

# **Council Meeting**

## **Minutes**

**2 December 2020 at 6:00pm**

## **Virtual Meeting**



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## 1. OPENING DECLARATION

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

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

## 2. APOLOGIES FOR ABSENCE

### 2.1 Present

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

Ms Janet Dore - Chief Executive Officer  
Ms Bridget Wetherall - Director Infrastructure and Environment  
Mr Matthew Wilson - Director Community Wellbeing  
Mr Sean Portelli - Director Corporate Services  
Ms Natalie Robertson - Director Development and Growth  
Mr Cameron Montgomery - Executive Manager Governance and Risk

### 2.2 Apologies

Nil

## 3. DISCLOSURE OF INTEREST

Nil

## 4. MATTERS ARISING FROM THE MINUTES

Nil

## 5. CONFIRMATION OF MINUTES

### RESOLUTION:

**That the Minutes of the Council Meeting on 16 September 2020 and 11 October 2020 as circulated be confirmed.**

**Moved: Cr Des Hudson**

**CARRIED**

**Seconded: Cr Peter Eddy**

**(R266/20)**

## 6. PUBLIC QUESTION TIME

### QT90/20 - Stuart Kelly

#### Question

I note that tonight's agenda includes works to 'rehabilitate' a block of Errard Street South. A similar treatment is also needed for Ascot Street North - to seal the gravel shoulders, protect trees, re-lay bluestone guttering and delineate parking [which could lead to an effective increase in parking spaces in this Hospital zone due to more efficient parking. Will Council consider making Ascot Street North a priority for similar work in the near future?

#### Answer

Bridget Wetherall, Director Infrastructure and Environment responded that Ascot Street North is in Council's medium-term program of road works. Currently it is within 5 years, but we are unable to provide an exact year at this stage. Bridget advised that Council try and rehabilitate one CBD street per year based on priority; and currently Ascot Street North has not made it to the top of the priority list. She noted that work to undertake upgrades which include reconstruction of the carriage way, construction of the shoulders and parking areas works and resetting the blue stone curb when needed.

### QT91/20 - Gabrielle Salkowski

#### Question

How will Council hold landowners accountable and ensure that the many vacant blocks across our community are properly and regularly mowed to reduce the risk of grass fires each Summer?

#### Answer

Natalie Robertson, Director Development and Growth responded that fire prevention notices are provided to specific or identified properties leading into the fire season. Where the landowner fails to comply, then a process is undertaken, and the cost is sought from the landowner. Natalie advised that there is a process in place and where there are vacant blocks identified and not in our notices process, we are happy to take inquiries from the community and respond.



## **QT92/20 – John Barnes, Save our Station**

### **Question**

Will council coordinate, resource and lobby via an alliance with the Member for Wendouree, Juliana Addison, Save Our Station (SOS) Ballarat, and other interested bodies (Ballarat Heritage Watch; Grampians disability Advocacy; National Trust – Ballarat branch) for outstanding works in the Ballarat Station precinct (Conservation Management Plan; DDA compliance; Local and Regional Bus Interchange construction; Station maintenance; immediate restoration of Lydiard St heritage gates) to be undertaken promptly by the Victorian Government?

### **Answer**

Cr Moloney, Mayor responded that important works have been listed and the most significant one is the closure of Lydiard Street with the gates still not rectified. At the last Council Meeting of the previous term, a motion was passed to reinstate the heritage gates and Council is disappointed that hasn't happened. There is also DDA works that need to take place and need for the bus interchange. Mr Mayor advised that he met with Julia Anderson MP last week and she assured him that it is still a high priority and assured that the Lydiard Street gates would be reinstated. He noted that it is good that Council and a local member are on the same page, but we do need to ensure that V/line get their act together.

Janet Dore, Chief Executive Officer advised that it will be our normal discussions with the local members on the matters that have been passed and resolved by Council. She advised that we seem to be on the same page.

## **QT93/20 - Ange Elson**

### **Question**

It is a matter of public record that a number of reports and briefings were provided to the previous Council outlining the view of the local Aboriginal and Torres Strait Islander Community in relation to Australia Day, and what the modern meaning of the day has become for an increasing number of Australians. Part of the shift in community sentiment relates to the appropriateness of January 26 as an inclusive day of celebration for all Australians.

