

OFFICIAL

# Council Meeting

## Minutes

25 August 2021 at 6:30pm

## Virtual Meeting



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## 1. OPENING DECLARATION

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

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

## 2. APOLOGIES FOR ABSENCE

### 2.1 Present

Mayor Cr Daniel Moloney  
Cr Ben Taylor  
Cr Samantha McIntosh  
Cr Belinda Coates  
Cr Mark Harris  
Cr Des Hudson  
Cr Amy Johnson  
Cr Peter Eddy  
Cr Tracey Hargreaves

Mr Evan King- Chief Executive Officer  
Ms Bridget Wetherall - Director Infrastructure and Environment  
Mr Matthew Wilson - Director Community Wellbeing  
Mr John Hausler - Director Corporate Services  
Ms Natalie Robertson - Director Development and Growth  
Mr Cameron Montgomery - Executive Manager Governance and Risk

### 2.2 Apologies

Nil

## 3. DISCLOSURE OF INTEREST

Cr McIntosh declared a perceived conflict of interest due to her role as board member of VoiceFM in relation to Item 8.6 Carols By Candlelight Strategic Partnership Variation Request.

#### 4. MATTERS ARISING FROM THE MINUTES

Nil

#### 5. CONFIRMATION OF MINUTES

##### RESOLUTION:

**That the Minutes of the Council Meeting on 21 July 2021 and 28 July 2021 as circulated be confirmed.**

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

**CARRIED  
(R155/21)**

#### 6. PUBLIC QUESTION TIME

##### QT41/21 - John Glazebrook

##### Question

The Victorian Electoral Commission has now recommended (see attached report from The Age below) that due to their planned electoral boundary changes the suburb and electorate of Wendouree should in future be named Eureka.

Will the City of Ballarat support this recommendation and rename Wendouree Eureka as recommended?

##### Answer

Chief Executive Officer, Evan King responded noting that the Electoral Boundary Commissions (EBC) is the body that looks at the electoral boundaries and numbers of people in those boundaries.

The EBC is an independent neutral statutory body responsible for establishing and reviewing Victoria's State Electoral Boundaries. They have no role and there is no proposal to rename the suburb Wendouree. There is only a proposal at this stage to rename the electorate of Wendouree to Eureka.

Council has determined not to make a submission to the current boundary review and the process will continue to follow with stage 2 public hearings to commence in August with final boundaries to be released on 28 October 2021.

##### QT42/21 - Christine Uren

##### Question

The implementation of a Circular Economy is vital to the future of this city. I, and many others, wholeheartedly support this major transition for Ballarat. It is the pathway to positivity amongst all the challenges facing us with Climate Change.

1. What has been the recent progress made on the major initiatives outlined in the Circular Ballarat Framework, in particular, the Circular Ballarat Roadmap and where are we now?
2. 2050 is far too late. This is not leadership but willful avoidance and will not help us. How can we mobilise and get this done by 2030?

This is a 'Climate Emergency' and I would like to believe our Council wants to save our way of life for our children.

We do need real leadership now and the community will support you. We all need the hope that we can change to a much better environment for us all.

This needs to be central to Ballarat Council communications with residents, business and industry.

### Answer

1. Director Infrastructure and Environment, Bridget Wetherall responded noting that in terms of a circular Ballarat framework there has been significant inroads. The key to the circular economy in the waste and recycling sector is to facilitate sustainable and diverse markets for use of upcycled materials and use of recovered resources from waste streams. Making progress to achieve a circular economy has been shown by undertaking a number of initiatives which include;
  - Implemented ASPIRE which is an on-line software platform for sharing resources from one business or community group to another. Its focus is waste avoidance as a priority rather than that material entering a waste stream. See Circular Ballarat | City of Ballarat
  - Commenced "ready, set, grow", which is a facilitated business development program to learn ways to maximise resource use, minimise waste, and responsibly manage unavoidable waste.
  - Commenced a 'materials flows' project to understand the volumes and types of materials that enter Ballarat, how they are used, the wastes currently generated, the recycling and fate of those materials occurring now. This detailed understanding of scale is vital to facilitating remanufacturing opportunities from recovered resources within the region.
  - Participating in a feasibility study for a network of organics processing facilities across western Victoria.
2. In terms of how City of Ballarat are progressing with reducing carbon emissions, Director Infrastructure and Environment, Bridget Wetherall responded that the City of Ballarat is currently developing a Carbon Neutrality Plan for the municipality with a target of net zero by 2030. The plan is being collaboratively developed over the coming 6-12 months with the Regional Sustainability Alliance Ballarat (RSAB) which is a network of almost 20 organisations, not-for-profit, research institutions and community individuals.

