

**CITY OF  
BALLARAT**



**Ordinary Council Meeting**

**22 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 22 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

Mr Terry Demeo - Acting Chief Executive Officer  
Mr Neville Ivey - Director Community Development  
Mr Glenn Kallio - Director Business Services  
Mr Cameron Gray - Director Innovation and Organisational Improvement  
Mr Jeff Johnson - Executive Manager Events and the Arts  
Mr Darren Whitford - Coordinator Risk and Compliance  
Ms Ali Evans- Administration Officer Statutory Compliance  
Ms Sarah Anstis - Administration Officer Statutory Compliance

## 3. DISCLOSURE OF INTEREST

Nil

## 4. CONFIRMATION OF MINUTES

### RESOLUTION:

**That the Minutes of the Council Meeting on 1 August 2018 as circulated be confirmed.**

**Moved: Cr Daniel Moloney**  
**Seconded: Cr Belinda Coates**

**CARRIED**  
**(R222/18)**

**5. MATTERS ARISING FROM THE MINUTES**

Nil

**6. PUBLIC QUESTION TIME**

**QT54/18 - Ms Nancy Hotchin - Wendouree**

**Question**

In regards to waste to energy, what happens to napkins and sanitary items for those in aged care and hospitals? Are these in landfill and what will happen in the future with these to energy?

**Answer**

Cr Samantha McIntosh, Mayor

We are focused on minimising waste in all areas of our community. The project, All Waste Interchange on tonight's agenda aims to sort all items of waste and reuse what we can. There is a layer of waste that goes into landfill and there has been discussions about what we can do to prevent waste going to landfill.

Mr Terry Demeo

Madam Mayor did cover it all. The waste to energy program is to minimise those items in landfill.

**7. REPORTS FROM COMMITTEES/COUNCILLORS****GB50/18 - Cr Samantha McIntosh, Mayor**

Cr Coates and I attended the Gender Equity Launch today with Tracey Spicer as the guest speaker. This was a brilliant afternoon.

**GB51/18 - Cr Ben Taylor**

I would like to table a joint letter I received from Buninyong residents in regards to excessive dust and debris as a result of a recent upgrade to the oval surface.

**GB52/18 - Cr Jim Rinaldi**

I request leave of absence for Council Meeting 12 September 2018.

**Moved: Cr Grant Tillett**

**CARRIED**

**Seconded: Cr Ben Taylor**

**(R223/18)**

**GB53/18 - Cr Grant Tillett**

I recently attended a meeting of Western Highway Action Committee.

**GB54/18 - Cr Belinda Coates**

I attended the Gender Equity Action Plan Launch today. I commend the CEO in initiating the program and all the staff involved.

Compassionate Ballarat are a local community group based on the compassionate cities model. They are interested in City of Ballarat signing their charter. I call for briefing to look into this.

I had a question on notice in regards to the update on the energy procurement. I would like an update on this.

Can I please have an update on the time frame on the live streaming Council report?

Mr Glenn Kallio - Director Business Services

We want the Meeting Procedure Local Law and the Brocading Casting of Council Meetings to be presented together. We are making changes to the local law report, which is scheduled for the 12 September 2018 Council Meeting.

**GB55/18 - Cr Amy Johnson**

Can I please have an update on how we continue to work with NBN contractors?

Mr Terry Demeo - Acting Chief Executive Officer

There have been discussions with NBN around outstanding matters. They are making a payment for us to undertake the work.

Cr Amy Johnson

What is the process for feeding in complaints?

Mr Terry Demeo - Acting Chief Executive Officer

These are logged through customer service and then they are inspected.

**GB56/18 - Cr Daniel Moloney**

The Governor visited last week, and I want to pass on my thanks to our staff and Clare O'Connor who is Coordinator Civic Support.

I would like to acknowledge the welcome to representatives from HMAS Ballarat.

Cr Samantha McIntosh, Mayor

Clare O'Connor and the team should be thanked for all their work.

