



**Ordinary Council Meeting**

**13 June 2018**

Council Chamber, Town Hall, Sturt Street, Ballarat

**MINUTES**

**Public Copy**

**MINUTES OF A MEETING OF BALLARAT CITY COUNCIL HELD IN THE COUNCIL CHAMBER, TOWN HALL, STURT STREET, BALLARAT ON WEDNESDAY 13 JUNE 2018 AT 7:00PM**

MINUTES
---------

**ORDER OF BUSINESS:**

<b>1.</b>	<b>Opening Declaration</b> .....	<b>3</b>
<b>2.</b>	<b>Apologies For Absence</b> .....	<b>3</b>
<b>3.</b>	<b>Disclosure Of Interest</b> .....	<b>3</b>
<b>4.</b>	<b>Confirmation Of Minutes</b> .....	<b>4</b>
<b>5.</b>	<b>Matters Arising From The Minutes</b> .....	<b>4</b>
<b>6.</b>	<b>Public Question Time</b> .....	<b>5</b>
<b>7.</b>	<b>Reports From Committees/Councillors</b> .....	<b>6</b>
<b>8.</b>	<b>Assemblies Of Councillors</b> .....	<b>7</b>
	8.1. Assemblies of Councillors .....	7
<b>9.</b>	<b>Officer Reports</b> .....	<b>8</b>
	9.1. Eureka Centre Community Advisory Committee Terms of Reference .....	8
	9.2. Recommendation of Artwork for Cardigan Village Public Art .....	9
	9.3. BAPS Strategic Partnership .....	10
	9.4. Share Procurement Consent - Electronic Mail Solution .....	11
	9.5. Smart Cities and Suburbs Funding 2018.....	12
	9.6. SSMART ASSK Contribution.....	13
	9.7. Outstanding Question Time Items .....	14
<b>10.</b>	<b>Notice Of Motion</b> .....	<b>15</b>
<b>11.</b>	<b>Urgent Business</b> .....	<b>15</b>
<b>12.</b>	<b>Section 89 (In Camera)</b> .....	<b>16</b>
<b>13.</b>	<b>Close</b> .....	<b>17</b>

## 1. OPENING DECLARATION

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

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

## 2. APOLOGIES FOR ABSENCE

### 2.1 Present

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

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

### 2.2 Apologies

Nil

## 3. DISCLOSURE OF INTEREST

Cr Hudson declared a conflict of interest on item 9.6 SSMART ASSK Contribution due to a conflicting duty as he is co-facilitating the program.

**4. CONFIRMATION OF MINUTES**

**RESOLUTION:**

**That the Minutes of the Council Meeting held on 16, 23 and 31 May 2018 as circulated be confirmed.**

**Moved: Cr Grant Tillett**

**Seconded: Cr Belinda Coates**

**CARRIED**

**(R142/18)**

**5. MATTERS ARISING FROM THE MINUTES**

Nil

**6. PUBLIC QUESTION TIME**

**QT34/18 - Mr Don Boak, Mount Clear**

**Question**

I questioned earlier this year why a Blackwood tree was removed from the front of our property. We received answers which we do not agree with. The stump had begun shooting and was then ground out. Who is paying for this and for what reason was the stump ground out?

**Answer**

Terry Demeo - Director Infrastructure and Environment

There has been lots of correspondence and a lot of site visits. The standard procedure when a tree is removed, is that a separate contractor will follow some weeks after to grind down the stump. I am happy to take this on notice and follow up.

**7. REPORTS FROM COMMITTEES/COUNCILLORS****GB38/18 - Cr Grant Tillett**

On 25 May 2018, Cr Johnson and I attended the Prisoner of War Memorial for the battle of Crete. This was a substantial remembrance on the 77<sup>th</sup> anniversary which a number of Greek Officials attended for the planting of a commemorative olive tree.

The City of Ballarat was gifted two commemorations which I will give to Madam Mayor to be appropriately displayed.

**GB39/18 - Cr Des Hudson**

I request leave of absence on 4 July 2018 to 11 July 2018.

**Moved: Cr Jim Rinaldi**  
**Seconded: Cr Ben Taylor**

**CARRIED**  
**(R143/18)**

**GB40/18 - Cr Mark Harris**

I request leave of absence for 22 June 2018 to 13 July 2018.

