

**CITY OF  
BALLARAT**



**Ordinary Council Meeting**

**1 April 2020**

Trench Room, Town Hall, Sturt Street, Ballarat

**MINUTES**  
**Public Copy**

**MINUTES OF A MEETING OF BALLARAT CITY COUNCIL HELD IN THE TRENCH ROOM, TOWN HALL, STURT STREET, BALLARAT ON WEDNESDAY 1 APRIL 2020 AT 7:00PM**

**MINUTES**

**ORDER OF BUSINESS:**

<b>1. Opening Declaration</b> .....	<b>4</b>
<b>2. Apologies For Absence</b> .....	<b>4</b>
<b>3. Disclosure Of Interest</b> .....	<b>4</b>
<b>4. Confirmation Of Minutes</b> .....	<b>4</b>
<b>5. Matters Arising From The Minutes</b> .....	<b>5</b>
<b>6. Public Question Time</b> .....	<b>6</b>
<b>7. Reports From Committees/Councillors</b> .....	<b>7</b>
<b>8. Chief Executive Officer Report</b> .....	<b>9</b>
8.1. Chief Executive Officer Report .....	9
<b>9. Assemblies Of Councillors</b> .....	<b>10</b>
9.1. Assemblies of Councillors .....	10
<b>10. Officer Reports</b> .....	<b>11</b>
10.1. Ballarat Response and Recovery Pandemic 2020 Plan.....	11
10.2. Loan Refinance .....	12
10.3. PLP/2019/185 6 Rose Hill Road Mount Rowan Use and Development of Land for a Major Sports and Recreation Facility (Ballarat Showgrounds), Place of Assembly, Creation of Access to a Road Zone 1 and Display of Business Identification Signage .....	13
10.4. Smarter Parking Plan Implementation Progress Report.....	29
10.5. Recycling Victoria, Circular Economy Framework and Waste to Energy Update	30
10.6. Ascot Gardens Drive / Webb Road Naming.....	31
10.7. Stakeholder Reference Groups .....	32

10.8. Governance Review of Policies .....	34
10.9. S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987).....	35
10.10. Outstanding Question Time Items .....	36
<b>11. Notice Of Motion .....</b>	<b>37</b>
<b>12. Urgent Business .....</b>	<b>37</b>
<b>13. Section 89 (In Camera) .....</b>	<b>37</b>
<b>14. Close.....</b>	<b>38</b>

## 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 Justine Linley - Chief Executive Officer  
 Mr Terry Demeo - Director Infrastructure and Environment  
 Mr Glenn Kallio - Director Business Services

### 2.2 Apologies

Nil

## 3. DISCLOSURE OF INTEREST

Disclosures were made as they arose during the meeting.  
 Item 13.4 Cr Moloney declared an interest.  
 Items 13.6 CEO Justine Linley declared an interest.

## 4. CONFIRMATION OF MINUTES

### RESOLUTION:

**That the Minutes of the Council Meeting on 11 March 2020 as circulated be confirmed.**

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

**CARRIED**  
**(R74/20)**

**5. MATTERS ARISING FROM THE MINUTES**

Nil

**6. PUBLIC QUESTION TIME**

Justine Linley, Chief Executive Officer, read the public questions that were received prior to the meeting.

**QT35/20 - Will Haskard - Black Hill****Question**

With regards to the new proposal for free parking and the removal of the meters across the CBD, how much is it costing the city to remove the parking meters and why weren't the meters just disabled in some way?

**Answer**

Terry Demeo, Director Infrastructure and Environment responded that the parking meters are not going to be removed, but have been disabled.

**QT36/20 - Alan Ford - Miners Rest****Question**

Are Councillors aware of a document titled "Ballarat Airspace Review August 2017", and if so, its ramifications on the capacity of the Ballarat Aerodrome; in particular dot point 3.4.3 p11, quoted below? I haven't received an answer so far from planning.

"Aircraft operators and BCC advise that they will restrict annual aircraft movements to a maximum of 30,000 to avoid capacity and infrastructure issues at the aerodrome."

Restrictions on the airport in Mr Kneebushe's Airport Safeguarding Study 2018, are based on more than 56,000 movements per year in 2050. 80% of flight movements at present are pilot training.

**Answer**

Terry Demeo, Director Infrastructure and Environment provided a brief verbal response and took the question on notice.

**RESOLUTION**

**That the questions be received.**

**Moved: Cr Amy Johnson**  
**Seconded: Cr Mark Harris**

**CARRIED**  
**(R75/20)**

**7. REPORTS FROM COMMITTEES/COUNCILLORS****GB21/20 - Cr Amy Johnson****RESOLUTION****Request a leave of absence for the Council Meeting on 22 April 2020.****Moved: Cr Des Hudson****CARRIED****Seconded: Cr Daniel Moloney****(R76/20)**

Cr Johnson praised the organisers of Les Miserables at Her Majesty's Theatre.

**GB22/20 - Cr Grant Tillett**

Cr Tillett received an email from Director Terry Demeo regarding road funding and asked for an explanation.

Terry Demeo, Director Infrastructure and Environment advised that a letter was received from the Prime Minister in regards to what roads could commence in 3-6 months and the potential for funding.

Cr Tillett requested why the GHD report on the Saleyards report was not available to the public and community of Miners Rest?

Terry Demeo, Director Infrastructure and Environment responded that the report is subject to legal privilege and is a report prepared for Council and is not a public document.

Cr Tillett asked if any other agencies have access to the report?

Terry Demeo, Director Infrastructure and Environment answered that the contents of the report have been shared with the Environment Protection Authority again under legal privilege.