Will this new Council utilise the previous consultation material so as not to further delay consideration of the matter and further disappoint local community by again consulting on this sensitive issue that causes community pain?

Will this new Council resolve not to celebrate a date that marks the beginning of massacres, rapes, violence and oppression against Aboriginal men, women and children on January 26 by moving the fireworks and ensuring that any events held on that day are respectful of this history?

### **Answer**

Cr Moloney, Mayor responded that the debate will be at item 9.1 Options for January 26 should answer your concerns.

**QT94/20 - Shani Cain**

**Question**

There is broad understanding across the community that fireworks are detrimental to the environment and there has been a stated preference to move away from that environmentally damaging activity (Noting there have been fires, injured birds and the shell casings contain toxins). It has been suggested that a laser and light show be commissioned, potentially showcasing a First Nations story.

What has the City done to investigate alternatives to fireworks, including a light and laser display?

**Answer**

Cr Moloney, Mayor responded that the question will be addressed in item 9.1 Options for 26 January.

Janet Dore, Chief Executive Officer advised that the City of Melbourne has gone down the path of light shows rather than fireworks for a variety of reasons. If the Council resolves in that way tonight that would require us to look further at the appropriateness of fireworks, or move them to another day, we would incorporate options that relate to lightshows and maybe they are an alternative that Council might want to consider in the future.

**RESOLUTION:**

**That the questions be received.**

**Moved: Cr Des Hudson**

**Seconded: Cr Tracey Hargreaves**

**CARRIED**

**(R267/20)**

## 7. CHIEF EXECUTIVE OFFICER REPORT

**Division:** Executive Unit  
**Director:** Janet Dore  
**Author/Position:** Janet Dore – Chief Executive Officer

### PURPOSE

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

### RESOLUTION:

**That Council:**

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

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

**CARRIED**  
**(R268/20)**



## **8. ASSEMBLIES OF COUNCILLORS**

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

**Division:** Executive Unit  
**Director:** Janet Dore  
**Author/Position:** Sarah Anstis - Statutory Compliance Officer

#### **PURPOSE**

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

#### **RESOLUTION:**

**That Council:**

**Approve the report on Assemblies of Councillors as listed:**

- **26 August 2020 Infrastructure and Environment Portfolio Meeting**
- **9 September 2020 Mayor, Councillor and CEO Meeting**
- **9 September 2020 Infrastructure and Environment Portfolio Meeting**
- **11 September 2020 Prosperity Portfolio**
- **15 September 2020 Strategic Briefing**

**Moved: Cr Des Hudson**

**Seconded: Cr Samantha McIntosh**

**CARRIED**

**(R269/20)**

## 9. OFFICER REPORTS

### 9.1. OPTIONS FOR JANUARY 26

**Division:** Community Wellbeing  
**Director:** Matthew Wilson  
**Author/Position:** Jenny Fink, Executive Manager Learning and Community Hubs

#### PURPOSE

1. To determine Council led annual activities for 26 January/Australia Day in response to the Council resolution at the 27 May 2020 Council meeting.

#### RESOLUTION:

**That Council:**

**Support the recommendation of KEAG to substitute fireworks with a significant cultural event on 26 January/Australia Day and reschedule the fireworks to another public event;**

- **Survival Day Dawn ceremony.**
- **Citizenship ceremonies.**
- **Establish a community event for 26 January/Australia Day as part of the Summer event calendar that is an Intercultural celebration promoting understanding, respect and reconciliation featuring live music and performances. Entertainment to profile Indigenous culture.**
- **Food trucks and food stalls to be in attendance at the event.**
- **Move the fireworks / fireworks funding to another significant day such as New Year's Eve or another suitable public event such as the Begonia Festival.**

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

**CARRIED**  
**(R270/20)**

## 9.2. TENDER 2020/21-41 LEARMONTH STREET

**Division:** Infrastructure & Environment  
**Director:** Bridget Wetherall  
**Author/Position:** Robin Hand – Contracts Administration Officer

Move items 9.2, 9.3, 9.4, 9.5 and 9.6 as a block.

