



Ordinary Council Meeting

22 April 2020

Trench Room, Town Hall, Sturt Street, Ballarat

AGENDA

Public Copy

NOTICE IS HEREBY GIVEN THAT A MEETING OF BALLARAT CITY COUNCIL WILL BE HELD IN THE TRENCH ROOM, TOWN HALL, STURT STREET, BALLARAT ON WEDNESDAY 22 APRIL 2020 AT 7:00PM.

This meeting is being broadcast live on the internet and the recording of this meeting will be published on council's website www.ballarat.vic.gov.au after the meeting.

Members of the public attending this meeting may be filmed. By remaining in the public gallery once the meeting commences, members of the public give their consent to being filmed, and for the recording of them to be made publicly available and used by council.

Information about the broadcasting and publishing recordings of council meetings is available in council's broadcasting and publishing recordings of council meetings procedure which is available on the council's website.

AGENDA

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The next Ordinary Meeting of the Ballarat City Council will be held on Wednesday 27 May 2020.

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

3. DISCLOSURE OF INTEREST

4. CONFIRMATION OF MINUTES

5. MATTERS ARISING FROM THE MINUTES

6. PUBLIC QUESTION TIME

Note – all public representations will be heard before each item on the agenda.

QUESTION TIME

- Question time has been altered for the City of Ballarat's April 22 2020 Council meeting due to the COVID-19 Stage 3 restrictions.
- To ensure the public can still participate in question time, they are asked to now submit their questions in writing.
- However, no person may submit more than two questions at the April 22 2020 meeting.
- The questions must be in English, must be 75 words or less and not include a preamble, other additional material, or multiple parts.
- Questions must be submitted via email to agendapreparation@ballarat.vic.gov.au by no later than 4:30pm on the day of the Ordinary meeting.
- A question may be disallowed if the chair determines that it:
 - Relates to a matter outside of Councils responsibility;
 - Is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
 - Deals with a subject matter already answered;
 - Is aimed at embarrassing a Councillor or a member of Council Staff;
 - Relates to personnel matters;
 - Relates to the personal hardship of any resident or rate payer;
 - Relates to industrial matters;
 - Relates to contractual matters;
 - Relates to proposed developments;
 - Relates to legal advice;
 - Relates to matters affecting the security of Council property: and/or
 - Relates to any other matter which Council considers would prejudice Council or any other person.
 - Relates to matters that would normally be subject to a Freedom of Information request.
 - Has previously been asked by the same person
 - Has already been put in writing to a Councillor or a member of Council staff; and received a written response.
- The name of the person who submitted a question must be read out, along with the question which may then be directed to the Chief Executive Officer or a nominated officer.
- All questions and answers must be as brief as possible.
- A Councillor or the Chief Executive Officer may require a question to be put on notice which is then recorded in the Council minutes. A written copy of the answer must be sent to the person who asked the question. Minutes will reflect responses until the matter is completed.

PUBLIC SUBMISSIONS

- Due to COVID-19 Stage 3 restrictions around public gatherings being limited to two people the following has been put in place.
- Public representations may be made on any items listed on the agenda in an Ordinary Meeting apart from those listed in the confidential section. Submissions must also be submitted in writing to agendapreparation@ballarat.vic.gov.au by no later than 4.30pm on the day of Council meeting; and limited to no more than 200 words that will be read out by the Chief Executive Officer or her nominated delegate at the meeting prior to the matter being considered by Council.

7. REPORTS FROM COMMITTEES/COUNCILLORS

8. CHIEF EXECUTIVE OFFICER REPORT

Nil

9. ASSEMBLIES OF COUNCILLORS

Nil

10. OFFICER REPORTS

10.1. SMARTER PARKING PLAN IMPLEMENTATION PROGRESS REPORT

Division: Infrastructure and Environment
Director: Terry Demeo
Author/Position: Terry Demeo – Director Infrastructure and Environment

OFFICER RECOMMENDATION

Council resolves to:

- 1. Note the progress report in relation to the implementation of the Smarter Parking paid system.**

EXECUTIVE SUMMARY

This is a further update to Council in relation to the progress of the Smarter Parking Plan implementation. The same trend data provided in the initial report is provided within this report in an up to date form. It details that over 215,000 parking transactions have occurred since the new system went live. 75 percent of all transactions were free (58 percent claimed at the meter and 17 percent claimed via the CellOPark app). 8 percent of transactions were paid via the CellOPark app with 12 percent of transactions paid at the meter on card and 5 percent of transactions paid at the meter with coin.

The Smarter Parking system was gaining positive acceptance up until the Covid-19 crisis with the system able to be adjusted promptly in response to the crisis with parking now free across all the network. Prior to the Covid-19 crisis, the spread of coin meters across the network remained an issue which will need to be monitored post Covid-19 crisis.

RATIONALE

This is a further update to the initial briefing to Council in respect to the implementation of the Smarter Parking Plan across the CBD and surrounds.

The Smarter Parking Plan has now been rolled out in its complete form from Monday 17 February 2020 with the system gaining acceptance across all users, up until the Covid-19 crisis.

There was a significant number of changes implemented to address site specific concerns and the more general concerns from users after the initial days of implementation. These changes have all now been operationalised. The most recent changes undertaken since the earlier progress report which have not been documented previously include further reinforcement of the parking meter network with additional card and coin meters and the installation of decal pointers nominating where the coin or card machines are to assist users by directing them to the closest preferred parking meter.

Further, there has continued to be extensive education and marketing across all businesses within the paid parking network. Continued visits to senior citizen centres and other community groups, along with attendance at the three-day Begonia Festival to further the understanding and acceptance of the new system. Unfortunately, this extensive education and marketing program has had to be placed on hold due to the Covid-19 crisis.

With the new technology, the new Smarter Parking system has enabled the Council to be nimble in adjusting the tariffs and times applicable for parking in response to the Covid-19 crisis. Firstly, the system was modified to implement free parking between 11am and 3pm in the CBD to assist local businesses in the early stages of the Covid-19 crisis and, more recently with the tightening of the Government directives, Officers have been able to change the system to revert to free parking across the whole of the network. This timely response demonstrates the flexibility of the new technology such that it will allow Council to adjust the system in response to market requirements and other challenges as they arise in the future.

In addition to these changes, Officers have installed 10-minute parking signs across the key restaurant/take-away precincts to assist business who have modified their trading arrangements to focus take-away options in light of the Government directives in response to the Covid-19 crisis. Officers are monitoring these precincts with cautions and reminders to ensure vehicle turnover and parking availability to continue to assist our CBD businesses.

In relation to the Health Precinct specifically, the Council and the hospitals have agreed on free parking within the vicinity of the hospital (part of the overall free network), with the multi-deck car park in the Ballarat Health Services now freed up for staff usage. In the case of St John of God, they will continue to provide adequate staff parking as the workforce ramps up in response to the Covid-19 crisis.

Challenges Moving Forward

An issue which continued to be raised up until the Covid-19 crisis was the spread of coin meters across the network. This will be monitored when we move out of the Covid-19 crisis.

Take Up of the System

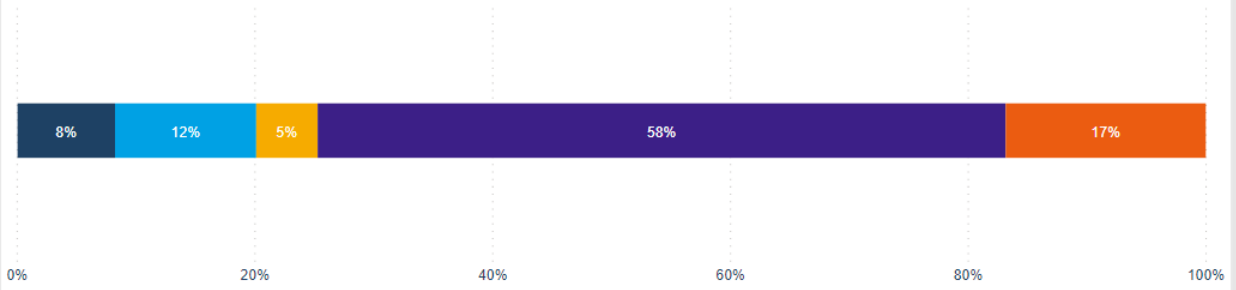
The following tables and graphs detail the take up of the new technology and adoption of the free first hour of parking by motorists, as well as the impact of the staged reduction in hours in which paid parking applies and public instruction to socially isolate. Parking was made free between 11-3pm on March 19 and all day on March 30 as a response to the current COVID-19 pandemic and restrictions on business and movement.

As at the time of preparing this report, over 215,000 parking transactions have occurred since the system went live, 8 per cent using the App for payment, 12 per cent using tap and go card payments, and 5 per cent paying with coins. In terms of the hour of free parking, 58 per cent of all transactions are free parking claimed at the meter and 17 per cent being free parking claimed via the App.

Payment Preferences

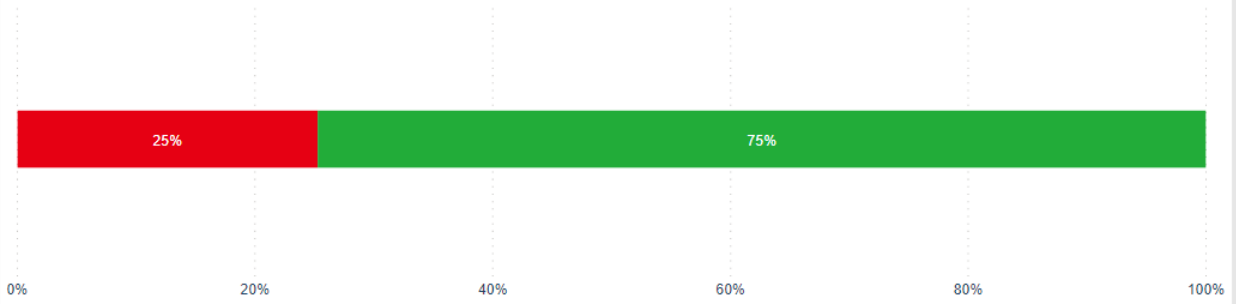
Method of Payment

● App ● Card ● Coin ● Free Claimed at Meter ● Free Claimed in App



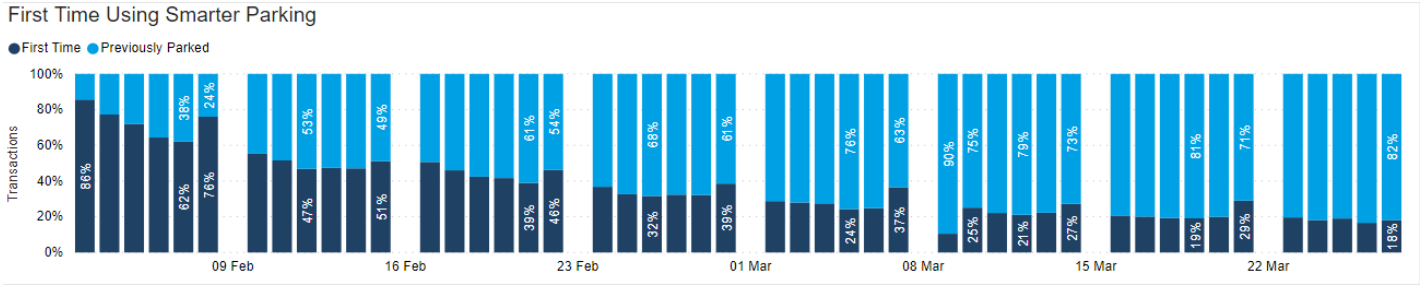
Free or Paid Transaction

● Paid ● Free



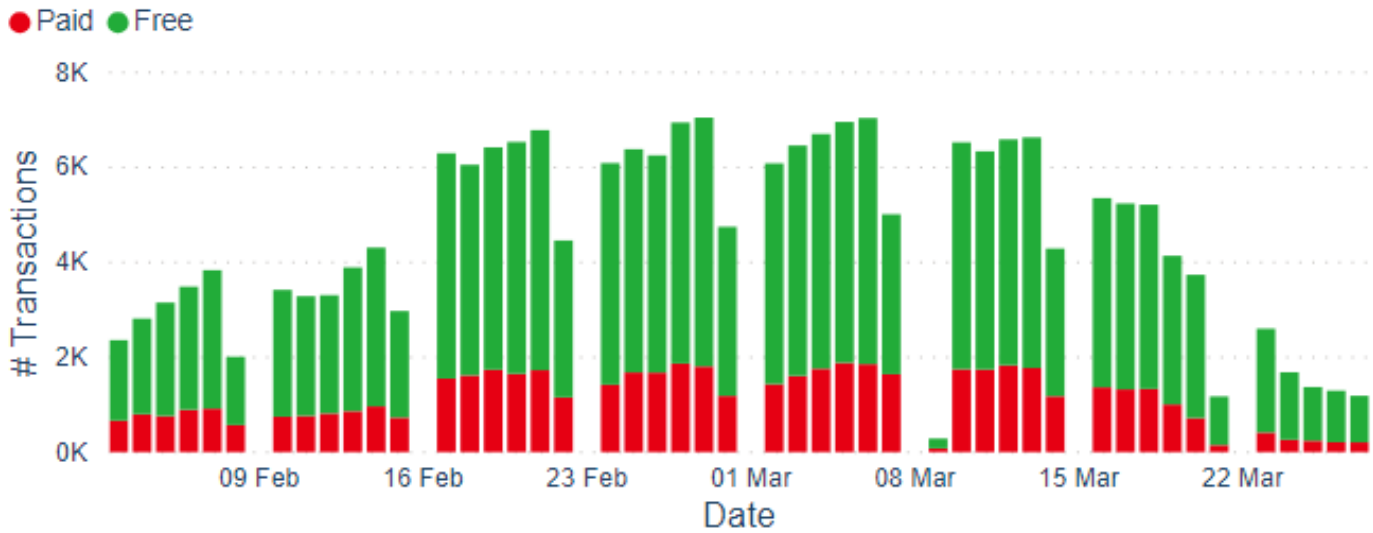
Date	Paid	Free	Total	Date	App	Card	Coin	Free at Meter	Free in App	Total
3/2/20	664	1,697	2,361	3/2/20	204	244	216	1,260	437	2,361
4/2/20	799	2,016	2,815	4/2/20	234	302	263	1,488	528	2,815
5/2/20	762	2,390	3,152	5/2/20	256	309	197	1,803	587	3,152
6/2/20	893	2,595	3,488	6/2/20	301	357	235	1,923	672	3,488
7/2/20	917	2,919	3,836	7/2/20	327	393	197	2,214	705	3,836
8/2/20	571	1,439	2,010	8/2/20		428	143	1,439		2,010
10/2/20	746	2,674	3,420	10/2/20	314	268	164	1,939	735	3,420
11/2/20	765	2,522	3,287	11/2/20	355	273	137	1,722	800	3,287
12/2/20	817	2,491	3,308	12/2/20	403	297	117	1,698	793	3,308
13/2/20	865	3,028	3,893	13/2/20	369	334	162	2,098	930	3,893
14/2/20	965	3,346	4,311	14/2/20	387	404	174	2,297	1,049	4,311
15/2/20	729	2,245	2,974	15/2/20	316	308	105	1,446	799	2,974
17/2/20	1,551	4,750	6,301	17/2/20	343	853	355	3,881	869	6,301
18/2/20	1,620	4,438	6,058	18/2/20	403	804	413	3,634	804	6,058
19/2/20	1,737	4,687	6,424	19/2/20	513	881	343	3,736	951	6,424
20/2/20	1,651	4,888	6,539	20/2/20	454	849	348	3,918	970	6,539
21/2/20	1,727	5,061	6,788	21/2/20	531	844	352	4,013	1,048	6,788
22/2/20	1,154	3,308	4,462	22/2/20	306	614	234	2,653	655	4,462
24/2/20	1,421	4,672	6,093	24/2/20	456	653	312	3,718	954	6,093
25/2/20	1,680	4,706	6,386	25/2/20	503	852	325	3,680	1,026	6,386
26/2/20	1,677	4,579	6,256	26/2/20	535	814	328	3,618	961	6,256
27/2/20	1,867	5,081	6,948	27/2/20	514	996	357	4,058	1,023	6,948
28/2/20	1,808	5,244	7,052	28/2/20	599	853	356	4,160	1,084	7,052
29/2/20	1,186	3,564	4,750	29/2/20	342	654	190	2,889	675	4,750
2/3/20	1,434	4,653	6,087	2/3/20	472	668	294	3,561	1,092	6,087
3/3/20	1,607	4,857	6,464	3/3/20	518	783	306	3,817	1,040	6,464
4/3/20	1,760	4,947	6,707	4/3/20	567	841	352	3,845	1,102	6,707
5/3/20	1,883	5,078	6,961	5/3/20	643	949	291	3,950	1,128	6,961
6/3/20	1,856	5,187	7,043	6/3/20	582	921	353	4,046	1,141	7,043
7/3/20	1,642	3,372	5,014	7/3/20	398	919	325	2,710	662	5,014
9/3/20	78	208	286	9/3/20		78			208	286
10/3/20	1,748	4,782	6,530	10/3/20	556	841	351	3,678	1,104	6,530
11/3/20	1,741	4,601	6,342	11/3/20	600	781	360	3,512	1,089	6,342
12/3/20	1,831	4,762	6,593	12/3/20	651	821	359	3,584	1,178	6,593
13/3/20	1,773	4,862	6,635	13/3/20	650	760	363	3,710	1,152	6,635
14/3/20	1,180	3,112	4,292	14/3/20	393	528	259	2,367	745	4,292
16/3/20	1,366	3,989	5,355	16/3/20	478	597	291	3,064	925	5,355
17/3/20	1,323	3,918	5,241	17/3/20	460	595	268	2,985	933	5,241
18/3/20	1,333	3,883	5,216	18/3/20	503	521	309	2,915	968	5,216
19/3/20	1,006	3,133	4,139	19/3/20	422	397	187	2,347	786	4,139
20/3/20	718	3,020	3,738	20/3/20	249	320	149	2,372	648	3,738
21/3/20	150	1,024	1,174	21/3/20		111	39	1,024		1,174
23/3/20	414	2,188	2,602	23/3/20	153	194	67	1,762	426	2,602
24/3/20	261	1,422	1,683	24/3/20	99	115	47	1,139	283	1,683
25/3/20	241	1,131	1,372	25/3/20	99	98	44	949	182	1,372
26/3/20	209	1,086	1,295	26/3/20	71	101	37	879	207	1,295
27/3/20	206	981	1,187	27/3/20	94	80	32	760	221	1,187
Total	54,332	160,536	214,868	Total	17,701	25,525	11,106	124,261	36,275	214,868

The following chart details the first-time users of the Smarter Parking system from the start of March. It shows the number of first-time users has dropped off and the understanding of the new system is now much more familiar with users.

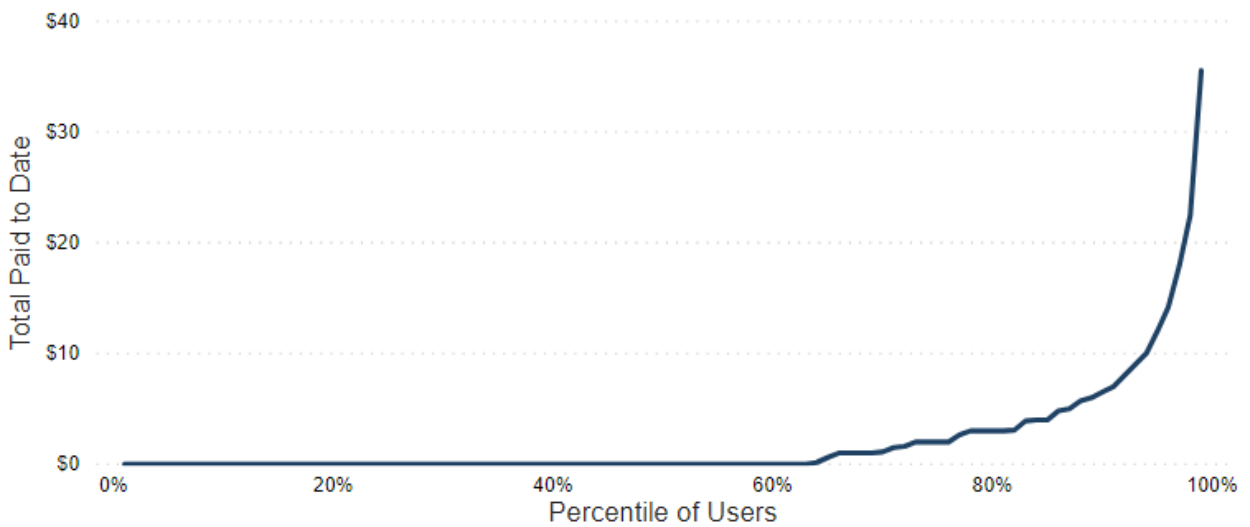


The attractiveness of the free first hour in the system is evident in the following graphs that show 75 per cent of the parking within the overall metered network is currently taken as free parking. This is advantageous to CBD vitality.

Transactions



Total Paid to Date by Percentile of Smarter Parking Users



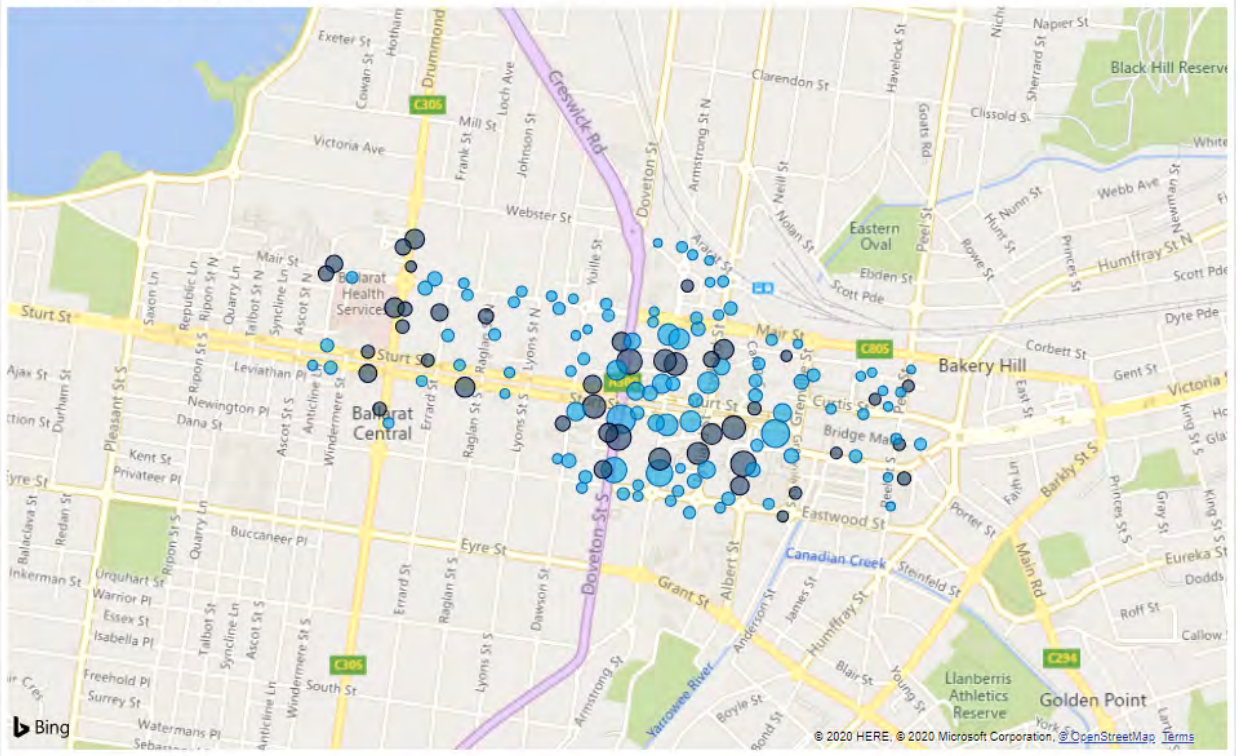
The above graph details that 63 per cent of users of the Smarter Parking network are non-paying users, that is motorists are redeeming their first hour free.

The heatmap below is a graphic representation of where parking take-up is the most prominent. This is around the retail and business destinations within the core CBD and, to a lesser extent, around the hospital. The heatmap represents the data from the original commissioning of the system and does not take into account that the hospital precinct was commissioned later in the program.

Parking Transaction Heatmap - Meters Only

Parking Transactions by Meter

- Coin and/or Tap
- Tap Only



LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	Yes
Social/Cultural	Yes	Yes
Environmental/Sustainability	Yes	Yes
Economic	Yes	Yes
Financial/Resources	Yes	Yes
Risk Management	Yes	Yes
Implementation and Marketing	Yes	Yes
Evaluation and Review	Yes	Yes

Human Rights – It is considered that this report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

Social/Cultural – The parking system across our City can stimulate further activity and vitality which is an important element for the CBD. The management of the system implementation is a key responsibility of the organisation to deliver community benefit.

Environmental/Sustainability – The system removes all paper tickets, relies on solar powered batteries for the meters, and is in all facets committed to an environmentally sustainable outcome.

Economic – The car parking initiative is intended to deliver an economic benefit to the Ballarat CBD and, as such, the implementation phase is critically important. The impact of the COVID-19 Pandemic has altered significantly the anticipated economic benefits to be derived for the business community from the new system.

Financial/Resources – Council has committed resources to deliver a system that best serves Ballarat for the longer term.

Risk Management – The project has been the subject of a detailed risk assessment and the management of the implementation of the system is part-of this assessment.

Implementation and Marketing – The specific commitment to marketing and communication to ensure the system benefits are clearly understood will be ongoing.

Evaluation and Review – The project gateway review is programmed to be completed in accordance with Council's earlier resolution and part of Council's ongoing project management processes.

CONSULTATION

There has been significant consultation in developing the solution for a paid parking network across Ballarat and there will be ongoing consultation to ensure that individual elements of the system are as user friendly as possible. The consultation included face to face meetings with businesses, pop-up engagement and listening posts at key locations, detailed online surveys and engagement with stakeholders across Council wards beyond the CBD. Adjustments made to the system in response to the Covid-19 pandemic were made in response to calls from community for safe access particularly to the hospital precinct and essential services.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

REFERENCE DOCUMENTS**ATTACHMENTS**

Nil

10.2. SHORT TERM LEASE OF LUCAS HUB FOR TESTING CLINIC

Division: Infrastructure and Environment
Director: Terry Demeo
Author/Position: Darren Sadler – Executive Manager Property Services and Facilities Management

OFFICER RECOMMENDATION**Council resolves to:**

- 1. Offer a 9 month tenancy to UFS Dispensary commencing 07 April 2020 to tenant the Lucas Community Hub for the purpose of offering a clinical testing site.**

EXECUTIVE SUMMARY

UFS dispensary has approached Council seeking a suitable site to operate a clinical testing facility. The site identified as being the most suitable is the Lucas Community Hub. Council officers have consulted with existing users and have secured alternative locations for those users.

The terms and conditions include a 9 month tenancy at \$67,500 + GST including basic outgoings. This term is to commence on 7 April 2020.

The tenancy is offered in accordance with the requirements of section 190 of the *Local Government Act 1989* (LGA). As the lease is not greater than 1 year it does not trigger a requirement to advertise the intention to lease nor to seek submissions.

RATIONALE

UFS dispensary has secured Federal funding to operate a clinical testing site in Ballarat. This initiative is seen as vital in efforts to address the current COVID-19 pandemic and accords with the objectives of the City of Ballarat Response and Recovery Pandemic 2020 plan.

The term is for 9 months with appropriate terms and conditions.

Council officers will continue to work with other users of the facility to transition to other sites.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	Yes
Social/Cultural	Yes	Yes
Environmental/Sustainability	Yes	No
Economic	Yes	No
Financial/Resources	Yes	Yes
Risk Management	Yes	Yes
Implementation and Marketing	Yes	No
Evaluation and Review	Yes	No

Human Rights – It is considered that this report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

Social/Cultural – Given the current Corona Virus pandemic, any assistance and leadership Council can provide is important in meeting government objectives to limit the spread and impact of the disease. In this instance, Council is able to offer one of its most significant community facilities to enable UFS dispensary to operate a clinical testing site for the social and cultural benefit of the community.

Financial/Resources – The tenancy of the Lucas Community Hub by UFS Dispensaries will return Council \$67,500 + GST.

Risk Management – Appropriate terms and conditions will be contained within the lease to address all risks associated with having an activity of this type operating from a Council facility including an increased cleaning regime and the security and access arrangements for the site.

CONSULTATION

Consultation has occurred with relevant stakeholders to ensure this clinic can become operational as soon as possible.

The terms of the lease do not trigger clauses within the *Local Government Act 1989* which require an advertising process.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

REFERENCE DOCUMENTS

Local Government Act 1989

ATTACHMENTS

Nil

10.3. PLANNING SCHEME AMENDMENT - C216BALL (PART 2)

Division: Development and Planning
Director: Angelique Lush
Author/Position: Lacey Gunn – Strategic Planner / Lisa Kendal – Manager
Strategic Planning

OFFICER RECOMMENDATION**Council resolves to:**

1. Receive and note the Panel report on Amendment C216ball Part 2.
2. Note that the Panel report supports Amendment C261ball Part 2.
3. Having considered the Panel report in accordance with Section 27(1) of the *Planning and Environment Act 1987*, adopt Amendment C216ball Part 2 as exhibited pursuant to Section 29(1) of the *Planning and Environment Act 1987*.
4. Submit the Amendment to the Minister for Planning for approval pursuant to Section 35 of the *Planning and Environment Act 1987*.