**GB23/20 - Cr Jim Rinaldi**

Cr Rinaldi asked if Director Demeo was comfortable with the process that Cr Tillett mentioned going forward in relation to the Saleyards?

Terry Demeo, Director Infrastructure and Environment responded that it was appropriate for Council to seek qualified advice from an external independent party and to receive that report under legal privilege.

Cr Tillett called for a report to a briefing in relation to the investigation into the PAN that has been placed on the CVLX Saleyard by the Environment Protection Authority.

**GB24/20 - Cr Samantha McIntosh**

Cr McIntosh highlighted the wonderful job that Justine Linley, Chief Executive Officer and the Executive Leadership Team including Neville Ivey have done in handling the COVID-19 project on behalf of the City of Ballarat.

**GB25/20 - Cr Belinda Coates**

Cr Coates, as the Intercultural Advisory Chair, noted the Harmony Fest events that started but are unable to finish the full program due to the COVID-19. Cr Coates thanked those who put effort into delivering the events.

Cr Coates congratulated the Dementia Alliance Group who had planned a memory walk and then converted it into a different type of activity once the restrictions resulting from COVID-19 had come into place.

Cr Coates noted the Be Kind initiative and thanked all the Officers involved and a shout out to the social media online group 'Kindness Pandemic'.

**GB26/20 - Cr Amy Johnson**

Cr Johnson noted the impact of the COVID-19 on the local business community and highlighted all the support available.

Cr Johnson acknowledged that a number of businesses have adjusted to the changing demands, in particular the hospitality businesses who have adjusted to take away options.

Cr Johnson acknowledged the "bear hunts" around town.

Cr Johnson acknowledged Love your Neighbour Ballarat who have been assisting people who need support.



**8. CHIEF EXECUTIVE OFFICER REPORT**

**8.1. CHIEF EXECUTIVE OFFICER REPORT**

**Division:** Executive Unit  
**Director:** Justine Linley  
**Author/Position:** Justine Linley – Chief Executive Officer

**RESOLUTION:**

**Council resolves to:**

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

**Moved: Cr Des Hudson**

**Seconded: Cr Daniel Moloney**

**CARRIED**

**(R77/20)**

**EXECUTIVE SUMMARY**

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.

## 9. ASSEMBLIES OF COUNCILLORS

### 9.1. 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:

- 21 February 2020 Prosperity Portfolio
- 28 February 2020 Disability Advisory Committee
- 4 March 2020 Mayor, Councillor and CEO Meeting
- 4 March 2020 Strategic Briefing
- 5 March 2020 Ballarat Airport Advisory Committee Meeting
- 10 March 2020 Community Development Portfolio Meeting
- 18 March 2020 Council Agenda Review Briefing
- 23 March 2020 Councillor Briefing
- 25 March 2020 Strategic Briefing

**Moved: Cr Des Hudson**

**CARRIED**

**Seconded: Cr Daniel Moloney**

**(R78/20)**

#### 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*.

## **10. OFFICER REPORTS**

### **10.1. BALLARAT RESPONSE AND RECOVERY PANDEMIC 2020 PLAN**

**Division:** Executive Unit  
**Director:** Justine Linley  
**Author/Position:** Justine Linley – Chief Executive Officer

#### **RESOLUTION:**

##### **Council resolves to:**

- 1. Note the formation of the City of Ballarat Response and Recovery Pandemic 2020 Unit.**
- 2. Write to the Minister for Local Government to request the urgent implementation of mechanisms to enable Councillors to continue to participate and undertake their important roles during the COVID – 19 emergency and response.**

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

**CARRIED**  
**(R79/20)**

#### **EXECUTIVE SUMMARY**

As a result of the COVID 19 crisis the Victorian State Government declared a State of Emergency effective Monday the 16<sup>th</sup> of March, 2020.

In response to this and in an effort to protect the health of residents and staff, the City of Ballarat has instigated its Response and Recovery Pandemic 2020 Plan. Evidence from around the world has shown that pre-emptive measures are extremely effective in containing the spread of the disease.

## **10.2. LOAN REFINANCE**

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

### **RESOLUTION:**

**Council resolves to:**

- 1. Authorise the Chief Executive Officer to seek expressions of interest for loans funds totaling \$3,910,000**
- 2. Authorise the Chief Executive Officer to accept the terms and conditions of the loan totaling \$3,910,000, sign and seal the documentation on behalf of Council.**

**Moved: Cr Grant Tillett**  
**Seconded: Cr Jim Rinaldi**

**CARRIED**  
**(R80/20)**

### **EXECUTIVE SUMMARY**

This report seeks Council to approve the refinancing of loans as per the 2019/20 Budget.

**10.3. PLP/2019/185 6 ROSE HILL ROAD MOUNT ROWAN USE AND DEVELOPMENT OF LAND FOR A MAJOR SPORTS AND RECREATION FACILITY (BALLARAT SHOWGROUNDS), PLACE OF ASSEMBLY, CREATION OF ACCESS TO A ROAD ZONE 1 AND DISPLAY OF BUSINESS IDENTIFICATION SIGNAGE**

**Division:** Infrastructure and Environment  
**Director:** Terry Demeo  
**Author/Position:** Stephanie Durant – Principal Statutory Planner

**RESOLUTION:**

That Council resolves to:

Issue a Notice of Decision to Grant Planning Permit PLP/2019/185 for land located at 6 Rose Hill Road Mount Rowan for use and development of land for a major sports and recreation facility (Ballarat Showgrounds), place of assembly, creation of access to a road zone and display of business identification signage subject to the following conditions:

