



**Ordinary Council Meeting**

**1 August 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 1 AUGUST 2018 AT 7:00PM**

**MINUTES**

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## 1. OPENING DECLARATION

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

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

## 2. APOLOGIES FOR ABSENCE

### 2.1 Present

Mayor Samantha McIntosh  
Cr Belinda Coates  
Cr Mark Harris  
Cr Des Hudson  
Cr Amy Johnson  
Cr Daniel Moloney  
Cr Jim Rinaldi  
Cr 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 Ali Evans - Administration Officer Statutory Compliance  
Ms Sarah Anstis - Administration Officer Statutory Compliance

### 2.2 Apologies

Nil

## 3. DISCLOSURE OF INTEREST

### 3.1 DIRECT INTERESTS

Nil

### 3.2 INDIRECT INTERESTS

Nil

Cr Daniel Moloney declared a perceived conflict in regards to item 9.4 Strategic Rowing Partnership.

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**4. CONFIRMATION OF MINUTES**

**RESOLUTION:**

**That the Minutes of the Council Meeting on 27 June 2018 and 4 July 2018 as circulated be confirmed.**

**Moved: Cr Belinda Coates**

**Seconded: Cr Daniel Moloney**

**CARRIED**

**(R195/18)**

**5. MATTERS ARISING FROM THE MINUTES**

Nil

**6. PUBLIC QUESTION TIME**

**QT42/18 - Ms Shirlene Laurie - Learmonth**

**Question**

Will our local Council support the Learmonth Community in reducing the speed limit through the Learmonth Town Centre from 80km to 60km?

**Answer**

Mr Terry Demeo, Director Infrastructure and Environment

VicRoads are the ultimate determiner of the speed limit and we are required to get permission from VicRoads to change the speed limit. As you would be aware Council have tried twice to reduce the speed limit on Remembrance Drive and we can advocate strongly for the argument to reduce the speed limit on the Sunraysia Highway through Learmonth.

Cr Des Hudson

This is a great issue to refer to the Road Safety Advisory Committee as it can be pursued and lobbied through this group.

Cr Daniel Moloney

Can you tell us about the feedback from businesses that you have received regarding the speed limit?

Ms Shirlene Laurie

At a speed limit of 80km people don't slow down and realise the history of the Learmonth or the businesses and cafes such as Cafe Sidra.

**RESOLUTION:**

**To receive an engineering assessment of the highway and service roads and continue our lobbying to reduce the speed limit through the town centre of Learmonth.**

**Moved: Cr Daniel Moloney**

**CARRIED**

**Seconded: Cr Grant Tillett**

**(R196/18)**

**QT43/18 - Ms Merle Hathaway - Buninyong**

**Question**

Does Council have something planned for 6 months time when we assume Civic Hall will be opened?

**Answer**

Ms Angelique Lush, Director Development and Planning

Exciting plans are in store for the facility and we will see a vibrant use of the space. We are working diligently to ensure that there is a full program.

Cr Samantha McIntosh, Mayor

There is a calendar of events in place with events for the Hall.

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Ms Merle Hathaway

Will the Civic Hall be able to host performances like a brass band or choir?

Cr Samantha McIntosh, Mayor

Without a doubt Civic Hall will be able to host performances such as these. The reason for opening is to allow us to have a greater capacity for events like this.

Ms Angelique Lush, Director Development and Planning

We believe that we will be able to host all performances with the technical and acoustic capabilities that will be in Civic Hall.

#### **QT44/18 - Ms Penny Greenslade - Soldiers Hill**

##### **Question**

I haven't registered to speak as I am speaking about a letter that I have written to Council regarding the facilities at the Rowing Regatta. The public toilets broke down throughout the day of the Regatta, so I spoke to the man who was maintaining them, and he said that they were inadequate. I did some research and there should have been 30 toilets not the 13 which were available. Also, there were no recycling bins and the bins that were available were overflowing very quickly.

##### **Answer**

Mr Neville Ivey, Director Community Development

These are important basic amenities that we should be providing. Events such as this are third party events however we need to ensure that appropriate facilities are provided. We will follow up on this.