**RESOLUTION:**

**To accept Councillor reports.**

**Moved: Cr Mark Harris**

**Seconded: Cr Belinda Coates**

**CARRIED**

**(R224/18)**

**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:**

- **4 July 2018 Infrastructure and Environment Portfolio Meeting No 178**
- **18 July 2018 Infrastructure and Environment Portfolio Meeting No 179**
- **18 July 2018 Council Agenda Review Briefing**
- **20 July 2018 Prosperity Portfolio Meeting Events and the Arts**
- **25 July 2018 Strategic Briefing**
- **26 July 2018 Road Safety Advisory Committee Meeting**
- **27 July 2018 Community Development Councillor Portfolio Meeting**
- **8 August 2018 Council Agenda Review Briefing**

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

**CARRIED**  
**(R225/18)**

**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. ALL WASTE INTERCHANGE PROPOSAL

**Division:** Infrastructure and Environment  
**Director:** Terry Demeo  
**Author/Position:** Steve Van Orsouw – Executive Manager Operations and Environment

#### MOTION

1. Take the steps required to borrow the amount \$5M to proceed with the All Waste Interchange Development Program to enable commencement of the site development and establishment to build stage 1 of the All Waste Interchange at Ballarat West Employment Zone (BWEZ).
2. Require regular progress reports in relation to the delivery of this project on a quarterly basis.

**Moved: Cr Grant Tillett**

**Seconded: Cr Belinda Coates**

Cr Grant Tillett decided to revert to the original recommendation before the vote.

#### RESOLUTION:

**Council resolves to:**

1. Commit to the expenditure of the budget allocation \$5M to proceed with the All Waste Interchange Development Program to enable site development and establishment to build stage 1 of the All Waste Interchange at Ballarat West Employment Zone (BWEZ).
2. Require regular progress reports in relation to the delivery of this project on a quarterly basis.

**Moved: Cr Grant Tillett**

**Seconded: Cr Belinda Coates**

**CARRIED  
(R226/18)**

#### EXECUTIVE SUMMARY

Council resolved via its adopted budget to commit \$5M on the basis that the City of Ballarat would receive matching funds from the Building Better Regions Fund (federal funding) for the delivery of the initial stages of an All Waste Interchange at BWEZ. This facility would ultimately provide for a central receival point for Council's kerbside collection service for general waste, recyclables, and green waste, along with a Transfer Station for general use by the community and commercial entities.

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Council's application for federal funding was unsuccessful.

Having considered options to proceed, it is recommended that Council formally commit to the budget of the \$5M to be expended to undertake the initial land development of the site to allow for the development of the All Waste Interchange in due course. The \$5M funding is anticipated to deliver serviced land with a preliminary transfer station without the necessity for further funding at this point.

This initiative will be a demonstration of Council's commitment to the delivery of an All Waste Interchange as an enabling infrastructure to deliver the overall waste to energy solution for Ballarat and broader regions.

**9.2. PLP/2017/832 IPLANNING PTY LTD - 11 GRENVILLE STREET  
NORTH, BALLARAT CENTRAL**

**Division:** Infrastructure and Environment  
**Director:** Terry Demeo  
**Author/Position:** Natalie Robertson - Executive Manager Development Facilitation

Mr James Iles, Mr Brett Edgington and Ms Sharon Uphman made public representations.

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

**Issue a Notice of Decision to Grant a Planning Permit PLP/2017/832 for the land located at 11 Grenville Street North, Ballarat Central for Development of an office building and dispensation of car parking subject to the following Conditions:**

**1. Amended Plans Required**

**Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with plans submitted 17 July 2018 but modified to show:**

- a) A reduction in the overall building height by a minimum 0.5m, to the satisfaction of the Responsible Authority.**
- b) Extension of awning at front entrance into the Grenville Street North public realm. The awning should extend across the Grenville Street N western footpath no less than 750mm from the kerbline and should be constructed of a lightweight material (such as glass), to the satisfaction of the Responsible Authority.**
- c) Greater articulation of the upper floors of the southern elevation (including variation in building materials/colours etc) to enhance the appearance of this façade.**
- d) Landscape plan for all landscaped areas including balconies, as per Condition 2.**

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

**2. Landscape Plan**

**Prior to the commencement of any works, a landscape plan must be submitted to and approved by the Responsible Authority. When approved the plan will form part of the permit.**

The landscape plan must include:

- (a) a planting schedule of all proposed vegetation, including those in pots, to be provided at the site frontage or within the balcony areas, to the satisfaction of the Responsible Authority.