**1. Amended Plans Required**

Before the use and development of each stage 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 emailed to [info@ballarat.vic.gov.au](mailto:info@ballarat.vic.gov.au) with the planning reference number. The plans must be generally in accordance with the Master Plan Study- Ballarat Agricultural and Pastoral Society dated May 2017 but modified to show:

- (a) Removal of on street parking on Rose Hill Road and Midland Highway
- (b) A Staging Plan
- (c) A full set of site, floor and elevation plans of all proposed development for each stage
- (d) Locations and dimensions of all signage
- (e) A Materials and Colours Schedule for each stage in accordance with condition 3
- (f) A Construction Management Plan in accordance with condition 4
- (g) A Patron Management Plan in accordance with condition 5
- (h) A Waste Management Plan in accordance with condition 6
- (i) An Emergency Management Plan in accordance with condition 7
- (j) A Parking and Traffic Management Plan in accordance with condition 8
- (k) A Landscape Plan for each stage in accordance with condition 12 and 13

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. Buildings and works**

The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. All buildings and works must 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. All buildings and works must be located clear of any easements or water and sewer mains unless written approval is provided by the relevant authority.

### **3. Materials & Colour Details**

Before the use and development starts of each stage commences, a schedule of construction materials, external finishes and colours must be submitted to and approved by the Responsible Authority. When approved, the schedule will be approved to form part of the permit.

### **4. Construction Management Plan**

Prior to the commencement of works for each stage, 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 Rose Hill Road and Midland Highway 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 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
- (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.

### **5. Patron Management Plan**

Before the use starts, a Patron 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 plan must include but is not limited to:

- (a) Staffing and security arrangements for the premises designed to ensure the orderly arrival and departure of patrons;
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- (b) Signage to be used to encourage responsible off-site patron behaviour;
- (c) The training of staff in the management of patron behaviour;
- (d) Measures to control noise emissions from the premises;
- (e) Measures to manage patrons queuing to enter the premises;
- (f) Collection of rubbish from roads, car parks and public reserves in the vicinity of the premise and external areas used by premise patrons.
- (g) A documented complaint response procedure to the satisfaction of the responsible authority including the provision of a
  - Contact point during hours of operation
  - Investigation and assessment process
  - Record management of complaints and corrective action taken to resolve the concern.

The Patron Management Plan must be implemented to the satisfaction the Responsible Authority. The patron management plan must not be modified unless with the further written consent of the Responsible Authority.

#### **6. Waste Management Plan**

Prior to the use 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.

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.

#### **7. Parking and Traffic Management Plan**

Prior to the commencement of the use and development, a traffic and parking management plan must be submitted to and approved by the Responsible Authority. When approved the plan will form part of the permit. Traffic and parking operations on and adjacent to the site must conform to the approved plan. The plan must include:

- (a) The location of all areas on- and/or off-site to be used for staff and patron parking
- (b) Owner's permission and any required planning permission for parking on other land
- (c) Specification of staff numbers adequate to enable efficient operation of car parking areas both on and off-site

- (d) The number and location of all on- and off-site security staff
- (e) The means by which the direction of traffic and pedestrian flows to and from car parking areas will be controlled both on- and off-site
- (f) Measures to discourage patron car parking on Rose Hill Road and Midland Highway
- (g) Measures to preclude staff parking in designated patron car parking areas
- (h) Maintenance schedules for drainage and parking areas.

#### **8. Acoustic Assessment**

Before the use starts, an acoustic assessment of the development must be submitted to and be approved in writing by the Responsible Authority. The Acoustic Assessment must be prepared by a suitably qualified acoustic engineer and must detail recommended measures and/or treatments to ensure that noise emissions from the development do not impact adversely on the amenity of the adjoining residential properties. The development must be constructed in accordance with the approved acoustic assessment to the satisfaction of the Responsible Authority.

#### **9. Limit on Number of Patrons**

Without the prior written consent of the Responsible Authority, not more than 50 events per calendar year may be held on the subject land.

#### **10. Hours of Operation**

The uses may operate only between the following hours without the further written consent of the Responsible Authority:

##### **Outdoor Events**

- Monday to Sunday 6:00am-10:00pm

##### **Indoor Events**

- Monday to Sunday 6:00am-12:00am

#### **11. Landscape Master Plans**

Prior to the commencement of any works, a landscape master plan must be prepared for the entire site and be approved by the Responsible Authority. When approved, the plan will form part of the permit.

The Landscape Master Plan is broadly conceptual and should not show detailed design or specifications but must include:

- (a) An accurate survey of the entire site showing all existing vegetation, topography title boundaries, surrounding roads etc.
  - (b) Proposed stages with road and lot layouts.
  - (c) A detailed vegetation assessment survey showing all existing vegetation to be retained, protected and/or removed with accompanying report that is consistent with the requirements of the "Native Vegetation
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Management Framework, Department of Sustainability and Environment, 2002.

- (d) Locations, sizes and title designation of all public reserves (eg drainage, recreational, linear etc ).
- (e) Proposed major features and concepts for reserves (eg playgrounds, water features, retention basins, , native vegetation offset plantings, footpaths, etc).
- (f) Concepts and locations for street tree plantings and landscaping treatments within road reserves (eg roundabouts, centre medians.
- (g) Proposed planting 'styles' and locations for all plantings in public reserves and streets. footpath locations and pathway linkages through the subdivision and public reserves.