Actions that are currently underway to achieve net zero carbon emissions include:

- Signed a power purchase agreement to support the purchase of 100% renewable energy directly from large scale renewable energy sources in Victoria.
- Ongoing investment in LED streetlights to enhance energy efficiency
- Waste reduction initiatives to reduce carbon emissions from landfill.
- Urban Forest Strategy – which seeks to enhance our tree canopy cover to 40%.
- Development of a net zero community emissions target.
- Installation of rooftop solar system on community facilities including a total of 107 kW at Girrabanya Integrated Children’s Centre, Sebastopol Library and Wendouree Children’s Centre in 2021.
- Participation in the Council Alliance for a Sustainable Built Environment (CASBE) project in elevating Environmentally Sustainable Design (ESD) policy objectives and standards for a joint planning scheme amendment to seek zero carbon and resilient development.
- Redevelopment of Ballarat Library incorporating ESD elements including renewable energy, LED lightings and building energy management systems.

#### **QT43/21 - Joe Boin**

#### **Question**

1. I am concerned that all levels of Government have a responsibility to safeguard the safety of future generations. Has the Council considered responding to their 2018 Declaration of a Climate Emergency with emergency action? Such action would include emergency diversion of funds from large projects like the airport development and the Bridge Mall precinct development until our climate future is safe for our children.
2. The community has no sense that the Council feels urgency in addressing its Climate Emergency. Will the Council use climate emergency language in communications with the community, and set Key Performance Indicators for council officers, that require urgent action towards the culture of sustainability as proposed in the Carbon Neutrality Plan?

#### **Answer**

1. Director Infrastructure and Environment, Bridget Wetherall responded that during the 21 November 2018 Council meeting, Council acknowledged the Climate Emergency and the need for urgent action by all levels of Government, including local Councils, to reduce carbon emissions. The City of Ballarat’s Carbon Neutrality and 100% Renewables Action Plan (the Action Plan) was subsequently developed and adopted by Council in 2019. The Action Plan contains almost 60 actions to reduce the City of Ballarat’s corporate greenhouse gas (GHG) emissions while also providing community support to achieve carbon emission reductions.
2. Director Infrastructure and Environment, Bridget Wetherall responded that environmental sustainability is one of the key principles in the draft Council Plan 2021-2025. In the next 4 years, Council seeks to lead in sustainable practice and will consider how our actions will impact the environment and work to reduce our impact on climate and promote sustainability. Among others we will deliver initiatives and priorities from our Carbon Neutrality Plan to improve sustainability practices in City of Ballarat’s core business and operations. Several key indicators have been identified in the draft Council Plan to measure our progress in achieving the strategic objectives.

For the City of Ballarat these indicators include the number of trees in the City of Ballarat asset management system, corporate emissions, behind the meter renewables, and the number of green spaces. For the Community we will monitor the indicators including municipal emissions, diversion rate of kerbside waste, Local Government Performance Reporting Framework, waste consumption per capita, and usage of key active transport trails.

**QT44/21 - John Barnes****Question**

1. Did Council submit to Heritage Victoria on the heritage permit application P34664 by V/Line for the temporary removal of the Lydiard St gates, and if so, will it make its submission public immediately?
2. On August 10th, SOS Ballarat wrote to the Mayor seeking a meeting with he and relevant officers to discuss further action to ensure the removal of the gates is temporary, and they are restored in due course. It has had no response to that letter or to the three follow-up phone calls since. Why is this, and will the Mayor and relevant officers meet with representatives of SOS (virtually) within the next week, to discuss further actions?