**Moved: Cr Daniel Moloney**  
**Seconded: Cr Jim Rinaldi**

**CARRIED**  
**(R144/18)**

**GB41/18 - Cr Ben Taylor**

I would like to present a joint letter of 30 signatures for an off-leash dog area in James Reserve, Buninyong.

**RESOLUTION:**

**To accept Councillor reports.**

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

**CARRIED**  
**(R145/18)**

## **8. ASSEMBLIES OF COUNCILLORS**

### **8.1. ASSEMBLIES OF COUNCILLORS**

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

#### **RESOLUTION:**

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

- **8 May 2018 Finance Committee**
- **9 May 2018 Council Agenda Review Briefing**
- **16 May 2018 Strategic Briefing**
- **25 May 2018 Community Development Councillor Portfolio Meeting**

**Moved: Cr Mark Harris**

**CARRIED**

**Seconded: Cr Daniel Moloney**

**(R146/18)**

#### **EXECUTIVE SUMMARY**

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

## 9. OFFICER REPORTS

### 9.1. EUREKA CENTRE COMMUNITY ADVISORY COMMITTEE TERMS OF REFERENCE

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

#### RESOLUTION:

Council resolves to:

1. Disband the Eureka Commemorative Advisory Committee and revoke the Terms of Reference as endorsed by Council.
2. Endorse the Terms of Reference for the Eureka Centre Community Advisory Committee.
3. Sign and seal the endorsed Terms of Reference.

**Moved: Cr Daniel Moloney**

**CARRIED**

**Seconded: Cr Ben Taylor**

**(R147/18)**

#### EXECUTIVE SUMMARY

City of Ballarat formally resolved at the 21 February 2018 Ordinary Council meeting, to assume management of the Museum of Australian Democracy at Eureka (MADE), Resolution R43/18. A specific section of that resolution required Officers to;

- Appoint a skills-based 'Eureka' Centre Consultative Committee with specific terms of reference endorsed by Council

This report seeks Council's approval for the Draft Eureka Centre Community Advisory Committee Terms of Reference.

Cr Grant Tillett

I call for a Councillor briefing in relation to the wording of the Advisory Committee Terms of Reference templates.

#### RESOLUTION:

**That officers bring a report to briefing on the wording of the Advisory Committee Terms of Reference templates.**

**Moved: Cr Grant Tillett**

**CARRIED**

**Seconded: Cr Ben Taylor**

**(R148/18)**

---

**9.2. RECOMMENDATION OF ARTWORK FOR CARDIGAN VILLAGE PUBLIC ART**

**Division:** Development and Planning  
**Director:** Angelique Lush  
**Author/Position:** Kate Gerritsen - Public Art Coordinator

**RESOLUTION:**

**Council resolves to:**

- 1. Accept the Public Art Advisory Committee recommendation for commission of artwork as part of the Cardigan Village Public Art Project at the Cardigan Village Community Centre**

**Moved: Cr Belinda Coates**

**CARRIED**

**Seconded: Cr Mark Harris**

**(R149/18)**

**EXECUTIVE SUMMARY**

In 2017 Council completed a project to upgrade the Cardigan Village Community Centre. The refurbishment of the existing Cardigan Village Community Centre provides better access, more open space, new kitchen and toilet facilities, and improves the aesthetics of the facility.

Upon completion of the facility the Cardigan Village Community Centre Committee of Management expressed a desire to work with Council on a public art project to enhance the courtyard space of the building and increase community interest and engagement with the Centre.

Council's Public Art Advisory Committee has recently completed a selection process for a design that will add to the Cardigan Village Community Centre asset and increase social use of the space by creating a high quality and engaging public artwork in the courtyard of the Centre.

**9.3. BAPS STRATEGIC PARTNERSHIP**

**Division:** Infrastructure and Environment  
**Director:** Terry Demeo  
**Author/Position:** Anthony Schreenan - Investment Facilitator

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

- **Approve the Strategic Partnership application by Ballarat Agricultural and Pastoral Society (BAPS), and approve the funding of \$100,000 per annum for a period of five (5) years, total commitment of \$500,000 over the life of the agreement to allow for the ongoing operations of BAPS at the current site and to engage a suitably qualified project manager for the implementation of the BAPS master plan for an alternate site.**

**Moved: Cr Grant Tillett**

**CARRIED**

**Seconded: Cr Daniel Moloney**

**(R150/18)**

**EXECUTIVE SUMMARY**

At a recent all member meeting, the decision of the executive of BAPS was ratified overwhelmingly to relocate to an alternate site, and to implement the recently adopted master plan that had been commissioned in conjunction with the City of Ballarat.