EXECUTIVE SUMMARY

In 2016 Council undertook a review of vacant and underutilised Council owned land and identified several properties that were considered surplus. This report deals with the rezoning of three identified land parcels from the current public use zoning to another type of planning control. It is important to note a final decision to sell the properties is made by Council through a separate process under different legislation and is not related to or part of this current planning report.

On 3 July 2019 Council resolved to seek authorisation for and exhibit Planning Scheme Amendment C216ball in order to:

- rezone part of Lot 1 PS545482N at Giot Drive Wendouree from PPRZ to GRZ1
- rezone land at 12A Albert Street, Sebastopol, from Public Use Zone Schedule 6 and GRZ1 to Mixed Use Zone and apply the Environmental Audit Overlay (EAO) in accordance with Ministerial Direction No. 1.
- rezone land at 15 Lake View Court, Ballarat North, Wendouree from Public Park and Recreation Zone (PPRZ) to General Residential Zone Schedule 1(GRZ1)

Public exhibition for Amendment C216ball was held from 21 November to 23 December 2019.

A total of 3 submissions were received during the public exhibition.

On 19 February 2020 Council resolved to split Ballarat Planning Scheme Amendment C216ball into two parts:

- Part 1 is to rezone land at Giot Drive, Wendouree, and 12A Albert Street Sebastopol. As there were no outstanding submissions for these sites it was recommended Council resolve to adopt the amendment and submit to the Minister for Planning for approval.
- Part 2 is to rezone land at 15 Lake View Court, Ballarat North. As there was one submission that Council was unable to resolve it was recommended that Council

resolve to appoint an independent planning panel. Panel recommendations would then assist Council to make a final decision on Part 2.

On 12 March 2020, a Directions Hearing was held for Amendment C216ball Part 2. The Panel assessed the amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered written submissions made in response to the exhibition of the Amendment, observations from a site visit and a submission from Council.

The Panel recognised that the amendment is supported by, and implements, the relevant sections of the Planning Policy Framework, and is consistent with the relevant Ministerial Directions and Practice Notes.

The Panel determined that the amendment is well founded, strategically justified and should proceed.

The Panel concluded that it finds no grounds to recommend against the proposed rezoning of the subject site to General Residential Zone Schedule 1 and supports the Council's intention to rezone the site.

The Panel Report is included as Attachment 1 to this report.

RATIONALE

In accordance with planning guidance material published by the State Government, a public land zone is only suitable for land that is Crown Land or is owned by public authority or a municipal council. To enable a future private sale of the land, the public use zone must be removed and replaced with a zone that will be consistent with the type of development outcome expected for the property.

The property will be rezoned in accordance with the suitable use and development outcomes for the site:

- 15 Lake View Court, Ballarat North is 907 square metres, located in an established residential area. The property has no public recreation infrastructure. The property supports trees along the boundaries and is subject to Environmental Significance Overlay Schedule 5. The proposed rezoning to GRZ1 is consistent with the zoning of surrounding properties and wider neighbourhood.

Through the public exhibition process three submissions were received. Two submissions were from public authorities advising they have no objection to the amendment.

One submission was received objecting specifically to the rezoning of 15 Lake View Court, Ballarat North. The submission was objecting on the following grounds:

- Loss of amenity for the submitter and for the surrounding neighbourhood from the resulting residential development.
- Previous assurances that the site would not be sold or developed.

This submission requested that Council retain the site as a park or introduce design controls through the amendment to protect character and amenity. As this submission was unable to be resolved, Council requested the Minister for Planning appoint an independent Panel to consider and advise Council.

The Panel determined during the Directions Hearing that a Panel Hearing would not be required with the matter considered 'on the papers'.

Panel supported Council's proposal to rezone the subject site and identified no grounds to recommend against it. Panel did not recommend any changes to the amendment.

Options

Council has three options at this stage:

1. Adopt Amendment C216ball Part 2 accepting the Officer recommendations.
2. Adopt Amendment C216ball Part 2 accepting some or none of the Officer recommendations.
3. Abandon Amendment C216ball Part 2.

Next Steps

It is recommended Council resolve to adopt the amendment and submit to the Minister for Planning for approval.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021
- The proposed amendment is consistent with Council's obligations as a planning authority under the *Planning and Environment Act 1987*.
- Council has undertaken the statutory processes required under Section s189 and s223 of the *Local Government Act 1989* relating to the identification, classification and notification of surplus Council owned land.

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Right	Yes	No
Social/Cultural	Yes	No
Environmental/Sustainability	Yes	No
Economic	Yes	No
Financial/ Resources	Yes	Yes
Risk Management	Yes	Yes
Implementation and Marketing	No	No
Evaluation and Review	Yes	No

Human Rights – the proposed amendment does not impact on any human rights identified in the Charter of Human Rights and Responsibilities Act 2006.

Social/Cultural - the amendment is not anticipated to have any direct social or cultural implications. Council has been through a process of review, including public notice, to identify these properties as surplus to need. The properties are currently vacant of infrastructure and any community use is of an ad-hoc nature.

Environmental/Sustainability – the amendment is not expected to have any environmental impacts. Environmental impacts of future development of the subject properties will be managed by the *Planning and Environment Act 1987* and/or the *Building Act 1993*.

Economic – the amendment is not expected to have significant broad economic impacts.

Financial/Resources – the amendment is expected to have positive financial implications for Council as it will allow the sale of surplus properties.

Risk Management – the amendment ensures proper use of the provisions of the planning system.

CONSULTATION

Public consultation of Amendment C216ball (Part 2) was undertaken from 21 November to 23 December 2019 with 2 ‘drop-in’ consultation sessions held on the 22 November 2019 and 20 December 2019. During this open house session residents and interested parties were invited to drop-in and view the proposed rezoning. Council staff were available to talk one-on-one to people about the proposed rezoning. 3 submissions were received during the exhibition period.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

REFERENCE DOCUMENTS

- Nil

ATTACHMENTS

1. Attachment 1 - Panel Report – Ballarat Planning Scheme Amendment C216bal Part 2 Rezoning Lake View Court, Ballarat North [10.3.1 - 11 pages]

Planning and Environment Act 1987

Panel Report

**Ballarat Planning Scheme Amendment C216ball Part 2
Rezoning Lake View Court, Ballarat North**

26 March 2020

How will this report be used?

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether or not to adopt the Amendment. [section 27(1) of the *Planning and Environment Act 1987* (the Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the Act]

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the Act

Ballarat Planning Scheme Amendment C216ball Part 2

Rezoning Lake View Court, Ballarat North

26 March 2020



Rodger Eade, Chair

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Overview

Amendment summary

The Amendment	Ballarat Planning Scheme Amendment C216ball Part 2
Brief description	Proposes to rezone Council owned land prior to its disposal
Subject land	15 Lake View Court, Ballarat North
Planning Authority	Ballarat City Council
Authorisation	1 November 2019
Exhibition	21 November to 23 December 2019
Submissions	<p>Number of Submissions: 3, with 1 opposed and two not objecting to the proposal. Submitters were:</p> <ul style="list-style-type: none"> • Mr Andrew and Dr Jessie Harman • Department of Environment, Land, Water and Planning • Environment Protection Authority

Panel process

The Panel	Rodger Eade
Directions Hearing	Ballarat Town Hall, 12 March 2020
Panel Hearing	No Hearing required – matter considered ‘on the papers’
Site inspections	Unaccompanied, 12 March 2020
Citation	Ballarat PSA C216ball Part 2 [2020] PPV
Date of this Report	26 March 2020

Executive summary

Ballarat Planning Scheme Amendment C216ball Part 2, (the Amendment) seeks to rezone land at 15 Lake View Court, Ballarat North, from Public Park and Recreation Zone to General Residential Zone Schedule 1.

Key issues raised in submissions included:

- that the objector was given an assurance at the time they purchased their adjoining residential property that the subject site would not be developed
- that development of the subject site would detrimentally impact the amenity of both the objector's property and the surrounding neighbourhood.

This Amendment forms part of a broader Amendment that sought to rezone three properties. As no objections were received to rezoning two of those properties, Council resolved to split the Amendment into two parts with the second part being referred to a Panel.

The one objector to the rezoning of 15 Lake View Court, Ballarat North did not request to be heard and the Panel determined that it would report on Part 2 of this Amendment 'on the papers'. It directed that Council make a written submission which amongst other matters responded to objections raised.

The Panel considered the background and rationale for the Amendment and understands Council's reasons for wishing to rezone the subject site prior to its disposal. The Panel concludes that the Amendment is well based in both State and local policy.

The Panel considered the written objection made and concluded that there was no basis on which it should recommend against approval of the Amendment.

The Panel concludes:

- Amendment C216 Part 2 is strategically justified.
- There are no amenity grounds on which to oppose the rezoning.
- The subject site is not required or suitable for use for open space purposes.
- No evidence was provided to the Panel that the objector was given an undertaking to retain the subject site in Council ownership.

Recommendations

Based on the reasons set out in this Report, the Panel recommends that Ballarat Planning Scheme Amendment C216ball Part 2 be adopted as exhibited.

1 Introduction

1.1 The Amendment

(i) Amendment description

The purpose of the Amendment is to rezone Council owned land in the City of Ballarat, which is no longer required, prior to its disposal.

Specifically, the exhibited Amendment proposes to:

- rezone 15 Lake View Court, Ballarat North from Public Park and Recreation Zone to General Residential Zone Schedule 1
- rezone part of Lot 1 PS545482N at Giot Drive, Wendouree from Public Park and Recreation Zone to General Residential Zone Schedule 1
- rezone 12A Albert Street, Sebastopol from Public Use Zone Schedule 6 and General Residential Zone Schedule 1 to Mixed Use Zone and apply the Environmental Audit Overlay.

No objections were received to the rezoning of Giot Drive, Wendouree and 12A Albert Street, Sebastopol. At its meeting on 19 February 2020, Council resolved to:

1. Split Ballarat Planning Scheme Amendment C216ball into two parts:
 - Part 1 - Rezone part of Lot 1 PS545482N at Giot Drive, Wendouree from Public Park and Recreation Zone (PPRZ) to General Residential Zone Schedule 1 and rezone land at 12A Albert Street, Sebastopol, from Public Use Zone Schedule 6 and General Residential Zone Schedule 1 to Mixed Use Zone and apply the Environmental Audit Overlay in accordance with Ministerial Direction No. 1.
 - Part 2 - Rezone land at 15 Lake View Court, Ballarat North, from PPRZ to General Residential Zone Schedule 1
2. Adopt Ballarat Planning Scheme Amendment C216ball Part 1 as exhibited and submit the Amendment to the Minister for Planning for approval.
3. Request that the Minister for Planning appoint an independent Planning Panel pursuant to Section 23 and the provisions of Part 8 of the *Planning and Environment Act 1987* to consider the submissions received to Amendment C216ball Part 2 to the Ballarat Planning Scheme.

This Panel was appointed to consider Ballarat C216ball Part 2 and makes no comment on the rezoning of the properties included in Part 1 of the Amendment.

(ii) The subject land

The Amendment applies to land at 15 Lake View Court, Ballarat North which is zoned Public Park and Recreation Zone. The land comprises a single residential block of approximately 900 square metres. It has a number of mature trees located on it.

Lake View Court falls significantly away to the west from its entrance at Moola Street. This will significantly mitigate the impact of any loss of views over the subject site from properties to the east of it. The subject site also falls significantly from east to west.

There is no recreation infrastructure on the subject site and no obvious evidence that it has ever been used for formal recreation purposes.

Lake View Court and Moola Street comprise residential dwellings which are predominantly single storey with a small number of double storey dwellings. There are no multi-dwellings developments in the immediate vicinity of the subject site. In Lake View Court, existing dwellings are set back from the street frontage.

1.2 Background

In 2016 the Council's Property and Facilities Management Department undertook a review of vacant and underutilised Council owned land. On 26 August 2016 and 12 December 2018 Council resolved to undertake the necessary statutory processes to dispose of surplus properties. An outcome of this process was a decision to rezone three of the surplus properties prior to disposal. The three properties are identified in Chapter 1.1.

Council outlined the process that it undertook to seek authorisation to prepare and exhibit a Planning Scheme Amendment. The exhibited Amendment is outlined in Chapter 1.2, as is the Council decision on 19 February 2020 to split the exhibited Amendment into two parts. As indicated in Chapter 1.1, this report addresses Amendment C216ball Part 2, only.

The Council provided the Panel with the history of the zoning of the site:

- the site was created as a reserve in 1978 as a condition of subdivision LP126274Y
- the site is owned by Council
- the site has been zoned Public Park and Recreation Zone since the introduction of the Victoria Planning Provisions
- no other information on the history of the zoning of the site is readily available.

1.3 Summary of issues raised in submissions

The one objecting submission raised the following issues:

- that the objector was given an assurance at the time of purchase of their adjoining residential property that the subject site would not be developed.
- that development of the subject site would detrimentally impact the amenity of both the objector's property and the surrounding neighbourhood.

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered written submissions made in response to the exhibition of the Amendment, observations from a site visit, and a submission from Council. All relevant material has been considered by the Panel in reaching its conclusions.

2 Planning issues

2.1 Planning policy framework

Council submitted that the Amendment is supported by various clauses in the Planning Policy Framework, which the Panel has summarised below.

Clause 11.01 Settlement

The proposed amendment provides for appropriately zoned land that *'responds to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, community facilities and infrastructure'*.

Clause 11.02 Managing Growth

The proposed amendment will provide for additional residential zoned land that will assist with land supply within established and well-serviced residential areas.

Clause 16 Housing

The proposed amendment is consistent with Clause 16 of the Ballarat Planning Scheme that seeks to ensure *'the long-term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space'*. Each of the three properties are located within established suburbs of Ballarat and within walking distance of services.

Clause 19 Community Infrastructure

Ballarat City Council continues to provide open space and community infrastructure to meet the needs of established and growth areas within the municipality. 15 Lake View Court is proposed for rezoning as it presents limited value to the community for open space due to its size and lack of infrastructure.

Clause 21 (the Municipal Strategic Statement)

Council submitted that the proposed amendment is consistent with the objectives of the Local Planning Policy Framework.

The proposed amendment provides for residential land within the established areas of Ballarat, in close proximity to a range of services. Additional residential zone land will assist in accommodating the projected population growth of Ballarat.

2.2 Planning scheme provisions

A common zone and overlay purpose is to implement the Municipal Planning Strategy and the Planning Policy Framework.

(i) Zones

The subject land is in the Public Park and Recreation Zone.

(ii) Overlays

The land is subject to the Environmental Significance Overlay Schedule 5. The overlay requires a permit for the removal of native trees.

2.3 Ministerial Directions and Practice Notes

The Explanatory Report which accompanied the exhibition documents stated that the amendment complies with the requirements of Ministerial Direction No. 11 – Strategic Assessment of Amendments, Ministerial Direction - The Form and Content of Planning \

2.4 Discussion and conclusion

The Panel concludes that the Amendment is supported by, and implements, the relevant sections of the Planning Policy Framework, and is consistent with the relevant Ministerial Directions and Practice Notes. The Amendment is well founded, strategically justified, and should proceed.

3 Panel considerations

3.1 The issues

The issues raised in the submission are:

- the potential impact of development on residential amenity
- undertakings allegedly given to the submitter that the subject site would not be developed
- the role of the subject site in open space provision.

3.2 Residential amenity

Mr and Dr Harman submitted that the subject site adds to their amenity and to that of the neighbourhood.

Council submitted that the subject site is well located in an area that has good access to Central Ballarat and is identified as being in an 'ongoing change area' as set out in Clause 21.02-5 of the Ballarat Planning Scheme. Such areas are to accommodate limited incremental growth consistent with the scale and density of the area.

The Panel accepts that there may be some detrimental impact on neighbourhood amenity as a result of any development on the site but notes that in this suburban low density residential setting this impact will be minor and certainly not at a level which would be reason enough to oppose the rezoning.

The Panel notes that Council submitted that the zoning and size of the subject site make it appropriate for an outcome of more than one dwelling. While accepting this, it is not for the Panel to comment on desirable development outcomes for the site.

The Panel notes that the trees on the site are protected by an Environmental Significance Overlay Schedule 5 which specifies that a permit is required to remove native trees.

The Panel agrees with Council that individual amenity is not a consideration for a Planning Scheme Amendment. The Panel further notes that any future development on the subject site will be subject to planning scheme provisions including residential amenity at the planning permit stage.

The Panel concludes that there are no amenity grounds to oppose the rezoning of the subject site.

3.3 Undertakings given to the submitter

Mr and Dr Harman submitted that they were assured prior to purchase of their property at 127 Moola Street in 2004, that the subject site would not be developed and that this was a major factor in their decision to purchase their property.

In response, Council submitted that it could find no record of such an undertaking being given.

Council submitted that it is required to manage land in its ownership in accordance with the *Local Government Act 1989*, and is entitled to own, sell or use the land.

As the submitter did not request to be heard by the Panel to explain who gave this assurance, when it was given, how the assurance was conveyed to them and what assurance was given, the Panel has no reason to not recommend the proposed rezoning.

3.4 Role of the site in open space provision

This issue was not raised by the submitter, but the Panel sought to reassure itself that the subject site does not play a significant role in open space provision.

Council submitted that there is no recreation infrastructure on the subject site, a fact confirmed by the Panel. At the request of the Panel, Ballarat's Open Space Strategy was provided to it. This strategy is more than a decade old. Council submitted that the subject site is poorly located for community access and has no connectivity to larger sites or linear movement corridors. It further submitted that this:

... area of Ballarat North has a number of areas of open space with recreational assets such as walking trails, swimming pool, and native vegetation¹.

The Council submitted that the site is below the size which the Open Space Strategy suggests is appropriate for local parks, that is 0.1 to 0.2 hectares.

The Panel notes that the site is included in the category of 'additional open space' in a number of maps in the Open Space Strategy, including Maps 2 and 11. It is identified as property 196 in the inventory of open space.

The Panel is satisfied that the subject site plays no significant role in open space provision in this part of Ballarat. Further the Panel is of the view that the slope on the block means that the site has limited potential for passive open space provision without significant earth works which would be likely to significantly impact existing mature trees on the site. The Panel agrees with Council that there is significant open space in the vicinity of the subject site, particularly to the east of it and that its location in a court makes it unsuitable to develop as open space

The Panel concludes that there is no open space related reason for retaining the site in its current zoning.

3.5 Conclusions

The Panel concludes that it finds no grounds to recommend against the proposed rezoning of the subject site to General Residential Zone Schedule 1 and supports the Council's intention to rezone the site.

¹ City of Ballarat submission para 54.

10.4. STURT STREET - GRENVILLE STREET TO DAWSON STREET

Division: Infrastructure and Environment
Director: Terry Demeo
Author/Position: Vaughn Notting – Executive Manager Infrastructure

OFFICER RECOMMENDATION**Council resolves to:**

- 1. Adopt the consolidated design for Sturt Street inclusive of blackspot funded works and the Ballarat Cycling Connections Project for consultation with key stakeholders.**
- 2. Subject to satisfactory resolution of the consultation process, commit to tender the contract to undertake these works to be completed as soon as practicable in 2020.**

EXECUTIVE SUMMARY

With the resolution of the design for the Cycling Connections Project managed by Regional Roads Victoria (RRV) for the western section of Sturt Street, Council is requested to determine a way forward for the eastern portion of Sturt Street, the area under its control. There is committed funding for this section of Sturt Street under the Federally funded blackspot program and TAC / RRV Ballarat Cycling Connections Project to complete these works this calendar year. The Blackspot Funding has been carried over for multiple years due to the uncertainty in respect of the cycling program.

The design is detailed within the body of the report and is considered to deliver the appropriate balance in maintaining the historic heritage boulevard of Sturt Street whilst delivering enhanced traffic/pedestrian safety along with the east-west cycle connection.

It is recommended that Council adopt the design for consultation purposes, consultation be undertaken with all stakeholders including all businesses, the Heritage Advisory Committee and broader public, and the project be subject to tender with the aim to have the works completed as soon as practicable in 2020 to minimise disruption.

RATIONALE

The reconstruction of Sturt Street has been a project identified through specific Federal and State programs. The first of these is the Federal government blackspot funding program, where Sturt Street, from Dawson Street to Grenville Street (the Council controlled section of Sturt Street), was identified as a blackspot due to the accident history associated with this section of road. Having been identified as a blackspot, the City of Ballarat sought funding from the Federal government and was successful in a grant of some \$700,000 for the civil works associated with addressing the identified safety risks of this road.

The specific works program includes the reconfiguration of parking on the street from an inconsistent form to regular 60° car parking and the provision of standard width traffic lanes for the length of the street providing a safer traffic environment. It further includes an Albert Street zebra crossing at the intersection with Sturt Street which was previously the scene of a

fatal accident. There are further outstands at the intersections to provide enhanced pedestrian safety for North-South pedestrian traffic and adjustment to the traffic signals.

Included in the design is a modification to the intersection of Grenville Street and Sturt Street. The major change proposed is to have a single left-hand turn and single right-hand turn lane from Sturt Street into Grenville Street. Currently there are two left-hand turn lanes into Grenville Street which complicates the maneuver for vehicles then turning right into Curtis Street from Grenville Street. This upgrade is proposed to enhance the safety for vehicular traffic. As the final intersection layout for Sturt Street and Grenville Street is proposed as part of the major Bakery Hill precinct project, the physical works for this section of the project will be limited to line marking treatments and minor temporary kerb outstands only. The concept is shown in the typical plan section below. The Grenville Street / Sturt Street intersection works will be completed as part of the broader Bakery Hill precinct project in due course.

In addition to this blackspot funding program, the Transport Accident Commission (TAC) has funded the Ballarat Cycle Connections Project which identified Sturt Street as a key East-West linkage for a cycle path as part of the principle cycle network. Under this program, the section of the Sturt Street from Grenville Street to Dawson Street is funded to provide for a 2.5meter shared path and additional treatment where required to provide separation between vehicles and cyclists. Having worked with Regional Roads Victoria (RRV), the design proposed is of a similar profile to that which Council has recently supported for the section of Sturt Street from Pleasant Street to Dawson Street. Images of the proposed treatment are provided below for Council's information.

Sturt Street looking east towards Doveton Street



Before



After

Sturt Street looking west towards Lydiard Street



Before

Sturt Street looking east towards Grenville Street



After

Sturt Street looking east towards Lydiard Street

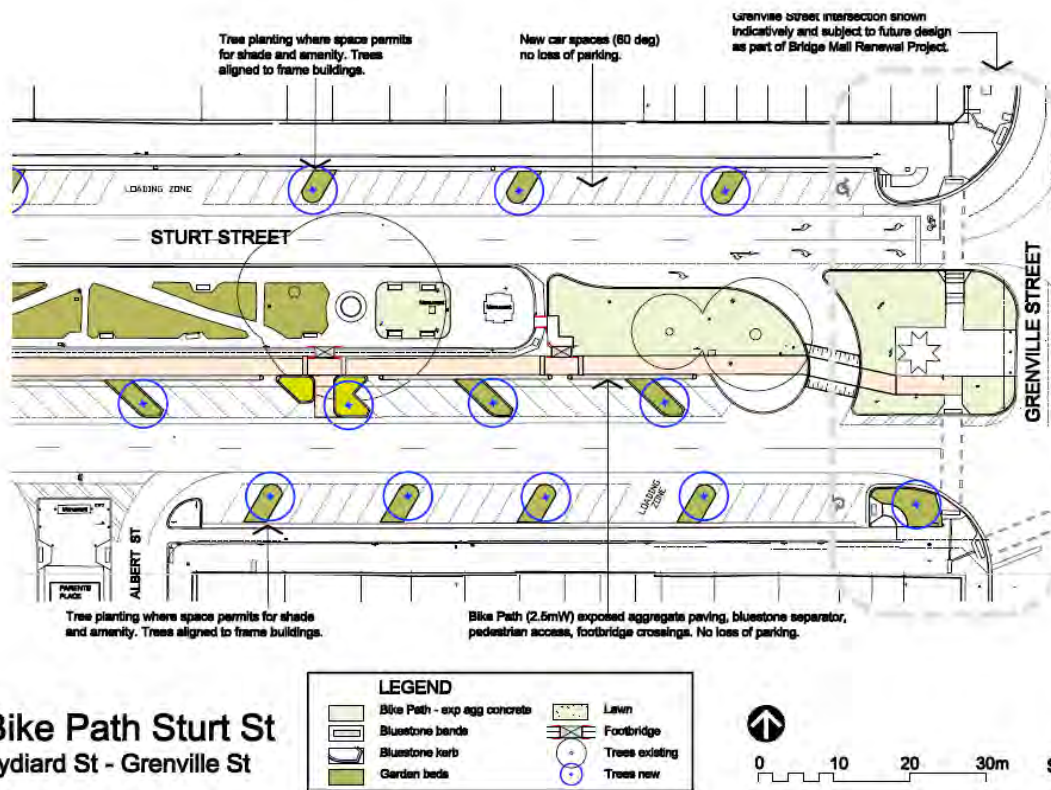
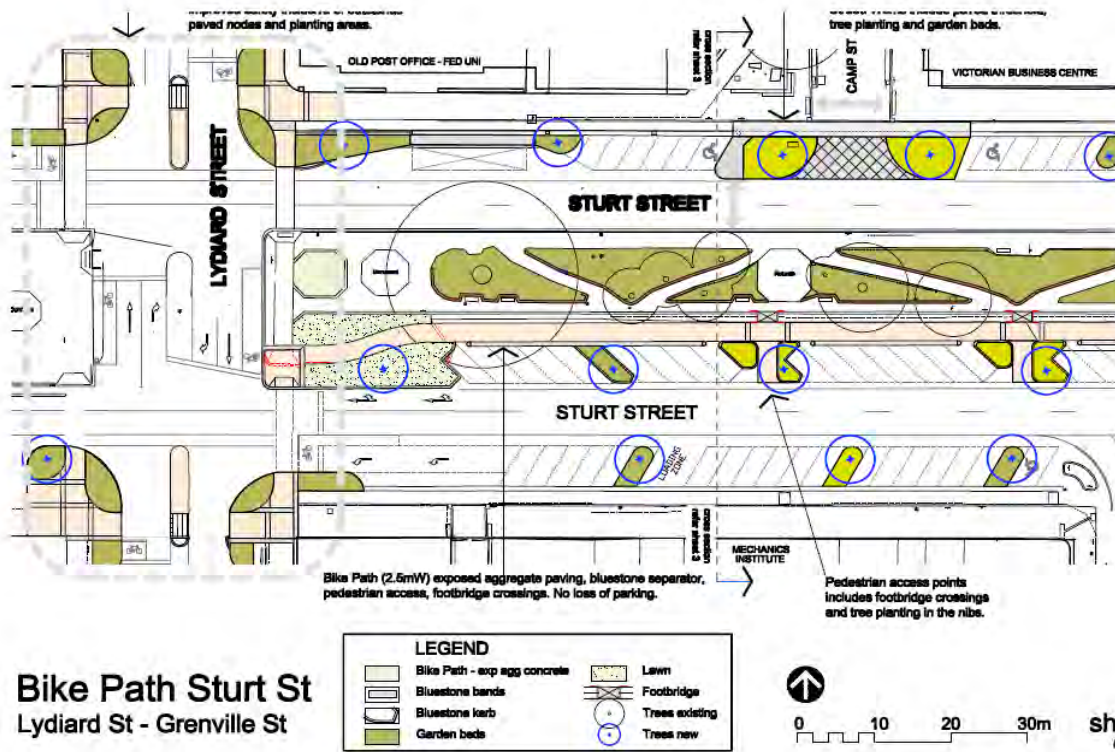


