

# **Unscheduled Council Meeting**

## **Agenda**

**13 November 2023 at 6:30pm**

**Council Chamber, Town Hall, Sturt Street,  
Ballarat**



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## **ORDER OF BUSINESS:**

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**The next Ordinary Meeting of the Ballarat City Council will be held on Wednesday 22 November 2023.**

## 1. WELCOME AND OPEN OF MEETING

## 2. WELCOME TO COUNTRY

## 3. 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."*

## 4. APOLOGIES FOR ABSENCE

## 5. DISCLOSURE OF INTEREST

## 6. ELECTION OF REPRESENTATIVES

### 6.1. ELECTION OF MAYOR 2023/24

**Division:** Corporate Services  
**Director:** John Hausler  
**Author/Position:** Cameron Montgomery – Executive Manager Governance and Risk

#### PURPOSE

1. The report outlines the process and statutory requirements for the election of the Mayor for the City of Ballarat in accordance with section 25 of the *Local Government Act 2020* (the Act) and section 3.5.4 of Council's Governance Rules.

#### BACKGROUND

2. In accordance with Council's Governance Rules, nominations for the position of Mayor were invited to be submitted to the Chief Executive Officer between Friday, 20 October 2023 and Friday, 3 November 2023.

#### KEY MATTERS

3. In accordance with section 25 of the Act and section 3.5.1 of Council's Governance Rules, Council must determine by resolution whether the term for which the Mayor is to be elected. As there is only one year remaining in the Council term, the election for the Mayor can only be for one year.
4. The Mayoral election must be chaired by the Chief Executive Officer who will invite nominations once the Mayoral term has been resolved.
5. The Mayor must be elected by an absolute majority of the Councillors to be declared.

#### OFFICER RECOMMENDATION

##### 6. Part one: Mayoral Term

**That Council:**

**6.1 Determine the Mayoral term be for one year.**

##### 7. Part Two: Election of Mayor

**That Council:**

**7.1 Elect Cr \_\_\_\_\_ as Mayor of the City of Ballarat.**

#### ATTACHMENTS

Nil

## 6.2. ELECTION OF DEPUTY MAYOR 2023/24

**Division:** Corporate Services  
**Director:** John Hausler  
**Author/Position:** Cameron Montgomery – Executive Manager Governance and Risk

### PURPOSE

1. The report outlines the process and statutory requirements for the election of the Deputy Mayor for the City of Ballarat in accordance with section 27 of the *Local Government Act 2020* (the Act) and section 3.5.5 of Council's Governance Rules.

### BACKGROUND

2. In accordance with Council's Governance Rules, nominations for the position of Mayor were invited to be submitted to the Chief Executive Officer between Friday, 20 October 2023 and Friday, 3 November 2023.

### KEY MATTERS

3. In accordance with section 27 of the Act and section 3.5.5 of Council's Governance Rules, Council must determine by resolution whether the term for which the Deputy Mayor is to be elected. As there is only one year remaining in the Council term, the election for the Deputy Mayor can only be for one year.
4. The Deputy Mayor must be elected by an absolute majority of the Councillors to be declared.

### OFFICER RECOMMENDATION

#### 5. Part one: Deputy Mayoral Term

That Council:

- 5.1 Determine the Deputy Mayoral term be for one year.

#### 6. Part Two: Election of Deputy Mayor

That Council:

- 6.1 Elect Cr \_\_\_\_\_ as Deputy Mayor of the City of Ballarat.

### ATTACHMENTS

Nil



## 7. OFFICER REPORTS

### 7.1. 2024 COUNCILLOR REPRESENTATION FOR COMMITTEES AND EXTERNAL BODIES

**Division:** Corporate Services  
**Director:** John Hausler  
**Author/Position:** Cameron Montgomery - Executive Manager Governance and Risk

#### PURPOSE

1. The report is for Council to adopt the Councillor Representation for Committees and External Bodies for 2023-2024.

#### BACKGROUND

2. The report brings forward an extensive list of Delegated Committees, Advisory Committees, Stakeholder Reference Groups, Internal Working Groups, Non-advisory Committees, Boards and Organisations with the proposed Councillor representations for 2024 (effective 14 November 2023).