#### **QT45/18 - Ms Penny Greenslade - Soldiers Hill**

##### **Question**

The Lake Wendouree Management Plan stated that there would be a lighting trial implemented around the lake although I don't believe that this has been done. Can you please advise?

##### **Answer**

Cr Samantha McIntosh, Mayor

The trial has been undertaken with a number of styles and types of lights. The testing has been a significant body of work with many findings.

Mr Terry Demeo, Director Infrastructure and Environment

The trial was in 2013/14 after Council resolved to go through this process. The Lake Wendouree Master Plan most requested element was to implement lighting around the Moneghetti track. Council have not committed funding.

**QT46/18 - Mr Richard McClure - Soldiers Hill****Question**

I have questions regarding the VicRoads Mair Street upgrade. What action has been taken to mitigate the loss of 140 car parks on Mair Street? Implementation of the planned upgrade is due to begin in October 2018, however no plans have been publicly released. Are Council happy to have an arterial road with only one entry and exit? Can Council challenge VicRoads to release the plan to the Community?

**Answer**

Mr Terry Demeo, Director Infrastructure and Environment

The proposed VicRoads plan will not impact from Armstrong Street as this precinct will be done at a later stage while VicRoads undertake planning about how to mitigate the loss of parking. We have not had an update in some weeks. The Mair Street upgrade is a part of the larger CBD strategy from a strategic perspective.

Cr Jim Rinaldi

What communications and discussions have you had with VicRoads? You said that works were to start in October which I believe will be a busy period for traders?

Mr Richard McClure

We have had no formal communication from Vic Roads. We have had some informal discussions however, they will not show us the plans, so we do not know what is happening with our future.

Cr Jim Rinaldi

We need to find a way to protect our businesses the best we can. We need to have input to ensure our traders are being heard.

Mr Terry Demeo, Director Infrastructure and Environment

Councils position is articulated through the CBD Strategy with the need to minimise short to medium term impact on the traders. The construction will have impact on businesses and in the longer term the car parking strategy may also impact businesses. We can organise a meeting with Council, VicRoads and the traders.

Cr Samantha McIntosh, Mayor

We will follow up with Mr McClure and the other traders.

**RESOLUTION:**

**That Council extends public question time in accordance with clause 66.1 the City of Ballarat Local Law 18 - Meeting Procedure.**

**Moved: Cr Daniel Moloney**

**Seconded: Cr Jim Rinaldi**

**CARRIED**

**(R197/18)**



**QT47/18 - Mr Gary Fitzgerald - Ballarat East****Question**

Tourism brings money to our economy and we have all sorts of tourism except for Freedom Camping. There was a trial with the last Council however the findings were not released. Can we please have another trial conducted with the results released?

**Answer**

Ms Angelique Lush, Director Development and Planning

There is a lot of history with Freedom camping. When the trial took place, it was found that it did not meet the needs of Ballarat. The concern is for the caravan industry in Ballarat and for the tourism industry which was expressed from Ballarat Regional Tourism. There is no request from Councillors currently for a trial of freedom camping.

Cr Grant Tillett

I would like a report to Briefing in regards to why the Freedom Camping Trial was deemed unsuccessful or unsatisfactory.

**QT48/18 - Mr Gary Fitzgerald - Ballarat East**

Items from Inagawa are not on show in Town Hall. Can these please be permanently displayed?

**Answer**

Cr Samantha McIntosh, Mayor

Inagawa items are on display at the Library.

**QT49/18 - Ms Mary Debrett - Ballarat****Question**

The Ballarat Health and Knowledge Precinct Plan showed cycling paths through the centre of Sturt Street and other areas. What was Councils brief on this matter to the Consultants?

**Answer**

Ms Angelique Lush, Director Development and Planning

I will take this question on notice.

**QT50/18 - Mr Stuart Kelly - Ballarat****Question**

I had someone crash into the back of me when they were distracted by a digital sign. Many signs are directly in the view of drivers. If a sign, which I assume has Council approval, caused an accident would Council be liable to be sued.