All landscaping works must be carried out in accordance with the approved landscape plan and Council's Landscape Design Manual (August 2012).

3. Boundary Walls

The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.

4. Minimising Glare

The exterior colour and cladding of the building(s) must be non-reflective to the satisfaction of the Responsible Authority.

5. Plant / Equipment or Features on Roof

No plant, equipment or related services other than those shown on the approved plans are permitted above the roof level of the building(s) hereby approved without the further written consent of the Responsible Authority.

6. Construction Management Plan

Prior to the commencement of works, a Construction Management Plan must be prepared to the satisfaction of the Responsible Authority and endorsed as part of this permit. The Plan must detail:

- (a) Hours of demolition and construction to accord with Local Laws;
  - (b) Management of Cattan Street and Grenville Street to ensure that they are kept free of parked or standing vehicles or any other obstruction, including building materials, equipment, etc. to maintain free vehicle passage to abutting benefitting properties at all times, unless with the written consent of the Responsible Authority;
  - (c) Methods to contain dust, dirt and mud within the site and the method and frequency of clean up procedures, including the management of on-site storage waste construction bins and vehicle washing;
  - (d) Management of parking of construction machinery and workers vehicles to prevent adverse impact on nearby properties;
  - (e) Management of staging of heavy vehicles, site deliveries and unloading and lifting points with expected frequency, and traffic management in the vicinity, ensure routes to and from the site minimise disruption to residential properties;
  - (f) Minimising disruption to pedestrian access along footpaths;
  - (g) Measures to minimise noise and other amenity impacts from mechanical equipment, including idling trucks, and demolition/construction activities, especially outside of daytime hours;
  - (h) The provision of adequate environmental awareness training for all on-site contractors and sub-contractors; and
  - (i) A liaison officer for contact by the public and the Responsible Authority in the event of relevant queries or problems experienced.
-

All works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.

#### **7. Green Travel Plan**

Before the use starts, a Green Travel Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of the permit. Three copies of the plan must be submitted. The Green Travel Plan is to include details of the proposed design initiatives and sustainable management practices to reduce car usage and improve sustainable transport options (including walking, cycling, public transport and carpooling) available to staff. The Green Travel Plan should include, but not be limited to the following:

- (a) Staffing and operational hours for the premises designed to enable flexibility in staff arrival and departures;
- (b) Signage and communication to be used to encourage responsible green-travel behaviour by staff;
- (c) Consider end of trip facilities such as showers, change rooms, secure storage and bicycle storage;
- (d) Education and awareness initiatives and incentives for staff to encourage more sustainable modes of travel to/from the site;
- (e) Management practices identifying sustainable transport alternatives;
- (f) Lobby areas of building to include real time information of train and bus services;
- (g) Details of bicycle spaces for staff;
- (h) Implementation of staff car-pooling scheme;
- (i) Employee information packs (e.g. myki cards for new staff/workers);
- (j) Details of regular review of Green Travel Plan; and
- (k) Any other relevant matters.

The Green Travel Management Plan must be implemented to the satisfaction the Responsible Authority and must not be modified unless with the further written consent of the Responsible Authority.

#### **8. Waste Management Plan**

Prior to the development commencing, a Waste Management Plan must be prepared to the satisfaction of the Responsible Authority and endorsed as part of this permit. The Plan must detail:

- a) The location and space allocated for storage of waste and recyclable materials, bins and containers;
  - b) The type of waste and recyclable materials, bins and containers;
  - c) The garbage and recycling equipment (e.g. vehicles and lifting equipment) to be used;
  - d) The frequency and timing of waste collection;
  - e) The path of access for both users and collection vehicles;
  - f) Demonstrate how all collection vehicles can enter and exit the premises in a forward direction. Vehicles must not reverse from the site at any time; and
  - g) Measures to manage and minimise noise, odour and litter.
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Waste management must be undertaken in accordance with the approved Waste Management Plan to the satisfaction of the Responsible Authority. The endorsed Waste Management Plan shall have ongoing force or effect unless otherwise approved in writing by the Responsible Authority.