## **12. Landscape Plan**

Prior to the commencement of any works for each stage, 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 survey (including botanical names) of all existing vegetation to be retained and/or removed;
- (b) details of surface finishes of pathways and driveways;
- (c) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, size at planting, sizes at maturity, and quantities of each plant.
- (d) Vegetation screen planting along all boundaries of the site

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

## **13. Completion and Maintenance of Landscaping Works**

Prior to the use of the site commencing for each stage all landscape works forming part of the approved Landscape Plans must be completed to the satisfaction of the Responsible Authority. The landscaping shown on the approved landscape plan must be maintained to the satisfaction of the Responsible Authority for 18 months from the practical completion of the landscaping. During this period, any dead, diseased or damaged plants or landscaped areas are to be repaired or replaced during the period of maintenance and must not be deferred until the completion of the maintenance period.

## **14. Lighting**

External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

## **15. No Flashing Light**

The signage hereby permitted must not contain any flashing or intermittent flashing light.

**16. Directional Sign**

Signage to the satisfaction of the Responsible Authority must be provided directing drivers to the area(s) set aside for car parking and must be located at all entry points to the site and maintained to the satisfaction of the Responsible Authority. The area of each sign must not exceed 0.3 square metres.

**17. Signs within Land Boundary**

The signage hereby permitted must be located wholly within the boundaries of the land and must not impede the view of drivers exiting the site.

**18. Signs Not Altered**

The location and details of signs including those of the supporting structure, as shown on the approved plans must not be altered without the further written consent of the Responsible Authority.

**19. Sign Maintenance**

All signage must be constructed and maintained to the satisfaction of the Responsible Authority.

**20. No Sign Illumination**

The signage must not be illuminated by external or internal light except with the further written consent of the Responsible Authority.

**21. Number of Car Spaces Required**

No fewer than 1820 car spaces must be provided on the land for the use and development, including (spaces clearly marked for use by disabled persons and designed in accordance with Australian Standard AS 2890.6 – 2009.

**22. Internal Access Ways and Car Parking**

Prior to the commencement of the use, 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 with a flexible granular pavement and spray sealed or concrete or crushed rock;
- (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;
- (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.

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

### **23. Loading/Unloading**

The loading and unloading of vehicles and the delivery of goods to and from the premises must at all times be conducted entirely within the site and/or the designated loading bay hereby approved and must not disrupt the circulation and parking of vehicles on the land or street network to the satisfaction of the Responsible Authority.

All Vehicle entry to and egress from the site shall be in a forward direction.

### **24. Regulation of Delivery Times**

Deliveries to and from the site (including waste collection) must only take place between:

6:00	am and	8:00	pm Monday to Friday
6:00	am and	8:00	pm Saturday
6:00	am and	8:00	pm Sunday and public holidays

All ancillary motors or trucks are to be turned off whilst picking up or dropping off stock/materials

### **25. Drainage Plans and Construction**

Prior to works commencing on site, drainage, stormwater detention and stormwater treatment plans must be submitted to and approved by the Responsible Authority. The drainage, stormwater detention and treatment plans must accord with the Infrastructure Design Manual and/or Council's WSUD guideline. 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 commencement of the development/use hereby approved.

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

Any proposed discharge of stormwater requiring a direct and/or modifying and existing connection to a designated waterway (as defined by the Water Act 1989) will require approval by the relevant Catchment Management Authority.

### **26. Engineering Plans and Construction**

Prior to the commencement of works or use hereby approved, 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.

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

**The engineering plans must also detail:**

- i. Kerb and channel construction (including pavement details) for the frontage of the subject site, along Rose Hill Road;**
- ii. Construction of right of way providing access to the site**
- iii. Underground drainage**

**27. Disposal of Waste/Soiled Water**

**No waste or soiled water shall be permitted to be discharged from the site to the stormwater drainage system to the satisfaction of the Responsible Authority.**

**28. Dust Suppression**

**Dust suppression must be undertaken in the form of constant water spraying or other natural based proprietary dust suppressant to ensure that dust caused by vehicles does not cause nuisance to surrounding properties to the satisfaction of the Responsible Authority.**

**29. Noise from Premises SEPP N1 and N2**

**The licensee shall ensure that the level of noise emitted from the premises shall not exceed, to the satisfaction of the Responsible Authority:**

- (a) the permissible noise level from mechanical equipment as specified in the State Environment Protection Policy N-1 (Control of Noise Industrial, Commercial and Trade Premises within the Melbourne Metropolitan area); and**
- (b) the permissible noise levels for entertainment noise as specified in the State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2;**

**30. Sediment Control Measures**

**Prior to the commencement of any works on site, a Sediment Control Plan detailing sediment control measures during construction must be submitted to the Responsible Authority for approval. Control measures should be consistent with the EPA publication 480 'Environment Guidelines for Major Construction Sites'. When approved the Sediment Control Plan shall form part of this permit. All sediment control measures shall be undertaken and remain in place until the completion of site works to the satisfaction of the Responsible Authority.**

**31. Flood Levels**

**Prior to works commencing on site plans detailing the 1% Annual Exceedance Probability Flood Level for the site and surrounding properties shall be prepared by a suitably qualified Engineer and submitted to the Responsible Authority for approval.**

**32. Amenity**

The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:

- (a) transport of materials, goods or commodities to or from the land;
- (b) appearance of any building, works or materials;
- (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
- (d) presence of vermin or otherwise;

In the event of any nuisance being caused to the neighbourhood by activities related to the use and development the Responsible Authority may direct, in writing, such actions or works, as deemed appropriate, to eliminate or mitigate such nuisance be undertaken.

