12 month period from 1 July 2018 to 30 June 2019 are:

<b>TYPE OF RATE</b>	<b>RATE IN THE \$ ON CIV</b>
<b>Residential</b>	<b>0.004159 cents</b>
<b>Commercial</b>	<b>0.010764 cents</b>
<b>Industrial</b>	<b>0.011432 cents</b>
<b>Rural Residential</b>	<b>0.003630 cents</b>
<b>Farm</b>	<b>0.002858 cents</b>
<b>Recreation - 1</b>	<b>0.003248 cents</b>
<b>Recreation - 2</b>	<b>0.011432 cents</b>

- 2.7 Proposes that no municipal charge be declared; and
- 2.8 Proposes that a Service Charge of \$339.51 per service be levied for the 12 month period from 1 July 2018 to 30 June 2019 on residential and other permitted properties for the collection, removal and disposal of refuse and recyclables where the service is provided.
- 2.9 Proposes that a Service Charge of \$68.23 per service be levied for the 12 month period from 1 July 2018 to 30 June 2019 for collection, removal and disposal of greenwaste on all residential properties with a detached house (including houses and granny flats and bungalows) on land sized between 250m<sup>2</sup> and 4,000m<sup>2</sup>, where the service is provided.
- i) Properties eligible for a greenwaste service may apply for additional service(s) subject to approval by Council's Waste Services Unit. Any additional service(s) will be charged an additional Greenwaste Service Charge.
  - ii) Properties that do not meet the criteria for a Greenwaste service may apply to opt into the service provided that the property is located on an existing collection route. Applications to opt in to such service will be subject to approval by Council's Waste Services Unit.
3. In accordance with the provisions of section 171 of the *Local Government Act 1989*, Council will waive \$90.00 of the Rates levied for the 2018/19 on properties were the ratepayer:
- a) Is an eligible recipient within the meaning of the *State Concessions Act 2004* and has qualified for a waiver under section 171(4) of the *Local Government Act*, and,
  - b) Who lives alone in their own home and is solely responsible for the payment of rates and charges on that property.

The objective of this waiver is to provide assistance to Pensioners who are the sole ratepayer and are recipients of the pension.

4. In accordance with the provisions of section 171 of the *Local Government Act 1989*, Council will waive the Rates levied for the 2018/19 year on properties where the property is classified as Recreational 1 for rating purposes.

The objective of this waiver is to provide financial assistance to those sporting and recreational clubs that are required to pay rates.

Moved: Cr Grant Tillett  
Seconded: Cr Mark Harris

CARRIED  
(R15/19)

## EXECUTIVE SUMMARY

This report addresses the legislative requirements for Council to formally adopt the Revised 2018/19 Budget and Strategic Resource Plan 2018/22 for the City of Ballarat.

**10.7. RATE CAP AND VARIATION**

**Division:** Business Services  
**Director:** Glenn Kallio  
**Author/Position:** Glenn Kallio - Director Business Services

**RESOLUTION:****Council resolves to:**

- 1. Advise the Essential Services Commission that it does not intend to seek a variation to the rate cap of 2.5 percent for the 2019-2020 Financial Year.**

**Moved: Cr Daniel Moloney**

**CARRIED**

**Seconded: Cr Mark Harris**

**(R16/19)**

**EXECUTIVE SUMMARY**

In 2015 the Victoria Government introduced the Fair Go Rates system which commenced in the 2016-2017 financial year. Legislation required to give effect to the system was passed by the Victorian Parliament in November 2015 and come into operation on 2 December 2015.

Before 31 December each year, the Minister for Local Government decides upon and announces the Average Rate Cap to apply in the forthcoming year. The Minister has set the Average Rate Cap for the Financial Year 2019–2020 at 2.5 percent.

The Fair Go Rates system provides for the ability for Councils to apply for a higher cap. Any Council intending to seek a variation or a higher cap for the forthcoming financial year is required to indicate that intention by 31 January 2019.

It is proposed that the Council advises the Essential Services Commission that it does not intend to seek a variation to the rate cap for the 2019–2020 Financial Year.

**10.8. BALLARAT FRIENDS OF AINARO SPECIAL COMMITTEE MINUTES**

**Division:** Community Development  
**Director:** Neville Ivey  
**Author/Position:** Elizabeth Hardiman – Cultural Partnerships Officer

**RESOLUTION:****Council resolves to:**

- 1. Receive the minutes of the Ballarat Friends of Ainaro Community Special Committee (Section 86); and**
- 2. Endorse the resignation of Mr Anthony Haintz and thank Mr Haintz for his service to the Ballarat Friends of Ainaro Community Committee.**

**Moved: Cr Belinda Coates**  
**Seconded: Cr Des Hudson**

**CARRIED**  
**(R17/19)**

**EXECUTIVE SUMMARY**

The purpose of this report is to provide Council with an update on the Ballarat Friends of Ainaro Community Special Committee (Committee) by supplying the minutes of meetings.

The minutes of the Committee meetings held on the following dates are an attachment to this report:

- October 2017
- November 2017
- February 2018
- March 2018
- April 2018
- May 2018
- June 2018
- July 2018
- August 2018
- October 2018
- November 2018

Cr Moloney moved items 10.9 and item 10.10 in a block.

