

**CITY OF
BALLARAT**



Council Meeting

8 July 2020

Virtual Meeting

MINUTES
Public Copy

**MINUTES OF A SPECIAL MEETING OF BALLARAT CITY COUNCIL HELD VIA A
VIRTUAL MEETING ON WEDNESDAY 8 JULY 2020 AT 7:00PM**

<h1>MINUTES</h1>

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The next Ordinary Meeting of the Ballarat City Council will be held on Wednesday 22 July 2020.

1. OPENING DECLARATION

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

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

2. APOLOGIES FOR ABSENCE

2.1 Present

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

Ms Janet Dore - Chief Executive Officer
Mr Sean Portelli - Director Business Services
Mr Darren Sadler - Acting Director Infrastructure and Environment
Mr Neville Ivey - Director Community Development
Ms Angelique Lush - Director Development and Planning
Mr Cameron Cahill - Director Innovation and Organisational Improvement
Mr Cameron Montgomery - Executive Manager Safety, Risk and Compliance Services

2.2 Apologies

Nil

3. DISCLOSURE OF INTEREST

Nil

4. OFFICER REPORTS

4.1. ADOPTION OF 2020/21 BUDGET

Division: Business Services
Director: Sean Portelli
Author/Position: Sean Portelli - Director Business Services

Cr Coates requested a report to Briefing on the opportunities to leverage funding for Climate Change Action Carbon Neutrality, including walking and cycling infrastructure as part of stimulus opportunity.

Cr Coates requested an update to Councillors regarding a tracking and recording system around sustainability initiatives across all Council departments.

RESOLUTION:

Council resolves:

1. It has considered all submissions and presentations made to Council at its Special Meeting held on 17 June, 2020 and additional submissions provided to Councillors on the morning of 8 July, 2020.
2. Pursuant to Section 130 of the *Local Government Act 1989*, to accept the Draft 2020/21 Budget.
 - 2.1 Discloses that as at 30 June 2020 the total amount borrowed by Council is \$45.426 million
 - 2.2 Proposes that the total amount proposed to be borrowed during the financial year other than borrowings to refinance loans is \$17 million.
 - 2.3 Projects that \$5.206 million will be redeemed during the financial year;
 - 2.4 Projects that as at 30 June 2021 Council borrowings will total \$62.426 million.
 - 2.5 Projects that the cost of servicing the borrowings during the financial year will be \$3.117 million.
 - 2.6 Proposes that rates in the dollar for each type of rate to be levied for the 12 month period from 1 July 2020 to 30 June 2021 are:

TYPE OF RATE	RATE IN THE \$ ON CIV
Residential	0.003739 cents
Commercial	0.010159 cents
Industrial	0.010501 cents
Rural Residential	0.003268 cents
Farm	0.002678 cents
Recreation - 1	0.003121 cents
Recreation - 2	0.010674 cents
Bridge Mall Special Rate	0.002952 cents

- 2.7 Proposes that no municipal charge be declared; and**
- 2.8 Proposes that a Service Charge of \$363.10 per service be levied for the 12 month period from 1 July 2020 to 30 June 2021 on residential and other permitted properties for the collection, removal and disposal of refuse and recyclables where the service is provided.**
- 2.9 Proposes that a Service Charge of \$70.30 per service be levied for the 12 month period from 1 July 2020 to 30 June 2021 for collection, removal and disposal of Greenwaste on all residential properties with a detached house (including houses and granny flats and bungalows) on land sized between 250m² and 4,000m², where the service is provided.**
- i) Properties eligible for a Greenwaste service may apply for additional service(s) subject to approval by Council's Waste Services Unit. Any additional service(s) will be charged an additional Greenwaste Service Charge.**
 - ii) Properties that do not meet the criteria for a Greenwaste service may apply to opt into the service provided that the property is located on an existing collection route. Applications to opt in to such service will be subject to approval by Council's Waste Services Unit.**
- 3. In accordance with the provisions of section 171 of the *Local Government Act 1989*, Council will waive \$92.50 of the Rates levied for the 2020/21 on properties were the ratepayer:**
- a) Is an eligible recipient within the meaning of the *State Concessions Act 2004* and has qualified for a waiver under section 171(4) of the *Local Government Act 1989*, and,**
 - b) Who lives alone in their own home and is solely responsible for the payment of rates and charges on that property.**

The objective of this waiver is to provide assistance to Pensioners who are the sole ratepayer and are recipients of the pension.