Before

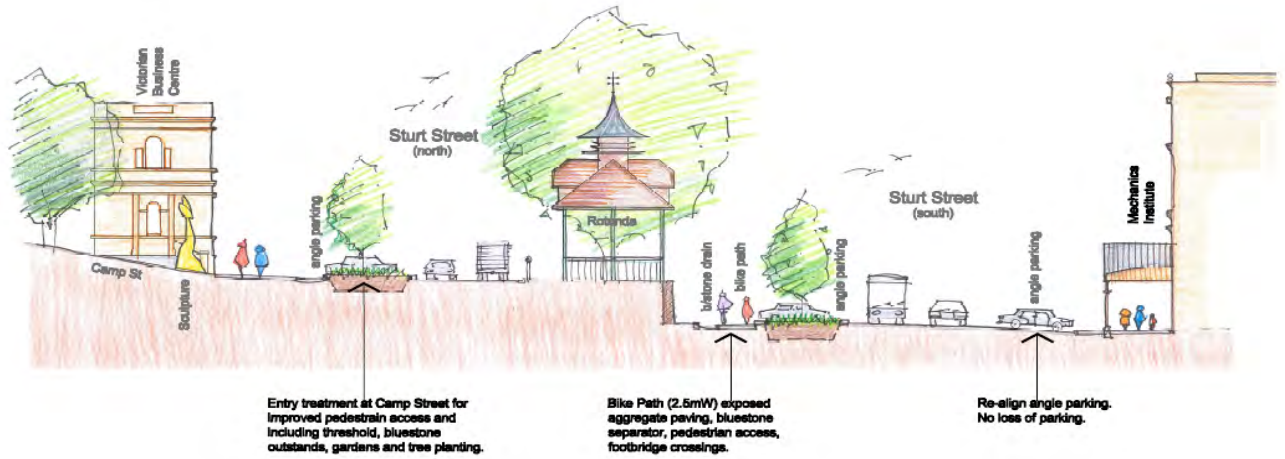


After

Concept Plans



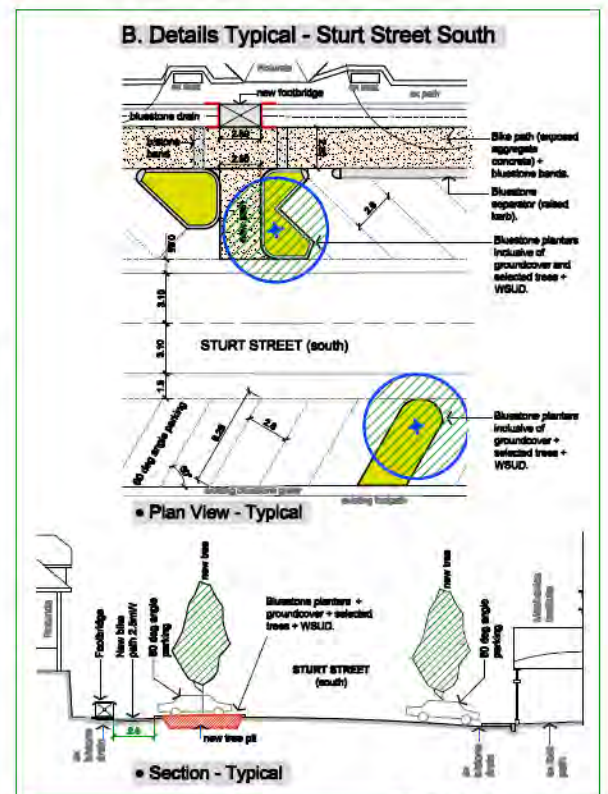
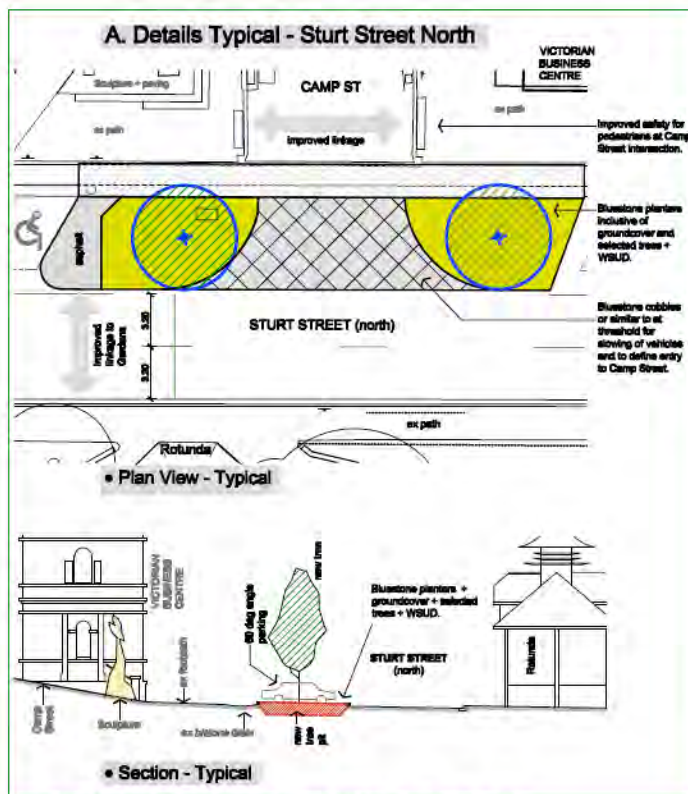
Concept Cross Section



Bike Path Sturt St
Cross Section Sturt Street (Looking South at Camp Street)

sheet 3
 06042020

Bike Path details



Bike Path Sturt St - Details

sheet 4
 06042020

In addition to the traffic and cycle programs as detailed, there is an additional landscaping element to support Council's urban forest initiative to provide street trees in this key boulevard of Ballarat. The landscape treatment is in accord with the CBD strategy adopted by Council and included in the Ballarat Planning Scheme as a reference document. The planting has been carefully thought through to compliment Sturt Street's heritage streetscape and includes the addition of 33 new street trees.

The development of this project has been delayed due to the Cycling Connections Project which has now been resolved with the Council supporting the RRV design for the section of Sturt Street west of the Council controlled area.

Having reached this point, it is recommended that Council formalises its support for the proposed design and undertake final consultation with all stakeholders including all businesses, the Heritage Advisory Committee and broader public.

With the completion of this consultation phase, it is further recommended that Council consolidate the funding from State and Federal agencies and commence the tender process with the intent to undertake this project over winter months of 2020 to minimise the disruptions to businesses and the community.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	Yes
Social/Cultural	Yes	Yes
Environmental/Sustainability	Yes	Yes
Economic	Yes	Yes
Financial/Resources	Yes	Yes
Risk Management	Yes	Yes
Implementation and Marketing	Yes	Yes
Evaluation and Review	Yes	Yes

Human Rights – It is considered that this report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

Social/Cultural – Sturt Street is a key part of the heritage landscape of Ballarat and the treatment of additional works and modifications needs to be undertaken in a sensitive manner.

Environmental/Sustainability – The Sturt Street cycling and blackspot funded program will deliver substantive environmental and sustainability benefits.

Economic – The economic considerations are two-fold with the clear benefits of enhanced accessibility and the necessity to undertake the works in a manner which minimises the disruption to Sturt Street businesses.

Financial/Resources – The projects are funded by both Federal and State agencies and, as recommended, this funding needs to be consolidated before progressing the projects.

Risk Management – The risk management for the project will be completed following the consultation with stakeholders such that this consultation will inform risk-mitigation approaches.

Implementation and Marketing – The project will be subject to a detailed marketing and information program.

Evaluation and Review – As a major project, it will be subject to a corporate project review process.

CONSULTATION

As recommended, a detailed consultation process needs to be undertaken in advance to committing to the final design and tender process.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

REFERENCE DOCUMENTS

- Nil

ATTACHMENTS

Nil

10.5. CARBON NEUTRALITY UPDATE

Division: Infrastructure and Environment
Director: Terry Demeo
Author/Position: Louise Turner – Coordinator Environmental Services

OFFICER RECOMMENDATION

Council resolves to:

- 1. Note the progress of implementing the Carbon Neutrality and 100% Renewables Action Plan.**
- 2. Require half yearly updates in relation to implementation, and an annual report in regard to Ballarat's emissions profile.**

EXECUTIVE SUMMARY

The Carbon Neutrality and 100% Renewables Action Plan Report is Council's blueprint for addressing Council's current carbon footprint and provides clear guidance for delivery of the challenging target set within the plan.

The update to actions under the Carbon Neutrality and 100% Renewables Action Plan are highlighted including:



- Council's commitment to progressing the power purchase agreement (PPA) in partnership with 49 other Victorian municipalities.
- The installation of the second generator at the Smythesdale Landfill.
- The Smarter Parking Plan; and the
- Smart Cities initiatives

It is proposed that Council note the progress report and require an annual report to inform the community of Ballarat's emissions profile.

RATIONALE

The Carbon Neutrality and 100% Renewables Action Plan is the City of Ballarat's flagship project to take the organisation to an environmentally sustainable future. This report provides a traffic light assessment of the progress against all actions identified within the Plan.




The Actions

A culture of sustainability within the City of Ballarat		
1.1 Behaviour change		
1.1a  Enabling Factor	City of Ballarat to appoint a Sustainability Officer to drive carbon reduction and renewable energy activities. This action supports many targets/actions in this Action Plan which are not currently resourced.	
1.1b	Sustainability Officer to Monitor, Evaluate, Report and Improve (MERI) energy and emissions, including periodic independent audit of data.	
1.1c	Create an internal "Green Team" for positive behaviour change and resource reduction activities.	
1.1d	Develop Environmental Management Awareness training, including Emissions and Renewables, to be delivered in staff and Councillor Inductions.	
1.1e	Identify and lobby for Council staff to attend appropriate forums to gain exposure to best-practice energy efficiency and renewable energy options and foster corporate relationships.	


The City of Ballarat has appointed two Sustainability Officers to guide and assist the behavioural change associated with the Carbon Neutrality Plan. The first of these officers is tasked with the natural environment and in particular is assisting in delivering the significant tree planting program which is part of the urban forest initiative to deliver a 40% canopy across the public sphere of Ballarat. The second of these officers is the Sustainability – Carbon Neutrality Officer and is charged specifically with the responsibility to monitor, evaluate, report and improve the energy and emissions reductions across the City of Ballarat operations generally in line with the plan.

The intent behind the establishment of the Green Team is to deliver positive behaviour and resource reduction activities. The initiative continues as a cross organisational team, however the focus of the team’s work has been on the recent recycling crisis, and other escalating environmental priorities.

In relation to training and development forums, officers and Councillors continue to be offered opportunities to attend these forums with Council working with Central Victorian Greenhouse Alliance (CVGA) to sponsor the Sarah Barker Forum which unfortunately was postponed due to the Covid-19 crisis.



1.2 Green purchasing		
1.2a  Enabling Factor	Pilot a reciprocal fund with savings from an easily measurable project (e.g. solar electricity installation) reinvested in further initiatives, with a view to expand the reciprocal fund.	
1.2b  Easy Win	Update City of Ballarat tender schedules to include provision for an environmental purchasing policy with a rating scale for assessing green component of contract (e.g. energy, recycling etc.).	
1.2c	Periodically review capital works programs and factor budget to implement key energy audit recommendations, actions within this plan, and other opportunities as they arise.	

The pilot for reciprocal fund and specific environmental purchasing policy at this point are behind schedule. In relation to the periodical review of the Capital Works Program, energy audits are a key factor in developing the program.

1.3 Infrastructure upgrades to support reduced carbon emissions		
1.3a	City of Ballarat to be future focused and investigate options for Ballarat to become a leader in the field of sustainability, and be adaptable with City of Ballarat infrastructure to ensure it can take up new technologies in the future (e.g. Smart Cities Concept, Hydrogen City, Internet of Thing's (IoT), District Heating, etc.).	
1.3b	Work with large community partners for funding applications on cost efficiency and renewable energy programs (e.g. Ballarat Health Services, Federation University).	




The City of Ballarat has been very active in its pursuit of Smart Cities funding from the Federal Government with a successful application under this program now being rolled out across the City. The organisation is progressing hydrogen city initiatives with both private sector and public sector partners.

In relation to pursuing specific funding applications with community partners and renewable programs, at this point Council's focus has been on a power purchasing agreement (PPA) with 49 other Victorian municipalities. That is, the pursuit of a PPA to deliver sustainably generated electricity for these Victorian municipalities with the Municipal Association of Victoria (MAV) as the procurement agent for this initiative.




Maximise energy resource efficiency		
2.1 New buildings to be carbon neutral		
2.1a  Enabling Factor	Major refurbishments and new constructions to be designed and constructed to high Ecologically Sustainable Design (ESD) principles, with ESD consultant engaged as part of design team to set the applicable standard for the development (e.g. 6 Green Star).	
2.1b	Investigate business case for "getting off-gas" in new (and existing) City of Ballarat facilities from solar electricity, battery storage, biomass or solar heating, heat pump technology, hydrothermal (for example).	
2.1c	Immediately stop installing air-condition systems in new construction projects that are subject to the Australian phase-down of hydro-fluorocarbon (HFC) based refrigerants.	

In relation to investigating getting off gas and exploring opportunities for alternate energy, key investigative work has been undertaken at the Ballarat Aquatic Lifestyle Centre as our key energy user in this regard. Regarding Environmental Sustainable Design (ESD) sustainability principles are embedded in key projects such as the Bakery Hill Urban Renewal Project.




No air conditioning systems with the outdated technology of hydro-fluorocarbon refrigerants have been purchased since the adoption of the plan. All new systems now are of a best practice standard, and existing systems are continually assessed and upgraded where required.

2.2 High Efficiency Lighting		
2.2a  Big Ticket	Accelerate rate of LED upgrades to streetlights and public lighting, including controllable 'smart' lighting (e.g. dimmable and timers).	
2.2b  Easy Win	All flood lighting and hi-bay to install or retrofit LED (typically best business-case of domestic lighting types), subject to any occupation specific standards.	
2.2c	Use Powercor and City of Ballarat GIS inventory to monitor compliance with Energy Efficient Public Light Policy 2014 for new installations of public lighting and street lighting.	



The City of Ballarat has committed to accelerating the LED delivery and is on track to meet the targets in respect to this measure. Further, the most recent delivery of sporting field lighting has been the Eastern Oval with a complete LED solution.

2.3 City of Ballarat's fleet to be low carbon		
2.3a	Partner with Greenhouse Alliances of Victoria to conduct Local Government (& broader public sector) fleet assessment for potential bulk-buy of Electric Vehicles commencing approx. 2020–2022	
2.3b  Easy Win	Undertake training for improved driver practices for fuel use minimisation (known as eco-driving), with savings of 5% to 15% common.	
2.3c	Council keep abreast of emerging technologies and position themselves to act on purchasing alternative fuel/renewable energy medium-heavy rigid, also looking for opportunity to integrate with public transport and infrastructure.	
2.3d  Big Ticket	Reduce diesel use with the waste collection fleet by consolidating waste services to All Waste Interchange (AWI) at Ballarat West Employment Zone, with conservative estimated savings of 30,000L/ year.	
2.3a	Partner with Greenhouse Alliances of Victoria to conduct Local Government (& broader public sector) fleet assessment for potential bulk-buy of Electric Vehicles commencing approx. 2020–2022	



The City of Ballarat is progressing in relation to this matter with the most recent tender for the replacement of a portion of the garbage compactor fleet providing for an electric vehicle option. Other initiatives in respect to this measure are also in progress.

2.4 Existing City of Ballarat facilities to achieve world class efficiency		
2.4a  Big Ticket	Complete outstanding actions from previous energy audits, focussing on the actions with greatest emissions reduction potential and ROI <10years).	
2.4b	Review the summer indoor pool temperature requirements for Ballarat Aquatic and Lifestyle Centre, and review previous business cases for alternative energy and continue to look for new options, plus benchmark against other councils.	
2.4c	Install Building Management System at Library and continue to upgrade existing BMS to modern standards, linking all BMS in real-time to Council and contract staff.	
2.4d  Enabling Factor	Complete energy audits for sites >100,000 kilowatt hour of electricity per year and/or >750,000 megajoules of gas per year. Sites of this scale not audited previously include Phoenix, Eureka Centre, Operations and Environment Depot and Morshead Park Soccer Facility.	
2.4e	For smaller buildings where the cost of the BMS cannot be justified by the savings, investigate and install more economic measures to reduce operating costs and carbon footprint.	
2.4f	Complete a risk assessment of the Australian phase-down of hydro-fluorocarbon (HFC) based refrigerants on key infrastructure and integrate adaptive strategy through planned refurbishment and renewals programs.	

Energy audits continue to be undertaken and building management systems have been installed as part of upgrades to buildings including the Art Gallery of Ballarat. Further, the Aquatic Centre and Her Majesty’s Theatre building management systems replacements are being scoped at this point. The Phoenix Building and Town Hall building management system will be upgraded this financial year. The building audits continue as an embedded part of Council’s overall operations on delivering on the Carbon Neutrality and 100% Renewables Action Plan.

100% renewable energy City of Ballarat operations		
3.1 Move towards 100% renewable energy by 2025		
3.1a	Continue to research previously identified renewable energy opportunities and dedicate time to explore new innovative areas to establish Ballarat as a renewable energy destination (e.g. Hydrogen City, district heating, micro-grids, industrial climate innovation hubs etc.).	
3.1b  Big Ticket	Investigate feasibility of Power Purchase Agreement, or other energy procurement strategy, to purchase energy from a large scale renewable energy facility (e.g. wind, solar project, waste-to-energy, landfill electricity generator) which best suits councils needs and objectives. Consider the purchase and retire of Large-scale Generation Certificates (LGC) for certified neutrality.	
3.1c	Investigate upscale potential from existing renewable energy generation at the Smythesdale Regional Landfill and Ballarat Airport, and opportunity for other City of Ballarat land to support renewable energy generation.	
3.1d	Continue to support Hepburn Shire and Central Victorian Greenhouse Alliance with pilot project of biological Waste to Energy from municipal and commercial organics sources.	

The City of Ballarat under the banner of the Central Victorian Greenhouse Alliance (CVGA) is one of 49 local government entities which are pursuing the purchase of sustainably generated electricity (green power) to provide for the base load power supply across all of our assets.


3.2 City of Ballarat buildings to incorporate renewable energy to offset the building energy consumption		
3.2a  Easy Win	Install Solar panels on Wendouree Childcare and Girrabanya (2 most feasible sites from 2015 study), expand existing solar at Lucas Community Hub, and revise the 2015 study to include the mandated minimum feed-in tariff (2017) and recent retail price increases (2018).	

Solar panel installation continues as a key plank of our actions under this plan with all opportunities to provide for localised power generation being explored.




3.3 Leadership		
3.3a	City of Ballarat to undertake/advocate for a large showcase project which achieves significant carbon emissions and cost savings (City of Ballarat as lead or stakeholder) to encourage Ecologically Sustainable Design assessment during planning phase (e.g. GovHub, Bakery Hill Urban Renewal Precinct and La Trobe Street former Saleyards).	
3.3b	Advocate for significant energy contracts in Victoria, especially by Victorian Government, to procure renewable energy.	
3.3c  Partnership Priority	Continue to work with stakeholders to facilitate the creation of additional renewable energy generation projects in western Victoria, including grid upgrades as a key enabler to project development.	
3.3d  Partnership Priority	Work with Distribution Network Service Providers to facilitate renewable energy projects that provide grid stability and have potential to increase the fraction of renewable energy within the grid locally within Ballarat (e.g. Warrenheip battery storage complex, distributed battery storage across city etc.).	
3.3e	Work with the commercial sectors to investigate potential of energy options from processing refuse derived fuels such as wood chip, wood pellets, pelletised plastics and paper.	
3.3f	Continue to work with the Central Victorian Greenhouse Alliance to share and showcase best practice climate and energy projects across local government.	
3.3g	Council consider mechanisms to create carbon neutral events in Ballarat (Council run and private events)	

The City of Ballarat is playing an active role in the Western Victorian GNet. Further, Council continues to respond to and work with private sector stakeholders in the delivery of alternate energy supply initiatives.



In relation to events, Council is working with Grampians Central West Waste & Resource Recovery Group (GCWRRG) and event organisers to explore plastic free and sustainable event management.

Reduced emissions from waste		
4.1 Capture gas emissions from landfill and generate electricity		
4.1a	City of Ballarat to maximise efficacy of landfill gas capture infrastructure, ensuring fugitive emissions are minimised and renewable energy generation maximised.	
4.1b	Work with the electricity generation company at the Smythesdale Regional Landfill to place 2nd generator (planned) taking capacity to approx. 12,000 megawatt hours per year.	



Council has facilitated the installation of the second generator and the upgrade to the transformer infrastructure to have the electricity generation capacity doubled at the landfill site which has delivered one hundred percent capture of methane extracted from the landfill for power generation.

4.2 Maximise resource recovery		
4.2a  Big Ticket	Support and ensure resource recovery is fully maximised via the All Waste Interchange (AWI) at the Ballarat West Employment Zone.	
4.2b  Big Ticket	Work with Waste to Energy (WtE) service providers to build and implement the Waste to Energy plant in Ballarat West Employment Zone.	




Waste to Energy initiatives have been put on hold awaiting the State Government’s Circular Economy Policy. Further, officers continue to work with Development Victoria to secure the land to enable the establishment of the All Waste Interchange and Material Recovery Facility.

4.3 Minimise household waste to landfill		
4.3a  Big Ticket	City of Ballarat to consider kerbside Food Organics (FOGO) collection and processing, subject to outcomes of the Waste to Energy feasibility study.	

FOGO is an initiative under the part released State Government’s Circular Economy Policy and the City will now pursue options around this.


4.4 Minimise Commercial and Industrial (C&I) waste to landfill		
4.4a  Big Ticket	Further investigate sorting facility for commercial and industrial (C&I) waste at later stages of developing All Waste Interchange, subject to outcomes of the Waste to Energy feasibility study.	

Council is working with interested parties to explore options to better manage commercial and industrial waste.



Community carbon emissions reduction		
5.1 Future generations		
5.1a	Facilitate energy efficiency/renewables/climate change awareness workshops for schools, and continue to sponsor Smart Living Ballarat to deliver sustainability education to community.	
5.1b  Partnership Priority	Continue to support Federation University endeavours to establish a state-of-the-art Renewable Energy training facility in Ballarat West Employment Zone.	
5.1c	Investigate opportunities to connect energy reduction with other community priorities. E.g. Active transport, food security, parking. Alignment with Ballarat Strategy to ensure active transport modes are supported.	
5.1d  Partnership Priority	Work with the state government to improve public transport services and mode share in Ballarat, including transitioning to low emission buses and public transport.	

5.1e	Become Electric Vehicle and eBike ready in large public carparks, further considering possibility for solar panels shading and incentive mechanisms to support delivery of the CBD Smarter Parking Plan.	
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Council has played an active role in facilitating the installation of new charging stations in Buninyong and in Bakery Hill.

5.2 Provide efficient facilities for City of Ballarat tenants		
5.2a	Facilitate energy efficiency/renewables/climate change awareness education for tenants of City of Ballarat facilities, and assist them to identify energy or water saving initiatives.	

This work has been further progressed with Council identifying utility costs to individual public halls as charges which could be better managed in a global sense.

5.3 Climate resilient local environments.		
5.3a	Continue implementing Urban Forest Strategy to reduce heat island effect and associated emissions savings from building Heating Ventilation and Air Conditioning systems and vehicle Air Conditioning etc.	
5.3b  Partnership Priority	City of Ballarat to advocate for and achieve regulation for greater housing and commercial building efficiency standards on 3 fronts: <ol style="list-style-type: none"> 1. City of Ballarat to consider Local Planning Policy for Ecologically Sustainable Design (ESD) 2. Ecologically Sustainable Design improvements to the Victorian Planning Scheme Ecologically Sustainable Design improvements to the National Construction Code of Australia (NCC).	
5.3c	Local Builders, home owners, City of Ballarat and Regional Sustainability Alliance Ballarat to be included in a developer forum to develop local efficiency standards.	
5.3d	City of Ballarat to find local champion developer to consider an Ecologically Sustainable Design display home in Ballarat West (e.g. Sustainability Victoria's 0 net carbon home program).	
5.3e	Continue as partner to the Ecologically Sustainable Design for Subdivisions in Victoria – Proof of Concept, aspiring to identify precinct scale Ecologically Sustainable Design improvements.	

This is a work in progress which will be able to be advanced with the appointment of the key personnel which has been detailed earlier in the report. The initiative for a champion local developer is being explored in a green field location. The Regional Sustainability Alliance remains a key partner in delivering the programs under the Plan.

5.4 Empowered communities		
5.4a	City of Ballarat to develop Community Greenhouse Gas Emissions profile succinct with Global Protocol for Community-Scale Greenhouse Gas Emission Inventories, and set aspirational targets for whole of the city and monitor progress.	
5.4b	Continue to work with the Central Victorian Greenhouse Alliance and Ballarat Community Power Hub to understand opportunities for City of Ballarat to support community renewables projects (e.g. community investment in renewables infrastructure, direct offset PPA) that are best for further investigation.	
5.4c	City of Ballarat work with relevant partners to facilitate knowledge to businesses on Ecologically Sustainable Design support mechanisms such as Victorian Energy Efficiency Target, Energy Upgrade Agreements, Energy Performance Contracts, Grants (when available), Rates Rebates Schemes etc.	
5.4d	Continue delivery of the CBD Smarter Parking Plan, including data gathering of transport patterns, provision of pedestrian and cycling facilities, and community education and support, therefore resulting in reduced carbon miles.	
5.4e	City of Ballarat develop local policy, or lobby for state policy, for multi-unit dwellings (small to medium rise) with communal car parking to be Electric Vehicle and eBike ready at time of construction.	
5.4f	Continue current Solar Savers program for low Income households, and continue lobbying with Greenhouse Alliances of Victoria for extending duration of this program and to further include solar hot water, efficient circulation pumps and storage batteries to the scheme.	

Council has facilitated major ecologically sustainable development projects including the Nightingale apartment facility, and the implementation of the Smarter Parking Plan across the CBD and central environs. The other initiatives under the Carbon Neutrality and 100% Renewables Action Plan remain works in progress.

Council has also adopted the Circular Economy Framework to guide further specific Ballarat actions in this regard at its Ordinary Council Meeting on 1 April 2020.

Summary

In summary, it is considered that there is excellent progress across a significant suite of initiatives identified under the Carbon Neutrality and 100% Renewables Action Plan with further work required on a number of the identified actions. The appointment of key personnel as recommended under this plan will see significant progress on these required actions.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	Yes
Social/Cultural	Yes	Yes
Environmental/Sustainability	Yes	Yes
Economic	Yes	Yes
Financial/Resources	Yes	Yes
Risk Management	Yes	Yes
Implementation and Marketing	Yes	Yes
Evaluation and Review	Yes	Yes

Human Rights – It is considered that this report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

Social/Cultural – The Carbon Neutrality and 100% Renewables Action Plan is a significant action across our cultural and sustainability networks in Ballarat with the expectation of Council's active pursuit of the challenging targets which have been set.

Environmental/Sustainability – As the key action under this subject matter, the Carbon Neutrality and 100% Renewables Action Plan is a whole of Council priority.

Economic – The delivery of initiatives under this plan are not just feel good environmental programs but deliver on significant economic benefit.

Financial/Resources – This plan is being delivered within the allocated resources of Council via both the recurrent budget and specific Capital Budget allocations.

Risk Management – The plan was developed with a clear risk analysis and each of the initiatives are subject to undertaking a risk profile to inform actions.

Implementation and Marketing – With the acceptance of this report, further detailed engagement and marketing of Council's initiatives will be undertaken as appropriate.

Evaluation and Review – The plan is subject to evaluation and review on a regular basis with Council to receive scheduled updates.

CONSULTATION

The Carbon Neutrality and 100% Renewables Action Plan was developed with extensive consultation which has informed the specific actions recommended.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

REFERENCE DOCUMENTS

- Carbon Neutrality and 100 Renewables Action Plan

ATTACHMENTS

1. Carbon Neutrality and 100% Renewables Action Plan 2019-2025 [**10.5.1** - 15 pages]



Carbon Neutrality and 100% Renewables Action Plan 2019–2025

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Statement of acknowledgement

The City of Ballarat is proud to acknowledge the Traditional Owners of Country which includes in Ballarat today, the Wadawurrung and the Dja Dja Wurrung peoples, and pays respect to all Elders, past, present and emerging, as well as Elders from other communities who reside here today. They hold the memories, traditions, culture and hope of Aboriginal and Torres Strait Islander people around Australia.

Vision – an ambitious goal

- 

Renewable clean energy sources will power our households and businesses.
- 

Less energy consumption will ensure our homes are affordable, comfortable and healthier.
- 

Neighbourhoods will become centres of activity with more opportunities for residents to connect and prosper.
- 

Ballarat will attract energy-wise and resource-smart businesses guaranteeing future prosperity.
- 

Thriving within an affordable carbon budget, residents will act as conscious consumers.



The vision for the City of Ballarat is to achieve zero net carbon dioxide emissions from its own corporate activities. Addressing climate change is a global action that aims to reduce emissions (mitigation) and change the management of our natural and built environment to better respond to the impacts of climate change (adaptation).

The primary aim of the Carbon Neutrality Strategy and 100% Renewables Action Plan is to provide the pathway for Council to meet its long-term goal of zero net corporate emissions. The strategy also provides direction for Council on how best to support the Ballarat community and business to reduce their greenhouse gas emissions.

As the world transitions to a low carbon economy, now is the ideal time to capitalise on changes to our energy systems that deliver cost savings, attract investment, drive innovation and create jobs.

Council is in a unique position to lead and enable our communities to effectively embrace renewable energy and carbon reduction initiatives. This will be achieved via collaboration with our community partners, including residents, business and the not-for-profit sector. Leading by example we will make climate consciousness integral to every aspect of our business and invest in this plan to ensure our corporate emissions are ultimately reduced to zero. Decisions made today, and implementation of this plan, will have a direct effect on a cleaner future and the health, economic development and prosperity of Ballarat.