**Answer**

Mayor, Cr Daniel Moloney responded that the submission will be made publicly available on Council's website and is also readily available on Heritage Victoria website also. In relation to meeting to discuss a potential legal challenge, this is not something Council is willing to consider as it is hard to legally challenge and discuss a decision that hasn't been made yet. The process that is underway involves Heritage Victoria considering applications and submissions Mayor, Cr Daniel Moloney happy to meet with the Save out Station Group to discuss further.

Director Development and Growth, Natalie Robertson reiterated that there would be no legal point of action that Council could challenge at this point of time. Heritage Victoria are following the correct process and Council have submitted a formal application in which we will await the findings.

**QT45/21 - Vickers Vickers****Question**

I moved to Ballarat 8 months ago from the Bega Valley Shire. I was very heartened to hear that the Ballarat Council, like the Bega Council, has acknowledged that we are in a Climate Emergency. I would like clarification on;

1. Whether the Ballarat Council has committed to an overall joint community and council target of net zero emissions by 2030, and if so
2. In what ways does the council plan to facilitate raising these targets from merely 'aspirational' and 'in principal' to a level of action that urgently responds to the existential threat detailed in the latest IPCC report.



**Answer**

Director Infrastructure and Environment, Bridget Wetherall responded the commitment to the net zero emissions plan and are currently working on a number of initiatives mentioned in the last few responses. These initiatives will require assistance of the whole community to deliver on future commitments not just the role of Council only.

## 7. CHIEF EXECUTIVE OFFICER REPORT

### 7.1. CHIEF EXECUTIVE OFFICER REPORT

**Division:** Executive Unit  
**Director:** Evan King  
**Author/Position:** Evan King – Chief Executive Officer

#### PURPOSE

1. The CEO's Operational Report highlights issues and outcomes affecting the organisation's performance as it delivers services and implements the Council's strategies and policy decisions.

#### RESOLUTION:

**That Council:**

**Receive and note the CEO's Operational Report.**

**Moved: Cr Samantha McIntosh**  
**Seconded: Cr Amy Johnson**

**CARRIED**  
**(R156/21)**

## 8. OFFICER REPORTS

### 8.1. COUNCIL PLAN

**Division:** Executive Unit  
**Director:** Evan King  
**Author/Position:** Matthew Swards – Integrated Strategic Planning Manager

#### PURPOSE

1. The purpose of this report is to present Council with the proposed City of Ballarat Council Plan 2021-2025 for adoption.
- 2.
3. Note changes made to the draft Council Plan 2021-2025 following consideration of submissions.

#### RESOLUTION:

**That Council:**

**Adopt and approve the Council Plan 2021-2025 in accordance with section 90 of the *Local Government Act 2020*.**

**Moved: Cr Belinda Coates**

**Seconded: Cr Samantha McIntosh**

**CARRIED  
(R157/21)**

## 8.2. COMMUNITY VISION

**Division:** Community Wellbeing  
**Director:** Matthew Wilson  
**Author/Position:** Kate McCluskey – Coordinator Community Participation

### PURPOSE

1. The purpose of this report is to present Council with the proposed Community Vision 2021-2031 (Vision) for adoption.
2. Note changes made to the draft Community Vision 2021-2031 following consideration of submissions.

### RESOLUTION:

**That Council:**

**Adopt and approve the Community Vision 2021-2031 in accordance with Section 89 of the *Local Government Act 2020*.**

**Moved: Cr Belinda Coates**  
**Seconded: Cr Peter Eddy**

**CARRIED**  
**(R158/21)**

### 8.3. MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN

**Division:** Community Wellbeing  
**Director:** Matthew Wilson  
**Author/Position:** Caroline Amirtharajah – Health and Wellbeing Planner

#### PURPOSE

1. The purpose of this report is to present to Council the final Health and Wellbeing Plan 2021-2031 for adoption.
2. Note changes made to the draft Health and Wellbeing Plan following consideration of submissions.