- 4. In accordance with the provisions of section 171 of the *Local Government Act 1989*, Council will waive the Rates levied for the 2020/21 year on properties where the property is classified as Recreational 1 for rating purposes.**

The objective of this waiver is to provide financial assistance to those sporting and recreational clubs that are required to pay rates.

**Moved: Cr Ben Taylor
Seconded: Cr Amy Johnson**

**CARRIED
(R167/20)**

EXECUTIVE SUMMARY

This report addresses the legislative requirements for Council to formally adopt the 2020/21 Budget for the City of Ballarat.

4.2. LOCAL GOVERNMENT ACT 2020 IMPLEMENTATION

Division: Business Services
Director: Sean Portelli
Author/Position: Cameron Montgomery – Executive Manager Safety, Risk and Compliance Services

RESOLUTION:**That Council:**

1. **Receive the proposed:**
 - a. **Draft Governance Rules (Attachment 1); and**
 - b. **Draft Public Transparency Policy (Attachment 2);**
2. **Pursuant to section 60 of the *Local Government Act 2020*, endorse the commencement of a community engagement process for a period of 28 days;**
3. **Consider any feedback from the community engagement process to be provided via Council Briefing in August 2020; and**
4. **Receive a report to a Council meeting held in August 2020 for the consideration of adoption of the final draft versions of the Governance Rules; and Public Transparency Policy.**
5. **Receive the proposed Common Seal and Meeting Conduct Local Law.**
6. **Authorise commencement of the statutory process for the making of the proposed Common Seal and Meeting Conduct Local Law in accordance with Part 5 of the *Local Government Act 1989* (the Act), by giving public notice of its intention to make the proposed Local Law and inviting submissions under section 223 of the Act.**

Moved: Cr Daniel Moloney

CARRIED

Seconded: Cr Grant Tillett

(R168/20)

EXECUTIVE SUMMARY

The *Local Government Act 2020* (the 2020 Act) received Royal assent on 24 March 2020 and replaces to a large extent the *Local Government Act 1989* (the 1989 Act). The 2020 Act is to be proclaimed in four key stages with a transition period between the two Acts.

The first stage commenced on 6 April 2020 that enacted the Overarching Governance Principles. The second stage commenced on 1 May 2020 that require Council to develop and implement by 1 September 2020 instruments that incorporate the Overarching Governance Principles, including but not limited to: Governance Rules (including an election period policy); Public Transparency Policy; and a Council Expenses Policy. This report is limited to the Governance Rules and Public Transparency Policy. The Council Expenses Policy will be presented at a future Council meeting as part of governance review of policies.

The Act prescribes that Governance Rules are prepared in accordance with Council's community engagement process. Therefore, it is proposed that the draft instruments are endorsed by Council to proceed to community engagement process before final instruments are put to Council for adoption.

Many key elements of the Governance Rules are derived from the Meeting Procedures Local Law 2018 (Local Law) that was adopted in December 2018. It is proposed that the new Governance Rules will embed the meeting procedures of Council; and thus, the Local Law will not be required. However, the remaining elements including the regulation of the Common Seal and meeting conduct are still required. It is therefore proposed, they be developed into a new Local Law; and Council authorises the making of a new local law in accordance with Part 5 the 1989 Act.

5. CLOSE

The CEO reported on items discussed in closed Council.

The Mayor declared the meeting closed at 07:55 pm.

Confirmed this

day of July 2020.

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Mayor