#### KEY MATTERS

3. In accordance with section 8.1.2 of the City of Ballarat Governance Rules, Councillors must be appointed to Committees, delegated committees and boards by at least the last Council Meeting of the calendar year.
4. At least two Councillors must be appointed to Delegated Committees in accordance with section 63(1)(a) of the *Local Government Act 2020* (the Act).
5. There is no requirement in the Act to appoint Councillors to Advisory Committees and Community Asset Committees.
6. The Tourism Events Stakeholder Reference Group was established by Council on 23 June 2021. It is recommended that the Group be disbanded given the revision of the Ballarat Events Strategy 2018 – 2028 is complete and Tourism Midwest Victoria has been launched. In addition, several effective and more direct engagement forums have been introduced with the event sector and visitor economy industry bodies. This includes;
  - a) monthly information sharing meetings with Commerce Ballarat.
  - b) quarterly briefing sessions with operators from the Hospitality sector.
  - c) quarterly briefing sessions with operators from the Accommodation sector.
  - d) quarterly briefing sessions with operators from the Craft Beer (and distilleries) sector.
  - e) quarterly Visitor Economy sector information briefings via Tourism Midwest Victoria.

## OFFICER RECOMMENDATION

- 7. That Council:**
  - 7.1 Disband the Tourism Events Stakeholder Reference Group.**
  - 7.2. Revoke the Terms of Reference for the Tourism Events Stakeholder Reference Group endorsed on 23 June 2021 (R126/21).**
  - 7.3 Thank the Committee members for their contribution to the Tourism Events Stakeholder Reference Group.**
  - 7.4 Endorse the 2023-24 appointments of Councillor Representation on Committees, Boards, Organisations and Groups as detailed in Attachment 2, and these appointments be effective as of 14 November 2023.**
  - 7.5 Ensure that all the Committees, Board, Organisations and Groups are notified of Council's revised representatives.**

## ATTACHMENTS

1. Governance Review [7.1.1 - 2 pages]
2. 2024 Boards and Committees [7.1.2 - 6 pages]

#### **ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES**

1. Appointing Councillors to delegated committees is a statutory requirement of Council.

#### **COMMUNITY IMPACT**

2. A Committee is likely to have greater influence on Council if a Councillor is an active observer of its business and if the Councillor appointed has an interest in influencing understandings in the Chamber of the Committee's strategic intentions.

#### **CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

3. There are no climate emergency and environmental sustainability implications identified for the subject of this report.

#### **ECONOMIC SUSTAINABILITY IMPLICATIONS**

4. There are no economic sustainability implications identified for the subject of this report.

#### **FINANCIAL IMPLICATIONS**

5. There are financial implications of servicing Committees; these costs have been incorporated into Business Plans and the Budget.

#### **LEGAL AND RISK CONSIDERATIONS**

6. Section 63(1)(a) of the *Local Government Act 2020*, stipulates that a delegated committee must have at least two Councillors appointed.
7. There is no requirement to have Councillors appointed to Council's Advisory Committees.

#### **HUMAN RIGHTS CONSIDERATIONS**

8. It is considered that the report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

#### **COMMUNITY CONSULTATION AND ENGAGEMENT**

9. There has been no community consultation and engagement identified for the subject of this report.

#### **GENDER EQUALITY ACT 2020**

10. There are no gender equality implications identified for the subject of this report.



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**CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT**

11. Council officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

**PROCUREMENT COLLABORATION**

**(For Contracts Only)**

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No	Title	Description	Membership	2023 Councillor Representative/s	2024 Councillor Representative/s	Details relating to Chairperson	2023 Councillor Representative Chairperson	2024 Councillor Representative Chairperson	Alternate Councillor Representative
1.0	Community Impact Grant Allocations Delegated Committee	Delegated Committee in accordance with s63 <i>Local Government Act 2020</i>	Total 10 3 Councillors 3 External 4 Council Officers (non-voting)	Cr Moloney Cr Hudson Cr Hargreaves	Cr Eddy Cr Hudson Cr Hargreaves	Councillor appointed by Council	Cr Hudson	Cr Hudson	
1.1	Tourism Events Grant Allocations Delegated Committee	Delegated Committee in accordance with s63 <i>Local Government Act 2020</i>	Total 7 3 Councillors 4 Council Officers (non-voting)	Cr Moloney Cr Eddy Cr Hargreaves	Cr Moloney Cr Eddy Cr Hargreaves	Councillor appointed by Council	Cr Hargreaves	Cr Hargreaves	
1.2	Contracts Approval Delegated Committee	Delegated Committee in accordance with s63 <i>Local Government Act 2020</i>	Total 3 3 Councillors	Cr Eddy Cr Taylor Cr Harris	Cr Eddy Cr Taylor Cr Harris	Councillor appointed by Council	Cr Taylor	Cr Taylor	
1.3	Her Majesty's Theatre Board Delegated Committee	Delegated Committee in accordance with s63 <i>Local Government Act 2020</i>	Total 12 3 Councillors (only 1 voting) 9 External	Cr McIntosh Cr Moloney	Cr McIntosh Cr Moloney	Councillor appointed by Council	Cr Moloney	Cr Moloney	
1.4	Planning Delegated Committee	Delegated Committee in accordance with s63 <i>Local Government Act 2020</i>	All 9 Councillors	All 9 Councillors	All 9 Councillors	Councillor appointed by Council	Cr Hudson	Cr Hudson	
1.5	City Partnerships Delegated Committee	Delegated Committee in accordance with s63 <i>Local Government Act 2020</i>	All 9 Councillors	All 9 Councillors	All 9 Councillors	Councillor appointed by Council			