#### RESOLUTION:

**That Council:**

**Adopt and approve the Health and Wellbeing Plan 2021-2031 in accordance with Section 26 of the *Public Health and Wellbeing Act 2008*.**

**Moved: Cr Belinda Coates**  
**Seconded: Cr Mark Harris**

**CARRIED**  
**(R159/21)**

#### 8.4. DRAFT FINANCIAL PLAN 2021/22 TO 2030/31

**Division:** Corporate Services  
**Director:** John Hausler  
**Author:** Jason Clissold – Executive Manager Financial Services

#### PURPOSE

1. The purpose of this report is to present Council with the draft 2021/22 to 2030/31 City of Ballarat Financial Plan.
2. This report includes a recommendation that Council, in accordance with section 55, of the Local Government Act 2020 (the Act) endorses the release of the draft 2021/22 to 2030/31 City of Ballarat Financial Plan and invites the community to provide submissions.

#### RESOLUTION:

##### That Council:

1. Give Public Notice in accordance with section 55 of the *Local Government Act 2020* (the Act) of Council's intention to adopt, at a Council meeting to be held at 6.30 pm on Wednesday 27 October 2021, the draft 2021/22 to 2030/31 City of Ballarat Financial Plan prepared in accordance with section 91 of the Act.
2. Give public notice seeking submissions on the proposals contained in the draft 2021/22 to 2030/31 City of Ballarat Financial Plan. Written public submissions will be accepted for 14 days ending 9.00am Monday 13 September 2021.
3. Give public notice that any person who wishes to be heard in support of a submission received by Council should indicate in the written submission that they wish to be heard. Any person requesting that they be heard in support of a submission is entitled to appear before a meeting of the Council either personally or by a person acting on their behalf at a Council meeting scheduled for Wednesday 15 September 2021 at 6.30pm.

**Moved: Cr Mark Harris**

**Seconded: Cr Samantha McIntosh**

**CARRIED**

**(R160/21)**

## 8.5. TENDER NO 2020/21-15 GREENWASTE PROCESSING

**Division:** Infrastructure and Environment  
**Director:** Bridget Wetherall  
**Author/Position:** Nicholas Benyon – Environment Services Compliance Officer

### PURPOSE

1. To enter into Contract Number 2020/21-15 for the provision of Greenwaste Processing with Pinegro Products Pty Ltd for the total tendered price of \$2,394,000.00 (ex GST) for three years. Noting the provision for a one-year extension at the value of \$798,000. The contract term is for three years with the provision of a one-year extension at Council's sole discretion.

### RESOLUTION:

**That Council:**

1. Resolves to enter into Contract Number 2020/21-15 for the provision of Greenwaste Processing with Pinegro Products Pty Ltd for the total tendered price of \$2,394,000.00 (ex GST) for three years.
2. Note the provision of a one-year extension option, at Council's sole discretion, for the value of \$798,000 (ex GST).
3. Delegate to the Chief Executive Officer the authority to execute the associated contract on behalf of Council.

**Moved: Cr Belinda Coates**  
**Seconded: Cr Ben Taylor**

**CARRIED**  
**(R161/21)**

**8.6. CAROLS BY CANDLELIGHT STRATEGIC PARTNERSHIP VARIATION REQUEST**

**Division:** Community Wellbeing  
**Director:** Matthew Wilson  
**Author/Position:** Jeff Johnson – Executive Manager Events and the Arts

**PURPOSE**

1. To address the request for two amendments to the current Strategic Partnership funding agreement for the Carols by Candlelight event, in recognition of the inability to deliver the event in 2020 due to COVID-19 restrictions.
2. Specifically, the two amendments requested are;
  - a. To exclude the allocation of funding for the 2020/2021 financial year and to resume the remaining funding schedule from 2021/22 and therefore extend the term of the three-year agreement by an additional one year,
  - b. To waiver the hire fee of MARS Stadium, to be utilised as the event venue, for each remaining year of the agreement.