#### **9. Vehicle Access – Use/Development**

Prior to the commencement of the use and/or development, vehicle access to the site must be constructed in accordance with plans and specifications set under an approved Vehicle Crossing Permit to the satisfaction of the Responsible Authority.

*Note: The construction or altering of a vehicle crossing, footpath and/or any other works or alterations within a road reserve or any other Council asset may require either a Crossover Permit (which includes a driveway and new crossover), a Road Opening Permit (ie. opening up a road for installation of infrastructure), Asset Protection Permit (Temporary Crossing Permit i.e. providing for temporary site access) or other approval to be obtained from the City of Ballarat. This Planning Permit does not constitute such approval. Failure to obtain an appropriate permit or damaging Council infrastructure, including footpaths, kerbs, drains, street trees, nature strips etc or failing to remove redundant crossings and reinstate the kerb, drain, footpath, nature strip or other part of the road is a breach of the Ballarat City Council Community Local Laws (10 Penalty Units). For further information, please contact Council's Asset Protection Officer in relation to Road Opening or Asset Protection permits and Council's Infrastructure Planning & Development Unit via Council's Customer Service Officers and the Arborist relating to Street trees.*

#### **10. Internal Access Ways and Car Parking**

Prior to the occupation of the development, the areas set aside for the parking of vehicles and access lanes as shown on the approved plans must to the satisfaction of the Responsible Authority be:

- (a) Constructed of concrete;
- (b) Properly formed to such levels that they can be used in accordance with the plans;
- (c) Drained;
- (d) Line-marked to indicate each car space and all access lanes; and
- (e) Clearly marked to show the direction of traffic along access lanes and driveways.

Car spaces and access lanes must be maintained and kept available for these purposes at all times.

Prior to the commencement of the use or occupation of the development, all works shall be completed in accordance with plans submitted to and approved by the Responsible Authority.

### **11. Engineering Plans and Construction**

Prior to the commencement of works or use hereby approved commencing, engineering plans and specifications must be submitted to and approved by the Responsible Authority. The engineering plans must accord with the Infrastructure Design Manual and Council's Standard Cross-sections. All engineering works must be constructed in accordance with the approved plans and completed to a standard satisfactory to the Responsible Authority prior to the commencement of the development/use hereby approved commencing.

At the completion of the works one set of 'as constructed' civil plans shall be submitted to the Responsible Authority.

The engineering plans must detail:

- (a) Footpath to be constructed/reinstated along frontage of the site on Cattan Street;
- (b) Kerb and channel construction and drainage along frontage of the site on Cattan Street; and
- (c) Construction of sealed road along frontage of the site on Cattan Street.

### **12. Drainage Plans and Construction**

Prior to occupation of new office complex, stormwater drainage must be connected to the Legal Point of discharge as given by the Responsible Authority. The drainage must accord with the Infrastructure Design Manual and other standards of the Responsible Authority. All drainage works must be constructed in accordance with the approved plans and completed to a standard satisfactory to the Responsible Authority prior to the occupation of new dwelling. At the completion of the works one set of 'as constructed' civil plans shall be submitted to the Responsible Authority.

### **13. Sediment on Roadways**

No material shall be deposited on any road external to the site by any means including construction vehicles or associated plant entering or leaving the land subject to this permit. Any material deposited on the road shall be removed by mechanical or manual means to the satisfaction of the Responsible Authority.

Note 1: Depositing such material on Responsible Authority's Roads is an offence under the *Environment Protection (Resource Efficiency) Act 1970* and penalties may apply.

Note 2: Any costs associated with a clean up of road surfaces borne by the Responsible Authority must be met by the permit holder.

### **14. Corangamite CMA**

Finished floor levels must be constructed no lower than 418.9 metres to Australian Height Datum.

Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Corangamite Catchment Management Authority to demonstrate that the floor levels have been constructed in accordance with Corangamite Catchment Management Authority's requirements.

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**15. Permit Expiry – Development Only**

This permit will expire if one of the following circumstances applies:

- (a) The development is not started within two years of the date of this permit;  
or
- (b) The development is not completed within four years of the date of this permit.