### PURPOSE

1. To award Contract 2020/21-41 'Learmonth Street South Service Road Reconstruction (Inglis Street to Cornish Street)' to Butler Excavations Pty Ltd for a total tendered price of \$312,206.66 (ex GST).
2. The scope of this contract involves the reconstruction of the service road and footpath on the south side of Learmonth Street, Buninyong between Inglis Street and Cornish Street.

### RESOLUTION:

That Council:

1. Enter into contract number 2020/21-41 'Learmonth Street South Service Road Reconstruction (Inglis Street to Cornish Street)' to Butler Excavations Pty Ltd for a total tendered price of \$312,206.66 (ex GST).
2. Delegate to the Chief Executive Officer the authority to execute the associated contract on behalf of Council.

Moved: Cr Ben Taylor  
Seconded: Cr Des Hudson

**CARRIED**  
**(R271/20)**

### 9.3. TENDER 2020/21-110 PICKFORDS ROAD

**Division:** Infrastructure & Environment  
**Director:** Bridget Wetherall  
**Author/Position:** Robin Hand – Contracts Administration Officer

#### PURPOSE

1. To award Contract 2020/21-110 'Pickfords Road reconstruction & widening' to Fulton Hogan Industries Pty Ltd for a total tendered price of \$443,425.10 (ex GST).
2. The scope of this contract involves the reconstruction of Pickfords Road, Glendaruel between Coghills Creek Road and Glendonald Road. This project will see the existing carriageway reconstructed with new shaped table drains.

#### RESOLUTION:

##### That Council:

1. Enter into contract number 2020/21-110 'Pickfords Road reconstruction & widening' to Fulton Hogan Industries Pty Ltd for a total tendered price of \$443,425.10 (ex GST).
2. Delegate to the Chief Executive Officer the authority to execute the associated contract on behalf of Council.

**Moved: Cr Ben Taylor**

**Seconded: Cr Des Hudson**

**CARRIED**

**(R271/20)**

#### **9.4. TENDER 2020/21-107 ROWLANDS STREET**

**Division:** Infrastructure & Environment  
**Director:** Bridget Wetherall  
**Author/Position:** Robin Hand – Contracts Administration Officer

#### **PURPOSE**

1. To award Contract 2020/21-107 'Road reconstruction and associated works in Rowlands Street' to Streebson Pty Ltd t/a Ballarat Excavation & Transport for a total tendered price of \$616,623.08 (ex GST).
2. The scope of this contract involves the reconstruction of Rowlands Street, Sebastopol between Vickers Street and Hill Street. This project will see the existing shoulders constructed including new concrete kerb and channel, underground drainage improvements and a new carriageway surface.

#### **RESOLUTION:**

**That Council:**

1. **Enter into contract number 2020/21-107 'Road reconstruction and associated works in Rowlands Street' to Streebson Pty Ltd t/a Ballarat Excavation & Transport for a total tendered price of \$616,623.08 (ex GST).**
2. **Delegate to the Chief Executive Officer the authority to execute the associated contract on behalf of Council.**

**Moved: Cr Ben Taylor**  
**Seconded: Cr Des Hudson**

**CARRIED**  
**(R271/20)**

## 9.5. TENDER 2020/21-59 ERRARD STREET SOUTH

**Division:** Infrastructure & Environment  
**Director:** Bridget Wetherall  
**Author/Position:** Robin Hand – Contracts Administration Officer

### PURPOSE

1. To award Contract 2020/21-59 'Road Rehabilitation & Associated Works in Errard Street South' to Streebson Pty Ltd t/a Ballarat Excavation & Transport for a total tendered price of \$310,387.20 (ex GST).
2. The scope of this contract involves the rehabilitation of Errard Street South, Ballarat Central between Dana Street and Eyre Street. This project will see the existing unsealed shoulders constructed, a new road surface and formalised line marked car parking.