**RESOLUTION:****10. That Council:**

**10.1 Amend the current Strategic Partnership funding agreement with Carols by Candlelight Incorporated for the delivery of the Carols by Candlelight event; specifically,**

**10.1.1 Waive the \$2,000 hire fee for MARS Stadium for each remaining year of the funding agreement,**

**10.1.2 Exclude funding for the 2020/2021 financial year,**

**10.1.3 Extend the term of the three-year agreement by one additional year and adopt the payment schedule:**

**Year 1 – 2019/20 \$20,000 (event and payment completed)**

**Year 2 – 2020/21 No Funding allocated**

**Year 3 – 2021/22 \$15,000**

**Year 4 – 2022/23 \$10,000**

**Moved: Cr Samantha McIntosh**

**Seconded: Cr Peter Eddy**

**CARRIED**

**(R162/21)**



## 8.7. DESIGN PANEL REVIEW

**Division:** Infrastructure and Environment  
**Director:** Natalie Robertson  
**Author/Position:** Fiona Gray – Executive Manager Catalyst Projects

### PURPOSE

1. To provide Council with the Terms of Reference for the establishment of a Design Review Panel.
2. To request that the Terms of Reference be adopted by Council.

### RESOLUTION:

That Council:

1. Supports the establishment of Design Review Panel.
2. Adopts the City of Ballarat Design Review Panel Terms of Reference.
3. Within 12 months of the adoption of the Terms of Reference a report be brought to a Meeting of Council that reviews the Design Review Panel process.

**Moved: Cr Ben Taylor**  
**Seconded: Cr Samantha McIntosh**

**CARRIED**  
**(R163/21)**

### RESOLUTION:

Request for a comfort break.

**Moved: Cr Mark Harris**  
**Seconded: Cr Peter Eddy**

**CARRIED**  
**(R164/21)**

### RESOLUTION:

That Standing Orders be resumed.

**Moved: Cr Samantha McIntosh**  
**Seconded: Cr Des Hudson**

**CARRIED**  
**(R165/21)**

**8.8. DISABILITY ADVISORY COMMITTEE REPRESENTATIVES**

**Division:** Community Wellbeing  
**Director:** Matthew Wilson  
**Author/Position:** Bernadette Duffy – Community Inclusion Officer

**PURPOSE**

1. To present to Council for formal appointment three new nominated members of the Disability Advisory Committee.

**RESOLUTION:**

**That Council:**

**Appoint Heidi Biggin, Ashlee Shepherd and Vivian Bradbury as community representatives on the Disability Advisory Committee effective immediately.**

**Moved: Cr Des Hudson  
Seconded: Cr Amy Johnson**

**CARRIED  
(R166/21)**

## 8.9. COMMUNITY AND BUSINESS SUPPORT PACKAGE

**Division:** Executive Unit  
**Director:** Evan King  
**Author/Position:** Evan King – Chief Executive Officer

### PURPOSE

1. Council have acknowledged the significant impact lockdowns continue to have on the community and businesses and have subsequently requested a report to consider a support package for local businesses, community groups and residents to give some additional support as they recover from the ongoing impact of lockdowns.
2. While it is acknowledged there is a wide range of support available from both Federal and State Governments, the initiatives that form the proposed support package seek to consider additional support for the community, particularly some of those who may not be eligible for other funding programs.