No	Title	Description	Membership	2023 Councillor Representative/s	2024 Councillor Representative/s	Details relating to Chairperson	2023 Councillor Representative Chairperson	2024 Councillor Representative Chairperson	Alternate Councillor Representative
2.0	Audit and Risk Committee	Audit and Risk Committee in accordance with section 53 <i>Local Government Act 2020</i>	Total 7 3 Councillors 4 External	Cr Harris Cr Hudson Cr Johnson	Cr Harris Cr Hudson Cr Johnson	Chairperson is appointed from the external members of the Committee	Independent	Independent	
3.0	Sebastopol RSL Hall Community Asset Committee	Community Asset Delegated Committee in accordance with s65 <i>Local Government Act 2020</i>	Total 5 members 1 Councillor 4 External	Cr Hudson	Cr Hudson	Chairperson is appointed from the members of the Committee			
4.0	Coghill's Creek / Glendaruel Cemetery	Other Committees Established Under Acts	All 9 Councillors	All 9 Councillors	All 9 Councillors	Mayor	Cr Hudson	Cr Hudson	All 9 Councillors (as Trustees)
4.1	Learmonth Cemetery	Other Committees Established Under Acts	All 9 Councillors	All 9 Councillors	All 9 Councillors	Mayor	Cr Hudson	Cr Hudson	All 9 Councillors (as Trustees)
5.0	Ballarat Airport/ Aerodrome Stakeholder Reference Group	Stakeholder Reference Group	Total 10 Up to 3 Councillors 7 External	Cr McIntosh	Cr McIntosh	Councillor appointed by Council	Cr McIntosh	Cr McIntosh	
5.1	Lake Learmonth Stakeholder Reference Group	Stakeholder Reference Group	Minimum 10 1 Councillor	Cr Eddy	Cr Eddy	Council to appoint or Committee to appoint if Council fails to do so	Cr Eddy	Cr Eddy	
5.2	Lake Wendouree & Gardens Stakeholder	Stakeholder Reference Group	Total b/w 8 & 14 Up to 3 Councillors	Cr Moloney Cr McIntosh	Cr Moloney Cr McIntosh	Council to appoint or Committee to appoint if	Cr McIntosh	Cr McIntosh	Cr Hudson

No	Title	Description	Membership	2023 Councillor Representative/s	2024 Councillor Representative/s	Details relating to Chairperson	2023 Councillor Representative Chairperson	2024 Councillor Representative Chairperson	Alternate Councillor Representative
	Reference Group					Council fails to do so			
5.3	Tourism Events Stakeholder Reference Group*	Stakeholder Reference Group	Total 8 2 Councillors 6 External	Cr Eddy Cr Moloney	Nil	Chairperson elected by the Committee			
5.4	Ballarat Major Events Precinct Stakeholder Reference Group	Stakeholder Reference Group	Total 12 2 Councillors 10 External	Cr Moloney Cr Eddy	Cr Moloney Cr Eddy	Chairperson elected by the Committee			
6.0	Arch of Victory /Avenue of Honour Stakeholder Reference Group	Stakeholder Reference Group	Total 16 Mayor ex officio Up to 2 Councillors	Cr McIntosh	Cr McIntosh	Chairperson elected by the Committee			
6.1	Ballarat Friends of Ainaro Community Advisory Committee	Advisory Committee	Total 4 1 Councillor 3 External	Cr Eddy	Cr Eddy	Chairperson elected by the Committee	Cr Eddy	Cr Eddy	
6.2	Ballarat Heritage Advisory Committee	Advisory Committee	Total 18 2 Councillors 16 External	Cr McIntosh Cr Johnson	Cr McIntosh Cr Johnson	Council to appoint or Committee to appoint if Council fails to do so	Cr McIntosh	Cr McIntosh	Cr Moloney
6.3	Ballarat Regional Soccer Facility Advisory Committee	Advisory Committee	Total 8 2 Councillors 6 External	Cr Hudson	Cr Hudson	Council to appoint or Committee to appoint if Council fails to do so	Cr Hudson	Cr Hudson	