**33. 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.

**34. Filling of Land**

Prior to the filling of land commencing a detailed topographical plan of the site shall be submitted to the Responsible Authority for approval.

The plan shall show:

- i. existing contours at 0.5 metre intervals;
- ii. existing natural features including water courses, trees and rock outcrops;
- iii. existing improvements on the land including buildings, roads, drainage pipes, sewer pipes and septic tanks;
- iv. proposed soil stockpile areas;
- v. proposed finished surface levels and contours at 0.5 metre intervals;
- vi. all of the above features on adjacent lands within 50 metres of the proposed filling site.

Once approved the filling operation shall be undertaken in accordance with the plan in the following way.

- (a) Prior to the commencement of filling commencing on any particular area of the site, topsoil shall be stripped and stockpiled on the site. Topsoil is not to be removed from the site but stored to be used and spread over the site on the completion of the filling operation, with additional soil if needed, to a depth of 100 millimetres.
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- (b) The land shall be shaped so as not to concentrate water onto adjoining land.
- (c) Only clean inert filling shall be deposited on the site.
- (d) No material shall be stored or dumped on any area not approved for filling or stockpiling.
- (e) No damage shall be caused to kerb and channel, road pavement, nature-strips, drainage infrastructure or any other Responsible Authority asset due to the filling operation. If any damage is caused, the damage shall be repaired immediately to the satisfaction of the Responsible Authority.
- (f) Deposited material shall be shaped in accordance with the approved detailed plan or as directed by the Responsible Authority.

Any land proposed to be further developed by the construction of buildings, roadways or drainage lines shall be compacted to 95% Modified (In accordance with Australian Standard 1289.5-2.1).

Appropriate dust suppression measures shall be implemented to ensure that a nuisance is not caused to adjoining landowners or the general public to the satisfaction of the Responsible Authority.

All works required to comply to this condition shall be completed to the satisfaction of the Responsible Authority.

### **35. Litter Traps**

An approved litter trap shall be included in the design and construction of the proposed drainage system, and must be installed prior to connection to the existing Council drainage network.

### **36. Country Fire Authority REF: 15000-685945-89824**

#### **1. Hydrants**

Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:

**1.1 Above or below ground operable hydrants must be provided. The maximum distance between these hydrants within the site must be no more than 120 metres apart.**

**1.2 The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.**

**Note –CFA’s requirements for identification of hydrants are specified in ‘Identification of Street Hydrants for Firefighting Purposes’ available under publications on the CFA web site ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au))**

## **2. Roads**

**Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.**

**2.1 The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.**

**2.2 Curves must have a minimum inner radius of 10 metres.**

**2.3 Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.**

### **37. Environment Protection Authority REF: 5009497**

**(a) Effective noise levels from the use of the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011) or as amended.**

**(b) Effective noise levels from the use of the premises must comply with the requirements of the State Environment Protection Policies (Control of Music Noise from Public Premises) No. N-2.**

### **38. Glenelg Hopkins Catchment Management Authority REF:F-2019-00108**

**(a) Detailed design plans for the proposed flood mitigation channels shall be submitted to Ballarat City Council and Glenelg Hopkins CMA for approval prior to commencement of construction the flood mitigation channels.**

**(b) The detailed design plans for the flood mitigation channels shall be Certified by CARDNO TGM as fully replicating the flood water storage and conveyance capacities and on-ground location of the conceptual channel features as represented in the final iteration of the hydraulic model used to derive the mapping provided in the final Flood Impact Assessment V01(issue date 7/02/2020)**

**(c) Following construction of the flood mitigation channels the proponent shall submit "as constructed" (feature survey) plans to Ballarat City Council and Glenelg Hopkins CMA to verify that the dimensions and surface levels of the constructed channels match the approved plans. These "as constructed" plans must be completed by a licensed surveyor and meet the following specifications:**

- i. Minimum point density of 2 metres**
  - ii. Levels expressed in Australian Height Datum (AHO)**
  - iii. All point co-ordinate data to be collected in MGA 94 Zone 54 Eastings and Northings**
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- iv. **Data to be provided in dxf and GIS (MapInfo .tab or esri shapefile) format, including generation of detailed contours or a digital terrain model (dtm) using the surveyed topographic point data.**
- (d) **In the event that earthworks are not completed as per the approved design plans, rectification earthworks shall be done to the satisfaction of Ballarat City Council and Glenelg Hopkins CMA.**

**Note:**

Whilst the CMA considers that granting a planning permit can now be supported, as stated in the CMAs 4 September 2019 response, modification of the central waterway traversing this site will trigger the need for a Works on Waterways (WoW) Licence issued by Glenelg Hopkins CMA. A WoW licence for these works will not be granted in the absence of the detailed design plans required by the recommended planning permit condition 1 (stated above). Further to this, it is the CMAs understanding that crossings of the modified central channel may be required. Full design details of any structures with potential to affect flow of water must also accompany the WoW Licence application to avoid delay in the CMAs WoW licence application determination. Please allow a minimum of 25 working day turnaround for WoW licence application determination. This timeframe will be extended if supporting information is lacking and further information is required.