Climate change and what it means for Ballarat

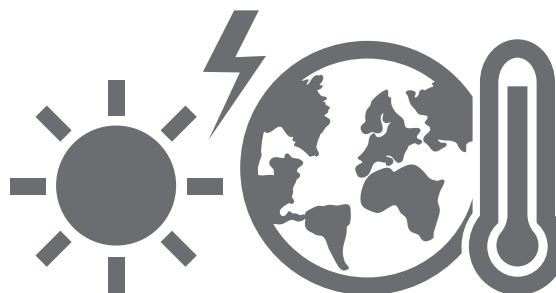
Since the Industrial Revolution began, human activities have accelerated climate change. The main causes of this acceleration are from burning fossil fuels, emissions from agriculture, and from land clearing reducing the ability of the earth to sequester greenhouse gases.

Victoria has already become warmer and drier, already 1.5 degrees since 1960s, which is a climate trend likely to continue. By 2030 Victoria is forecast to experience:

- increasing average annual temperature approx. 0.6-1.2 degrees,
- additional hot days,
- more frequent and severe heat waves (e.g. 3-5 days),
- more frequent and severe droughts,
- increased frequency and intensity of storms, but overall decrease in rainfall by almost 10% particularly in spring and winter.

Local Government in Victoria, through the Municipal Association of Victoria (MAV), recognise that while we are in a state of climate emergency now, it is possible to prevent the long-term impacts of climate change and that action by all levels of government is required now.

This document outlines the City of Ballarat's response toward mitigation of its own corporate greenhouse gas emissions, and while several actions inherently address climate adaptation techniques, it is important to note this document does not aspire to be a climate change adaptation strategy.



Our progress

Ballarat has a long and successful history of reducing carbon emissions, as well as undertaking many significant initiatives across a range of environmental disciplines. The City of Ballarat has been pivotal to these initiatives as the project lead, investor and/or key stakeholder enabling them to progress. Below is a list, albeit non-exhaustive, of the City of Ballarat's achievements.

Renewable energy

A 300 kilowatt solar park at the Ballarat Airfield, a 780 kilowatt generator at the landfill fueled by methane (25 times worse than carbon) and more than 150 kilowatt of solar on City of Ballarat facilities, which is collectively the equivalent of about 900 homes. In 2017 and 2018 we have seen the installation of solar electricity on low income households, signing of the Heads of Agreement in 2018 for a proposed Waste to Energy plant in Ballarat West Employment Zone, and the installation of a 30 megawatt battery storage complex (equivalent to 20,000 homes) at Warrenheip improving stability of the grid when commissioned and as more renewable energy comes on line.

Waste management

Kerbside greenwaste service was introduced to Ballarat in 2016, resulting in reduced contamination in general waste bins and approximately 4,000 tonnes less waste going to landfill each year. The diversion of waste to recyclable streams increased to above 50%, which is above the Victorian average, and has reduced greenhouse gas emissions from landfill, as well as providing organic products for use in the City of Ballarat environmental restoration programs.

Vehicle Fleet

The City of Ballarat was one of the first municipalities in Victoria to procure a bulk supply of bio-diesel, which from an emissions point of view is near carbon neutral from the sequestration of carbon dioxide by the crops used to create the biodiesel. For our small fleet vehicles, the City of Ballarat's current approach is to purchase hybrids (four hybrids in

2017/18) and several actions within this plan target research into renewable fuel options, potential bulkbuy for Electric Vehicles (EVs), and the City of Ballarat support toward community uptake of EVs and eBikes.

Urban Forestry

The original greening Ballarat project began in the late 1980s and triggered a plethora of environmental programs, most notably the vested management of the Yarrowee River with the City of Ballarat in the 1990s from the State Government. This renewed mindset is embedded today through, for example, our Open Space Strategy, Tree Management Plan and Landscape Design Manual which influence management and development of the city, and through the Ballarat Strategy with a target of 40% canopy cover.

Integrated Water Management (IWM)

Ballarat's water stakeholders are multi award winning. Key initiatives include the Harnessing Ballarat Stormwater Network carrying more than 650 megalitres of recycled water sources per year to Lake Wendouree and capacity to deliver almost 190 megalitres to many irrigation sites. In 2017 Ballarat commenced roll out of a third pipe network in BWEZ for alternative water supply and in 2018 Ballarat was the first regional city to develop a city-scale Integrated Water Management Plan, which provides recommendations toward a diverse range of water sources to secure a greener and more prosperous water future for Ballarat.

These achievements by the City of Ballarat (as lead, investor and/or key stakeholder) have delivered many benefits to Ballarat residents such as cost savings, environmental benefits, sport and active living opportunities, and community education. The City of Ballarat is now well positioned to move into the final phase of preparing for zero net carbon emissions from its operations, and continue to provide strong support to the community.



How did we develop our strategy and action plan?

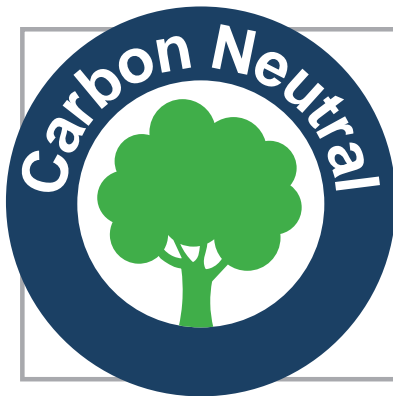
The development of this strategy and action plan was developed over an eight month period. A description of the major steps is outlined briefly below.

- 1 Assembled Project Control Group**
Included staff from Finance, Facilities Management, Strategic Planning, and Environmental Services to ensure high level support was gained across the organisation to implement the action plan.
- 2 Looked at existing work**
This allowed the progress and successes to date to be quantified. This provided the underlying information to start planning the path to carbon neutrality.
- 3 Established baseline measurement**
The process quantified the level of savings available within each emissions theme, including an independent review of landfill emissions and emissions from street lighting as two of the major sources.
- 4 Benchmarked other cities**
Looked at cities throughout the world leading the charge to carbon neutrality, which provided certainty that actions that were identified are the best methods to reduce emissions.
- 5 Internal consultation**
This involved more than 20 officers and middle management from across the organisation. This in-depth process allowed for the identification of practical carbon reduction solutions and buy in of the plan across the organisation.
- 6 Community engagement**
This was conducted via the Regional Sustainability Alliance Ballarat. The RSAB is a network of more than 20 organisations from the public, private and nonprofit, and community group sectors that is taking a leading role in moving the region towards sustainability. The group provides strategic advice to the City of Ballarat and has provided expert input over a wide range of topics for many years.
- 7 Creation of an action plan**
Including the identification of priority items to accelerate action (see Page 8 for definitions).

Strategic context

To maximise the success of the Carbon Neutrality and 100% Renewables Action Plan, many of the broad strategies and targeted actions deliberately align with delivery against numerous strategic outcomes of the City of Ballarat. This includes but is not limited to:

- many aspects of Section 5 Sustainable Ballarat of the Ballarat Strategy 2015.
- opportunities for alternative/renewable fuel options to support public transport and the CBD Smarter Parking Plan
- urban Forestry and microclimate improvements, and associated energy reduction, at social infrastructure sites
- diversion of waste from landfill as outlined in the Resource Recovery and Waste Management Strategy 2018 and associated reductions in greenhouse gas emissions,
- addresses gaps from previous energy audits at City of Ballarat facilities and transfer audit knowledge to other existing and newly constructed City of Ballarat sites
- aligned to the City of Ballarat's TAKE2 pledge and membership Cities Power Partnership of the Australian Climate Council
- the renewable energy section was developed in accordance with the working draft for alternative energy models: A guide for Councils (Point Advisory, for the CVGA 2018).
- The principles for prioritising actions aligns with the Social Policy Framework, impact on social determinants of health



What does it mean to be carbon neutral?

Carbon neutrality will be achieved when net greenhouse gas emissions within the City of Ballarat's operations are equal to zero. This will be achieved primarily by avoiding and reducing greenhouse gas emissions as a priority, offsetting remaining emissions, continuing to measure corporate emissions and publicly report on carbon neutrality.

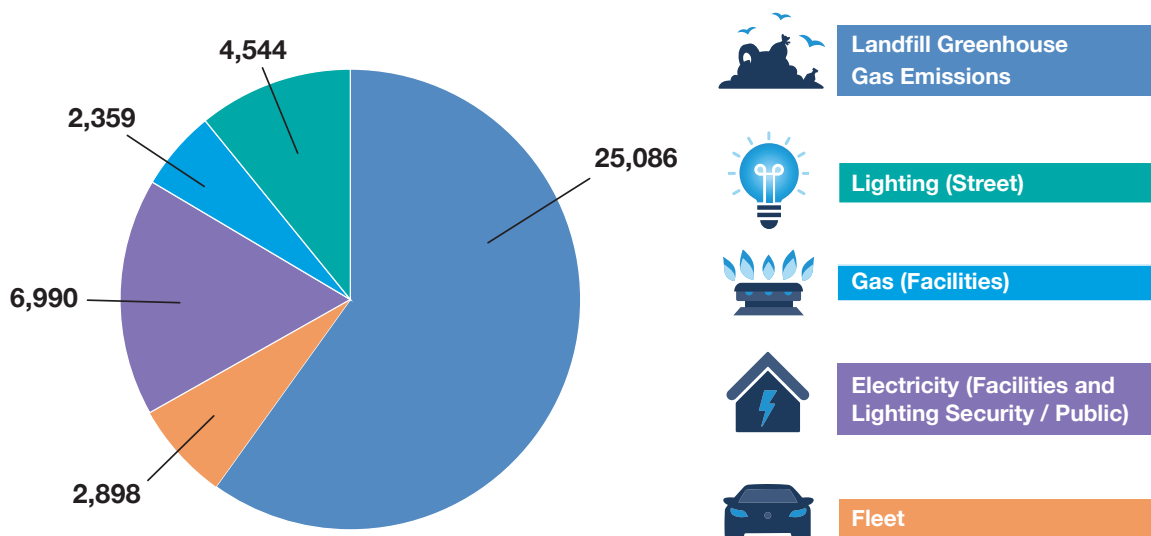
Corporate emissions profile and key reduction strategies

At 30 June 2018 City of Ballarat's corporate emissions were 39,000 tonnes per annum of carbon dioxide equivalent (t/Co2e). This includes emissions from the direct and indirect use of energy (reportable Scope 1 and 2 emissions) and from our Street Lighting (Scope 3 emission).

It should be noted that Council has chosen to exceed the National Carbon Offset Standard (NCOS) by including the non-reportable Scope 3 emission of Street Lighting due to its scale in the emissions profile and because City of Ballarat has influence of its management.

Ballarat is a major urban growth centre with population growing at 1.9% per annum, Our municipal services such as waste management, sports and recreation and social services are also increasing in-line with city growth. **City of Ballarat's emissions are estimated to grow from 39,000t/Co2e at 2018 up to 41,877t/Co2e at 2025 under business-as-usual.**

Estimated business-as-usual emissions profile at 2025 (t/Co2e) Incl. scope 1 and 2 and street lighting (scope 3)



Corporate emissions profile and key reduction strategies (continued)

Avoid and Reduce

The following five outcomes have been identified to reduce greenhouse gas emissions. Against these outcomes there are almost 60 specific actions created to achieve the desired emissions reduction and provide community support.

- Outcome 1** A culture of sustainability within City of Ballarat
- Outcome 2** Maximise energy resource efficiency
- Outcome 3** 100% renewable energy City of Ballarat operations
- Outcome 4** Reduced emissions from waste
- Outcome 5** Community carbon emissions reduction

Offset

A carbon offset is any project that indirectly reduces greenhouse emissions at one source by investing in greenhouse gas emissions reductions elsewhere. Offset mechanisms are rapidly evolving, therefore in 2025 City of Ballarat will investigate and implement the best offset solutions available to ensure the environmental benefits are maximized for the lowest possible cost.

Whilst it is not possible to reduce the City of Ballarat's energy consumption to zero, after it has been minimised as far as practically possible the City of Ballarat will undertake carbon offset initiatives to reduce emissions to zero. The primary focus of this strategy is to focus on the 2025 target. Once this is achieved the total carbon offset figure can be ascertained and actions to offset these developed.

Measure, Report and Improve

The City of Ballarat engages an external 'environmental scorecard' to consolidate more than 600 individually metered connection points for gas, electricity and water, as well as the recording of fuel consumption data, landfill volumes and reporting of data against a range of measurement matrices. Several reports are provided which present energy and emissions data with comparisons of performance against previous years. This system is also used to develop business cases to facilitate emissions reduction and sustainability initiatives at City of Ballarat assets or for major projects, and will become an even more vital tool in driving commitment to the Carbon Neutrality and 100% Renewables Action Plan.

Audit emissions

The Action Plan proposes that the City of Ballarat independently audit its full corporate emissions inventory every five years to ensure continued accuracy and best practice. The development of this plan included an independent review of landfill emissions due to its significance within the emissions profile, and street lighting due to the choice to exceed the National Carbon Offset Standard standard by including this Scope 3 emission and its significance within the emissions profile.

Principles for the prioritising of actions

With a list of almost 60 actions identified through the strategy development process, the actions were reviewed against 3 key criteria to prioritise the list and identify the high priority actions. The 3 criteria for prioritising actions are,



Easy wins – the projects with good reductions in emissions that are straightforward projects with minimal or no budget requirements,



The big-ticket items – the initiatives with low risk and present strong inroads toward carbon neutrality and the 2025 target,



Enabling factors – the initiatives required to unlock the potential of other high-ranking actions within the Strategy

The key actions to support community were also signified by a 4th criteria,



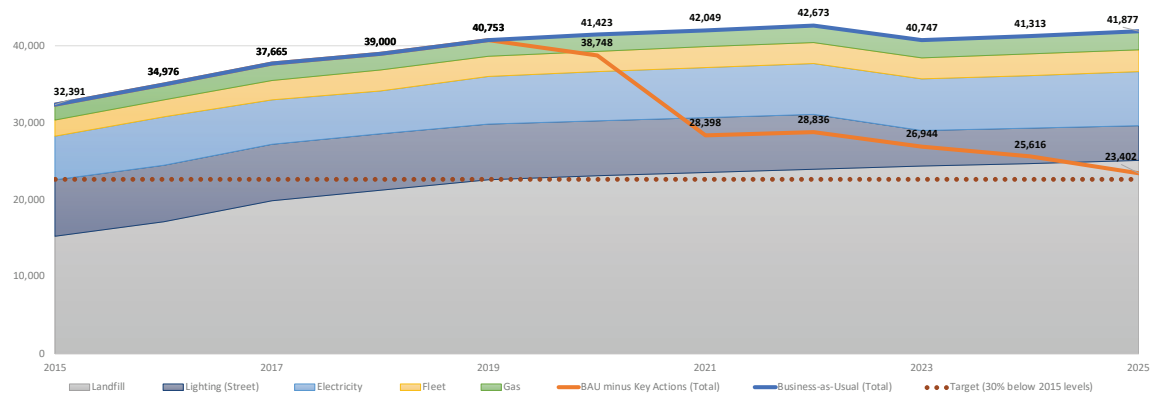
Partnership priorities – key mechanisms for City of Ballarat to support vulnerable sectors of community and city prosperity in terms of emissions reduction and/or cost savings.

The Target

Victoria’s Climate Change Act 2017 establishes a long-term target of net zero greenhouse gas emissions by 2050. As an interim target (not yet legislated), the Victorian Government has committed to reduce emissions specifically from government operations by 30% below 2015 levels by 2020.


The analysis below models the ‘big ticket items’ in the Action Plan that have an immediate high impact on City of Ballarat’s corporate emissions by 2025 and have a relatively high level of certainty because they strongly overlap existing strategic priorities of Council, an ability to integrate with existing capital works programs, and/or they are well progressed projects which already have a sound business case.

City of Ballarat corporate emissions 2015–2018 (t/Co2e) and forecast emissions to 2025 with key mitigation actions. Includes Scope 1 and 2 and Street Lighting (Scope 3)




Note: City of Ballarat’s data systems for Corporate Social Responsibility reporting are constantly improving, which may result in slight variation to the historic emissions presented above.


Below is the annual emissions reduction potential at year 2025 from the key Big Ticket Items identified in the Action Plan.

- 


Electricity ↓ **6,990**

Includes key actions from past energy audits, then drop to 0 (t/Co2e) in 2020 with purchase of certified green power (with assumed purchase and retire of large-scale generation certificates).
- 


Landfill ↓ **5,474**

Diversion of waste from landfill of 70% at 2022 and 85% from 2028, with a key action underpinning this being the development of the All Waste Interchange in the Ballarat West Employment Zone.
- 


Street Lighting ↓ **4,544**

Migration of Mercury Vapour residential lighting to LED at next scheduled change in 2022, and purchase of green power from 2020 (with assumed purchase and retire of large-scale generation certificates).
- 

Gas ↓ **1,387**

Includes key actions from past energy audits and then reduce Aquatic Centre to 0 (t/Co2e) in 2025 from initiative yet to be identified (e.g. biomass or biogas fuelled, or heat pump technology with purchase of green power).
- 




Fleet ↓ **80**

Conservative estimate of 30,000L/year less diesel with consolidation to All Waste Interchange (Note: migration to hybrids and possibly electric vehicles may occur, but not to a significant level by 2025).
- 








Carbon Offset **TBD**





Carbon emission offsets from expansion of Urban Forest from 17% canopy cover to 40% cover by 2040.

The Actions

A culture of sustainability within the City of Ballarat	
1.1 Behaviour change	
<p>1.1a</p>  <p>Enabling Factor</p>	City of Ballarat to appoint a Sustainability Officer to drive carbon reduction and renewable energy activities. This action supports many targets/actions in this Action Plan which are not currently resourced.
1.1b	Sustainability Officer to Monitor, Evaluate, Report and Improve (MERI) energy and emissions, including periodic independent audit of data.
1.1c	Create an internal "Green Team" for positive behaviour change and resource reduction activities.
1.1d	Develop Environmental Management Awareness training, including Emissions and Renewables, to be delivered in staff and Councillor Inductions.
1.1e	Identify and lobby for Council staff to attend appropriate forums to gain exposure to best-practice energy efficiency and renewable energy options and foster corporate relationships.
1.2 Green purchasing	
<p>1.2a</p>  <p>Enabling Factor</p>	Pilot a reciprocal fund with savings from an easily measurable project (e.g. solar electricity installation) reinvested in further initiatives, with a view to expand the reciprocal fund.
<p>1.2b</p>  <p>Easy Win</p>	Update City of Ballarat tender schedules to include provision for an environmental purchasing policy with a rating scale for assessing green component of contract (e.g. energy, recycling etc.).
1.2c	Periodically review capital works programs and factor budget to implement key energy audit recommendations, actions within this plan, and other opportunities as they arise.
1.3 Infrastructure upgrades to support reduced carbon emissions	
1.3a	City of Ballarat to be future focussed and investigate options for Ballarat to become a leader in the field of sustainability, and be adaptable with City of Ballarat infrastructure to ensure it can take up new technologies in the future (eg. Smart Cities Concept, Hydrogen City, Internet of Thing's (IoT), District Heating, etc.).
1.3b	Work with large community partners for funding applications on cost efficiency and renewable energy programs (e.g. Ballarat Health Services, Federation University).










Maximise energy resource efficiency	
2.1 New buildings to be carbon neutral	
<p>2.1a</p>  <p>Enabling Factor</p>	Major refurbishments and new constructions to be designed and constructed to high Ecologically Sustainable Design (ESD) principles, with ESD consultant engaged as part of design team to set the applicable standard for the development (e.g. 6 Green Star).
2.1b	Investigate business case for "getting off-gas" in new (and existing) City of Ballarat facilities from solar electricity, battery storage, biomass or solar heating, heat pump technology, hydrothermal (for example).
2.1c	Immediately stop installing air-condition systems in new construction projects that are subject to the Australian phase-down of hydro-fluorocarbon (HFC) based refrigerants.
2.2 High Efficiency Lighting	
<p>2.2a</p>  <p>Big Ticket</p>	Accelerate rate of LED upgrades to streetlights and public lighting, including controllable 'smart' lighting (e.g. dimmable and timers).
<p>2.2b</p>  <p>Easy Win</p>	All flood lighting and hi-bay to install or retrofit LED (typically best business-case of domestic lighting types), subject to any occupation specific standards.
2.2c	Use Powercor and City of Ballarat GIS inventory to monitor compliance with Energy Efficient Public Light Policy 2014 for new installations of public lighting and street lighting.
2.3 City of Ballarat's fleet to be low carbon	
2.3a	Partner with Greenhouse Alliances of Victoria to conduct Local Government (and broader public sector) fleet assessment for potential bulk-buy of Electric Vehicles commencing approx. 2020–2022
<p>2.3b</p>  <p>Easy Win</p>	Undertake training for improved driver practices for fuel use minimisation (known as eco-driving), with savings of 5% to 15% common.
2.3c	Council keep abreast of emerging technologies and position themselves to act on purchasing alternative fuel/renewable energy medium-heavy rigid, also looking for opportunity to integrate with public transport and infrastructure.
<p>2.3d</p>  <p>Big Ticket</p>	Reduce diesel use with the waste collection fleet by consolidating waste services to All Waste Interchange (AWI) at Ballarat West Employment Zone, with conservative estimated savings of 30,000L/year.
2.4 Existing City of Ballarat facilities to achieve world class efficiency	
<p>2.4a</p>  <p>Big Ticket</p>	Complete outstanding actions from previous energy audits, focussing on the actions with greatest emissions reduction potential and ROI <10years).
2.4b	Review the summer indoor pool temperature requirements for Ballarat Aquatic and Lifestyle Centre, and review previous business cases for alternative energy and continue to look for new options, plus benchmark against other councils.
2.4c	Install Building Management System at Library and continue to upgrade existing BMS to modern standards, linking all BMS in real-time to Council and contract staff.
<p>2.4d</p>  <p>Enabling Factor</p>	Complete energy audits for sites >100,000 kilowatt hour of electricity per year and/or >750,000 megajoules of gas per year. Sites of this scale not audited previously include Phoenix, Eureka Centre, Operations and Environment Depot and Morsehead Park.
2.4e	For smaller buildings where the cost of the BMS cannot be justified by the savings, investigate and install more economic measures to reduce operating costs and carbon footprint.
2.4f	Complete a risk assessment of the Australian phase-down of hydro-fluorocarbon (HFC) based refrigerants on key infrastructure and integrate adaptive strategy through planned refurbishment and renewals programs.

100% renewable energy City of Ballarat operations	
3.1 Move towards 100% renewable energy by 2025	
3.1a	Continue to research previously identified renewable energy opportunities and dedicate time to explore new innovative areas to establish Ballarat as a renewable energy destination (e.g. Hydrogen City, district heating, micro-grids, industrial climate innovation hubs etc.).
 Big Ticket	3.1b Investigate feasibility of Power Purchase Agreement, or other energy procurement strategy, to purchase energy from a large scale renewable energy facility (e.g. wind, solar project, waste-to-energy, landfill electricity generator) which best suits councils needs and objectives. Consider the purchase and retire of Large-scale Generation Certificates (LGC) for certified neutrality.
3.1c	Investigate upscale potential from existing renewable energy generation at the Smythesdale Regional Landfill and Ballarat Airport, and opportunity for other City of Ballarat land to support renewable energy generation.
3.1d	Continue to support Hepburn Shire and Central Victorian Greenhouse Alliance with pilot project of biological Waste to Energy from municipal and commercial organics sources.
3.2 City of Ballarat buildings to incorporate renewable energy to offset the building energy consumption	
 Easy Win	3.2a Install Solar panels on Wendouree Childcare and Girrabanya (2 most feasible sites from 2015 study), expand existing solar at Lucas Community Hub, and revise the 2015 study to include the mandated minimum feed-in tariff (2017) and recent retail price increases (2018).
3.3 Leadership	
3.3a	City of Ballarat to undertake/advocate for a large showcase project which achieves significant carbon emissions and cost savings (City of Ballarat as lead or stakeholder) to encourage Ecologically Sustainable Design assessment during planning phase (e.g. GovHub, Bakery Hill Urban Renewal Precinct and La Trobe Street former Saleyards).
3.3b	Advocate for significant energy contracts in Victoria, especially by Victorian Government, to procure renewable energy.
 Partnership Priority	3.3c Continue to work with stakeholders to facilitate the creation of additional renewable energy generation projects in western Victoria, including grid upgrades as a key enabler to project development.
 Partnership Priority	3.3d Work with Distribution Network Service Providers to facilitate renewable energy projects that provide grid stability and have potential to increase the fraction of renewable energy within the grid locally within Ballarat (e.g. Warrenheip battery storage complex, distributed battery storage across city etc.).
3.3e	Work with the commercial sectors to investigate potential of energy options from processing refuse derived fuels such as wood chip, wood pellets, pelletised plastics and paper.
3.3f	Continue to work with the Central Victorian Greenhouse Alliance to share and showcase best practice climate and energy projects across local government.
3.3g	Council consider mechanisms to create carbon neutral events in Ballarat (Council run and private events)





Reduced emissions from waste	
4.1 Capture gas emissions from landfill and generate electricity	
4.1a	City of Ballarat to maximise efficacy of landfill gas capture infrastructure, ensuring fugitive emissions are minimised and renewable energy generation maximised.
4.1b	Work with the electricity generation company at the Smythesdale Regional Landfill to place 2nd generator (planned) taking capacity to approx. 12,000 megawatt hours per year.
4.2 Maximise resource recovery	
4.2a  Big Ticket	Support and ensure resource recovery is fully maximised via the All Waste Interchange (AWI) at the Ballarat West Employment Zone.
4.2b  Big Ticket	Work with Waste to Energy (WtE) service providers to build and implement the Waste to Energy plant in Ballarat West Employment Zone.
4.3 Minimise household waste to landfill	
4.3a  Big Ticket	City of Ballarat to consider kerbside Food Organics (FOGO) collection and processing, subject to outcomes of the Waste to Energy feasibility study.
4.4 Minimise Commercial and Industrial (C&I) waste to landfill	
4.4a  Big Ticket	Further investigate sorting facility for commercial and industrial (C&I) waste at later stages of developing All Waste Interchange, subject to outcomes of the Waste to Energy feasibility study.

Community carbon emissions reduction	
5.1 Future generations	
5.1a	Facilitate energy efficiency/renewables/climate change awareness workshops for schools, and continue to sponsor Smart Living Ballarat to deliver sustainability education to community.
5.1b  Partnership Priority	Continue to support Federation University endeavours to establish a state-of-the-art Renewable Energy training facility in Ballarat West Employment Zone.
5.1c	Investigate opportunities to connect energy reduction with other community priorities. Eg. Active transport, food security, parking. Alignment with Ballarat Strategy to ensure active transport modes are supported.
5.1d  Partnership Priority	Work with the state government to improve public transport services and mode share in Ballarat, including transitioning to low emission buses and public transport.
5.1e	Become Electric Vehicle and eBike ready in large public car parks, further considering possibility for solar panels shading and incentive mechanisms to support delivery of the CBD Smarter Parking Plan.
5.2 Provide efficient facilities for City of Ballarat tenants	
5.2a	Facilitate energy efficiency/renewables/climate change awareness education for tenants of City of Ballarat facilities, and assist them to identify energy or water saving initiatives.
5.3 Climate resilient local environments.	
5.3a	Continue implementing Urban Forest Strategy to reduce heat island effect and associated emissions savings from building Heating Ventilation and Air Conditioning systems and vehicle Air Conditioning etc.
5.3b  Partnership Priority	City of Ballarat to advocate for and achieve regulation for greater housing and commercial building efficiency standards on 3 fronts: 1. City of Ballarat to consider Local Planning Policy for Ecologically Sustainable Design (ESD) 2. Ecologically Sustainable Design improvements to the Victorian Planning Scheme 3. Ecologically Sustainable Design improvements to the National Construction Code of Australia (NCC).
5.3c	Local Builders, home owners, City of Ballarat and Regional Sustainability Alliance Ballarat to be included in a developer forum to develop local efficiency standards.
5.3d	City of Ballarat to find local champion developer to consider an Ecologically Sustainable Design display home in Ballarat West (e.g. Sustainability Victoria's 0 net carbon home program).
5.3e	Continue as partner to the Ecologically Sustainable Design for Subdivisions in Victoria – Proof of Concept, aspiring to identify precinct scale Ecologically Sustainable Design improvements.
5.4 Empowered communities	
5.4a	City of Ballarat to develop Community Greenhouse Gas Emissions profile succinct with Global Protocol for Community-Scale Greenhouse Gas Emission Inventories, and set aspirational targets for whole of the city and monitor progress.
5.4b	Continue to work with the Central Victorian Greenhouse Alliance and Ballarat Community Power Hub to understand opportunities for City of Ballarat to support community renewables projects (e.g. community investment in renewables infrastructure, direct offset PPA) that are best for further investigation.
5.4c	City of Ballarat work with relevant partners to facilitate knowledge to businesses on Ecologically Sustainable Design support mechanisms such as Victorian Energy Efficiency Target, Energy Upgrade Agreements, Energy Performance Contracts, Grants (when available), Rates Rebates Schemes etc.
5.4d	Continue delivery of the CBD Smarter Parking Plan, including data gathering of transport patterns, provision of pedestrian and cycling facilities, and community education and support, therefore resulting in reduced carbon miles.
5.4e	City of Ballarat develop local policy, or lobby for state policy, for multi-unit dwellings (small to medium rise) with communal car parking to be Electric Vehicle and eBike ready at time of construction.
5.4f	Continue current Solar Savers program for low Income households, and continue lobbying with Greenhouse Alliances of Victoria for extending duration of this program and to further include solar hot water, efficient circulation pumps and storage batteries to the scheme.



 info@ballarat.vic.gov.au  03 5320 5500

March 2019

10.6. BALLARAT BOTANICAL GARDENS FOUNDATION MOU

Division: Infrastructure and Environment
Director: Terry Demeo
Author/Position: Terry Demeo – Director Infrastructure and Environment

OFFICER RECOMMENDATION

Council resolves to:

- 1. Enter into the Memorandum of Understanding with the Ballarat Botanical Gardens Foundation.**
- 2. Require an annual report in relation to the operations of the Ballarat Botanical Gardens Foundation.**

EXECUTIVE SUMMARY

The Ballarat Botanical Gardens Foundation has been established to provide a direct and specific fund-raising vehicle for the Ballarat Botanical Gardens as a distinctly separate entity to the operational Friends of the Ballarat Botanical Gardens. The Council has previously supported the establishment of the Foundation and resolved to transfer funds from the Trust account administered by Council for the Friends group to the Foundation. The Foundation have provided a draft memorandum of understanding (MOU) to define the relationship between Council and the Foundation moving forward. It is recommended for Council to formally enter into this MOU with the only modification recommended being that a meeting with the Mayor be once per year only.