No	Title	Description	Membership	2023 Councillor Representative/s	2024 Councillor Representative/s	Details relating to Chairperson	2023 Councillor Representative Chairperson	2024 Councillor Representative Chairperson	Alternate Councillor Representative
6.4	Disability Advisory Committee	Advisory Committee	Total 13 1 Councillor 12 External	Cr Johnson	Cr Johnson	Council to appoint or Committee to appoint if Council fails to do so	Cr Johnson	Cr Johnson	
6.5	Intercultural Advisory Committee	Advisory Committee	Total 13 At least 1 Councillor	Cr Coates	Cr Coates	Council to select chairperson from Councillors	Cr Coates	Cr Coates	
6.6	Koorie Engagement Action Group Advisory Committee	Advisory Committee	Total 10 1 Councillor 9 External	Cr Coates	Cr Coates	Councillor is co-chair of Committee	Cr Coates	Cr Coates	
6.7	LGBTIQA+ Advisory Committee	Advisory Committee	Total b/2 10 and 12 Up to 3 Councillors	Cr Moloney Cr Coates	Cr Moloney Cr Coates	Councillor appointed by Council	Cr Moloney	Cr Moloney	
7.0	Integrated Transport Internal Working Group	Internal Working Group		Cr Taylor Cr Coates Cr McIntosh	Cr Taylor Cr Coates Cr McIntosh				
8.0	Art Gallery of Ballarat Board	Groups and Organisations	1 Councillor 9 External	Cr Harris	Cr Harris	Chairperson appointed by Council	Cr Harris	Cr Harris	
8.1	Australian Local Government Women's Association (ALGWA)	Groups and Organisations	Membership organisation	Cr McIntosh Cr Coates	Cr McIntosh Cr Coates				

No	Title	Description	Membership	2023 Councillor Representative/s	2024 Councillor Representative/s	Details relating to Chairperson	2023 Councillor Representative Chairperson	2024 Councillor Representative Chairperson	Alternate Councillor Representative
8.2	Greater Ballarat Alliance of Councils	Groups and Organisations	Total 16 Mayors and CEOs of the 8 members Councils	Mayor	Mayor	CHCV to appoint Chair from Mayors of the 8 member Councils			
8.3	Central Victorian Greenhouse Alliance	Groups and Organisations		Cr Coates	Cr Coates				
8.4	Commerce Ballarat**	Groups and Organisations		Cr Eddy	Nil				
8.5	Local Learning Education Network	Groups and Organisations		Cr Hudson	Cr Hudson				
8.6	Municipal Association of Victoria (MAV)	Groups and Organisations		Cr Johnson Cr McIntosh	Cr Johnson Cr McIntosh				Cr Coates
8.7	MAV Rural South-Central Region Group	Groups and Organisations		Cr Johnson Cr McIntosh	Cr Johnson Cr McIntosh				Cr Coates
8.8	Regional Cities Victoria	Groups and Organisations	Total 20 Mayors and CEOs of the 10 member Councils	Mayor	Mayor	Chair elected from the Mayors of the 10 member Councils			
8.9	Regional Sustainability Alliance	Groups and Organisations	1 Councillor	Cr Coates	Cr Coates				
9.0	Municipal Fire Management	Other Committees	1 Councillor		Cr Harris				



No	Title	Description	Membership	2023 Councillor Representative/s	2024 Councillor Representative/s	Details relating to Chairperson	2023 Councillor Representative Chairperson	2024 Councillor Representative Chairperson	Alternate Councillor Representative
	Planning Committee	Established Under Acts		Cr Harris					

\*Recommended that the Tourism Events Stakeholder Reference Group is disbanded.

\*\*No Councillors appointed to Commence Ballarat.

## **8. CLOSE**