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

**Notes:****Building Approvals**

This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained. The works hereby approved must accord with the requirements of the *Building Act 1993*, *Building Regulations 2006* and *Building Code of Australia 2014*.

**Works within Road Reserve**

The construction or altering of a vehicle crossing, footpath and/or any other works or alterations within a road reserve or any other Council asset may require either a Crossover Permit (which includes a driveway and new crossover), a Road Opening Permit (ie. opening up a road for installation of infrastructure), Asset Protection Permit (Temporary Crossing Permit i.e. providing for temporary site access) or other approval to be obtained from the City of Ballarat. This Planning Permit does not constitute such approval. Failure to obtain an appropriate permit or damaging Council infrastructure, including footpaths, kerbs, drains, street trees, nature strips etc or failing to remove redundant crossings and reinstate the kerb, drain, footpath, nature strip or other part of the road is a breach of the Ballarat City Council Community Local Laws (10 Penalty Units). For further information, please contact Council's Asset Protection Officer in relation to Road Opening or Asset Protection permits and Council's Infrastructure Planning & Development Unit via Council's Customer Service Officers and the Arborist relating to Street trees.

**Signage**

No signage has been assessed or approved as part of this application. Further planning approval is required prior to the installation of any business identification signage.

**Containment of Refuse**

Under the provisions of the Ballarat City Council Community Local Law No 5 (as amended to include Local Law No. 9 clauses 3.15 – 3.17) an on-site facility for containment of all builders' refuse is required to be provided on any land where any building work within the meaning of the *Building Act 1993* is being carried out. The local law contains specific provisions about the type and location of refuse containment facilities and the emptying and removal of such facilities.

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**Air Conditioning Plant**

**Any air conditioning system incorporating one or more cooling towers must comply with, and be managed in accordance with the relevant provisions of the *Public Health and Wellbeing Act 2008*.**

**Moved: Cr Ben Taylor****CARRIED****Seconded: Cr Jim Rinaldi****(R227/18)**

Upon being put to the meeting, the Motion was declared carried. Cr Grant Tillett called for a Division.

**For the Motion were Councillors:** Cr Mark Harris  
Cr Des Hudson  
Cr Amy Johnson  
Cr Samantha McIntosh  
Cr Jim Rinaldi  
Cr Ben Taylor  
Cr Belinda Coates

**Against the Motion was:** Cr Daniel Moloney  
Cr Grant Tillett

**EXECUTIVE SUMMARY**

On 8 December 2017 an Application was lodged for Development of an office building and dispensation of car parking at 11 Grenville Street North, BALLARAT CENTRAL. The Application was advertised and Council has received two (2) objections.

At the Ordinary meeting of Council on 4 July 2018, Council resolved to defer consideration of Planning Permit application PLP/2017/832 for 11 Grenville Street North, Ballarat Central to allow for further discussion between the developer and Council on issues related to heritage and car parking associated with the proposal.

Draft plans were submitted to Council on 12 July 2018. A copy of which were distributed to objectors on 30 July 2018 and presented to Council at a Strategic Briefing on 25 July 2018. A copy of the proposed revised plans is attached.

Having considered the proposed changes it is recommended that Council issue a Notice of Decision to Grant a Planning Permit subject to Conditions.



**9.3. CARRYOVERS 2018/19**

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

**RESOLUTION:**

**Council resolves to:**

- 1. Approve the addition of \$41.555 million to the 2018/19 Budget to fund the list of requested carryovers.**