### RESOLUTION:

**That Council:**

1. **Endorse the Chief Executive Officer to allocate \$1,000,000 from under expenditure in the 2020/21 financial result to the proposed Community and Business Support Program.**
2. **Endorse the Chief Executive Officer to allocate \$309,000 from under expenditure in the 2020/21 financial result to cover the costs of the other proposed support and relief measures.**
3. **Endorse the Chief Executive Officer to establish and implement the required framework, eligibility criteria and application process for the proposed Community and Business Grants.**

**Moved: Cr Tracey Hargreaves**  
**Seconded: Cr Belinda Coates**

**CARRIED**  
**(R167/21)**

**8.10. TENDER NO. 2021/22-002 MARS STADIUM, NORTH BALLARAT - GATE 1 ENTRY UPGRADES & NEW COMPLEMENTARY WORKS**

**Division:** Development and Growth  
**Director:** Natalie Robertson  
**Author/Position:** Trent Bursill - Project Manager

**PURPOSE**

1. To amend the Council record R145/21 noting that the \$1,773,647.00 (ex GST) figure provided in the report dated 28 July 2021 was incorrect. The correct figure amount is \$1,733,647.00 (ex GST).
2. To award Contract 2021/22-002 - Mars Stadium, Gate 1 Entry Upgrades & new complementary works
3. The scope of this contract involves the gate 1 entry upgrade and construction of a food and beverage zone, behind goal camera platform and accessible seating improvements to the existing Western and Eastern stands.
4. The contract also includes a tender option to supply and install four (4) Abel Sports Net Posts and five (5) bays of netting to improve the safety of patrons attending events and the Stadium.

**RESOLUTION:****11. That the Council:**

**11.1** Note the Council resolution 145/21 was incorrectly reported as \$1,773,647.00 (ex GST) and should have read \$1,733,647.00 (ex GST) and seeks Council to amend the record with the following resolution as outlined in 11.2.

**11.2** Resolves to enter into Contract Number 2021/22-002 for the provision of Mars Stadium, North Ballarat - Gate 1 Entry Upgrades & new complementary works with H Troon Pty Ltd for the total tendered price of \$1,733,647.00 (ex GST).

**Moved: Cr Mark Harris**

**Seconded: Cr Peter Eddy**

**CARRIED**

**(R168/21)**

## 8.11. MAYOR AND DEPUTY MAYOR ELECTION

**Division:** Executive Unit  
**Director:** Evan King  
**Author/Position:** Cameron Montgomery – Executive Manager Governance and Risk

### PURPOSE

1. This report recommends to Council to schedule an Unscheduled Council Meeting on Monday, 1 November 2021 to consider the Mayoral term and the election of Mayor and Deputy Mayor.

### RESOLUTION:

**That Council:**

**Schedule an Unscheduled Council Meeting of Council to be held on Monday, 1 November 2021 to commence at 6:30pm in the Council Chamber, Town Hall, Sturt Street Ballarat to consider the Mayoral term; and election of the Mayor and Deputy Mayor.**

**Moved: Cr Mark Harris**

**Seconded: Cr Belinda Coates**

**CARRIED**

**(R169/21)**

**8.12. CONTRACTS APPROVAL DELEGATED COMMITTEE MINUTES - 2 JUNE AND 14 JULY 2021**

**Division:** Corporate Services  
**Director:** John Hausler  
**Author/Position:** Lorraine Sendall – Executive Assistant Director Corporate Services

**PURPOSE**

1. The purpose of this report is to provide Council with copies of minutes of Council's Contracts Approval Delegated Committee in accordance with the adopted Terms of Reference. At the meetings of these Committees held on 2 June, 2021 and 14 July, 2021 five contracts were approved by the Committee. This report provides a copy of the minutes of these meetings as well as detailing summary information in relation to these Contracts.

**RESOLUTION:**

**That Council:**

1. Note, as per the *Local Government Act 2020* Section 66 that this matter is designated confidential.
2. Receive the Contracts Approval Delegated Committee minutes of the meeting held on 2<sup>nd</sup> June and 14<sup>th</sup> July, 2021.