RATIONALE

The Friends of the Ballarat Botanical Gardens have formally created a legal vehicle of the Ballarat Botanical Gardens Foundation to formalise the mechanism for fundraising for projects and initiatives associated with the Gardens. The Foundation has been established as a Trust with income tax exempt status and Deductible Gift Recipient (DGR) status. This is a significant step to formalise the fundraising efforts beyond the Trust which has existed for many years and been administered by the City of Ballarat.

The Council has previously resolved to support the establishment of the Foundation and the transfer of Trust funds held in the Council administered fund to the Foundation Trust fund, with this transaction now completed.

In order to formalise the relationship between the Foundation and Council who have the responsibility for the management of the Gardens, it is proposed that a MOU be agreed.

The Foundation has prepared a draft MOU which is attached for Council's consideration.

The MOU provides the background in relation to the establishment of the Foundation and sets out the specific purpose, rights and obligations as follows:

Purpose

1. The parties intend to work collaboratively in ensuring that The Foundation can achieve its purpose of sourcing and providing resources to sustain and develop a world class gardens; and to ensure that revenue is secured to invest in the protection and development of the gardens for the benefit of the whole community.
2. In achieving their joint purposes to ensure they effectively manage the relationship between The City and The Foundation.

General Obligations

- 4.1. Notwithstanding the non-binding nature of this MOU, the parties agree to act in good faith and will use their best endeavours to achieve the overriding purposes and to give effect to the terms of this MOU.
- 4.2. Each party agrees to cooperate in the spirit of mutual understanding and goodwill in order to develop the parties' relationship with one another in order to pursue the purposes.

Specific Rights and Obligations**6.1. Funds Transfer**

From time to time the City may be the recipient of gifts and donations intended for The Foundation and The City agrees to advise The Foundation of the receipt of any such funds and to facilitate the transfer of such funds to The Foundation.

6.2. Specific Projects

From time to time the parties may agree on specific projects that they wish to support in the gardens. The parties will develop and collaborate with respect to the identification, support and implementation of such projects.

6.3. From time to time either party may express interest in pursuing a particular project. Without binding either party to adopt such project, the parties otherwise agree to collaborate in reviewing the proposed project and determining their respective interest in support and development for it.

6.4. To further the collaboration of the parties, the parties agree to meet a minimum of twice a year by their appointed representatives at such times and dates as may be agreed.

6.5. Reporting

The Foundation will provide an annual report to The City of its activities and such report will include its audited financial statements.

Recommended Approach

Having resolved previously to support the establishment of the Foundation, it is considered the next logical step to enter into the MOU with the Foundation to facilitate the working relationship between Council and the Foundation.

The draft MOU appropriately covers the responsibilities and obligations of the Foundation and Council and it is therefore recommended that Council formally resolves to enter into the MOU.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	Yes
Social/Cultural	Yes	Yes
Environmental/Sustainability	Yes	Yes
Economic	Yes	Yes
Financial/Resources	Yes	Yes
Risk Management	Yes	Yes
Implementation and Marketing	Yes	Yes
Evaluation and Review	Yes	Yes

Human Rights – It is considered that this report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

Social/Cultural – The Ballarat Botanical Gardens is a crucial part of Ballarat's cultural and social fabric and the establishment of the Foundation to provide a vehicle for further fundraising to support initiatives within the Gardens is appropriate with the MOU supporting its operation.

Environmental/Sustainability – The Ballarat Botanical Gardens are increasingly important in this regard given climate change and environmental challenges.

Economic – The Ballarat Botanical Gardens play a key role in our visitor economy and initiatives to support their growth and development are welcomed.

Financial/Resources – The opportunity for the Foundation to provide additional funding for the Ballarat Botanical Gardens beyond the Council allocation is appropriate.

Risk Management – There are no identified risks in the signing of the MOU.

Implementation and Marketing – With a Council resolution to progress the relationship with the Foundation, it will be subject to an appropriate media release.

Evaluation and Review – The MOU provides for an annual report from the Foundation which will also provide an opportunity for evaluation and review.

CONSULTATION

There is ongoing consultation with the Friends of the Ballarat Botanical Gardens and the broader stakeholders of the Lake and Gardens Precinct.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

REFERENCE DOCUMENTS

- Ballarat Botanical Gardens Foundation MoU

ATTACHMENTS

1. Letter of Introduction for the~ the Mayor & Councillors & CEO [**10.6.1** - 11 pages]



Ballarat Botanical Gardens Foundation Limited

1 Ascot Street South
Ballarat Vic 3350

Info@BallaratBotanicalGardensFoundation.com.au
www.BallaratBotanicalGardensFoundation.com.au

ACNC Registered - ACN 629 470 604 - ABN 71 135 954 893



MS. Justine Linley CEO. COB
Mdm. Mayor and Councillors
Mr Terry Demeo. COB Infrastructure Mng.

Dear Ms Linley, Mdm. Mayor and Councillors and Mr Demeo,

It is with great pleasure I introduce and present The Ballarat Botanical Gardens Foundation.

For your information the attached documentation to detail the new entity.

A draft Memorandum of Understanding also attached for COB contribution prior to the signing of the agreement by both parties.

The Ballarat Botanical Gardens Foundation look forward to working with the City of Ballarat.

Kind regards

Elizabeth Gilfillan.
BBGF Chair.

Ballarat Botanic Gardens Foundation

The Ballarat Botanical Gardens Foundation is a not-for-profit organisation established in September, 2018 by the Friends of the Ballarat Botanic Gardens. The Foundation evolved from the Ballarat Botanical Gardens Community Fund which was established in 1988. This Fund was created to enable citizens and organisations make tax deductible financial contributions towards the development of the Ballarat Botanical Gardens and was managed by the City of Ballarat acting as Trustees of the Fund. In early 2018, upon the initiative of the Friends of the Ballarat Botanical Gardens, a new structure was created and supported by all stakeholders seeks to expand the activities of the Foundation for the long term benefit of the Botanical Gardens. The new Foundation works collaboratively with all stakeholders to generate revenue to invest in the protection and development of the Ballarat Botanical Gardens for the benefit of the whole community

Our Vision

A viable and sustainable Foundation that provides ongoing financial support and resources to the Ballarat Botanic Gardens.

Our Mission

To provide resources to sustain and develop a world class Botanic Gardens

Our Purpose

The purpose of the Foundation is to:

- ❖ maintain effective relationships with key stakeholders of the Gardens;
- ❖ work collaboratively with key stakeholders to identify specific projects that require community support to ensure viability and realisation;
- ❖ undertake activities and initiatives to generate financial and community support to deliver the priority projects;
- ❖ create an endowment fund to financially support the development of the Gardens; and
- ❖ apply the principles of good governance to meet all compliance and regulatory requirements, ensure the integrity of the Foundation and effectively manage the operations and performance of the organisation.

The Ballarat Botanic Gardens Foundation exists to provide a means for the community of Ballarat to contribute to the long term enrichment of our Gardens.

Governance

The Foundation is governed by a Board of Directors within a legal structure created by the Friends of the Gardens.

The Foundation has been granted income tax exempt fund (ITEF) status by the Australian Taxation Office and endorsement as a deductible gift recipient (DGR).

The Foundation is currently governed by a five (5) Trust members including:

- ❖ Elizabeth Gilfillan : Chairperson
- ❖ Robert Selkirk
- ❖ Mark Schultz
- ❖ Peter Wilson
- ❖ Daina Macleod

The Board comprises members with both empathy for the Vision and Mission of the Foundation and the capacity and capability to undertake the leadership required to create and maintain a successful organisation.

Foundation launch

The BBG Foundation was officially launched with a gala dinner held on the 26th March where it was announced that John Hawker would be the Foundation's Patron. The Foundations' Chair, Elizabeth Gilfillan also announced the focus of 2 key fund raising projects, namely the restoration of the Gatekeepers Cottage and the Fernery

Strategic Goals

The Strategic goals of the BBGF for 2019/2021 are summarised as follows:

<i>Strategic Goals</i>	<i>Initiatives</i>	<i>Persons Responsible</i>	<i>Time Line</i>
DGR status	Determine the most appropriate level of DGR status and if necessary, implement a process to secure the required status		
City of Ballarat	Meet with representatives of the CoB to establish an ongoing working relationship and protocol		
Priority projects	Agree on Priority Projects for the next 3 years Meet with CoB to sign off Communicate via marketing plan		
Fund Raising	Develop fund raising options to achieve funding of Priority Projects Allocate resources and responsibilities to		

	<ul style="list-style-type: none"> implement the Plan Establish reporting system
Marketing & Communications	<ul style="list-style-type: none"> Agree on our marketing goals for the year Develop appropriate strategies Allocate implementation responsibilities Agree on reporting system
Stakeholder Engagement	<ul style="list-style-type: none"> Identify key stakeholders Develop an engagement plan Allocate responsibility to board members to implement the plan Report on feedback/advice
Governance	<ul style="list-style-type: none"> Recruit additional board members to expand the skill base and network of the Foundation Develop required Policies & Procedures to maintain appropriate governance standards Develop an appropriate reporting system Develop an annual meeting agenda Create an annual report Distribute annually to stakeholders

City of Ballarat

-and-

Ballarat Botanical Gardens Foundation Limited

**MEMORANDUM OF UNDERSTANDING
(NON-BINDING)**

Nevett ford

Lawyers

40 Armstrong Street North

Ballarat 3350

DX 35011

Telephone: (03) 5331 4444

Facsimile: (03) 5333 2694

Email: ballarat@nevetts.com.au

PRW 5/112461

**MEMORANDUM OF UNDERSTANDING (“MOU”)
DATED THIS DAY OF 2019**

PARTIES:

1. City of Ballarat
of Sturt Street Ballarat
("The City")

2. Ballarat Botanical Gardens Foundation Limited
of 1 Ascot Street South, Ballarat Victoria
("The Foundation")

BACKGROUND

- A. The Ballarat Botanical Gardens (the garden) are situated within the municipal district of the City of Ballarat.

- B. The City is responsible for the preservation, management, and upkeep of the gardens.

- C. The Foundation is a not for profit foundation established for the purpose of enabling donors to make financial contributions to The Foundation and then applied towards the development of the gardens.

- D. Among its purposes, The Foundation aims to maintain effective relationships with key stakeholders to the gardens and, in particular, The City.

- E. The City and The Foundation are committed to working collaboratively to achieve The Foundation's purposes so as to ensure viable and sustainable support to the gardens.

- F. This MOU sets out the relationship between the parties as well as the respective rights and responsibilities of each party.

- G. This MOU is not intended to be legally binding but is intended to document the expectations of each party.
- H. Each party respectively is expected to act in good faith in accordance with this MOU and in pursuit of their common goals.

1. PURPOSE

- 1. The parties intend to work collaboratively in ensuring that The Foundation can achieve its purpose of sourcing and providing resources to sustain and develop a world class gardens; to ensure that revenue is secured to invest in the protection and development of the gardens for the benefit of the whole community.
- 2. In achieving their joint purposes to ensure they effectively manage the relationship between The City and The Foundation.

2. NON-BINDING MOU

- 2.1. The parties acknowledge that the terms of this MOU are not intended to be legally binding; that they are not exhaustive and that nothing in the MOU will be construed as creating any legal relationship between the parties.
- 2.2. The MOU does not create any rights, obligations or duties for any party, but is a statement of intent by the parties and intended to encourage mutual cooperation.
- 2.3. Nothing in this MOU effects any other agreements which may exist between the parties at the date of this MOU or at any subsequent date.

3. CHANGES TO MOU

This MOU may be amended at any time by agreement between the parties made in writing and signed by the parties.

4. GENERAL OBLIGATIONS

- 4.1. Notwithstanding the non-binding nature of this MOU, the parties agree to act in good faith and will use their best endeavours to achieve the overriding purposes and to give effect to the terms of this MOU.
- 4.2. Each party agrees to cooperate in the spirit of mutual understanding and goodwill in order to develop the parties relationship with one another in order to pursue the purposes.

5. CONFIDENTIALITY

- 5.1. The parties acknowledge and agree that in connection with this MOU, they may have access to information that is confidential and/or commercially valuable to one or both of the parties ("Confidential Information").
- 5.2. The parties acknowledge and agree that they may be both the receiving party in relation to Confidential Information or be a party disclosing Confidential Information.
- 5.3. In relation to Confidential Information, the parties agree to keep such Confidential Information confidential and only use the Confidential Information for the purposes of working in good faith in accordance with this MOU.
- 5.4. The parties agree not to release any Confidential Information to any other party without the prior written approval of the other party.

6. SPECIFIC RIGHTS AND OBLIGATIONS

6.1. Funds Transfer

From time to time The City may be the recipient of gifts and donations intended for The Foundation and The City agrees to advise The Foundation of the receipt of any such funds and to facilitate the transfer of such funds to The Foundation.

6.2. Specific Projects

From time to time the parties may agree on specific projects that they wish to support in the gardens. The parties will develop and collaborate with respect to the identification, support and implementation of such projects.

6.3. From time to time either party may express interest in pursuing a particular project. Without binding either party to adopt such project, the parties otherwise agree to collaborate in reviewing the proposed project and determining their respective interest in support and development for it.

6.4. To further the collaboration of the parties, the parties agree to meet a minimum of twice a year by their appointed representatives at such times and dates as may be agreed.

6.5. Reporting

The Foundation will provide an annual report to The City of its activities and such report will include its audited financial statements.

DATED THIS DAY OF 2019

SIGNED SEALED AND DELIVERED

for and on behalf of **City of Ballarat**

in the presence of:

.....
Signature

.....
Witness signature

.....
Witness name

SIGNED SEALED AND DELIVERED

for and on behalf of **Ballarat Botanical Gardens**

Foundation Limited in the presence of:

.....
Signature

.....
Witness signature

.....
Witness name

Donation Form

Yes, I would like to support the Ballarat Botanical Gardens for the benefit of future generations.

I enclose my donation of \$ _____

Title: _____

First name: _____

Surname: _____

Address: _____

City/suburb: _____

State: _____ Postcode: _____

Telephone: (H) _____

(W) _____

Mobile: _____

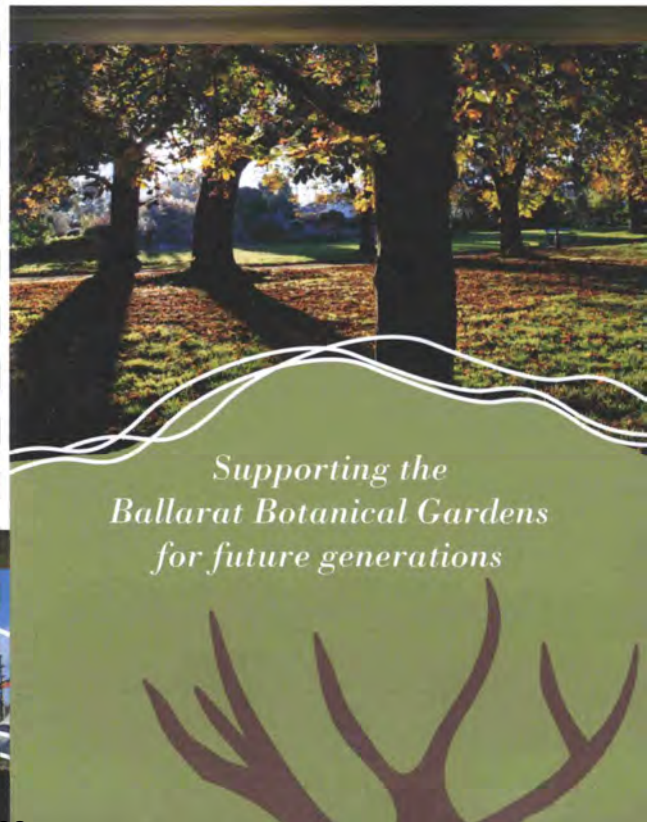
Email: _____

Please find enclosed a cheque payable to the:
Ballarat Botanical Gardens Foundation Limited

or you can make a Direct Deposit at:

Banking: Ballarat Botanical Gardens Foundation Limited
BSB: 633 000
Account No: 165027434

Signature: _____



*Stimulate,
Educate,
Facilitate.*



The Ballarat Botanical Gardens are of social significance as a reflection of the civic pride and prosperity of Ballarat, originally derived from the gold rush, particularly expressed through bequests such as the Stoddart bequest (twelve sculptures), the Thompson bequest (Statuary Pavilion and five statues) McDonald bequest, (bandstand, entrance gates and pergola) Richard Armstrong Crouch bequest (initiation of Prime Minister's Avenue) and the Robert Clark Conservatory and associated building Robert Clark Horticultural Centre.

The Ballarat Botanical Gardens are of aesthetic significance for the mature avenues which enhance the linear layout of the Garden, particularly the Giant Redwood (*Sequoiadendron giganteum*) The Horse Chestnut (*Aesculus hippocastanum*) and English Oak (*Quercus robur*) Avenues.

The Foundation's overriding Purpose is to raise funds to provide a strong, sustainable financial basis to support the Ballarat Botanical Gardens.

Other purposes include advancing the natural environment in the Botanical Gardens and in so doing, advancing and preserving the heritage of the Gardens as a Horticultural museum.

The Foundation exists to provide a means for the community of Ballarat to contribute to the long term enrichment of our Gardens.

Please send me more information on the following:

Making a Bequest

- The greatest gesture of individual support for our much-loved botanic icon is a bequest. Securing the financial future of the Ballarat Botanical Gardens through a provision in your Will helps to ensure that its historic, cultural, recreational and scientific significance will continue to flourish for future generations to enjoy.

Donations

Many people choose to support the Ballarat Botanical Gardens Foundation Limited through a single tax-deductible donation or annual pledge.

- Gold \$500 Silver \$300 Bronze \$200
 Annual _____ Corporate _____ Other _____

Foundation Postal address:

1 Ascot Street South, Ballarat 3350

Donations are Tax Deductible
ACNC Registered • ACN 629470604 • ABN 71135954893

Info@BallaratBotanicalGardensFoundation.com.au
www.BallaratBotanicalGardensFoundation.com.au



10.7. QUARTERLY FINANCIAL REPORT - 3RD QUARTER ENDING 31 MARCH 2020

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

OFFICER RECOMMENDATION**Council resolves to:**

- 1. Receive the 3rd Quarter Financial Report for the 2019/20 financial year and note the financial issues contained within the report.**

EXECUTIVE SUMMARY

This report sets out the 3rd Quarter financial results for the 2019/20 financial year of the Ballarat City Council. The report highlights the major financial issues for the quarter.

RATIONALE

Pursuant to Section 138(1) of the *Local Government Act 1989*, at least every three months, the Chief Executive Officer must ensure that a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is presented to the Council at a Council meeting which is open to the public.

The quarterly financial report provides the financial statements as prescribed by the appropriate accounting standards and regulations. Accompanying explanation for the significant issues contained within the financial statements is provided. This report also provides a listing of the major financial issues currently being dealt with by management.

1. Overview

The tables below provide a summary of financial results for the period ending 31 March 2020. The first table provides details of the year to date actual results for the period and the second table sets out the predicted results as at year end.

Detailed notes on variations in the financial statements can be found in the attached finance report for the quarter.

Financial issues for the period are:

1. The financial fortunes of the Council will be significantly impacted by the COVID-19 pandemic. Council has been required to close several service areas and as a result will record reductions in income in line with the private sector.

It is anticipated that Council will record a reduction in income of \$5.507 million through the loss of fees and charges from those Council business units that were required to be closed.

In addition to this, it is expected that Council's cash flow position will face the additional pressure of the community's ability to pay their rates, with businesses closing and job

losses. The net impact on all the financial issues facing Council during the 2019/20 financial year will be a reduction in expected cash levels of \$15.111 million.

The impact of the reduction in cash for 2019/20 has been offset by transferring the \$10 million loan that was originally taken out via the State Government. Under this scheme the money could only be accessed once funds had been spent on the approved projects. The decision was made to raise these funds through the commercial sector thus obtaining the \$10 million immediately.

2. The 2020/21 budget is currently be prepared considering the revised financial parameters. Council will budget for the loss of 6 months of income from fees and charges whilst a number of services are required to be closed.
3. Depreciation levels will be in excess of the budget as a result of the 2018/19 revaluation. It is expected that depreciation will exceed the budget by \$6.483 million. The depreciation amount for the budget is calculated prior to the revaluation of assets, as such, a fluctuation of this amount can occur dependent on the outcome of the revaluation. This result will have no impact on the delivery of services or impact on the Council's financial viability.
4. The Developer Contribution Scheme will be underspent for the year. This will not have any financial impact on the City over the long term as Council's Long Term Financial Strategy will be modified to reflect the change in timing of the income and expenditure.
5. A new accounting software system was implemented on 2 December 2019. This system replaces the former system (Computron) which Council had operated for 18 years. The new accounting system is Microsoft Dynamics and is used in conjunction with the various applications provided in Microsoft O365, which enables the organisation to deliver a more user friendly and functionable solution.
6. As part of the implementation of the new accounting system we are experiencing a short term issue where payments due to some suppliers have been delayed. Additional resources have been sourced to resolve this issue and more frequent payments runs are being carried out to reduce the impact on suppliers.

Year to Date:

	Year to Date		
	Budget	Actual	Variance
	2020 \$'000	2020 \$'000	2020 \$'000
Comprehensive Income Statement	49,407	43,595	↓ (5,812)
Net Capital Works	65,636	39,524	↑ 26,112
Cash and Investments	89,148	120,985	↑ 31,838
Net cash provided by (used in) operating activities	61,824	58,189	↓ (3,635)
Net cash provided by (used in) investing activities	(58,615)	(31,194)	↑ 27,421
Net cash provided by (used in) financing activities	(2,234)	5,817	↑ 8,051
Debt Levels	38,755	46,828	↓ (8,072)
Rate Receivables	22,820	23,877	↓ (1,057)
Working Capital	79,970	122,439	↑ 42,469
Working Capital %	289%	501%	↑ 211%

Financial Year (forecast):

	Full Year		
	Budget	Forecast	Variance
	2020 \$'000	2020 \$'000	2020 \$'000
Comprehensive Income Statement	40,492	30,081	↓ (10,411)
Net Capital Works	80,097	79,226	↑ 871
Cash and Investments	52,045	36,934	↓ (15,111)
Net cash provided by (used in) operating activities	41,790	31,995	↓ (9,795)
Net cash provided by (used in) investing activities	(82,192)	(87,508)	↓ (5,316)
Net cash provided by (used in) financing activities	4,274	4,274	→ 0
Debt Levels	45,717	45,717	→ 0
Rate Receivables	4,582	15,536	↓ (10,954)
Working Capital	31,368	27,211	↓ (4,157)
Working Capital %	188%	177%	↓ -12%

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017 – 2021

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	No	No
Environmental/Sustainability	No	No
Economic	No	No
Financial/Resources	Yes	Yes
Risk Management	No	No
Implementation and Marketing	No	No
Evaluation and Review	No	No

Human Rights – It is considered that this report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

Financial/Resources – All issues regarding financial resources have been covered in the attached report.

OFFICERS DECLARATIONS OF INTEREST

Under section 80C of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

Director Business Services – Glenn Kallio

In providing this advice as the Director of Business Services and Author, I have no disclosable interests in this report.

REFERENCE DOCUMENTS

- City of Ballarat Council Budget 2019 - 2020

ATTACHMENTS

1. Finance Report 3 rd Quarter [**10.7.1** - 23 pages]



Quarterly Financial Report
Period Ending 31 March 2020

**Financial Statements & Performance
Statements**

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Comprehensive Income Statement
Period Ending 31 March 2020

	Full Year			Year to Date		
	(\$'000's) Budget	(\$'000's) Forecast	(\$'000's) Var	(\$'000's) Budget	(\$'000's) Actual	(\$'000's) Var
Income						
Rates and charges	122,778	124,306	1,528	122,787	123,362	575
Statutory fees and fines	4,424	4,422	(2)	2,704	3,040	336
User Fees	24,959	19,452	(5,507)	18,516	16,938	(1,578)
Grants Operating	16,729	16,689	(40)	12,866	14,512	1,646
Grants Capital	2,000	5,903	3,903	1,500	2,962	1,462
Contributions Monetary	10,708	12,507	1,799	8,773	9,395	622
Contributions Non Monetary	32,315	26,413	(5,902)	13,526	2,955	(10,571)
Net Gain/(Loss) on disposal of property	0	815	815	(2,250)	551	2,801
Other Income	3,914	4,616	702	2,935	3,829	894
Total income	217,827	215,123	(2,704)	181,357	177,544	(3,813)
Expenses						
Employee Costs	70,227	70,199	28	51,758	49,043	2,715
Materials and services	69,793	71,065	(1,272)	52,205	53,386	(1,180)
Bad and doubtful debts	1,051	1,019	32	788	466	322
Depreciation and amortisation	32,411	38,894	(6,483)	24,309	28,376	(4,067)
Borrowing Costs	1,816	1,816	0	1,362	1,383	(21)
Other expenses	2,037	2,049	(12)	1,528	1,296	232
Total expenses	177,335	185,042	(7,707)	131,950	133,949	(1,999)
Comprehensive result	40,492	30,081	(10,411)	49,407	43,595	(5,812)

Balance Sheet
As at 31 March 2020

	Full Year			Year to Date		
	(\$'000's) Budget	(\$'000's) Forecast	(\$'000's) Var	(\$'000's) Budget	(\$'000's) Actual	(\$'000's) Var
Assets						
Current assets						
Cash and cash equivalents	52,045	36,934	(15,111)	89,148	120,986	31,838
Rates Receivables	4,582	15,536	10,954	22,820	23,877	1,057
Trade and other receivables	8,249	8,249	0	8,249	5,427	(2,822)
Fire Services Levy	367	367	0	367	2,136	1,770
Inventories	418	418	0	418	382	(35)
Other assets	1,237	1,237	0	1,237	199	(1,038)
Total current assets	66,897	62,740	(4,157)	122,239	153,008	30,769
Non-current assets						
Trade and other receivables	4	4	0	4	1	(3)
Property, infrastructure, plant and equipment	1,778,018	1,771,765	(6,253)	1,741,505	1,666,082	(75,423)
Intangible Assets	1,340	1,340	0	1,340	899	(441)
Works in Progress-Current Year	0	0	0	0	36,609	36,609
Total non-current assets	1,779,362	1,773,109	(6,253)	1,742,849	1,703,591	(39,258)
Total assets	1,846,259	1,835,849	(10,410)	1,865,088	1,856,599	(8,489)
Liabilities						
Current liabilities						
Trade and other payables	9,416	9,416	0	16,156	3,409	12,746
Trust funds and deposits	5,178	5,178	0	5,178	5,939	(762)
Provisions	15,499	15,499	0	15,499	15,737	(238)
Interest-bearing loans and borrowings	3,910	3,910	0	3,910	1,289	2,621
Fire Services Levy	1,526	1,526	0	1,526	4,195	(2,668)
Total current liabilities	35,529	35,529	0	42,269	30,569	11,700
Non-current liabilities						
Provisions	10,291	10,291	0	10,291	10,291	0
Interest-bearing loans and borrowings	41,807	41,807	0	34,845	45,539	(10,694)
Total non-current liabilities	52,098	52,098	0	45,136	55,830	(10,694)
Total liabilities	87,627	87,627	0	87,405	86,399	1,006
Net Assets	1,758,632	1,748,222	(10,410)	1,777,683	1,770,200	(7,483)
Equity						
Accumulated surplus	1,181,111	1,170,701	(10,410)	1,200,162	1,192,680	(7,483)
Reserves	577,520	577,520	0	577,520	577,520	0
Total Equity	1,758,632	1,748,222	(10,410)	1,777,683	1,770,200	(7,483)