### **10.9. S11A INSTRUMENT OF APPOINTMENT AND AUTHORISATION (PLANNING AND ENVIRONMENT ACT 1987)**

**Division:** Business Services  
**Director:** Glenn Kallio  
**Author/Position:** Sarah Anstis - Administration Officer Statutory Compliance

#### **RESOLUTION:**

**Council resolves to:**

- 1. Revoke the S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Crystal Conte (R413/17), effective as at 30 January 2019.**
- 2. Revoke the S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Naomi Galvin (R413/17), effective as at 30 January 2019.**
- 3. Endorse the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Andrea Nino, effective as at 30 January 2019.**
- 4. Endorse the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Peri Bowman, effective as at 30 January 2019.**
- 5. Sign and affix Council's Common Seal to the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*).**

**Moved: Cr Daniel Moloney**

**CARRIED**

**Seconded: Cr Des Hudson**

**(R18/19)**

#### **EXECUTIVE SUMMARY**

The purpose of this report is to enable Council to revoke the S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) to the following:

<b>Name of Employee</b>	<b>Date of Authorisation</b>
Crystal Conte	8 November 2017
Naomi Galvin	8 November 2017

The report is to also endorse the S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) to:

<b>Name of Employee</b>	<b>Date of Authorisation</b>
Andrea Nino	30 January 2019
Peri Bowman	20 January 2019

**10.10. S6 INSTRUMENT OF DELEGATION - MEMBERS OF STAFF**

**Division:** Business Services  
**Director:** Glenn Kallio  
**Author/Position:** Sarah Anstis - Administration Officer Statutory Compliance

**RESOLUTION:**

Council resolves to:

1. Revoke the S6. Instrument of Delegation - Members of Staff endorsed on 21 November 2018 (R343/18).
2. Exercise Council's power conferred by section 98(1) of the *Local Government Act 1989* and the other legislation referred to in the attached S6. Instrument of Delegation – Members of Staff.
3. Delegate each duty and/or function and/or power described in column 1 of the Schedule and summarised in column 2 of the Schedule, to the member of Council Staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule.
4. Authorise the S6. Instrument of Delegation – Members of Staff (Attachment 1) to:
  1. Come into force immediately once the Common Seal of Council is affixed
  2. Remains in force until varied or revoked;
  3. Be subject to any conditions and limitations set out in sub-paragraph 3.3 of the delegation and the Schedule; and
  4. Be exercised in accordance with any guidelines or policies which Council, from time to time, adopts.
5. Sign and affix Council's Common Seal to the S6. Instrument of Delegation - Members of Staff.

**Moved:** Cr Daniel Moloney  
**Seconded:** Cr Des Hudson

**CARRIED**  
**(R18/19)**

**EXECUTIVE SUMMARY**

The purpose of this report is to present the revised changes to the S6 Instrument of Delegation – Members of Staff for Council's consideration. Changes to the Instrument of Delegation since the last approved iteration include:

- Change of position title, Manager Environmental Health (MEH) to Coordinator Environmental Health (CEH)
- Legislative changes to the *Food Act 1984, Residential Tenancies Act 1997, Cemeteries and Crematoria Act 2003, Planning and Environment Act 1987, Rail Safety (Local Operations Act 2006)* and *Road Management Act 2004*

The revised delegation has been reviewed at officer level and is considered appropriate for the ongoing administrative efficiency of Council. The revised Instrument is presented in attachment one. Attachment two represents the legislative changes within the *Food Act 1984, Residential Tenancies Act 1997, Cemeteries and Crematoria Act 2003, Planning and Environment Act 1987, Rail Safety (Local Operations Act 2006)* and *Road Management Act 2004*

To adopt the amended Instrument Council must revoke the Instrument that was endorsed at the Council Meeting held on 21 November 2018 (R343/18) and endorse the revised Instrument (Attachment 1) reflecting changes to conditions and limitations within the *Food Act 1984, Residential Tenancies Act 1997, Cemeteries and Crematoria Act 2003, Planning and Environment Act 1987, Rail Safety (Local Operations Act 2006)* and *Road Management Act 2004*

**10.11. OUTSTANDING QUESTION TIME ITEMS**

**Division:** Business Services  
**Director:** Glenn Kallio  
**Author/Position:** Sarah Anstis -Administration Officer Statutory Compliance

**RESOLUTION:**

**That Council endorses the Outstanding Question Time report.**

**Moved: Cr Des Hudson**

**CARRIED**

**Seconded: Cr Belinda Coates**

**(R19/19)**

**EXECUTIVE SUMMARY**

This report provides Council with an update of responses to questions taken on notice and outstanding unanswered questions from Council Question Time.

**11. NOTICE OF MOTION**

Nil

**12. URGENT BUSINESS**

Nil

**13. SECTION 89 (IN CAMERA)**

**RESOLUTION:**

That Council resolve, pursuant to Section 89(2) of the *Local Government Act 1989*, that the meeting be closed to members of the public at 08:42 pm whilst the Council is dealing with the following matters;

**Moved: Cr Des Hudson**  
**Seconded: Cr Grant Tillett**

**CARRIED**  
**(R20/19)**

**9.2 PLATE UP BALLARAT STRATEGIC PARTNERSHIP FUNDING BUDGET**

**Division:** Development and Planning  
**Director:** Angelique Lush  
**Author/Position:** Jeff Johnson - Executive Manager Events and the Arts

(Contractual matters)

**9.3 BUSINESS EVENTS AND FESTIVALS GRANT APPLICATION - AUSTRALIAN CONTROLLED TRAFFIC FARMING ASSOCIATION INC**

**Division:** Development and Planning  
**Director:** Angelique Lush  
**Author/Position:** Helen Arnts – Business Engagement Officer

(Contractual matters)

**12.1 TENDER NO. 2018/19-87 DESIGN & CONSTRUCTION (D&C) OF TWO (2) SOCCER PITCHES - ST GEORGES RESERVE**

**Division:** Development and Planning  
**Director:** Angelique Lush  
**Author/Position:** Trent Bursill – Project Manager

(Contractual matters)