**Answer**

Mr Terry Demeo, Director Infrastructure and Environment

Signage is compliant with planning permits. If a driver is running up the back of a car, that is a matter for the driver and is covered by roads legislation.

**QT51/18 - Mr Stuart Kelly - Ballarat****Question**

Plans and strategies are being produced by external consultants and are very professional. What is the cost of producing these? Is there a strategy for how many are produced in Ballarat and how many are produced external to Ballarat?

**Answer**

Mr Glenn Kallio, Director Business Services  
I will take this question on notice.

**QT52/18 - Mr John Barnes – Brown Hill****Question**

How did Council decide on the 6 priority areas, and what ways can residents provide Council with feedback?

**Answer**

Cr Samantha McIntosh, Mayor

The 6 priorities of 'Now and into the Future' package of projects came from a number of large organisations around the Community which represent the largest numbers of employers who were asked to present their priority projects.

Mrs Justine Linley, CEO

Ballarat Now and Into the Future is not a "City of Ballarat" only advocacy program. The Council only put forward two of the 6 "now" project areas, namely the Link Road project and the Aviation Emergency Services and Innovation Hub. The other projects were put forward by other organisations.

**QT53/18 - Mr John Barnes – Brown Hill****Question**

The Warrenheip Station means that the quicker journey to Melbourne is not from Ballarat station, but from the Warrenheip Station. Do you think that a station at Warrenheip will make the trip several minutes longer for those travelling from Ballarat or Wendouree?

**Answer**

Mr Terry Demeo, Director Infrastructure and Environment

I won't comment in relation to Council supporting this. With regard to the park and ride proposal for Warrenheip and there is no conflict with current Council policy.

Cr Grant Tillett

A train stopping at the Warrenheip Station would only add two minutes to the service. We need to support anyone who will give us the funding to build the station at Warrenheip.

**7. REPORTS FROM COMMITTEES/COUNCILLORS****GB47/18 - Cr Grant Tillett**

This afternoon along with 20 other Miners Rest residents I attended the release of the Miners Rest Plan. Miners Rest have not had an updated plan since amalgamation. Only time will tell just how close the plan has come to the mark, however, I am sure that there will need to be some adjustments. I am pleased that there is now a plan in place.

**GB48/18 - Cr Belinda Coates**

I would like a briefing with the view to a report on ward renaming with indigenous names.

**RESOLUTION:**

**For a report to come to Council on ward renaming with indigenous names.**

**Moved: Cr Belinda Coates**

**CARRIED**

**Seconded: Cr Samantha McIntosh**

**(R198/18)**

I would like to acknowledge NAIDOC week, the Green Alliance event which I attended last week and the Active Women and Girls Strategy launch. I would like to commend officers for their hard work on the Active Women and Girls Strategy and the community partners who have supported this project.

**GB49/18 - Cr Ben Taylor**

Conversations have been happening in Buninyong with VicRoads about a bike lane up the Midland Highway. There were some issues about drainage being discussed and I am wondering if this has come to the attention of officers?

Cr Samantha McIntosh

Can an update regarding this be brought to Briefing.

**RESOLUTION:**

**To accept Councillor reports.**

**Moved: Cr Daniel Moloney**

**CARRIED**

**Seconded: Cr Ben Taylor**

**(R199/18)**

## 8. ASSEMBLIES OF COUNCILLORS

### 8.1. ASSEMBLIES OF COUNCILLORS

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

#### RESOLUTION:

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

- 19 January 2018 Prosperity Portfolio Meeting Planning and Economic Partnerships
- 9 February 2018 Prosperity Portfolio Meeting Events, Arts & Tourism
- 23 February 2018 Prosperity Portfolio Meeting Planning and Economic Partnerships
- 16 March 2018 Prosperity Portfolio Meeting Events and the Arts
- 6 April 2018 Prosperity Portfolio Meeting Economic Partnerships
- 20 April 2018 Prosperity Portfolio Meeting Events and The Arts
- 2 May 2018 Infrastructure and Environment Portfolio Meeting No 174
- 4 May 2018 Prosperity Portfolio Meeting Economic Partnerships
- 16 May 2018 Infrastructure and Environment Portfolio Meeting No 175
- 22 May 2018 Prosperity Portfolio Meeting Events and The Arts
- 1 June 2018 Prosperity Portfolio Meeting Economic Partnerships
- 15 June 2018 Prosperity Portfolio Meeting Events and The Arts
- 20 June 2018 Council Agenda Review Briefing
- 20 June 2018 Infrastructure and Environment Portfolio Meeting No 177
- 22 June 2018 Disability Advisory Committee Meeting
- 27 June 2018 Strategic Briefing Meeting
- 6 July 2018 Prosperity Portfolio Economic Partnerships Meeting