Cash Flow Statement
Period Ending 31 March 2020

	Full Year			Year to Date		
	Inflows/(Outflows)		(\$'000's) Var	Inflows/(Outflows)		(\$'000's) Var
	(\$'000's) Budget	(\$'000's) Forecast		(\$'000's) Budget	(\$'000's) Actual	
Cash flows from operating activities						
Rates and charges	122,164	112,738	(9,426)	103,934	103,453	(482)
Statutory fees and fines	4,424	4,422	(2)	2,704	3,040	336
User Fees	24,959	19,452	(5,507)	17,728	17,510	(218)
Grants Operating	16,729	16,689	(40)	12,866	14,512	1,646
Grants Capital	2,000	5,903	3,903	1,500	5,784	4,284
Contributions Monetary	10,708	12,507	1,799	8,773	9,395	622
Interest received	1,800	1,250	(550)	1,350	1,165	(185)
Other receipts	2,114	3,366	1,252	1,585	2,699	1,114
Trust funds	0	0	0	0	762	762
Fire Services Levy	0	0	0	0	899	899
Payments to suppliers	(69,793)	(71,065)	(1,272)	(35,330)	(50,928)	(15,598)
Payments to employees	(70,227)	(70,199)	28	(51,758)	(48,805)	2,953
Other payments	(3,088)	(3,068)	20	(1,528)	(1,296)	232
Net cash provided by (used in) operating activities	41,790	31,995	(9,795)	61,824	58,189	(3,635)
Cash flows from investing activities						
Payments for property, infrastructure, plant and equipment	(85,542)	(90,965)	(5,423)	(58,878)	(33,654)	25,224
Proceeds from sale of property, infrastructure, plant and equipment	3,350	3,457	107	263	2,457	2,194
Loans and advances to community organisations	0	0	0	0	0	0
Repayment of loans and advances from community organisations	0	0	0	0	3	3
Net cash provided by (used in) investing activities	(82,192)	(87,508)	(5,316)	(58,615)	(31,194)	27,421

Cash Flow Statement
Period Ending 31 March 2020

	Full Year Inflows/(Outflows)			Year to Date Inflows/(Outflows)		
	(\$'000's) Budget	(\$'000's) Forecast	(\$'000's) Var	(\$'000's) Budget	(\$'000's) Actual	(\$'000's) Var
Cash flows from financing activities						
Finance costs	(1,816)	(1,816)	0	(1,362)	(1,383)	(21)
Proceeds from interest bearing loans and borrowings	10,000	10,000	0	2,040	10,000	7,960
Repayment of interest bearing loans and borrowings	(3,910)	(3,910)	0	(2,912)	(2,800)	112
Net cash provided by (used in) financing activities	4,274	4,274	0	(2,234)	5,817	8,051
Net increase/(decrease) in cash and cash equivalents	(36,128)	(51,239)	(15,111)	975	32,813	31,838
Cash and cash equivalents at the beginning of the financial year	88,173	88,173	0	88,173	88,173	0
Cash and cash equivalents at the end of the financial year	52,045	36,934	(15,111)	89,148	120,985	31,838

Statement of Capital Works
Period Ending 31 March 2020

	Full Year			Year to Date		
	(\$'000's)	(\$'000's)	(\$'000's)	(\$'000's)	(\$'000's)	(\$'000's)
	Budget	Forecast	Var	Budget	Actual	Var
Property						
Land	0	0	0	0	0	0
Land improvements	0	0	0	0	0	0
Total land	0	0	0	0	0	0
Buildings						
Heritage buildings	1,955	1,955	0	1,753	291	1,462
Building improvements	9,416	10,404	(988)	8,013	6,738	1,275
Leasehold improvements	0	0	0	0	0	0
Total buildings	11,371	12,359	(988)	9,766	7,029	2,737
Total property	11,371	12,359	(988)	9,766	7,029	2,737
Plant and equipment						
Heritage plant and equipment	0	0	0	0	0	0
Plant, machinery and equipment	5,270	5,115	155	4,366	4,497	(131)
Fixtures, fittings and furniture	5	426	(421)	5	833	(828)
Computers and telecommunications	6,876	7,079	(203)	5,185	1,249	3,936
Library books	386	386	0	286	243	43
Total plant and equipment	12,537	13,006	(469)	9,842	6,822	3,020
Infrastructure						
Roads	17,944	20,298	(2,354)	17,619	14,230	3,389
Bridges	301	301	0	232	0	232
Footpaths and cycleways	1,253	1,353	(100)	1,003	862	141
Drainage	4,063	4,063	0	3,959	1,349	2,610
Recreational, leisure and community facilities	21,468	21,763	(295)	15,507	9,586	5,921
Waste management	7,156	7,252	(96)	5,215	466	4,749
Parks, open space and streetscapes	2,174	2,417	(243)	2,019	966	1,053
Aerodromes	0	0	0	0	0	0
Off street car parks	681	1,325	(644)	681	664	17
Other infrastructure	6,595	6,828	(233)	4,619	5,829	(1,210)
Total infrastructure	61,635	65,600	(3,965)	50,854	33,952	16,902
Total capital works expenditure	85,543	90,965	(5,422)	70,462	47,803	22,659
Represented by:						
New asset expenditure	15,203	20,300	(5,097)	13,168	11,475	1,693
Asset renewal expenditure	53,581	53,154	427	47,791	34,720	13,071
Asset expansion expenditure	2,185	2,184	1	1,460	421	1,039
Asset upgrade expenditure	14,574	15,327	(753)	8,043	1,187	6,856
Total capital works expenditure	85,543	90,965	(5,422)	70,462	47,803	22,659
	0	0		0	0	
	85,543	90,965		70,462	47,804	
	0	0		0	(1)	
Rounding Error	2	1		3	-1	

Net Capital Report
Period Ending 31 March 2020

Project	Project Description	Expense						YTD Total Committed
		Annual Budget	June Forecast	Forecast Variance	YTD Budgets	YTD Actuals	Commitment	
801520	Equipment	0	8,693	(8,693)	0	10,064	0	10,064
801540	Library Books	386,316	386,316	0	286,000	239,989	3,316	243,304
802940	Furniture	0	3,672	(3,672)	0	3,672	0	3,672
803770	Subdividers Contribution	14,280,000	14,280,000	0	0	0	0	0
820040	Parking Meter Replacement Program	164,832	410,832	(246,000)	137,632	0	0	0
820700	Plant Replacement Program	3,504,911	3,075,666	429,245	2,628,683	1,996,726	1,160,255	3,156,981
820750	BALC Assets & Equipment	412,205	405,796	6,409	325,375	449,847	53,915	503,762
820760	Outdoor Swimming Pool Upgrade	274,444	274,444	0	197,607	49,736	16,968	66,704
821970	Parks Development Program	298,429	278,429	20,000	278,429	72,329	14,951	87,280
822010	Land Development Council Contribut.	106,121	106,121	0	69,040	206,674	56	206,730
822430	IT Infrastructure Strategy	2,493,498	2,493,498	0	1,870,124	12,000	0	12,000
822460	Desktop Replacement Program	495,803	395,803	100,000	371,853	183,780	135,351	319,131
823120	Landfill Upgrade	2,184,840	2,183,930	910	1,460,000	293,776	127,671	421,447
823330	City Entrances	168,794	238,794	(70,000)	143,794	61,155	32,530	93,685
831700	Playground Improvement Program	62,424	62,424	0	62,424	36,986	0	36,986
833550	Street and Park Furniture Renewal	172,171	172,171	0	147,171	76,954	260	77,215
833570	Ballarat Botanical Gardens - Asset	0	62,424	(62,424)	0	34,408	32,770	67,178
833650	Street Irrigation	168,545	106,121	62,424	168,545	0	60,000	60,000
833660	Public Place Recycling	11,478	11,478	0	11,478	0	0	0
833670	Civic Hall Redevelopment Project	1,955,493	1,955,493	0	1,753,493	205,886	84,893	290,779
833760	School Crossing Supervisor Shelters	22,956	22,956	0	22,956	0	0	0
833820	Playspace Upgrades	286,951	86,951	200,000	286,951	95,551	7,426	102,977
833990	Art Gallery Ballarat	0	0	0	0	0	0	0
834040	Facilities Upgrade	3,288,668	3,226,668	62,000	2,361,504	1,108,846	938,587	2,047,433
834520	Bicycle Strategy Projects	386,407	386,407	0	320,504	44,821	33,225	78,046
834530	Federal Blackspot Funding	1,334,854	3,029,858	(1,695,004)	1,334,854	256,075	399,516	655,590
834540	Major New Capital Road Projects	520,200	520,200	0	520,200	318,742	0	318,742
834550	Major Infrastructure Renewal Projec	11,370,030	11,370,030	0	11,110,030	5,931,866	3,021,120	8,952,986
834570	Federal Roads to Recovery Funding	1,000,000	1,532,909	(532,909)	1,000,000	513,554	1,116,428	1,629,982
834610	Public Art Program	257,599	262,299	(4,700)	199,185	73,228	10,992	84,220
835810	Monument Renewal Program	212,076	142,076	70,000	183,381	20,217	0	20,217
835870	Ball West Employment Zone Stage 2	0	0	0	0	0	0	0
835990	Recreation Capital Improvement	8,048,931	8,167,701	(118,770)	7,937,890	4,850,456	2,662,808	7,513,264
836000	Replacement Bin Program	344,341	344,341	0	286,861	183,777	46,873	230,650
836030	IT System Development	3,402,210	3,402,210	0	2,551,656	262,887	94,970	357,857
836040	Median Strip Landscaping	108,243	108,243	0	75,000	10,120	17,000	27,120
836050	Major Rural Roads Infrastructure Wo	2,033,175	2,381,261	(348,086)	2,033,175	787,800	30,543	818,344
836080	ICT Mobility	0	100,000	(100,000)	0	50,084	0	50,084
836300	Wendouree Sports & Events Centre Stage 1	0	905,943	(905,943)	0	752,854	150,160	903,014
836320	DCP Construction WIK	14,120,454	10,407,850	3,712,604	10,590,342	2,339,628	0	2,339,628
836330	DCP Land WIK	3,914,090	1,724,924	2,189,166	2,935,569	615,600	0	615,600
836380	Sebastopol Library	0	3,615	(3,615)	0	48	3,615	3,663
836710	Mining Exchange	0	0	0	0	182	0	182
836730	Fernery	955,586	955,586	0	955,586	145,353	16,975	162,328
836760	Lucas Community Hub	0	0	0	0	2,152	215	2,368
836980	Bicycle Paths	374,544	474,544	(100,000)	274,544	0	119,504	119,504
836990	Bridge Rehabilitation	300,944	300,944	0	232,460	0	0	0
837000	Bus Shelter repair and replacement	166,464	166,464	0	83,244	86,347	42,593	128,940
837010	Drainage Projects	843,764	843,764	0	740,042	580,613	189,128	769,742
837020	Lake Wendouree Infrastructure Works	215,712	215,712	0	187,284	90,744	19,555	110,299
837030	Kerb and channelling	457,776	457,776	0	150,000	297,034	30,031	327,065
837040	Footpath Works	561,816	561,816	0	411,816	391,790	40,884	432,674
837050	Minor Road improvements /upgrades	1,199,581	899,581	300,000	1,199,581	1,596,329	0	1,596,329
837060	DCP Construction	2,972,693	3,205,326	(232,633)	2,318,101	2,967,298	1,143,290	4,110,588
837110	DCP Land Purchase	3,914,090	3,505,989	408,101	3,914,090	3,505,989	0	3,505,989
837130	Girrabanya Upgrade	97,696	176,966	(79,270)	97,696	176,967	4,313	181,280
837150	Wendouree West Rec Reserve	11,668	0	11,668	11,668	5,349	0	5,349
837160	Gardens House Relocation	0	0	0	0	0	0	0

Net Capital Report
Period Ending 31 March 2020

Project	Project Description	Expense						YTD Total Committed
		Annual Budget	June Forecast	Forecast Variance	YTD Budgets	YTD Actuals	Commitment	
837170	HMT Conservation Works	1,719,197	1,719,197	0	1,719,197	553,382	26,121	579,503
837180	Flood Repairs Sept 16	0	393,695	(393,695)	0	234,619	0	234,619
837200	Social Infrastructure Capital Impro	1,318,234	1,328,234	(10,000)	1,056,924	294,159	202,813	496,972
837220	Ballarat Animal Shelter Equipment	0	80,000	(80,000)	0	3,364	0	3,364
837260	SSRIP Safer Cyclists & Pedestrian F	95,422	95,422	0	95,422	30,130	13,700	43,830
837290	Town Hall - Living Heritage	173,500	173,500	0	173,500	0	0	0
837320	Marveloo	0	0	0	0	0	0	0
837330	Eureka Centre Equipment	0	0	0	0	0	0	0
837350	Waste to Energy Plant	4,864,503	4,864,503	0	3,648,375	0	0	0
837360	Bridges	0	0	0	0	0	0	0
837370	CBD Parking Action Plan	681,437	931,437	(250,000)	681,437	427,867	1,650	429,517
837380	Art Aquisitions For AGB	8,655	173,201	(164,546)	8,655	147,288	16,909	164,197
837390	NBN Reinstatement	316,612	316,612	0	316,612	304,309	5,499	309,808
837410	White Flat Public Safety Upgrade	123,368	179,684	(56,316)	123,368	187,553	80	187,633
837420	SMART CITY LoRaWAN Gateway	0	0	0	0	0	0	0
837440	Wendouree Childcare Centre Extensio	0	560,000	(560,000)	0	73,257	58,253	131,510
837450	Girrabanya Equipment	5,473	5,473	0	5,473	0	0	0
837470	BWOW Design	0	416,880	(416,880)	0	396,669	432,268	828,937
837490	Electronic Waste Storage Shed	0	97,000	(97,000)	0	910	0	910
837500	SMART City & Suburbs Grant	139,743	238,420	(98,677)	104,808	133,694	44,402	178,096
837510	MPavilion	78,243	78,243	0	78,243	72,117	1,560	73,677
837530	Phoenix Deck	0	105,000	(105,000)	0	90,823	10,218	101,041
837540	Safer Communities CCTV	18,926	18,926	0	18,926	0	0	0
837550	Charlesworth St Retarding Basin	1,500,000	1,500,000	0	1,500,000	0	0	0
837570	Lake Lighting & Fitness Equipment	200,000	392,625	(192,625)	200,000	93,993	307,354	401,347
837590	Christmas Decorations	200,000	200,000	0	200,000	101,339	1,057	102,396
837600	LED Residential Street Lighting	500,000	500,000	0	500,000	61	0	61
837610	Bakery Hill	1,000,000	1,003,734	(3,734)	425,000	57,059	12,797	69,857
837620	Town Hall restoration (Ball room)	1,000,000	1,000,000	0	694,000	18,701	0	18,701
837630	Central Library	950,000	950,000	0	780,000	39,935	6,130	46,065
837650	Parking Equipment	1,600,000	1,620,000	(20,000)	1,600,000	1,147,389	182,567	1,329,956
837660	Street Trees & Planting	500,000	500,000	0	300,000	0	436,649	436,649
837670	Recreation Loan Funds	10,000,000	10,000,000	0	4,520,000	118,195	356,378	474,573
837680	Vic Park Soccer & Pravillion	0	0	0	0	0	0	0
837690	Wendouree West Rec Reserve	0	31,700	(31,700)	0	38,919	0	38,919
837700	Mars Stadium Stage 2	0	21,600	(21,600)	0	34,486	0	34,486
837710	Miners Rest - Land Acquisition	1,000,000	1,000,000	0	1,000,000	0	0	0
837711	HMT Stage 3	0	0	0	0	3,513	0	3,513
837712	Public Open Space Land	0	0	0	0	0	171,000	171,000
837713	Ballarat Sports and Ent Centre Stage 2	0	80,000	(80,000)	0	8,895	666	9,561
Grand Total		117,857,136	117,378,101	479,035	83,987,758	36,608,909	14,150,757	50,759,666

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Project	Project Description	Revenue					YTD Total Committed
		Annual Budget	June Forecast	Forecast Variance	YTD Budgets	YTD Actuals	
801520	Equipment	0	0	0	0	0	0
801540	Library Books	0	0	0	0	0	0
802940	Furniture	0	0	0	0	0	0
803770	Subdividers Contribution	(14,280,000)	(14,280,000)	0	0	0	0
820040	Parking Meter Replacement Program	0	0	0	0	0	0
820700	Plant Replacement Program	(350,004)	(406,812)	56,808	(262,503)	(406,812)	(406,812)
820750	BALC Assets & Equipment	0	0	0	0	0	0
820760	Outdoor Swimming Pool Upgrade	0	0	0	0	0	0
821970	Parks Development Program	0	0	0	0	0	0
822010	Land Development Council Contribut.	0	0	0	0	0	0
822430	IT Infrastructure Strategy	0	0	0	0	0	0
822460	Desktop Replacement Program	0	0	0	0	0	0
823120	Landfill Upgrade	0	0	0	0	0	0
823330	City Entrances	0	0	0	0	0	0
831700	Playground Improvement Program	0	0	0	0	0	0
833550	Street and Park Furniture Renewal	0	0	0	0	0	0
833570	Ballarat Botanical Gardens - Asset	0	0	0	0	0	0
833650	Street Irrigation	0	0	0	0	0	0
833660	Public Place Recycling	0	0	0	0	0	0
833670	Civic Hall Redevelopment Project	0	0	0	0	0	0
833760	School Crossing Supervisor Shelters	0	0	0	0	0	0
833820	Playspace Upgrades	0	0	0	0	0	0
833990	Art Gallery Ballarat	0	0	0	0	0	0
834040	Facilities Upgrade	0	0	0	0	0	0
834520	Bicycle Strategy Projects	0	0	0	0	0	0
834530	Federal Blackspot Funding	(999,996)	(2,695,000)	1,695,004	(749,997)	0	0
834540	Major New Capital Road Projects	0	0	0	0	0	0
834550	Major Infrastructure Renewal Projec	0	0	0	0	(578,182)	(578,182)
834570	Federal Roads to Recovery Funding	(999,996)	(1,532,905)	532,909	(749,997)	(1,393,550)	(1,393,550)
834610	Public Art Program	0	(4,700)	4,700	0	(4,700)	(4,700)
835810	Monument Renewal Program	0	0	0	0	0	0
835870	Ball West Employment Zone Stage 2	0	0	0	0	0	0
835990	Recreation Capital Improvement	0	(168,770)	168,770	0	(168,470)	(168,140)
836000	Replacement Bin Program	0	0	0	0	0	0
836030	IT System Development	0	0	0	0	0	0
836040	Median Strip Landscaping	0	0	0	0	0	0
836050	Major Rural Roads Infrastructure Wo	0	0	0	0	0	0
836080	ICT Mobility	0	0	0	0	(50,084)	(50,084)
836300	Wendouree Sports & Events Centre Stage 1	(2,968,579)	(4,089,700)	1,121,121	(2,968,579)	(3,659,344)	(3,659,344)
836320	DCP Construction WIK	(14,120,460)	(10,407,850)	(3,712,610)	(10,590,345)	(2,339,628)	(2,339,628)
836330	DCP Land WIK	(3,914,088)	(1,724,924)	(2,189,164)	(2,935,566)	(615,600)	(615,600)
836380	Sebastopol Library	0	0	0	0	0	0
836710	Mining Exchange	0	0	0	0	0	0
836730	Fernery	0	0	0	0	(173)	(173)
836760	Lucas Community Hub	0	0	0	0	0	0
836980	Bicycle Paths	0	0	0	0	0	0
836990	Bridge Rehabilitation	0	0	0	0	0	0
837000	Bus Shelter repair and replacement	0	0	0	0	(12,000)	(12,000)
837010	Drainage Projects	(37,008)	(37,008)	0	(27,756)	0	0
837020	Lake Wendouree Infrastructure Works	0	0	0	0	0	0
837030	Kerb and channelling	(34,428)	(34,428)	0	(25,821)	0	0
837040	Footpath Works	(5,352)	(5,352)	0	(4,014)	(37,849)	(37,849)
837050	Minor Road improvements /upgrades	0	0	0	0	0	0
837060	DCP Construction	0	(886,896)	886,896	0	(886,896)	(886,896)
837110	DCP Land Purchase	0	0	0	0	0	0
837130	Girrabanya Upgrade	0	(62,500)	62,500	0	(62,500)	(62,500)
837150	Wendouree West Rec Reserve	0	0	0	0	0	0
837160	Gardens House Relocation	0	0	0	0	0	0

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Project	Project Description	Revenue					YTD Total Committed
		Annual Budget	June Forecast	Forecast Variance	YTD Budgets	YTD Actuals	
837170	HMT Conservation Works	0	0	0	0	0	0
837180	Flood Repairs Sept 16	0	(393,695)	393,695	0	(328,019)	(328,019)
837200	Social Infrastructure Capital Impro	0	(10,000)	10,000	0	(10,000)	(10,000)
837220	Ballarat Animal Shelter Equipment	0	0	0	0	0	0
837260	SSRIP Safer Cyclists & Pedestrian F	0	0	0	0	(7,249)	(7,249)
837290	Town Hall - Living Heritage	0	0	0	0	0	0
837320	Marveloo	0	0	0	0	0	0
837330	Eureka Centre Equipment	0	0	0	0	0	0
837350	Waste to Energy Plant	0	0	0	0	0	0
837360	Bridges	0	0	0	0	0	0
837370	CBD Parking Action Plan	0	(250,000)	250,000	0	(250,000)	(250,000)
837380	Art Aquisitions For AGB	0	(143,891)	143,891	0	(143,891)	(143,891)
837390	NBN Reinstatement	0	0	0	0	(200)	(200)
837410	White Flat Public Safety Upgrade	0	(56,316)	56,316	0	(37,544)	(37,544)
837420	SMART CITY LoRaWAN Gateway	(50,004)	0	(50,004)	(37,503)	0	0
837440	Wendouree Childcare Centre Extensio	0	(560,000)	560,000	0	(175,000)	(175,000)
837450	Girrabanya Equipment	0	0	0	0	0	0
837470	BWOW Design	0	0	0	0	0	0
837490	Electronic Waste Storage Shed	0	(97,000)	97,000	0	(68,005)	(68,005)
837500	SMART City & Suburbs Grant	0	(98,677)	98,677	0	0	0
837510	MPavilion	0	0	0	0	0	0
837530	Phoenix Deck	0	0	0	0	0	0
837540	Safer Communities CCTV	0	0	0	0	0	0
837550	Charlesworth St Retarding Basin	0	0	0	0	0	0
837570	Lake Lighting & Fitness Equipment	0	(72,000)	72,000	0	0	0
837590	Christmas Decorations	0	0	0	0	0	0
837600	LED Residential Street Lighting	0	0	0	0	0	0
837610	Bakery Hill	0	0	0	0	0	0
837620	Town Hall restoration (Ball room)	0	0	0	0	0	0
837630	Central Library	0	0	0	0	0	0
837650	Parking Equipment	0	0	0	0	0	0
837660	Street Trees & Planting	0	0	0	0	0	0
837670	Recreation Loan Funds	0	0	0	0	0	0
837680	Vic Park Soccer & Pravillion	0	0	0	0	(0)	(0)
837690	Wendouree West Rec Reserve	0	(31,700)	31,700	0	0	0
837700	Mars Stadium Stage 2	0	(21,600)	21,600	0	(0)	(0)
837710	Miners Rest - Land Acquisition	0	0	0	0	0	0
837711	HMT Stage 3	0	0	0	0	0	0
837712	Public Open Space Land	0	0	0	0	0	0
837713	Ballarat Sports and Ent Centre Stage 2	0	(80,000)	80,000	0	0	0
Grand Total		(37,759,915)	(38,151,724)	391,809	(18,352,081)	(11,235,694)	(11,235,364)

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Project	Project Description	Net Position							
		Annual Budget	June Forecast	Forecast Variance	YTD Budgets	YTD Actuals	Commitments	YTD Total Committed	Variance
801520	Equipment	0	8,693	(8,693)	0	10,064	0	10,064	(10,064)
801540	Library Books	386,316	386,316	0	286,000	239,989	3,316	243,304	42,696
802940	Furniture	0	3,672	(3,672)	0	3,672	0	3,672	(3,672)
803770	Subdividers Contribution	0	0	0	0	0	0	0	0
820040	Parking Meter Replacement Program	164,832	410,832	(246,000)	137,632	0	0	0	137,632
820700	Plant Replacement Program	3,154,907	2,668,854	486,053	2,366,180	1,589,914	1,160,255	2,750,169	(383,989)
820750	BALC Assets & Equipment	412,205	405,796	6,409	325,375	449,847	53,915	503,762	(178,387)
820760	Outdoor Swimming Pool Upgrade	274,444	274,444	0	197,607	49,736	16,968	66,704	130,903
821970	Parks Development Program	298,429	278,429	20,000	278,429	72,329	14,951	87,280	191,149
822010	Land Development Council Contribut.	106,121	106,121	0	69,040	206,674	56	206,730	(137,690)
822430	IT Infrastructure Strategy	2,493,498	2,493,498	0	1,870,124	12,000	0	12,000	1,858,124
822460	Desktop Replacement Program	495,803	395,803	100,000	371,853	183,780	135,351	319,131	52,722
823120	Landfill Upgrade	2,184,840	2,183,930	910	1,460,000	293,776	127,671	421,447	1,038,553
823330	City Entrances	168,794	238,794	(70,000)	143,794	61,155	32,530	93,685	50,109
831700	Playground Improvement Program	62,424	62,424	0	62,424	36,986	0	36,986	25,438
833550	Street and Park Furniture Renewal	172,171	172,171	0	147,171	76,954	260	77,215	69,956
833570	Ballarat Botanical Gardens - Asset	0	62,424	(62,424)	0	34,408	32,770	67,178	(67,178)
833650	Street Irrigation	168,545	106,121	62,424	168,545	0	60,000	60,000	108,545
833660	Public Place Recycling	11,478	11,478	0	11,478	0	0	0	11,478
833670	Civic Hall Redevelopment Project	1,955,493	1,955,493	0	1,753,493	205,886	84,893	290,779	1,462,714
833760	School Crossing Supervisor Shelters	22,956	22,956	0	22,956	0	0	0	22,956
833820	Playspace Upgrades	286,951	86,951	200,000	286,951	95,551	7,426	102,977	183,974
833990	Art Gallery Ballarat	0	0	0	0	0	0	0	0
834040	Facilities Upgrade	3,288,668	3,226,668	62,000	2,361,504	1,108,846	938,587	2,047,433	314,071
834520	Bicycle Strategy Projects	386,407	386,407	0	320,504	44,821	33,225	78,046	242,458
834530	Federal Blackspot Funding	334,858	334,858	0	584,857	256,075	399,516	655,590	(70,733)
834540	Major New Capital Road Projects	520,200	520,200	0	520,200	318,742	0	318,742	201,458
834550	Major Infrastructure Renewal Projec	11,370,030	11,370,030	0	11,110,030	5,353,684	3,021,120	8,374,804	2,735,226
834570	Federal Roads to Recovery Funding	4	4	0	250,003	(879,996)	1,116,428	236,432	13,571
834610	Public Art Program	257,599	257,599	0	199,185	68,528	10,992	79,520	119,665
835810	Monument Renewal Program	212,076	142,076	70,000	183,381	20,217	0	20,217	163,164
835870	Ball West Employment Zone Stage 2	0	0	0	0	0	0	0	0
835990	Recreation Capital Improvement	8,048,931	7,998,931	50,000	7,937,890	4,681,986	2,663,138	7,345,124	592,766
836000	Replacement Bin Program	344,341	344,341	0	286,861	183,777	46,873	230,650	56,211
836030	IT System Development	3,402,210	3,402,210	0	2,551,656	262,887	94,970	357,857	2,193,799
836040	Median Strip Landscaping	108,243	108,243	0	75,000	10,120	17,000	27,120	47,880
836050	Major Rural Roads Infrastructure Wo	2,033,175	2,381,261	(348,086)	2,033,175	787,800	30,543	818,344	1,214,831
836080	ICT Mobility	0	100,000	(100,000)	0	0	0	0	(0)
836300	Wendouree Sports & Events Centre Stage 1	(2,968,579)	(3,183,757)	215,178	(2,968,579)	(2,906,490)	150,160	(2,756,330)	(212,249)
836320	DCP Construction WIK	(6)	(0)	(6)	(3)	0	0	0	(3)
836330	DCP Land WIK	2	0	2	3	0	0	0	3
836380	Sebastopol Library	0	3,615	(3,615)	0	48	3,615	3,663	(3,663)
836710	Mining Exchange	0	0	0	0	182	0	182	(182)
836730	Fernery	955,586	955,586	0	955,586	145,180	16,975	162,155	793,431
836760	Lucas Community Hub	0	0	0	0	2,152	215	2,368	(2,368)
836980	Bicycle Paths	374,544	474,544	(100,000)	274,544	0	119,504	119,504	155,040
836990	Bridge Rehabilitation	300,944	300,944	0	232,460	0	0	0	232,460
837000	Bus Shelter repair and replacement	166,464	166,464	0	83,244	74,347	42,593	116,940	(33,696)
837010	Drainage Projects	806,756	806,756	0	712,286	580,613	189,128	769,742	(57,456)
837020	Lake Wendouree Infrastructure Works	215,712	215,712	0	187,284	90,744	19,555	110,299	76,985
837030	Kerb and channelling	423,348	423,348	0	124,179	297,034	30,031	327,065	(202,886)
837040	Footpath Works	556,464	556,464	0	407,802	353,941	40,884	394,825	12,977
837050	Minor Road improvements /upgrades	1,199,581	899,581	300,000	1,199,581	1,596,329	0	1,596,329	(396,748)
837060	DCP Construction	2,972,693	2,318,430	654,263	2,318,101	2,080,402	1,143,290	3,223,692	(905,591)
837110	DCP Land Purchase	3,914,090	3,505,989	408,101	3,914,090	3,505,989	0	3,505,989	408,101
837130	Girrabanya Upgrade	97,696	114,466	(16,770)	97,696	114,467	4,313	118,780	(21,084)
837150	Wendouree West Rec Reserve	11,668	0	11,668	11,668	5,349	0	5,349	6,319
837160	Gardens House Relocation	0	0	0	0	0	0	0	0