Project N <sup>o</sup>	Project Name	Recommeneded
	Strategic Planning Project	7,500
65128	Local people, local stories: Ballarat and the First World V	9,000
12504	HUL Ballarat - MADE	16,193
01640	Best Start	8,871
11450	Supported Playgroups	146,968
11981	MCH	10,750
65725	<a href="#">right@home</a>	4,998
FC019	Vulnerable Persons Initiative - Immunisation	4,000
66031	Enhanced MCH - Clincial Supervision	291
83461	Public Art Program	103,057
83367	Civic Hall Redevelopment Project	3,734,029
83399	Art Gallery Ballarat	39,974
10654	Engaging Communities Program	232,895
10818	Community Grants	-
11989	Deaf Access	20,740
65280	UMM	19,406
83455	Scotchmans Lead Road Bridge (Franklin Bridge)	775,000
83457	Roads to Recovery	429,840
83587	Ball West Employment Zone Stage 2	4,241,996
83630	Wendouree Sports & Events Centre	6,551,269
83638	Sebastopol Library	2,056,382
83671	Mining Exchange	-
83673	Fernery	1,209,282
83676	Lucas Community Hub	20,753
83677	Railway Precinct	-
83717	HMT Conservation Works	1,184,028
83720	Social Infrastructure Capital Impro Project	797,683
83729	Town Hall - Living Heritage	97,500
83732	Marveloo	44,296
83737	CBD Parking Action Plan Project	1,500,000
	Victoria Grant Commission	6,735,139
82075	BALC Assets & Equipment	163,755
82243	IT Infrastructure Strategy	1,485,711
82246	Desktop Replacement Program	845,156
82312	Landfill Upgrade	235,791
83603	IT System Development	2,111,552
83702	Lake Wendouree Infrastructure Works	123,349
83713	Girrabanya Upgrade	368,850
83726	SSRIP Safer Cyclist & Pedestrian	325,017
83733	Eureka Centre Equipment	14,629
83706	DCP Construction	5,084,071
83599	Recreation Capital Improvement	930,948
	Art Gallery Ballarat	- 176,014
83399	Art Gallery Ballarat - Capital	39,974
		<b>41,554,629</b>

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

**CARRIED**  
**(R228/18)**

### **EXECUTIVE SUMMARY**

This report sets out those items that are required to be carried forward to the 2018/19 Budget from the previous financial year due to grants being received in advance and/or unfinished projects as at 30 June 2018. The total funds being recommended to be carried forward equates to \$41,554,629.

In addition to the carryovers, Council achieved a surplus of funds (\$1.988 million) due to the following factors:

1. Additional funds were received from supplementary valuations. This represents an increased growth within the municipality than budgeted for.
2. Council achieved a significantly higher rate for the collection of rates which resulted in an additional sum of cash available for Council.

**9.4. COMMUNITY SPORTS INFRASTRUCTURE LOANS SCHEME**

**Division:** Community Development  
**Director:** Neville Ivey  
**Author/Position:** Mark Patterson - Executive Manager Sport and Active Living

Ms Sue Brown and Mr Herman Bogers made public representations.

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

- 1. Approve an application for a \$10 million low-cost loan through the Victorian State Government Community Sports Infrastructure Loans Scheme that will be used to implement a \$16 million investment in critical sporting infrastructure over the next two years.**
- 2. Note that this program will enable Council to bring forward a wide range of sporting capital projects which aim to deliver fully compliant female friendly facilities and a major soccer facilities upgrade program within a two-year timeframe that could not otherwise be delivered in less than 5 years.**
- 3. Note that the program can be funded by restructuring within the existing core capital sporting infrastructure budget.**

**Moved: Cr Des Hudson**

**Seconded: Cr Belinda Coates**

**CARRIED**

**(R229/18)**

**EXECUTIVE SUMMARY**

In 2017 the State Government, through the Department of Sport and Recreation, released a strategic framework titled Active Victoria to increase sport and recreation across Victoria. This report identified a need to find ways to deliver community sports infrastructure. In the 2018-19 state budget a \$100 million Community Sports Infrastructure Loans Scheme (CSILS) was adopted which allows councils and other entities to access low-interest loans guaranteed by the Government to enable the development of new sport and recreation infrastructure.

Loans through the scheme will be provided at the Treasury Corporation of Victoria's borrowing rate at the date of contract execution. As of 25 June 2018, the interest rate for a 10-year loan from the Treasury Corporation of Victoria was 3.10 per cent (inclusive of administrative costs). It is anticipated that the Victorian Government's additional interest subsidies will reduce the interest rate paid by organisations by at least 50 per cent.