**39. Regional Roads and Transport Victoria**

- a) **Prior to the commencement of the development, the following works must be completed to the satisfaction of, and at no cost to the Head, Transport for Victoria:**
  - i. **Appropriate right and left turn treatments are to be installed at the intersection of the Midland Highway and Rose Hill Road (indicatively an upgrade to CHR/AUL from *Austrroads Guide to Road Design 2017 – Parts 4 and 4A*) and the midblock (Exhibition Centre) entrance (indicatively BAR/BAL - *ibid*).**
  - ii. **Public lighting is to be installed at the intersection of Rose Hill Road & Midland Highway and at the midblock entrance on the Midland Highway, consistent with Australian Standards.**
  - iii. **Parking in the Midland Highway road reserve will not be permitted. To enforce this requirement, prior to the commencement of the development, a physical obstruction (such as guard rail) is required in the Midland Highway verge area to prevent unsanctioned parking in this area.**
- b) **Prior to any works on the Midland Highway road reserve commencing, the applicant must enter into a works agreement with VicRoads, confirming design plans and works approvals processes, including the determination of fees and the level of VicRoads' service obligations.  
Contact:western.mail@roads.vic.gov.au**
- c) **A Staging Plan is to be provided, informing the timing of any works on the Midland Highway and/or its road reserve.**



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- d) **A Memorandum of Authorisation (MoA) for the erection of traffic control devices (including an appropriate Traffic Management Plan) must be sought and received for any major events - such as the Ballarat Show.**
- e) **The southernmost exit to the Midland Highway is to be left-out only.**
- f) **The midblock (Exhibition Centre) entrance is to only be used for exhibition centre events and major event setup & pack down. The primary entrance for all other activities is to be via Rose Hill Road.**
- g) **Prior to the commencement of the development, or other time agreed in writing with the Head, Transport for Victoria, amended plans to the satisfaction of the Head, Transport for Victoria must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then 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 the plans submitted with the application but modified to show:**
- i. **The location of the existing bus stop pair in the context of the subject site;**
  - ii. **The bus stop pair upgraded to include indented bays (standard drawing attached), lighting (in addition to street lighting, where possible), bus shelters and associated infrastructure to the satisfaction of Public Transport Victoria;**
  - iii. **A public bus stop area for use on event days on the south side of Rose Hill Road or, preferably, within the event complex;**
  - iv. **The provision of walking/cycling linkages and infrastructure;**
  - v. **Railway fencing along the railway corridor in accordance with the V/Line fencing standards (Fencing Right of Way, Project New Construction: SAST-1);**
  - vi. **Landscaping proposed for the eastern portion of the site adjacent to the railway corridor;**
  - vii. **Designs compliant with the Disability Discrimination Act – *Disability Standards for Accessible Public Transport 2002*.**
- h) **Prior to the occupation of the development all works outlined on the endorsed plans for public transport improvements must be completed at the full cost to the permit holder, to the satisfaction of Public Transport Victoria, and deemed compliant with the Disability Discrimination Act 1992.**
- i. **Prior to the commencement of the works, or another time agreed in writing with Public Transport Victoria (PTV), the permit holder must install a fence along the subject site boundary abutting the rail reserve, to the satisfaction of PTV and VicTrack, at the full cost to the permit holder.**
  - ii. **Prior to the construction of the fence, a plan showing the specifications of the fence must be agreed to in writing with V/Line.**
- Note: The development is located adjacent to an operating railway corridor, where train services may operate 24 hours a day, 7 days a week. Therefore, the permit holder may wish to construct windows and built form that incorporate noise attenuation materials (i.e. double glazing and appropriate wall attenuation materials) to reduce amenity impacts.***
- i) **The building and works proposed must not encroach on the railway corridor to the satisfaction of the Head, Transport for Victoria.**
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- j) The permit holder must take all reasonable steps (including appropriate fencing) to ensure that stray balls or other recreational equipment do not enter the rail corridor to the satisfaction of the Head, Transport for Victoria.
- k) No drainage or effluent must enter VicTrack land and must be connected to the legal point of discharge.
- l) No excavation, filling or construction other than shown on the permit plans must take place on the common boundary between the subject property and VicTrack land without the prior approval of VicTrack and the Rail Operator.
- m) No entry onto railway land is permitted without the written consent of the Rail Operator.
- n) The permit holder must ensure that the operating of lights is directed away from the rail corridor to ensure no disruption to the operation of trains and visibility of train drivers to the satisfaction of the Head, Transport for Victoria.
- o) Plant and tree species must be of the type that will not cause any future overhang onto VicTrack land or disturbance of railway operations.
- p) The permit holder must ensure that public transport infrastructure is not altered without the consent of the Head, Transport for Victoria or damaged. Any damage to public transport infrastructure must be rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder.
- q) The permit holder must take all reasonable steps to ensure that disruption to bus operation along the Midland Highway is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to the Head, Transport for Victoria eight (8) weeks prior by telephoning 1800 800 007 or emailing [bus.stop.relocations@transport.vic.gov.au](mailto:bus.stop.relocations@transport.vic.gov.au).

#### 40. Expiry Date Signage

The signage approved by this permit expires 15 years from the date of issue. All signage must be removed to the satisfaction of the Responsible Authority by this date.

#### 41. Permit Expiry – Use and Development

Development and use of land expires if:

- (a) The development or any stage of it does not start within two (2) years of the date of this permit; or
- (b) The development or any stage of it is not completed within four (4) years of the date of this permit; or
- (c) The use does not start within two (2) years after the completion of the development; or
- (d) The use is discontinued for a period of two years.

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 Act**

#### **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 2018 and Building Code of Australia 2019.

#### **Cultural Heritage – Approved Cultural Heritage Management Plan**

All works required and specified in the approved Cultural Heritage Management Plan must be undertaken in accordance with the approved plan approved by Wathaurung Aboriginal Corporation.