**Moved: Cr Ben Taylor**  
**Seconded: Cr Mark Harris**

**CARRIED**  
**(R170/21)**

### 8.13. S6 INSTRUMENT OF DELEGATION - MEMBERS OF STAFF

**Division:** Executive Unit  
**Director:** Evan King  
**Author/Position:** Sarah Anstis – Statutory Compliance Officer

#### PURPOSE

1. The purpose of the report is to review and update the S6 Instrument of Delegation, Members of Staff.

#### RESOLUTION:

Exercise the powers conferred by the legislation referred to in the attached instrument of delegation at Attachment 2, and that:

1. They be delegated to members of Council staff, holding, acting in or performing the duties of the officers or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that instrument.
2. The Instrument comes into force immediately after the Common Seal of Council is affixed to the instrument.
3. On the coming into force of the instrument, all previous S6 delegations to members of Council staff are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that may from time to time adopt.

**Moved: Cr Mark Harris**  
**Seconded: Cr Peter Eddy**

**CARRIED**  
**(R171/21)**

#### 8.14. S11A INSTRUMENT AND APPOINTMENT AND AUTHORISATION

**Division:** Executive Unit  
**Director:** Evan King  
**Author/Position:** Sarah Anstis - Statutory Compliance Officer

#### PURPOSE

1. The report is to endorse the S11A Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* for Rex Zhang.
2. The report is to also revoke the S11A Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* for Chloe Moorcroft.

#### RESOLUTION:

That Council:

1. Exercise the powers conferred by s224 of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instrument of appointment and authorisation (the instrument), and that;
  - a. Rex Zhang be appointed and authorised as set out in the instrument.
  - b. The instrument comes into force immediately the common seal of Council is affixed to the instrument and remains in force until Council determines to vary or revoke it.
  - c. The instrument be sealed.
2. Revoke the S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Chloe Moorcroft (R181/20).

Moved: Cr Des Hudson  
Seconded: Cr Ben Taylor

CARRIED  
(R172/21)



## 8.15. OUTSTANDING QUESTION TIME ITEMS

**Division:** Executive Unit  
**Director:** Evan King  
**Author/Position:** Sarah Anstis – Statutory Compliance Officer

### PURPOSE

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

### RESOLUTION:

**That Council:**

**Endorse the Outstanding Question Time report.**

**Moved: Cr Des Hudson**  
**Seconded: Cr Samantha McIntosh**

**CARRIED**  
**(R173/21)**

## **9. NOTICE OF MOTION**

### **9.1. HUMANITARIAN CRISIS IN AFGHANISTAN**

#### **RESOLUTION:**

**That Council:**

- 1. In response to the escalation of the recent humanitarian crisis in Afghanistan, commits to support and advocate for our Afghani and Hazara community by working with them and local multicultural organisations.**
- 2. Write to the Federal government • Prime Minister and Immigration Minister - in collaboration with local multicultural organisations and community networks to advocate for the government to increase their support to the Afghan community in Australia and for Australia to expand its humanitarian response to affected people.**
- 3. Acknowledge and express our sympathy and concern for the distressing impact on local Afghan and Hazara community members and their families and loved ones. Explores ways to support and advocate for them by working closely with local multicultural organisations and community.**
- 4. Notes the specialised knowledge and advocacy position of key federal multicultural organisations such as Federation of Ethnic Communities' Council of Australia (FECCA), Settlement Council of Australia (SCOA) and Refugee Council of Australia (RCOA) to inform our advocacy.**
- 5. Acknowledge that this advocacy is in line with our position as a Refugee Welcome Zone, Welcoming City, Intercultural City and a member of Mayors for Peace.**

**Moved: Cr Belinda Coates  
Seconded: Cr Mark Harris**

**CARRIED  
(R174/21)**

## 10. REPORTS FROM COMMITTEES/COUNCILLORS

### GB29/21 - Cr Tracey Hargreaves

#### RESOLUTION:

That Council:

Request a report to a future Council Meeting detailing the location scopes and cost for a potential off-lead dog park in Delacombe.

Moved: Cr Tracey Hargreaves

CARRIED

Seconded: Cr Des Hudson

(R175/21)

### GB30/21 - Cr Belinda Coates

#### RESOLUTION:

That Council:

Write a letter to the Victorian State Government seeking clarification of the decision to ban live music venues from streaming performances online.