By taking advantage of the CSILS and borrowing the maximum allowable \$10 million, Council will be able to deliver a \$16 million package of priority projects in the next two-year period. The cost of the program will be funded and re-paid by re-structuring (reducing) the future rolling sports capital infrastructure budget by the net amount of the annual principle and interest re-payments. Whilst these projects are fast tracked and facilitated via the CSILS it does not result in any less investment in sporting infrastructure in the longer term. This is

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important given that we understand that ongoing investment in core sporting infrastructure is essential in maintaining Council focus on developing future active and healthy lifestyle opportunities within Ballarat.

By capitalising on this opportunity, Council will be able to deliver 30 projects across 20 different clubs, in 13 different sports at 16 separate sporting locations in the municipality. The program will directly impact more than 3,680 participants across at least 13 different sports. The impact is multiplied further when family members, supporters and volunteers are also considered. Furthermore, and importantly, the program will specifically aim to deliver on Council's priorities around female participation and the rapidly growing sport of soccer as follows:

- Delivering the full program of upgrades to female friendly facilities across the municipality; and
- Delivering the full suite of soccer infrastructure projects.

Additionally, this initiative will also enable the future core sporting capital program to be brought forward from year 3 onwards, better enabling Council to meet the increasing participation trends including the provision for growth zones, organic growth of individual sports and supporting township development plans generally across the municipality.

**9.5. BRIDGE MALL SPECIAL RATE**

**Division:** Business Services  
**Director:** Glenn Kallio  
**Author/Position:** Rod Leith – Manager Revenue & Procurement Services

**RESOLUTION:**

Council resolves to:

1. In accordance with section 163(1), (1A), (1B) and (1C), and section 163B(3) of the *Local Government Act 1989* ('the Act'), Council gives public notice of its intention to declare a Special Rate for a five year period commencing 1 July 2018 and ending on 30 June 2023 on specified properties in the Bridge Mall to partially fund the annual expenditure for the promotion, security services and the employment of a part-time Manager for the Bridge Mall Business Association.
  2. Specify the following for the purposes of section 163(2), 163(2A) and 163(2B) of the Act:
    - a. The total amount of the Special Rate to be levied is \$148,000 for each of the 5 years. The annual budget for the Bridge Mall Business Association's initiatives and projects related to the Special Rate is \$218,000 per annum.
    - b. The total amount of the Special Rate which may be levied is not to exceed \$148,000, which is calculated in accordance with section 163(2A) of the Act.
    - c. For the purposes of 2(b) above:
      - i. The 'benefit ratio' (R) to be levied on liable persons is 68% for properties levied;
      - ii. There are no properties receiving a special benefit from the Special Rate which are not levied with the Special Rate;
      - iii. The 'community benefit' from the Special Rate is 32%.
    - d. The criteria to be used as the basis for levying the Special Rate is:
      - i. On all street level properties located between Grenville Street and Peel Street that face the Bridge Mall, Coliseum Walk and the ground floor tenancies in Norwich Plaza. A total of 80 properties as detailed in Appendix A.
      - ii. For the first year of the Special Rate, a rate in the dollar of 0.002977 cents in the dollar based on the property's Capital Improved Value. For each subsequent year, a rate in the dollar will be declared by Council based on the CIV of properties in the Special Rate to raise \$148,000 per annum.
  3. Public Notice will be given in the Ballarat Courier on Saturday 25 August 2018. As per section 163A of the Act, a person may make a submission under section 223 in relation to Council's proposal to declare the Special Rate, submissions will be received until 9.00 am on Monday 24 September 2018. Council will meet to consider submissions at a Special Meeting to be held on Wednesday 26 September 2018. Any person who wishes to be heard in support of a submission should indicate in writing that he or she wishes to be heard.
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4. In accordance with section 163(1C) of the Act, a copy of the public notice is to be sent to each person liable to pay the proposed Special Rate.
5. Following the consideration of submissions, Council proposes to declare the Special Rate, or a variation of the proposed Special Rate, at its meeting on Wednesday 3 October 2018.
6. Authorises the Chief Executive Officer to execute the necessary Governance agreement documents when available.

**Moved: Cr Amy Johnson**

**CARRIED**

**Seconded: Cr Daniel Moloney**

**(R230/18)**

### **EXECUTIVE SUMMARY**

This report sets out the process for the declaration of the Bridge Mall Special Rate for Promotion and Security (BMSR) for a 5 year period from 2018 to 2023.