#### **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.

#### **Food Act 1984**

An application for, and assessment of, food premises construction compliance under the Victorian Food Act 1984 must be made with Council's Environmental Health Unit prior to its construction and use. Detailed floor and elevation plans will form the basis of that assessment and must be submitted for initial approval. A schedule of fixtures fittings and materials used for the fit out is also required.

Any proposed alteration to a food premises must be designed in accordance with requirements of the FSANZ Food Standards Code and Australian Standard 4674

Moved: Cr Grant Tillett

Seconded: Cr Daniel Moloney

**CARRIED**

**(R81/20)**

Cr Amy Johnson abstained her vote.

### **EXECUTIVE SUMMARY**

On 20 March 2019 an Application was lodged for Use and Development of Land for a major sports and recreation facility (Ballarat Showgrounds), place of assembly, creation of access to a road zone 1 and display of business identification signage on land at 6 Rose Hill Road Mount Rowan. The application was advertised, and Council has received twelve (12) objections. A consultation was held with objectors on 24 October 2019. It is recommended that Council issue a Notice of Decision to Grant a Planning Permit subject to conditions.

#### **10.4. SMARTER PARKING PLAN IMPLEMENTATION PROGRESS REPORT**

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

#### **RESOLUTION:**

**Council resolves to:**

- 1. Note the progress report in relation to the implementation of the Smarter Parking paid system.**

**Moved: Cr Daniel Moloney**

**CARRIED**

**Seconded: Cr Jim Rinaldi**

**(R82/20)**

#### **EXECUTIVE SUMMARY**

This is the second progress report regarding the implementation of the Smarter Parking Plan in the City of Ballarat, the first reported to the 11 March 2020 Council meeting.

This report provides information on adjustments made throughout the implementation of the plan thus far, and an outline of additional community education and support provided resulting from public feedback received in the initial weeks of commissioning.

It is recommended that the Council note the information provided and adjustments made to the system.

## 10.5. RECYCLING VICTORIA, CIRCULAR ECONOMY FRAMEWORK AND WASTE TO ENERGY UPDATE

**Division:** Development and Planning  
**Director:** Angelique Lush / Terry Demeo  
**Author/Position:** Lisa Kendal – Manager Strategic Planning  
Siobhan Dent – Economic Development Officer

### RESOLUTION:

#### Council resolves to:

1. Adopt the *Circular Ballarat Framework* to guide advocacy, activity and future funding applications;
2. Advocate for and advance the establishment of a Ballarat Circular Economy Innovation Centre;
3. Note that the State Government as part of its *Recycling Victoria* policy has indicated it will develop a waste to energy framework over 2020 to take effect in 2021; and
4. Delay progressing a market based EOI process for an energy recovery facility in Ballarat until after the State Government has developed and released its waste to energy framework.

Moved: Cr Belinda Coates

CARRIED

Seconded: Cr Samantha McIntosh

(R83/20)

### EXECUTIVE SUMMARY

This report seeks to update Council on the new *Recycling Victoria* policy and implications for Council's waste and recycling services, adoption of the City of Ballarat's *Circular Ballarat Framework*, approval to advocate for and advance the development of a Circular Economy Innovation Centre in Ballarat, and endorsement of a direction for an energy recovery (formerly referred to as Waste to Energy) facility.

A circular economy is based on three core principles of designing out waste and pollution, keeping products and materials in use, and regenerating natural systems. It differs from the linear economy of take, use and discard.

The City of Ballarat has been working towards a circular economy for over a decade. The State Government's recent policy announcement – *Recycling Victoria: A new economy* – is aligned with existing Council policy and strategic initiatives.

Officers have prepared a *Circular Ballarat Framework* to establish the foundations for Ballarat's approach to a embedding a circular economy in the City.

**10.6. ASCOT GARDENS DRIVE / WEBB ROAD NAMING**

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

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

- 1. Endorse the proposal to rename the western section of Webb Road as a continuation of Ascot Gardens Drive.**
- 2. Delegate to the Chief Executive Officer the Authority to complete all relevant steps pursuant to the Geographic Place Naming Procedures to formalise this change.**

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

**CARRIED**  
**(R84/20)**

**EXECUTIVE SUMMARY**

The report proposes a change to the naming of a section of Webb Road following the intention of the adopted Ballarat West Precinct Structure Plan which sees this road align with Ascot Gardens Drive to provide for a more logical street naming regime given the urbanisation of the area and following the intent of the adopted Precinct Structure Plan.

In accordance with the *Geographic Place Names Act 1988*, any changes to roads including name changes must undergo a period of public notice and consultation. Recently a process of consultation was undertaken to rename a section of Webb Road, Delacombe to Ascot Gardens Drive in accordance with the guidelines.

Consultation took place between 17 November to 17 December 2019 and submissions from the public were invited. Two submissions objecting to the proposal were received.

**10.7. STAKEHOLDER REFERENCE GROUPS**

**Division:** Business Services  
**Director:** Glenn Kallio  
**Author/Position:** Cameron Montgomery – Executive Manager Safety Risk and Compliance Services

**RESOLUTION:**

**Council resolves to:**

- 1. Establish a Tourism Events Stakeholder Reference Group and adopt the amended Terms of Reference as circulated for that Group to support the City of Ballarat in achieving the objectives of the Ballarat Event Strategy 2018 - 2028.**
- 2. Establish a Ballarat Major Events Precinct Stakeholder Reference Group and adopt the amended Terms of Reference as circulated for that Group to ensure all event planning and event activation is shared across all user groups and affected parties in a timely manner and to provide a forum for advocacy for future development of the Ballarat Major Events Precinct in the interests of the local community.**
- 3. Have each Group meet on a quarterly basis or with such other frequency as determined by Council, or absent such a resolution, as agreed by the Reference Groups from time to time.**
- 4. Appoint the Mayor of the Day and Cr Daniel Moloney to the Tourism Events Stakeholders Reference Group.**
- 5. Appoint the Mayor of the Day and Cr Des Hudson to the Ballarat Major Events Precinct Stakeholders Reference Group.**

**Moved: Cr Des Hudson**

**Seconded: Cr Daniel Moloney**

**CARRIED**

**(R85/20)**

**EXECUTIVE SUMMARY**

At its meeting held on 11 March 2020 Council resolved to defer consideration of this matter. The report is now re-submitted.