### RESOLUTION:

**That Council:**

1. **Enter into contract number 2020/21-59 'Road Rehabilitation & Associated Works in Errard Street South' to Streebson Pty Ltd t/a Ballarat Excavation & Transport for a total tendered price of \$310,387.20 (ex GST).**
2. **Delegate to the Chief Executive Officer the authority to execute the associated contract on behalf of Council.**

**Moved: Cr Ben Taylor**  
**Seconded: Cr Des Hudson**

**CARRIED**  
**(R271/20)**



## 9.6. TENDER 2020/21-48 ALBION STREET

**Division:** Infrastructure & Environment  
**Director:** Bridget Wetherall  
**Author/Position:** Robin Hand – Contracts Administration Officer

### PURPOSE

1. To award Contract 2020/21-48 'Albion Street - Road Reconstruction (Birdwood Avenue to Walker Street)' to Fulton Hogan Industries Pty Ltd for a total tendered price of \$449,532.70 (ex GST).
2. The scope of this contract involves the reconstruction of Albion Street, Sebastopol between Birdwood Avenue and Walker Street. This project will see the existing shoulders constructed, new concrete kerb & channel and a new road surface.
3. This project is being funded from the 2020/21 Capital Works Program.

### RESOLUTION:

**That Council:**

1. **Enter into contract number 2020/21-48 'Albion Street - Road Reconstruction (Birdwood Avenue to Walker Street)' to Fulton Hogan Industries Pty Ltd for a total tendered price of \$449,532.70 (ex GST).**
2. **Delegate to the Chief Executive Officer the authority to execute the associated contract on behalf of Council.**

**Moved: Cr Ben Taylor**  
**Seconded: Cr Des Hudson**

**CARRIED**  
**(R271/20)**

## 9.7. TENDER 2019/20 - 539 CIVIC HALL STAGE 2 - CONSTRUCTION AWARD

**Division:** Community Wellbeing  
**Director:** Matthew Wilson  
**Author/Position:** Alison Tonkin – Manager Major Projects

### PURPOSE

1. To award Contract 2019/20 - 539 - the provision of Civic Hall Stage 2 Construction
2. The scope of this contract includes the construction of a new commercial kitchen, power upgrade, stage access lift and storage including external structure and roof repairs.

### RESOLUTION:

#### That Council:

1. Enter into Contract Number 2019/20 - 539 for the provision of Civic Hall Stage 2 Construction with Colbrico Pty Ltd t/a Searle Bros Building Contractors for the total tendered price of \$1,088,828.17 (excluding GST).
2. Delegate to the Chief Executive Officer authority to execute the associated Contract on behalf of Council.

**Moved: Cr Ben Taylor**  
**Seconded: Cr Des Hudson**

**CARRIED**  
**(R272/20)**

## 9.8. SALE OF LAND - 12A ALBERT STREET, SEBASTOPOL

**Division:** Infrastructure and Environment  
**Director:** Bridget Wetherall  
**Author/Position:** Linda Skews – Property Officer

### PURPOSE

1. This report recommends Council review its previous resolution (R379/18) and consider the disposal of the land known as 12A Albert Street, Sebastopol and provide authorisation for the Chief Executive Officer to execute documents to facilitate the sale, and;
2. Resolve that the sale of the subject site is conditional upon a commitment from the prospective purchaser that an allocation of free public parking, (numbers to meet the satisfaction of Council), will be retained and this commitment will be registered as a covenant and the title.

### RESOLUTION:

That Council:

1. having:
  - complied with s189 and s223 of the *Local Government Act 1989*; and
  - received no submissions in response to the public notice of Council's intention to sell the land described as 12A Albert Street, Sebastopol published on 2 July 2020,
  - sell the land described as 12A Albert Street, Sebastopol:
  - to Ganache Property Pty Ltd the potential purchaser; and
  - for the purchase price of \$453,570 plus GST conditional upon Ganache agreeing that by way of a registered covenant on the property title, free public carparking (number to meet the satisfaction of Council) will be retained.
2. authorise the Chief Executive Officer to execute such documents as are necessary to give effect to this Resolution and the sale authorised by it.