The (BMSR) was first introduced by the former City of Ballarat Council in 1988. Its primary aim was to raise funds for the Bridge Mall Traders Association (BMTA) to apply towards promotion and advertising for the 'Mall', the provision of security and the employment of a Manager of the Association. The BMSR has continued since 1988, at the request of BMTA, being declared by Council for usually a 3-year period but most recently for 5 years. The current BMSR expired on 30 June 2018.

Before Council can declare a Special Rate, it must give Public Notice of its intention to do so at least 28 days prior to making a declaration. Council must also write to persons liable to pay the Special Rate, providing a copy of the Public Notice. A person may make a submission under section 223 of the *Local Government Act 1989* in relation to Council's proposal to declare a Special Rate.

### 9.6. 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. Endorse the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Chloe Moorcroft, effective as at 22 August 2018.
2. Endorse the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Luke Gavin, effective as at 22 August 2018.
3. Sign and affix Council's Common Seal to the S11A. Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*).

Moved: Cr Mark Harris

CARRIED

Seconded: Cr Ben Taylor

(R231/18)

#### EXECUTIVE SUMMARY

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

Name of Employee	Date of Authorisation
Chloe Moorcroft	22 August 2018
Luke Gavin	22 August 2018

#### RESOLUTION

That Council adjourn for a comfort break at 9:15pm

Moved: Cr Des Hudson

CARRIED

Seconded: Cr Mark Harris

(R232/18)

#### RESOLUTION

That Council resume at 9:24pm.

Moved: Cr Jim Rinaldi

CARRIED

Seconded: Cr Ben Taylor

(R233/18)

**9.7. 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 Jim Rinaldi**

**CARRIED**  
**(R234/18)**

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

**Note that City of Ballarat is extremely concerned about recent federal government changes to the eligibility criteria for the Status Resolution Support Services (SRSS) for people seeking asylum and will proactively undertake the following advocacy activities:**

- **Endorse the City of Ballarat Mayor to sign the Joint Statement drafted by Greater Dandenong against changes to the Status Resolution Support Services (SRSS) for People seeking Asylum.**
- **Mayoral letters to the Prime Minister and Federal Minister of Home Affairs highlighting the social impacts of the change and asking for reversal of the change.**
- **Mayor letters to local State and Federal lower house members of Parliament and Victorian Senators and State Upper House MP's informing them of Council's position.**
- **Correspondence with agencies and community groups assisting people seeking asylum in City of Ballarat, the Refugee Council of Australia and the Australian Council of Social Service to inform them of Council's position and its support of the alliance of Community organisations.**
- **Council also seeks for changes to be included in the SRSS to include a job readiness education program.**

**Cr. Belinda Coates****Moved: Cr Belinda Coates****CARRIED****Seconded: Cr Des Hudson****(R235/18)**

Upon being put to the meeting, the Motion was declared carried. Cr Des Hudson called for a Division.

**For the Motion were Councillors:** Cr Mark Harris  
Cr Des Hudson  
Cr Daniel Moloney  
Cr Jim Rinaldi  
Cr Belinda Coates

**Against the Motion was:** Cr Amy Johnson  
Cr Samantha McIntosh  
Cr Ben Taylor  
Cr Grant Tillett

**11. URGENT BUSINESS****RESOLUTION:**

**Council endorses to accept "12.6 North Ballarat Functions Facility - Signing of Lease" confidential report as 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 Grant Tillett  
Seconded: Cr Mark Harris**

**CARRIED  
(R236/18)**

**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 10:15 pm whilst the Council is dealing with the following matters;**

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

**CARRIED  
(R237/18)**

**12.1. APPOINTMENT TO AUDIT ADVISORY COMMITTEE**

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

(Any other matter which the Council or Special Committee considers would prejudice the Council)

**12.2. 2018/19-05 RING ROAD RECONSTRUCTION - STAGE 2 WORKS**

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

(Contractual matters)

**12.3. TENDER 2018/19-09 RECONSTRUCTION SCHWARZ ROAD - MILLERS ROAD - GRAYS ROAD, BALD HILLS**

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

(Contractual matters)

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