A relocation will require significant construction and planning works, which BAPS recognising external project management will be required to deliver this desired outcome.

The City of Ballarat and BAPS have worked collaboratively for a number of years to explore opportunities for an alternative location to facilitate the sustainability of BAPS ongoing. This will see the commitment of \$5M which government have allocated as part of the election process of 2014.

The strategic partnership at \$100,000 per annum will be inclusive of all current commitments to BAPS to facilitate their current operations, specifically in respect to the agricultural show being split over two sites due to the now constraints of the Ballarat Major Events Precinct, with the equine events currently conducted at the polo field within the airport. Further, it will provide for ongoing recognition of the City of Ballarat's support for BAPS.

Further, \$50,000 of this commitment will be to facilitate project management for the development of infrastructure for the showgrounds on a new site and decanting of the existing facility from the Creswick Road / Howitt Street site.

**9.4. SHARE PROCUREMENT CONSENT - ELECTRONIC MAIL SOLUTION**

**Division:** Innovation and Organisational Improvement  
**Director:** Cameron Gray  
**Author/Position:** Justine Resta - Transformational Lead

**Cr Tillett moved the following amendment, seconded by Cr Johnson:**

**That Council resolves to appoint Brimbank City Council as its agent to conduct a collaborative public tender for the provision of an Electronic Mail Solution and ensure that this tender is advertised in a local paper.**

**The amendment was put and lost**

**RESOLUTION:**

**That Council resolves to appoint Brimbank City Council as its agent to conduct a collaborative public tender for the provision of an Electronic Mail Solution.**

**Moved: Cr Mark Harris**

**Seconded: Cr Daniel Moloney**

**CARRIED**

**(R151/18)**

**EXECUTIVE SUMMARY**

This report seeks to have Council appoint Brimbank City Council as its agent to conduct a collaborative public tender for the provision of an Electronic Mail Solution.

Ballarat is working towards becoming paper independent and is currently implementing digitisation activities to enable this. One such activity looking to reduce paper use and manual intervention would be the task of sending letters of correspondence to external parties.

Brimbank City Council is leading a shared services collaborative procurement process for Electronic Mail Solution. Appointing Brimbank as our agent enables the City of Ballarat to be included as part of this process. It does not commit Council to proceeding to contract with any of the chosen suppliers, this is conducted after the tender evaluation. The City of Ballarat would then negotiate its own contract with the preferred supplier.

**9.5. SMART CITIES AND SUBURBS FUNDING 2018**

**Division:** Innovation and Organisational Improvement  
**Director:** Cameron Gray  
**Author/Position:** Cameron Gray – Director Innovation and Organisational Improvement

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

**Submit an application for Australian Government funding through the Smart Cities and Suburbs Program for *Ballarat is Open - a platform for innovation, data collection and community engagement.***

**Moved: Cr Belinda Coates**

**CARRIED**

**Seconded: Cr Ben Taylor**

**(R152/18)**

**EXECUTIVE SUMMARY**

The Australian Government announced the launch of round two of the Smart Cities and Suburbs Program on 2 May 2018 closing 2 July 2018. The \$22 million program supports local governments, private companies, research organisations and not-for-profit bodies to work collaboratively and deliver innovative smart city projects. The goal is to improve the liveability, productivity and sustainability of cities and towns across Australia.

City of Ballarat was unsuccessful in round one however since then we have developed a Smart City and Innovation Framework which has provided a strategic framing for this proposal. The Smart Ballarat framework aims to create the conditions and way of working so cross-organisational innovation can thrive in support of Ballarat's Council Plan.

This funding proposal will directly assist to build the city data assets and also provide valuable insights and learnings for the other foundations of the Smart Ballarat framework.

A number of areas across the business have plans and associated budgets to build 'smart' into how their services are provided and the way the city operates. This proposal will enable these areas to accelerate that work through matched funds and expertise.