Moved: Cr Des Hudson  
Seconded: Cr Ben Taylor

**CARRIED**  
**(R273/20)**

## **9.9. PROPOSED SALE 14 & 16 BOAK AVENUE, MOUNT HELEN**

**Division:** Infrastructure and Environment  
**Director:** Bridget Wetherall  
**Author/Position:** Linda Skewes – Property Officer

### **PURPOSE**

1. This report recommends Council review and consider the disposal of the land known as 14 Boak Avenue and 16 Boak Avenue, Mount Helen, with consideration to submissions received in relation to Planning Application PLP/2020/348.
2. This land was considered surplus by Council (R464/17) in 2017 but given the delay in the disposal process being completed and several objections to the site being received following a planning application process, it is recommended that Council again consider its decision.

Council may wish to take the opportunity to defer the progression of the sale to undertake further consultation with the community and consider the cost implications should it wish to retain the site and refit for purpose of alternate use. These costs will not be available until the proposed future use, if any, is determined.

### **RESOLUTION:**

**That Council:**

1. **Defer the progression of the sale until further community consultation is undertaken, and then reconsider if the site is to be retained and consider the ongoing whole of life cost implications of any proposed future use of the subject site.**

**Moved: Cr Des Hudson**  
**Seconded: Cr Peter Eddy**

**CARRIED**  
**(R274/20)**

**9.10. TENDER 2020/21-166 NORTH BALLARAT SPORTS CLUB ROOF & A/C REPLACEMENT PROJECT**

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

**PURPOSE**

1. The proposed project is in relation to the North Ballarat Sports Club / Mars Stadium Changeroom building, located at Mars Stadium, 725 Creswick Road, Wendouree.
2. The tendered scope of project works includes roof replacement, upgrade / replacement of air conditioning plant and associated works.
3. The purpose of this report is to recommend the awarding of the contracted construction works following a City of Ballarat public tender process.

**RESOLUTION:**

**That Council:**

1. **Enter into Contract Number 2020/21 - 166 for the provision of North Ballarat Sports Club - Roof & A/C Plant Replacement Works with S.J. Weir (Ballarat) Pty Ltd for the total tendered price of \$1,226,639.00 (ex GST).**
2. **Reserve the right to award the additional priced Tender Option for Air Conditioning Platform Screens for \$52,021.26 & GST during the course of the construction works subject to appearance of new units, project budget etc.**
3. **Delegate to the Chief Executive Officer the authority to execute the associated contract on behalf of Council.**

**Moved: Cr Ben Taylor**

**Seconded: Cr Peter Eddy**

**CARRIED**

**(R275/20)**

**9.11. ENDORSE SERVICE LEVEL AGREEMENT WITH SYLVANIA SCHREDER FOR LED STREETLIGHTING BULK SUPPLY**

**Division:** Infrastructure and Environment  
**Director:** Bridget Wetherall  
**Author/Position** Peter Bate - Team Leader Design & Survey

**PURPOSE**

1. For Council to endorse Service Level Agreement with Sylvania Schreder for the supply of Pedestrian Category LED Street Lighting to the value of \$1,370,586 excl. GST.

**RESOLUTION:**

**That Council:**

1. Delegate to the CEO the authority to endorse Service Level Agreement with Sylvania Schreder for the supply of \$1,370,586 excl. GST of Pedestrian Category LED Street Lighting under MAV Panel SL3911.
2. Acknowledge the extensive planning work by Council Officers that has occurred to design a municipal wide Pedestrian Category LED retrofit program.
3. Understand that installation and recycling services will occur by Powercor's approved supplier(s) under Powercor's project management direction; and
4. Understand that budget allocation for additional retrofits of Pedestrian Category LED Street Lighting will likely be required prior to 2022 if not all can be completed through this project.

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

**CARRIED**  
**(R276/20)**



## 9.12. DRAFT COMMUNITY ENGAGEMENT POLICY

**Division:** Community Wellbeing  
**Director:** Matthew Wilson  
**Author/Position:** Pete Appleton – Executive Manager Engaged Communities

### PURPOSE

1. To provide Council with a draft version of a new Community Engagement Policy and request that it be placed on public exhibition until 13 January 2021.