**Moved:** Cr Mark Harris

**CARRIED**

**Seconded:** Cr Belinda Coates

**(R200/18)**

#### 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. INTEGRATED WATER MANAGEMENT PLAN ENDORSEMENT

**Division:** Infrastructure and Environment  
**Director:** Terry Demeo  
**Author/Position:** Quenton Gay – Waste, Water and Energy Officer

#### RESOLUTION:

##### Council resolves to:

1. Note the feedback following public consultation for the draft Ballarat City Integrated Water Management Plan, and
2. Endorse the final Ballarat City Integrated Water Management Plan (Central Highlands Water et al. 2018)

**Moved: Cr Mark Harris**

**CARRIED**

**Seconded: Cr Belinda Coates**

**(R201/18)**

#### EXECUTIVE SUMMARY

The Ballarat City Integrated Water Management Plan provides recommendations toward the long-term utilisation of a diverse range of water sources whilst delivering a greener, more liveable and prosperous water future for Ballarat over a 50-year horizon.

The plan development was led by Central Highlands Water (CHW) in partnership with the City of Ballarat, Corangamite Catchment Management Authority (CCMA) and assistance from the Department of Environment, Land, Water and Planning (DELWP).

Public consultation occurred through November 2017, with 72 views recorded and four submissions received. Only minor changes were made to the plan which was subsequently endorsed by CHW and CCMA in February 2018.

This report recommends endorsement of the final Ballarat City IWM Plan by Council. Collective endorsement of the plan from all project partners will provide clear understanding from the State on IWM priorities for Ballarat and encourage investment in projects and minimise the risk of funding shortfalls.

**9.2. MEMORANDUM OF UNDERSTANDING WITH FRIENDS OF THE BALLARAT BOTANICAL GARDENS AND THE CITY OF BALLARAT**

**Division:** Infrastructure and Environment  
**Director:** Terry Demeo  
**Author/Position:** Daryl Wallis – Coordinator Parks and Gardens

Mr Michael Bird made a public representation.

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

- 1. Reconfirm the ongoing relationship with the Friends of the Ballarat Botanical Gardens through an updated Memorandum of Understanding for a further period of five years.**
- 2. Note the achievements of the Friends of the Ballarat Botanical Gardens during the period of the previous Memorandum of Understanding.**

**Moved: Cr Grant Tillett**

**CARRIED**

**Seconded: Cr Daniel Moloney**

**(R202/18)**

**EXECUTIVE SUMMARY**

The City of Ballarat recognises the important contribution made by the Friends of the Ballarat Botanical Gardens (Friends) towards the development of the Ballarat Botanical Gardens precinct. The City has a strong desire to maintain and enhance the ongoing partnership with the Friends for the mutual benefit of both organisations and the wider community.

The first Memorandum of Understanding was signed in 2014 for a term of five years and is due to expire in January 2019.

The Memorandum of Understanding has been reviewed and an updated version has been prepared and is ready for formal signing by both partner organisations.