The total cost for the proposal is estimated to be a minimum of \$500,000 of which an application will be made under this funding stream for a minimum of \$240,000. Council and partners are required to at least match this funding request. The funding from Council is provided for in existing planned programs and works in the 2018/19 proposed budget.

The Council Plan 2017-2022, under the goal of prosperity, provides that Council will apply for funding through the Smart Cities and Suburbs Program. This funding will assist Ballarat to create and grow solid foundations to enable the city and its communities to proactively adapt and embrace opportunities presented by new technologies and the effective use of data and collaboration.

**9.6. SSMART ASSK CONTRIBUTION**

**Division:** Community Development  
**Director:** Neville Ivey  
**Author/Position:** Craig Donaldson – Coordinator Youth and Diversity

Cr Hudson declared a conflict of interest and left the Council Chamber at 8:08pm before discussion occurred.

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

- 1. Approve the contribution of \$6,000 plus GST as part of the SSMART ASSK community consortia for expenses associated with the ongoing provision of the SSMART ASSK Program to Ballarat Secondary Schools Year 9 students.**

**Moved: Cr Ben Taylor**

**CARRIED**

**Seconded: Cr Daniel Moloney**

**(R153/18)**

**EXECUTIVE SUMMARY**

Ballarat Community Health (BCH) has requested financial support of \$6,000 plus GST for the 2017/2018 financial year, to support the ongoing delivery of the SSMART ASSK program (SSMART -Surviving Substance Misuse & Alcohol Risk Taking; ASSK - Alcohol Substance Survival Knowledge).

SSMART ASSK is supported by a consortium of community agencies to support the ongoing delivery of an alcohol and other drugs harm minimisation program, that aims to reduce young people's risk taking behaviour in relation to substance abuse.

SSMART ASSK is delivered by experienced practitioners in the areas of health, welfare and justice to Ballarat Secondary School year 9 students. A network of 5 local organisations provide a series of evidence-based, interactive learning stations, to address the risk factors associated with harm from drugs and alcohol.

Council has supported the community consortium since its inception in Ballarat in 2006.

Cr Hudson returned to the Council Chamber at 8:19pm after the vote was taken.

**9.7. OUTSTANDING QUESTION TIME ITEMS**

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

**RESOLUTION:**

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

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

**CARRIED**  
**(R154/18)**

**EXECUTIVE SUMMARY**

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

**10. NOTICE OF MOTION**

Nil

**11. URGENT BUSINESS**

**RESOLUTION:**

**That Council resolves to accept "12.2 North Ballarat Functions Facility" confidential report as an urgent business at this Ordinary meeting of Council, in accordance with clause 33 of the City of Ballarat Local Law 18 - Meeting Procedure.**

**Moved: Cr Jim Rinaldi**

**Seconded: Cr Daniel Moloney**

**CARRIED**

**(R155/18)**

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

**RESOLUTION:**

That Council resolve, pursuant to Section 89(2) of the *Local Government Act 1989*, that the meeting be closed to members of the public at 8:20pm whilst the Council is dealing with the following matters;

<b>Moved: Cr Mark Harris</b>	<b>CARRIED</b>
<b>Seconded: Cr Des Hudson</b>	<b>(R156/18)</b>

**9. OFFICER REPORTS – CONFIDENTIAL ATTACHMENTS**

**9.2. RECOMMENDATION OF ARTWORK FOR THE CARDIGAN VILLAGE PUBLIC ART PROJECT**

**Division:** Development and Planning  
**Director:** Angelique Lush  
**Author/Position:** Kate Gerritsen – Public Art Coordinator

(Contractual matters)

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

**12.1. CLEANING OF MUNICIPAL BUILDINGS AND FACILITIES**

**Division:** Infrastructure and Environment  
**Director:** Terry Demeo  
**Author/Position:** John McKenna – Facilities Management Contract Coordinator

(Contractual matters)

**12.2. NORTH BALLARAT FUNCTIONS FACILITY**

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

(Contractual matters)

**RESOLUTION:**

That Council move out of closed Council at 9:09pm and adopt the resolutions made therein.

<b>Moved: Cr Grant Tillett</b>	<b>CARRIED</b>
<b>Seconded: Cr Mark Harris</b>	<b>(R161/18)</b>