### RESOLUTION:

**That Council:**

**Place the draft Community Engagement Policy on public exhibition until Wednesday 13 January 2021.**

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

**CARRIED**  
**(R277/20)**

### 9.13. CONTRACTS DELEGATED COMMITTEE MINUTES

**Division:** Corporate Services  
**Director:** Sean Portelli  
**Author/Position:** Lorraine Sendall – Executive Assistant Director Corporate Services

#### PURPOSE

1. The purpose of this report is to provide Council with copies of minutes of Council's Contracts Approval Delegated Committee in accordance with the adopted Terms of Reference. At the meetings of this Committee held on 5<sup>th</sup> August, 2<sup>nd</sup> September and 9<sup>th</sup> September 2020, eight contracts and one variation to a contract were approved by the Committee. This report provides a copy of the minutes of these meetings as well as detailing summary information in relation to these Contracts.

#### RESOLUTION:

**That Council:**

1. **Note, as per the *Local Government Act 2020* Section 66 that this matter is designated confidential.**
2. **Receive the Contracts Approval Delegated Committee minutes of the meeting held on 5 August, 2 September and 9 September 2020.**

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

**CARRIED**  
**(R278/20)**

#### **9.14. COUNCILLOR REPRESENTATION ON COMMITTEES AND EXTERNAL BODIES 2021**

**Division:** Executive Unit  
**Director:** Janet Dore  
**Author/Position:** Sarah Anstis - Statutory Compliance Officer

#### **PURPOSE**

1. The report is for Council to adopt the Councillor Representation for Committees and External Bodies.

#### **RESOLUTION:**

**That Council:**

1. **Endorse the 2021 appointments of Councillor Representation on Committees, Boards, Organisations and Groups as detailed in attachment 2.**
2. **Ensure that all the Committees, Board, Organisations and Groups are notified of Council's revised representatives.**

**Moved: Cr Amy Johnson**  
**Seconded: Cr Belinda Coates**

**CARRIED**  
**(R279/20)**

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

**Division:** Executive Unit  
**Director:** Janet Dore  
**Author/Position:** Sarah Anstis - Statutory Compliance Officer

Move items 9.15 and 9.16 as a block

### PURPOSE

1. To review and update the S6 Instrument of Delegation, Members of Staff for Council's consideration.

### RESOLUTION:

That Council:

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

Moved: Cr Mark Harris

Seconded: Cr Peter Eddy

CARRIED

(R280/20)

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

**Division:** Executive Unit  
**Director:** Janet Dore  
**Author/Position:** Sarah Anstis - Statutory Compliance Officer

**PURPOSE**

1. The report is to seek Council's endorsement of the S11A. Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* to Ashley Pollerd. The report is to also revoke the S11A Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* for Lisa Kendal.

**RESOLUTION:**

**That Council:**

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

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

**CARRIED**  
**(R280/20)**

## 9.17. OUTSTANDING QUESTION TIME ITEMS

**Division:** Executive Unit  
**Director:** Janet Dore  
**Author/Position:** Sarah Anstis – Statutory Compliance Officer

### PURPOSE

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

### RESOLUTION:

**That Council:**

**Endorse the Outstanding Question Time report.**

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

**CARRIED**  
**(R281/20)**



## 10. NOTICE OF MOTION

Nil

## 11. REPORTS FROM COMMITTEES/COUNCILLORS

### GB69/20 - Cr Ben Taylor

Cr Taylor acknowledged that it is great to be involved with the community in the early stages of the Council term.

Cr Taylor questioned the VC187 Planning Scheme Amendment and asked for a Briefing.

Janet Dore, Chief Executive Officer advised that a Briefing will be provided next Wednesday.

### GB70/20 - Cr Des Hudson

#### RESOLUTION:

**Move a condolence motion for Alex Serrurier and George Polongeau.**

**Moved: Cr Des Hudson**

**CARRIED**

**Seconded: Cr Ben Taylor**

**(R282/20)**

Cr Hudson noted that Alex Serrurier was a previous long-standing Environmental Health Officer and passed on 28 November 2020 and sent his sympathies to Kate and the extended family.