**9.3. FOUNDATION FOR THE BALLARAT BOTANICAL GARDENS**

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

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

- 1. Support the request from the Friends of the Ballarat Botanical Gardens to establish a separate Foundation and tax-deductible Trust for the Ballarat Botanical Gardens.**
- 2. Advise the Friends of the Ballarat Botanical Gardens that it would not require any Councillor membership as part of the Foundation management.**
- 3. Upon the establishment of the separate Foundation, all monies within the existing Botanical Gardens Trust held by Council are to be transferred to the new Foundation.**
- 4. The current Trust be discontinued upon the transfer of all funds to the new Foundation.**

**Moved: Cr Daniel Moloney**

**Seconded: Cr Mark Harris**

**CARRIED**

**(R203/18)**

**EXECUTIVE SUMMARY**

The Friends of the Ballarat Botanical Gardens (the Friends) have formally requested Council consider the establishment of a Foundation and tax-deductible Trust separate from Council to facilitate enhanced philanthropic investment into the Ballarat Botanical Gardens (the Gardens). The request has been considered and it is recommended that the Council support the establishment of the Foundation and separate Trust. It is felt that the philanthropic investment into the Gardens would be potentially enhanced via this approach and would resolve any confusion in relation to the existing Trust which is hosted by Council.

The management model suggested was to include Councillors, however it is recommended that no Councillors should be on the management group for the Foundation to ensure that there is a clear separation between fundraising responsibility and the formal management and strategic overview of the Gardens.

**9.4. STRATEGIC ROWING PARTNERSHIP**

**Division:** Community Development  
**Director:** Neville Ivey  
**Author/Position:** Michael Hynes - Senior Advisor - Strategy and Planning,  
Recreation Planning

Mr Nick Gall - CEO of Rowing Victoria made a public representation.

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

- 1. Approve a strategic partnership with Rowing Victoria until 2027.**
- 2. Acknowledge the significance of, and support for the staging of Victoria State Rowing Championships to be held on Lake Wendouree every alternate year through to 2027.**
- 3. Acknowledge the basis for the strategic investment in the Lake Wendouree Rowing Course was based on the capacity and ability for Ballarat to host significant rowing events that provide economic and City promotional opportunity, continued major event activity and continued improvement in the reputation of Lake Wendouree as a world class rowing venue.**

**Moved: Cr Ben Taylor**

**Seconded: Cr Jim Rinaldi**

**CARRIED**

**(R204/18)**

**EXECUTIVE SUMMARY**

The purpose of a strategic partnership with Rowing Victoria is to promote regattas in Lake Wendouree in Ballarat and to enhance Ballarat's reputation to enable major events to be attracted to the City providing both social and economic benefits.

High profile regatta's such as:

- Victorian State Level Championships;
- Head of School Boys Championships;
- Ballarat and Wendouree Regatta; and
- Ballarat Head of Lake.

It's an opportunity to promote Ballarat as a rowing base for training camps, enhance Ballarat and Lake Wendouree's reputation as a rowing centre and attract a great number of the rowing fraternity to Ballarat.



A strategic partnership will deliver the following objectives:

- Make rowing in Ballarat more accessible and enjoyable;
- Provide a return on investment for recent upgrades to the Lake Wendouree rowing precinct with permanent and non-permanent infrastructure;
- Establishes a "license to negotiate" with Rowing Victoria to acquire additional major rowing events both from the domestic and international markets – Without securing a strategic partnership, organisations are unable to enter such negotiations. City of Ballarat officers have recently been invited into negotiations for an additional major event for Lake Wendouree.
- This strategic partnership investment ensures justification for the ongoing maintenance and improvement program designed to provide a high class eight lane rowing facility on Lake Wendouree. Without the events being attracted through this proposed partnership there is little or no value in maintaining a facility to current standards which would also significantly disadvantage local user groups.
- Make competing more valuable to encourage higher levels of participation;
- Create greater awareness of rowing and its benefits to the community in Ballarat;
- Improve the support to clubs, schools and associations to serve the needs of their members; and.
- Provide a significant economic benefit to Ballarat.

Financial support is requested

- 2019: \$40,000
- 2020: \$55,000
- 2021: \$40,000
- 2022: \$55,000
- 2023: \$40,000
- 2024: \$55,000
- 2025: \$40,000
- 2026: \$55,000
- 2027: \$40,000

The investment is subject to an incremental annual CPI adjustment.

Based on the expected increase in visitation to Ballarat it is expected that opportunities for sponsorship will occur, officers will work with the relevant organisations to investigate these sponsorship opportunities with the view that this will reduce the reliance on Council funding into the future.