Moved: Cr Belinda Coates

CARRIED

Seconded: Cr Daniel Moloney

(R176/21)

#### RESOLUTION:

That Council:

Request a report to 22 September 2021 Council Meeting noting the Australian Local Government Association's support of the Treaty on the Prohibition of Nuclear Weapons and write a letter of advocacy regarding that.

Moved: Cr Belinda Coates

CARRIED

Seconded: Cr Mark Harris

(R177/21)

**Votes Against:** Cr McIntosh, Cr Ben Taylor and Cr Amy Johnson

**GB31/21 - Cr Amy Johnson**

Cr Amy Johnson has recently had a number of Ballarat residents and families of Ballarat residents contacting her in relation to Victorians being stranded in New South Wales. Unfortunately, a lot of these people are now unable to re-enter the state of Victoria, since the 6 August 2021, there has been around 6800 applications for exemptions to return and approximately only 300 have been granted.

Cr Amy Johnson asked a question to the Chief Executive Officer, what support can Council provide these residents? How can we better lobby the State Government to ensure there are aware of this issue and to help Victorians return home.

Chief Executive Officer, Evan King responded that if Council agree to, Council can advocate for a process that allows residents of Victoria to return home safely without putting more people in the community at risk. Evan suggested a way of providing this advocacy would be to write a letter to State Government.

**RESOLUTION:****That Council:**

**Write a letter to State Government advocating for a streamline system and process that allows Victorian residents to return back to Victoria in a safe and timely manner.**

**Moved: Cr Amy Johnson****CARRIED****Seconded: Cr Samantha McIntosh****(R178/21)****GB32/21 - Cr Ben Taylor**

Cr Ben Taylor reported that there has been concerns in relation to the amount of water we have had in this wet winter which has resulted in a growing number of potholes around Ballarat. Cr Ben Taylor requested a report to a future briefing defining the budget for potholes and process around being proactive to respond to large potholes and road damage.

## 11. URGENT BUSINESS

Nil

## 12. SECTION 66 (IN CAMERA)

### RESOLUTION:

That Council resolve, pursuant to Section 66 of the *Local Government Act 2020*, that the meeting be closed to members of the public at 9:21pm whilst the Council is dealing with the following matters;

**Moved: Cr Des Hudson**

**CARRIED**

**Seconded: Cr Tracey Hargreaves**

**(R179/21)**

### 8.5 TENDER NO 2020/21-15 GREENWASTE PROCESSING

**Division:** Infrastructure and Environment

**Director:** Bridget Wetherall

**Author/Position:** Nicholas Benyon – Environmental Services Compliance Officer

(confidential information)

### TENDER NO. 2021/22-002 MARS STADIUM, NORTH BALLARAT - GATE 1 ENTRY UPGRADES & NEW COMPLEMENTARY WORKS

**Division:** Development and Growth

**Director:** Natalie Robertson

**Author/Position:** Trent Bursill - Project Manager

(confidential information)

### 8.12 CONTRACTS APPROVAL DELEGATED COMMITTEE

**Division:** Corporate Services

**Director:** John Hausler

**Author/Position:** Lorraine Sendall - Executive Assistant, Director Corporate Services

(Confidential information)

### 12.1 CONTRACT VARIATION

**Division:** Executive Unit

**Director:** Evan King

**Author/Position:** Andrew Prestage – Executive Manager People and Culture

(Confidential information)

**12.2 SIX MONTH REVIEW AND STRATEGIC PERFORMANCE OBJECTIVES FOR THE CHIEF EXECUTIVE OFFICER**

**Division:** Executive Unit  
**Director:** Evan King  
**Author/Position:** Andrew Prestage – Executive Manager People and Culture

(Confidential information)

**RESOLUTION:**

**That Council move out of closed Council at 9:27pm and adopt the resolutions made therein.**

**Moved: Cr Ben Taylor** **CARRIED**  
**Seconded: Cr Samantha McIntosh** **(R182/21)**

**13. CLOSE**

The Mayor declared the meeting closed at 9:28pm.

Confirmed this day of 2021.  
.....  
Mayor