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Project	Project Description	Net Position							
		Annual Budget	June Forecast	Forecast Variance	YTD Budgets	YTD Actuals	Commitments	YTD Total Committed	Variance
837170	HMT Conservation Works	1,719,197	1,719,197	0	1,719,197	553,382	26,121	579,503	1,139,694
837180	Flood Repairs Sept 16	0	0	0	0	(93,400)	0	(93,400)	93,400
837200	Social Infrastructure Capital Impro	1,318,234	1,318,234	0	1,056,924	284,159	202,813	486,972	569,952
837220	Ballarat Animal Shelter Equipment	0	80,000	(80,000)	0	3,364	0	3,364	(3,364)
837260	SSRIP Safer Cyclists & Pedestrian F	95,422	95,422	0	95,422	22,881	13,700	36,581	58,841
837290	Town Hall - Living Heritage	173,500	173,500	0	173,500	0	0	0	173,500
837320	Marveloo	0	0	0	0	0	0	0	0
837330	Eureka Centre Equipment	0	0	0	0	0	0	0	0
837350	Waste to Energy Plant	4,864,503	4,864,503	0	3,648,375	0	0	0	3,648,375
837360	Bridges	0	0	0	0	0	0	0	0
837370	CBD Parking Action Plan	681,437	681,437	0	681,437	177,867	1,650	179,517	501,920
837380	Art Aquisitions For AGB	8,655	29,310	(20,655)	8,655	3,397	16,909	20,306	(11,651)
837390	NBN Reinstatement	316,612	316,612	0	316,612	304,109	5,499	309,608	7,004
837410	White Flat Public Safety Upgrade	123,368	123,368	0	123,368	150,009	80	150,089	(26,721)
837420	SMART CITY LoRaWAN Gateway	(50,004)	0	(50,004)	(37,503)	0	0	0	(37,503)
837440	Wendouree Childcare Centre Extensio	0	0	0	0	(101,743)	58,253	(43,490)	43,490
837450	Girrabanya Equipment	5,473	5,473	0	5,473	0	0	0	5,473
837470	BWOW Design	0	416,880	(416,880)	0	396,669	432,268	828,937	(828,937)
837490	Electronic Waste Storage Shed	0	0	0	0	(67,095)	0	(67,095)	67,095
837500	SMART City & Suburbs Grant	139,743	139,743	0	104,808	133,694	44,402	178,096	(73,288)
837510	MPavilion	78,243	78,243	0	78,243	72,117	1,560	73,677	4,566
837530	Phoenix Deck	0	105,000	(105,000)	0	90,823	10,218	101,041	(101,041)
837540	Safer Communities CCTV	18,926	18,926	0	18,926	0	0	0	18,926
837550	Charlesworth St Retarding Basin	1,500,000	1,500,000	0	1,500,000	0	0	0	1,500,000
837570	Lake Lighting & Fitness Equipment	200,000	320,625	(120,625)	200,000	93,993	307,354	401,347	(201,347)
837590	Christmas Decorations	200,000	200,000	0	200,000	101,339	1,057	102,396	97,604
837600	LED Residential Street Lighting	500,000	500,000	0	500,000	61	0	61	499,939
837610	Bakery Hill	1,000,000	1,003,734	(3,734)	425,000	57,059	12,797	69,857	355,143
837620	Town Hall restoration (Ball room)	1,000,000	1,000,000	0	694,000	18,701	0	18,701	675,299
837630	Central Library	950,000	950,000	0	780,000	39,935	6,130	46,065	733,935
837650	Parking Equipment	1,600,000	1,620,000	(20,000)	1,600,000	1,147,389	182,567	1,329,956	270,044
837660	Street Trees & Planting	500,000	500,000	0	300,000	0	436,649	436,649	(136,649)
837670	Recreation Loan Funds	10,000,000	10,000,000	0	4,520,000	118,195	356,378	474,573	4,045,427
837680	Vic Park Soccer & Pravillion	0	0	0	0	(0)	0	(0)	0
837690	Wendouree West Rec Reserve	0	0	0	0	38,919	0	38,919	(38,919)
837700	Mars Stadium Stage 2	0	0	0	0	34,486	0	34,486	(34,486)
837710	Miners Rest - Land Acquisition	1,000,000	1,000,000	0	1,000,000	0	0	0	1,000,000
837711	HMT Stage 3	0	0	0	0	3,513	0	3,513	(3,513)
837712	Public Open Space Land	0	0	0	0	0	171,000	171,000	(171,000)
837713	Ballarat Sports and Ent Centre Stage 2	0	0	0	0	8,895	666	9,561	(9,561)
Grand Total		80,097,221	79,226,377	870,844	65,635,677	25,373,215	14,151,087	39,524,302	26,111,375

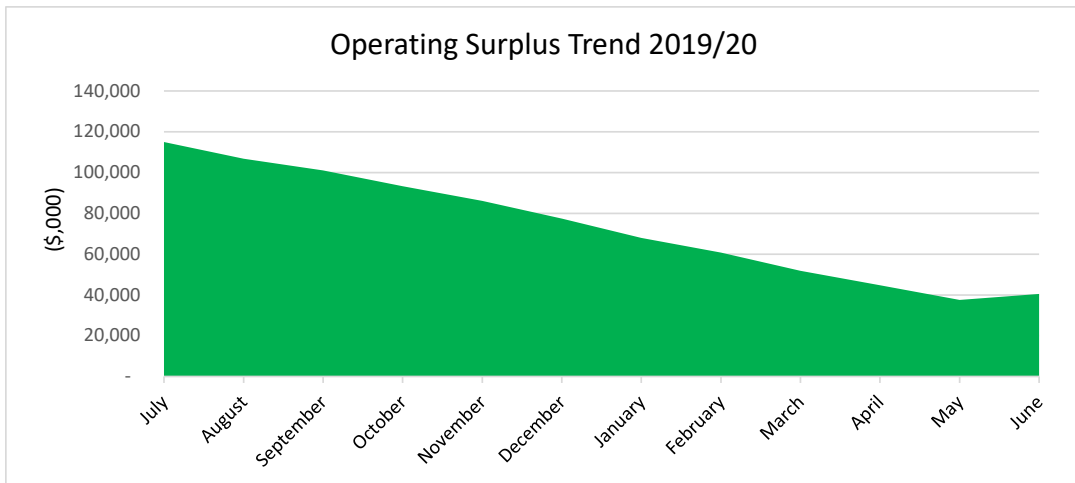
Notes to Financial Statements
Period Ending 31 March 2020

Note	Forecast Var (\$'000's)	Year to Date Var (\$'000's)
Comprehensive Income Statement		

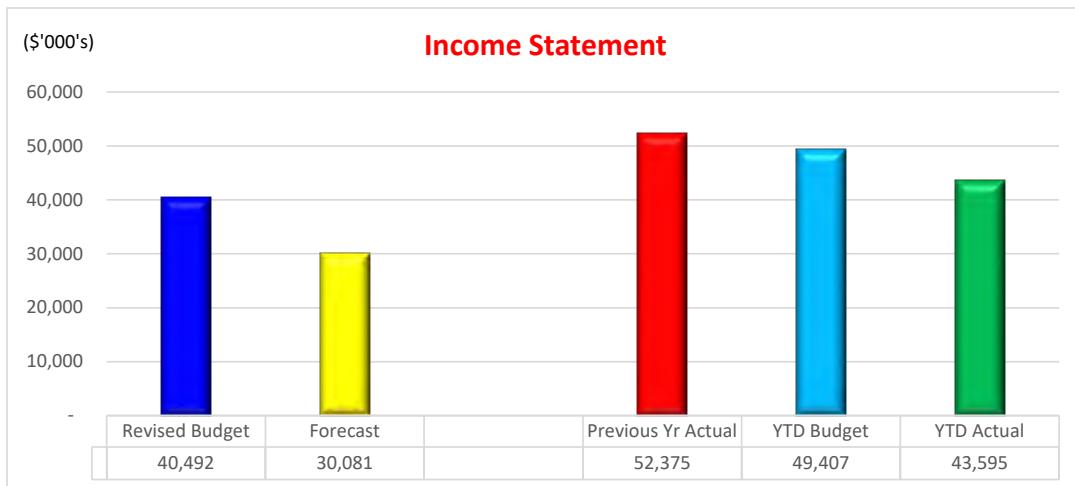
The income statement result provides a summary of the financial impact of providing general services to the community.

Trend:

The trend for the operating result of the organisation is to record a significant surplus in the first two months of the financial year, this surplus will then be reduced over the remainder of the financial year. The surplus occurs when general rates are raised. The full amount of the rates is recognised as revenue raised immediately, even though the cash will not be collected immediately. The surplus is then reduced as expenditure is committed during the financial year in the delivery of general services. The following graph illustrates the forecast trend during the financial year.



Results:



Notes to Financial Statements
Period Ending 31 March 2020

Note	Forecast Var (\$'000's) Forecast Var	Year to Date Var (\$'000's) YTD Variance
1 Rates and charges	1,528	575
<p>Full Year Forecasts: The continued growth in the municipality will result in additional revenue being raised.</p> <p>Year to Date: It is considered there are no issues, the variation can be contributable to timing issues between the expected profile and the actual expenditure</p>		
2 Statutory fees and fines	(2)	336
<p>Full Year Forecasts: No issues are predicted at this time.</p> <p>Year to Date: It is considered there are no issues, the variation can be contributable to timing issues between the expected profile and the actual expenditure</p>		
3 User Fees	(5,507)	(1,578)
<p>Full Year Forecasts: Year to date have been significantly impacted by the closure of a number of Council businesses as a result of the COVID-19 pandemic.</p> <p>Year to Date: Full year forecasts have been significantly impacted by the closure of a number of Council businesses as a result of the COVID-19 pandemic.</p>		
4 Grants Operating	(40)	1,646
<p>Full Year Forecasts: No issues.</p> <p>Year to Date: The year to date variance is attributable to the earlier receipt of a number of operating grants for the period.</p>		
5 Grants Capital	3,903	1,462
<p>Full Year Forecasts: Council expects to receive additional funding from the State Government for projects that were indicated during the Election, at budget time these allocations were not confirmed thus were not budgeted for.</p>		

Notes to Financial Statements
Period Ending 31 March 2020

Note **Forecast Var** **Year to Date Var**
(\$'000's) **(\$'000's)**

Listed below are those projects that additional funds are expected to be received:

Project No	Project Name	FY Budget	Forecast
834530	Federal Blackspot Funding	1,000	2,695
834570	Federal Roads to Recovery Funding	1,000	1,533
837180	Flood Repairs Sept 16	-	394
837370	CBD Parking Action Plan	-	250
837410	White Flat Public Safety Upgrade	-	56
837440	Wendouree Childcare Centre Extensio	-	350
837490	Electronic Waste Storage Shed	-	97
837690	Wendouree West Rec Reserve	-	32
837700	Mars Stadium Stage 2	-	22

Year to Date:

Year to date results are less than budgeted for the period due to timing issues and is not expected to have a financial impact by year end.

6 Contributions Monetary **1,799** **622**

Full Year Forecasts:

It is expected to receive additional funds compared to budget for both Subdividers Contribution and Developers Contributions. If these funds are not expended during 2019/20 they are required to be transferred to the appropriate Reserves. Additional funds will be received for BSEC (these will be offset by additional capital expenditure).

DCP contributions are expected to be \$1m less than expected, again offset by less expenditure, the DCP program forms part of the 20 year financial strategy thus the timing of of both expenditure and receipt of income is not critical to occur in any particular financial year.

Year to Date:

The year to date results reflects the issues discussed under Full Year Forecasts.

7 Contributions Non Monetary **(5,902)** **(10,571)**

Full Year Forecasts:

The forecasts results reflects the changing environment in relation to the delivery of the DCP program. As stated within the issue discussed under Contributions Monetary, the delivery within a particular financial year is not critical as it has been planned over the 20 Financial Startegy.

Year to Date:

The year to date results reflects the changing environment in relation to the delivery of the DCP program. As stated within the issue discussed under Contributions Monetary, the delivery within a particular financial year is not critical as it has been planned over the 20 Financial Startegy.

8 Net Gain/(Loss) on disposal of property **815** **2,801**

Full Year Forecasts:

No issues are predicted at this time.

Year to Date:

Year to date results reflects the fact that the asset value of land sld year to date has not been recognised, this will occur in Feb 2020.

Notes to Financial Statements
Period Ending 31 March 2020

Note	Forecast Var (\$'000's)	Year to Date Var (\$'000's)
9 Other Income	702	894
<p>Full Year Forecasts: No issues are predicted at this time.</p> <p>Year to Date: Variances year to date relate to timing differences between the expected receipt of funds and the actual receipt of those funds.</p>		
10 Employee Costs	28	2,715
<p>Full Year Forecasts: No issues</p> <p>Year to Date: The year to date result is impacted by two factors, the first being the number of vacancies during the year, secondly EB negotiations are still ongoing though the monthly budgets reflect that an increase would have been paid.</p>		
11 Materials and services	(1,272)	(1,180)
<p>Full Year Forecasts: Full year results are still being reviewed. It is expected that the final result will be lower than has been forecast at this time.</p> <p>Year to Date: The variance to date reflects timing differences in the delivery of projects compared to that of when the budget was formulated.</p>		
12 Bad and doubtful debts	32	322
<p>Full Year Forecasts: No issues are predicted at this time.</p> <p>Year to Date: Issues exist in the profiling of the budgeted expenditure. It appears this was profiled evenly over the 12 months instead of the majority of bad debts occur in the last quarter of the financial year.</p>		
13 Depreciation and amortisation	(6,483)	(4,067)
<p>Full Year Forecasts: Depreciation amounts will exceed the budget allocations as a direct result of the revaluations of assets that occurred during the year end process for the 2018/19 accounts. Whilst this will deliver a lower than budgeted result, there will no impact on delivery of services.</p> <p>Year to Date: Depreciation amounts have exceeded the budget allocations as a direct result of the revaluations of assets that occurred during the year end process for the 2018/19 accounts. Whilst this will deliver a lower than budgeted result, there will no impact on delivery of services.</p>		
14 Borrowing Costs	0	(21)
<p>Full Year Forecasts: No issues are predicted at this time.</p> <p>Year to Date: No issues exist at this time.</p>		

Notes to Financial Statements
Period Ending 31 March 2020

Note		Forecast Var (\$'000's)	Year to Date Var (\$'000's)
15	Other expenses	(12)	232

Full Year Forecasts:

No issues are predicted at this time.

Year to Date:

No issues exist at this time.

Notes to Financial Statements
Period Ending 31 March 2020

Note	Forecast Var (\$'000's)	Year to Date Var (\$'000's)
Cash and Investments		

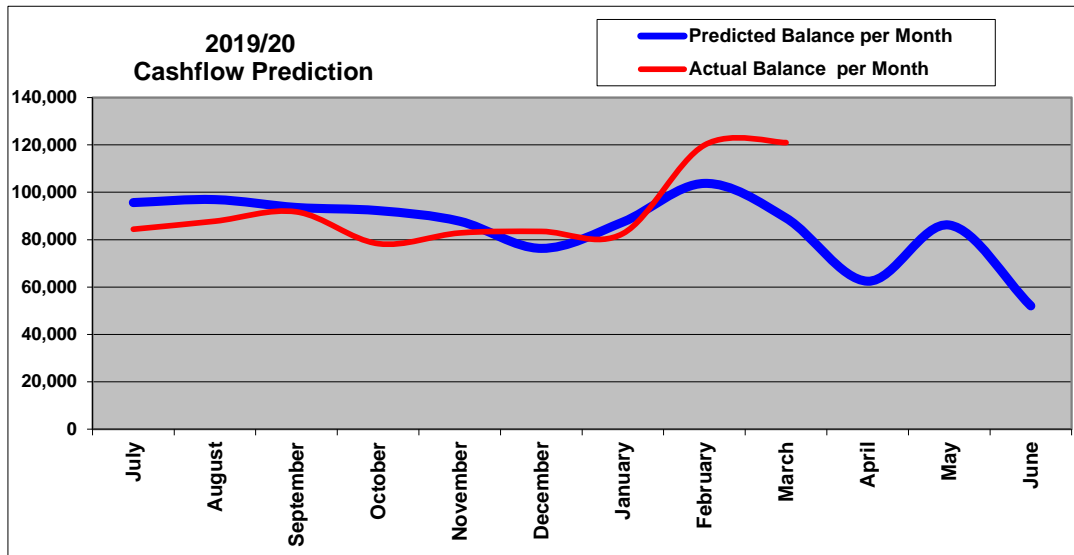
This indicator shows the level of cash held by the organisation at a point in time compared to the budget.

Trend:

The trend for cash levels over the first seven (7) months of the financial year is a negative cash flow. This occurs due to the delay in receiving payments of general rates. This is the reason why it is essential to maintain a strong cash balance at the end of June each year which will enable the organisation to deliver projects and services without the need to utilise an overdraft facility.

During the months of January and February there is a positive cashflow due to the payment of the general rates, until the receipt of most of cash from rates, it is expected that there will be a reduction in cash for the period July to January.

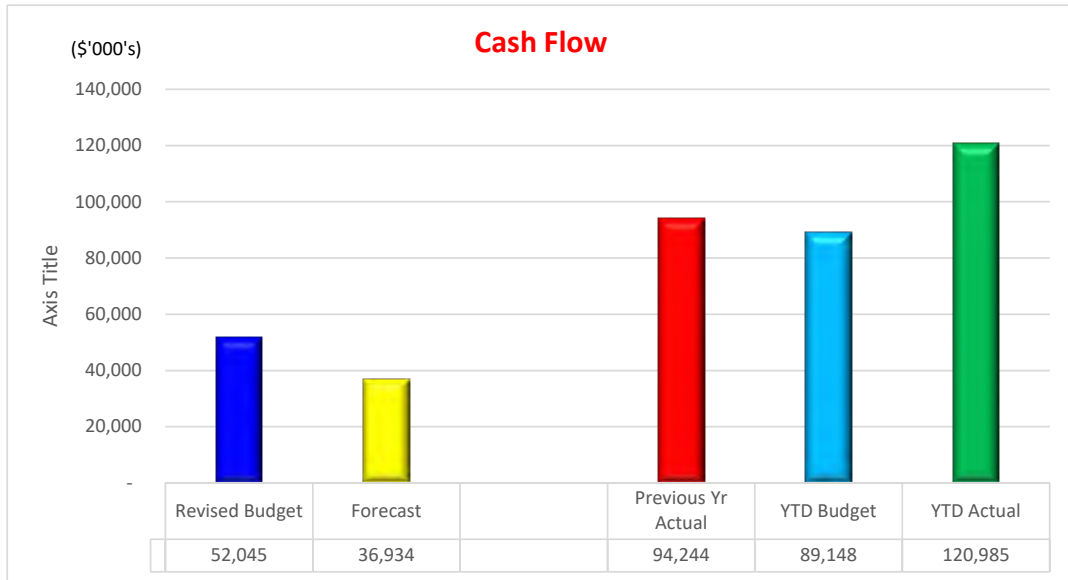
The cashflow trend for the financial year is illustrated below:



Notes to Financial Statements
Period Ending 31 March 2020

Note **Forecast Var** **Year to Date Var**
(\$'000's) (\$'000's)

Results:



As mentioned, the COVID-19 pandemic has impacted significantly on Council finances whereby it is expected that a shortfall of \$15.111 million will be recorded at June 30.

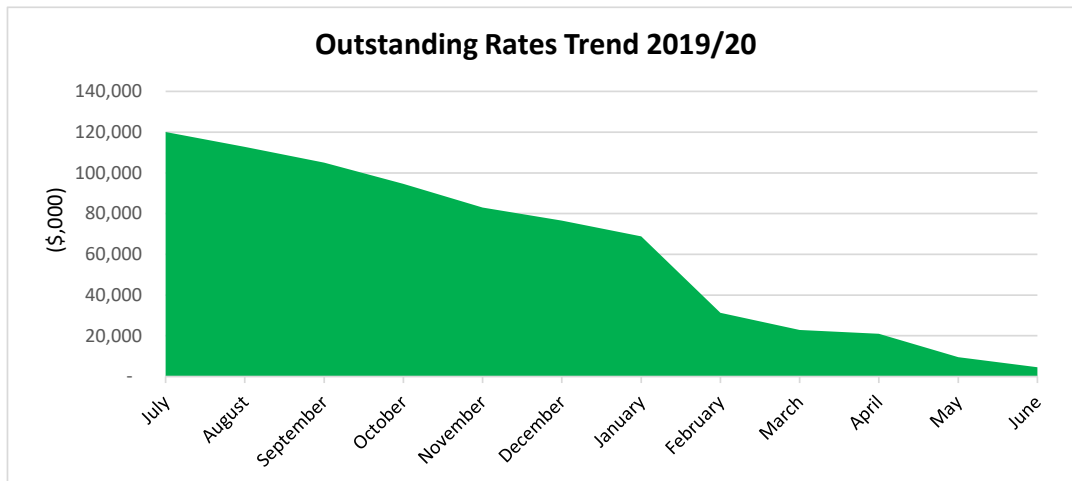
Notes to Financial Statements
Period Ending 31 March 2020

Note	Forecast Var (\$'000's)	Year to Date Var (\$'000's)
Rate Receivables		

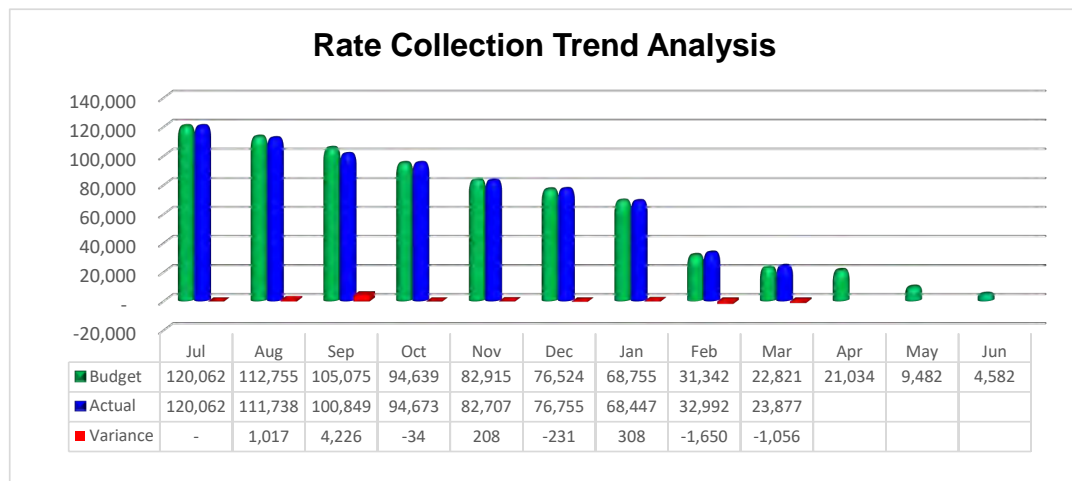
This indicator shows the level of money owed to the organisation from rates.

Trend:

The biggest influence on the trend for the collection of outstanding monies owed to the organisation is the payment of general rates. As the main payment date for general rates is not until February, the reduction of the outstanding debt is slow over the first seven (7) months of the financial year. During the month of February there is a dramatic reduction in the outstanding balance as this month is the due date for general rates.



Result:



Notes to Financial Statements
Period Ending 31 March 2020

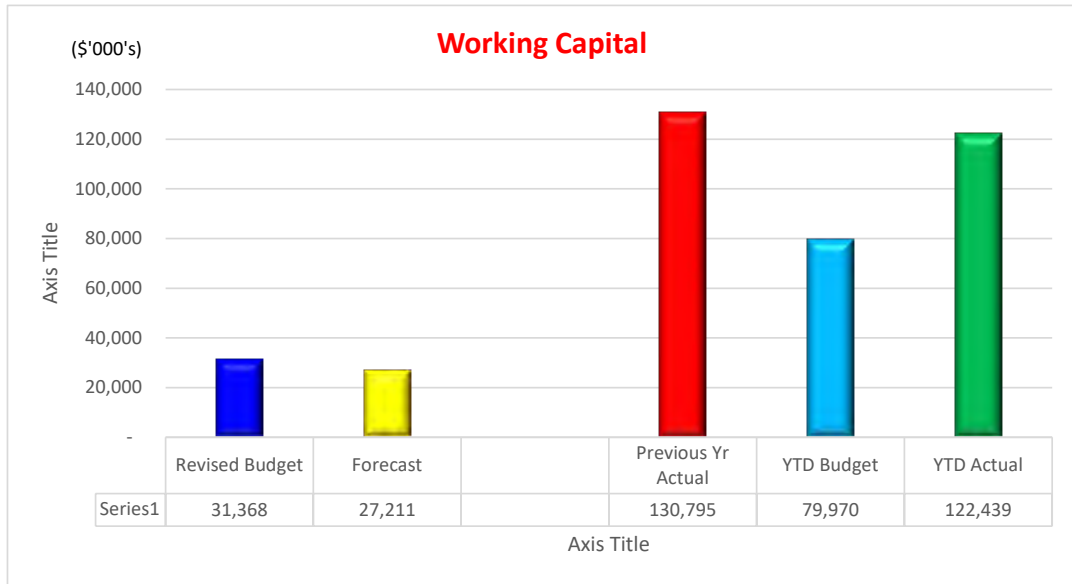
Note

**Forecast Var
(\$'000's)**

**Year to Date Var
(\$'000's)**

As mentioned, the COVID-19 pandemic has impacted significantly on Council finances whereby it is expected that an additional shortfall of \$10.954 million will be reelected.

Working Capital



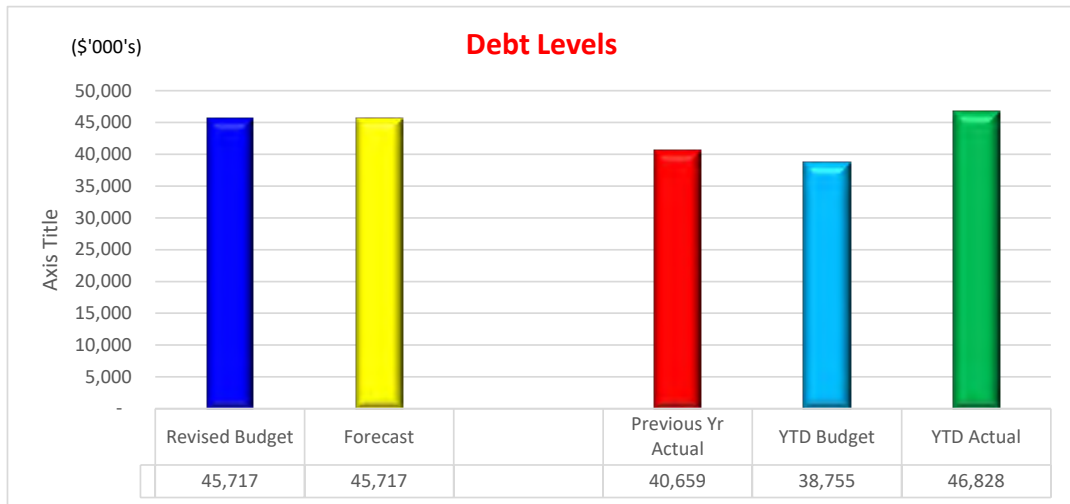
Issues stated will reduce Council's working capital however Council will remain in a strong financial position.

Notes to Financial Statements
Period Ending 31 March 2020

Note	Forecast Var (\$'000's)	Year to Date Var (\$'000's)
Debt Levels		

This indicator shows the level of debt owed by the City of Ballarat.

Result:



The level of debt owed by the City of Ballarat maintains within the parameters of the Long Term Financial Strategy.

10.8. AMENDMENT TO TERMS OF REFERENCE - AUDIT ADVISORY COMMITTEE

Division: Business Services
Director: Glenn Kallio
Author/Position: Lorraine Sendall - Executive Assistant, Director Business Services

OFFICER RECOMMENDATION

Council resolves to:

1. Adopt the amended Terms of Reference for the Audit Advisory Committee.

EXECUTIVE SUMMARY

This report seeks Council's endorsement for an amended Terms of Reference for the Audit Advisory Committee.