## 9.5. COMMUNITY HALLS

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

### RESOLUTION:

**Council resolves to:**

**Discontinue recovering the building insurance premium, except in the instance where the asset is leased by a private individual for private or commercial enjoyment.**

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

**CARRIED**  
**(R205/18)**

### EXECUTIVE SUMMARY

This report has been prepared in response to Cr Tillett's request to review the position of charging community halls an insurance premium for building insurance.

**9.6. BRIDGE MALL BUSINESS ASSOCIATION - SPECIAL RATE**

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

Mr John Marios, Mr Liam Stringer, Mr Ian Wallis, Ms Tracey Govan, Ms Wen McLachlan and Mr Shane Donnithorne made public representations.

**PROCEDURAL MOTION:**

**That Council adjourn for 5 minutes at 9:46pm.**

**Moved: Cr Grant Tillett** **CARRIED**  
**Seconded: Cr Amy Johnson** **(R206/18)**

**PROCEDURAL MOTION:**

**That Council resumes at 9:55pm.**

**Moved: Cr Grant Tillett** **CARRIED**  
**Seconded: Cr Mark Harris** **(R207/18)**

**RESOLUTION:**

**Council resolves to:**

- 1. Commence the process to raise a Bridge Mall Special Rate – Promotion & Security, for a period of 5 years, to fund agreed projects to the value of \$218,000, to which the special rate is to contribute \$148,000.**
- 2. Establish a compliance framework for governance of the special rate.**

**Moved: Cr Jim Rinaldi** **CARRIED**  
**Seconded: Cr Grant Tillett** **(R208/18)**

**EXECUTIVE SUMMARY**

In February this year, Bridge Mall Traders Association (now known as the Bridge Mall Business Association) wrote to Council requesting the Bridge Mall Special Rate – Promotion & Security (BMSR) be renewed for another 5 years.

The history of this Special Rate has been that Council has always required 100% acceptance by traders of the special rate before Council would agree to the raising of the special rate.

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Without 100% acceptance by the members, any appeal to VCAT has a strong likelihood of succeeding, putting at risk the whole Special Rate.

Whilst it is the Officer's recommendation to decline the request for a continuance of the Bridge Mall Special Rate – Promotion & Security, an alternative option available to Council is to continue with the current Bridge Mall Special Rate – Promotion & Security for a period of 5 years and establish a compliance framework for governance of the special rate.

**9.7. COMMITTEE OF MANAGEMENT CIVIC HALL SITE**

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

**RESOLUTION:**

**Council resolves to:**

- 1. Seek from the Department of Land, Water and Planning an appointment of Council as the Committee of Management for the parcel known as reserve 2069 contained within the Mair Street Civic Hall site (the Civic Hall).**

**Moved: Cr Mark Harris**

**CARRIED**

**Seconded: Cr Grant Tillett**

**(R209/18)**

**EXECUTIVE SUMMARY**

The intent of this report is to request that Council resolves to seek from the Department of Land, Water and Planning (DELWP) Committee of Management appointment for a portion of land contained within the “Civic Hall Site” now known as Reserve 2069. This appointment will formalise Council's tenure of the site whilst the redevelopment of the Hall continues and will also enable Council to issue tenancies for the site.

**9.8. AUDIT ADVISORY COMMITTEE MEETING - 20 JUNE 2018**

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

**RESOLUTION:**

**Council resolves to:**

- 1. Endorse the minutes of the Audit Advisory Committee of 20 June, 2018 and adopt the resolutions made therein.**

**Moved: Cr Belinda Coates**

**CARRIED**

**Seconded: Cr Daniel Moloney**

**(R210/18)**

**EXECUTIVE SUMMARY**

This Report provides Council with the Minutes of the meeting of Council's Audit Advisory Committee (the Committee) held on 20 June, 2018.