Cr Hudson acknowledged that George Polongeau was a well-known Sebastopol resident and passed at the age of 103 and sent his sympathies to the family.

### GB71/20 - Cr Belinda Coates

Cr Coates requested a briefing on the potential for City of Ballarat leadership and support on a zero net emissions for the whole of City community target.

### GB72/20 - Cr Amy Johnson

Cr Johnson acknowledged that Jaqui Featherston in Civic Support finishes up this week and thanked her for her work.

### GB73/20 - Cr Samantha McIntosh

Cr McIntosh thanked Jaqui Featherston for her wonderful work and support to the Mayor and Chief Executive Officer.

Cr McIntosh noted that she attended the Arch of Victory, Avenue of Honour AGM on Tuesday.

**GB74/20 - Cr Daniel Moloney, Mayor**

Cr Moloney Mayor noted that he has joined the Regional Capitals Board which was represented by our previous Mayors, Cr Taylor and Cr McIntosh.

Cr Moloney, Mayor acknowledged that last Sunday, Sovereign Hill celebrated their 50 years.

**RESOLUTION:**

**To accept Councillor reports.**

**Moved: Cr Samantha McIntosh**

**Seconded: Cr Amy Johnson**

**CARRIED**

**(R283/20)**

## 12. URGENT BUSINESS

Nil

## 13. SECTION 66 (IN CAMERA)

### RESOLUTION:

That Council resolve, pursuant to Section 66 of the *Local Government Act 2020*, that the meeting be closed to members of the public at 8:09pm whilst the Council is dealing with the following matters;

**Moved: Cr Tracey Hargreaves**

**Seconded: Cr Des Hudson**

**CARRIED**

**(R284/20)**

### 9.2 TENDER 2020/21-41 LEARMONTH STREET

**Division:** Infrastructure and Environment  
**Director:** Bridget Wetherall  
**Author/Position:** Robin Hand – Contracts Administration Officer

(confidential information)

### 9.3 TENDER 2020/21-110 PICKFORDS ROAD

**Division:** Infrastructure and Environment  
**Director:** Bridget Wetherall  
**Author/Position:** Robin Hand – Contracts Administration Officer

(confidential information)

### 9.4 TENDER 2020/21-107 ROWLANDS STREET

**Division:** Infrastructure and Environment  
**Director:** Bridget Wetherall  
**Author/Position:** Robin Hand – Contracts Administration Officer

(confidential information)

### 9.5 TENDER 2020/21-59 ERRARD STREET SOUTH

**Division:** Infrastructure and Environment  
**Director:** Bridget Wetherall  
**Author/Position:** Robin Hand – Contracts Administration Officer

(confidential information)

### **9.6 TENDER 2020/21-48 ALBION STREET**

**Division:** Infrastructure and Environment  
**Director:** Bridget Wetherall  
**Author/Position:** Robin Hand – Contracts Administration Officer

(confidential information)

### **9.7 TENDER 2019/20 – 539 CIVIC HALL STAGE 2 - CONSTRUCTION AWARD**

**Division:** Infrastructure and Environment  
**Director:** Bridget Wetherall  
**Author/Position:** Alison Tonkin – Manger Major Projects

(confidential information)

### **9.8 SALE OF LAND - 12A ALBERT STREET, SEBASTOPOL**

**Division:** Infrastructure and Environment  
**Director:** Bridget Wetherall  
**Author/Position:** Linda Skewes – Property Officer

(confidential information)

### **9.10 TENDER 2020/21-166 NORTH BALLARAT SPORTS CLUB ROOF & A/C REPLACEMENT PROJECT**

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

(confidential information)

### **9.13 CONTRACTS DELEGATED COMMITTEE AGENDA**

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

(Confidential information)

### **13.1 APPOINTMENT TO AUDIT AND RISK COMMITTEE MEMBER**

**Division:** Executive Unit  
**Director:** Janet Dore  
**Author/Position:** Rachelle Tippett – Business Advisor Risk and Quality Assurance

(Confidential information)