RATIONALE

The Terms of Reference for the Audit Advisory Committee was last reviewed in 2018.

The Audit Advisory Committee, at its meeting held on 21 February 2018 reviewed the Terms of Reference and endorsed the revised Terms of Reference. When amending the Terms of Reference, the Office of Local Government 'Audit Committees: A Guide to Good Practice for Local Government' was considered.

It has become necessary for Council to amend the Terms of Reference for the Audit Advisory Committee to enable the Committee to meet off site via a form of video link to cater for such events as the Pandemic we are currently experiencing.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	No	No
Environmental/Sustainability	No	No
Economic	No	No
Financial/Resources	No	No
Risk Management	No	No
Implementation and Marketing	No	No
Evaluation and Review	No	No

Human Rights – It is considered that this report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

CONSULTATION

Audit Advisory Committee

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

REFERENCE DOCUMENTS

- Audit Advisory Committee Terms of Reference 2018
- A Guide to Good Practice for Local Government

ATTACHMENTS

1. Draft Audit Charter and Terms of Reference 2020 [**10.8.1** - 6 pages]



AUDIT ADVISORY COMMITTEE TERMS OF REFERENCE

April 2020

The Audit Committee is formally appointed Committee of Council and acts as an independent Advisory Committee of Council under Section 139 of the Local Government Act.

The Audit Advisory Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility. The Audit Advisory Committee does not have any management functions and is therefore independent of management.

Conflict of Interest and Use of Information

The Audit Advisory Committee members will have access to information about the day to day operations of Council including information that may be Commercial in Confidence and personnel matters.

Members of the Audit Advisory Committee must be fully aware of their responsibilities with regard to the management of interests in relation to the discharge of their duties as a member of the Audit Committee, in particular, with regard to its use or misuse and the disclosure of conflicts of interests. Section 79 of the Local Government Act 1989 makes it mandatory for members of the Audit Committee to disclose all conflicts of interest prior to the discussion of the matter for which the conflict of interest has arisen.

Section 139 (4A) of the Local Government Act 1989 requires Audit Committee members to lodge Primary and Ordinary Returns pursuant to Section 81 of the Act.

3. OBJECTIVES

- The primary objective of the Audit Committee is to assist Council to fulfil its responsibilities in relation to financial reporting, risk management, maintaining a reliable system of internal controls and facilitating the organisation's ethical development.

- The Audit Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility. The Audit Committee does not have any management functions and is therefore independent of management.
- The Committee's role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Charter in order to facilitate decision making by Council in relation to the discharge of its responsibilities.
- The Audit Advisory Committee may request additional information in order to fulfil its responsibilities and recommend to Council that independent legal or professional advice be obtained if and when required.

4. MEMBERSHIP

- (a) The Audit Committee will comprise seven members – three Councillors and four external independent persons. All members shall have full voting rights.
 - External independent persons will have senior business or financial management/reporting knowledge and experience, and be conversant with the financial and other reporting requirements. The evaluation of potential members will be undertaken by the Mayor and Chief Executive Officer taking account of the experience of candidates and their likely ability to apply appropriate analytical and strategic management skills, and a recommendation for appointment will be put before Council for adoption.
 - Councillors will be appointed to the Committee through Council's annual Committee appointment process.
- (b) Appointments of external/independent persons shall be made by way of a public advertisement and be for a term of three years. Council has the option of inviting interested members to serve consecutive terms and in this case it would not be necessary for the position to be publicly advertised.
- (c) If the Council proposes to remove a member of the Committee, it must give written notice to the member of its intention to do so and provide that member with the opportunity to be heard at a Council meeting which is open to the public, if that member so requests.
- (d) Remuneration will be paid to each independent member of the Committee, as determined by Council, the basis of which is to be a set fee per meeting with no additional amount being paid to the Chair.
- (e) The Chairperson shall be appointed from the external members of the Committee by the Audit Committee subject to Council's approval. In the absence of the appointed Chairperson from a meeting, the Committee will appoint an acting Chairperson from the Independent members present.
- (f) No member of the Committee shall chair the meeting in consecutive years.
- (g) All members have full and equal voting rights on all matters considered by the Committee unless a member is unable to vote due to a conflict of interest. Resolutions shall pass on a simple majority vote.
- (h) At least one independent member will possess financial qualifications and have experience at a senior level.

5. MEETINGS

- a) The Committee shall meet at least quarterly, except in the event of an unprecedented incident outside the control of Council.
- b) A schedule of meetings will be developed and agreed to by the members. As an indicative guide, meetings would be arranged to coincide with relevant Council reporting deadlines, for example in August/September to coincide with the finalisation of the Financial Statements, Performance Statement and the Draft Annual Report to the Minister.
- c) Additional meetings shall be convened at the discretion of the Chairperson or at the written request of any member of the Committee, internal or external auditor.
- d) A quorum will be a majority of the Committee membership.
- e) The Chief Executive Officer and Director Business Services should attend all meetings. Other members of Council or Council staff may be invited to attend at the discretion of the Committee to advise and provide information when required.
- f) Representatives of the external auditor should be invited to attend at the discretion of the Committee but must attend meetings considering the draft annual financial report and results of the external audit.
- g) Council shall provide secretarial and administrative support to the Committee and minutes will be taken.
- h) Any Councillor, not appointed to the Committee, may attend the meeting to observe only and will not have any voting entitlement.
- i) Due to the sensitive nature of the content of reports considered by the Audit Committee, meetings are not open to the public and all meeting agendas and proceedings are deemed confidential.
- j) All Audit Committee meetings, agenda papers and discussions are to be treated as confidential and all meetings will be held 'In Camera'.
- k) All Audit Committee members are expected to attend each Audit Committee meeting in person except in the event whereby circumstances are unable to hold the meeting on site.
- l) Where practicable, the responsible Director or Manager will be present for tabling of their reports.
- m) Other Council staff may attend meetings at the CEO's request where issues require clarification.

6. DECISION MAKING

As an Advisory Committee of Council, any decisions requiring expenditure on behalf of Council and/or making any commitments to action/responses on behalf of Council, must be deferred to the Council.

7. REPORTING

- (a) The Audit Committee shall after every meeting forward the minutes of that meeting to the next ordinary meeting of the Council, including a report explaining any specific recommendations and key outcomes.
- (b) The Committee may also be required to meet with the Council to provide a formal status report on matters raised in the Audit Plan.

8. PERFORMANCE

The Audit Committee are encouraged to evaluate their own performance on an annual basis using a self assessment tool.

9. DUTIES AND RESPONSIBILITIES

The following are the duties and responsibilities of the Audit Committee in pursuing its Terms of Reference:

- (i) To review the scope of the internal audit plan and program and the effectiveness of the function and recommend the annual plan for approval by Council and all major changes to the plan. This review should consider whether, over a period of years the internal audit plan systematically addresses:
 - internal controls over significant areas of risk, including non-financial management control systems;
 - internal controls over revenue, expenditure, assets and liability processes;
 - the efficiency, effectiveness and economy of significant Council programs; and
 - compliance with regulations, policies, best practice guidelines, instructions and contractual arrangements;
 - compliance with good governance standards, policy and ethical practice as set out in legislation, guidelines, policy and procedure;
 - any issue referred to the Committee for review or consideration by the Council or Chief Executive Officer that fall within the scope of the Committee's Terms of Reference.
- (ii) Review the level of resources allocated to internal audit and the scope of its authority and recommend to Council any changes considered necessary for the effective carrying out of functions.
- (iii) Review reports of internal audit and the extent to which Council and management react to matters raised by internal audit, by monitoring the implementation of recommendations made by internal audit.
- (iv) Facilitate liaison between the internal and external auditor to promote compatibility, to the extent appropriate, between their audit programs.

**City of Ballarat –Terms of Reference – Audit Advisory Committee
2020**

- (v) Critically analyse and follow up any internal or external audit report that raises significant issues relating to risk management, internal control, financial reporting and other accountability or governance issues, and any other matters relevant under the Committee's Terms of Reference. Review management's response to, and actions taken as a result of the issues raised.
- (vi) Monitor the risk exposure of Council by determining if management has appropriate risk management processes and adequate management information systems.
- (vii) Monitor ethical standards and related party transactions by determining whether the systems of control are adequate.
- (viii) Review Council's draft annual financial report, focussing on:
 - Accounting policies and practices;
 - Changes to accounting policies and practices;
 - The process used in making significant accounting estimates;
 - Significant adjustments to the financial report (if any) arising from the audit process;
 - Compliance with accounting standards and other reporting requirements;
 - Significant variances from prior years.
- (ix) Recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the financial report is signed.
- (x) Discuss with the external auditor the scope of the audit and the planning of the audit.
- (xi) Discuss with the external auditor issues arising from the audit, including any management letter issued by the auditor and the resolution of such matters.
- (xii) Review tendering arrangements and advise Council.
- (xiii) Review the annual performance statement and recommend its adoption to Council.
- (xiv) Review issues relating to national competition policy, financial reporting by Council business units and comparative performance indicators.
 - Providing strategic advice, conducting and completing corporate governance and compliance audits to assess performance against the Council's corporate, financial and strategic plans.
 - Conducting investigations of any special cases of fraud within the organisation and monitoring the progress of any major law suits facing the Council.
 - Reviewing policies, procedures and controls having appropriate regard of information technology systems employed.
 - Monitoring the implementation of all due diligence audit recommendations and recommendations of the Audit Committee as adopted by the Council.
 - Review of key performance indicators for the Committee and the monitoring and reporting of performance against the identified measures to the Chief Executive officer, Audit Committee and Council.

**City of Ballarat –Terms of Reference – Audit Advisory Committee
2020**

- (xv) Provide advice to the Council, Chief Executive Officer and management as requested, including the development of policies and procedures.
- (xvi) Undertake special assignments as requested by the Chief Executive Officer.
- (xvii) Liaise with the external auditor and co-ordinate audit coverage.
- (xviii) Oversee internal audit work in accordance with the professional auditing standards, codes of conduct and ethics promulgated by organisations such as the Australian Society of Certified Practising Accountants, the Institute of Chartered Accountants in Australia and the Institute of Internal Auditors – Australia.
- (xix) Financial audit work will take into consideration the extent to which the area concerned is already covered by the external auditor.
- (xx) Identify and refer specific projects or investigations deemed necessary through the Chief Executive Officer, the internal auditor and the Council if appropriate. Oversee any subsequent investigations, including overseeing of the investigations of any suspected cases of fraud within the organisation.
- (xxi) Monitor the progress of any major lawsuits facing the Council.
- (xxii) Address issues brought to the attention of the Committee, including responding to requests from Council for advice that are within the parameters of the Committee's terms of reference.
- (xxiii) Report to Council after each meeting, in the form of minutes or otherwise, and as necessary and provide an annual report to Council summarising the activities undertaken during the year.
- (xxiv) The Audit Committee in conjunction with the Council and Chief Executive Officer should develop the Committee's performance indicators.
- (xxv) The Audit Committee, through the Chief Executive Officer and following authorisation from the Council, and within the scope of its responsibilities, may seek information or obtain expert advice on matters of concern.
- (xxvi) Review and assess the adequacy of management reporting to Council in terms of the quality, quantity and timing of information necessary to understand and report on Council's risks, operations and financial condition.

10. CONFLICT AND INTEREST PROVISIONS

- (i) Audit Committee members are subject to the provisions of section 76D (Misuse of Position) and section 79 (Conflict of Interest) of the Local Government Act.
- (ii) Independent members of the Committee are also required to submit Primary or Ordinary Returns (section 81 Local Government Act).
- (iii) In performing the role of a Committee members, a person must:-
 - act honestly
 - exercise reasonable care and diligence
 - not make improper use of their position; and
 - not make improper use of information acquired because of their position.

10.9. CONTRACTS SPECIAL COMMITTEE MINUTES

Division: Director Business Services
Director: Glenn Kallio
Author/Position: Lorraine Sendall - Executive Assistant, Director Business Services

OFFICER RECOMMENDATION**Council resolves to:**

- 1. Note, as per the *Local Government Act 1989* Section 88(2) that this matter is designated confidential information under section 89(2) as Contractual Matters and has been considered in making this recommendation.**
- 2. Endorse the Special Contracts Committee minutes of the meetings held on 29th January, 26 February, 4 March and 11 March, 2020.**

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with copies of minutes of Council's section 86 Special Contracts Committee in accordance with the *Local Government Act 1989*. At the meeting of these Committees held on 29th January, 26 February, 4 March and 11 March, 2020, six contracts were endorsed by the Committee and variations to one contract. This report provides a copy of these minutes of these meetings as well as detailing summary information in relation to this Contract.

RATIONALE

Section 92 of the *Local Government Act 1989* (the Act) requires that copies of minutes of meetings of the Special committees of Council are kept. Part 5 of the Act also lists minutes of section 86 Committees as a prescribed matter and therefore should be made available to the public. This report advises that minutes of the Special Contracts Committee (the Committee) are attached to this report for the meetings held on 29th January, 26 February, 4 March and 11 March, 2020

The Committee has been established to more effectively facilitate Council's Capital Works Program. To that end, the Committee has been established and will meet weekly, as required, in order to provide Council Officers with necessary decisions of Council to enable procurement processes to be completed.

LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- *Local Government Act 1989*
- City of Ballarat Council Plan 2017-21
- City of Ballarat Industry Participation Program
- City of Ballarat Purchasing/Procurement Policies and Procedures

LOCAL CONTENT

Contract	Endorsed with recommendation to Council	Value	Outcomes	Local Content Outcome
2019/20-151	Fulton Hogan Industries Pty Ltd	\$399,515.81 (excluding GST)	Construction of Roundabout – Victoria Park	Yes
2019/20-155	S.H.A.E. Enterprises P/L	\$505,345.51 (excluding GST)	MR Power Park – All Abilities Playspace	Yes
2019/20-141	Cervus Equipment	\$112,900.00 (excluding GST)	One Wing Mower and Three Rotary Mowers	Yes
	Westag Industrial	\$130,330.00 (excluding GST)	One small Tractor and Three Rotary Mowers	Yes
2019/20-85	CiQ Construction Management	\$524,512.30 (excluding GST)	Russell Pavilion Refurbishment	Yes
2019/20-118	Streebson Pty Ltd	\$270,292.65 (excluding GST)	Unsealed Intersection Sealing	Yes

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/cultural	Yes	Yes
Environmental/Sustainability	No	No
Economic	No	No
Financial/Resources	Yes	Yes
Risk Management	Yes	Yes
Implementation and Marketing	No	No
Evaluation and Review	No	No

Human Rights - It is considered that this Report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

Social/Cultural - The inclusion of the minutes in the Council agenda and their availability to the public will increase awareness of the activities of the Special Contracts Committee and could increase community involvement in decision making at Council.

Risk Management – The Act requires that minutes of Committees established under Section 86 are kept and are made available to the public. There are implications if minutes of Special Committees are not presented to Council.

Financial – As contained within the report.

OFFICER' DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

REFERENCE DOCUMENTS

- City of Ballarat Purchasing/Procurement Policy
- Contracts Approval Special Committee Terms of Reference

ATTACHMENTS

1. Contracts Minutes Wednesday 29 January 2020 [**10.9.1** - 5 pages]
2. Contracts Minutes Wednesday 26 February 2020 [**10.9.2** - 4 pages]
3. Contracts Minutes Wednesday 4 March 2020 [**10.9.3** - 5 pages]
4. Contracts Minutes Wednesday 11 March 2020 [**10.9.4** - 4 pages]



CONTRACTS SPECIAL COMMITTEE

MINUTES

29 January 2020

**MINUTES OF THE MEETING OF THE SPECIAL CONTRACTS COMMITTEE
OF THE BALLARAT CITY COUNCIL, HELD IN COMMITTEE ROOM 2,
TOWN HALL, STURT STREET, BALLARAT
ON WEDNESDAY 29 JANUARY 2020 AT 4:30PM**

**Justine Linley
(Chief Executive Officer)**

MINUTES

ORDER OF BUSINESS:

PRESENT

Cr Mark Harris (Chair)
Cr Ben Taylor
Cr Grant Tillett

IN ATTENDANCE

Terry Demeo (Director Infrastructure and Environment)
Neville Ivey (Director Community Development)
Glenn Kallio (Director Business Services)
Mark Powell (Manager Capital Planning and Project Delivery)

DECLARATIONS OF INTEREST

No declarations of interest were received.

CONFIRMATION OF MINUTES

RESOLUTION:

That the minutes of the Contracts meeting held on 17 January, 2019 as circulated, be confirmed.

Moved Cr Grant Tillett
Seconded Cr Ben Taylor

CARRIED

SECTION 89 MATTERS

RESOLUTION:

That the Committee resolves, pursuant to Section 89(2) of the Local Government Act 1989, that the meeting be closed to members of the public, whilst the Committee is dealing with the following matters, that may include matters that are Commercial in Confidence that may prejudice Council: -

Moved Cr Grant Tillett
Seconded Cr Ben Taylor

CARRIED

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5.2 CONTRACT 2019/20-151 CONSTRUCTION OF ROUNDABOUT – VICTORIA PARK (RO TERRY DEMEO / ROBIN HAND)	4
5.3 CONTRACT 2019/20-155 MR POWER PARK ALL ABILITIES PLAYSPACE CONSTRUCTION (RO NEVILLE IVEY / TRENT BURSILL)	5

**5.1 CONTRACT 2019/20-163
ALFREDTON VILLAGE GREEN OVAL RECONSTRUCTION
(RO – Neville Ivey / Trent Bursill)**

SUMMARY

This report recommends that the Contracts Special Committee award a tender for the reconstruction of the sports field at Alfredton Village Green Oval.

RESOLUTION

- 1. That consideration of this Contract be deferred until the next meeting of the Contracts Special Committee.**

Moved Cr Ben Taylor
Seconded Cr Mark Harris

CARRIED

**5.2 CONTRACT 2019/20-151
CONSTRUCTION OF ROUNDABOUT – VICTORIA PARK
(RO – Terry Demeo / Robin Hand)**

SUMMARY

This report recommends that the Contracts Special Committee award a tender for the construction of a roundabout in Victoria Park at the intersection of Cedar Drive and Poplar Avenue.

RESOLUTION

That the Contracts Approval Special Committee resolves to:

- 2. Award Contract Number 2019/20-151 'Construction of Roundabout – Victoria Park' to Fulton Hogan Industries Pty Ltd for the total tendered price of \$399,515.81 (excluding GST).**
- 3. Delegate to the Chief Executive Officer authority to execute the associated Contract on behalf of Council.**

Moved Cr Grant Tillett
Seconded Cr Ben Taylor

CARRIED



CONTRACTS SPECIAL COMMITTEE

MINUTES

26 February 2020

**MINUTES OF THE MEETING OF THE SPECIAL CONTRACTS COMMITTEE
OF THE BALLARAT CITY COUNCIL, HELD IN COMMITTEE ROOM 2,
TOWN HALL, STURT STREET, BALLARAT
ON WEDNESDAY 26 FEBRUARY 2020 AT 4:30PM**

**Justine Linley
(Chief Executive Officer)**

MINUTES

ORDER OF BUSINESS:

PRESENT

Cr Mark Harris (Chair)
Cr Ben Taylor
Cr Grant Tillett

IN ATTENDANCE

Glenn Kallio (Director Business Services)

APOLOGIES

An apology was received from Cr Ben Taylor

RESOLUTION:

That the apology from Cr Ben Taylor be accepted.

Moved Cr Mark Harris
Seconded Cr Grant Tillett

CARRIED

DECLARATIONS OF INTEREST

No declarations of interest were received.

CONFIRMATION OF MINUTES

RESOLUTION:

That the minutes of the Contracts meeting held on 29 January, 2019 as circulated, be confirmed.

Moved Cr Mark Harris
Seconded Cr Grant Tillett

CARRIED

SECTION 89 MATTERS

RESOLUTION:

That the Committee resolves, pursuant to Section 89(2) of the Local Government Act 1989, that the meeting be closed to members of the public, whilst the Committee is dealing with the following matters, that may include matters that are Commercial in Confidence that may prejudice Council: -

Moved Cr Mark Harris
Seconded Cr Grant Tillett

CARRIED

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CONTRACTS SPECIAL COMMITTEE

MINUTES

4 March 2020

**MINUTES OF THE MEETING OF THE SPECIAL CONTRACTS COMMITTEE
OF THE BALLARAT CITY COUNCIL, HELD IN COMMITTEE ROOM 2,
TOWN HALL, STURT STREET, BALLARAT
ON WEDNESDAY 4 MARCH 2020 AT 4:30PM**

**Justine Linley
(Chief Executive Officer)**

MINUTES

ORDER OF BUSINESS:

PRESENT

Cr Mark Harris (Chair)
Cr Ben Taylor
Cr Grant Tillett

IN ATTENDANCE

Angelique Lush (Director Development and Planning)
Neville Ivey (Director Community Development)
Glenn Kallio (Director Business Services)

DECLARATIONS OF INTEREST

No declarations of interest were received.

CONFIRMATION OF MINUTES

RESOLUTION:

That the minutes of the Contracts meeting held on 26 February, 2020 as circulated, be confirmed.

Moved Cr Grant Tillett
Seconded Cr Ben Taylor

CARRIED

SECTION 89 MATTERS

RESOLUTION:

That the Committee resolves, pursuant to Section 89(2) of the Local Government Act 1989, that the meeting be closed to members of the public, whilst the Committee is dealing with the following matters, that may include matters that are Commercial in Confidence that may prejudice Council: -

Moved Cr Grant Tillett
Seconded Cr Ben Taylor

CARRIED

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5.2 TENDER 2019/20-85 RUSSELL PAVILION REFURBISHMENT (RO NEVILLE IVEY / ANGELINE DOOLEY)	4
5.3 TENDER 2019/20-163 ALFREDTON VILLAGE GREEN OVAL RECONSTRUCTION (RO NEVILLE IVEY / TRENT BURSILL)	4

**5.1 PANEL OF APPROVED SUPPLIERS - PLANNING AND ASSOCIATED SERVICES,
DESIGN AND ECONOMIC DEVELOPMENT**
(RO – Angelique Lush / Lisa Kendal)

SUMMARY

This report recommended that the Contracts Special Committee award a panel of suppliers for the provision of professional services – planning and associated services, economic development and design services.

RESOLUTION

The Contracts Approval Special Committee resolves to defer the report till a future meeting.

Moved Cr Grant Tillett
Seconded Cr Ben Taylor

CARRIED

5.2 TENDER 2019/20-85 RUSSELL PAVILION REFURBISHMENT
(RO – Neville Ivey / Angeline Dooley)

SUMMARY

This report recommended that the Contracts Special Committee enter into a Contract for the Refurbishment of the Russell Square Pavilion.

RESOLUTION

The Contracts Approval Special Committee resolves to:

- 1. Award Contract 2019/20-85 for the provision of building construction/refurbishment services for the Russell Square Pavilion Refurbishment to CiQ Construction Management for the total tendered price of \$524,512.30 (ex GST).**
- 2. Delegate to the Chief Executive Officer authority to execute the associated Contract on behalf of Council.**

Moved Cr Ben Taylor
Seconded Cr Grant Tillett

CARRIED

5.3 TENDER 2019/20-163 ALFREDTON VILLAGE GREEN OVAL RECONSTRUCTION
(RO – Neville Ivey / Trent Bursill)

SUMMARY

This report recommended that the Contracts Special Committee enter into a Contract for the reconstruction of Alfredton Village Green Oval.

RESOLUTION

The Contracts Approval Special Committee resolves to withdraw the tender.

Moved Cr Ben Taylor
Seconded Cr Grant Tillett

CARRIED

There being no further business, the Chairperson declared the meeting closed at 4:45pm

Confirmed this 11th day of March, 2020

.....

Chairperson



CONTRACTS SPECIAL COMMITTEE

MINUTES

11 March 2020

**MINUTES OF THE MEETING OF THE SPECIAL CONTRACTS COMMITTEE
OF THE BALLARAT CITY COUNCIL, HELD IN COMMITTEE ROOM 2,
TOWN HALL, STURT STREET, BALLARAT
ON WEDNESDAY 11 MARCH 2020 AT 4:32PM**

**Justine Linley
(Chief Executive Officer)**

MINUTES

ORDER OF BUSINESS:

PRESENT

Cr Mark Harris (Chair)
Cr Ben Taylor
Cr Grant Tillett

IN ATTENDANCE

Terry Demeo (Director Infrastructure and Environment)
Glenn Kallio (Director Business Services)

DECLARATIONS OF INTEREST

No declarations of interest were received.

CONFIRMATION OF MINUTES

RESOLUTION:

That the minutes of the Contracts meeting held on 4 March, 2020 as circulated, be confirmed.

Moved Cr Grant Tillett
Seconded Cr Ben Taylor

CARRIED

SECTION 89 MATTERS

RESOLUTION:

That the Committee resolves, pursuant to Section 89(2) of the Local Government Act 1989, that the meeting be closed to members of the public, whilst the Committee is dealing with the following matters, that may include matters that are Commercial in Confidence that may prejudice Council: -

Moved Cr Grant Tillett
Seconded Cr Ben Taylor

CARRIED

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5.1 TENDER 2019/20-118 UNSEALED INTERSECTION SEALING (RO TERRY DEMEO / ROBIN HAND)	4

5.1 TENDER 2019/20-118 UNSEALED INTERSECTION SEALING
(RO – Terry Demeo / Robin Hand)

SUMMARY

This report recommended that the Contracts Special Committee enter into a Contract for the unsealed intersection sealing program.

RESOLUTION

The Contracts Approval Special Committee resolves to:

1. Award Contract 2019/20-118 'Unsealed Intersection Sealing Program' to Streebson Pty Ltd t/a Ballarat Excavation and Transport for the total tendered price of \$270,292.65 (ex GST).
2. Delegate to the Chief Executive Officer authority to execute the associated Contract on behalf of Council.

Moved Cr Ben Taylor
Seconded Cr Grant Tillett

CARRIED

SECTION 89

RESOLUTION:

That the Committee resolves to come out of Section 89 and adopt the resolutions made therein.

Moved Cr Grant Tillett
Seconded Cr Ben Taylor

CARRIED

There being no further business, the Chairperson declared the meeting closed at 4.38pm

Confirmed this day of , 2020

.....

Chairperson

10.10. OUTSTANDING QUESTION TIME ITEMS

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

OFFICER RECOMMENDATION

Council resolves to:

Endorse the Outstanding Question Time report.

EXECUTIVE SUMMARY

This report provides Council with an update of response to questions taken on notice and outstanding unanswered questions from public question time.

RATIONALE

The City of Ballarat Meeting Procedure Local Law, Division 8, calls for a standard agenda item at each Council Meeting that reflects unanswered questions from public question time.

LEGISLATION, COUNCIL PLAN, STRATEGY AND POLICY IMPLICATIONS

- City of Ballarat Meeting Procedure Local Law

CONSULTATION

Nil

OFFICERS DECLARATION OF INTERESTS

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this report.

REFERENCE DOCUMENTS

Nil

ATTACHMENTS

1. Outstanding Question Time Items [**10.10.1** - 1 page]

Outstanding Question Time Items					
Meeting	Status	Requested	Question	Officer Responsible	Response
1/4/2020 QT35/20	Open	Will Haskard Black Hill	With regards to the new proposal for free parking and the removal of the meters across the CBD, how much is it costing the city to remove the parking meters and why weren't the meters just disabled in some way?	Terry Demeo Director Infrastructure and Environment	Terry Demeo, Director Infrastructure and Environment responded that the parking meters are not going to be removed, but have been disabled. A written response will be provided.
1/4/2020 QT36/20	Open	Alan Ford Miners Rest	Are Councillors aware of a document titled "Ballarat Airspace Review August 2017", and if so, its ramifications on the capacity of the Ballarat Aerodrome, in particular dot point 3.4.3 p11, quoted below? I haven't received an answer so far from planning. "Aircraft operators and BCC advise that they will restrict annual aircraft movements to a maximum of 30,000 to avoid capacity and infrastructure issues at the aerodrome." Restrictions on the airport in Mr Kneebushe's Airport Safeguarding Study 2018, are based on more than 56,000 movements per year in 2050. 80% of flight movements at present are pilot training.	Terry Demeo Director Infrastructure and Environment	Taken on Notice

11. NOTICE OF MOTION

Nil

12. URGENT BUSINESS

13. SECTION 89 (IN CAMERA)

10.9. CONTRACTS SPECIAL COMMITTEE MINUTES

Division: Business Services
Director: Glenn Kallio
Author/Position: Lorraine Sendall - Executive Assistant, Director Business Services

(Confidential report designated under the Local Government Act 1989 section 77(2)(b))

13.1. TENDER 2019/20-199 GILLIES ROAD RECONSTRUCTION

Division: Infrastructure and Environment
Director: Terry Demeo
Author/Position: Robin Hand - Contracts Administration Officer

(Contractual matters)

13.2. LANDFILL - FUTURE OPTIONS

Division: Infrastructure and Environment
Director: Terry Demeo
Author/Position: Louise Turner – Coordinator Environmental Services

(Contractual matters)

14. CLOSE