In late 2019, Councillors requested the Chief Executive Officer to investigate options for the establishment of advisory or reference groups in relation to the Ballarat Major Events Precinct in Ballarat North and in relation to the Tourism Events Strategy implementation.

It is recommended that Councillors approve the establishment of a Tourism Events Stakeholder Reference Group to support the City of Ballarat in achieving the objectives of the Ballarat Event Strategy 2018 - 2028.

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Specifically, the purpose of the Group is to:

1. Increase commercial sector participation and support for tourism events.
2. Seek to generate a greater economic return for the visitor economy from tourism events.
3. Assist to build Ballarat's profile as a leading destination of events in regional Australia, focused on building local capability and capacity.
4. Provide expert guidance to support the review of the Ballarat Event Strategy 2018 - 2028.
5. Use its best endeavours to ensure events provide greater community participation and outcomes.

Additionally, it is recommended that Councillors approve the establishment of a Ballarat Major Events Precinct (BMEP) Stakeholder Reference Group. This would ensure all event planning and event activation of the BMEP is shared across all user groups and affected parties in a timely manner; and to provide a forum for advocacy for future development of the BMEP in the interests of the local community.

The purpose of the Group is to:

1. Collaboration between all user groups and local residents;
2. Providing a consultative forum to support event planning and event activation that encourages information sharing across all user groups and stakeholders in a timely manner;
3. Enabling a consultative forum to discuss matters to improve events conducted within the BMEP; and
4. Advocating for future development of the BMEP in the interests of the local community.

**10.8. GOVERNANCE REVIEW OF POLICIES**

**Division:** Business Services  
**Director:** Glenn Kallio  
**Author/Position:** Cameron Montgomery – Executive Manager Safety, Risk and Compliance Services

**RESOLUTION:**

**Council resolves to:**

- 1. To rescind all previous iterations of the following policies:**
  - **Gift and Hospitality Policy\***
  - **Committees Policy**
  - **Lake Wendouree Boat Shed Policy**
  - **Leasing and Licensing Policy**
  
- 2. Adopt the following revised policies:**
  - **Committees Policy**
  - **Lake Wendouree Boat Shed Policy**
  - **Leasing and Licensing Policy**

**\*The Gift and Hospitality Procedure for staff has been endorsed by the Controlled Document PCG on 27 November 2019.**

**Moved: Cr Daniel Moloney**  
**Seconded: Cr Mark Harris**

**CARRIED**  
**(R86/20)**

**EXECUTIVE SUMMARY**

As part of a broader review agenda to improve compliance, several key governance instruments and protocols have been assessed, including:

- Special and Advisory Committees;
- Local Laws; and
- Instruments of Delegations.

The current phase of the strategic review is focusing on policies and procedures with an emphasis on identification and removal of redundant material that is out of date, not in keeping with modern governance practices, or places increased administrative burden on Council. Additionally, a number of policies have been updated to the new template.

These policies have been adopted by resolution of Council and therefore a resolution from Council is required to rescind them.

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

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

Cr Moloney moved that items 10.9 and 10.10 to be moved as a block.

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

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:
  - a. Michelle Watt be appointed and authorised as set out in the instrument.
  - b. 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.
  - c. The instrument be sealed.

**Moved: Cr Daniel Moloney**

**CARRIED**

**Seconded: Cr Belinda Coates**

**(R87/20)**

**EXECUTIVE SUMMARY**

The report is to seek Council's endorsement of the S11A. Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* to Michelle Watt.

**10.10. OUTSTANDING QUESTION TIME ITEMS**

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

**RESOLUTION:**

**Council resolves to:**

**Endorse the Outstanding Question Time report.**

**Moved: Cr Daniel Moloney**

**CARRIED**

**Seconded: Cr Belinda Coates**

**(R87/20)**

**EXECUTIVE SUMMARY**

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

As of 11 March 2020, there are no outstanding questions.

**11. NOTICE OF MOTION**

Cr Hudson asked to recognise the recent passing of Michael Cheshire former Councillor and Mayor of Hepburn Council.

**12. URGENT BUSINESS**

Nil

**13. 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 9:31am whilst the Council is dealing with the following matters.**

**Moved: Cr Mark Harris**

**CARRIED**

**Seconded: Cr Samantha McIntosh**

**(R88/20)**

**13.1 NORTHERN GRAMPIANS SLA**

**Division:** Community Development  
**Director:** Jenny Fink  
**Author/Position:** Jenny Fink – Acting Director Community Development

(contractual matters)

**13.2. CYCLING AUSTRALIA ROAD NATS CONTRACT RENEWAL**

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

(contractual matters)

**13.3. BAKERY HILL REVITALISATION DESIGN TENDER**

**Division:** Development and Planning  
**Director:** Angelique Lush  
**Author/Position:** Tim Goddard, Project Manager – Bakery Hill

(contractual matters)

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