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

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

**RESOLUTION:**

**Council resolves to:**

1. **Revoke the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Mukul Hatwal, effective as at 1 August 2018.**

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

**CARRIED**  
**(R211/18)**

**EXECUTIVE SUMMARY**

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

Name of Employee	Date Authorisation to be revoked
Mukul Hatwal	1 August 2018

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

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

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

1. **Revoke the S6. Instrument of Delegation - Members of Staff endorsed on 23 May 2018 (R129/18).**
2. **Exercise Council's power conferred by section 98(1) of the *Local Government Act 1989* and the other legislation referred to in the attached S6. Instrument of Delegation – Members of Staff.**
3. **Delegate each duty and/or function and/or power described in column 1 of the Schedule and summarised in column 2 of the Schedule, to the member of Council Staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule.**
4. **Authorise the S6. Instrument of Delegation – Members of Staff (Attachment 1) to:**
  1. **Come into force immediately once the Common Seal of Council is affixed;**
  2. **Remain in force until varied or revoked;**
  3. **Be subject to any conditions and limitations set out in sub-paragraph 3.3 of the delegation and the Schedule; and**
  4. **Be exercised in accordance with any guidelines or policies which Council, from time to time, adopts.**
5. **Sign and affix Council's Common Seal to the S6. Instrument of Delegation - Members of Staff.**

**Moved: Cr Mark Harris**

**CARRIED**

**Seconded: Cr Ben Taylor**

**(R212/18)**

**EXECUTIVE SUMMARY**

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

- changes to legislative provisions within the *Domestic Animals Act 1994*, *Heritage Act 2017* and *Planning and Environment Act 1987*; and
  - provisions for the new role Coordinator Building Services under the *Residential Tenancies Act 1997*.
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The revised delegation has been reviewed at officer level and is considered appropriate for the ongoing administrative efficiency of Council. The draft revised Instrument is presented at Attachment 1. Attachment 2 outlines the proposed changes and new legislative provisions marked up that have been allocated to an appropriate Officer. Attachment 3 represents the required delegations for the new role of Coordinator Building Services.

To adopt the amended Instrument, Council must revoke the Instrument that was endorsed at the Council meeting held on 23 May 2018 (R129/18) and endorse the revised Instrument (Attachment 1) reflecting changes to conditions and limitations within the *Planning and Environment Act 1987*, *Local Government Act 1989* and the *Residential Tenancies Act 1997*.

**9.11. OUTSTANDING QUESTION TIME ITEMS**

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

**RESOLUTION:**

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

**Moved: Cr Des Hudson**

**Seconded: Cr Belinda Coates**

**CARRIED  
(R213/18)**

**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**

Nil

**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 10:29 pm whilst the Council is dealing with the following matters;

**Moved: Cr Mark Harris**

**CARRIED**

**Seconded: Cr Des Hudson**

**(R214/18)**

**9.8. AUDIT ADVISORY COMMITTEE AGENDA - 20 JUNE 2018**

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

(Contractual matters)

**12.1. LAKE WENDOUREE WATER SUPPLY CONTRACT RENEWAL REPORT**

**Division:** Infrastructure and Environment  
**Director:** Terry Demeo  
**Author/Position:** Daryl Wallis – Acting Executive Manager Operations and Environment

(Contractual matters)

**12.2. BALLARAT INTERNATIONAL FOTO BIENNALE ADDITIONAL FUNDING REQUEST**

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

(Contractual matters)

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**12.3. TENDER 2017/18-259 KENT STREET REHABILITATION**

**Division:** Infrastructure and Environment  
**Director:** Terry Demeo  
**Author/Position:** Robin Hand – Contracts Administrator

(Contractual matters)

**12.4. TENDER 2018/19-01 TRAFFIC MANAGEMENT WORKS AT WINTER STREET AND ADAIR STREET, NEWINGTON**

**Division:** Infrastructure and Environment  
**Director:** Terry Demeo  
**Author/Position:** Robin Hand – Contracts Administrator

(Contractual matters)

**12.5. MAV IT PROFESSIONAL SERVICES CONTRACT**

**Division:** Business Services  
**Director:** Glenn Kallio  
**Author/Position:** Stuart Meerbach – Executive Manager Information Services

(Contractual matters)

**12.6. 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 11:31 pm and adopt the resolutions made therein.**

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

**CARRIED**  
**(R221/18)**

